



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.  
The City shall be committed to this purpose and will provide a level of municipal service and safety  
consistent with and responsive to the needs of the public.*

**Regular Meeting - Tuesday, February 17, 2015  
Veteran's Memorial Building – 6:00 P.M.  
209 Surf Street, Morro Bay, CA**

Chairperson Robert Tefft

Vice-Chairperson Gerald Luhr  
Commissioner Richard Sadowski

Commissioner Michael Lucas  
Commissioner Katherine Sorenson

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS

## PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on matters not on the agenda may do so at this time. In a continual attempt to make the public process open to members of the public, the City also invites public comment before each agenda item. Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present comments must observe the following rules to increase the effectiveness of the Public Comment Period:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes so keep your comments brief and to the point.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

## PRESENTATIONS

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

A. CONSENT CALENDAR

- A-1 Current and Advanced Planning Processing List  
**Staff Recommendation:** Receive and file.

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

B-1 **Case No.:** #UP0-359

**Site Location:** 725 Embarcadero , Morro Bay, CA

**Proposal:** Conditional use permit for construction of new gangway, dock, and seven (7) boat slips (6 private rentals and 1 public slip) at 725 Embarcadero, Rose's Landing.

**CEQA Determination:** Mitigated Negative Declaration - SCH#2015011002

**Staff Recommendation:** Continue to the March 3, 2015 Planning Commission meeting

**Staff Contact:** Cindy Jacinth, Associate Planner, (805) 772-6577

B-2 **Case No.:** #CP0-449 and UP0-385

**Site Location:** 750 Radcliffe -also known as 1245 Little Morro Creek Rd Morro Bay, CA

**Proposal:** Coastal Development and Conditional Use Permits to allow installation of six panel antennas and associated equipment on an existing 164-foot PG &E lattice tower located east of the intersection of Radcliff Avenue and Hillcrest Drive at 750 Radcliffe. Proposal also includes a new prefabricated 11'6" x 16' 10 1/2" equipment shelter at the base of the lattice tower.

**CEQA Determination:** The project meets the requirements for a Categorical Exemption under CEQA Guidelines Section 15303 Class 3. That exemption applies to new construction of small structures and location of limited numbers of new, small equipmenta and facilities.

**Staff Recommendation:** Conditionally Approve.

**Staff Contact:** Cindy Jacinth, Associate Planner, (805) 772-6577

C. UNFINISHED BUSINESS - None

D. NEW BUSINESS - None

E. PLANNING COMMISSIONER COMMENTS

F. COMMUNITY DEVELOPMENT MANAGER COMMENTS

G. ADJOURNMENT

Adjourn to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on March 3, 2015, at 6:00 p.m.

**PLANNING COMMISSION MEETING PROCEDURES**

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the department at 772-6261 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

Materials related to an item on this Agenda are available for public inspection during normal business hours in the Community Development Department, at Mill's/ASAP, 495 Morro Bay Boulevard, or the Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Materials related to an item on this Agenda submitted to the Planning Commission after publication of the Agenda packet are available for inspection at the Community Development Department during normal business hours or at the scheduled meeting.

This Agenda may be found on the Internet at: [www.morro-bay.ca.us/planningcommission](http://www.morro-bay.ca.us/planningcommission) or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to [www.morro-bay.ca.us/notifyme](http://www.morro-bay.ca.us/notifyme) and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent back to the podium to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

### **APPEALS**

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is \$250 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.



City of Morro Bay  
 Public Services/Planning Division  
 Current & Advanced Project Tracking Sheet  
 This tracking sheet shows the status of the work being processed by the Planning Division  
 New Planning items or items recently updated are highlighted in yellow. Building items highlighted in green are pending action from the applicant.  
 Approved projects are deleted on next version of log.

Agenda No: A-1  
 Meeting Date: February 3, 2015

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
<b>Hearing or Action Ready</b>									
1	Redican	725 Embarcadero Rd.	6/26/13	UP0-359	<b>Use Permit for seven boat slips and gangway</b>	Under review. Incomplete letter sent 7-23-13. Resubmittal received on October 1, 2013. Additional info requested and resubmittal received 12-2-13. Incomplete letter sent 12-30. Meeting with Applicant on 2-13-14. Emailed Applicant 2-26-14 to clarify eelgrass study requirements for environmental review. CJ. Met with environmental consultant to review CEQA requirements 4-17-14. Seeking additional fee estimate for CEQA review. Met with consultant 7-2-14. Revised fee estimate provided to applicant 7-25-14. Draft environmental MND received from consultant and under review for completeness. Info hold letter sent 9-2-14. Resubmitted 10-28-14. Initial Study/MND complete & routed to State Clearinghouse 1-2-15. Anticipate 2-17-15 PC hearing. Comments received from Coastal Commission regarding eelgrass mitigation. Dock revision in progress. CJ.	Bldg -- Review complete, applicant to obtain building permit prior to construction. Disapproved 4/21/14TP- Disapprove 11/19/13.	PW requirements will be addressed with Building Permit review	Harbor conditions: 1. one slip to be reserved for public use; 2. southern-most end tie to remain vacant in order to not encroach on neighboring lease site. Note-water lease line will need to be extended out to accommodate slips. EE 12/16/13
2	Verizon / Knight	750 Radcliffe (aka 1245 Little Morro Creek Road)	8/13/14	CP0-449/ UP0-385	<b>CDP and CUP for upgrades to telecommunications facility</b>	Correction letter sent 9-17-14. CJ. Resubmittal received 12-16-14 and response given. Project complete and ready for PC hearing. CJ.	BC- conditionally approved.	RPS - Encroachment Permit required for Work w/ ROW	
3	Jeffers	2740 Elm	8/29/14	CP0-450	<b>Demo existing single unit, construct new SFR as the primary unit</b>	Project application denied due to proposed location of rear yard garage entry. Agent wants to appeal decision. Tentative PC date of 4/7/2015. JG			
<b>30 -Day Review, Incomplete or Additional Submittal Review</b>									
4	Hsiao	341 Rennel St	2/11/15	CP0-463	<b>Admin. Coastal Development Permit - Construct 1 story 917sf SFR with 283 SF garage</b>				
5	T-Mobile	1478 Quintana	1/30/15	UP0-403	<b>Minor Use Permit to Modify existing wireless telecommunication site</b>				
6	Volk	800 Quintana		CP0-461 & UP0-405	<b>CDP /CUP for Verizon wireless telecommunications facility</b>				

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
7		485 Piney Way	1/29/15	CP0-460 & UP0-402	CDP /CUP for Verizon wireless telecommunications facility (panel antennas & equipment cabinet)				
8	Seashell Estates, LLC	361 Sea Shell Cove	1/26/15	CP0-459/ UP0-401	Coastal Development Permit/Conditional Use Permit for new SFR. Lot 4 of 1305 Teresa Subdivision	Reviewing CC&R Design Guidelines.		BCR has for review 2/3/15	
9	Frederick/Haseley/Dunn	413 Shasta	1/14/15	CP0-458	Admin Coastal Development Permit for Demo/Reconstruct SFR	Under Review. JG		ME has for review 2/3/15	
10	T-Mobile West LLC	1245 Little Morro Creek Rd (aka 750 Radcliffe)	1/8/15	Modification of UP0-245 & CP0-279	Upgrade of existing wireless facilities at PG&E lattice tower.	Requested proposed visual simulation 2-11-15. CJ.		RPS - Encroachment Permit required for Work w/ ROW	
11	Chivens	431 Kern	1/6/15	CP0-456	Admin Coastal Development Permit. Demo existing structure. New 3,000+/- SF SFR. Development of 2nd home where previous CDP for 431 Kern approved 9-2014. WM			RPS has for review 1/10/15	
12	Appleby	381 Fresno	11/26/14	UP0-398	Conditional Use Permit for construction of a 15' x 35' storage shed & 37' x 15'6" carport	Under review. JG. Incomplete letter sent. Resubmittal rcv'd, under review. JG. Incomplete letter sent 2/5. JG.		RPS has for review 1/120/15	
13	Verizon / Knight	184 Main	11/19/14	UP0-394	Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Incomplete. Waiting on response from Tricia Knight. Wants to keep project open and figure out the parking situation. 1/26. JG		RPS disapproved on 12/15/14 since proposed pole site will be removed during undergrounding project	
14	Verizon / Knight	1111 Main	11/19/14	UP0-395	Conditional Use Permit for installation of new Wireless Facility/Verizon antennas on existing pole.	Under Review. JG. Denied due to future loss of pole. Spoke with Tricia Knight. Waiting on her decision as to how to move forward. Deny the project outright. JG		RPS disapproved location on 12/15/14 since no parking is available for maintenance vehicles	
15	Garcia	500 Kings	11/19/14	UP0-393/CP0-455	Conditional Use Permit and Coastal Development Permit. Initial Review: 6 dwelling units on two adjoining lots	Under Review. WM/JG. Incomplete letter sent. WM			
16	Najarian	2295 Juniper	10/13/14	CP0-454	Administrative Coastal Development Permit for a new SFR on vacant land	New SFR on vacant lot. Very incomplete plans. Correction letter sent 10-21-14. Resubmittal received 11-2014. WM	BC- incomplete	ME/DH - conditionally approved 10/23/2014. Comments in memo. Resubmitted 11/25/14	
17	Christensen	670 Shasta	10/9/14	UP0-390/ AD0-095	Conditional Use Permit and Parking Exception for SFR Addition of greater than 25%	Addition greater than 25% to a nonconforming structure plus parking exception to allow a single car garage where two spaces are required. Needs historical eval. Incomplete letter sent 10/23. JG. Waiting on Historic Eval.	BC- conditionally approved.	RPS - Conditionally Approved per memo of 10/23/14	
18	Fowler	1185-1215 Embarcadero	10/6/14	UP0-058	Precise Plan submittal for landside improvements	Under review. Incomplete letter 11-5-14. CJ. Fire comments emailed to applicant 11-26-14. Resubmittal received 12/29/14.		RPS has for review 12/30/14	
19	Leage	833 Embarcadero	9/15/14	UP0-389	Demolish existing building. Reconstruct new 1 story building (retail/restaurant use) & outdoor improvements	Under review. Deemed incompleated. Letter sent 10-13-14. CJ Waiting on resubmittal	BC- incomplete	RPS - Disapproved for plan corrections noted in memo of 10/14/14	

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20	Salin	845 Ridgeway	8/8/14	CP0-448	Admin Coastal Development Permit for new SFR	Correction letter sent 8-28-14. with follow-up direction emailed 9/10/14. Confirmed with Applicant's Representation 9-30-14. Property older than 50 years requires historical evaluation per CEQA. Historical study in progress. Received neighborhood letter/emails. CJ. Noticed 2/13	BC- conditionally approved.	DH/ME- Began resubmittal review 10/28	
21	Wordeman	2900 Alder	7/28/14	CP0-447	Admin Coastal Dev. Permit for new construction of duplex in R-4 zone. Unit A: 1965 sf w/605 sf garage. Unit B: 1714 sf w/605 sf garage.	Under Review. Correction letter sent 8-27-14. Resubmittal received 1-26-15. JG	BC- conditionally approved.	resubmittal to BCR 2/3/15	
22	Romeiro	219 Marina	7/22/14	CP0-446 & UP0-406	CDP: Addition > 10% to Non conforming SFR in Coastal Appeals Jurisdiction	Addition that exceeds 10% in appeals area requires CDP. Incomplete letter sent 9-23-14. Resubmittal received and anticipate PC hearing 3-17-15. WM	BC- conditionally approved.	Disapproved by ME see memo	
23	Johnson	301 Little Morro Creek Rd	6/26/14	CP0-442 & UP0-081	Coastal Dev. Permit and Special/Interim Use Permit for new BMX Bike Park	Under Review. Correction letter sent 8-26-14. Meeting held 9-9 w/ Applicant to discuss outstanding issues. CJ. Waiting on resubmittal	BC- incomplete	BCR- Conditionally improved with stormwater exemption. Needs floodplain dev. Permit	
24	Frye	250 & 244 Shasta Street	6/17/14	CP0-213 Amendment	Amendment to CP0-213 (amendment to original 2006 CDP for 250 Shasta)	Amendment to Administrative Coastal Permit CP0-213 to allow a north side yard setback of less than the required 5 feet at 244 Shasta. Including encroachment of garage into required side yard setback and allow home at 0 ft. setback where 2006 CDP included demolition in the project description. Correction letter sent 8-28-14. 2nd letter sent 9-18-14 regarding administrative permit modification for a non-conforming structure. Spoke with applicant 10-27. Resubmittal received 1-14-15. Asked for building floor plans 1-26-15. CJ.	BC- incomplete	BCR_ 7/8/13 cond appr. Complete frontage improvements required	
25	Hough	289 Main	10/16/13	CP0-410 & UP0-369	CDP and CUP to construct a 2,578sf single family home on vacant lot	CJ- under review. Met with Applicant's representative 11-21-13. Project subject to bluff development standards. Met w/ Applicant representative 3-3-14 regarding bluff determination per LCP maps. Letter sent 4-1-14 re completeness and bluff standards. CJ. Visited site to review project 10-24-14. Concurrent request sent re bluff to Coastal Commission 10-27-14. Discussed project with Coastal staff 11-18-14 with referral to CCC Geologist 1-2015. CJ.	BC- conditionally approved. TP-Disapprove 12/6/13.	BCR: Conditionally approved: ECP and sewer video required per memo of 10/28/13	
26	Sonic	1840 Main St.	8/14/13	UP0-364 & CP0-404	Conditional Use Permit and Coastal Development Permit to develop Sonic restaurant.	Under initial review. Comment letter sent 9/10/13. CJ. Spoke w/ applicant 10/3 re: traffic study. CJ. Public Works & Fire comments received & forwarded 10/8/13 to applicant. Comments from Cal Trans received 10/31 and forwarded to Applicant. Applicant requested meeting w/ City staff & Cal Trans to review project requirements. Had project meeting-discussed traffic study requirements 11-21-13. Requested fee estimate from environmental consultant for CEQA purposes. CJ. Resubmitted 5/27. Environmental Review in process. Correction letter based on environmental review sent 8-6-14. Resubmittal received 1-23-15. CJ.	Bldg -- Review complete, applicant to obtain building permit prior to construction.FD-Disapprove UPO 364/CPO 404 9/11/13	RPS: Intial conditions provide by memos of 9/10/13 and 10/14. Met with Caltrans on 10/17. 7/22/14 Resubmittal review underway	

