

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



W22a

Prepared February 6, 2017 for February 8, 2017 Hearing

To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager

Subject: Additional hearing materials for W22a
Correspondence for A-3-SCO-16-0102 (Crown Castle Microcell Facility, Santa Cruz County)

Where checked in the boxes below, this package includes additional materials related to the above-referenced hearing item as follows:

- ☐ Staff report addendum
- ☒ Additional correspondence received in the time since the staff report was distributed
- ☐ Additional ex parte disclosures received in the time since the staff report was distributed
- ☐ Other:

W22a

Graeven, Rainey@Coastal

From: James, Sharon <Sharon.James@crowncastle.com>
Sent: Monday, January 23, 2017 4:21 PM
To: Graeven, Rainey@Coastal
Subject: FW: Pictures of fiber removed AP36
Attachments: AP36 Seacliff 01122017 10AM.jpg; AP36 Seacliff 01122017 10AM (2).jpg

Rainey,

Here are pictures of the fiber being pulled back to the corner pole on 1/12/17 after we heard from you.

I thought I sent this to you but maybe not since I noted it was mentioned in the staff report.

Sharon

From: Griffiths, John
Sent: Monday, January 23, 2017 3:51 PM
To: James, Sharon <Sharon.James@crowncastle.com>
Subject: Pictures of fiber removed AP36

Attached are 2 pictures sent to me on 1/12/17 at 10AM by HP after they removed the fiber coil from the new pole and relocated it to the first original pole.

One pic shows the coil on the pole and the other shows AP36 after it was moved.

Let me know if you need anything else.

John

John Griffiths, PMP
Project Manager- Small Cell Solutions
T: (408) 468-5524 | M: (707) 756-2030

CROWN CASTLE
695 River Oaks Parkway. San Jose, CA 95134
CrownCastle.com

This email may contain confidential or privileged material. Use or disclosure of it by anyone other than the recipient is unauthorized. If you are not an intended recipient, please delete this email.

RECEIVED

JAN 23 2017

NO. 16-189



CALIFORNIA
ASTAL COMMISSION
CENTRAL COAST AREA

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

ENCROACHMENT PERMIT

TO:	Permittee Name	HP Communications, Inc	Date Issued	12/6/2016
	Mailing Address	34151 Zwissig Way Union City, CA 94587	Project Description	Traffic control to maintain existing fiber optic cable
	Phone	(951) 457-0018	Address	Santa Cruz Ave
	Building Permit No.		Fee	\$776.00
	APN		Receipt #	
	Contractor	HP Communications, Inc	Phone	(951) 457-0018

Pursuant to Santa Cruz County Code Chapter 9.70 Street and Roads and subject to existing ordinances, and to all the terms, conditions, and restrictions written below or printed as general or special provisions on any part of this form and/or attached hereto, PERMISSION IS HEREBY GRANTED TO:

Encroachment Permit to setup traffic control for the maintenance of existing fiber optic cable and the installation of guy wires on existing joint poles. Traffic control shall be implemented per the approved traffic control plan attached. Work hours are 8:30 to 3:30 Monday-Friday. Permittee is responsible for any damage to road during construction. THIS PERMIT IS FOR WORK IN THE COUNTY RIGHT-OF-WAY ONLY. Call county inspector 48 hours prior to start of work at 831-454-2594.

(Attach two sets of plans or sketches if applicable)

PLEASE READ THIS PERMIT CAREFULLY. Keep it at the work site. To arrange for an inspection, phone 454-2160 at least 48 hours prior to construction. Your attention is directed to the General Provisions attached herewith. This permit shall be void unless the work herein contemplated shall have been completed by:

12/6/2017

Accepting this permit or starting work hereunder shall constitute acceptance and agreement to all the conditions and requirements of this permit.

Signature of Permittee

By:

Permittee or Authorized Agent

JOHN J. PRESLEIGH

Director of Public Works

By:

THIS PERMIT BECOMES VALID WHEN BOTH PARTIES HAVE SIGNED

WORK COMPLETED: Date: _____ By: _____

GENERAL PROVISIONS

1. Definition: This permit is issued pursuant to Chapter 9.70 of the Santa Cruz County Streets and Roads Code. The term "encroachment" is used in this permit as defined in said chapter 9.70 of the said Code, except as otherwise provided for public agencies and franchise holders. This permit is revocable on five days' notice.
2. Acceptance of Provisions: It is understood and agreed by the permittee that the doing of any work under this permit shall constitute an acceptance of the provisions.
3. No precedent established: This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency permitting certain kinds of encroachment to be reckoned within right of way of County highways.
4. Notice prior to starting work: Before starting work, the permittee shall notify the Director of Public Works or other designated employee. Such notice shall be given at least 48 hours in advance of the date work is to begin. Unless otherwise specified, all work shall be performed on weekdays and during normal working hours of the grantor's inspector.
5. Keep permit on work: The permit shall be kept at the site of the work and must be shown to any representative of the grantor or any law enforcement officer on demand.
6. Permits from other agencies: The party or parties to whom this permit is issued shall, whenever the same is required by law, secure the written order of consent of any work hereunder from the Public Utilities Commission of the State of California or any other public board having jurisdiction and this permit shall be suspended in operation until such order of consent is obtained.
7. Protection of traffic: Adequate provisions shall be made for the protection of the traveling public. Barricades shall be placed with amber lights at night; also, flagmen employed. All of this may be required by the grantor for the particular work in progress. Warning signs, lights, and devices shall be placed in conformance with the requirements of the State of California, Department of Public Works.
8. Minimum interference with traffic: All work shall be planned and carried out so that there will be the least possible inconvenience to the traveling public except for the specific work permitted. One lane shall remain open to the traveling public at all times. Road closures are not allowed, except with special permission from the Director of Public Works.
9. Storage of material: No material shall be stored within two feet of the edge of the pavement or traveled way or within the shoulder line where the shoulders are wider than five feet. No supplies or equipment shall be stored on the highway until permittee is ready to start work.
10. Cleanup right of way: Upon completion of the work, all brush, timber, scraps, and material shall be entirely removed and the right of way left in as presentable condition as before work started.
11. All construction shall conform with the current edition of the California Division of Highways standard plans and specification, and the design criteria of the County of Santa Cruz. In case of conflict, the conditions of this permit will take precedence over standard specifications.
12. Trench Safety has not been checked and is NOT IMPLIED with this permit. For current Codes and Regulations contact: CAL/Osha (408) 452-7288 and for utility locations contact: USA Underground Service Alert 1-800-227-2600.
13. Future moving of installation: It is understood by the permittee that whenever construction, reconstruction, or maintenance work on the highway may require, the installation provided herein shall, upon request of the grantor, be removed or revised at the sole expense of the permittee within five days of such notice.
14. Liability for damages: The permittee is responsible and liable for personal injury or property damage which may arise out of the work herein permitted or which may arise out of failure on permittee's part to perform their obligation under this permit in respect to maintenance. If any claim for such injury or damage is made against the County of Santa Cruz or any department, officer, or employee thereof, permittee shall defend, indemnify, and hold them and each of them harmless from such claim.
15. Care of drainage: If the work herein contemplated shall interfere with established drainage, ample provision shall be made by the permittee to provide for it as may be directed by the grantor.
16. Maintenance: The permittee agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachments placed by it in the highway and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the highway which occurs as a result of maintenance of the encroachment in the highway or as a result of the work done under this permit, including any and all injury to the highway which would not have occurred had such work not been done or such encroachment not placed therein.
17. Test results: Upon demand, the permittee shall provide the Director of Public Works with the results of tests showing that the compaction requirements have been complied with. Compliance shall be certified by a materials testing laboratory with local experience and said laboratory shall be acceptable to the Director of Public Works.
18. Pavement replacement: Any paved portion of County highway which is removed or damaged shall be replaced with a minimum replacement of 0.75 foot of Class II aggregate base and 0.25 foot of Type B asphalt concrete. Where the existing structural section is greater than the replacement requirement, the structural section removed shall be replaced in kind. Prior to repaving the existing pavement shall be cut on a straight line to give a vertical face to pave against.
19. Damages to roads: Permittee agrees to repair in a manner satisfactory to the County of Santa Cruz any damages to the roads in the project area result from this work.
20. Trimming or removing trees: Trimming of trees will be permitted only in the manner authorized by permit. Trimming of trees required for overhead utility clearance may be performed without a permit. Attention is directed to the Tree Policy approved by the Board of Supervisors.
21. If the provisions of this permit are not complied with, the County reserves the right to do any and all work necessary to bring the road into a safe condition. The costs of this work will be charged to the permittee. The County will give a reasonable notice of its intentions to make such repairs.

JOB COPY

APPROVED BY THE COUNTY OF SANTA CRUZ

PUBLIC WORKS DEPARTMENT

DATE: 12/6/16 PERMIT NO. 16-189

ISSUED BY:

6146

6146

NOTICE: THESE PLANS AND SPECIFICATIONS MUST REMAIN ON THE JOB SITE UNTIL THEY HAVE BEEN APPROVED BY THE COUNTY ENGINEER. NO ALTERATIONS OR DEVIATIONS FROM THE PLANS OR SPECIFICATIONS SHALL BE MADE WITHOUT THE WRITTEN PERMISSION OF THE PUBLIC WORKS DEPARTMENT.

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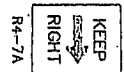
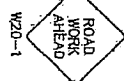
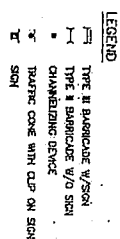
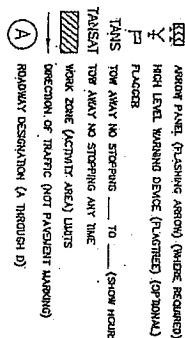
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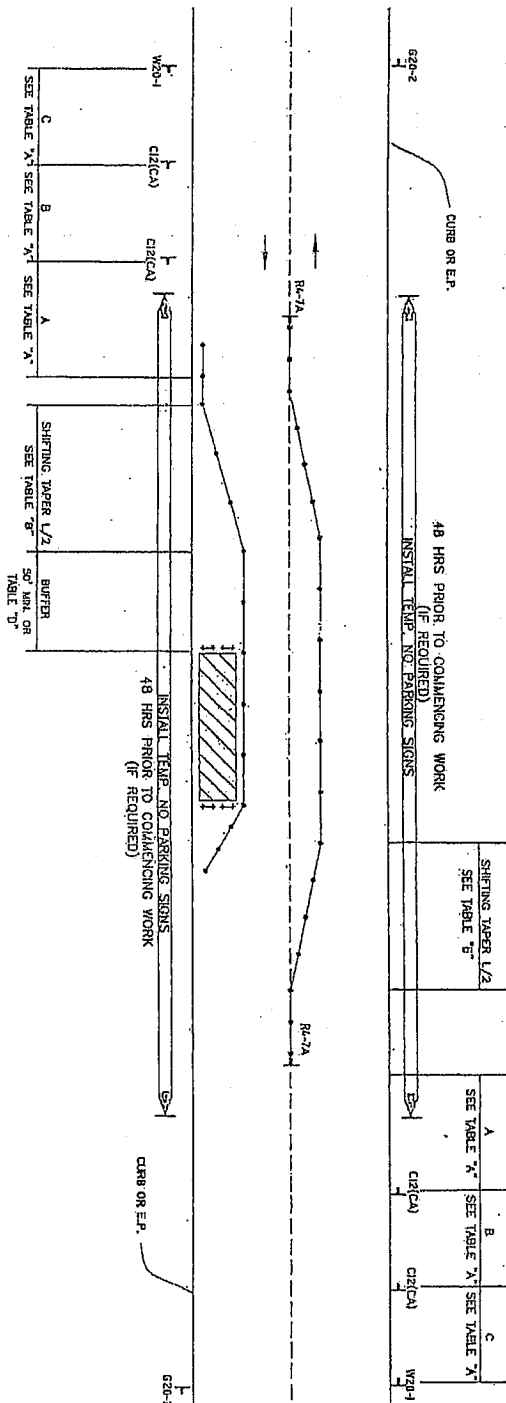
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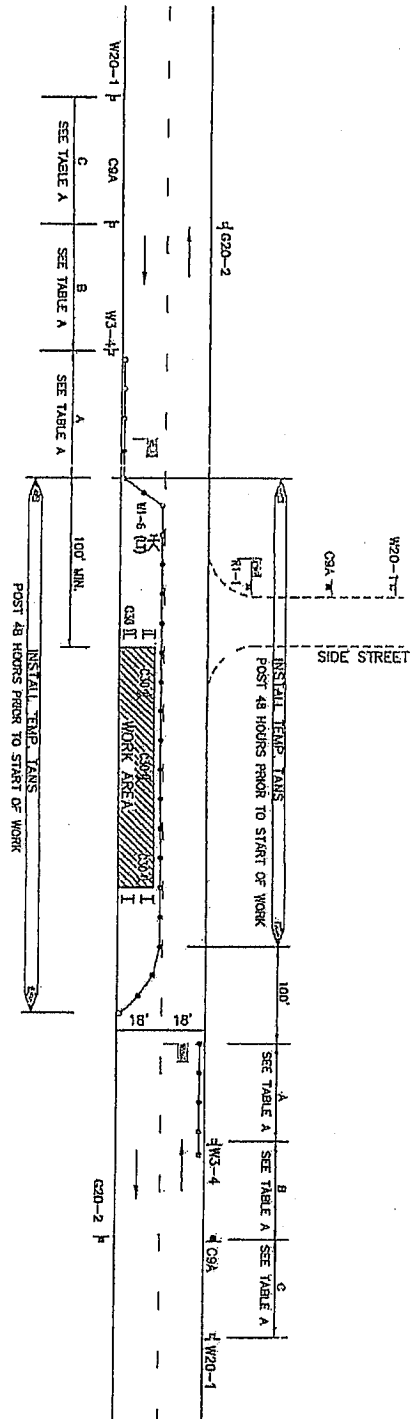
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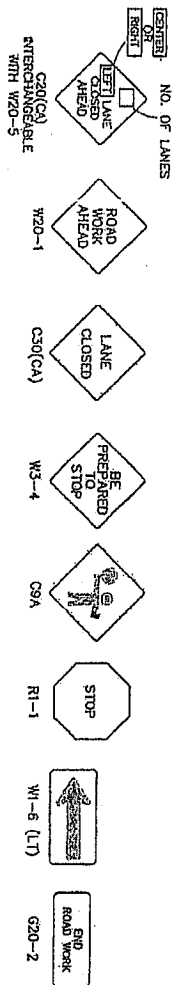
WORKSITE TRAFFIC CONTROL PLAN	
CENTER OF ROAD WORK AREA	
TWO LANE TRAFFIC CONTROL	
DATE	
TIME	
APPROX.	
LENGTH IN FEET	2





LEGEND

1. TOE II BARCODE V/S CH
 2. TYPE I BARCODE V/S SH
 3. CHANGING BARCODE
 4. TRAFFIC CODE WITH ALIP ON SIGN
 5. SIGN
 6. SPECIALIZED INTERSECTION
 7. ACCESS PANEL (FLUORESCENT ARROWS) (WHERE REQUIRED)
 8. HIGH LEVEL WARNING BELT (PULVERIZED) (PRODUCT)
 9. PLASMA
 10. TRANS THE LAMP NO STOPPING — TO — (KINDLY ADVISE)
 11. TRANSIT THE LAMP NO STOPPING ANY TIME
 12. WORK ZONE (LIMITING AREA) LANE
 13. DIRECTION OF TRAFFIC (NOT PASSENGER VEHICLES)
 14. ROADWAY CLOSURE (A, THROUGH 0)



MONTEAGUE HOUSE, 100
AND 101 JEFFERSON

DATES OF TELEPHONY NO. PYSKHOLO ZONE

WORKSITE TRAFFIC CONTROL PLAN
MIDDELOTH HALF STREET CLOSURE
FLAGGER CONTROL

	ADP/C
	Dental Fee /

MOBILE	DETAILS IN
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DATE: 7/21/78 IMPRINT NO. 13-083
 ISSUED BY: *John Woodward*
 SUBJECT: THREE PLANS AND SPECIFICATIONS
 FOR BUILDING OF THE COA STATE AT
 THE BEACHES
 WITH BEACHS NOT TO BE BURNED BY THE
 BEACHES PROTECTION OF THE PUBLIC BEACHES
 BEACHES

SC 32 & 33

SHEET NO. 4 OF 10

OFFICIAL RECEIPT

COUNTY OF SANTA CRUZ
SANTA CRUZ, CALIFORNIA

No. C 412151
Date 12/5/16

Received from HP COMMUNICATIONS INC
Address 13341 TEMESCAL CANYON RD CORONA CA
The Sum of SEVEN HUNDRED SEVENTY SIX Dollars \$ 776.⁰⁰
For ENCROACHMENT PERMIT 16-189

AUD 32

ORIGINAL-TO PAYEE

DPW
DEPARTMENT OR OFFICE
By [Signature]

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



W22a

Appeal Filed: 12/8/2016
49th Day: waived
Staff: Rainey Graeven - SC
Staff Report: 1/20/2017
Hearing Date: 2/8/2017

APPEAL STAFF REPORT: SUBSTANTIAL ISSUE DETERMINATION ONLY

Appeal Number: A-3-SCO-16-0102

Applicant: Crown Castle LLC (for Verizon Wireless)

Appellant: Sue Brown

Local Government: Santa Cruz County

Local Decision: Coastal Development Permit number 131058 approved by the Santa Cruz County Zoning Administrator on November 18, 2016.

Location: On a utility pole located in the County right-of-way on the seaward side of Seacliff Drive and adjacent to Seacliff State Beach property, just south of the intersection of Seacliff Drive, Santa Cruz Avenue, and Broadway in unincorporated Aptos in Santa Cruz County (APN 042-081-04).

Project Description: Installation of a microcell wireless communication facility (WCF) on a 43-foot-tall utility pole, including three four-foot-tall by one-foot-wide antennas mounted on top of a one-foot-tall pole height extension (for a total pole and antenna height of 53 feet), and related pole-mounted equipment, as part of a four microcell site distributed antenna system (DAS) in the Seacliff neighborhood of Aptos.

Staff Recommendation: No Substantial Issue

Important Hearing Procedure Note: This is a substantial issue only hearing. Testimony will be taken only on the question of whether the appeal raises a substantial issue. (*See generally* Title 14 California Code of Regulations (hereinafter, “CCR”) Section 13115.) Generally and at the discretion of the Chair, testimony is limited to three minutes total per side. Please plan your testimony accordingly. Only the Applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify. (*Id.* Section 13117.) Others may submit comments in writing. (*Id.*) If the Commission determines that the appeal does raise a substantial issue, the de novo phase of the hearing will occur at a future Commission meeting, during which the Commission will take public testimony. (*Id.* Section 13115(b).)

SUMMARY OF STAFF RECOMMENDATION

Santa Cruz County approved a coastal development permit (CDP) to construct a microcell WCF on an existing 43-foot tall utility pole including three four-foot-tall by one-foot-wide antennas mounted on top of a one-foot-tall pole height extension (for a total pole and antenna height of 53 feet) and related pole-mounted equipment in the Seacliff neighborhood of Aptos.

The Appellant contends that the approved project is inconsistent with Santa Cruz County Local Coastal Program (LCP) provisions related to allowable uses/prohibited areas, noticing, and visual resource protection/public access and recreation. After reviewing the local record, Commission staff has concluded that the approved project does not raise a substantial issue with respect to the project’s conformance with the Santa Cruz County LCP. While the County-approved project includes some minor deviations from the LCP’s requirements to be situated in the coastal right-of-way, the Applicant has adequately demonstrated through an alternatives analysis that the approved location is visually superior to the alternatives. Furthermore, the County-approved microcell WCF does not block public views, is a smaller microcell type unit, and is located over 500 feet from the bluff top. The project site is also located inland of adjacent trees and buildings, further reducing its visual prominence. Lastly, the County provided adequate notice consistent with the LCP’s noticing requirements, and the approved project will not result in adverse impacts to public access.

It should also be noted that the Applicant, Crown Castle, proceeded with installation of the fiber optic cables (wireless-related development) on the subject pole on December 10, 2016. Commission staff subsequently informed Crown Castle that any development at the site prior to Commission action and/or approval would be a violation under the Coastal Act and LCP. The Applicant subsequently confirmed the premature installation of the fiber optic cables. Commission staff directed that they should be removed immediately. As of the publication of this staff report, this potential violation has not been resolved and has been referred to the Commission’s enforcement division.

As a result, staff recommends that the Commission determine that the appeal contentions do not raise a substantial LCP conformance issue, and that the Commission decline to take jurisdiction over the CDP for this project. The single motion necessary to implement this recommendation is found on page 4 below.

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EXHIBITS

- Exhibit 1 – Project Site Map
- Exhibit 2 – Project Site Images and Photographic Simulations
- Exhibit 3 – County’s Final Local Action Notice
- Exhibit 4 – Appeal of Santa Cruz County’s CDP Decision
- Exhibit 5 – Applicable LCP Policies and Standards
- Exhibit 6 – Correspondence

I. MOTION AND RESOLUTION

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of no substantial issue would mean that the Commission will not hear the application de novo and that the local action will become final and effective. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: *I move that the Commission determine that Appeal Number A-3-SCO-16-0102 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603. I recommend a yes vote.*

Resolution to Find No Substantial Issue. *The Commission finds that Appeal Number A-3-SCO-16-0102 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.*

II. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION AND DESCRIPTION

The County-approved project is located in the County right-of-way on Seacliff Drive in the Seacliff community of Aptos in Santa Cruz County. The County-approved project site is located adjacent to the upper portion of Seacliff State Beach, which consists of an upper parking lot, a corporation yard and offices, the vehicular entrance to Seacliff State Beach, an open field, a staircase that goes down to the beach, benches for coastal viewing, and a number of trees. The Seacliff State Beach area adjacent to the project site is zoned P-R (Parks, Recreation, and Open Space).

The County-approved project entails the installation of a microcell wireless communication facility (WCF) on a 43-foot-tall utility pole, including three four-foot-tall by one-foot-wide antennas mounted on top of a one-foot-tall pole height extension (for a total pole and antenna height of 53 feet)¹, and related pole-mounted equipment (including a pole mounting platform, an approved power meter box, and radio frequency emission placards/signage that will be affixed to the pole no lower than 9'0" above ground line and no higher than 3'0" below the antenna. The placards/signage will be UVA resistant and will be attached to the pole with galvanized screws, etc.). The project is part of a four microcell site distributed antenna system (DAS) in the Seacliff neighborhood of Aptos.

¹ The FLAN notes that the existing pole is 48 feet; however, the project plans depict the existing pole as being only 43 feet. The projects plans do not denote the exact height of each component of the wireless-related development on the pole; however, the top of the existing pole is 43 feet and the top of the panel antennas reaches 52 feet and 10 inches (which has been rounded to 53 feet), adding a total of 10 feet to the existing pole height.

See **Exhibit 1** for a location map; see **Exhibit 2** for photographs of the site and surrounding area, as well as photo-simulations of the County-approved WCF; and see **Exhibit 3** for the approved project plans.

B. SANTA CRUZ COUNTY CDP APPROVAL

On November 18, 2016, the Santa Cruz County Zoning Administrator approved a Coastal Development Permit for the project. The Coastal Commission's Central Coast District Office received a legally sufficient Final Local Action Notice from the County on Tuesday, December 6, 2016 (see **Exhibit 3**). The Coastal Commission's ten-working-day appeal period for this action began on Wednesday, December 7, 2016 and concluded at 5 p.m. on Tuesday, December 20, 2016. One valid appeal (see below) was received during the appeal period.

C. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. (*See* Coastal Act Section 30603(a)(1)-(4).) In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. (*Id.* Section 30603(a)(5).) This project is appealable because it is located between the sea and the first through public road paralleling the sea and also because WCFs are not principally permitted uses in the right-of-way of the first through public road paralleling the sea.

The grounds for appeal under Section 30603 of the Coastal Act are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to consider a CDP for an appealed project de novo unless a majority of the Commission finds that "no substantial issue" is raised by such allegations.² Under Section 30604(b) of the Coastal Act, if the Commission conducts the de novo portion of an appeals hearing and ultimately approves a CDP for a project, the Commission must find that the proposed development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the

² The term "substantial issue" is not defined in the Coastal Act or in its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: the degree of factual and legal support for the local government's decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government's decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance. Even when the Commission chooses not to hear an appeal (by finding no substantial issue), appellants nevertheless may obtain judicial review of a local government's CDP decision by filing a petition for a writ of mandate pursuant to the Code of Civil Procedure, Section 1094.5.

sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) of the Coastal Act also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is located between the nearest public road and the sea and thus this additional finding would need to be made (in addition to a finding that the proposed development is in conformity with the Santa Cruz County LCP) if the Commission were to approve the project following a de novo hearing.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who opposed the project before the local government (or their representatives), and the local government. (Title 14 CCR Section 13117.) Testimony from other persons regarding the substantial issue question must be submitted in writing. (*Id.*) Any person may testify during the de novo CDP determination stage of an appeal (if applicable).

D. SUMMARY OF APPEAL CONTENTIONS

The Appellant contends that the County-approved project raises LCP consistency questions related to visual resource protection, public access, allowable uses, and noticing. The Appellant does not cite any specific LCP provisions. The Appellant's contentions rather broadly pertain to the following: 1) the project is inconsistent with the LCP's visual resource protection policies; 2) the County-approved WCF would deter public access through the upper portion of Seacliff State Beach and to the beach itself; 3) the project is located in an LCP prohibition area with respect to WCFs (from which one can infer that the Appellant is contending that the County did not make the necessary findings to approve a WCF in a prohibited area); and 4) that the project was not properly noticed at the local level. Please see **Exhibit 4** for the complete appeal contentions.

E. SUBSTANTIAL ISSUE DETERMINATION

Visual Resources/Public Access and Recreation³

The Appellant contends that the County-approved WCF is visually obtrusive, and that the equipment and associated signage would discourage people from accessing the adjacent Seacliff State Beach. The Appellant does not cite any specific LCP provisions; however, the contention most closely resembles a claim that the project is inconsistent with the LCP's visual resource protection policies and, relatedly, the LCP's public access and recreation policies.

The Santa Cruz County LCP is highly protective of: 1) coastal zone visual resources (particularly in regards to views from public roads); and 2) maximizing public access and recreational opportunities. Land Use Plan (LUP) Objective 5.10a seeks to identify, protect and restore the aesthetic values of visual resources; LUP Policies 5.10.3 and 5.10.6 require the protection and preservation of public and ocean vistas; and LUP Objective 7.7a requires maximizing public use and enjoyment of coastal recreation resources. See **Exhibit 5** for the LCP's applicable visual protection and public access objectives and policies.

The Applicant completed an alternatives analysis that evaluated nine different alternative

³ Given that the applicant's appeal contentions regarding visual resources and public access/recreation are closely intertwined, staff discussion of her allegations and these issues are also addressed together herein.

locations for the microcell WCF in this area, with the intent of selecting the least visually obtrusive alternative. Of the nine alternatives, most were eliminated as feasible alternatives because either they were located on utility poles that would be removed by PG&E as a part of a utility undergrounding project or they would not fill an existing gap in Verizon's coverage. The Applicant also determined that installing a new pole on the inland side of the right-of-way would result in greater adverse impacts to the public viewshed than using a pole on the seaward side of the right-of-way. Of the remaining alternatives, the selected alternative was found to result in the least adverse visual resource impacts because it is located relatively close to large trees and to the State Parks' corporation buildings. Staff concludes that it was reasonable for the County to consider the Applicant's alternatives analysis when it evaluated the proposed project's impacts to visual resources and ultimately approved the CDP for the development.

Furthermore, with respect to the protection of visual resources, while the County-approved microcell WCF is located on the seaward side of the first through public road and will increase the total height of the pole and associated equipment to 53 feet (from 43 feet), the project site is located over 500 feet from the bluff top and ocean views are not immediately visible from the street where the subject pole is located. In addition, the upper portion of Seacliff State Beach is located directly seaward of the subject site. Thus the view seaward from the site includes: several State Parks' corporation buildings (which are directly adjacent to and seaward of the subject pole); two large trees located just southwest of the subject pole; a large parking lot located southwest of the subject pole; an open field located southeast of the subject pole, and several benches for ocean viewing along the bluff top (see **Exhibit 2** for photos of the project site). Given the plethora of development located seaward of the project site, the fact that the ocean is not visible from the project site, and that public views from the benches and other areas on the upper portion of Seacliff State Beach will not be impacted by the project, the Commission finds that the County-approved WCF and related development that will be placed on the existing utility pole does not raise a substantial issue of LCP conformance with respect to visual resources.

With respect to the County-approved development's consistency with the LCP's public access provisions, the Appellant contends that signage placed on the pole will discourage the public from entering the upper portion of Seacliff State Beach. However, while the microcell-related development does include signage to be placed on the pole to inform the public of radio-frequency emissions, the signage will merely accurately note that the emitted radio frequency emissions are well within the federally-allowable limits. Moreover, wireless communication related development is commonplace, and nothing unique to this microcell WCF approval will discourage the public from accessing the coast through the upper portion of Seacliff State Beach. For these reasons, the County-approved project does not raise a substantial issue of LCP conformance with respect to public access.

