



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

**TOM BURNS, PLANNING DIRECTOR**

January 14, 2005

**Agenda Date: February 23, 2005**

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**Subject: A public hearing to consider an appeal of the Zoning Administrator's decision to approve application 03-0415; a proposal to install a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public right-of-way.**

Members of the Commission:

This item was heard before your Commission on 1/12/05 and a request to continue the hearing until 2/23/05 was made formally by the appellant.

### **Additional Issues Raised by Appellant**

Prior to the public hearing, the appellant submitted additional materials for staff review (Exhibit 1). The following is a summary of the staff review for the additional materials submitted by the appellant.

#### Existing County Microcell Sites

The appellant included photographs of a site in Scotts Valley which was constructed in the early 1990s, using technology which was available at that time. The newer microcell technology is much more compact with less visual impact (please see Exhibit 3 for an example of a newer microcell installation). In the case of the current appeal, however, all equipment boxes will be located below the existing vegetation (please see Exhibit 2 for photos of the project site and surrounding vegetation) which will significantly reduce any potential visual impact.

#### Alternative Sites

The appellant has recommended moving the proposed Wireless Communications Facility (WCF) to the macrocell site at the end of Moon Valley Ranch Road. Although this would require the existing uncamouflaged tower to be extended and camouflaged (possibly requiring a new replacement tower) it is a possibility, if the property owner and wireless company can reach an agreement acceptable to both parties. Previous attempts to negotiate lease agreements for the alternate site have not been successful, according to both the project applicant and the owner of

the property involved.

The appellant has also recommended the use of a different utility pole on the opposite side of Highway One. Although co-location on a different utility pole is an option, the pole across Highway One is located in the Coastal Zone, is approximately 20 feet lower than the currently proposed pole, and is within mapped Santa Cruz Long Toed Salamander habitat, all of which make the suggested alternative utility pole a less desirable location.

#### Required Findings Not Met

The appellant argues that the required findings for Wireless Communications Facilities have not been met in this review. The primary focus of the appellant's argument focuses on the lack of a thorough alternatives analysis for the proposed site.

The proposed project site is located within the SU (Special Use) zone district, a restricted zone district when implementing the project site's residential General Plan land use designation. No further alternatives analysis or Telecommunication Act Exception is required for WCF proposals that are co-located on existing utility poles within restricted zone districts (per County Code section 13.10.661(c)).

County Counsel was directed by your Commission to review the staff interpretation regarding co-location on utility poles and the need for further alternatives analysis. County Counsel has prepared a letter (Exhibit 2) regarding the interpretation of the applicable codes.

#### Other Mitigation Measures Required

The appellant requests other mitigation measures to be required to address visual impacts if there are no suitable alternative sites.

The Zoning Administrator, in response to the appellant's stated concerns at the 9/17/04 public hearing, added the requirement (in addition to the requirement of paint to match the existing utility pole) that the pole mounted equipment cabinets for this WCF be located at a height of 8 feet or less above the ground, which is below the existing vegetation, and that the equipment cabinets be located on the side of the pole opposite the Moon Valley Ranch Road right of way to further conceal them from view. These measures will adequately mitigate the visual impact of the proposed facility.

#### Merger of AT&T and Cingular Wireless Companies

The appellant has asked if the merger of the two wireless companies would result in a redundancy of WCF installations and if the approval should be reconsidered as a result of the merger.

The applicant (representing the new Cingular Wireless company) has submitted a letter (Exhibit 3) which states that all existing old Cingular Wireless sites have been sold to T-Mobile wireless and the new Cingular Wireless company will rely on the existing and proposed AT&T wireless sites to provide their customers with service.

### Photos of Microcell Site Under Construction

The appellant has provided photographs of a microcell site under construction along Soquel Drive frontage road south of Freedom Boulevard. This installation is not yet complete, and it appears that the contractor has used equipment that is inconsistent with the plans approved at both the discretionary and building permit stages. The applicant has been informed that the failure to comply with the approved plans will need to be rectified (and the equipment properly replaced and camouflaged) prior to the final approval of the building permit for the installation. If corrective action is not taken by the applicant, the unpermitted installation will be referred to the Code Compliance section for further action.

### Summary

This letter contains a summary of the additional materials submitted by the appellant and applicant. All of the issues raised by the appellant have been addressed, and the findings and recommendation previously reviewed by your Commission have not been modified as a result.

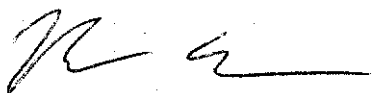
The issues raised in the original appeal letter were issues that were considered by the Zoning Administrator prior to the decision to approve the application on 9/17/04. Noticing for the public hearing was adequate and the proposed project is in compliance with all applicable codes and policies. Additional issues raised later in the appeal process have also been addressed.

The proposed WCF (as a microcell installation co-located on an existing utility pole) will be the least intrusive alternative, when compared to macrocell sites or other installations that would require additional site disturbance or create additional visual impact.

### Recommendation

Planning Department staff recommends that your Commission **UPHOLD** the Zoning Administrator's action to approve Application Number **03-0415**.

Sincerely,



Randall Adams  
Project Planner  
Development Review

Reviewed By: \_\_\_\_\_



Cathy Graves  
Principal Planner  
Development Review

Exhibits:

1. Additional correspondence from Appellant, prepared by Robert Jay Katz, dated 12/21/04 through 1/11/05.
2. Letter from County Counsel, dated 2/8/05.
3. Site photographs, prepared by Roger Haas. dated 1/12/05, with attached letter regarding disposition of AT&T/Cingular wireless sites, dated 1/7/05.
4. Photos of a microcell installation on Highway One north of Santa Cruz.
5. Letter to the Planning Commission, January 12,2005 agenda date, with attachments.



314 Capitola Avenue  
Capitola, CA 95010

A Professional Law Corporation

Telephone (831) 475-2115  
Facsimile (831) 475-2213

December 21, 2004

**HAND DELIVERED**

Don Bussey, Zoning Administrator  
Randall Adams, Project Planner  
Santa Cruz County Zoning Department  
701 Ocean Street  
Santa Cruz, CA 95060

RE: AT&T Proposal for Moon Valley Ranch Road  
Proposal No. 03-0415

Dear Mr. Bussey and Mr. Adams:

For your information, please be advised that I am writing a letter to AT&T, in regard to Proposal #03-0415, suggesting that we resolve the present Appeal by AT&T moving their proposed co-location (at the entry to our road) to an alternative site (either another pole or the Ashton property). This would further the policy of clustering antenna sites.

Very truly yours,

KATZ & LAPIDÈS

ROBERT JAY KATZ

RJK/lmt

cc: Jason Ashton  
Brooke Bilyeu and Michelle Ashen  
Michael and Megan Ryan  
Mike and Linda Denman  
Tom and Christina Tomaselli

5

**EXHIBIT /**



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December 29, 2004

**HAND DELIVERED**

Santa Cruz County Offices  
701 Ocean Street  
Santa Cruz, CA 95060

**RE: AT&T Proposal for Moon Valley Ranch Woad**  
**Proposal No. 03-0415**  
**Appeal to Planning Commission**  
**Hearing Date: January 12, 2005**

Dear County Supervisors, Planning Director, County Counsel, and Zoning Administrator:

Due to the County-wide significance of some of the issues raised in the present Appeal to the Planning Commission, I enclose for your review and consideration a copy of my Supplemental Brief.

The Hearing is presently scheduled for January 12, 2005, but I have suggested to the Commission that the Hearing be continued to allow time for input from County Counsel and Planning.

Thank you for your consideration of this matter.

Very truly yours,

KATZ & LAPIDES

ROBERT JAY KATZ "

RJK/lmt  
enclosure

cc: Moon Valley Ranch Road Association Members  
Roger Haas/AT&T



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December 28, 2004

Planning Commission  
County of Santa Cruz Planning Department  
701 Ocean Street, Room 400  
Santa Cruz, CA 95060

**RE: AT&T Proposal for Moon Valley Ranch Road  
Proposal No. 03-0415  
Appeal to Planning Commission  
Wearing Date: January 12, 2005**

*Appeal of Zoning Administrator's Approval  
of Wireless Communications Facility Commercial Development Permit*  
**SUPPLEMENTAL BRIEF**

Dear Planning Commission Members:

This Supplemental Brief focuses and expands upon the key issues raised in the Appeal documents filed on September 29, 2004, by the Moon **Valley Ranch Road Association** (consisting of neighbors Katz, Lapidès, Tomaselli, Ashton, Bilyeu, Ashen, Denman and Ryan), and presented orally at the Zoning Hearing. Appellants object to Zoning's approval of Commercial Development Permit No. 03-0415 allowing AT&T Wireless "to install a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public right-of-way." The installation also includes related equipment structures on the lower part of the pole. (See **Exhibit A** hereto for photographs of existing County microcell sites.)

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The subject utility pole is located at the cul de sac entrance to two private roads servicing ten home sites and an adjacent undeveloped parcel of land. Moon Valley Ranch Road already has a "macrocell" site at its other end, which hosts antennas for Cingular, Sprint and Verizon. (See Exhibits B and C.) The existing Cingular tower could easily be modified to accommodate another antenna, if one is still needed. AT&T has, since Zoning's approval, merged into one company with Cingular (see Exhibit D). There is no need for a second cell site in such close proximity, and the neighborhood should not be burdened with a second one. Additionally, there are other viable alternative sites. (See Exhibit E example.)

The assigned Project Planner would not consider possible alternative sites. His interpretation of the Regulations is that alternative sites are not "required" to be considered, so they are not. Appellants urged Zoning to require AT&T to explore additional sites, but the request was denied.

Now a few of these recently promulgated Regulations are presently being interpreted and implemented by Zoning is at the heart of this Appeal. The importance of the issues herein, however, go far beyond the single proposed site. Clarification of the Regulations discussed below is needed to establish clear criteria for the review of the subject site, and future microcell sites, of which there may eventually be hundreds. The economic considerations to the County are **also** very significant. Additionally, the present policy of Planning/Public Works of granting telecommunications companies free long term easement rights on County right-of-ways, resulting in loss of needed revenue, **is** also raised.

#### ISSUES ON APPEAL

Appellants assert that the present interpretation by Zoning staff of certain Regulations, and the resulting procedures established for review and approval of



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microcell sites, is inconsistent with the language and intent of the applicable Regulations.

The issues on Appeal include the following:

- 1) The subject site is located in a "Resmcted Area" and the "required findings for wireless cominunications facilities" have not been met.
  - a) Alternative sites should be considered.
  - b) AT&T has not demonstrated the necessity for the proposed sire.
  - c) AT&T has not satisfied its burden of proving a Federal Communications Act exception.
  - d) Other mitigation measures should be required if viable alternative sites are not available.
- 2) Should the recent merger of AT&T Wireless and Cingula Wireless (who has a nearby cell tower with additional room for co-location) cause reconsideration of the present Zoning approval?
- 3) Should the Zoning Department/Department of Public Works should not be granting AT&T (and other telecommunication companies) free lone term easement rights over County right-of-ways?

### **SUMMARY OF ARGUMENT**

In general, the neighbors/appellants assert that there are other viable locations for the proposed cell site, which locations will still meet AT&T's needs. These

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locations should be considered during the application process. If a less visually obtrusive alternative site is available, AT&T should move its proposed location. Further, the review and approval process to date has not been what was intended by the applicable regulatory codes, and the required findings for approving a wireless communication facility have not all been met.

*1) The subject site is located in a "Restricted Area" and the "required findings for wireless communications facilities" have not been met.*

The subject parcel is in a "Restricted Area" pursuant to Section 13.10.660(c). For a wireless communication facility to be placed in a "Restricted Area," it must qualify for an "exception" under Section 13.10.660(c)(3), which reads as follows:

*(3j Exceptions to Restricted Area Prohibition. Wireless communication facilities that are co-located upon existing wireless communication facilities/towers or other utility towers/poles (e.g., P.G.&E. poles), and which do not significantly increase the visual impact of the existing facility/tower/pole, are allowed in the restricted zoning districts listed above. Applicants proposing new non-collocated wireless communication facilities in the Restricted Areas must submit as part of their application an Alternatives Analysis, as described in Section 13.10.662(c) below. In addition to complying with the remainder of Sections 13.10.660 through 13.10.668 inclusive, non-collocated wireless communication facilities may be sited in the restricted zoning districts listed above only in situations where the applicant can prove that:*

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

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

*[Underline added.]*

As demonstrated below, the subject site does not qualify as an exception to the Restricted Area Prohibition.

Section 13.10.665 requires the following findings, among others, for wireless communication facilities. The required finding is in italics, followed by the Project Planner's formal Finding used to support the subject project approval:

*(a) That either: (1) the development of the proposed wireless communications facility as conditioned will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan LCP Sections 5.1, 5.10, and 8.6.8), and/or other significant County resources, including agricultural, open space, and community character resources; or (2) there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed wireless communications facility as conditioned (including alternative locations and/or designs) with less visual and/or other resource impacts and the proposed facility has been modified by condition and/or project design to minimize and mitigate its visual and other resource impacts.*

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The finding can be made; in that the proposed micro cellular wireless communication facility will be co-located on an existing utility pole. Micro cellular wireless communication facility installations that are co-located on existing utility poles, such as this proposal, are an environmentally superior alternative to larger wireless communication facility installations and their associated visual and environmental impacts. The use of such co-located micro cellular wireless communication facilities in place of larger wireless communication facility installations, when technically feasible, minimizes the visual and environmental impacts associated with the construction of wireless communication facilities due to the smaller size of the proposed facilities and the presence of an existing pole and utilities infrastructure.

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

This finding can be made, in that the installation of micro cellular wireless communications facilities co-located on existing utility poles are allowed as an exception to the restricted areas prohibition without the requirement of further alternatives analysis, per County Code section 13.10.661(c)(3).

*Discussion:* The protections for the public incorporated in the required findings have not been considered as part of the review process, simply because AT&T is proposing to locate on a telephone pole. The subject pole has never had any wireless communication facility on it, and has never gone through a process of review for

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wireless communication facility approval. It was not the Regulations' intention to take away all of these protections for the public in regard to microcell sites.

Further, the Permit Findings stated by Zoning in support of its approval, do not comply with the Code sections quoted above. The subject site does not qualify as an exception to the Restricted Area Prohibition, as can be seen by carefully looking at the language of 13.10.661(c)(3). The exception is only for "wireless communication facilities that are co-located upon existing wireless communication facilities,.." The proposed pole is just a regular telephone pole, like countless others in the County. The regulatory language was not intended to allow telecommunication companies to choose any telephone or other utility pole in the County for his microcell site, without having to consider better alternatives or show necessity.

The second part of the Section 13.10.660(c)(3) exception also requires that the proposed structure "not significantly increase the visual impact of the existing facility/tower/pole." The significant visual impact of the proposed structure is easily seen in the photographs attached as Exhibits.

a) *Alternative sites should be considered.*

The Regulations and required findings quoted above should require AT&T to explore viable alternative sites.

b) *AT&T has not demonstrated the necessity for the proposed site.*

AT&T should be required to respond to the protections set forth in Section 13.10.660(c)(3) cited above.

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- c) *AT&T has not satisfied its burden of proving a Federal Communications Act exception.*

Section 13.10.668 sets forth the Telecommunication Act exception procedure. It states: "The applicant shall have the burden of proving that application of the requirement or limitation would violate the Federal Telecommunications Act, and that no alternatives exist which would render the approval of a Telecommunications Act Exception unnecessary." [*Underline added.*]

AT&T has not met its burden in this case. Indeed, it is a burden that AT&T cannot meet due to the existence of viable alternative sites.

- d) *Other mitigation measures should be required if viable alternative sites are not available.*

If the present location is ultimately affirmed, mitigation measures such as placing all the proposed equipment underground, and planting trees to screen the antennas, should be added to the conditions.

- 2) *Should the recent merger of AT&T Wireless and Cingular Wireless (who has a nearby cell tower with additional room for co-location) cause reconsideration of the present Zoning approval?*

Now that AT&T and Cingular Wireless are merged into one company, the existing cell tower site at the end of Moon Valley Ranch Road should be more than sufficient for their combined needs. It can easily be modified to accommodate an additional antenna, if one is still needed.

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3) *Should the Zoning Department/Department of Public Works should not be granting AT&T (and other telecommunication companies) free long term easement rights over County right-of-ways?*

The present policy of granting telecommunication companies free long term easement rights should change with this AT&T proposal. AT&T should be paying a fair market value rate to the County for use of these valuable property rights. Many private land owners in the County have easement agreements with the telecommunication companies, so establishing a fair market value should be a simple process.

The Supervisors have already asked County Counsel to research and report back on this issue.

### **ADDITIONAL APPLICABLE ZONING REGULATIONS**

#### **Chapter 13.10 Zoning Regulations**

13.10.660 Regulations for the siting, design, and construction of wireless communications facilities:

(a) Purpose...It is also the purpose of Sections 13.10.660 through 13.10.668 inclusive to assure, by the regulation of siting of wireless communications facilities, that the integrity and nature of residential, rural, commercial, and industrial areas are protected from the indiscriminate proliferation of wireless communication facilities...It is also the purpose of sections 13.10.660 through 13.10.668 inclusive to locate and design wireless communication towers/facilities so as to minimize negative impacts, such as, but not limited to, visual impacts,...

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(d) Definitions

"Least visually obtrusive" means, with regard to wireless communication facilities: technically feasible facility site and/or design alternatives that render the facility the most visually inconspicuous relative to other technically feasible sites and/or designs...

13.10.661 General requirement for wireless communications facilities:

All wireless communications facilities..shall comply with the following requirements:

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

To comply with the above quoted purpose and requirements, an Alternative Site Analysis should be done for this project in order to insure that it is "sited in the least visually obtrusive location that is technically feasible."

**BUILD IT AND THEY WILL COME!**

Compounding the homeowners' concerns, it is highly probable that additional telecommunication companies will, in the future, make proposals to either co-locate on the AT&T pole, or use the other nearby telephone pole on the cul de sac. Their attempt to do this would be in accordance with the policy of the County to cluster cell sites, and it will be hard for the County to say "no" to other companies, when a



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development permit and an easement to use the County right-of-way was already granted to AT&T. *The likelihood of additional antenna structures being added to this location in the future is highly probable and is relevant to consider at this time.* The probable future "visual impact" is relevant to consider.

WHAT WILL BE THE "VISUAL IMPACT" BE WHEN MULTIPLE CELL SITES ARE ON THE CUL DE SAC?

#### **AVAILABLE ALTERNATIVE SITES**

**Exhibits B** and D hereto show two viable alternative sites. There are other telephone poles that are in better locations, with better screening, that would also meet AT&T's technical needs.

#### **SUMMARY AND REQUEST**

In summary, AT&T should be required to demonstrate the necessity for the proposed pole, and to explore other alternative sites which would minimize the visual impact. There are viable alternative sites which should be considered before any final decision is made in regard to the present proposal. The County's determination in regard to AT&T will likely set a precedent for future applications.

It is further suggested that the present hearing date of January 12, 2005, be continued 30-60 days to allow for input from County Counsel and Planning. Copies of this Supplemental Brief have been provided to those persons listed below.

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December 28, 2004

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Thank you for your consideration of this matter.

Respectfully submitted,

KATZ & LAPIDES



ROBERT JAY KATZ

RJK/lmt

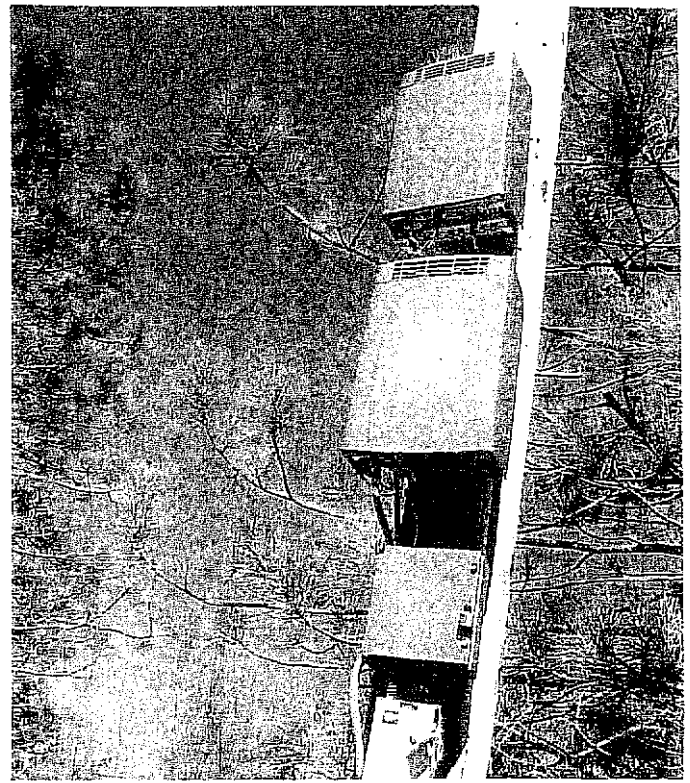
enclosures

cc: County Supervisors  
County Counsel  
Planning Department Director  
Zoning Administrator  
AT&T  
Moon Valley Ranch Road Association Members

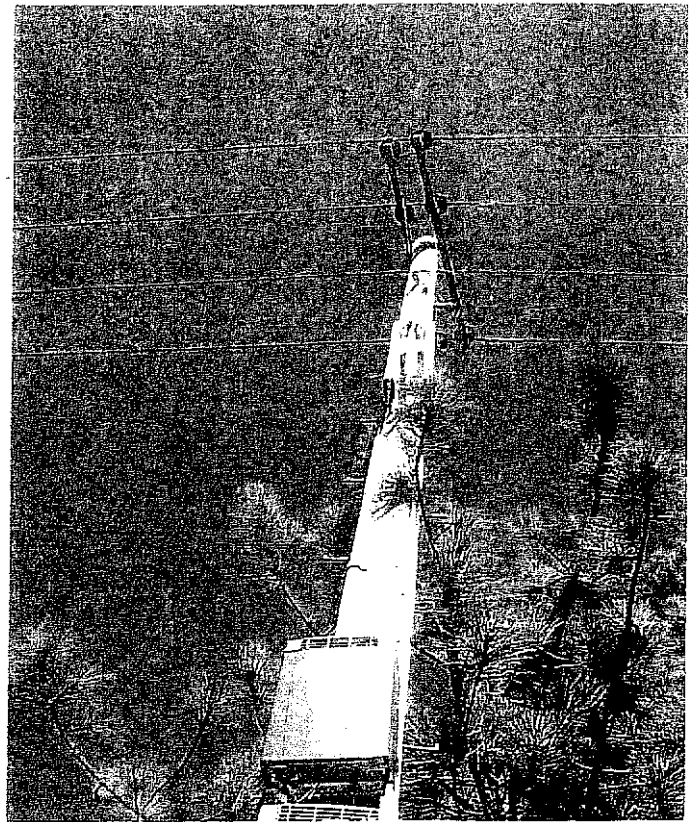
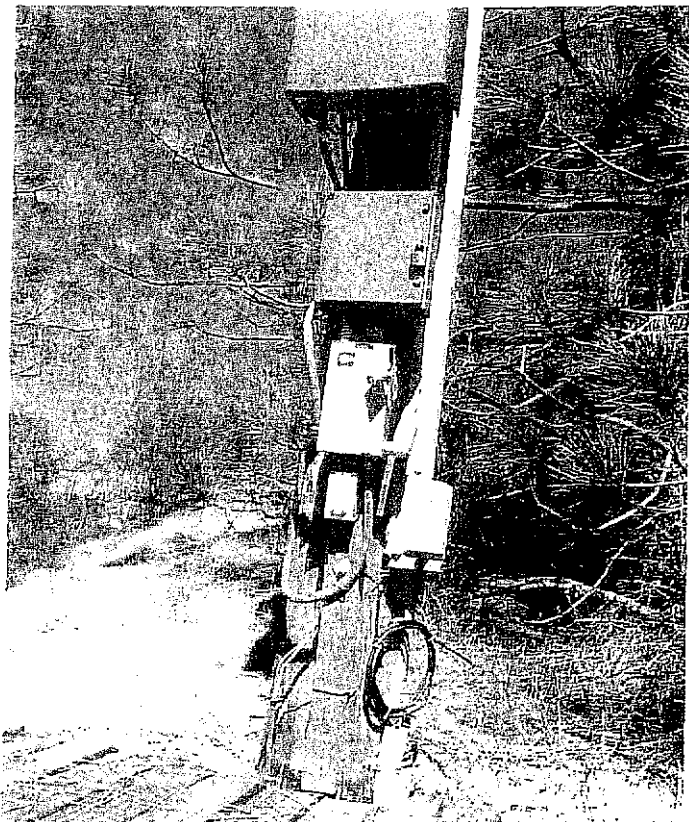
## EXHIBIT A



