

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

**DATE:** July 7, 2022

**TO:** Zoning Hearing Officer

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Use Permit Renewal, pursuant to Section 6512.6 of the Zoning Regulations, to allow the continued operation of an existing wireless telecommunications facility located on a utility pole located at 22800 Cabrillo Highway in the unincorporated San Gregoria area of San Mateo County.

County File Number: PLN 2003-00711 (AT&T)

**PROPOSAL**

The project applicant, Kathryn Leal of Epic Wireless, proposes on behalf of AT&T Mobility to renew an existing Use Permit (PLN 2003-00711) located at 22800 Cabrillo Highway (on a utility pole on the west side of Cabrillo Highway just south of Tunitas Creek Road). The existing facility consists of four (4) AT&T panel antennas mounted to the pole (the highest of which are approximately 34 feet above grade) on a 47-foot utility pole. Associated equipment cabinets are located on the lower portion of the pole and one (1) ground mounted equipment cabinet is located adjacent to the pole. No physical changes are proposed to the facility under this renewal.

**RECOMMENDATION**

That the Zoning Hearing Officer approve the Use Permit Renewal, County File No. PLN 2003-00711 by making the required findings and adopted the conditions of approval listed in A.

**BACKGROUND**

Report Prepared By: Tiare Peña, Project Planner, Telephone 650/363-1850

Applicant: Kathryn Leal of Epic Wireless for AT&T

Owner: State of California (Department of Transportation)

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

Location: 22800 Cabrillo Highway, south of Tunitas Creek Road

APN: Public right-of-way adjacent to APN 066-340-050

Adjacent Zoning: PAD (Planned Agricultural District)

Adjacent General Plan Designation: Agriculture

Existing Land Use: Road shoulder adjacent to Cabrillo Highway

Flood Zone: Zone X (Areas of Minimal Flood Hazard); Community Panel No. 06081C0367F; effective date August 02, 2017.

Environmental Evaluation: The project is categorically exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act (CEQA) Guidelines for the continued operation of existing public or private facilities involving no physical changes or expansion of use.

Setting: The project site is located just north of the town of San Gregorio within the Cabrillo Highway right-of-way near its intersection with Tunitas Creek Road. The utility pole is located within the Cabrillo Highway State Scenic Corridor. Surrounding land uses include primarily open space and agriculture with scattered residential development to the east along Tunitas Creek Road.

Chronology:

<u>Date</u>	<u>Action</u>
06/22/2005	- Original Use Permit granted
05/12/2010	- Minor amendment approved to locate one (1) equipment cabinet adjacent to the utility pole
09/01/2011	- Use Permit renewal approved at Zoning Hearing Officer public meeting
09/02/2021	- Use Permit renewal application received
07/7/2022	- Zoning Hearing Officer public meeting

## DISCUSSION

### A. KEY ISSUES

#### 1. Conformance with the General Plan

The project continues to conform with the applicable General Plan policies for Visual Quality and Land Use as no physical changes to the existing facility are proposed.

#### 2. Compliance with Zoning Regulations

The project site is located within the PAD/CD (Planned Agricultural District/Coastal Development zoning district. The existing wireless telecommunication facility is operating under PLN 2003-00711 (Use Permit) no physical changes are proposed.

#### 3. Compliance with Wireless Telecommunications Facilities Ordinance (WTF)

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

##### a. Development and Design Standards

Section 6512.2 of the WTF ordinance discusses location, minimizing visual impacts, maximum height, and future co-location of wireless facilities. The location of the AT&T facilities on an existing utility pole helps to minimize negative visual impacts, maximum height, because it utilizes an existing utility structure rather than installing an entirely new support structure. Additionally, all AT&T facilities are painted to match the pole, which helps minimize their appearance from surrounding viewpoints. Based on the Radio Frequency emissions analysis submitted by Waterford Technology composite exposure levels are at a maximum of 5 percent of the Federal Communications Commission (FCC) public exposure limit at ground level.

Due to AT&T equipment utilizing a large portion of the utility pole, the likelihood of further collocation is slim due to a lack of space on the pole. AT&T Mobility has indicated that that no further expansion in planned or anticipated at this time.

##### b. Performance Standards

In compliance with Sections 6512.2 and 6512.5 of the WTF Ordinance, the existing facility has maintained a valid FCC license.

Staff is unaware of any other cellular carriers proposing to co-locate on or adjacent to the existing utility pole and no requests to intensify the use of this facility has been made.

4. Conformance with Use Permit Findings

In order to approve the Subject Use Permit Renewal, the Zoning Hearing Officer must make the following findings:

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

The subject antenna facility has been in operation since 2005 and has not resulted in any adverse impacts to the surrounding area. The radio frequency analysis submitted with the Use Permit renewal application indicates that the facility continues to comply with the FCC's current prevailing standards for limiting human exposure to RF energy. As this is an unmanned communication facility, the operation does not create additional traffic, noise, or intensity of use of the property.

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

Staff has determined that the continued operation of the existing cellular facility at this location will allow for continued cellular communication coverage for private citizens and businesses. The existing wireless telecommunication facility has been in existence for many years. Community members, businesspersons, and residents have come to rely on the coverage provided by these sites to facilitate daily conversation and to provide assistance in emergency situations.