WCF in the Coastal Right-of-Way

The Appellant broadly contends that the County-approved microcell WCF is not allowable at the approved location, although she does not cite any LCP provisions to support her claim (see **Exhibit 4**). The County's LCP restricts where WCFs (including microcell units such as this one) may be placed in an effort to minimize any adverse coastal resource impacts, including impacts to visual resources. As a way of limiting adverse visual resource impacts, the LCP explicitly

prohibits WCFs along the seaward side of the coastal right-of-way (i.e., the seaward side of the County right-of-way of the first through public road paralleling the sea) unless a Federal Telecommunications Act (FTA) Exception is approved. If an FTA Exception is approved, then the WCF must also meet all of the additional findings and requirements necessary to approve a WCF in the coastal right-of-way (i.e: either the seaward or landward side of the County right-of-way along the first through public road paralleling the sea); *and* comply with the remainder of the Wireless Ordinance, specifically Implementation Plan (IP) Sections 13.10.660 through 13.10.668 including by: 1) co-locating the WCF (i.e., by placing it in on an existing utility pole); 2) completing an alternatives analysis, consistent with the requirements of IP Section 13.10.662(C); and 3) making the standard required findings for WCFs established in IP Section 13.10.665 (see **Exhibit 5** for the cited LCP provisions).

In order to grant an FTA Exception (IP Section 13.10.668) the applicant is required to prove that the application of IP Sections 13.10.660 through 13.10.668 with respect to the locational prohibition of WCFs “would be in violation of the Federal Telecommunications Act and that no alternatives exist which would render the approval of a Telecommunications Act exception unnecessary.” In this case, the County did not grant an FTA Exception to allow the microcell WCF in the otherwise prohibited seaward coastal right-of-way.

Per IP Section 13.10.661(C)(2), in order to approve a WCF within the restricted coastal right-of-way (either the seaward ore landward side of the coastal right-of-way) the WCF must: 1) be a microcell unit; 2) be mounted upon an existing utility pole; 3) have antennas that are no more than 24 inches high, 18 inches wide, and 10 inches deep; 4) be camouflaged to be as visually inconspicuous as possible. Furthermore: 5) the applicant must demonstrate that locating the WCF on the seaward side of the right-of-way would result in less visual impact than if it were located on the inland side of the right-of-way; and 6) the County must include a condition of approval stating that if PG&E ever plans to remove the pole in the future, then all wireless communication devices will also need to be removed and the site shall be restored.

The County-approved microcell WCF meets the following requirements to approve a WCF in the prohibited coastal right-of-way: 1) it is co-located on an existing utility pole⁴; 2) it is of the microcell type; 3) the Applicant demonstrated that locating the WCF on the seaward right-of-way would result in less visual impact compared to locating the WCF along the inland right-of-way through its alternatives analysis; and 4) the County’s approval includes a condition requiring any wireless-related development to be removed and the site to be restored if PG&E ever removes the pole in the future (see **Exhibit 3**). However, the County-approved WCF *does not* comply with either IP Sections 13.10.661(C)(2)(ii) or (iv). Specifically IP Section 13.10.661(C)(2)(ii) requires that the WCF “shall have antennas no larger than one foot by two feet that are flush mounted and of a color that blends with that of the supporting utility pole;” meanwhile, IP Section 13.10.661(C)(2)(iv) requires that the WCF “be fully camouflaged through

⁴ The utility pole was installed by PG&E in October as a part of an undergrounding project. While it may seem counter-intuitive that a new utility pole would be installed as a part of an undergrounding project, this pole is located at the terminus of the current undergrounding project and is necessary in order to provide utilities to both the recently undergrounded area and an adjacent neighborhood area where the utilities have not yet been placed underground.

stealth techniques to render the facility as visually inconspicuous as possible” (see **Exhibit 5** for these IP sections). These WCF size restrictions and camouflaging requirements are intended to protect coastal views. In this case, however, the County-approved WCF’s antennas are four feet tall by one foot wide, which is a full two feet taller than the maximum allowable at this location. Also, the WCF and its associated equipment have not been camouflaged or rendered visually inconspicuous. Thus, the County-approved microcell WCF does not comply with all of the necessary requirements in order to be approved on the prohibited seaward side of the coastal right-of-way.

Ideally the County would have required the antennas to be no more than two feet tall and also required the WCF to be camouflaged. However, these technical LCP inconsistencies do not rise to the level of a substantial issue of LCP conformance considering the actual facts of the situation in relation to the policies underlying the LCP provisions. As noted in more detail in the “Visual Resources/Public Access and Recreation” section above, even though the County-approved WCF is situated in the seaward side of the coastal right-of-way, requiring additional findings in order to be approved, the project will not create adverse visual impacts including because: 1) it is located over 500 feet from the bluff top; 2) there are trees and State Park corporation offices in the vicinity and seaward of the WCF; 3) coastal views are not immediately visible from the road right-of-way where the WCF has been approved; and 4) public views from benches and other areas on the upper portion of Seacliff State Beach will not be impacted by the project. As stated above, the LCP’s size restrictions and camouflaging requirements regarding WCFs in coastal right-of-ways are intended to protect important coastal views. However, for the above-stated reasons, although the County-approved microcell WCF does not conform to all of the sizing and camouflaging requirements set forth in the LCP, the Commission finds that the approved project does not rise to the level of a “substantial issue” given the limited coastal views⁵ in the project site area.

Finally, the County-approved WCF complies with the remainder of the County’s Wireless Ordinance (i.e., IP Sections 13.10.660 through 13.10.668) including because: 1) the WCF is co-located on an “existing” utility pole; and 2) the Applicant completed an alternatives analysis (see further discussion below) consistent with the requirements of IP Section 13.10.662(C). Despite inconsistencies with certain requirements necessary to approve a WCF in the seaward coastal right-of-way, the County-approved development does not raise any *substantial* LCP-consistency questions with respect to allowable uses/prohibited areas because, in this case, locating the WCF in an LCP-prohibited location will not result in any significant impacts and because all other LCP requirements and findings were met. Thus, the Commission finds that the County-approved WCF does not raise a substantial issue of LCP conformance with respect to the placement of a WCF in the coastal right-of-way.

Noticing

The Appellant broadly contends that the County did not provide adequate notice for the project (see **Exhibit 4** for the appeal contentions). While the Appellant’s contentions on this issue are

⁵ If a WCF project similar to the one that is the subject of this appeal was to be situated in the coastal right-of-way along the largely undeveloped North Coast of Santa Cruz County or in any other coastal right-of-way in the County with significant public coastal views, the Commission’s findings regarding such a project would likely result in a different conclusion.

rather vague, it can be inferred that the Appellant contends that insufficient notices were mailed regarding the November 18, 2016 Zoning Administrator hearing. The Appellant specifically notes that several of her neighbors were not noticed. However, the appeal document does not specify which neighbors at which addresses did not receive notice. Although the County states that it noticed all residents and occupants within 1000 feet of the project site (see **Exhibit 6**), this has been found to not be entirely accurate.⁶ Regardless, per IP Section 18.10.223(A)(3) (see **Exhibit 5**), the County is only required to notice all owners of property located within 300 feet of the exterior boundaries of the subject project site and all lawful occupants living within 100 feet of the subject property. In this case, it is somewhat unclear how the noticing requirements should apply because the development is not sited on a parcel; rather it is sited in the County right-of-way. Nevertheless, the more conservative read of the noticing requirements requires the County to notice all owners of property within 300 feet of the subject pole and all lawful occupants living within 100 feet of the subject pole. Commission staff has confirmed that the County did adequately notice all legal occupants living within 100 feet of the subject pole and all owners of property located within 300 feet of the subject pole. Furthermore, in addition to the mailed notices, the pole was posted with a “Notice of Proposed Development” placard when the application was deemed complete at the County (even though this is not required by the LCP), and a separate hearing placard was posted on the pole ten days prior to the November 18, 2016 Zoning Administrator hearing, consistent with the requirements of IP Section 18.10.223(2) (see **Exhibit 6**). Because mailed notices were sent to all owners of property within 300 feet of the subject pole and to all lawful occupants living within 100 feet of the subject pole; and because a notice was placed on the pole ten days prior to the Zoning Administrator hearing, the County properly provided notice of the project as required by the LCP, and therefore this contention does not rise to the level of a substantial issue.

F. CONCLUSION

When considering a project that has been appealed to it, the Commission must first determine whether the project raises a substantial issue of LCP conformity, such that the Commission should assert jurisdiction over a de novo CDP for such development. At this stage, the Commission has the discretion to find that the project does not raise a substantial issue of LCP conformance. As explained above in footnote 1, the Commission is guided in its decision of whether the issues raised in a given case are “substantial” by the following five factors: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the County; the significance of the coastal resources affected by the decision; the precedential value of the County’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance.

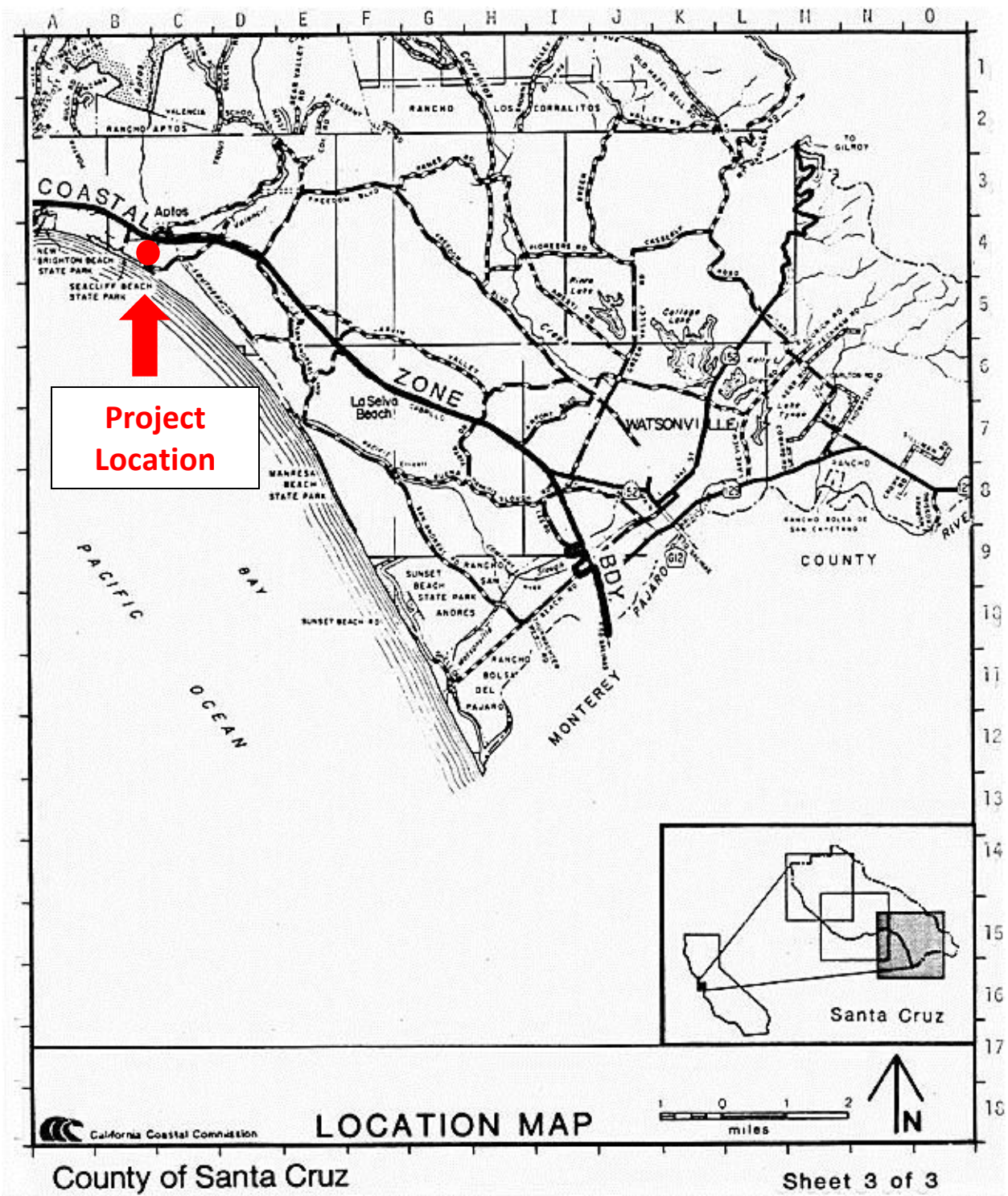
In this case, these five factors, considered together, support a conclusion that this project does not raise a substantial issue of LCP conformance. Regarding the first factor, although the County-approved project is located within the restricted coastal right-of-way and does not meet all of the LCP’s technical requirements regarding size and camouflaging for this location, the

⁶ One address (203 Santa Cruz Avenue) was not included in the County’s 1,000-foot mailing list. However, this property owner was noticed at an alternate P.O. Box location.

Applicant adequately demonstrated through the preparation of a thorough alternatives analysis that, considering the facts on the ground, the County-approved location would result in the least adverse impacts to visual resources. Therefore, although the County's decision does not have fully-adequate legal support, it does have substantial factual support. With respect to noticing of the approved development, the County's decision has full legal and factual support. Regarding the second factor, the extent and scope of the development is relatively minor considering that the approval allows a height extension of an existing utility pole from 43 feet to 53 feet (constituting an approximately 10 foot height increase for the antennas and the antenna mounting kit). Moreover, the wireless-related development does not substantially increase the bulk or massing of the existing utility pole. Regarding the third factor, the significance of coastal resources affected by the project approval are relatively minor: the development does not block any public views given that the ocean is not visible from the project site; the project site is located over 500 feet from the bluff top; and there are a number of preferred coastal view areas located seaward of the project site. Regarding the fourth factor, the precedential value of the County's decision for future interpretations of its LCP is relatively significant, though this precedential value is tempered by the fact that this staff report clearly identifies the flaws in the County's approval of this development under relevant LCP policies. That being said, hopefully the County will correctly apply these policies going forward. Regarding the fifth factor, this appeal raises only local issues of concern, rather than those of regional or statewide significance because the identified LCP inconsistencies are strictly a matter of specific requirements set forth in the County's LCP and wireless ordinance. The LCP inconsistencies do not implicate any broader regional or statewide issues for coastal resources.

Lastly, with respect to the associated violation (i.e.: the premature installation of the fiber optic cable), if the Commission ultimately finds no substantial issue with respect to this appeal, the after-the-fact development (the fiber optic cable) would be recognized by the County's approval. However, it should be noted that a "no substantial issue" action by the Commission does not constitute a waiver of its rights to seek enforcement of any potential or alleged violation for unpermitted development associated with the development that is the subject of this appeal.

For the reasons stated above, in totality the Commission finds that Appeal Number A-3-SCO-16-0102 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.



Visual Simulations



Proposed Site



Alternate Site

Existing Pole



Existing Pole



NOTICE OF FINAL LOCAL ACTION ON COASTAL PERMIT

County of Santa Cruz

Date of Notice: Dec. 2, 2016

Notice Sent (via certified mail) to:
California Coastal Commission
Central Coast Area Office
725 Front Street, Ste. 300
Santa Cruz, CA 95060

RECEIVED

DEC - 6 2016

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

FINAL LOCAL ACTION NOTICE

REFERENCE # 3-SCO-16-1168
APPEAL PERIOD 12/7/16 - 12/20/16

Please note the following **Final Santa Cruz County Action** on a coastal permit, coastal permit amendment or coastal permit extension application (all local appeals have been exhausted for this matter):

Project Information

Application No.: 131058

Project Applicant: Sharon James, Crown Castle LLC
Address: 695 River Oaks Parkway, San Jose, CA
Phone/E-mail: (408) 426-7439 / Sharon.James@crowncastle.com

Project Location: In County right-of-way along Seacliff Dr. in Aptos, adjacent to APN 042-081-04

Project Description: Proposal to install a microcell wireless communication facility on an existing 48-foot tall utility pole, including three 48" tall by 12" wide antennas mounted on top of a 1-foot tall pole height extension (for a total height of 53-feet), and related pole-mounted equipment, as part of a 4 microcell site distributed antenna system (DAS) in the Seacliff neighborhood of Aptos. (Crown Castle location ID #AP36).

Final Action Information

Final Local Action: Approved with Conditions

Final Action Body:

- ☐ Administrative Approval
☒ Zoning Administrator

- ☐ Planning Commission
☐ Board of Supervisors

Required Materials Supporting the Final Action	Enclosed	Previously sent (date)
Staff Report	X	
Adopted Findings	X	
Adopted Conditions	X	
Site Plans	X	
Elevations	X	

Additional Materials Supporting the Final Action	Enclosed	Previously sent (date)
CEQA Document	X	
Geotechnical Reports	n/a	
Biotic Reports	n/a	
Other:		
Other:		

Coastal Commission Appeal Information

- ☐ This Final Action is Not Appealable to the California Coastal Commission, the Final County of Santa Cruz Action is now effective.
- ☒ This Final Action is appealable to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission Central Coast Area Office in Santa Cruz; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Central Coast Area Office at the address listed above, or by phone at (831) 427-4863.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Interested parties who requested mailing of notice



Staff Report to the Zoning Administrator

Application Number: **131058**

Applicant: Sharon James, Crown Castle LLC (for Verizon) **Agenda Date:** November 18, 2016

Owner: County of Santa Cruz (Dept. of Public Works) **Agenda Item #:**

APN: N/A (in County Right-of-Way) **Time:** After 9:00 a.m.

Project Description: Proposal to install a microcell wireless communication facility on an existing 48-foot tall utility pole, including three 48" tall by 12" wide antennas mounted on top of a 1-foot tall pole height extension (for a total height of 53-feet), and related pole-mounted equipment, as part of a 4 microcell site distributed antenna system (DAS) in the Seacliff neighborhood of Aptos. (Crown Castle location ID #AP36).

Location: Project is located in County right-of-way adjacent to APN 042-081-04, just south of the intersection of Seacliff Dr./Broadway and Santa Cruz Ave. (on west side of Seacliff Dr.).

Supervisory District: 2nd District (District Supervisor: Zach Friend)

Permits Required: Requires a Commercial Development Permit and a Coastal Development Permit.

Technical Reviews: N/A

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application **131058**, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Location, Zoning and General Plan Maps |
| B. Findings | F. Alternatives Analysis |
| C. Conditions | G. Photo-Simulations |
| D. Project plans | H. RF Report |

Parcel Information

Parcel Size: N/A – project located in County right-of-way
Existing Land Use – Parcel/Site: Grassy strip, on-street parking, utility pole line
Existing Land Use - Surrounding: State Parks corporation yard, single family residential across street (Seacliff Dr.)
Project Access: Take State Park Dr. exit off Hwy. 1 south, turn right at end of ramp, then left on Center and right on Broadway to intersection with Santa Cruz Ave. Subject pole is approx. 120-feet south of intersection on right (west) side of Seacliff Dr. in County right-of way.
Planning Area: Aptos
Land Use Designation: PR (Parks, Recreation and Open Space)
Zone District: O-R (Parks, Recreation and Open Space)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: N/A
Sewage Disposal: N/A
Fire District: Aptos/La Selva FPD
Drainage District: Zone 6

History

There have not been other development applications proposed for this particular utility pole in the past, which has only recently been installed by PG&E as part of the ongoing undergrounding of overhead utility wires (i.e., "Rule 20") in Seacliff Village.

Project Setting

The subject utility pole is located next to the shoulder portion of Seacliff Drive, on the seaward (west) side of a County right-of-way area that is zoned P-R (Parks, Recreation and Open Space). The two parcels directly across the street (Seacliff Dr.) to the east are zoned R-1-4 (Single-Family Residential - 4,000 sq. ft. per unit/parcel) and contain a two-story single family residence, and a one-story single-family residence, respectively. The parcel to the west is owned by California State Parks and contains the upper parking lot, corporation yard and offices for Seacliff State Beach.

Zoning & General Plan Consistency

The subject County right-of-way area is located in the P-R (Parks, Recreation and Open Space) zone district, a designation which allows Wireless Communications Facilities (WCFs) such as the proposed Distributed Antenna System (DAS) node microcell installation. The proposed DAS node/microcell WCF is a principal permitted use within the zone district and the zoning is consistent with the site's (O-R) Parks, Recreation and Open Space General Plan designation. However, because this location is in an area of right-of-way that is part of the first public through road from the coastline, it is considered to be within the Restricted Coastal Right-of-Way Area (as per County Code Sec. 13.10.661(C)(2)), in which microcells such as the proposed project are an allowed use if they are sited on the inland side of the right-of-way. Microcells are only allowed on the seaward side of the Restricted Coastal Right-of-Way (as proposed in this case) if the applicant can show, in an Alternatives Analysis, that there are no existing poles on the inland side of the right-of-way, or elsewhere outside a "prohibited" area for WCFs (i.e., the surrounding neighborhood is R-1 zoned and thus is a "prohibited" area), and that installing a new pole on the inland side would result in a greater visual impact than the proposed seaward-side location. The applicant has submitted an Alternatives Analysis that demonstrates that this is the case, and therefore that the proposed location meets this Code requirement.

Local Coastal Program Consistency

As noted above, the proposed DAS node/microcell is in conformance with the County Zoning Code, which is part of the County's certified Local Coastal Program (LCP). Moreover, the project is consistent with the LCP in that it is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain State Parks office and corporation yard buildings, and single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is compatible with the existing range of styles. While the project site is located between the shoreline and the first public road, it conforms to the requirements of the Restricted Coastal Right-of-Way Area requirements in that the applicant has submitted an Alternatives Analysis that demonstrates that that there are no existing poles on the inland side of the right-of-way (or elsewhere outside a prohibited area) and that installing a new pole on the inland side would result in a greater visual impact than the proposed seaward-side location. Moreover, the site is not identified as a priority acquisition site in the County's LCP, nor will the proposed project interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed DAS node/microcell complies with the requirements of the County Design Review Ordinance, in that the proposed project will be visually inconspicuous and will have minimal visual impact on surrounding land uses and the natural landscape.

Radio Frequency Emissions

A radio frequency (RF) radiation emissions calculation report has been prepared for this project by a qualified consulting engineer. The proposed facility is calculated to result in a maximum ambient RF level of no more than 0.66% of the applicable FCC public exposure limit at ground level, and 2.4% of that limit at the second floor level of the nearest 2-story structure.

Environmental Review

Staff has determined that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) because it qualifies as "New Construction or Conversion of a Small Structure" (Class 3, Section 15303). The CEQA Categorical Exemption form is attached as Exhibit D.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **131058**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Frank Barron, AICP
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2530
E-mail: frank.barron@co.santa-cruz.ca.us

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 131058

Assessor Parcel Number: N/A (in County Right-of-Way)

Project Location: Adjacent to APN 042-081-04 on Seacliff Dr. in Seacliff area of Aptos, CA

Project Description: Proposal to install a microcell wireless communication facility ("AP36") on an existing utility pole, including antennas and related equipment, as part of a 4 microcell site distributed antenna system (DAS) in the Seacliff neighborhood of Aptos.

Person or Agency Proposing Project: Sharon James, Crown Castle LLC

Contact Phone Number: (408) 468-5553

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ Categorical Exemption

Specify type: 3 - New Construction or Conversion of Small Structure (Section 15303)

F. Reasons why the project is exempt:

Construction of a microcell wireless communication facility on an existing utility pole is not anticipated to generate any environmental impacts.

In addition, none of the conditions described in Section 15300.2 apply to this project.


Frank Barron, Project Planner

Date: 11/18/16

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the County right-of-way (ROW) site is zoned P-R (Parks, Recreation and Open Space), a designation which allows DAS node/microcell uses. The proposed DAS node/microcell is a principal permitted use within the zone district, and the zoning is consistent with the site's O-R (Parks, Recreation and Open Space) General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of visual impact; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made in that the project, while being located between the shoreline and the first public road, will in no way hinder public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. Additionally, DAS node/microcell uses are allowed uses in the P-R (Parks, Recreation and Open Space) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings, and State Parks office/corporation yard uses. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range of styles.

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in a zone district designated for Wireless Communication Facility, including DAS node/microcell, uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed DAS node/microcell will not deprive adjacent properties or the neighborhood of light, air, or open space.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the DAS node/microcell and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the P-R (Parks, Recreation and Open Space) zone district as the proposed DAS node/microcell will meet the applicable site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed DAS node/microcell use is consistent with the use and density requirements specified for the Parks, Recreation and Open Space (O-R) land use designation in the County General Plan.

The proposed DAS node/microcell will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets the applicable site and development standards for the zone district, and the DAS node/microcell will not adversely shade adjacent properties.

The proposed DAS node/microcell will be properly proportioned to the utility pole and will fit in with the character of the neighborhood, which contains numerous similar utility poles. The proposed DAS node/microcell will comply with the applicable site standards for the P-R zone district (including height) and will result in a structure consistent with a design that could be approved on any similar utility pole in the vicinity.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed DAS node/microcell is to be constructed on an existing utility pole, and will not overload the pole structurally, nor will it overload the electric

Application #: 131058
APN: N/A (in County Right-of-Way)
Owner: County of Santa Cruz

capacity of PG&E's network. Nor will it overload the land line telephone network, as the proposed DAS will be connected to a newly installed high capacity fiber optic overhead cable network. There will be no additional traffic generated by the proposed project.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed DAS node/microcell is not inconsistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed DAS node/microcell will be of an appropriate scale and type of design that will not diminish the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Wireless Communication Facility Use Permit Findings

1. The development of the proposed wireless communications facility (WCF) as conditioned will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan/LCP Sections 5.1, 5.10, and 8.6.6.), and/or other significant County resources, including agricultural, open space, and community character resources; or there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed wireless communications facility as conditioned (including alternative locations and/or designs) with less visual and/or other resource impacts and the proposed facility has been modified by condition and/or project design to minimize and mitigate its visual and other resource impacts.

This finding can be made, in that the proposed WCF is of the microcell type which, due to its small size and co-location onto an existing utility pole, is the least visually obtrusive type of WCF. Moreover, its installation and use in a road right-of-way will not impact any sensitive habitat resources or other significant County resources, including agricultural, open space, and community character resources. Finally, there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed microcell designs that have less visual and/or other resource impacts.

2. The site is adequate for the development of the proposed wireless communications facility and, for sites located in one of the prohibited and/or restricted areas set forth in Sections 13.10.661(b) and 13.10.661 (c), that the applicant has demonstrated that there are not environmentally equivalent or superior and technically feasible: (1) alternative sites outside the prohibited and restricted areas; and/or (2) alternative designs for the proposed facility as conditioned.

This finding can be made, in that the proposed DAS node/microcell is to consist of antennas mounted upon an existing utility pole in the County right-of-way, an area where numerous utility poles are already located. Microcell WCF installations co-located on existing utility poles, such as these, are encouraged in the WCF Ordinance as the preferred WCF design, due to their relatively inconspicuous nature. Because this location is in an area of right-of-way that is part of the first public through road from the coastline, and it is considered to be within the Restricted Coastal Right-of-Way Area (as per County Code Sec. 13.10.661(C)(2)), in which microcell such as the proposed project are an allowed use if they are sited on the inland side of the right-of-way. Microcell are only allowed on the seaward side of the Restricted Coastal Right-of-Way if the applicant can show, in an Alternatives Analysis, that that there are no existing poles on the inland side of the right-of-way (or elsewhere outside a prohibited area), and that installing a new pole on the inland side would result in a greater visual impact than the proposed seaward-side location. The applicant has submitted an Alternatives Analysis that demonstrates that this is the case, and therefore that the proposed location meets this Code requirement.

3. The subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this title (County Code 13.10.660) and that all zoning violation abatement costs, if any, have been paid.

This finding can be made, in that the existing infrastructure uses of the subject right-of-way are in compliance with the requirements of the zone districts and General Plan designations, in which they are located, and that there are no outstanding or unpaid zoning violation abatement costs.

4. The proposed wireless communication facility as conditioned will not create a hazard for aircraft in flight.

This finding can be made, in that the proposed microcell WCF will be located on an approximately 48-foot tall existing utility pole (53-ft. with antennas), the top of which is at a height too low to interfere with the observed height of aircraft from nearby airports.

5. The proposed wireless communication facility as conditioned is in compliance with all FCC and California PUC standards and requirements.

This finding can be made, in that the maximum ambient RF levels at ground level due to the proposed WCF operations are calculated to be no more than 0.66% of the most restrictive applicable (i.e., FCC) limit, and only 2.4% of that limit at the nearest second story level.

6. For wireless communication facilities in the coastal zone, the proposed wireless communication facility as conditioned is consistent with the all applicable requirements of the Local Coastal Program.

This finding can be made, in that the proposed microcell wireless communication facility is designed and located in a manner that will minimize potential impacts to scenic and biotic resources, and that the construction of the proposed facility will not impede access to the beach or other recreational resources.