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27	Perry	3202 Beachcomber	9/8/2011 & 10/25/2012	ADO-067 / CP0-381	<b>Variance.</b> Demo/Reconstruct. New home with basement in S2.A overlay. Variance approved for deck only; the issue of stories was resolved due to inconsistencies in Zoning Ordinance.	Variance approved at 8/15/12 PC meeting. Appealed by 3 parties to City Council. Appeal to be heard. City Attorney reviewing. Appeal in abeyance until coastal application complete. Incomplete letter for CDP sent 12/13/12. No response since 2012. Sent Intent to Deem Withdrawn Letter 9-2-14. JG. Applicant responded with Request for Meeting to keep CDP application open. SG.	Review complete, applicant to obtain building permit prior to construction.	See above	
28	LaPlante	3093 Beachcomber	11/3/11	CP0-365	<b>Coastal Development Permit for New SFR in appeals jurisdiction. Proposed SFR of 3,495sf w/ 500 sf garage on vacant land.</b>	SD-- Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Environmental in process. Letter sent 4/11/2012 requesting environmental study. MR-Met with Applicant and discussed potential impacts of project and CEQA information requested to complete MND. Applicant is preparing Biological Report. Biological report received 3/13 and under review. Project referred to environmental consultant and Coastal. MND in process. Applicant revising bio report and snail study. Spoke w/ Applicant Representative 3-13-14. Snail study complete and sent to Dept of Fish and Wildlife for concurrence review. Spoke w/ environmental consultant re completion of environmental 4/7 C.J. Met with application 7-18-14 to request addendum to bio report in order to complete CEQA. Bluff determination and snowy plover report submitted 8-14-14. C.J. MND complete. Anticipate routing to State Clearinghouse on 9/18/14. Coastal Commission comment letter received 10-20-14. City responded to Coastal on 10-27. Applicant working to address comments. Discussed project with Coastal staff in meeting 11-18-14 and met with applicant 12/4/14 and 1/20/15. Waiting on run-up report and plan revisions. C.J.	Review complete, applicant to obtain building permit prior to construction.	DH comments submitted 1/18/2012. Provide EC, drainage report, SW mgmt.	No Comments to date
<b>Planning Commission Continued projects</b>									
29	Frye	3420 Toro Lane	1/13/14	CP0-419 & UP0-383	<b>Coastal Development Permit and Conditional Use Permit for New 2,209sf SFR and 551sf garage w/ approx. 300 sf of decking on vacant lot.</b>	Under initial review. Met w/ Applicant 1-17-14 re Incomplete Submittal of Plans. Resubmitted 1-23-14. Correction letter sent 2-20-14 C.J. Met w/ Applicant 2-28-14 to review process - C.J. Correction letter sent 3-28-14. Met w/ environmental consultant 4/7. Draft initial study under review and plans resubmitted 6/25/14. WM. MND routed to State Clearinghouse with tentative PC hearing date for 9/2/14. Correspondence received from Coastal Commission and Ca Dept of Fish and Wildlife regarding environmental. Applicant addressing concerns. PC continued to date uncertain. Met with Applicant 9-30-14. Addendum to Bio report received 11/11. Need to revise and recirculate MND. Discussed project with Coastal staff in meeting 11-18-14. WM	BC-disapproved- need geologic and engineering geology report.FD/TP Approve2/24/14	RS/DH 7/22/14 under review	
30	Gonzalez	481 Java	12/30/13	UP0-374	<b>Conditional Use Permit for non-conforming single-family residence. Addition of 578 sf plus 112 sf of decking</b>	KM - Under initial review. GN - Incomplete letter sent 1/30/14. Met w/ applicant 4/3 WM/GN. Applicant resubmitted 4/3/14. GN - Third incomplete letter sent 4/8/14. Project does not conform to standards. Applicant responded 5/1/14 wishes to proceed to PC w/ project as submitted. WM. Noticed 5/23 NC. Continued to a date uncertain by Planning Commission at the 6/3 meeting to address parking non-conformities. WM. Resubmitted 9/26/14. Met with applicants regarding need to provide workable parking on site. WM	BC- conditionally approved.	BCR - Began resubmittal review 9/30/14. Begin 2nd resubmittal review 2/3/15	

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31	City of Morro Bay	End of Nutmeg	1/18/12	UP0-344	<b>Environmental documents for Nutmeg Tanks.</b> Permit number for tracking purposes only County issuing permit. Demo existing and replace with two larger reservoirs. City handling environmental review	KW-Environmental contracted out to SWCA estimated to be complete on 4/27/2012. SWCA submitted draft I.S. to City on May 1, 2012. MR-Reviewed MND and met with SWCA to make corrections. In contact with County Environmental Division for their review. MND received by SWCA on 10/7/12. MND out for public notice and 30 day review as of 11/19/12. 30 day review ends on 12/25/12. No comments received. Scheduled for 1/16/13 Planning Commission meeting and then to be referred back to SLO County. Planning Commission continued this item to address concerns regarding traffic generated from the removal of soil. In applicant's court, they are addressing issues brought up by neighbors during initial P.C. meeting. Project has been redesigned and will be going forward with concrete tanks. Modifications to the MND are in process. Neighborhood meeting conducted with Engineering on 9/27/2013. Revising project description and MND.	No review performed.	BCR- New design concept completed. Needs new MND for concrete tank, less truck trips. Neighborhood mtg held 9/27. Neighbors generally support new design that reduces truck trips by 80%. Concrete batch plant set up on site will further reduce impact. 5/5/14 - Cannon contract signed to finish permit phase. Construction will be delayed to FY15/16	
<b>Environmental Review</b>									
32	City of Morro Bay	N/A			<b>MND for Chorro Creek Stream Gauges</b>	Applicant requesting meeting for week of 9/9/13. SWCA performing the environmental review-tentatively scheduled for 10/14/2013.	No review performed.	N/R	
<b>Grants</b>									
33	Coastal Conservancy, California Coastal Commission, California Ocean Protection Council	City-wide			<b>\$250,000 Grant Opportunity for funding for LCP update to address sea-level rise and climate change impacts.</b>	Application submitted July 15, 2013. Awaiting results. Agency requested additional information and submitted 10-7-13. Notice received application was successful for amount requested. City funded \$250,000. Staff in contact with CA Ocean Protection Council staff to commence grant contract.	No review performed.	N/A	
34	City of Morro Bay	City-wide			<b>Community Development Block Grant/HOME Program - Urban County Consortium</b>	Staff has ongoing responsibilities for contract management. 2012 contracts in progress. 2013 contracts in progress. City Council approval 6/10/14 for City participation in Urban County consortium for Fiscal Years 2015-2017. Needs Assessment Workshop scheduled for 9/11/14 in tandem with Cities of Atascadero and Paso Robles at Atascadero City Hall 5pm. Draft 2015 CDBG funding recommendation approved by Council 12/9/14.	No review performed.	N/R	
35	City of Morro Bay	City-wide			<b>Climate Action Plan - Implementation</b>	Staff has ongoing responsibilities for implementation of Climate Action Plan as adopted by City Council January 2014. Staff coordinating activities with other Cities and County of SLO via APCD.			
<b>Project requiring coordination with another jurisdiction</b>									
36	City of Morro Bay	Outfall			<b>Original jurisdiction CDP for the outfall and for the associated wells</b>	Coastal staff is working with staff. Coastal letter received 4/29/2013. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	City provided response to CCC on 7/12/13. Per Qtrly Conference Call CCC will take 30days to respond	
37	City of Morro Bay Desal Plant	170 Atascadero			<b>Project requires a Coastal Development Permit for upgrades at the Plant. Final action taken Sent to CCC but pursuant to their request the City has rescinded the action.</b>	Waiting for outcome from the CDP application for the outfall. Discussed project with Coastal staff in meeting 11-18-14.	No review performed.	BCR- Phase 1 Maint and Repair project is underway. Desal plant start-up scheduled for 10/15/13. Phase 1 complete and finalized. Phase 2 on hold as of 7/22/14.	
<b>Preapplication projects - None currently</b>									
<b>Final Map Under Review</b>									

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
38	Medina	3390 Main	10/7/11	Map	<b>Final Map. Issues with ESH restoration. Applicant placed processing of final map on hold by proposing an amendment to the approved tentative map and coastal development permit. Applicant proposed administrative amendment. Elevated to PC, approved 1/4/12. Appealed, scheduled for 2/14/12 CC Meeting. Appeal upheld by City Council, and project with denied 2/14/12. map check returning for corrections on 3/9/12</b>	SD--Meeting with applicant regarding ESH Area and Biological Study. MR- Received letters from biologist regarding revegetation on 9/2/12. Letter sent to biologist. Recent Submittal reviewed and memo sent to PW regarding deficiencies. Initial review shows resubmitted map does not meet the 50 foot ESH buffer setback requirement. Creek restoration required per Planning condition #4 prior to recordation of the final map.	No review performed.	DH - resubmitted map and Biological study on Dec 19th 2012. PW has completed their review. Received a letter from Medina's lawyer and preparing response. PW comments sent to RS to be included with his response letter. RS said to process map for CC. Letter being prepared to send to applicant to submit mylars for CC meeting.	
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive</b>									
39	Maritime Museum Association (Larry Newland)	Embarcadero	11/21/05	UP0-092 & CP0-139	<b>Embarcadero-Maritime Museum (Larry Newland).</b> Submitted 11/21/05. Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Resubmitted 5/25/07. Resubmitted additional material on 9/30/09. Applicant working with City Staff regarding lease for subject site. Applicants enter into agreement with City Council on project. Applicant to provide revised site plan. Staff processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal. Meeting held with applicant 2/23/2011. Staff met with applicant 1/27/11 and reviewed new drawings, left meeting with applicant indicating they would be resubmitting new plans based on our discussions.	KW--Incomplete 12/15/05. Incomplete 3/7/07. Incomplete Letter sent 6/27/07. Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Met with applicants on 2/19/2010. Environmental documents being prepared. Meeting held with city staff and applicants on 2/3/2011. Sent Intent to Deem Withdrawn letter 9-2-14. JG.	Please route project to Building upon resubmittal.	An abandonment of Front street necessary. To be scheduled for CC mtg.	
40	Sequoia Court Estates	670 Sequoia	4/3/12	UP0-349 & S00-112	<b>Parcel Map. 3 parcels and an open space parcel.</b> A revised subdivision map was submitted for review on August 6, 2012.	Incomplete letter sent to applicant/agent. Project submitted without necessary materials for processing. Applicant submitted a revised plan reducing the number of lots, and is providing additional information as requested addressing City requested information. Additional information submitted; waiting for biological report. Report should be submitted in September 2012. Needs drainage plans. MR: Second incomplete letter sent 11/13/12. MND in preparation. Susan Craig, Coastal Commission staff confirmed property is entirely outside coastal zone. Met with applicant on 1/30/2013 project moving ahead, staff waiting on resubmittal. Applicant directed to obtain wetland determination. Project waiting on applicant. Resubmittal received 9-10-13. Corrections sent to applicant. Project still does not meet code requirements. Subdivision Review Committee to review project 2/11/14. Sent Intent to Deem Withdrawn letter on 9-2-14. JG. Request to keep project open 10/2014	Review complete, applicant to obtain building permit prior to construction. TP/FD Disapprove SOO-112 w/corrections 10/18/13. FD Disapprove 1/31/14.	BCR- comments submitted 4/17/12. Drainage issues need to be addressed. 1/17/14 Drainage report incomplete. Developer needs to show how water quality requirements will be addressed. Peak flow mitigation not required at this phase.	
41	Lucky 7	1860 Main	3/12/13	CP0-394	<b>Construct Fuel Island Canopy &amp; Initial Study/MND</b>	CJ- Requested additional info. 3-29-13 Resubmittal received 7-22. Project deemed not exempt from CEQA. Initial Study in process. Requested photometric plan for new lighting of canopy via phone 1-28-14 for initial study. Photometric plan and revised plans received 2-10-14. Reviewing new material submitted for inclusion in Initial Study. Initial Study complete and ready for signature 5/1/14. Reviewed with applicant 5/12. Waiting on Applicant to sign mitigations. WM. Sent Intent to Deem Withdrawn letter 8-28-14. JG.	Review complete, applicant to obtain building permit prior to construction. FD Approval CPO 394 8/23/13	Approved BCR 3/18/13	

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
42	AT&T	590 Morro	1/16/14	CP0-126 / UP0-084	<b>Upgrade of unmanned telecommunications facility</b>	Under initial review. Emailed update to Applicant 3-3-14. Correction letter sent 3-19-14. WM. Intent to Deem Withdrawn letter sent 8-28-14. JG. Spoke with applicant 9-16, intends to resubmit. JG.	BC- conditionally approved.	BCR- ADA ramp upgrade required	
43	James Maul	530, 532, Morro Ave 534	3/12/10	SP0-323 & UP0-282	<b>Parcel Map.</b> CDP & CUP for 3 townhomes. Resubmittal 11/8/10. Resubmittal did not address all issues identified in correction letter.	KW-Incomplete letter sent 4/20/10. Met with applicant 5/25/10. Letter sent to applicant/agent indicating the City's intent to terminate the application based on inactivity. City advised there will be a new applicant and to keep the application viable.MR: Received letter from applicant's rep 11/15/12 requesting project remain open. Called B. Elster for further information. Six month extension granted. Sent Intent to Deem Withdrawn Letter 8-28-14. Applicant requested to keep project open 9-25-14.	Please route project to Building upon resubmittal.	N/A	
<b>Projects going forward to Coastal Commission for review (Pending LCP Amendments) / State Department of Housing</b>									
44	City of Morro Bay	Citywide	10/16/13	A00-013	<b>Zoning Text Amendment - Second Unit</b>	Secondary Unit Ordinance Amendment. Ordinance 576 passed by City Council in 2012. 6-11-13 City Council direction to staff to bring back to Planning Commission for review of ordinance. At 10-16-13 PC meeting, Commission recommended changes to maximum unit size and tandem parking design where units over 900 sf and/or tandem parking design of second unit triggers a CUP process. Council accepted PC recommendation at 2-11-14 meeting and directed staff to bring back revised ordinance for a first reading and introduction. Item continued to 4/22/14 Council meeting to allow time for Coastal staff comment regarding proposed changes. Council approved Into and First Reading on 4/22/14. Final Adoption of Ord. 585 at 5/13/14 Council meeting. Ordinance to be sent as an LCP Amendment for certification by Coastal Commission.	No review performed.		
45	City of Morro Bay	Citywide	2/1/13	Ordinance 556	<b>Wireless Amendment - LCP Amendment</b> CHAPTER 17.27 Amendment for "Antennas and Wireless Telecommunications Facilities" AND MODIFYING CHAPTER 17.12 TO INCORPORATE NEW DEFINITIONS, 17.24 to MODIFY primary district matrices to incorporate the text changes , 17.30 to eliminate section 17.30.030.F "antennas", 17.48 modify to eliminate section 17.48.340 "Satellite dish antennas" and Modify THE TITLE PAGE TO REFLECT THE NEW CHAPTER.	Application for Wireless Amendment submitted to Coastal Commission 9-11-13. Received comments back from CCC 11-27-13, working on addressing issues.	No review performed.	N/A	
<b>Projects Appealed or Forwarded to City Council</b>									