5. Conformance with Conditions of Last Use Permit Approvals

Staff has reviewed the previous Use Permit condition of approval for AT&T (PLN 2003-00711), last approved September 1, 2011, and have determined that AT&T MOBILITY is in compliance with all previous conditions, see Attachment E. No physical changes are proposed as part of the renewal. Previous conditions that remain relevant, are included in Attachment A of this staff report.

B. ENVIRONMENTAL REVIEW

The project is categorically exempt pursuant per Section 15301, Class 1, of the CEQA Guidelines for the continued operation of existing public or private facilities involving no alterations or expansion of use as no physical changes are proposed.

C. REVIEWING AGENCIES

Building Inspection Section  
Department of Public Works  
Cal-Fire

**ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Location Map
- C. Project Plans
- D. Radio Frequency Report Dated September 10, 2021
- E. PLN 2003-00711 Previous Conditions

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2003-00711

Hearing Date: July 7, 2022

Prepared By: Tiare Peña, Project Planner

For Adoption By: Zoning Hearing Officer

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the project is categorically exempt pursuant to Section 15301, Class 1 of the CEQA Guidelines for the continued operation of existing public or private facilities involving no physical changes and no expansion of use.

Regarding the Use Permit, Find:

2. That the establishment, maintenance and/or conducting of the use will not under the circumstances of this particular case, be detrimental to the public welfare or injurious to the property of improvements in the said neighborhood because the facility meets correct FCC standards and has been conditioned to maintain valid FCC and California Public Utilities (CPUC) licenses. The telecommunication is located just north of the town of San Gregorio within the Cabrillo Highway right-of-way near its intersection with Tunitas Creek Road. No physical changes to the facility are proposed. Furthermore, the radio frequency emissions compliance report confirms the telecommunication facility does not exceed the FCC General Population limits, and thus does not cause any significant impacts on the environment.
3. The wireless network supported by these antenna facilities provides greater mobility and accessibility and is considered necessary for public health, safety, convenience and welfare, since it provides cellular coverage in the area for both public and private users who have come to rely on the coverage provided by the facility for daily conversation and to provide assistance in emergency situations.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Current Planning Section**

1. This approval applies only to the proposal, documents, and plans described in this report and materials approved by the Zoning Hearing Officer on July 7, 2022. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of and in substantial conformance with this approval.
2. This permit shall be valid until April 7, 2032, ten (10) years from the date of approval. Renewal of this permit shall be applied for six (6) months prior to expiration to the Planning and Building Department and shall be accompanied by the renewal application and fees applicable at that time.
3. This Use Permit shall be for the proposed project only. Any change or change in intensity of use shall require an amendment to the applicable Use Permit. Amendments to the Use Permit require an application for amendment, payment of applicable fees and consideration at a public hearing.
4. If a less visually obtrusive/reduced antenna technology becomes available for use during the life of this project, the applicant shall present a red
5. The applicant shall maintain all necessary licenses and registrations from the FCC and any other applicable regulatory bodies for the operation of the subject facility at this site. The applicant shall supply the Planning Department with evidence of such licenses and registrations. If any required license is ever revoked, the applicant shall inform the Planning Department of the revocation within ten (10) days of receiving notice of such revocation.
6. This facility and all equipment associated with it shall be removed in its entirety by the applicant within ninety (90) days if the FCC license and registration are revoked or if the facility is abandoned or no longer needed. The owner and/or operator of the facility shall notify the Planning Department upon FCC revocation or applicant abandonment of the facility.
7. There shall be no external lighting associated with this use, except for the equipment cabinet. The wireless telecommunication facility shall not be lighted or marked unless required by the FCC or Federal Aviation Administration (FAA).

