



MARIN COUNTY
 COMMUNITY DEVELOPMENT AGENCY
 BRIAN C. CRAWFORD, DIRECTOR

**STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR
 BOLINAS FIRE PROTECTION DISTRICT (VERIZON WIRELESS)
 COASTAL PERMIT, USE PERMIT, AND DESIGN REVIEW**

Item No:	C1	Application No:	CP 09-40, UP 09-27, and DR 09-72
Applicant:	Crown Castle	Owner:	Bolinas Fire Protection District
Property Address:	100 Mesa Drive, Bolinas	Assessor's Parcels:	193-020-55, 56, and 57
Hearing Date:	October 29, 2009	Planner:	Lorene Jackson

RECOMMENDATION: Approve with Conditions
APPEAL PERIOD: November 5, 2009
LAST DATE FOR ACTION: November 16, 2009

PROJECT DESCRIPTION:

The applicant, Crown Castle, on behalf of Verizon Wireless, proposes to upgrade an existing 50-foot telecommunication tower by removing two OMNI whip antennas that attain a height of 61.4 feet and replacing them with nine panel antennas that would attain a maximum height of 50 feet. The Bolinas Fire Protection District's two existing OMNI whip antenna located on the subject tower at 42 feet and 20.3 feet will remain. The applicant would also add 12 new runs of coaxial cable from the existing equipment shelter (located on APN 193-020-56) to the existing tower (located on APN 193-020-57.) The co-location facility would be unstaffed. An existing road will continue to provide access for technicians' service to the site on an approximately twice-a-month basis. The existing tower is located behind the Bolinas Volunteer Fire Department building, approximately 132 feet north of Mesa Road.

GENERAL INFORMATION:

Countywide Plan:	C-PF-AG3 (Coastal, Public Facility, Agriculture, 1 unit/1-9 acres)
Zoning:	C-ARP-5 (Coastal, Agriculture Residential Planned District, 1 unit/ 5 acres maximum density)
Community Plan:	Bolinas Community Plan
Lot size:	193-020-55 – approximately 40,900 square feet 193-020-56 – approximately 1,064 square feet 193-020-57 – approximately 126 square feet
Adjacent Land Uses:	Public facilities, parkland, and agriculture
Vegetation:	Limited native and introduced vegetation; site fully developed
Topography and Slope:	Level
Environmental Hazards:	Approximately 680 feet from the Alquist-Priolo Special Study Zone boundary

ENVIRONMENTAL REVIEW:

The Environmental Coordinator has determined that this project is Categorically Exempt from the requirements of the California Environmental Quality pursuant to Section 15301 Class 1 of the CEQA Guidelines because the expansion and continued operation of an existing telecommunications facility would not result in environmental impacts. The applicant has submitted two reports prepared by Hammett & Edison, Inc., dated May 1, 2009 and July 21, 2009, which evaluate human exposure to radio frequency electromagnetic fields from the proposed modifications to existing telecommunications facility. The reports conclude that the facility will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not cause a significant impact to the public.

PUBLIC NOTICE:

The Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and the date of the public hearing. This notice has been mailed to all property owners within 600 feet of the subject property. At the time this staff report was prepared, the Community Development Agency has received no comments from the public regarding this project.

PLAN CONSISTENCY:

The proposed project is generally consistent with the goals and policies of the Marin Countywide Plan, the Bolinas Community Plan, and the Marin County Telecommunications Facilities Policy Plan. Please refer to the plan consistency findings contained in the attached resolution and the discussion contained in the project analysis below.

PROJECT ANALYSIS:

Verizon Wireless is a public utility company, licensed by the Federal Communications Commission to operate wireless communication facilities in California. It currently operates the existing communication facility on the subject properties. The proposed maintenance and upgrade project would enhance wireless communication service in the area.

The project site is located within parcel 193-020-55, which is owned by the Bolinas Fire Protection District and developed with a newly constructed fire station and medical clinic along Mesa Road (DP 05-07, CP 05-22, VR 05-23, LL 05-9, UP 05-17.) The tower is located on parcel 193-020-57 and the equipment shelter is located on parcel 193-020-56, both owned by the Bolinas Fire Protection District. AT&T operates a 65-foot monopole (UP 98-29) adjacent to the Verizon Wireless equipment building and approximately 67 feet from the subject tower.