Conditions of Approval

Exhibit D: Project Plans, 8 sheets, prepared by HP Communications, Inc., revised 8/10/16

- I. This permit authorizes the construction of a microcell wireless communication facility (location ID #AP36) on an existing 48-foot tall utility pole, including three 48" tall by 12" wide antennas mounted on top of a 1-foot tall pole height extension, and related pole-mounted equipment, as part of a 4 microcell site distributed antenna system (DAS) in the Seacliff neighborhood of Aptos. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject site that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.

Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all work performed in the County road right-of-way.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review

and approval.

2. Details showing compliance with any fire department requirements, as applicable.
 - B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Beach Fire Protection District.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
 - B. The wireless communication facility may not be connected to a power source or operated until a final inspection and clearance from the Santa Cruz County Planning Department has been received.
 - C. The use of temporary generators to power the wireless communication facility is not allowed.
 - D. The exterior finish and materials of the wireless communication facility must be

maintained on an annual basis to continue to blend with the existing trees and utilities infrastructure. Additional paint and/or replacement materials shall be installed as necessary to blend the wireless communication facility with the existing trees and utilities infrastructure to maintain visual appearance as approved.

- E. The operator of the wireless communication facility must submit within 90 days of commencement of normal operations (or within 90 days of any major modification of power output of the facility) a written report to the Santa Cruz County Planning Department documenting the measurements and findings with respect to compliance with the established Federal Communications Commission (FCC) Non-Ionizing Electromagnetic Radiation (NEIR) exposure standard. The wireless communication facility must remain in continued compliance with the NEIR standard established by the FCC at all times. Failure to submit required reports or to remain in continued compliance with the NEIR standard established by the FCC will be a violation of the terms of this permit.
- F. If, in the future, the pole based utilities are relocated underground at this location, the operator of the wireless communication facility must abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding natural landscape.
- G. If, as a result of future scientific studies and alterations of industry-wide standards resulting from those studies, substantial evidence is presented to Santa Cruz County that radio frequency transmissions may pose a hazard to human health and/or safety, the Santa Cruz County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the conditions of this permit.
- H. If future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the operator of the wireless communication facility must make those modifications which would allow for reduced visual impact of the proposed facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the operator of the wireless communication facility must abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding natural landscape.
- I. Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny the modification or amend the approved conditions at that time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
- J. Transfer of Ownership: In the event that the original permittee sells its interest in the permitted wireless communications facility, the succeeding carrier shall

assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval, including proof of liability insurance. Within 30-days of a transfer of ownership, the succeeding carrier shall provide a new contact name to the Planning Department.

- K. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning

Application #: 131058
APN: N/A (in County Right-of-Way)
Owner: County of Santa Cruz

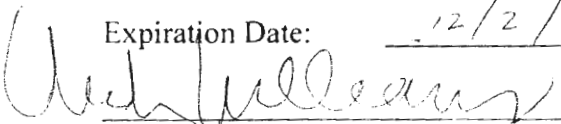
Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: 11/18/16

Effective Date: 12/2/16

Expiration Date: 12/2/19



Wanda Williams
Deputy Zoning Administrator



Frank Barron, AJCP
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

A COPY OF ALL REQUIRED PERMITS MUST BE PRESENT DURING ANY WORK ON THE LOCATION AND PERFORMING WORK AT THIS LOCATION INDICATES THAT THE CONTRACTOR HAS READ AND COMPLIED WITH THE REQUIREMENTS STATED IN THE PERMITS



**CROWN
CASTLE**

Call Before you Dig!



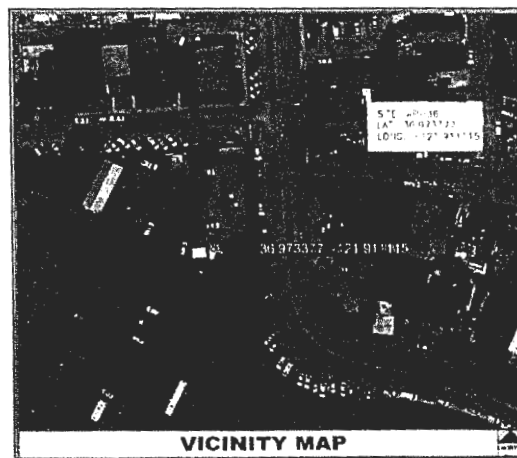
Know what's below.
Call before you dig.
Call 811 Before you Dig!

ALL NEW SUBSTANCES SHALL BE REFORMULATED AND INSTALLED TO CONFORMANCE WITH THE CURRENT REQUIREMENTS OF THE COMPANY CODES AS ADOPTED BY THE LOCAL GOVERNMENT. IT IS THE POLICY OF THE COMPANY TO BE IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS AND REGULATIONS TO THE MAXIMUM EXTENT POSSIBLE.

PROPERTY INFORMATION

CUSTOMER	BROWN CASTLE
PROJECT	JEANETTE
TYPE	APR 16 84
DATE OF	12 01 85
LONGITUDE	22 25 55 N
POST ADDRESS	BROWN CASTLE AND SAINT JOHN
CITY STATE	CHERRY LAKE MISSISS
PHONE	618-430-2601
MAP CENTER	11 41 40 000 E
UNITS AND BEAMS	11 41 40 000 E
ANTENNA TYPE	VERTICAL
APPROXIMATE WIND	43 120 260
POWER TO POWER	NONE
POWER LOCATION	STREET SIDE
POLE LOCATION	BRANDWASH AND SAINT JOHN
POLE TYPE	11 41 40 000 E

PROJECT SUMMARY



PROJECT DESCRIPTION

THE PROJECT COVERING THE INSTALLATION AND OPERATION OF WIRELESS EQUIPMENT AND ANTENNAS FOR COMMERCIAL, NAVAL AND EXISTING WOOD UTILITIES.

PROJECT SCOPE

INSTALL WIRELESS EQUIPMENT AND ANTENNAS AND ALL ASSOCIATED BRACKETRY IN ACCORDANCE TO CONSTRUCTION SPECIFICATIONS, REARRANGE ANY EXISTING FACILITIES IN ACCORDANCE TO MOVING CONSTRUCTION COLLECTORS.

SHEET INDEX

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND LOCATIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT, IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. THE ARCHITECT SHALL BE THE NAME



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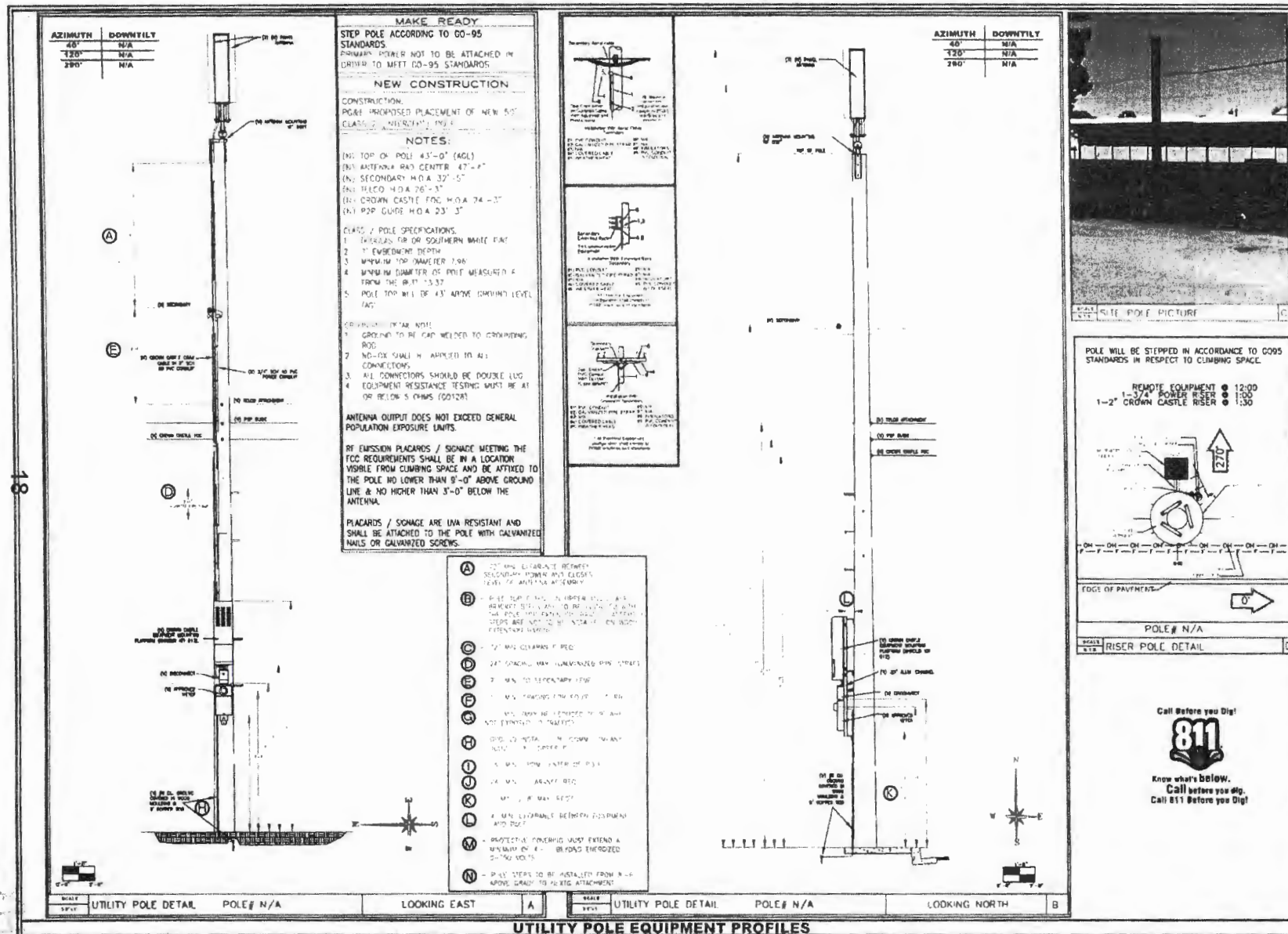
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NODE AP34 A4
BROADWAY AND SANTA CRUZ AV
APTOS. CA 95001

HIP COMMUNICATIONS
INC.

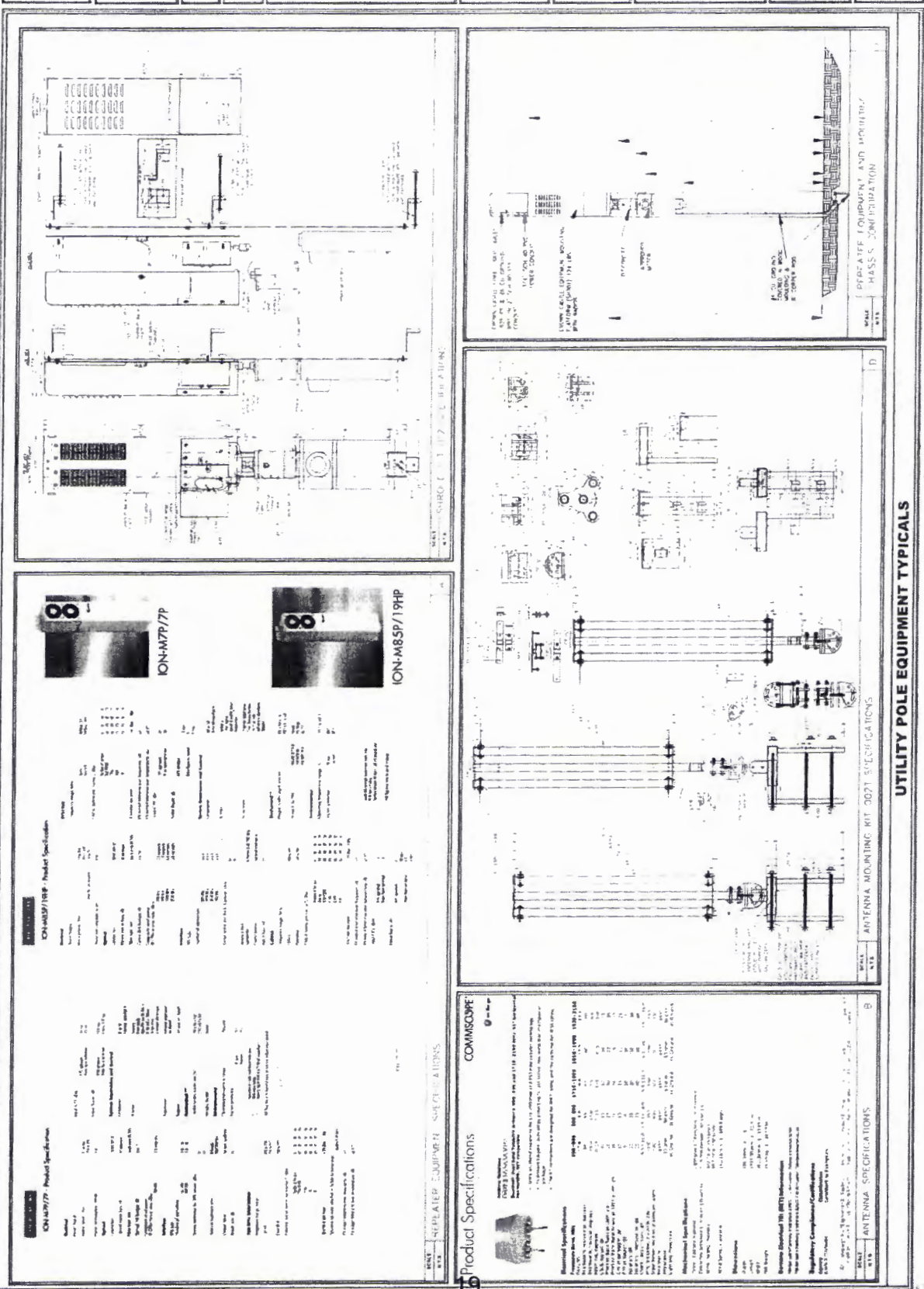
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CROWN CASTLE
TITLE SHEET NODE AP36 A4

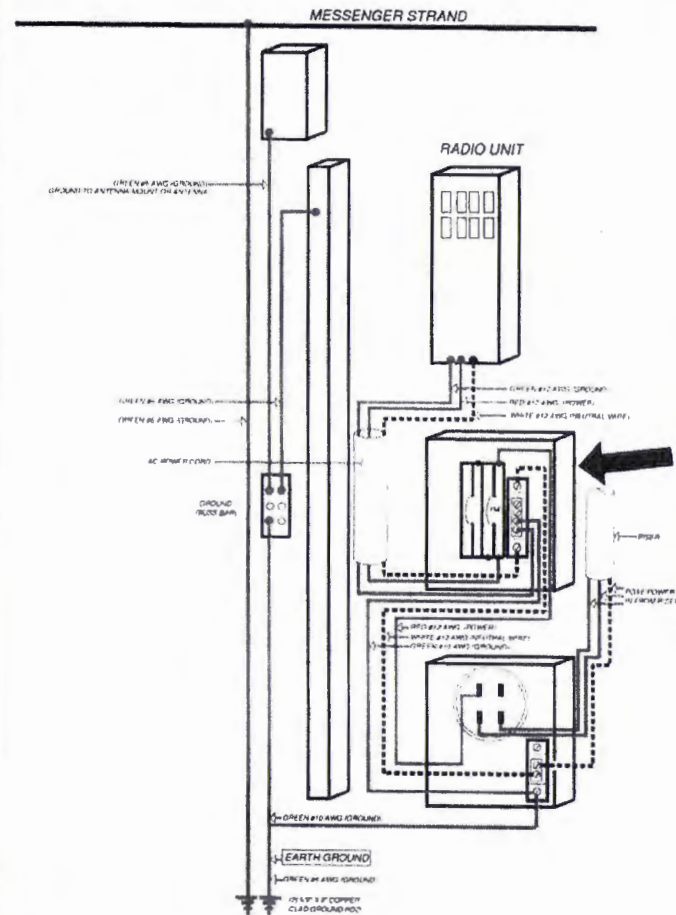
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CROWN CASTLE 800 857 0800 SAN JOSE, CA 95134 PHONE: (408) 954-1300	
PROJECT INFORMATION BEACLIFF NODE AP38 A4 BROADWAY AND SANTA CRUZ AVE APTOS, CA 95003	
CURRENT ISSUE DATE 2/12/16	
PERMIT SUBMISSION	
REV. DATE 01 2/12/16 02 2/16/16 03 2/26/16 04 4/14/16	DESCRIPTION CREATE DRAWING REVISION REVISION REVISION
PLANS PREPARED BY: HIP COMMUNICATIONS INC. 13341 Fremont Blvd. #4 Fremont, CA 94538 PHONE: (510) 471-1815	
PLANS APPROVED BY: CROWN CASTLE	
REVISIONS COMMENTS:	
SHEET TITLE CROWN CASTLE UTILITY POLE EQUIPMENT PROFILES NODE AP38 A4	
SHEET NUMBER 3	
REVISION 4	
3 OF 7	

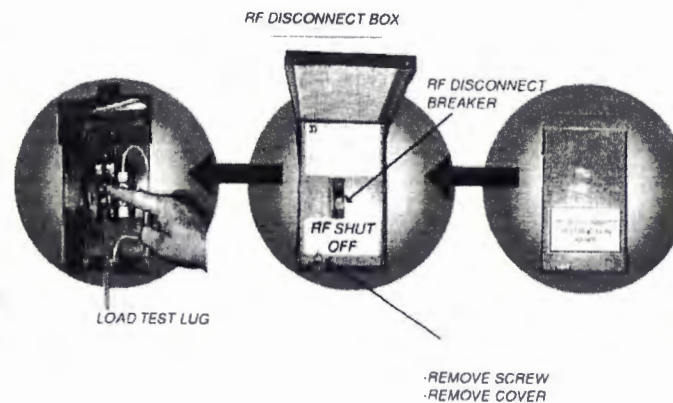


PG&E SHUTDOWN PROCEDURE



Instructions for De-Energizing the Site:

1. Call Crown Castle Network operations center 1888-632-0931
2. Identify RF DISCONNECT BOX
3. Open RF DISCONNECT BOX
4. Open cover for RF Disconnect Breaker
5. Turn RF Disconnect Breaker to the off position to de-energize node
6. To confirm that the site has been de-energized, PG&E crew/technician can remove the single screw on the bottom right cover of the RF Disconnect Breaker and then check for no potential between the source and load terminals on the switch and then check for no potential between the load terminal and ground to verify that no RF signal can be generated.
7. Notify Crown Castle Network operations center that work is complete



PROJECT INFORMATION
SEACLIFF
 NODE AP08 A4
 BROADWAY AND SANTA CRUZ AVE
 APT08, CA 95063

CURRENT ISSUE DATE

REVISIONS

REV. DATE

01 12/16

03 2/26/18

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SHUT-DOWN PROCEDURE

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6 OF 7

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Electronically Redrawn 1/18/99 by
 Rev. 5/17/01 and 6/16/04 Page 1 of 1

Bk. 38
 20

STATE PARK DR.

11

SEACLIFF PARK SUB. NO. 8
 23MB24 5/25/26

03

POR. APTOS RANCHO
 E. 1/2 SEC. 13, T.11S., R.1W. &
 W. 1/2 SEC. 18, T.11S., R.1E., M.D.B. & M.

Tax Area Code
 69-270 69-273

42-08

BROADWAY

SANTA CRUZ

SEACLIFF

69-270
 69-273

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DEL MAR

EL CAMINO

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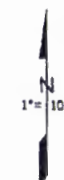


EXHIBIT 3

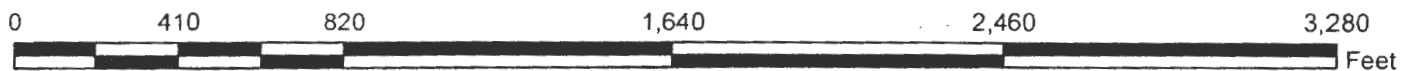
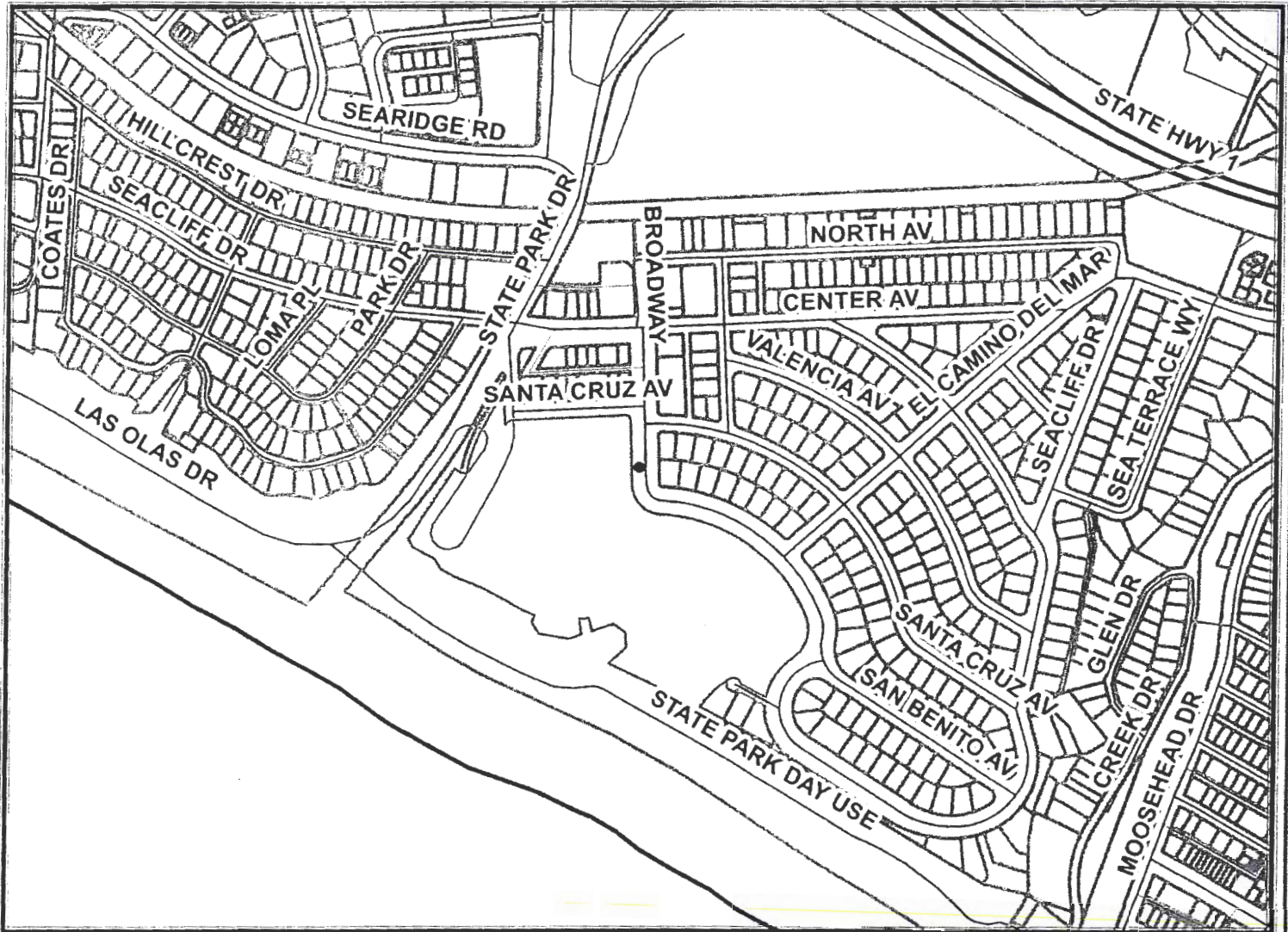
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Note - Assessor's Parcel & Block
 Numbers Shown in Circles.

Assessor's Map No. 42-08
 County of Santa Cruz, Calif.
 Jan. 1999

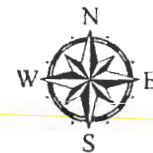


Location Map



LEGEND

- Subject Cell Site
- ▭ Assessors Parcels
- Street
- State Highways
- ▭ County Boundary

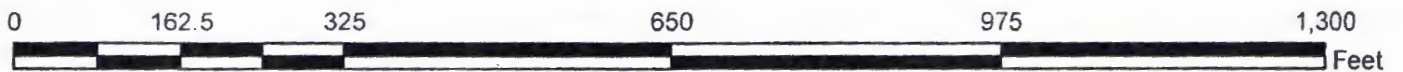
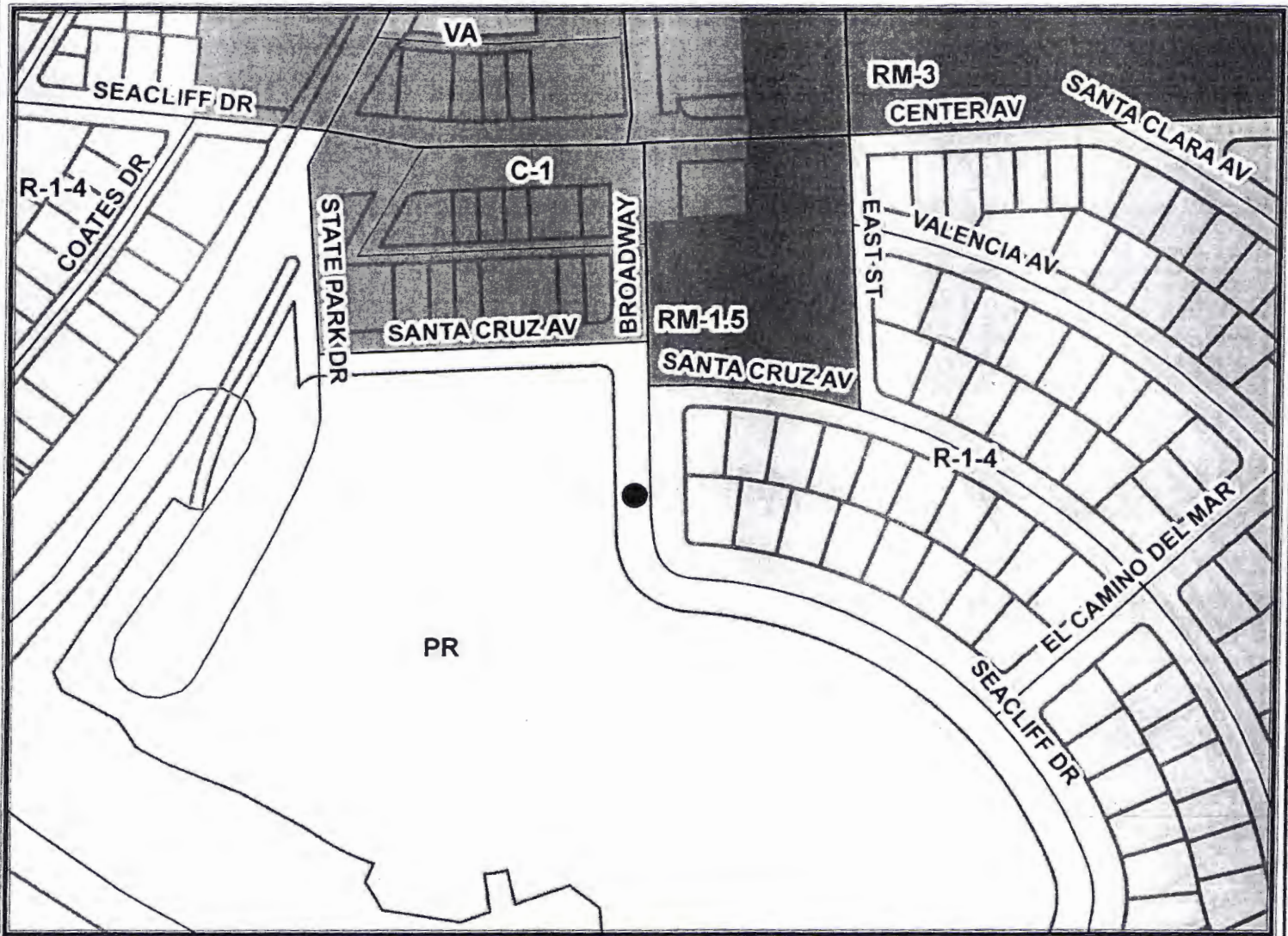


Map Created by
County of Santa Cruz
Planning Department
October 2016

EXHIBIT 3



Zoning Map



LEGEND

- Subject Cell Site
- Assessors Parcels
- Street
- PARK
- RESIDENTIAL-SINGLE FAMILY
- COMMERCIAL-VISITOR ACCOM.
- COMMERCIAL-NEIGHBORHOOD
- RESIDENTIAL-MULTI FAMILY