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
46	City of Morro Bay	Citywide	6/19/13	A00-015	Sign Ordinance Update. Text Amendment Modifying Section 17.68 "Signs"	Text Amendment Modifying Section 17.68 "Signs". Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. PC made recommendations and forwarded to Council. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. A report brought to PC on 2/7/2011. Workshops scheduled 9/29/11 & 10/6/11. -Workshop results going to City Council 12/13/11. Continued to 1/10/12 CC meeting. Staff Report to PC. Project went to 5/2/2012. Update due to City Council in June 2013. Draft Sign Ordinance reviewed by PC on 6/19/13. Continued to 7/3/13 PC meeting for further review. PC has reviewed Downtown, Embarcadero, and Quintana Districts as well as the Tourist-Oriented Directional Sign Plan. 8/21/13 Final Draft of Sign Ordinance approved at 9/4/13 PC meeting with recommendation to forward to City Council. Council directed staff to do further research with local businesses. First workshop held 11/14 with approx. 12 Quintana area businesses. Downtown workshop held March 2014, North Main business workshop held 4/28/14 and Embarcadero business workshop held 5/19/14. Result of sign workshops to be agendized for Planning Commission.	No review performed.	N/R	
<b>Projects in Building Plan Check</b>									
47	Sangren	675 Anchor	11/28/12	B-29813	SFR Addition	Requested corrections 1/9/13. CJ. Resubmitted received and under review (November 14, 2013). Denial letter sent 4/24/14 GN	BC- Returned for corrections 1/9/13.	N/A	
48	Hill	445 Arcadia	7/8/14	B-30204	SFR Carport/ Deck	CJ - Corrections sent 7-14-14. Left msg w/ applicant requesting site visit 9/25/14. Approved 10/14/14. CJ.	BC- Resubmitted 9/10/14. Approved 9/26	JW-Disapproved, Correction Memo filed 7/18/2014; JW-Approved 10/28/2014	
49	Miller	461 Arcadia	2/6/15	B-30370	Single Family Alteration. Interior Structural work. Relocate bedroom & bathroom				
50	Hibbard	990 Balboa	12/22/14	B-30343	SFR Addition	Approved 1-6-15. JG			
51	LaPlante	3093 Beachcomber	11/3/11	B-29586	New SFR: 3,495sf w/ 500 sf garage on vacant land.	SD--Incomplete Letter 12/12/11. Phase 1 Arch Report required and Environmental Document. Incomplete letter sent 2/2012. MR: Met with applicant to go over environmental issues.	BC- Application on hold during planning process	DH- Provide SW mgmt, drainage rpt, EC.	
52	Beckett	175 Easter	8/19/14	B-30245	SFR Add: 735 sf living, 419 sf garage, 285 sf decking	Approved 8-21 CJ	BC- under review.	JW- 10/21/14 corrections needed.	
53	Jeffers	2740 Elm	3/12/14	B-30126	SFR Demo/ Reconstruct	GN - Needs CDP; Correction memo sent 4/10/14. Pending CDP approval. CJ. Correction letter sent. JG.	BC-returned for corrections 4/15/14.	JW- 4/7/14 corrections needed. JW- 9/9/14 2nd Submittal: Corrections and SWR Video needed. JW- 12/16/14 SWR Video needed	
54	Caldwell	801 Embarcadero	8/18/14	B-30250	Commercial Hood System		BC- returned for corrections 10/8/14.		
55	Fowler	1213 Embarcadero	9/11/14	B-30270	Phase 1-B Water Site Improvements	Requested correction 10-7-14 - CJ	BC-under review.	RPS - Disapproved per memo of 10/31/14	
56		1217 Embarcadero	1/30/15	B-30367	Commercial Alteration. Install sinks, drains, electrical & receptacles				
57	PG&E	1290 Embarcadero	10/2/13	G-040	Soil Removal	CJ- Monitoring Well location partially in Coastal original jurisdiction. Coastal Commission processing consolidated permit. Waiver granted by Coastal 9-14-1491-W	BC- on hold pending planning process.	Memo of 11/29/13. CDP application should address soil revegetation or stabilization of excavated area	
58	Buquet	647 Estero	3/14/14	B-30129	New SFR: 1662 sf living, 577 sf garage, 564 sf unfinished space, and 230 sf deck	GN- conditionally approved, need to add conditions as a separate plan sheet. 3/27/14	BC- RTI 5/12/14.	DH - approved 5.8.14	
59	Osborn	2810 Fir Ave	2/10/15	B-30362	Install Sunroom / patio room		Plans stamped. Ready to issue. CL.		
60	Vaughn	325 Fairview Ave	2/10/15	B-30365	Solar System		Plans stamped. Ready to issue. CL.		
61	Appleby	381 Fresno	7/31/14	B-30227	Carport& Storage Shed	Correction sent 8-7-14. WM. Will require a CUP prior to building. JG	BC-on hold pending Planning process.	RPS - No PW comments if street access is not required for storage	
62	Montecalvo	510 Fresno	5/16/14	B-30212	New 2car gargaie (508 sf) w/ storage (383 sf) above, and 93 sf deck	Corrections sent 8-11-14. WM.	BC- returned for corrections 8/22/14.	Assigned to ME/DH for review	
63	Conrad	2820 Greenwood	12/30/13	B-30079	SFR Add/ Second Unit: 300 sf attached studio (27 new sf and convert 273 sf)	Under review. 2nd unit will require CDP.	BC- returned for corrections 2/28/14.		
64	Meissner	1387 Hillcrest	7/31/14	B-30226	New SFR: 2,073 sf with 570 sf garage, 108 sf deck, and 975 sf of unconditioned under floor area.	Corrections sent 8-22-14. WM.	BC- under reivew		

#	Applicant/ Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Planning Comments and Notations	Building/Fire Comments and Notations	Engineering Comments and Notations	Harbor/Admin Comments and Notations
65	Romero	2931 Ironwood	12/12/14	B-30339		Corrections sent 12-18-14. CJ	Code check corrections 1-21-15.	To BCR for review 12/15/14	
66	Groom	3039 Ironwood	1/15/14	B-30084	New SFR: 2205 sf living, 510 sf garage, and 290 sf decking	Needs CDP.	BC-Ready to Issue 7/10/14.	BCR-7/1/14 approved. SW O&M plan rec'd 7/10/14	
67	Sotello	420 Island	6/30/14	B-30192	New SFR: 1678 sf living, 482 sf garage, 106 sf decking	Needs CDP.	BC- Returned for correction 10/2/14.		
68	McCallister	176 Java	6/3/14	B-30179	SFR Remodel	Project exceeds 10% in coastal appeals area. Will require a CDP prior to Building. CJ	BC-Returned for corrections 6/18/14.	BCR- under review	
69	Gonzalez	481 Java	10/6/13	B-30029	SFR Addition/ Remodel: add 578 sf living and 112 sf decking	KM - Disapproved due to nonconforming issues 10/22/13. GN - Sent out incomplete letter 1/30/14 with revisions. Resubmitted 4/3/14. Third incomplete letter sent 4/8/14.	BC- on hold pending planning process.	Return for resolution of Planning issues	
70	Castro	1105 Las Tunas		B-30342	Change flat roof to 4/12 pitch and electrical	Approved 1-9-15. JG.		RPS - Resubmittal disapproved 2/9/15. See memo	
71	AT&T	788 Main	6/23/14	B-30194	Recycling Facility and Site Improvements	Correction sent 7-14-14. WM	BC-under review.	RPS -Conditional Approval with modifications per memo of	
72	Dyson	1177 Main	8/18/14	B-30248	Covered Patio	Corrections. 9-5-14. WM.	BC-Returned for corrections 9/8/14.		
73	Naran	2176 Main	5/13/13	B-29918	Partial change of occupancy	CJ - Corrections sent 5-29. Resubmittal received 11-20 and corrections sent 12-10-13. Approved 12-15-14. CJ.	BC-returned for corrections 12/16/13.	N/R	
74	Kolb	685 Morro	12/22/14	B-30344	Clinic accessibility remodel & HVAC upgrade	Approved 1-6-15. WM.	Approved 1-13-15. JJ		
75	Meisterlin	315 Morro Bay Blvd.	9/12/14	B30275	Commercial Alteration-Handicap restroom	Approved	BC-returned for corrections 10/2/14.		
76	Hammond	2621 Nutmeg	1/13/15	B-30355	Remove top half of retaining wall due to stem wall failure and new wood deck				
77	Najarian	471 Nevis	11/14/14	B30324	New SFR			ME: Needs erosion control plan & sewer video	
78		433 Oahu	11/10/14	B30280		Approved. 11-19-14. JG		ME Conditionally approved 12/2	
79	Wikler	405 Pacific	12/11/14	B-30338		Corrections 12-18-14. WM		To BCR for review 12/15/14	
80	Nagy	371 Piney	8/11/14	B-30237	New SFR: 3,022 square-foot SFR and garage, plus deck and balcony.		BC-out for corrections.		
81	Frye	244 Shasta	5/7/13	B-29910	Garage to Second Unit conversion	KM - Needs to comply with or amend existing CDP. Wayne Adams submitted a letter 1/6/14 requesting that the City determine the remaining permit considered abandoned.	BC- on hold pending planning process.	BCR-approved 5/13/13	
82	Lindsey	413 Shasta	1/14/15	B-30357	Demo / Reconstruct SFR.	Needs CDP.			
83	Williams	429 Tulare	12/29/14	B-30346	Remodel & SFR Addition of 269sf				
84	Wammack	505 Walnut	12/31/13	B-30076	New SFR: 2611 sf living, 489 sf garage, 190 sf decks and covered porch	CJ - needs CDP. Appealed. Building permit on hold pending appeal outcome.	BC-on hold pending Planning process.	BCR sidewalk deferral agreement	
85	Haeuser	501 Zanzibar	3/21/14	B-30133	SF Addition: 594 sf living and 340 sf decking	NC - Corrections sent 4/25. Corrections sent 12/18/14 WM.	BC-Returned for corrections 4/28/14.	RS: Comments provided 3/21/14	
86	Nucci	529 Zanzibar	12/9/14	B-30337	SF Addition	Planning corrections 12-11-14. WM.		ME - Needs driveway profile. See memo 12/23/14.	
<b>Projects &amp; Permits with Final Action</b>									
1	Groom	3039 Ironwood	12/4/14	Modification to CP0-422	<b>Modification to Coastal Permit for a change in exterior finish.</b>	Under review for parking conformance. JG. Need copy of prelim. title report and easement report. 12/5. JG. Approval pending page revisions from contractor. 1/15. Approved. Waiting on recorded covenant before signing off on Building permit. JG. Approved.			
2	Garcia	430 Nassau	12/3/14	UP0-399	<b>Addition to Non-conforming House</b>	Under review. Complete. 2/3/15 PC hearing date. JG. PC Approval 2/3. JG	Fire- conditionally approved 12/10/14	BCR for rvw 12/15/14	



AGENDA NO: B-1

MEETING DATE: February 17, 2015

## Staff Report

**TO: Planning Commissioners**

**DATE: February 10, 2015**

**FROM: Cindy Jacinth, Associate Planner**

**SUBJECT:** Conditional Use Permit (UP0-359) for construction of new gangway, dock, and seven (7) boat slips (6 private rentals and 1 public slip) at 725 Embarcadero, Rose's Landing

**RECOMMENDATION:**

Staff recommends that the Planning Commission open the public hearing to hear any testimony on the proposed project and then continue this project to the March 3, 2015 Planning Commission meeting for review and discussion at that time.

**REASON FOR CONTINUANCE:**

A draft mitigated negative declaration (MND) was prepared for the project and forwarded to the State Clearinghouse and potentially interested agencies for review. A notice of availability was also published in the San Luis Obispo Tribune on January 2, 2015. The public review period for public comments on the MND was from January 2, 2015 to February 2, 2015. A comment letter received from the California Coastal Commission (CCC) will require plan revision of the dock configuration related to site biology, specifically presence of eelgrass. CCC also had comments regarding impacts to noise and public access. The project architect is currently working to revise the plans in a manner that addresses these concerns. Staff review of the plan changes determined that the revised proposal will not result in additional impacts beyond those previously identified in the MND and therefore will not require a recirculation.

Staff currently expects to receive revised plans within the next week which would allow for placement on the Planning Commission's March 3, 2015 agenda.

The required 10-day notice of a public hearing before the Planning Commission on this project was published in the San Luis Obispo Tribune on February 6, 2015. Since the hearing has been publicly noticed, staff recommends that the Commission open the hearing for testimony by interested persons wishing to speak about the project before continuing review to the March 3, 2015 meeting.

Prepared By: \_\_\_CJ\_\_\_

Department Review: \_\_\_SG\_\_\_



AGENDA NO: B-2

MEETING DATE: February 17, 2015

## Staff Report

**TO:** Planning Commissioners

**DATE:** February 10, 2015

**FROM:** Cindy Jacinth, Associate Planner

**SUBJECT:** Coastal Development and Conditional Use Permits (CP0-449 & UP0-385) to allow installation of six panel antennas and associated equipment on an existing 164-foot PG &E lattice tower located east of the intersection of Radcliff Avenue and Hillcrest Drive at 750 Radcliffe (also known as 1245 Little Morro Creek Road). Proposal also includes a new prefabricated 11'6" x 16' 10 1/2" equipment shelter at the base of the lattice tower.

**RECOMMENDATION:**

*CONDITIONALLY APPROVE THE PROJECT* by adopting a motion including the following action(s):

- A. Adopt Planning Commission Resolution 06-15 which includes the Findings and Conditions of Approval for the project depicted on site development plans dated February 9, 2015.

**APPLICANT/AGENT:** Tricia Knight, Agent for Verizon Wireless

**LEGAL DESCRIPTION/APN:**  
068-401-014

**PROJECT DESCRIPTION:** The Applicant, Verizon Wireless, is requesting coastal development and conditional use permit approval to establish a Verizon unmanned telecommunications facility (aka "cell site") to be co-located with other telecommunication facilities (existing Sprint and T-Mobile/MetroPCS) at an existing 164 foot



Prepared By: \_\_\_CJ\_\_\_

Department Review: \_\_\_\_\_

tall PG&E lattice tower. Per sections 17.30.030(F) and 17.30.030(P) of the Zoning Ordinance antennas and public utility facilities can be located within any zoning district after obtaining a Conditional Use Permit. Therefore, the applicant requests Conditional Use Permit and Coastal Development Permit approvals to allow for the establishment of a cell site to be located on an existing utility tower. The proposal includes installation of 6 new Verizon panel antennas and associated equipment including hybrid and coaxial cables, a 30 kw standby generator on concrete pad, prefabricated 11'-6" x 16'-10 1/2" equipment shelter to be installed at the base of the tower enclosed in an existing fence as shown on the attached plans dated February 9, 2015.

**PROJECT SETTING:**

<b><u>Adjacent Zoning/Land Use</u></b>			
North:	Ag Residential (R-A, PD) Vacant Land	South	Single Family Residential (R-1, S.2)
East:	Ag Residential (R-A, PD) Vacant Land	West:	Ag Residential (R-A, PD) Vacant Land

<b><u>Site Characteristics</u></b>	
Overall Site Area	19.2713 Acres
Existing Use	PG&E Tower
Terrain	Sloping
Vegetation/Wildlife	Grasses
Access	Radcliffe Avenue
Archaeological Resources	The site is within 300 feet of a known archaeological resource. A Phase I cultural resources inventory, dated 12/2/2014 was conducted and concluded the site was negative for significant in situ cultural resources with further archaeological testing not recommended.

<b><u>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</u></b>	
General Plan/Coastal Plan Land Use Designation	Agriculture
Base Zone District	R-A, Residential Agriculture
Zoning Overlay District	PD
Special Treatment Area	N/A
Combining District	N/A
Specific Plan Area	N/A
Coastal Zone	Located in the Coastal Zone, but not within appeals jurisdiction

**PROJECT ANALYSIS:**

*Background / Discussion:*

The PG&E lattice tower was first established as an unmanned telecommunications facility with the coastal development and conditional use permit approval for MetroPCS (now known as T-Mobile by Planning Commission in December, 2009. There is also an existing Sprint facility at the site. Verizon's application would co-locate a third telecommunications facility. The Applicant is requesting to establish this new unmanned telecommunications facility to allow for expanded capacity of the Verizon network in and around the City of Morro Bay.

The specific additions to the site include:

- 6 new Verizon panel antennas to be installed
- 6 new Verizon RRUs (remote radio unit) to be installed
- 3 new Verizon TMAs (tower mounted amplifier) to be installed
- 3 new Verizon ray caps to be installed
- 6 new Verizon 6" 0 stub up to be installed
- 1 new Verizon prefabricated 11'-6" x 16'-10 ½" equipment shelter to be installed
- 1 new Verizon hybrid cable to be installed
- 12 new Verizon 1-5/8 0 coax cable to be installed
- New Verizon Wireless 30kw standby generator (UL2085) on concrete pad

*Visual Analysis:*

Staff reviewed the project for impacts to visual aesthetics via submission of photo visual simulations existing and proposed. The proposed Verizon facility would be co-located on an existing 164 ft. tall steel PG&E utility tower where currently both T-Mobile (aka MetroPCS) and Sprint have existing facilities. The six panel antennas would be installed at a height between 65-69 ft. above ground level. Each of the antennas measure 8' x 11.5" x 7.1". The new Verizon lease area at the base of the tower is enclosed inside of an existing 7 foot fence. Within the area, Verizon would install a new equipment shelter which is 11 feet 6 inches x 16 feet 10 ½ inches at a height of 12 feet. The GPS antenna would be placed at the roof of the proposed equipment shelter. The coaxial cables that attach the antennas to the equipment cabinets at the base of the tower will be routed down the northwest leg of the tower. The photo visual simulations submitted depict the mounted antennas which staff has recommended a condition of approval that all antennas and cable be painted a non-reflective gray to match and blend in with the existing tower (See Planning condition 3).

Verizon ground mounted equipment will be located within a 531 sq. ft. lease area on a proposed concrete slab beneath the PG&E tower. The utilities will be placed underground from the point of connection (P.O.C) to the equipment area at the base of the tower. The POC is shown on the

plans at the intersection of Radcliffe and Hillcrest where there is an existing utility pole. Any work done within the public Right of Way would be subject to an City encroachment permit from the Public Works Department. Underground installation will be done via directional boring. The vacant property at the southeast corner of Radcliffe and Hillcrest is owned by PG&E.

#### *Hazards/Hazardous Materials*

A Radio Frequency (RF) report was prepared by Hammett & Edison, Inc., dated November 25, 2014, to evaluate the proposed “base station” for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields. The report was determined to be within FCC exposure limits. The report is attached as an exhibit to this staff report. The report also analyzed the calculated cumulative exposure levels at the second-floor elevation of nearby residences with the maximum cumulative level of any nearby residence is 2.4% of public limit, well within the FCC requirements. The study results for a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation by itself is calculated to be 1.7% of the applicable public exposure limit. With simultaneous operation of all 3 wireless facilities, the maximum cumulative level would be 1.8% of the public exposure limit. It should be noted that these results include several worst-case scenarios assumptions and therefore are expected to overstate actual power density levels.

