



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

March 8, 2002

Agenda Date: March 19, 2002

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

Subject: A hearing, under request of special consideration, to consider the Zoning Administrator's decision to approve Application 00-0742; a proposal to construct a structure-mounted wireless communications facility on the rooftop of an existing office building in the Salamander Protection district of the Coastal Zone, to include the installation of two antennas, camouflaged within an artificial chimney on the north side of the building, extending 6'4" above the 27'3" high roofline to a height of 33'7", and a 220 square foot fenced enclosure, with 5 equipment cabinets, to be located in the parking lot.

Members of the Board:

INTRODUCTION

On October 19, 2001, at a noticed public hearing, the Zoning Administrator considered Application 00-0742, a proposal to construct a structure-mounted wireless communications facility on the rooftop of an existing office building in the Salamander Protection district of the Coastal Zone, to include the installation of two antennas, camouflaged within an artificial chimney on the north side of the building and a 220 square foot fenced enclosure, with 5 equipment cabinets, to be located in the parking lot. After the staff presentation, public testimony was accepted relating to the notices for the public hearing, the visual issues, the alternative sites analysis, and the radiation emitted by the proposed wireless communications facility. A list of speakers and a general description of the issues addressed at the hearing is included as Attachment 5. After the public hearing was closed, the Zoning Administrator directed the applicant to provide additional information for the following elements of the project: Project Design, Landscape Plan, Visual Analysis, Radio Frequency (RF) Information, Alternative Sites Analysis, Noise Analysis, FCC Licensing Documentation, Biotic Report Review. The application was continued, to no certain date, for the applicant to provide the requested information. A letter was generated, on October 23, 2001, by Planning Department staff to clarify, and describe in detail, the type and format of information requested by the Zoning Administrator at the October 19, 2001 hearing. A copy of the letter is included in Attachment 3.

Materials were provided by the applicant and a second, re-noticed (due to the issues raised at the

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October 19, 2001 hearing) public hearing with the Zoning Administrator, on February 1, 2002. After the staff presentation, public testimony was accepted relating to the proposed project. A list of speakers and a general description of the issues addressed at the hearing is included as Attachment 5. After the public hearing was closed, the Zoning Administrator directed that findings related to the scenic resource adjacent to the project site and conditions relating to landscaping and design be amended. The proposed project was approved, subject to the revised findings and Conditions of Approval, and a copy of the permit was forwarded to the Coastal Commission. A copy of Permit 00-0742 is included as Attachment 2, and a copy of the revised findings and Conditions of Approval for the project are included in Attachment 3.

On February 14, 2002, the Board of Supervisors acted to set Application 00-0742 for Special Consideration, pursuant to the procedures set forth in County Code Section 18.10.350. Copies of correspondence from your consent agenda of February 22, 2002, relating to the request for Special Consideration are included as Attachment 1. This matter is now before your Board for your consideration.

DISCUSSION

The letter, dated February 14, 2002, by Supervisor Ellen Pirie, requesting Special Consideration by the Board of Supervisors, raised the issue of potential alternative sites and the adequacy of the alternative sites analysis, as well as the lack of an ability to determine the adequacy of existing wireless communications service to the area surrounding the project site. The alternative sites analysis was reviewed prior to the October 19, 2001 public hearing and found to be inadequate. A revised alternative sites analysis was requested and was provided prior to the February 1, 2002 public hearing. The revised alternative sites analysis adequately demonstrated that the proposed project site was the environmentally superior site (based on height, design issues, and visual impacts) and was technically feasible (from the standpoint of the Sprint corporation's technical experts). The revised alternative sites analysis was determined as adequate by Planning Department staff and the Zoning Administrator, per the requirements of the current Wireless Communication Facilities Ordinance (County Code 13.10.659).

The revised alternative sites analysis that was provided by the applicant is based entirely on the technical assumption that there is a current need for additional service in this particular area. The Sprint corporation makes the argument that the existing level of service along the target service area (the Highway One corridor) consists of only "Fair Coverage" and the construction of the proposed facility will create "Excellent Coverage" in this location. The applicant has not provided sufficient information to determine what level of service is required to be considered "Excellent", "Fair", or "Poor" coverage.

While the Planning Commission has previously discussed the idea of adequate coverage, and the requirement of providing a technically determined need for a project, in the review of wireless communications facilities in the North Coast and Bonny Doon planning areas of the County, the current Wireless Communication Facilities Ordinance (County Code 13.10.659) does not clearly require an evaluation of the need for a wireless communication facility, based on existing coverage in the area of the proposed project. It is entirely possible that the area around the Rio Del Mar overpass is adequately covered by the existing Sprint facilities located at Post Office Drive in Aptos Village (to the West), and Moon Valley Road (to the East). According to the information provided by the applicant, the level of service is currently considered as "Fair Coverage", in the area of the proposed project. However, this determination does not provide

information regarding coverage of the area by other wireless communications providers.

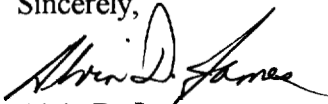
A clear assessment of the existing service conditions including adequacy of service provided from Sprint's existing facilities, (a "No Project" alternative), has not been provided by the applicant or included in the alternative sites analysis. If your Board determines that such an evaluation would be helpful to your deliberations, you may wish to ask the applicant to amend the alternative sites analysis for a proposed wireless communication facility to include a "No Project" alternative, with an evaluation of the existing coverage in the area of the proposed project (by all carriers including the applicant). We have conferred with County Counsel about this issue and believe additional legal research is necessary to determine whether there are state or federal requirements concerning adequacy of service levels to assist with your evaluation of this proposal.

CONCLUSION AND RECOMMENDATION

Supervisor Pirie's letter raises questions that require further legal research. It is therefore RECOMMENDED, that your Board take the following action:

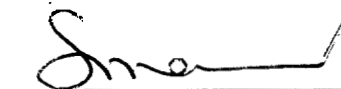
1. Direct County Counsel to research and report back to your Board on April 9, 2001 with a report addressing whether there are state or federal requirements concerning adequacy of service levels; and
2. Continue this hearing concerning Application 00-0742 until April 9, 2002.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Cc: Franklin Orozco, 1013 Captains Court, Santa Cruz, Ca 95062
James & Sue Rummonds, 360 Camino al Barranco, La Selva Beach 95076

Attachments:

1. Letter from Supervisor Pirie, dated February 14, 2002
2. Development Permit Number 00-0742
3. Addendum to Zoning Administrator Staff Report, February 1, 2002
4. Zoning Administrator Staff Report, October 19, 2001
5. List of Speakers, October 19, 2001 & February 1, 2002 Hearings



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

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SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

JEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 2/26/02

February 14, 2002

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



RE: APPEAL OF ZONING ADMINISTRATOR'S DECISION
APPLICATION NO. 00-0742

Dear Members of the Board:

Pursuant to County Code Section 18.10.350, I would like to request special consideration of a recent decision by the Zoning Administrator regarding Application No. 00-0742, a decision to approve an application to locate a wireless communication facility at 311 Bonita Drive within the Second District. A number of objections were raised to this application, including the inadequacy of the analyses of alternative sites. In addition, it appears that the alternative sites on commercial property further from the residential property, including a transmission site at a nearby gasoline station, were not thoroughly reviewed, nor was an analysis done using more, but smaller, transmission facilities on existing utility poles.

Finally, I believe more information is needed to determine whether wireless communication service is already adequate. The driving force behind the requests for additional wireless communication facilities appears to be a desire to upgrade service. In this case, Sprint PCS would like to upgrade service reliability along Highway 1, in southern Santa Cruz County. Yet, the project applicant has not provided a technical summary or threshold of what constitutes "excellent," "good," and "poor" coverage.

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ATTACHMENT

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Accordingly, I recommend that the Board of Supervisors take set a public hearing for Application No. 00-0742, regarding the proposed cell tower on Bonita Drive, for March 19, 2002.

Very truly yours,



ELLEN PIRIE, Supervisor
Second District

EP :lg

cc: Applicant
Planning Department

1249K2



COUNTY OF SANTA CRUZ

Planning Department

DEVELOPMENT PERMIT

Owner James & Sue Rummonds
 Address 311 Bonita Dr.
Aptos, CA

Permit Number 00-0742
 Parcel Number(s) 044-023-04 and 044-023-05

PROJECT DESCRIPTION AND LOCATION

Proposal to construct a structure-mounted wireless communications facility on the rooftop of an existing office building to include the installation of two antennas, camouflaged within an artificial chimney on the north side of the building, extending a 6'4" above the 27'3" high roof line to a height of 33'7", and a 220 square foot fenced-in enclosure with 5 equipment cabinets to be located in the parking lot. Requires a Coastal Development Permit and a Commercial Development Permit. Property located on the northwest side (left) of Bonita Drive (311 Bonita Drive) at about 500' northeast of Clubhouse Drive and Rio del Mar Boulevard.

SUBJECT TO ATTACHED CONDITIONS.

Approval Date: 02/01/2002

Effective Date: 02/15/2002

Exp. Date (if not exercised): 02/15/2004

Coastal Appeal Exp. Date: Call Coastal Commission

Denied by: _____

Denial Date: _____

- This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 14 calendar days of action by the decision body.
- X This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable. The appeal must be filed within 14 calendar days of action by the decision body.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above indicated date. Permittee is to contact Coastal staff at the end of the above appeal period prior to commencing any work.

A Building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit. **THIS PERMIT IS NOT A BUILDING PERMIT.**

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's costs for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.

Signature of Owner Agent

Staff Planner

2-1-02
 Date

2/1/02
 Date

ADDENDUM TO STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 00-0742 **APN:** 044-023-04 & 05
APPLICANT: Franklin Orozco (Whalen & Company)
OWNER: James & Sue Rummonds

REVISED PROJECT DESCRIPTION:

Proposal to construct a structure-mounted wireless communications facility on the rooftop of an existing office building in the Salamander Protection district of the Coastal Zone, to include the installation of two antennas, camouflaged within an artificial chimney on the north side of the building, extending 6'4" above the 27'3" high roofline to a height of 33'7", and a 220 square foot fenced in enclosure with 5 equipment cabinets to be located in the parking lot.

CONTINUED ANALYSIS AND DISCUSSION

During the Zoning Administrator hearing on 10/19/01 the above listed application was heard and additional information was required prior to the rescheduling of a new hearing for this project. The project was removed from the agenda, as a result of public comment, and has been rescheduled and re-noticed for the date listed above.

Additional information from the applicant was required for this project as a result of the adoption of the Wireless Communications Facilities Ordinance (13.10.659). This project was originally submitted prior to the adoption of the new ordinance, and the type and quality of the information submitted was not considered as adequate by the Zoning Administrator for a proper review of the project as presented at the 10/19/01 hearing. A letter was prepared by Planning Department staff, dated 10/23/01 (Exhibit L), that requested the necessary additional information to allow for further review of this project. Additional or revised information was for the following elements of the project: Project Design, Landscape Plan, Visual Analysis, Radio Frequency (RF) Information, Alternative Sites Analysis, Noise Analysis, FCC Licensing Documentation, Biotic Report Review.

The applicant responded to the requests of the Zoning Administrator, with a revised project and updated materials. The redesigned project and the updated materials have been reviewed by Planning Department staff and the following assessments have been made:

- **Revised Project Design:**

The antenna enclosure has been redesigned to resemble a chimney that will be located on top of northern-most portion of the existing roof. This faux chimney design mimics the surrounding residential and commercial development and is a vast improvement over the previous submittal, which consisted of a simple cylinder that was only camouflaged by matching the paint color of the building. Although the revised design does not go to great length to incorporate the antennas into the wall or existing roof of the building, the proposed design will be compatible with the existing development on and adjacent to the project site. The commercial building located adjacent to the subject property currently has two clearly visible chimneys of similar design and the proposed chimney will not be out of character with the surrounding neighborhood.

e Revised Landscape Plan:

The landscape plan has been revised to replace the previously proposed Coast Live *Oak* tree with a *Myoporum laetum* specimen in the Bonita Drive facing portion of the subject property. The intent of planting this species is to achieve a more rapid and effective screening of the commercial building, as viewed from Bonita Drive and the adjacent residential properties. The Wireless Communication Facilities ordinance (13.10.659.h.2.ix.a) requires the use of mature landscaping to screen the facility, with native species, where necessary. The use of a non-native species for this purpose is considered as acceptable, due to the fact that the portions of the subject property where the non-native species are to be located does not currently provide habitat for the Santa Cruz Long Toed Salamander, and the portions of the site that drain towards salamander breeding ponds will consist of native Coast Live Oak trees. Native trees would not be capable of providing the same quality of shading and would not perform as well in the areas where the *Myoporum* specimens are proposed. The Wireless Communication Facilities ordinance (13.10.659.h.2.ix.a) further requires that the landscaping shall include specimens that are of a size that will provide immediate screening of the facility upon installation, which is further backed by the Design Review ordinance (13.11.075.b.1) that requires installed landscaping to achieve adequate screening within one year from the date that it is planted. The current proposal achieves neither of these two goals, but the proposal to install smaller, younger specimens will result in more vigorous growth and better screening of the facility in the long term due to the improved health of the trees that will be installed. The need for immediate screening of the facility is further reduced in that the antenna enclosure will be camouflaged as a part of an existing building, and will not require the same amount of screening as if the proposed facility was camouflaged as artificial vegetation or if an un-camouflaged facility was proposed.

e Revised Visual Analysis:

The computer simulated photographs of the project site have been revised to show the proposed antenna enclosure design and the proposed landscaping. It is doubtful that the tree species will be as large as they are depicted in the simulated photographs immediately after installation, but the trees may achieve adequate screening after fifteen years of growth, as depicted in the second set of simulated photographs stated to estimate the size of the vegetation in 2016.

e Revised RF Information:

A revised study of the Radio Frequency (RF) signals that would be produced by the facility was prepared. This second study takes into account the existing topography and provides a numeric quantification of the RF signal strength that could be expected at adjacent residences. The anticipated maximum exposure to RF was determined to be 0.017 mW/cm² at ground level, which is 1.7 percent of the most restrictive applicable limit imposed by the Federal Communications Commission. The anticipated maximum exposure to RF was determined to be at the second floor level of the adjacent residences across Bonita Drive, and that level of exposure was calculated to be 3.5 percent of the most restrictive applicable limit. These two numbers are stated as scientifically conservative numbers that take into account a combination of worst case scenarios and the actual numbers are stated to most likely be lower than those calculated. These numbers are in contrast to the previous calculations that indicated an RF signal of 0.0055 mW/cm², which is 0.55 percent of the most restrictive applicable limit imposed by the FCC.

The revised RF study included some other details that created difficulty for staff to thoroughly evaluate the report. The "Site and Facility Description" segment of the report describes project plans that were dated 10/11/00, and does not indicate review of the most recent designs. It is assumed that the technology and antennas were the same in both submittals, but this is not clearly stated. The "Study Results" indicate the ground floor and second floor levels of maximum exposure to RF signals, but the report does not clearly demonstrate the finished floor elevations of each of the neighboring residences that will be exposed to these signals. The graphical representation of the signal exposure based on the angle of the antennas does not clearly show an elevation of the proposed antenna, the existing topography, or the floor elevations of the adjacent residential structures. With this lack of information, and the technical nature of the study of electromagnetic radiation, Planning Department staff are unable to evaluate the accuracy or completeness of the study that has been provided. If necessary, an independent consulting engineer, hired by the County and paid for at the expense of the applicant, may be required to evaluate the report that has been submitted.

Both of the RF reports (previous and revised) describe an additional requirement of the placement of warning signs, that could affect the design and associated visual impact of the proposed facility. The type, color, size, and locations of the proposed signs should be indicated in the proposed design, and should meet all of the necessary requirements that will ensure the health and safety of the public. The signage should also be presented in a manner that does not create additional visual impacts on the roof or walls of the existing commercial building. The need for clear, visible signage for safety purposes may conflict with the visual design issues associated with commercial projects, and the visibility of this project from the Highway One scenic corridor.

- Revised Alternative Sites Analysis:

The alternative sites analysis has been revised to include additional information about how the project site was found, and additional detail as to how the search process that was undertaken. It does not appear that any additional analysis has been performed that could result in finding a superior alternate site, but the material does present the details that identify the subject property as the best site from the vantage point of the Sprint corporation.

8 sites (or site areas) were investigated for construction of the proposed facility. The sites on the south side of Highway One (referred to as Candidates A, B, C, & D in the documentation provided) appear to have had the most analysis performed, and copies of letters to the owners of the properties in that area are attached to the alternative sites analysis. It appears as though the properties on the north side of Highway One (Candidates E, F, & G) that are mostly commercial in nature and outside of the Salamander Protection zone were not as thoroughly evaluated, and this is supported by an argument that taller camouflaged towers would be necessary in order to achieve adequate coverage from these topographically lower sites. Since the sites on the north side of Highway One appear to be commercially zoned (no specific Assessor's Parcel Numbers or addresses have been provided for these sites, so their individual characteristics have not been reviewed) and are outside of the Salamander Protection zone, but they are closer to a public school. It is not possible to determine, from the information provided, as to whether or not any of these sites would be environmentally superior, but they appear to be technically feasible with the installation of a camouflaged tower, based on the materials provided by the applicant.

The alternative sites analysis also includes what appears to be an error in the "Sites Evaluated" chart that shows the currently proposed (Candidate A) site as a free standing tower design, as opposed to a building mounted design. It is assumed that this is an error in the chart due to the fact that a building mounted design is currently proposed.

- Noise Analysis:

This project does not include a permanent generator at the facility, so no testing or maintenance of a generator will be necessary. A temporary generator will be used on the project site for extended blackouts to allow for continued operation of the facility. The temporary generator will be located over 100 feet from any residential unit and no noise study is necessary, per the Wireless Communication Facility ordinance (13.10.659.h.2.xi), as a result.

- FCC Licensing Documentation:

The applicant has provided a document (Exhibit O) that allows Wirelesco, L.P. to construct and operate radio transmitting facilities in the San Francisco/Oakland/San Jose markets. It is not clear from the documentation provided as to whether or not this document provides the Sprint corporation any authority to construct the proposed project, or if the Santa Cruz area is included in the market specified, or if the project will not interfere with aircraft in flight, as required by the Federal Aviation Administration (per letter from the Department of Transportation, Exhibit P).

- Biotic Report/Review:

The California State Department of Fish and Game (DFG) does *not foresee any negative impacts from radio signals emitted by the proposed facility on the Santa Cruz Long Toed Salamander and does not currently require any further biotic review for the proposed project.* (Amended at ZA hearing 2/1/02)

- Summary:

All of the above listed issues have been addressed by the applicant, and a number of modifications and revisions have been made to the proposed project. The additional information provided does not appear to cover the topics in the level of detail that was specified in the 10/19/01 Zoning Administrator's hearing or in the 10/23/01 letter (Exhibit L), but it has been determined that sufficient information has been provided for Planning Department staff to make a recommendation for this project. The redesign of the camouflage for the roof mounted equipment and the revised landscape plan appear to address the design issues satisfactorily, and the documentation provided indicate that the RF signals will not exceed those allowed by the FCC for human safety. The alternative sites analysis currently submitted is not thorough, and additional effort to identify alternate sites, and to propose designs for those sites, could be made. The Planning Department does not currently have the technical expertise to properly evaluate the elimination of potential sites for technical reasons, or the ability to evaluate sites for design and environmental impacts when no projects have been proposed for alternate sites. However, it is clear from a review of the documentation provided by the applicant that the Sprint corporation has considered all of the properties on both sides of Highway One and chosen the current project site in an attempt to reduce visual impacts to the Highway One scenic corridor. *For this reason, the alternative sites analysis is considered to be adequate for this review and in compliance with*

the requirements of the Wireless Communications Facilities Ordinance (13.10.659.1.2). (Added at ZA hearing 2/1/02)

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 "J" ("Revised Findings") for a complete listing of findings and evidence related to the above discussion.

RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **00-0742**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning map
- G. Project Summary (prepared by Whalen & Company, Inc.) including reduced project plans, RF emissions report & visual analysis.
- H. Alternative sites analysis (prepared by Whalen & Company, Inc.)
- I. Comments & Correspondence
- J. Revised Findings
- K. Revised Conditions
- L. Letter requesting additional information, per 10/19/01 hearing, dated 10/23/01.
- M. Revised Project Summary (prepared by Whalen & Company, Inc.) including reduced project plans, RF emissions report & visual analysis.
- N. Revised alternative sites analysis (prepared by Whalen & Company, Inc.)
- O. Radio Station Authorization form issued to Wirelessco, L.P., issued by the Federal Communications Commission, dated 6/23/95.
- P. Letter from the Department of Transportation, dated 10/15/01.

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.

Report Prepared By: Randy Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218 (or, randy.adams@co.santa-cruz.ca.us)

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.

The property is zoned PA-SP (Professional and Administrative Offices - Salamander Protection), a designation which allows commercial office uses and the existing use and zoning are consistent with the site's (C-0) Professional and Administrative Offices General Plan designation. The proposed structure-mounted wireless communications facility is not a principal permitted use within the zone district, but is a use that can be conditionally approved in any commercial zone district. The ordinance regulating the location of wireless communications facilities (13.10.659.f.2) restricts the construction of such devices within the Salamander Protection zone combining district, but does state that, "Camouflaged structure-mounted or camouflaged ground-mounted, or co-located, may be permitted... only if adequate coverage cannot be provided from alternative sites outside these zoning districts." The proposed structure-mounted antennas will be located within a faux chimney (2 feet square, extending 6 feet, 4 inches above the existing roof line) that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view,

No site that has been determined to be both environmentally superior and technically feasible has been identified for the proposed facility.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements 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 13.20.130et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is compatible with the existing commercial development; the design of the faux chimney and the colors chosen will blend with the existing building and help to camouflage the facility 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.

The project site is not located between the shoreline and the first public road. Consequently, the structure-mounted wireless communications facility will not interfere with 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.

The proposed project is in conformity with the County's certified Local Coastal Program in that the development is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding commercial and residential development. Professional and administrative office uses are often used to buffer residential uses from areas of higher intensity development, such as the adjacent freeway and commercial shopping center. Additionally, the proposed development will not adversely impact visual resources from the Highway One scenic corridor in that the design and location of the proposed development will be screened and camouflaged from the public view and will not interfere with publicly accessible views or vistas.

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.

The location of the proposed wireless communications facility 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, in that the maximum ambient RF levels at ground level due to the proposed operation are calculated to be 0.017 mW/cm², which is 1.7 percent of the most restrictive applicable limit. The maximum ambient RF levels at the second floor of the residences across Bonita Drive from the project site are calculated to be 3.5 percent of the most restrictive applicable limit. The maximum effective radiated power in any direction would be 1,000 watts. There are no other wireless telecommunications facilities installed nearby, other than the existing Fire Station, which has not been evaluated in the RF reports that have been submitted.

The proposed project will not result in inefficient or wasteful use of energy, in that the most recent and efficient technology available to provide wireless communication services will be required as a condition of this permit. Upgrades to more efficient and effective technologies will be required to occur as new technologies are developed.

The project will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for commercial uses and the proposed development will be camouflaged from view, resulting in a minimal visual impact.

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.

The property is zoned PA-SP (Professional and Administrative Offices - Salamander Protection), a designation which allows commercial office uses and the existing use and zoning are consistent with the site's (C-0) Professional and Administrative Offices General Plan designation. The proposed structure-mounted wireless communications facility is not a principal permitted use within the zone district, but is a use that can be conditionally approved in any commercial zone district. The ordinance regulating the location of Wireless Communications Facilities (13.10.659.f.2) restricts the construction of such devices within the Salamander Protection zone combining district, but does state that, "Camouflaged structure-mounted or camouflaged ground-mounted, or co-located, may be permitted... only if adequate coverage cannot be provided from alternative sites outside these zoning districts."

The proposed project is consistent with the Wireless Communication Facilities ordinance, in that the proposed structure-mounted antennas will be located within a faux chimney (2 feet square, extending 6 feet, 4 inches above the existing roof line) that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their current service along Highway One, and found few other alternate sites in the immediate area. No site that has been determined to be both environmentally superior and technically feasible has been identified for the proposed facility.

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.

The property is located in the Professional and Administrative Offices (C-0) land use designation, which is implemented by and consistent with the site's PA (Professional and Administrative Offices) zone district. The existing and proposed uses, as designed, are compatible with the zone district and General Plan designation.

The subject property for the proposed project is located within the Highway One scenic corridor *and will not impact this scenic resource*. The faux chimney is visible from points along the scenic corridor, however, the existing vegetation along the highway only allows very brief views of the building on which the faux chimney is to be mounted, and the visual impact to the scenic corridor will be considered negligible. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that no views of the beach, ocean, or other significant vistas can be viewed past or across the subject property, as the property is located upslope from the highway and heavy vegetation exists along the highway and on the slopes behind the subject property. The existing heavy vegetation along Highway One combined with the screened location of the equipment cabinets (in the 220 square foot lease area) are such that existing public views from the scenic highway will remain relatively unchanged as a result of this project.
(Amended at ZA hearing 2/1/02)

The proposed project complies with General Plan Policy 8.5.1 (Concentrate Commercial Uses), in that the structure-mounted wireless communication facility will be located on-site with an existing commercial use and will effectively utilize the existing commercial structure and landscaping to minimize visual impacts on surrounding properties and the adjacent scenic corridor.

A specific plan has not been adopted for this portion of the County.

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.

The project will not require the use of public services such as water or sewer, but will require electric power and telephone connections. The facility will require inspection by maintenance

personnel at least once per month and this will not result in increasing traffic to unacceptable levels in the vicinity.

The availability of wireless telephone service along this reach of Highway One may actually improve traffic circulation if there is a breakdown or accident that is impeding traffic flow. The existence of a wireless communication facility may allow drivers to contact the appropriate emergency services in less time and to remove the obstruction more rapidly.

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.

The proposed structure-mounted wireless communication facility 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 in the vicinity, in that the proposed structure-mounted antennas will be located within a faux chimney (2 feet square, extending 6 feet, 4 inches above the existing roof line) that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view.

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.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed structure-mounted wireless communications facility will blend with the existing commercial development and the equipment boxes located within the parking lot will be screened from public view by the existing vegetation.

The Design Review ordinance (13.11.075.b.1) requires installed landscaping to achieve adequate screening within one year from the date that it is planted. This proposal meets the intent of adequate screening in this particular case, in that the proposal to install smaller, younger specimens will result in more vigorous growth and better screening of the facility in the long term due to the improved health of the trees that will be installed and the need for immediate screening of the facility is further reduced in that the antenna enclosure will be camouflaged as a part of an existing building, and will not require the same amount of screening as if the proposed facility was camouflaged as artificial vegetation or if an un-camouflaged facility was proposed.

WIRELESS COMMUNICATION FACILITY USE PERMIT FINDINGS:

1. THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY WILL NOT SIGNIFICANTLY AFFECT ANY DESIGNATED VISUAL RESOURCES, OR OTHERWISE ENVIRONMENTALLY SENSITIVE AREAS OR RESOURCES, AS DEFINED IN THE SANTA CRUZ COUNTY GENERAL PLAN/LCP (SECTIONS 5.1, 5.10, AND 8.6.6), OR THERE IS NO OTHER ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE ALTERNATIVE TO THE PROPOSED LOCATION WITH LESS VISUAL IMPACTS AND THE PROPOSED FACILITY HAS BEEN MODIFIED TO MINIMIZE ITS VISUAL AND ENVIRONMENTAL IMPACTS.

The subject property for the proposed project is located within the Highway One scenic corridor. The structure-mounted faux chimney (2 feet square, extending 6 feet, 4 inches above the existing roof line) is visible from points along the scenic corridor, however, the existing vegetation along the highway only allows very brief views of the building on which the cylinder is to be mounted, and the visual impact to the scenic corridor will be considered negligible. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that no views of the beach, ocean, or other significant vistas can be viewed past or across the subject property, as the property is located upslope from the highway and heavy vegetation exists along the highway and on the slopes behind the subject property. The existing heavy vegetation along Highway One combined with the screened location of the equipment cabinets (in the 220 square foot lease area) are such that existing public views from the scenic highway will remain relatively unchanged as a result of this project.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their service area along Highway One and found few alternate sites in the immediate area. No site that has been determined to be both environmentally superior and technically feasible has been identified for the proposed facility.

2. THE SITE IS ADEQUATE FOR THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY AND THAT THE APPLICANT HAS DEMONSTRATED THAT THERE ARE NOT ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE ALTERNATIVE SITES OR DESIGNS FOR THE PROPOSED FACILITY.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their service area along Highway One and found few alternate sites in the immediate area. No site that has been determined to be both environmentally superior and technically feasible has been identified for the proposed facility.

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 OTHER APPLICABLE PROVISIONS OF THIS TITLE (County Code 13.10.659) AND THAT ALL ZONING VIOLATION ABATEMENT COSTS, IF ANY, HAVE BEEN PAID.

The existing commercial facility and use is in compliance with the PA (Professional and Administrative Offices) zone district in which it is located. Commercial offices are the desired use within the PA zone district, and this development provides an adequate buffer between the commercial development along Rio del Mar Boulevard and the residential development across Bonita Drive.

No zoning violation abatement fees are applicable to the subject property.

4. THE PROPOSED WIRELESS COMMUNICATION FACILITY WILL NOT CREATE A HAZARD FOR AIRCRAFT IN FLIGHT.

The proposed wireless communications facility will be located at a height of 33 feet, 7 inches, and this elevation is too low to interfere with an aircraft in flight. The proposed project is located at the base of a slope that is heavily treed above the subject property, which would prevent aircraft in normal flight from approaching the area where the structure-mounted facility is located.

5. THE PROPOSED WIRELESS COMMUNICATION FACILITY IS IN COMPLIANCE WITH ALL FCC (Federal Communications Commission) AND CALIFORNIA PUC (Public Utilities Commission) STANDARDS AND REQUIREMENTS.

The location of the proposed wireless communications facility 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, in that the maximum ambient RF levels at ground level due to the proposed operation are calculated to be 0.017 mW/cm², which is 1.7 percent of the most restrictive applicable limit. The maximum ambient RF levels at the second floor of the residences across Bonita Drive from the project site are calculated to be 3.5 percent of the most restrictive applicable limit. The maximum effective radiated power in any direction would be 1,000 watts. There are no other wireless telecommunications facilities installed nearby, other than the existing Fire Station, which has not been evaluated in the RF reports that have been submitted.

CONDITIONS OF APPROVAL

- I. This permit authorizes the construction of a structure-mounted wireless communications facility camouflaged as a faux chimney (2 feet square, extending 6 feet, 4 inches above the existing roof line), and the creation of a 220 square foot equipment enclosure. 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.
 - C. To ensure that the storage of hazardous materials on the site does not result in adverse environmental impacts, the applicant shall submit a Hazardous Materials Management Plan for review and approval by the County Department of Environmental Health Services.
 - 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 of the approval date on this permit.
 - E. *Obtain an Encroachment Permit for the installation of landscaping within the right-of-way of Bonita Drive to the east of the subject property. (Added by ZA 2/1/02)*
11. The applicant shall obtain approval from the California Public Utilities Commission and the Federal Communications Commission
111. 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 "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Submit color samples of the paint to be used to camouflage the structure-mounted antenna enclosure for ~~Planning Department~~ approval of the Zoning Administrator. Any color boards must be in 8.5" x 11" format. *Submit samples of the RF transparent material for review and approval by the Zoning Administrator. (Amended by ZA 2/1/02)*
 2. Plans, details, and proposed colors for any proposed warning signage.
 3. Landscape plan that substantially matches the approved Exhibit "A". *The landscape plan must also include additional Coast Live Oak specimens to*

be located within the right-of-way of Bonita Drive to the east of the existing parking area. This requirement shall be waived only if the required Encroachment Permit from the Santa Cruz County Department of Public Works is denied. (Amended by ZA 2/1/02)

4. All new electric and telecommunications lines shall be placed underground.
5. Details showing compliance with fire department requirements.
- B. To guarantee that the structure-mounted antenna enclosure remains in good visual condition and to ensure the continued provision of mitigation of the visual impact of the wireless communications facility, the applicant shall submit a maintenance program prior to building permit issuance which includes the following:
 1. A signed contract for maintenance with the company that provides the exterior finish, for annual visual inspection and follow up repair, painting, and resurfacing as necessary.
- C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- IV. All construction shall be performed according to the approved plans for the building permit. For reference in the field, a copy of these conditions shall be included on all construction plans. 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 of the required landscaping shall be installed, including (3) 48" box *Quercus agrifolia*, (2) 24" box *Myoporum laetum*, and (5) 15 gallon *Myoporum laetum*.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The Hazardous Materials Management Plan if required, shall be approved by the County Environmental Health Service.
 - E. The structure-mounted antenna enclosure shall be painted the approved color.
 - F. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, shall be observed.

V. Operational Conditions

- A. The structure-mounted antenna enclosure shall be permanently maintained and painted regularly with the approved, non-reflective, paint.
- B. The facility will be subject to the Non-Ionizing Electromagnetic Radiation (NIER) Monitoring requirements listed in the Wireless Communication Facilities ordinance (13.10.659.i). This requirement shall include a bi-annual report listing each transmitter and antenna present at the facility and the effective radiated power radiated that shall be submitted to the Planning Director. This bi-annual report shall also include measurement of NIER emissions generated by the facility and other nearby emission sources, from various directions and particularly from adjacent areas with habitable structures, during normal operating conditions (including peak-use periods). The operator of the facility shall hire a qualified electrical engineer licensed by the State of California to conduct NIER measurements. The NIER measurements shall be made of NIER exposure levels during peak operation periods at a range of distances from 50 to 1000 feet, taking into account cumulative NIER exposure levels from the proposed source in combination with all other existing NIER transmission sources within a one-mile radius. In the case of a change in the standard, the required report shall be submitted within ninety (90) days of the date the said change becomes effective. If the Planning Director determines that, as a result of the initial or bi-annual monitoring reports, additional review of testing is necessary, a certified electrical engineer shall be retained at the expense of the permittee, to measure the NIER levels and prepare a report for review by the Planning Director.
- C. 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.
- D. The applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees to 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 applicant agrees to 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 vegetation.
- E. Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.