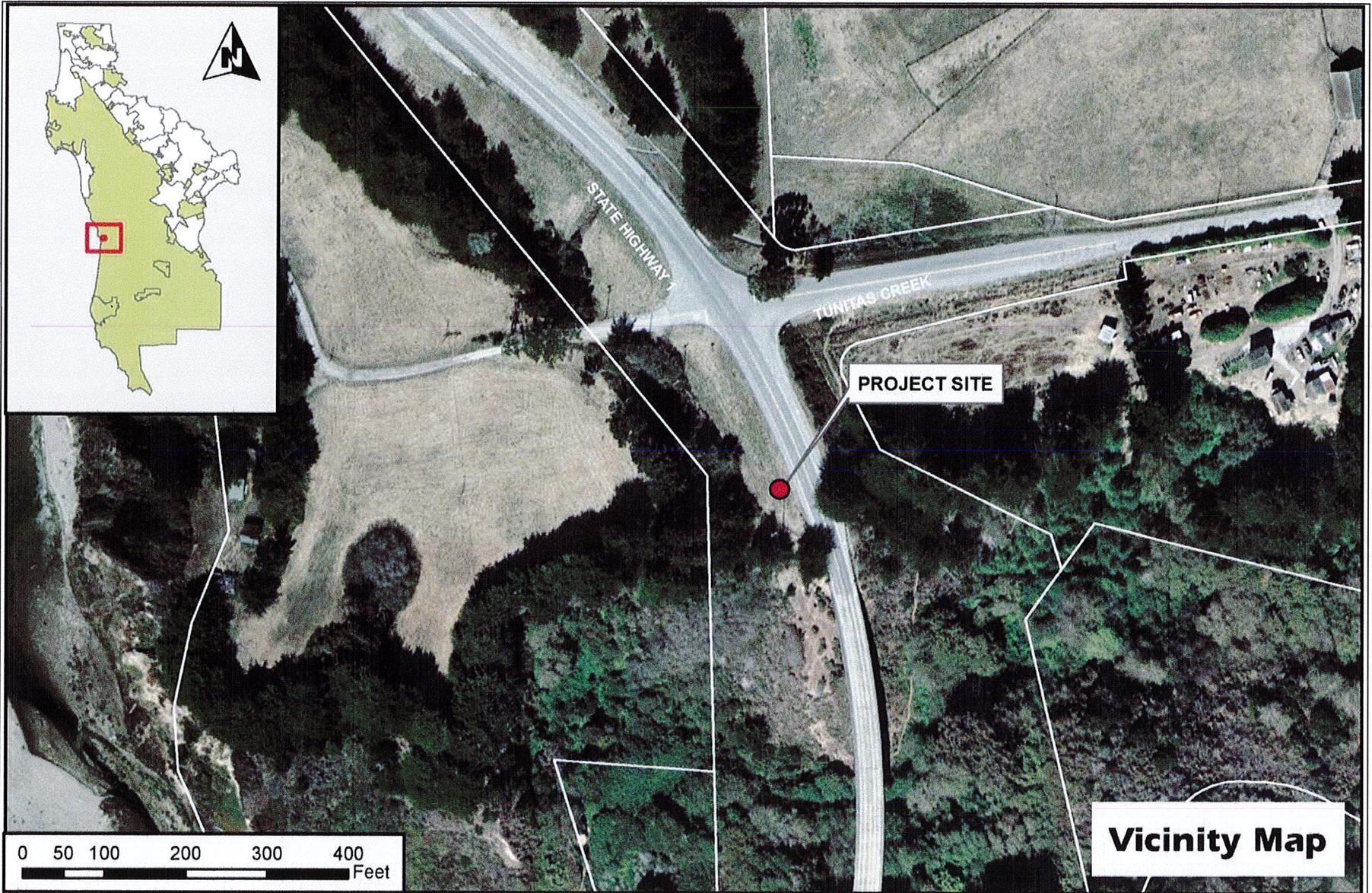
Note: Lighting for the equipment cabinet shall be directed to the ground and be the minimum amount required for maintenance purposes. Any change in lighting shall be subject to review and approval by the Planning Department.

8. If technically practical and without creating any interruption in commercial service caused by electronic magnetic interference (EMI), floor space, tower space and/or

rack space for equipment in a wireless telecommunication facility shall be made available to the County for public safety communication use.

9. The applicant shall be responsible for painting and/or maintaining the antennas and monopole in the originally approved and painted color. Any proposals to change the color shall be reviewed and approved by the Planning Department prior to painting.

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**San Mateo County Zoning Hearing Officer Meeting**

