

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PLANNING COMMISSION
March 6, 2024 @ 6:00 p.m.
San Clemente City Hall Council Chamber
910 Calle Negocio, San Clemente, CA 92673
Teleconference via www.san-clemente.org/live**

CALL TO ORDER

Chair Cosgrove called the Regular Meeting of the Planning Commission of the City of San Clemente to order at 6:00 p.m. The meeting was offered in person at San Clemente City Hall Council Chambers, 910 Calle Negocio, San Clemente, California, 92673, and also via live stream from the City's YouTube Channel.

2. PLEDGE OF ALLEGIANCE

Chair Cosgrove led the Pledge of Allegiance.

3. ROLL CALL

Commissioners Present: Barton Crandell, Karen Prescott-Loeffler, Scott McKhann; Chair pro tem Gary P. McCaughan, M.D., Chair Cameron Cosgrove

Commissioners Absent: Brent Davis, Vice Chair M. Steven Camp

Staff Present: Jonathan Lightfoot, City Planner
John Ciampa, Contract Planner
Gena Burns, Deputy City Attorney

4. SPECIAL ORDERS OF BUSINESS

None

5. MINUTES

A. Minutes from the Regular Planning Commission Meeting of February 7, 2024.

IT WAS MOVED BY CHAIR PRO TEM MCCAUGHAN, SECONDED BY COMMISSIONER PRESCOTT-LOEFFLER, AND UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES FROM THE FEBRUARY 7, 2024, PLANNING COMMISSION MEETING AS SUBMITTED.

B. Minutes from the Special Joint Commission Meeting of February 12, 2024.

IT WAS MOVED BY CHAIR COSGROVE, SECONDED BY COMMISSIONER MCKHANN, UNANIMOUSLY CARRIED TO RECEIVE AND FILE THE MINUTES FROM THE FEBRUARY 12, 2024, SPECIAL JOINT COMMISSION MEETING AS SUBMITTED.

6. **ORAL AND WRITTEN COMMUNICATION**

None

7. **CONSENT CALENDAR**

None

8. **PUBLIC HEARING**

A. Conditional Use Permit (CUP) 21-268, AT&T Wireless Telecommunications Facility

A request by AT&T to construct a new Monobroadleaf wireless facility with accompanying ground mounted equipment that would be placed within an expanded enclosure at 4159 Costero Risco. The project is located on City property in the Private Open Space Zone of the Forster Ranch Specific Plan (FRSP P-OS2).

Chair Cosgrove opened the public hearing.

John Ciampa, Contract Planner, narrated a PowerPoint Presentation entitled, "AT&T Telecommunication Facility, Conditional Use Permit 21-268," dated March 6, 2024. A copy of the Presentation is on file in Planning Division.

Chris Doheny, SmartLink Group, representing AT&T Wireless, clarified that 6, 6-foot antennas were proposed for the site, mounted 11 feet from ground, and the entire pole is a total of 22 feet high. The existing location selected for the pole is based on least amount of interference/blockage and best coverage.

Public Comments:

Chris Ullmer, resident, lives very close to the subject tower; expressed concern that the project would have a negative effect on his property value, add to the eyesore that the adjacent antenna site has caused, and questioned the need for the project as he is an AT&T customer and has good service.

Marc Whitney, resident, commented the proposed site is adjacent to a hiking trail and questioned the effects of the installation on trail users; established the guidelines for posting and notification of the project.

Jackie Whitney, resident, lives adjacent, noted she did not receive notification, commented on the maintenance/messiness of the existing cell tower, opposed the new installation as it was not in the Master Plan, requested the Commission reject the proposal.

Megan Miller, resident, commented that although she lives close-by, she did not receive notification of the project and felt the signage posted was possibly purposefully hidden from the surrounding community. She fears for the safety of her home and children from the health effects of cellular signal pointed at her house, opined that fire safety is a concern and noted people looking to purchase homes do not want to live next to cell sites, which affects her property value. She requested the Commission table this item to allow residents to arrange for experts/prepare rebuttal to the proposal.

Mike Hughes, resident, is not opposed to the infrastructure, but is opposed to how poor management/maintenance of the existing installation. Plastic leaves are strewn about, and the antenna screening film is ripped and tearing from the antennas. Adding another installation when the other is not properly maintained will double the existing eyesore, increase health hazards and decrease public safety. He suggestion co-location/updating of the existing facility could potentially eliminate a need for a second tower.