9-10-04

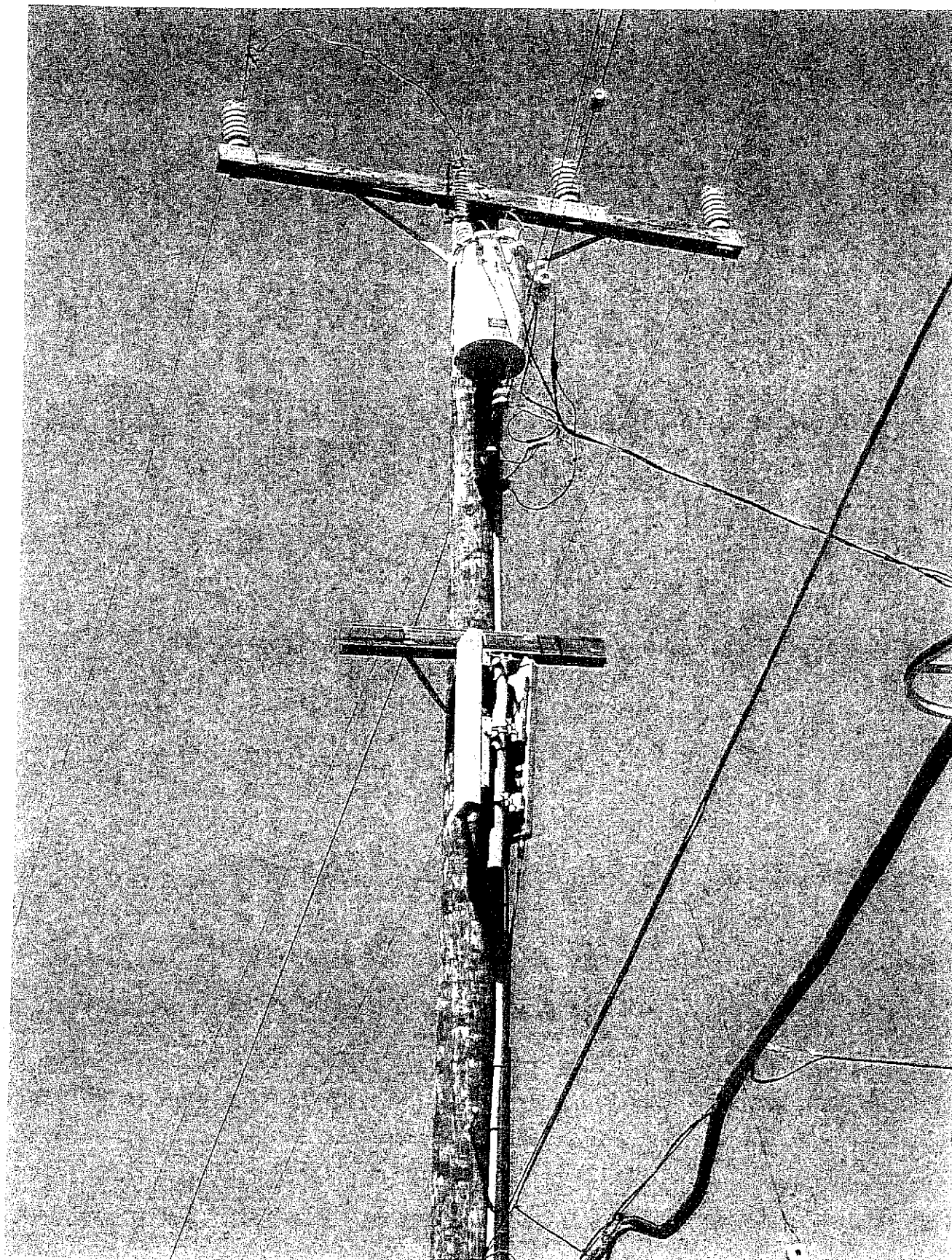


Scotts Valley



**VISUAL IMPACT**

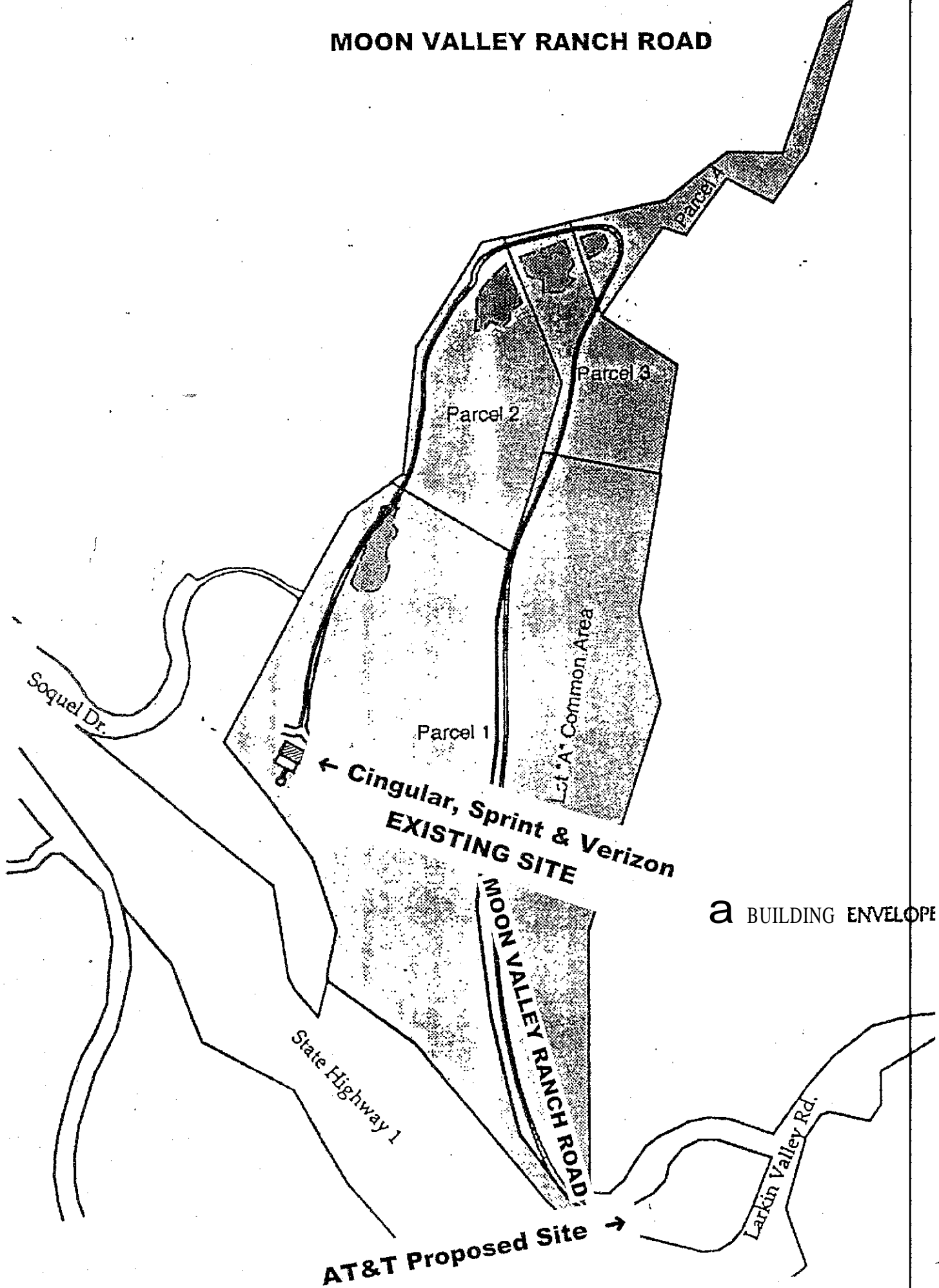
**Sample of Equipment Portion of Pole**



**VISUAL IMPACT**  
Sample of Antenna Portion of Pole

## EXHIBIT B

# MOON VALLEY RANCH ROAD



## EXHIBIT C



ALTERNATIVE SITE POSSIBILITY. PRESENTLY CINGULAR, SPRINT AND VERIZON, ARE ON POLE TO RIGHT, NOW CAMOUFLAGED AS A TREE. TO LEFT IS CINGULAR POLE. AT&T AND CINGULAR ARE NOW ONE COMPANY AND COULD CO-LOCATE.

View looking west from the access road near the Pac Bell pole.



EXI IT D

# *Cingular Wireless & AT&T Wireless*

INVITE YOU AND EVERYONE IN OUR FAMILY  
TO SHARE IN THE JOY OF OUR COMING TOGETHER

---

THIS UNION WILL RAISE THE BAR IN WIRELESS AND STRENGTHEN  
OUR COMMITMENT TO SERVICE AND INNOVATION.  
THEREFORE, FEEL SECURE IN KNOWING THAT THE NETWORK  
YOU'VE GROWN TO TRUST WILL CONTINUE TO BE THE ONE SO RELY ON.

---

NO RSVP NECESSARY. YOU'RE ALREADY PART OF THE FAMILY.  
SEE HOW THIS UNION WILL BENEFIT YOU AT [WWW.NEWGINGULAR.COM](http://WWW.NEWGINGULAR.COM).

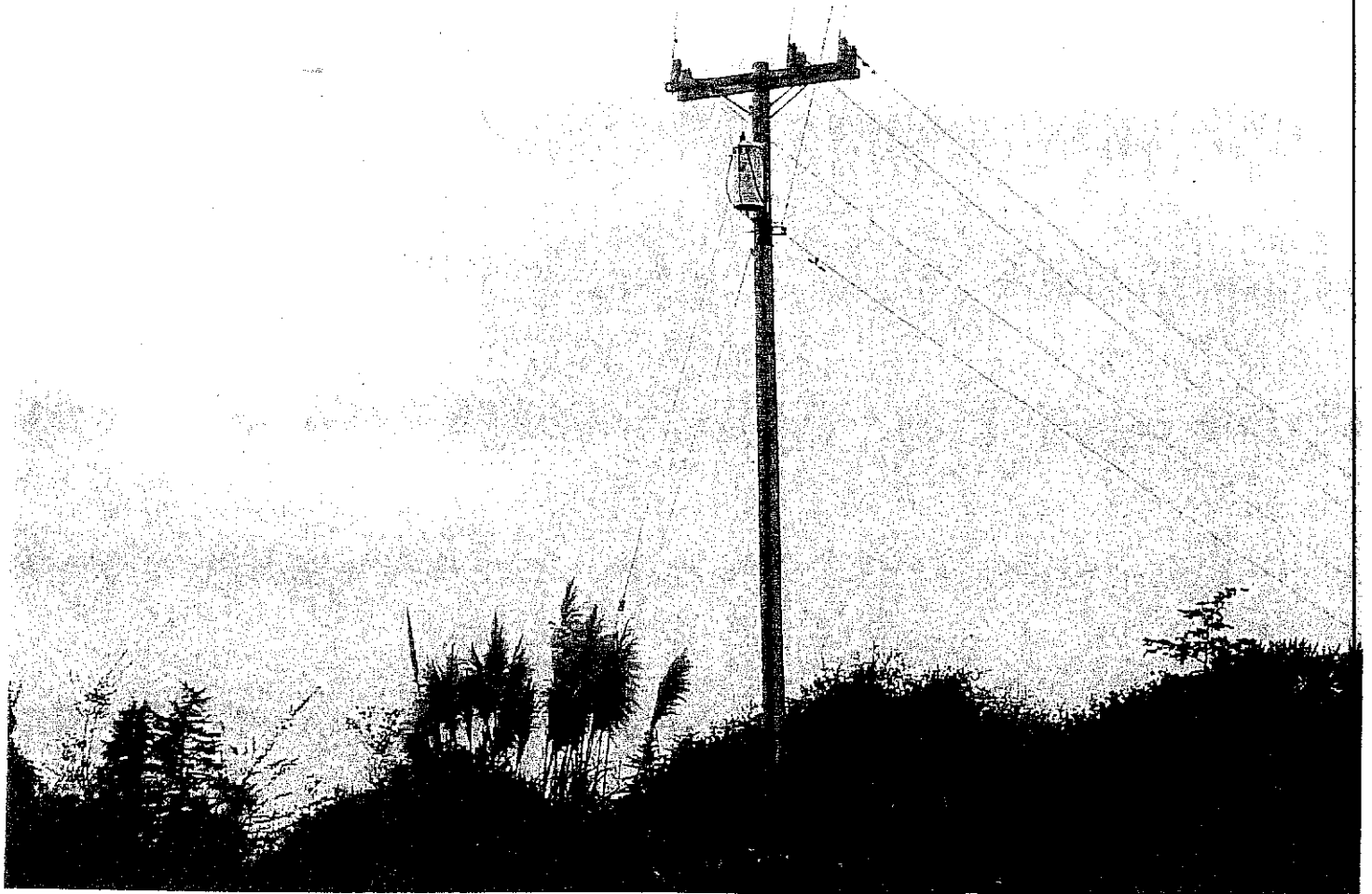
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RECEPTION TO FOLLOW IMMEDIATELY



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EXHIBIT E



**PROPOSED AT&T POLE**



**ALTERNATIVE POLE POSSIBILITY**

03-0415



January 7, 2005

Santa Cruz County Planning Department  
Randall Adams  
701 Ocean Street  
Santa Cruz, CA 95060

Mr. Adam:

Effective January 6, 2005, all current Cingular sites in California and Nevada were purchased, and ownership was transferred to, T-Mobile USA. This includes site #2739 located at coordinates 36.9914/121.924 in the County of Santa Cruz.

If you have any questions, please feel free to give me a call at 415.601.5297.

Regards,

A handwritten signature in black ink, appearing to read 'Scott Davidson', is written over a horizontal line.

Scott Davidson  
Cingular Wireless  
Program Manager - Northern California

Cingular Wireless . 651 Gateway Blvd. . Suite 1500 . So. San Francisco, CA 94080

Gary Cantara

---

**From:** PLN AgendaMail  
**Sent:** Monday, January 10, 2005 2:54 PM  
**To:** PLN AgendaMail  
**Subject:** Agenda Comments

---

Meeting Type : Planning Commission

Meeting Date : 1/12/2005

**Item Number :** 11.00

Name : Thomas A. Tomaselli

Email : FITNT@aol.com

Address : 1005 Moon Valley Ranch Rd Watsonville,  
CA. 95076

Phone : 831-588-8799

**Comments :**

As an adjacent property owner, I find it offensive to have a antenna placed at the entrance to our private subdivision. As a local Real Estate Broker, this will become one more item of disclosure and will affect our property values. I know the verdict is out on the affect of this technology, but it will still be one more disclosure.

Please have them co-locate on the existing Ashton site which remains unseen and further from our children.

Tom Tomaselli

ps I incorrectly set this to the previous agenda item



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January 11, 2005

Planning Commissioners  
Santa Cruz County Planning Department  
701 Ocean Street, Room 400  
Santa Cruz, CA 95060

**RE: AT&T Proposal for Moon Valley Ranch Road  
Proposal No. 03-0415  
Appeal to Planning Commission  
Hearing Date: January 12, 2005**

Dear Planning Commissioners:

Submitted to you herewith, to be made part of the Appeal file, are the following photographs:

- 1) The newly installed AT&T micro-cell site on Soquel Drive frontage, just past the CHP Office and church.
- 2) The proposed Moon Valley Ranch Road pole, on the side of the cul de sac entrance to two private roads servicing 10 homes, upon which the AT&T antenna and equipment boxes will be placed.

Please consider these photographs on the issues of visual impact, affect on community and affect on property values.

Respectfully submitted,

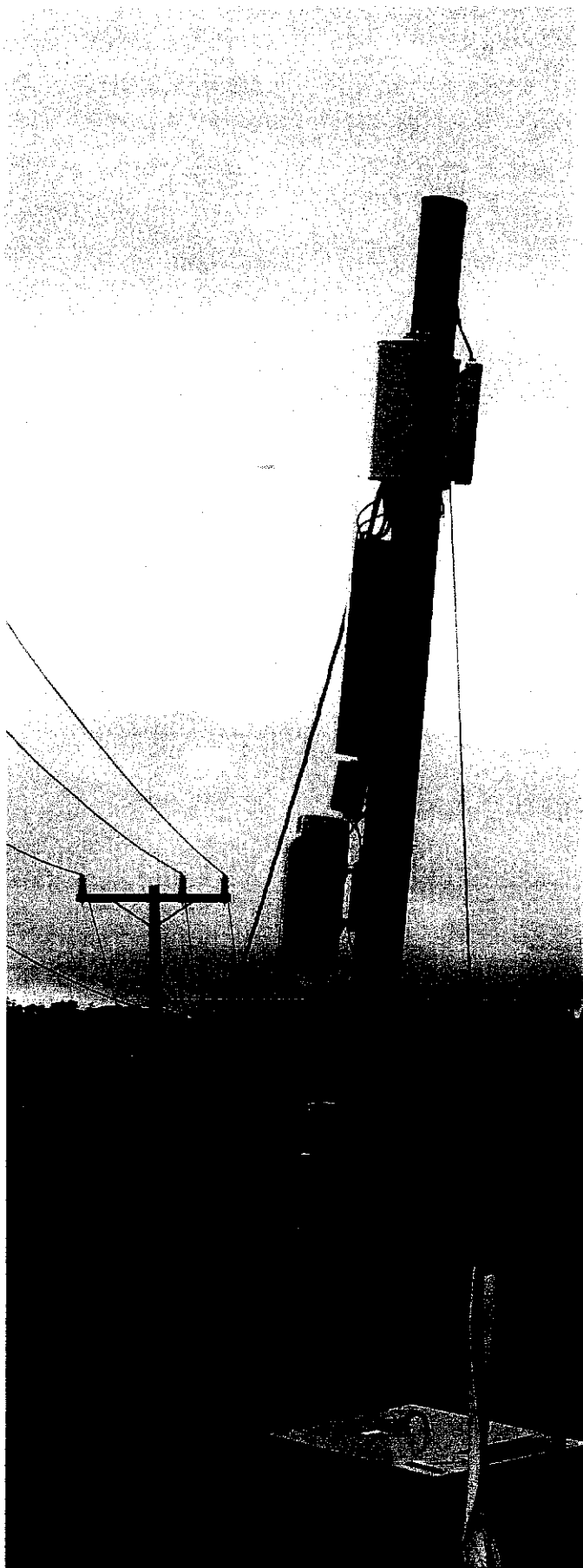
KATZ & LAPIDES

ROBERT JAY KATZ

RJK/lmt  
enclosures

cc: Moon Valley Ranch Road Association Members

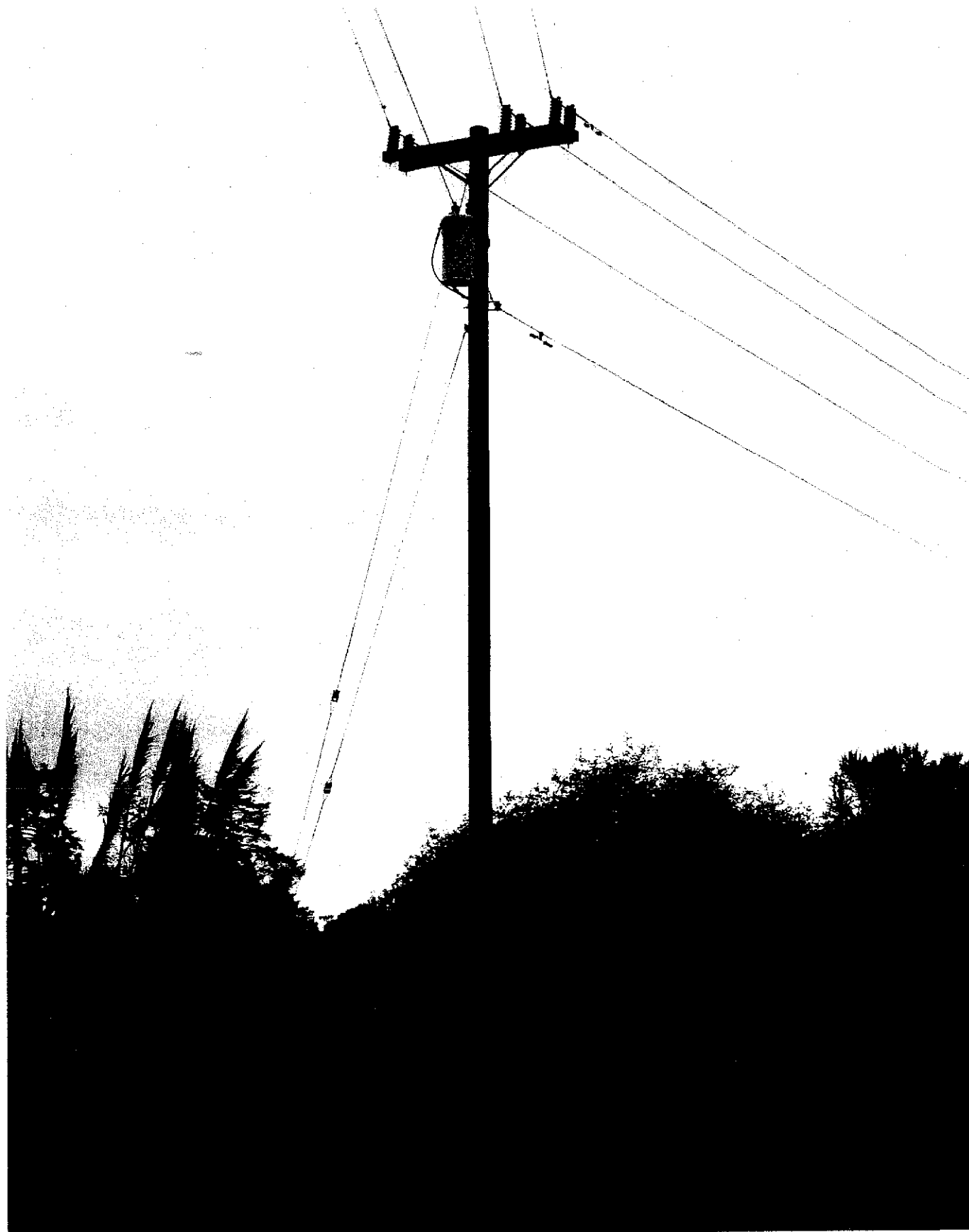




AT&T micro-cell site - Soquel Dr. frontage



Jan. 9, 2005



MVRR cul de sac 1-3-05

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EXHIBIT 1



# COUNTY OF SANTA CRUZ

## OFFICE OF THE COUNTY COUNSEL

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Tamyra Rice  
Pamela Fyfe  
Julia Hill  
Shannon M. Sullivan

Miriam L. Stomblor  
Jason M. Heath

*Special Counsel*  
Dwight L. Herr  
Deborah Steen

February 8, 2005

### Agenda: February 23, 2005

Planning Commission  
County of Santa Cruz  
701 Ocean Street, 4<sup>th</sup> Floor  
Santa Cruz, CA 95060

#### **Re: APPLICATION NO. 03-0415 COMMERCIAL DEVELOPMENT PERMIT FOR WIRELESS COMMUNICATION FACILITY**

Dear Members of the Commission:

On January 12, 2005, a public hearing was held on the appeal filed by the Moon Valley Ranch Road Association concerning the above-cited application. This application sought approval for a co-located wireless communication facility located on property designated as restricted under the County regulations. The staff report presented at the hearing concluded that County Code §13.10.661(c)(3) authorized an exception to the requirement that the applicant prepare an Alternatives Analysis. This Office was requested to prepare a written opinion addressing whether or not ~~an~~ Alternatives Analysis is required for this project.