The subject application is an amendment to the current CP 90-040, UP 90-021, and DR 90-078 issued in January 1990 and further approved with permit compliance review in 2000. Removing the two existing whip antennas, would reduce the overall height of the tower from 61.3 feet to 50 feet. The six new antennas would be clustered near the top of the existing lattice tower. The tower is painted matte gray to minimize potential light or glare. The new antennas would be painted to match the tower. Visually, the wider profile of the new antennas will be offset by the 11.3-foot lower height than the existing whip antennas and would not be more visually prominent. The tower is located 132 feet from Mesa Road and is partially screened from Mesa Road by the existing fire station. The project will not impair or obstruct coastal views from any public street or public viewing places. The Bolinas Fire Protection District operates two OMNI whip antennas on the existing tower; one attains a maximum height of 42 feet and the other 20.3 feet. Replacing the current antennas with new antennas on the existing tower obviates the need for constructing a new tower.

The existing 225-square foot equipment building attains a maximum height of 11 feet and, as conditioned, would be repainted to match the color of the other buildings on-site, e.g. the fire station and medical clinic. The shed is located within a fenced enclosure with redwood slates inserted in the chain links. The existing facility and proposed modifications to the existing tower are compatible with the current use and character of the built environment. One of the initial conditions of approval for the facility in 1990 called for landscaping at the base of the tower. However, the Bolinas Fire Protection District, whose fire station abuts the tower, has confirmed in writing that they do not want any landscaping in this area. (Please see Attachment 8.)

On July 28, 1998, the Marin County Board of Supervisors adopted the Update to the Marin County Telecommunications Facilities Policy Plan (TFPP) which established policies to guide the development of telecommunications facilities while protecting the natural resources, communities, and other land uses in Marin County. The proposed application is generally consistent with the policies and criteria for wireless communications facilities contained in the TFPP, which are reviewed in Section VI of the attached Resolution.

RECOMMENDATION:

Staff recommends that the Deputy Zoning Administrator review the administrative record, conduct a public hearing, and adopt the attached resolution approving the Bolinas Fire Protection District (Verizon Wireless) Coastal Permit, Use Permit, and Design Review.

- Attachments:
1. Proposed Resolution recommending approval of the Bolinas Fire Protection District (Verizon Wireless) Coastal Permit, Use Permit, and Design Review
 2. CEQA Exemption
 3. Location Map
 4. Assessor's Parcel Map
 5. Project Plans – Exhibit A2
 6. Photo simulation – Exhibit B
 7. Hammett & Edison, Inc. Reports, May 1, 2009 and July 21, 2009
 8. Bolinas Fire Protection District Letter, September 23, 2009
 9. Department of Public Works Memo, September 2, 2009
 10. Environment Health Services Memo, October 15, 2009

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MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION NO. _____

A RESOLUTION APPROVING
BOLINAS FIRE PROTECTION DISTRICT (VERIZON WIRELESS)
COASTAL PERMIT (09-40), USE PERMIT (09-27), AND DESIGN REVIEW (09-72)
100 MESA DRIVE, BOLINAS