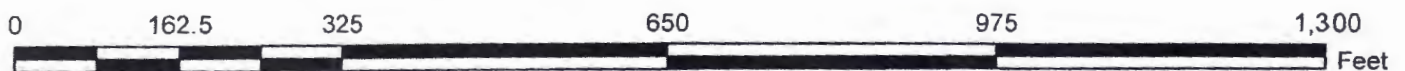
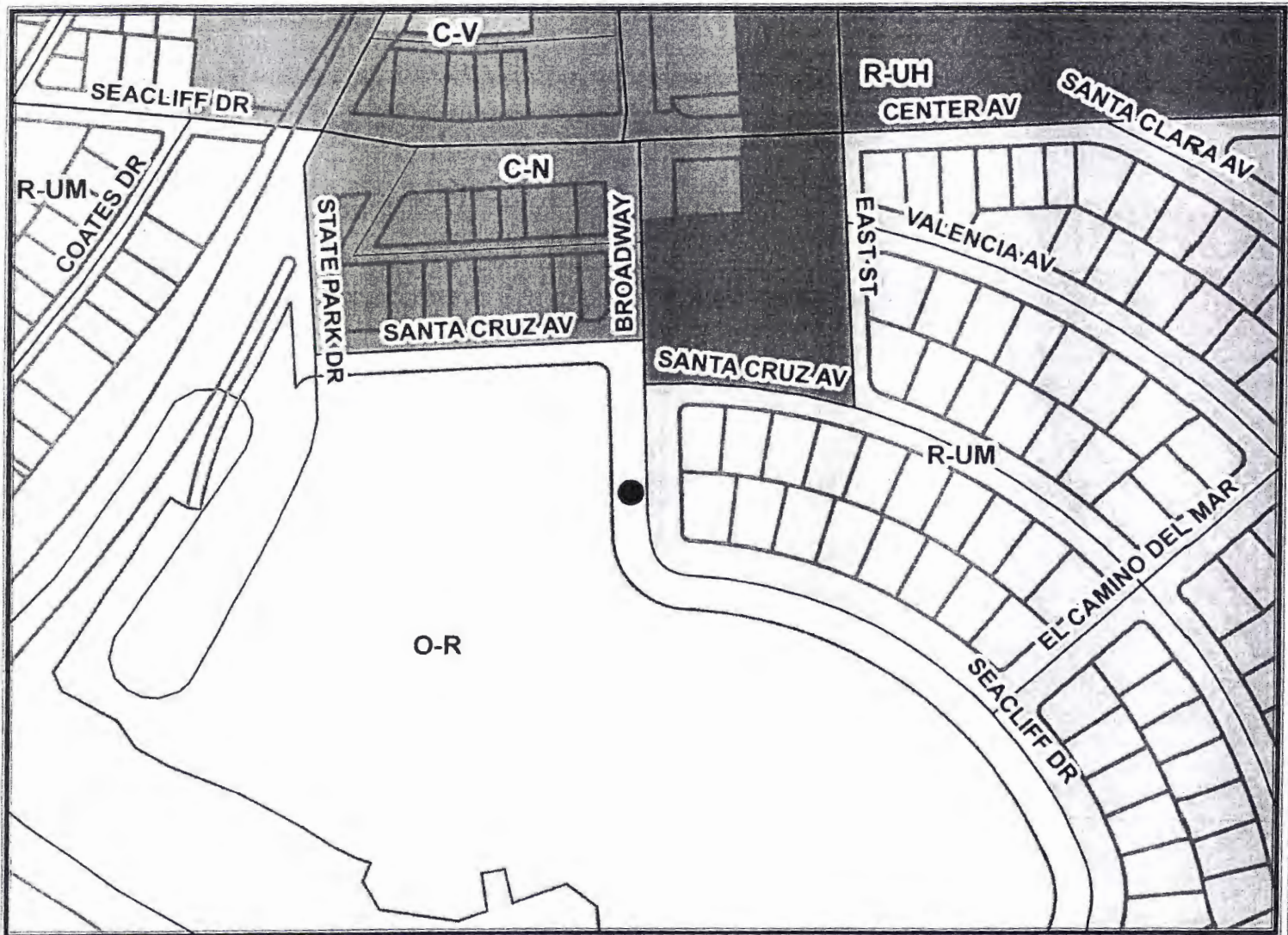


Map Created by
County of Santa Cruz
Planning Department
October 2016

EXHIBIT 11



General Plan Designation Map



LEGEND

- Subject Cell Site
- Assessors Parcels
- Street
- Parks and Recreation
- Residential - Urban Medium Density
- Commercial-Visitor Accom.
- Commercial-Neighborhood
- Residential - Urban High Density



Map Created by
County of Santa Cruz
Planning Department
October 2016

EXHIBIT E



Crown Castle
695 River Oaks Parkway
San Jose, CA 95134

October 17, 2016

Alternative Analysis –

Application #: 131058: In County Right-of-Way.

Crown Castle NG West Inc. for alternate Node AP36 in the Public Right of Way

Please accept this alternative analysis for application #131058 (AP36) for a micro cell site proposed to be located near the Southwest corner of Broadway and Santa Cruz Avenue with added detail for Alternative 9 now that the new intercept pole has been placed by PG&E and is existing.

In the process of designing the initial site location we learned it was to be part of a PG&E overhead wire undergrounding "Rule 20" project in Seacliff Village and have since pursued a number of alternative locations as shown below. A map of those alternative locations is attached.

Crown believes it has exhausted all sites in the allowed zoning districts that could provide needed coverage and is forced to consider sites in the Coastal Prohibited areas. However, we think the preferred alternative is a good option to pursue.

Alternative 1 – southwest corner of Broadway and Santa Cruz Avenue. After initiating design we discovered that this pole was in a new Rule 20 undergrounding project and was to be removed.

Alternative 2 – adjacent to 232 Santa Cruz Avenue. This pole appeared to be outside the Rule 20 area but further investigation resulted in discovering that this pole as well would be removed.

Alternative 3 – Further, at the County's suggestion we searched out an alternative location at the southwest corner of Center and Broadway. This pole also proved to be planned for removal.

Additional Alternatives –

Alternative 4 - Crown reviewed existing poles located in the Santa Cruz County Regional Transportation Commission (SCCRTC) railroad right of way, an area that is zoned PF (Public Facilities) and is an area which is an allowed zone district for WCF's. According to our Northern California RF Manager, Morgan Hunt, the railroad area as an alternate for the AP36 location is too far from the coverage target area to be considered.

Finally, we proposed four additional site locations.

Alternative 5 - Broadway & North was at a small "trailer park" and the owner was not interested in dealing with us.

The Foundation for a Wireless World.

CrownCastle.com

27

Exhibit 3
A-3-SCO-16-0102
Page 28 of 53

Alternative 6 - 268 North Avenue, was too close to the existing node, AP34, per our RF team.

Alternative 7 - 169 East Street is near the pole we are pursuing as well as 165 East Street which was too far out per our RF manager and the rad center would be too low.

All sites we pursued were primarily in the residential zone RM-3 because we had exhausted all options that would work in the non-residential zones. All C-1 sites are in the Rule 20 red area on the zoning maps attached so were not viable options.

Alternative 8 - Finally, we pursued the pole at Broadway and Santa Cruz Avenue with PG&E. PG&E advised that this pole would be where the new underground would come back as aerial and that all utilities involved in the pole line would terminate at this pole and that there would not be appropriate space for the guy wires they will need to support the utilities. So even though the pole will not be removed it will lack space on the pole for us to attach. Further that as a result of this pole being where aerial comes back they would have to place a new intercept pole mid-way between this pole and the next existing pole down Seaclyff Avenue from this corner as part of the Rule 20 work.

Alternative 9 - (Preferred Alternative) PG&E has now placed the new intercept pole a half block south of the end pole referenced as alternative 8. Based on the Rule 20 project map and information received from PG&E the pole at the corner of Santa Cruz and Broadway is where the Rule 20 undergrounding would end. From this pole on aerial fiber will stay in place. Consequently, all existing poles to the North on Broadway are/will be undergrounded as well as all poles to the West on Santa Cruz Avenue when the Rule 20 project is complete. Therefore, no existing poles in close proximity that meet the coverage criteria are feasible for the new small cell/ location.

Crown proposes to attach radios and antennas to this new intercept pole recently placed by PG&E on the seaward side of Seaclyff just south of Broadway and Santa Cruz Avenues. While this new pole borders a Coastal Right of Way Restricted Area and an RM-1-4 prohibited residential area it is our preferred site for several reasons.

Realizing this is the first public thru road from the coast placing our small cell site on this new existing intercept pole will result in less visual impact than installing a new pole and equipment on the inland side of the street where no pole exists today.

Visually a new pole on the inland side of the street will impact the view of specifically the two residences on that side of the street/corner (as well as others in the prohibited area). One property would face the new pole and the other residence that faces Santa Cruz Avenue has a backyard deck that would look right at any new pole/equipment placed there. There is not existing vegetation to mask the new pole.

The new intercept pole on the seaward side of the street abuts a corporate yard with a tall fence and would not impact the view of the business occupant. It is also partially shrouded by a tall tree just to the south of the existing

new intercept pole so the pole blends into the outline of the tree foliage and is much less visible on this side of the street. The tree serves to block the view of the new pole/equipment from most all directions. If the new pole was placed on the inland side of the street there are no existing tall trees or structures to partially shroud the structure.

Attached are the photo sims of both the seaward and inland locations at our location shown as , Alternative 9. We have also included a map that shows our coverage objective area as well as identifying the four existing wood poles on Seacliff Drive to the South and West of the proposed location that are within our polygon.

The four existing wood poles on Seacliff are located at the following locations.

- 1) south of our proposed site (alternative 9) there is a wood utility pole at the curve of the road and on the seaward side, of the street;
- 2) west on Seacliff Drive there is a wood utility pole at approximate 272 Seacliff Dr., that is placed on the Inland side of the street between two houses with second story windows;
- 3) west on Seacliff Drive a wood utility pole at approximately 242 Seacliff Drive that is placed on the Inland side of the street between two houses with second story windows;
- 4) further west on Seacliff Drive near the intersection of Marina Del Mar there is a wood utility pole at approximately 208 Seacliff Drive, that is near the intersection and near a large two story home. Also across the street on the seaward side of the street is a stand alone street light pole.

All of the 4 existing utility poles that follow Seacliff to the south and west are in front of large homes where these poles are the only structure or vegetation in the homes' unobstructed view of the Pacific Ocean and Monterey Bay. While these could be considered as alternatives they would have more of a visual impact in this residentially prohibited area than the site we propose on the new PGE pole because they have no trees or structures to help mask the node equipment. In fact the site we are proposing is the only utility pole on Seacliff from Santa Cruz Avenue to Marina Del Mar where any trees exists. We anticipate that this greater visual impact issue would cause us to meet with considerable community opposition so have chose the pole with the least visual impact.

From a coverage perspective place the antennas on poles that face the ocean with on obstruction can result in causing the signal to reflect back off the water and interfere with other sites in the area so are not the best choice from a coverage perspective.

Respectfully submitted.

Sharon James
Government Relations Manager

AP36/131058 Coverage objective (green). Aptos, CA





Alternative 4

Alternative 5

Alternative 6

Alternative 3

Alternative 2

Alternative 1

Alternative 8

Alternative 7

AP36 Alternative 9 - Proposed site

Google

36° 58' 26.40" N 121° 54' 36.07" W elev 110 ft

1997

Draw

Tools

Print



Base Map



2007 Image



Terrain



2003 Image



USGS QUADS



None

its ☐ By Layer

☐ By Feature

Select Active Layer

Use Tools or Enter Value



107M34

Find It



Exhibit 3

A-3-SCO-16-0102

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Proposed Site



Alternate Site



10/18/16

Seacliff

Site # AP36 A4

Broadway and Santa Cruz Avenue
Aptos, CA

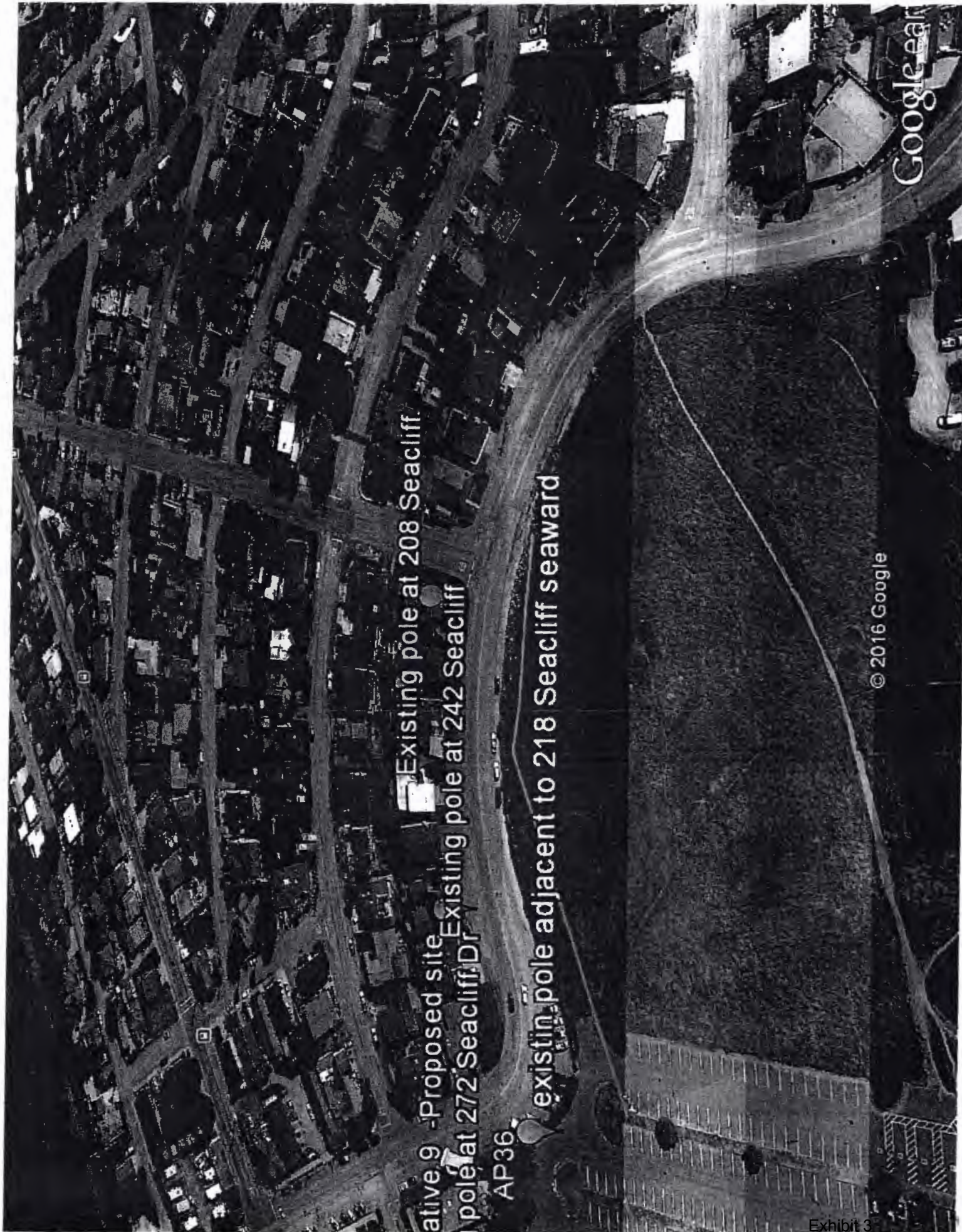
Looking South from Seacliff Drive



Proposed Site



Alternate Site



Existing pole at 208 Seacliff

Proposed site
Existing pole at 242 Seacliff
pole at 272 Seacliff Dr

AP36

existing pole adjacent to 218 Seacliff seaward

Google

© 2016 Google



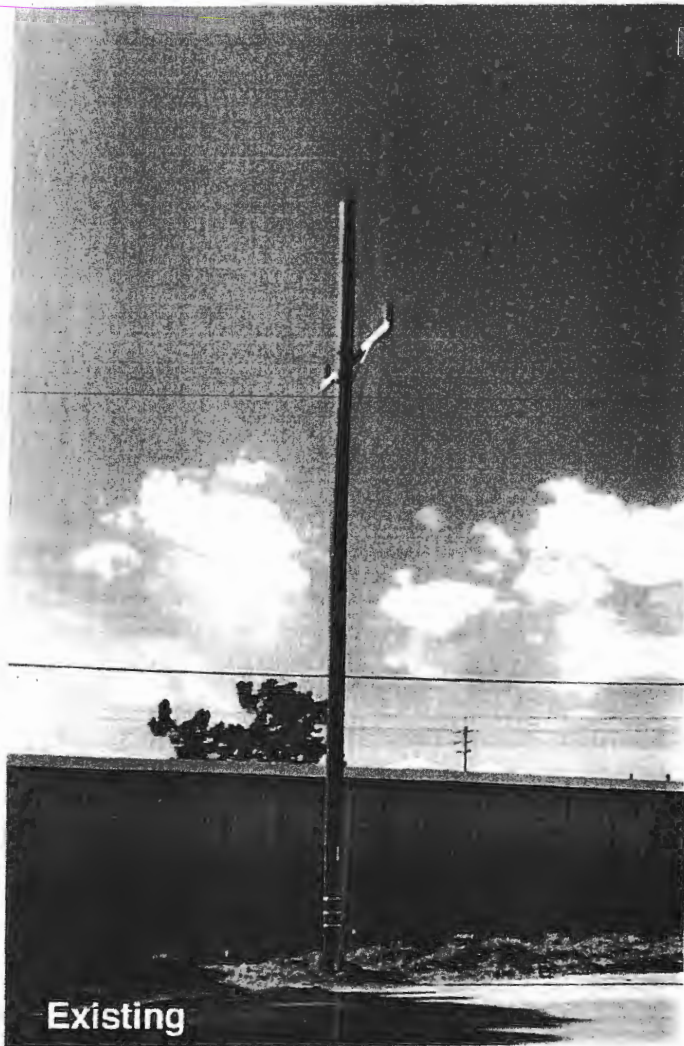


**CROWN
CASTLE**
10/12/14

Seacliff **SITE# AP36 A4**
Broadway and Santa Cruz Avenue
Aptos, CA

Looking North from Seacliff Drive

Applied Imagination 510 914 0500



Existing

**CROWN
CASTLE**
10/12/14

Seacliff **SITE# AP36 A4**
Broadway and Santa Cruz Avenue
Aptos, CA



Proposed

Looking West from Seacliff Drive

Applied Imagination 5 10 914 0500



**CROWN
CASTLE**
10/12/14

Seacliff SITE# AP36 A4
Broadway and Santa Cruz Avenue
Aptos, CA

Looking South from Seacliff Drive

Applied Imagination 510 914-0500

**Crown Castle • Proposed DAS Nodes
Twelve Joint Pole Locations • Seacliff, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Crown Castle, a personal wireless facilities provider, to evaluate the distributed antenna system proposed to be developed in Seacliff, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

Executive Summary

Crown Castle proposes to install a Distributed Antenna System (DAS) in Seacliff, consisting of antennas on twelve utility poles. The proposed operations will 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 ²	1.00 mW/cm ²
BRS (Broadband Radio)	2,600	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.

**Crown Castle • Proposed DAS Nodes
Twelve Joint Pole Locations • Seacliff, California**

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 Crown Castle, it is proposed to install three Andrew Model DBXNH-6565A-VTM directional panel antennas on each of twelve existing utility poles within the City of Seacliff, at the addresses indicated below. The antennas would be placed at effective heights ranging between about 27½ and 34½ feet above ground. The maximum effective radiated power proposed at these sites is 515 watts, representing simultaneous operation by Verizon Wireless at 322 watts for PCS, 53 watts for cellular, and 140 watts for 700 MHz service. There are reported no other wireless telecommunications base stations near any of these sites, nor are there other carriers presently proposing to use these sites.

Study Results

For a person anywhere at ground near any of these sites, the maximum ambient RF exposure level due to the proposed operations is calculated to be 0.0060 mW/cm², which is 0.66% of the applicable public exposure limit, as tabulated below. The maximum calculated level at the second-floor elevation of any nearby residence is 2.4% of the public exposure limit. The table below lists all twelve sites and the calculated exposure levels at ground and at the second-floor elevation near each site. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

These calculated levels do not add significantly to existing levels in terms of compliance with the prevailing standards. That is, these levels will not cause cumulative levels – including existing power density levels in the surrounding areas – to exceed the public or occupational exposure limits.

**Crown Castle • Proposed DAS Nodes
Twelve Joint Pole Locations • Seacliff, California**

Node #	Site Address	Antenna Height	Maximum Calculated Exposure Level		
			at Ground	on Second Floor beyond Distance	
AP-32	Mar Vista Drive near Sailfish Drive	30½ ft	0.0046 mW/cm ² 0.51% public	0.0047 mW/cm ² 0.91% public	54 ft
AP-33	Cedar Street near Oakdale	34½	0.0034 mW/cm ² 0.37% public	0.0081 mW/cm ² 0.89% public	12
AP-34	Hillcrest Drive near Beachgate Way	28	0.0058 mW/cm ² 0.63% public	0.020 mW/cm ² 2.2% public	10
AP-36	El Camino Del Mar near Santa Cruz Avenue	30½	0.0046 mW/cm ² 0.51% public	0.013 mW/cm ² 1.5% public	17
AP-37	Lake Court near Earl Court	27½	0.0060 mW/cm ² 0.66% public	0.021 mW/cm ² 2.4% public	16
AP-38	Martin Drive near Elva Drive	29½	0.0050 mW/cm ² 0.55% public	0.0055 mW/cm ² 1.1% public	45
AP-39	Baldwin Drive near Cliff Drive	30½	0.0046 mW/cm ² 0.51% public	0.0047 mW/cm ² 0.91% public	25
AP-40	Belle Monte Avenue near Belle Monte Court	32½	0.0039 mW/cm ² 0.43% public	0.010 mW/cm ² 1.1% public	16
AP-41	Loyola Avenue near Doris Avenue	32½	0.0039 mW/cm ² 0.43% public	0.0036 mW/cm ² 0.70% public	27
AP-42	St. Andrews Drive near Clubhouse Drive	29½	0.0050 mW/cm ² 0.55% public	0.0055 mW/cm ² 1.1% public	41
AP-43	Toledo Drive near Bayview Drive	32½	0.0039 mW/cm ² 0.43% public	0.0072 mW/cm ² 0.83% public	25
AP-44	Sumner Avenue near Clubhouse Drive	32½	0.0039 mW/cm ² 0.43% public	0.0024 mW/cm ² 0.47% public	145

Recommended Mitigation Measures

Due to their mounting locations, the proposed antennas would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, no access within two feet directly in front of the antennas, such as might occur during maintenance work on the poles, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs* at the antennas and/or on the poles below the antennas, such that the signs would be readily visible from any angle of

* Warning signs should comply with OET-65 color, symbol, and content recommendations. Contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required. Signage may also need to comply with the requirements of PUC GO95.

**Crown Castle • Proposed DAS Nodes
Twelve Joint Pole Locations • Seacliff, California**

approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that operation of the Distributed Antenna System as proposed by Crown Castle in Seacliff, 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.

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, 2013. 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

May 24, 2012

HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

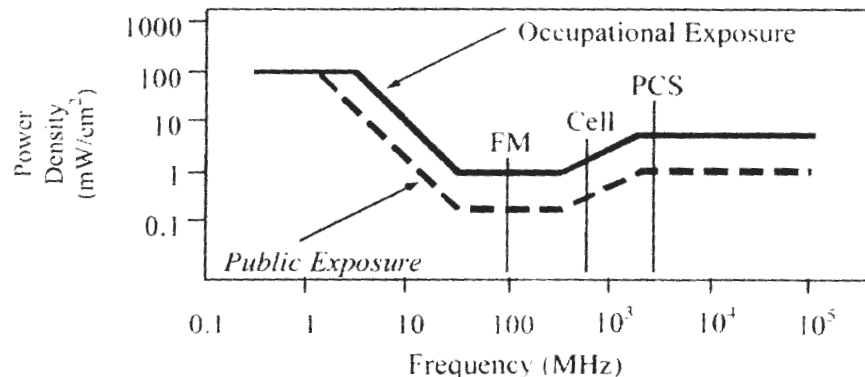
R3C9
Page 4 of 4

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 ²)	
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/f²</i>
3.0 - 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30 - 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 - 1,500	$3.54\sqrt{f}$	<i>1.59\sqrt{f}</i>	$\sqrt{f}/106$	<i>$\sqrt{f}/238$</i>	$f/300$	<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.

HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

FCC Guidelines
Figure 1

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/cm²,

and for an aperture antenna, maximum power density $S_{max} = \frac{0.1 \times 1.6 \times \eta \times P_{net}}{\pi \times h^2}$, in mW/cm²,

where θ_{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

η = 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:

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

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 ($1.6 \times 1.6 = 2.56$). 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.

Lonnie Johnson

From: Frank Barron
Sent: Tuesday, November 8, 2016 10:23 AM
To: Lonnie Johnson
Cc: Wanda Williams; 'James, Sharon'; 'Jay Thomas'; Alford, Robert
Subject: FW: Wireless Communications Antenna + on Seacliff Dr near Santa Cruz Ave
Attachments: Seacliff Dr Underground Utilities Proposal 11-07-2016.pdf

FYI – re: 131058. It looks like there is at least proposed “Rule 20” plan (not accepted by PG&E yet) to underground utilities along Seacliff Drive in addition to the official plan to do so in Seacliff Village. We can add a Condition of Approval (at the ZA hearing on 11/18/16) that if the subject pole is to ever be removed as part of a “Rule 20” undergrounding project that the microcell equipment must be removed at that time.

Lonnie, please add this email and attachment to the correspondence received for this item. Thanks.

From: Dale Pilgeram [<mailto:pilgeram@sbcglobal.net>]
Sent: Monday, November 07, 2016 11:24 AM
To: Frank Barron
Subject: Wireless Communications Antenna + on Seacliff Dr near Santa Cruz Ave

Frank,

This is in response to our phone call this morning (Monday) referencing what pole this proposed communications equipment is going on and precisely where.

After talking with you I asked a local resident on Seacliff Dr. to check things out. She said there are no new poles from the intersection of Santa Cruz Ave, Broadway and Seacliff Dr. down to the turn of Seacliff Dr. as you go South. She said there is a sign on a pole (Pole 12 - P(12)?) in the attached proposed underground plan, indicating a future cell service location. I have asked her to verify which Pole the sign is on in reference to the proposed underground plan.

Attached is an overall proposal for the Seacliff Underground project.

Thank You,

Dale
Dale W. Pilgeram
209 795-2824

TO: Investing/Involved Parties in proposed Seacliff Dr. Underground Utilities Project

SUBJECT: Proposed Trenching Layouts with Assumptions

INTRODUCTION

This document is an attempt to open a dialogue among all interested and committed parties regarding the proposed utility underground project on Seacliff Drive from the intersection of Broadway, Santa Cruz and Seacliff Dr to around the bend at the cliff overlook at house numbers 179 and 180 Seacliff Dr. Attached are detail maps of:

- . The current overhead wires, poles and lights and the connections from poles to all houses "in play". (Diagram 1)
- . A proposed underground trench line design with ASSUMPTIONS 1 (Diagram 2)
- . AT&T wiring diagram showing gaps to wire to avoid trenching on El Camino Del Mar (Diagram 3)

A. DESIRED ASSUMPTIONS (Base information – no Plan/Diagram represents these!)

These assumptions are believed to support the most cost effective plans with participation by all beneficiaries (affected property owners). Also identified are beneficiary properties who are not affected by the property except to enjoy improved views and environment. Purpose is to achieve a high level agreement with utility companies (PG&E, AT&T, Comcast) regarding the most cost effective design and solution. Agreement with State Park and County Departments also needs to be achieved with the proposed plan.

1. All house addresses directly and physically affected by the underground services would pay a portion of the base project (main street trenching & connections/vaults/equipment) as well as the entire payment for the unique trenching to and equipment at/for their house. Lot address numbers affected (19 houses): 179,181,183,180,182,186,188,190,192,194,196, 202,204,206,208, 210,212,214,216

Note: 186 & 202 do not require unique house trenching (already underground)

2. It appears unlikely that The State Park would pay for the unique trenching and connections for their beach level restroom:
 - . Removal of (2) poles on the bluff near house 179, and approximately 160' of low voltage power trenching from the end of low voltage/utility trenching to lot #180 to the underground feed to the restroom below at current pole 1 (P1).
 - . It is assumed that The State Park will support the project and easement to installation of underground trenching and vaults installation (no special studies/cost involved).
 - . The proposed plan has avoided as much involvement in State Park property as possible.
3. Other property owners not receiving service could support the project and voluntarily pay something for the advantage to their view, to the environment, and maybe property value by having the utilities being underground.

