

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

DATE: September 7, 2023

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Use Permit Renewal with an Amendment, pursuant to Section 6512.6 of the San Mateo County Zoning Regulations, to allow the continued operation of an existing wireless telecommunication facility and to modify the existing operation by adding a diesel generator. The project site is located at 1900 Miramontes Point Road in the unincorporated Half Moon Bay area of San Mateo County.

County File Number: PLN 2007-00443 (T-Mobile)

PROPOSAL

The applicant is seeking a Use Permit Renewal with an Amendment to allow for the continued operation of a wireless telecommunication facility and to allow for the installation of a 48-kW standby, diesel generator mounted on a new at grade concrete slab, and (1) new automatic transfer switch. This new equipment will be located within a new 120 sq. ft. lease area enclosed by a chain link fence lined with green slats which is to be located directly adjacent to the existing 158 sq. ft. equipment lease area. These enclosed, leased areas are located along an existing access road and approximately 220 feet away from the existing monopine. The site is located within the Half Moon Bay Road/ Higgins Purisima Road/ Purisima Creek Road County Scenic Corridor.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit Renewal with Amendment, County File No. PLN 2007-00443 by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Sam Becker, Project Planner; sbecker@smcgov.org,
650/382-4493

Applicant: Jazmin Gabriel of Network Connex, on behalf of T-Mobile

Owner: Coastside County Water District

Public Notification: Ten (10) day advanced notification for the hearing was mailed to property owners within 300 feet of the project parcel and a notice for the hearing posted in a newspaper (San Mateo Times and Half Moon Bay Review) of general public circulation

Location: 1900 Miramontes Point Road, Unincorporated Half Moon Bay

APN: 066-430-050

Size: 3.6 acres

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

General Plan Designation: Agriculture

Local Coastal Plan Designation: Agriculture

Sphere-of-Influence: None

Williamson Act: The subject parcel is not a Williamson Act contracted parcel.

Existing Land Use: The property is owned by the Coastside County Water District and is developed with an access road, large water storage tank, pump house, and other water infrastructure. The property also supports an existing T-Mobile Wireless Telecommunications Facility consisting of 14-foot tall, camouflaged monopole bush, six panel antennas, and supporting equipment both on the pole and within an enclosed 158 sq. ft. lease area.

Water Supply: Not Applicable

Sewage Disposal: Not Applicable

Flood Zone: FEMA Flood Insurance Rate Map designation defines the parcel to be located within a Zone X. Areas of 0.2 percent Annual Chance of Flood, Community Panel No: 06081C0266F, Dated August 2, 2017.

Environmental Evaluation: Categorically exempt under provisions of Class 1, Section 15301 of the California Environmental Quality Act Guidelines, Existing Facilities, which provide for the continued operation, repair, maintenance, permitting, leasing, or minor alteration of existing public or private structures involving a negligible or no expansion of the existing use.

Setting: The project is located just east of Cabrillo Highway (California State Route 1) and the Half Moon Bay Golf Links, and south of Higgins Canyon Road in unincorporated Half Moon Bay. The property is improved with one existing water tank and pump house in addition to the existing cellular facility. A paved, access road provides connection

between Miramontes Point Road and access to the telecommunication and water facilities on-site. An additional dirt access road exists to connect telecommunication facility equipment and the existing monopine located in the northwest corner of the property. The area is hilly in topography and covered with mature shrubs and other native vegetation.

Chronology:

<u>Date</u>	<u>Action</u>
April 17, 2008	- Zoning Hearing Officer approved the Use Permit to allow the establishment of a Wireless Telecommunications Facility at this location.
December 29, 2015	- Minor Modification to add additional panels and a minor increase in height approved.
March 31, 2021	- Use Permit Renewal Application fees paid; project deemed incomplete as application forms weren't received
September 7, 2022	- Use Permit Renewal Application forms, and plans received.
May 25, 2023	- Project Deemed Complete; Referrals Completed
August 17, 2023	- Zoning Hearing Officer Meeting

DISCUSSION

A. KEY ISSUES

1. Conformance with the General Plan

The project continues to conform with the applicable General Plan policies for Visual Quality and Land Use as the facility will largely remain as currently constructed, with the exception of the proposed generator. The project site is located within the Half Moon Bay Road/ Higgins Purisima Road/ Purisima Creek Road County Scenic Corridor. Therefore, the existing telecommunication facility on site was designed to minimize visual impacts. The existing facility includes a monopine, which is a monopole disguised as a pine tree. The equipment mounted on the monopine is a dark green color which helps the equipment to blend in with the surrounding environment and minimizes visual impacts. The facility is not visible from the scenic highways given the long distance between the site and public viewpoints, additionally the visual impact of the monopine is severely obstructed due to existing topography on site with many hills blocking the ability to see equipment from the nearest public road. The proposed generator will be

located on a new on grade concrete slab, within a new 120 sq. ft. fenced enclosure. The proposed generator enclosure will be located immediately adjacent to the existing equipment enclosure in order to maintain a clustered pattern with existing development on site and reduce the introduction of any visual quality disruptions. The proposed equipment and fencing also follows the existing fence design in both height and finishes, meeting condition of approval for color conformance with existing equipment. Both the clustering of enclosures to reduce development impact, and the use of camouflaging strategies like painted, green slats in the enclosure fencing, work to reduce the equipment's visual impact on this project site located in a Scenic Corridor. Overall, the project is consistent with General Plan Policies 4.15 (*Appearance of Development*), 4.21 (*Utility Structures*), and 4.22 (*Scenic Corridors*); the new development maintains the minimal design impact on site by locating the proposed enclosure 2 feet from the existing enclosure and matching them in both color and material, while continuing to minimize any visual impact that utility structures may have within a scenic corridor.