- F. All noise shall be contained on the property.
 - G. A Planning Department review that includes a public hearing shall be required for any future co-location at this wireless communications facility.
 - H. All site, building, security and landscape lighting shall be directed onto the lease site and away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.
 - I. 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.
- VI. 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

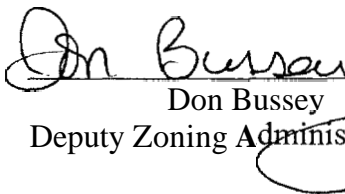
approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa **Cruz** County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

Minor variations to this permit which **do** not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter **18.10** of the County Code.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT **AND** COMMENCE CONSTRUCTION.

Approval Date: 2/1/02
Effective Date: 2/15/02
Expiration Date: 2/15/04


Don Bussey
Deputy Zoning Administrator


Randy Adams
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.



County of Santa Cruz

24
ATTACHMENT 3

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

October 23, 2001

Franklin Orozco
1013 Captain's Court
Santa Cruz, Ca 95062

Subject: Application # **00-0742**; Assessor's Parcel #: **044-023-04 & 05**
Owner: **James & Sue Rummonds**

Dear Franklin Orozco:

During the Zoning Administrator hearing on 10/19/01 the above listed application was heard and additional information was required prior to the rescheduling of a new hearing for this project. Additional information is also required as a result of the adoption of the Wireless Communications Facilities Ordinance (13.10.659), for which more thorough information regarding your project is necessary. This project was originally submitted prior to the adoption of the new ordinance, and the type and quality of the information submitted has not been considered as adequate for the review of this project by the Zoning Administrator. The following list describes the information required prior to the scheduling of another hearing:

- Revised Project Design – Please provide a revised design for the camouflage of the antenna on the roof of the existing commercial building. The most appropriate design is one that will incorporate the antenna directly into the existing roof or walls of the building. Equipment that projects above* the roofline of the existing building, even if camouflaged as a chimney or other rooftop amenity, shall be discouraged (County Code 13.11.074.e.1 – Rooftop Equipment). Any extension of the existing roof to camouflage the antenna equipment shall be as an integral part of the design of the entire structure, and not solely an extension of one part of the roof or adjacent wall.
- Revised Landscape Plan – Please provide a revised landscape design that will screen the building adequately from neighboring residential properties, scenic Highway One, and Rio Del Mar Boulevard. The proposed trees must be near the height required for adequate screening of the building at the time that they are planted (County Code 13.11.075.b.1 – Plant Material Type, Size, and Growth) and must achieve adequate screening within one year from the date that they are planted. Currently, Coast Live Oak specimen trees will be required, but other tree species that are compatible with the Santa Cruz Long Toed Salamander habitat may be considered if they will provide adequate screening.
- Revised Visual Analysis – Please provide a revised set of visual analysis documentation for the revised facility design and landscape plan (required by 13.10.659.g.2.xiii). Landscaping must be accurately depicted as it will be installed on the site in terms of height and breadth of tree and shrub species, in order to clearly show the screening that will be provided immediately after the landscaping is installed.

EXHIBIT L7

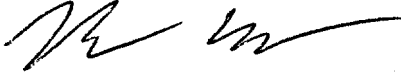
- e Revised RF Information – Please provide additional information on the intensity of RF (Radio Frequency) levels (required by 13.10.659.g.2.ix) Graphical representations of the angle of RF broadcast from each antenna both at the horizontal and vertical planes will be required (please show the accurate topography for the subject and adjacent properties) with numeric values for the exposure levels based on location and distance (all exposure levels as varied by location and topography up to 1000 feet from the facility). Please show this information on the project plans and include adjacent property boundaries and approximate locations of adjacent structures. Please provide clear and topographically accurate information for exposure levels at each of the neighboring residences located on Bonita Drive.
- e Alternative Sites Analysis – Please provide a revised set of alternative sites analysis that includes all of the properties (or locations on larger properties) that could be possible candidates for the location of the proposed wireless communications facility (required by 13.10.659.g.2.xiv). The properties shall all be identified, listed, and discussed in terms of their potential to serve the target area. If the issues related to excluding properties are based on topography and/or signal strength, a quantitative assessment shall be provided for each property so excluded. For properties that are excluded based on zoning, visual, and/or environmental issues, please provide a discussion of those issues to allow for proper review of the reasoning to exclude each property. If properties were excluded from consideration based on a lack of willingness to lease space for the facility, please provide evidence of the property owners' refusal to lease in the form of a refusal letter or signed document from each property owner. If there is no response from a property owner, a certified mail receipt that is dated at least a month prior, in combination with a copy of the letter mailed (requesting the use of the property for the purposes of locating a wireless communications facility) may be considered adequate evidence of refusal for the property.
- e Noise Analysis – Please provide an analysis of the noise that will be created by the generator. Measurements should be taken for the proposed generator noise at southwest and north west corners of the property. Ambient day (between 8-5 P.M.) and night (between 10-3 A.M.) measurements shall be taken to establish background noise levels. Please include a product information sheet for the proposed type of generator, as well as the manner in which the generator's noise will be reduced to fall within the levels required by the Wireless Communications Facilities Ordinance (13.10.659.h.2.xi – Noise and Traffic). Note: Routine running of the generator for purposes of maintenance and upkeep shall be limited to the hours of 8-5 P.M. as a condition of any approved permits.
- FCC Licensing Documentation - Please provide the Federal Communications Commission (FCC) licensing documentation that clearly demonstrates that his facility has received the necessary approvals from the FCC (required by ordinance 13.10.659.g.2.viii). This information must also clearly show that the proposed facility will not create disruption, interference, and/or distortion of the navigational signals utilized by aircraft in flight.
- Biotic Report/Review – A Biotic Report or study may be required that describes the potential biological impacts of the signals emitted by the facility on the Santa Cruz Long Toed Salamander Species, This determination of whether or not this information will be required is currently under review by Planning Department staff and the California State Department of Fish and Game.

Please provide the above listed information on or before 1/23/02 to the Santa Cruz County Planning Department. A minimum of 5 sets of plans, and 3 sets of each technical study will be required in order to allow for continued review of this project.

If you decide not to submit the above listed information, please provide a written statement to the Santa Cruz Planning Department stating that you would like to continue processing of your application without submitting the requested information. It is advised that you submit all of the above listed information, in the format described, in order to allow for Planning Department staff and the Zoning Administrator to review your application and make an appropriate decision at a public hearing.

Should you have further questions concerning your application, please contact me at:
(831) 454-3218, or e-mail: **randy.adams@co.santa-cruz.ca.us**

Sincerely,



Randy Adams
Project Planner
Development Review



Whalen & Company, Inc.

3875 Hopyard Road, Suite 245
Pleasanton, CA 94588
(925)730-3941

ATTACHMENT

3

November 15,2001

Randy Adams
Project Planner
County of Santa Cruz, Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Hand delivered

Subject: Sprint PCS (SF54xc440A)
Application #00-0742; Parcel Number 44-023-04 & 05
3 11 Bonita Drive, Aptos, CA

Dear Randy Adams:

I am responding to your letter dated October 23,2001. We are submitting five full size (24" x 36") copies of the revised plans and the following requested information:

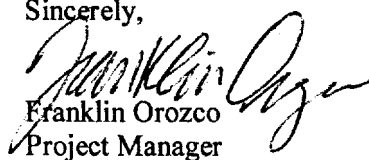
- Revised Project Design - The antenna enclosure has been redesigned to resemble a 2' x 2' x 6' chimney. The new chimney will incorporate the vertical siding design and colors of the host building. The height of the antennas *cannot* be lowered as suggested on your letter without affecting signal coverage from this facility. The roof is also standing seam metal, which disrupts the signals from the antennas. The new chimney structure was designed based on the County's Building Design standards (Sect. 13.11.073) in terms of building compatibility and articulation. Similar chimney structures are present on the adjacent office buildings and residential development in this area, which makes the proposal compatible to the area (See enclosed photo simulations). The proposed design is also meets the intent of the Wireless Communication Ordinance as being the least visually obtrusive (13.10.659.d.10 & 13.10.659.f.2); General Development/Performance Standards (Sect. 13.10.659.h.i & h.iii).
- Revised Landscape Plan - The proposed landscaping has been designed in the following ways. A proposed Coast live Oak tree located in-front of the building facing Bonita Drive was exchange with a 24" box Myopurum Laetum (Carson Myopurum). This revision was made to satisfy the Bonita Drive neighbors concern about visibility of the building and proposed project, and your comments regarding adequate screening. The project plans were also revised to show the screening that will be achieve within a 15-yearperiod from Rio Del Mar, Highway One, and Bonita Drive.
- Revised Visual Analysis - Two sets of revised visual simulations are enclosed. The first simulation shows the project and landscaping as it will be initially installed. The second simulation depicts the project with landscaping within 15 years of installation. The photos were taken from two locations along Bonita Drive and Rio Del Mar. Additional photos from Highway One are already on file, which that demonstrates that the project will not be apparent from the freeway corridor as stated on the October 10,2001 Staff report and findings.
- Alternative Site Analysis - A revised alternative site analysis and project summary is enclosed.

EXHIBIT M 4

- Noise Analysis – The Wireless Communication Ordinance (Sect. 13.10.659.h.2.xi) requires that noise attenuation measures be included if a facility is located within 100' of a residential dwelling unit. The proposed Sprint project does not include a permanent generator on-site, however, in the event of extended power outage (over 6-hours), a temporary generator may be brought to the site and be plugged to the emergency generator receptacle provided on the PCC cabinet. The use of this generator will be very infrequent, winter seasons mostly, and it will be placed adjacent to the equipment cabinets. This location is over **150'** from the nearest residential unit located on Bonita Drive (See attached parcel map – Temporary Generator Location). Furthermore, any noise generated by the temporary generator will be reduced by the existing building and grade difference from the residential units on Bonita Drive. The Ordinance does not impose any limitation on the hours of operation for the backup generators. It is understood that power outages can occur at anytime, therefore, a temporary generator will be used only as provided by County Ordinances.
- FCC Licensing Documentation – Enclosed is a copy of Sprint's FCC license and FAA compliance. Per November 13, 2001 email, I reviewed the letter issued by the Department of Transportation dated October 15, 2001 and contacted **Ms. Sandy Hesnard** at (916) **654-5314**. According to **Ms. Hesnard**, this project will comply with their guidelines. If you have any additional questions, please call Ms. Hernard.
- Biotic Report/Review – Per your email dated November **13**, 2001 and your conversations with Mr. Dave Johnston from the California State Department of Fish and Game. A biotic report is not required.
- Public Notification for Public Hearing – As usual, I will post the notification of the scheduled hearing for this project once is mailed by your staff. However, Sprint would like to request the following: 1) Due to improper notification caused by County staff, we would like a letter of confirmation indicating that notices were delivered/mail to all neighboring property owners/occupants **as** provided by County Code. This will ensure that a hearing is not continued again due to improper notification. 2) Sprint also requests that this project be scheduled to the next available Zoning Administrator's hearing separately from Application #00-0751.

The only information missing per your letter is the revised RF Information. Hammett & Edison, Inc. is conducting all the measures necessary to comply with the County Ordinance and your requests. This material will be submitted under a separate cover and is expected to be completed by–November 29, 2001.

Sincerely,


Franklin Orozco
Project Manager

Cc: Eric Waldspurger, Spring PCS

SPRINT PCS
PROJECT SUMMARY FOR SF54XC440A – RUMMONDS
RUMMONS BUILDING – 311 BONITA DRIVE

Petitioner

Sprint Spectrum, L.P., a Delaware limited partnership d/b/a Sprint PCS (Sprint), operates the largest all digital, nationwide Personal Communication Service (PCS) wireless network in the United States. Sprint already serves the majority of the nation's metropolitan areas, including more than **4,000** cities and communities across the country. Sprint has licensed PCS coverage of nearly **270** million people in all 50 states, Puerto Rico, and the **U.S.** Virgin Islands. In March of **1995**, Sprint obtained one of two licenses available for the San Francisco Major Trading Area (MTA) from the Federal Communication Commission (FCC). The San Francisco MTA extends from the Fresno area to the northern border of California (**See Exhibit – A**). Sprint is also regulated by the Federal Aviation Administration (**FAA**). As a **FCC** licensee, Sprint is authorized and obligated to establish a network of PCS sites within their licensed MTA that includes all areas within Santa Cruz County.

Personal Communication Services

Personal Communication Services or "PCS" is the most recent generation of wireless technology. By utilizing digital transmission, PCS is able to dramatically improve the quality of service for wireless consumers. Conventional analog-cellular systems do not have the advantage of speaking in the digital language of computers. **This** digital transmission allows PCS to outperform traditional cellular in a number of ways, including:

- Improved voice quality and consistency
- Increased security and privacy
- Feature-rich digital service choices such as voice mail, paging, and caller ID
- Digital data capabilities for email, facsimile and internet access
- Alpha numeric paging

Applicant's Information

Sprint PCS
4683 Chabot Drive
Pleasanton, CA **94588**
Contact: Eric Waldspurger
(925) 468-7366

Owner's Information

Jim & Sue Rummonds
311 Bonita Drive
Aptos, CA **95003**
(831) 688-2911

Agent's Information

Whalen & Company, Inc.
3875 Hopyard Road, Ste. **245**
Pleasanton, CA **94588**
Contact: Franklin Orozco
(831) 419-3700



Property Description

The proposed Sprint facility will be located on a **0.32** acre parcel (APN: **044-023-04& 05**) in the unincorporated area of the Santa Cruz County. The property is on the southeast corner of Highway 1 and Rio Del Mar Boulevard and has direct access to Bonita Drive (**See project plans**). The subject parcel is owned by James & Sue Rommunds and is currently improved with a two-story office building, and paved parking areas.

The parcel **is** located within the Professional Office – Salamander Protection (PA-SP) Zoning District and has a base General Plan designation of Office. The adjacent properties north of Bonita Drive are similarly developed with professional office uses. Properties south of the subject parcel are all residentially developed.

Nature of Request

Sprint is requesting approval of a Use Permit and related permits to allow the construction of a Personal Communication Service (PCS) facility on the subject parcel. This facility will provide PCS coverage along Highway 1 at the intersection with Rio Del Mar Boulevard as authorized by their FCC license. It is intended to augment the existing network coverage along this major highway corridor. The proposed facility will consist of two panel antennas hidden inside a **24"** square chimney, which extends approximately **6** feet above the roof top of the two-story office building. A Global Positioning Systems (GPS) antenna, and five equipment cabinets will be installed on a concrete slab occupying **264** square foot area of an existing parking space. This new equipment will be enclosed by a **6** foot solid wood fence for screening and security purposes.

The proposed chimney enclosure design is in compliance with County General Development/Performance Standards in that it is the least visually obtrusive design, it preserves the aesthetic values of the project parcel and surrounding land uses (**13.10.659h.1.i**). This enclosure will hide the two proposed antennas from public views; it will be designed to follow the same linear design and colors of the principal building; and be compatible with structures already present in residential areas. In addition, the project proposes to install three (3) **48"** box Coast Live **Oaks** and seven (7) Carson Myoporum trees along the perimeter of the project site. These additional trees will provide visual mitigation of the existing building and proposed project from Highway 1, Rio Del Mar and Bonita Drive (**See Photo simulations and Plans**).

The proposed equipment will be installed on a concrete pad on the northwest corner of the property. This area is approximately 150 feet from the nearest residential dwelling unit located across Bonita Drive. The new equipment will use an existing parking space. There are currently **19** parking spaces on the property and County code requires a total of **14** spaces for the subject building. Removal of one parking space will not affect meeting the minimum parking requirement for this property. The equipment area is completely screened from public view by existing hedge and building. A solid wood fence will be installed along the lease perimeter for security and screening purposes (**See project plans**).

Zoning Analysis

Sprint's proposed facility is located within the Professional Office – Salamander Protection (PA-SP) Zoning District. Pursuant to County Code Section 13.10.659, wireless communication facilities are allowed on all parcels in any zoning district. Certain restrictions apply to SP districts in that structure-mounted may be allowed if adequate coverage cannot be provided from alternative sites outside the restrictive zoning district. A thorough alternative analysis was conducted for sites within the search area and a result of this analysis is provided under the Alternative Analysis section of this submittal.

The proposed facility is also within the Coastal Zone of Santa Cruz County, which requires that all projects in these areas obtain a coastal permit. The County's General Plan Visual Resources section provides policies for protection of scenic areas and highways. These policies require that projects be evaluated against the context of their unique environment and regulated for structure height, setbacks, and design to protect the visual resource area of Highway 1. Sprint's proposed PCS facility was designed and configured in conformance with these general policies and standards. The proposed antenna and chimney enclosure is a minor addition to the existing building and is in scale to the existing structure. No significant public vistas or ocean view will be modified with the construction of this facility.

Statement of Operations

No nuisances will be generated by the proposed PCS facility, nor will the facility injure the public health, safety, morals or general welfare. PCS technology does not interfere with any other forms of communication whether public or private. To the contrary, PCS technology will provide vital communications in emergency situations and will commonly be used by local residents and emergency personnel to protect the general public's health, safety and welfare.

Once the construction of the PCS facility is complete and the telephone switching equipment is fine-tuned, visitation to the site by service personnel for routine maintenance will occur on the average of once a month. The site is entirely self-monitored and connects directly to a central office where sophisticated computers alert personnel to any equipment malfunction or breach of security.

Because the PCS facility will be unstaffed, there will be no regular hours of operation and no impact to existing traffic patterns. Ingress and egress will be provided along with parking for service personnel who arrive infrequently to service the site, No water or sanitation services will be required.

Compliance with Federal Regulations

Sprint will comply with all FCC rules governing construction requirements, technical standards, interference protection, power and height limitations, and radio frequency standards. In addition, the company will comply with all FAA rules on site location and operation (See attached email from Kim D. White, Regulatory Analyst dated December 12,2000).

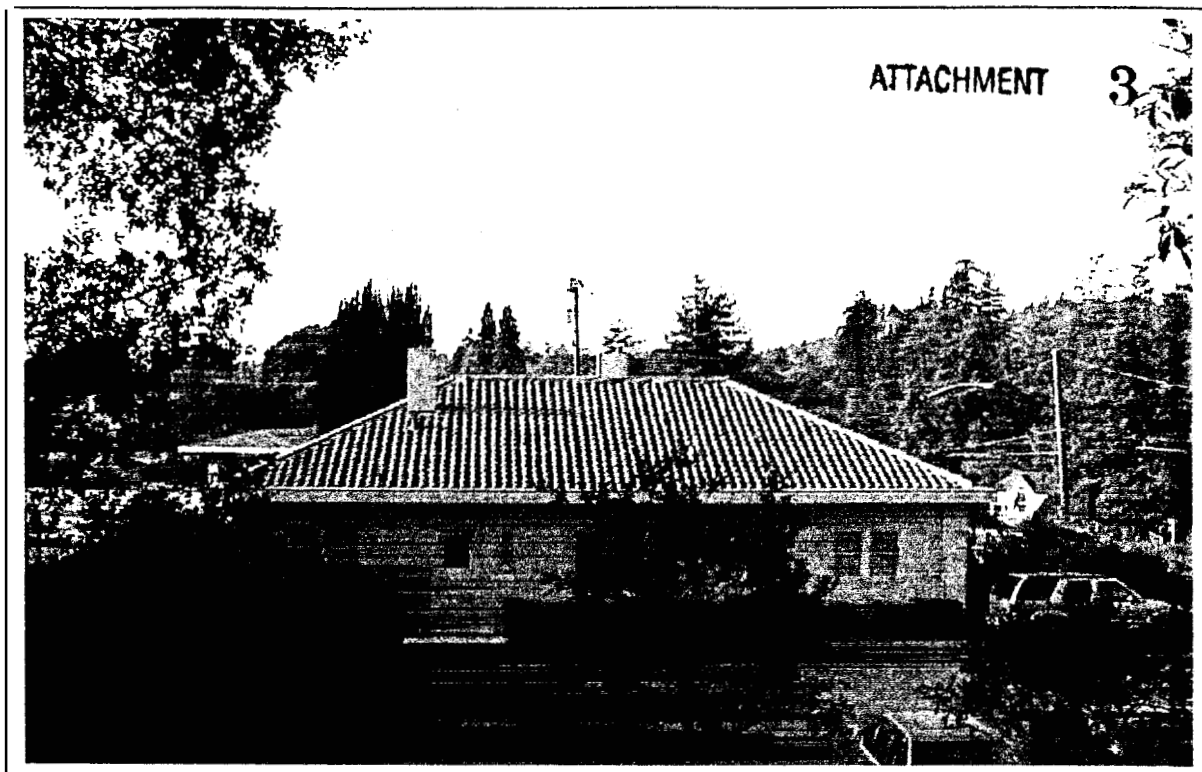


Included with this proposal is a Radio Frequency Emissions Report prepared by Hammett & Edison, Inc. (November 6, 2000). This report was prepared in conformance with the Federal Communications Commission rules and standards for public exposures. The report concludes that the maximum ambient RF levels at ground level will be 0.35% of the applicable public exposure limit. The calculations included in this report include "worst-case" assumptions. Exposure levels inside nearby structures are expected to be even lower.

Benefits to the Community

This site will provide many benefits to Santa Cruz residents, businesses and motorists along this remote stretch of Highway 1. These benefits include the following:

- 9 911 capability allowing motorists to summon emergency aid and report dangerous situations.
- 9 Support for emergency services by providing wireless communications to paramedics, firefighters, and law enforcement agencies for quick response.
- 9 The ability to transmit data allowing for immediate access to vital information.
- 9 A backup system to the land-line system in the event of power outages, natural or man-made disasters.
- Communication capabilities in remote areas, enhancing the safety of travelers by allowing immediate access to emergency assistance.
- 9 Provide quality wireless communications including voice, paging, digital data capabilities for email, facsimile and internet access.
- Enhance the communications systems of residents who chose to telecommute from their homes.



View of adjacent commercial/office building (762 Rio del Mar Blvd.) with two chimneys
as seen from Bonita Drive neighbors yard

Site Photographs

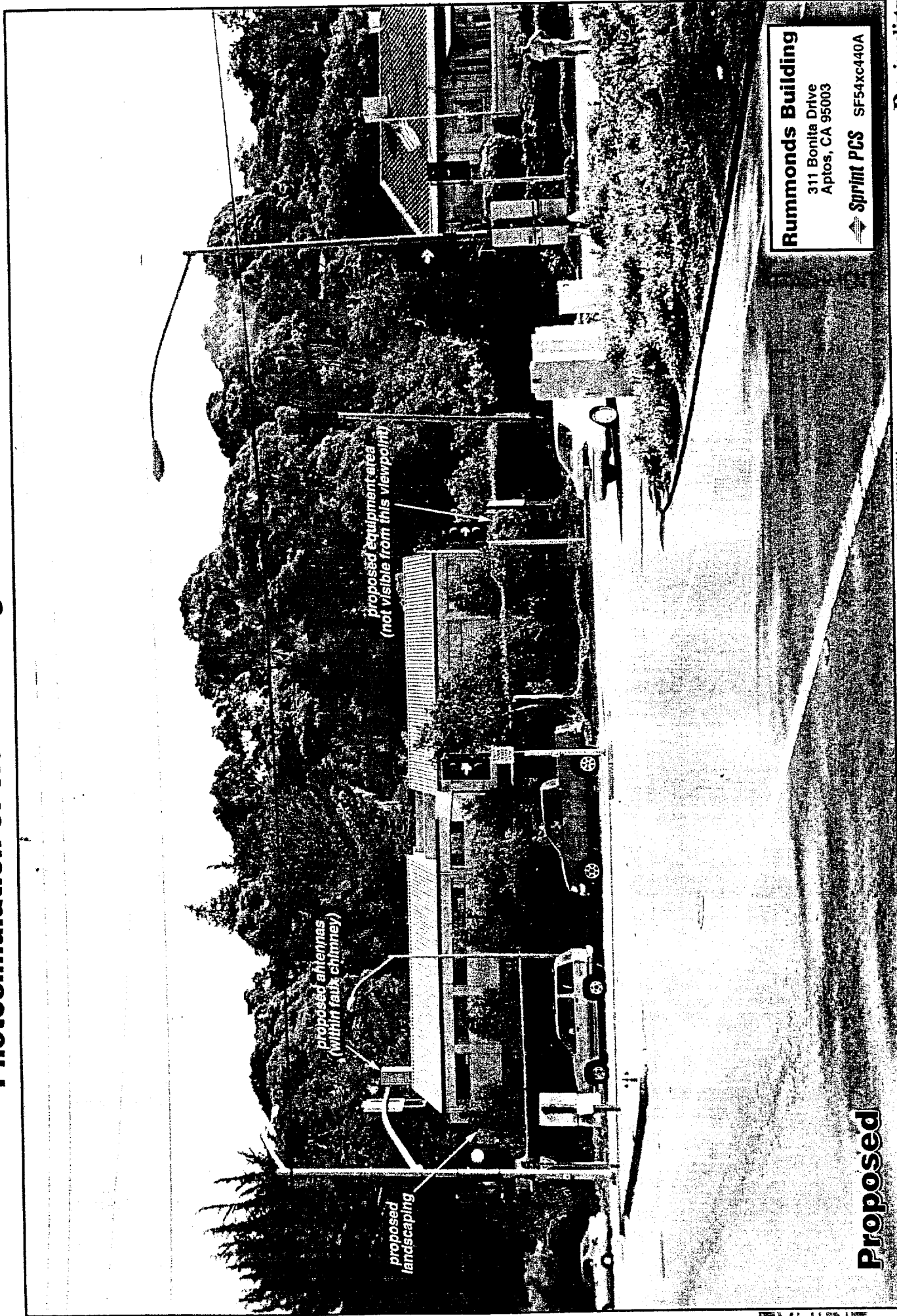


Whalen & Company, Inc.

Sprint PCS
SF54xc440A- Rummonds

EXHIBIT M

Photosimulation of view looking southeast from Hwy 1.



Rummonds Building

311 Bonita Drive
Aptos, CA 95003

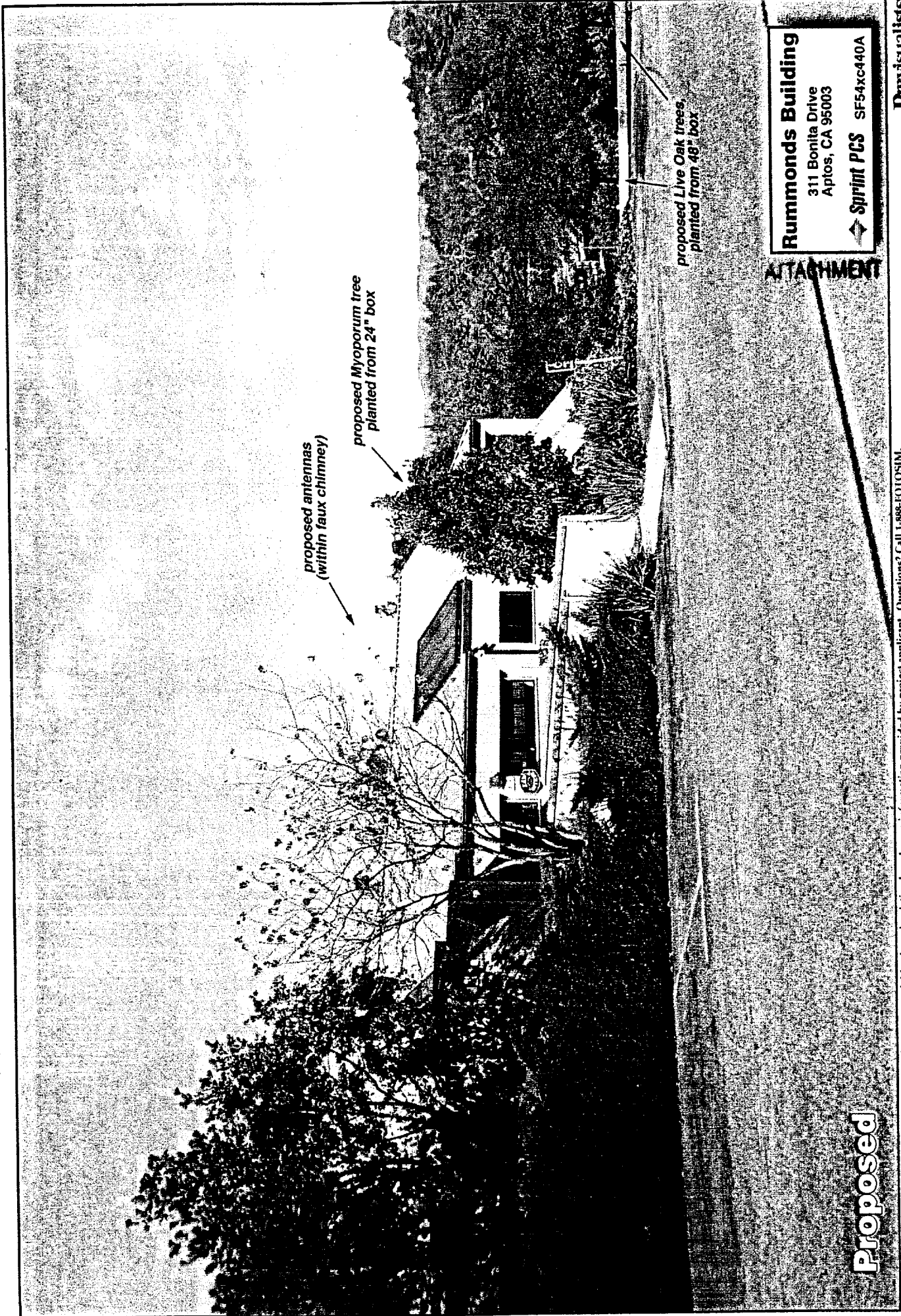
Sprint PCS SF54xc440A

Proposed

© Copyright 2001, Previsualists Inc., all rights reserved. Accuracy of this photosimulation based upon information provided by project applicant. Questions? Call 1-888-FOIOSIM.

Previsualists
Creative Graphics Services, Inc.

Photosimulation of view looking north from Bonita Dr.