#### **ANALYSIS**

Under the County's recently adopted regulations, wireless communication facilities are *prohibited* in certain areas such as residential neighborhoods and the coastline, unless a Telecommunications Act Exception is granted (see County Code § 13.10.661 (b)(1).) The regulations also provide for "Restricted Areas" in which non-collocated wireless communication facilities are to be *discouraged* (see County Code § 13.10.661 (c)(1).) However, subsection (c)(3) of § 13.10.661 authorizes an exception from the Restricted Area regulations:

(3) Exceptions to Restricted Area Prohibition. Wireless communication facilities that are co-located upon existing wireless communication facilities/towers or other utility towers/poles (e.g., P. G. & E. poles), and which do not significantly increase the visual impact of the existing facility/tower/pole, are allowed in the restricted zoning districts listed above. Applicants proposing new non-collocated wireless communication facilities in the Restricted Areas must submit as part of their application an Alternatives Analysis, as described in Section 13.10.662(c) below. In addition to complying with the remainder of Sections 13.10.660 through 13.10.668, inclusive, non-collocated wireless communication facilities may be sited in the restricted zoning districts listed above only in situations where the applicant can prove that:

- (A) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and
- (B) There are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and/or designs) outside the prohibited and restricted areas identified in Sections 13.10.661(b) and 13.10.661(c)) that could eliminate or substantially reduce said significant gap(s). (Emphasis added.)

To qualify for this exception, the proposed project must be co-located on an "existing wireless communication facilities/towers or other utility towers/poles (e.g., P. G. & E. poles)", and the project must not "significantly" increase the visual impact of the existing tower or pole. Notably, subsection (c)(3) also requires that new facilities proposed for the Restricted Zone that are not co-located must, among other requirements, prepare ~~an~~ Alternatives Analysis.<sup>1</sup> Consequently, a co-located project that qualifies for a subsection (c)(3) exception would be allowed in a Restricted Area and would not have to prepare the Alternatives Analysis.

This interpretation is **further** supported by Section 13.10.662 that sets the requirements for what information must be included with the application for a new wireless communication facility. Subdivision (c) of Section 13.10.662 addresses when an Alternatives Analysis **is** required and states, in part, as follows:

(c) ***Alternatives Analysis.*** For applications for wireless communication facilities proposed to be located in any of the prohibited areas specified in

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<sup>1</sup> In addition to preparing ~~an~~ Alternatives Analysis, non-collocated projects must also prove that the project would eliminate or substantially reduce a significant gap in the carrier's network; and that there are no technically feasible and environmentally equivalent or superior alternatives.

Sections 13.10.661(b) and non-collocated wireless communication facilities proposed to be located in any of the restricted areas specified in 13.10.661(c), an *Alternatives Analysis* must be submitted by the applicant..”

Consistent with subsection (c)(3) of §13.10.661, §13.10.662 provides that an Alternative Analysis is not required for a co-located project proposed for a Restricted Area.

This interpretation is also consistent with the Planning Department’s staff report prepared for the Board of Supervisors when these regulations were approved. On August 10, 2004, the Board of Supervisors adopted Ordinance No. 4769 making final modifications to the County’s wireless communication facility regulations based on suggestions proposed by the California Coastal Commission. The staff report before the Board specifically addressed the issue of when an Alternatives Analysis would be required. The Coastal Commission had identified a typographical error in the wording proposed for § 13.10.662 (c) that would have required that an Alternatives Analysis be included with an application for all projects located within a Restricted Area. The staff recommended changing this language to make it consistent with the requirements of §13.10.661 (c)(3), which the staff said

“...specifically relieves an applicant from having to prepare an Alternatives Analysis for co-located WCF proposals in the restricted areas. Since it was your Board’s intention that an Alternatives Analysis not be required for co-located WCFs in the restricted area (thus providing an incentive to co-locate new WCFs onto exiting cell towers in lieu of constructing new separate towers), Planning staff concurs with these changes.” Page 5 of Staff Report dated July 13, 2004.

The revisions to the wireless communication facilities ordinance proposed by staff were adopted by the Board without change.

Appellant’s counsel also cites subdivision (f) of § 13.10.661 as authority for requiring an Alternatives Analysis, even if the project co-locates and does not significantly increase the visual impact of the existing facility or pole. Subdivision (f) states as follows:

Site Selection--Visual Impacts. Wireless communication facilities shall be sited in the least visually obtrusive location that is technically feasible,

unless such site selection leads to other resource impacts that make such a site the more environmentally damaging location overall.

However, requiring an applicant to prepare an Alternatives Analysis for the purpose of complying with subdivision (f) would negate the exception authorized by subdivision (c). Under the rules of statutory construction that are also applicable to ordinances enacted by the County, a construction making some words unnecessary is to be avoided.\*

### CONCLUSION

County Code §13.10.661(c)(3) creates an exception to the general rule that an Alternatives Analysis be prepared for a wireless communication facility proposed to be located within a Restricted Area. Because the facility proposed in Application 03-0415 would be co-located on an existing utility pole within a Restricted Area, an Alternatives Analysis would not be required if surplusage the finding can be made that the project would not significantly increase the visual impact of the existing pole.

Very truly yours,

DANA McRAE, COUNTY COUNSEL

By

  
Rahn Garcia

Chief Assistant County Counsel

cc: Robert Katz, Esq.  
RG:rg

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<sup>2</sup> The California Supreme Court set forth general rules for statutory construction in *Dyna-Med, Inc. v. Fair Employment and Housing Commission* (1987) 43 Cal. 3d 1379, 1386-1387. "Pursuant to established principles our first task in construing a statute is to ascertain the intent of the Legislature so as to effectuate the purpose of the law. In determining such intent, a court must look first to the words of ~~the~~ statute themselves, giving to the language its usual, ordinary import and according significance, if possible, to every word, phrase and sentence in pursuance of the legislative purpose. A construction making some words surplusage is to be avoided. (Emphasis added.)

January 12,2005

I have submitted 7 picture for the commission to review;

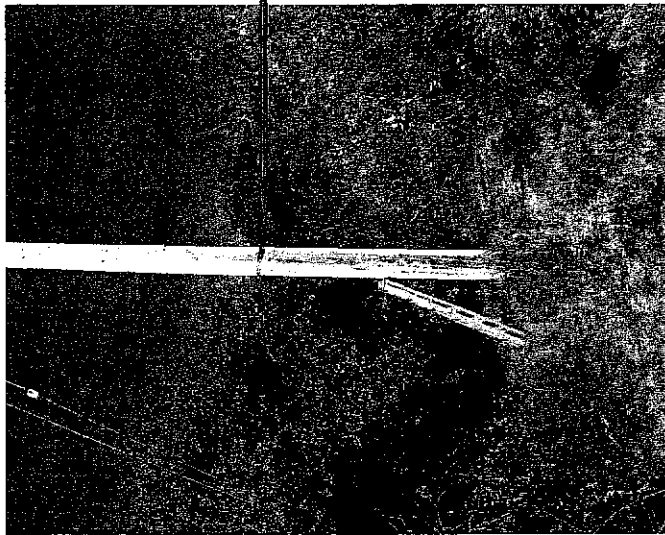
1. The power pole that is the proposed location for AT&T/ Cingular Micro Cell Site, The blue tape **is** at 10 feet above ground level. All the equipment **except** for the antenna will be mounted below 8 feet on the pole.
2. The blue tape can be seen to the right of the red mow. This will be the view as you come up to the site on Moon Valley Road.
3. Looking at the pole **from** the on ramp to Highway 1 north.
4. Looking at the site **as** you come **down** Mocking Bird Lane.
5. Looking at the site as you come down Moon Valley Road.
6. The is a picture on lone of the many Capacitor **Bank** Controller on PG&E power pole throughout Santa Cruz County. These are installed to improve the power factor on the electricity supplied to homes and business in the service **area**.
7. This is a picture of the same type of antenna that will be visible on the proposed cell site.

I attached **a** map showing the topography of the site for your review. I also attached to letter **from** the New **Cingular** Inc. stating the ownership status of **all** the old Cingular sites in California and Nevada.

Thank you,

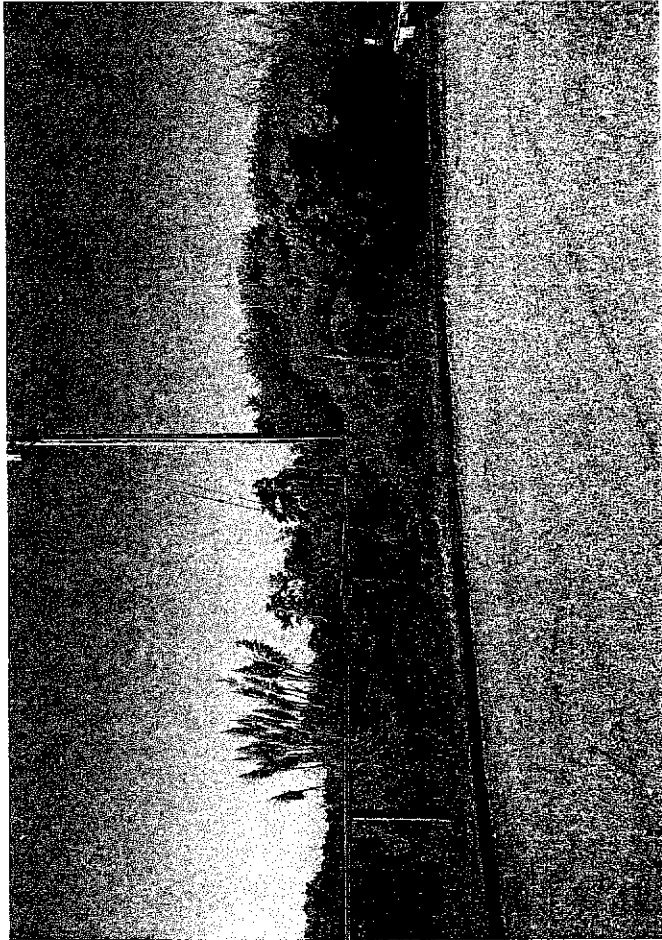
T. Roger Haas

1



Blue Tape is at 10 feet Above Ground

2

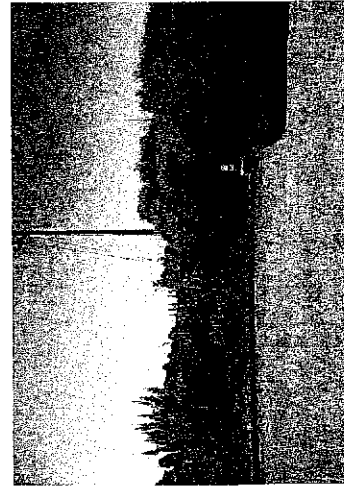


10 Feet Above Ground  
Blue Tape  
Red Arrow show blue tape.

Equipment will be mounted  
so that the top of the  
equipment will be 2 feet  
below blue tape.



View from On Ramp 3

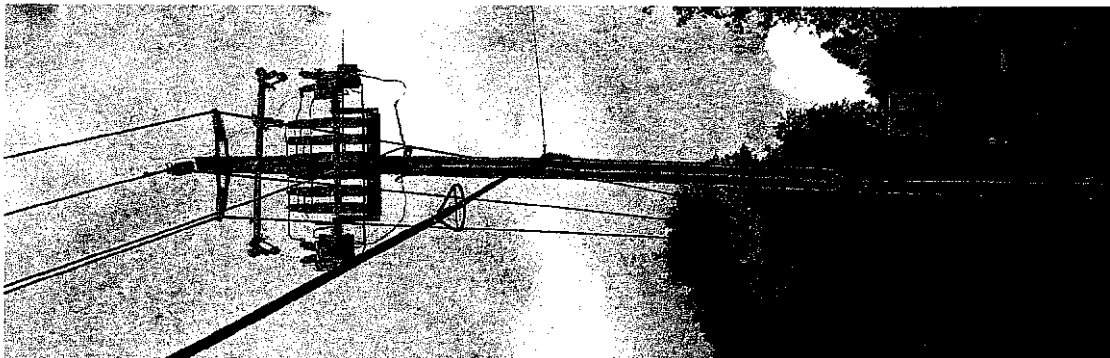


View from Moon Valley Road 4



View Looking South 5



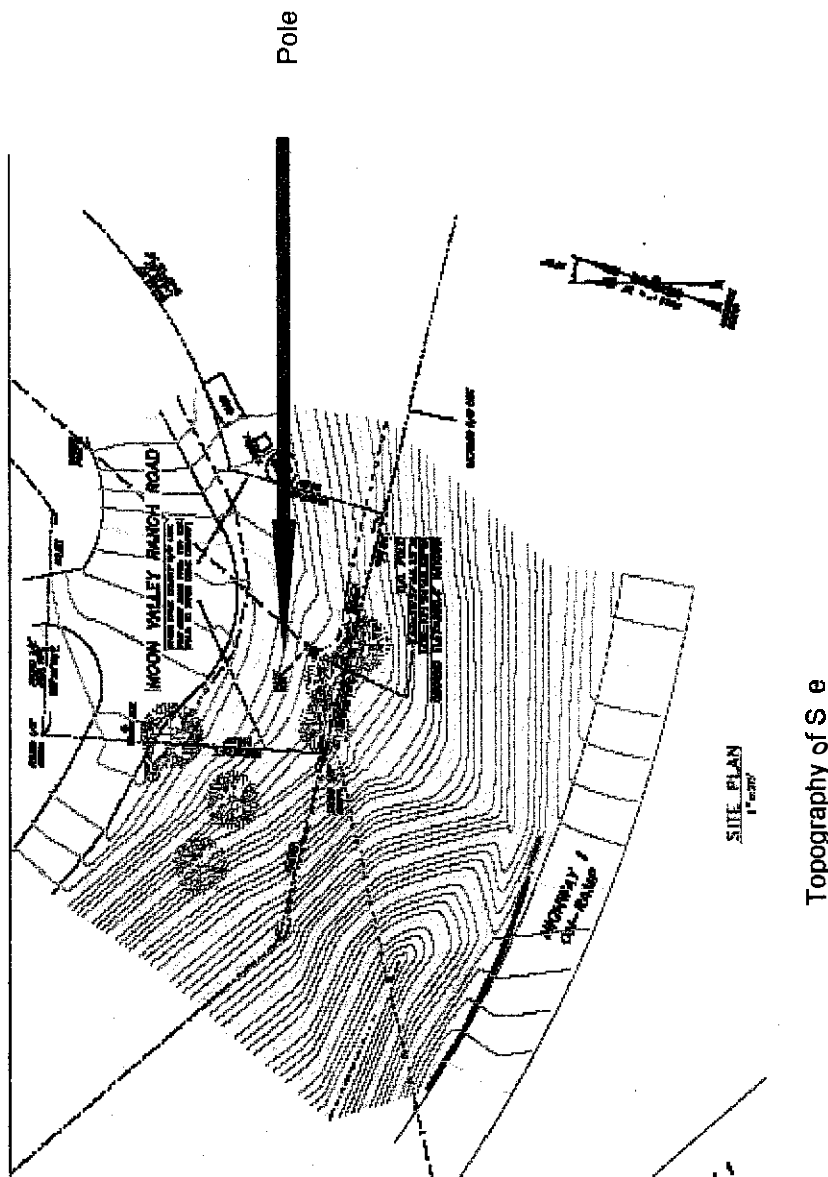


Capacitor Bank on power pole 6



7

This is the view of similar Antennas that will be on the Moon Valley Pole



Topography of S e



January 7, 2005

Santa Cruz County Planning Department  
Randall Adams  
701 Ocean Street  
Santa Cruz, CA 95060

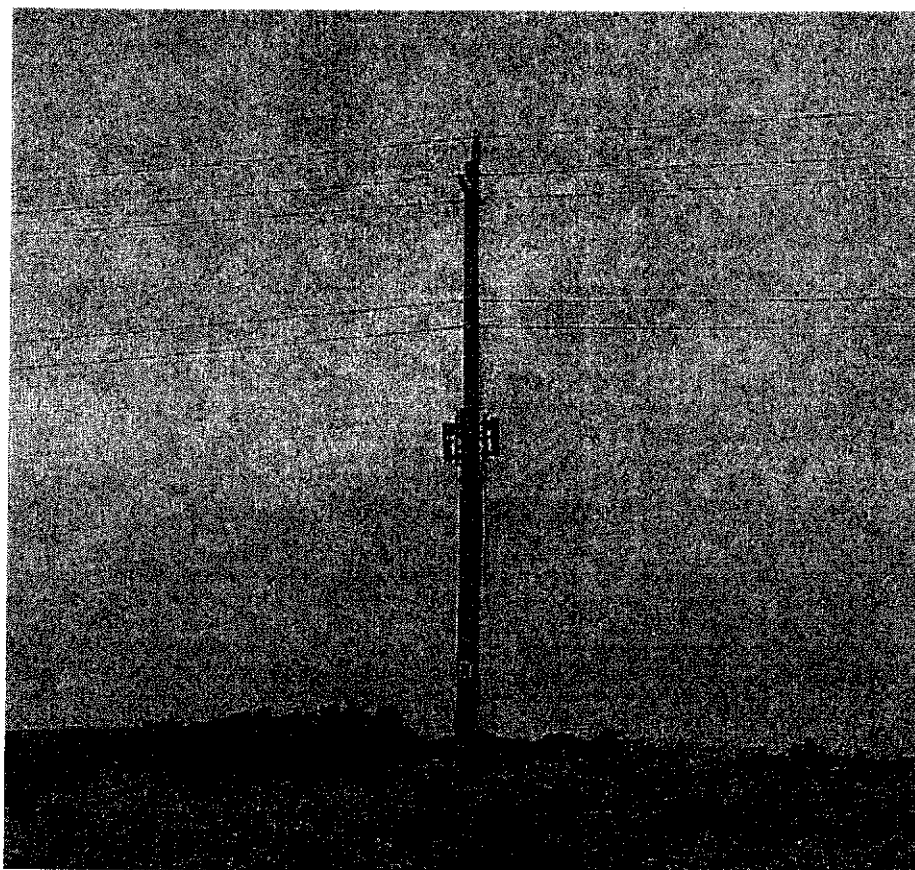
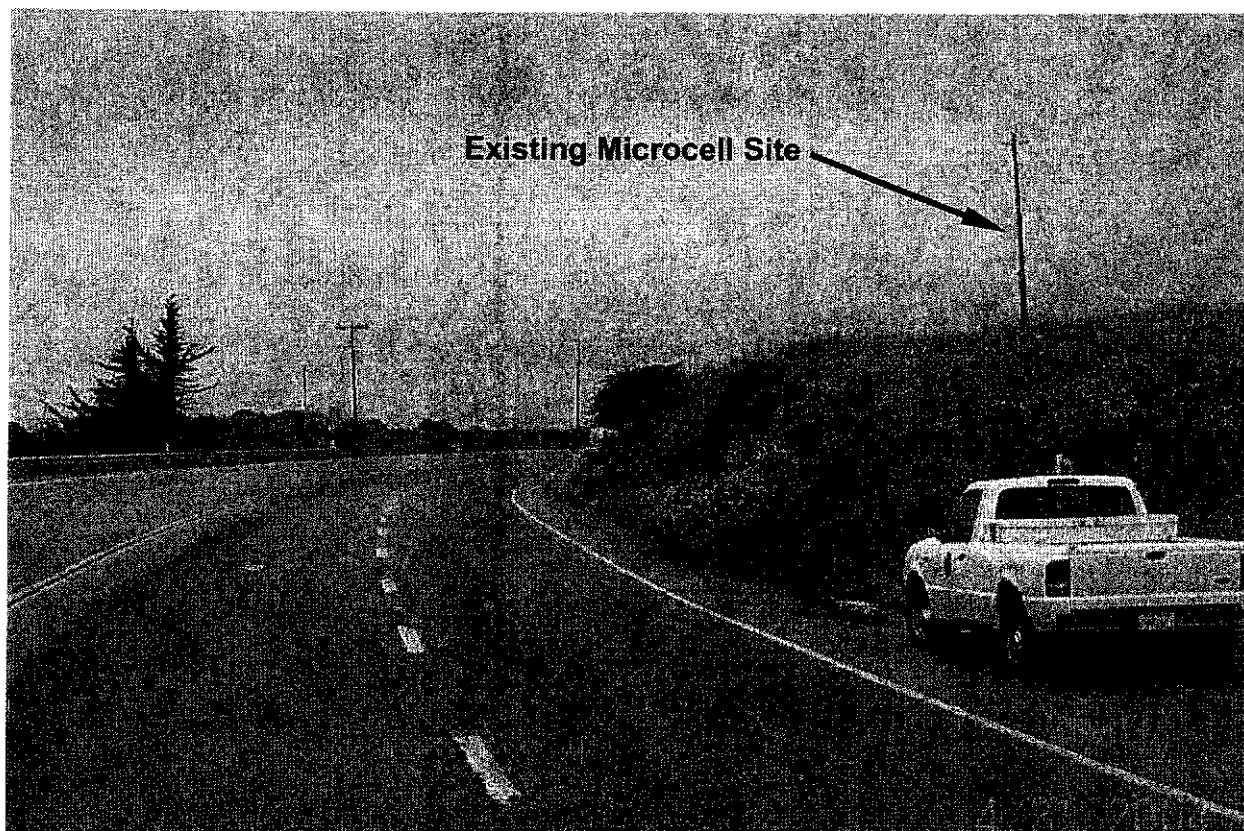
Mr. Adams:

Effective January 6, 2005, all current Cingular sites in California and Nevada were purchased, and ownership was transferred to, T-Mobile USA. This includes site #2739 located at coordinates 36.9914/121.924 in the County of Santa Cruz.

If you have any questions, please feel free to give me a call at 415.601.5297.

Regards,

Scott Davidson  
Cingular Wireless  
Program Manager - Northern California



- Existing microcell site on Highway One north of Santa Cruz
- Installed without a development permit
  - Application to recognize installation currently in process

COUNTY OF SANTA CRUZ  
PLANNING DEPARTMENT

Planning Commission  
Date: 2/23/05  
Agenda Item: # 7  
Time: After 9:00 a.m.

## **APPLICATION NO. 03-0415**

### **EXHIBIT 5:**

Letter to the Planning Commission,  
January 12, 2005 agenda date, with attachments



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

October 18, 2004

Agenda Date: January 12, 2005

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**Subject:** A public hearing to consider an appeal of the Zoning Administrator's decision to **approve** application **03-0415**; a proposal to **install** a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public right-of way.

Members of the Commission:

The above listed project for a Wireless Communication Facility (WCF) was reviewed at the 5/6/04 Zoning Administrator hearing. At that hearing, the neighbors raised concerns regarding potential visual impacts. The hearing was continued to 9/17/04 allow for the neighbors and Planning Department staff to visit existing sites of similar construction.

After review of a similar WCF site by the neighbors and Planning Department staff, the neighbors submitted a letter on 9/15/04 (Attachment 1) for review prior to the 9/17/04 Zoning Administrator hearing. Planning Department staff and the Zoning Administrator reviewed the letter and thought they had addressed all of the listed concerns at the hearing prior to granting an approval for this item on 9/17/04. It appears the appellants do not agree that each of their concerns were properly considered as an appeal of the Zoning Administrator's decision was formally made on 9/29/04 by the Moon Valley Ranch Road Association.

### **Appeal of Zoning Administrator's Action**

This letter to your Commission will respond to the appellants' 9/15/04 letter (Attachment 1) and each of the appellants' objections is addressed in the *same* order as they have been raised.

