



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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TOM BURNS, PLANNING DIRECTOR

August 18, 2008

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

Agenda Date: Sept. 10, 2008
Agenda Item: 10
Time: After 9:00 a.m.

SUBJECT: Proposed County Code Amendments to Reduce the Visual Impacts of Wireless Communication Facilities

Planning Commissioners:

On December 4, 2007, the Board of Supervisors considered, and heard testimony on, various issues related to the County's regulations regarding wireless communication facilities (WCFs), of which cell towers are one type. Among the concerns expressed were concerns about the visual impacts of some WCFs. As a result of that hearing, the Board directed that several amendments be made to the County's WCF Ordinance (County Code Sections 13.10.660-668) to reduce the visual impacts of WCFs at co-location/multi-carrier sites and near residences or schools. On March 4, 2008, the Board gave conceptual approval to these ordinance amendments. This item is now being brought before your Commission for your consideration and recommendation to the Board of Supervisors (see Exhibit E for Board of Supervisors March 4, 2008 meeting minutes and staff report).

Visual Impacts From WCFs

As WCFs have proliferated throughout the County in recent years it has become apparent that, despite the numerous visual impact avoidance protections contained in the current WCF Ordinance, there are numerous examples of significant visual blight that have resulted from the placement of WCFs (see Exhibits C and D for photographic examples). This has been a particular problem at certain co-location/multi-carrier sites throughout the County, where two or more wireless communication carriers concentrate their antennas and related equipment onto one tower, or onto multiple towers all located on a single site/parcel. Unsightly WCFs (including both cell towers and roof-mounted WCFs) have also become a problem in populated and/or high traffic areas, such as areas near homes and schools. To remedy these visual impact issues, the Board of Supervisors directed staff to amend the County's WCF Ordinance to put a limit on the amount of antennas and equipment that can be located in one place. The Board also directed that the WCF Ordinance's current 300-foot (or 5 times the height of the tower) visual impact buffer between cell towers and residences should be expanded in scope to include other types of WCFs (i.e., roof-mounts), and to enforce a similar buffer in another high traffic/visibility area – namely the areas surrounding public schools.

Proposed WCF Ordinance Amendments

To address visual impacts from WCFs, this staff report presents proposed ordinance amendments to: (1) apply a 300-foot visual impact buffer between roof-mounted wireless communication facilities (WCFs) and residential areas, unless it can be shown there will not be a visual impact; (2) apply a 300-foot visual impact buffer between WCFs and public schools, unless it can be shown there will not be a visual impact; and (3) limit the number of antennas at co-location/multi-carrier WCF sites to no more than nine antennas, with no more than three separate equipment cabinets/shelters, on any single parcel unless it can be shown there will not be a visual impact. Proposed approaches for accomplishing these goals and a discussion of related issues are presented below.

1. Application of Visual Impact Buffer Between Roof-Mounted WCFs and Residential Areas

Currently the County's WCF Ordinance (Sec. 13.10.663[a][9] – Visual Impacts to Neighboring Parcels) contains a limited prohibition against the placement of new WCF towers (but not roof-mounted WCFs) within 300-feet (or 5 times the height of the tower, whichever is greater) of residentially-zoned parcels, on the basis of the potential negative visual impacts such towers would have on nearby residences. This visual impact buffer can be reduced or eliminated if it can be shown that the WCF will not be readily visible from nearby residences, or if the applicant can prove that the proposed location is necessary for their coverage needs and is the environmentally superior alternative.

On March 4, 2008, the Board of Supervisors directed staff to apply the same visual impact buffer to new roof-mounted WCFs, as well as to new cell towers. This change was made because, even though these types of WCFs are confined to rooftops, they can still create a visual clutter that detrimentally affects the views from surrounding residences, particularly if such residences are located even with or above the roof-level of the WCF site (see last two photos in Exhibit C for local examples, and Exhibit D for non-local examples, since there are few examples of local un-camouflaged roof-mounted WCFs). To implement such a change, staff proposes that County Code Sec. 13.10.663(a)(9) - Visual Impacts to Neighboring Parcels - be amended to add roof-mounted WCFs as a type of WCF that is subject to the residential visual impact buffer (see Attachment A-1 of Exhibit A). The proposed amendment contains a waiver for reducing/eliminating the 300-foot setback in situations where there will be no visual impact.

2. Limiting the Number of Antennas/Equipment at Any Single Site

Currently the County's WCF Ordinance tends to encourage the co-location of multiple WCFs on a single tower, so as to minimize the proliferation of potentially unsightly cell towers throughout the community. In several locations throughout the unincorporated area multiple cell towers exist on the same parcel. These co-location and multi-carrier sites can have between two and five carriers and up to 25 or more antennas each. However, it has become apparent that such concentrations of WCFs can have

detrimental visual impacts if too many WCF antennas and their associated equipment are crowded together in one place (see Exhibit C for photos of over-cluttered co-location/multi-user sites). Therefore, the Board of Supervisors directed that the WCF Ordinance be amended to place a limit on the number of WCF antennas and equipment shelters that can be located at any single site. By implementing this change, the Board is saying that co-locations should still be encouraged, but only up to a certain point. To minimize the visual impacts that can arise from overcrowded co-location/multi-user sites, staff recommends that the following portions of the County's WCF Ordinance be amended (as indicated in Attachment A-1 of Exhibit A): County Code Sec. 13.10.661(c)(3) (Exceptions to Restricted Area Prohibition), Sec. 13.10.661(g) (Co-location), Sec. 13.10.663(a) (Site Location), and Sec. 13.10.663(b) (Design Review Criteria). Such amendments of the WCF Ordinance would limit the number of WCF antennas/equipment allowed at any one location (i.e., on the same parcel) to no more than nine WCF antennas and three equipment shelters/enclosures, limits which staff believes would allow for a reasonable concentration of WCFs at a single site without creating a significant visual blight. Staff recommends that an exception to this requirement be possible if the applicant can show that there would be no (or minimal) additional visual impacts from a proposed co-location or multi-user site with more than nine panel antennas or three equipment shelters/enclosures. This would place a reasonable limit, generally allowing a single tower/pole with multiple carriers, which would result in a reduced visual impact at multi-carrier sites. It is proposed that existing co-location/multi-carrier sites would be "grandfathered-in" so that such sites would not be rendered non-conforming, so as not to overly burden the WCF carriers currently using such sites.

3. Requiring a Buffer Between WCFs and Public Schools

The County WCF Ordinance currently prohibits WCFs from being located on school grounds, but does not prohibit them from being located near or adjacent to schools. Since children in public schools are involuntarily subjected to the visual blight that WCFs near public schools can create, it is reasonable to restrict WCFs near public schools. To further reduce visual impacts from WCFs in the well populated/high traffic areas near schools, on March 4, 2008, the Board of Supervisors directed that the WCF Ordinance be amended to prohibit new WCF towers and visible roof-mounted WCFs within 300-feet (or five times the height of the tower, whichever is greater) of public schools, unless it can be shown that there will be no visual impact. To implement such a change, staff proposes that County Code Sec. 13.10.663(a)(9) - Visual Impacts to Neighboring Parcels - be amended to require a visual impact buffer between WCFs and schools as well as residences (see Attachment A-1 of Exhibit A).

Environmental Review

The proposed WCF Ordinance amendments have undergone environmental review and have been found to have no significant negative environmental impacts and to be consistent with the California Environmental Quality Act (CEQA). Staff has prepared a CEQA Initial Study (Exhibit F), which has undergone its 28-day review period, and a CEQA Negative Declaration has been proposed for your consideration of a recommendation for Board of Supervisors action.

Local Coastal Program Consistency

The proposed amendments will not result in any loss of agricultural land, any loss of coastal access, or any negative impacts to public viewsheds within the Coastal Zone. The amendments therefore meet the requirements of, and are consistent with, the County's certified Local Coastal Program (LCP) and the California Coastal Act.

