

**SALINAS PLANNING COMMISSION  
RESOLUTION NO. 2018-\_\_\_\_**

Resolution Authorizing the construction and operation of a Major Telecommunications Facility at an existing Religious Assembly use (Evangelical Lutheran Church) located at 1230 Luther Way in the Public/Semipublic (PS) Zoning District (CUP 2018-009)

**WHEREAS**, on October 17, 2018, the Salinas Planning Commission, at the request of the Applicant, Sequoia Deployment Services representing Verizon Wireless, held a duly noticed public hearing to consider Conditional Use Permit 2018-009 (CUP 2018-00) to authorize the construction and operation of a Major Telecommunications Facility consisting of a 60-foot high stealth facility (Monopine) with nine (9) six-foot antennas, with 18 Radio Remote Units (RRU's), installed at a height of 55-feet, located within a 30-foot by 30-foot lease area with support equipment enclosed by an eight (8) foot high wood fence at an existing Religious Assembly use located at 1230 Luther Way in the Public/Semipublic (PS) Zoning District (Assessor's Parcel Number 207-161-012-000); and

**WHEREAS**, on October 3, 2018, the Applicant (Verizon Wireless) requested to continue the consideration of Conditional Use Permit 2018-009 to the November 7, 2018 Salinas Planning Commission public hearing date; and

**WHEREAS**, on November 7, 2018, the Salinas Planning Commission meeting was cancelled due to lack of a quorum and Conditional Use Permit 2018-009 was rescheduled to the next regularly scheduled meeting to November 21, 2018; and

**WHEREAS**, on November 21, 2018, the Salinas Planning Commission held a duly noticed public hearing to consider Conditional Use Permit 2018-009; and

**WHEREAS**, the Planning Commission weighed the evidence presented at said public hearing, including the Staff Report which is on file at the Community Development Department together with the record of environmental review; and

**WHEREAS**, the Planning Commission has reviewed and considered the information contained in the Initial Study and related environmental documents including the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

**NOW, THEREFORE, BE IT RESOLVED** by the Salinas Planning Commission that the Commission adopts the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached as Exhibit 1 and approves Conditional Use Permit 2018-009; and

**BE IT FURTHER RESOLVED** that the Salinas Planning Commission adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

Mitigated Negative Declaration:

***The Planning Commission hereby finds that a Mitigated Negative Declaration***

***(MND) has been prepared with respect to the project in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the guidelines promulgated thereunder. Further, this Commission has independently reviewed and considered the information contained in the Initial Study and related environmental documents, together with the comments received during the public review process. On the basis of the whole record before it, the Commission finds that, with the conditions of approval and the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the Commission's independent judgment and analysis. On this basis, the Commission adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.***

Per Section 65850.6 of the California Government Code, all new telecommunications facilities that may be collocated upon are subject to environmental review under the California Environmental Quality Act (CEQA). In compliance with Section 65850.6, a Mitigated Negative Declaration has been prepared for this project and the environmental impacts of the project have been analyzed in accordance with CEQA. An Initial Study was prepared to evaluate the potential impacts associated with the project, and it has been determined that the proposed project will not have a significant effect on the environment because the project will be subject to the mitigation measures outlined in the proposed Mitigation Monitoring and Reporting Program.

Per the Verizon Wireless – Proposed Base Station (Site No. 438760 “Luther & Blanco”) 1230 Luther Way RF (Radio Frequency) Study prepared by Hammett & Edison Inc., Consulting Engineers dated March 19, 2018, the project has been analyzed for compliance with the appropriate guidelines limiting exposure to RF energy (a copy of Compliance Report attached to this Initial Study). The proposed project will comply with the prevailing standards for limiting human exposure to RF energy in accordance with the regulations of the Federal Communications Commission (FCC). Therefore, no significant impact on the general population is expected. The Mitigation Monitoring Program includes the following mitigation measures.

Mitigation Measure CU-1; Requires that in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Section 21083.2 of the California Public Resources Code;

Mitigation Measure HAZ-1; For any future proposed antennas, a Radiofrequency (RF) analysis demonstrating that radio frequency energy would not cumulatively exceed amounts permitted by the Federal Communications Commission (FCC) shall be submitted to the Community Development Department prior to any approvals for additional antennas on

the subject facility; and

Mitigation Measure NOI-1; Requires that the maximum noise level of the generator shall not exceed the maximum allowed Zoning Code performance standards.

The Initial Study and Mitigated Negative Declaration were routed to responsible agencies and posted at the County Clerk's Office on September 24, 2018; the deadline for comments was October 15, 2018. No comments were received during the 20-day review period.