2. Compliance with the Local Coastal Program (LCP)

The project site is located within the Coastal Zone and the approval of the original Use Permit included a Coastal Development Permit. The existing facility was found to be compliant with the applicable policies of the LCP at the time of its original approval and subsequent modifications remain consistent. The proposed modifications continue to be compliant and qualify under the exemption criteria listed in Chapter 20B of the Zoning Regulations, issuance of a new Coastal Development Permit is not required.

3. Compliance with Zoning Regulations

The project site is located in the Planned Agricultural District (PAD) Zoning District. While the Planned Agricultural District does not specifically list cellular facilities as allowable uses, Section 6500 of the Zoning Regulations allows communications facilities in any zoning district upon issuance of a use permit, if the proposed project complies with the zoning regulations for that district. The existing facility was found to be compliant with all development criteria set forth by the County Zoning Regulations for the PAD District for non-agricultural development. The proposed modifications do not impact this initial determination and given the relatively minor nature of the modifications; issuance of a new PAD permit is not required.

	Required	Proposed
Front Yard	50 feet	239 feet (generator)
Side Yards	20 feet	147 feet (left side) 195 feet (right side) (generator)
Rear Yard	20 feet	196 feet (generator)
Maximum Height	36 feet	14 feet (monopine) 7.5 feet (generator)

Conformance with the Development Review Criteria

The proposed project conforms to all applicable Development Review Criteria listed in Chapter 20.A.2 of the San Mateo County Zoning Regulations, including the Environmental Quality Criteria, the Site Design Criteria, Utilities Criteria and Water Supply Criteria. Further discussion that substantiates the project’s compliance with the Development Review Criteria can be found in Section 1 (Conformance with the General Plan) and Section 2 (Conformance with the Local Coastal Program) of this report.

4. Compliance with Wireless Telecommunications Facilities Ordinance (WTF)

Staff has determined that the project complies with the applicable standards of the Wireless Telecommunication Facilities (WTF) Ordinance, as discussed below:

a. Development and Design Standards

Section 6512.2 of the WTF ordinance discusses location, minimizing visual impacts, maximum height, and future co-location of wireless facilities. The location and design of the existing monopine helps to minimize negative visual impacts, as the natural slope and grade of site allows it to be obstructed from public viewpoints and the camouflaged design prevents the facility from being immediately recognizable as a telecommunications facility. Additionally, the proposed backup generator will not introduce any visual impacts as it is located away from the street, immediately adjacent to the existing equipment enclosure, and will follow the same design (i.e., at ground level and enclosed by a chain link fence with green slats). Section 6512.2.L also discusses a specific finding that must be met in regard to the proposal of a diesel generator, indicating that other renewable energy sources must first be considered and deemed not feasible in

order to propose diesel as the emergency power source. T-Mobile provided in writing, a Renewable Energy Feasibility Statement (Exhibit G), that outlined their considerations for other power sources like solar, electricity, and propane but noted that those would have required additional infrastructure and would result in more significant impact to the visual quality of the site located in a Scenic Corridor. The proposed diesel generator is self-contained and is clustered with existing equipment on site and was determined to have the least developmental impact of the other considered energy sources. Lastly, T-Mobile has indicated that there are no other carriers located on the site and that no further expansion is planned or anticipated at this time.

b. Performance Standards

The project is in compliance with Sections 6512.2 and 6512.5 of the WTF Ordinance, as the existing facility has maintained a valid FCC license. The existing facility is unlit, has obtained building permits for all modifications, has road access, has maintained the appearance of the facility as proposed and conditioned by the original approval, and operates at frequencies and power levels that comply with all FCC guidelines. Staff is unaware of any other cellular carriers proposing to co-locate on or adjacent to the existing monopole and no requests to intensify the use of this facility beyond the current carrier have been made.

5. Conformance with Use Permit Findings

In order to approve the subject Use Permit Renewal and Amendment, 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 the neighborhood.*

The subject antenna facility has been in operation since 2008, has not resulted in any adverse impacts to coastal resources, and has not resulted in any adverse impacts to the surrounding area. The radio frequency analysis submitted with the Use Permit renewal application indicates that the facility continues to comply with the FCC's current prevailing standards for limiting human exposure to Radio Frequency energy. As this is an unmanned communication facility, the operation does not create

additional traffic, noise, or intensity of use of the property. The proposed generator is to be utilized for back-up electricity purposes only and has been designed to minimize site disturbance and visual impacts.