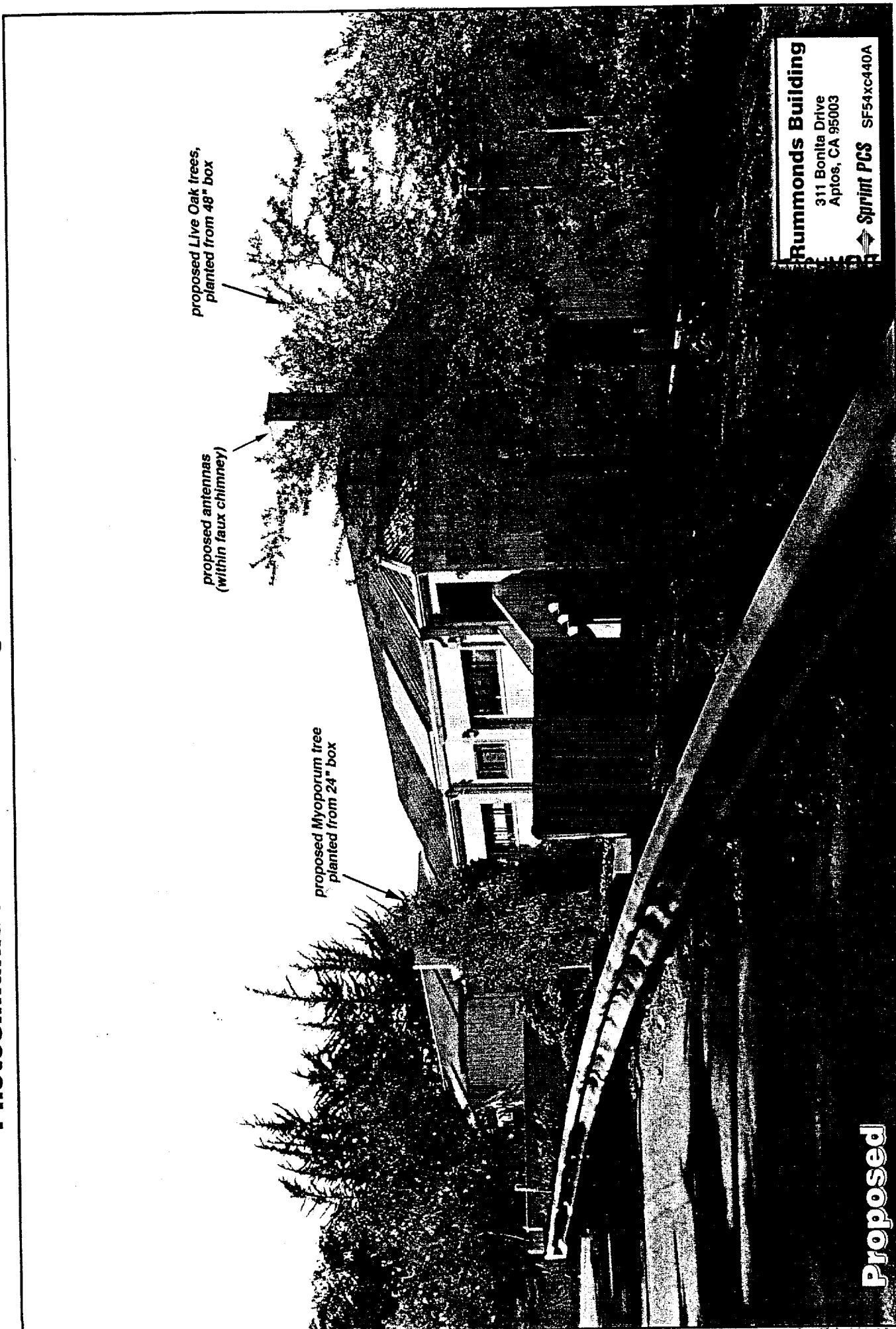
Proposed

Rummonds Building
311 Bonita Drive
Aptos, CA 95003

 **Sprint PCS** SF54xc440A

ATTACHMENT

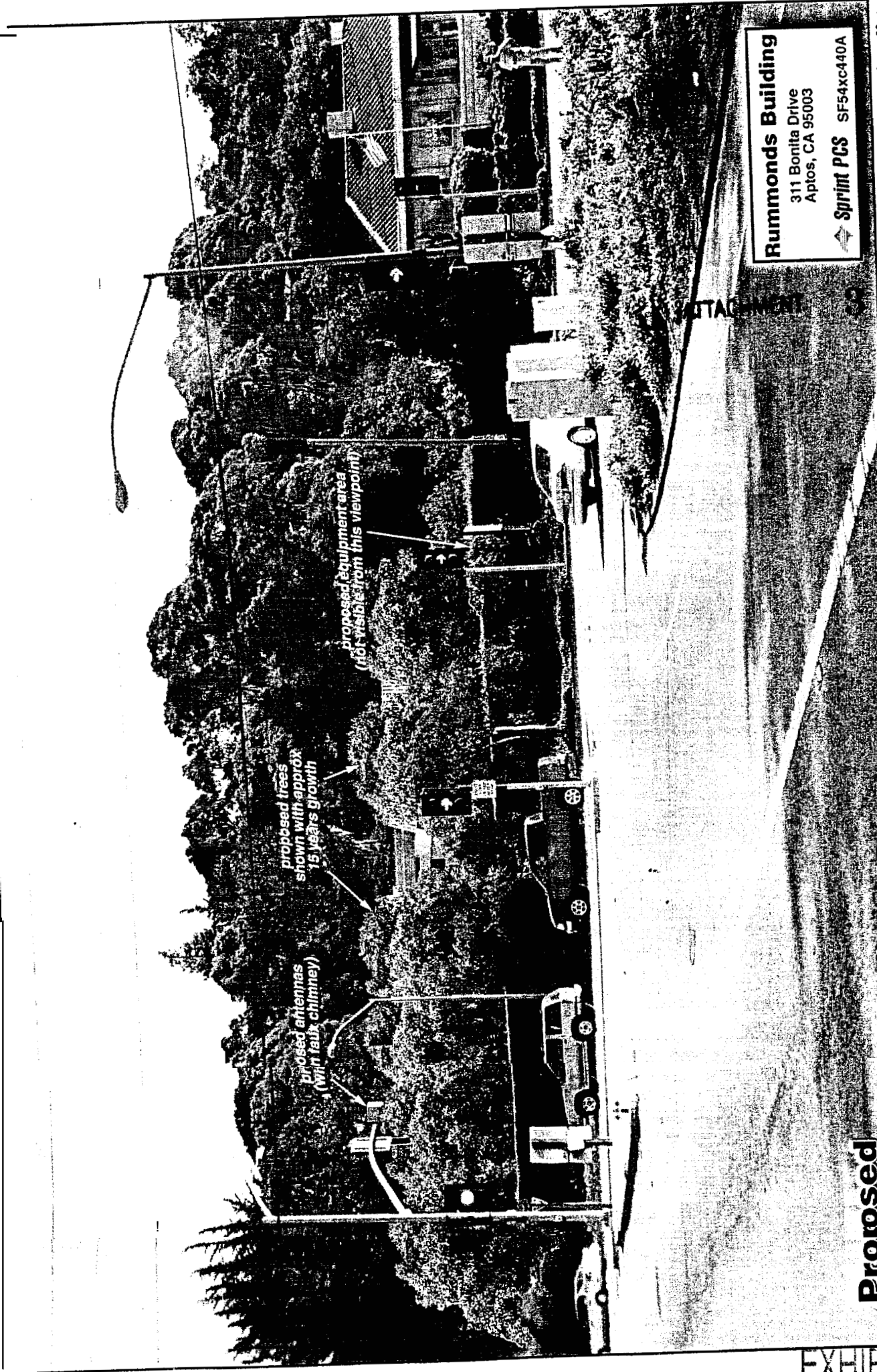
Photosimulation of view looking southwest from Bonita Dr.



Proposed

Rummonds Building
311 Bonita Drive
Aptos, CA 95003
Sprint PCS SF54XC440A

Photosimulation of year 2016 view looking southeast from Hwy 1.

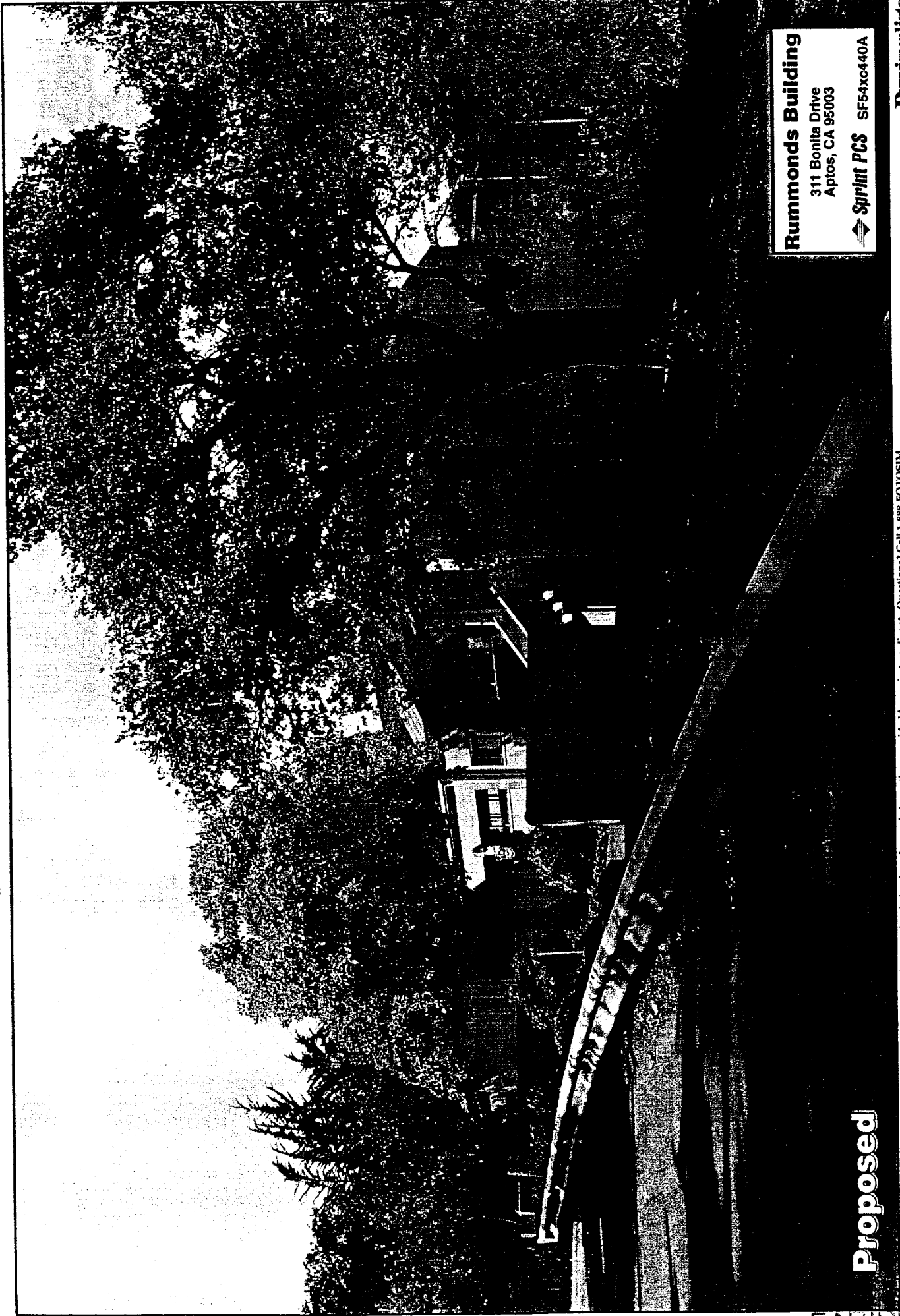


Proposed

Photosimulation of year 2016 view looking north from Bonita Dr.



Photosimulation of year 2016 view looking southwest from Bonita Dr.





Proposed

Rummonds Building

311 Bonita Drive
Aptos, CA 95003

Sprint PCS SF54xc440A

|  Sprint. <small>SM</small> 4853 CHURCH DRIVE, SUITE 100 PLEASANTON, CA 94566 | | PROJECT INFORMATION: RUMMONDS BUILDING SF54xc440A 311 BONITA DRIVE APTOS, CA 95003 COUNTY OF SANTA CRUZ | | CURRENT ISSUE DATE: 11/8/01 | ISSUED FOR: 100% ZONING | REV. DATE: 11/8/01 DESCRIPTION: 100% ZONING | <table border="1"> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>11/8/01</td> <td>CHURCH AVENUE REV. LANDSCAPE</td> </tr> <tr> <td>2</td> <td>3/18/01</td> <td>PER WHOLE</td> </tr> <tr> <td>3</td> <td>3/13/01</td> <td>INCORPORATE REV.</td> </tr> <tr> <td>4</td> <td>11/21/00</td> <td>REVIEW FOR 100% ZONING</td> </tr> <tr> <td>5</td> <td>11/2/00</td> <td>REVIEW FOR LEASE</td> </tr> <tr> <td>6</td> <td>10/11/00</td> <td>REVIEW FOR 100% ZONING</td> </tr> </table> | REV. | DATE | DESCRIPTION | 1 | 11/8/01 | CHURCH AVENUE REV. LANDSCAPE | 2 | 3/18/01 | PER WHOLE | 3 | 3/13/01 | INCORPORATE REV. | 4 | 11/21/00 | REVIEW FOR 100% ZONING | 5 | 11/2/00 | REVIEW FOR LEASE | 6 | 10/11/00 | REVIEW FOR 100% ZONING |  OMNI ENGINEERING 10000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 (303) 751-1000 | DRAWN BY: INC CHK: INC DATE: NOV. | LICENSE: | SHEET TITLE: TITLE SHEET | SHEET NUMBER: T-1 | REVISION: 545-00A |
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| 2 | 3/18/01 | PER WHOLE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 3/13/01 | INCORPORATE REV. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | 11/21/00 | REVIEW FOR 100% ZONING | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 11/2/00 | REVIEW FOR LEASE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | 10/11/00 | REVIEW FOR 100% ZONING | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



SM

Sprint PCS

RUMMONDS BUILDING

SF54xc440A

311 BONITA DRIVE

APTOS, CA 95003

COUNTY OF SANTA CRUZ

| REV. | DATE | DESCRIPTION |
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| 1 | 11/8/01 | CHURCH AVENUE REV. LANDSCAPE |
| 2 | 3/18/01 | PER WHOLE |
| 3 | 3/13/01 | INCORPORATE REV. |
| 4 | 11/21/00 | REVIEW FOR 100% ZONING |
| 5 | 11/2/00 | REVIEW FOR LEASE |
| 6 | 10/11/00 | REVIEW FOR 100% ZONING |

SHEET INDEX 100% ZONING

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING CONDITIONS AND
CONDITIONS OF THE SITE AND SHALL BE RESPONSIBLE FOR ANY
IN ACCORDANCE WITH THE PROJECT.

GENERAL CONTRACTOR NOTES

SEN

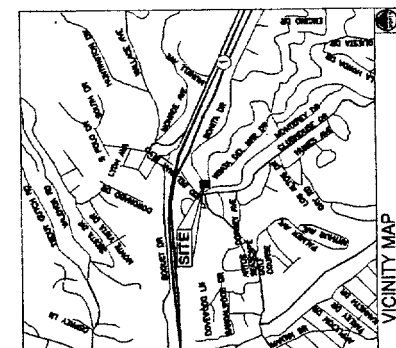
PROJECT TEAM

| | |
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| ALL WORK AND MATERIALS SHALL BE APPROVED AND INSTALLED IN ACCORDANCE WITH THE LOCAL ORDINANCES AND THE PROJECT MANUAL. THE PROJECT MANUAL IS THE GOVERNMENT OF THE PROJECT. 1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL. THE PROJECT MANUAL IS THE GOVERNMENT OF THE PROJECT. 2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL. THE PROJECT MANUAL IS THE GOVERNMENT OF THE PROJECT. 3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL. THE PROJECT MANUAL IS THE GOVERNMENT OF THE PROJECT. 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL. THE PROJECT MANUAL IS THE GOVERNMENT OF THE PROJECT. 5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PROJECT MANUAL. THE PROJECT MANUAL IS THE GOVERNMENT OF THE PROJECT. | CODE COMPLIANCE |
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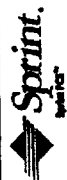
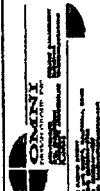
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| ARCHITECT: NAME: JAMES R. JONES, INC. ADDRESS: 1000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 PHONE: (303) 751-1000 | SURVEYOR: NAME: JAMES R. JONES, INC. ADDRESS: 1000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 PHONE: (303) 751-1000 | ELECTRICAL ENGINEER: NAME: JAMES R. JONES, INC. ADDRESS: 1000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 PHONE: (303) 751-1000 |
|---|--|---|

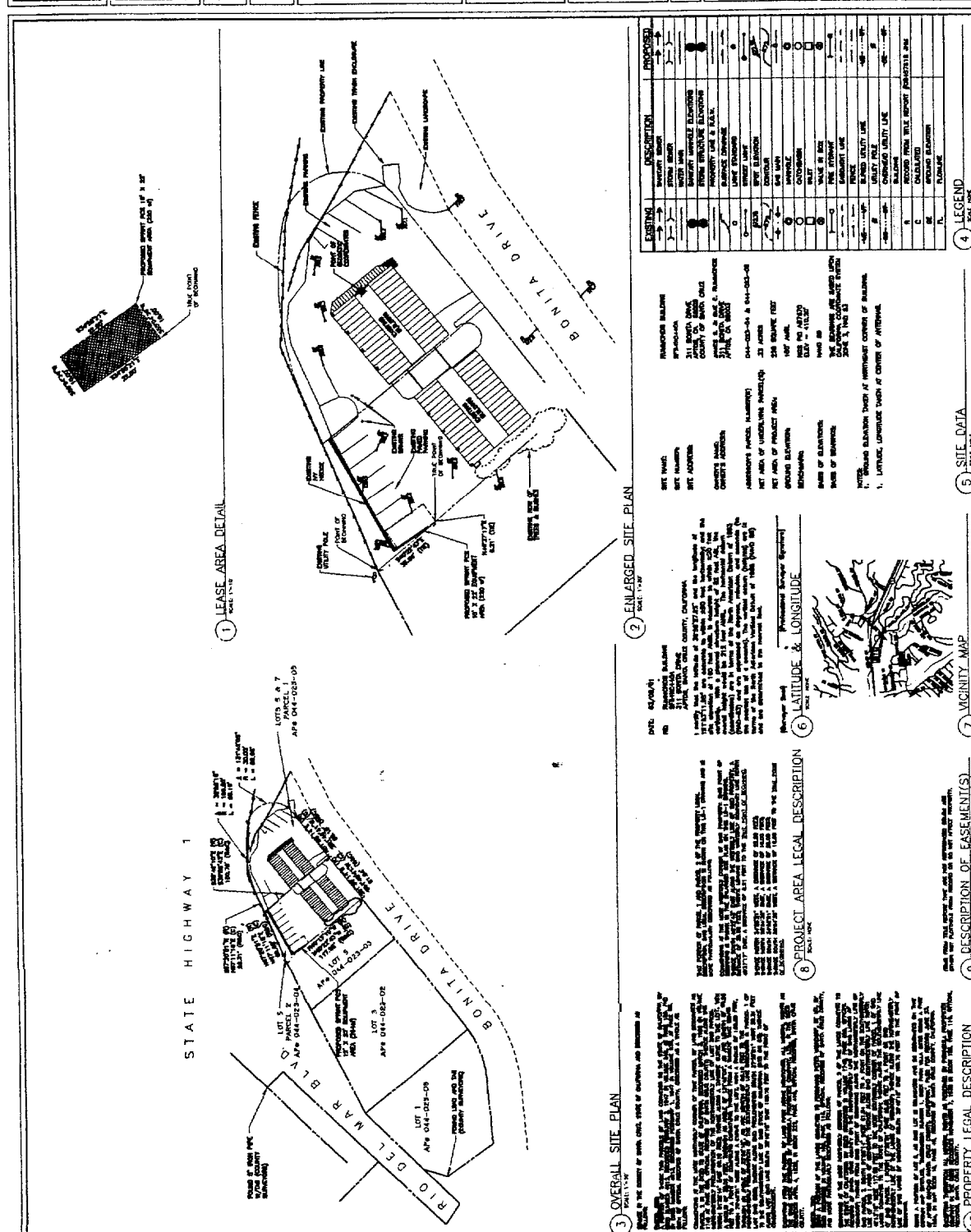
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| PROJECT DESCRIPTION PROJECT PCS PROVIDES IN-VEHICLE COMMUNICATION SYSTEMS. THE SYSTEMS ARE DESIGNED TO PROVIDE ON-THE-ROAD SERVICE TO THE CUSTOMER. THE SYSTEMS ARE DESIGNED TO PROVIDE ON-THE-ROAD SERVICE TO THE CUSTOMER. THE SYSTEMS ARE DESIGNED TO PROVIDE ON-THE-ROAD SERVICE TO THE CUSTOMER. | PROJECT SUMMARY |
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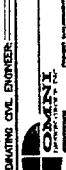
| | | |
|--|---|---|
| APPLICANT/LESSEE: NAME: JAMES R. JONES, INC. ADDRESS: 1000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 PHONE: (303) 751-1000 | PROPERTY INFORMATION: ADDRESS: 311 BONITA DRIVE APTOS, CA 95003 PHONE: (408) 241-1111 | CONSTRUCTION INFORMATION: AREA OF CONSTRUCTION: 100% ZONING CONSTRUCTION TYPE: 100% ZONING CURRENT ZONING: 100% ZONING ZONING APPLICATION #: 100% ZONING |
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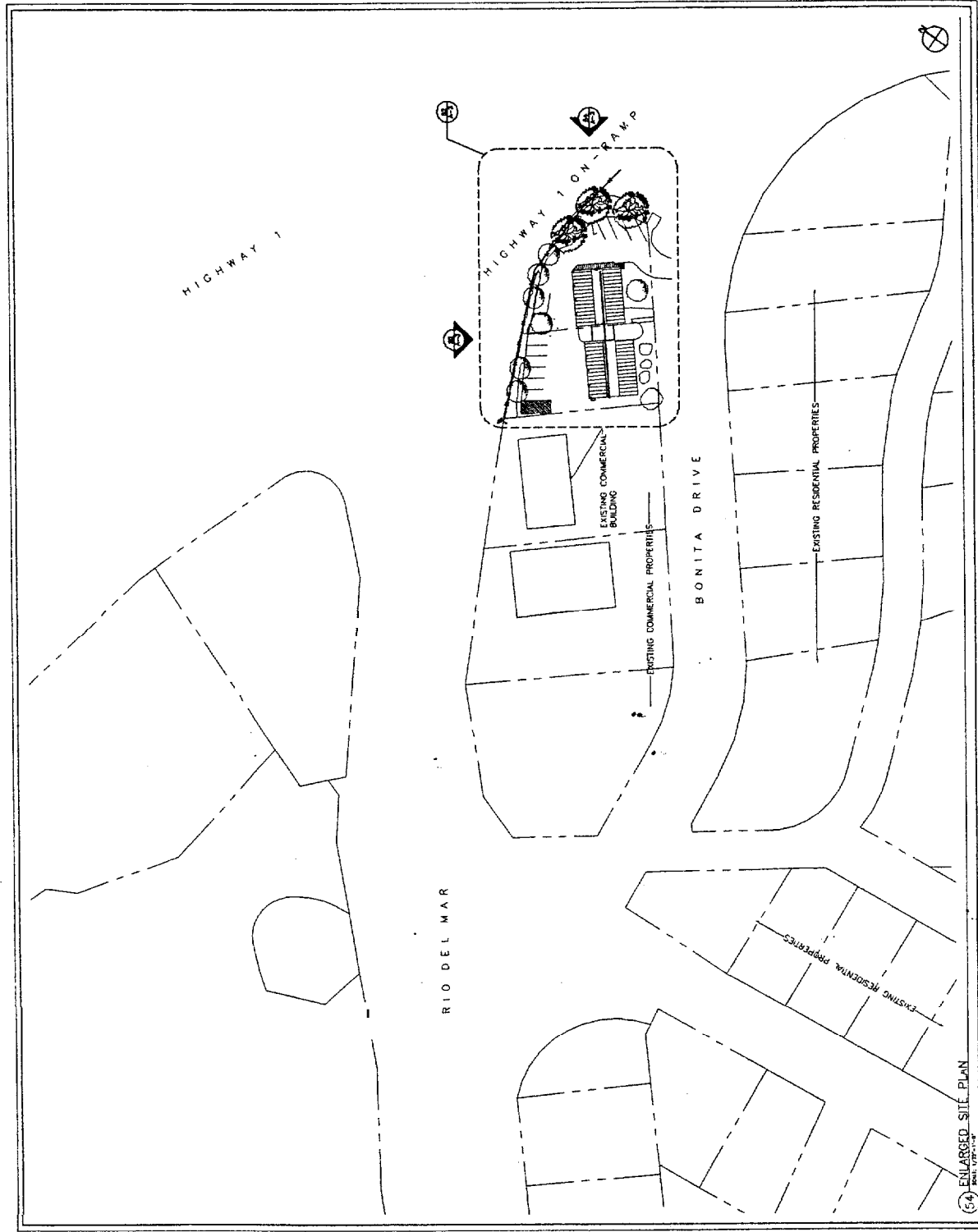




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| DRIVING DIRECTIONS FROM PLEASANTON: TAKE I-5 SOUTH TO EXIT 505. TURN RIGHT ON CHURCH AVENUE. TRAVEL SOUTH ON CHURCH AVENUE TO BONITA DRIVE. TURN LEFT ON BONITA DRIVE. THE PROJECT IS LOCATED ON THE RIGHT SIDE OF THE ROAD. | PROJECT SUMMARY |
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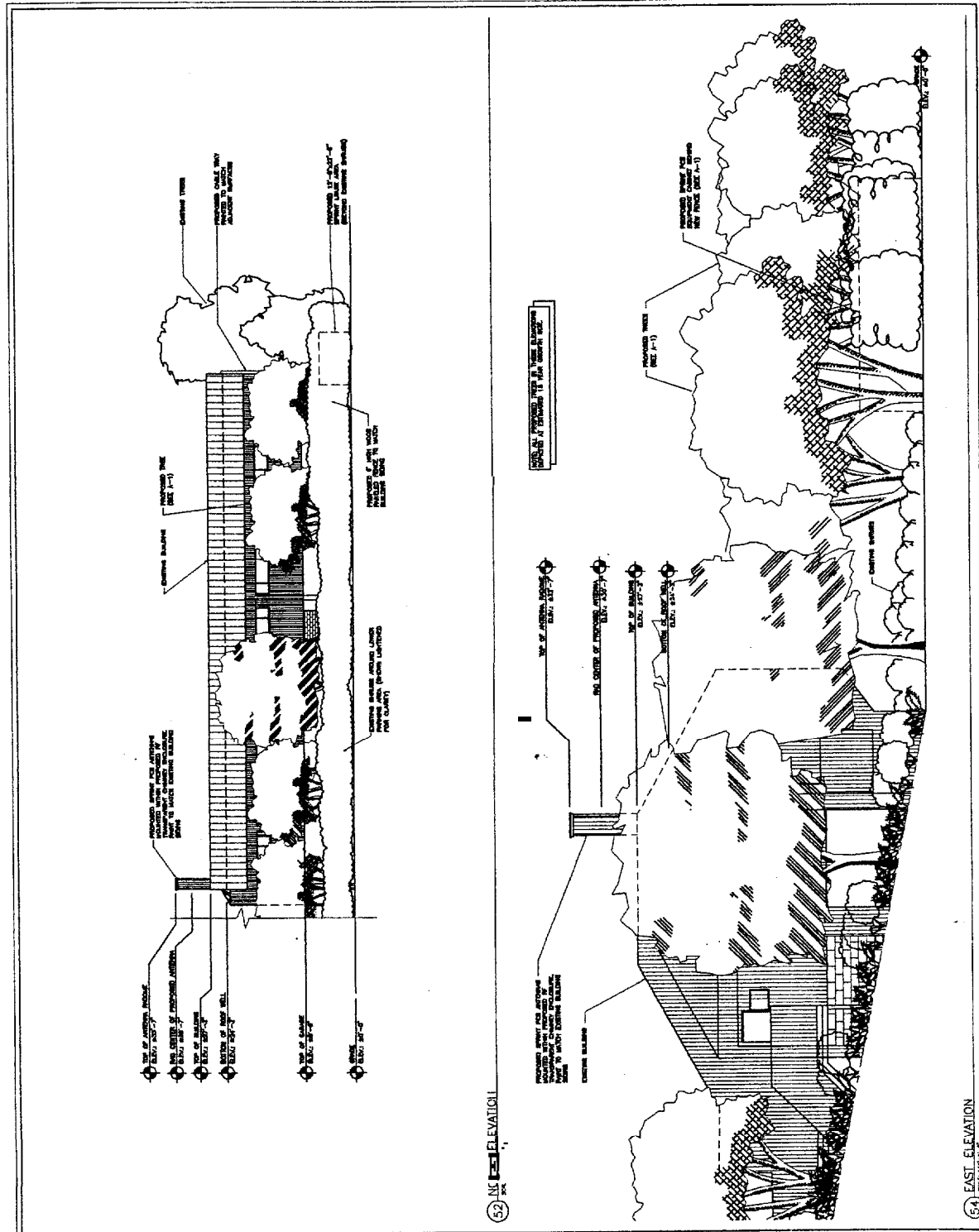
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|  4853 CHART DRIVE, SUITE 100 PLEASANTON, CA 94566 | | PROJECT INFORMATION: BLINWOODS BUILDING SP-04-04-04 311 BONITA DRIVE APTOS, CA 95003 COUNTY OF SANTA CRUZ | | CURRENT ISSUE DATE: 11/8/01 | ISSUED FOR: 100% ZONING | REV. DATE: 11/8/01 DESCRIPTION: COUNTY ANTENNA AND LANDSCAPING FOR WALKER INCORPORATE REV. SHEET FOR 100% ZONING ISSUED FOR 100% ZONING 10/11/00 |  COUNTY OF SANTA CRUZ PLANNING AND ZONING DEPARTMENT CONSULTANT: | | DRAWN BY: DKL CHECKED BY: JAV | LICENSE: | SHEET TITLE: SITE SURVEY AND GENERAL INFORMATION | SHEET NUMBER: LS-1 | REVISION: 500-00A |
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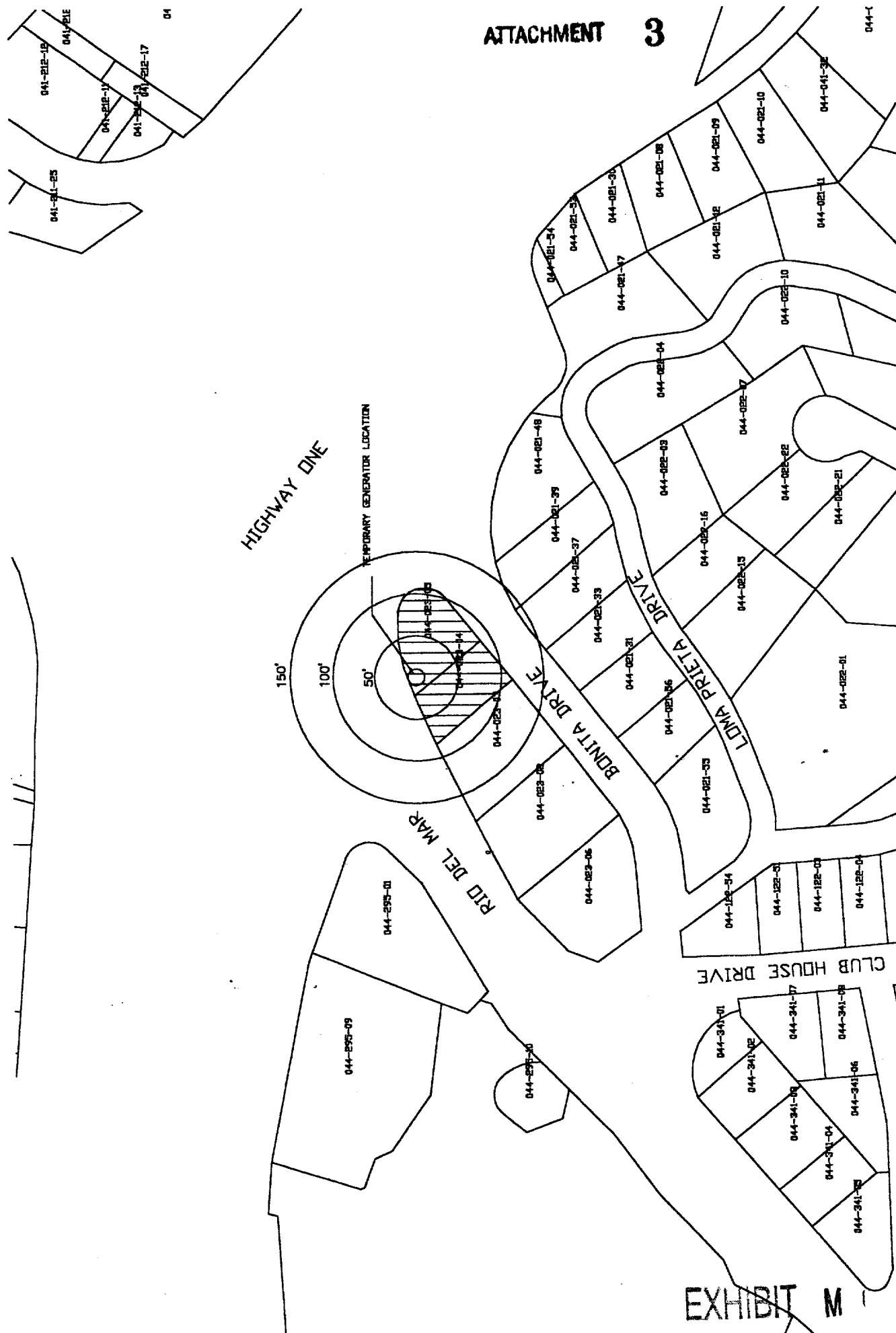
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|  4653 CHERRY DRIVE, SUITE 100 FOLSOM, CA 95630 | | PROJECT INFORMATION: ELMWOODS BUILDING SP#444444 311 BONITA DRIVE APT#3, CA 95003 COUNTY OF SANTA CRUZ | | CURRENT ISSUE DATE: 11/8/01 | | ISSUED FOR: 100% ZONING | | REV. DATE: DESCRIPTION: | |  COORDINATING CIVIL ENGINEER | | CONSULTANT: | | DRAWN BY: DATE: 11/8/01 | | CHECKED BY: DATE: 11/8/01 | | SHEET TITLE: ENLARGED SITE PLAN | | SHEET NUMBER: A-1 | |
| | | | | | | | | 11/8/01 CORRECTION ANTENNA | | | | | | | | | | | | | |
| | | | | | | | | 3/18/01 ANTENNA SITE WORKING | | | | | | | | | | | | | |
| | | | | | | | | 2/12/01 INCORPORATE REV. | | | | | | | | | | | | | |
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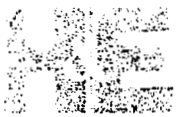


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|  WEST CHERRY DRIVE, SUITE 100 FARMERSVILLE, CA 94534 | | PROJECT INFORMATION: BLANCKENHORN BUILDING 311 BONITA DRIVE APTOS, CA 95003 COUNTY OF SANTA CRUZ | | CURRENT ISSUE DATE: 11/8/01 | | ISSUED FOR: 100% ZONING | | REV. DATE: DESCRIPTION: BY: | | <table border="1"><tr><td>11/8/01</td><td>CHIMNEY ANTENNA</td><td>SH</td></tr><tr><td>3/18/01</td><td>REDESIGN LAYOUT</td><td>SH</td></tr><tr><td>2/12/01</td><td>INCORPORATE REV.</td><td>SH</td></tr><tr><td>11/21/00</td><td>DESIGN FOR</td><td>SH</td></tr><tr><td>11/2/00</td><td>LEASE FOR</td><td>SH</td></tr><tr><td>10/11/00</td><td>ISSUED FOR</td><td>SH</td></tr></table> | | 11/8/01 | CHIMNEY ANTENNA | SH | 3/18/01 | REDESIGN LAYOUT | SH | 2/12/01 | INCORPORATE REV. | SH | 11/21/00 | DESIGN FOR | SH | 11/2/00 | LEASE FOR | SH | 10/11/00 | ISSUED FOR | SH |  CONSULTANT: OMNI ENGINEERING, INC. 10000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 TEL: 303.751.1000 FAX: 303.751.1001 WWW.OMNIENGINEERING.COM | | DRAWN BY: CHAL - JPH RC SH CHECKED BY: LDC/SURE | | SHEET TITLE: ELEVATIONS | | SHEET NUMBER: A-3 REVISION: 500-00A | |
| 11/8/01 | CHIMNEY ANTENNA | SH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3/18/01 | REDESIGN LAYOUT | SH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 11/21/00 | DESIGN FOR | SH | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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PORTABLE GENERATOR LOCATION MAP





HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
RADIO AND TELEVISION

ATTACHMENT

3

46
WILLIAM F. HAMMETT, P.E.
DANE E. ERICKSEN, P.E.
STANLEY SALEK, P.E.
ROBERT D. WELLER, P.E.
MARK D. NEUMANN
ROBERT P. SMITH, JR.