The antennas would be mounted with up to 5 degree downtilt at an effective height of about 65 feet above ground and would be oriented in pairs toward 40 degree T, 150 degree T and 210 degree T. According to the RF report, the maximum effective radiated power in any direction would be 10,000 watts, representing simultaneous operation at 2,660 watts for AWS,

The RF report does not recommend any special conditions. Due to their mounting locations, the Verizon antennas would not be accessible to the general public. In the event of trespass, and to ensure that maintenance personnel are not exposed in excess of the occupational limit, staff has recommended a condition of approval that explanatory warning signs be posted to be readily visible from any angle of approach (See Planning condition 4).

#### *U.S. Federal Communications Commission*

The project has been designed to be in compliance with FCC regulations. The Federal Communications Commission (FCC) regulates interstate and international communications by radio, television, wire, satellite and cable. It was established by the Communications Act of 1934 and operates as an independent U.S. government agency overseen by Congress. Section 332(c)(7) of the Communications Act was added by Congress in the Telecommunications Act of 1996 which imposes limitations on local governments that they may not unreasonably discriminate among providers of functionally equivalent services, may not prohibit provision of personal wireless services, must act on requests within a reasonable period of time, must make

any denial decision in writing, supported by substantial evidence, and may not regulate radio frequency (RF), but may require applicant to satisfy FCC rules.

### **ENVIRONMENTAL DETERMINATION**

Environmental review was performed for this project. Pursuant to Zoning Ordinance section 17.48.310, a Phase 1 cultural resources survey of the project area was prepared dated December 2, 2014. The results of the archaeological survey determined that the present project is not sensitive for the presence of significant precontact and/or historical archaeological resource due to evidence of previous disturbance associated with the construction of the transmission tower and the existing telecommunications facility. The results of the survey were negative for significant in situ cultural resources. The report concluded no further archaeological testing is recommended for this project. In phone conversation with City staff, the archaeologist concurred with archaeological monitoring based on past surveys of the area. Additionally, City records include a request by past Native American monitors, that the area be monitored anytime in the future that earth disturbance is planned. Accordingly, staff is recommending that a condition of approval be added to include archaeological monitoring during ground disturbing activities (See Planning condition 2). As such, due to the lack of potentially significant archaeological resources, staff has determined the project is eligible for a Categorical Exemption Class 3, CEQA Guidelines Section 15303 (e), (New construction of small structures). This exemption applies to the construction and location of limited numbers of new, small facilities or structures and temporary use of land having no permanent effects on the environment.

### **PUBLIC NOTICE:**

Notice of a public hearing on this item was posted at the site and published in the Tribune newspaper on February 6, 2015, and mailed directly to all property owners of record within 300 feet of the subject site and occupants within 100 feet of the site. The notices invited the public to attend the hearing and express any concerns they may have regarding the proposed project.

### **CONCLUSION:**

Improved wireless communication abilities are a community need from the standpoint of both convenience and public safety. Based upon the photo simulations and RF report submitted by the applicant and required conditions to have the texture and color of the proposed antennas and coaxial cables to match the existing tower, as well as the condition to adequately screen all ground level equipment, staff has determined that the proposed project would not significantly degrade the aesthetics of the site. The project, as proposed, is consistent with all required development standards of the Zoning Ordinance and all applicable provisions of the General Plan and Local Coastal Plan with incorporation of the recommended conditions of approval.

Staff recommends that the Planning Commission approve the requested Coastal Development Permit and Conditional Use Permit for installation of 6 panel antennas and associated equipment

with new prefabricated 11'-6" x 16'-10 1/2" equipment shelter with the incorporation of the conditions of approval attached herein.

**EXHIBITS:**

Exhibit A – Planning Commission Resolution 06-15

Exhibit B – Graphics/Plan Reductions dated February 10, 2015

Exhibit C – Visual Simulation, Existing and Proposed

Exhibit D –Radio Frequency Compliance Report dated November 25, 2014.

# EXHIBIT A

## RESOLUTION NO. PC 6-15

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION APPROVING THE COASTAL DEVELOPMENT AND CONDITIONAL USE PERMITS TO ALLOW INSTALLATION OF SIX PANEL ANTENNAS AND ASSOCIATED EQUIPMENT ON AN EXISTING 164-FOOT PG & E LATTICE TOWER LOCATED EAST OF THE INTERSECTION OF RADCLIFF AVENUE AND HILLCREST DRIVE (750 RADCLIFFE AVENUE, APN 068-401-014). PROPOSAL ALSO INCLUDES A NEW PREFABRICATED 11'6" X 16' 10 1/2" EQUIPMENT SHELTER AT THE BASE OF THE LATTICE TOWER.

**WHEREAS**, the Planning Commission of the City of Morro Bay (the "City") conducted a public hearing at the Morro Bay Veteran's Hall, 209 Surf Street, Morro Bay, California, on February 17, 2015, for the purpose of considering Coastal Development Permit CP0-449 & Conditional Use Permit # UP0-385 to co-locate a proposed installation of an unmanned telecommunication facility to allow installation of six panel antennas and associated equipment on an existing 164-foot PG&E lattice tower located east of Radcliffe and Hillcrest Avenues (750 Radcliffe, APN Number 068-401-014) in an area outside of the Coastal Commission Appeals Jurisdiction; and

**WHEREAS**, notice of the public hearing was provided at the time and in the manner required by law; and

**WHEREAS**, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Morro Bay as follows:

**Section 1: Findings.** Based upon all the evidence, the Planning Commission makes the following findings:

### California Environmental Quality Act (CEQA) Finding

1. Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15303, Class 3: New construction of small structures. This exemption applies to the construction and location of limited numbers of new, small facilities or structures and temporary use of land having no permanent effects on the environment.

### Coastal Development Permit Findings

1. That the project is an allowable use in its zoning district and is also in accordance

# EXHIBIT A

Planning Commission Resolution #6-15  
CP0-449 & UP0-385  
750 Radcliffe  
Page 2

with the certified Local Coastal Program and the General Plan for the City of Morro Bay. “Antennas” and “Public Utility Facilities” are both listed as uses that may be permitted in any zone district with an approved Conditional Use Permit (Zoning Ordinance Section 17.30.0030 (F) & (P), respectively).

## Conditional Use Permit Findings

1. The establishment, maintenance, or operation of the use applied for will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use in that the project will be consistent with all applicable zoning and plan requirements as indicated in the attached staff report, and potential public health impacts were studied and addressed in an RF report prepared by Hammett & Edison, Inc., dated November 25, 2014; and
2. The use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City since the project, as conditioned, will be constructed consistent with all applicable City regulations and will post explanatory warning signs to ensure compliance with occupational exposure limits.

**Section 2: Action.** The Planning Commission does hereby approve Coastal Development Permit CP0-449 and Conditional Use Permit #UP0-385 for property known as 750 Radcliffe (APN number 068-401-014) subject to the following conditions:

## STANDARD CONDITIONS

1. Permits: This Conditional Use Permit and Coastal Development Permit are granted for the uses described in the February 9, 2015 staff report and all attachments thereto, and as shown on the plans received by the Community Development Department on February 9, 2015. In addition to satisfying all of the foregoing Conditions of Approval for the proposed use, the applicant shall obtain and maintain compliance with all other required permits and approvals.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced within two (2) years of the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Community Development Manager, upon

# EXHIBIT A

finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.

3. Changes: Any minor change may be approved by the Community Development Manager. Any substantial change, as so deemed by the Community Development Manager, will require the filing of an application for an amendment to be reviewed by the Planning Commission.
4. Compliance with the Law: All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval.
5. Compliance with Conditions: Prior to issuance of a building permit for the proposed use or development, the owner or designee accepts and agrees to comply with all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Community Development Manager and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
6. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the Zoning Ordinance, certified Coastal Land Use Plan and General Plan for the City of Morro Bay.
7. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
8. Construction Hours: Pursuant to MBMC Section 9.28.030 (I), noise-generating construction related activities shall be limited to the hours of 7:00 AM to 7:00 PM Monday through Friday, and 8:00 A.M. to 7:00 P.M. on Saturday and Sunday, unless an exception is granted by the Community Development Manager pursuant to the terms of this regulation.

# EXHIBIT A

9. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.

## **PLANNING CONDITIONS**

1. Archaeology: In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation or salvage. The developer shall be liable for costs associated with the professional investigation.
2. Archaeological Monitoring: An archaeological monitor and Native American representative shall be present and on-site during ground-disturbing activities. Applicant shall submit monitoring contract for review and approval prior to issuance of a building permit.
3. Antenna and Equipment Screening: As presented in the photo simulations of the proposed project, the color and texture of the proposed antennas and coaxial cables shall be painted a non-reflective gray to match with the existing tower.
4. Exposure Signs: In order to prevent occupational exposures in excess of FCC regulations, explanatory warning signs shall be posted on the tower, such that the signs would be readily visible from any angle of approach to maintenance persons working within three feet of the antennas. The applicant shall submit building plans illustrating the placement of the required explanatory warning signs. As discussed in the Radio Frequency (RF) exposure study, the warning signs should be utilized to establish awareness as long as they provide information in a prominent manner on the risk of potential exposure and instructions on methods to minimize such exposure risk.
5. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blown earth problems shall be submitted for review and approval by the Building Official. (MBMC Section 17.52.070)
6. Conditions of Approval: Prior to the issuance of a Building Permit, the final Conditions of Approval shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
7. Inspection: The applicant shall comply with all Planning conditions listed above and obtain a final inspection from the Planning Division at the necessary time in order to ensure all conditions have been met.

# EXHIBIT A

## **BUILDING CONDITION**

1. Building Permit: Prior to construction, the applicant shall submit a complete Building Permit Application and obtain the required Permit.

## **FIRE CONDITIONS**

The following Fire Department conditions shall be satisfied prior to issuance of a building permit:

1. Fire Safety During Construction and Demolition. This chapter prescribes minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations (CFC Chapter 33). Compliance with NFPA 241 is required for items not specifically addressed herein.
2. Vegetation clearance. Provide complete ground clearance of all flammable vegetation inside of the fenced enclosure, in accordance with 2013 California Fire Code (Section 304.1.2) and Public Resources Code (Section 4292).
3. Vegetation clearance is required prior to the start of any work inside the fenced area; abatement will be confirmed during field inspection and a condition of final Fire Department occupancy approval. (Applicant shall schedule a field inspection by calling Morro Bay Fire Department at (805) 772-6242 attention Fire Marshal).
4. Knox key box. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location (CFC 506). Provide a Knox Box or padlock (as determined by the Fire Marshal) for emergency access to any secured area within the tower perimeter. Please obtain a Knox application from Morro Bay Fire Department during business hours.
5. Fire extinguishers. Provide 1 wall mounted class 10-B: C fire extinguisher and signage, in accordance with California Code of Regulations, Title 19, Division 1, inside or on the doorway of the equipment shelter.
6. Stationary storage battery systems, room ventilation, and equipment room and building signage shall be in accordance with 2013 California Fire Code, (Section 608).

# EXHIBIT A

7. Equipment room and building signage. Doors into electrical equipment rooms or buildings containing stationary battery systems shall be provided with approved signs. The signs shall state:
  1. The room contains energized battery systems.
  2. The room contains energized electrical circuits.
  3. The battery electrolyte solution, where present, are corrosive liquids.
8. Cabinet signage. Cabinets shall have exterior labels that identify the manufacturer or model number of system and electrical rating (voltage and current) of the contained battery system. There shall be signs within the cabinet that indicate the relevant electrical, chemical and fire hazard.
9. Sheet A-3. Detail 1 depicts a new PG&E shut off switch and generator box, in accordance with CFC 605.3.1). Provide signage of ELECTRICAL SHUTOFF for emergency operation.
10. Sheet A-3. Detail 1 depicts a new, UL 2085 listed, Verizon Wireless 30KV standby generator on a concrete pad. Please provide detail and cut sheets of generator fuel source, generator fuel capacity, fuel tank location, and fuel tank securement, ability to withstand fire, vehicle impact resistance, projectiles resistance, fuel tank contents containment and NFPA 704 placard.
11. Documentation of EPCRA reporting. Pursuant to Federal Emergency Planning Community Right-to Know Act (EPCRA), Section 311 and 312, USEPA regulations at 40 CFR Part 355 implementing EPCRA, and corresponding state and local requirements. **Please provide a Tier Two Emergency and Hazardous Chemical Inventory (form OMB 2050-0072).**

## **PUBLIC WORKS CONDITIONS**

1. No work within nor any use of any public rights of way shall occur without an encroachment permit. Encroachment permits are available at the City's Public Works Department located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage to any of the City's facilities (such as curb/berm, street, sewer line, water line, or any public improvements) resulting, directly or indirectly from construction operations related to this project shall be repaired at no cost to the City.

# EXHIBIT A

Planning Commission Resolution #6-15  
CP0-449 & UP0-385  
750 Radcliffe  
Page 7

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 17<sup>th</sup> day of FEBRUARY, 2015 upon motion of Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Chairperson Robert Tefft

ATTEST

---

Scot Graham, Planning Secretary

The foregoing resolution was passed and adopted this 17<sup>th</sup> day of February, 2015.



# EXHIBIT B

## NOTES

OWNER(S): J & E GIANNINI PROPERTIES LLC

APN: 068-401-014

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE CONDITION OF TITLE REPORT BY: XXXX TITLE COMPANY, ORDER NO. XXX, DATED XXX X, 2013. WITHIN SAID TITLE REPORT THERE ARE XXXX (XX) EXCEPTIONS LISTED, XXX (X) OF WHICH ARE EASEMENTS AND XXX (X) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060304, PANEL NO. 00256, DATED NOVEMBER 16, 2012 SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 35° 22' 32.7" N NAD 83  
LONG. 120° 50' 50.9" W NAD 83  
ELEV. 193.2 NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy ( $\pm 20'$  horizontally and  $\pm 3'$  vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest tenth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

LESSOR'S PROPERTY LEGAL DESCRIPTION (PER TITLE REPORT):

TBD

**SMITHCO**  
SURVEYING ENGINEERING  
P.O. BOX 81626 BAKERSFIELD, CA 93388  
PHONE: (841) 393-1217 FAX: (841) 393-1218

## ISSUE STATUS

REV	DATE	DESCRIPTION	BY
0	12/23/13	PRELIMINARY	DL
1	04/14/14	LICENSE AREA	SL
2	04/15/14	LICENSE AREA	SL
3	07/16/14	UTILITY ROUTE	SL

SMITHCO JOB NO.: 82-201



**WIRELESS**  
5865 AVENIDA ENCINAS, SUITE 142B,  
CARLSBAD, CA 92008  
Office (760) 795-6200  
Fax (760) 931-0908

### PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO WIRELESS

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO WIRELESS IS STRICTLY PROHIBITED