- b. *That the telecommunication facilities are necessary for the public health, safety, convenience or welfare of the community.*

Staff found that the continued operation of the existing cellular facility at this location will allow for continued cellular communication coverage for private citizens and businesses. The existing wireless telecommunication facility has been in existence for many years and the community has come to rely on the coverage provided by this site. The site facilitates both routine daily conversation but also communication services in emergency situations. The installation of the backup generator will ensure continued services during power outages.

6. Conformance with Conditions of Last Use Permit Approvals

Staff has reviewed the previous Use Permit conditions of approval for this permit, last approved April 17, 2008, and has determined that the project is in compliance with all previous conditions. The only change in scope is an amendment to the use permit to allow for the installation a 48-kW generator that will provide emergency backup power to the facility. In order to maintain color conformance, Planning has added a condition of approval that any equipment and fencing be painted to match existing equipment and fencing. Previous conditions that remain relevant, are included in Attachment A of this staff report.

B. ENVIRONMENTAL REVIEW

The project is categorically exempt pursuant per Section 15301, Class 1, of the CEQA Guidelines for the continued operation of existing public or private facilities involving negligible expansion of use to allow for in installation of an emergency standby generator that will be located within an enclosed space.

C. REVIEWING AGENCIES

Building Inspection Section
Coastside Fire Protection District
Environmental Health Services

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Site Plan
- D. Equipment Layout Plan
- E. Radio Frequency Certificate of Compliance
- F. Site Photos
- G. Renewable Energy Feasibility Statement

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2007-00443 Hearing Date: September 7, 2023

Prepared By: Sam Becker, Project Planner For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

For the Environmental Review, Find:

1. That the project is categorically exempt under provisions of Class 1, Section 15301 of the California Environmental Quality Act Guidelines, Existing Facilities, which provide for the continued operation, repair, maintenance, permitting, leasing, or minor alteration of existing public or private structures involving a negligible or no expansion of the existing use.

Regarding the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the use, as conditioned, 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 injuries to property or improvements in said neighborhood because the visual impact is minimal, and the project will not generate additional traffic, noise or intensity of use on the property. The radio frequency and electromagnetic emission are below the maximum permissible exposure as stipulated by the Federal Communications Commission (FCC).
3. That the proposed project is necessary for the public health, safety, and convenience or welfare because the FCC has established the desirability and need for a wireless telephone service to facilitate communication between mobile units and wire-dependent telephones, and the existing system supports that service. Additionally, the project provides the capacity of wireless services in the area that residents have come to expect during the times of standard day to day usage, emergencies, and in the event of natural disasters.

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 September 7, 2023. Minor revisions or modifications to the project may be approved by the Community Development Director if they are consistent with the intent of and in substantial conformance with this approval.
2. The Use Permit shall be valid for a period of ten (10) years from the date of approval, September 7, 2033. The applicant shall apply for renewal of the Use Permit and pay applicable renewal fees six (6) months prior to expiration.
3. Any change in use or intensity shall require an amendment to the Use Permit. Amendment to this Use Permit requires an application for amendment, payment of applicable fees, and consideration at a public hearing.
4. The applicant shall maintain approval from the FCC and the CPUC with regard to the operation of this facility. The applicant, upon request by the Planning Department, shall submit proof of approval. If these approvals are ever revoked, the applicant shall inform the Community Development Director of the revocation, at which time an administrative review will commence.
5. If any modifications are made to the site, including the addition of new equipment and fencing, a building permit shall be issued prior to construction. Any new equipment or fencing shall be painted to match the existing.
6. Due to the fuel capacity of the proposed generator, the applicant shall consult with Bay Area Air Quality Management District (BAAQMD) and provide either an authority to construct letter or exemption letter prior to building permit issuance.

Coastside Fire Protection District

7. Fuel tank required to have pressure test witnessed by the Fire Marshal's office prior to final sign off.
8. For alternate power sources: The electrical panel fed by an alternate power source such as a generator or photovoltaic system, a permanent sign shall be posted on the disconnecting means. Such signage shall be red in color and reads "WARNING - This premise is provided with an alternate power source. Disconnecting of power at this location may not disable the electrical power source". Lettering shall be contrasting to the red background and be a minimum 1/2-inch tall and shall be permanently affixed on each electrical panel subject to

back feed from the alternate power source. Any and all disconnects shall require signage as stated herein.