Recommendation

On March 4, 2008, the Board of Supervisors directed that several amendments be made to the County's WCF Ordinance (County Code Sections 13.10.660-668) to reduce the visual impacts of WCFs at multi-carrier sites and near residences and schools. Staff has proposed recommended amendments to the WCF Ordinance that would implement the Board's direction, proposed to go into effect outside the Coastal Zone 30-days after Board approval and within the Coastal Zone after certification by the Coastal Commission.

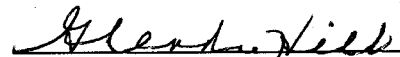
It is therefore RECOMMENDED that your Commission take the following actions:

1. Conduct a Public Hearing;
2. Adopt the attached Resolution recommending Board of Supervisors approval of the proposed amendments to the County's Wireless Communication Facilities (WCF) Ordinance to reduce the visual impacts of WCFs at co-location/multi-carrier sites, and near residences and schools, and recommending Board of Supervisors certification of the proposed CEQA Negative Declaration (Exhibit A); and
3. Direct the Planning Department to forward the proposed amendments and CEQA Negative Declaration to the Board of Supervisors for their consideration.

Sincerely,



Frank Barron, AICP
Planner III
Policy Section



Glenda Hill, AICP
Principal Planner
Policy Section

Exhibits:

- A. Resolution Recommending Board Adoption of Proposed WCF Ordinance Amendments, and Board Certification of CEQA Negative Declaration

Attachments to Exhibit A:

A-1: Proposed Amendments to WCF Ordinance (Strike-through/Underline version)
- B. Proposed Ordinance Amending WCF Ordinance (Clean Copy)
- C. Local Photographic Examples of Unsightly Co-location/Multi-Carrier and Roof-Mount WCF Sites
- D. Non-Local Photographic Examples of Unsightly Roof-Mounted WCFs

- E. Board of Supervisors March 4, 2008 Meeting Minutes and Staff Report (full minutes and staff report including correspondence to Board on this matter are available via the County website at: www.co.santa-cruz.ca.us. Go to March 4, 2008 Board Minutes, Item # 31)
- F. CEQA Initial Study

cc: County Counsel
California Coastal Commission
Robert Smith, Crown Castle, Inc.

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

**RESOLUTION RECOMMENDING BOARD OF SUPERVISORS APPROVAL OF
AMENDMENTS TO SANTA CRUZ COUNTY CODE SECTIONS 13.10.661 AND
13.10.663 TO REDUCE THE VISUAL IMPACT OF WIRELESS COMMUNICATION
FACILITIES (WCFs)**

WHEREAS, as WCFs have proliferated throughout the County in recent years it has become apparent that, despite the numerous visual impact avoidance protections contained in the current WCF Ordinance, there are numerous examples of significant visual blight that have resulted from the placement of WCFs; and

WHEREAS, WCFs, including roof-mounted WCFs, can be particularly unsightly in populated areas near homes and schools, or if there is an over-proliferation of antennas and related equipment from multiple WCFs located at a single site; and

WHEREAS, on December 4, 2007, the Board of Supervisors considered, and heard testimony on, various issues related to the County's regulations regarding wireless communication facilities (WCFs), of which cell towers are one type; and

WHEREAS, as a result of that hearing, the Board directed that several amendments be made to the County's WCF Ordinance (County Code Sections 13.10.660-668) to reduce the visual impacts of WCFs at multi-carrier sites and near residences or schools, and on March 4, 2008, the Board gave conceptual approval to these ordinance amendments; and

WHEREAS, to address visual impacts from WCFs, the Board of Supervisors directed that the County WCF Ordinance be amended to: (1) apply a 300-foot visual impact buffer between roof-mounted wireless communication facilities (WCFs) and residential areas, unless it can be shown there will not be a visual impact; (2) apply a 300-foot visual impact buffer between WCFs and public schools, unless it can be shown there will not be a visual impact; and (3) limit the number of antennas at co-location/multi-carrier WCF sites to no more than nine antennas, with no more than three separate equipment shelters/enclosures, on any single parcel, unless it can be shown there will not be a visual impact, which are limits which staff believes would allow for a reasonable concentration of

EXHIBIT A

WCFs at a single site without creating a significant visual blight; and

WHEREAS, the California Coastal Commission has certified the County's Local Coastal Program, including County Code Chapter 13.10, as consistent with and legally adequate to carry out the California Coastal Act; and

WHEREAS, the Planning Commission finds that the proposed Local Coastal Program amendment and proposed amendment to the Santa Cruz County Code will be consistent with the policies of the General Plan and Local Coastal Program and other provisions of the County Code, is in compliance with the California Coastal Act, and will contribute to the responsible management of natural resources in the community; and

WHEREAS, the proposed County Code amendments have undergone environmental review pursuant to the California Environmental Quality Act (CEQA) and have been found to have no significant negative environmental impacts and to be consistent with CEQA; and

WHEREAS, Planning Department staff has prepared a CEQA Negative Declaration for the proposed County Code amendments; and

WHEREAS, it is intended that the proposed County Code amendments shall go into effect outside the Coastal Zone 30-days after final Board of Supervisors action, and within the Coastal Zone upon certification by the California Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Planning Commission recommends that the Board of Supervisors:

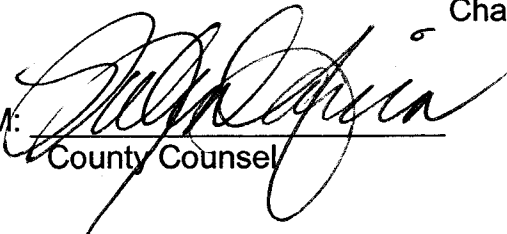
1. Approve the proposed County Code amendments to address visual impacts of wireless communication facilities; and
2. Certify the proposed CEQA Negative Declaration based upon the Initial Study for this project that concludes that the proposed amendments will not have a significant impact on the environment.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 10th day of September 2008, by the following vote:

| | |
|----------|---------------|
| AYES: | COMMISSIONERS |
| NOES: | COMMISSIONERS |
| ABSENT: | COMMISSIONERS |
| ABSTAIN: | COMMISSIONERS |

EXHIBIT A

ATTEST: _____
Secretary Chairperson

APPROVED AS TO FORM: 
County Counsel

Attachments:

A-1: Strike-Through/Underline Version of the Proposed Amendments to the County Wireless Communication Facilities Ordinance (County Code Sec. 13.10.660-68)

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ
COUNTY CODE TO REDUCE THE VISUAL IMPACT OF WIRELESS
COMMUNICATION FACILITIES (Strike-Through/Underline Version)**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Subdivision (c)(3) of Section 13.10.661 of the Santa Cruz County Code is hereby amended, to read as follows:

Exceptions to Restricted Area Prohibition. Wireless communication facilities (WCFs) that are co-located upon existing wireless communication facilities/towers or other utility towers/poles (e.g., P.G.&E. poles), and which do not significantly increase the visual impact of the existing facility/tower/pole, are allowed in the restricted zoning districts listed in (c)(1) above. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Applicants proposing new non-located 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-located wireless communication facilities may be sited in the restricted zoning districts listed above only in situations where the applicant can prove that:

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

SECTION II

Subdivision (g) of Section 13.10.661 of the Santa Cruz County Code is hereby amended, to read as follows:

Co-Location. Co-location of new wireless communication facilities into/onto existing wireless communication facilities and/or existing telecommunication towers is generally encouraged if it does not create significant visual impacts.

Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Co-location may require that height extensions be made to existing towers to accommodate additional users, or may involve constructing new multi-user capacity towers that replace existing single-user capacity towers. Where the visual impact of an existing tower/facility must be increased to allow for co-location, the potential increased visual impact shall be weighed against the potential visual impact of constructing a new separate tower/facility nearby. Where one or more wireless communication tower/facilities already exist on the proposed site location, co-location shall be required if it will not significantly increase the visual impact of the existing facilities, or result in more than nine total individual antenna panels and/or three above-ground equipment enclosures/shelters located on the same parcel, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. This may require that the existing tower(s) on the site be dismantled and its antennas be mounted upon the new tower, particularly if the new tower would be less visually obtrusive than the existing tower(s). If a co-location agreement cannot be obtained, or if co-location is determined to be technically infeasible, documentation of the effort and the reasons why co-location was not possible shall be submitted.