### **Objection A: AT&T Failed to Give Proper Notice**

The appellants have requested that AT&T show proof of proper notice, as well as a request that all ten parcels accessed via Moon Valley Ranch Road be noticed for this project.

Three forms of notification to the general public are required at least 10 calendar days prior to a public hearing per County Code section 18.10.223: 1) Publication in a newspaper of general

circulation within the County, 2) Posting of a public notice on the project site, 3) Mailed notices mailed to property owners within 1000 feet of the project site (required noticing distance increased to 1000 feet per County Code section 13.10.661(h) for WCF proposals).

The noticing for the public hearing before the Zoning Administrator (Attachment 3) was performed according to the applicable County Code sections (13.10.661(h) & 18.10.223). Newspaper publication occurred on 7/23/04. The project site was posted by the applicant on 7/24/04 (although the applicant printed a photo for another WCF proposal on top of the affidavit in error, the affidavit is still considered as valid). All parcels within 1000 feet of the project site were mailed notice of the public hearing on 7/22/04. A copy of the mailing labels is included.

Objection B: The Proposed Site Creates an Unnecessary Visual Impact

The appellants have stated that the proposed WCF will have a significant visual impact on the residents and visitors of the people who pass the project site while entering and exiting their homes on a daily basis.

The proposed WCF is a microcell installation co-located on an existing utility pole in a public right of way. This type of installation (per County Code section 13.10.661(g)) has been determined to create the least intrusive visual impact, and no analysis for alternate sites is required for co-located facilities such as the WCF proposed in this application (per County Code section 13.10.661(c)(3)). Planning Department staff and the Zoning Administrator reviewed the proposal and made findings that the proposed WCF will not create a significant visual impact. The Zoning Administrator, in response to the appellants' stated concerns at the 9/17/04 public hearing, added the requirement (in addition to the requirement of paint to match the existing utility pole) that the pole mounted equipment cabinets for this WCF be located at a height of 8 feet or less above the ground, which is below the existing vegetation, and that the equipment cabinets be located on the side of the pole opposite the Moon Valley Ranch Road right of way to further conceal them from view.

Objection C: The Subject Proposal Does Not Qualify for a Telecommunications Act Exception

The appellants have stated that the proposed WCF is located within a prohibited zone district and that a Telecommunications Act Exception must be approved to allow this project.

The proposed project site is located within the SU (Special Use) zone district, a restricted zone district when implementing the project site's residential General Plan land use designation, and is not a prohibited zone district as the appellants have stated. Furthermore, no Mer alternatives analysis or Telecommunication Act Exception is required for WCF proposals that are co-located on existing utility poles within restricted zone districts (per County Code section 13.10.661(c)).

Objection D: Use of the Present Location Would Have a Negative Affect on the Community, Including Potential Diminution of Value

The appellants have stated that the location of the proposed WCF negatively affects the entry to properties in the area and will decrease property values.

The potential visual impact of the proposed WCF will be minimized through the small size of the

proposed facility and the location of equipment on an existing utility pole which is already clearly visible to the general public and residents of the neighborhood. The equipment cabinet will be no larger than 2 cubic feet and will be no wider than the existing utility pole, as shown on the project plans. Any potential visual impacts of the proposed facility will be adequately mitigated through painting the proposed equipment to blend with the existing utility pole, the location of the equipment cabinets below the existing vegetation, and the rotation of the equipment cabinets to the side of the pole opposite from the Moon Valley Ranch Road right of way.

Yo information has been presented to demonstrate that the proposed WCF will reduce property values in the vicinity of the project site.

Objection E: At a Minimum, All Equipment Besides the Actual Antenna Should Be Placed Undermound

The appellants have requested that the equipment cabinets be placed underground.

Planning Department staff and the Zoning Administrator have evaluated the potential of locating equipment cabinets below grade and have determined that such an installation would create additional unnecessary site disturbance and vegetation removal. A pole mounted installation will require less site disturbance and will preserve the existing vegetation adjacent to the existing utility pole.

Objection F: AT&T has not demonstrated that this site is necessary

The appellants have inquired as to whether or not three microcell sites are sufficient to serve the project area.

The proposed WCF is a microcell installation on an existing utility pole. No further analysis of alternative sites, or a reduction of sites, is required for WCF proposals that are co-located on existing utility poles within restricted zone districts (per County Code section 13.10.661(c)). Additionally, the applicant has indicated that all four sites are necessary to serve the project area and another site would need to be located (with its own potential visual or environmental impact) in the vicinity if this site is found to be unsuitable.

Appellants Request

The appellants have requested that the applicant post the project site and mail notices to all of the property owners who access their properties via Moon Valley Ranch Road, and that a visual mockup of the proposed facility be located on the existing utility pole.

As stated previously under the response to Objection A, the required noticing of the public hearing was adequately performed per the applicable County Code sections.

The request for a visual mockup was considered by Planning Department staff and the Zoning Administrator and was found to be unnecessary. The applicant provided clear and detailed project plans, as well as visual simulations of the proposed facility. No visual mockup is required for co-located or microcell installations (per County Code 13.10.661(h)).



## Summary

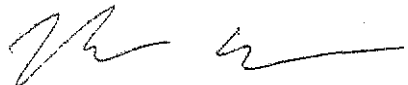
Staff believes that the issues raised in the appeal letter were reviewed and adequately addressed by the Zoning Administrator prior the decision to approve the application on 9/17/04. Noticing for the public hearing was adequate and the proposed project is in compliance with all applicable codes and policies.

The proposed WCF (as a microcell installation co-located on an existing utility pole) will be the least intrusive alternative, when compared to macrocell sites or other installations that would require additional site disturbance or create additional visual impact.

## Recommendation

Planning Department staff recommends that your Commission **UPHOLD** the Zoning Administrator's action to approve Application Number 03-0415.

Sincerely:



Randall Adams  
Projec: Planner  
Development Review

Reviewed By: 

Cathy Graves  
Principal Planner  
Development Review

## Attachments:

1. Appeal letter from the Moon Valley Ranch Road Association, prepared by Robert Jay Katz, dated 9/29/04 with attached letter dated 9/15/04.
2. Staff report to the Zoning Administrator, originally heard on 8/6/04 and continued to 9/17/04.
3. Documentation of Public Notice for the 8/6/04 Zoning Administrator hearing.

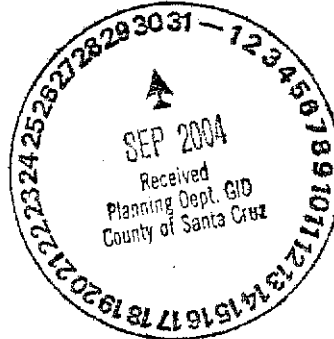


314 Capitola Avenue  
Capitola, CA 95010

A Professional Law Corporation

Telephone (831) 475-2115  
Facsimile (831) 475-2213

September 29, 2004



Don Bussey  
Randall Adams  
Santa Cruz County Zoning Department  
701 Ocean Street  
Santa Cruz, CA 95060

**RE: NOTICE OF APPEAL**

*AT&T Proposal for Moon Valley Ranch Road  
Proposal No. 03-0415 - Second District*

Dear Mr. Bussey and Mr. Adams:

Please be advised that the Moon Ranch Road Association (consisting of neighbors Katz, Lapides, Ashton, Tomaselli, Bilyeu, Ashen, Denman and Ryan) hereby appeals the Zoning Administrator's determination in regard to Commercial Development Permit No. 03-0415. Enclosed is the filing fee in the amount of \$2,343.

The basis for the appeal, is set forth in the letter and attachments dated September 15, 2004, which were timely submitted and should be part of the file. Additional considerations that come to light may also be presented to the Planning Commission.

In general, the neighbors believe there are much better locations for the proposed commercial facility, which locations will still meet AT&T's needs. If the present location is ultimately approved, we believe there should be additional conditions imposed for the protection of the neighborhood.

**ATTACHMENT**



A Professional Law Corporation

Don Bussey  
Randall Adams  
Santa Cruz County Zoning Department  
September 29, 2004

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Please commence the appeal process and forward the file to the Planning Commission. Your consideration of this matter to date is very much appreciated.

Very truly yours,

KATZ & LAPIDÈS

A handwritten signature in cursive script, reading "Robert Jay Katz".

ROBERT JAY KATZ

RJK/lmt

enclosure

cc: Moon Valley Ranch Road Association  
Santa Cruz County Planning Commission

ATTACHMENT

1



314 Capitola Avenue  
Capitola, CA 95010

A Professional Law Corporation

Telephone (831) 475-2115  
Facsimile (831) 475-2213

September 15, 2004

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
701 Ocean Street  
Santa Cruz, CA 95060

RE: AT&T Proposal for Moon Valley Ranch Road  
Proposal No. 03-0415

Dear Mr. Bussey and Mr. Adams:

On behalf of myself and the other members of the Moon Valley Ranch Road Association, I herewith submit the following documentation, objections and requests for your consideration.

### FACTUAL BACKGROUND

After learning of this proposal a few days prior to the last hearing on August 6, 2004, I submitted objections by email to Zoning, which were included in the file. My wife, Leola Lapidès, and I appeared at the hearing, expressed some concerns: and requested a continuance to view other representative sites, and obtain more information from Roger Haas, who is representing AT&T in this matter.

Mr. Haas provided me with directions to two locations, and I visited the one on Scotts Valley Drive at the entrance to the RMC Lone Star site. Attached as **Exhibit A** are photographs I took of this pole/antenna structure.

After I took the photographs, I asked Mr. Haas to meet with me and neighbor Mike Denham at the proposed site, which Mr. Haas promptly agreed to do. At our

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

Page 2

meeting, we showed him the photographs and tried to make him understand the concerns of the neighbors, who use the cul de sac where the pole is located for ingress and egress everyday. We discussed the fact that the present shrubbery and overgrowth will likely be removed in the future, and that the lower part of the pole will become more visible. We then viewed, from a distance, the next westerly pole (right on the other side of the freeway), which seems like a logical alternative which would have no visual impact on anyone's home. (Exhibit B contains photographs of the cul de sac area where the proposed pole will be located, and where three paths of travel intersect; as well as a photograph of the proposed alternative pole.)

In regard to this alternative, Mr. Haas was unaware whether it had ever been looked at by AT&T, and was also unaware as to whether there were any legal impediments to putting the antenna on this other pole. He expressed a reluctance to start looking at a new location, given the time and money that had already been put into the proposed location. We reminded him that we have only very recently become aware of this project, and had he spoken to us much earlier, we would have had a chance to express our concerns then.

Mr. Haas agreed to discuss the matter with his principal and to try to work out a solution agreeable to all concerned parties. I advised him that we would be submitting objections prior to the hearing, but that we remained open to further discussion,

Mr. Denham and I subsequently set up a meeting with Development Review Planner Randell Adams, which meeting took place on September 15, 2004. It was discovered that only 8 of the 10 parcels on Moon Valley Ranch Road and Mockingbird Ridge Road were mailed notices. The insufficiency of the posted notice was also brought to Mr. Adams' attention. A posted notice was placed on a fencepost a distance from the proposed pole, which was not easy to see and remained for a limited period of time. No posting was every done on the proposed pole itself? and

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

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the Affidavit of Posting that is contained in the file is ~~for~~ a different project (see Exhibit C). Attached as Exhibit D is the read-out provided by Mr. Adams, which shows the parcels who received notice by mail.

## APPLICABLE LAW

### Chapter 13.10 Zoning Regulations

13.10.660 Regulations for the siting, design, and construction of wireless communications facilities:

(a) Purpose...It is also the purpose of Sections 13.10.660 through 13.10.668 inclusive to assure, by the regulation of siting of wireless communications facilities, that the integrity and nature of residential, rural, commercial, and industrial areas are protected from the indiscriminate proliferation of wireless communication facilities...It is also the purpose of sections 13.10.660 through 13.10.668 inclusive to locate and design wireless communication towers/facilities so as to minimize negative impacts, such as, but not limited to, visual impacts, agricultural and open space land resource impacts, impacts to the community and aesthetic character of the built and nature environment, attractive nuisance, noise and falling objects, and the general safety, welfare and quality of life of the community...

(d) Definitions.

“Microcell site” means a small radio transceiver facility comprised of an unmanned equipment cabinet with a total volume of one hundred (100) cubic feet or less that is either under or aboveground, and one omni-

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

Page 4

directional whip antenna with a maximum length of five feet, or up to three small (approximately 1' x 2' or 1' x 4') directional panel antennas, mounted on a single pole, an existing conventional utility pole, or some other similar support structure.

13.10.661 General requirement for wireless communications facilities:

All wireless communications facilities...shall comply with the following requirements:

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

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

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

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13.10.668 Telecommunication act exception procedure:

If the application of the requirements or limitations set forth in Section 13.10.660 through 13.10.668 inclusive, including but not limited to applicable limitations on allowed land uses, would have the effect of violating the Federal Telecommunications Act as amended, the approving body shall grant a Telecommunications Act Exception to allow an exception to the offending requirement or limitation would violate the Federal Telecommunications Act: and that no alternatives exist which would render the approval of a Telecommunications Act Exception unnecessary.

OBJECTIONS AND DISCUSSION

A. AT&T failed to give proper notice.

It is requested that AT&T show proof of giving proper notice of hearing on this matter. It is also requested that notice to all ten parcels on Moon Valley Ranch Road and Mockingbird Ridge Road be required, as they are the most affected parcels.

B. The proposed site creates an unnecessary visual impact.

As stated in Regulation 13.10.660(f), "Wireless communication facilities shall be sited in the least visually obtrusive location that is technically feasible..." There is no doubt that the addition of an antenna and associated equipment for a "base station" will have a significant visual impact on the residents and visitors to the ten homes which use this cul de sac for ingress and egress everyday. The pole directly west of the subject pole, as well as the existing cell tower location at the end of Moon



Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

Page 6

Valley Ranch Road, are clearly less obtrusive locations which are technically feasible. Unless AT&T can demonstrate that these alternative locations are not technically feasible, the purpose of the Regulations can only be fulfilled by requiring AT&T to explore these other locations.

C. The subject proposal does not qualify for a Telecommunications Act Exception.

Zoning Regulation 13.10.661(b) specifies that the proposed pole is in a "Prohibited Zoning District." It is therefore required that a Telecommunications Act Exception must be approved pursuant to Section 13.10.668 which states that:

The applicant shall have the 'burden of proving that application of the requirement or limitation would violate the Federal Telecommunications Act, and that no alternatives exist which would render the approval of a Telecommunications Act Exception unnecessary. (Emphasis added.)

There are clearly alternatives to the subject location that could potentially fulfil all parties needs, and should be evaluated before any final approval of the subject proposal is given.

D. Use of the present location would have a negative affect on the community, including potential diminution of the value.

The residents on Mockingbird Ridge Road already have a gate and entry structure at the cul de sac where the antenna is proposed. The residents of Moon Valley Ranch Road are working with an architect to also have a gate at the entry right near the proposed pole. Therefore, not only do residents and guests drive by the proposed structure, they actually have to stop right near it while the gate opens. This

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

Page 7

proposal negatively affects the entry to the communities, and the negative visual impact is increased due to the existing and proposed gate locations. Additionally, commercial wireless communication facilities at the entrance to two roads offhousing can only negatively affect the homes' values. Moving the proposed location to another pole could avoid these negative impacts.

- E. At a minimum, all equipment besides the actual antenna should be required to be placed underground.

As referenced in the definition of "Microcell site" (see above), the possibility of underground cabinets is contemplated. Just because this might be more expensive is not a reason to not require it, if requiring it would fulfill the purpose of the Regulations.

- F. AT&T has not demonstrated that this site is necessary.

I am informed that AT&T has four microcell site proposals within a short distance, the subject proposal being one of them. Wouldn't three sites be sufficient? Is the subject site really necessary?

### SUMMARY AND REQUEST

In summary, AT&T should be required to explore other alternatives to minimize the visual impact. The pole directly to the west; the existing cell tower site; and the possibility of putting the equipment underground, should all be evaluated in order to minimize the visual impact to the community. Further, approval at this hearing would be improper due to lack of proper notice. All residents of Moon

Randall Adams and Don Bussey  
Santa Cruz County Zoning Department  
September 15, 2004

Page 8

Valley Ranch Road and Mockingbird Ridge Road deserve notice and the opportunity to express their concerns. AT&T should give proper notice by posting (on the pole) and by mail, as well as placing a "visual mockup" as referenced in Section 13.10.661(h).

Additionally, AT&T should be required to demonstrate that the subject site is "necessary" to adequately provide coverage, and that a Telecommunications Act Exception should be granted.

Respectfully submitted,

KATZ & LAPIDES



ROBERT JAY KATZ

RJK/lmt

enclosures

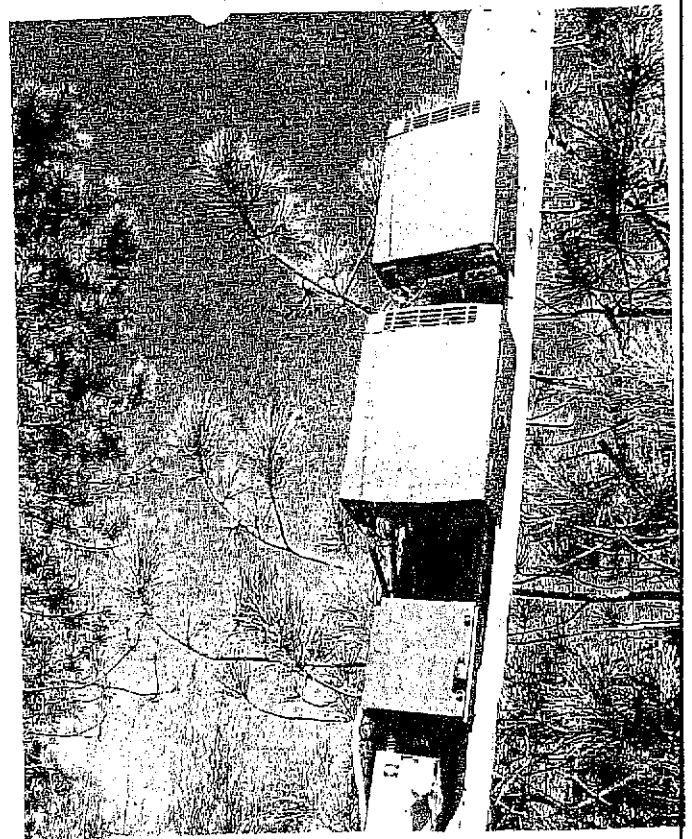
cc: Moon Valley Ranch Road Association

EXHIBIT A

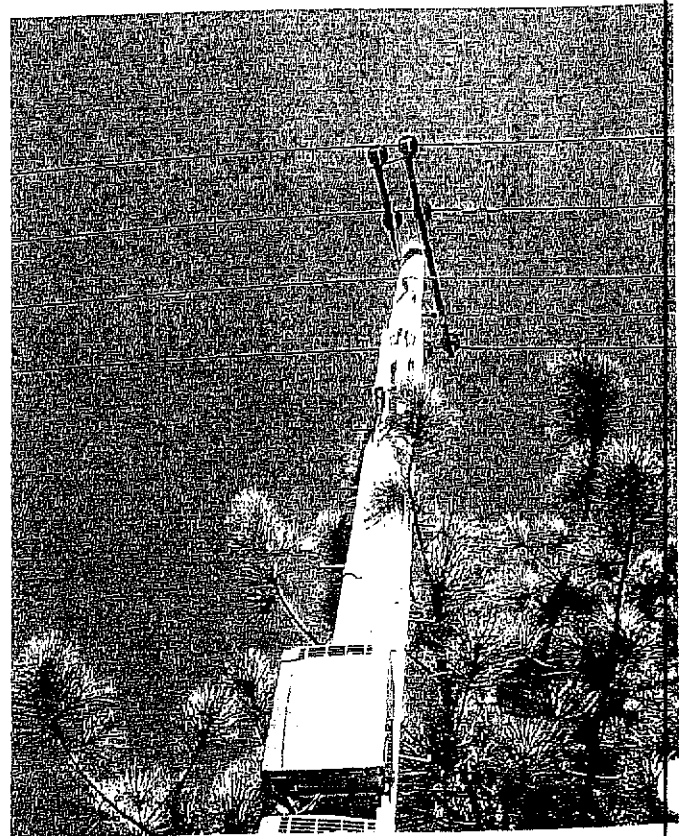
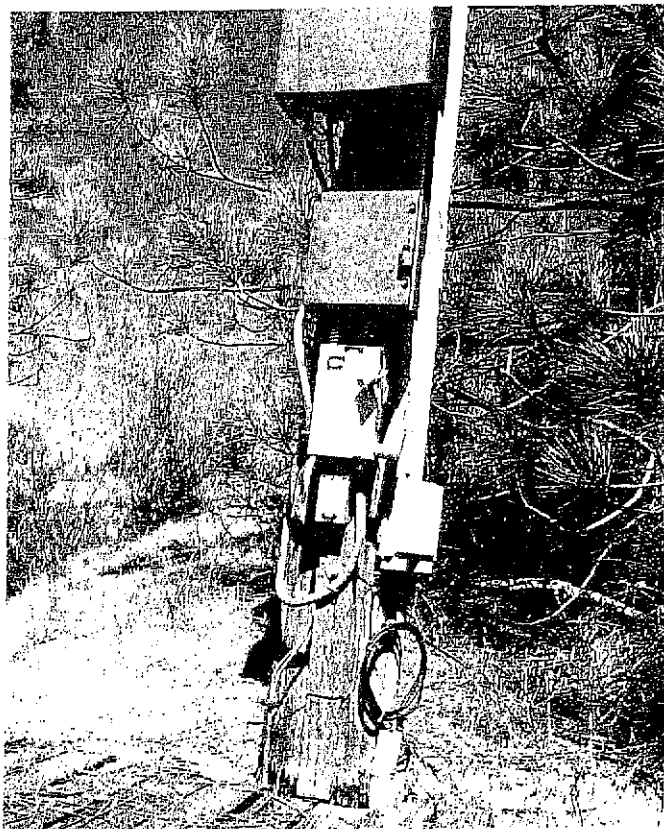
ATTACHMENT I