9. Any electrical panel subject to back feed shall have an additional permanent sign, red in color, stating location of alternate power source. Lettering shall be contrasting to the red background and be a minimum 1/2-inch tall and shall be permanently affixed on each electrical panel subject to back feed from the alternate power source.
10. All alternate power sources shall have permanent signage, red in color, posted in a conspicuous place at the power source, or its main shut off. Such signage shall state instructions on how to disconnect power feeding other electrical panels including any orderly shutdown requirements. Any other shutoffs shall be identified. Lettering shall be contrasting to the red background and be a minimum 1/2-inch tall and shall be permanently affixed.
11. Address numbers assigned by the Planning and Building Department shall be posted on all dwelling units and commercial structures. Address numbers shall be a minimum of 4-inch height, 1/2-inch stroke, on a contrasting background. Address numbers and directional signs may be required at the entrance to the driveway/access road, road forks, and intersections. When located on the street the numbers shall be visible from each direction of travel. This remote signage shall consist of a 6-inch by 18-inch green reflective metal sign with 3-inch reflective Numbers/ Letters similar to Hy-Ko 911 or equivalent.
12. A Knox padlock or key switch will be required if there is limited access to property. CFC 506.1. For application and instructions please email smcfdfiremarshal@fire.ca.gov if you need further assistance, please contact the San Mateo County Fire Marshal's Office at 650/573-3846.
13. Gates shall be a minimum of 2 feet wider than the access road/driveway they serve. Overhead gate structures shall have a minimum of 15 feet of vertical clearance. Locked gates shall be provided with a Knox Box or Knox Padlock. Electric gates shall have a Knox Key Switch. Electric gates shall automatically open during power failures. CFC 503.6, 506. For application and instructions please email smcfdfiremarshal@fire.ca.gov if you need further assistance, please contact the San Mateo County Fire Marshal's Office at 650/573-3846.
14. The applicant shall comply with all Coastside Fire Protection District regulations at the time of application for a building permit.

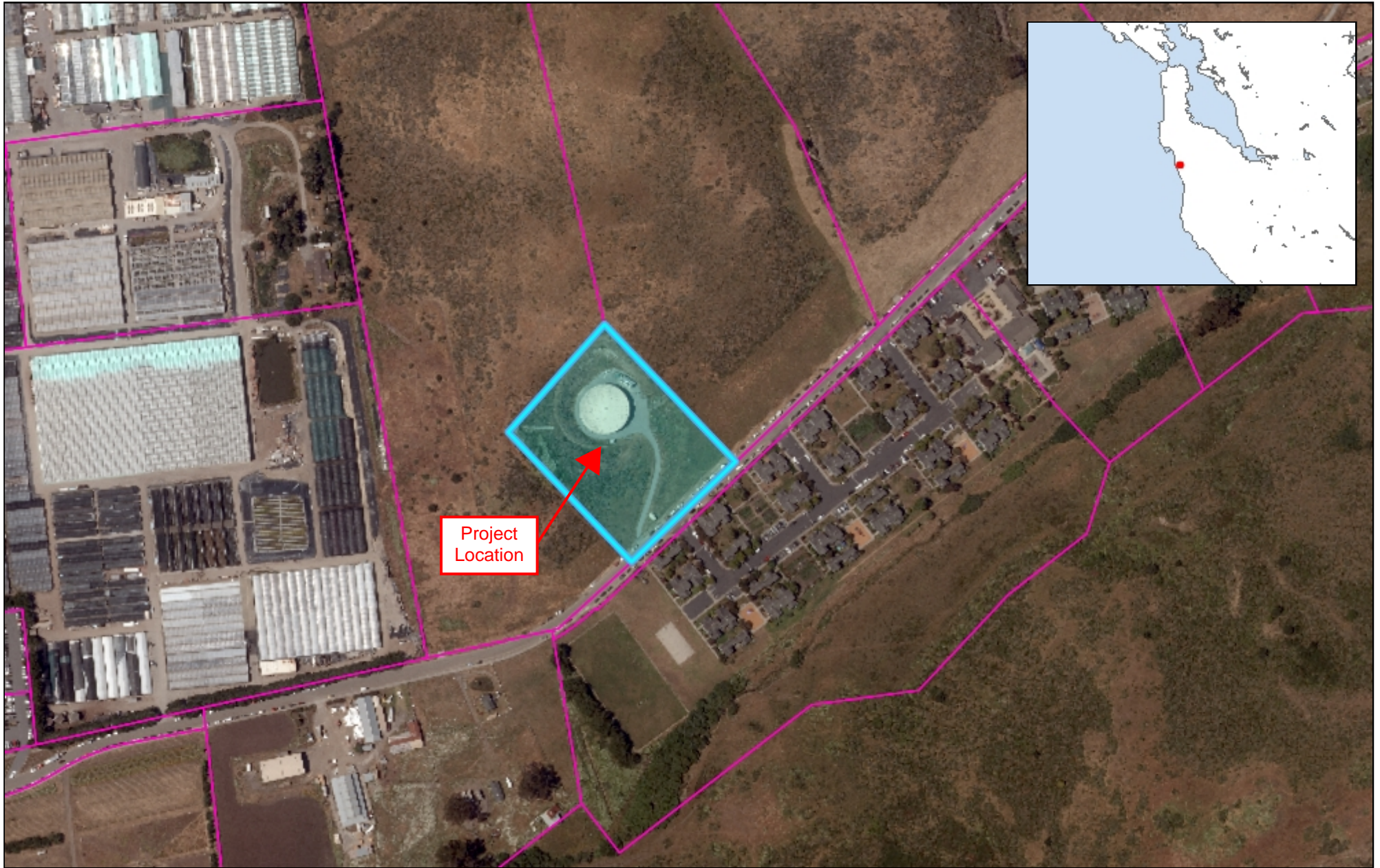
Environmental Health Services

15. At building permit phase, the applicant will need to contact Dermot Casey, SMC HAZMAT/CUPA Program (djcasey@smcgov.org) to submit revised Hazardous Materials Business Plan.