SECTION III

Subdivision (a)(2) of Section 13.10.663 of the Santa Cruz County Code is hereby amended, to read as follows:

Co-location. Co-location is generally encouraged in situations where it is the least visually obtrusive option, such as when increasing the height/bulk of an existing tower would result in less visual impact than constructing a new separate tower in a nearby location. However, proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these

limits are allowed to retain their current number of antennas and equipment shelters/enclosures.

SECTION IV

Subdivision (a)(9) of Section 13.10.663 of the Santa Cruz County Code is hereby amended, to read as follows:

Visual Impacts to Neighboring Parcels and Public Schools. To minimize visual impacts to surrounding residential uses and public primary or secondary schools, the base of any new freestanding telecommunications tower or building/roof-mounted wireless communication facility shall be set back from the property line of any residentially zoned parcel, or the property line for any public primary or secondary school, a distance equal to five times the height of the tower if mounted upon a telecommunications tower, or a minimum of 300 feet, whichever is greater. This requirement may be waived by the decision making body if the applicant can prove that the ~~tower~~ wireless communication facility will be camouflaged or otherwise made inconspicuous such that visual impacts are not created, ~~not be readily visible from neighboring residential structures~~ or if the applicant can prove that a significant area proposed to be served would otherwise not be provided personal wireless services by the subject carrier, including proving that there are no viable, technically feasible, environmentally equivalent or superior alternative sites outside the prohibited and restricted areas designated in Section 13.10.661(b) and 13.10.661(c)

SECTION V

Subdivision (b)(12) of Section 13.10.663 of the Santa Cruz County Code is hereby amended, to read as follows:

Facility and Site Sharing (Co-Location). New wireless communication towers should be designed to accommodate multiple carriers, and/or to be readily modified to accommodate multiple carriers, so as to facilitate future co-locations and thus minimize the need to construct additional towers, if it will not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. New telecommunications towers should be designed and constructed to accommodate up to no more than nine (9) total individual ~~future additional~~ antennas, unless the applicant can prove that the additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created ~~and/or height extensions, as technically feasible~~. New wireless communication facility components, including

but not limited to parking areas, access roads, and utilities should also be designed so as not to preclude site sharing by multiple users, as technically feasible, in order to remove potential obstacles to future co-location opportunities. The decision making body may require the facility and site sharing (co-location) measures specified in this section if necessary to comply with the purpose, goals, objectives, policies, standards, and/or requirements of the General Plan/Local Coastal Program, including Sections 13.10.660 through 13.10.668 inclusive and the applicable zoning district standards in any particular case. However, a wireless service provider will not be required to lease more land than is necessary for the proposed use. If room for potential future additional users cannot, for technical reasons, be accommodated on a new wireless communication tower/facility, written justification stating the reasons why shall be submitted by the applicant. Approvals of wireless communication facilities shall include a requirement that the owner/operator agrees to the following co-location parameters:

- (i) To respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
- (ii) To negotiate in good faith for shared use of the wireless communication facility by third parties; and
- (iii) To allow shared use of the wireless communication facility if an applicant agrees in writing to pay reasonable charges for co-location.

SECTION VI

This ordinance shall become effective in areas outside the Coastal Zone on the 31st day following adoption, and upon certification by the Coastal Commission for areas inside the Coastal Zone.

PASSED AND ADOPTED this ____ day of _____ 2008, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

 Chairman of the Board of Supervisors

Attest: _____
 Clerk of the Board

APPROVED AS TO FORM:


 Deputy County Counsel

DISTRIBUTION: County Counsel, CAO, Planning Department

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ
COUNTY CODE TO REDUCE THE VISUAL IMPACT OF WIRELESS
COMMUNICATION FACILITIES**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Subdivision (c)(3) of Section 13.10.661 of the Santa Cruz County Code is hereby amended, to read as follows:

Exceptions to Restricted Area Prohibition. Wireless communication facilities (WCFs) that are co-located upon existing wireless communication facilities/towers or other utility towers/poles (e.g., P.G.&E. poles), and which do not significantly increase the visual impact of the existing facility/tower/pole, are allowed in the restricted zoning districts listed in (c)(1) above. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Applicants proposing new non-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:

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

SECTION II

Subdivision (g) of Section 13.10.661 of the Santa Cruz County Code is hereby amended, to read as follows:

Co-Location. Co-location of new wireless communication facilities into/onto existing wireless communication facilities and/or existing telecommunication towers is generally encouraged if it does not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Co-location may require that height extensions be made to existing towers to accommodate additional users, or may involve constructing new multi-user capacity towers that replace existing single-user capacity towers. Where the visual impact of an existing tower/facility must be increased to allow for co-location, the potential increased visual impact shall be weighed against the potential visual impact of constructing a new separate tower/facility nearby. Where one or more wireless communication tower/facilities already exist on the proposed site location, co-location shall be required if it will not significantly increase the visual impact of the existing facilities, or result in more than nine total individual antenna panels and/or three above-ground equipment enclosures/shelters located on the same parcel, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. This may require that the existing tower(s) on the site be dismantled and its antennas be mounted upon the new tower, particularly if the new tower would be less visually obtrusive than the existing tower(s). If a co-location agreement cannot be obtained, or if co-location is determined to be technically infeasible, documentation of the effort and the reasons why co-location was not possible shall be submitted.

SECTION III

Subdivision (a)(2) of Section 13.10.663 of the Santa Cruz County Code is hereby amended, to read as follows:

Co-location. Co-location is generally encouraged in situations where it is the least visually obtrusive option, such as when increasing the height/bulk of an existing tower would result in less visual impact than constructing a new separate tower in a nearby location. However, proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures.

SECTION IV

Subdivision (a)(9) of Section 13.10.663 of the Santa Cruz County Code is hereby amended, to read as follows:

Visual Impacts to Neighboring Parcels and Public Schools. To minimize visual impacts to surrounding residential uses and public primary or secondary schools, the base of any new freestanding telecommunications tower or building/roof-mounted wireless communication facility shall be set back from the property line of any residentially zoned parcel, or the property line for any public primary or secondary school, a distance equal to five times the height of the tower if mounted upon a telecommunications tower, or a minimum of 300 feet, whichever is greater. This requirement may be waived by the decision making body if the applicant can prove that the wireless communication facility will be camouflaged or otherwise made inconspicuous such that visual impacts are not created, or if the applicant can prove that a significant area proposed to be served would otherwise not be provided personal wireless services by the subject carrier, including proving that there are no viable, technically feasible, environmentally equivalent or superior alternative sites outside the prohibited and restricted areas designated in Section 13.10.661(b) and 13.10.661(c)

SECTION V

Subdivision (b)(12) of Section 13.10.663 of the Santa Cruz County Code is hereby amended, to read as follows:

Facility and Site Sharing (Co-Location). New wireless communication towers should be designed to accommodate multiple carriers, and/or to be readily modified to accommodate multiple carriers, so as to facilitate future co-locations and thus minimize the need to construct additional towers, if it will not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine (9) total individual antennas, and/or more than three (3) above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. New telecommunications towers should be designed and constructed to accommodate up to no more than nine (9) total individual antennas, unless the applicant can prove that the additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. New wireless communication facility components, including but not limited to parking areas, access roads, and utilities should also be designed so as not to preclude site sharing by multiple users, as technically feasible, in order to remove potential obstacles to future co-location opportunities. The decision making body may require the facility and site sharing (co-location) measures specified in this section

if necessary to comply with the purpose, goals, objectives, policies, standards, and/or requirements of the General Plan/Local Coastal Program, including Sections 13.10.660 through 13.10.668 inclusive and the applicable zoning district standards in any particular case. However, a wireless service provider will not be required to lease more land than is necessary for the proposed use. If room for potential future additional users cannot, for technical reasons, be accommodated on a new wireless communication tower/facility, written justification stating the reasons why shall be submitted by the applicant. Approvals of wireless communication facilities shall include a requirement that the owner/operator agrees to the following co-location parameters:

- (i) To respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
- (ii) To negotiate in good faith for shared use of the wireless communication facility by third parties; and
- (iii) To allow shared use of the wireless communication facility if an applicant agrees in writing to pay reasonable charges for co-location.