In response to the public testimony, Mr. Doheny advised 24 electric-powered radio units were also proposed to help boost the antenna signal; suggested conditions of approval for this project could be added to prompt the carrier to maintain the existing tower; advised co-location on the existing Verizon facility was explored and found infeasible; noted all safety mitigation measures would be in place. He agreed twice-yearly maintenance would be adequate and fair. He referred to the submitted map indicating the proposed installation will improve service for AT&T customers. With regard to an alternative site analysis, he speculated the review would take 30 to 60 days. He suggested that moving the notification radius out to 500 feet would provide transparency and not overly increase the number of households to contact.

In response to questions from the Commission, Planner Ciampa noted that all properties identified within the notice radius had been notified; the Orange County Fire Authority had signed off on the site's compliance with fire safety rules and regulations; the maintenance agreement for the existing site can be reviewed to ensure compliance, and potentially revisited during the City's lease review.

Chair Cosgrove closed the public hearing.

Comments/Suggestions:

- Supported the project overall due to its compliance with regulations and improved service in the area.
- Opined that due to subject property and easement ownership questions, there is potential that the notification radius was improperly calculated and residents within the radius were not notified; suggested the project be continued to clarify notice radius/increase notification area if deemed original was deficient.
- With regard to the ongoing maintenance issues on the adjacent Verizon cell tower site, it would be helpful for staff to provide the Commission with a copy of its CUP conditions. Review of these conditions will also help staff to include conditions to ensure the new installation is adequately conditioned with regard to maintenance.
- The Commissioners concurred that due to questions regarding the proper notification of this project, as well as the lack of maintenance performed on the adjacent cell tower site, the project should be continued to allow staff to provide clarification and additional information.
- Suggested the City consider requiring a bond on its leased sites. The City can use the bond to ensure the maintenance is being addressed if the applicant is unwilling/unable to do.
- Suggested that required Finding D, that the project will not negatively impact surrounding land use areas or uses cannot be met without assurances that the project will not negatively impact the public's access to trails and nature areas; suggested that required Finding F, that the project will not create an adverse visual impact to the surrounding area, cannot be met if there are concerns regarding line-of-sight issues. Requested the applicant consider alternate locations to avoid negative impacts.
- Established from staff that a) the notice radius is provided by the applicant and affirmed by a neutral third party, b) notification goes out by regular mail without proof of receipt required, c) notification goes out to the property owner and is not sent to tenants. Staff will review the list of notification recipients and provide for review.

IT WAS MOVED BY CHAIR PRO TEM MCCAUGHAN, SECONDED BY COMMISSIONER MCKHANN AND UNANIMOUSLY CARRIED TO CONTINUE CONDITIONAL USE PERMIT (CUP) 21-268, AT&T WIRELESS TELECOMMUNICATIONS FACILITY TO THE REGULAR PLANNING COMMISSION MEETING OF APRIL 17, 2024.

[ITEM CONTINUED. PLANNING COMMISSION DECISION PENDING.]

9. NEW BUSINESS

None

10. OLD BUSINESS

None

11. REPORTS OF COMMISSIONERS AND STAFF

A. Tentative Future Agenda

B. Administrative Development Permit Report

Reports received and filed.

12. ADJOURNMENT

THERE BEING NO OTHER BUSINESS BEFORE THE COMMISSION, IT WAS MOVED BY CHAIR COSGROVE, SECONDED BY VICE CHAIR CAMP AND UNANIMOUSLY APPROVED TO ADJOURN THE MEETING AT 8:36 P.M. TO THE ADJOURNED REGULAR PLANNING COMMISSION MEETING TO BE HELD IN-PERSON ON WEDNESDAY, MARCH 20, 2024, AT 6:00 P.M. AT THE SAN CLEMENTE CITY HALL COUNCIL CHAMBERS LOCATED AT 910 CALLE NEGOCIO, SAN CLEMENTE, CA, 92672, AND TELECONFERENCE AVAILABLE TO THE PUBLIC VIA LIVE STREAM FROM THE CITY'S YOUTUBE CHANNEL.

Respectfully submitted,

Cameron Cosgrove, Chairman

Attest:

Jonathan Lightfoot, City Planner