Consultants to the Firm
ROBERT L. HAMMETT, P.E.
EDWARD EDISON, P.E.

BY NEXT BUSINESS DAY

December 6, 2001

Mr. Franklin Orozco
Whalen & Company, Inc.
1013 Captains Court
Santa Cruz, California 95062

Dear Franklin:

As you requested, we have revised our two reports on the RF exposure conditions at the proposed Sprint PCS base stations at 311 Bonita Drive in Aptos (Site No. SF45xc440A) and 140 La Selva Drive in Watsonville (Site No. SF45xc441A). Additional information has been provided on both sites in response to the letter you forwarded from the Planning Department of the County of Santa Cruz, dated October 23, 2001. Two copies of each report are enclosed.

Accordingly, Figure 3 in each report, which was a map showing calculated RF power density levels at various distances from the site, has been replaced with Figures 3A and 3B. The first shows the calculated power density levels at distances up to 1,000 feet from site; the specific topography of that area is considered, and the map has been shaded to indicate areas of particular exposure levels, ranging from more than 100,000 times under the FCC public exposure limit to a maximum value of either 28 or 11 times under the limit (at 311 Bonita Drive or 140 La Selva Drive, respectively). The new Figure 3B shows the numeric values for exposure levels at the nearest residences on neighboring streets. Finally, the new Figure 4 shows the horizontal and vertical antenna patterns proposed at each site.

We trust that this information will satisfy the County's requests. Please let me know if we may be of additional assistance.

Sincerely yours,

William F. Hammett

mc

Enclosures

e-mail: bhammett@h-e.com
US Mail: Box 280068 • San Francisco, California 94128
Delivery: 470 Third Street West • Sonoma, California 95476
Telephone: 707/996-5200 San Francisco • 707/996-5280 Facsimile • 202/396-5200 D.C.

EXHIBIT M

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Sprint PCS, a wireless telecommunications carrier, to evaluate the proposed PCS base station (Site No. SF54xc440A) to be located at 311 Bonita Drive in Aptos, California, for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in 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"). A summary of the exposure limits contained in NCRP-86 is shown in Figure 1. Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent Institute of Electrical and Electronics Engineers ("IEEE") Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes nearly identical exposure limits. 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 thresholds for exposures of unlimited duration to radio frequency ("RF") energy for several personal wireless services are as follows:

| <u>Personal Wireless Service</u> | <u>Approx. Frequency</u> | <u>Occupational Limit</u> | <u>Public Limit</u> |
|------------------------------------|--------------------------|---------------------------|-------------------------|
| Personal Communication ("PCS") | 1,950 MHz | 5.00 mW/cm ² | 1.00 mW/cm ² |
| Cellular Telephone | 870 | 2.90 | 0.58 |
| Specialized Mobile Radio | 855 | 2.85 | 0.57 |
| [most restrictive frequency range] | 30-300 | 1.00 | 0.20 |

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called "radios" or "cabinets") that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level (at this site, they are located on the building roof, however) and are connected to the antennas by coaxial cables about 1 inch thick. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and



so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

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 methodology, which reflects the fact that the power level from an energy source decreases with the square of the distance from the source (the "inverse square law"). The computerized technique for modeling particular sites is also described, and the conservative nature of this method for evaluating expected exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by Sprint, including zoning drawings prepared by Omni Design Group, Inc., dated October 11, 2000, it is proposed to install two EMS panel antennas within a fiberglass cylinder to be located above the roof of the one-story commercial building located at 311 Bonita Drive in Aptos. The antennas would have an effective height of about 27¹/₂ feet above ground, with a maximum effective radiated power in any direction of 1,000 watts. One Model RR6518-02DP would be oriented towards 110°T and one Model RR9017-02DP would be oriented towards 270°T. Figure 4 attached provides a graphical representation of the broadcast patterns for the proposed antennas. There are no other wireless telecommunications facilities nearby.

Study Results

The maximum ambient RF level anywhere at ground level due to the proposed Sprint operation is calculated to be 0.017 mW/cm², which is 1.7% of the applicable public exposure limit, and the maximum calculated level at the second floor of any residence nearby is 3.5% of the limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels. Figures 3A and 3B shows the distribution of power density levels within 1,000 feet of the site, taking into account the local topography.



Recommended Mitigation Measures

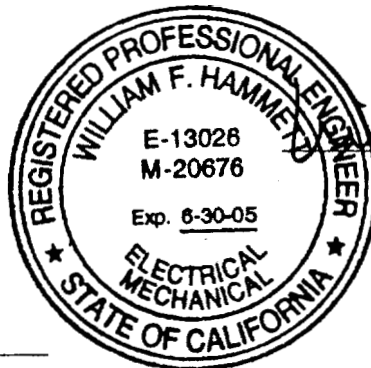
Since they are to be mounted above the roof of a commercial building, the Sprint antennas will not be accessible to the general public and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, no access within 6¹/₂ feet directly in front of the Sprint antennas, such as might be possible with roof access, scaffolding, or a bucket truck, should be allowed while the site is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs* at the antennas, such that they would be readily visible from any angle of approach to persons who might need to work near the antennas, would be sufficient to meet FCC-adopted guidelines.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the base station facilities proposed by Sprint at 311 Bonita Drive in Aptos, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need 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, 2005. 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.

December 6, 2001

* Warning signs should comply with ANSI C95.2 color, symbol, and content conventions. In addition, 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.

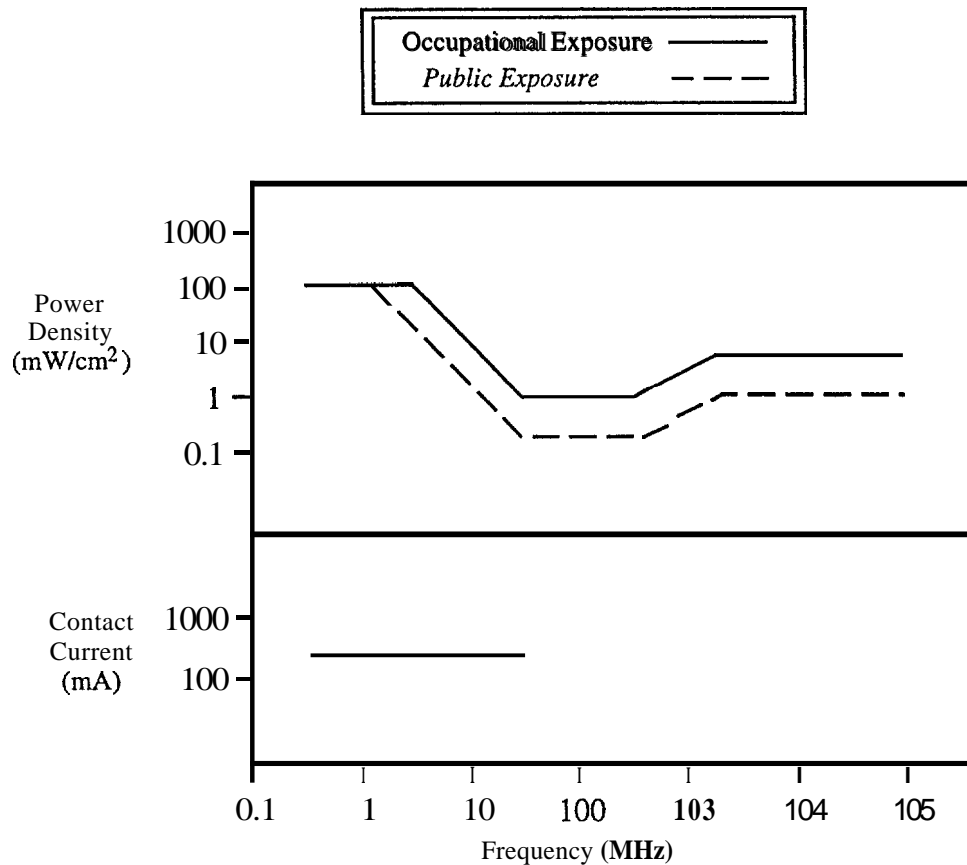
Report No. 86 (Published 1986)
 "Biological Effects and Exposure Criteria
 for Radiofrequency Electromagnetic Fields"

ATTACHMENT 2

Radio Frequency Protection Guide

| <u>Frequency</u> | <u>Electromagnetic Fields</u> | | | | | | <u>Contact Currents</u> |
|------------------------------|-------------------------------------|----------------|-------------------------------------|---------------|--|--------------------------|-------------------------|
| Applicable Range (MHz) | Electric Field Strength (V/m) | | Magnetic Field Strength (A/m) | | Equivalent Far-Field Power Density (mW/cm ²) | | (mA) |
| 0.3 – 1.34 | 614 | <i>614</i> | 1.63 | <i>1.63</i> | 100 | <i>100</i> | <i>200</i> |
| 1.34 – 3.0 | 614 | <i>823.8/f</i> | 1.63 | <i>2.194</i> | 100 | <i>180/f²</i> | <i>200</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> | <i>200</i> |
| 30 – 300 | 61.4 | 27.5 | 0.163 | <i>0.0729</i> | 1.0 | <i>0.2</i> | no limit |
| 300 – 1,500 | <i>3.54√f</i> | <i>1.59√f</i> | <i>√f/106</i> | <i>√f/238</i> | <i>f/300</i> | <i>f/1500</i> | no limit |
| 1,500 – 100,000 | 137 | <i>61.4</i> | 0.364 | <i>0.163</i> | <i>5.0</i> | <i>1.0</i> | no limit |

Note: **f** is frequency of emission, in MHz.



RFR.GROUND™ Calculation Methodology
Determination by Computer
of Compliance with Human Exposure Limitations

ATTACHMENT

51
3

The **U.S.** Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in 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 Institute of Electrical and Electronics Engineers ("IEEE") Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes nearly identical exposure 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. 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.

The FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives the formula for calculating power density from an individual radiation source:

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

where VERP = 0.4 x total peak visual ERP (all polarizations), in kilowatts for NTSC,
= average power (all polarizations), in kilowatts for DTV,

AERP = total aural 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 0.4 converts NTSC peak visual ERP to an average RMS value; for FM, cellular, and PCS stations, of course, the value of VERP is zero. The factor of 100 in the numerator converts to the desired units of power density.

This formula has been built into a computer program by Hammett & Edison 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 the actual terrain at the site to obtain more accurate projections.



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

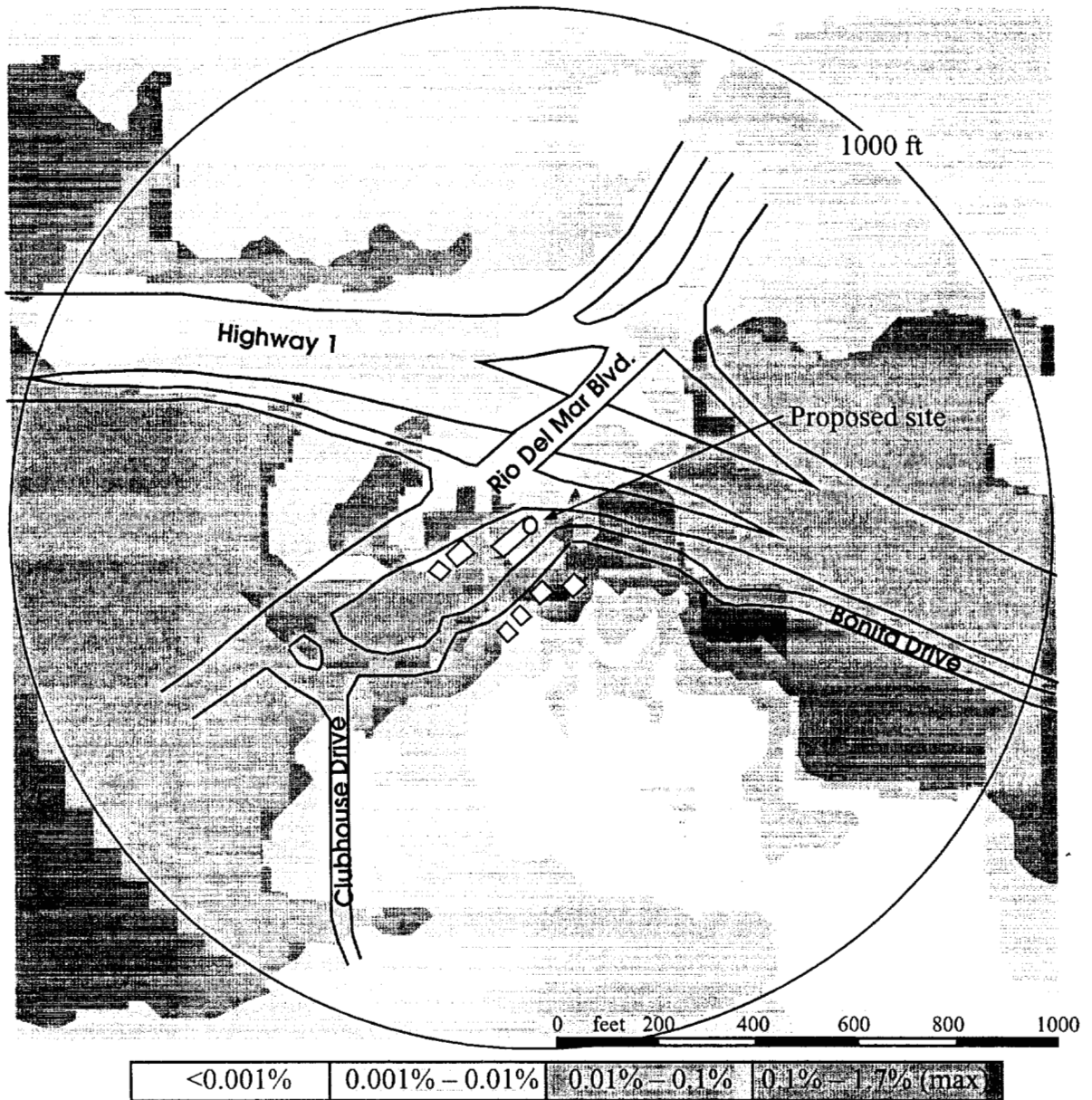
Methodology
Figure 2

EXHIBIT M

Sprint PCS • Proposed Base Station (Site No. SF54xc440A)
311 Bonita Drive • Aptos, California

ATTACHMENT 2

Numeric Values for Exposure Levels within 1,000 feet of Proposed Site at Ground Level
(using topography for subject and adjacent properties)



Notes:

Calculations performed according to
OET Bulletin No. 65, August 1997.

Results expressed as percent of
applicable FCC public limit.

See Figure 3B for numeric values
at neighboring residences.

| Distance | RF Level (%FCC Public Limit) | |
|--------------|------------------------------|--------------|
| | First Floor | Second Floor |
| <25 ft | 0.43% | 1.4% |
| 50 ft | 0.15% | 0.80% |
| 100 ft | 0.79% | 3.1% |
| 140 ft (max) | 1.7% | 3.5% |
| 200 ft | 0.51% | 0.53% |
| 400 ft | 0.22% | 0.22% |
| 600 ft | 0.094% | 0.095% |
| 800 ft | 0.055% | 0.055% |
| 1,000 ft | 0.036% | 0.035% |

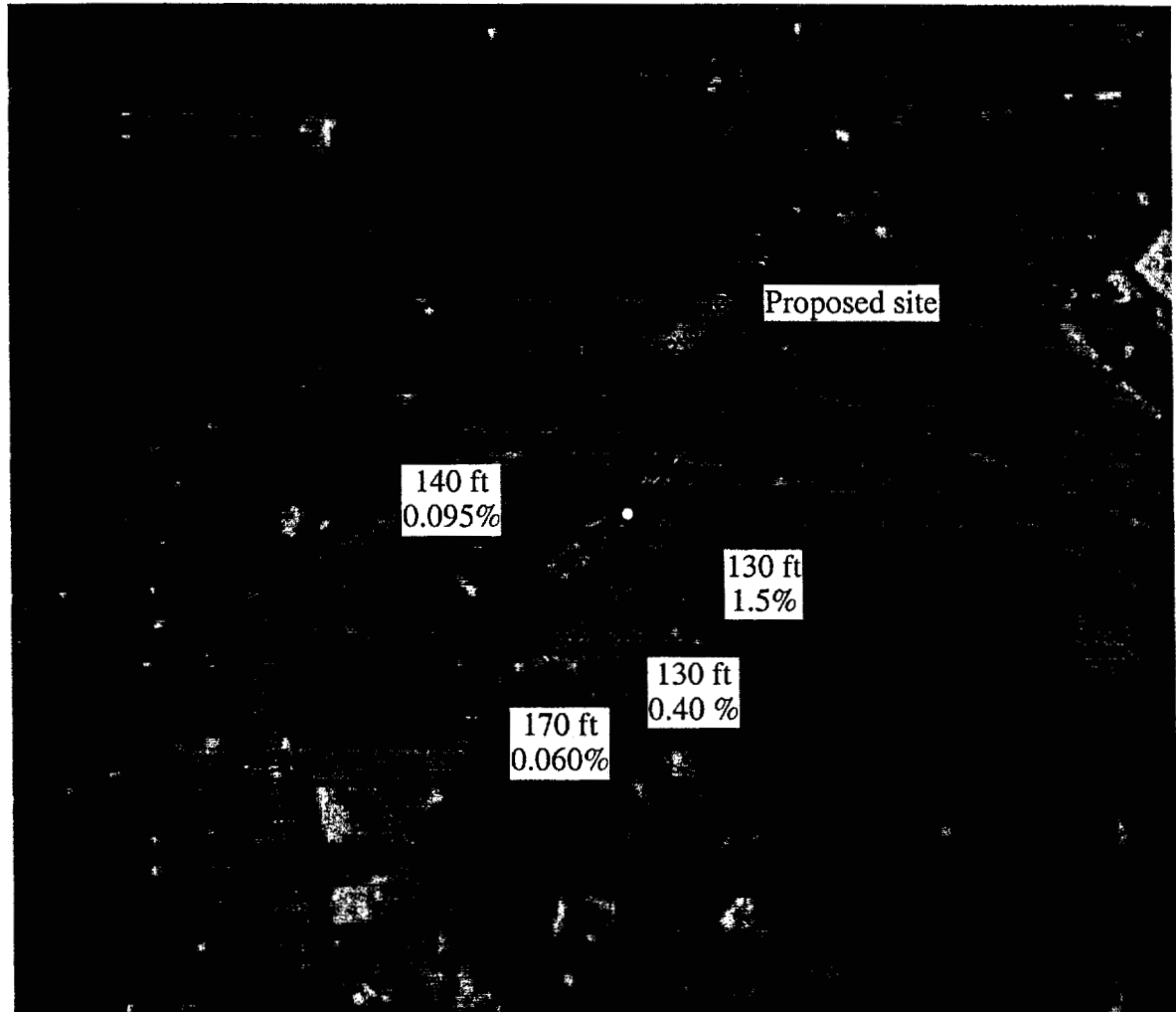


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CONSULTING ENGINEERS
SAN FRANCISCO

990204.3-440A
Figure 3A

EXHIBIT M

Calculated RF Power Density Levels
at Neighboring Residences
on Adjacent Streets



Notes:

Calculations performed according to OET Bulletin No. 65, August 1997.
Results expressed as percent of applicable FCC public limit. Calculations
made at first and second stories with higher level shown.

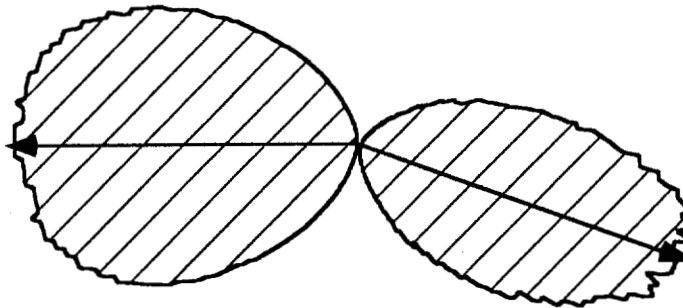
Aerial photograph from www.mapquest.com.

**Sprint PCS • Proposed Base Station (Site No. SF54xc440A)
311 Bonita Drive • Aptos, California**

**Graphical Representations of Angle of RF
Broadcast from Each Proposed Antenna**

ATTACHMENT 3

EMS Model RR9017-02DP oriented 270°T



EMS Model RR6518-02DP oriented 110°T

**Horizontal Antenna Patterns
(viewed from above)**



EMS Model RR9017-02DP

EMS Model RR6518-02DP

Both antennas have 2" downtilt.

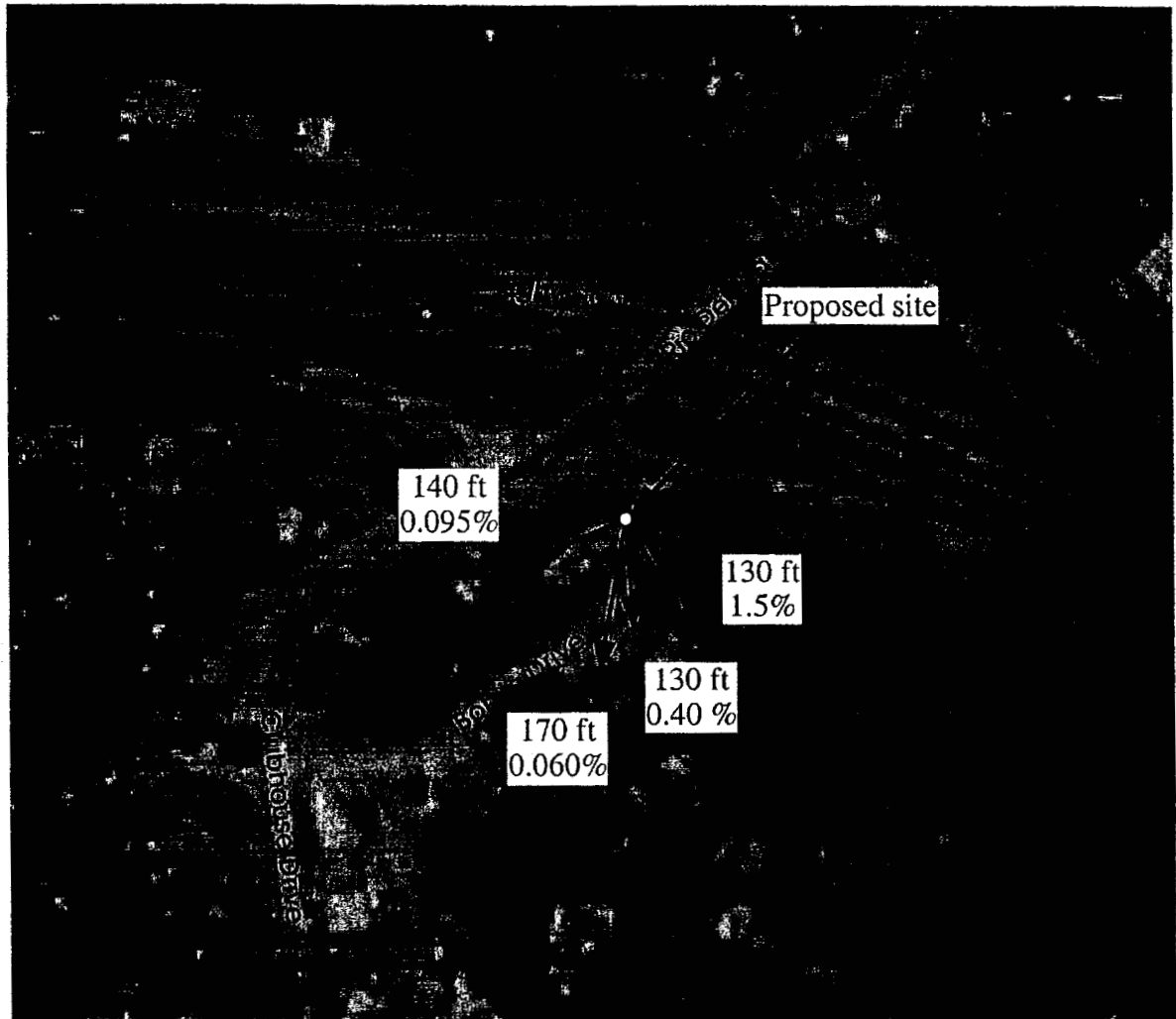
**Vertical Antenna Patterns
(viewed from side)**

55

Sprint PCS • Proposed Base Station (Site No. SF54xc440A)
311 Bonita Drive • Aptos, California

Calculated RF Power Density Levels
at Neighboring Residences
on Adjacent Streets

ATTACHMENT 3



Notes:

Calculations performed according to OET Bulletin No. 65, August 1997.

Results expressed as percent of applicable FCC public limit. Calculations made at first and second stories with higher level shown.

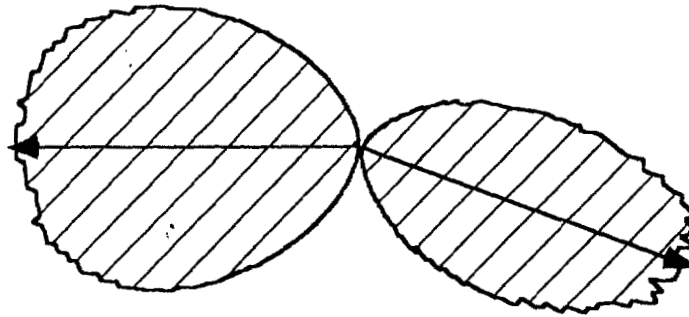
Aerial photograph from www.mapquest.com.

56
Sprint PCS • Proposed Base Station (Site No. SF54xc440A)
311 Bonita Drive • Aptos, California

**Graphical Representations of Angle of RF
Broadcast from Each Proposed Antenna**

ATTACHMENT 3

EMS Model RR9017-02DP oriented 270°T



EMS Model RR6518-02DP oriented 110°T

**Horizontal Antenna Patterns
(viewed from above)**



EMS Model RR9017-02DP

EMS Model RR6518-02DP

Both antennas have 2° downtilt.

**Vertical Antenna Patterns
(viewed from side)**

SPRINT PCS
ALTERNATIVE ANALYSIS FOR SF54XC440A – RUMMONDS
RUMMONS BUILDING – 311 BONITA DRIVE

Site Selection Process

Our site selection process is initiated with a “search ring”, an area designated on a topographical map indicating where a site must be located to meet defined coverage objectives. Coverage area parameters, topography, population, and expected site traffic all shape the ring design. Each site must be evaluated on the following five criteria:

- **RF Engineering Suitability** – Following a site visit, RF engineers assess the site’s ability to send and receive radio signals. **PCS** antennas require line-of-sight transmission to the area being covered, necessitating an evaluation of the degree to which topography and other natural or **man-made** obstructions, such as tall trees or buildings, block the radio signals. Antennas must be placed at a sufficient height in order to “see” the coverage area and hand-off signals to the neighboring base stations.

- **Zonability (Land Use Compatibility/ Visual Impact)** – Specific zones and districts within each jurisdiction are assessed for compatibility. Industrial and commercial areas are typically considered the most compatible, while residential and sensitive open spaces are the least. Existing structures, such as buildings, commercial signs, utility poles and water tanks are evaluated for their adaptability to screening or hiding **PCS** equipment. Similarly, natural landmarks such as tall trees are also evaluated for purposes of screening PCS equipment.

Sprint makes its best effort to locate facilities in areas where they will be compatible with existing land **uses** and where they create the least visual impact. **This** is accomplished by working within local jurisdiction guidelines and ordinances for wireless telecommunication facilities.

- **Constructability** – Sprint must be able to build, given site-specific construction constraints for each property. For instance, if significant grading were necessary to create a space for equipment, then the site may be deemed infeasible for construction. A wide variety of circumstances may make a site unbuildable due to cost and/or **risks** involved.

- **Availability of Power and Telephone Service** – In order for a PCS facility to operate, it requires a source of electrical power and T-1 telephone service. If a site does not have power and T-1 available, then the site **is** not a feasible location for the base station, unless these services are within reasonable distance and can be brought to the site.

- **Willing landlord** – The owner of the desired property must be willing to lease space to Sprint PCS for both antennas and equipment. A site that may be feasible based on the above criteria cannot be used if Sprint is unable to negotiate a lease with the landlord.



Co-location Policy

As part of our standard site selection process, Sprint PCS actively seeks opportunities to utilize existing telecommunications structures, and or other public facilities property - such as utility poles and water tanks. We have been working with the existing wireless carriers on a network and on a case-by-case basis to pro-actively identify such sites. Sprint PCS is not only working on Master License Agreements with other wireless carriers but with local utility companies such as PG&E; Caltrans; AT&T. These agreements would allow Sprint PCS to co-locate on their existing utility poles and/or at their substations.

When feasible, co-location can reduce the number of new facilities within a community, save implementation time and costs, and produce visually unobtrusive facilities. *The primary challenge is identifying locations that match the technological requirements of more than one service provider when dealing with carriers that have different wireless technologies.*

A site may be considered a candidate for co-location if all of the following criteria exist:

1. The location satisfies the radio propagation and system performance objectives;
2. There is no technical interference with the existing carrier's signal;
3. The existing facility and site are capable of accommodating the proposed equipment;
4. The property owner is willing to lease to an additional carrier;
5. All local zoning requirements can be fulfilled; and
6. The existing carrier is willing to cooperate in such an effort.

Another co-location policy of Sprint PCS is to not only look for jurisdiction owned property to locate their base stations; but to offer space on their monopole's or towers for the placement of public safety (police and fire) equipment at no cost to the jurisdiction.

Sprint Radio Engineers have identified the intersection of Rio Del Mar Blvd. and Highway 1 as an area needing improved coverage along this major freeway corridor. Currently, two Sprint PCS facilities provide partial coverage to this portion of Highway 1 — FS22xc014 located on #1 Post Office Drive behind a retail shop and FS22xc015 located on 1025 Moon Valley Road. Radio signals from these two existing facilities are relatively good in their immediate area, however due of topography and the dense vegetation found along Highway 1, the signal strength from these two existing locations is drastically reduced as shown on the Existing Coverage Map (**Exhibit - B**). The colors on this map represent the following: Green – Good signal strength. Calls can be made and received on the street, in a car and in a building with good voice quality. Blue – Fair signal strength. Call can be made and received on the street, and in a car with good voice quality, but poor voice quality inside buildings. Red – Unreliable coverage. Poor voice quality leading to call drops and blocks.

As stated above, the site selection process begins with the radio engineers analysis of the network, topography, site visits to determine a search ring area. For this project, the search covered approximately ½ mile from the intersection of Rio Del Mar and Highway 1 (**See Alternative Sites/Zoning map**). The primary objective is to provide a continuous good

Page 2 of 6



Whalen & Company, Inc.

Sprint PCS
SF54xc440A – Rummonds

EXHIBIT N

coverage along Highway 1, and secondary objective is in-building coverage to the immediate surrounding area serving all business and residential uses adjacent to this corridor. In conformance with County regulations, Sprint focused its search primarily on commercially developed properties. These areas are identified with a red boundary on the attached Alternative Sites/Zoning map. Properties on the south side of Highway 1 comprise primarily of the Dear Park Shopping Center, Bittersweet restaurant, a gasoline station, and professional offices with access from Bonita Drive and Rio del Mar Boulevard. On the north side of Highway 1, a mix of office, shops, and restaurant uses were identified primarily located along Soquel Drive on North and South sides of Rio Del Mar.

All of the alternative sites evaluated are located within the search ring as delineated by Sprint's radio engineers. Sites outside of the search ring are considered to be not technically feasible. Candidates B and C as shown on the Alternative Site/Zoning Map consist of the Dear Park Shopping Center, a restaurant, and a corner gas station. The owners of the Dear Park Shopping Center, Bittersweet Restaurant were not interested and never responded to several calls made by Sprint's Site Acquisition Manager and were not pursued (See attached August 15, 2000 letter proposals and email from Mr. Blaine Swafford). The ultimate design on the shopping center or at the restaurant would have required the construction of a monopole or tower with a height that exceeds the trees adjacent to the Highway One. This design is not desirable by County Ordinance and is considered to be an environmentally inferior alternative to the proposed project at the Rummonds building. The gas station, although adjacent to the freeway has several negative aspects, including limited space for antennas and equipment area away from their fueling stations, and difficult to screen a new wireless facility. This candidate was not pursued because of its lower probability of complying with County requirements for appropriate screening and limited lease space.

Candidate D is the Fire Station located at the corner of Bonita Drive and Monterey Drive. This site was looked at as a favorable candidate because of possible colocation opportunities with a public communication facility. However, this site has limited in space for Sprint's equipment, and is directly adjacent to residential development than the Rummonds building. Because this site is further away from Highway 1, and the freeway is below grade in this area, the only possible design for this candidate was construction of a monopole or tower. The Fire Chief indicated that there was no space for the tower nor equipment on this site. This candidate was not pursued due to its space limitations; its difficulty to comply with County Ordinances, and being incompatible and more visible to residential properties adjacent to this site.