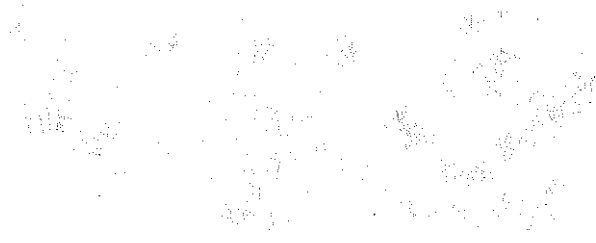


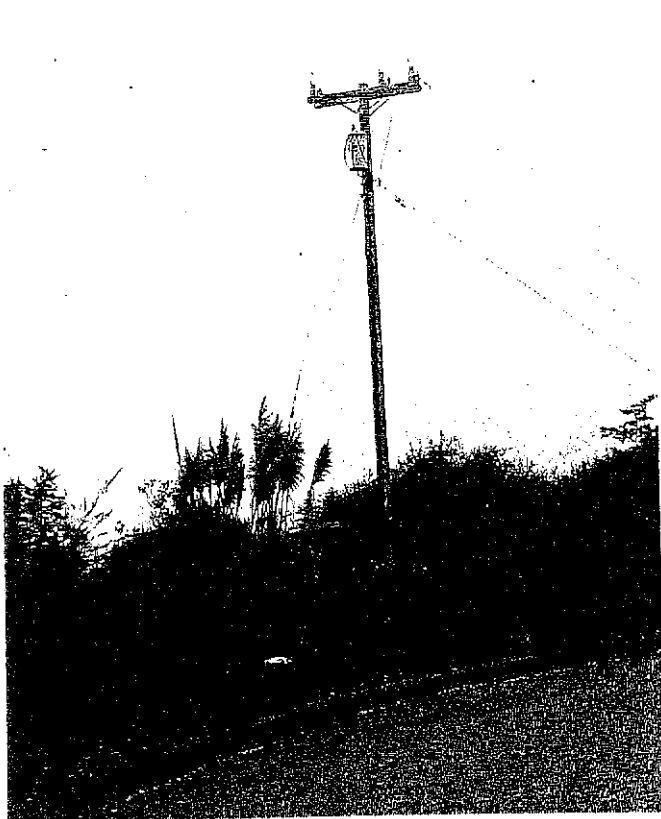
9-10-04



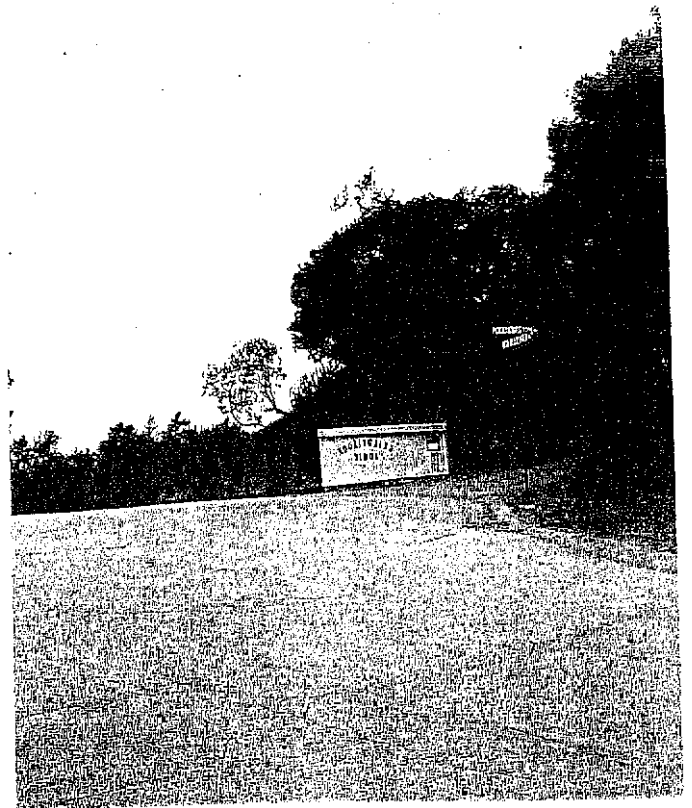
Scotts Valley







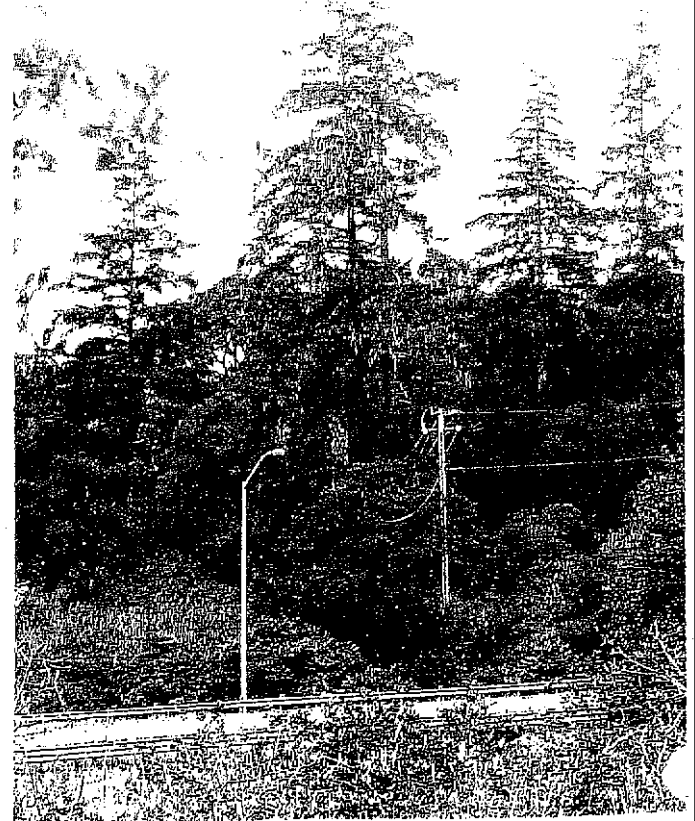
August 2004



Moon Vly RR @ Mockingbird R



View from MVRR



Pole across Hwy 1

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ATTACHMENT

EXHIBIT C

p19





# AFFIDAVIT OF POSTING

## County of Santa Cruz

AG 11 BL 11 PC 11

Please note that this is a public notice and should be posted in a conspicuous place on the Project Site.

APPLICANT'S  
PLEASE COMPLETE THE FOLLOWING:

County of Santa Cruz Planning Department  
Attn: Randall Adams  
700 Ocean Street, 10th Floor  
Santa Cruz, CA 95060

Posting Location (if applicable):

*[Handwritten signature]*  
*[Handwritten signature]*

Posted By:

Date Posted:

I declare under penalty of perjury that I posted the notice(s) at the location and on the date listed above.

*[Handwritten signature]*  
(Signature)

*7/24/04*  
(Date)

*Photo  
From  
03-06-05*

EXHIBIT D

ATTACHMENT 1  
p21

63-0915

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\*  
\* SUBJECT PARCEL = 04130125 \*  
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04130139

LARKIN RIDGE ESTATES HOMEOWNERS A  
273 LARKIN RIDGE DR  
WATSONVILLE CA 95076

04130108

CALIFORNIA STATE OF  
650 HOWE AVE  
SACRAMENTO CA 95825

04130113

CALIFORNIA STATE OF  
P O BOX 1791 RINCON ANNEX  
SAN FRANCISCO CA 94119

04130123

ANAYA ARNULFO & EVANGELINA H/W JT  
2003 LARKIN VALLEY RD

WATSONVILLE CA 95076

04130124

OCCUPANT  
2001 LARKIN VALLEY RD  
WATSONVILLE CA 95076

04130124

04501124

RAVAGO FRANK L JR & CHERYL A TRUS  
120 VISTA GRANDE CR  
APTOS CA 95003

04501129

KURK RICHARD D & ELISSA M H/W JT  
1801 BONITA DR

APTOS CA 95003

04501114

OCCUPANT  
1940 BONITA DR  
APTOS CA 95003

04501114

SCHOLASTIC LEGACY INC  
1940 BONITA  
APTOS CA 95003

04501128

ALDWELL JOHN N & LYNNE M H/W JT  
106 VISTA GRANDE DR  
APTOS CA 95003

04501125

SCHIAVON LOUIS & OLLIE FAMILY LTD  
114 VISTA GRANDE DR  
APTOS CA 95003

04501126

EVANS STEVEN & BONNIE H/WJT  
112 VISTA GRANDE DR  
APTOS CA 95003

04531127

MARQUEZ LARRY R & BETTY J CO-TRUS  
110 VISTA GRANDE DR  
APTOS CA 95003

\*\*\*\*\*  
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NOTTOLI BARRY J M/M S/S  
1360 N ACADEMY  
SANGER CA 33612

04130126

TOSELLO GEORGE R  
188 LAS CCLINAS DR  
WATSONVILLE CA 95075

04130131

OCCUPANT  
1401 LARKIN VALLEY RD  
WATSONVILLE CA 95376

04130131

XANTHUS CHRISTINA TRUSTEE ETAL  
240 VIA PONTOS WAY  
WATSONVILLE CA 95076

04130154

COOPER DEBORAH A TRUSTEE ETAL  
345 RACE HORSE LN  
WATSONVILLE CA 95076

04130146

OCCUPANT  
1025 MOON VALLEY RANCH RD  
WATSONVILLE CA 95076

04130146

ASHTON JASON A U/M  
903 WHISPERING PINES DR  
SCOTTS VALLEY CA 95066

04130150

OWNERS OF C A 54PM21  
P O BOX 25670  
FRESNO CA 93729

04130152

OCCUPANT  
195 RACE HORSE LN

WATSONVILLE CA 95076

04130152

MC NULTY JOHN W & MONICA M H/W CF  
P O BOX 1002  
SOQUEL CA 55073

04130151

ROMERO FAUSTO JR & NOREEN H/W C?  
185 RACE HORSE LN  
WATSONVILLE CA 95076

04130134

JOHNSON MICHAEL B U/M<sup>\*</sup>  
185 LARKIN RIDGE DR  
WATSONVILLE CA 95076

04501123

WHITE LOUISE TRUSTEE ETAL  
122 VISTA GRANDE DR  
TOS CA 95003

04501118

COPE O JAMES & AVE MARIE HELENE B  
107 VISTA GRANDE DR  
APTOS CA 95003

04501120

GLASS TIMOTHY J S/M  
115 VISTA GRANDE CR  
APTOS CA 95003

04501113

COSTANZO JOHN R & LAURIE A TRUSTE  
109 VISTA GRANDE DR  
APTOS CA 95003

04501130

SAN ANDREAS HEIGHTS HOMEOWNERS AS  
8070 SOQUEL DR #230  
APTOS CA 95003

ATTACHMENT

1



# COUNTY OF SANTA CRUZ

## Planning Department

### COMMERCIAL DEVELOPMENT PERMIT

Owner Department of Public Works  
Address No Situs

Permit Number 03-0415  
Parcel Number(s) No-APN-Spec.

#### PROJECT DESCRIPTION AND LOCATION

Permit to install a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public right-of-way. Requires a Commercial Development Permit. Property located on the south side of Moon Valley Ranch Road at about 500 feet west of the intersection with Larkin Valley Road.

#### SUBJECT TO ATTACHED CONDITIONS.

Approval Date: 9/17/04  
Exp. Date (if not exercised): 1011106  
Denied by: \_\_\_\_\_

Effective Date: 1011104  
Coastal Appeal Exp. Date: N/A  
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.

— 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

Date

Staff Planner

Date

Distribution: Applicant, File, Clerical



## Staff Report to the Zoning Administrator

Application Number: **03-0415**

**Applicant:** AT&T Wireless - Roger Haas  
**Owner:** Department of Public Works  
**APN:** NO\_APN\_SPEC

**Date:** 9/17/04  
**Agenda Item:** 1  
**Time:** 8:30 a.m.

**Project Description:** Proposal to install a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public Right-of Way.

**Location:** Property located on the South side of Moon Valley Ranch Road at about 500 feet West of the intersection with Larkin Valley Road.

**Permits Required:** Commercial Development Permit

### Staff Recommendation:

- Approval of Application 03-0415, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

### Exhibits

- |                                               |                                   |
|-----------------------------------------------|-----------------------------------|
| A. Project plans                              | F. Zoning & General Plan maps     |
| B. Findings                                   | G. Visual Simulations             |
| C. Conditions                                 | H. Supplemental Application       |
| D. Categorical Exemption (CEQA determination) | information (Including RF report) |
| E. Assessor's parcel map                      | I. Comments & Correspondence      |

### Parcel Information

Parcel Size:	N/A
Existing Land Use - Parcel:	Public right-of-way
Existing Land Use - Surrounding:	Highway One right-of-way, Rural residential
Project Access:	Moon Valley Ranch Road
Planning Area:	Aptos Hills
Land Use Designation:	R-R (Rural Residential)
Zone District:	SU (Special Use)
Supervisory District:	2 (District Supervisor: Ellen Pirie)

County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060



Within Coastal Zone: ☐ Inside ☒ Outside  
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

### Environmental Information

Geologic Hazards: N/A  
Soils: NA  
Fire Hazard: N/A  
Slopes: N/A  
Env. Sen. Habitat: N/A  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Highway One Scenic Corridor - micro cellular installation on existing utility pole, no visual impact anticipated to scenic resources.  
Drainage: N/A  
Archeology: N/A

### Services Information

Inside Urban/Rural Services Line: ☐ Yes ☒ No  
Water Supply: N/A  
Sewage Disposal: N/A  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: None

### Project Setting

The proposed wireless communications facility will be located on an existing utility pole within the right-of-way of Moon Valley Ranch Road above the north side of Highway One.

### Zoning & General Plan Consistency

The project site is located within the public right-of-way of Moon Valley Ranch Road within the SU (Special Use) zone district and within the (R-R) Rural Residential General Plan designation.. Wireless communications facilities are a restricted category of use within the SU zone district (for parcels with a residential General Plan designation), but the installation of micro cellular wireless communications facilities on existing utility poles are allowed as an exception to the restricted areas prohibition.

### Design Review & Scenic Resources

The proposed wireless communications facility complies with the requirements of the County Design Review Ordinance, and will not impact scenic resources such as the Highway One Scenic Comdor, in that the proposed project will be located on an existing utility pole and will blend with existing utilities infrastructure to adequately mitigate any visual impact of the proposed development on surrounding land uses and the natural landscape.

## Conclusion

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

## Staff Recommendation

- **APPROVAL** of Application Number 03-0415, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

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

Report Prepared By: Randall Adams  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3218  
E-mail: [randall.adams@co.santa-cruz.ca.us](mailto:randall.adams@co.santa-cruz.ca.us)

## 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.

This finding can be made, in that the proposed micro cellular wireless communication facility will be co-located on an existing utility pole. Micro cellular wireless communication facility installations that are co-located on existing utility poles, such as this proposal, are an environmentally superior alternative to larger wireless communication facility installations and their associated visual and environmental impacts. The use of such co-located micro cellular wireless communication facilities in place of larger wireless communication facility installations, when technically feasible, minimizes the visual and environmental impacts associated with the construction of wireless communication facilities due to the smaller size of the proposed facilities and the presence of an existing pole and utilities infrastructure.

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

This finding can be made, in that the installation of micro cellular wireless communications facilities co-located on existing utility poles are allowed as an exception to the restricted areas prohibition without the requirement of further alternatives analysis, per County Code section 13.10.661(c)(3).

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.

This finding can be made, in that the project site is located within a public right-of-way and is used for the purpose of public access and utilities infrastructure.

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,

This finding can be made, in that the proposed wireless communications facility will be located on an existing utility pole, which is approximately 41 feet in height, and this elevation is too low to interfere with an aircraft in flight.

5. The proposed wireless communication facility is in compliance with all FCC (federal communications commission) and California PUC (public utilities commission) standards and requirements.

This finding can be made, in that the maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be .098 percent of the most restrictive applicable limit.

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

This finding can be made, in that the proposed project site is not located within the coastal zone.

## Development Permit Findings

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

This finding can be made, in that the maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be .098 percent of the most restrictive applicable limit.

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 will be co-located on an existing utility pole, 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.

This finding can be made, in that the installation of micro cellular wireless communications facilities co-located on existing utility poles are allowed as an exception to the restricted areas prohibition without the requirement of further alternatives analysis, per County Code section 13.10.661(c)(3). The project site is located within the SU (Special Use) zone district with a residential General Plan land use designation.

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

This finding can be made, in that the proposed micro cellular wireless communication facility will be co-located on an existing utility pole. Micro cellular wireless communication facility installations that are co-located on existing utility poles, such as this proposal, are an environmentally superior alternative to larger wireless communication facility installations and their associated visual and environmental impacts.

The subject property for the proposed project is located within the Highway One scenic corridor. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that the use of such co-located micro cellular wireless communication facilities minimizes the visual and environmental impacts associated with the construction of wireless communication facilities due to the small size of the proposed facilities and the presence of an existing pole and utilities infrastructure. The existing public views from the scenic highway will remain relatively unchanged as a result of this project.

The property is located in the Rural Residential (R-R) land use designation, which is implemented by and consistent with the site's SU (Special Use) zone district.

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.

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

This finding can be made, in that the proposed facility will be co-located on an existing utility pole. This proposed design will adequately mitigate any potential visual impacts to the surrounding neighborhood.

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

This finding can be made, in that the proposed facility will be co-located on an existing utility pole and will blend with the existing utilities infrastructure to reduce potential visual impacts to the surrounding neighborhood.



## Conditions of Approval

Exhibit A: Project Plans, entitled, "Moon Valley Road", 8 sheets, prepared by AT&T Wireless Services, dated 7/1/03, with revisions through 1/7/04.

- I. This permit authorizes the construction of a wireless communications facility on an existing utility pole as indicated on the approved Exhibit "A" for this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant 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. Obtain an Encroachment Permit from the Department of Public Works for all work performed in the County road right-of-way.
- II. The applicant shall obtain all required approvals from the California Public Utilities Commission (CPUC) and the Federal Communications Commission (FCC) for this wireless communication facility.
- III. 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. An indication of the proposed colors and materials of the proposed wireless communication facility. All colors and materials must be non-reflective and blend with the existing utilities infrastructure. All color boards must be no larger than 8.5"w x 11"h x 1/16"t.
    2. Details showing compliance with fire department requirements
  - B. 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, if required.
  - C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - D. *The equipment box/cabinet must be located at a height of 8 feet above the ground, or lower. Equipment boxes located on the utility pole must be located on the*

*Highway One side of the pole. (Added at ZA 9/17/04)*

- E. *Only hand crews, with no vegetation removal, may be used to install the wireless communication facility. (Added at ZA 9/17/04)*

IV. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The Hazardous Materials Management Plan, if required, shall be approved by the County Department of Environmental Health Services.
- D. 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 exterior finish and materials of the wireless communication facility must be maintained on an annual basis to continue to blend with the existing utilities infrastructure. Additional paint and/or replacement materials shall be installed as necessary to blend the wireless communication facility with the existing utilities infrastructure.
- B. The operator of the wireless communication facility must submit within 90 days of commencement of normal operations (or within 90 days of any major modification of power output of the facility) a written report to the Santa Cruz County Planning Department documenting the measurements and findings with respect to compliance with the established Federal Communications Commission (FCC) Non-Ionizing Electromagnetic Radiation (NEIR) exposure standard. The wireless communication facility must remain in continued compliance with the NEIR standard established by the FCC at all times. Failure to submit required reports or to remain in continued compliance with the NEIR standard established by the FCC will be a violation of the terms of this permit.



- C. The use of temporary generators to power the wireless communication facility are not allowed.
  - D. If, in the future, the pole based utilities are relocated underground at this location, the operator of the wireless communication facility must abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding natural landscape.
  - E. 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.
  - F. If future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the operator of the wireless communication facility must make those modifications which would allow for reduced visual impact of the proposed facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the operator of the wireless communication facility must abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding natural landscape.
  - G. 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.
  - H. A Planning Department review that includes a public hearing shall be required for any future co-location at this wireless communications facility.
  - 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.
  - J. Any future re-location on this utility pole shall require a public hearing. (Added at ZA 9/17/04)
- 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 the effective date unless you obtain the required permits and commence construction.**

Approval Date: 9/11/04

Effective Date: 1011104

Expiration Date: 10/1/06

  
Don Bussey  
Deputy Zoning Administrator

  
Randall 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.

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

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

Application Number: 03-0415

Assessor Parcel Number: NO-APN\_SPEC

Project Location: S o situs (Moon Valley Ranch Road Right-of-Way)

**Project Description:** Proposal to construct a wireless communications facility.

**Person or Agency Proposing Project:** AT&T Wireless - Roger Haas

**Contact Phone Number:** (408).672-5610

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

Specify type:

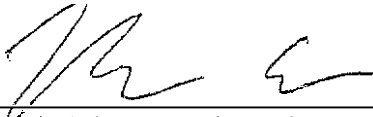
E. ☒ **Categorical Exemption**

Specify type: New Construction or Conversion of Small Structures (Section 15303)

**F. Reasons why the project is exempt:**

Construction of a utility pole mounted micro-cellular facility that is not anticipated to generate any environmental impacts.

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

  
Randall Adams, Project Planner

Date:

9/17/04

**E**

54PM21  
7/24/96

11PM2  
3/13/90

50PM51  
1/9/90.

78RS59  
8/8/88

WLY.

Bdy.	
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75MB53 7/2/86

62MB62  
8/12/75

Bk. 108

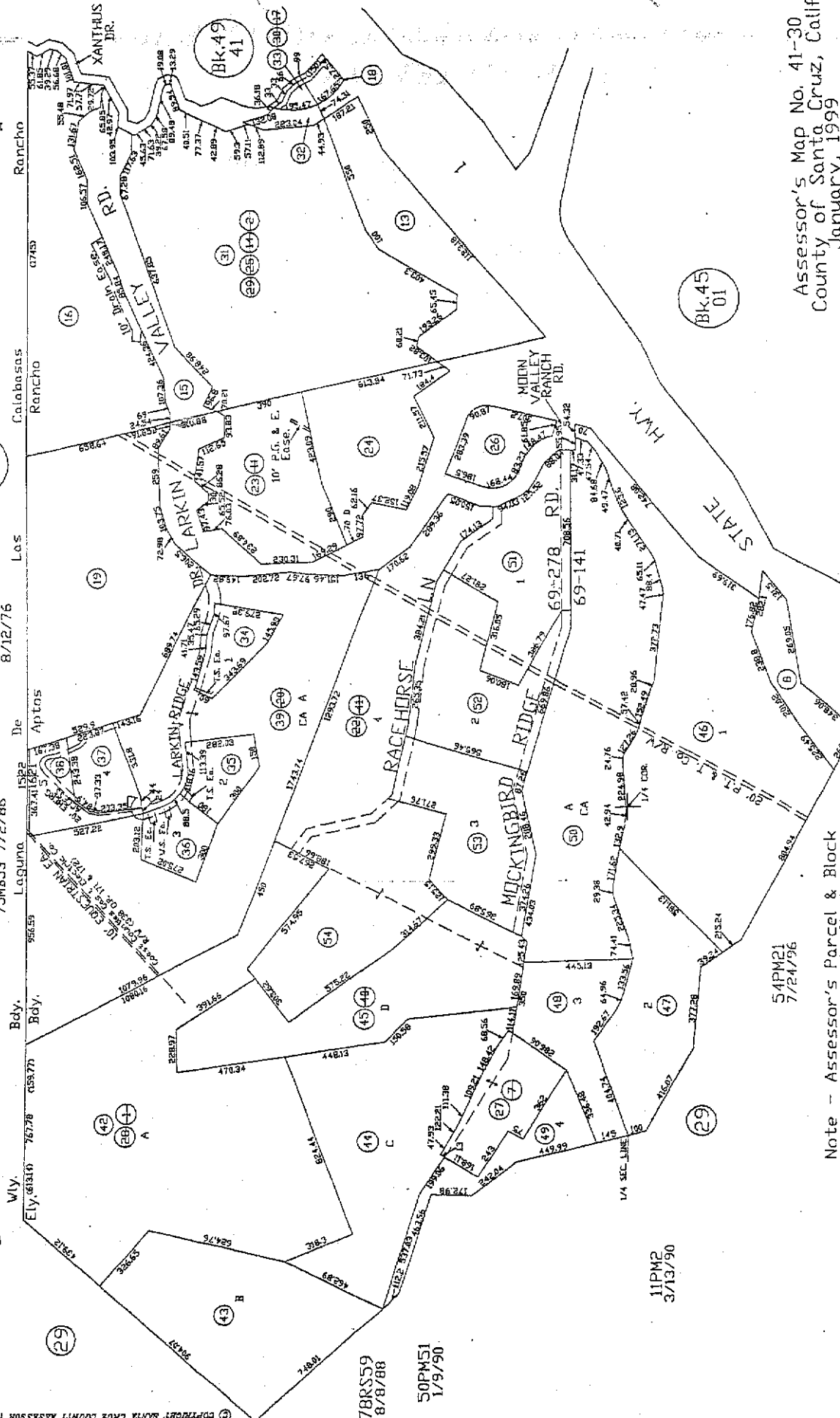
5 &amp; 21, T.11

SEC. 16 & 21, T.11S., R.1E., M.D.B. & M.