Candidates: (All have not been contacted; it is believed that (3) will participate)

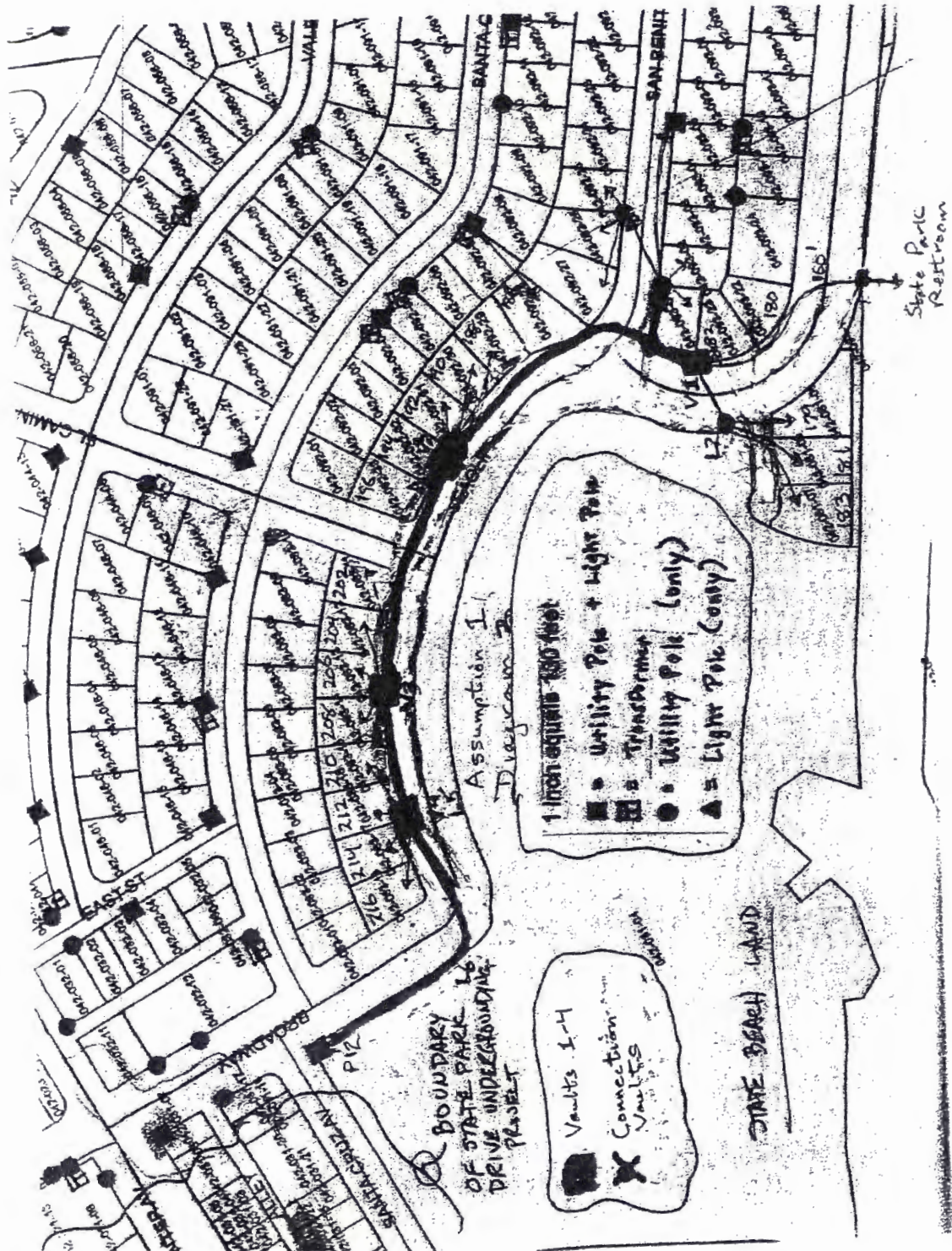
 - . Santa Cruz houses: 203,106 (have been contacted, are positive)
 - . San Benito houses: 122,120,119,117 (not contacted yet?)
 - . Seacliff Drive houses: 218 (positive), 184 & 176 (not interested in participating)
4. (3) current street lights would be removed to enhance the view and remove night time horizon and private environment distractions. Any house desiring lighting can install night time motion sensors around their own houses. Location of lights to be removed unless required by the County/Sheriff: Light 1 on Pole 2 (P2,L1), Light 3 on its own pole, and Light 4 on Pole 9 (P9,L4). L1 does not have approval yet from Lot 176.

5. (3) current street lights to remain as requested by property owners: Light 2 at Pole 4 position (P4,L2) by Lots 179, 182; Light 5 at Pole 10 position (P10,L5) by Lots 212, 214; Light 6 at Pole 11 position (P11,L6) by Lot 214, State Park.
 6. All (3) utilities will be accommodated (PG&E, AT&T, Comcast). Also, AT&T will abandon the wires from Pole 8 (P8) that go up El Camino Del Mar and get this service from Santa Cruz Ave Pole 12 (P12). Pole 13 (P13) at corner of Santa Cruz and El Camino Del Mar to be removed. If trenching/undergrounding of the current AT&T wires on El Camino Del Mar is more cost effective than the overhead connection on Santa Cruz of this large Bulk cable, that option could be considered.
 7. PG&E and the County will not require this project to pay for underground connections to the Center Road Aptos Underground Project already on the books (more poles and trenching costs needed).
- B. ASSUMPTIONS 1 (Hopefully these can be worked on to approach the DESIRED ASSUMPTIONS above, but right now this is what we have and Diagram 2 (attached) is a layout reflecting these assumptions).
1. Pole 12 remains above ground and undergrounding starts at that pole. That pole also services the properties on Santa Cruz.
 2. Not all affected property owners (19) have "Bought In Financially", even before a cost estimate is achieved. It is believed that with (17) properties "Bought In Financially" along with some of the other area property owners (3 so far) and State Park paying just their unique connection needs (Unlikely?), the cost might be around \$28K each (22 properties in play) with another \$7K to \$12K for the individual house hookups depending on current service (load) and physical requirements. A consideration is that if only a property owner(s) want a light with no State Park or Sheriff requirement then they could split the costs (est \$7K to \$12K) per light themselves. The proposed layout made an attempt to minimize the cost of any required/desired lights.
 3. However with the assumptions below there are 17 folks splitting the base line street trenching costs so with previous cost estimates, the base work now is \$39K per house in play financially.
 - . Those not bought in:
 - . State Park would support but not pay anything toward the project and they indicate they would want a light at around the Pole 11 location to remain.
 - . Attempts to get State Park to abandon the lines on the bluff going down to the bathroom for nighttime lights using solar panels on the roof for powering a battery system was not successful nor their payment for the unique trenching/cable costs for the restroom.
 - . 183 – owner has house at 181 and will only pay base cost for one house, not two
 - . 196 – owner will not support or buy-in
 - . Those that may buy in: need to confirm
 - . 194,210,212 (It is reported that these may have bought in)
 - . Assumptions above include the buy in financially of these 3 lots
 - . The following houses may not require any or all services:
 - . 202 has underground power, AT&T and Comcast
 - . 186 has underground power, might need underground AT&T and/or Comcast?
 - . Assumptions above include the buy in financially of these 2 lots.
 4. Other property owners not receiving service willing to participate?
 - . Santa Cruz 203 & 106 and Seacliff 218 are believed to potentially participate.
 - . Seacliff 184 & 176 are not interested in participating.
 - . All others specified in 3. In DESIRED ASSUMPTIONS above. (4) need to be contacted
 5. Lights (6) (3) Proposed to be removed, (3) to be kept
 - . State Park and lot 214 wants to keep Light 6 at approx Pole 11 (P11) location
 - . Lot 179 wants Light 2 at Pole 4 (P4)
 - . Lots 212 & 214 want to keep Light 5 at Pole 10 (P10) location however this light might be eliminated if the current Pole 11 light is placed diagonally across the street.

- . Lot 176 has not supported removing Light 1 at Pole 2 (P2)
- . (3) lights (L1, L3, L4) have strong advocates to get rid of them.
- 6. All (3) Utilities support – Assume AT&T abandon line on El Camino Del Mar unless trenching is cheaper than overhead connections on Santa Cruz.
- 7. Underground starts at Pole 12 (P12) and main line high voltage trench ends around the Pole 4 (P4) location.
- 8. Go to ASSUMPTIONS 1 and Diagram 2 to see a proposed trenching plan for High Voltage and utilities along with low voltage house trenching and utilities. Note the following:
 - . Large underground trench starts at base of Pole 12 (P12) then goes across the Seacliff Drive street to current Pole 10 (P10) location which is now Vault 4 (V4) position. Any low voltage light service to the removed Pole 11 (P11) approximate position would cable back in the main trench from Vault 4 (V4).
 - . Vault 4 location has (3) vaults for PG&E, AT&T, Comcast and small house trenches go from this location to 216,214,212,210 along with the support for Lights 5 & 6 (L5, L6).
 - . Large trench continues down to Vault 3 (V3) (current Pole 9 (P9) location) where same (3) utility vaults go in to serve 208,206,204,202. Note: Light (L3) is removed.
 - . Large trench continues down across El Camino Del Mar to Vault 2 (V2) (current Pole 7 (P7) location) where same (3) vaults go in to serve 196,194,192,190,188, and maybe just AT&T and/or Comcast to 186?
 - . Large trench continues from Vault 2 across San Benito where it terminates at Vault 1 at Lot 182. A major trench branches off to go to the first pole on San Benito for service to that street. Vault 1 (same (3) utility vaults uses low voltage trenching to serve Lots 182, & 180 and then across Seacliff Drive for the State Park restroom feed location at removed Pole 1 (P1) location and also across Seacliff Drive to a location near removed Pole 4 (P4) location to serve a light at that location along with Lots 179, 181, 183.
 - . Other Considerations from PG&E Meeting on 10/6/2016:
 - . (3) rather than 4 Transformers might do if they are above ground transformers on a pad base and they must be on private land.
 - . Main trench could cross Seacliff around Lot 190 before San Benito and terminate around current (P4) position. A J-Box connection would feed the underground power and utilities on San Benito through a trench back across Seacliff to a new pole(s) on San Benito.
 - . J-Boxes are also required at the beginning and end of the underground main trench. The (3) J-Boxes can be on public or private land and can be in vaults or above ground with Bollard protection.
 - . Connection Boxes for AT&T and Comcast were not determined.
- . Summary Trenching and Hardware:
 - . (10) power poles removed
 - . (2) utility poles removed
 - . (1) light only pole removed
 - . (3) of (6) lights removed (Possibly (4) of (6) depending on where Pole 10 light goes)
 - . (19) houses and State Park Restroom receive underground service (2 houses 186, 202 do not need PG&E services but 186 may need AT&T and/or Comcast).
 - . (3) PG&E above ground transformers on private land
 - . (3) PG&E J-Boxes above or underground on private or public land; San Benito and at end of lines.
 - . (3) each of PG&E distribution vaults, AT&T, and Comcast distribution vaults.
 - . (1) each of connection vaults for AT&T and Comcast at San Benito corner.
 - . (1) low voltage connection to State Park underground down to restroom at Poles 1 & 2 (P1 & P2) current position.
 - . Approximately 1,050 feet of large trench.
 - . Approximately 1,000 feet of small trench from main trench to houses (including 160 feet for State Park). Much more (2,000 feet) of cabling wire from Vault location?.

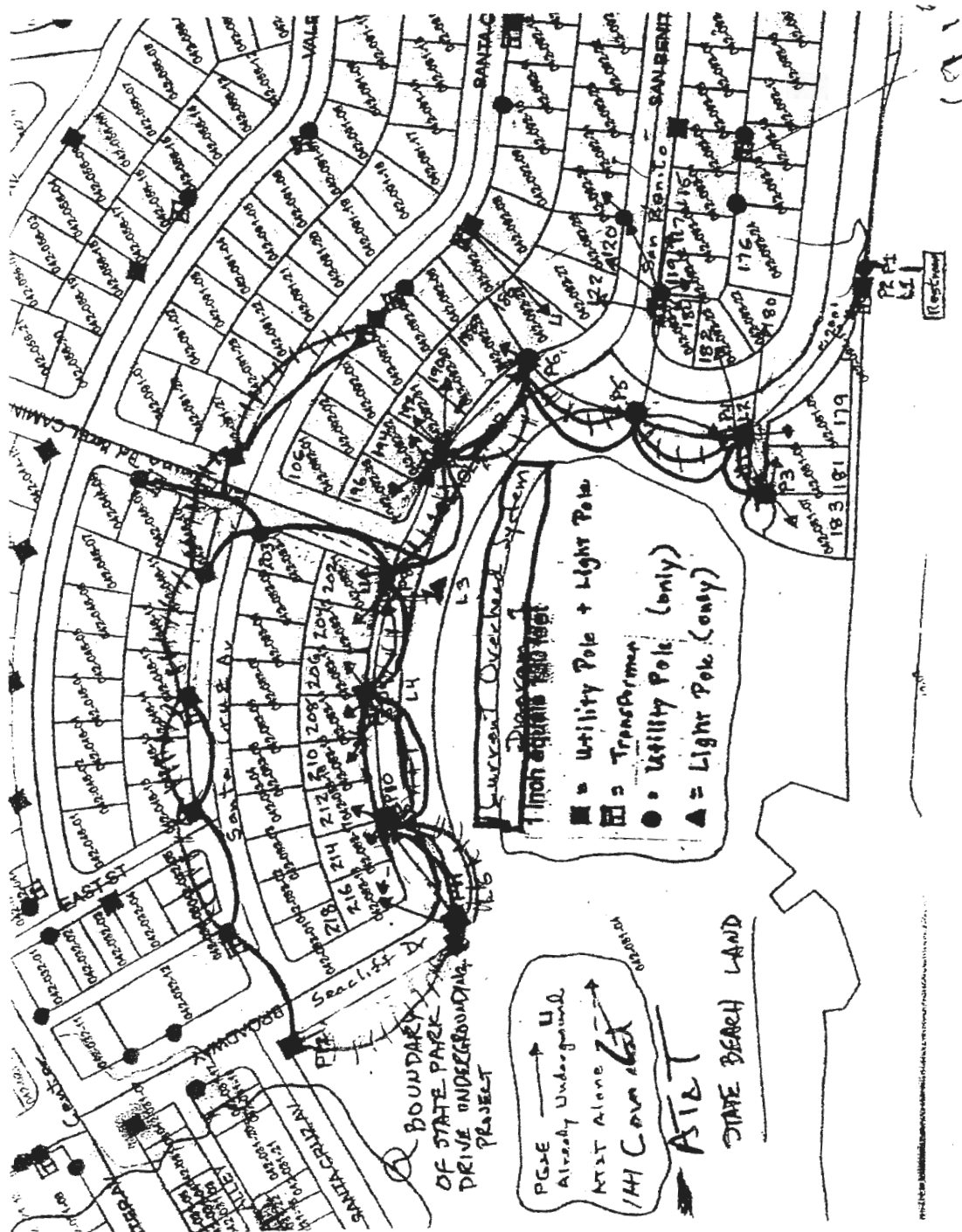
For Questions: Contact Dale Pilgeram, 209 795-2824, pilgeram@sbcglobal.net

ASSUMPTION 1 - DIAGRAM 2



ASSUMPTION 1 - DIAGRAM 3

AT&T Current Lines: Assume to eliminate trenching from Seaciff up El Camino Del Mar, that AT&T will wire from Pole 12 for Seaciff Dr and on Santa Cruz to fill in gap between poles.



CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060-4508
VOICE (831) 427-4863 FAX (831) 427-4877



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name:

Michael Brown

Mailing Address:

218 E Seaclyff Dr

City:

Aptos CA

Zip Code:

95003

Phone:

*H: 831-688-7702
C: 831-234-8703*SECTION II. Decision Being Appealed

1. Name of local/port government:

Santa Cruz

2. Brief description of development being appealed:

*Microcell on Seaclyff Dr, directly
across st. from 218 E Seaclyff Dr.*

3. Development's location (street address, assessor's parcel no., cross street, etc.):

Seaclyff 218 E Seaclyff

4. Description of decision being appealed (check one.):



Approval; no special conditions



Approval with special conditions:



Denial

RECEIVED

DEC 08 2016

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-3-SCO-16-0102

DATE FILED:

December 8, 2016

DISTRICT:

Central Coast

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

see attached

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☒ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☐ Planning Commission
☐ Other

6. Date of local government's decision:

11/18/16

7. Local government's file number (if any):

131058

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Crown Castle LLC
Sharon James

695 River Oaks Parkway, San Jose, CA

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

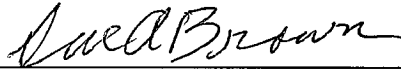
(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: Dec 8, 2016

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize _____

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

Due B Brown
218 E. Seaciff Dr.
Aptn CA 95003

H. 831-689-7702
C. 831-234-8703

12/7/16

This concerns a 53' microcell at about 10' from
from ~~park~~ building Seaciff State park owns
(upper parking area). It endangers anyone
who works there. That was not a staff report.

There is a small entry gate to the park close
to the bend of Seaciff Drive. It was there when
we bought our home 36 yrs ago. Many
people use the entry every day, all day through
sunset. They watch from 10 benches installed
recently, plus others which have been
there a long time. I have enjoyed walking
my dog there as do many other people, also,
runners and others go down steps to beach

Many people park on Seaciff Dr,
parking on both sides of Seaciff from
Santa Cruz ^{avenue} around curve at the gate.

For they will surely be endangered
parking and walking by ~~microcell~~ microcell,
or be scared away by all the warnings
on microcell sight. Many walkers going
by also. Parking near gate is at angle so
more cars can park there. Not ~~un~~ un-
usual to have 25 cars and vans parked on
good days, from Santa Cruz Ave (on Seaciff Dr
to around the curve. That was not in
report. Just as staff report said my house
faced Santa Cruz Ave, ^{my house} other place ~~it~~ faced

2) B roadway and I still live on Seaciff Dr / 1 of 3

upstairs living room and dining room, also deck faces ocean due to reverse floor plan.

To show how I was in "densely populated area" check pg. 23 where lots appear on beach cliff parking lot where they should not be. pg 23 also shows I live on Broadway page 23. Also states my home is on Santa Cruz Ave on pg. 28

Please note 2 dates on pg. 23, 5/25/26 and Jan, 1999.

Page 28 - "new pole borders a Coastal Right of way Restricted restricted area and a R M-1-4 prohibited ~~resid~~ restricted area it is our preferred site for several reasons";

On Dec 2nd I had my house appraised for 1 million dollars. Agt. also stated some people would not even enter house after seeing micro cell but someone who loves view might buy at lower cost. As a former Broker, I can vouch for that.

I haven't even even covered all the discrepancies in this report, but tried to cover some of them and mark some pages.

pg page 48: this report, should it be in the same report w/ micro cells? They have been working to underground wires for 4 years maybe I help out by A

Thanks Sue Brown

I had 10 copies made of staff report so who-
ever was listening to my plea could have
one and I only needed 3. Gave them to William
Barron and one other person already marked
for them. Since my neighbors did not
get notice of hearing, I called Barron
again to ask how many cards were sent -
when... he did not know. Next day he
called to say over 500 were sent out. When
I asked why neighbors did not get them, he
said some owners did not live there. He sent
one out of town. I had asked if Seaclyff Dr.
was covered so he said "yes". This was also
discussed at the hearing. The "existing" pole
is already in directly across from my entry.
Not even close to trees. Again, I swicon
Seaclyff not Santa Cruz ave. as I stated
before.

page
28

* Radiation - pls. read # 401 at top of house
and then 2nd story where I live. The report
should be updated due to ~~research~~ research these
last few years. Thanks me! Pls. read "Study
Thank you, Results" pg. 41

Sue Brown
218 E. Seaclyff Dr.
aptn, CA 95003

831

H: 688-7702

A: 23 831-234-8703

Tuesday, the
8th of Dec.

Note: So interested in micro cell pole & failed to mention: 2 poles were put up in Oct. - same day, a shorter pole was put in next to tall one (just north of tall one). It was about height of telephone pole. Since then they have some- one has been adding wires etc every day or so. Did I mention Iptoe Village is going putting in underground wires. Could they been tied in to both poles here? Also, ^{as} they were putting in 2nd pole I went out and asked workman why 2 new poles were being put up. He replied: "it just work here". That was when ^{they} were out as they put up ~~a~~ shorter pole. Now there are 3 poles. One at corner of Sealiff, 2 new ones, plus ^{4th} loaded pole in curve of road Sealiff Dr. One at curve of road is in the middle of my view. Other 3 can not ^{be} seen by neighbors so not too interested in what they cannot see.

Applicable Local Coastal Plan Policies/ Provisions:

A. Wireless Ordinance

13.10.660 Regulations for the Siting, Design, and Construction of Wireless Communication Facilities

(A) Purpose. The purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, is to establish regulations, standards and circumstances for the siting, design, construction, major modification, and operation of wireless communication facilities in the unincorporated area of Santa Cruz County. It is also the purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to assure, by the regulation of siting of wireless communications facilities, that the integrity and nature of residential, rural, commercial, and industrial areas are protected from the indiscriminate proliferation of wireless communication facilities, while complying with the Federal Telecommunication Act of 1996, General Order [159A](#) of the Public Utilities Commission of the State of California and the policies of Santa Cruz County. It is also the purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to locate and design wireless communication towers/facilities so as to minimize negative impacts, such as, but not limited to, visual impacts, agricultural and open space land resource impacts, impacts to the community and aesthetic character of the built and natural environment, attractive nuisance, noise and falling objects, and the general safety, welfare and quality of life of the community. It is also the purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to provide clear guidance to wireless communication service providers regarding the siting of and design of wireless communication facilities.

(B) Findings.

(1) The proliferation of antennas, towers, satellite dishes, and other wireless communication facility structures could create significant, adverse visual impacts. Therefore, there is a need to regulate the siting, design, and construction of wireless communication facilities to ensure that the appearance and integrity of the community is not marred by unsightly commercial facilities, particularly in residential, historically significant, scenic coastal areas, and other environmentally sensitive areas.

(2) General Order [159A](#) of the Public Utilities Commission (PUC) of the State of California acknowledges that local citizens and local government are often in a better position than the PUC to measure local impact and to identify alternative sites. Accordingly, the PUC will generally defer to local governments to regulate the location and design of cell sites, wireless communication facilities and mobile telephone switching offices (MTSOs) including (a) the issuance of land use approvals; (b) acting as lead agency for purposes of satisfying the California Environmental Quality Act (CEQA); and (c) the satisfaction of noticing procedures for both land use and CEQA procedures.

(3) While the licensing of wireless communication facilities is under the control of the Federal Communications Commission (FCC) and Public Utilities Commission (PUC) of the State of California, local government must address public health, safety, welfare, zoning, and environmental concerns where not preempted by Federal statute or regulation.

(4) In order to protect the public health, safety, and the environment, it is in the public interest for local government to establish rules and regulations addressing certain land use aspects relating to the construction, design, siting, major modification, and operation of wireless communication facilities and their compatibility with surrounding land uses.

(5) Commercial wireless communication facilities are commercial uses and as such are generally incompatible with the character of residential zones in the County and, therefore, should not be located on residentially zoned parcels unless it can be proven that there are no alternative nonresidential sites from which can be provided the coverage needed to eliminate or substantially reduce significant gaps in the applicant carrier's coverage network.

(C) Applicability. Activities and development regulated by this chapter include the siting, design, construction, major modification, and operation of all wireless communication facilities, including Federal Communications Commission (FCC) regulated dish antennas, antennas used for multi-channel, multi-point distribution services (MMDS) or "wireless cable" and personal wireless service facilities (e.g., cellular phone services, PCS—personal communication services, wireless paging services, wireless Internet services, etc.). The regulations in this chapter are intended to be consistent with State and Federal law, particularly the Federal Telecommunications Act of 1996, in that they are not intended to: (1) be used to unreasonably discriminate among providers of functionally equivalent services; (2) have the effect of prohibiting personal wireless services within Santa Cruz County; or (3) have the effect of prohibiting the siting of wireless communication facilities on the basis of the environmental/health effects of radio frequency emissions, to the extent that the regulated services and facilities comply with the regulations of the Federal Communications Commission concerning such emissions.

(D) Definitions.

"Antennas" means any system of wires, poles, rods, reflecting discs, dishes, flat panels, or similar devices, including "whip antennas," attached to a telecommunications tower, mast or other structure, which in combination with the radio-frequency radiation generating equipment associated with a base station are used for the transmission or reception of electromagnetic waves.

"Available space" means the space on a tower or structure to which antennas of a telecommunications provider are both structurally and electromagnetically able to be attached.

"Base station" means the primary sending and receiving site in a wireless telecommunications network, including all radio-frequency generating equipment connected to antennas. More than one base station and/or more than one variety of telecommunications providers can be located on a single tower or structure.

"Cellular service" means a wireless telecommunications service that permits customers to use mobile telephones and other communication devices to connect, via low-power radio transmitter sites, either to the public-switched telephone network or to other fixed or mobile communication devices.

“CEQA” means the California Environmental Quality Act.

“Channel” means the segment of the radiation spectrum from an antenna which carries one signal. An antenna may radiate on many channels simultaneously.

“Co-location” or “co-located facility” means when more than one wireless service providers share a single wireless communication facility. A co-located facility can be comprised of a single tower, mast/pole or structure that supports two or more antennas, dishes, or similar wireless communication devices, that are separately owned or used by more than one public or private entity. Co-location can consist of additions or extensions made to existing towers so as to provide enough space for more than one user, or it can involve the construction of a new replacement tower with more antenna space that supplants an older tower with less capacity. Placing new wireless communication facilities/antennas upon existing or new P. G.& E. or other utility towers or poles (e.g., “microcell” sites) is also considered co-location.

“Communication equipment shelter” means a structure located at a base station designed principally to enclose equipment used in connection with telecommunication transmissions.

“dBm” means the unit of measure of the power level of an electromagnetic signal expressed in decibels referenced to one milliwatt.

“Dish antenna” means any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals.

“Equipment building, shelter or cabinet” means a cabinet or building used to house equipment used by wireless communication providers at a facility.

“FAA” means the Federal Aviation Administration.

“Facility site” means a property, or any part thereof, which is owned or leased by one or more wireless service providers and upon which one or more wireless communication facility(s) and required landscaping are located.

“FCC” means the Federal Communications Commission, the Federal government agency responsible for regulating telecommunications in the United States.

“GHz” means gigahertz, or 1,000,000,000 hertz.

“Ground-mounted wireless communication facility” means any antenna with its base placed directly on the ground, or that is attached to a mast or pipe, with an overall height of not exceeding 16 feet from the ground to the top of the antenna.

Hertz. One hertz is a unit of measurement of an electric or magnetic field which reverses its polarity at a frequency of once per second (i.e., one cycle or wavelength per second).

“Least visually obtrusive,” with regard to wireless communication facilities, shall refer to technically feasible facility site and/or design alternatives that render the facility the most

visually inconspicuous relative to other technically feasible sites and/or designs. It does not mean that the facility must be completely hidden, but it may require screening or other camouflaging so that the facility is not immediately recognizable as a wireless communication facility from adjacent properties and roads used by the public.

“Macrocell site” means a radio transceiver (i.e., transmits and receives signals) facility that is comprised of an unmanned equipment shelter (above or below ground) approximately 300 square feet per licensed provider, omni-directional whip, panel or microwave dish antennas mounted on a support structure (e.g., monopole, lattice tower) or building. A macrocell site typically includes 60 radio transmitters.

“Major modification to power output” means any of the following resulting in an increase in the wireless communication facility’s power output and/or increase in the intensity or change in the directionality of NIER propagation patterns: increase or intensification, or proposed increase or intensification, in power output or in size or number of antennas; change in antenna type or model; repositioning of antenna(s); change in number of channels per antenna above the maximum number previously approved by the County of Santa Cruz, including changes to any/all RF-generating equipment/componentry that are attached to antennas (e.g., conversion of wireless communication to wireless Internet that requires continuous transmitting at full power).

“Major modification to visual impact” means any increase or intensification, or proposed increase or intensification, in dimensions of an existing and/or permitted wireless communications facility (including, but not limited to, its telecommunications tower or other structure designed to support telecommunications transmission, receiving and/or relaying antennas and/or equipment) resulting in an increase of the visual impact of said wireless communications facility.

“MHz” means megahertz, or 1,000,000 hertz.

“Microcell site” means a small radio transceiver facility comprised of an unmanned equipment cabinet with a total volume of 100 cubic feet or less that is either under or aboveground, and one omni-directional whip antenna with a maximum length of five feet, or up to three small (approximately one foot by two feet or one foot by four feet) directional panel antennas, mounted on a single pole, an existing conventional utility pole, or some other similar support structure.

“Minor antenna” or “minor wireless communication facility” means any of the following:

- (1) A ground- or building-mounted receive-only radio or television antenna that is: (a) six inches or less in diameter or width; and (b) 10 feet or less in height as measured from existing grade (including mast or pipe) or, for building mounted antennas, not exceeding the height limit for noncommercial antennas in the zoning district;
- (2) A ground- or building-mounted citizens band radio antenna that is: (a) six inches or less in diameter or width; and (b) 10 feet or less in height as measured from existing grade (including mast or pipe) or, for building mounted antennas, not exceeding the height limit for noncommercial antennas in the zoning district;

(3) A ground- or building-mounted satellite receiving dish that: (a) is not more than one meter in diameter for a residential zoned parcel, or is not more than two meters in diameter for a commercial or industrial zoned parcel; and (b) does not exceed the height limit for noncommercial antennas in the zoning district; or

(4) A ground-, building-, or tower-mounted antenna operated on a noncommercial basis by a Federally licensed amateur radio operator as part of the amateur radio service, the height of which (including tower or mast) does not exceed the height limit for noncommercial antennas in the zoning district.