ASSESSOR'S PARCEL 193-020-55, 56, and 57

SECTION I: FINDINGS

- I. WHEREAS Crown Castle, on behalf of Verizon Wireless, proposes to upgrade an existing 50-foot telecommunication tower by removing two OMNI whip antennas that attain a height of 61.4 feet and replacing them with nine panel antennas that would attain a maximum height of 50 feet. The Bolinas Fire Protection District's two existing OMNI whip antenna located on the subject tower at 42 feet and 20.3 feet will remain. The applicant would also add 12 new runs of coaxial cable from the existing equipment shelter (located on APN 193-020-56) to the existing tower (located on APN 193-020-57.) The co-location facility would be unstaffed. An existing road will continue to provide access for technicians' service to the site on an approximately twice-a-month basis. The existing tower is located behind the Bolinas Volunteer Fire Department building, approximately 132 feet north of Mesa Road. The subject property is located at **100 Mesa Drive, Bolinas** and is further identified as **Assessor's Parcels 193-020-55, 56, and 57.**
- II. WHEREAS the Marin County Deputy Zoning Administrator held a duly noticed public hearing on October 29, 2009 to consider the merits of the project, and hear testimony in favor of and in opposition to the project.
- III. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 Class 1 of the CEQA Guidelines because the expansion and continued operation of an existing telecommunications facility would not result in environmental impacts. The applicant has submitted two reports prepared by Hammett & Edison, Inc., dated May 1, 2009 and July 21, 2009, which evaluate human exposure to radio frequency electromagnetic fields from the proposed modifications to existing telecommunications facility. The reports conclude that the facility will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not cause a significant impact to the public.
- IV. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin Countywide Plan due to the following factors:
 - A. The proposed project is consistent with the PF-OS (Public Facilities and Open Space) land use designation for the project site and would not interfere with the existing fire station and medical clinic use of the immediate property and open area and recreational use of the surrounding area.
 - B. The proposed project is consistent with the PFS-5.1 in that the proposed project is consistent with the goals and policies of the Marin County Telecommunications Facilities Policy Plan. The design of the upgraded facility is compatible with other land uses,

provides protection from vandalism and fire hazards, minimizes visual impacts, and minimizes potential health risks to people. Additionally, the applicant is enhancing an existing facilities, rather than seek a new tower or location.

- C. The proposed project would not result in any grading or the removal of existing vegetation.
 - D. The proposed project would not impact water supply, fire protection, waste disposal, schools, traffic and circulation, or other services.
 - E. The proposed project would not adversely affect riparian areas, wetlands, or habitats of special-status species.
 - F. Mandatory Use Permit findings can be made pursuant to Section 22.82.040I of Marin County Code to allow public utility and service uses necessary for public safety, convenience, and welfare.
- V. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Bolinas Community Plan for the following reasons:
- A. The proposed project would not adversely affect the surrounding natural environment relative to vegetation, species habitats, or on-site drainage.
 - B. The proposed project would not adversely affect the surrounding built environment relative to views from adjacent properties, privacy for the subject and surrounding properties, or building design, mass, and bulk.
 - C. The subject property is not located within the Bluff Erosion Zone identified by the Bolinas Gridded Mesa Plan, which has limited opportunities for development.
- VI. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the Marin County Telecommunications Facilities Policy Plan (TFPP) and with the criteria for wireless communications facilities contained therein, as follows:
- A. The TFPP states that wireless telecommunication facilities should be sited to avoid or minimize land use conflicts. The TFPP policies establish a general preference for non-residential sites for wireless facilities. TFPP policy LU 1.4 rank orders location preferences in seven categories:
 - 1. Industrial sites
 - 2. Commercial sites
 - 3. Public facilities sites
 - 4. Agricultural sites
 - 5. Mixed use sites
 - 6. Open space and recreational sites
 - 7. Residential sites

The existing telecommunications facility is compatible with the public facility, open area, and agricultural use of the subject property and surrounding area. The subject property is developed with a fire station, medical clinic, and adjacent telecommunication facility, which as public facilities, is ranked third in location preference. There are no industrial or commercial facilities in the search ring for the coverage area. The open area south of Mesa Road is owned and used by the Bolinas Community Public Utility District for wastewater treatment ponds.

TFPP policy LU 2.1 encourages co-location of facilities or clustering of facilities on a single property. By increasing the number of antennas on the existing tower, the applicant is in effect co-locating on their own tower.

The proposed project utilizes an existing equipment shelter, served by an existing access driveway. The only disruption to soil will be the retrenching for the installation of new coaxial cables. By utilizing existing facilities, there would be no tree removal or other adverse environmental impacts. The project would not result in adverse visual impacts because it will be lower than the existing tower and would not impair coastal views. Based on these factors, the facility is consistent with the location standards contained in the TFPP.