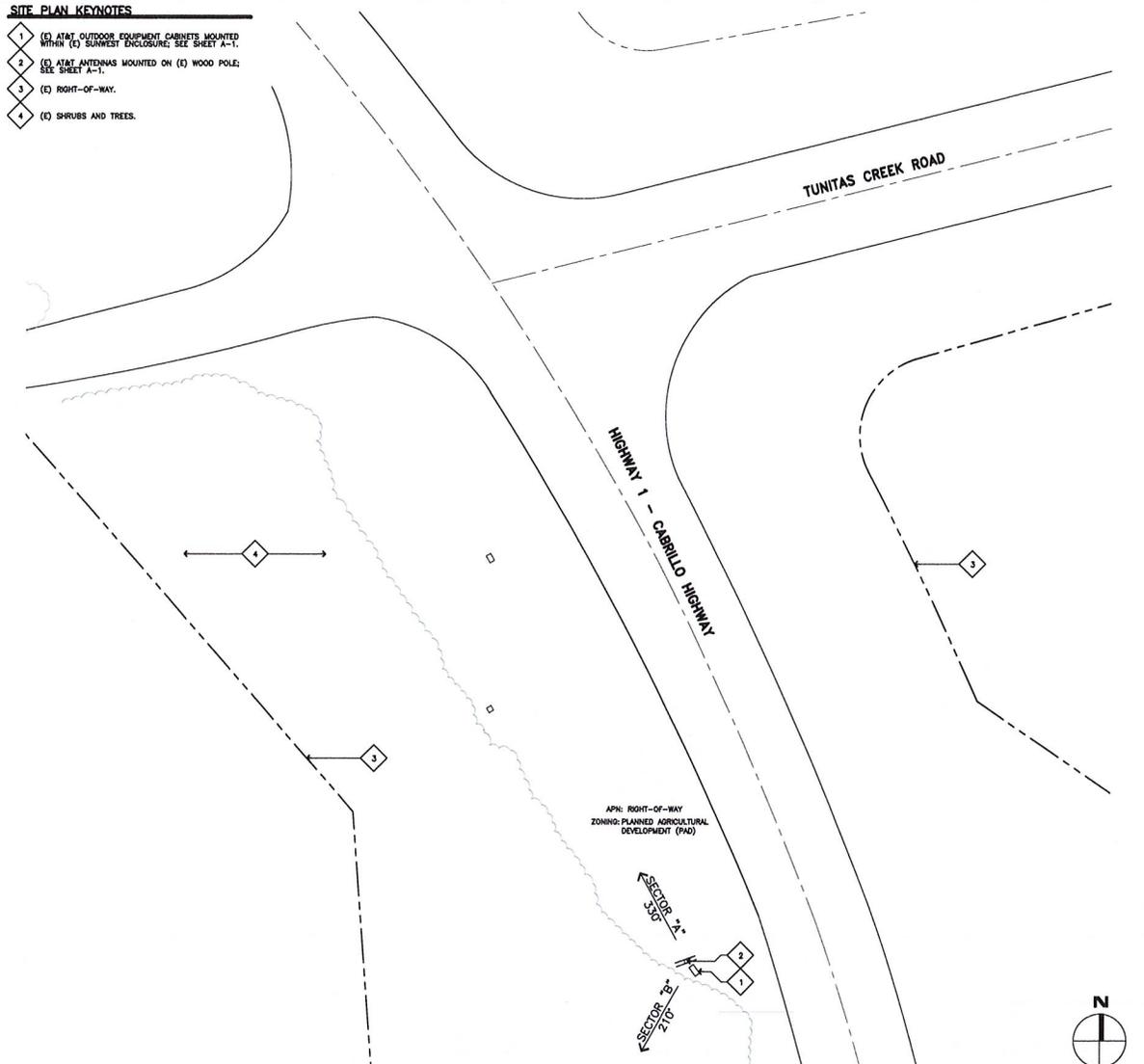
Owner/Applicant: **AT&T**

Attachment: **B**

File Numbers: **PLN 2003-00711**

**SITE PLAN KEYNOTES**

- 1 (E) AT&T OUTDOOR EQUIPMENT CABINETS MOUNTED WITHIN (E) SUNSHINE ENCLOSURE; SEE SHEET A-1.
- 2 (E) AT&T ANTENNAS MOUNTED ON (E) WOOD POLE; SEE SHEET A-1.
- 3 (E) RIGHT-OF-WAY.
- 4 (E) SHRUBS AND TREES.



**SITE PLAN** SCALE: 1"=60' 0 30 60' **2**

**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: **AT&T**

Attachment: **C.1**

File Numbers: **PLN 2003-00711**

**ENLARGED SITE PLAN KEYNOTES**

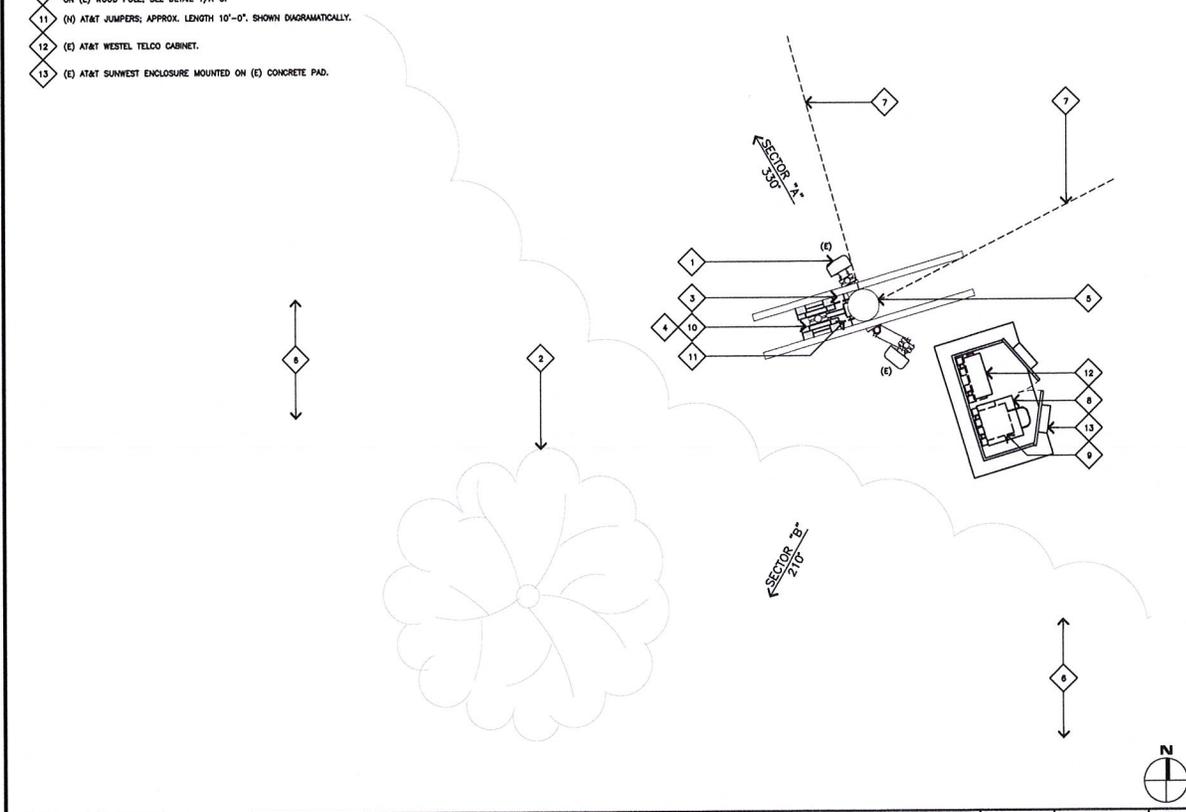
- 1 (E) AT&T ANTENNAS MOUNTED TO AN (E) WOOD POLE; SEE DETAIL 2/A-3.
- 2 (E) TREE.
- 3 (E) AT&T ELECTRICAL METER AND DISCONNECT.
- 4 (E) ERICSSON RBS 2308 EQUIPMENT CABINETS MOUNTED TO (E) WOOD POLE.
- 5 (E) UTILITY WOODEN POLE.
- 6 (E) SHRUBS AND TREES.
- 7 (E) GUY WIRES.
- 8 (E) AT&T PBC-02 POWER CABINET WITH BATTERY BACKUP.
- 9 (E) AT&T 3518 UMITS MICROCELL EQUIPMENT CABINET.
- 10 (N) AT&T BRUN-0840 AND BRUN-1990 TO REPLACE (E) (2) RRU'S MOUNTED ON (E) WOOD POLE; SEE DETAIL 1/A-3.
- 11 (N) AT&T JUMPERS; APPROX. LENGTH 10'-0". SHOWN DIAGRAMMATICALLY.
- 12 (E) AT&T WESTEL TELCO CABINET.
- 13 (E) AT&T SUNWEST ENCLOSURE MOUNTED ON (E) CONCRETE PAD.