Candidate E consists of several properties developed with professional office uses along Soquel Drive, south of Rio Der Mar Boulevard. All of the properties in this area is approximately 60' lower in ground elevations compared to the Rummonds building. There are several significantly tall trees bordering Rio Del Mar that prevents adequate line of sight of Highway One in the North direction (See attached photos). The only design that would work for this area is a new monopole or tower of approximately 60' to 80', which would not conform with County Ordinances and would be quite visible fi-om Highway one. The majority of these parcels are also very tightly developed with minimal to no space for Sprint's equipment. These properties were

not pursued due to several negative factors that would have prevented a successful lease and regulatory permits.

Candidate F also consists of several single-story professional office buildings near the intersection of Rio Del Mar and Soquel Drive. As seen on the attached photographs; large groups of trees block every view of the Highway One in the northbound direction, making this area technically not feasible for Sprint's facility. Several of these properties also border Valencia Creek and are at a substantial lower ground elevation than the Rummonds building. Because of technical reasons and several negative factors, none of these properties were pursued.

Candidate G consists of several office and commercial shops/restaurant properties located between Soquel Drive and Valencia Creek, north of Rio del Mar Boulevard. All of these properties have limited space for Sprint's facility; are lower in elevation than the project at Rummonds building, and have greater potential for negative environmental factors. The same group of trees as mentioned on Candidate F area also preclude clear line of sight to Highway One in the southbound direction. The only possible design if space was available would have been a 80' monopole or tower. None of these sites were pursued do to their lower probability of having a successful lease and regulatory permit outcome. Any structure built on any of these properties would have resulted on a significantly more visible project to Scenic Highway One, and adjacent developments than the Rummonds building, thus resulting in a less desirable and environmentally inferior alternative.

Candidate H consists of the area bounded by the State highway right of way. Although Sprint has had successful lease negotiations with Caltrans in other areas, the state typically limits its available sites because of safety reasons. This typically requires access to Caltrans right of ways from adjoining streets outside of the freeway right-of-way. Projects on freeway right of ways are also limited to the construction of towers, which is not a desirable alternative to local jurisdictions nor Caltrans. Because Highway One is considered a scenic highway by the County, any design, if approved by the State, would have resulted in greater negative visual impacts to Highway One compared to the minor improvement at the Rummonds building.

Conclusion

Based on the above mentioned criteria and other criteria as required by the County Wireless Communication's Ordinance, Sprint has determined that the best technologically and environmentally candidate is the Rummonds building located at 311 Bonita Drive. This site is elevated above the freeway, compared to other locations in the search ring, and offers the line of sight required meeting Sprint's coverage objectives. A drive test conducted by Sprint's radio engineers, concluded that antennas mounted on the roof of this existing commercial building would provide the necessary height to achieve the intended goals. Using the results of the drive test data, a coverage map was generated (Exhibit - C) which demonstrates what the new coverage will be once this facility is installed.

The design for the Rummonds building will permit complete screening of Sprint's proposed equipment facility from Highway One and local streets by an existing tall hedge. The equipment



is also screened from residential developments along Bonita Drive by the two-story office building. The proposed chimney on the roof of the building is compatible to adjacent developments, both commercial and residential (**See attached photo simulation**). Additional landscaping proposed along the perimeter of the property will also enhance the overall design and screening of the facility from Highway 1, Rio del Mar and Bonita Drive. Other alternatives are less environmentally inferior to this project and adequate coverage cannot be provided from these alternatives they are superior to the subject site.

Sites Evaluated

| Evaluation Criteria | A | B | C | D | E | F | G | H |
|--------------------------------|---|---|---|---|---|---|---|---|
| 1. Located in search ring | ● | ● | ● | ● | ● | ● | ● | ● |
| 2. RF Approved | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 3. Available utilities | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 4. Adequate access | ● | ● | ○ | ○ | ○ | ○ | ○ | ○ |
| 5. Adequate antenna space | ● | ● | ○ | ○ | ○ | ○ | ○ | ○ |
| 6. Adequate equipment space | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 7. Least visually intrusive | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 8. Environmentally superior | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 9. Roof mounted design | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 10. Building mounted design | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| 11. Free-standing tower design | ● | ● | ● | ● | ● | ● | ● | ● |
| 12. Willing landlord | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |

● Desirable/Yes

○ Acceptable/Maybe

○ Not Desirable/No

List of Sites (See Alternative Sites/Zoning Map for specific locations)

A = Rummonds Building

B = Dear Park Shopping

C = Gas Station

D = La Selva Fire Station

E = Commercial buildings on Soquel Drive, South of Rio Del Mar (PA Zoning District)

F = Commercial buildings on Soquel Drive, North of Rio Del Mar (C-1 Zoning District)

G = Commercial buildings on Soquel Drive, North of Rio Del Mar (PA zoning District)

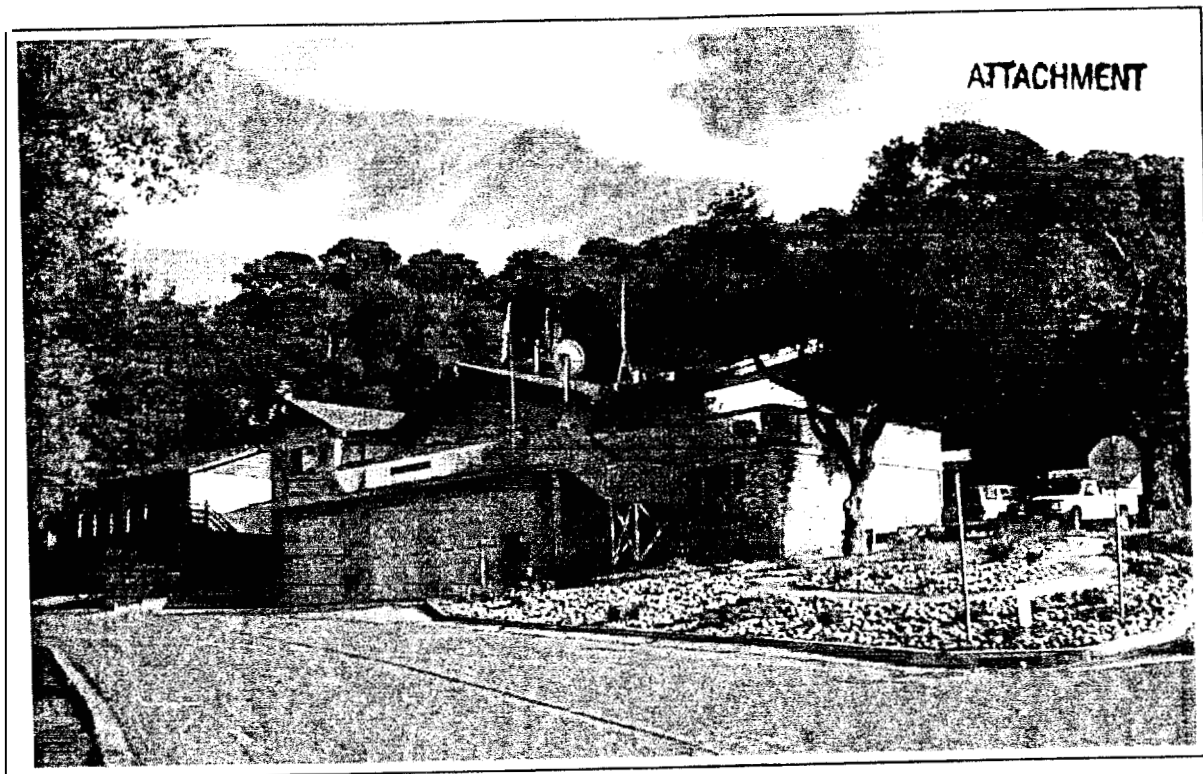
H = Caltrans right-of-way (Highway 1)



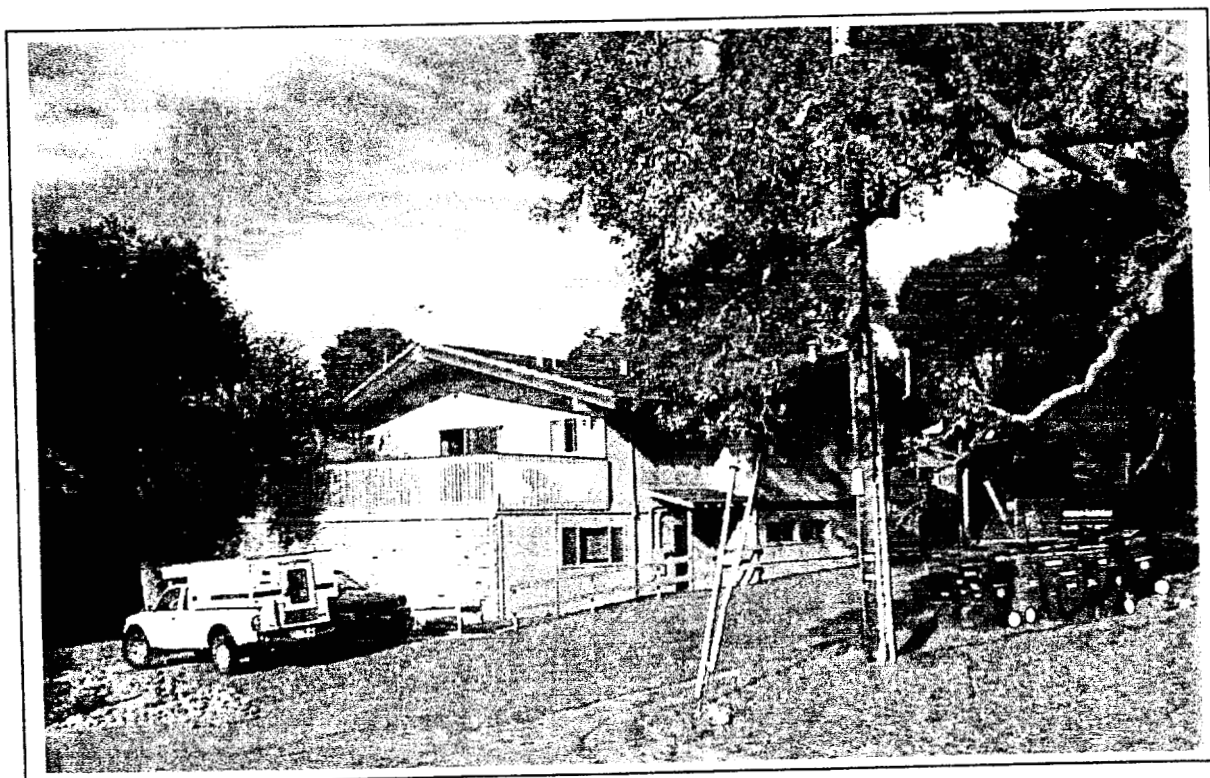
Evaluations Criteria Definitions:

1. Located in search ring – If a site is located in the search ring it site is technically acceptable, but further radio tests are required to determine its feasibility and antenna height requirements.
2. RF Approved – **Certain** sites are determined not be RF approved due extensive physical obstructions. In areas where RF could have approved, a drive test **was** not conducted either **because** of lack of landlord consent or the alternative site would have resulted in a less desirable (tower) installation.
3. Available utilities – Presence of adequate electrical and telephone utilities. Acceptable/Maybe indicates that **at first glance**, the required utilities are available on the property or **at** a reasonable distance **from** the **site**.
4. Adequate access – Clear access **for** routine maintenance of the site, requiring minimal grading and ground disturbance.
5. Adequate antenna **space** – **Means** space on the building's roof or **on** the ground for **a** support tower.
6. Adequate equipment **space** – Ground **space** availability **without impeding** on existing **uses** (**Minimum** required space for equipment **is 300 sq. ft.**)
7. **Least** visually intrusive – Least visually obvious **per County of Santa Cruz** Wireless Communication Ordinance
8. Environmentally superior – Causing the least environmental impact (visual, grading, biotic, etc.) **per County of Santa Cruz** Wireless Communication **Ordinance**
9. Roof mounted **design** – **Use of an** existing building **to** mount antennas above the existing structure **that** is structurally feasible.
10. Building mounted **design** – **Use of an** existing building to mount **antennas** without increase in height where feasible.
11. Free-standing design – **Use of a** existing or new tower to mount antennas to the desirable height.
12. Willing landlord – Property owner willing to lease **space** to **Sprint**. (Landlord **Sprint** did not pursue **because** other





View of existing Fire Station - Candidate D from Bonita Drive



View of existing Fire Station - Candidate D from Loma Prieta

Site Photographs

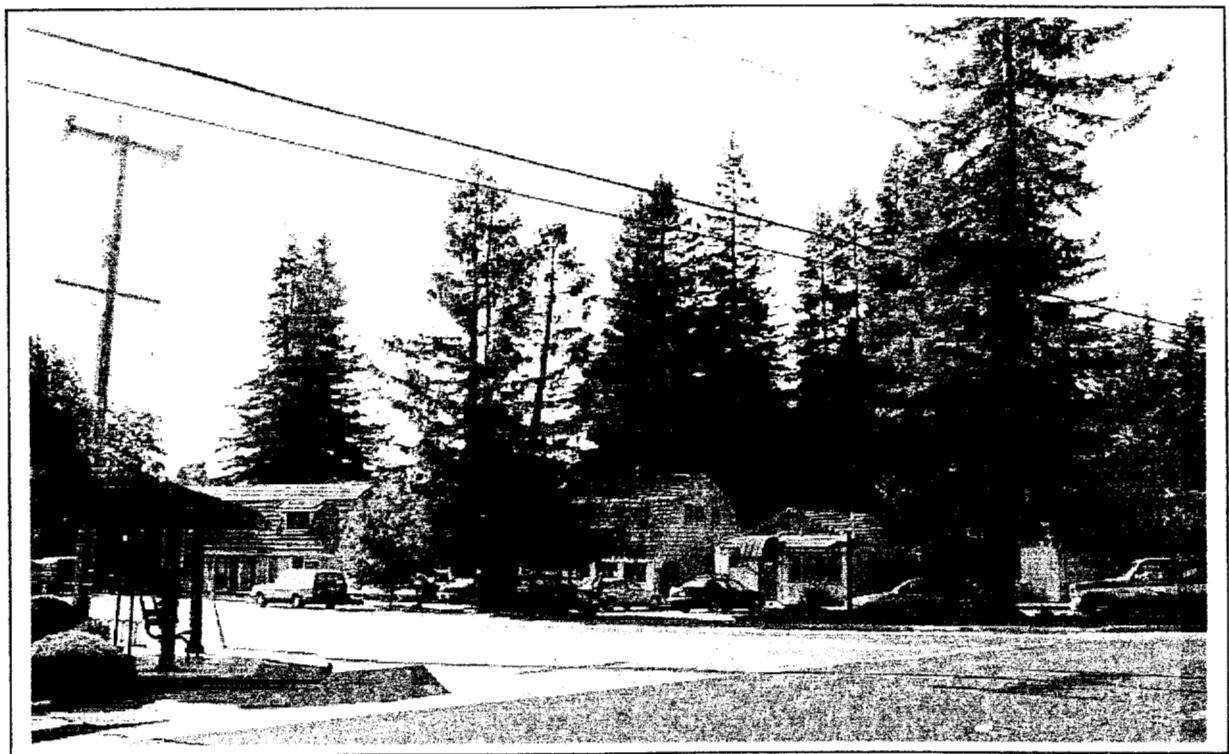


Whalen & Company, Inc.

Sprint PCS
SF54xc440A- Rummonds



View of existing commercial development on Candidate G area



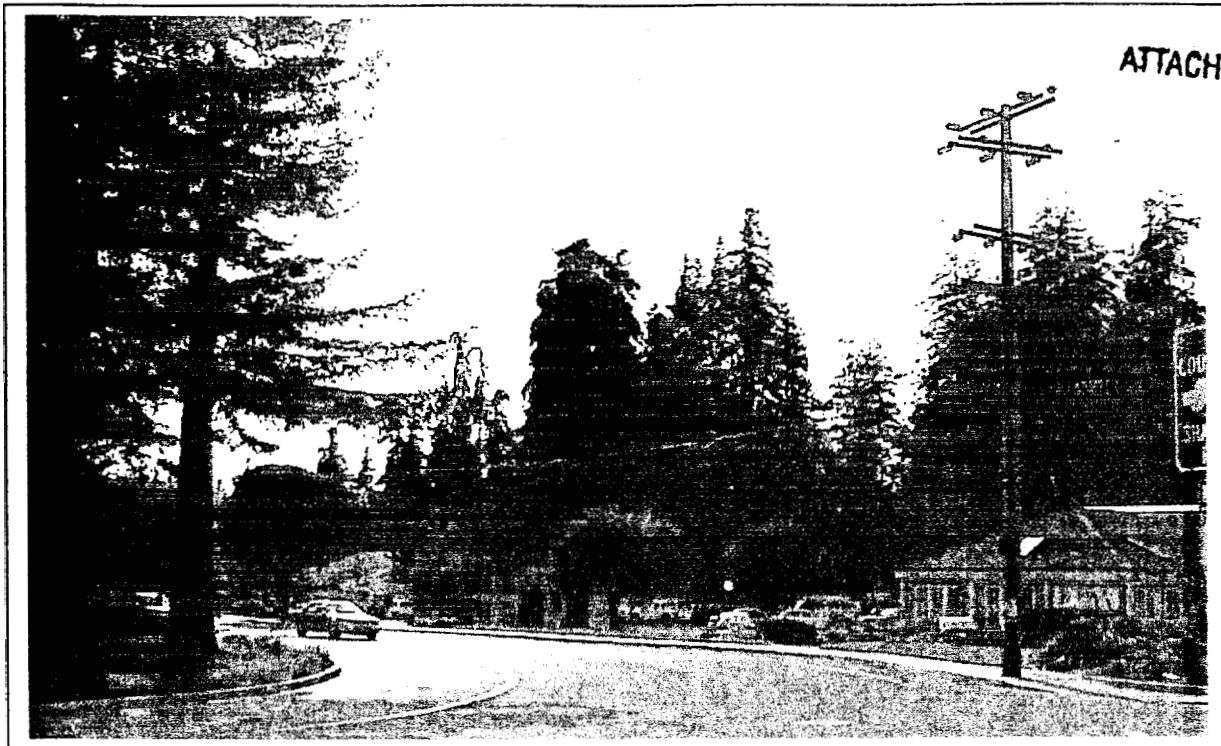
View of existing commercial development on Candidate E area

Site Photographs

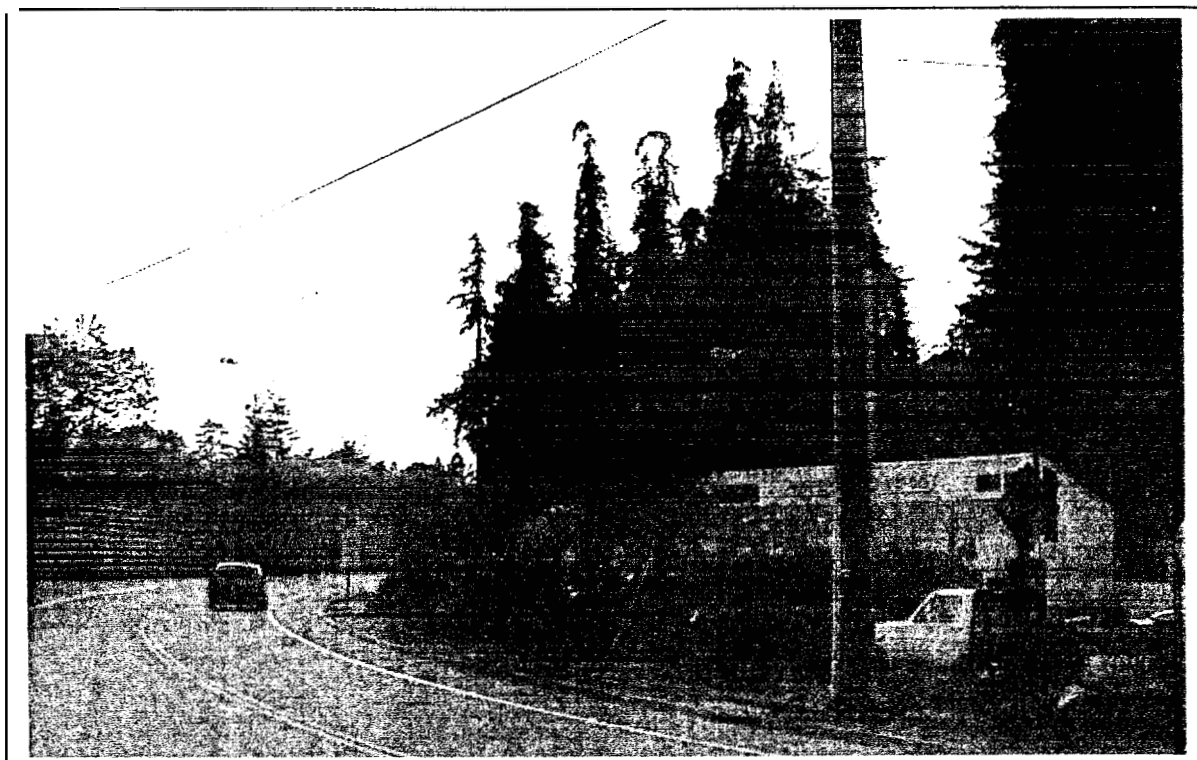


Whaien & Company, Inc.

Sprint PCS
SF54xc440A- Rummonds



View of existing commercial development on Candidate F area



View of existing commercial development on Candidate F area

Site Photographs



Whalen & Company, Inc.

Sprint PCS
SF54xc440A- Rumronds

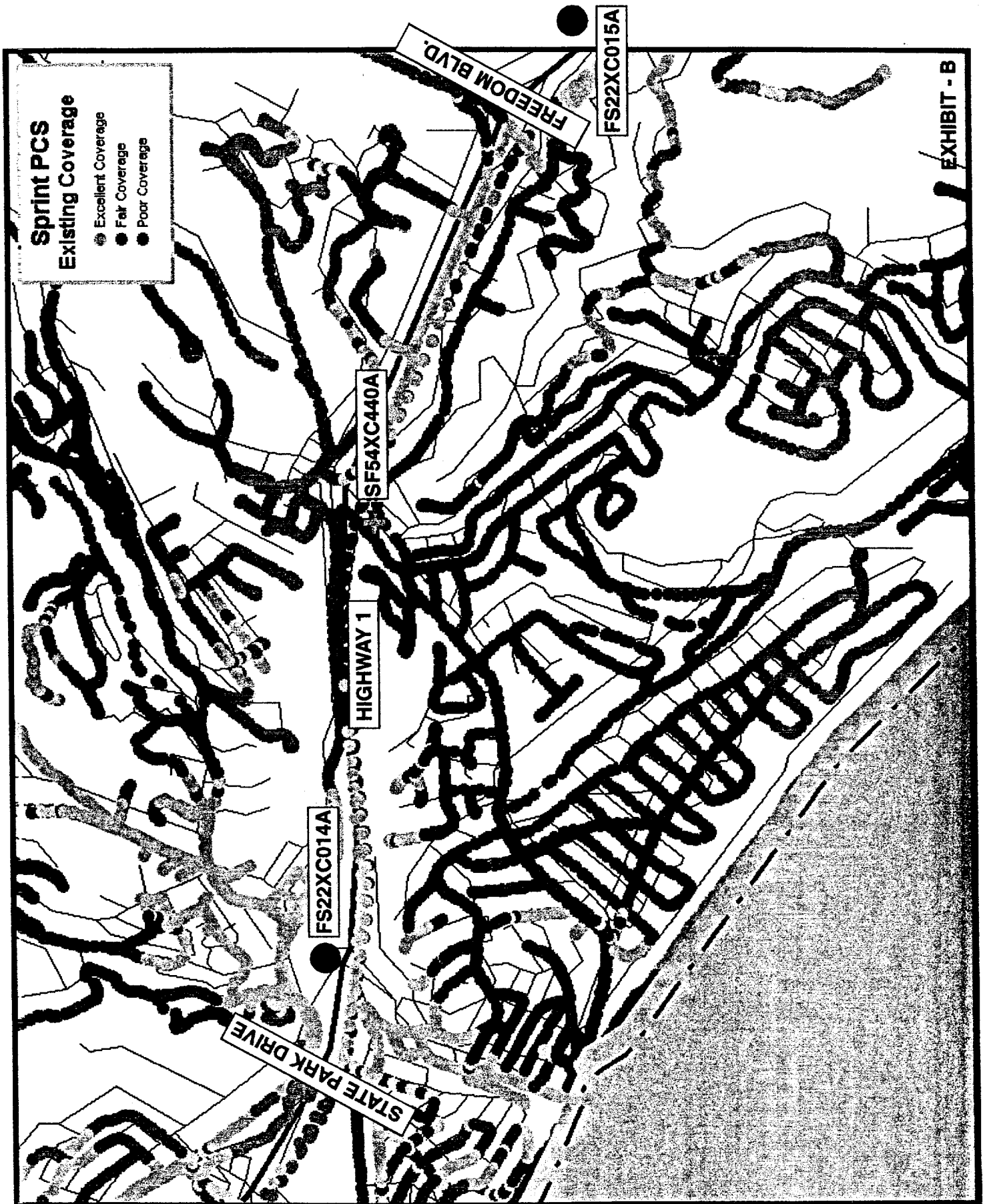
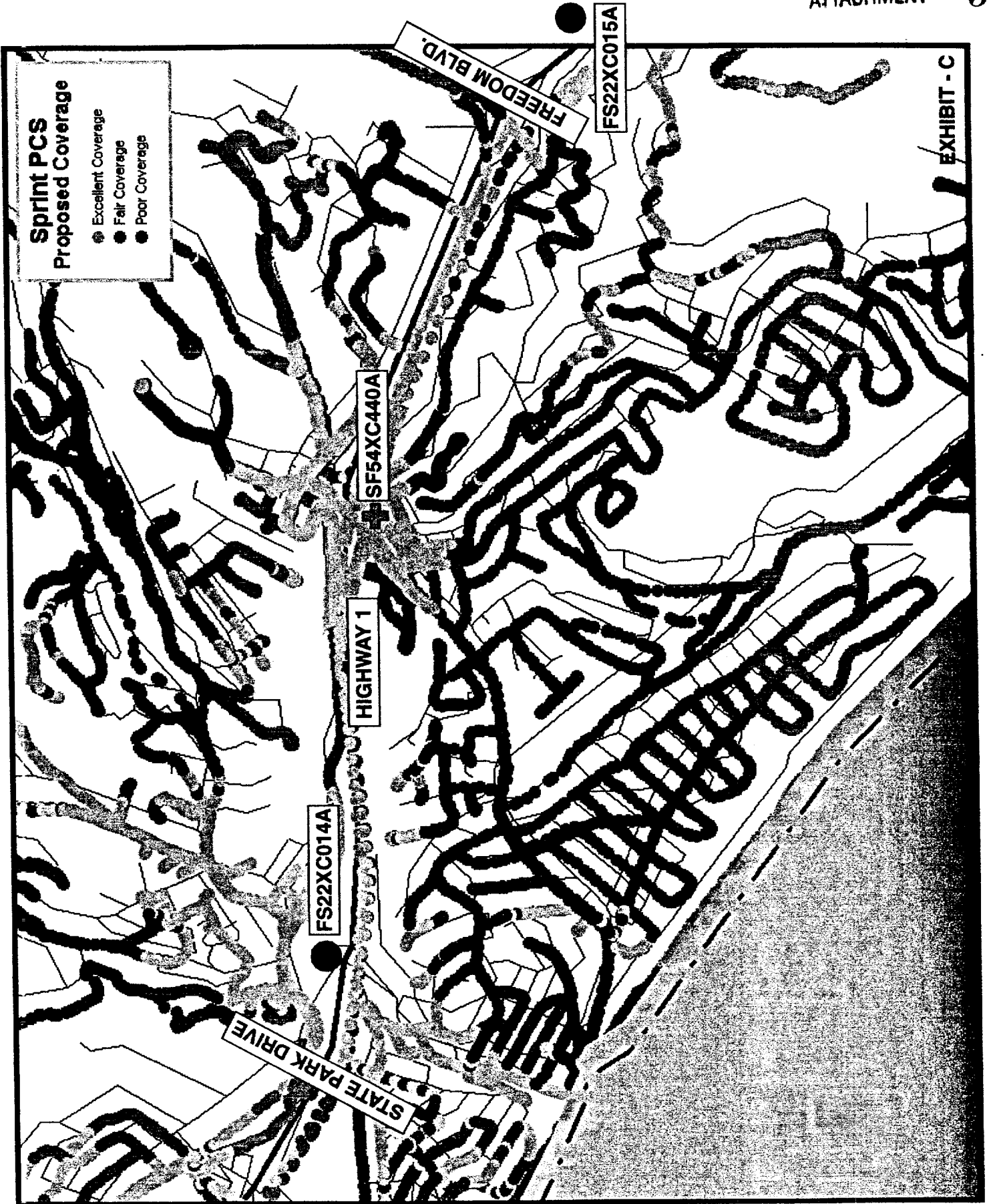


EXHIBIT - B



Franklin Orozco

From: Blaine Swafford
Sent: Thursday, November 15, 2001 1:54 PM
To: Franklin Orozco
Subject: Alt to Rummonds

Franklin:

I contacted these two alternates by letter and left at least three phone messages for each; neither responded. We did not select the gas station because there was not room for the ground equipment away from the fuel storage tanks and Sprint also tries to avoid gas stations for haz mat issues.



Bittersweet
Proposal.doc



Deerpark Proposal.doc

Blaine Swafford
Sprint Project Leasing Manager
(831) 419-3600 Cell Phone
(831) 426-5566 Personal Fax



8/15/00

Mr. Daniel Cheng
PO Box 2189
Saratoga, CA 95070

RE: Proposal to place Sprint PCS Equipment at:
Deerpark Shopping Center, Aptos, CA 95003

personal Communications Services (PCS) technology is the newest form of wireless communications service. PCS users will have access to a wider range of wireless communications options at a lower cost, and new services including wireless computer networks, message services, e-mail, video telecommunications, cellular digital data communications, wider coverage options, and the ability to work with wireline services. In March of 1995, Sprint PCS obtained one of the two licenses available for the San Francisco Major Trading Area (MTA) from the Federal Communications Commission (FCC). As an FCC licensee, Sprint PCS is authorized and obligated to establish a network of PCS sites from the northern border of California to Fresno. Sprint PCS is in the process of developing the Santa Cruz County portion of this network, and has identified your property as a proposed communications site.

PCS sites or "base stations" operate at a dedicated band of the radio spectrum between 1850 and 1990 MHz, transmitting between 1930 and 1945 MHz. Sprint ECS utilizes ranges at 1850-1865 MHz and 1930-1945 MHz. PCS base station sites may have an array of up to nine panel antennas, or 3 cross polar antennas. Some locations only require three panel antennas or one cross polar antenna and the goal is to satisfy the communications need while being sensitive to the aesthetics of your property. The panel antennas measure 56 inches high, 8 inches wide and 2 inches deep. Three to five steel cabinets house radio equipment and backup batteries, with each cabinet measuring approximately 60 inches high, 30 inches wide and 30 inches deep. Each cabinet weighs approximately 800 pounds. These cabinets are weather tight and are designed for either indoor or outdoor placement.

Electrical Power Requirements: AC power, 220-240 volts with a 200 Amp service, (typically only 70 amps are used). If convenient for the landlord, Sprint PCS will utilize existing electrical service including backup power sources, and will sub-meter and pay for the electricity. Preferably, if available a new electrical service and PG&E meter can be set for the exclusive use of the Sprint PCS site.

Radio Power Output per channel is 125 Watt ERP, 200 Watt EIRP. Initially one channel is used and as capacity needs grow, up to ten channels may be utilized.

Rent: Typical rents vary depending on the coverage provided by the site and other factors including site development costs. Actual rent value can only be determined after a radio drive test is done to evaluate coverage from the proposed site. Sprint is willing to pay a fair market rent similar to other wireless companies currently operating in your area.

Please call me (831) 419-3600 as soon as possible so we may review the proposal and hopefully meet onsite.

Sincerely,

Blaine Swafford
Site Acquisition/Project Manager



8/15/00

Mr. Vinolus
611 Bayview Drive
Aptos, CA 95003

RE: **Proposal** to place Sprint PCS Equipment at:
Bittersweet Bistro Property, Aptos, CA 95003

Personal Communications Services (PCS) technology is the newest form of wireless communications service. PCS users will have access to a wider range of wireless communications options at a lower cost, and new services including wireless computer networks, message services, e-mail, video telecommunications, cellular digital data communications, wider coverage options, and the ability to work with wireline services. In March of 1995, Sprint PCS obtained one of the two licenses available for the San Francisco Major Trading Area (MTA) from the Federal Communications Commission (FCC). As an FCC licensee, Sprint PCS is authorized and obligated to establish a network of PCS sites from the northern border of California to Fresno. Sprint PCS is in the process of developing the Santa Cruz County portion of this network, and has identified your property as a proposed communications site.

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Radio Power Output per channel is 125 Watt ERP, 200 Watt EIRP. Initially one channel is used and as capacity needs grow, up to ten channels may be utilized.

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Please call me (831) 419-3600 as soon as possible so we may review the proposal and hopefully meet onsite.

Sincerely,

Blaine Swafford
Site Acquisition/Project Manager



United States of America
Federal Communications Commission

ATTACHMENT

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3

RADIO STATION AUTHORIZATION

Commercial Mobile Radio Services
Personal Communications Service - Broadband

WIRELESSCO, L.P.
9221 Ward Parkway
Kansas City, MO 64114

Call Sign: KNLF208_
Market: M004
SAN FRANCISCO-OAKLAND-SAN JOSE
Channel Block: A
File Number: 00005-CW-L-95

The licensee hereof is authorized, for the period indicated, to construct and operate radio transmitting facilities in accordance with the terms and conditions hereinafter described. This authorization is subject to the provisions of the Communications Act of 1934, as amended, subsequent Acts of Congress, international treaties and agreements to which the United States is a signatory, and all pertinent rules and regulations of the Federal Communications Commission, contained in the Title 47 of the U.S. Code of Federal Regulations.