- B. The facility would allow Verizon Wireless to maintain and upgrade existing communication services in the Bolinas area, allowing the carrier to continue providing a reliable source of wireless communications to residents, businesses, and emergency service providers in the County.
- C. The applicant submitted two reports prepared by Hammett & Edison, Inc., dated May 1, 2009 and July 21, 2009. These reports concluded that the upgraded facility would not result in any significant risks with respect to human exposure to radio frequency fields because the proposed facility would generate maximum ambient radio frequency levels that are below the applicable public exposure limit established by the Federal Communications Commission (FCC), even when combined with the adjacent telecommunication facilities.
- D. Visual and aesthetic compatibility policies contained in the TFPP specify that telecommunications facilities should be sited and designed to avoid or minimize adverse visual effects. TFPP policy VIS 1.1 encourages the most efficient use of existing sites and facilities, thereby postponing the need to develop new sites. Further, TFPP policy VIS 1.1.2 states, "Wherever possible, new telecommunication devices should be co-located or clustered at existing facilities and multiple devices consolidated in the course a facility renovation, unless co-location or clustering will result in significant adverse visual effects that could be avoided or minimized by alternative facility locations and/or design." Since the proposed facility would not substantially change visual effects of the existing tower, an alternative location is not warranted.

VIS 1.1.4 encourages providers to share facilities to the greatest extent possible. Access road and parking areas on the subject properties are shared among other service providers and the fire department.

VIS 2.2.1 calls for telecommunication facilities to blend with the surrounding natural and built environments. As conditioned, painting the existing equipment shed to match the on-site public facilities onsite would be consistent with this policy. The new antenna would be painted to match the existing tower (matte, non-reflective gray) and adjacent cell tower. Overall, the proposed facility would be compatible with existing uses on the property and would not conflict with the visual character of the subject or surrounding properties.

- E. No new lights will be added. The facility would not create lighting impacts on surrounding areas because conditions of approval specify that exterior lighting shall be permitted for safety purposes only and shall be manually operated, low intensity, shielded, and directed downward to minimize visual effects on adjoining areas. The two existing lights meet this condition.

- F. Vehicular access for the upgraded facility is provided and would remain unchanged. No additional parking area would be required for the operation of the facility.
 - G. The project would require no removal of vegetation.
 - H. The facility is located in on a developed site with no known complaints about noise. Noise levels associated with the operation of the facility would not exceed ambient noise levels. With the exception of routine maintenance visits by technicians, the facility would not generate other traffic trips to the property. Maintenance visits would occur no more than twice per month and would typically occur during the day, between 7:00 a.m. and 5:00 p.m. Therefore, the proposed facility would neither generate significant levels of noise nor traffic.
 - I. Changes to the existing facility would not significantly impair the visual conditions on or surrounding the subject property because the overall height of the tower would be reduced 11.3 feet and would remain the same color. Additionally, the existing equipment shed would be painted to match the existing public facility buildings.
- VII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory findings to approve the Coastal Permit application (Section 22.56.130I of the Marin County Code) as specified below.

A. Water Supply

No on-site water services will be required as part of the proposed project. The Bolinas Community Public Utilities District (BCPUD) has reviewed project plans and indicated that the change proposed changes would have not impact on current water service to the site.

B. Septic System Standards

No on-site sanitation services will be required as part of the proposed project.

C. Grading and Excavation

No grading will be required for this project. The project will utilize an existing tower and equipment building. Minor retrenching (approximately 150 linear feet to a depth of 2 feet) will be required to run the new coaxial cable from the tower to the nearby equipment shelter. This will be in the same location as the existing conduit, which is previously disturbed soil.

D. Archaeological Resources

A review of the Marin County Archaeological Sites Inventory Maps on file in the Planning Division indicates that the subject property is located in an area of high archaeological sensitivity. However, it is unlikely that this project would adversely impact any archeological resources because 1) the property has been fully developed with firehouse facilities, parking, telecommunication facilities, and access areas, 2) these previous physical alterations and construction did not discover cultural resources, and 3) the project involves minor trenching in a previously disturbed area. Nonetheless, project approval would require that if archeological resources are discovered during site preparation or construction, the applicants would have to follow archeological preservation protocol,

including cessation of work and evaluation by a qualified archeologist to determine if any modification to the project would be required.