**ENLARGED SITE PLAN LEGEND**

(E) EXISTING ANTENNA.

**ENLARGED SITE PLAN GENERAL NOTES**

A. GROUND ALL (N) EQUIPMENT AND COAX PER DETAIL 4/A-4.



**ENLARGED SITE PLAN**

SCALE: 1/2" = 1'-0" 0 1' 2' 1

**San Mateo County Zoning Hearing Officer Meeting**

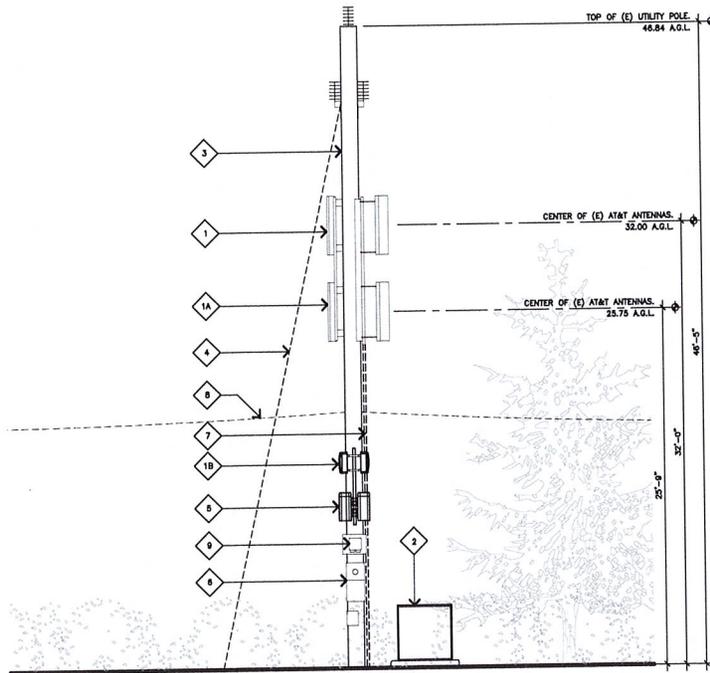
Owner/Applicant: **AT&T**

Attachment: **C.2**

File Numbers: **PLN 2003-00711**

**ELEVATION KEYNOTES**

- 1 (E) AT&T ANTENNAS MOUNTED ON (E) WOODEN POLE.
- 1A (E) AT&T ANTENNAS MOUNTED ON (E) WOODEN POLE.
- 1B DO AT&T RRW-860 AND RRW-1280 TO REPLACE (E) (2) RRW'S MOUNTED TO BACK OF (E) WOODEN POLE ABOVE (E) AT&T EQUIPMENT CABINETS.
- 2 (E) AT&T SUBWEST EQUIPMENT CABINET MOUNTED ON A (E) CONCRETE PAD.
- 3 (E) UTILITY POLE.
- 4 (E) GUY WIRE.
- 5 (E) AT&T EQUIPMENT CABINETS MOUNTED ON (E) WOODEN POLE.
- 6 (E) AT&T ELECTRICAL METER AND DISCONNECT.
- 7 (E) AT&T COAX CABLE RUNS MOUNTED ON OUTSIDE OF (E) WOODEN POLE.
- 8 (E) FIBER LINE.
- 9 (E) TELCO INTERFACE MOUNTED ON (E) WOOD POLE.