**verizon**wireless  
2785 MITCHELL DRIVE, BLDG 9  
WALNUT CREEK, CA 94598

PRELIMINARY

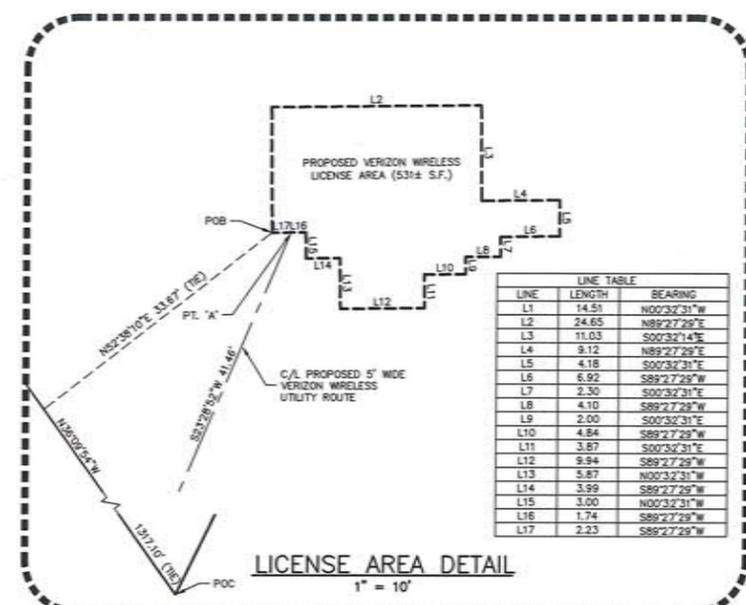
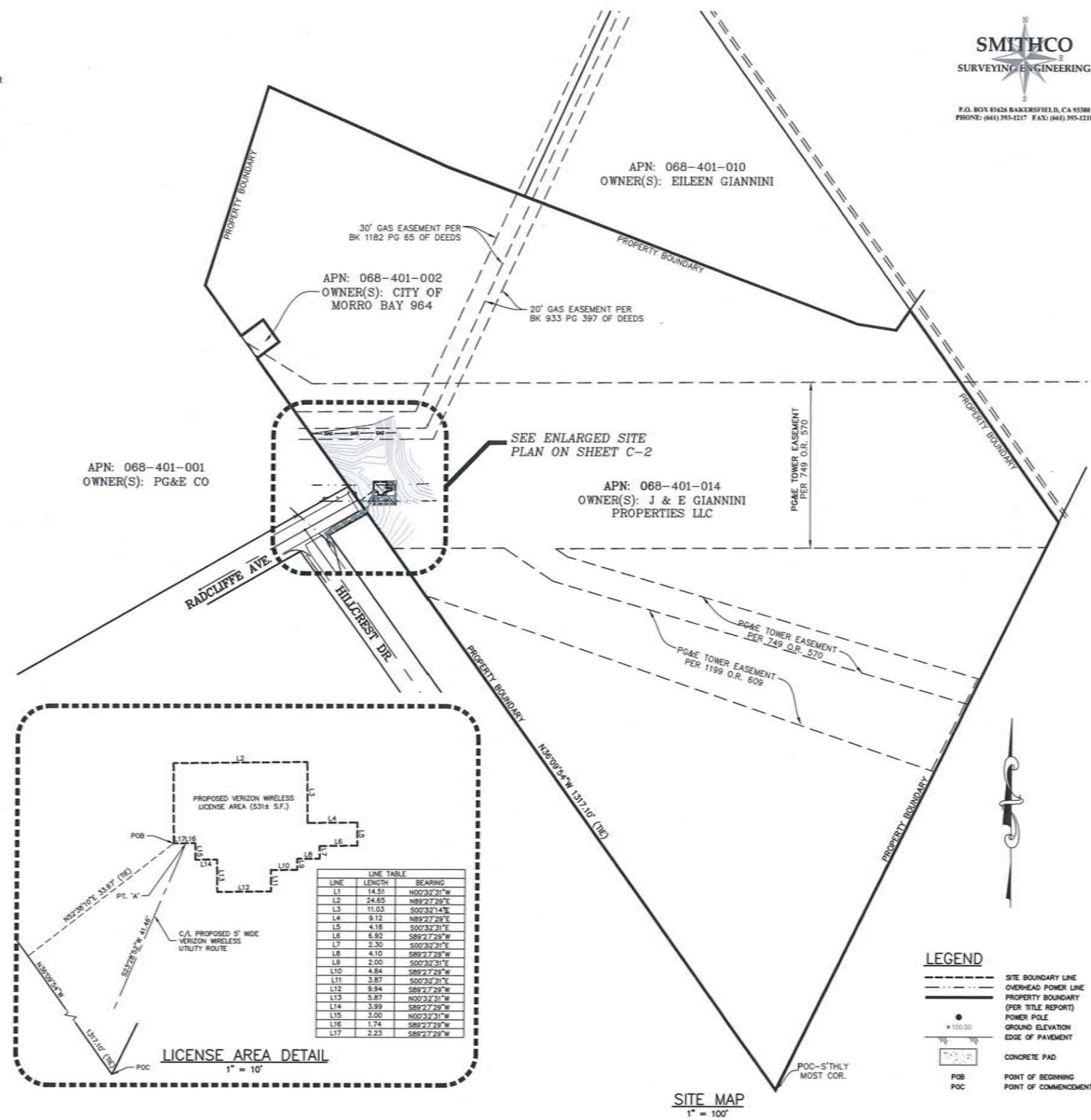
190396  
DT MORRO  
BAY

LITTLE MORRO  
CREEK RD,  
MORRO BAY, CA

SAN LUIS OBISPO  
COUNTY

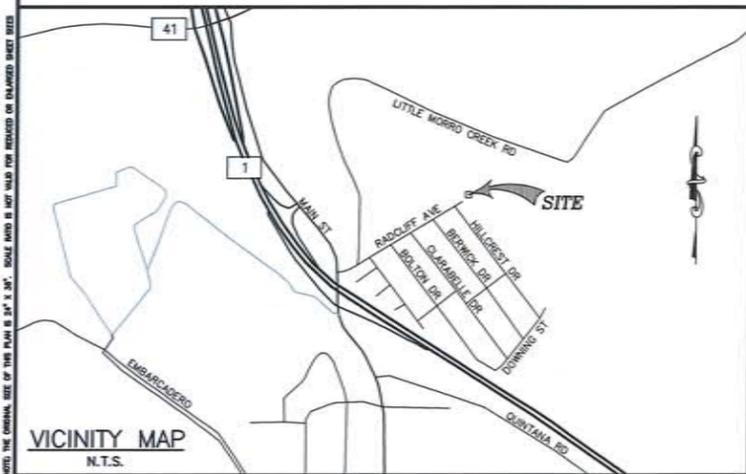
SHEET TITLE:  
SITE SURVEY  
FOR EXAMINATION ONLY

C-1



### LEGEND

	SITE BOUNDARY LINE
	OVERHEAD POWER LINE
	PROPERTY BOUNDARY (PER TITLE REPORT)
	POWER POLE
	GROUND ELEVATION
	EDGE OF PAVEMENT
	CONCRETE PAD
	POB
	POC



NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE SHOWN IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

# EXHIBIT B

**PROPOSED VERIZON WIRELESS LICENSE AREA DESCRIPTION:**

ALL THAT PORTION OF THE HEREON DESCRIBED LESSOR'S PROPERTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY MOST CORNER OF SAID PROPERTY, THENCE N 36°09'54" W, A DISTANCE OF 1317.10 FEET; THENCE N 52°38'10" E, A DISTANCE OF 33.67 FEET TO THE TRUE POINT OF BEGINNING;

- THENCE 1) N 00°32'31" W, A DISTANCE OF 14.51 FEET;
- THENCE 2) N 89°28'47" E, A DISTANCE OF 24.65 FEET;
- THENCE 3) S 00°32'31" E, A DISTANCE OF 11.02 FEET;
- THENCE 4) N 89°27'29" W, A DISTANCE OF 9.12 FEET;
- THENCE 5) S 00°32'31" E, A DISTANCE OF 4.18 FEET;
- THENCE 6) S 89°27'29" W, A DISTANCE OF 6.92 FEET;
- THENCE 7) S 00°32'31" E, A DISTANCE OF 2.30 FEET;
- THENCE 8) S 89°27'29" W, A DISTANCE OF 4.10 FEET;
- THENCE 9) S 00°32'31" E, A DISTANCE OF 2.00 FEET;
- THENCE 10) S 89°27'29" W, A DISTANCE OF 4.84 FEET;
- THENCE 11) S 00°32'31" E, A DISTANCE OF 3.87 FEET;
- THENCE 12) S 89°27'29" W, A DISTANCE OF 9.94 FEET;
- THENCE 13) S 00°32'31" E, A DISTANCE OF 5.87 FEET;
- THENCE 14) S 89°27'29" W, A DISTANCE OF 3.99 FEET;
- THENCE 15) N 00°32'31" W, A DISTANCE OF 3.00 FEET;
- THENCE 16) S 89°27'29" W, A DISTANCE OF 1.74 FEET TO POINT 'A';
- THENCE 17) CONTINUING S 89°27'29" W, A DISTANCE OF 2.23 FEET TO THE POINT OF BEGINNING.

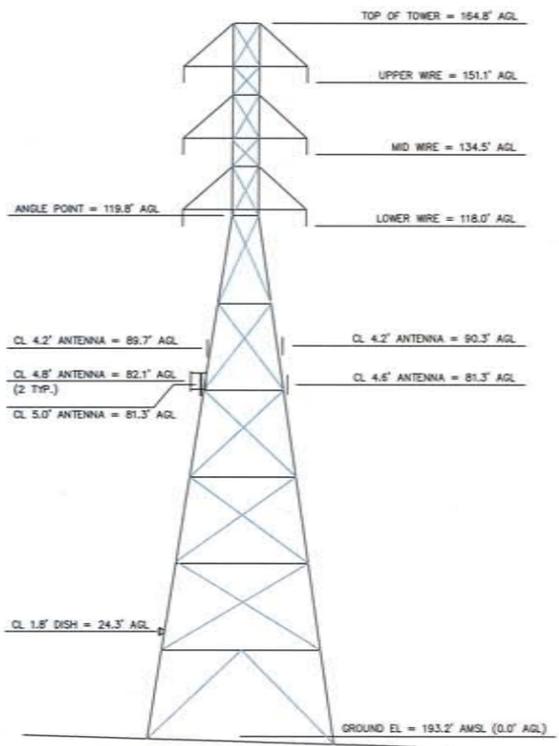
CONTAINING 531 SQUARE FEET, MORE OR LESS.

**PROPOSED VERIZON WIRELESS UTILITY ROUTE DESCRIPTION:**

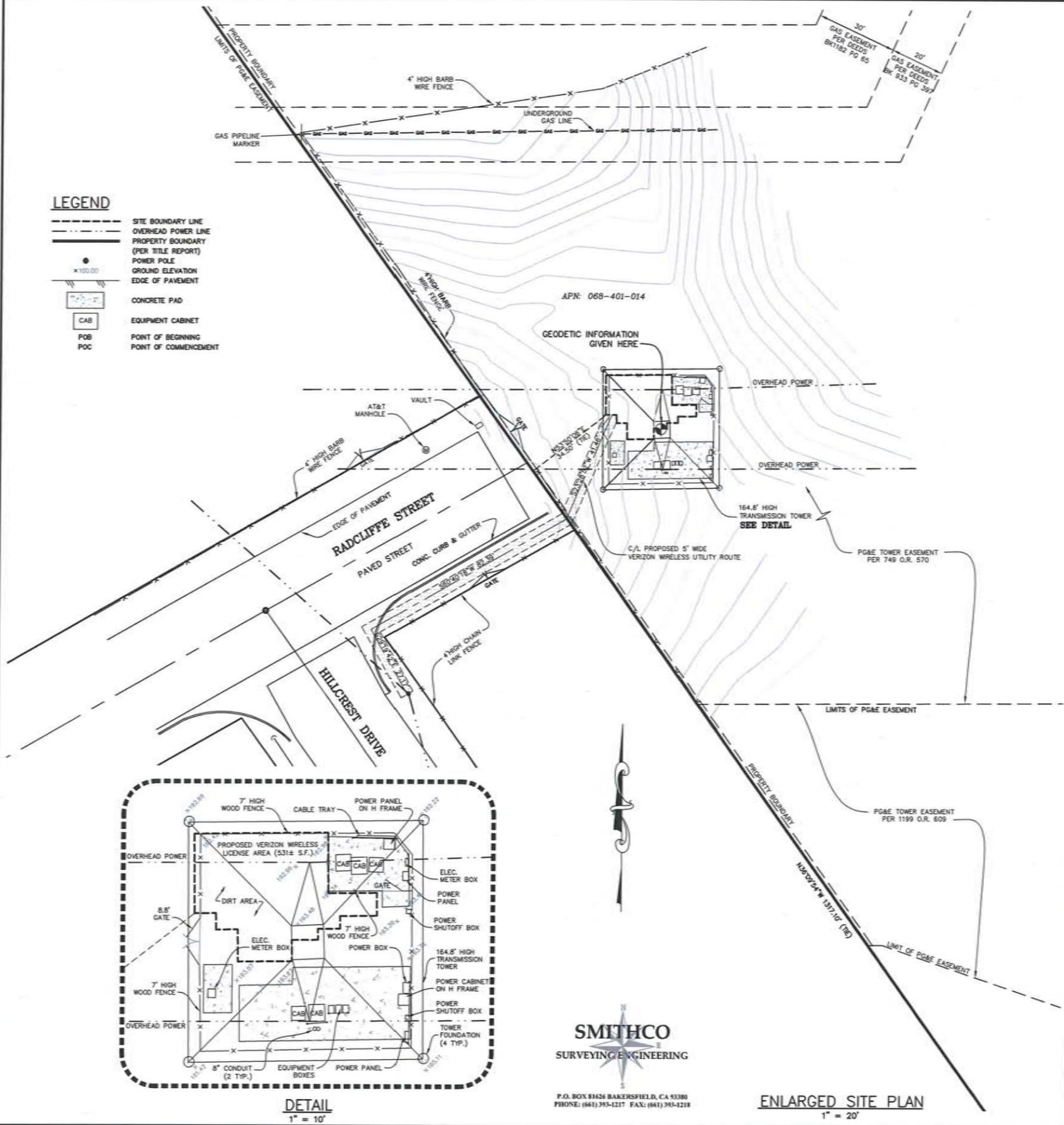
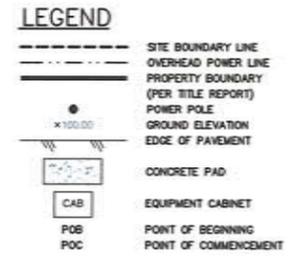
A 5.00 FOOT WIDE EASEMENT FOR UTILITY PURPOSES, LYING 2.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE HEREBEFORE DESCRIBED POINT 'A';

- THENCE 1) S 23°28'52" W, A DISTANCE OF 41.46 FEET TO THE WEST LINE OF SAID LESSOR'S PROPERTY AND THE TERMINUS OF THIS DESCRIPTION.