E. Coastal Access

The subject property is not located between the sea and the first public road, or adjacent to a coastal area identified by the Local Coastal Program Unit 1, where public access is desirable or feasible. The site is not located near any tidelands or submerged lands subject to the public trust doctrine.

F. Housing

The proposed project will have no impact upon the availability of affordable housing stock within the Bolinas community.

G. Stream and Wetland Resource Protection

The proposed project is not situated in an area subject to the County streamside conservation policies as identified on the Natural Resources Map for Unit 1 of the Local Coastal Program or near any ephemeral or intermittent stream identified on the USGS Quadrangle Maps for the project area.

H. Dune Protection

The project site is not located near dunes or in a dune protection area of the Local Coastal Program.

I. Wildlife Habitat

The project entails the modification of an existing telecommunication tower on a previously disturbed and developed site with a firehouse, medical clinic, and other telecommunication facilities. No significant alteration of land or removal of vegetation identified for habitat protection in the Local Coastal Plan is proposed.

J. Protection of Native Plant Communities

Review of resource maps and field inspection by Planning staff indicates there are no known rare or endangered plant species at or near the subject property. The project entails the modification of an existing telecommunication tower on a previously disturbed and developed site. The subject property does not contain a significant number or type of non-indigenous, invasive plant species that would threaten the preservation or reestablishment of native species.

K. Shoreline Protection

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards

The project site is located approximately 680 feet from the Alquist Priolo Zone and would be subjected to strong ground shaking during a proximate seismic event. The Marin County Community Development Agency – Building and Safety Division will determine seismic compliance with the Uniform Building Code.

M. Public Works Projects

The proposed project will not affect any existing or proposed public works project in the area.

N. Land Division Standards

No land division or property line adjustment is proposed as part of this project.

O. Visual Resources

The existing tower is comprised of a dull gray, open-grid steel framework with gray antennas to minimize potential light or glare. Removal of the existing two whip antennas will lower the overall height of the facility by 11.3 feet. The nine new panel antennas will be clustered at the top of the 50-foot tower. The wider profile of the new antennas will be offset by the lower overall height of the structure and would not be more visually prominent. The tower is located 132 feet from Mesa Road and is partially screened from the road by the existing fire station. The project will not impair or obstruct coastal views from any public street or public viewing places.

The existing 225-square foot equipment building attains a maximum height of 11 feet and, as conditioned, would be repainted to match the color of the other buildings on-site - the fire station and medical clinic. The shed is located within a fenced enclosure with redwood slates within the chain links.

The existing facility and proposed modifications to the existing tower are compatible with the current use and character of the built environment. The Bolinas Fire Protection District has specified that they do not want landscaping around the tower. All utility lines serving the tower and equipment building will remain underground.

P. Recreation/Visitor Facilities

The project would not have any impact upon recreation or visitor facilities.

Q. Historic Resource Preservation

The subject property is not located within the designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program – Unit 1.

VIII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project is consistent with the mandatory Use Permit findings (Section 22.88.0201 of the Marin County Code), as specified below.

A. The establishment, maintenance, or conducting of the use for which this Use Permit is sought will not be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of this use and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood for the reasons listed below:

1. The proposed project would be incidental to the primary public facility. Pursuant to Section 22.57.022.12 of the Marin County Code, the construction, alteration, and maintenance of communication facilities are permitted uses in the C-ARP-5 (Coastal,

Agriculture Residential Planned District, 1 unit/ 5 acres maximum density) zoning district.