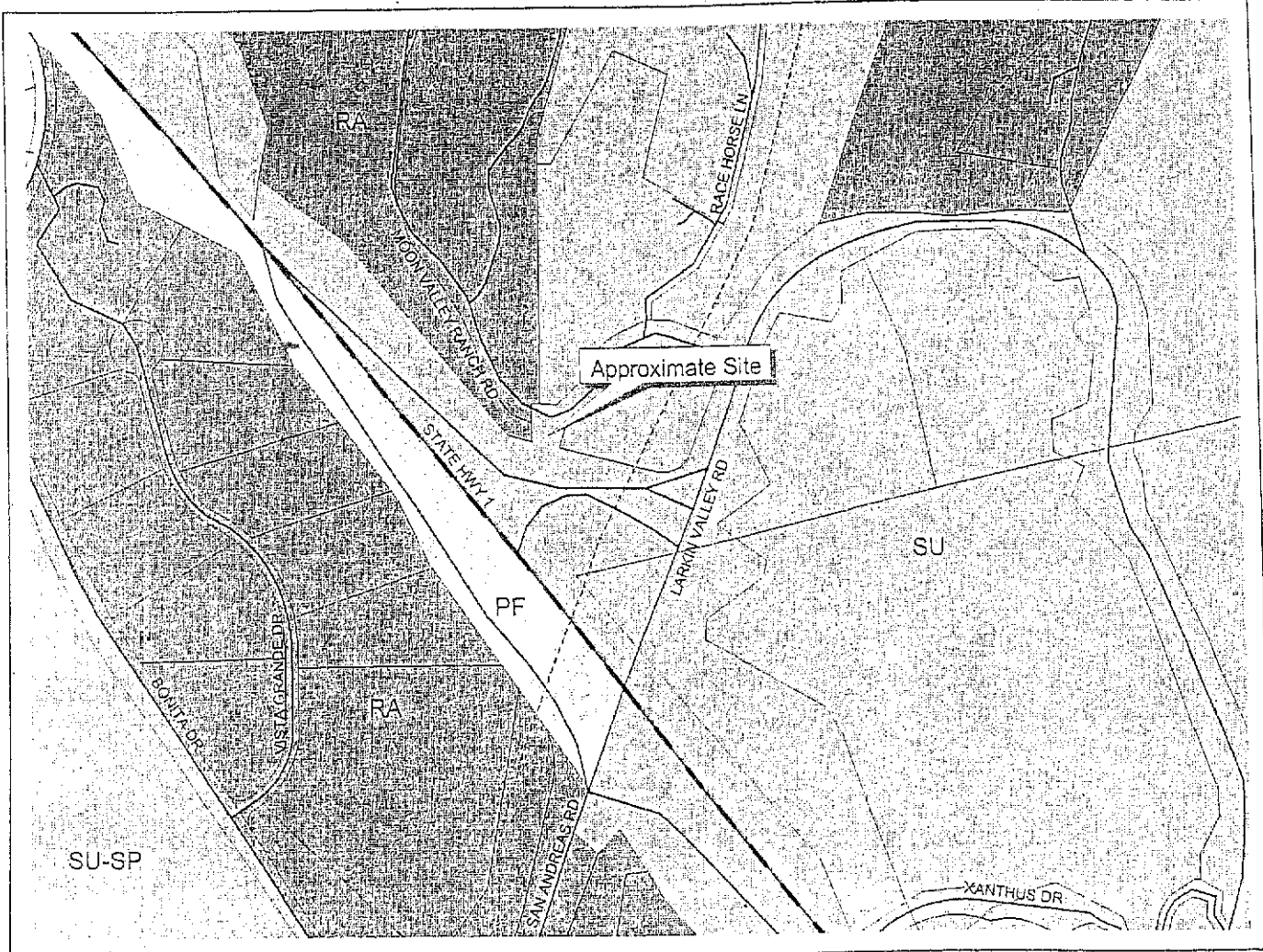
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41-3U

Assessor's Map No. 41-30  
County of Santa Cruz, Calif.  
January, 1999

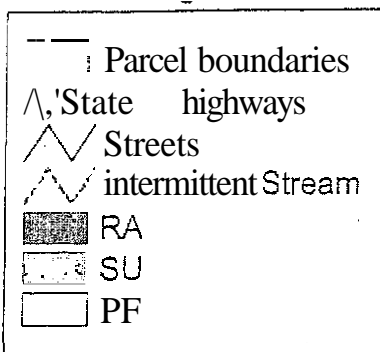


# Zoning Map



1000 0 1000 2000 Feet

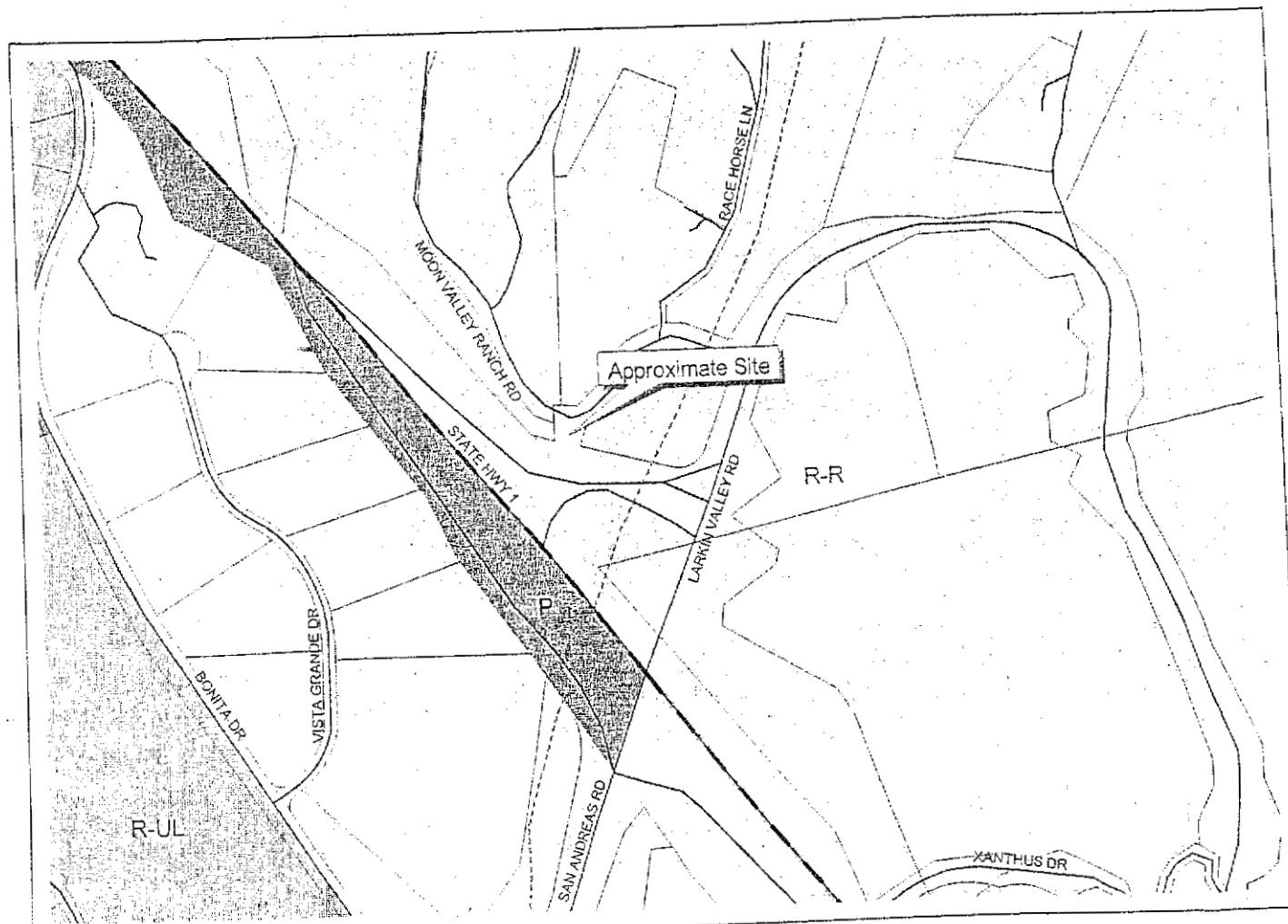
## Legend



Map created by Santa Cruz County  
Planning Department:  
September 2003

EXHIBIT F

# General Plan Map



## Legend

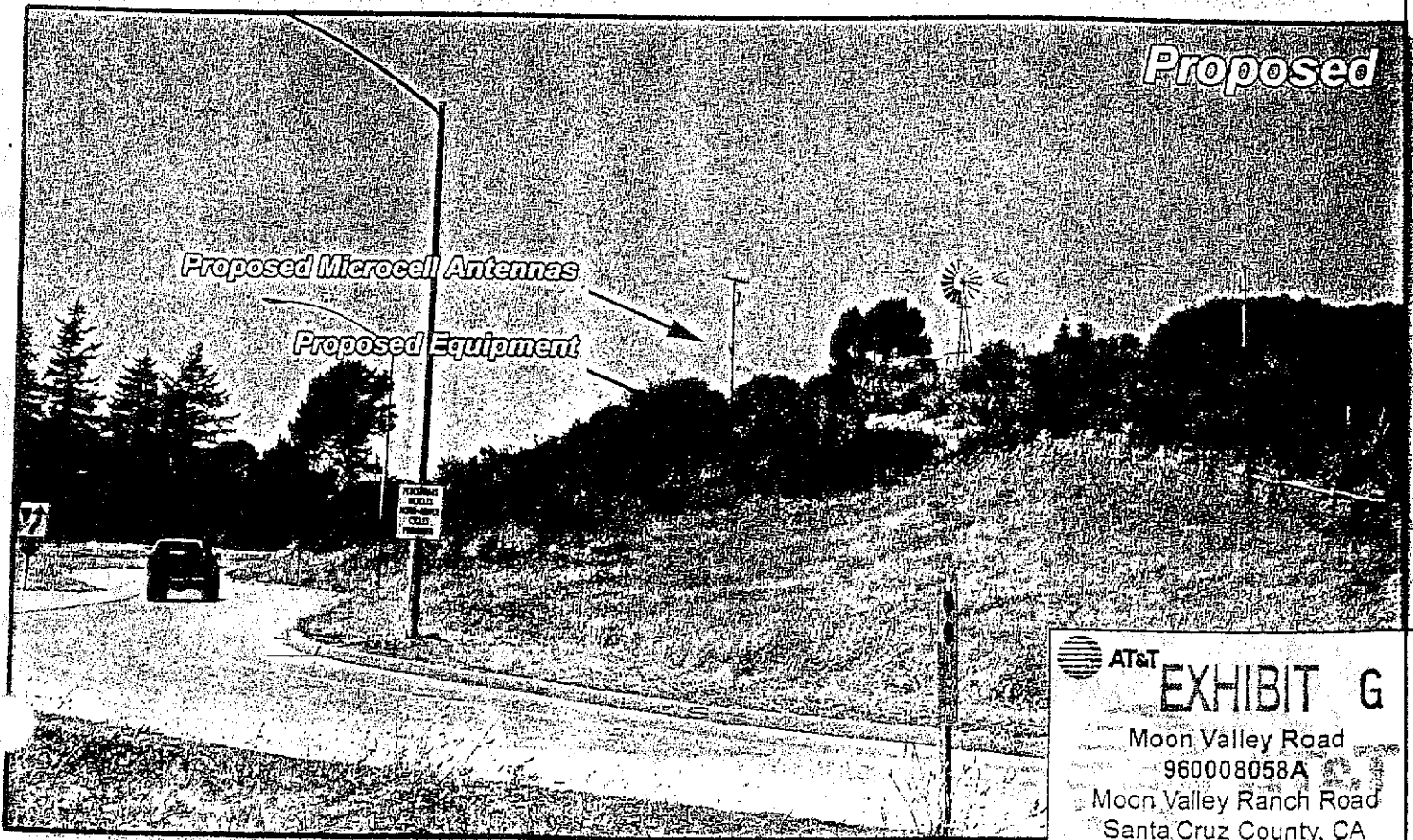
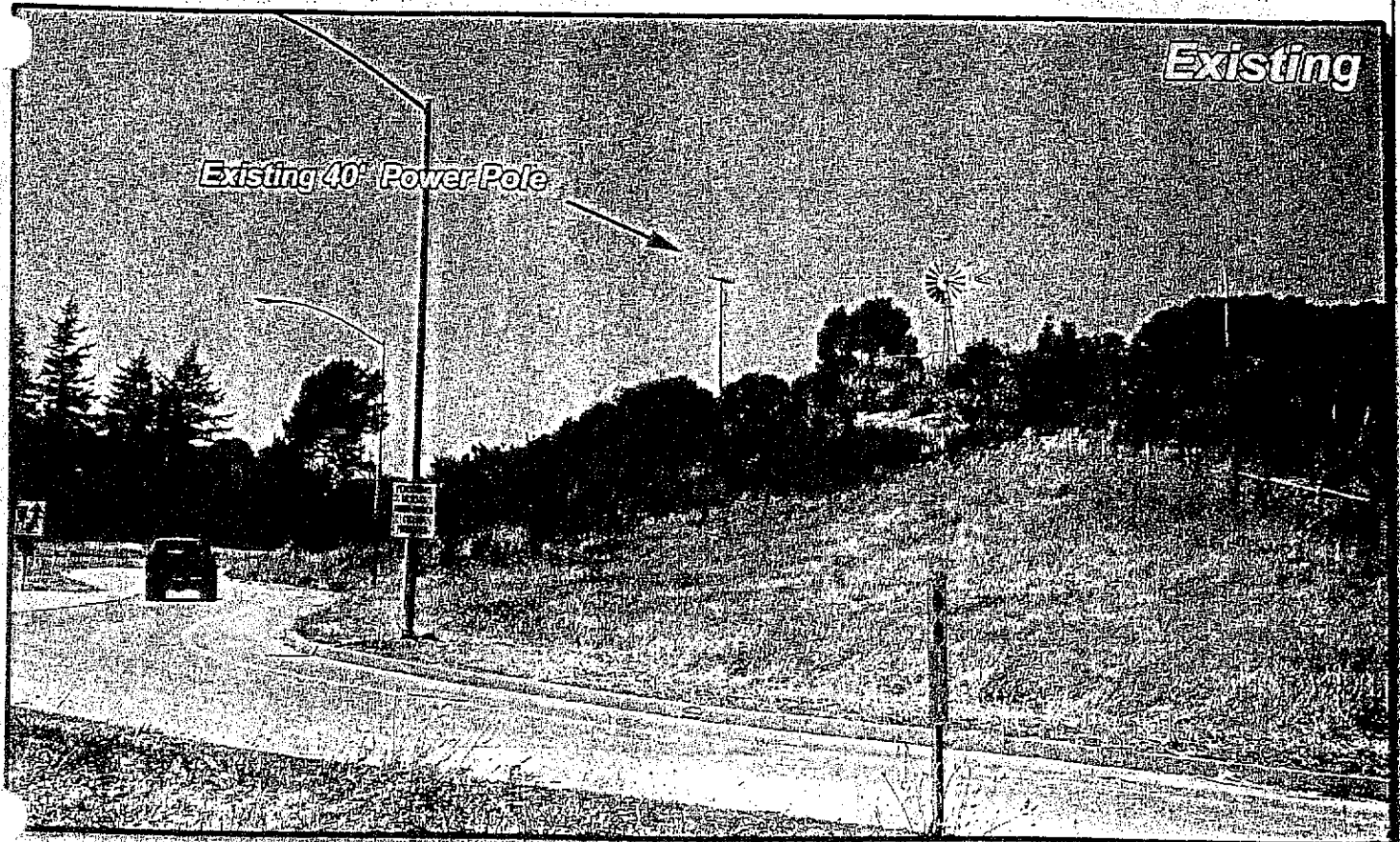
- Parcel boundaries
- State highways
- Streets
- Intermittent Stream
- Public Facilities
- Residential - Urban Low Density
- Rural Residential



Map created by Santa Cruz County  
Planning Department  
September 2003

ATTACHMENT 2 EXHIBIT

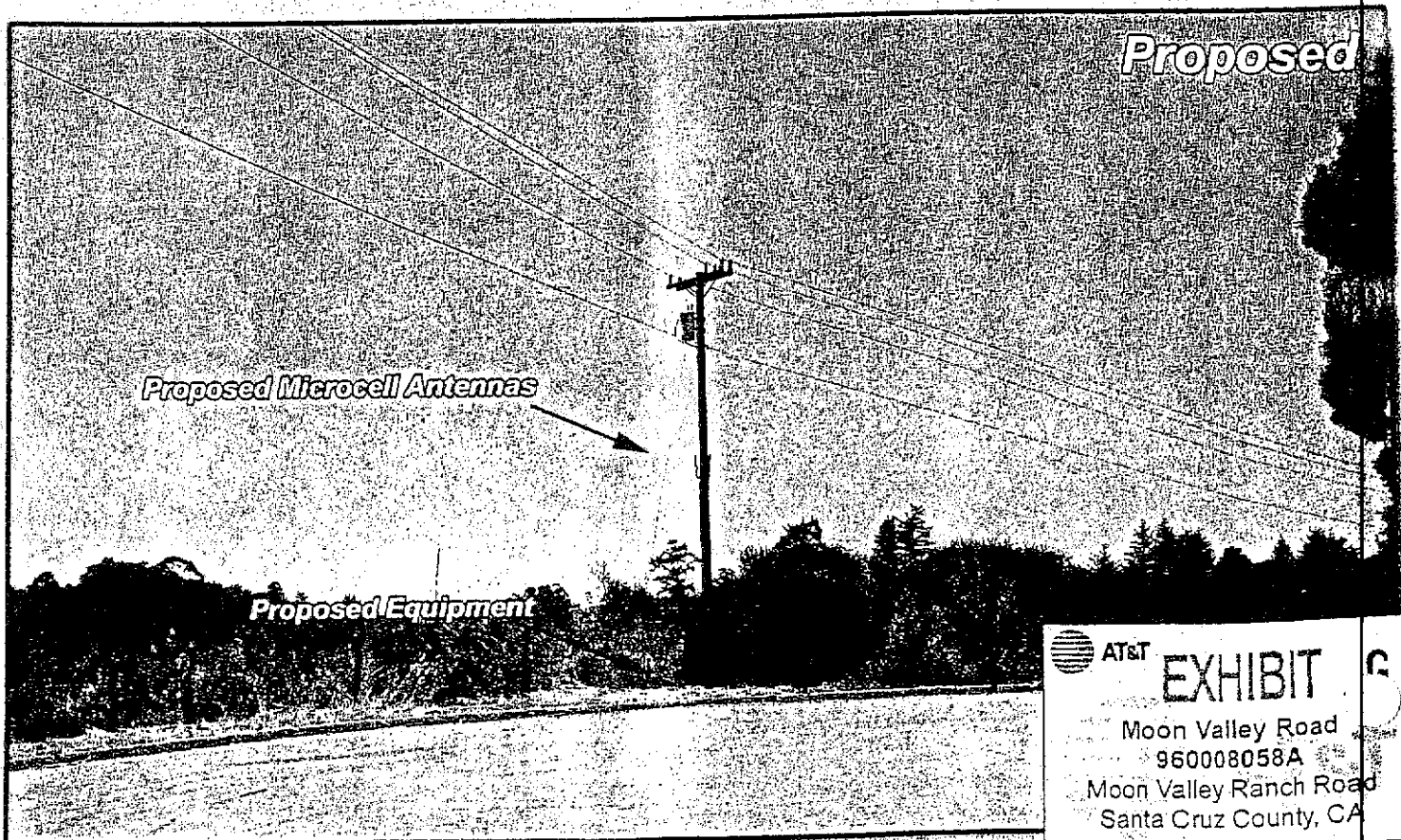
# Existing / Proposed View as seen from Larkin Valley Rd & Hwy 1 Southbound On-Ramp



AT&T  
**EXHIBIT G**  
Moon Valley Road  
960008058A  
Moon Valley Ranch Road  
Santa Cruz County, CA



# Existing / Proposed View as seen from Moor Valley Ranch Road



AT&T  
**EXHIBIT**  
Moon Valley Road  
960008058A  
Moon Valley Ranch Road  
Santa Cruz County, CA

**AT&T****WIRELESS SERVICES**

### Project Description

#### Nature of Request

AT&T Wireless Services (AWS) seeks approval of a Conditional Use Permit, and related permits to allow the construction of a communication facility within a Caltrans ROW, located on an (e) wood utility pole. Our proposal is designed to blend in with the (e) utility pole, see photosimulations, which blends in with the surroundings. This site is being proposed in accordance with AWS' FCC license requirements.

#### Property Description

The subject property is located approximately at <sup>Moon</sup> Valley <sup>Ranch Rd.</sup> ~~of the Moon~~ cul-de-sac on the north side of Highway 1, 1/10th of a mile west of the intersection of Larkin Valley Road and Highway 1 within the Jurisdiction of Santa Cruz County. We have been asked to reflect the APN#: no\_APN\_spec, as requested by Santa Cruz Planning Staff. Santa Cruz County has given us authority to act on their behalf in regards of this proposal.

The property is located within an existing Santa Cruz County Right-of-way, which falls under County control but is not defined by a specific zoning designation. We have been informed during our pre-application meeting; the County does allow installation of wireless telecommunications facilities as a conditional use pursuant to Section 13.10.659.21.8F.2 of the Planning Code. The proposed use matches the present use, as the project does not deviate nor substantially increase the visual blight of the present use/site.

#### Project Description

AT&T proposes to install a communication facility that will consist of Two (2) flat panel antennas mounted on the existing wood utility pole, at a Centerline elevation of 25'0". Our equipment will be mounted at approximately 7'0", above grade. Both the antennas and equipment will be painted brown (or like) to mitigate potential visual impacts. All associated conduits, will also be painted brown (or like) to match the (e) wood pole.

The antennas will be flush mounted to the (e) pole, with a maximum distance from the pole at approximately 7", which would be difficult to capture at 55 MPH from a motorists perspective. The antenna dimensions are the following; 7.5" wide, 24.5" in length, and 1.8" thick. The proposed dimensions for the equipment, which will be mounted to the same pole (at 7'), are 16" wide, 21" in length, and 8" thick.

Access to the project site will be via Valley of the Moon Road, a cul-de-sac with no through traffic and no safety risk to personnel.

**EXHIBIT**

The Lyle Company  
Representing AT&T Wireless

**ATTACHMENT**

### Statement of Operations

The proposed AT&T communication facility only requires electrical and telephone services, which are readily available to the building/site. No nuisances will be generated by the proposed facility, nor will the facility injure the public health, safety, morals or general welfare of the community. AT&T technology does not interfere with any other forms of communication devices whether public or private. Construction of this facility will actually enhance wireless communications for residents or motorists traveling along Rural Santa Cruz County by providing seamless service to numerous customers.

As mentioned before, upon completion of construction, fine-tuning of the AT&T facility may be necessary, meaning the site will be adjusted once or twice a month by a service technician for routine maintenance. No additional parking spaces are needed, at the project site for maintenance activities. 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 AT&T's facility will be un-staffed, there will be no regular hours of operation and no impact to existing traffic patterns. An existing dirt road will provide ingress and egress allowing access to the technician who arrives infrequently to service the site. No on-site water or sanitation services will be required as a part of This proposal.

### Zoning Analysis

AT&T's proposed facility will be located within an (e) Santa Cruz County ROW, therefore according to the County we fall outside any applicable Zoning Districts. Pursuant to the County of Santa Cruz Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposed use is allowed subject to approval of a Level 5 Conditional Use Permit. The proposal is consistent with the County design, siting and review guidelines for commercial antenna installation. It is also important to mention we are open to collocation however, the RF criteria would be determined by another carrier. Both the Joint Pole Authority and Bechtel Construction would have to examine placement of another carrier, where they look at the remaining space on the (e) wood pole, including a structural analysis.

Additionally, as mentioned above, the proposal includes the placement of electronic equipment which AT&T wireless has designed the base facility in the "least visual obtrusive manner". Please see the "Supplemental Information", Exhibit D, section for more in-depth analysis of Zoning as it follows your Interim Wireless Ordinance.

EXHIBIT H

The Lyle Company  
Representing AT&T Wireless

ATTACHMENT

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### Compliance with Federal Regulations

AT&T 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 FA4 rules on site location and operation.