“MMDS” means multi-channel, multi-point distribution services (also known as “wireless cable”).

“Monitoring” means the measurement, by the use of instruments in the field, of radio-frequency/non-ionizing radiation exposure at a site as a whole, or from individual wireless communication facilities/towers/antennas/repeaters.

“Monitoring protocol” means an industry accepted radio-frequency (RF) radiation measurement protocol used to determine compliance with FCC RF radiation exposure standards, in accordance with the National Council on Radiation Protection and Measurements Reports 86 and 119 and consistent with the RF radiation modeling specifications of OET Bulletin 65 (or any superseding reports/standards), which is to be used to measure the emissions and determine radio-frequency radiation exposure levels from existing and new telecommunications facilities. RF radiation exposure measurements are to be taken at various locations, including those from which public RF exposure levels are expected to be the highest.

“Monopole” means a single pole-structure erected on the ground to support one or more wireless communication antennas.

“MTSOs” means mobile telephone switching offices.

“Non-ionizing electromagnetic radiation (NIER)” means radiation from the portion of the electromagnetic spectrum with frequencies of approximately 1,000,000 GHz and below, including all frequencies below the ultraviolet range, such as visible light, infrared radiation, microwave radiation, and radio frequency radiation.

“Nonmajor modification or maintenance activity” means a modification that is not a major modification to power output and is not a major modification to visual impact, or a maintenance activity that does not result in a major modification to power output or a major modification to visual impact.

“PCS” or “personal communications services” means digital wireless communications technology such as portable phones, pagers, faxes and computers. Also known as personal communications network (PCN).

“Personal wireless services” means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. These services include: cellular services, personal communication services, specialized mobile radio services, and paging services.

“PUC” or “CPUC” means the California Public Utilities Commission.

“Radio-frequency (RF) radiation” means radiation from the portion of the electromagnetic spectrum with frequencies below the infrared range (approximately 100 GHz and below), including microwaves, television VHF and UHF signals, radio signals, and low to ultra low frequencies.

“Repeater” means a small receiver/relay transmitter of relatively low power output designed to provide service to areas which are not able to receive adequate coverage directly from a base or primary station.

“Significant gap” means a gap in the service provider’s (applicant carrier’s) own personal wireless services network within the County of Santa Cruz, as defined in Federal case law interpretations of the Federal Telecommunications Act of 1996, including *Sprint Spectrum v. Willoth* (1999) 176 F.3d 630 and *Cellular Telephone Company v. Zoning Board of Adjustment of the Borough of Ho-Ho-Kus* (1999) 197 F.3d 64.

“Stealth technology/techniques” means camouflaging methods applied to wireless communication towers, antennas and/or other facilities, which render them visually inconspicuous.

“Structurally able” means the determination that a tower or structure is capable of carrying the load imposed by the new antennas under all reasonably predictable conditions as determined by professional structure engineering analysis.

“Structure-mounted wireless communication facility” means any immobile antenna (including panels and directional antennas) attached to a structure, such as a building facade or a water tower, or mounted upon a roof.

“Technically feasible” means capable of being accomplished based on existing technology compatible with an applicant’s existing network.

“Telecommunication tower (tower)” means a mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure designed and primarily used to support antennas.

Viable. Primarily in reference to the alternatives analysis, an alternative site for which there is a property owner/manager interested in renting, leasing, selling, or otherwise making available, space for one or more wireless communication facilities upon said site on reasonable terms commensurate with the market in Santa Cruz County.

“Visual impact” means an adverse effect on the visual and/or aesthetic environment. This may derive from blocking of a view, or introduction of elements that are incompatible with the scale, texture, form or color of the existing natural or human-made landscape, including the existing community character of the neighborhood.

“Wireless communication (or “telecommunications”) facility” means a facility, including all associated equipment, that supports the transmission and/or receipt of electromagnetic/radio signals. Wireless communication facilities include cellular radio-telephone service facilities;

personal communications service facilities (including wireless Internet); specialized mobile radio service facilities and commercial paging service facilities. These types of facilities can include, but are not limited to, the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development.

“Wireless communication facilities GIS map” means a map maintained by the County in Geographic Information System (GIS) format that includes location and other identifying information about wireless communication facilities in the County.

(E) Exemptions. The types of wireless communications facilities, devices and activities listed below are exempt from the provisions of SCCC [13.10.660](#) through [13.10.668](#), inclusive, except that SCCC [13.10.663](#)(A)(1) through (A)(8) shall continue to apply if the facility, device and/or activity requires a coastal development permit pursuant to Chapter [13.20](#) SCCC. This exemption is not intended to limit or expand the scope of other Federal, State and local policies and regulations, including but not limited to the General Plan/Local Coastal Program, which apply to these facilities, devices and/or activities.

- (1) A ground- or building-mounted citizens band or two-way radio antenna including any mast that is operated on a noncommercial basis.
- (2) A ground-, building- or tower-mounted antenna operated on a noncommercial basis by a Federally licensed amateur radio operator as part of the amateur or business radio service.
- (3) A ground- or building-mounted receive-only radio or television antenna which does not exceed the height requirements of the zoning district, and which, for a television dish antenna, does not exceed three feet in diameter if located on residential property within the exclusive use or control of the antenna user.
- (4) A television dish antenna that is no more than six feet in diameter and is located in any area where commercial or industrial uses are allowed by the land use designation.
- (5) Temporary mobile wireless services, including mobile wireless communication facilities and services providing public information coverage of news events, of less than two weeks’ duration. Any mobile wireless service facility intended to operate in any given location for more than two weeks is subject to the provisions of SCCC [13.10.660](#) through [13.10.668](#), inclusive.
- (6) Handheld devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar devices.
- (7) Wireless communication facilities and/or components of such facilities to be used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., County 911 emergency services, police, sheriff, and/or fire departments, first responder medical services, hospitals, etc.). Unless otherwise prohibited by law or exempted by action of the Board of Supervisors, public safety agencies shall be required to

provide a map of facility locations for inclusion in the County's wireless communication facilities GIS map. If a wireless communication facility approved for an authorized public safety agency is not or ceases to be operated by an authorized public safety agency, and if a nonpublic safety agency operator proposes to use the approved facility, then the change in operator shall require that the new operator submit an application for the wireless communication facility to be evaluated as if it were a new facility subject to SCCC [13.10.660](#) through [13.10.668](#), inclusive, and the General Plan/Local Coastal Program. The facility shall not be operated by the new operator until a final decision has been rendered on the application.

(8) Any "minor" antenna or facility described under subsection (D) of this section.

(9) Any "nonmajor" modification or maintenance activities, as defined by subsection (D) of this section, carried out as part of the routine operation of existing permitted wireless communication facilities.

(10) Small scale, low powered, short-range and visually inconspicuous, wireless Internet transmitter/receivers (e.g., "wi-fi hotspots"). [Ord. 5182 § 9, 2014; Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.661 General Requirements for Wireless Communication Facilities

All wireless communications facilities shall comply with all applicable goals, objectives and policies of the General Plan/Local Coastal Program, area plans, zoning regulations and development standards, are subject to Level V review (Zoning Administrator public hearing pursuant to Chapter [18.10](#) SCCC), are subject to the California Environmental Quality Act (CEQA), and shall comply with the following requirements:

(A) Required Permits. All new wireless communication facilities shall be subject to a commercial development permit, and also a coastal development permit if in the Coastal Zone. Additionally, a building permit will be required for construction of new wireless communication facilities.

(B) Prohibited Areas.

(1) Prohibited Zoning Districts. Wireless communication facilities are prohibited in the following zoning districts, unless a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#):

- (a) Single-Family Residential (R-1);
- (b) Multifamily Residential (RM);
- (c) Single-Family Ocean Beach Residential (RB);
- (d) Commercial Agriculture (CA); and
- (e) The combining zone overlays for:

(i) Mobile Home Parks (MH).

(2) Prohibited Coastal Areas. Wireless communication facilities are prohibited in areas that are located between the sea and the seaward side of the right-of-way of the first through public road parallel to the sea, unless a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#).

(3) Prohibited School Grounds. Wireless communication facilities are prohibited on all public and private K—12 school sites, unless a Telecommunications Act Exception is approved pursuant to SCCC [13.10.668](#).

(4) Exceptions to Prohibited Areas Prohibition. If a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#) that allows for siting a wireless communications facility within any of the above-listed prohibited areas, then such facility shall comply with the remainder of SCCC [13.10.660](#) through [13.10.668](#), inclusive, and shall be co-located. Applicants proposing new wireless communication facilities in any of the above-listed prohibited areas must submit as part of their application an alternatives analysis, as described in SCCC [13.10.662](#)(C). Non-co-located wireless communication facilities may be sited in the prohibited areas listed above only in situations where the applicant can prove that:

(a) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and

(b) There are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and/or designs) outside the prohibited areas identified in subsection (B) of this section that could eliminate or substantially reduce said significant gap(s).

Any wireless communications facility and any associated development allowed in a prohibited area: (i) shall be sited and designed so that it is not visible from public vantage points to the maximum extent feasible; or (ii) where some portion or all of such a facility and/or any associated development is unavoidably sited and/or designed in a manner that makes it visible from public vantage points (and cannot be sited and/or designed to not be visible), that portion shall be screened and/or camouflaged so that it is inconspicuous and designed to blend seamlessly into the existing public view.

(C) Restricted Areas.

(1) Restricted Zoning Districts. Non-co-located wireless communication facilities are discouraged in the following zoning districts, subject to the exceptions described in subsection (C)(3) of this section and/or unless a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#):

(a) Residential Agricultural (RA);

(b) Rural Residential (RR);

(c) Special use (SU) with a residential General Plan designation; and

(d) The combining zone overlays for:

(i) Historic Landmarks (L); and

(ii) Salamander Protection Areas (SP).

(2) Restricted Coastal Right-of-Way Area. Wireless communications facilities are discouraged in the right-of-way of the first through public road parallel to the sea, subject to the exceptions described in subsection (C)(3) of this section. If a wireless communications facility is allowed within said right-of-way pursuant to subsection (C)(3) of this section, then the wireless communications facility shall, in addition to complying with the remainder of SCCC [13.10.660](#) through [13.10.668](#), inclusive, comply with all of the following:

(a) The facility shall be of the microcell site type (as defined in SCCC [13.10.660](#)(D)) and:

(i) Shall be mounted upon an existing or replacement utility pole (where “replacement” means that there exists a utility pole in that location and it is immediately replaced with a pole that has the same or a reduced visual impact, and has the same or lesser dimensions as the existing utility pole); and

(ii) Shall have antennas no larger than one foot by two feet that are flush mounted and of a color that blends with that of the supporting utility pole; and

(iii) Shall have an equipment cabinet that is no more than 24 inches high, 18 inches wide, and 10 inches deep if mounted upon the utility pole or on the ground, or is located in an underground vault; and

(iv) Shall be fully camouflaged through stealth techniques to render the facility as visually inconspicuous as possible.

(b) The facility shall be located on the inland side of the right-of-way unless a location on the seaward side of the right-of-way would result in less visual impact; and

(c) The facility shall only be allowed in the coastal right-of-way provided the applicant’s agreement(s) with the owner and operator of the right-of-way and the utility pole specifies that the facility shall be removed and the site restored by the applicant if informed by the owner and operator that the utility pole is to be removed because the utilities the pole supports are to be relocated underground.

(3) Exceptions to Restricted Area Prohibition. Wireless communication facilities (WCFs) that are co-located upon existing wireless communication facilities/towers or other utility towers/poles (e.g., P.G.&E. poles), and which do not significantly increase the visual impact of the existing facility/tower/pole, are allowed in the restricted zoning districts

listed in subsection (C)(1) of this section. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Applicants proposing new non-co-located wireless communication facilities in the restricted areas must submit as part of their application an alternatives analysis, as described in SCCC [13.10.662](#)(C). In addition to complying with the remainder of SCCC [13.10.660](#) through [13.10.668](#), inclusive, non-co-located wireless communication facilities may be sited in the restricted zoning districts listed above only in situations where the applicant can prove that:

- (a) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and
- (b) There are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and/or designs) outside the prohibited and restricted areas identified in subsections (B) and (C) of this section that could eliminate or substantially reduce said significant gap(s).

(D) Compliance with FCC Regulations. Wireless communication facilities shall comply with all Federal Communications Commission (FCC) rules, regulations, and standards. Inhabitants of the County shall be protected from the possible adverse health effects associated with exposure to harmful levels of NIER (non-ionizing electromagnetic radiation) by ensuring that all wireless communication facilities comply with NIER standards set by the FCC.

(E) Compliance with FAA Regulations. Wireless communication facilities shall comply with all applicable criteria from the Federal Aviation Administration (FAA) and shall comply with adopted airport safety regulations for Watsonville Municipal Airport (Chapter [13.12](#) SCCC).

(F) Site Selection—Visual Impacts. Wireless communication facilities shall be sited in the least visually obtrusive location that is technically feasible, unless such site selection leads to other resource impacts that make such a site the more environmentally damaging location overall.

(G) Co-Location. Co-location of new wireless communication facilities into/onto existing wireless communication facilities and/or existing telecommunication towers is generally encouraged if it does not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Co-location may

require that height extensions be made to existing towers to accommodate additional users, or may involve constructing new multi-user capacity towers that replace existing single-user capacity towers. Where the visual impact of an existing tower/facility must be increased to allow for co-location, the potential increased visual impact shall be weighed against the potential visual impact of constructing a new separate tower/facility nearby. Where one or more wireless communication tower/facilities already exist on the proposed site location, co-location shall be required if it will not significantly increase the visual impact of the existing facilities, or result in more than nine total individual antenna panels and/or three above-ground equipment enclosures/shelters located on the same parcel, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. This may require that the existing tower(s) on the site be dismantled and its antennas be mounted upon the new tower, particularly if the new tower would be less visually obtrusive than the existing tower(s). If a co-location agreement cannot be obtained, or if co-location is determined to be technically infeasible, documentation of the effort and the reasons why co-location was not possible shall be submitted.

(H) Public Notification. Public hearing notice shall be provided pursuant to SCCC [18.10.223](#). However, due to the potential adverse visual impacts of wireless communication facilities the neighboring parcel notification distance for wireless communication facility applications is increased from the normal 300 feet to 1,000 feet from the outer boundary of the subject parcel. To further increase public notification, on-site visual mock-ups as described in SCCC [13.10.662](#)(D) are also required for all proposed wireless communication facilities, except for co-located and microcell facilities that do not represent a major modification to visual impact as defined in SCCC [13.10.660](#)(D).

(I) Major Modification to Power Output. Any proposed major modification that would increase the power output of a wireless communication facility, as defined in SCCC [13.10.660](#)(D), shall require the submission of an affidavit by a professional engineer registered in the State of California that the proposed facility improvements will not result in RF exposure levels to the public in excess of the FCC's NIER exposure standard. In addition, within 90 days of commencement of operation of the modified facility, the applicant shall conduct RF exposure level monitoring at the site, utilizing the monitoring protocol, and shall submit a report to the Planning Department documenting the results of said monitoring.

(J) Major Modification to Visual Impact. Any proposed major modification that would increase the visual impact of a wireless communication facility, as defined in SCCC [13.10.660](#)(D), shall be subject to all requirements of SCCC [13.10.660](#) through [13.10.668](#), inclusive.

(K) Transfer of Ownership. In the event that the original permittee sells its interest in a wireless communication facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval, including proof of liability insurance. A new contact name for the project shall be provided by the succeeding carrier to the Planning Department within 30 days of transfer of interest of the facility. [Ord. 5020 §§ 1, 2, 2008; Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.662 Application Requirements for Wireless Communication Facilities

All new wireless communication facilities must be authorized by a commercial development permit, and also by a coastal development permit if located in the Coastal Zone, and are subject to the following permit application requirements:

(A) **Preapplication Meeting.** All applicants for proposed wireless communication facilities are encouraged to apply for the development review group process, pursuant to Chapter [18.10](#) SCCC, in order to allow Planning Department staff to provide feedback to the applicant regarding facility siting and design prior to formal application submittal.

(B) **Submittal Information—All Applications.** For all wireless communication facilities, in addition to the submittal requirements for Level V projects as specified in SCCC [18.10.210](#)(B), the information listed below must accompany each application (for the purpose of permit processing, the Planning Director or his/her designee may release an applicant from having to provide one or more of the pieces of information on this list upon a written finding that in the specific case involved said information is not necessary to process or make a decision on the application being submitted):

- (1) The identity and legal status of the applicant, including any affiliates.
- (2) The name, address, and telephone number of the officer, agent or employee responsible for the accuracy of the application information.
- (3) The name, address, and telephone number of the owner, and agent representing the owner, if applicable, of the property upon which the proposed wireless communication facility is to be built and title reports identifying legal access.
- (4) The address and assessor parcel number(s) of the proposed wireless communication facility site, including the precise latitude/longitude coordinates (NAD 83) in decimal degree format, of the proposed facility location on the site.
- (5) A description of the applicant service provider's existing wireless communication facilities network, and the provider's currently proposed facilities and anticipated future facilities for all proposed sites for which an application has been submitted, and for all proposed sites for which site access rights or agreements have been secured by the provider. This must include a map, and a table (in hardcopy and digital formats) listing facility situs/addresses, site names/identification, facility types, and precise latitude/longitude coordinates (NAD 83) in decimal degree format, for all of the applicant carrier's existing and proposed facilities, within both the unincorporated and incorporated areas of Santa Cruz County, for inclusion on the County's wireless communication facility GIS map. In lieu of submitting this information with multiple applications, if this information has been previously submitted by the applicant, the applicant alternatively may certify in writing that none of the submitted information has changed. Information regarding proposed network expansions will be kept confidential by the County if identified in writing as trade secrets by the applicant.

- (6) A description of the wireless communication services that the applicant intends to offer to provide, or is currently offering or providing, to persons, firms, businesses or institutions within both the unincorporated and incorporated areas of Santa Cruz County.
- (7) Information sufficient to determine that the applicant has applied for and/or received any certificate of authority required by the California Public Utilities Commission (if applicable) to provide wireless communications services or facilities within the unincorporated areas of the County of Santa Cruz.
- (8) Information sufficient to determine that the applicant has applied for and/or received any building permit, operating license or other approvals required by the Federal Communications Commission (FCC) to provide services or facilities within the unincorporated areas of the County of Santa Cruz.
- (9) Compliance with the FCC's non-ionizing electromagnetic radiation (NIER) standards or other applicable standards shall be demonstrated for any new wireless communication facility through submission of a written opinion submitted, by a professional engineer registered in the State of California, at the time of application.
- (10) A plan for safety/security considerations, consistent with SCCC [13.10.664](#). A detailed description of the proposed measures to ensure that the public would be kept at a safe distance from any NIER transmission source associated with the proposed wireless communication facility, consistent with the NIER standards of the FCC or any potential future superseding standards, must be submitted as part of the application. The submitted plans must also show that the outer perimeter of the facility site (or NIER hazard zone in the case of rooftop antennas) will be posted with bilingual NIER hazard warning signage that also indicates the facility operator and an emergency contact. The emergency contact shall be someone available on a 24-hour-a-day basis who is authorized by the applicant to act on behalf of the applicant regarding an emergency situation. For the protection of emergency response personnel, each wireless communication facility shall have an on-site emergency shut-off switch to de-energize all RF-related circuitry/componentry at the base station site (including a single shut-off switch for all facilities at a co-location site), or some other type of emergency shut-off by emergency personnel acceptable to the local Fire Chief, unless the applicant can prove that the FCC public exposure limits cannot be exceeded in the vicinity of the proposed facility, even if firefighters or other personnel work in close proximity to the antenna(s) or other RF radiation emitting devices/components.
- (11) A detailed visual analysis, including computer photo simulations of the proposed wireless communication facility, shall be provided along with a written description from the installer. Photo simulations shall be submitted of the proposed wireless communication facility from various locations and/or angles from which the public would typically view the site. All photo simulations shall include a site map indicating the location from which the photo was taken, and a description of the methodology and equipment used to generate the simulation. More in-depth visual analyses shall be required for facilities proposed in visual resource areas designated in Section 5.10 of the County General Plan/LCP. The visual analysis shall identify and include all potential mitigation measures for visual

impacts, consistent with the technological requirements of the proposed telecommunication service.

(12) Detailed maps of proposed wireless communication facility site and vicinity, in full-size and eight-and-one-half-inch by 11-inch reduction formats. Reduced plans shall include a graphic scale to allow for direct measurement from them. The following maps are required at the time of application submittal:

(a) Topographic/Area Map. Copy a portion of the most recent U.S.G.S. Quadrangle topographical map (with 20-foot contour intervals), at a scale of 1:24,000, indicating the proposed wireless communication facility site, and showing the area within at least two miles from the proposed site.

(b) Proximity Map and Aerial Photo. Prepare a map and an aerial photo at a scale of approximately one inch equals 200 feet (1:2,400), with contour intervals (for map only) no greater than 20 feet, showing the entire vicinity within a 1,500-foot radius of the wireless communication facility site, and including topography (map only), public and private roads, driveways on the subject parcel, buildings and structures, bodies of water, wetlands, landscape features, and historic sites. Draw a 1,500-foot radius circle on the map and aerial photo with the proposed facility at its center and indicate all structures within 1,500 feet of the proposed tower/antennas. Indicate property lines of the proposed tower/facility site parcel and of all parcels and rights-of-way abutting the tower/facility site parcel.

(13) Detailed plans and cross sections of proposed wireless communication facility and site, in full-size and eight-and-one-half-inch by 11-inch reduction formats. Reduced plans shall include a graphic scale to allow for direct measurement from them. Full-size plans shall be on 24-inch by 36-inch sheets, on as many as necessary, and at scales which are no smaller than those listed below. Each plan/cross section sheet shall have a title block indicating the project title, sheet title, sheet number, date, revision dates, scale(s), and signature(s) of the professional(s) who prepared the plan. The following plans and cross sections are required at the time of application submittal:

(a) Proposed Site Plan. Proposed wireless communication facility site layout, grading and utilities at a scale no smaller than one inch equals 40 feet (1:480) with topography drawn at a minimum of 10-foot contour intervals, showing existing utilities, property lines, existing buildings or structures, walls or fence lines, existing trees, areas with natural vegetation, existing water wells, springs, and the boundaries of any wetlands, watercourses and/or floodplains.

(i) Proposed tower/facility location and any associated components, including supports and guy wires, if any, and any accessory building (communication equipment shelter or other). Indicate property boundaries and setback distances from those boundaries to the base(s) of the tower/mast and to each facility-related structure and/or component. Include dimensions of all proposed improvements.

- (ii) Indicate existing and proposed grade elevations where the existing and proposed grade intersects the proposed tower/mast, any guy wires, and all facility-related structures and/or components.
- (iii) Proposed utilities, including distance from source of power, sizes of service available and required, locations of any proposed utility or communication lines, and whether underground or above ground.
- (iv) Limits of area where vegetation is to be cleared or altered, and justification for any such clearing or alteration.
- (v) Any direct or indirect alteration proposed to environmentally sensitive habitat areas, including wetlands and riparian corridors. Note that such alteration is only allowed under very specific circumstances and subject to specific requirements governed by the LCP's environmentally sensitive habitat area, wetland, riparian corridor, and other similar resource protection requirements; these requirements are not suspended in any way by this section.
- (vi) Detailed drainage plans designed to control and direct all site runoff, including specific measures to control erosion and sedimentation, both during construction and as a permanent measure. The plan shall incorporate structural and nonstructural best management practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater and other runoff leaving the site.
- (vii) Plans indicating locations and descriptions of proposed screening, landscaping, ground cover, irrigation systems, fencing, and any exterior lighting or signs. For any vegetation proposed to be used for screening purposes, the plans shall identify the expected dimensions and other characteristics of each individual species over time (including, at a minimum, on a yearly basis until maturity and/or maximum size is reached), and the expected dimensions and other characteristics of any overall vegetation screen over time (including, at a minimum, on a yearly basis until maturity and/or maximum size is reached). All species to be planted shall be non-invasive species native to Santa Cruz County, and specifically native to the project location. See also SCCC [13.10.663\(B\)\(9\)](#).
- (viii) Plans of proposed access driveway or roadway and parking area at the facility site. Include grading, drainage, and traveled width. Include a cross section of the access drive indicating the width, depth of gravel, paving or surface materials.
- (ix) Plans showing any changes to be made to an existing facility's landscaping, screening, fencing, lighting, drainage, wetlands, grading, driveways or roadways, parking, or other infrastructure as a result of a proposed modification of the facility. Note that changes to wetlands and other sensitive habitat areas are only allowed under very specific circumstances and subject to specific requirements governed by the General Plan/LCP environmentally sensitive habitat

area, wetland, and other similar resource protection requirements; these requirements are not suspended in any way by this section.

(b) Proposed Tower/Facility and Related Structures and/or Components.

(i) Plans, elevations, sections and details at appropriate scales, but no smaller than one inch equals 10 feet.

(ii) Two cross sections through proposed tower/facility drawn at right angles to each other, and showing the ground profile to at least 100 feet beyond the limit of any vegetation clearing or beyond the fall zone of the tower/mast, whichever is greater, and showing any guy wires or supports. Dimension the proposed height of the tower/mast above average grade at tower/mast base. Show all proposed antennas including their location on the tower/facility.

(iii) Detail proposed exterior finish of the tower/facility. Provide precise depictions, photo examples, and/or detail drawings for all stealth features (such as “monopine” branches).

(iv) Indicate relative height of the tower/facility as compared to the tops of surrounding trees as they presently exist, and to existing and proposed finished grades.

(v) Illustration of the modular structure of the proposed tower/facility indicating the heights of sections which could be removed or added in the future to adapt to changing communications conditions or demands (including potential future co-location).

(vi) A structural professional engineer’s written description of the proposed tower/facility structure and its capacity to support additional antennas or other communication facilities at different heights and the ability of the tower to be shortened if future communication facilities no longer require the original height.

(vii) A description of the available space on the tower, providing illustrations and examples of the type and number of co-located wireless communication facilities which could be mounted on the structure.

(viii) Photographs precisely depicting the tower/facility type to be installed.

(c) Proposed Communications Equipment Shelter. Including (i) floor plans, elevations and cross sections at a scale of no smaller than one-quarter-inch equals one foot (1:48) of any proposed structural component, (ii) representative elevation views, indicating the roof, facades, doors and other exterior appearance and materials, and (iii) a description of all equipment to be contained therein, including number, make and model of each electromagnetic and radio-frequency apparatus to be installed.

(d) Proposed Equipment Plan.

- (i) Plans, elevations, sections and details at appropriate scales but no smaller than one inch equals 10 feet.
- (ii) Number of antennas and repeaters, as well as the exact locations, of antenna(s) and all repeaters (if any) located on a map as well as by degrees, minutes and seconds of latitude and longitude (in decimal degree format).
- (iii) Mounting locations on tower or structure, including height above existing and proposed finished grades.
- (iv) A recent survey of the facility site at a scale no smaller than one inch equals 40 feet (1:480) showing horizontal and radial distances of antenna(s) to nearest point on property line, and to the nearest dwelling unit.
- (v) For applications for new wireless communication facilities in any of the prohibited or restricted areas, as set forth in SCCC [13.10.661](#)(B) and (C), the applicant must also disclose:
 - A. Number, type(s), manufacturer(s) and model number(s) for all antennas and other RF-generating equipment.
 - B. For each antenna, the antenna gain and antenna radiation pattern.
 - C. Number of channels per antenna, projected and maximum.
 - D. Power input to each antenna.
 - E. Power output, in normal use and at maximum output for each antenna and all antennas as an aggregate.
 - F. Output frequency of the transmitter(s).
- (vi) For modification of an existing facility with multiple emitters, the results of an intermodulation study to predict the interaction of the additional equipment with existing equipment.

(14) If co-location is not proposed, the applicant shall provide information pertaining to the feasibility of joint-use antenna facilities, and discuss the reasons why such joint use is not a viable option or alternative to a new facility site. Such information shall include:

- (a) Whether it is feasible to locate proposed sites where facilities currently exist;
- (b) Information on the existing structure that is closest to the site of the applicant's proposed facility relative to the existing structure's structural capacity, radio frequency interface, or incompatibility of different technologies, which would include mechanical or electrical incompatibilities; and

(c) Written notification of refusal of the existing structure owner to lease space on the structure.

(15) For any application that involves a major modification to, or replacement of, an applicant's wireless communication facility, the applicant shall submit a brief narrative description and any supporting graphics (such as plans, photos, relevant literature, etc.) detailing any changes in wireless communication facility technologies that would allow the existing facility to be modified to provide for the same or increased level of service with less environmental impact, including less visual resource impact, as technically feasible.