2. The proposed project would not adversely affect the surrounding natural environment relative to vegetation, species habitats, and on-site drainage. The proposed improvements have been determined to be categorically exempt from the requirements of the California Environmental Quality Act pursuant to Section 15301, Class 1.
3. Since there is no plumbing associated with this project, there would be no impact on existing water or sewer to the subject or surrounding properties.
4. Modifications to the existing tower would have no adverse impact on existing parking or traffic.
5. The proposed project would not result in significant adverse visual impacts because the height of the structure will be 11.3 feet lower than the existing tower and less than the adjacent 65-foot AT& T monopole that was permitted to support three 8-foot tall panel antennas and three 5-foot tall panels. Please see Section VII.O above.
6. The emergency radio antennas of the Bolinas Fire Protection District will remain on the subject tower and would be unaffected by the modification. The expanded service from the proposed project would enhance the overall Verizon Wireless network for personal, business, and emergency use in the area and contribute to public safety, convenience, and welfare.
7. The project would not result in any significant public health risks with respect to human exposure to radio frequency radiation because the facility will operate well below the exposure limits set by the Federal Communications Commission (FCC). The granting of the proposed Use Permit on the subject property would not be detrimental to the health, safety, comfort, or welfare of persons working or residing in the surrounding neighborhood.
8. The Marin County Planning Department provided public notice of the project to all properties within 600 feet of the subject property and no adverse comments have been received.

IX. Whereas, the Marin County Deputy Zoning Administrator finds that the Mandatory Findings for a Design Review per Section 22.82.0401 of the Marin County Development Code can be made based on the following findings:

A. The proposed project is consistent with the Countywide Plan and any applicable community plan and local coastal program.

As noted in Sections IV, V, and VII above, the proposed project would be consistent with the Countywide Plan, the Bolinas Community Plan, and the local coastal program. The project would be consistent with the zoning district regulations and would not be detrimental to the public health, safety, and welfare.

B. The proposed development will properly and adequately perform or satisfy its functional requirements without being unsightly or creating incompatibility/disharmony with its locale and surroundings;

The proposed project would be located on an existing tower and result in a facility with an overall lower height. See Section VII.O above.

- C. The proposed development will not impair, or substantially interfere with the development, use, or enjoyment of other property in the vicinity, including, but not limited to, light, air, privacy and views, or the orderly development of the neighborhood as a whole, including public lands and rights-of-way;**

The existing tower is located approximately 132 feet from Mesa Road and is partially screened by the existing fire station that attains a maximum height of 33 feet. Similarly to the existing facility, the proposed project would not result in the loss of light or privacy to adjacent neighbors. In addition, all development will be contained within the parcel and would not impact development on public lands or rights-of-way.

- D. The proposed development will not directly, or cumulatively, impair, inhibit, or limit further investment or improvements in the vicinity, on the same or other properties, including public lands and rights-of-way;**

Public notices were sent to agencies, community groups, and property owners within 600 feet of the project. At the time this staff report was prepared, the Community Development Agency has received no adverse comments regarding this project.

- E. The proposed development will be properly and adequately landscaped with maximum retention of trees and other natural features;**

No trees will be removed as part of the proposed project. The Bolinas Fire Protection District has specified in writing that they do not want landscaping around the tower, as conditioned in the previous Use Permit. The existing equipment building is located on a concrete pad, with no opportunity for landscaping without compromising the integrity of that pad.

- F. The proposed development will minimize or eliminate adverse physical or visual effects which might otherwise result from unplanned or inappropriate development, design, or placement. Adverse effects include those produced by the design and location characteristics of the following:**

- 1. The scale, mass, heights, area, and materials of structures;**

The existing tower and proposed enhancements would be of a comparable height, size, and scale with the adjacent AT&T monopole, as well as other structures in the surrounding community. See Section VII.O above.

- 2. Drainage systems and appurtenant structures;**

The project entails no changes to existing drainage and appurtenant structures. Further, all conceptual plans have been reviewed by the Department of Public Works.

- 3. Cut and fill or the reforming of the natural terrain, and appurtenant structures (e.g., retaining walls and bulkheads);**

As noted in Section VII.C above, no grading will be required for this project.

4. **Areas, paths, and rights-of-way for the containment, movement or general circulation of animals, conveyances, persons, vehicles, and watercraft;**

The existing tower and equipment shelter are located entirely on the subject parcel and would not be located within rights-of-way or affect the movement of people or vehicles.

5. **Will not result in the elimination of significant sun and light exposure, views, vistas, and privacy to adjacent properties.**

As noted in IX. B above, the project would not result in the loss of light, views, or privacy to adjacent properties.