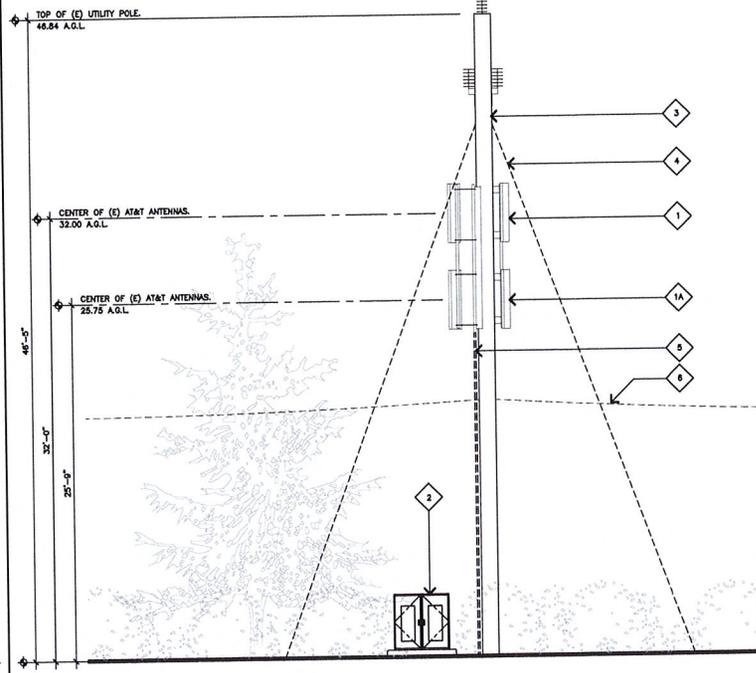
**SOUTHWEST ELEVATION**

SCALE: 1/4"=1'-0"  
0 2' 4'

**2**

**ELEVATION KEYNOTES**

- 1 (E) AT&T ANTENNAS MOUNTED ON (E) WOODEN POLE.
- 1A (E) AT&T ANTENNAS MOUNTED ON (E) WOODEN POLE.
- 2 (E) AT&T SUBWEST EQUIPMENT CABINET MOUNTED ON A (E) CONCRETE PAD.
- 3 (E) UTILITY POLE.
- 4 (E) GUY WIRE.
- 5 (E) AT&T COAX CABLE RUNS MOUNTED ON OUTSIDE OF (E) WOODEN POLE.
- 6 (E) FIBER LINE.



**NORTHEAST ELEVATION**

SCALE: 1/4"=1'-0"  
0 2' 4'

**1**

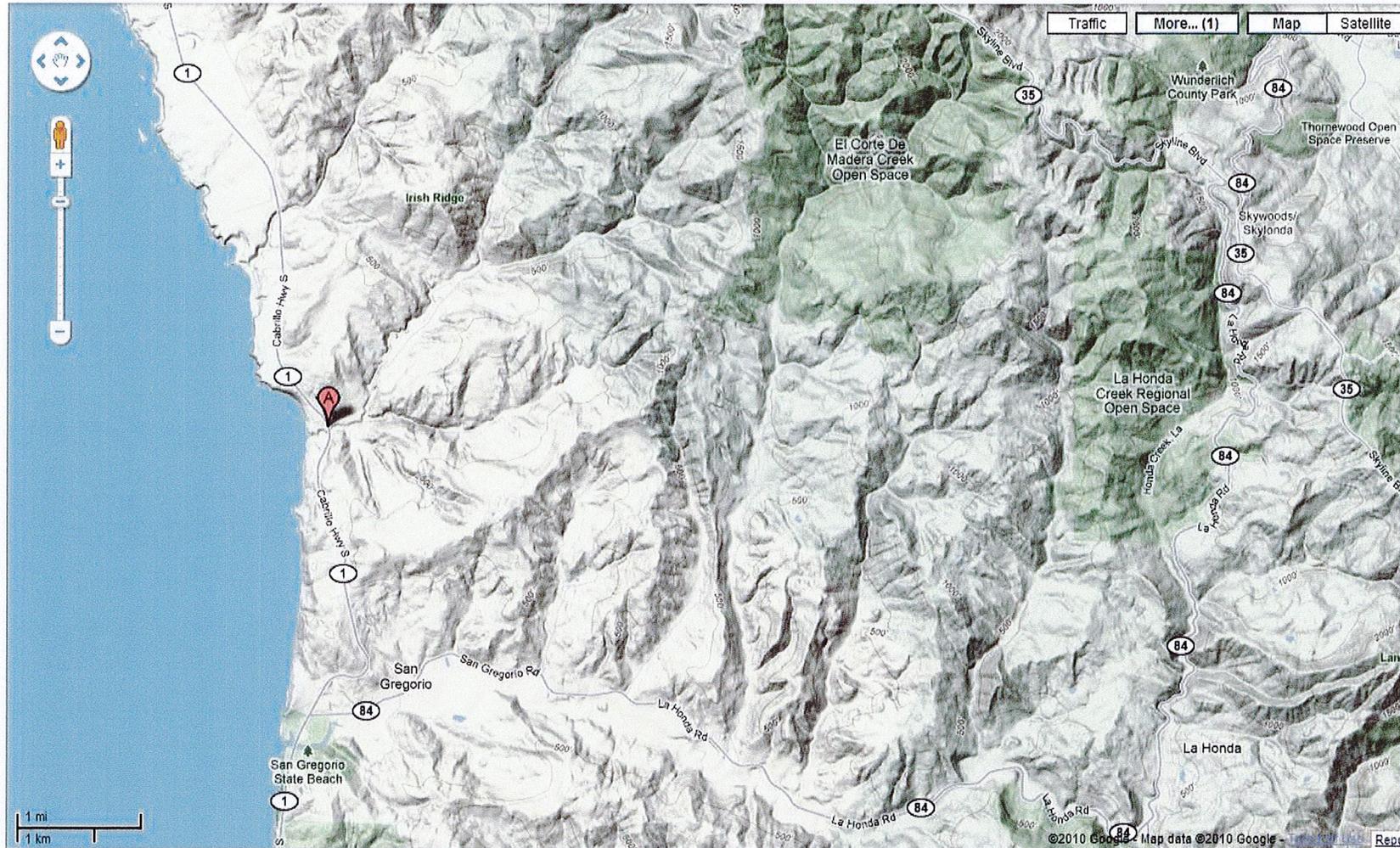
**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: **AT&T**