SECTION VI

This ordinance shall become effective in areas outside the Coastal Zone on the 31st day following adoption, and upon certification by the Coastal Commission for areas inside the Coastal Zone.

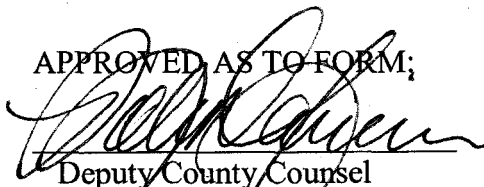
PASSED AND ADOPTED this ____ day of _____ 2008, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

 Chairman of the Board of Supervisors

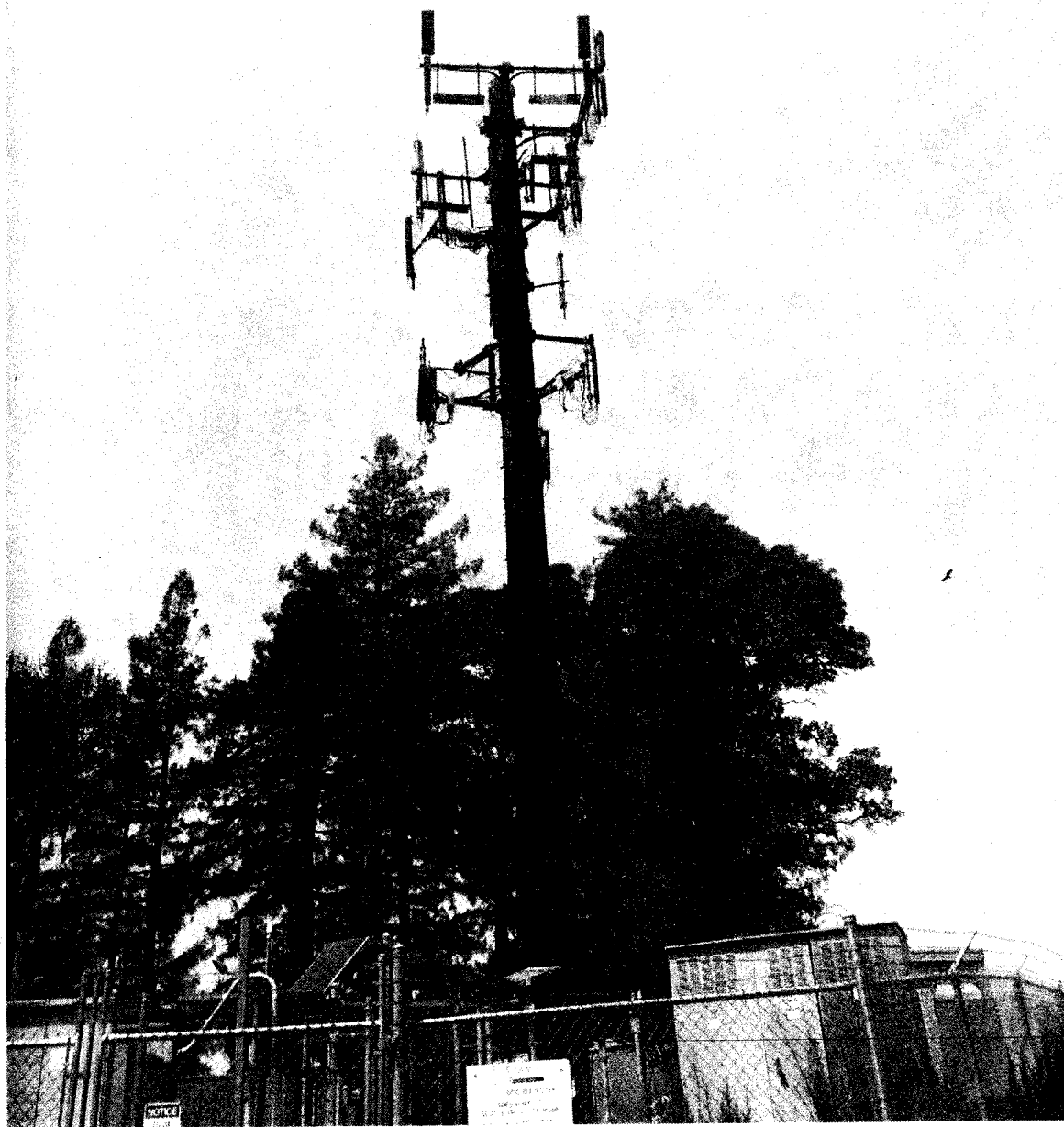
Attest: _____
 Clerk of the Board

APPROVED AS TO FORM;

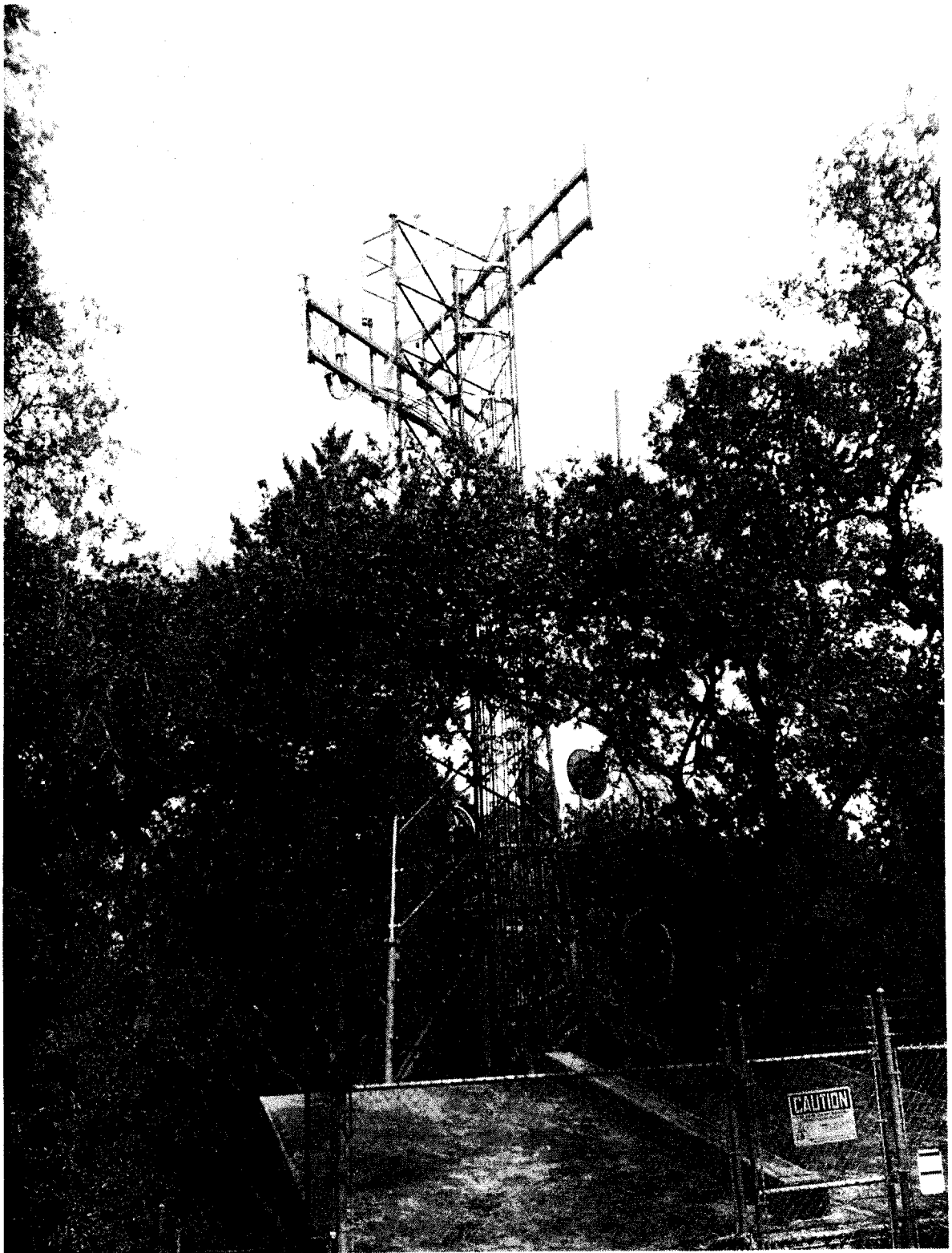

 Deputy County Counsel

DISTRIBUTION: County Counsel, CAO, Planning Department

Local Examples of Unsightly Co-location/Multi-Carrier and Roof-Mount WCF Sites



Mt. Roberta (off Hwy. 17, north of Scotts Valley)(4 WCFs, 24 antennas)