**AT&T****WIRELESS SERVICES****Supplemental Application Information****(1) Pre-Application Meeting**

The Lyle Company has met with both Frank Baron and Randall Adams on August 11<sup>th</sup> 2003. Both planners responded well to the proposal, and no issues were raised wherein we would need to modify the proposal.

**(2) Submittal Information**

- Corresponding letters reference Santa Cruz County Ordinance for WTS Information shall include, but ~~not~~ limited to, the following:

**(i) Identity & Legal Status of the Applicant**

AT&T Wireless PCS, LLC,  
a Delaware Limited Liability Company,  
d/b/a AT&T Wireless

**(ii) Name, Address, Telephone Number**

AT&T Wireless, Inc.  
651 Gateway Blvd.  
So, San Francisco, Ca 94060  
916-730-4420

**(iii) Name, Address, Telephone Number of Owner & Agent representing the Owner**

Buzz Lynn  
The Lyle Company  
2443 Fair Oaks, # 71  
Sacramento, Ca 95825  
916-730-4420

**(iv) Address, Parcel Map Description, Lats/Longs**

*Moon Ranch*  
Valley of the Moon Road/  
County ROW

36' 57' 46.15 N  
121' 51' 48.52 W NAD83

AT&T Wireless  
September 21<sup>th</sup> 2003

**EXHIBIT 1**

8058

**ATTACHMENT**

(v) Narrative & Map of future Sites (5 Year Plan)

The build-out plan of AT&T is determined by RF engineers who design the system to allow for the maximum blanketing coverage, while using the least amount of sites in the area. This limits the number of visual impacts in the area, and can potentially save AT&T money, thus keeping the prices of wireless services to a minimum, while still offering the same great service. AT&T has designed this current, 3G (3<sup>rd</sup> Generation), system to facilitate between thirty-three (33) to thirty-five (35) sites throughout Santa Cruz County. Preliminary research of sites have determined that approximately seventeen (17) of these sites fall within the Counties Jurisdictional control, while the remaining are spread through the City of Santa Cruz, Watsonville, and Capitola.

I have submitted, on 3.5" floppy disk, a detailed list and map location of AT&T sites spread throughout the County to Frank Baron.

(vi) Wireless Services to be provided

Benefits to the Community

Wireless technology can provide many benefits to the County of Santa Cruz residents, businesses and motorists that travel or live near the proposed project site. These benefits include:

- 3 Quick access to 911 emergency allowing motorists to summon emergency aid and report dangerous situations.
- 3 Support for emergency services by providing wireless communications access to paramedics, firefighters, and law enforcement agencies that use this technology.
- 3 The ability to transmit data over the airwaves allowing for immediate access to vital information to emergency services.
- 3 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
- 3 Enhance the communication services of those residents who conduct business and professional services for Santa Cruz County.

(vii) California Public Utilities Commission

AT&T Wireless is registered with the CPUC under General Order 159A.

- 1) AT&T Wireless Services of California, LLC (U-3010-C)
- 2) AT&T Wireless PCS, LLC (U-3074-C)

**(viii) Federal Communications Commission**

AT&T Wireless is registered with the Telecommunications Bureau as:

*Market Number:* BTA404

*Call Sign:*KNLG542

File Number: 0000030525

**(ix) FCC Compliance with NIER Standards**

I have included an EMF study, which describes NIER/EMF compliance issues regarding the proposal. This report is submitted respectively by Hammett & Edison, an outside consultant that examines the safety of Cellular installations.

**(x) Security Considerations**

The area surrounding our proposal is accessible to the general public, as it is located on near Soquel/Jaunell Avenues. Normally our sites have a locked gate for access issues however; in this case we can only state our equipment will be out of reach from the Public. We are also forbidden from including a gate to protect the site, as Public Utilities, (PG&E and PacBell), Caltrans, and Santa Cruz County need 100% access to the public ROW (Right-of-Way). We feel that the site is hidden, which not only benefits the aesthetic value, but also keeps any potential visitors from actually seeing the equipment/antennas. The equipment/antennas will be painted brown (or like) to match the color of the (e) pole in an effort to mitigate potential security issues.

Federal Law also mandates that all areas, in compliance with FCC guidelines, shall include a ANSI compliant RF sign in a visible place for workers approaching the site, and once construction of the site is scheduled AT&T will provide this *sign*.

**(xi) Facility Design Alternatives**

This project includes the installation of two antennas, and ancillary equipment, which will be mounted to an (e) wood utility pole. In regards to design alternatives, our only option was to utilize a "MacroCell" site, as previously proposed over a year ago by a number of different carriers (Sprint, AT&T, and Verizon). The idea behind a "MicroCell", is to minimize all visual impact from motorists. Due to the sensitive nature of this area, we feel this is the only design that eliminates visual impact.

Therefore, the *only* feasible design was to use (e) wood poles located in the ROW, and mount all ancillary equipment and antennas to the pole, while painting it brown to match.

### **(xii) Other Information Required**

We will submit all other information as the Planning Director or governing body may require, per the requirement stipulated in ~~the~~ Interim Ordinance (soon to be finalized)

### **(xiii) Visual Simulation Study**

I have included a Photosimulation; Exhibit F, for your review, the picture is taken from the 'best' vantage point, to depict the 'true' impact of the site. They are taken a 1/8-mile due west and east. This location is not visually obtrusive to traffic, as the site blends in with the surroundings, per the intention of its design.

### **(xiv) Alternative Site Analysis**

AT&T evaluated a number of 'MacroCell' sites in the area, which ultimately lead us to a site located @ Moon Valley Ranch road. The location in itself was a great location, but we ran into a few problems with not only landlord discussions but construction costs, and could not reach a deal to solidify the location. Our first choice was to choose another "MacroCell" site, but felt the impact would be too great. Therefore, we felt the County could offer a potential solution. Our RF engineers decided we could use (e) utility poles, without adding blight to the area. The problem is we have to use four (4) locations to substitute for our one (1) location. In evaluating the business terms of each deal, we determined at this time we could "launch" our system with the lower visually impacting sites (located in the approximate area - within 2.0 miles).

### **Summary of Alternative Sites Analysis**

Our goal in determining the site location was based on minimizing the cumulative impact of Cellular sites in the area. Our proposal is located on the inland side of the Highway, which was recommended by Santa Cruz County staff during our pre-application meetings for sites in this area. The Microcell sites emulate (e) utilities on (e) wood poles, which are innocuous as the utility installations we see throughout the County.

### **Amendment**

The applicant agrees to notify within 30-days of any change of information required and submitted as part of this ordinance.

### **Technical Review**

An independent technical expert, at the direction of the County of Santa Cruz and notification by, may review any technical materials submitted for review.

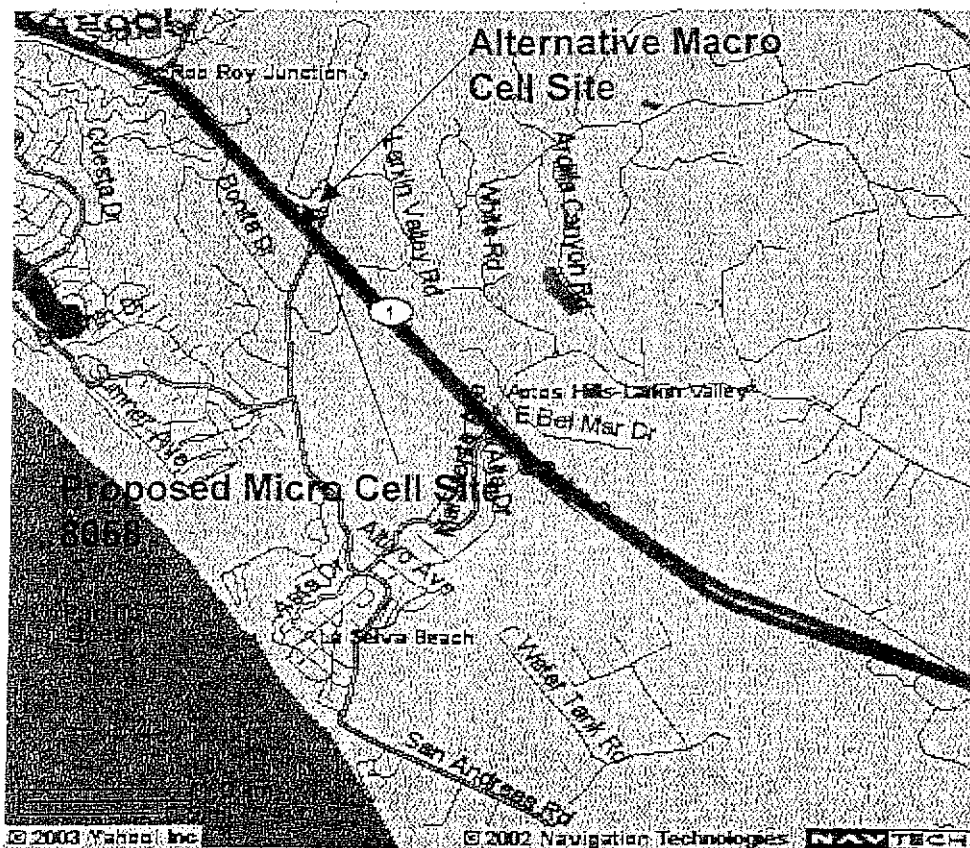


## Fees

A check in the amount of \$5000.00, check #10638, is attached for an initial payment of processing the application submitted on behalf of AT&T wireless.

### *Alternative Site Analysis*

Alternative for our Microcell sites was located at 1025 Moon Valley Ranch Road, which is approximately 2.0 - 2.5 miles from four (4) different Microcell locations. I am only reflecting only one (1) project proposal at a time.



MacroCell sites include 3 equipment cabinets located near the site, while our current proposal is a MicroCell, which has "pole" mounted Equipment.

EXHIBIT H

ATTACHMENT

AT&T Wireless • Proposed Base Station (Site No. 960008058A)  
Moon Valley Ranch Road • Aptos, California

**Statement of Hammett & Edison, Inc., Consulting Engineers**

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by AT&T Wireless, a telecommunications carrier, to evaluate a proposed new base station (Site No. 960008058A) to be located near Moon Valley Ranch Road in Aptos, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") 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"). 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. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

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

Personal Wireless Service	Approx. Frequency	Occupational Limit	Public Limit
Personal Communication ("PCS")	1,950 MHz	5.00 mW/cm <sup>2</sup>	1.00mW/cm <sup>2</sup>
Cellular Telephone	870	2.90	0.55
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 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



HAMMETT & EDISON, INC.  
CONSULTING ENGINEERS  
SAN FRANCISCO

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**EXHIBIT**

AT8058595  
Page 1 of 3

**ATTACHMENT**

**AT&T Wireless • Proposed Base Station (Site No. 960008058A)**  
**Moon Valley Ranch Road • Aptos, California**

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 methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

### Site and Facility Description

Based upon information provided by AT&T, including zoning drawings by CH2M Hill, dated July 1, 2003, it is proposed to mount two Arc Wireless Model PCS-DS-14-06514-OD directional panel antennas on an existing 41-foot utility pole located near Moon Valley Ranch Road in Aptos. The antennas would be mounted at an effective height of about 25 feet above ground and would be oriented toward 160°T and 300°T, to provide service to surrounding areas. The effective radiated power in any direction would be 40 watts, representing four PCS channels operating simultaneously at 10 watts each. There are reported no other wireless telecommunications base stations installed nearby.

### Study Results

The maximum ambient RF level at any ground level location within 1,000 feet due to the proposed AT&T operation is calculated to be 0.00098 mW/cm<sup>2</sup>, which is 0.098% of the applicable public limit. The maximum calculated level at the second floor elevation of any of the nearby homes' is 0.0027% of the public limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels. Figure 3 attached provides the specific data required under Santa Cruz County Code Section 13.10.659(g)(2)(ix), for reporting the analysis of RF exposure conditions.

### Recommended Mitigation Measures

Since they are to be mounted on a tall pole, the AT&T antennas are not accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines.

\* Based on Mapquest aerial photographs and as shown in Figure 3A.



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**EXHIBIT**

AT8058595  
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**ATTACHMENT**

H  
2

AT&T Wireless • Proposed Base Station (Site No. 960008058A)  
Moon Valley Ranch Road • Aptos, California

To prevent occupational exposures in excess of the FCC guidelines, no access within 1 foot directly in front of the antennas themselves, such as might occur during maintenance work on the pole, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs† at the antennas and/or on the pole below the antennas, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

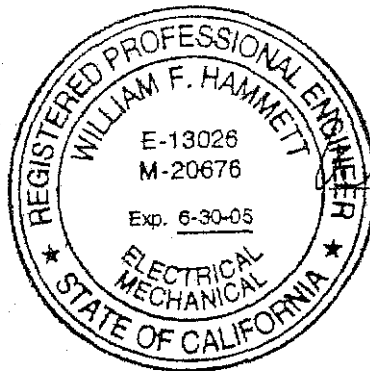
### Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the AT&T Wireless base station proposed near Moon Valley Ranch Road 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.

August 19, 2003



*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.



HAMMETT & EDISON, INC.  
CONSULTING ENGINEERS  
SAN FRANCISCO

EXHIBIT

AT8058595  
Page 3 of 3

ATTACHMENT

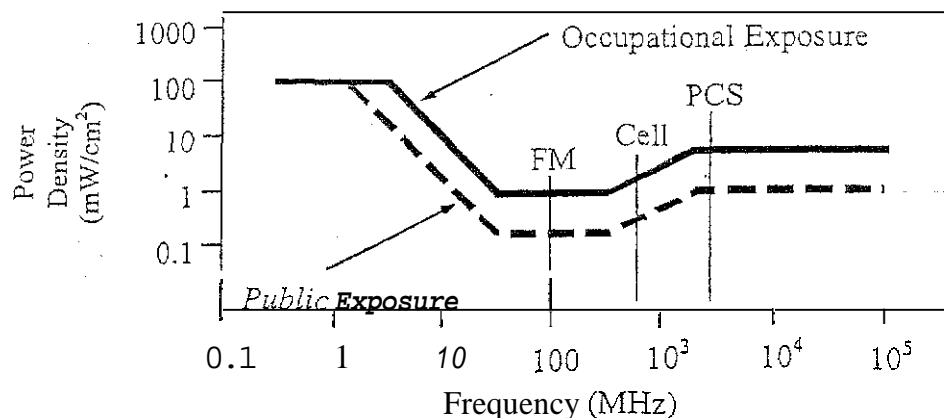
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## FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements, which are, nearly identical to the more recent Institute of Electrical and Electronics Engineers Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz." These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields ( <i>f</i> is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm <sup>2</sup> )	
0.3 - 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 - 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f<sup>2</sup></i>
3.0 - 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f <sup>2</sup>	<i>180/f<sup>2</sup></i>
30 - 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 - 1,500	3.54√ <i>f</i>	<i>1.59√f</i>	√ <i>f</i> /106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 - 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.

**RFR.CALC™ Calculation Methodology**  
**Assessment by Calculation**  
**of Compliance with Human Exposure Limitations**

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 85, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements, which are nearly identical to the more recent Institute of Electrical and Electronics Engineers Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz." 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 setting, respectively, do not exceed the limits.

Near Field- Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications cell sites. The near field zone is the distance from an antenna before which the manufacturer's published far field antenna patterns have formed; the near field is assumed to be in effect for increasing D until three conditions have been met:

$$1) D > \frac{2h^2}{\lambda} \qquad 2) D > 5h \qquad 3) D > 1.6\lambda$$

where h = aperture height of the antenna, in meters, and  
 $\lambda$  = wavelength of the transmitted signal, in meters.

The FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives this formula for calculating power density in the near field zone about an individual RF source:

$$\text{power density } S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}, \text{ in mW/cm}^2,$$

where  $\theta_{BW}$  = half-power beamwidth of antenna, in degrees; and  
 $P_{net}$  = net power input to the antenna, in watts

The factor of 0.1 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates the distances to the FCC public and occupational limits.

Far Field. OET-65 gives this formula for calculating power density in the far field of an individual RF source:

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

where ERP = total ERP (all polarizations), in kilowatts,  
RFF = relative field factor at the direction to the actual point of calculation, and  
D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain at the site, to obtain more accurate projections.

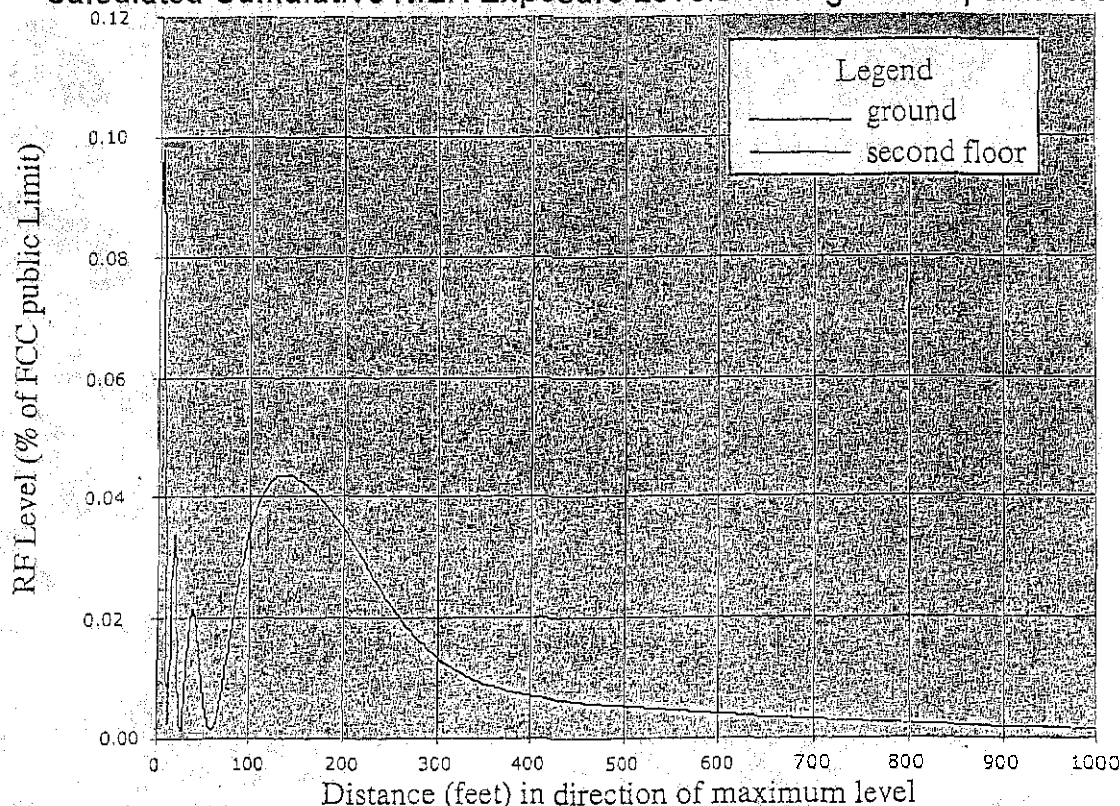


**AT&T Wireless • Proposed Base Station (Site No, 960008058A)  
Moon Valley Ranch Road • Aptos, California**

**Compliance with Santa Cruz County Code §13.10.659(g)(2)(ix)**

"Compliance with the FCC's non-ionizing electromagnetic radiation (NIE) standards or other applicable standards shall be demonstrated for any new wireless communication facility through submission, at the time of application for the necessary permit or entitlement, of NIE calculations specifying NIE levels in the area surrounding the proposed facility. Calculations shall be made of expected NIE exposure levels during peak operation periods at a range of distances from fifty (50) to one thousand (1,000) feet, taking into account cumulative NIE exposure levels from the proposed source in combination with all other existing NIE transmission sources within a one-mile radius. This should also include a plan to ensure that the public will be kept at a safe distance from any NIE transmission source associated with the proposed wireless communication facility, consistent with the NIE standards of the FCC, or any potential future superceding standards."

**Calculated Cumulative NIE Exposure Levels during Peak Operation Periods**



Distance (feet)	50	100	200	300	500	750	1,000
ground	0.0084%	0.034%	0.035%	0.013%	0.0052%	0.0025%	0.0013%
second floor						(no houses within 700 feet of site)	0.0024% 0.0012%

Calculated using formulas in FCC Office of Engineering Technology Bulletin No. 65 (1997), considering terrain variations within 1,000 feet of site.

Maximum effective radiated power (peak operation) - 40 watts

Effective AT&T antenna height above ground - 25 feet

Other sources nearby - None

Other sources within one mile - No AM, FM, or TV broadcast stations  
No two-way stations close enough to affect compliance

Plan of restricting public access - Antennas are mounted on a tall utility pole



**HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

59

**EXHIBIT**

AT8058595  
Figure 3A

**ATTACHMENT**



Calculated NIER Exposure Levels  
Within 1,000 Feet of Proposed Site



Aerial photo from Mapquest.

Note: Maximum level at ground or on the second floor of any of the nearby homes is less than 1% of the FCC public limit, *i.e.*, more than 1,000 times below.

Calculated using formulas in FCC Office of Engineering Technology Bulletin No. 65 (1997), considering terrain variations within 1,000 feet of site. See text for further information.



HAMMETT & EDISON, INC.  
CONSULTING ENGINEERS  
SAN FRANCISCO

60

EXHIBIT

AT8058595

Figure 3B

ATTACHMENT

2

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

Project-Planner: Randal1 Adams  
Application No.: 03-0415  
APN: NO\_APN\_SPEC

Date: July 1, 2004  
Time: 11:15:55  
Page: 1

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON OCTOBER 30, 2003 BY ERIN K STOW =====  
DEPARTMENT NAME:Aptos/La Selva Fire Dept. APPROVED

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON OCTOBER 30, 2003 BY ERIN K STOW =====  
NO COMMENT



# County of Santa Cruz

## DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070  
(831) 454-2160 FAX (831) 451-2385 TDD (831) 454-2123

THOMAS L. BOLICH  
DIRECTOR OF PUBLIC WORKS

August 20, 2003

AT&T WIRELESS  
C/O BUZZLYNN  
Lyle Company  
2443 Fair Oaks Blvd No. 71  
Sacramento, CA 958 5

SUBJECT MICRO-CELL INSTALLATION - MOON VALLEY ROAD SITE NO. 8058

Dear Mr. Lynn:

This is in response to your letter requesting an encroachment permit for a micro-cell installation on an existing Pacific Gas and Electric pole located at Moon Valley Road.

The Public Works Department will not require you to obtain a permit from our encroachment section for this installation.

If you have any questions regarding this letter, please contact the undersigned at (831) 454-2802

Yours truly,

THOMAS L. BOLICH  
Director of Public Works

By:

John Swenson  
Senior Civil Engineer

JES:mh

Copy to: Ruth Zadesky, Encroachment

MOONMH.wpd

**Gary Cantara**

---

**From:** PLN AgendaMail  
**Sent:** Sunday, August 01, 2004 11:20 PM  
**To:** PLN AgendaMail  
**Subject:** Agenda Comments

---

Meeting Type : Zoning

Meeting Date : 8/6/2004

Item Number : 4.00

**Name :** Bob Katz

**Email :** bobkatz@katzandlapides.com

**Address :** 1000 Moon Valley  
Ranch Rd.  
Aptos Hills, Ca 95076

**Phone :** 831-419-6981

**Comments :**

Re: Project #s 03-0415

As an affected neighbor to the proposed project, and as the attorney representing the Moon Valley Ranch Road Association, I want to convey a strong objection to the proposed project at the entrance to our private road. It is a terrible location for the proposed project and will impact the enjoyment of our properties. I will be calling to set up a meeting to review the file and ask questions, so I can report back to the other homeowners. For instance, what exactly will the finished product look like? Why is the project not combined with other already existing locations? THANK YOU for your consideration of the neighbors' concerns. Further comments will be submitted once we better understand the precise proposal. We request that no approvals be granted until the neighbors have had a chance for input.