Attachment: **D**

File Numbers: **PLN 2003-00711**

# Topo Map (Zoom In View) showing area of interest (aka, CNU5275)



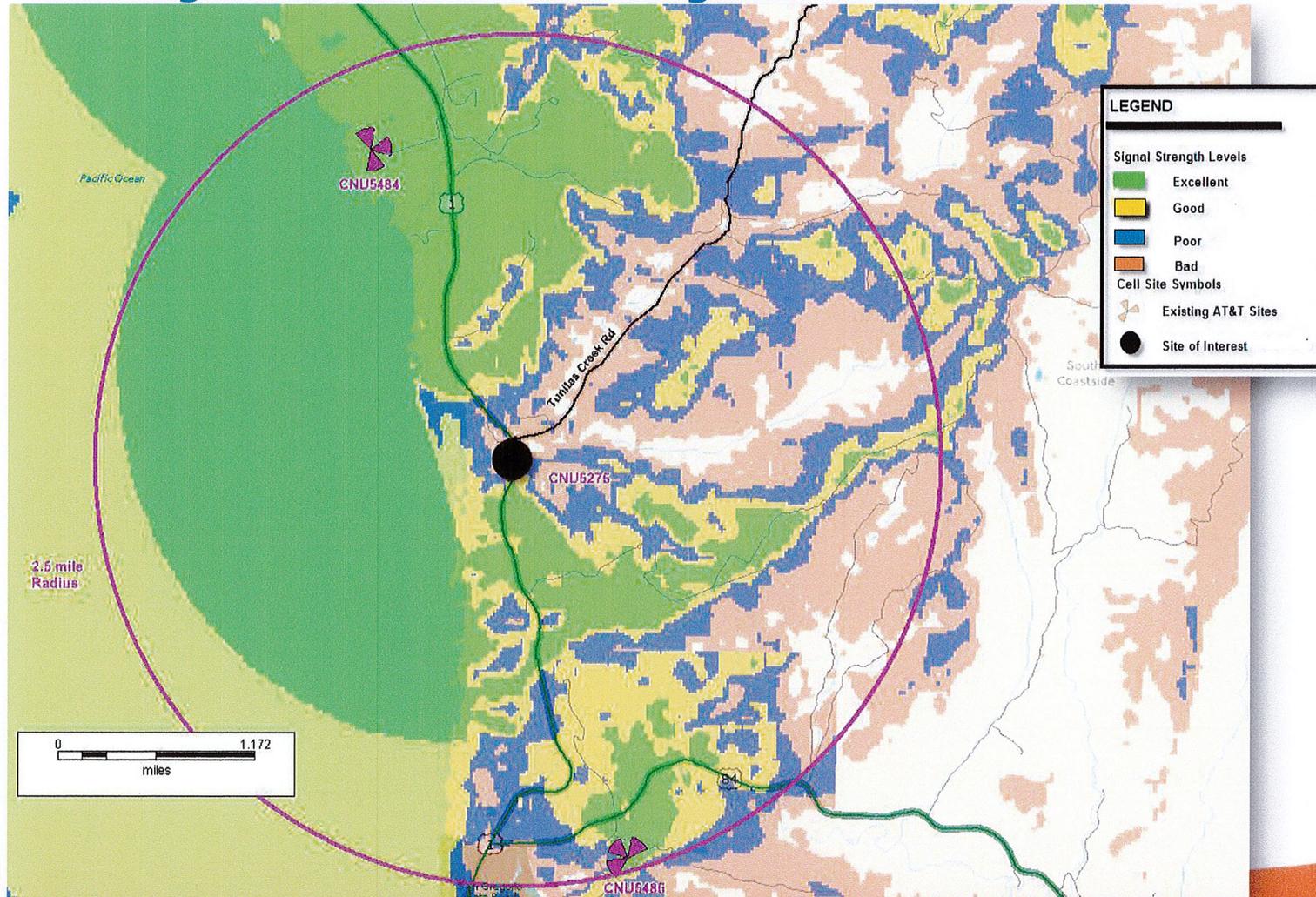
## San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: **AT&T**

