

Hello Nicholas,

I am sending this information for each of the Planning Commissioners to review and have for their use at the meeting on Sept 25, 2024.

Thank you for getting it to them.

Diane

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The following County code information regarding co-location has been well-researched and compiled by Ariel Strauss, our legal counsel. The full content of his letter was sent to all of you on May 9, 2024.

Where the text of the Code may validly be subject to multiple interpretations, the Commission has the authority and responsibility to interpret as befitting their judgement of the Code's goals. It is not the role of legal counsel to set policy. Walking through the sources in the Code sequentially will show that co-location is not narrowly defined and the Commission has authority to demand the information it needs to decide the best option for the community.

**Code Section 13.10.660(B)(6)** defines co-location to mean “the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radiofrequency signals for communications purposes. ‘Co-location’ also means when more than one wireless service providers share a single wireless communication facility. A co-located facility can be comprised of a tower, pole, or structure that supports one or more antennas, dishes, or similar wireless communication devices, that are separately owned or used by more than one public or private entity.”

As you can see, there is nothing in the language that forces the Commission to conclude that co-location is only mounting antennas on a pre-existing structure rather than a description of the ultimate outcome of the site having multiple users. So what does it mean to “share a single wireless communication facility”?

Section 13.10.660(B)(28) answers this question stating: a “Wireless communication facility, or wireless facility” means the transmitters, antenna structures, and other types of installations used for the provision of personal wireless services at a fixed location, including without limitation small cell facilities, any associated tower(s), support structure(s), and base station(s).”

Without limitation, the “wireless facility” includes all the “installations” needed to provide service. Essentially, a “wireless facility” is the collective components of the approved site

The next step that needs to be understood is what is required of applicants and the County to determine if co-location is required. **Section 13.10.660(E)(1)** states: “New wireless communication facilities shall be required to be co-located onto existing facilities, base stations, or utility poles, unless there is no existing facility that would provide substantially similar coverage and the proposed facility is visually screened, camouflaged, or otherwise integrated into the surrounding character or scenic resource.”

The new wireless facility must be “co-located onto existing facilities,” not only existing structures. Notably, the word “facility” is not one of the terms of art used for the thing on which antennas are mounted; those are known as “tower(s), support structure(s), and base station(s).” Facility is broader, referring to the overall operational establishment known as a wireless facility. There is nothing here dictating that add a new carriers antennas by replacing a tower located on a preexisting wireless facility is not “co-locating” onto that existing facility.

I hope that this brief analysis is helpful in highlighting your discretionary authority within the present Code

Ariel Strauss

September 24, 2024

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

Dear Santa Cruz County Planning Commission,

As a homeowner in Live Oak for over 33 years, I am opposed to many of the rezoning proposals slated, especially the lot at 2091 17th Ave. where the zoning would change from single family dwellings to medium/high density housing with an allowance of up to 65 units. Lack of infrastructure, neighborhood aesthetics and impact on the surrounding neighborhood are of great concern. Traffic in this neighborhood is already busy with the 17th Ave corridor, but with the addition of the proposed units, this makes for real safety concerns for pedestrians and cyclists, especially kids traveling to/from school.

My vision for the lot at 2091 17th Ave. if not green space, would include the construction of an appropriate number of single family homes and/or townhouses consistent with the surrounding neighborhood and make them available to employees of the Live Oak community (ie Live Oak School District, Central Fire District, etc.) This would provide housing with minimal impact on the neighborhood and create a development of residents vested in the community in which they work.

The housing shortage is something that definitely deserves attention and needs to be addressed, but not at the expense of changing the makeup of a community. The county's lack of vision and anti-growth approach over the last several decades has contributed greatly to this dilemma of housing shortage. Rezoning and overbuilding on lots is a very short-sighted approach to a problem that deserves much more thought and planning.

I urge you to look much more deeply into the impact rezoning will have and reconsider your current approach.

Sincerely,  
Sally Kane  
1690 Cozy Ct  
Santa Cruz, CA 95062

Comments Regarding batch "A" to be considered at the September 26<sup>th</sup> planning meeting

Dear Mr. Connolly,

I am writing to express my strong opposition to the proposed zoning changes and multi-unit development planned for the Primrose Lane bundle AKA (A-29, A-30, A-31, A 32 and A-33). While I appreciate the need for housing, I believe this particular project raises several significant concerns that must be addressed.

Firstly, the location of the proposed development is excessively distant from essential family services. Access to healthcare, grocery stores, and other vital services is crucial for residents' well-being. The distance to these services would create undue hardship for future residents, particularly for families with children, the elderly, and those with mobility challenges.

Secondly, I am concerned about the increased traffic that this development would bring to Green Valley Road. This road is already a busy thoroughfare, and adding a multi-unit complex would exacerbate congestion, compromising the safety of all road users, including pedestrians and cyclists. The potential for accidents and delays would disrupt the community's daily life. To think the residents will ride the bus, walk or bike to work and services is unrealistic. I am curious if a traffic study has been done.

Moreover, the proximity of the proposed development to an organic orchard raises serious concerns about the impact on agricultural practices. Organic farming relies heavily on maintaining a controlled environment, and increased residential activity could introduce pollutants, pests, and other factors that threaten the integrity of the orchard. This could jeopardize not only the livelihood of the orchard's operators but also the availability of local, organic produce for our community.

Lastly, the scale of the proposed development appears excessive for the size of the property. The density of the proposed units could lead to overcrowding, straining local infrastructure and diminishing the quality of life for both current and future residents. Responsible planning should prioritize sustainable development that aligns with the community's character and resources.

I urge the planning department to visit these sites in person and endure the traffic on Green Valley Road during the morning and evening commute times. Please re-reconsider this development proposal in light of these concerns. Responsible growth should enhance our community, not diminish it. Thank you for your attention to this matter, and I look forward to seeing a thoughtful approach to our community's future.

Sincerely,

Kendel & Tonya White

330 Primrose Lane