Building Inspection Section

16. A building permit shall be required prior to beginning construction.


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Project Location

0.15 0 0.08 0.15 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

1:4,827 

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Exhibit C. Site Plan

NOTE:
THESE DRAWINGS HAVE BEEN CREATED BY INFORMATION GATHERED FROM (E) AS-BUILTS PROVIDED BY T-MOBILE AND WITHOUT A SURVEY. PLEASE VERIFY IN FIELD ALL DIMENSIONS, LENGTHS, PROPERTY LINES AND CONDUIT RUNS.



1200 CONCORD AVE., 5TH FLOOR
CONCORD, CA 94520

PROJECT INFORMATION:
(HARDENING NATIONAL - 48KW DIESEL)
SF71842M
SF1842 RITZ WATER TANK
MIRAMONTES POINT RD @ POPPY LN,
HALF MOON BAY, CA 94019
SAN MATEO COUNTY

CURRENT ISSUE DATE:
02/16/23

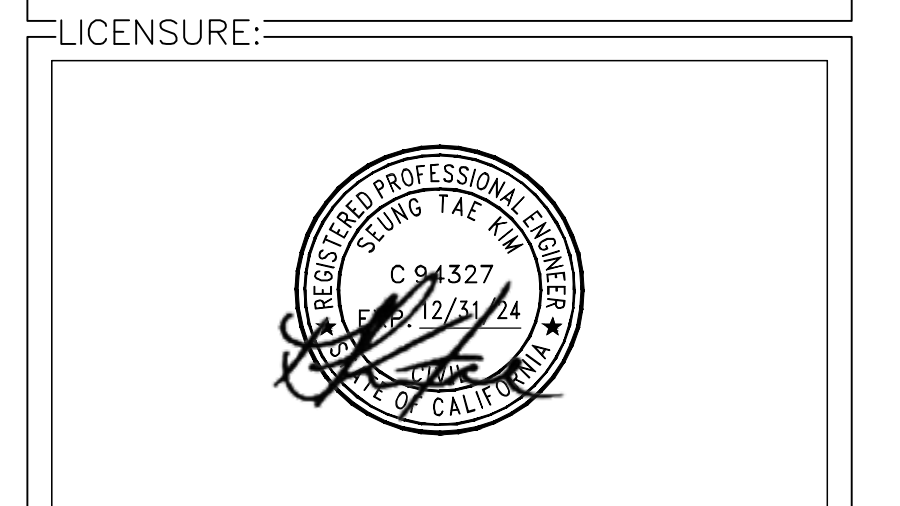
ISSUED FOR:
CONSTRUCTION

REV.:	DATE:	DESCRIPTION:	BY:
B	07/10/20	80% CD	PAM
C	08/11/20	80% CD	VRR
D	10/19/20	90% CD	VRR
E	12/04/20	REVISED 90% CD	VHB
F	12/08/20	100% CD, REVISED PER STRUCTURAL COMMENTS	VHB
G	08/17/21	REVISED 100% CD	VKG
H	07/18/22	UPGRADE TO 48KW GENERATOR	VKG
I	02/16/23	REVISED PER LATEST CD REQUIREMENTS	VTA

PLANS PREPARED BY:
NETWORK CONNEX
655 N. CENTRAL AVE., #1520
GLENDALE, CA 91203
OFFICE: (818) 840-0808 FAX: (818) 840-0708

CONSULTANT:
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DRAWN BY: VHB CHK.: DSK APV.: DSK



SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER: **A-1** REVISION: **I**
SF71842M