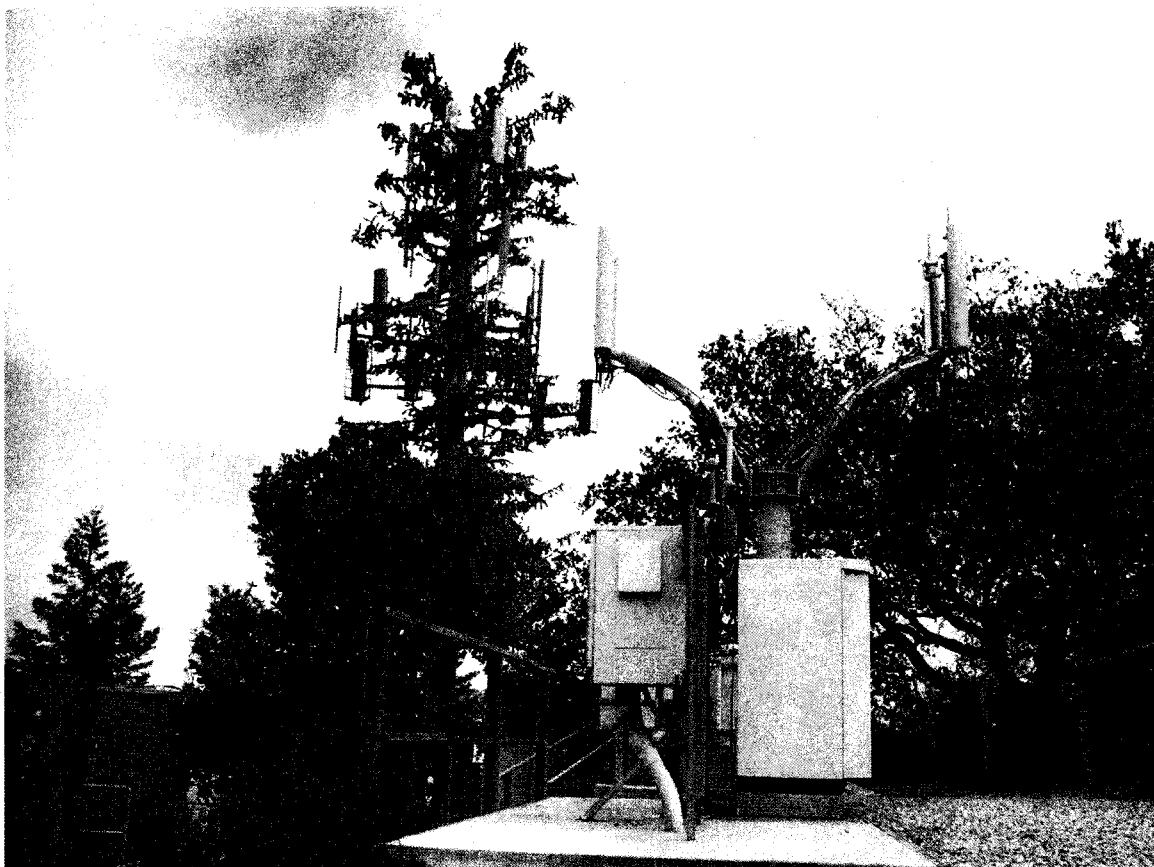
Firehouse Lane (near Hwy. 17 and Sims Rd.)(4 WCFs)



Post Office Dr. (Aptos Village, near Soquel Dr. and Trout Gulch Dr.)(4
WCFs)



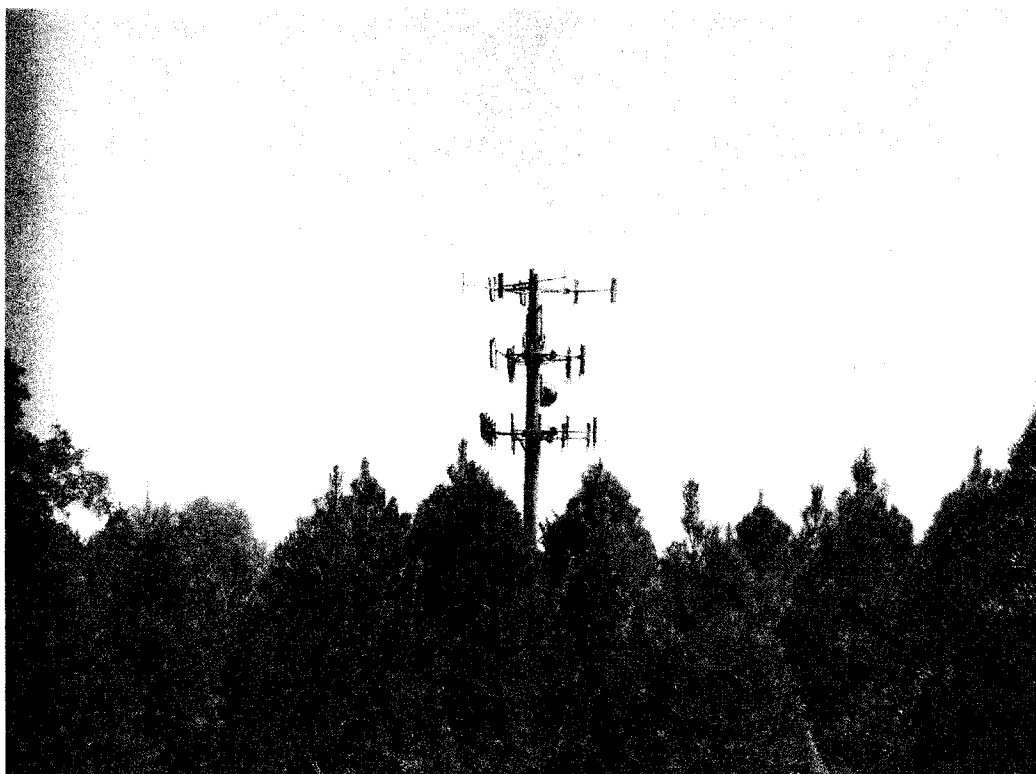
Cabrillo College (on hill above campus)(5 WCFs)