**WEST ELEVATION VIEW**  
1" = 20'



**DETAIL**  
1" = 10'

**ENLARGED SITE PLAN**  
1" = 20'

ISSUE STATUS			
REV	DATE	DESCRIPTION	BY
0	12/23/13	PRELIMINARY	DL
1	04/14/14	LICENSE AREA	SL
2	04/15/14	LICENSE AREA	SL
3	07/16/14	UTILITY ROUTE	SL

SMITHCO JOB NO.: 82-201

**SMITHCO WIRELESS**  
5885 AVENIDA ENCINAS, SUITE 142B,  
CARLSBAD, CA 92008  
Office (760) 795-0200  
Fax (760) 931-0908

**PROPRIETARY INFORMATION**  
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS.  
ANY USE OR DISCLOSURE OTHER THAN AS IF RELATED TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

**verizon wireless**  
2785 MITCHELL DRIVE, BLDG 9  
WALNUT CREEK, CA 94598

**PRELIMINARY**

190396  
DT MORRO  
BAY

LITTLE MORRO  
CREEK RD,  
MORRO BAY, CA

SAN LUIS OBISPO  
COUNTY

SHEET TITLE:  
**SITE SURVEY**  
FOR EXAMINATION ONLY

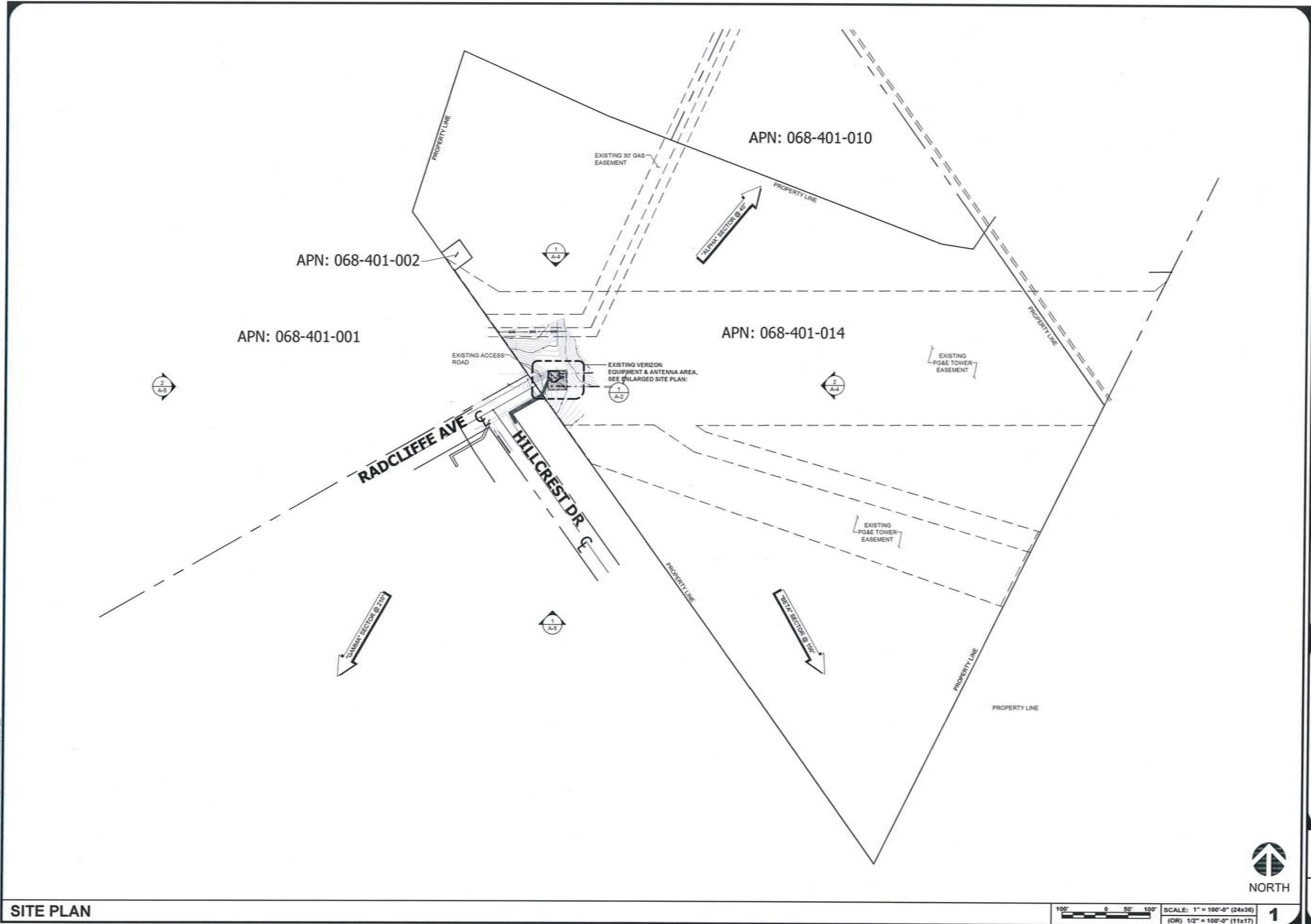
**C-2**

**SMITHCO**  
SURVEYING & ENGINEERING

P.O. BOX 81626 BAKERSFIELD, CA 93380  
PHONE: (805) 393-1217 FAX: (805) 393-1218

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 34" x 24". SCALE SHOWN IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES.

# EXHIBIT B



ISSUE STATUS			
REV.	DATE	DESCRIPTION	BY
0	07/11/14	FOR SUBMITTAL	JP

**SJC**  
WIRELESS  
ENGINEERING GROUP  
5865 AVENIDA ENCINAS  
CARLSBAD, CA 92008  
WWW.SJC-ENG.COM  
760.795.5200

**PROPRIETARY INFORMATION**  
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS.  
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

**verizon**  
2785 MITCHELL DRIVE, BLDG 9  
WALNUT CREEK, CA 94598

**DT MORRO BAY**  
PSL # 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442

**DT MORRO BAY**  
PSL # 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442

SHEET TITLE:  
**SITE PLAN**

**A-1**

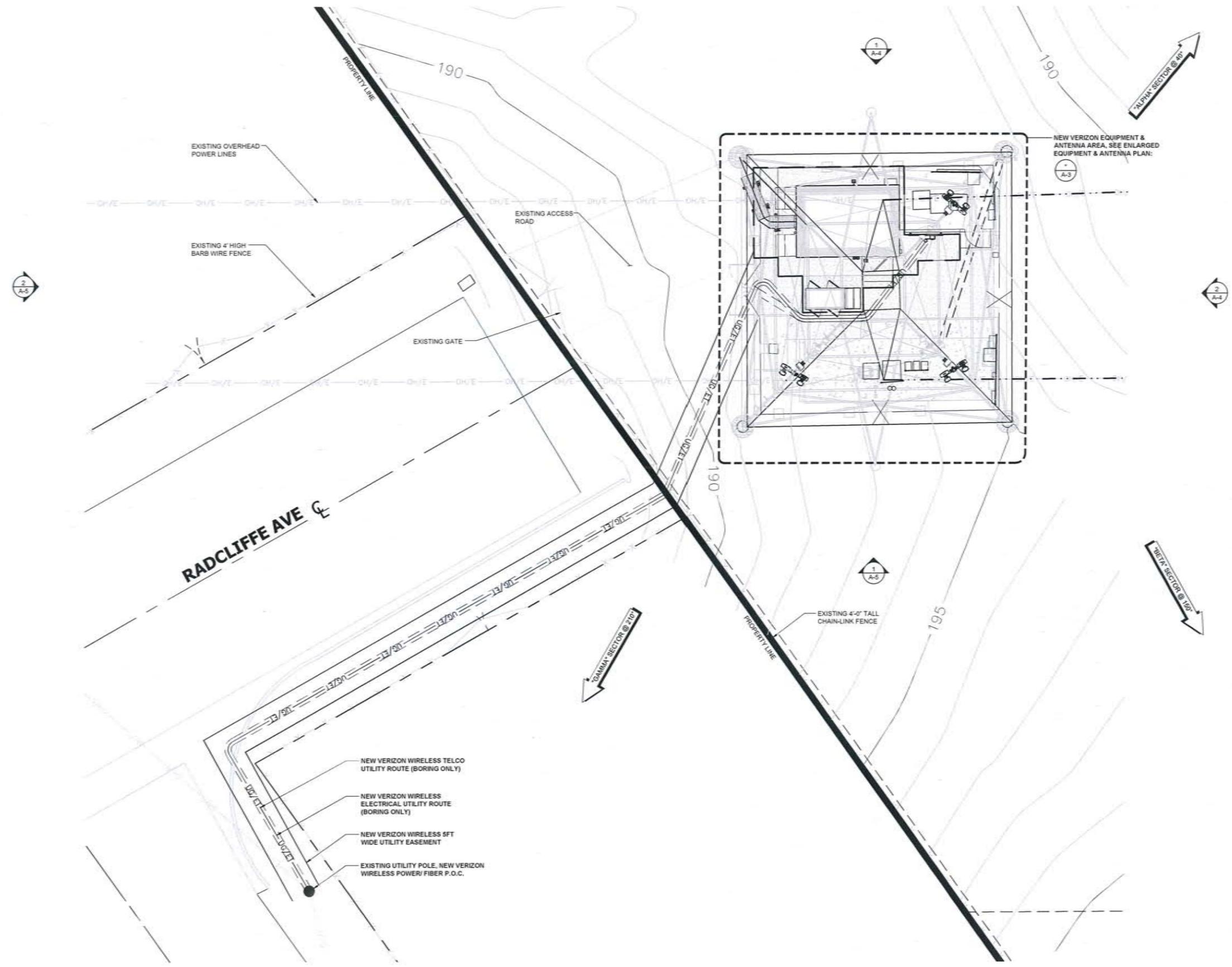
**SITE PLAN**

100' 0 50' 100' SCALE: 1" = 100'-0" (24x36)  
(OR) 1/2" = 100'-0" (11x17) **1**



NOTE: THE ORIGINAL SET OF THIS PLAN IS IN THE OFFICE OF THE ENGINEER. THIS IS A COPY FOR THE ARCHITECT'S USE ONLY.

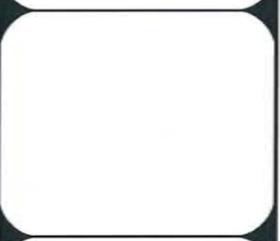
# EXHIBIT B



ISSUE STATUS			
REV.	DATE	DESCRIPTION	BY
0	07/11/14	FOR SUBMITTAL	JP



**PROPRIETARY INFORMATION**  
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS.  
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.



**DT MORRO  
BAY  
PSL # 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442**

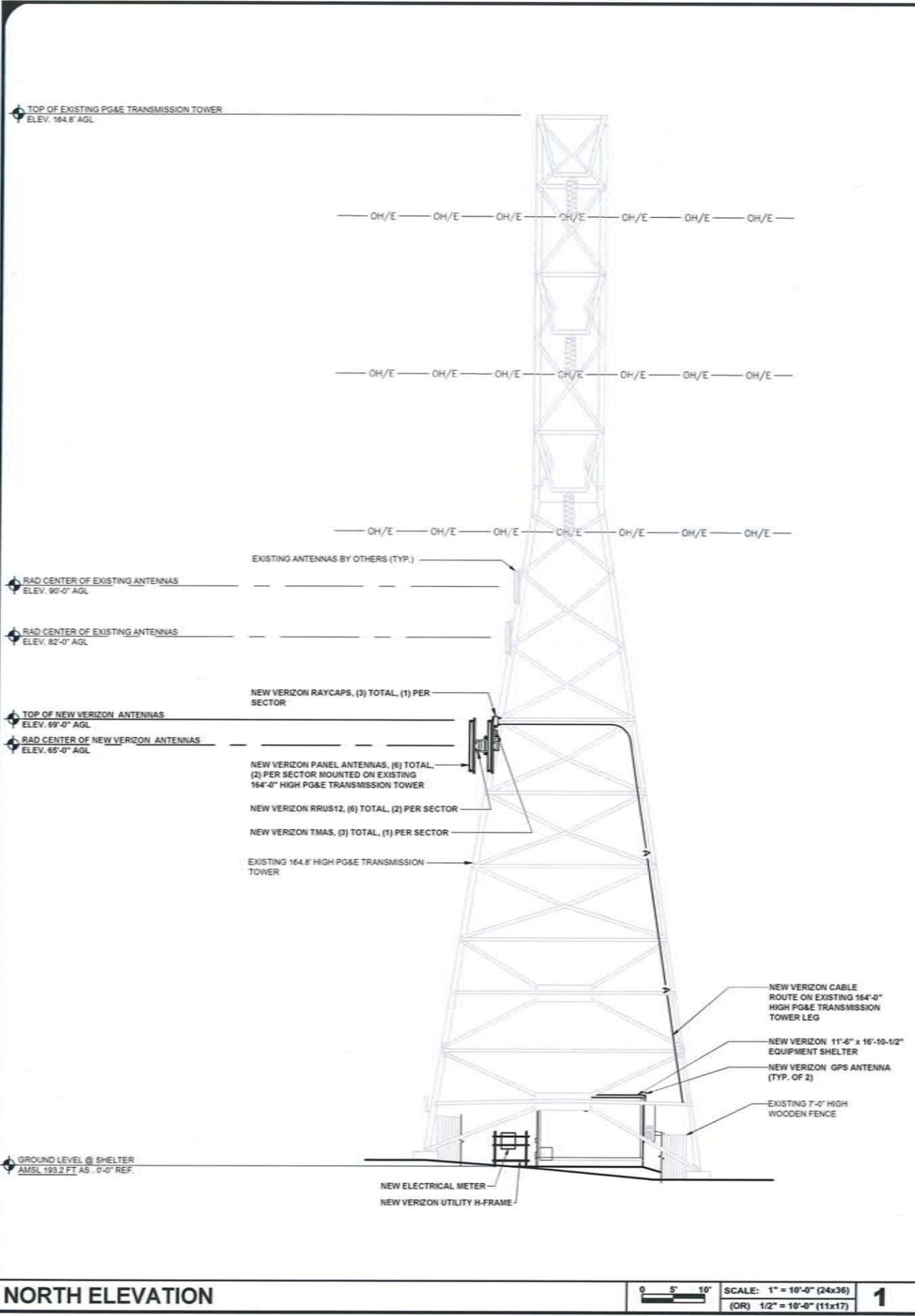
SHEET TITLE:  
**ENLARGED SITE PLAN**

**A-2**

NOTE: THE ORIGINAL COPY OF THIS PLAN WAS MADE BY SDC WIRELESS ENGINEERING GROUP FOR VERIZON WIRELESS. ANY REVISIONS TO THIS PLAN SHALL BE MADE BY SDC WIRELESS ENGINEERING GROUP.



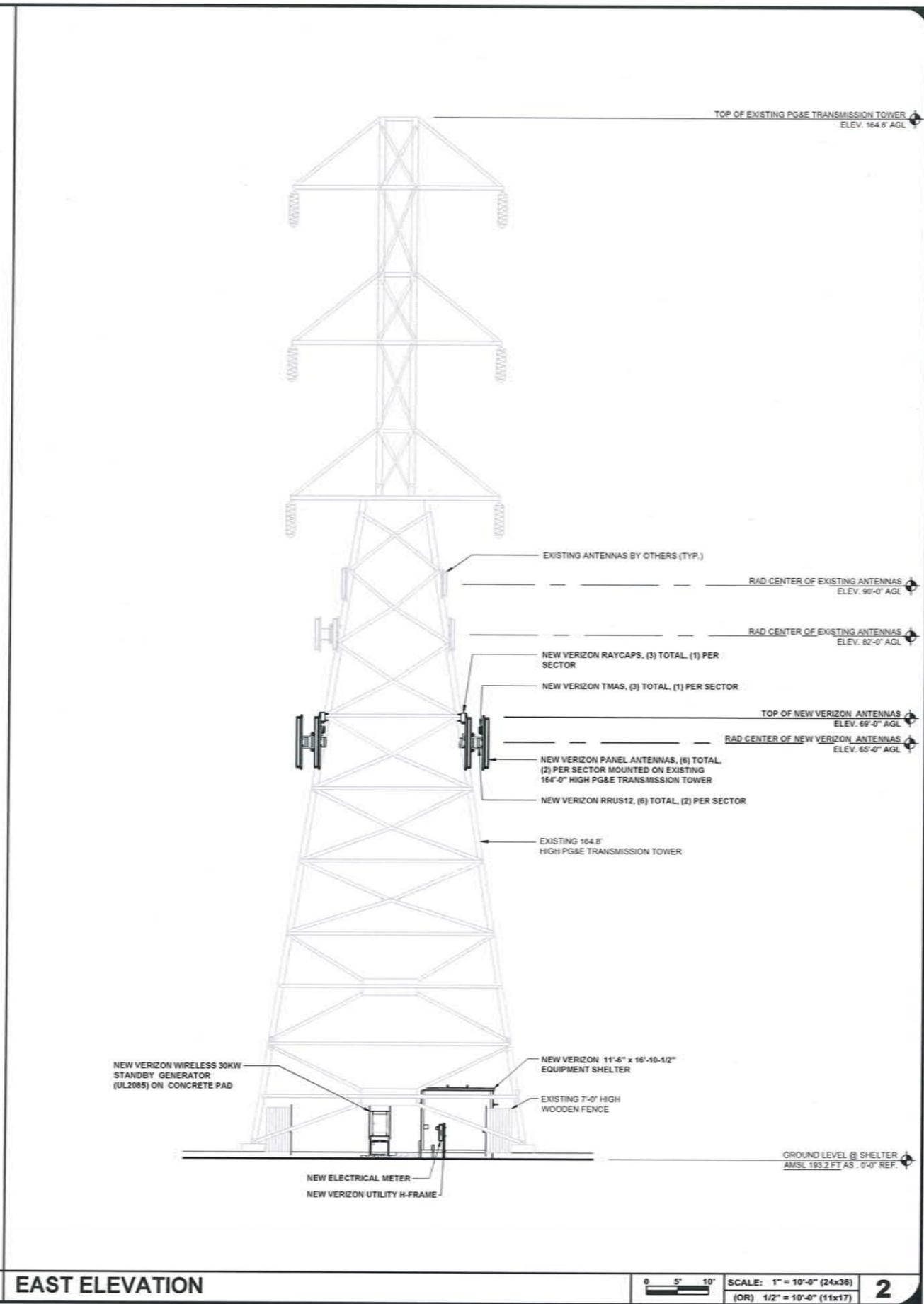
# EXHIBIT B



**NORTH ELEVATION**

0 5' 10'  
SCALE: 1" = 10'-0" (24x36)  
(OR) 1/2" = 10'-0" (11x17)