(C) Alternatives Analysis. For applications for wireless communication facilities proposed to be located in any of the prohibited areas specified in SCCC [13.10.661\(B\)](#) and non-co-located wireless communication facilities proposed to be located in any of the restricted areas specified in [13.10.661\(C\)](#), an alternatives analysis must be submitted by the applicant, subject to independent RF engineering review, which shall at a minimum:

(1) Identify and indicate on a map, at a minimum two viable, technically feasible, and potentially environmentally equivalent or superior alternative locations outside the prohibited and restricted areas which could eliminate or substantially reduce the significant gap(s) in the applicant carrier's network intended to be eliminated or substantially reduced by the proposed facility. If there are fewer than two such alternative locations, the applicant must provide evidence establishing that fact. The map shall also identify all locations where an unimpaired signal can be received to eliminate or substantially reduce the significant gap(s). For all non-co-located wireless communication facilities proposed in a restricted/prohibited area, the applicant must also evaluate the potential use of one or more microcell sites (i.e., smaller facilities often mounted upon existing or replacement utility poles), and the use of repeaters, to eliminate or substantially reduce said significant gaps in lieu of the proposed facility. For each alternative location so identified, the applicant shall describe the type of facility and design measures that could be used at that location so as to minimize negative resource impacts (e.g., the use of stealth camouflaging techniques).

(2) Evaluate the potential for co-location with existing wireless communication facilities as a means to eliminate or substantially reduce the significant gap(s) in the applicant carrier's network intended to be eliminated or substantially reduced by the proposed facility.

(3) Compare, across the same set of evaluation criteria and to similar levels of description and detail, the relative merits of the proposed site with those of each of the identified technically feasible alternative locations and facility designs. Such comparison analysis shall rank each of the alternatives (i.e., the proposed location/facility and each of the technically feasible location/design alternatives) in terms of impacts (i.e., from least to most environmentally damaging), and shall support such ranking with clear analysis and evidence.

(4) Include photo-simulations of each of the alternatives (i.e., the proposed location/facility and each of the technically feasible location/design alternatives).

(5) Document good faith and diligent attempts to rent, lease, purchase or otherwise obtain the use of at least two of the viable, technically feasible alternative sites which may be environmentally equivalent or superior to the proposed project site. The decision-making body may determine that an alternative site is not viable if good faith attempts to rent, lease, purchase or otherwise obtain the site have been unsuccessful.

The Planning Director (or his/her designee) or the decision-making body may also require an alternatives analysis for proposed wireless communication facility projects that are located in environmentally sensitive areas other than those set forth in SCCC [13.10.661](#)(B) and/or (C), such as visual resource areas as identified in General Plan/LCP Section 5.10.

(D) On-Site Visual Demonstration Structures (Mock-Ups). On-site visual demonstration structures (i.e., mock-ups) shall be required for all proposed wireless communication facilities, except for co-located and microcell facilities that do not represent a major modification to visual impact as defined in SCCC [13.10.660](#)(D). For proposed rooftop or ground-mounted antennas, a temporary mast approximating the dimensions of the proposed facility shall be raised at the proposed antenna/mast location. For proposed new telecommunications towers the applicant will be required to raise a temporary mast at the maximum height and at the location of the proposed tower. At minimum, the on-site demonstration structure shall be in place prior to the first public hearing to consider project approval, on at least two weekend days and two weekdays between the hours of 8:00 a.m. to 6:00 p.m., for a minimum of 10 hours each day. A project description, including photo simulations of the proposed facility, shall be posted at the proposed project site for the duration of the mock-up display. The Planning Director or his/her designee may release an applicant from the requirement to conduct on-site visual mock-ups upon a written finding that in the specific case involved said mock-ups are not necessary to process or make a decision on the application and would not serve as effective public notice of the proposed facility.

(E) Amendment. Each applicant/registrant shall inform the County within 30 days of any change of the information required pursuant to SCCC [13.10.660](#) through [13.10.668](#), inclusive.

(F) Technical Review. The applicant will be notified if an independent technical review of any submitted technical materials is required. The Planning Director or his/her designee shall review and, in his or her discretion, procure additional information and data as may assist him/her in reviewing the following: (1) reports concerning conformance with the FCC RF radiation exposure levels; (2) reports concerning the need for a facility; and/or (3) reports concerning availability or suitability of alternatives to a proposed facility. The Planning Director may employ, on behalf of the County, an independent technical expert or experts to review any technical materials submitted including but not limited to those required under this section, and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The review and procurement of such additional information/data shall be undertaken for all applications that seek approval of a facility in a prohibited or restricted area, unless the Planning Director, his/her designee, or the approving body determines in writing that such review is unnecessary to inform the decision-making process. In addition, the review and procurement of information for applications in other areas may be required if the Planning Director determines that such review is necessary to inform the decision-making process. The applicant shall pay all the costs of said review and may be required to deposit funds in advance to cover the estimated costs of said review. If clearly marked as such by the applicant, any trade

secrets or proprietary information disclosed to the County, the applicant, or the expert hired shall remain confidential and shall not be disclosed to any third party.

(G) Technical Feasibility. For any technical infeasibility claims made, the applicant shall be required to conclusively demonstrate, including submitting adequate evidence to that effect, the reasons for the technical infeasibility.

(H) Fees for review of all commercial development permits for wireless communication facilities shall be established by resolution of the Board of Supervisors. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.663 General Development/ Performance Standards for Wireless Communication Facilities

(A) Site Location. The following criteria shall govern appropriate locations and designs for wireless communication facilities, including dish antennas and multi-channel, multi-point distribution services (MMDS)/wireless cable antennas, and may require the applicant to select an alternative site other than the site shown on an initial permit application for a wireless facility:

(1) Visual Character of Site. Site location and development of wireless communications facilities shall preserve the visual character, native vegetation and aesthetic values of the parcel on which such facilities are proposed, the surrounding parcels and road rights-of-way, and the surrounding land uses to the greatest extent that is technically feasible, and shall minimize visual impacts on surrounding land and land uses to the greatest extent feasible. Facilities shall be integrated to the maximum extent feasible to the existing characteristics of the site, and every effort shall be made to avoid, or minimize to the maximum extent feasible, visibility of a wireless communication facility within significant public viewsheds. Utilization of camouflaging and/or stealth techniques shall be encouraged where appropriate. Support facilities shall be integrated to the existing characteristics of the site, so as to minimize visual impact.

(2) Co-Location. Co-location is generally encouraged in situations where it is the least visually obtrusive option, such as when increasing the height/bulk of an existing tower would result in less visual impact than constructing a new separate tower in a nearby location. However, proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures.

(3) Ridgeline Visual Impacts. Wireless communication facilities proposed for visually prominent ridgeline, hillside or hilltop locations shall be sited and designed to be as visually unobtrusive as possible. Consistent with General Plan/LCP Policy 8.6.6, wireless communication facilities should be sited so the top of the proposed tower/facility is below

any ridgeline when viewed from public roads in the vicinity. If the tower must extend above a ridgeline the applicant must camouflage the tower by utilizing stealth techniques and hiding it among surrounding vegetation.

(4) Site Disturbance. Disturbance of existing topography and on-site vegetation shall be minimized, unless such disturbance would substantially reduce the visual impacts of the facility.

(5) Exterior Lighting. Any exterior lighting, except as required for FAA regulations for airport safety, shall be manually operated and used only during night maintenance checks or in emergencies. The lighting shall be constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.

(6) Aviation Safety. No wireless communication facility shall be installed within the safety zone or runway protection zone of any airport, airstrip or helipad within Santa Cruz County unless the airport owner/operator indicates that it will not adversely affect the operation of the airport, airstrip or helipad. In addition, no wireless communication facility shall be installed at a location where special painting or lighting will be required by the FAA regulations unless the applicant has demonstrated to the Planning Director that the proposed location is the only technically feasible location for the provision of personal wireless services as required by the FCC.

(7) Coastal Zone Considerations. New wireless communication facilities in any portion of the Coastal Zone shall be consistent with applicable policies of the County Local Coastal Program (LCP) and the California Coastal Act. No portion of a wireless communication facility shall extend onto or impede access to a publicly used beach. Power and telecommunication lines servicing wireless communication facilities in the Coastal Zone shall be required to be placed underground.

(8) Consistency with Other County Land Use Regulations. All proposed wireless communication facilities shall comply with the policies of the County General Plan/Local Coastal Plan and all applicable development standards for the zoning district in which the facility is to be located, particularly policies for protection of visual resources (i.e., General Plan/LCP Section 5.10). Public vistas from scenic roads, as designated in General Plan Section 5.10.10, shall be afforded the highest level of protection.

(9) Visual Impacts to Neighboring Parcels and Public Schools. To minimize visual impacts to surrounding residential uses and public primary or secondary schools, the base of any new freestanding telecommunications tower or building/roof-mounted wireless communication facility shall be set back from the property line of any residentially zoned parcel, or the property line for any public primary or secondary school, a distance equal to five times the height of the tower if mounted upon a telecommunications tower, or a minimum of 300 feet, whichever is greater. This requirement may be waived by the decision-making body if the applicant can prove that the wireless communication facility will be camouflaged or otherwise made inconspicuous such that visual impacts are not created, or if the applicant can prove that a significant area proposed to be served would otherwise not be provided personal wireless services by the subject carrier, including

proving that there are no viable, technically feasible, environmentally equivalent or superior alternative sites outside the prohibited and restricted areas designated in SCCC [13.10.661](#)(B) and (C).

(10) **Setbacks.** All components of new wireless communication facilities must comply with the setback standards for the applicable zoning district. Depending upon specific site constraints and circumstances, this requirement may not apply to antennas proposed to be co-located on existing towers or utility poles (e.g., microcell sites), nor to underground equipment shelters, if it would prohibit use of the proposed facility site.

(B) **Design Review Criteria.** The following criteria apply to all wireless communication facilities:

(1) **Nonflammable Materials.** All wireless communication facilities shall be constructed of nonflammable material, unless specifically approved and conditioned by the County to be otherwise (e.g., when a wooden structure may be necessary to minimize visual impact).

(2) **Tower Type.** All telecommunication towers shall be self-supporting monopoles except where satisfactory evidence is submitted to the appropriate decision-making body that a nonmonopole (such as a guyed or lattice tower) is required or environmentally superior. All guy wires must be sheathed for their entire length with a plastic or other suitable covering.

(3) **Support Facilities.** The County strongly encourages all support facilities, such as equipment shelters, to be placed in underground vaults, so as to minimize visual impacts. Any support facilities not placed underground shall be located and designed to minimize their visibility and, if appropriate, disguise their purpose to make them less prominent. These structures should be no taller than 12 feet in height, and shall be designed to blend with existing architecture and/or the natural surroundings in the area or shall be screened from sight by mature landscaping.

(4) **Exterior Finish.** All support facilities, poles, towers, antenna supports, antennas, and other components of communication facilities shall be of a color approved by the decision-making body. If a facility is conditioned to require paint, it shall initially be painted with a flat (i.e., nonreflective) paint color approved by the decision-making body, and thereafter repainted as necessary with a flat paint color, unless it is determined that flat paint color would lead to more adverse impact than would another type of paint color. Components of a wireless communication facility which will be viewed against soils, trees, or grasslands shall be of a color or colors consistent with these landscapes. All proposed stealth tree poles (e.g., “monopines”) must use bark screening that approximates natural bark for the entire height and circumference of the monopole visible to the public, as technically feasible.

(5) **Visual Impact Mitigation.** Special design of wireless communication facilities may be required to mitigate potentially significant adverse visual impacts, including appropriate camouflaging or utilization of stealth techniques. Use of less visually obtrusive design alternatives, such as “microcell” facility types that can be mounted upon existing utility

poles, is encouraged. Telecommunication towers designed to look like trees (e.g., “monopines”) may be favored on wooded sites with existing similar looking trees where they can be designed to adequately blend with and/or mimic the existing trees. In other cases, stealth-type structures that mimic structures typically found in the built environment where the facility is located may be appropriate (e.g., small-scale water towers, barns, and other typical farm-related structures on or near agricultural areas). Rooftop or other building mounted antennas designed to blend in with the building’s existing architecture shall be encouraged. Co-location of a new wireless communication facility onto an existing telecommunication tower shall generally be favored over construction of a new tower. Owners/operators of wireless communication towers/facilities are required to maintain the appearance of the tower/facility, as approved, throughout its operational life. Public vistas from scenic roads, as designated in General Plan/LCP Section 5.10.10, shall be afforded the highest level of protection.

(6) Height. The height of a wireless communication tower shall be measured from the existing undisturbed ground surface below the center of the base of said tower to the top of the tower itself or, if higher, to the tip of the highest antenna or piece of equipment attached thereto. In the case of building-mounted towers the height of the tower includes the height of the portion of the building on which it is mounted. In the case of “crank-up” or other similar towers whose height can be adjusted, the height of the tower shall be the maximum height to which it is capable of being raised. All towers shall be designed to be the shortest height possible so as to minimize visual impact. Any applications for towers of a height more than the allowed height for structures in the zoning district must include a written justification proving the need for a tower of that height and the absence of viable alternatives that would have less visual impact, and shall, in addition to any other required findings and/or requirements, require a variance approval pursuant to [SCCC 13.10.230](#).

(7) Lighting. Except as provided for under subsection (A)(5) of this section, all wireless communication facilities shall be unlit except when authorized personnel are present at night.

(8) Roads and Parking. All wireless communication facilities shall be served by the minimum sized roads and parking areas feasible.

(9) Vegetation Protection and Facility Screening.

(a) In addition to stealth structural designs, vegetative screening may be necessary to minimize wireless communication facility visibility within public viewsheds. All new vegetation to be used for screening shall be compatible with existing surrounding vegetation. Vegetation used for screening purposes shall be capable of providing the required screening upon completion of the permitted facility (i.e., an applicant cannot rely on the expected future screening capabilities of the vegetation at maturity to provide the required immediate screening).

(b) Because Santa Cruz County contains many unique and threatened plant species and habitat areas, all telecommunications facilities to be located in areas of extensive natural vegetation shall be installed in such a manner so as to maintain the existing

native vegetation. Where necessary, appropriate mature landscaping can be used to screen the facility. However, so as to not pose an invasive or genetic contamination threat to local gene pools, all vegetation proposed and/or required to be planted that is associated with a wireless communication facility shall be noninvasive species native to Santa Cruz County, and specifically native to the project location. Nonnative and/or invasive species shall be prohibited (such as any species listed on the California Exotic Pest Plant Council "Pest Plant List" in the categories entitled "A," "B," or "Red Alert"). Cultivars of native plants that may cause genetic pollution (such as all manzanita, oak, monkey flower, poppy, lupine, paintbrush and ceanothus species) shall be prohibited in these relatively pristine areas. All wireless communication facility approvals in such areas shall be conditioned for the removal of nonnative invasive plants (e.g., iceplant) in the area disturbed by the facility and replanting with appropriate non-invasive native species capable of providing similar or better vegetated screening and/or visual enhancement of the facility unless the decision-making body determines that such removal and replanting would be more environmentally damaging than leaving the existing nonnative and/or invasive species in place (e.g., a eucalyptus grove that provides over wintering habitat for Monarch butterflies may be better left alone). All applications shall provide detailed landscape/vegetation plans specifying the non-invasive native plant species to be used, including identification of sources to be used to supply seeds and/or plants for the project. Any such landscape/vegetation plan shall be prepared by a qualified botanist experienced with the types of plants associated with the facility area. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a size that will provide the appropriate level of visual screening immediately upon installation. All nursery stock, construction materials and machinery, and personnel shall be free of soil, seeds, insects, or microorganisms that could pose a hazard to the native species or the natural biological processes of the areas surrounding the site (e.g., Argentine ants or microorganisms causing sudden oak death or pine pitch canker disease). Underground lines shall be routed outside of plant drip lines to avoid damage to tree and large shrub root systems to the maximum extent feasible.

(c) No actions shall be taken subsequent to project completion with respect to the vegetation present that would increase the visibility of the facility itself or the access road and power/telecommunication lines serving it. All owners of the property and all operators of the facility shall be jointly and severally responsible for maintenance (including irrigation) and replacement of all required landscaping for as long as the permitted facility exists on the site.

(10) Fire Prevention/Emergency Response. All wireless communication facilities shall be designed and operated in such a manner so as to minimize the risk of igniting a fire or intensifying one that otherwise occurs. To this end, all of the following measures shall be implemented for all wireless communication facilities, when determined necessary by the Fire Chief:

(a) At least one-hour fire resistant interior surfaces shall be used in the construction of all buildings;

- (b) Rapid entry (KNOX) systems shall be installed as required by the Fire Chief;
- (c) Type and location of vegetation, screening materials and other materials within 10 feet of the facility and all new structures, including telecommunication towers, shall have review for fire safety purposes by the Fire Chief. Requirements established by the Fire Chief shall be followed;
- (d) All tree trimmings and trash generated by construction of the facility shall be removed from the property and properly disposed of prior to building permit finalization or commencement of operation, whichever comes first; and
- (e) For the protection of emergency response personnel, at any wireless communication facility where there is the possibility that RF radiation levels in excess of the FCC public exposure limit could be experienced by emergency response personnel working in close proximity to antennas/RF-emitting devices, said facility shall have an on-site emergency power shut-off (e.g., "kill switch") to de-energize all RF-related circuitry/componentry at the base station site, or some other method (acceptable to the local Fire Chief) for de-energizing the facility. For multi-facility (co-location) sites where there is a possibility that RF radiation levels in excess of the FCC public exposure limit could be experienced by emergency response personnel working in close proximity to antennas/RF-emitting devices, a single power shut off switch (or other method acceptable to the local Fire Chief) shall be installed that will de-energize all facilities at the site in the event of an emergency.

(11) Noise and Traffic. All wireless communication facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To that end all the following measures shall be implemented for all wireless communication facilities:

- (a) Outdoor noise producing construction activities shall only take place on nonholiday weekdays between the hours of 8:00 a.m. and 6:00 p.m. unless allowed at other times by the approving body; and
- (b) Backup generators shall only be operated during power outages and for testing and maintenance purposes. If the facility is located within 100 feet of a residential dwelling unit, noise attenuation measures shall be included to reduce noise levels at the facility to a maximum exterior noise level of 60 Ldn at the property line and a maximum interior noise level of 45 Ldn within nearby residences.

(12) Facility and Site Sharing (Co-Location). New wireless communication towers should be designed to accommodate multiple carriers, and/or to be readily modified to accommodate multiple carriers, so as to facilitate future co-locations and thus minimize the need to construct additional towers, if it will not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional

antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. New telecommunications towers should be designed and constructed to accommodate up to no more than nine total individual antennas, unless the applicant can prove that the additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. New wireless communication facility components, including but not limited to parking areas, access roads, and utilities, should also be designed so as not to preclude site sharing by multiple users, as technically feasible, in order to remove potential obstacles to future co-location opportunities. The decision-making body may require the facility and site sharing (co-location) measures specified in this section if necessary to comply with the purpose, goals, objectives, policies, standards, and/or requirements of the General Plan/Local Coastal Program, including SCCC [13.10.660](#) through [13.10.668](#), inclusive, and the applicable zoning district standards in any particular case. However, a wireless service provider will not be required to lease more land than is necessary for the proposed use. If room for potential future additional users cannot, for technical reasons, be accommodated on a new wireless communication tower/facility, written justification stating the reasons why shall be submitted by the applicant. Approvals of wireless communication facilities shall include a requirement that the owner/operator agrees to the following co-location parameters:

- (a) To respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
 - (b) To negotiate in good faith for shared use of the wireless communication facility by third parties; and
 - (c) To allow shared use of the wireless communication facility if an applicant agrees in writing to pay reasonable charges for co-location.
- (13) Coastal Zone Design Criteria. In addition to the requirements set forth herein, all wireless communication facilities requiring a coastal development permit shall conform with the Coastal Zone design criteria requirements of SCCC [13.20.130](#).
- (14) Signage. A notice shall be posted at the main entrance of all buildings or structures where structure-mounted or free-standing wireless communication facilities are located on the same parcel. The notice shall be 12 inches by 12 inches and shall inform the public that a wireless communication facility is located on the building, structure or property and shall be consistent with the requirements of Federal law.
- (15) Existing Facilities. Where applications involve existing wireless communication facilities, modifications to the existing facilities to reduce environmental impacts, including visual impacts, shall be pursued as technically feasible. If such modifications would reduce impacts, then such modifications shall be made as feasible, technically and otherwise,

provided the reduction in impact is roughly commensurate with the cost to make the modifications.

(16) **Approved Project.** Approvals of wireless communication facilities shall require that the facility, including, but not limited to, all stealth design measures and vegetation screening, be maintained in its approved state for as long as it exists on the site. Approved facility plans, detailing the approved facility and all camouflaging elements, and including all maintenance parameters designed to ensure that camouflaging is maintained over the life of the project, shall be required for all approvals.

(17) **Ongoing Evaluation.** Wireless communication service providers are encouraged to evaluate their wireless communication facilities on a regular basis to ensure that they are consistent with the goals, objectives, policies, and requirements of the General Plan/Local Coastal Program, including specifically siting and design standards meant to minimize any negative impacts to visual resources and the character of the built and natural environment. Wireless service providers are encouraged to individually and collectively pursue modifications to their networks and/or individual facilities to reduce environmental impacts, including visual impacts; particularly over time as new technologies may be developed that allow for less visually intrusive wireless communication facilities, and/or a lesser number of them, while still allowing for the same or better level of wireless communication service associated with both any individual wireless service provider's facilities and the overall universe of wireless communication facilities in the County. [Ord. 5020 §§ 3—5, 2008; Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.664 Non-ionizing Electromagnetic Radiation (NIER) Safety and Monitoring Requirements for Wireless Communication Facilities

Initial post-construction monitoring of wireless communication facility NIER/radio-frequency (RF) radiation exposures is required for all wireless communication facilities constructed under the auspices of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to prove that all new wireless communication facilities operate in compliance with the FCC RF radiation exposure standards. NIER monitoring is to be conducted utilizing the Monitoring Protocol described in SCCC [13.10.660](#)(D). The County may require that the required NIER/RF radiation monitoring reports described below may be independently reviewed by a qualified telecommunications/RF engineer, at the applicant's expense. The following applies to all wireless communication facilities:

(A) **Public Health and Safety.** No wireless communication facility shall be located or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, no telecommunication facility or combination of facilities shall produce at any time power densities in any area that exceed the FCC-adopted standard for human exposure, as amended, or any more restrictive standard subsequently adopted or promulgated by the Federal government. Areas in the immediate vicinity of all antennas or other transmitting devices in which the FCC RF radiation exposure standards could potentially be exceeded, especially near rooftop antennas, must be clearly demarcated and/or fenced off, with warning signs in English, Spanish and international symbols clearly visible.

(B) Non-Ionizing Electromagnetic Radiation (NIER) Measurements.

(1) Consistent with SCCC [13.10.662\(B\)\(9\)](#), all applications for new wireless communication facilities must include written certification by a professional engineer registered in the State of California that the proposed facility will comply with the FCC's RF radiation exposure standard.

(2) Post-Construction NIER Measurement and Reporting. Monitoring of NIER/RF radiation to verify compliance with the FCC's NIER standards is required for all new wireless communication facilities and for all wireless communication facilities proposing to undergo a major modification of power output (as defined in SCCC [13.10.660\(D\)](#)). This requirement shall be met through submission of a report documenting NIER measurements at the facility site within 90 days after the commencement of normal operations, or within 90 days after any major modification to power output of the facility. The NIER measurements shall be made, at the applicant's expense, by a qualified third-party telecommunications or radio-frequency engineer, during typical peak-use periods, utilizing the monitoring protocol described in SCCC [13.10.660\(D\)](#). The report shall list and describe each transmitter/antenna present at the facility, indicating the effective radiated power of each (for co-located facilities this would include the antennas of all other carriers at the site). The report shall include field measurements of NIER emissions generated by the facility and also other emission sources, from various directions and particularly from adjacent areas with residential dwellings. The report shall compare the measured results to the FCC NIER standards for such facilities.

The report documenting the measurements and the findings with respect to compliance with the established FCC NIER exposure standard shall be submitted to the Planning Director within 90 days of commencement of facility operation. Failure to comply with this requirement may result in the initiation of permit revocation proceedings by the County.

(3) Failed Compliance. Failure to supply the required reports, or to remain in continued compliance with the NIER standard established by the FCC, or other regulatory agency if applicable shall be grounds for review of the use permit or other entitlement and other remedy provisions. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.665 Required Findings for Wireless Communication Facilities

In order to grant any commercial development permit for a wireless communication facility and/or any coastal development permit if the facility is located in the Coastal Zone, the approving body shall make the required development permit findings (SCCC [18.10.230](#)) and the required coastal development permit findings if in the Coastal Zone (SCCC [13.20.110](#)) as well as the following findings:

(A) That either: (1) the development of the proposed wireless communications facility as conditioned will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan/LCP Sections 5.1, 5.10, and 8.6.6.), and/or other significant County resources, including agricultural, open space, and community character resources; or (2) there are no other environmentally equivalent and/or

superior and technically feasible alternatives to the proposed wireless communications facility as conditioned (including alternative locations and/or designs) with less visual and/or other resource impacts and the proposed facility has been modified by condition and/or project design to minimize and mitigate its visual and other resource impacts.

(B) That the site is adequate for the development of the proposed wireless communications facility and, for sites located in one of the prohibited and/or restricted areas set forth in SCCC [13.10.661](#) (B) and (C), that the applicant has demonstrated that there are not environmentally equivalent or superior and technically feasible: (1) alternative sites outside the prohibited and restricted areas; and/or (2) alternative designs for the proposed facility as conditioned.

(C) That the subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this title and that all zoning violation abatement costs, if any, have been paid.

(D) That the proposed wireless communication facility as conditioned will not create a hazard for aircraft in flight.

(E) That the proposed wireless communication facility as conditioned is in compliance with all FCC and California PUC standards and requirements.

(F) For wireless communication facilities in the Coastal Zone, that the proposed wireless communication facility as conditioned is consistent with all the applicable requirements of the Local Coastal Program.

Any decision to deny a permit for a wireless communication facility shall be in writing and shall be supported by substantial evidence and shall specifically identify the reasons for the decision, the evidence that led to the decision and the written record of all evidence. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.666 Site Restoration Upon Termination/ Abandonment of Wireless Communication Facilities

(A) The site shall be restored as nearly as possible to its natural or preconstruction state within six months of termination of use or abandonment of the site.

(B) Applicant shall enter into a site restoration agreement, consistent with subsection (A) of this section, subject to the approval of the Planning Director. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.667 Indemnification for Wireless Communication Facilities

Each permit issued pursuant to SCCC [13.10.660](#) through [13.10.668](#), inclusive, shall have as a condition of the permit a requirement that the applicant defend, indemnify and hold harmless the County and its officers, agents, and employees from and against any claim (including attorney's fees) against the County, its officers, employees or agents to attack, set aside, void or annul the

approval of the permit or any subsequent amendment of the permit. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

13.10.668 Telecommunications Act Exception Procedure

If the application of the requirements or limitations set forth in SCCC [13.10.660](#) through [13.10.668](#), inclusive, including but not limited to applicable limitations on allowed land uses, would have the effect of violating the Federal Telecommunications Act as amended, the approving body shall grant a Telecommunications Act exception to allow an exception to the offending requirement or application. The applicant shall have the burden of proving that application of the requirement or limitation would violate the Federal Telecommunications Act, and that no alternatives exist which would render the approval of a Telecommunications Act exception unnecessary. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

B. Visual Resource Protection

Objective 5.10a Protection of Visual Resources

(LCP) To identify, protect and restore the aesthetic values of visual resources.

Objective 5.10b New Development in Visual Resource Areas

(LCP) To ensure that new development is appropriately designed and constructed to have minimal to no adverse impact upon identified visual resources.

5.10.3 Protection of Public Vistas

(LCP) Protect significant public vistas as described in policy 5.10.2 from all publicly used roads and vista points by minimizing disruption of landform and aesthetic character caused by grading operations, timber harvests, utility wires and poles, signs, inappropriate landscaping and structure design. Provide necessary landscaping to screen development which is unavoidably sited within these vistas.

5.10.6 Preserving Ocean Vistas

(LCP) Where public ocean vistas exist, require that these vistas be retained to the maximum extent possible as a condition of approval for any new development.

C. Public Access/ Recreation

Objective 7.7a Coastal Recreation

(LCP) To maximize public use and enjoyment of coastal recreation resources for all people, including those with disabilities, while protecting those resources from the adverse impacts of overuse.

Objective 7.7b Shoreline Access

(LCP) To provide a system of shoreline access to the coast with adequate improvements to serve the general public and the coastal neighborhoods which is consistent with the California Coastal Act, meets public safety needs, protects natural resource areas from overuse, protects public rights and the rights of private property owners, minimizes conflicts with adjacent land uses, and does not adversely affect agriculture, subject to policy 7.6.2.