Initial Grant Date June 23, 1995
Five-year Build Out Date June 23, 2000
Expiration Date June 23, 2005

CONDITIONS :

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, (47 U.S.C. § 309(h)), this license is subject to the following conditions: This license does not vest in the licensee any right to operate a station nor any right in the use of frequencies beyond the term thereof nor in any other manner than authorized herein. Neither this license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended (47 U.S.C. § 151, et seq.). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended (47 U.S.C. § 606).

Conditions continued on Page 2.

WAIVERS :

No waivers associated with this authorization.

EXHIBIT - A

Issue Date: June 23, 1995

EXHIBIT 0

CONDITIONS:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

Franklin Orozco

From: Waldspurger, Eric[ewalds01@sprintspectrum.com]
Sent: Thursday, November 15, 2001 9:10 AM
To: Franklin Orozco (E-mail)
Subject: FW: SF54XC440A/RUMMONDS BUILDING - ANTENNA STRUCTURE APPROVAL

fyi.

> ~~Original Message~~

> From: White, Kim
> Sent: Tuesday, December 12, 2000 10:00 AM
> To: Cathy Eckles; Eric Waldspurger; Jeffrey Burdenski; Mark Gagne;
> Patricia Cahoon
> Subject: SF54XC440A/RUMMONDS BUILDING - ANTENNA STRUCTURE APPROVAL

> Sprint PCS Survey Data (NAD83)

> Latitude: 36-58-27.82

> Longitude: 121-53-11.55

> Ground El: 160.0

> The proposed site does not require an ASAC study, based on SPCS policy
> (SSEO 1.003.09.001, Section 3.2 - Filing Exemptions). The antennas will
> be mounted at 7' on the rooftop of an existing building structure located
> at 311 Bonita Drive, Aptos, CA, 95003.

> This review is based on the Omni Design Group, Inc. 2C survey dated
> 11/17/2000, and the Omni Design Group, Inc. North Elevation (Sheet A-2)
> drawings dated 11/17/2000. The drawing indicates the structure height is
> 27 Feet AGL (34' with SPCS antennas). The addition of the SPCS antennas
> will not increase the overall height of the structure by more than 20'.

> If you have any questions, or if there is further modification to this
> proposal, please give me a call. I will update NSD with this information.

> Kim D. White
> Regulatory Analyst
> West Region
> 925-468-7363 Voicemail
> 325-468-7923 Fax Number

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS - M.S.#40

1120 N STREET

P. O. BOX 947,873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-4959

FAX (916) 653-9531



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ATTACHMENT 3

Copy to Cathy
Cathleen Randy
Joan.

October 15, 2001

To: REGIONAL TRANSPORTATION PLANNING AGENCIES
AIRPORT LAND USE COMMISSION
CITY AND COUNTY PLANNING DIRECTORS

At a recent gathering of Regional Transportation Planning Agency representatives involved with airport activities, we were asked to provide some guidance relative to our concerns with citing cellular telephone towers and electrical generating plants near airports. This letter provides that guidance (not hard and fast rules) to assist in your evaluations of near-airport siting proposals for those two subjects, as well as any type of vertical development projects (including high roof and multi-story buildings), sports complexes, and outdoor amphitheaters. We realize that there are more *responsible agencies* than you. I ask that you share this letter with other local city and county land use planning agencies in your area.

In addition to this guidance, here are several reference documents you should have in your "land use compatibility" library. If you need a copy of any of them, let us know.

1. Federal Aviation Regulation (FAR], Part 77, *Objects Affecting Navigable Airspace*
2. Federal Aviation Administration Advisory Circular 70/7460-2K, *Proposed Construction or Alteration That May Affect Navigable Airspace*
3. Federal Aviation Administration Form 7460-1, *Notice of Proposed Construction or Alteration*
4. Federal Aviation Administration Advisory Circular 70/7460-1K, *Obstruction Lighting and Marking*
5. California Public Utilities Code, Sections 21001 et seq., *State Aeronautics Act*
6. California Code of Regulations, Title 21 Sections 3525 through 3560, *Airports and Heliports* (implements the State Aeronautics Act)
7. Division of Aeronautics *Airport Land Use Planning Handbook* (ed. 1993)

FAR Part 77 can be considered a *screening* reference in that it is used to determine if some vertical development near an airport needs further

EXHIBIT 10

evaluation by you and/or the Federal Aviation Administration (FAA) to determine if an identified "obstruction" is a "hazard" needing lighting, marking, removal, or disapproval.

Advisory Circular 70/7460-2K further defines what "obstruction" needs further evaluation via the Form 7460-1. The Form 7460-1 states the screening criteria of FAR Part 77 and the requirement to submit the Form. The FAA looks at the hazard potential of an "obstruction" from two perspectives: 1) near the airport and 2) under any nearby IFR airways and instrument approach paths to/from an airport.

Advisory circular 70/7460-1K tells how to mark and/or light an "obstruction" deemed by the FAA to be a "hazard". Local authorities can ask for *voluntary* "obstruction" lighting by the project's proponent.

The Public Utilities Code, specifically Sections 21017, 21018, 21019, and **21655** through 21660 are worth highlighting as key references.

The California Code of Regulations, through many sections and sub-sections, states that airports and heliports will be originally permitted by the State and forever maintained by airport owners and operators, *and local land use planning agencies* as well, as "hazard" free per FAR Part 77 criteria. This applies to both on-airport and near-by off-airport "obstructions".

Finally, the State's Airport Land Use Planning Handbook has a wealth of information that can be considered as *good guidance* in evaluating the "compatibility" of any type or purpose of a near-airport development proposal. The State's Aeronautics Act mandates Land use compatibility evaluations -- it is the law. Other "law" found in the Education Code, the Resources Code, and the Government Code all point in the direction of comprehensive and thorough land use compatibility decisions for development proposals near airports.

As an aside to the real purpose and intent of this letter, *compatibility* decisions for near-airport residential development, in general, and the siting of schools to serve those residential developments specifically, can be done better if the Handbook guidance was more carefully considered.

In simplified form, here is what we look at, in addition to the issue of obstruction height that may be a "hazard" (reference the above documents relative to height), in evaluating any cell tower, cooling/ventilating tower/stack and electrical generating plants in general, and sports facilities and outdoor amphitheaters.

1. Ground based facility lighting: Electrical generating plants, as well as sports complexes and outdoor amphitheaters are commonly extensively lighted. This may be a *distraction* to a pilot landing at, taking off from, or operating in the vicinity of an airport. Distraction here can be interpreted to also be a *confusion factor* as to where the airport actually is at night, or in reduced visibility, or with low clouds overhead. Outdoor facility lighting should be directed downward as much as possible and even shielded to minimize upward light emission.
2. Ground based smoke plumes: Depending on the location of the electrical generating plant, the smoke plume emitted from the cooling/exhaust tower/stack, there is the potential for pilot *distraction* or *evasive maneuver* should the plume be along the extended runway approach/departure centerline or near/under the traffic pattern (base leg, crosswind, and downwind). Consider a no-wind vertical plume as well as one affected by prevailing wind direction in evaluating appropriate location of the facility.
- ③ 3. RFI/EMI: This stands for Radio Magnetic Interference and Electro-magnetic Interference and can be associated with electrical generating plants, cell towers and other types of *radio frequency* transmission towers/facilities. The issue here is *disruption/interference/distortion* of ground based navigation aid signal transmission (VOR and ILS, primarily) and airborne aircraft reception of those signals. As regards radio frequency transmission towers/facilities and cell towers, the Federal Communications Commission usually makes a non-interference determination in their frequency use licensing process. It is wise to ask for a copy of the FCC licensing documentation and environmental impact documents. The location of a transmission tower or generating plant relative to the airport traffic pattern and extended runway instrument approach/departure path(s) will be central to determining whether or not proof of non-interference is warranted.

4. Cooling/settling basins or ponds: Most often associated with electrical generating facilities, these are potentially *bird/waterfowl attractants*. The FAA Advisory Circular 150/5200-33 speaks indirectly to the subject and provides useful guidelines on siting these. This Advisory Circular also deals with waste water treatment plants, wetlands, ranching/farming, golf courses, etc. that have a water persistence from regular/frequent irrigation.

So, there you have it. Some helpful guidance to keep certain incompatible land uses from encroaching on an airport and creating problems for pilots. Feel free to call on us if you wish further clarification or explanation. Any of the following people here in Aeronautics can help you:

Bob Moore, Land Use Compatibility @ (916) 654-3775
Sandy Hesnard, Environmental Impact @ (916) 654-5314
Gary Cathey, Aviation Safety @ (916) 654-5183

Sincerely,



R. AUSTIN WISWELL, Acting Chief
Division of Aeronautics

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 00-0742 **APN:** 044-023-04 & 05
APPLICANT: Franklin Orozco (Whalen & Company)
OWNER: James & Sue Rummonds

PROJECT DESCRIPTION:

Proposal to construct a structure-mounted wireless communications facility on the rooftop of an existing office building in the Salamander Protection district of the Coastal Zone, to include the installation of two antennae, located within one cylinder extending 6'4" above the 27'3" high roofline, and a 264 square foot fenced in enclosure with 5 equipment cabinets to be located in the parking lot.

LOCATION:

Property located on the northwest side (left) of Bonita Drive at about 500' northeast of Clubhouse Drive and Rio del Mar Boulevard. (311 Bonita Drive).

PERMITS REQUIRED: Commercial Development Permit

ENVIRONMENTAL DETERMINATION: Exempt - Category 3

COASTAL ZONE: X Yes N o APPEALABLE TO CCC: X Yes ___ No

PARCEL INFORMATION

PARCEL SIZE: .32 Acres (Combined area of both parcels)

EXISTING LAND USE:

PARCEL: Commercial office building

SURROUNDING: Highway 1 frontage, commercial shopping plaza, & residences

PROJECT ACCESS: Bonita Drive (Off Rio del Mar Boulevard)

PLANNING AREA: Aptos

LAND USE DESIGNATION: C-O (Professional and Administrative Offices)

ZONING DISTRICT: PA-SP (Professional and Administrative Offices
- Salamander Protection)

SUPERVISORIAL DISTRICT: 2

ENVIRONMENTAL INFORMATION

- | | |
|----------------------|---|
| a. Geologic Hazards | a. NIA |
| b. Soils | b. N/A |
| c. Fire Hazard | c. NIA |
| d. Slopes | d. 0-15% |
| e. Env. Sen. Habitat | e. Yes, Santa Cruz Long Toed Salamander |
| f. Grading | f. NIA |
| g. Tree Removal | g. N/A |
| h. Scenic | h. Yes, Highway 1 scenic corridor |
| i. Drainage | i. No increase in impervious area |
| j. Traffic | j. NIA |
| k. Roads | k. N/A |

ATTACHMENT 4

- | | |
|-----------------------|--------|
| l. Parks | 1. N/A |
| m. Sewer Availability | m. Yes |
| n. Water Availability | n. Yes |
| o. Archeology | o. NIA |

SERVICES INFORMATION

Inside Urban/Rural Services Line: X Yes N o

Water Supply: Soquel Creek Water District

Sewage Disposal: Santa Cruz County Sanitation District

Fire District: Aptos/La Selva Beach Fire Protection District

Drainage District: Zone 6

HISTORY

Currently located on the subject property for this project is a commercial office building that was approved by Planned Development Permit(s) 79-537-PD & 80-154-PD. The two parcels that make up this property are located within the Salamander Protection combining zone district, but only a portion of the site drains towards salamander breeding ponds and none of the site is considered as direct habitat for the Santa Cruz Long Toed Salamander. For this reason, the commercial office development was allowed to exceed the standard limits placed on lot coverage for the SP (Salamander Protection combining zone district). As a condition of approval of the two permits mentioned above, the property owners were required to maintain the oak trees located on the property and were required to plant a number of additional trees. During the time that the office development has existed, some of these conditions have not been observed. The oak trees located in the parking lot have been removed, and some of the required trees were never planted. The project currently proposed will not create any new or additional impacts to the salamander habitat in terms of drainage or net increase in impervious area, but in the course of approval for this project the property owner will be required to plant replacement trees and vegetation to bring the property into compliance with the previously approved permits.

ANALYSIS AND DISCUSSION

The proposed transmission site is part of a network of transmission sites for the Sprint corporation's Personal Communications Service (PCS) to serve wireless customers along the southern portion of Highway One in Santa Cruz County and is identified as Sprint Site No. SF54xc440A - Valenda. This area is currently a gap in Sprint's PCS service area along Highway One, where PCS calls may be interrupted or lost. Wireless telecommunication systems known as Personal Communication Services (PCS) are mobile communication units similar to cellular phones. The proposed transmission site will serve users along Highway One in southern Santa Cruz County which are compromised from existing PCS sites due to localized topographic conditions. In order to eliminate gaps in service reliability, one additional cell site is proposed to complete the network design to provide continuous coverage of adequate quality along the Highway 1 corridor of southern Santa Cruz County at 140 La Selva Drive (Sprint Site SF54xc441A - Robak, Coastal Zone Permit Application 00-0751).

The subject property consists of 2 parcels, with a combined area of 0.32 acres, zoned PA-SP (Professional and Administrative Offices - Salamander Protection), a designation which allows commercial office uses and the existing use and zoning are consistent with the site's (C-0) Professional and Administrative Offices General Plan designation. The proposed structure-mounted wireless communications facility is not a principal permitted use within the zone district, but is a use that can be conditionally approved in any commercial zone district. The ordinance regulating the location of wireless communications facilities (13.10.659.f.2) does not authorize the construction of such devices within the Salamander Protection zone combining district, but does state that, "Camouflaged structure-mounted or camouflaged ground-mounted, or co-located, may be permitted... only if adequate coverage cannot be provided from alternative sites outside these zoning districts." The proposed structure-mounted antennae will be located within an enclosed (16 inch diameter) cylinder that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their service area along Highway One and found few alternate sites in the immediate area. All of the alternate sites would require taller and more visible equipment, even if camouflaged, and some of the alternate sites are not available due to an unwillingness of property owners to lease space to the Sprint corporation. Additionally, the currently proposed site is located on the outside edge of the Salamander Protection zone and the majority of the property does not drain towards the salamander breeding ponds, so the exclusion of this visually and environmentally superior site based solely on the Salamander Protection combining zone district does not achieve the intent of the Wireless Communication Facilities Ordinance.

The equipment cabinets for the PCS antennae will be located within a 220 square foot lease area on the .32 acre property. The proposed lease area will be located in the existing parking lot and will be screened by the existing hedge along the property's perimeter. No increase in impervious area or site disturbance will be created as the lease area will occupy an existing parking space. Adequate parking exists on the property for the ongoing commercial use, and the loss of this one parking space will not bring the existing commercial use below the minimum required parking requirements. Currently, 2760 square feet of office space exist within the building and 14 parking spaces are required. 19 parking spaces exist on the property, with 8 of those spaces located beneath the building. The loss of one of these parking spaces to the 220 square foot lease area for this project will not reduce the parking situation below the minimum amount of parking spaces required.

The subject property for the proposed project is located within the Highway One scenic corridor. The structure-mounted cylinder is visible from points along the scenic corridor, however, the existing vegetation along the highway only allows very brief views of the building on which the cylinder is to be mounted, and the visual impact to the scenic corridor will be considered negligible. No views of the beach, ocean, or other significant vistas can be viewed past or across the subject property, as the property is located upslope from the highway and heavy vegetation exists along the highway and on the slopes behind the subject property. The existing heavy vegetation along Highway One combined with the screened location of the equipment cabinets (in the 220 square foot lease area) are such that existing public views from the scenic highway will remain relatively unchanged as a result of this project.

ATTACHMENT

4

The radio frequency (RF) radiation exposure levels were evaluated based on the power densities resulting from the operation of two antennas. The two antennas would be arranged in a pair to provide service in two different compass directions. The maximum ambient RF levels at ground level due to the proposed operation are calculated to be 0.0055 mW/cm², which is 0.55 percent of the most restrictive applicable limit. The maximum effective radiated power in any direction would be 1,000 watts. There are no other wireless telecommunications facilities installed nearby.

Where future technological advances would allow, the applicant is required to reduce visual impacts resulting from the proposed communications facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the applicant must abandon the facility, remove all permanent structures and restore the site to its natural condition.

The proposed structure-mounted wireless communications facility is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the existing commercial development. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water. The proposed project is not a principal permitted use within the zone district, and is therefore a project that is **APPEALABLE** to the California Coastal Commission.

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.

RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **00-0742**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning map
- G. Project Summary (prepared by Whalen & Company, Inc.) including reduced project plans, RF emissions report & visual analysis.
- H. Alternative sites analysis (prepared by Whalen & Company, Inc.)
- I. Comments & Correspondence

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.

Report Prepared By: Randy Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218 (or, randy.adams@co.santa-cruz.ca.us)

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.

The property is zoned PA-SP (Professional and Administrative Offices - Salamander Protection), a designation which allows commercial office uses and the existing use and zoning are consistent with the site's (C-0) Professional and Administrative Offices General Plan designation. The proposed structure-mounted wireless communications facility is not a principal permitted use within the zone district, but is a use that can be conditionally approved in any commercial zone district. The ordinance regulating the location of wireless communications facilities (13.10.659.f.2) restricts the construction of such devices within the Salamander Protection zone combining district, but does state that, "Camouflaged structure-mounted or camouflaged ground-mounted, or co-located, may be permitted... only if adequate coverage cannot be provided from alternative sites outside these zoning districts." The proposed structure-mounted antennae will be located within an enclosed (16 inch diameter) cylinder that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements 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.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is compatible with the existing commercial development; the colors chosen will blend with the existing building and help to camouflage the structure-mounted cylinder 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.

ATTACHMENT 4,

The project site is not located between the shoreline and the first public road. Consequently, the structure-mounted wireless communications facility will not interfere with 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.

The proposed project is in conformity with the County's certified Local Coastal Program in that the development is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding commercial and residential development. Professional and administrative office uses are often used to buffer residential uses from areas of higher intensity development, such as the adjacent freeway and commercial shopping center. Additionally, the proposed development will not adversely impact visual resources from the Highway One scenic corridor in that the design and location of the proposed development will be screened and camouflaged from the public view and will not interfere with publicly accessible views or vistas.

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.

The location of the proposed wireless communications facility 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, in that the maximum ambient RF levels at ground level due to the proposed operation are calculated to be 0.0055 mW/cm², which is 0.55 percent of the most restrictive applicable limit. The maximum effective radiated power in any direction would be 1,000 watts. There are no other wireless telecommunications facilities installed nearby.

The proposed project will not result in inefficient or wasteful use of energy, in that the most recent and efficient technology available to provide wireless communication services will be required as a condition of this permit. Upgrades to more efficient and effective technologies will be required to occur as new technologies are developed.

The project will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for commercial uses and the proposed development will be camouflaged from view, resulting in a minimal visual impact.

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.

The property is zoned PA-SP (Professional and Administrative Offices - Salamander Protection), a designation which allows commercial office uses and the existing use and zoning are consistent with the site's (C-0) Professional and Administrative Offices General Plan designation. The proposed structure-mounted wireless communications facility is not a principal permitted use within the zone district, but is a use that can be conditionally approved in any commercial zone district. The ordinance regulating the location of Wireless Communications Facilities (13.10.659.f.2) restricts the construction of such devices within the Salamander Protection zone combining district, but does state that, "Camouflaged structure-mounted or camouflaged ground-mounted, or co-located, may be permitted... only if adequate coverage cannot be provided from alternative sites outside these zoning districts."

The proposed project is consistent with the Wireless Communication Facilities ordinance, in that the proposed structure-mounted antennae will be located within an enclosed (16 inch diameter) cylinder that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their current service along Highway One, and found few other alternate sites in the immediate area. All of the alternate sites would require taller and more visible equipment, and some of the alternate sites are not currently available due to an unwillingness of property owners to lease space to the Sprint corporation. Additionally, the currently proposed site is located on the outside edge of the Salamander Protection zone and the majority of the property does not drain towards the salamander breeding ponds, so the exclusion of this visually and environmentally superior site based solely on the Salamander Protection combining zone district does not achieve the intent of the Wireless Communication Facilities Ordinance.

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.

The property is located in the Professional and Administrative Offices (C-0) land use designation, which is implemented by and consistent with the site's PA (Professional and Administrative Offices) zone district. The existing and proposed uses, as designed, are compatible with the zone district and General Plan designation.

The subject property for the proposed project is located within the Highway One scenic corridor. The structure-mounted cylinder is visible from points along the scenic corridor, however, the existing vegetation along the highway only allows very brief views of the building on which the cylinder is to be mounted, and the visual impact to the scenic corridor will be considered negligible. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that no views of the beach, ocean, or other significant vistas can be viewed past or across the subject property, as the property is located upslope from the highway and heavy vegetation exists along the highway and on the slopes behind the subject property. The existing heavy vegetation along Highway One combined with the screened location of the equipment cabinets (in the 220 square foot lease area) are such that existing public views from the scenic highway will remain relatively unchanged as a result of this project.

The proposed project complies with General Plan Policy 8.5.1 (Concentrate Commercial Uses), in that the structure-mounted wireless communication facility will be located on-site with an existing commercial use and will effectively utilize the existing commercial structure and landscaping to minimize visual impacts on surrounding properties and the adjacent scenic corridor.

A specific plan has not been adopted for this portion of the County.

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.

The project will not require the use of public services such as water or sewer, but will require electric power and telephone connections. The facility will require inspection by maintenance personnel at least once per month and this will not result in increasing traffic to unacceptable levels in the vicinity.

The availability of wireless telephone service along this reach of Highway One may actually improve traffic circulation if there is a breakdown or accident that is impeding traffic flow. The existence of a wireless communication facility may allow drivers to contact the appropriate emergency services in less time and to remove the obstruction more rapidly.

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.

The proposed structure-mounted wireless communication facility 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 in the vicinity, in that the proposed structure-mounted antennae will be located within an enclosed (16 inch diameter) cylinder that will be painted to blend with the existing building. This proposed design will adequately camouflage the wireless communication facility from view.

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.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed structure-mounted wireless communications facility will blend with the existing commercial development and the equipment boxes located within the parking lot will be screened from public view by the existing vegetation.

WIRELESS COMMUNICATION FACILITY USE PERMIT FINDINGS:

1. THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY WILL NOT SIGNIFICANTLY AFFECT ANY DESIGNATED VISUAL RESOURCES, OR OTHERWISE ENVIRONMENTALLY SENSITIVE AREAS OR RESOURCES, AS DEFINED IN THE SANTA CRUZ COUNTY GENERAL PLAN/LCP (SECTIONS 5.1, 5.10, AND 8.6.6), OR THERE IS NO OTHER ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE ALTERNATIVE TO THE PROPOSED LOCATION WITH LESS VISUAL IMPACTS AND THE PROPOSED FACILITY HAS BEEN MODIFIED TO MINIMIZE ITS VISUAL AND ENVIRONMENTAL IMPACTS.

The subject property for the proposed project is located within the Highway One scenic corridor. The structure-mounted cylinder is visible from points along the scenic corridor, however, the existing vegetation along the highway only allows very brief views of the building on which the cylinder is to be mounted, and the visual impact to the scenic corridor will be considered negligible. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that no views of the beach, ocean, or other significant vistas can be viewed past or across the subject property, as the property is located upslope from the highway and heavy vegetation exists along the highway and on the slopes behind the subject property. The existing heavy vegetation along Highway One combined with the screened location of the equipment cabinets (in the 220 square foot lease area) are such that existing public views from the scenic highway will remain relatively unchanged as a result of this project.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their service area along Highway One and found few alternate sites in the immediate area. All of the alternate sites would require taller and more visible equipment, even if camouflaged, and some of the alternate sites are not available due to an unwillingness of property owners to lease space to the Sprint corporation. Additionally, the currently proposed site is located on the outside edge of the Salamander Protection zone and the majority of the property does not drain towards the salamander breeding ponds, so the exclusion of this visually and environmentally superior site based solely on the Salamander Protection combining zone district does not achieve the intent of the Wireless Communication Facilities Ordinance.

2. THE SITE IS ADEQUATE FOR THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY AND THAT THE APPLICANT HAS DEMONSTRATED THAT THERE ARE NOT ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE ALTERNATIVE SITES OR DESIGNS FOR THE PROPOSED FACILITY.

Sprint has conducted a search for alternate sites that could adequately fill in this gap in their service area along Highway One and found few alternate sites in the immediate area. All of the alternate sites would require taller and more visible equipment, even if camouflaged, and some of the alternate sites are not available due to an unwillingness of property owners to lease space to the Sprint corporation. Additionally, the currently proposed site is located on the outside edge of the Salamander Protection zone and the majority of the property does not drain towards the salamander breeding ponds, so the exclusion of this visually and environmentally superior site

ATTACHMENT

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based solely on the Salamander Protection combining zone district does not achieve the intent of the Wireless Communication Facilities Ordinance.

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 OTHER APPLICABLE PROVISIONS OF THIS TITLE (County Code 13.10.659) AND THAT ALL ZONING VIOLATION ABATEMENT COSTS, IF ANY, HAVE BEEN PAID.

The existing commercial facility and use is in compliance with the PA (Professional and Administrative Offices) zone district in which it is located. Commercial offices are the desired use within the PA zone district, and this development provides an adequate buffer between the commercial development along Rio del Mar Boulevard and the residential development across Bonita Drive.

No zoning violation abatement fees are applicable to the subject property.

4. THE PROPOSED WIRELESS COMMUNICATION FACILITY WILL NOT CREATE A HAZARD FOR AIRCRAFT IN FLIGHT.

The proposed wireless communications facility will be located at a height of 33 feet, 7 inches, and this elevation is too low to interfere with an aircraft in flight. The proposed project is located at the base of a slope that is heavily treed above the subject property, which would prevent aircraft in normal flight from approaching the area where the structure-mounted facility is located.

5. THE PROPOSED WIRELESS COMMUNICATION FACILITY IS IN COMPLIANCE WITH ALL FCC (Federal Communications Commission) AND CALIFORNIA PUC (Public Utilities Commission) STANDARDS AND REQUIREMENTS.

The location of the proposed wireless communications facility 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, in that the maximum ambient RF levels at ground level due to the proposed operation are calculated to be 0.0055 mW/cm², which is 0.55 percent of the most restrictive applicable limit. The maximum effective radiated power in any direction would be 1,000 watts. There are no other wireless telecommunications facilities installed nearby.

EXHIBIT B

CONDITIONS OF APPROVAL

- I. This permit authorizes the construction of a structure-mounted wireless communications facility, and the creation of a 220 square foot equipment enclosure. 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.
 - C. To ensure that the storage of hazardous materials on the site does not result in adverse environmental impacts, the applicant shall submit a Hazardous Materials Management Plan for review and approval by the County Department of Environmental Health Services.
 - 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 of the approval date on this permit.
11. The applicant shall obtain approval from the California Public Utilities Commission and the Federal Communications Commission
111. 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 "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Submit color samples of the paint to be used to camouflage the structure-mounted antennae enclosure for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Landscape plan that substantially matches the approved Exhibit "A".
 3. All new electric and telecommunications lines shall be placed underground.
 4. Details showing compliance with fire department requirements.
 - B. To guarantee that the structure-mounted antennae enclosure remains in good visual condition and to ensure the continued provision of mitigation of the visual impact of the wireless communications facility, the applicant shall submit a maintenance program prior to building permit issuance which includes the

following:

1. A signed contract for maintenance with the company that provides the exterior finish, for annual visual inspection and follow up repair, painting, and resurfacing as necessary.
 - C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- IV. All construction shall be performed according to the approved plans for the building permit. For reference in the field, a copy of these conditions shall be included on all construction plans. 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 of the required landscaping shall be installed, including (4) 48" box Quercus agrifolia, (1) 24" box Myoporum laetum, and (5) 15 gallon Myoporum laetum.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The Hazardous Materials Management Plan if required, shall be approved by the County Environmental Health Service.
 - E. The structure-mounted antennae enclosure shall be painted the approved color.
 - F. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, shall be observed.
- V. Operational Conditions
- A. The structure-mounted antennae enclosure shall be permanently maintained and painted regularly with the approved paint.
 - B. 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.

- C. The applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees to 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 applicant agrees to 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 vegetation.
 - D. Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
 - E. All noise shall be contained on the property.
 - F. A Planning Department review that includes a public hearing shall be required for any future co-location at this wireless communications facility.
 - G. All site, building, security and landscape lighting shall be directed onto the lease site and away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.
 - H. 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.
- VI. 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.
- E. Within **30** days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the -- applicant or staff in accordance with Chapter 18.10 of the County Code.

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT AND COMMENCE CONSTRUCTION.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Randy Adams
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.

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**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

ATTACHMENT

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No.: 00-0742

Assessor Parcel No.: 044-023-04 & 05

Project Location: 311 Bonita Drive

Project Description: Structure-mounted PCS wireless facility (New small structure/use) to be attached to an existing commercial facility.

Person or Agency Proposing Project: Franklin Orozco (Whalen & Company)

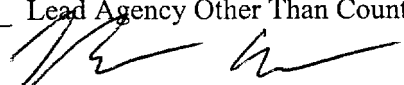
Contact Phone: (831) 419-3700

- A. _____ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
B. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
C. _____ Statutory Exemption other than a Ministerial Project.
Specify type:

D. Categorical Exemption

- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input checked="" type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 30. Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 31. Historical Resource Restoration/Rehabilitation |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 32. In-Fill Development Projects |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Minor Land Divisions | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |
| <input type="checkbox"/> 17. Open Space Contracts or Easements | |
| <input type="checkbox"/> 18. Designation of Wilderness Areas | |
| <input type="checkbox"/> 19. Annexation of Existing Facilities Lots for Exempt Facilities | |

E. _____ Lead Agency Other Than County


Randy Adams, Project Planner

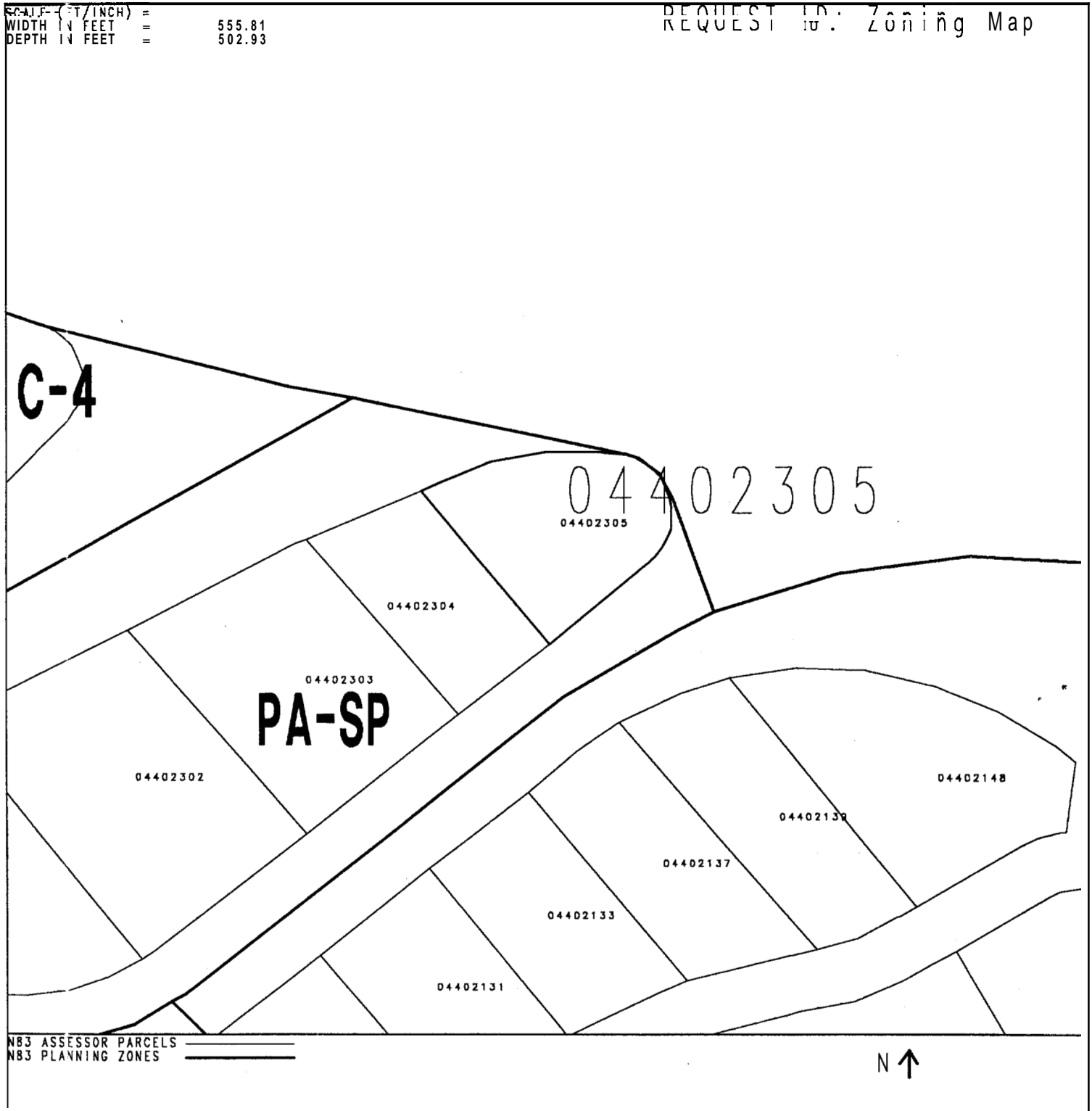
Date: _____

2/1/02

EXHIBIT D

SCALE (FT/INCH) =
WIDTH IN FEET = 555.81
DEPTH IN FEET = 502.93

REQUEST ID: Zoning Map





**Development Permit - Level 5
for
SF54xc440A – Valenda**

Rummonds Building
311 Bonita Drive
Aptos, CA 95003
APN: 044-023-04 & 05



Whalen & Company, Inc.