**1**



**EAST ELEVATION**

0 5' 10'  
SCALE: 1" = 10'-0" (24x36)  
(OR) 1/2" = 10'-0" (11x17)

**2**

ISSUE STATUS			
REV.	DATE	DESCRIPTION	BY
0	07/11/14	FOR SUBMITTAL	JP

**SAC WIRELESS**  
ENGINEERING GROUP  
5865 AVENIDA ENCINAS  
CARLSBAD, CA 92008  
www.sacwireless.com  
760.795.5200

**PROPRIETARY INFORMATION**  
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS  
ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED

**verizon**  
2785 MITCHELL DRIVE, BLDG 9  
WALNUT CREEK, CA 94598

DT MORRO  
BAY  
PSL # 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442

SHEET TITLE:  
**NORTH & EAST ELEVATION**

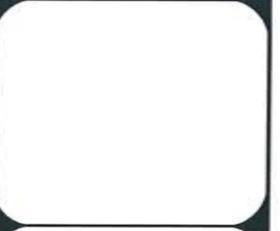
**A-4**

# EXHIBIT B

ISSUE STATUS			
REV.	DATE	DESCRIPTION	BY
0	07/11/14	FOR SUBMITTAL	JP



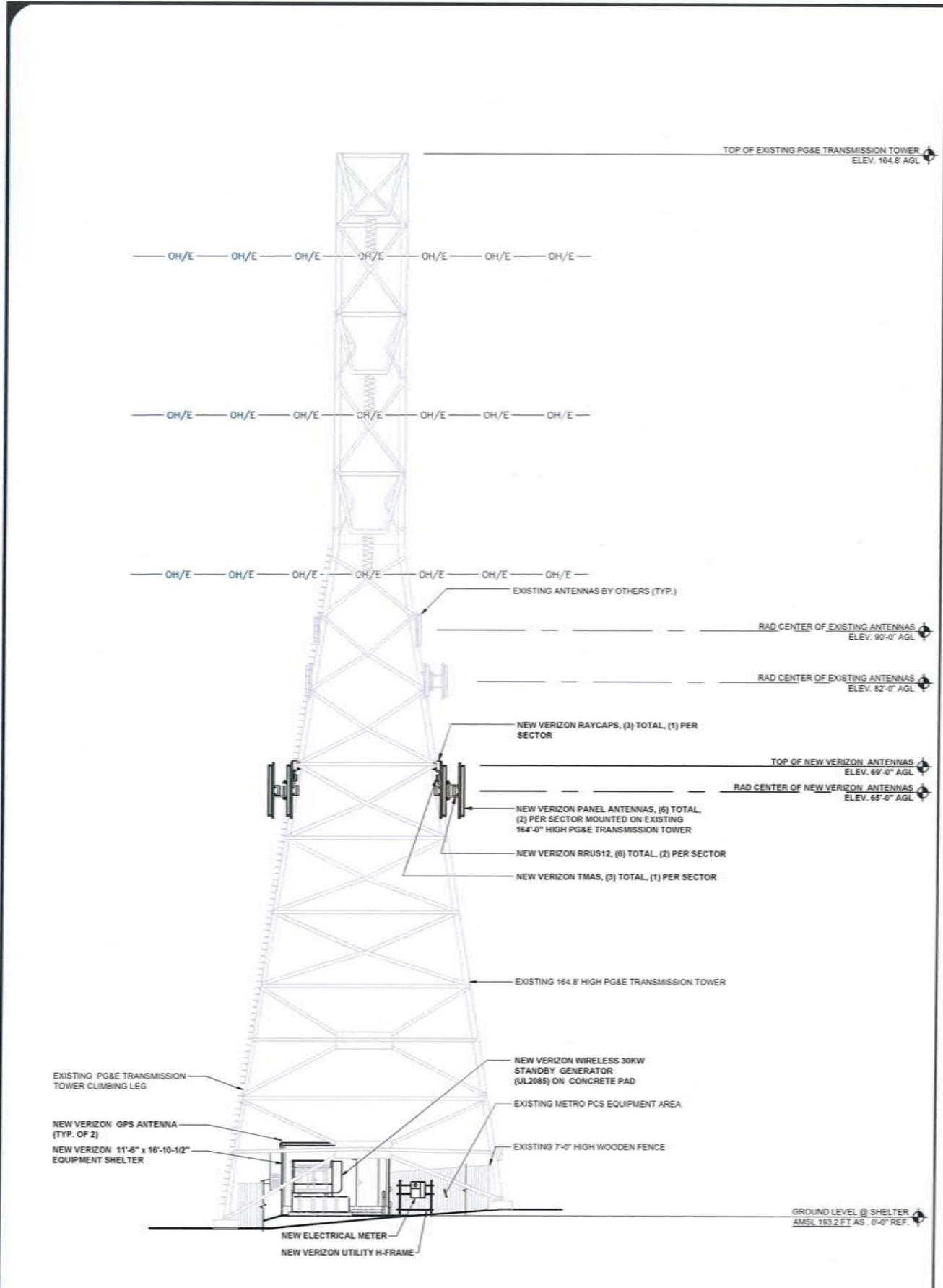
**PROPRIETARY INFORMATION**  
 THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS  
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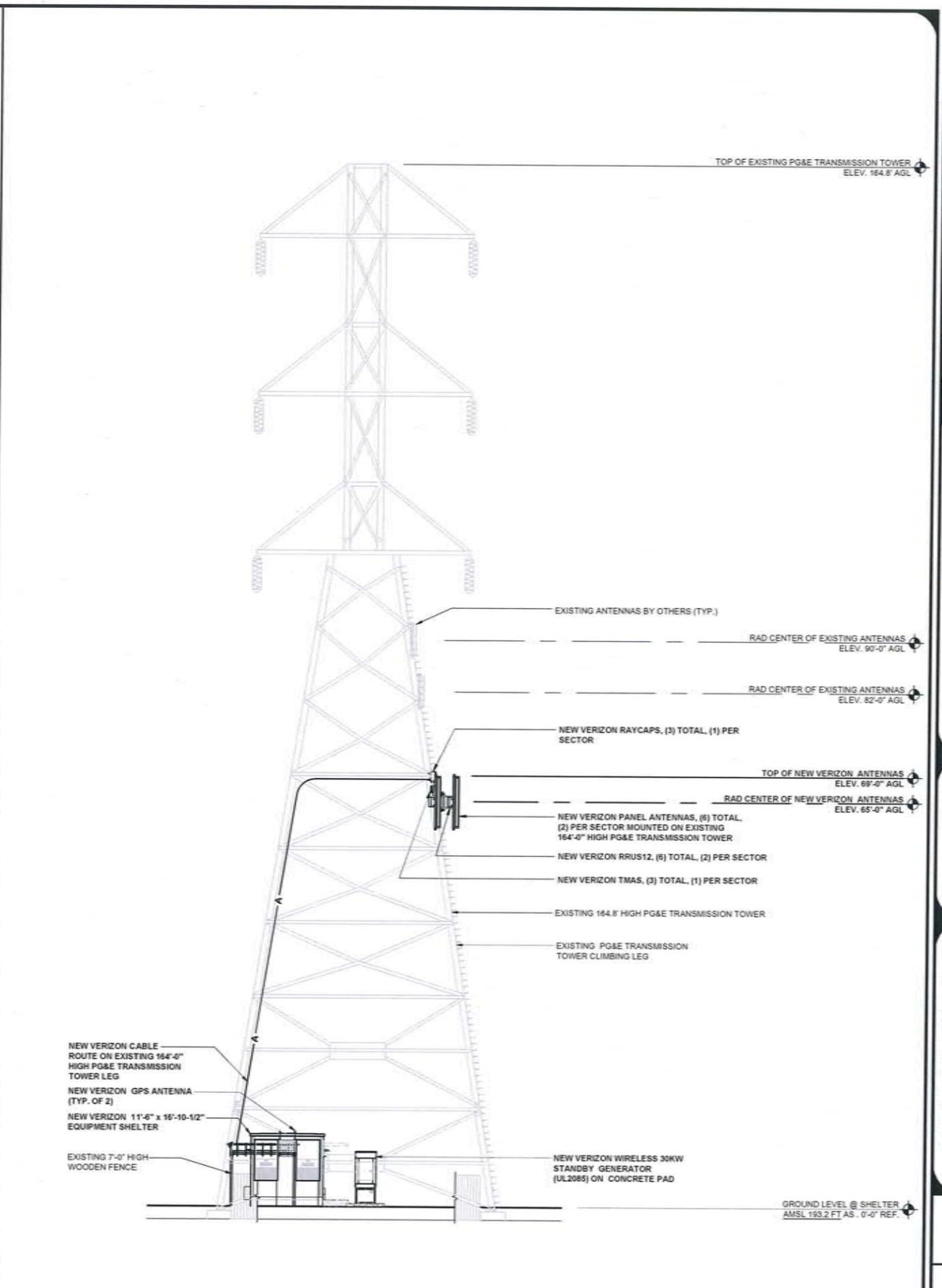
**DT MORRO BAY**  
**PSL # 190396**  
 LITTLE MORRO CREEK RD.  
 MORRO BAY, CA 93442

SHEET TITLE:  
**SOUTH & WEST ELEVATION**

**A-5**



**SOUTH ELEVATION**      0 5' 10'      SCALE: 1" = 10'-0" (24x36)      **1**



**WEST ELEVATION**      0 5' 10'      SCALE: 1" = 10'-0" (24x36)      **2**

# EXHIBIT C

## VICINITY MAP

### PHOTOSIMULATION VIEWPOINTS



DT MORRO BAY  
PSL# 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442



5965 AVENIDA ENVIAS, STE. 142B  
CARLSBAD, CA 92005  
OFFICE: (954) 229-6828



# EXHIBIT C

## PHOTOSIMULATION VIEW 1 LOOKING EAST



DT MORRO BAY  
PSL# 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442

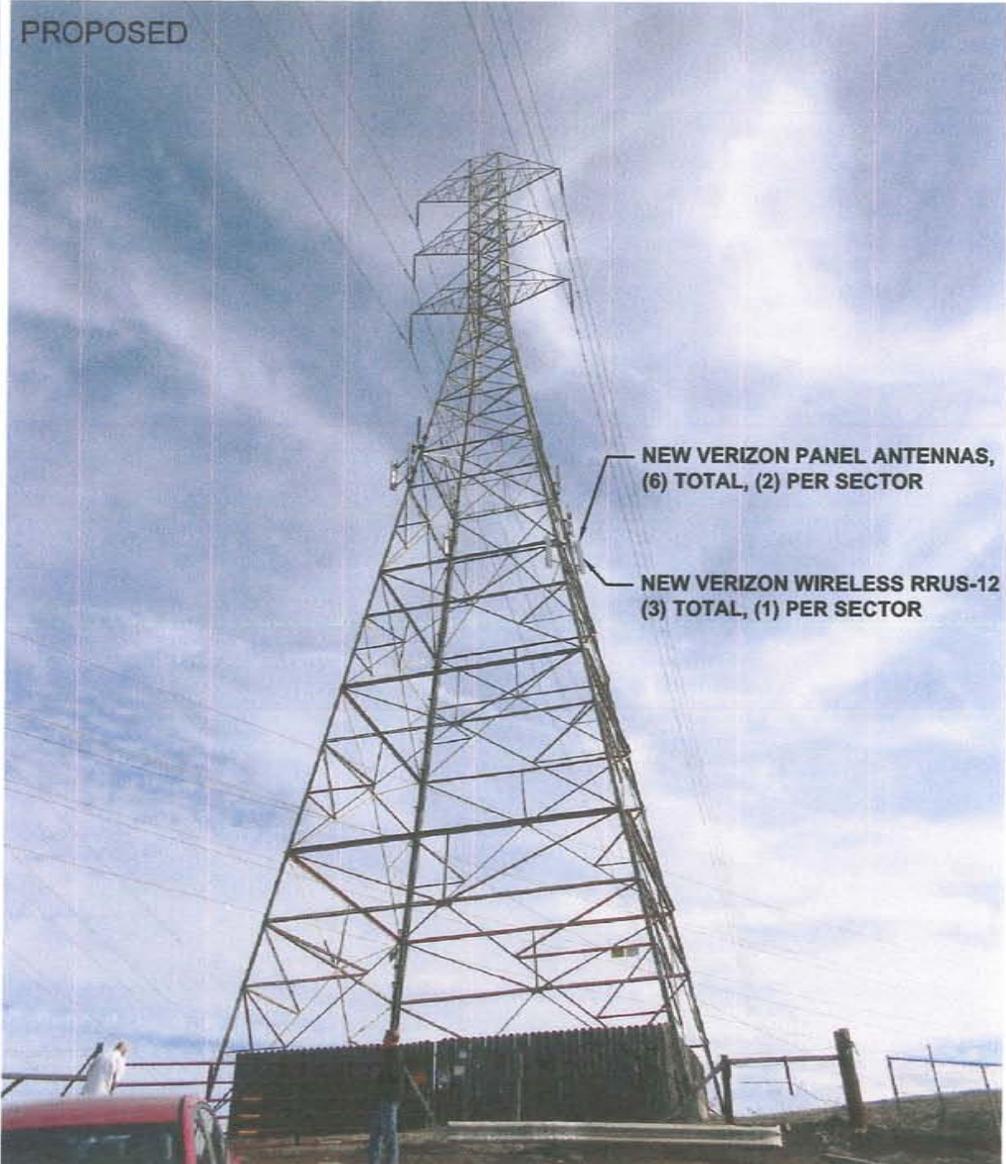


5955 AVENIDA ENCINAS, STE. 142B  
CARLSBAD, CA 92006  
OFFICE (858) 229-6838

EXISTING



PROPOSED



# EXHIBIT C

## PHOTOSIMULATION VIEW 2 LOOKING NORTHEAST



DT MORRO BAY  
PSL# 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442

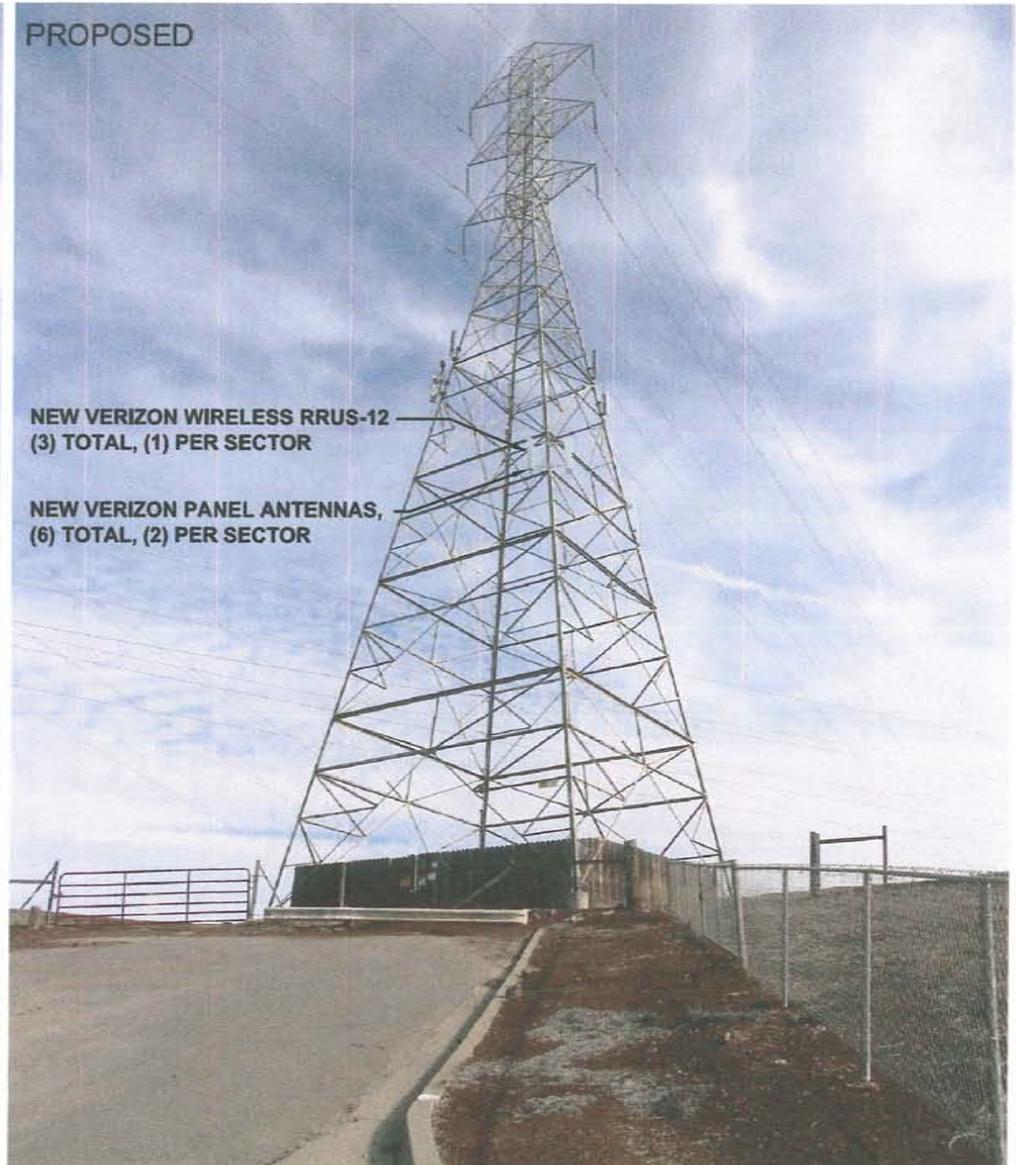


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CARLSBAD, CA 92006  
OFFICE (954) 229-6828