G. **The project design includes features, which foster energy and natural resource conservation while maintaining the character of the community.**

The County Green Building standards are not applicable to telecommunication facilities. Similarly, the project is not subject to Title 24 and Ordinance 3492.

SECTION II: CONDITIONS OF APPROVAL

NOW, THEREFORE, BE IT RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Bolinas Fire Protection District (Verizon Wireless) Coastal Permit (CP 09-40), Use Permit (UP 09-27), and Design Review (DR 09-72) subject to the conditions as specified below:

Marin County Community Development Agency - Planning Division

1. Pursuant to Sections 22.56.130I (Coastal Permit), 22.88.020I (Use Permit), and 22.82.040I (Design Review) of the Marin County Code, the Bolinas Fire Protection District (Verizon Wireless) Coastal Permit, Use Permit, and Design Review are approved to remove two OMNI whip antennas on the existing telecommunication tower and replacing them with nine panel antennas that would attain a maximum height of 50 feet. Approval is granted for the installation of 12 new runs of coaxial cable from the existing equipment shelter (located on APN 193-020-56) to the existing tower (located on APN 193-020-57). No approval is granted for plumbing fixtures. The existing Bolinas Fire Protection District Omni antennas attached to the tower at 42 feet and 20.3 feet shall remain. The existing tower is approved at its current location behind the Bolinas Volunteer Fire Department building, approximately 132 feet north of Mesa Road. The subject property is located at **100 Mesa Drive, Bolinas** and is further identified as **Assessor's Parcels 193-020-55, 56, and 57.**
2. Development and use of the facility shall conform to plans identified as **Exhibit A2**, entitled "Verizon Wireless, 100 Mesa Drive," consisting of 4 sheets prepared by Smithco Surveying Engineering, dated March 4, 2009, revised August 17, 2009, received August 20, 2009, and on file with the Marin County Community Development Agency, except as modified by the conditions listed herein.
 - a. Antennas shall extend no more than 3 feet from the side of the tower.
 - b. Revise site plans to be in standard architectural or engineering scale (e.g. 1/8, 3/4, or 1"=40'.)

3. All visible components of the tower (including, but not limited to the pole and antennae) shall be painted to match the existing subdued matte-finish gray. The equipment shelter shall be painted to match the existing fire station and medical clinic.
4. The emergency generator appurtenant to the approved equipment building shall be tested only on weekdays, Monday through Friday, from 9:00 a.m. to 4:00 p.m.
5. The approved communication facility must be maintained in a clean, weed-free, and orderly condition. Any damage or vandalism to the site must be repaired promptly. No equipment, operable or inoperable, shall be stored outside the equipment building, other than the installed antennas and emergency generator.
6. If archaeological, historic, or prehistoric resources are discovered during construction, construction activities shall cease, and the Community Development Agency staff shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. A registered archeologist, chosen by the County and paid for by the applicant, shall assess the site and shall submit a written report to the Community Development Agency staff advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Community Development Agency staff. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency staff. If the report identifies significant resources, amendment of the permit may be required to implement mitigations to protect resources. Additionally, the identification and subsequent disturbance of an Indian midden requires the issuance of an excavation permit by the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the County Code.
7. The electromagnetic field (EMF) strengths or equivalent plane-wave power densities generated by the approved facility, in combination with other existing ambient sources of EMF, shall not expose the general public to EMF levels which exceed the Maximum Permitted Exposure levels for electric and magnetic field strength and equivalent plane-wave power density in the EMF emission guidelines adopted by the Federal Communications Commission (FCC). In the event the FCC adopts a more restrictive Maximum Permitted Exposure Level, or the County adopts a more restrictive EMF exposure standard if allowed by future changes in Federal law, the applicant shall demonstrate compliance with the more restrictive standard unless such a requirement is preempted by State or Federal law. The applicant shall demonstrate compliance by submitting a radio frequency report to the County within 90 days of the effective date of the standard or longer period as required by the applicant and subsequently approved by the Community Development Director. The radio frequency report shall determine conformance with the updated standard by calculating the EMF power levels of the approved facility in combination with other existing ambient sources.
8. This Coastal Permit, Use Permit, and Design Review approval may be revoked by the County should the approved facility, in combination with other existing ambient sources exceed an updated EMF standard unless the location, design, and/or operation of the approved facility is modified to meet the updated standard. Modifications of the approved facility shall be submitted to the Community Development Agency to determine if amendments to these permit approvals are necessary. This condition shall not apply if the County is preempted by Federal and/or State law, rules or regulations from applying an updated EMF standard after the approved facility has been constructed.

9. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall revise the site plan or other first sheet of the office and job site copies of the Building Permit plans to list these Coastal Permit, Use Permit, and Design Review Conditions of Approval as notes.
10. BEFORE ISSUANCE OF A BUILDING PERMIT, the applicant shall enter into a standard Performance Agreement with the County and post a bond or other suitable security in order to guarantee removal of an abandoned facility. The approved facility must be dismantled and removed from the premises if it has been inoperative or abandoned for a one-year period. Upon expiration of the Use Permit, all equipment, structures, and antennas shall be removed, and the site returned to its pre-existing conditions.
11. Exterior lighting shall be permitted for safety purposes only and shall be manually operated, low intensity, shielded, and directed downward to minimize visual effects. No additional exterior lighting is approved as part of this application.
12. The approved facility shall operate in compliance with the noise exposure standards contained in the Marin Countywide Plan. Normal testing and maintenance activities shall occur between the hours of 7:00 a.m. and 5:00 p.m., Monday through Sunday, excluding emergency repairs. Normal testing and maintenance activities which do not involve the use or operation of telecommunications and maintenance equipment that is audible from nearby sensitive receptors may occur at all times. Back-up generators shall comply with the above-referenced noise standards, and shall only be operated during power outages, emergency occurrences, or for testing and maintenance as described above.
13. Utility extensions or connections shall be underground.
14. The applicant shall be responsible for ensuring that the number of construction vehicles is limited to the minimum number necessary to complete the project.
15. This Coastal Permit, Use Permit, and Design Review approval does not preclude the future approval of other telecommunications facilities on the subject property. The applicant shall cooperate with County efforts to utilize the subject property for shared location or co-location in the future, if it is technically feasible and would minimize adverse affects related to land use compatibility, visual resources, public safety, and other environmental factors.
16. Any changes or additions to the project shall be submitted to the Community Development Agency, Planning Division for review and approval before the contemplated modifications may be initiated.
17. The applicant shall hold harmless the County of Marin or its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, and employees to attack, set aside, void, or annul, this approval by the County of the Bolinas Fire Protection District (Verizon Wireless) Coastal Permit, Use Permit, and Design Review.
18. This Coastal Permit, Use Permit, and Design Review is subject to revocation procedures contained in Chapter 22.120 of the Marin County Code in the event any of the terms of this approval are violated or if the uses are conducted or carried out in a manner so as to adversely affect the public interest, health, safety, convenience, or welfare of the County.

Department of Public Works

19. All improvements shall remain within established and currently recorded easements or if addition space outside existing easements is required, newly drawn and recorded easements shall be completed.

SECTION III: VESTING, PERMIT DURATION, AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant must vest this approval by substantially completing all conditions of approval and commencing the allowed use by **October 29, 2011**, or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 10 days before the expiration date above and the Community Development Agency staff approves it. An extension of up to four years may be granted for cause pursuant to Section 22.56.050.B.3 of the Marin County Code.

NOW, THEREFORE BE IT FURTHER RESOLVED that this Use Permit shall be valid until **October 29, 2019**, unless the conditions of approval are violated, in which case the Use Permit may be revoked. The applicant shall submit an application to renew the Use Permit at least 60 days prior to the expiration of the Use Permit. Should the Use Permit expire without benefit of a renewal, all equipment, structure, and antennas shall be removed and the site shall be returned to its preexisting conditions.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a \$600.00 filing fee must be submitted in the Community Development Agency – Planning Division, Room 308, Civic Center, San Rafael, before **4:00 p.m. on November 5, 2009**.

SECTION IV: ACTION

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 29th day of October 2009.

JOHANNA PATRI
MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

Attest:

Joyce Evans
DZA Secretary