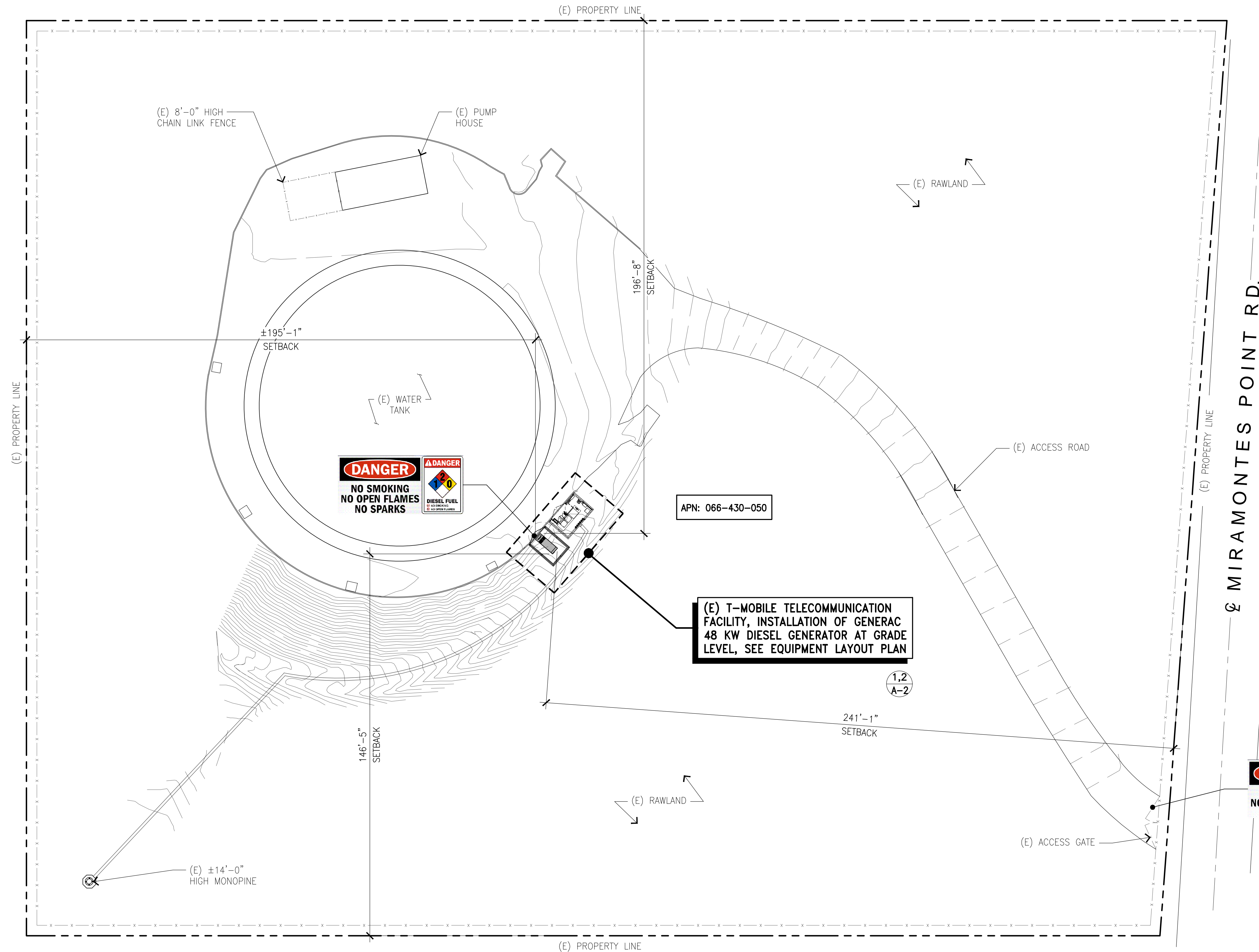
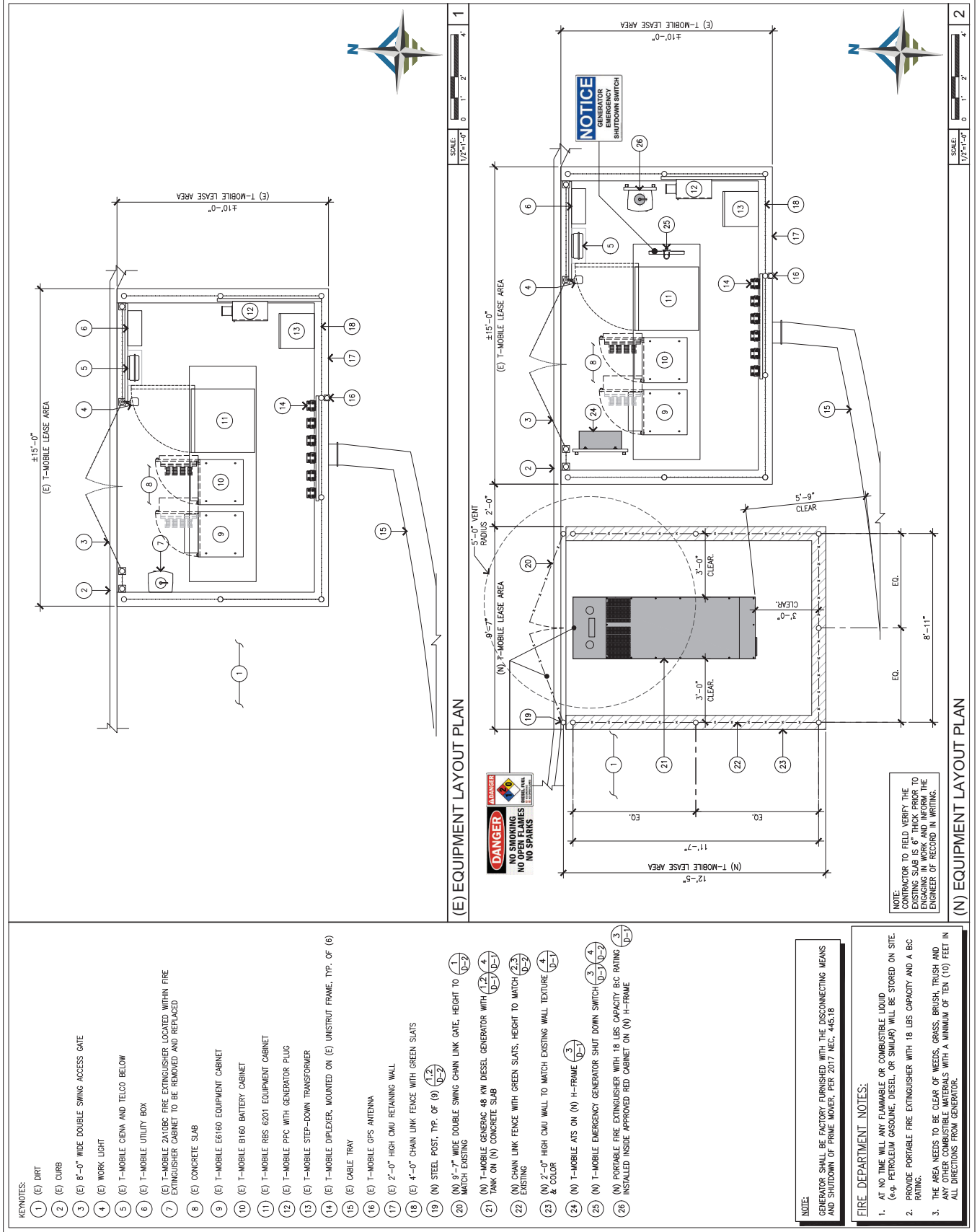