Attachment: **F.1**

File Numbers: **PLN 2003-00711**

# Existing AT&T Network Coverage without CNU5275



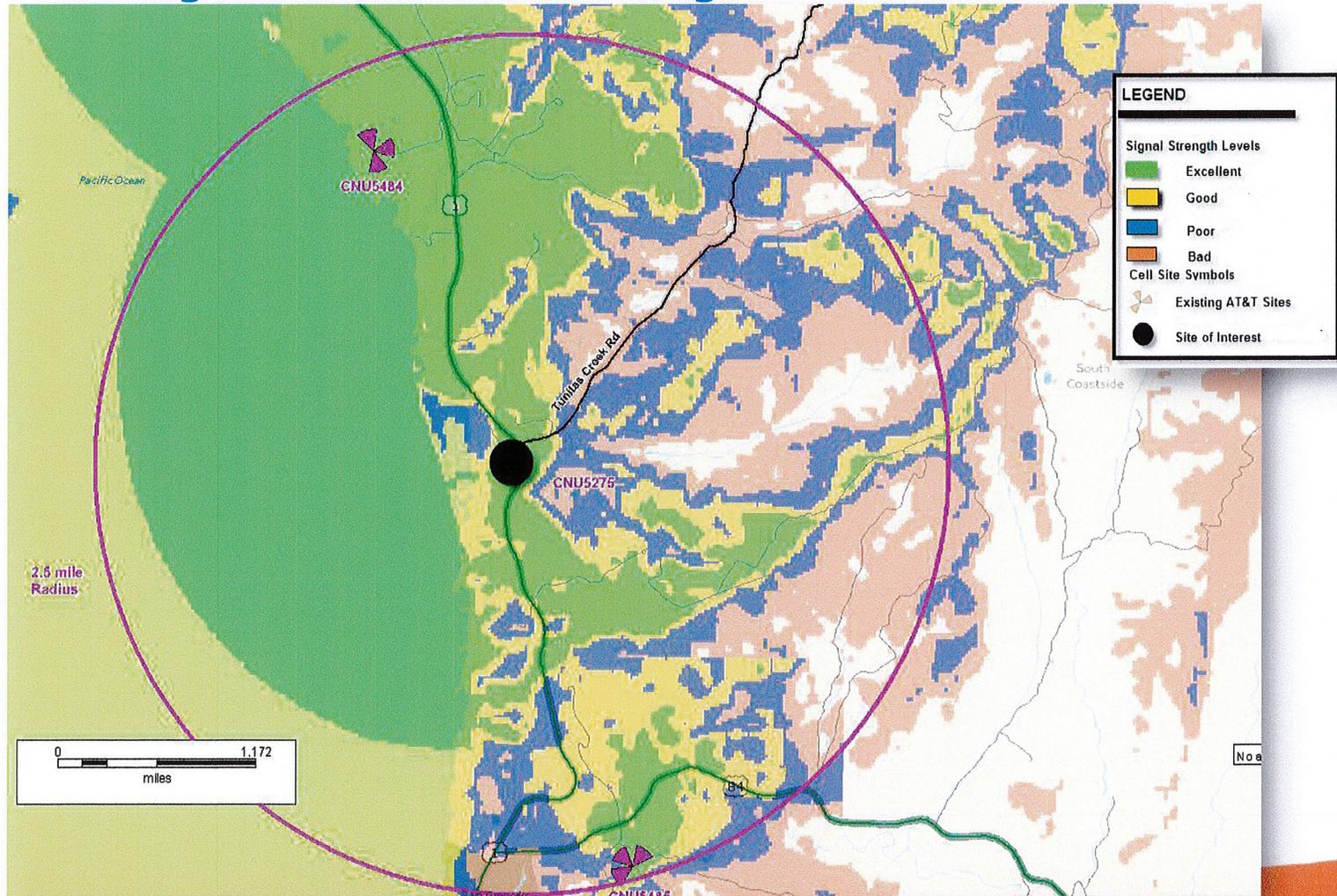
## San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: **AT&T**

Attachment: **F.2**

File Numbers: **PLN 2003-00711**

## Existing AT&T Network Coverage with CNU5275



### San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: **AT&T**

Attachment: **F.3**

File Numbers: **PLN 2003-00711**



**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: **AT&T**

Attachment: **G.1**

File Numbers: **PLN 2003-00711**



**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: **AT&T**

Attachment: **G.2**

File Numbers: **PLN 2003-00711**



**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: **AT&T**

Attachment: **G.3**

File Numbers: **PLN 2003-00711**



**San Mateo County Zoning Hearing Officer Meeting**

Owner/Applicant: **AT&T**

Attachment: **G.4**

File Numbers: **PLN 2003-00711**