EXISTING



PROPOSED



# EXHIBIT C

## PHOTOSIMULATION VIEW 3 LOOKING NORTH



DT MORRO BAY  
PSL# 190396  
LITTLE MORRO CREEK RD.  
MORRO BAY, CA 93442

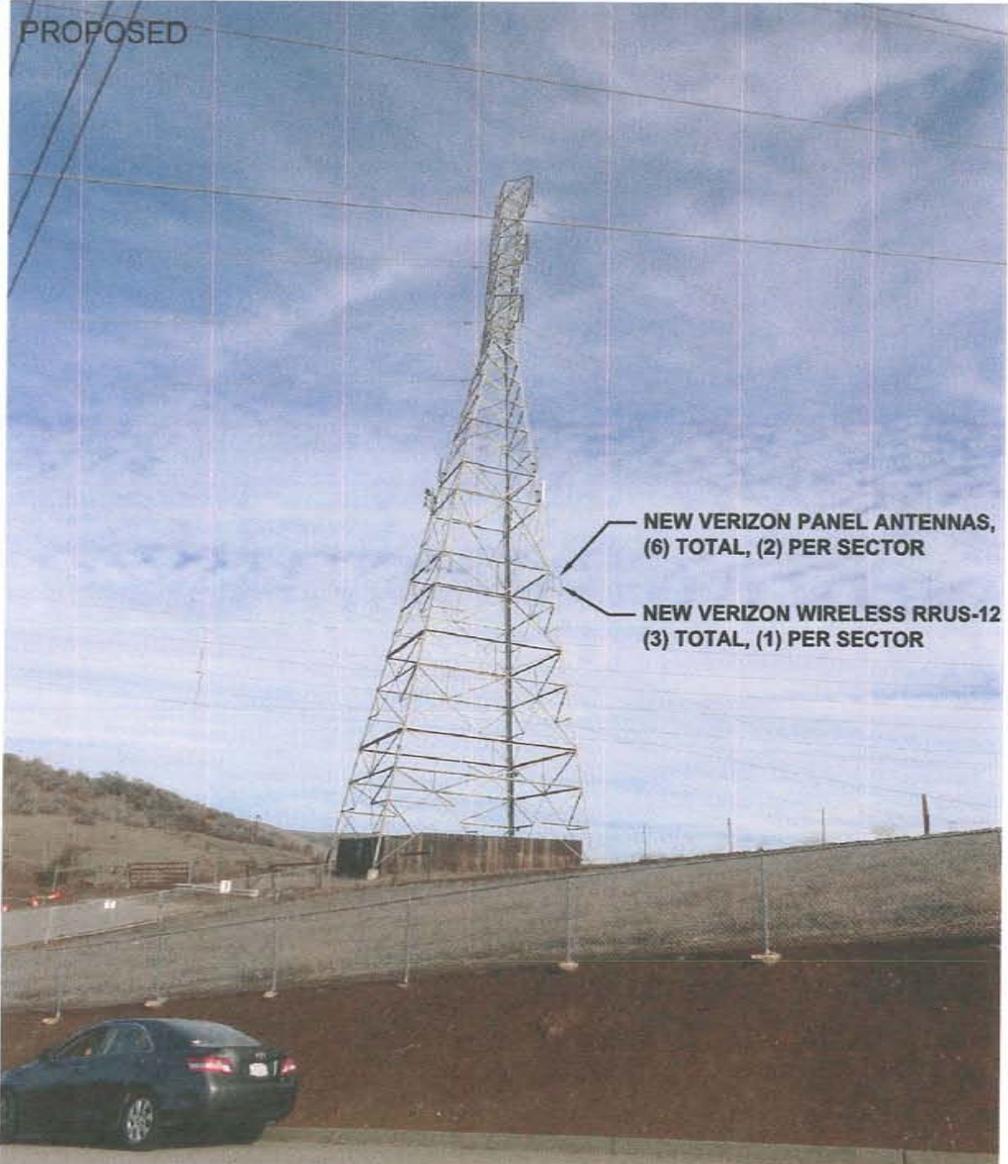


5865 AVENIDA ENCINAS, STE. 1428  
CARLSBAD, CA 92006  
OFFICE: (951) 229-4828

EXISTING



PROPOSED



# EXHIBIT D

## Verizon Wireless • Proposed Base Station (Site No. 190396 “Downtown Morro Bay”) Little Morro Creek Road • Morro Bay, California

### Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Verizon Wireless, a personal wireless telecommunications carrier, to evaluate the base station (Site No. 190396 “Downtown Morro Bay”) proposed to be located on Little Morro Creek Road in Morro Bay, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

#### Executive Summary

Verizon proposes to install directional panel antennas on the tall PG&E lattice tower located on Little Morro Creek Road in Morro Bay. The proposed operation will, together with the existing base stations at the site, comply with the FCC guidelines limiting public exposure to RF energy.

#### Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5,000–80,000 MHz	5.00 mW/cm <sup>2</sup>	1.00 mW/cm <sup>2</sup>
BRS (Broadband Radio)	2,600	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.40	0.48
[most restrictive frequency range]	30–300	1.00	0.20

Power line frequencies (60 Hz) are well below the applicable range of these standards, and there is considered to be no compounding effect from simultaneous exposure to power line and radio frequency fields.

# EXHIBIT D

## Verizon Wireless • Proposed Base Station (Site No. 190396 “Downtown Morro Bay”) Little Morro Creek Road • Morro Bay, California

### General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

### Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, “Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation,” dated August 1997. Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna’s radiation pattern is not fully formed at locations very close by (the “near-field” effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the “inverse square law”). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

### Site and Facility Description

Based upon information provided by Verizon, including zoning drawings by SAC Wireless, LLC., dated April 14, 2014, it is proposed to install six Andrew Model SBNH-1D6565C directional panel antennas on the existing 165-foot PG&E lattice tower sited northeast of the intersection of Radcliff Avenue and Hillcrest Drive in Morro Bay. The antennas would be mounted with up to 5° downtilt at an effective height of about 65 feet above ground and would be oriented in pairs toward 40°T, 150°T, and 210°T. The maximum effective radiated power in any direction would be 10,000 watts, representing simultaneous operation at 2,660 watts for AWS, 2,650 watts for PCS, 3,050 watts for cellular, and 1,640 watts for 700 MHz service.

Presently located on the tower are similar antennas for use by MetroPCS and Sprint. For the limited purpose of this study, the transmitting facilities of those carriers are assumed to be as follows:

# EXHIBIT D

## Verizon Wireless • Proposed Base Station (Site No. 190396 “Downtown Morro Bay”) Little Morro Creek Road • Morro Bay, California

Operator	Service	Maximum ERP	Antenna Model	Downtilt	Height
MetroPCS	AWS	1,000 watts	Kathrein 742-213	5°	90 ft
	PCS	2,000	Kathrein 742-213	5	90
Sprint	BRS	1,500	KMW ET-X-WM-18-65-8P	5	82
	PCS	7,000	KMW ET-X-TS-70-15-62-18	5	82
	SMR	500	KMW ET-X-TS-70-15-62-18	5	82

### Study Results

For a person anywhere at ground, the maximum RF exposure level due to the proposed Verizon operation by itself is calculated to be 0.0099 mW/cm<sup>2</sup>, which is 1.7% of the applicable public exposure limit. The maximum calculated cumulative level at ground, for the simultaneous operation of all three carriers, is 1.8% of the public exposure limit. As shown in Figure 3, the maximum calculated cumulative level at the second-floor elevation of any nearby residence\* is 2.4% of the public exposure limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels.

### No Recommended Mitigation Measures

Due to their mounting locations, the Verizon antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. It is presumed that PG&E already takes adequate precautions to ensure that there is no unauthorized access to its tower. To prevent exposures in excess of the occupational limit by authorized PG&E workers, it is expected that they will adhere to appropriate safety protocols adopted by that company.

### Conclusion

Based on the information and analysis above, it is the undersigned’s professional opinion that operation of the base station proposed by Verizon Wireless at Little Morro Creek Road in Morro Bay, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

\* Located at least 190 feet away, based on photographs from Google Maps.



# EXHIBIT D

## Verizon Wireless • Proposed Base Station (Site No. 190396 "Downtown Morro Bay") Little Morro Creek Road • Morro Bay, California

### Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2015. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



*William F. Hammett*  
\_\_\_\_\_  
William F. Hammett, P.E.  
707/996-5200

November 25, 2014

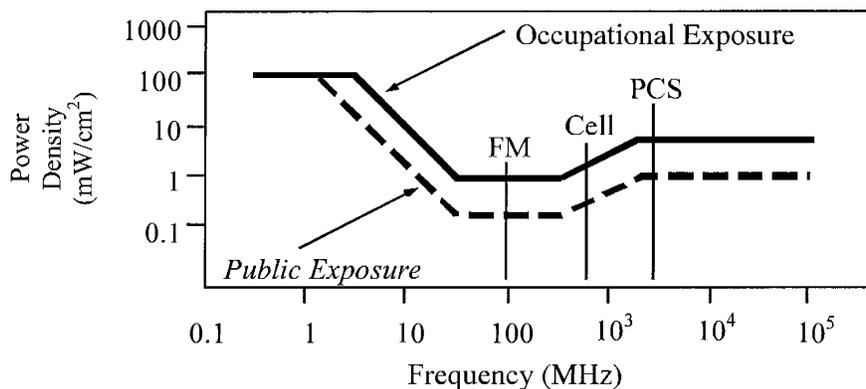
# EXHIBIT D

## FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements (“NCRP”). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields ( <i>f</i> is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm <sup>2</sup> )	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f<sup>2</sup></i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f <sup>2</sup>	<i>180/f<sup>2</sup></i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√ <i>f</i>	<i>1.59√f</i>	√ <i>f</i> /106	<i>√f/238</i>	<i>f/300</i>	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



# EXHIBIT D

## RFR.CALC™ Calculation Methodology

### Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

#### Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density  $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$ , in mW/cm<sup>2</sup>,

and for an aperture antenna, maximum power density  $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$ , in mW/cm<sup>2</sup>,

where  $\theta_{BW}$  = half-power beamwidth of the antenna, in degrees, and

$P_{net}$  = net power input to the antenna, in watts,

$D$  = distance from antenna, in meters,

$h$  = aperture height of the antenna, in meters, and

$\eta$  = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

#### Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density  $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$ , in mW/cm<sup>2</sup>,

where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

$D$  = distance from the center of radiation to the point of calculation, in meters.

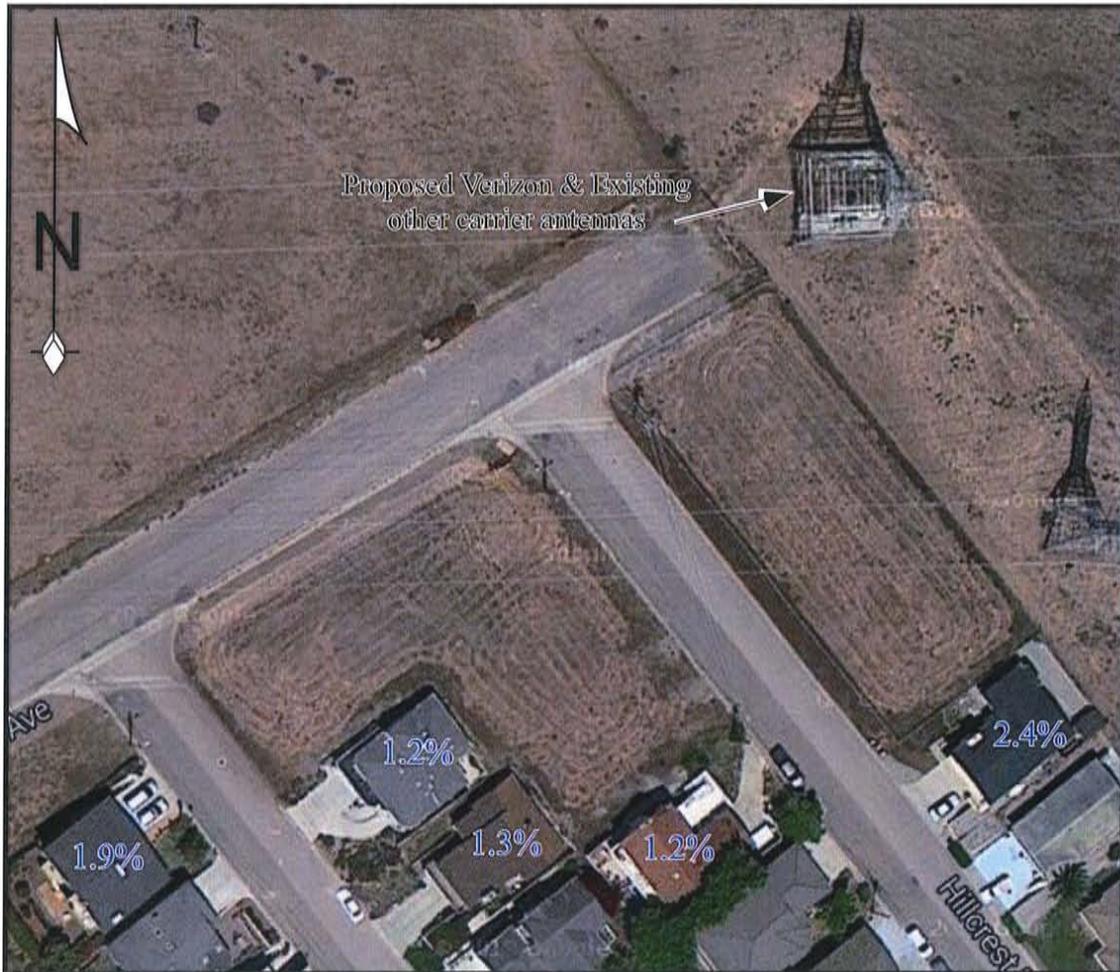
The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.



# EXHIBIT D

Verizon Wireless • Base Station No. 190396 "Downtown Morro Bay"  
Little Morro Creek Road • Santa Barbara, California

Calculated Cumulative Exposure Levels  
at the Second-Floor Elevation of Nearby Residences



Calculated cumulative levels shown in blue; maximum cumulative level at the second-floor elevation of any nearby residence is 2.4% of public limit.