Exhibit D. Equipment Plan



1200 CONCORD AVE., 5TH FLOOR
CONCORD, CA 94520

PROJECT INFORMATION:
(HARDENING NATIONAL - 48KW DIESEL)
SF71842M
SF1842 RITZ WATER TANK
MIRAMONTES POINT RD @ POPPY LN,
HALF MOON BAY, CA 94019
SAN MATEO COUNTY

CURRENT ISSUE DATE:
02/16/23

ISSUED FOR:
CONSTRUCTION

REV. DATE DESCRIPTION BY:

07/10/20	PAM	80% CD	
08/11/20	WRR	80% CD	
10/19/20	WRR	90% CD	
12/04/20	WHB	REVISED 90% CD	
12/08/20	WHB	100% CD. REVISED PER STRUCTURAL COMMENTS	
08/17/21	WGC	REVISED 100% CD	
07/18/22	WGC	UPGRADE TO 48KW GENERATOR	
02/16/23	VJA	REVISED PER LATEST CD REQUIREMENTS	

PLANS PREPARED BY:

655 N. CENTRAL AVE., #1820
GLENNDALE, CA 91203
OFFICE: (818) 546-9988 FAX: (818) 546-9788

CONSULTANT:

655 N. CENTRAL AVE., #1820
GLENNDALE, CA 91203
OFFICE: (818) 546-9988 FAX: (818) 546-9788

DRAWN BY: CHK. APV.

CHK. DSK
APV. DSK

LICENSURE:

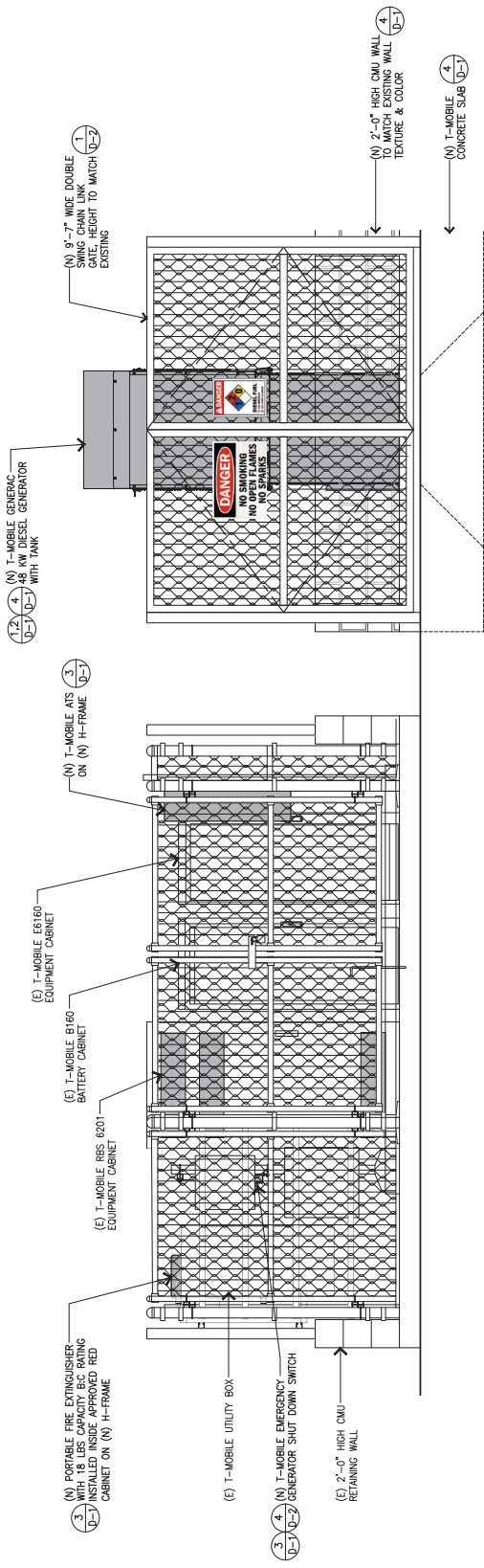
SHEET TITLE:
EQUIPMENT LAYOUT PLANS

SHEET NUMBER:
A-2

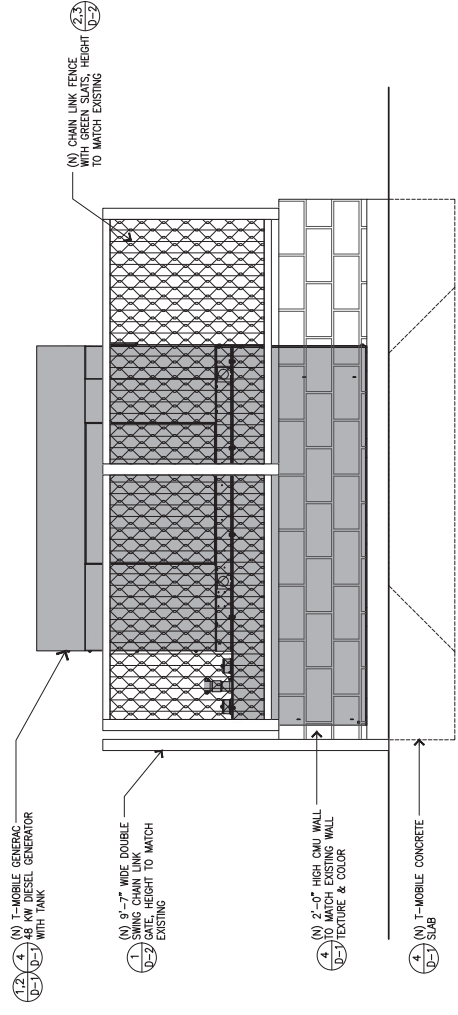
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SF71842M

REV.	DATE	DESCRIPTION	BY
△	07/10/20	80% CD	PM
△	08/11/20	80% CD	WRR
△	10/19/20	90% CD	WRR
△	12/04/20	REVISED 90% CD	WHB
△	12/08/20	100% CD. REVISED PER STRUCTURAL COMMENTS	WHB
△	08/17/21	REVISED 100% CD	WKC
△	07/18/22	UPGRADE TO 48KW GENERATOR	WKC
△	02/16/23	REVISED PER LATEST CD REQUIREMENTS	VJA



NORTHWEST ELEVATION



SOUTHWEST ELEVATION



Exhibit E. RF Certification

Certification of Compliance

Site Address: [Miramontes Point Rd. at Poppy Lane, Half Moon Bay, CA 94019]

Application No.: [PLN2007-00443]

Date: [July 14, 2021]

As a [Sr. RF Manager] at T-Mobile, I attest to the following regarding the proposed wireless communications system application, Site Number: [SF71842M], located at [Miramontes Point Rd. at Poppy Lane] ("Proposed Facility"):

1. The application involves the [renewal of the Conditional Use Permit for the existing wireless telecommunications facility and will include a proposed emergency back-up generator]
2. All T-Mobile base station radios meet or exceed applicable Federal Communications Commission's (FCC) regulations/requirements.
3. The Proposed Facility will:
 - a. Be operated at frequencies and power levels authorized by the FCC,
 - b. Comply with all current FCC guidelines, including OET Bulletin 65 for cumulative measurements of radio frequency power densities and electromagnetic fields, and
 - c. Comply at all times with current FCC regulations concerning interference with reception of television and radio broadcasts or any public safety frequencies servicing the city and its residents.

Date 10/4/2021

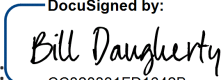
DocuSigned by:

 Signature: _____
 Name: Bill Daugherty
 Title: Sr. RF Manager



Exhibit F. Site Photos







**Exhibit G. Renewable Energy
Feasibility Statement**



1855 Gateway Boulevard, Suite 900
Concord, CA 94520

7/27/2023

County of San Mateo
Sam Becker

Re: T-Mobile Site ID: SF71842M
Site Address: Miramontes Point Rd @ Poppy Ln Half Moon Bay CA 94019
PLN2007-00443

Dear Sam,

The proposed diesel generator is self-confined/contained, is clustered in development to existing telecoms equipment/facilities on site and offered a much-reduced overall impact to the site versus the infrastructure that would have been required for other power sources like solar or electricity which would have required solar panels, or other impacts to development on site. Propane was also considered however a great deal of additional space would need to be taken at the site for the separate fuel tank required. Therefore, the diesel generator was less significant in impact on a cell site which is within a scenic corridor, than other renewable energy sources. The need for emergency generator at this location is critical for ensuring that our customers have access to emergency services in the event of permanent power failure. We thank you for your continue partnership in regards to matters at this location.

Thank you,

DocuSigned by:
Kaylee Greer
CC1AAE2186694F3...

Kaylee Greer Waldo
Project Manager
Network Connex on behalf of T-Mobile
Kaylee.greer9@t-mobile.com