3875 Hopyard Road., Suite 245
Pleasanton, CA 94588

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PROJECT SUMMARY

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Whalen & Company, Inc.

SPRINT PCS
PROJECT SUMMARY FOR SF54XC440A - VALEDA
RUMMONS BUILDING - 311 BONITA DRIVE

ATTACHMENT

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Petitioner

Sprint Spectrum, L.P., a Kansas Corporation d/b/a Sprint PCS (Sprint), operates the largest 100 percent digital, 100 percent Personal Communication Service (PCS) nationwide wireless network in the United States. Sprint already serves the majority of the nation's metropolitan areas, including more than 4,000 cities and communities across the country. Sprint has licensed PCS coverage of nearly 270 million people in all 50 states, Puerto Rico, and the U.S. Virgin Islands. In March of 1995, Sprint obtained one of two licenses available for the San Francisco Major Trading Area (MTA) from the Federal Communication Commission (FCC). The San Francisco MTA extends from the northern border of California down to the Fresno area. Sprint is also regulated by the Federal Aviation Administration (FAA). As a FCC licensee, Sprint is authorized and obligated to establish a network of PCS sites within their licensed MTA that includes all areas within Santa Cruz County.

Personal Communication Services

Personal Communication Services or "PCS" is the most recent generation of wireless technology. By utilizing digital transmission, PCS is able to dramatically improve the quality of service for wireless consumers. Conventional analog-cellular systems do not have the advantage of speaking in the digital language of computers. This digital transmission allows PCS to outperform traditional cellular in a number of ways, including:

- Improved voice quality and consistency
- Increased security and privacy
- Feature-rich digital service choices such as voice mail, paging, and caller ID
- Digital data capabilities for email, facsimile and internet access
- Alpha numeric paging

PCS Site Selection

In order to meet the basic level of operational radio signal coverage for the San Francisco MTA, Sprint PCS radio frequency (RF) engineers have designed a network of PCS sites. Site selection criteria include limitations imposed by surrounding topography, the intended service area for the PCS site, and the ability of the new site to "see" the proposed coverage area and other sites in the network. Other factors involved in site selection include successful radio testing of the proposed site, availability of electrical and telephone services, lease availability, and the ability to obtain local permits.

Whenever feasible, Sprint strives to acquire sites that blend with local character and are unobtrusive to the community. Existing structures such as water tanks, building rooftops, and

Page 1 of 4



Whalen & Company, Inc.

Sprint PCS
SF54xc440A - Valenda**EXHIBIT G**

of a new structure is required, its proximity to compatible land uses, and its relationship to existing sites in the network play an important role in the site selection. Communication facilities can be thought of links in a chain, one link adds to the next, making the network design larger. Once these links, or communication facilities, are constructed, it is difficult to adjust the network design or move individual sites.

On newly established networks, like in Santa Cruz County, new sites are typically required to either expand the service coverage beyond the major highways or fill-in areas not covered in the existing network. Sprint first initially network deployment in Santa Cruz County was aimed to serve the mobile traffic along Highway 1 and 17 and its adjacent areas (see attached map). After this initial deployment and adjustment to the network, Sprint's RF engineers have identified areas needing additional coverage, as well as areas for possible network expansion.

Property Description

The proposed Sprint facility will be located on a 0.32 acre parcel (APN: 044-023-04 & 05) in the unincorporated area of the Santa Cruz County. The property is on the southeast corner of Highway 1 and Rio Del Mar Boulevard and has direct access to Bonita Drive (see attached location map). The subject parcel is owned by James & Sue Rommunds and is currently improved with a two-story office building, and paved parking areas (see attached site photographs).

The parcel is located within the Professional Office – Salamander Protection (PA-SP) Zoning District and has a base General Plan designation of Office (see attached zoning map). The adjacent properties north of Bonita Drive are similarly developed with professional office uses. Properties south of the subject parcel are all residentially developed.

Nature of Request

Sprint is requesting approval of a Development Permit (Level 5) and related permits to allow the construction of a Personal Communication Service (PCS) facility on the subject parcel. This facility will provide PCS coverage along Highway 1 at the intersection with Rio Del Mar Boulevard as authorized by their FCC license. It is intended to augment the existing network coverage along this major highway corridor (see attached network map). The proposed facility will consist of two panel antennas in a cylinder enclosure, mounted on the roof top of the existing two-story building, a Global Positioning Systems (GPS) antenna, and five equipment cabinets installed on a concrete slab and enclosed by a 264 square foot solid wood fence.

The proposed antenna enclosure "radome" will extend 6 feet above the existing roof of the two-story building. It will be painted a blue to match the existing colors of the roof. The five equipment cabinets will be painted a light gray color and will be fully enclosed by a solid 6-foot high wood fence painted to match the light blue color of the main building.



Zoning Analysis

Sprint's proposed facility is located within the Professional Office – Salamander Protection (PA-SP) Zoning District. Pursuant to Section 13.10.655 of the County of Santa Cruz Zoning Code, the proposed use is categorized as a radio and television transmission towers and accessory uses, which allowed in any zoning district, subject to approval by the Zoning Administrator through a Level 5 Permit.

The proposed facility is also within the Coastal Zone of Santa Cruz County, which requires that all projects in these areas obtain a coastal permit. The County's General Plan Visual Resources section provides policies for protection of scenic areas and highways. These policies require that projects be evaluated against the context of their unique environment and regulated for structure height, setbacks, and design to protect the visual resource area of Highway 1. Sprint's proposed PCS facility was designed and configured in conformance with these general policies and standards. The proposed antenna "radome" structure is a minor addition to the existing building and is in scale to the existing structure. (see attached project photographs of antenna mock-up installation).

Statement of Operations

No nuisances will be generated by the proposed PCS facility, nor will the facility injure the public health, safety, morals or general welfare. PCS technology does not interfere with any other forms of communication whether public or private. To the contrary, PCS technology will provide vital communications in emergency situations and will commonly be used by local residents and emergency personnel to protect the general public's health, safety and welfare.

Once the construction of the PCS facility is complete and the telephone switching equipment is fine-tuned, visitation to the site by service personnel for routine maintenance will occur on the average of once a month. The site is entirely self-monitored and connects directly to a central office where sophisticated computers alert personnel to any equipment malfunction or breach of security.

Because the PCS facility will be unstaffed, there will be no regular hours of operation and no impact to existing traffic patterns. Ingress and egress will be provided along with parking for service personnel who arrive infrequently to service the site. No water or sanitation services will be required.

Compliance with Federal Regulations

Sprint will comply with all FCC rules governing construction requirements, technical standards, interference protection, power and height limitations, and radio frequency standards. In addition, the company will comply with all FAA rules on site location and operation.

Included with this proposal is a Radio Frequency Emissions Report prepared by Hammett & Edison, Inc. (November 6, 2000). This report was prepared in conformance with the Federal



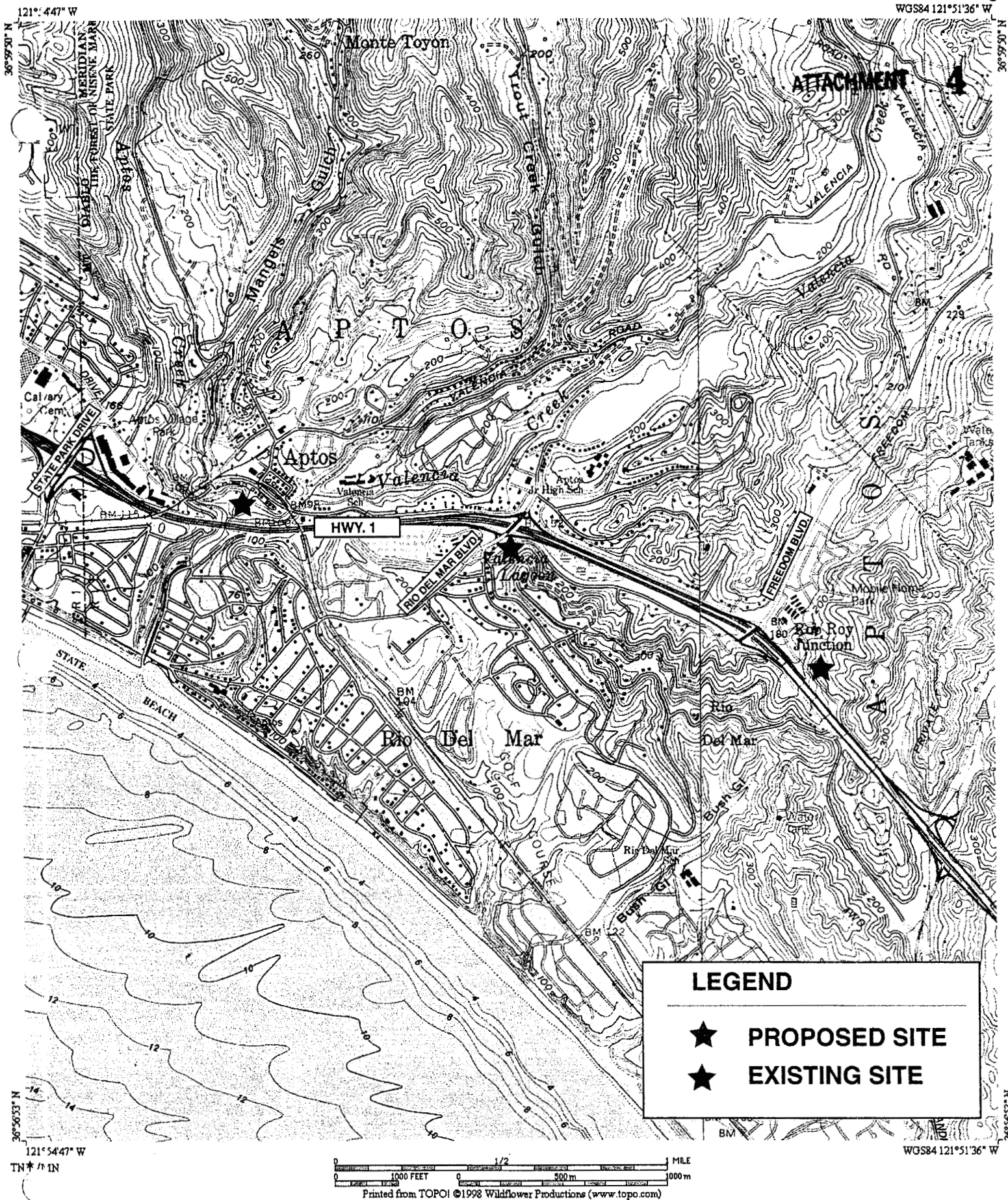
Communications Commission rules and standards for public exposures. The report concludes that the maximum ambient RF levels at ground level will be 0.35% of the applicable public exposure limit. The calculations included in this report include "worst-case" assumptions. Exposure levels inside nearby structures are expected to be even lower.

Benefits to the Community

This site will provide many benefits to Santa Cruz residents, businesses and motorists along this remote stretch of Highway 1. These benefits include the following:

- 3 911 capability allowing motorists to summon emergency aid and report dangerous situations.
- 3 Support for emergency services by providing wireless communications to paramedics, firefighters, and law enforcement agencies for quick response.
- The ability to transmit data allowing for immediate access to vital information.
- 3 A backup system to the land-line system in the event of power outages, natural or man-made disasters.
- 9 Communication capabilities in remote areas, enhancing the safety of travelers by allowing immediate access to emergency assistance.
- 3 Provide quality wireless communications including voice, paging, digital data capabilities for email, facsimile and internet access.
- Enhance the communications systems of residents who chose to telecommute from their homes.





SPRINT'S NETWORK - APTOS AREA

EXHIBIT G

Alternative Analysis

Sprint Radio Engineers have identified the intersection of Rio Del Mar Blvd. and Highway 1 as an in-fill area needing additional coverage along this major freeway corridor (see attached existing coverage map). Currently, two Sprint PCS facilities provide partial coverage to this portion of Highway 1 — FS22xc014 located on #1 Post Office Drive behind a retail shop and FS22xc015 located on 1025 Moon Valley Road. Based on existing coverage data and topographical information, Sprint radio engineers generated a search area as shown on the attached Zoning / Search Area Map. Several properties within this search ring were considered including office/commercial properties on both sides of the freeway. Below is a summary of the positive and negative aspects considered for each candidate. After careful consideration of each candidate, the two-story commercial/office building located at 311 Bonita Drive was determined to be the most feasible site from a technical and environmental perspective. This site has adequate space for Sprint's equipment cabinets within an already screened parking lot. The site is also elevated above the freeway, which provides an opportunity to use the existing building as a mounting structure for Sprint's required antennas in a stealth format without the need to construct a separate freestanding tower. A visual analysis (mock-up), supplemented by additional photographs from the freeway, was also submitted with the initial application materials.

Alternative Sites

| Candidates | Positive aspects | Negative aspects |
|---|---|---|
| 1. Rummonds Building (primary candidate) | <ul style="list-style-type: none"> This candidate is centered within the search area Commercial properties are preferred location under the County Code. Existing professional office building is elevated above Highway 1, which can be used to mount required antennas. Equipment space is available within the parking lot, although limited by zoning. Equipment area can be easily screen by existing landscaping from view. The facility is isolated by Bonita Drive and Highway 1 from other uses. No impacts to Salamander Pond areas as this property drains away the sensitive area. Willing landlord | <ul style="list-style-type: none"> Located within Salamander Protection area. |
| 2. Dear Creek Shopping | <ul style="list-style-type: none"> This candidate is within the search area. Commercial properties are preferred location under the County Code. Existing loading/parking area adjacent to Highway 1 can be used | <ul style="list-style-type: none"> This candidate requires construction of a free-standing tower in the parking/loading area. Equipment space is limited and may require removal of two parking spaces. |

Page 1 of 2



Whalen & Company, Inc.

Sprint PCS
Sf54xc440A - Rummonds

| | | |
|---|--|--|
| | for new tower and equipment location. | <ul style="list-style-type: none"> Landlord did not respond to Sprint's initial proposal and refuse to sign a drive test agreement. This site is technically feasible with construction of a free-standing tower, but not environmentally superior to the primary candidate. |
| 3. AM/PM Gas Station | <ul style="list-style-type: none"> This candidate is within the search area Commercial properties are preferred location under the County Code. | <ul style="list-style-type: none"> This site has a single story building with no adequate space for Sprint's equipment, therefore it was not technically feasible location. |
| 3. Fire Station | <ul style="list-style-type: none"> This candidate is within the search area. Existing public facilities are preferred locations under the County Code. | <ul style="list-style-type: none"> This property is further away from Highway 1 and requires a substantially tall tower immediately adjacent to residential homes. The Fire Station is tightly developed on the subject parcel and there was virtually no space for Sprint's equipment. Landlord did not respond to Sprint's initial proposal and refuse to sign a drive test agreement. |
| 4. Commercial buildings North of Highway 1 (see delineated red boundary on the attached map) | <ul style="list-style-type: none"> These candidates are within the search area. Commercial properties are preferred location under the County Code. A few of these commercial sites has adequate equipment space available for Sprint's equipment. | <ul style="list-style-type: none"> The commercial properties West of Rio Del Mar Blvd. are lower in elevation from Highway 1 and would have required construction of a new supporting tower. The commercial properties East of Rio Del Mar Blvd. are lower in elevation from Highway 1 and are much more visible than the primary candidate. Construction of a supporting tower is also required in this area. Increase visibility of both equipment and antenna tower were considered to be less environmentally superior to the primary candidate. |

Note: See attached map for site locations







Zoning / Search Area Map SF54xc440 – Valenda

PROJECT PHOTOGRAPHS

2



Whalen & Company, Inc.



View of the project site and antenna mock-up from Rio Del Mar Blvd. facing East



View of the project site and antenna mock-up from Bonita Drive facing West

Site Photographs



Whalen & Company, Inc.

Sprint PCS
SF54xc440A- Valenda



View of the site parking lot and location of Sprint's equipment



View of proposed Sprint's equipment area adjacent to the West property line

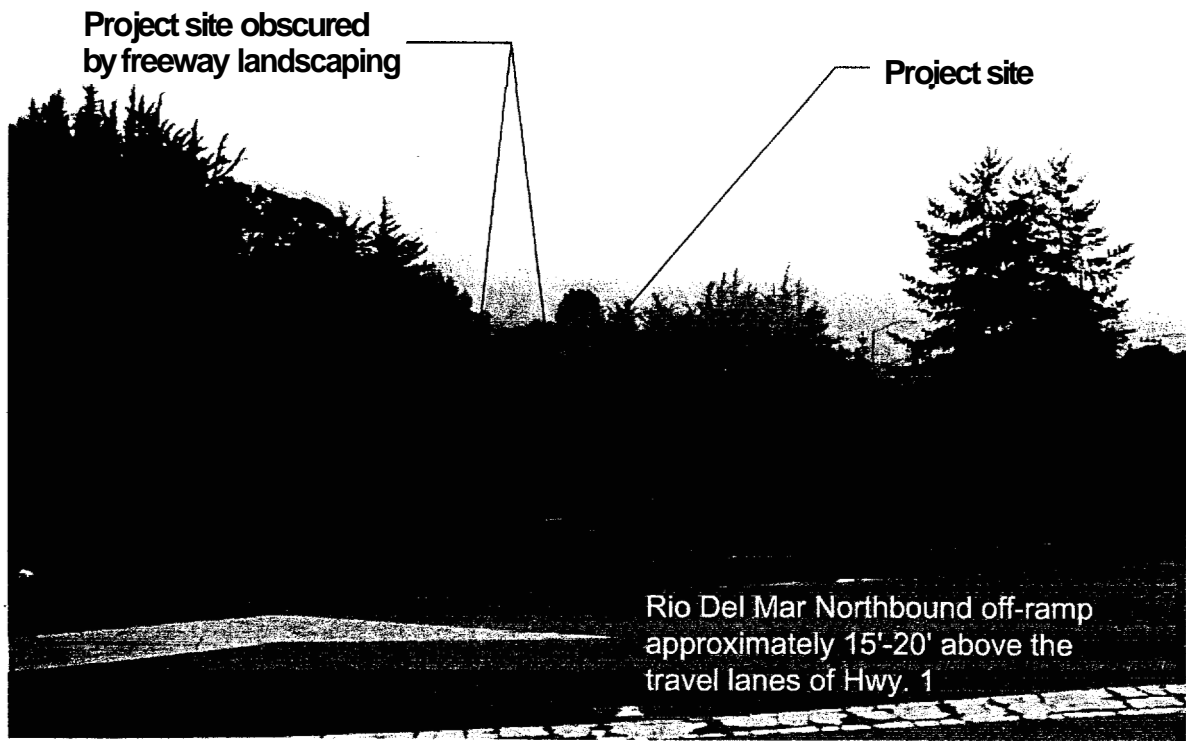
Site Photographs



Whalen & Company, Inc.

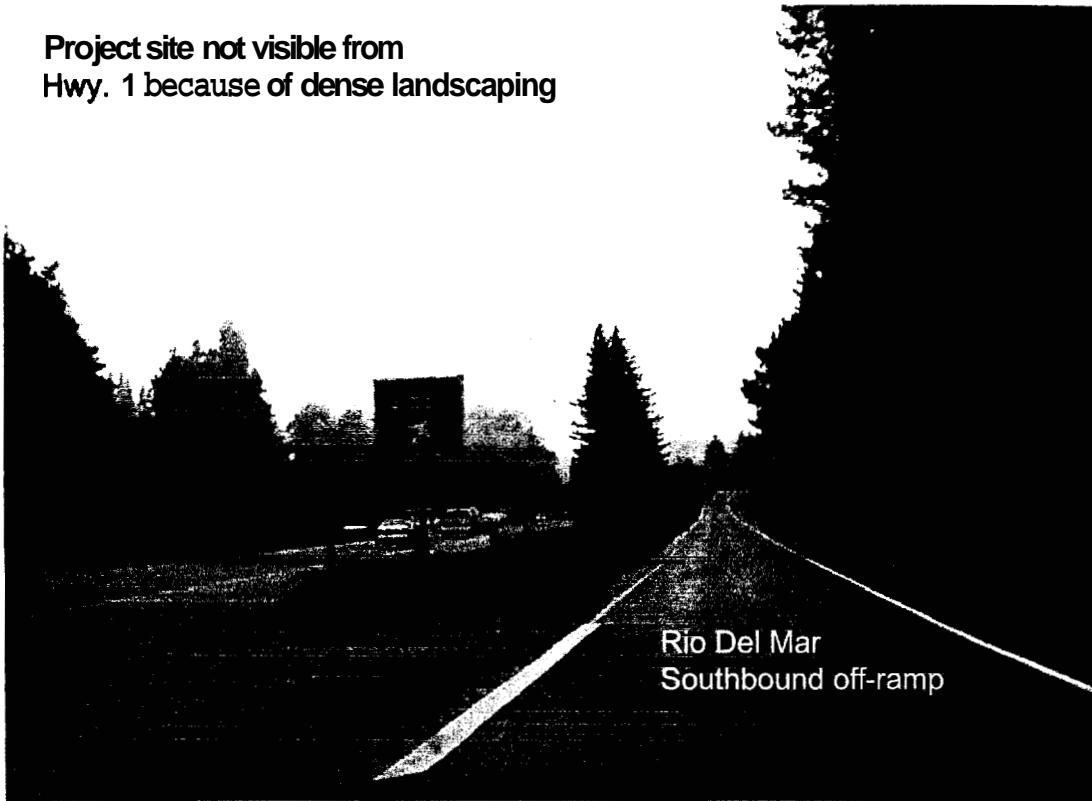
sprint PCS
SF54xc440A-- Valenda

EXHIBIT G



Sprint PCS • SF54xc440A • Rummonds Bldg.
Visual Analysis from Highway 1

Project site not visible from
Hwy. 1 because of dense landscaping



Project site obscured
by freeway landscaping



Sprint PCS - SF54xc440A - Rummonds Bldg.
Visual Analysis from Highway 1

PROJECT JUSTIFICATIONS & FINDINGS

3



Whalen & Company, Inc.

EXHIBIT G

COUNTY OF SANTA CRUZ
PROJECT JUSTIFICATIONS & FINDINGS FOR APPROVAL

1. The proposed project will not be injurious to the general public, nor be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood.

Sprint PCS (Sprint) is proposing to construct a Personal Communication Service (PCS) facility within the Professional Office – Salamander Protection (**PA-SP**) Zoning District **on** property located at **311** Bonita Drive. The new facility will consist of two transmitting panel antennas within a cylinder “radome” enclosure mounted **on** the rooftop of a two-story office building. New equipment cabinets will be mounted **on** a concrete slab in the existing parking area enclosed by a six-foot solid wood fence. The proposed installation is in scale and compatible to the existing office building. The small footprint proposed for the new equipment cabinets will not be detrimental to or endanger the public health, safety, morals or general welfare. The area proposed for the new cabinets is already a dedicated and approved parking space and will not reduce the parking requirements for all on-site uses.

Sprint’s project will comply with all FCC rules governing construction requirements, technical standards, interference protection, power and height limitations, and radio frequency standards. **In** addition, the company will comply with all FAA rules **on** site location and operation. A Radio Frequency Emissions Report prepared by Hammett & Edison, Inc. (November **6, 2000**). This report was prepared **in** conformance with the Federal Communications Commission rules and standards for public exposures. The report concludes that the maximum ambient RF levels at ground level will be **0.35%** of the applicable public exposure limit. The calculations included in this report include “worst-case” assumptions. Exposure levels inside nearby structures are expected to be even lower.

PCS technology does not interfere with any other form of communication, whether public or private. To the contrary, PCS technology provides vital communications in emergency situations and will commonly be used by local residents and emergency personnel to protect the general public's health, safety and welfare.

2. The proposed site is consistent with the uses allowed under the zoning ordinance and will operate in accordance with all County Ordinances and conditions imposed by its permit.

Pursuant to Section **13.10.655** of the County Zoning Code, radio and television transmission towers and accessory uses are allowed in any zoning district subject to approval by the Zoning Administrator through a Level **5** Permit. The proposed facility is consistent and compatible with the allowable uses in the PA-SP Zoning District. There will be little impact **on** the character of the locality, with no adverse effect **on** future development in the area. Enhanced wireless communications system along Highway **1** will provide the general public with high quality communication system that can be used to summon for help or report emergency situations in this area. Further,

Page 1 of 2



Whalen & Company, Inc.

Sprint PCS
SF54xc440A - Valenda

EXHIBIT G

Sprint's wireless facility will operate in accordance with all County Ordinances and conditions imposed by its permit.

3. 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.

The subject property is designated Office in the Santa Cruz County General Plan. The General Plan policies for this designation aim to provide non-retail commercial uses compatible with adjacent residential development. The proposed wireless communication is a passive use that will not interfere with current uses of the property, it will not generate additional traffic to the area, and is design to mitigate visual impacts to adjacent roads and residential areas. Therefore, the proposed facility will be in harmony with the general and specific purposes of zoning code, objectives of the General Plan, and existing development in the immediate area.

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

The only utilities necessary for this facility are electricity and telephone, both of which are available on-site. Access to the facility will be via a private driveway from Bonita Drive. The wireless facility is an unmanned facility and, accordingly, there will be **no** impact to the existing traffic patterns nor will there be any need for additional access roads. Maintenance personnel will visit the site **on** the average of once **or** twice a month, and thus, the safety and efficiency of public roads will be maintained. Site plans submitted together with this application, reflect that provisions have been made for utilities and access.

The facility is electronically monitored and connected to a sophisticated central computer system that detects any breach of security or other danger. There will be **no** additional impacts to existing police and fire protection with the construction of this facility.

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

Sprint is proposing to construct a **PCS** facility consisting of a roof mounted panel antennas enclosed within a "radome" cylinder, and equipment cabinets **on** a concrete slab. Sprint was sensitive in selecting a site that will minimize the visual impacts **on** the surrounding property and along Highway 1, thus its facility will be compatible with the 'existing environment and will not disrupt future development of the area.



PROJECT PLANS

4

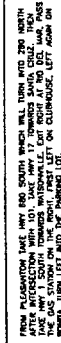


Whalen & Company, Inc.



**RUMMONDS BUILDING
SF54xc440A**

**311 BONITA DRIVE
APTOS, CA 95003
COUNTY OF SANTA CRUZ**



DRIVING DIRECTIONS

[illegible]

SURVEYOR:

NAME: OGDEN OGDEN GROUP, INC.
ADDRESS: 10000 W. 10TH AVE.
CITY, STATE, ZIP: SAN LUIS OBISPO, CA 93401
COUNTRY: U.S.A.
TELEPHONE: (805) 344-1327
FAX: (805) 344-1327

ARCHITECT:

NAME: OGDEN OGDEN GROUP, INC.
ADDRESS: 10000 W. 10TH AVE.
CITY, STATE, ZIP: SAN LUIS OBISPO, CA 93401
COUNTRY: U.S.A.
TELEPHONE: (805) 344-1327
FAX: (805) 344-1327

ELECTRICAL ENGINEER:


NAME: J. ALAMAR INC., SUITE B
ADDRESS: 118 S. ALAMAR AVE.
CITY, STATE, ZIP: JOHN MONTANA, CA 93370
COUNTRY: U.S.A.
TELEPHONE: (805) 899-3375
FAX: (805) 396-2420



PROJECT TEAM

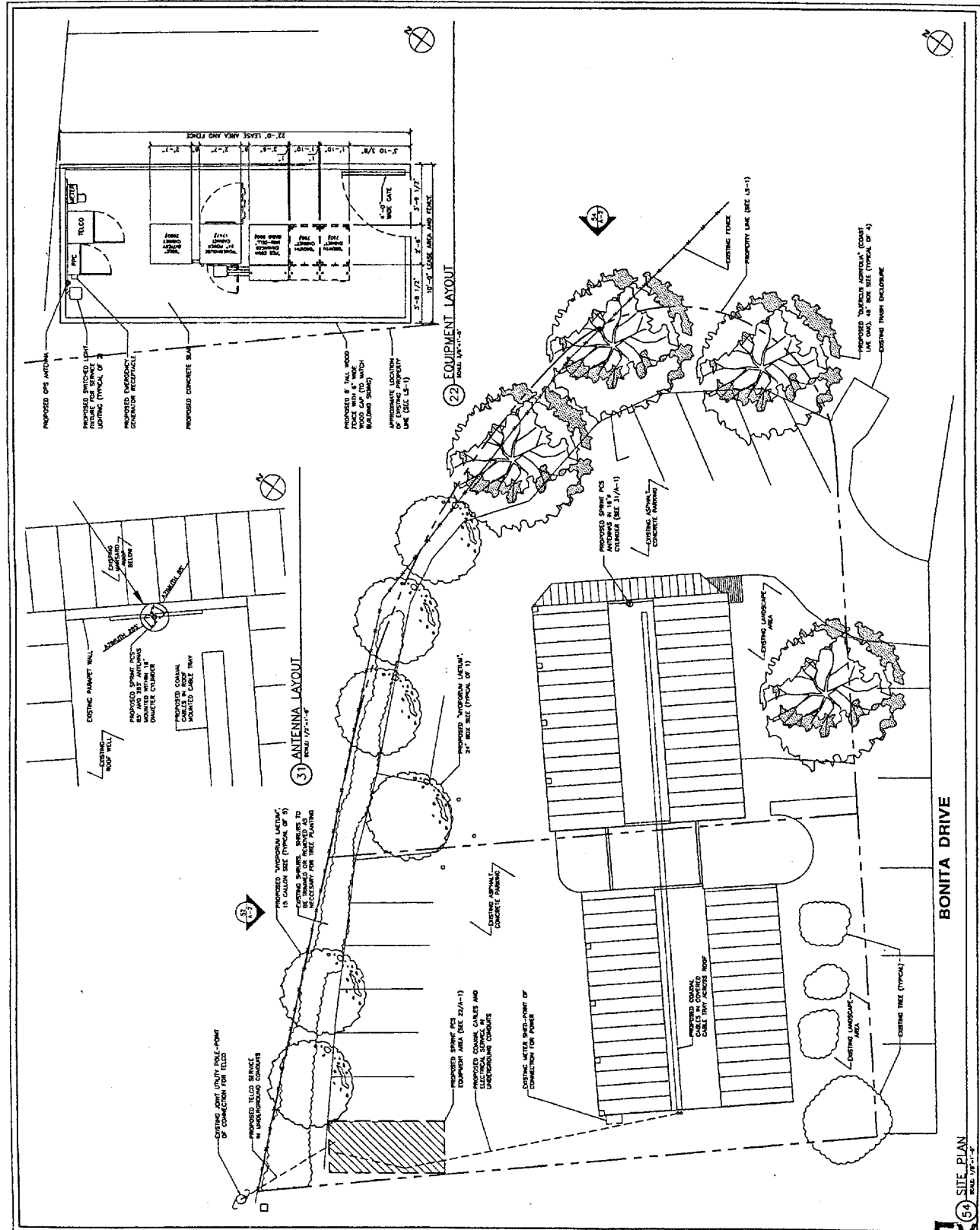
DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS OF WORK PRIOR TO BEGINNING OF WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES AND BEING IN ACCORDANCE WITH THE REVISIONS TO THE CONTRACT.

