



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060

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ALVIN D. JAMES, DIRECTOR

January 30, 2001

AGENDA: February 6, 2001

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: PUBLIC HEARING TO CONSIDER APPLICATION NOS. 99-0828, 00-0319 AND 00-0352 (TO CONSTRUCT WIRELESS COMMUNICATION FACILITIES INCLUDING TOWERS AND ACCESSORY BUILDINGS), AND TO CONSIDER A REPORT REGARDING THE DEVELOPMENT OF A COMPREHENSIVE POLICY RELATING TO CELL TOWERS

Application No. 99-0828
APN: 057-08 1-22
Applicant: Big Creek
Owner: Big Creek

Application No. 00-03 19
APN: 059-033-08
Applicant: John/Mary Nellin
Owner: John/Mary Nellin

Application No. 00-0352
APN: 059-121-08
Applicant: Franklin Orozco
Owner: M. Rodoni & Co.

Members of the Board:

On January 9, 2001, your Board approved a request from Supervisor Wormhoudt to schedule a public hearing to consider three applications to construct cell towers on the North Coast of Santa Cruz County. Your Board directed the Planning Department to return at that time with a work program to develop a comprehensive policy on cell towers (Attachment 1).

Background - As your Board is aware, the use of wireless communications continues to grow throughout the County and the country. In this county, there already exists an extensive network of sites that has been developed over the past 10- 15 years to serve a number of companies which provide wireless communication services. Although the County does not have specific regulations regarding 'cell towers', a development permit (Level V - Zoning Administrator public hearing) is required for the development of new tower sites, as well as a Coastal Permit for any facilities in the coastal zone. The development permit review process provides an opportunity to assess a number of issues regarding the placement and design of the towers, focusing primarily on neighborhood

compatibility and visual impact. The goal of this review has been to minimize the adverse impacts of these towers on surrounding land uses and the public viewshed, consistent with the requirements of the County General Plan/Local Coastal Program Land Use Plan. In addition, each application located within a designated scenic area undergoes a CEQA review. Approximately 12 - 18 cell towers have been approved by the County in recent years. All of the approved towers have been required to mitigate the visual impact of the tower with landscaping or a requirement to 'disguise' the structure to blend with the surrounding environment, as is proposed for the three applications before your Board today.

Currently, there are six applications pending: the three before your Board today and 3 applications still in the review stage (2 in the Coastal Zone - La Selva and Aptos; one on Highway 17). The three applications before your Board today have been subjected to a rigorous review process that included the preparation of an Initial Study to assess the environmental impacts of the project. These applications have, as evidenced by the public response and the correspondence from the Coastal Commission, raised a number of concerns regarding how the visual impacts are mitigated and whether these uses are appropriate in certain areas of the County. Your Board has scheduled these applications for a public hearing. Information on these development permit applications is presented in the following section.

Development/Coastal Permit Applications - The three applications to be considered by your Board under special consideration today are briefly described below. The Zoning Administrator's staff report for each application is attached, as indicated below.

1. APPLICATION NO. 99-0828, Big Creek Windsock, APN 057-08 1-22 (Attachment 3)

Project Summary:

This application seeks the installation of a 39-foot **3-inch** communications **monopole** disguised as the mounting for an existing windsock at the Big Creek Lumber facility located at 3564 Highway One on the west side of the highway. The 29 acre parcel carries a Heavy Industry land use designation. The proposed **monopole** would replace an existing 4-inch diameter pole mounting with a 12-inch diameter pole and would be the same height as the existing windsock. The proposed pole will be similar in diameter to the existing telephone poles in the vicinity, which average 8-12 inches diameter. The proposed equipment shed, a 680 square foot extension to the existing hangar building, will be constructed of native redwood with a maximum 16 foot height.

Project Status:

This application was received by the Planning Department on 12/19/99, deemed complete on 6/23/00 and scheduled before the Zoning Administrator on 8/18/00. It was determined that the project was subject to Environmental Review and was scheduled before the Environmental Coordinator on 10/16/00. A Mitigated Negative Declaration was issued by

the Environmental Coordinator on 12/8/00. The project was approved by the Zoning Administrator on 12/15/00. A request for special consideration was filed by Supervisor Wormhoudt on 12/20/00. A Retraction of Final Local Government Action was filed with the Coastal Commission on 1/10/01.

2. APPLICATION NO. 00-03 19, Sand Hill Bluff, APN 059-033-08 (Attachment 4)

Project Summary:

This application seeks the installation of a 65-foot communications **monopole** disguised as a pine tree among a grove of eucalyptus and cypress trees on a single-family residential parcel of 0.77 acres, with an Agriculture land use designation, located at 5209 Highway One, about 1/4 mile northwest of the intersection of Highway One and Scaroni Road. A 200 square foot equipment shed, 10 feet in height, built of native redwood is also proposed.