For the Conditional Use Permit:

- 1. The proposed location of the use is in accordance with the objectives of the Salinas General Plan, this Zoning Code and the purposes of the district in which the site is located;***

The site is designated Public/Semipublic by the 2002 Salinas General Plan. Per the General Plan, Public/Semipublic provides for the variety of schools, hospitals, libraries, utilities, airport, and government institutions. The proposed major telecommunications facility is consistent with General Plan Goals and Policies. In providing telecommunications services in Salinas, the project is consistent with Land Use Goal LU-1. Located on an in-fill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4.

As shown on the official Zoning Map, the site is located in the PS (Public/Semipublic) district. Per Zoning Code Section 37-30.380, the PS district allows a wide range of public and semipublic uses such as schools, hospitals, utilities, and government institutions. Per Zoning Code Section 37-30.390, major telecommunications facilities are subject to the Conditional Use Permit process in the PS district. The proposed project is in conformance with the development regulations for telecommunications facilities set forth in Zoning Code Section 37-50.290. Pursuant to Zoning Code Section 37-50.290(c)(1)(B), antennas, related support structures, and accessory buildings cannot intercept a forty-five-degree inclined plane inward from the height of ten feet above existing grade at the Residential district boundary line. The proposed Major Telecommunications Facility does not intercept this forty-five-degree plane from the Residential district boundary line.

The proposed 60-foot high stealth (monopine) Major Telecommunications Facility that would assist in blending the use with the adjacent landscaping. Support equipment, including a proposed on-site generator, would be screened behind an eight-foot high solid wood fence with landscaping located within the subject property. The project conforms to the Zoning

Code, which requires the associated equipment be visually screened.

2. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained are consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas; and***

The site is designated Public/Semipublic by the 2002 Salinas General Plan. Per the General Plan, Public/Semipublic provides for the variety of schools, hospitals, libraries, utilities, airport, and government institutions. The proposed major telecommunications facility is consistent with General Plan Goals and Policies. In providing telecommunications services in Salinas, the project is consistent with Land Use Goal LU-1. Located on an in-fill site, the project would help maintain a compact City form, consistent with Land Use Policy LU-2.4.

Existing agricultural, religious assembly, and residential uses surround the project site. The proposed Major Telecommunications Facility would not be detrimental to the public health, safety and general welfare of the people of the City because it will be constructed and operated in conformance with the development regulations for telecommunications facilities set forth in Zoning Code Section 37-50.290. Pursuant to Zoning Code Section 37-50.290(c)(1)(B), antennas, related support structures, and accessory buildings cannot intercept a forty-five-degree inclined plane inward from the height of ten feet above existing grade at the Residential district boundary line. The proposed major telecommunications facility does not intercept this forty-five-degree plane from the Residential district boundary line. The Zoning Code requires the associated equipment be visually screened. The proposed 60-foot high facility is designed as a stealth facility (monopine), with the antennas being located at a height of 55-feet from the ground. The ground mounted generator and support equipment will be screened from public view by an eight-foot high solid wood fence with landscaping. Per the Noise Study - Verizon Wireless – Proposed Base Station (Site No. 438760 “Luther & Blanco”) 1230 Luther Way prepared by Hammett & Edison Inc., Consulting Engineers dated March 19, 2018, operation of the generator will not have an impact to the adjacent properties because the generator is located approximately 130 feet from the nearest property and will only be used during emergencies and for occasional maintenance. Per the Verizon Wireless – Proposed Base Station (Site No. 438760 “Luther & Blanco”) 1230 Luther Way RF (Radio Frequency) Study prepared by Hammett & Edison Inc., Consulting Engineers dated March 19, 2018, the project will comply with FCC rules and regulations.

**3.     *The proposed conditional use will comply with the provisions of the Salinas Zoning Code, including any specific conditions required for the proposed use.***

Conditions have been recommended for this permit to ensure that when the conditions are implemented the project will conform and comply with the provisions of the Salinas Zoning Code. For example, pursuant to Zoning Code Section 37-50.290(c)(10) all obsolete or unused facilities shall be removed within twelve (12) months of cessation of telecommunications operations at the site. If the Telecommunication Facility is not removed within twelve months after the cessation of such operations, the City may remove the facilities at the applicant's cost.

**PASSED AND ADOPTED** this 21st day of November 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and adopted by the affirmative and majority vote of said Planning Commission at a meeting held on November 21, 2018, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: \_\_\_\_\_

\_\_\_\_\_  
Courtney Grossman  
Secretary

Attach:

Exhibit 1:     Mitigation Monitoring and Reporting Program