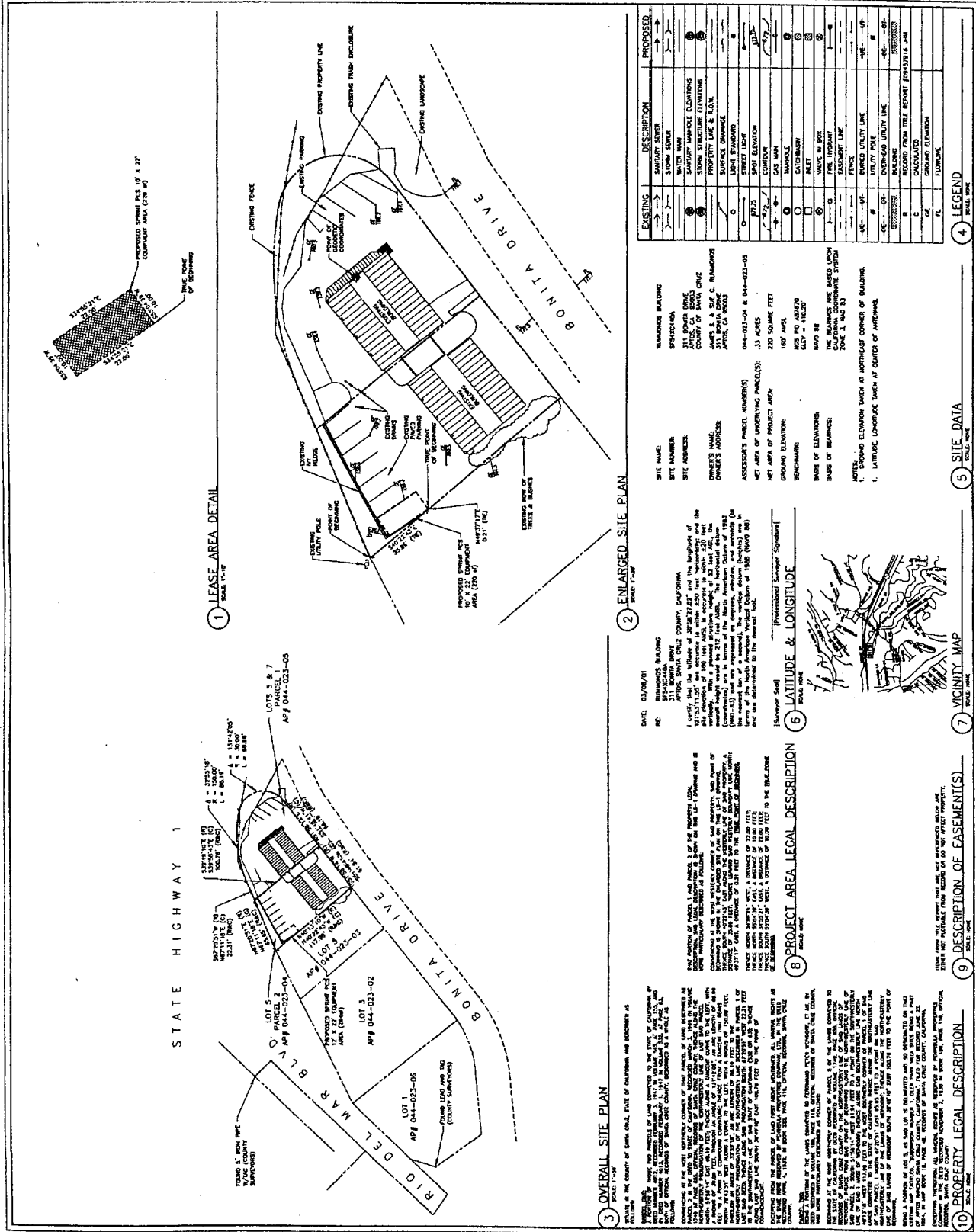
GENERAL CONTRACTOR NOTES

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|--|--|--|--|-----------------|----|--|------------------|----|--|--------|----|--|------------------------|----|--|------------------|----|--|-----------------------|----|--|--------------------|--|--|--|
|  | <p>4683 CHARTER DRIVE, SUITE 100 PLEASANTON, CA 94588</p> <p>PROJECT INFORMATION:</p> <p>RUMMONDS BUILDING SE54964ADA 311 BOWEN DRIVE APTOS, CA 95003 COUNTY OF SANTA CRUZ</p> | <p>CURRENT ISSUE DATE: 3/19/01</p> <p>ISSUED FOR: 100% ZONING</p> | <p>REV. DATE: DESCRIPTION: BY:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"></td> <td style="width: 55%;"></td> <td style="width: 30%;"></td> </tr> <tr> <td></td> <td>ADD LANDSCAPING</td> <td>SH</td> </tr> <tr> <td></td> <td>INCORPORATE REV.</td> <td>SH</td> </tr> <tr> <td></td> <td>SURVEY</td> <td>RB</td> </tr> <tr> <td></td> <td>ISSUED FOR 100% ZONING</td> <td>SA</td> </tr> <tr> <td></td> <td>ISSUED FOR LEASE</td> <td>SA</td> </tr> <tr> <td></td> <td>ISSUED FOR 30% ZONING</td> <td>SA</td> </tr> </table> <p>COORDINATING CIVIL ENGINEER:</p> | | | | | ADD LANDSCAPING | SH | | INCORPORATE REV. | SH | | SURVEY | RB | | ISSUED FOR 100% ZONING | SA | | ISSUED FOR LEASE | SA | | ISSUED FOR 30% ZONING | SA | <p>OMNIA DESIGN CENTER, INC. 10000 N. 10TH AVE., SUITE 100 DENVER, CO 80231 TEL: 303.751.1000 FAX: 303.751.1001 WWW.OMNIADESIGN.COM</p> | <p>CONSULTANT:</p> | <p>DRAWN BY: CHK. BY:</p> <p>SA RB -</p> <p>LICENSE:</p> | <p>SHEET TITLE: TITLE SHEET</p> | <p>SHEET NUMBER: REVISION:</p> <p>T-1</p> <p>560-49A</p> |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ADD LANDSCAPING | SH | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | INCORPORATE REV. | SH | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | SURVEY | RB | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ISSUED FOR 100% ZONING | SA | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ISSUED FOR LEASE | SA | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ISSUED FOR 30% ZONING | SA | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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|---|--|--|---------------------------------------|-----------------------------------|--|--|--------------------|-----------------------------|------------------|--|--|
|  Sprint. 4683 CHURCH DRIVE, SUITE 100 PLEASANTON, CA 94588 | PROJECT INFORMATION: RUMMONDS BUILDING SF54xc440A 311 BONITA DRIVE APTOS, CA 95003 COUNTY OF SANTA CRUZ | | CURRENT ISSUE DATE: 3/19/01 | ISSUED FOR: 100% ZONING | REV. DATE: DESCRIPTION: 3/19/01 ADD LANDSCAPING PER WALKER SH 2/12/01 PRELIMINARY REV. SH 11/21/00 ISSUED FOR 100% ZONING RB 11/3/00 ISSUED FOR LEASE SA 10/11/00 BOX ZONING SA |  GSE ENGINEERING 10000 BAYVIEW AVENUE, SUITE 200 SAN FRANCISCO, CA 94134 415.774.8800 WWW.GSE-ENGINEERING.COM | CONSULTANT: | DRAWN BY: CHL-APV | CONCRETE: | SHEET TITLE: SITE PLAN, ANTENNA AND EQUIPMENT LAYOUT | SHEET NUMBER: A-1 REVISION: 560-69A |
| | | | | | | | | | | | |



| | |
|---|--|
| | |
| 4683 CHABOT DRIVE, SUITE 100 PLEASANTON, CA 94588 | |
| PROJECT INFORMATION: RUMMONDS BUILDING SFS-044-004 311 BONITA DRIVE APTOS, CA 95003 COUNTY OF SANTA CRUZ | |
| CURRENT ISSUE DATE: 3/19/01 | |
| ISSUED FOR: 100% ZONING | |
| REV. DATE: 3/19/01 DESCRIPTION: ADD LANDSCAPING PER WHOLEN | REV. DATE: 2/12/01 DESCRIPTION: INCORPORATE REV. SURVEY |
| REV. DATE: 11/21/00 DESCRIPTION: ISSUED FOR 100% ZONING | REV. DATE: 11/3/00 DESCRIPTION: ISSUED FOR LEASE |
| REV. DATE: 10/11/00 DESCRIPTION: ISSUED FOR BUS CORING | |
| COORDINATING CIVIL ENGINEER: | |
| CONSULTANT: DRAWN BY: CHK: APP: | |
| LICENSE: | |
| SHEET TITLE: SITE SURVEY AND GENERAL INFORMATION | |
| SHEET NUMBER: LS-1 | |
| 500-69A | |

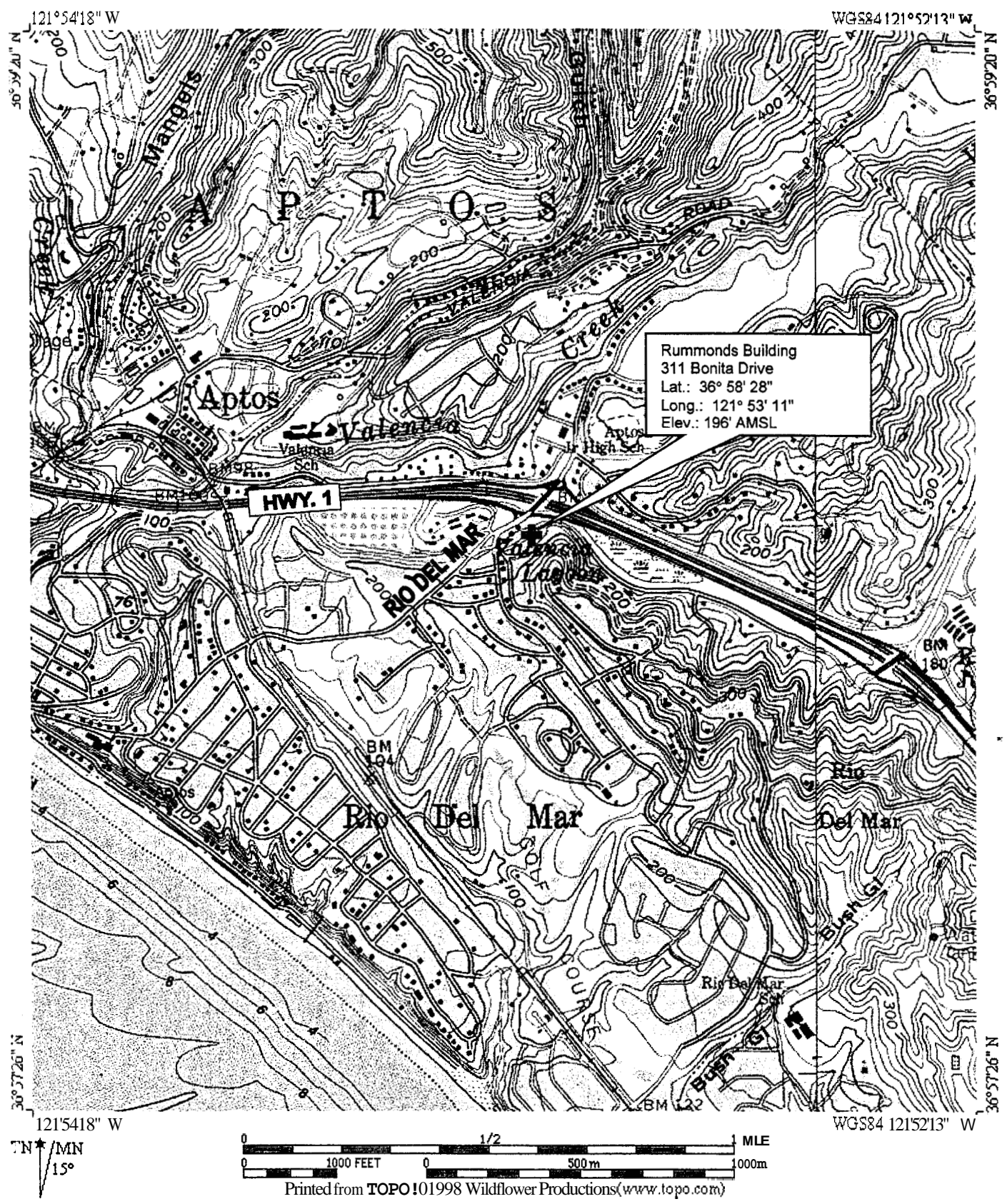


EX-117

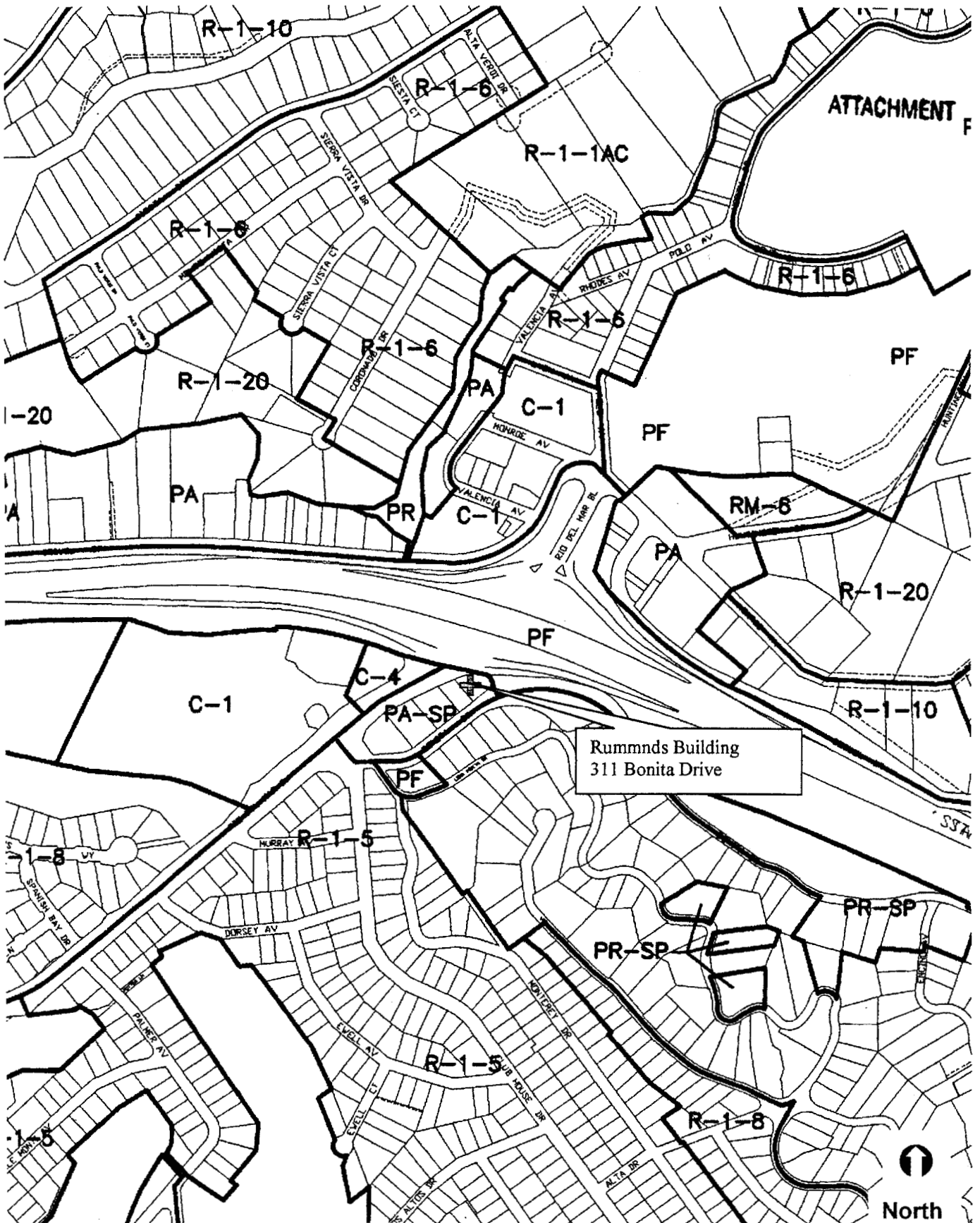
ASSESSOR'S PARCEL & LOCATION MAP

5





ATTACHMENT F 4



Whalen & Company, Inc.

Zoning Map
SF54xc440 - Valenda

EXHIBIT G

RF EMISSIONS REPORT

6



Whalen & Company, Inc.

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Sprint PCS, a wireless telecommunications carrier, to evaluate the proposed PCS base station facilities to be located at 311 Bonita Drive in Aptos, California (Site No. SF54xc440A), for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields.

Prevailing Exposure Standards

The U.S. Congress has required of the Federal Communications Commission ("FCC") that it evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the National Council on Radiation Protection and Measurements ("NCRP"). A summary of the exposure limits contained in NCRP-86 is shown in Figure 1. Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent American National Standards Institute ("ANSI") Standard C95.1-1992, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes nearly identical exposure limits.

The most restrictive thresholds for exposures of unlimited duration to radio frequency ("RF") energy for several personal wireless services are as follows:

| <u>Personal Wireless Service</u> | <u>Approx. Frequency</u> | <u>Occupational Limit</u> | <u>Public Limit</u> |
|------------------------------------|--------------------------|---------------------------|-------------------------|
| Personal Communication ("PCS") | 1,950 MHz | 5.00 mW/cm ² | 1.00 mW/cm ² |
| Cellular Telephone | 870 | 2.90 | 0.58 |
| Specialized Mobile Radio | 855 | 2.85 | 0.57 |
| [most restrictive frequency range] | 30-300 | 1.00 | 0.20 |

General Facility Requirements

Because of the short wavelength of the frequencies assigned for personal wireless services, the antennas require line-of-sight paths for their signals to propagate. Antennas for base station use are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the limits without being physically very near the antennas.

Computer Modeling Method

The FCC has provided direction for determining compliance in the Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. The attached Figure 2 describes the ground level calculation methodology in detail and the computerized techniques for modeling particular sites. This method of evaluating expected exposure conditions is accepted by the FCC, and its conservative nature has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by Sprint, including zoning drawings prepared by Omni Design Group, Inc., dated October 11, 2000, it is proposed to install two EMS panel antennas within a fiberglass cylinder to be located above the roof of the one-story commercial building located at 311 Bonita Drive in Aptos. The antennas would have an effective height of about 27¹/₂ feet above ground, with a maximum effective radiated power in any direction of 1,000 watts. One Model RR6518-02DP would be oriented towards 110°T and one Model RR9017-02DP would be oriented towards 270°T. There are no other wireless telecommunications facilities nearby.

Study Results

The maximum ambient RF level anywhere at ground level due to the proposed Sprint operation is calculated to be 0.0055 mW/cm², which is 0.55% of the applicable public exposure limit. It should be noted that this result includes several "worst-case" assumptions and therefore is expected to overstate actual power density levels.

Recommended Mitigation Measures

Since they are to be mounted above the roof of a commercial building, the Sprint antennas will 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 6¹/₂ feet directly in front of the Sprint antennas, such as might be possible with roof access, scaffolding, or a bucket truck, should be allowed while the site is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs* at the antennas, such that they would be readily visible from any angle of approach to persons who might need to work near the antennas, would be sufficient to meet FCC-adopted guidelines.

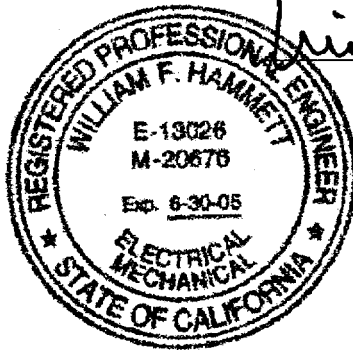
Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the base station facilities proposed by Sprint at 311 Bonita Drive in Aptos, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need 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, 2005. 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.

September 27, 2001



William F. Hammett
William F. Hammett, P.E.

* Warning signs should comply with ANSI C95.2 color, symbol, and content conventions. In addition, 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.



Report No. 86 (Published 1986)
"Biological Effects and Exposure Criteria
for Radiofrequency Electromagnetic Fields"

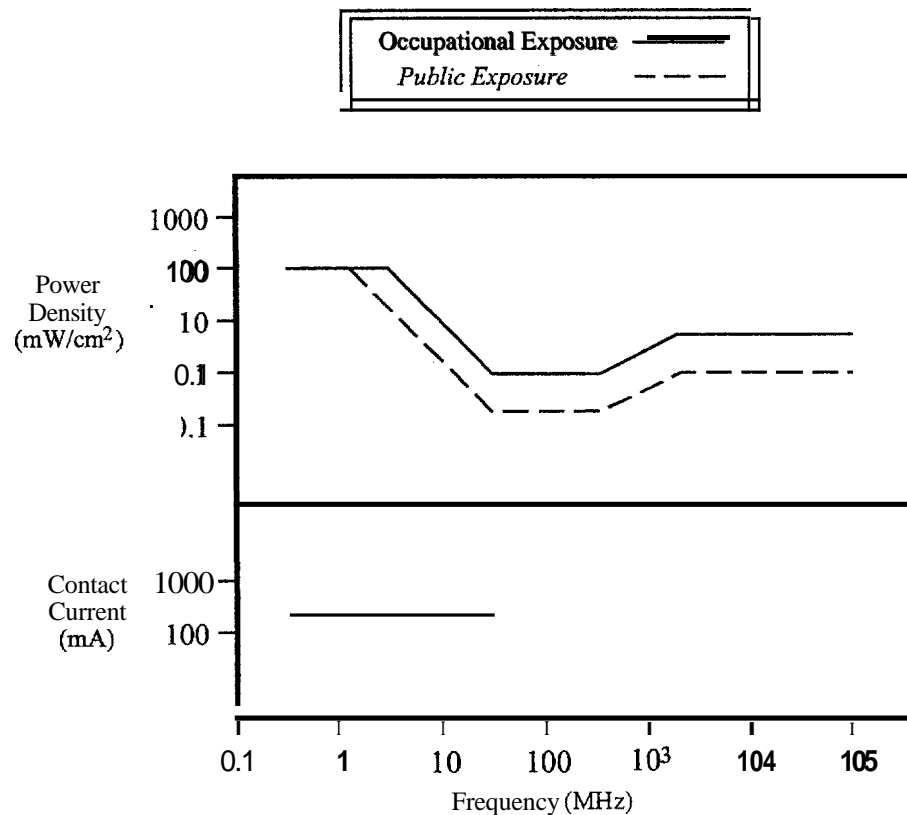
ATTACHMENT

4

Radio Frequency Protection Guide

| <u>Frequency</u> | <u>Electromagnetic Fields</u> | | | | | | <u>Contact Currents</u> |
|------------------------------|-------------------------------------|---------|-------------------------------------|--------|--|--------------------|-------------------------|
| Applicable Range (MHz) | Electric Field Strength (V/m) | | Magnetic Field Strength (A/m) | | Equivalent Far-Field Power Density (mW/cm ²) | | |
| 0.3 – 1.34 | 614 | 614 | 1.63 | 1.63 | 100 | 100 | 200 |
| 1.34 – 3.0 | 614 | 823.84 | 1.63 | 2.19/f | 100 | 180/f ² | 200 |
| 3.0 – 30 | 1842/f | 823.8/f | 4.89/f | 2.19/f | 900/f ² | 180/f ² | 200 |
| 30–300 | 61.4 | 27.5 | 0.163 | 0.0729 | 1.0 | 0.2 | no limit |
| 300 – 1,500 | 3.54√f | 1.59√f | √f/106 | √f/238 | f/300 | f/1500 | no limit |
| 1,500 – 100,000 | 137 | 61.4 | 0.364 | 0.163 | 5.0 | 1.0 | no limit |

Note: f is frequency of emission, in MHz.



RFR.GROUND™ Calculation Methodology
Determination by Computer
of Compliance with Human Exposure limitations

ATTACHMENT 4

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in 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 Institute of Electrical and Electronics Engineers ("IEEE") Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes nearly identical exposure limits. These limits apply for continuous exposures from all sources and are intended to provide an adequate 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.

The FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives the formula for calculating power density from an individual radiation source:

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

where VERP = 0.4 x total peak visual ERP (all polarizations), in kilowatts for NTSC,
 = average power (all polarizations), in kilowatts for DTV,

AERP = total aural 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 0.4 converts NTSC peak visual ERP to an average RMS value; for FM, cellular, and PCS stations, of course, the value of VERP is zero. The factor of 100 in the numerator converts to the desired units of power density.

This formula has been built into a computer program by Hammett & Edison 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 the actual terrain at the site to obtain more accurate projections.



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

December 28, 2000

Whalen Company
1013 Captain's Court
Santa Cruz, CA 95062
attn: Franklin Orozco

Subject: Application # **00-0742**; Assessor's Parcel #: **44-023-04,05**
Owner: **James and Sue Rummonds**

Dear Franklin:

This letter is to inform you of the status of your application. On November 28, 2000, you submitted the above referenced application for a Amendment to a Commercial Development Permit with the Santa **Cruz** County Planning Department. The initial phase in the processing of your application is an evaluation of whether enough information has been submitted to continue processing the application (the 'completeness' determination). This is done by reviewing the submitted materials, other existing files and records, gathering input from other agencies, conducting a site visit and carrying out a preliminary review to determine if there is enough information to evaluate whether or not the proposal complies with current codes and policies.

These preliminary steps have been completed and it has been determined that additional information and/or material is necessary. At this stage, your application is considered **incomplete**. For your proposal to proceed, the following items should be submitted:

1. Please explore the possibility of camouflaging the antenna in an architectural feature rather than having it directly visible.
2. The existing complex is significantly out of compliance with the originally approved landscaping plan: four large oaks have been removed, nine required 15 gallon screening trees along the northern property line were never planted or were subsequently removed and two existing acacia were removed. Before your application can be approved, a landscape plan should be submitted showing how the property will be brought back into compliance. Please contact me for an appointment so we can discuss the alternatives. In general, the oaks will have to be replaced by specimen trees, the nine screening trees must be planted and the acacias replaced

EXHIBIT H

(also by 15 gallon stock). The specimen trees will be coast live *oak* and the others are negotiable. Stock selection and planting will be under the direction of an arborist. Planting locations will be to the north, northeast and east.

You should submit the required materials to me and/or the noted agencies at one time. You have until February 28, 2001, to submit the information indicated. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees. You should contact me if there are extenuating circumstances which you believe warrant additional time.

Alternatively, you may withdraw the application and any unused fees will be refunded to you. If you wish to withdraw the application, please notify me in writing.

You have the right to appeal this determination that the application is incomplete pursuant to Section 18.10.300 of the County Code and Section 65943 of the Government Code. To appeal, submit a \$195.00 fee and a letter addressed to the Planning Director stating the determination appealed from, and the reasons you feel the determination is unjustified or inappropriate. The appeal letter and fee must be received by the Planning Department no later than 5:00 p.m., January 12, 2001

Should you have further questions concerning your application, please contact me at (831) 454-3097.

Sincerely,

Dave Johnston
Project Planner
Development Review

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

ATTACHMENT

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4

Project Planner: David Johnston
Application No.: 00-0742
APN: 044-023-04

Date: December 28, 2000
Time: 09:12:37
Page: 1

Dpw Road Engineering Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 7, 2000 BY RODOLFO N RIVAS =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 7, 2000 BY RODOLFO N RIVAS =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON DECEMBER 18, 2000 BY JIM G SAFRANEK =====
===== UPDATED ON DECEMBER 18, 2000 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

===== REVIEW ON DECEMBER 18, 2000 BY JIM G SAFRANEK =====
If hazardous materials (batteries) are to be used, stored or generated on site, contact the appropriate Hazardous Material Inspector in Environmental Health at 454-2022 to determine if a permit is required.

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 20, 2000 BY ERIN K STOW =====
DEPARTMENT NAME: Aptos/La Selva Fire Dept.

A Fire Department building requirements and fees **W** be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 20, 2000 BY ERIN K STOW =====
NO COMMENT

EXHIBIT **H**



Whalen & Company, Inc.

3875 Hopyard Road, Suite 245
Pleasanton, CA 94588
(925) 730-3941

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ATTACHMENT **4**

March 21, 2001

Dave Johnston
Project Planner
County of ~~Santa~~ Cruz, Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Subject: Sprint PCS wireless facility
Application #00-0742; Parcel Number 44-023-04 & **05**
311 Bonita Drive, Aptos, CA

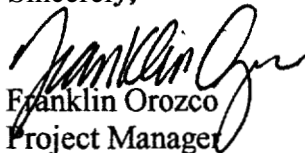
Dear Dave:

Attached are three full size copies and one reduced copy of the revised plans. The plans include replacement of four **(4)** oaks and **six (6)** Myoporum Laetum trees at the agreed upon locations **per** our on-site meeting of February 27, 2001.

In response to item #1 of your December 28, 2000 letter, the proposed flat panel antennas will be installed inside a cylindrical enclosure, which will provide screening/camouflaging of the antennas and coaxial cables. The exterior **of** this enclosure will be painted to match **the** color of the office building.

I hope that this satisfies your initial requirements. If **you** have any questions, please call me at your earliest convenience.

Sincerely,


Franklin Orozco
Project Manager

Attachments: Revised plan sets dated **3-19-2001**

EXHIBIT **14**


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COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
MEMORANDUM

ATTACHMENT 4

DATE: . October 3, 2001

TO: Randy Adams

FROM: Paia Levine 

SUBJECT: Categorical exemptions and scenic highways
 (Application #'s 00-0742 & 00-0751)

This memo is in regards to our earlier discussion regarding exemptions from **CEQA** for projects located in the viewshed of a scenic highway. In general, projects within the viewshed of a scenic highway are not eligible for an exemption per 15300.2.d (Exceptions).

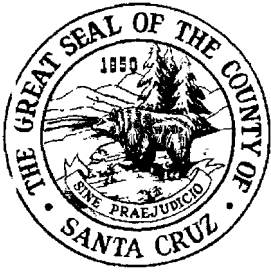
15300.2. Exceptions

(d) Scenic Highways. A categorical exemption shall not be used for a project **which may result in damage to scenic resources**, including but not limited to, trees, historic buildings, **rock** outcroppings, or similar resources, within a highway **officially** designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

However, when it is clear that the project does not have the potential to damage scenic resources, as in these cases where the projects are camouflaged and/or concealed by heavy vegetation and topography, the exception 15300.2.d does not apply, and a categorical exemption may be appropriate.

The project planner, in consultation with the Environmental Coordinator, may make the determination as to whether a project may result in "damage to scenic resources" for projects that are proposed within the viewshed of a scenic highway.

EXHIBIT H



County of Santa Cruz

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ATTACHMENT 5

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

List of Speakers at October 19, 2001 Zoning Administrator Hearing:
(with general summary of issues discussed)

- **Franklin Orozco** (Applicant) – Information & statements in support of application.
- e **Stephanie Proscutti** (Adjacent neighbor) – Public noticing of project. Impact of project on private views, potential wildlife impacts, limitations of the Salamander Protection zone, Highway One scenic area, and radiation emitted by facility. Project considered as materially injurious to adjacent property owners. Opposed to project.
- **Ken Zimmerman** (Adjacent Neighbor) – Public noticing of project, design issues, and radiation emitted by facility. Project considered as materially injurious to adjacent property owners. Opposed to project.
- e **Ellen Pirie** (2nd District Supervisor) – Expressed concern over adequacy of public noticing and requested a re-noticing of the project for adequate public response. Provided e-mail from Paul Coffman, expressing concern for project (attached to this speaker list).
- **Kathy Michaels** (Adjacent Neighbor) – Possible alternative sites. Opposed to project.
- **Jim Morley** (La Selva Improvement Association) – Salamander Protection zone. Radiation emitted by facility.
- **Franklin Orozco** (Applicant) – Rebuttal to public testimony. Additional statements in support of application.

List of Speakers at February 1, 2002 Zoning Administrator Hearing:
(with general summary of issues discussed)

- e **Franklin Orozco** (Applicant) – Information & statements in support of application.
- e **Stephanie Proscutti** (Adjacent neighbor) – Radiation emitted by facility, possible alternative sites, landscaping/screening. Opposed to project.
- **Tracy Zimmerman** (Adjacent Neighbor) – Radiation emitted by facility, possible alternative sites. Project considered as materially injurious to adjacent property owners. Opposed to project.
- **Jim Morley** (La Selva Improvement Association) – Radiation emitted by facility.
- **Marilyn Garrett** (School Teacher/Freedom Boulevard Resident) – Radiation emitted by facility.
- **Franklin Orozco** (Applicant) – Rebuttal to public testimony. Additional statements in support of application.

Ellen Pirie

From: Paul Coffman [pcoffman@Graniterock.com]
Sent: Wednesday, October 17, 2001 8:03 AM
To: 'Ellen.Pirie@co.santa-cruz.ca.us'
Subject: Hearing on 10/18 Re: Cell tower at 311 Bonita Dr.

Dear **Ms.** Pirie:

I would really like to be able to attend the hearing regarding placement of a cell tower at 311 Bonita Drive, but unfortunately, I have to be at work during the time the hearing is scheduled. Furthermore, I would have liked to have been able to address this issue with you at Rancho Del Mar this morning, but I am working today also.

I have recently moved to Santa Cruz county from San Benito county, and live directly behind the subject property, my address being 421 Loma Prieta Drive. My wife and I have three small children: two girls, ages six and four, and one boy, aged two. I moved to Santa Cruz county, and this property in particular, for many reasons. One reason is the country, 'woody' feel of the area, yet proximity to the ocean and all its benefits. Our property is not necessarily secluded, yet we are not in a confined, close subdivision. We are secluded by the geography of the 'mountain' we live on and the trees and natural surroundings. We love it, basically.

When searching for a home, one of our criteria was not being in close proximity to high voltage power lines, or cellular phone installations. We originally lived on the US Eastern Seaboard where power line issues were subjects of great debate. My wife and I educated ourselves on the subject, as our children are our responsibility, and we owe it to them to give them every opportunity possible to live a happy, healthy life, and to succeed in that life. We are passionate about this subject. We turned down many wonderful homes in our lifetime because they were too close to power lines or cellular installations. Imagine my feelings when one of the first pieces of mail I received after moving in was the notice of the public hearing on this very subject.

I do not know to what extent your knowledge of the 'two sides of debate' are on power and cell sites. I am assuming you are well aware of both sides, so I will not attempt to state my case by listing quotations from studies, or excerpts of published research. I do not know how you personally feel about the subject, and to save from 'preaching to the choir' in the event you agree with my side, I will keep my argument against this proposal brief.

There are numerous studies on both side of the fence on this issue, as you know. For every study saying there are negative effects on people due to electromagnetic field / radiation, there is a study saying there are no effects. In short, from a purely diplomatic viewpoint, 'inconclusive' is about the best word to describe it. However, my investigation has found that many of the studies saying there are no effects, or studies resulting in

'inconclusive' verdicts are funded in some way by the energy industry. My personal decision is based upon the fact that this matter is not 100% settled. However, there is enough evidence to leave grave doubts in my mind that these power lines and cellular installations don't harm people in some way, particularly young, developing children. When in doubt, I always try to err on the side of caution. For illustration, perhaps you know of someone who smoked back in the late 60's or early 70's when it was the thing to do. At that time, there were many inconclusive studies. If people had really investigated the subject they would have found the tobacco companies had funded many of the studies. How many people would not have suffered and died if they had erred on the side of caution then?

I would be very disheartened if the cellular installation is approved. There is probably a large consortium of radical people opposed to this, however I do not count myself as part of this group. Yes, I do use a cell phone. Not for personal use, but Graniterock issues me a phone and pager, and I am required to carry these for business purposes. I do not bring them into my home at night. I am simply a concerned parent, concerned about the health and well being of my wonderful family that I work hard to provide for and protect.

Thank you for your time and allowing this avenue for me to express my opinion.

Sincerely,

Paul Coffman
Taxpayer
County of Santa Cruz
421 Loma Prieta Drive

pcoffman@graniterock.com
docasphalt1@cs.com

Home: 831-687-0145
Work: 831-768-2329