Project Status:

This application was received by the Planning Department on 4/28/00, deemed complete on 7/27/00 and scheduled before the Zoning Administrator on 8/18/00. It was determined that the project was subject to Environmental Review and the project was scheduled before the Environmental Coordinator on 10/16/00. A Mitigated Negative Declaration was issued by the Environmental Coordinator on 12/8/00. The project was reviewed by the Zoning Administrator on 12/15/00 and referred to the Planning Commission to determine consistency with visual policies of the County of Santa Cruz as per County Code Section 18.10.124(b). A request for special consideration was filed by Supervisor Wormhoudt on 12/20/00.

3. APPLICATION NO. 00-0352, Rodoni Ranch/Dimeo Lane, APN 059-121-08 (Attachment 5)

Project Summary:

This application seeks the installation of a 59-foot communications **monopole** disguised as a windmill immediately south of the Santa Cruz City landfill and adjacent to Wilder Ranch State Park, at 395 Dimeo Lane. The 38 acre project site carries an Agriculture land use designation and is developed with a single-family dwelling and accessory farm structures and is actively farmed with row crops. The proposed equipment cabinet is to be disguised as a 16-foot diameter circular redwood water tank approximately 10 feet in height.

Project Status:

This application was received by the Planning Department on 5/18/00, deemed complete on 7/27/00 and scheduled before the Zoning Administrator on 8/18/00. It was determined

that the project was subject to Environmental Review and was scheduled before the Environmental Coordinator on 10/30/00. A Mitigated Negative Declaration was proposed by the Environmental Coordinator, however, during the comment/appeal period, letters received from Celia Scott dated 12/7/00 and Benjamin Hanelin dated 11/27/00 convinced the Environmental Coordinator to require the applicant to provide additional analysis of alternative sites which would minimize visual impacts. The CEQA review of this application is still pending. On 12/15/00 the project was reviewed by the Zoning Administrator who referred the project to the Planning Commission for a determination of project consistency with the visual policies of the County of Santa Cruz, consistent with County Code Section 18.10.124(b). A request for special consideration was filed by Supervisor Wormhoudt on 12/20/00.

In short, only one of the 3 towers was approved by the Zoning Administrator, and the remaining 2 were referred to the Planning Commission for policy review following completion of the environmental review process. However, these actions have been stayed pending action by your Board.

Staff has discussed the matter with the applicant and he has agreed that the development of specific regulations regarding wireless communication facilities is in the best interest of the community and his client, Sprint. He indicated that rescheduling the public hearings on the three applications to a later date, after the policies and ordinances have been developed, would be acceptable if the process could be completed in a relatively short amount of time (Attachment 5). Accordingly, staff recommends that your Board continue your consideration of these three applications to May 8, 2001, to coincide with the recommended report back on the development of the proposed policies and ordinances (see discussion below).

Proposed Work Program - On January 9, 2001, your Board directed that the Planning Department report back with a work program on today's agenda that would result in policies and regulations relating to the location and design of wireless communication facilities.

Development of a comprehensive set of land use policies and ordinances regulating cell towers and other wireless communication facilities will be a major addition to the current Advanced Planning work program. The development of these LCP amendments will require extensive research into a number of areas, including the following:

- An analysis, in conjunction with County Counsel, of the applicable state and Federal statutes and regulations governing local authority to regulate cell towers.
- A review of policies adopted by other jurisdictions with similar resource

concerns.

- An assessment of the technology of the wireless communication providers (to determine if there are other ways to provide the services in a less intrusive manner; e.g. co-location, alternate designs, etc.).
- An assessment of the remaining parts of the network that are planned for Santa Cruz County and the San Mateo Coast.
- A determination of the long-term impact of the planned network(s) on the visual resources of the County.

Should your Board wish to proceed with the development of regulations regarding wireless communication facilities at this time, the addition of this project to the approved Advanced Planning work program could be significant. As your Board will recall, on October 17, 2000, your Board adopted the work program for the Advanced Planning section of the Planning Department. This work program (Attachment 6) includes a number of on-going tasks and major tasks. These tasks are in progress, as are the following work program tasks added by your Board since October 2000:

C-UC-2 zoning ordinance amendments (added on November 21, 2000)

Watsonville Water Moratorium (added on December 5, 2000)

Park site designation (APN 032-302-04; added January 23, 2001)

Adding the wireless communication facility 'project' to the section's work program would extend the processing time of some of the assigned work program projects. In addition, work on the listed First Priority work program items would be deferred until staff time becomes available following completion of the approved work program tasks and the wireless communication facilities regulations.