D. Noticing Requirements

18.10.222 IV (Public Notice)—Notice of Pending Action

(A) Procedures. Public notice of pending action on a permit application pursuant to Level IV. Not less than 21 calendar days prior to the County taking action on a Level IV application, public notice shall be given in the following ways:

(1) The County shall mail notice via postcard or letter to the applicant, to the owners of the subject property, to the owners of all property within 300 feet of the exterior boundaries of the subject property and to all lawful occupants of properties within 100 feet of the subject property, including all lawful occupants of the subject property. Such notices and mailing list shall be based on a mailing list generated by the County. In the event that there are fewer than 10 separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300-foot distance shall be extended in increments of 50 feet (e.g., 350, 400, 450) until owners of at least 10 properties have been notified by mail.

(2) Posting on the County of Santa Cruz Planning Department website.

(3) Notice to the Board of Supervisors. Notice shall be delivered by the United States Postal Service, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail.

(B) Not less than 10 calendar days following the date of the United States Postal Service postmark on the notice of pending action mailed pursuant to subsection (A)(1) of this section, the notice of pending action shall be posted on the property in a conspicuous place.

(C) Contents of Notice. The contents of the notice shall be as follows:

(1) Location of the proposed project.

(2) Name of the applicant and owner.

(3) Description of the proposed project.

(4) How further information may be obtained and how to submit information on the proposed project.

- (5) Final date on which comments will be accepted, which shall be no less than 21 days following the date on which notices are mailed.
- (6) Date on which a decision may be made on the project.
- (7) Description of the appeal procedure. [Ord. 5119 § 47, 2012; Ord. 4818 § 6, 2006; Ord. 4774 § 6, 2004; Ord. 4496-C § 105, 1998; Ord. 4463 § 1, 1997; Ord. 4285 § 3, 1993; Ord. 4075 § 3, 1990; Ord. 4044 § 2, 1990].

**18.10.223 Level V (Zoning Administrator) through Level VII (Board of Supervisors)—
Notice of Public Hearing**

(A) Procedures. A public notice of all public hearings conducted pursuant to the issuance of permits and approvals at Levels V (Zoning Administrator) through VII (Board of Supervisors) shall be given in the following ways:

- (1) The County shall cause the notice to be published in a newspaper of general circulation printed and published within the County at least 10 calendar days prior to the date set for hearing.
- (2) Posted on the property in a conspicuous place at least 10 calendar days prior to the hearing.
- (3) The County shall mail notices in the form of a postcard or letter not less than 10 calendar days prior to the public hearing to the applicant and to the owners of all property within 300 feet of the exterior boundaries of the subject property and to all lawful occupants of properties within 100 feet of the subject property, including the lawful occupants of the subject property. In the event that there are fewer than 10 separate parcels within 300 feet of the exterior boundaries of the property involved in the application, said 300-foot distance shall be extended in increments of 50 feet (e.g., 350, 400, 450) until owners of at least 10 properties have been notified by mail. The County shall also mail these notices to the Coastal Commission and to all persons who have requested to be on the mailing list for the subject development project or for coastal decisions within that jurisdiction.
- (4) The County shall provide notice to the Board of Supervisors by delivery by the United States Postal Service addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail at least 10 days prior to the public hearing.

(B) Contents of Notice. The contents of the notice shall be as follows:

- (1) Location of the proposed project;
- (2) Name of the applicant;
- (3) Description of the proposed use;

- (4) Title of the hearing officer or hearing body;
- (5) Date of the hearing;
- (6) Time of the hearing;
- (7) Location of the hearing;
- (8) How further information may be obtained;
- (9) Notices of pending applications for permits including Coastal Zone approval shall include a statement that the development is or is not appealable to the Coastal Commission, and the appeal process.

(C) Alternative Noticing Procedure. If the number of persons or entities who would be notified in subsection (A) of this section is more than 1,000, or where a County initiated General Plan amendment affects the designation of a large area or number of parcels, or for public works projects initiated by public agencies which do not include rezonings, notice may be given by placing a display advertisement of at least one-eighth page in a newspaper having general circulation within the area affected by the proposed ordinance, policy or plan amendment, or project; or by including an insert with any generalized mailing sent by the County to property owners and residents affected by the proposal.

(D) Alternative Notice Procedure for Coastal Approvals. When a development permit includes only a coastal approval for a project pursuant to Chapter [13.20](#) SCCC, and when the number of persons or entities who would be notified in subsection (A)(3) of this section is more than 200, the County may give notice by:

- (1) Increasing the posting requirement in subsection (A)(2) of this section to provide posting every 1,000 feet along an adjoining roadway; and
- (2) Placing a display advertisement of at least one-eighth page in a newspaper having general circulation within the area affected by the project.

(E) Notice of Continuances. Any matter may be continued from time to time. The proposal need not be re-noticed if, at the time of the public hearing for the proposal, the matter is continued to a specific date. Otherwise, the continued matter shall be noticed in the same manner as the original hearing.

(F) Requests for Notice. The County shall send notice by first class mail to any person who has filed a written request with the Planning Department. Requests may be made for notices for all public hearings or for all public hearings relating to a certain application. Requests shall be accompanied by a fee set by the Board of Supervisors resolution.

(G) Notice to Other Jurisdictions.

- (1) Public agencies shall be notified of tentative map applications pursuant to SCCC 14.01.305.1, 14.01.318, 14.01.319 and 14.01.320.

(2) Public agencies shall be notified of public hearings on General Plan amendments pursuant to SCCC [13.01.080](#).

(3) In the Coastal Zone, in addition to the Coastal Commission, public agencies shall be notified which, in the judgement of the Planning Director, have an interest in the project.

(H) Recipients of Notice of Final Action. On or before the fifth business day following the final action by the approving body, a notice of the decision, including findings for approval and conditions (if any) and appeal information and deadline shall be mailed to the following persons and agencies:

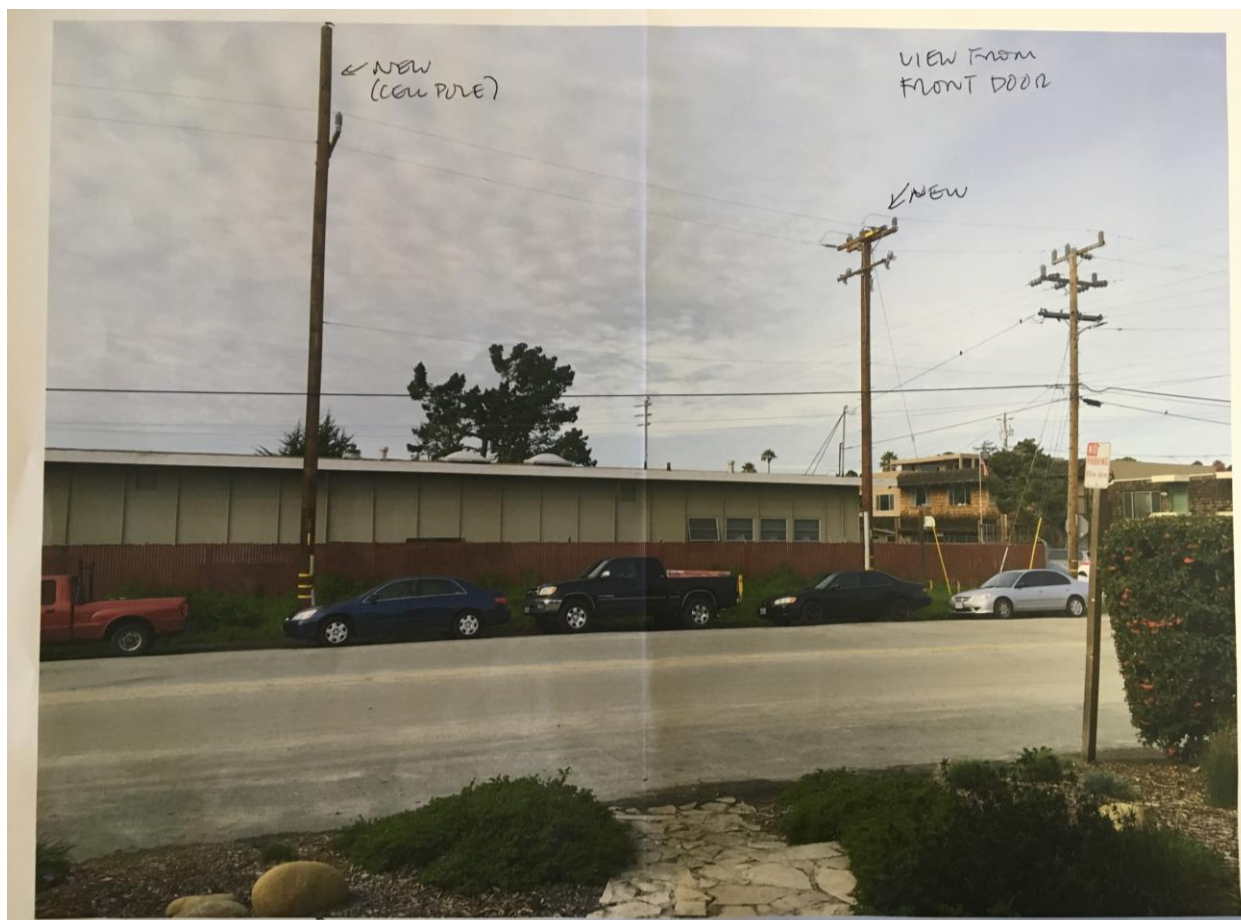
(1) The applicant;

(2) The owner of the subject parcel;

(3) All persons who have submitted a written request with a stamped addressed envelope for notification of the action on the specific permit;

(4) In the Coastal Zone, the Coastal Commission;

(5) Provide to the Board of Supervisors by delivery by the United States Postal Service, addressed to each Board Member at the County Governmental Center, or by delivery to each Board Member by County Government interdepartmental mail. [Ord. 4818 § 7, 2006; Ord. 4774 § 7, 2004; Ord. 4244 § 1, 1993; Ord. 4075 § 4, 1990; Ord. 4044 § 2, 1990].



Submitted by Sue Brown, appellant

10/12/16

Looked out of window around 2 pm, 3 men in truck working on pole where microcell would go. On door "HP Communications," "4002" on hood. Number 200242 also on the door. I thought work on was stopped for now? Man said "this is high tech work not PG&E", License No. 8N12862. When they started work on Santa Cruz Avenue, I stood and watched. Man came over to ask if I had complaint to call Crown Castle and handed me a rolled up blue tube which said "caution fiber optic cable Crown Castle" with a phone number.



From: Sue Brown <suebrn111@aol.com>
Subject: Fwd: Suggestion from Will, SIA Prez: new poles on Seacliff Drive
Date: December 12, 2016 12:29:25 PM PST
To: Scott Brown <scott@scottbrowndesign.com>



Begin forwarded message:

From: Lila Steiner <lilast2013@gmail.com>
Subject: Suggestion from Will, SIA Prez: new poles on Seacliff Drive
Date: December 9, 2016 at 1:32:40 PM PST
To: Sue Brown <suebrn111@aol.com>

Hi Sue,

I'm forwarding this email to you from Will Roblin, SIA President. He may have a good point.

Lila

----- Forwarded message -----

From: **roblinbuildingco** <roblinbuildingco@comcast.net>
Date: Fri, Dec 9, 2016 at 1:17 PM
Subject: Re: FW: new poles on Seacliff Drive
To: Lila Steiner <lilast2013@gmail.com>

Hi Lila,

Thanks for including me in this thread.

As I read it, Ms. James and others have indicated there will be an opportunity, at the completion of village undergrounding, to have the cell tower relocated.

If you can get that confirmed in writing, maybe you could have a case. She doesn't want that appeal. Maybe you can get Ms James & Ms. Brown to each put something on the table, the better to reach an agreement?

Regards,
Will

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Lila Steiner <lilast2013@gmail.com>
Date: 12/08/2016 6:56 PM (GMT-08:00)
To: "James, Sharon" <Sharon.James@crowncastle.com>
Cc: Dale Pilgeram <pilgeram@sbcglobal.net>, Sue Brown <suebrn111@aol.com>, Will Roblin <roblinbuildingco@comcast.net>
Subject: Re: FW: new poles on Seacliff Drive

Dear Ms. James,

Thank you for your email regarding the new cell site at the corner of Seacliff Drive and Santa Cruz Avenue.

The concern of Sue Brown and most of this neighborhood is the site of the small cell, as well as the additional poles. I was unable to attend the meeting to voice our concerns due to my job.

As I understand Sue Brown and others' concerns, it is not only an eye sore on this pristine coast where people visit from all over the world, but also a hazard to human health. This is well documented despite much controversy.

The cell site is directly opposite the front door of Ms. Brown's house. Please understand that this is an issue for her for the stated reasons above, and also for her property value. You need only to talk with her and other real estate professionals to learn the details of reduced property value based on a Cell site at your front door.

I am quite sure that this view is held by at least 90% of neighbors despite their failure to communicate with you and the Planning Dept. Yes, they may wish they had better cell phone reception, but not at any cost (my reception is fine - I live on the same block of Santa Cruz Ave.).

Please don't hesitate to call me if you'd like to discuss this further.

Sincerely,

Lila Steiner
831-687-0745

On Wed, Dec 7, 2016 at 1:45 PM, James, Sharon <Sharon.James@crowncastle.com> wrote:

Ms. Steiner and Mr. Pilgeram,

As I'm sure you are aware Crown Castle received an approval from the County zoning administrator on 11/18/16. There were no appeals during the 10 day appeal period allowed for appeals to the County. On 12/5, the Planner sent that information to the Coastal Commission for review. A 10 day appeal applies here as well depending on when Coastal receives the information from the County.

I heard from Ms. Sue Brown this morning that she is planning to appeal the approval to the Coastal Commission. I understood her concerns as expressed in phone calls and her presentation at the Zoning hearing to be 1) current Rule 20 project she had financially supported was not moving poles from the area closest to her home, 2) she objected to the two new poles PGE had recently placed in the right of way across the street from her home, and 3) she objected to Crown adding equipment to the new PGE pole across from her house.

I was under the impression from conversations with the both of you that you did not want to see new poles in that area where you are working on a future Rule 20 project. However, you also acknowledged that the coverage in the area for wireless is poor.

Ms. Steiner, I'm wondering if the appeal Ms. Brown is planning to file is representing the neighborhood group that you seemed to represent at the hearing.

As we discussed at the hearing the new PGE poles will not go away and are not subject to the same approvals as a small cell wireless site. I'm concerned that the appeal might be about the pole more than the small cell site.

My suggestion would be to not appeal the new small cell approval but to pursue the next phase of the Rule 20 project that will impact the poles on Seacliff.

Can you please let me know if there is anything we might be able to do that would influence the filing of this appeal by Ms. Brown?

Regards,

SHARON JAMES

Government Relations Manager, Northern California District

Small Cell & Fiber Solutions

T: (408) 468-5553 | M: (408) 426-6629

CROWN CASTLE

695 River Oaks Parkway, San Jose, CA 95134

CrownCastle.com

From: Frank Barron [<mailto:Frank.Barron@santacruzcounty.us>]

Sent: Wednesday, November 16, 2016 4:02 PM

To: 'Lila Steiner' <

Cc: Sue Brown <suebrn111@aol.com>; Patrick Mulhearn <Patrick.Mulhearn@santacruzcounty.us>; Zach Friend <Zach.Friend@santacruzcounty.us>; Adele E <eberhart.adele@gmail.com>; pilgeram@sbcglobal.net; Wanda Williams <Wanda.Williams@santacruzcounty.us>; Lonnie Johnson <Lonnie.Johnson@santacruzcounty.us>; James, Sharon <Sharon.James@crowncastle.com>

Subject: RE: new poles on Seacliff Drive

Hi Lila,

The two new poles in question were installed by PG&E. PG&E doesn't need to come to us for permits for installing their poles. The proposed microcell site on one of those poles does require a permit from us however, and that has been applied for by the project applicant (Application 131058 by Crown Castle, for Verizon), the approval of which will be considered at this Friday's Zoning Administrator public hearing. We mailed a notice of the hearing to the address we have for you at P.O. Box 2301 in Cupertino. We are sorry if you did not receive it.

Regarding the undergrounding of overhead utility wires, it is called a "Rule 20" process and it is handled by PG&E as well. We are aware of such a process ongoing in the central commercial area of Seacliff Village, but were not aware of any possible extension of the undergrounding that beyond that limited area. If the newly erected pole(s) are to be taken down as part of any future Rule 20 process, the proposed microcell antennas and equipment would have to come down at that time too.

I hope this answers your questions, but if not, feel free to contact me again and/or attend the hearing this Friday.

Thanks,

Frank Barron

Santa Cruz Co. Planning Dept.

(831) 454-2530

From: Lila Steiner [mailto:lilast2013@gmail.com]

Sent: Wednesday, November 16, 2016 2:28 PM

To: Frank Barron

Cc: Sue Brown; Patrick Mulhearn; Zach Friend; Adele E; pilgeram@sbcglobal.net

Subject: new poles on Seacliff Drive

Dear Mr. Barron,

I am questioning how 2 new poles appeared in my neighborhood a few weeks ago on Seacliff Drive. I understand that other sites were considered, but never heard any public input nor discussion regarding these other sites and their pros and cons.

My concerns:

-lack of public discussion and neighbor input, only a public hearing AFTER installation of two poles taller than any others along the strip

-no notice. I was told some people received a notice in the mail. I did not and neither did some other neighbors on Seacliff Drive.

-this is new construction and I understood that ALL new construction was to be undergrounded, by law

-lack of a permit (when neighbor inquired, we were told that a permit had not yet been obtained)

Worse yet, homeowners along Seacliff Drive have been attempting to underground unsightly wires and poles (more wires and transformers go up every month in front of our houses) **for the past 4 years**. We are ready and willing, at our expense, to engage in a beautification project along Seacliff State Park. During the past 4 years, we have faced one obstacle after another in getting this wire undergrounding project off the ground. We collected the \$10,000 from neighbors that PG&E requires before they come out to have a conversation with us and begin to do their engineering design (the \$10K is only part of what they required from us)....only to be told that we now need to deed our property to PG&E for the placement of transformers and other equipment in our gardens that they tell us cannot go on public property (but must be on private property). Our goal is pole removal and now, suddenly, we have two more poles to underground - at our expense. Is this the price we're paying for the downtown Aptos undergrounding?

I realize that you may not have heard about this project, but we think you should know that this neighborhood is committed to improvement and many of us have taken it upon ourselves to plant and maintain the strip along State Park, (including the Mini-Park), to reduce light pollution, to work with the Sheriffs to report problems and to help enforce the no firework ordinance among others.

Respectfully yours,

Lila Steiner

203 Santa Cruz Avenue

Aptos, CA

This email may contain confidential or privileged material. Use or disclosure of it by anyone other than the recipient is unauthorized. If you are not an intended recipient, please delete this email.

between Seacliff Dr. and State Park property.

. Moving corner light at first Seacliff bend up to trees area to hide it.

. Finding a solution for the pole and antenna project.

Dale

From: Adele Eberhart [<mailto:eberhart.adele@gmail.com>]

Sent: Monday, November 21, 2016 10:20 AM

To: Sharon.James@crowncastle.com

Cc: Lila Steiner <lilast2013@gmail.com>; Dale & Molly Pilgeram <pilgeram@sbcglobo.com>; Adele Eberhart <eberhart.adele@gmail.com>

Subject: Proposed new small cell installation Seacliff Drive, Aptos, CA (SC Zoning # 131058) - Crown Castle appeal

Good morning Sharon,

Thank you for the post-meeting debriefing following the Santa Cruz County Zoning Administration meeting Friday concerning Application 131058.

As you recently became aware, local Seacliff Drive neighbors have been working for some time to compliment the now underway Seacliff Village Rule 20 project by also extending the Rule 20 undergrounding along Seacliff Drive from 218 through 180 Seacliff Drive. This is a coastal viewscape (3-4 block area) adjacent to the State Park open field and Seacliff Mini Park coastal bluff area above Seacliff State Beach. This whole area is heavily used and enjoyed by visitors, walkers, picnic-ers, etc.

This current coastal proposed installation would be placing the new Verizon cell installation on a top a newly placed 48' pole, one of two poles now intruding on the area we have targeted for Seacliff Drive Rule 20 undergrounding in the near future. During our hallway conversation, **you stated that as the additional Seacliff Drive Rule 20 project moves ahead, Verizon's cell installation would be removed and moved at no cost to the project or the neighbors. Please confirm this understanding for our planning.**

In closing, for your potential re-consideration, a new alternate site exists between the sites # 4 and 5 (in the Application) where other *new poles are in place* which may offer better (not resident nor viewscape intrusive) locations. Additionally, the report did not seem to consider the Poor Clares property north of the rail line which could be placed neither in the State Park nor Seacliff Community County Park direct coastal viewscape. Community people would be happy to walk these areas with your team.

Thank you in advance for your reply to confirm no future cost for removing Verizon cell installation during a Seacliff Drive Rule 20 undergrounding project.

Sincerely,

Adele Eberhart

Craig, Susan@Coastal

From: Lila Steiner <lilast2013@gmail.com>
Sent: Wednesday, January 04, 2017 3:19 PM
To: Craig, Susan@Coastal
Cc: Sue Brown; Zach Friend; Will Roblin
Subject: following up my call to you today

Dear Ms. Craig,

I support the Coastal Commission's efforts to protect the natural beauty and wildlife along our coast. I have attended your events and I have been a volunteer at the Monterey Bay Aquarium for several years. You are doing a great job!

This letter regards the installation of a new cell by Crown Castle (for Verizon) at the corner of Seacliff and Santa Cruz Avenue in Aptos, CA. I could not attend the public hearing held last month so wrote emails to Sharon James of Crown Castle and also, to Frank Barron of Santa Cruz County Planning Dept. to challenge the new cell equipment (below, with my emails to Sharon James and Frank Barron).

My neighbor, Sue Brown, attended the hearing with another neighbor, Adele Eberhardt. I was surprised so few among my neighbors attended since, in conversations, they object to a cell tower in their neighborhood. In fact, I never received the notice and when I brought this up to Frank Barron, I was told notice was sent to my PO Box in Cupertino. By the time I visited my PO Box, the hearing date had passed. Many others I spoke with on my block also did not receive a notice of the hearing.

I am writing this to support Sue Brown in her appeal of the placement of this cell unit across from her front door. She told me that 9 other sites were considered for placement of this unit. I don't understand why public property along a State Park and residential neighborhood with pristine view of the Monterey Bay was chosen. This neighborhood has been working for 4 years with PG&E and the County of Santa Cruz to REMOVE poles that obstruct the viewscape, not just for residents, but for the hundreds of visitors who come daily to Seacliff State Park to walk their dogs, fly their airplanes and exercise. Suddenly, a new pole **for the exclusive** use of a microcell is installed. This is exactly what we've been working to avoid and I would think the Coastal Commission, of all organizations in California, would also wish to protect our coast from both cell and view pollution.

I am told by Frank Barron in County Planning that **no permission is required for PG&E to install new poles – why?**

Wouldn't the installation of 2 highrise telephone poles at a coastal State Park be considered to "development within a coastal zone" that, per your requirements, would involve the approval of a permit (<https://www.coastal.ca.gov/cdp/cdp-forms.html>)?

You probably are not aware of this, but my and my neighbors have been in conversations with PG&E and the County for 4 years about undergrounding poles along Seacliff Drive. Now, suddenly, PG&E puts up 2 new poles in our neighborhood within the undergrounding district under consideration. Evidently, PG&E is allowed to stick up poles wherever they want. In fact, the last pole put up by PG&E is for the exclusive use for a Verizon phone cells. What's their incentive for collaborating with the phone companies? Surely, it's a profit-driven move by PG&E and Verizon, without regard for coastal stewardship, state park preservation or residential neighbors.

I stated my concerns in a letter to Frank Barron:

-lack of public discussion and neighbor input, only a public hearing AFTER installation of two poles taller than any others in the neighborhood (I was told that no permit is needed for the poles).

-poor notice. I was told some people received a notice in the mail. I did not and neither did many other neighbors on Seacliff Drive and Santa Cruz Avenue.

-this is new construction and I understood that ALL new construction was to be undergrounded, by law

-lack of a permit (when neighbor inquired, we were told that a cell permit had not yet been obtained.)

As I wrote in my email to Frank Barron, our neighborhood is committed to improvement and many of us have taken it upon ourselves to plant and maintain the strip along State Park, (including the Mini-Park), to reduce light pollution, to work with the Sheriffs to report problems and to help enforce the no firework ordinance among others. Our Seacliff Improvement Association has been supportive in these efforts, as well. We would like to see other options pursued for the cell unit. Why can't it go further back on State Park property, where buildings and trees would provide some camouflage? Or, why can't it be mounted on top of a building or other existing structure?

I would like to stay informed about the appeal from Sue Brown and appreciate your consideration of other options. Feel free to call me on my cell phone, which, by the way, is Verizon and works perfectly fine WITHOUT another cell tower in Seacliff.

Sincerely,

Lila Steiner

408-472-9435 cell phone

Cc: Sue Brown, Neighbor

Will Roblin, President, Seacliff Improvement Assn.

Zack Friend, Supervisor

From: Lila Steiner <lilast2013@gmail.com>
Date: 12/08/2016 6:56 PM (GMT-08:00)
To: "James, Sharon" <Sharon.James@crowncastle.com>
Cc: Dale Pilgeram <pilgeram@sbcglobal.net>, Sue Brown <suebrn111@aol.com>, Will Roblin <roblinbuildingco@comcast.net>
Subject: Re: FW: new poles on Seacliff Drive

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The concern of Sue Brown and most of this neighborhood is the site of the small cell, as well as the additional poles. I was unable to attend the meeting to voice our concerns due to my job.

As I understand Sue Brown and others' concerns, it is not only an eye sore on this pristine coast where people visit from all over the world, but also a hazard to human health. This is well documented despite much controversy.

The cell site is directly opposite the front door of Ms. Brown's house. Please understand that this is an issue for her for the stated reasons above, and also for her property value. You need only to talk with her and other real estate professionals to learn the details of reduced property value based on a Cell site at your front door.

I am quite sure that this view is held by at least 90% of neighbors despite their failure to communicate with you and the Planning Dept. Yes, they may wish they had better cell phone reception, but not at any cost (my reception is fine - I live on the same block of Santa Cruz Ave.).

Please don't hesitate to call me if you'd like to discuss this further.

Sincerely,

Lila Steiner
831-687-0745

to frank.barron from Lila on 11/16/16 and Frank Barron's reply below



Dear Mr. Barron,

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My concerns:

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- this is new construction and I understood that ALL new construction was to be undergrounded, by law
- lack of a permit (when neighbor inquired, we were told that a permit had not yet been obtained)

Worse yet, homeowners along Seacliff Drive have been attempting to underground unsightly wires and poles (more wires and transformers go up every month in front of our houses) **for the past 4 years**. We are ready and willing, at our expense, to engage in a beautification project along Seacliff State Park. During the past 4 years, we have faced one obstacle after another in getting this wire undergrounding project off the ground. We collected the \$10,000 from neighbors that PG&E requires before they come out to have a conversation with us and begin to do their engineering design (the \$10K is only part of what they required from us)....only to be told that we now need to deed our property to PG&E for the placement of transformers and other equipment in our gardens that they tell us cannot go on public property (but must be on private property). Our goal is pole removal and now, suddenly, we have two more poles to underground - at our expense. Is this the price we're paying for the downtown Aptos undergrounding?

I realize that you may not have heard about this project, but we think you should know that this neighborhood is committed to improvement and many of us have taken it upon ourselves to plant and maintain the strip along State Park, (including the Mini-Park), to reduce light pollution, to work with the Sheriffs to report problems and to help enforce the no firework ordinance among others.

Respectfully yours,

Lila Steiner
203 Santa Cruz Avenue
Aptos, CA

Frank Barron <Frank.Barron@santacruzcounty.us>

11/16/16



to Wanda, Lonnie, Sharon, me, Sue, Patrick, Zach, Adele, pilgeram



Hi Lila,

The two new poles in question were installed by PG&E. PG&E doesn't need to come to us for permits for installing their poles. The proposed microcell site on one of those poles does require a permit from us however, and that has been applied for by the project applicant (Application 131058 by Crown Castle, for Verizon), the approval of which will be considered at this Friday's Zoning Administrator public hearing. We mailed a notice of the hearing to the address we have for you at P.O. Box 2301 in Cupertino. We are sorry if you did not receive it.

Regarding the undergrounding of overhead utility wires, it is called a "Rule 20" process and it is handled by PG&E as well. We are aware of such a process ongoing in the central commercial area of Seacliff Village, but were not aware of any possible extension of the undergrounding that beyond that limited area. If the newly erected pole(s) are to be taken down as part of any future Rule 20 process, the proposed microcell antennas and equipment would have to come down at that time too.

I hope this answers your questions, but if not, feel free to contact me again and/or attend the hearing this Friday.

Thanks,

Frank Barron

Santa Cruz Co. Planning Dept.

(831) 454-2530