GL

#52

SPACE FOR COUNTY CLERK'S FILING STAMP

# Proof of Publication

(2015.5 C.C.P.)

STATE OF CALIFORNIA]

SS

COUNTY OF SANTA CRUZ]

## Public Notice

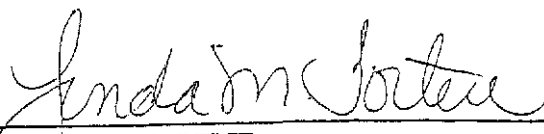
### I, THE UNDERSIGNED, DECLARE:

That I am over the age of eighteen and not interested in the herein-referenced matter; that I am now, and at all times embraced in the publication herein mentioned was, a principal employee of the printer of the Santa Cruz Sentinel, a daily newspaper printed, published and circulated in the said county and adjudged a newspaper of general circulation by the Superior Court of California in and for the County of Santa Cruz, under Proceeding No. 25794; that the advertisement (of which the annexed is a We printed copy) was published in the above-named newspaper on the following dates, to wit:

JULY 23, 2004.

I DECLARE under penalty of perjury that the foregoing is true and correct to the best of my knowledge

This 23<sup>rd</sup> day of JULY 2004, at Santa Cruz, California.



LINDA M. TORTICE

G. Cantara  
7-29  
ATTACHMENT

**NOTICE OF PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that the ZONING ADMINISTRATOR OF THE COUNTY OF SANTA CRUZ will hold a public hearing to consider the items listed below on Friday, August 4, 2004 the morning agenda beginning at 11:00 AM in the BOARD OF SUPERVISORS CHAMBERS, COUNTY GOVERNMENT CENTER, 701 OCEAN STREET, ROOM 525, SANTA CRUZ, CA. Please contact the listed project planner for information on specific items.

1. 04-0140 300 MCENERY ROAD, FELTON  
APN(S): 071-241-17

Proposal to demolish four small sheds and to construct a one-story, 1,575.5 square foot detached barn/shop with an attached one-story, 801 square foot garage. Requires a Residential Development Permit for a Non-habitable Accessory Structure over 11,000 square feet in size. Property located on the north side of McEnery Road (300 McEnery Road), approximately 0.5 miles from the intersection with West Zayante Road, Felton.  
OWNER: KLAUS-PETER & PATRICIA DEYRING  
APPLICANT: KLAUS-PETER & PATRICIA DEYRING  
SUPERVISORIAL DIST: 5

PROJECT PLANNER: CATHLEEN CARR, 454-3225  
2. 03-0414 (\*\*) NO SITUS APN(S): NO-APN-SPEC

Proposal to install a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public right-of-way. Requires a Commercial Development Permit and a Coastal Development Permit. Property located on the southwest side of La Selva Drive at the intersection with Dan's Drive.  
OWNER: DEPT. OF PUBLIC WORKS  
APPLICANT: AT&T WIRELESS - ROGER HASS  
SUPERVISORIAL DIST: 2

PROJECT PLANNER: RANDALL ADAMS, 454-3218  
3. 03-0405 NO SITUS APN(S): NO-APN-SPEC

Proposal to install a wireless communication facility by mounting two flat panel antennas onto an existing wood utility pole in the public right-of-way. Requires a Commercial Development Permit. Property located within the right-of-way for Soquel Drive, 1/4 mile southeast from Freedom Boulevard.  
OWNER: DEPT. OF PUBLIC WORKS  
APPLICANT: AT&T WIRELESS - ROGER HASS  
SUPERVISORIAL DIST: 2

PROJECT PLANNER: RANDALL ADAMS, 454-3218  
4. 03-0415 NO SITUS APN(S): NO-APN-SPEC

Proposal to install a wireless communication facility consisting of two flat panel antennas mounted on an existing wood utility pole within the public right-of-way. Requires a Commercial Development Permit. Property located on the south side of Moon Valley Ranch Road at about 500 feet west of the intersection with Larkin Valley Road.  
OWNER: DEPT. OF PUBLIC WORKS  
APPLICANT: AT&T WIRELESS - ROGER HASS  
SUPERVISORIAL DIST: 2

PROJECT PLANNER: RANDALL ADAMS, 454-3218  
5. 04-0011 (\*\*) 120 ALTIVO AVENUE, LA SELVA BEACH  
APN(S): 045-131-48

Proposal to construct a one-story addition to an existing one-story single family dwelling. Requires a Coastal Development Permit and a time extension to an Agricultural Buffer Determination to reduce the required 200 foot buffer from Commercial/Agricultural land to about 18 feet. Property located on the east side of Altivo Avenue (120 Altivo Avenue) at approximately 100 yards north-east from San Andreas Road, La Selva Beach.  
OWNER: JOHN GATES  
APPLICANT: MARK MCKINNEY  
SUPERVISORIAL DIST: 2

PROJECT PLANNER: JOAN VAN DER HOEVEN, 454-5174  
6. 03-0258 (\*\*) NO SITUS APN(S): 063-081-18

Proposal to construct a two-story single family dwelling with attached garage, decks, and spa, of approximate-

64



# AFFIDAVIT OF POSTING

County of Santa Cruz

Planning Department

Please return Affidavit by: Monday, 7/24/00

Applicant: Roger Haas, AT&T  
Application: 03-0415  
APN(S): N/A  
Site Address: No Sites  
Hearing Date: Friday, August 4, 2000

AG ☐ BD ☐ PC ☐ ENV ☐

Please note that it is legally required that the notice be posted in a conspicuous place on the Project Site

APPLICANT:

PLEASE COMPLETE THE FOLLOWING AND RETURN TO:

County of Santa Cruz, Planning Department  
Attn: Randall Adams  
701 Ocean Street, Fourth Floor  
Santa Cruz, CA 95060

Posting Location (please be specific):

Posted on  
where Anderson will be  
placed

Posted By:

Date Posted:

I declare under penalty of perjury that I posted the notice(s) at the location and on the date listed above.

(Signature)

(Date)

# Hearing Checklist

2A

Hearing Date: 8/6/2004

Task	Date Due	Date Done
Reservations Rec'd <u>7-20-04</u>		
Agenda		
<input checked="" type="checkbox"/> Make Agenda	7/19/04	7-20-04
<input checked="" type="checkbox"/> Get Approval of Agenda from Don Bussey & Planners	7/20/04	7-21-04
<input checked="" type="checkbox"/> Email Agenda to Appropriate Newspapers <i>7/23 publish</i>	7/21/04	7-21-04
<input checked="" type="checkbox"/> Take Early Agenda to BOS	7/21/04	7-23-04
<input checked="" type="checkbox"/> Post Agenda on Website (Govstream)	7/26/04	7/26
<input checked="" type="checkbox"/> Send Agendas to Regular List <i>✓ mailed</i>	7/30/04	7/27
<input checked="" type="checkbox"/> Post Agenda on Bulletin Board on 4 <sup>th</sup> Floor, on Bulletin Board on 1 <sup>st</sup> Floor, and on Bulletin Board in front of Building	7/30/04	7/28
Notices		
<input checked="" type="checkbox"/> Make Notice	7/22/04	7-22-04
<input checked="" type="checkbox"/> Create Cover Letter, Affidavit, and Large Placard	7/22/04	
<input checked="" type="checkbox"/> Mail Large Placard, Affidavit, and Cover Letter to Applicant	7/22/04	
<input checked="" type="checkbox"/> Mail Notices to Neighbors	7/23/04	↓
Permits		
<input checked="" type="checkbox"/> Make Permit (new and continued items)	7/30/04	7/28
<input checked="" type="checkbox"/> Deliver Permit to Planner with one-sided copy of Staff Report	7/30/04	↓
Staff Reports		
<input checked="" type="checkbox"/> Copy Reports	7/28/04	7/27
<input checked="" type="checkbox"/> 3 for Binders	7/28/04	
<input checked="" type="checkbox"/> 3 for Metal Rack	7/28/04	
<input checked="" type="checkbox"/> 2 for Owner and Applicant	7/28/04	
<input checked="" type="checkbox"/> Additional from Back Of Yellow Scheduling Sheet	7/28/04	
<input checked="" type="checkbox"/> Mail and Scan Staff Reports	7/29/04	
<input checked="" type="checkbox"/> Assemble Binders and Rack with Staff Reports and Agendas	7/29/04	
<input checked="" type="checkbox"/> Deliver Binders to Tom, Don, and Zoning Counter	7/29/04	✓
Hearing Day		
<input checked="" type="checkbox"/> Remove email icon from Govstream and distribute final emails <i>✓ held</i>	8/6/04	8/6
<input checked="" type="checkbox"/> Place 20 Copies of Agenda on Table	8/6/04	
<input checked="" type="checkbox"/> Setup (Sound System, Chairs, and Microphones)	8/6/04	
<input checked="" type="checkbox"/> Clean Up After Hearing	8/6/04	✓
Action Agenda - Create, Send, & Post on 4 <sup>th</sup> Floor & Govstream	8/9/04	8/9
Create Action File Log Sheet, Add to Database, and Log Continued Items	8/9/04	8/10
Reformat Audio and Post on Govstream	8/9/04	✓

Clerical Signature

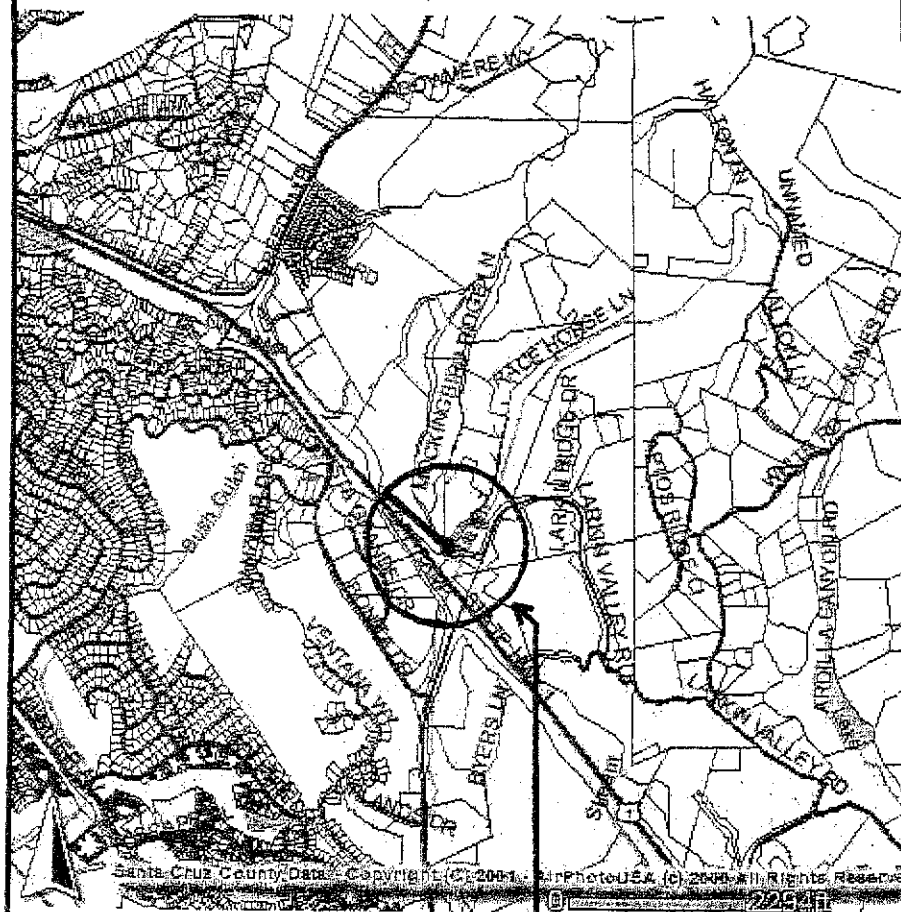
Date Filed

666

ATTACHMENT

2

# 1000 Foot Radius -Application 03-0415



- Legend
- Parcel (Assessor's)
  - State Highways
  - County Streets
  - Major Streets
  - Streams
  - Intersect
  - US
  - Potential
  - Lakes
  - Santa Cruz County Boundary

1000' RADIUS  
FROM PROJECT SITE



THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSURES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

Tax Area Code  
69-141 69-278

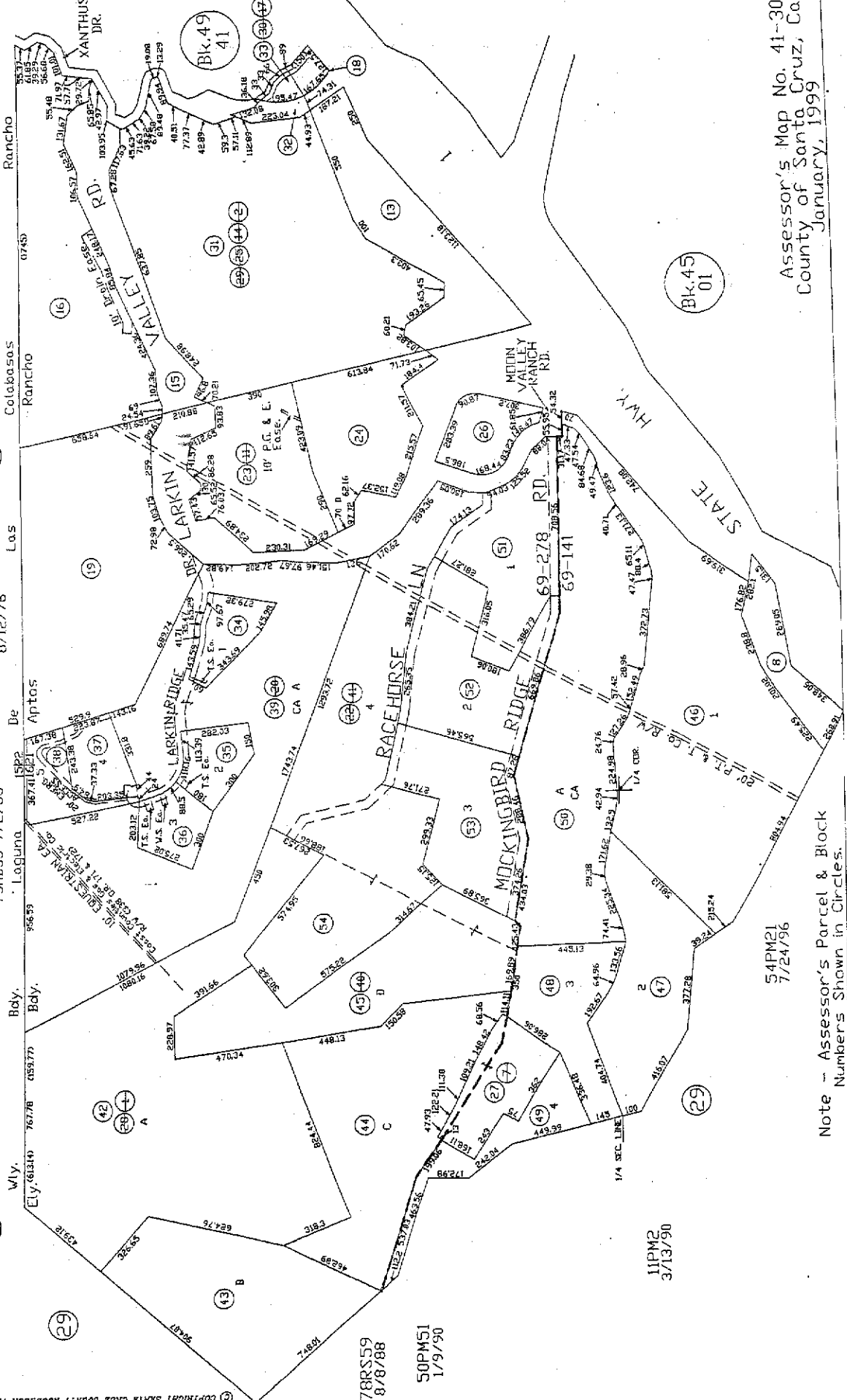
41-30

POR. APLOS RANCHO  
SEC. 16 & 21, T.1S., R.1E., M.B.B. & M.  
LARKIN RIDGE TR. 1048  
75MB53 7/2/86

Bk.108  
10

Bk.108  
09

Bk.108  
32



Assessor's Map No. 41-30  
County of Santa Cruz, Calif  
January, 1999

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

FOR TAX PURPOSES ONLY

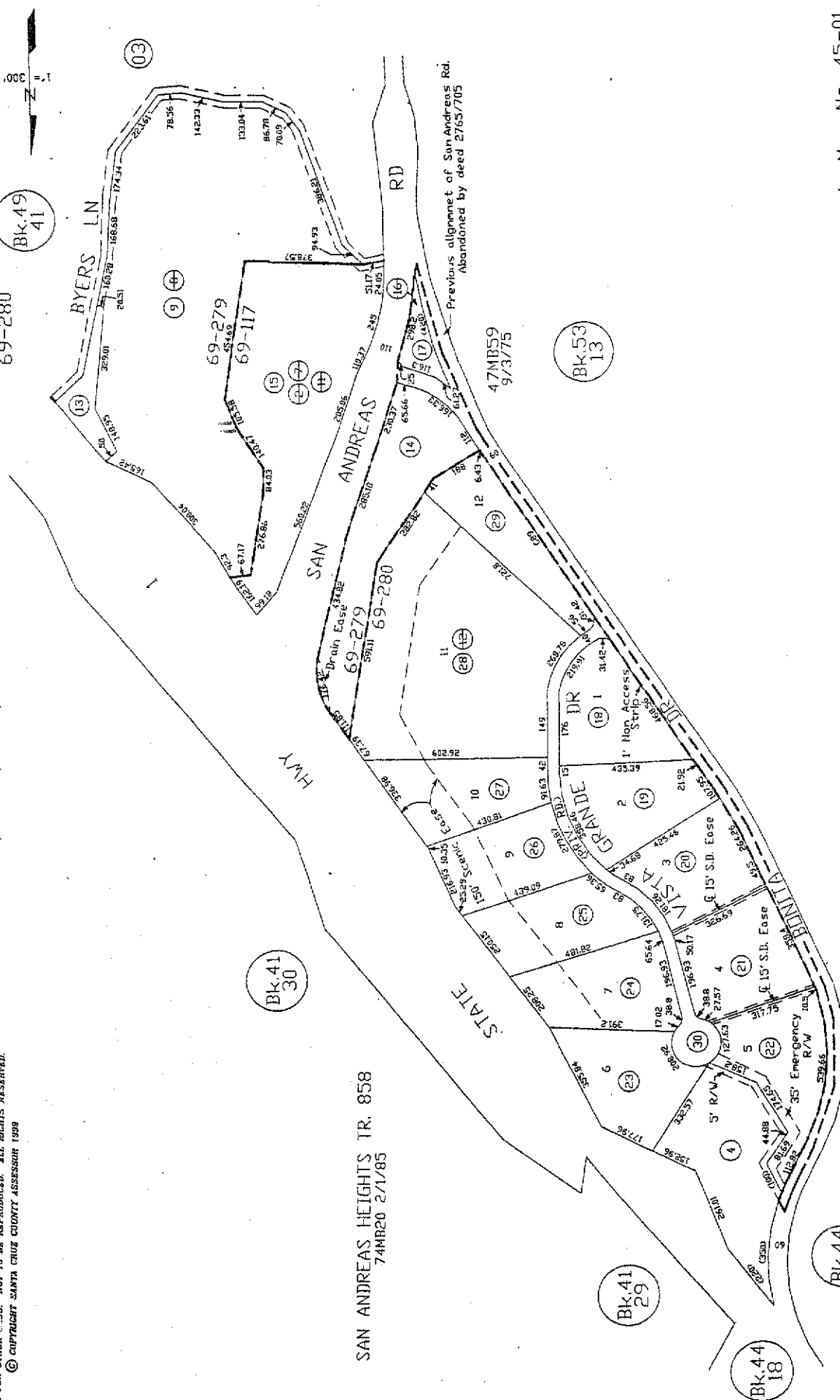
POR. APTC RANCHO  
SEC. 21, T11S., R. 1E., M.D.B. & M.

Tax Area Code  
69-117 69-279  
69-280

45-01

Assessor's Map No. 45-01  
County of Santa Cruz, Calif.  
Dec. 1999

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



(S.F.S.)

**ATTACHMENT**



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03-0415

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\*  
\* SUBJECT PARCEL = 04130126 \*  
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34130133

LARKIN RIDGE ESTATES HOMEOWNERS A  
273 LARKIN RIDGE DR  
WATSONVILLE CA 95076

04130108

CALIFORNIA STATE OF  
650 HOWE AVE  
SACRAMENTO CA 95825

04130113

CALIFORNIA STATE OF  
P O BOX 7791 RINCON ANNEX  
SAN FRANCISCO CA 94119

04130123

ANAYA ARNULFO & EVANGELINA H/W JT  
2003 LARKIN VALLEY RD

WATSONVILLE CA 95076

0413C124

OCCUPANT  
2001 LARKIN VALLEY RD  
WATSONVILLE CA 95076

04130124

OTTOLI BARRY J M/M S/S  
360 N ACADEMY  
ANGER CA 93612

4130126

MOSELLO GEORGE R  
88 LAS COLINAS DR  
WATSONVILLE CA 55076

4130131

OCCUPANT  
1401 LARKIN VALLEY RD  
WATSONVILLE CA 95076

4130131

CANTHUS CHRISTINA TRUSTEE ETAL  
240 VIA PONTOS WAY  
WATSONVILLE CA 95076

4130154

ER DEBORAH A TRUSTEE ETAL  
RACE HORSE LN  
WATSONVILLE CA 55076

4130146

OCCUPANT  
1025 MOON VALLEY RANCH RD  
WATSONVILLE CA 55076

34130146

ASHTON JASON A U/M  
903 WHISPERING PINES DR  
SCOTTS VALLEY CA 95066

4130150

OWNERS OF C A 54PM21  
P O BOX25670  
FRESNO CA 93729

3 3152

OCCUPANT  
195 RACE HORSE LN

WATSONVILLE CA 95076

04130152

MC NULTY JOHN W & MONICA M H/W CP  
P C ECX 1302  
SOQUEL CA 95073

04130151

ROMERO FAUSTO JR & NOREEN H/W CP  
165 RACE HCRSE LN  
WATSONVILLE CA 95076

04130134

JOHNSON MICHAEL B U/M  
185 LARKIN RIDGE DR  
WATSONVILLE CA 95076

04501123

WHITE LOUISE TRUSTEE ETAL  
122 VISTA GRANDE DR  
APTCS CA 95003

04501116

COPE O JAMES & AVE MARIE HELENE B  
107 VISTA GRANDE DR  
APTOS CA 95003

04501120

GLASS TIMOTHY J S/M  
115 VISTA GRANDE DR  
APTCS CA 55003

04501119

CCSTANZO JOHN R & LAURIE A TRUSTE  
109 VISTA GRANDE DR  
APTOS CA 55003

04501130

SAN ANDREAS HEIGHTS HOMEOWNERS AS  
8070 SOQUEL DR #230  
APTOS CA 95003

14501124

RAVAGO FRANK L JR & CHERYL A TRUS  
1 VISTA GRANDE DR  
APTOS CA 55003

34501123

KURK RICHARD B & ELISSA M H/W JT  
1801 BONITA DR

APTOS CA 95003

04501114

3CCUPANT  
1340 BONITA DR  
APTOS CA 95033

4501114

SCHOLASTIC LEGACY INC  
1940 BONITA  
APTOS CA 55003

04501128

CALDWELL JOHN N & LYNNE M H/W JT  
136 VISTA GRANDE DR  
APTOS CA 95003

04501125

SCHIAVON LOUIS & OLLIE FAMILY LTD  
114 VISTA GRANDE DR  
APTOS CA 95003

04501126

EVANS STEVEN & BONNIE H/WJT  
112 VISTA GRANDE DR  
APTOS CA 95003

04501127

MARQUEZ LARRY R & BETTY J CO-TRUS  
110 VISTA GRANDE DR  
APTOS CA 95003

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