Discussion - If your Board determines that standards and criteria for the development of wireless communication facilities are needed, it is recommended that your Board direct the Planning Department to immediately begin the process to prepare the policies and ordinance language and to schedule a review of these policies and ordinances on May 8, 2001. On that date, the Planning Department will present to your Board proposed policies and ordinances to establish standards and criteria for the location and design of wireless communication facilities. In order to facilitate the development of these regulations and to reduce the impact of the project on the approved work program, it is also recommended that your Board authorize the Planning Director to contract for professional service to assist in the preparation of the new regulations. This would not only help to keep the on-going projects on schedule but improve the breadth of the information that could be presented to your Board as well.

Conclusion and Recommendation - Wireless communications are a rapidly expanding

use, with new companies proposing additional facilities. These new facilities, as evidenced by the three applications before your Board today, are aimed at completing the industry's coverage area in the County as well as throughout the region. In order to understand the breadth of the proposed communications network, including the opportunities for co-location and alternate design, staff will work with the wireless communication companies, as well as other agencies. The development of standards and criteria to guide the location and design of these facilities should result in more efficient facilities planning and minimize the impact on the County's scenic resources.

It is, therefore, RECOMMENDED that your Board:

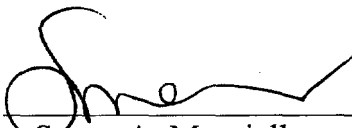
1. Accept and file this report regarding the addition to the Advanced Planning Section's work program of a project to develop regulatory policies relating to cell towers and other wireless communication facilities, and
2. Direct the Planning Department to return to the Board on May 8, 2001, with conceptual policies and ordinances related to the siting and design of cell towers and other wireless communication facilities, and any other recommendations regarding implementation of these regulations; and
3. Authorize the Planning Director to enter into a professional services contract, not to exceed \$7,500, if necessary, to facilitate the preparation of the policies and ordinances related to the siting and design of cell towers and other wireless communication facilities; and
4. Continue Application Nos. 99-0828, 00-03 19 and 00-0352 until May 8, 2001.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

Attachments: 1. Letter of Supervisor Wormhoudt, dated December 20, 2000

2. Zoning Administrator's staff report, Application No. 99-0828
3. Zoning Administrator's staff report, Application No. 00-03 19
4. Zoning Administrator's staff report, Application No. 00-0352
5. Letter of Franklin Orozco, Whalen and Company, dated January 31, 2001
6. Planning Department Advanced Planning FY 2000-200 1 Work Program

cc: Franklin Orozco
California State Parks
M. Rodoni
California Coastal Commission
Celia Scott
Ben Hanelin
Big Creek Timber Co.
John Nellani
Michael Ortega
Jim Cochran



County of Santa Cruz

BOARD OF SUPERVISORS

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FIFTH DISTRICT

AGENDA: 1/9/01

December 20, 2000

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: COUNTY POLICY ON CELL TOWERS AND REQUEST FOR SPECIAL
CONSIDERATION FOR APPLICATION NOS. 99-0828, 00-0319,
AND 00-0352

Dear Members of the Board:

Recently, three separate applications by Sprint PCS for cell towers on the North Coast of the County were considered by the Zoning Administrator. A number of objections were raised to these applications including possible violations of County LCP scenic highway policies, segmentation issues under CEQA, the use of artificial objects to try to hide the towers, and lack of consideration of other locations and types of towers.

In addition, the California Coastal Commission staff submitted the attached letter raising a number of serious concerns with the proposals. In particular, a suggestion was made that the County "take a step back from the individual projects being proposed here and evaluate such LCP questions within a planning context to understand the appropriate parameters for cell networks on the North Coast and elsewhere within the County." The results of this evaluation should be LCP amendments "that comprehensively address cell towers in the County."

It seems to me that the Coastal Commission staff proposal is very reasonable. In order for complete cell phone coverage to be provided to County residents, a network of towers will be

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necessary. Given the County's mountainous topography, the fact that a number of companies will undoubtedly compete to provide such cell phone service, and because of the potential visual impact of the towers, a comprehensive set of policies governing cell tower locations would be very helpful. Moreover, if such policies were adopted as performance standards it may be possible to establish an expedited review process for future cell towers.

As I understand it, the Zoning Administrator approved one of the cell tower applications and continued the other two with a direction that they be sent to the Planning Commission for consideration. Because I share the concerns expressed at the Zoning Administrator's meeting and the December 14, 2000, Coastal Commission staff letter regarding Applications Nos. 99-0828, 00-0319 and 00-0352, I request that the Board of Supervisors consider these three applications as provided under County Code Section 18.10.350--Special Consideration by the Board of Supervisors.

Therefore, I recommend that the Board of Supervisors take the following actions:'

1. Set Application Nos. 99-0828, 00-0319, and 00-0352, regarding cell towers on the North Coast of the County for public hearing within 30 calendar days as provided under County Code Section 18.10.350; and
2. Direct the Planning Director to return at the time of the public hearing on these' three applications with a work program to develop a comprehensive County policy on cell towers along the lines identified in the December 14, 2000, letter from the Coastal Commission staff.