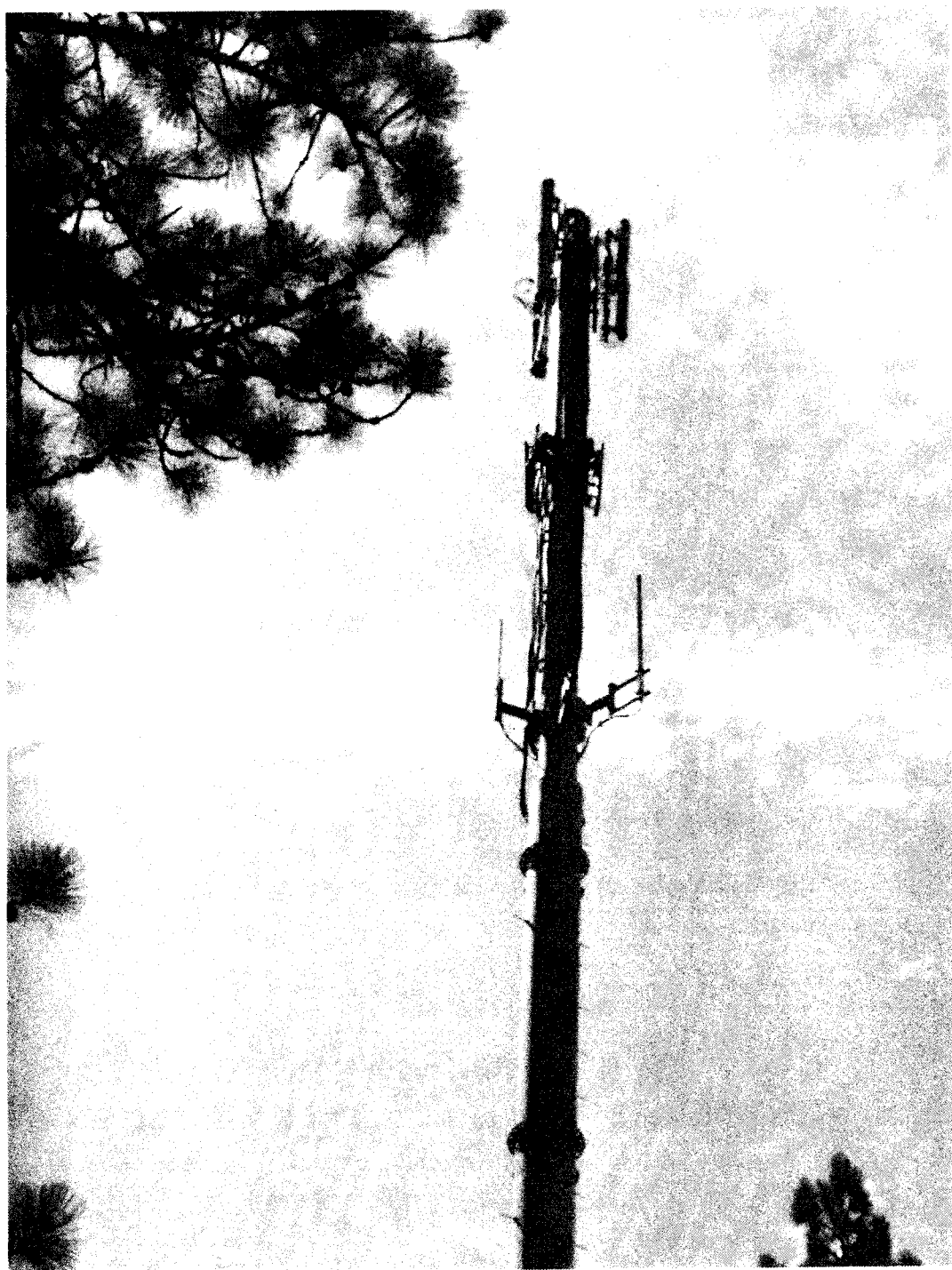
Trabing Rd. (off Hwy. 1, across from Mar Monte Vista Pt.)(5 WCFs)



Moon Valley Ranch Road (off Hwy. 1 between Freedom Blvd. And Larkin Valley exits)(2 WCFs)



Off Empire Grade (3 WCFs)



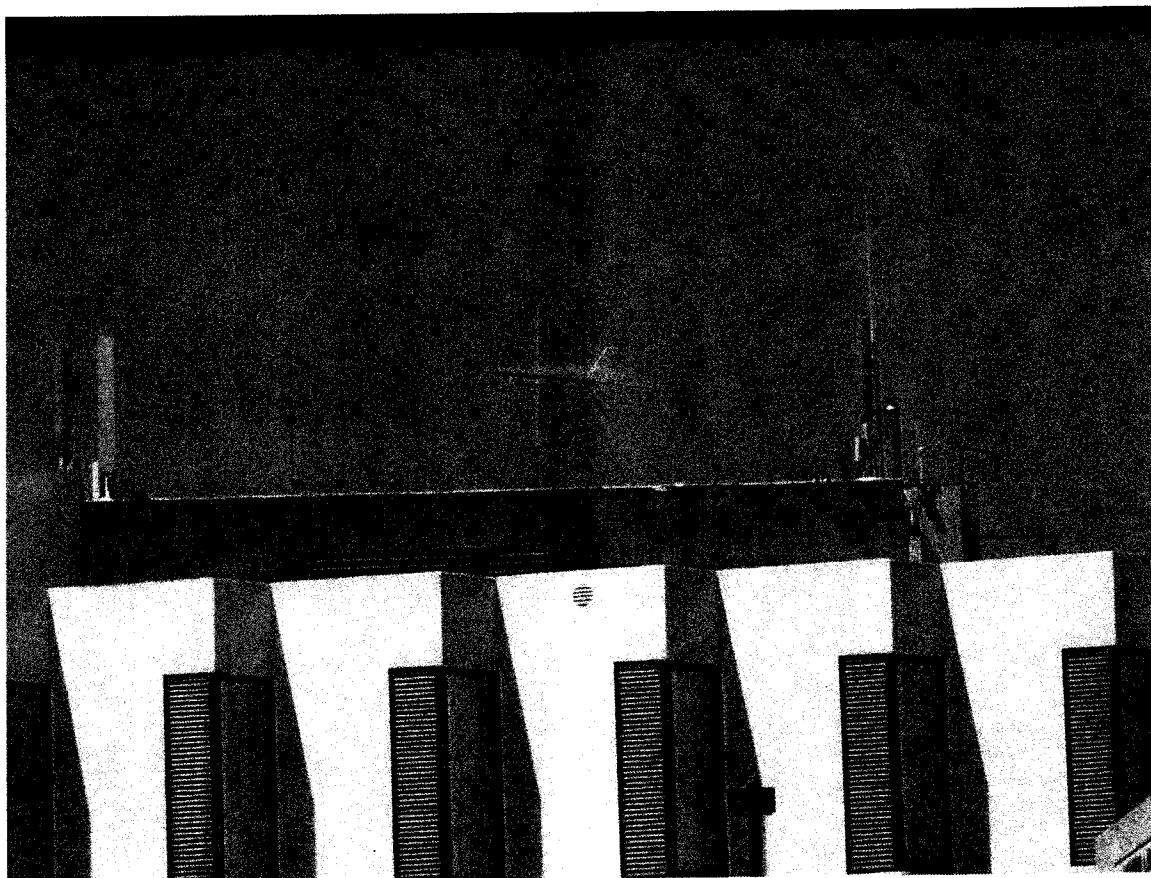
Graham Hill Rd. (behind Juvenile Hall facility)(2 WCFs)



Hwy. 17 (near summit)(5 WCFs)

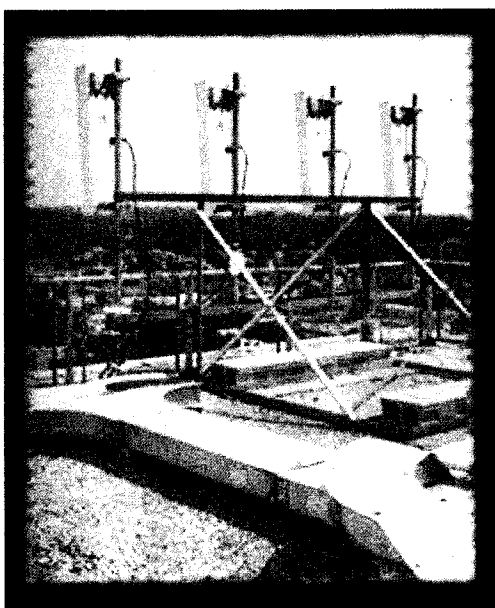


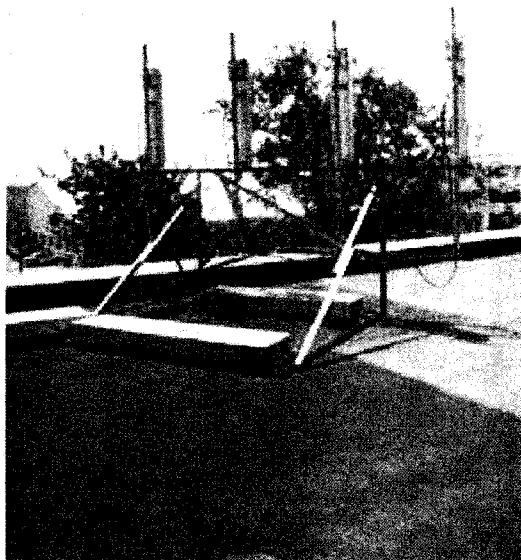
Ben Lomond (roof-mounted omni or "whip" antennas)(2 WCFs)