Sincerely,



MARDI WORMHOUDT, Supervisor
Third District

MW:lg
Attachment

cc: Planning Director
Applicants
Coastal Commission

1133H3

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (331) 427-4863
FAX: (831) 4274877



December 14, 2000

Joan Van der Hoeven
Santa Cruz County Planning Department
701 Ocean Street, Suite 400
Santa Cruz, Ca 95060-4073

Subject: *Sprint PCS Cell Towers Proposed for the North Coast of Santa Cruz County*
(Application Numbers 99-0828, 00-0319, 00-0352)

Dear Ms. Van der Hoeven:

We wanted to take this opportunity to briefly register our concerns with the proposed series of cell towers being considered currently by the County within the North Coast planning area. Specifically, after review of the application materials previously forwarded to our office, we have serious reservations about the proposed cell network being proposed and its potential inconsistencies with County of Santa Cruz Local Coastal Program (LCP) and Coastal Act policies.

As you are aware, the County's LCP is fiercely protective of coastal zone visual resources, particularly views from public roads, and especially along the shoreline. LCP visual policies require development here to be sited outside of this viewshed when it is feasible to do so, and require development to be visually compatible and integrated with the character of the surrounding area (LCP Policies 5.10 et seq, Zoning Code 13.10.313, 13.10.323, 13.10.325, and 13.20.130). The proposed project is located within the particularly critical north coast public viewshed. The view issues at this location need to be understood within the larger context of protecting views along the largely undeveloped agrarian wilderness coastline that generally exists between Half Moon Bay and the City of Santa Cruz. Further, the north coast planning area needs to be valued as a resource of both local and statewide importance.

It is not clear to us that a cell network here would be compatible with the agricultural backdrop as proposed. In fact, it is not clear that the LCP zoning code contemplates or even allows for such a use. Although the Applicant should be commended for attempting to disguise the individual components of the network (i.e., is a tree, a windsock, and a windmill), we are concerned that such efforts will be insufficient to integrate the cell network into the larger north coast aesthetic and agrarian wilderness character. This concern is heightened by the fact that this is just one company and just a portion of what may eventually be a series of such disguised cell towers along this critical stretch of coast. The cumulative impact on north coast resources should there be additional companies, additional networks, and additional individual towers could be staggering.

Accordingly, we would suggest that the County take a step back from the individual projects being proposed here and evaluate such LCP questions within a planning context to understand

ATTACHMENT 1

Joan Van der Hoeven

Sprint PCS Cell Towers Proposed for the North Coast of Santa Cruz County

December 14, 2000

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the appropriate parameters for cell networks on the north coast and elsewhere in the County. Such an **effort** should **strive** to understand the technology- (e.g., **are** there other less intrusive ways of providing such services), the range of potential providers (e.g., are there ways to ensure shared use of a single system rather than developing multiple systems), **and** the long-term impact on the **coastal resources** – particularly north coast coastal resources – based on **those** understandings. The result should be **LCP** amendments that comprehensively address cell towers in the **County**, before **individual** cell network components are authorized **that** may **eventually** both prejudice the results of such a planning effort, and that **may separately** lead to adverse resource impacts. (We note that the same Applicant **recently** proposed **another** cell tower in La **Selva** Beach; application 00-0751.) Good planning and public policy dictate no less for the **protection** of **the** significant public resources at stake.

We would be interested in helping to shape an appropriate **LCP** amendment package, and willing to meet with you as well as appropriate **cell** network providers to ensure that all, **issues** and needs are adequately addressed within same. Towards this end, you may be aware that Santa **Cruz** County is not the only central coast jurisdiction contending with these types of issues; **Monterey** County has recently developed a new cell ordinance for the Big Sur Coast **and** San **Luis** Obispo County has developed a **similar** ordinance to address such facilities there. To the extent **similar** issues are addressed, these ordinances **may** provide valuable context to the County in your own efforts.

, Thank you for your consideration of these comments. **If** you have any questions, please do not hesitate to call me at (831) 427-4893.

Sincerely,



Dan Carl

Coastal Planner

cc: Supervisor Mardi Wormhoudt, Santa Cruz County Board of Supervisors
Franklin Orozco, Representative for Sprint PCS

THE FOLLOWING ATTACHMENTS ARE ON FILE WITH CLERK:

Attachment 2: Zoning Administrator's staff report, Application No. 99-0828

Attachment 3: Zoning Administrator's staff report, Application No. 00-03 19

Attachment 4: Zoning Administrator's staff report, Application No. 00-0352

Attachment 5: Letter of Franklin Orozco, Whalen and Company, dated January 31, 2001

Attachment 6: Planning Department Advanced Planning FY 2000-2001 Work Program