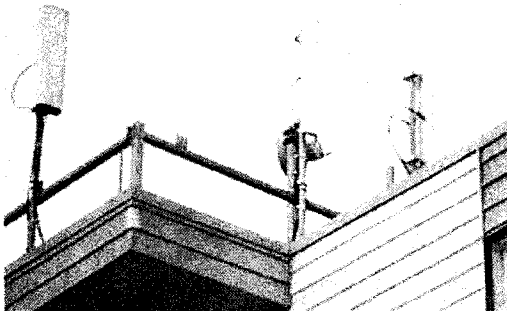
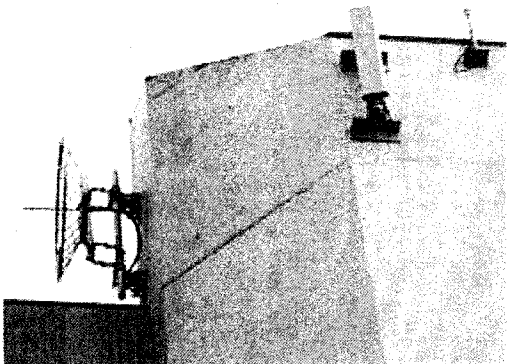
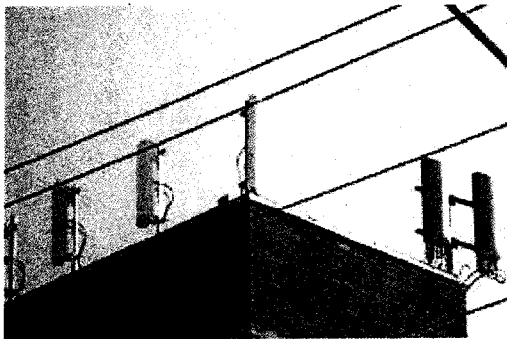
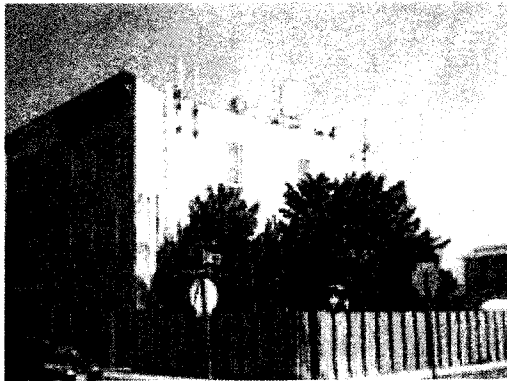


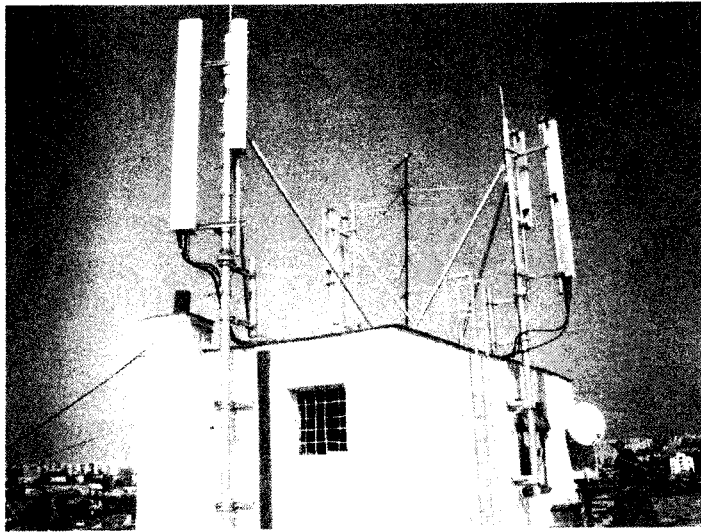
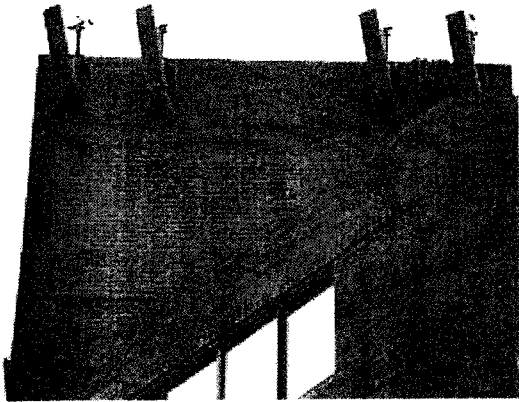
Dominican Hospital (roof-mounted panel antennas)(1 WCF)

Non-Local Examples of Unsightly Roof-Mounted WCFs









**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

Creation Date: 2/27/08

Source Code: PLANN

Agenda Date: 3/4/08

INVENUM: 60446

Resolution(s):

Ordinance(s):

Contract(s):

Continue Date(s): [1] 4/1/08

Index: --Letter of the Planning Director, dated February 11, 2008
--Detailed cell tower map and list
--Related correspondence
--Minute Order of March 4, 2008, Item No. 31

- Item: 31.** CONSIDERED report on proposed amendments to Cell Tower Ordinance, and related actions;
based on the Board's direction of December 4, 2007, and on the foregoing discussion, it is recommended that the Board take the following actions:
(1) directed Planning staff to forward to the Planning Commission, for their consideration and comment, proposed amendments to the County's Wireless Communication Facilities (WCF) Ordinance (County Code Sections 13.10.660-668) to:
(a) apply a 300-foot visual impact buffer between roof-mounted WCFs and residential areas, unless it can be shown that the roof-mounted WCF will not have a visual impact to surrounding residences;
(b) limit the number of WCFs at any single co-location site to no more than 3 separate WCFs, with no more than 9 separate antennas and 3 separate equipment cabinets/shelters, unless it can be shown there will not be a visual impact;
(c) apply a 300 foot (or 5-times the height of the WCF, whichever is greater) visual impact buffer between WCFs and public schools, unless it can be shown that the WCF will not have a visual impact; and
(2) deferred consideration of the possibility of imposing additional fees and/or monthly rent on cell sites located in County rights-of-way until case law more clearly defines the legal constraints and proper procedures to follow in this regard;
(3) with an additional direction to return in late April with a status report regarding the monitoring reports

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of March 04, 2008

REGULAR AGENDA

Item No. 31

Upon the motion of Supervisor Beautz, duly seconded by Supervisor Coonerty, the Board, by unanimous vote, based on the Board's direction of December 4, 2007, and on the foregoing discussion, it is recommended that the Board take the following actions:

- (1) directed Planning staff to forward to the Planning Commission, for their consideration and comment, proposed amendments to the County's Wireless Communication Facilities (WCF) Ordinance (County Code Sections 13.10.660-668) to:
 - (a) apply a 300-foot visual impact buffer between roof-mounted WCFs and residential areas, unless it can be shown that the roof-mounted WCF will not have a visual impact to surrounding residences;
 - (b) limit the number of WCFs at any single co-location site to no more than 3 separate WCFs, with no more than 9 separate antennas and 3 separate equipment cabinets/shelters, unless it can be shown there will not be a visual impact;
 - (c) apply a 300 foot (or 5-times the height of the WCF, whichever is greater) visual impact buffer between WCFs and public schools, unless it can be shown that the WCF will not have a visual impact; and
- (2) deferred consideration of the possibility of imposing additional fees and/or monthly rent on cell sites located in County rights-of-way until case law more clearly defines the legal constraints and proper procedures to follow in this regard;
- (3) with an additional direction to return in late April with a status report regarding the monitoring reports

cc:

CAO

County Counsel

Planning Department

Frank Barron, Planning Department

Glenda Hill, Planning Department

Public Works

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING
On the Date of March 04, 2008

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed tthe seal of said Board of Supervisors.

by _____, Deputy Clerk ON March 07, 2008



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

February 11, 2008

AGENDA DATE: March 4, 2008

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

SUBJECT: Proposed Amendments to Cell Tower Ordinance

Members of the Board:

As you recall, on December 4, 2007, your Board considered, and heard testimony on, various issues related to the County's regulations regarding wireless communication facilities (WCFs), of which cell towers are one type. As your Board directed at the conclusion of that discussion, this letter conceptually outlines several possible amendments to the County's WCF Ordinance (County Code Sections 13.10.660-668) that address concerns raised at that hearing and at several previous hearings before your Board regarding WCFs. With your Board's direction, staff will process the proposed amendments through the Planning Commission before returning them to your Board for final approval later this year.

Specifically, this letter addresses proposals to: (1) apply the same visual impact regulations to roof-mounted WCFs within 300-feet of residentially-zoned land that are currently applied to new freestanding WCF towers; (2) limit the number of WCFs that can be co-located at any one site; (3) enact a minimum allowed distance between WCFs and public schools; and (4) impose rent or other fees upon WCFs located on County rights-of-way. Proposed approaches for accomplishing these goals and a discussion of related issues are presented below.

1. Application of Visual Impact Buffer Between Roof-Mounted WCFs and Residential Areas

Currently the County's WCF Ordinance (Sec. 13.10.663[a][9] – Visual Impacts to Neighboring Parcels) contains a limited prohibition against the placement of new WCF towers within 300-feet (or 5 times the height of the tower, whichever is greater) of residentially-zoned parcels, on the basis of the potential negative visual impacts such towers would have on nearby residences. This visual impact buffer can be reduced or eliminated if it can be shown that the WCF will not be readily visible from nearby residences, or if the applicant can prove that the proposed location is necessary for their coverage needs and is the environmentally superior alternative.

As part of the December 4, 2007 action, staff was directed to evaluate whether this same visual impact buffer should apply to new roof-mounted WCFs as well as new towers. Presumably, your Board suggested this change because, even though these

types of WCFs are confined to rooftops, they can still create a visual clutter that detrimentally affects the views from surrounding residences, particularly if such residences are located above the roof-level of the WCF site. Staff recommends that if a similar visual impact buffer for roof-mounted WCFs is put in place, that there also be a similar waiver for reducing/eliminating the setback in situations where there will be no visual impact. To implement such a change, County Code Sec. 13.10.663(a)(9) - Visual Impacts to Neighboring Parcels - must be amended to add roof-mounted WCFs as a type of WCF that is subject to the residential visual impact buffer.

2. Limiting the Number of WCFs at Any Single Co-Location Site

Currently the County's WCF Ordinance tends to encourage the co-location of multiple WCFs at a single site, so as to minimize the proliferation of potentially unsightly WCFs throughout the community. There are now a number of these multi-carrier co-location sites throughout the County, with between two and five carriers and up to 20 or more antennas each. However, it was suggested that such concentrations of WCFs can have detrimental visual impacts if too many WCF antennas and their associated equipment are crowded together in one place. Therefore, your Board directed that the WCF Ordinance be amended to place a limit on the number of WCFs that can be located at any single site. To minimize the visual impacts that can arise from overcrowded co-location sites, staff recommends that County Code Sec. 13.10.661(g) (Co-location), Sec. 13.10.663(a) (Site Location) and possibly other sections of the WCF Ordinance be amended to limit the number of WCFs allowed at any one location (i.e., on the same parcel) to no more than three WCFs (i.e., 3 separate carriers and equipment shelters) and no more than a total of 9 separate antennas. Staff recommends that an exception to this requirement be possible if the applicant can show that there would be no (or minimal) additional visual impacts from a proposed co-location that would result in more than 9 antennas or 3 equipment shelters.

3. Requiring a Buffer Between WCFs and Public Schools

The County WCF Ordinance currently prohibits WCFs from being located on school grounds, but does not prohibit them from being located near or adjacent to schools. Your Board suggested that the WCF Ordinance be amended to restrict WCFs near schools. Using the same rationale that is the basis for the prohibition of certain types of WCFs within 300-feet (or five times the height of the tower, whichever is greater) of residential areas (i.e., minimization of visual impacts), the WCF Ordinance could be amended to prohibit new WCF towers and visible roof-mounted WCFs within 300-feet (or five times the height of the tower, whichever is greater) of public schools, unless it can be shown that there will be no visual impact.

4. Impose Rent or Other Fees Upon WCFs Located on County Right-of-way

At the conclusion of the December 4th hearing, your Board also directed staff to present a proposal for how the County could start charging fees or rent to WCFs that are located in County rights-of-way (ROW). The only WCFs currently located on County ROW are the small WCFs known as "microcells", which generally consist of a set of

relatively small panel antennas and a small base station cabinet mounted upon an existing utility pole, usually located along roadways within public ROW. There are currently 5 such microcell sites located on County ROW.

In order for a cell phone company to place a utility pole-mounted microcell in County ROW, in addition to permission from the "Joint Pole Authority" that governs use of utility poles, an encroachment permit from the County Department of Public Works (DPW) must be obtained. It should be noted that DPW already charges a set fee of \$500 for microcell ROW encroachment permits.

County staff investigated the possibility of charging additional fees or monthly rent to these ROW microcells back in late 2004 and early 2005, when a series of meetings took place between staff from Planning, Public Works, County Counsel and the CAO's office. In consultation with your Board, it was decided to defer further action on this issue until case law more clearly defined legal constraints and proper procedures to follow in this regard. In order to allow the County to leave its options open, it was decided that a limited-term encroachment permit program for ROW microcells should be instituted (requiring renewal every two years). That way, if it were ever decided that the County should start charging additional fees or monthly rent, existing microcells in the ROW would have to start paying the next time they were up for renewal of their encroachment permit. This limited-term encroachment permit program for ROW microcells is currently in effect and is being administered by the Department of Public Works.

Given the foregoing, it is clear that the most appropriate vehicle for administering any possible future fee increase or monthly rent for ROW microcells would be through DPW's encroachment permit process. Moreover, Planning staff does not believe that an amendment to the WCF Ordinance would be necessary for such a program to be carried out. However, since recent case law has brought into question the legality of local jurisdictions charging fees/rent to ROW cell sites, particularly if such fees are not directly tied to the additional cost of maintaining the ROW caused by the cell site being there, staff recommends that this issue be deferred at this time.

5. Other Related Issues

- ❑ Detailed Cell Tower Map and List: Also on December 4th, in response to a request from the public, your Board directed that a detailed WCF site map and list be compiled. Such a map and corresponding cell site list have been prepared by Planning and GIS staff and are attached to this letter (Attachment I).
- ❑ Status of Radio-Frequency Emission Monitoring Reports: As you recall, the County's WCF Ordinance (County Code Section 13.10.660-668) requires post-construction Radio-Frequency (RF) emission monitoring studies, that measure RF radiation exposures near each WCF, within 90-days of start-up (Sec. 13.10.664[b](4)). Even though these requirements have been in place since 2001, compliance with and enforcement of this provision has been lax, and as a result the Planning Department sent letters back in July 2007 to the representatives of all the cellular service providers in the County, reminding them of the need to conduct the monitoring studies and submit

the monitoring reports. While these reports have been submitted for 19 of the approximately 53 WCFs subject to this requirement, the remainder are still outstanding. However, staff has been informed that most or all of the outstanding studies are currently underway or nearing completion and should be submitted to us by mid-March 2008. For those WCFs subject to this requirement, and for which no RF monitoring report has been received by the end of March 2008, the Planning Department will explore appropriate enforcement actions.

Recommendations

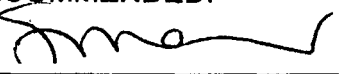
Based on your Board's direction given on December 4, 2007, and on the foregoing discussion, it is RECOMMENDED that your Board take the following actions:

1. Direct Planning staff to forward to the Planning Commission, for their consideration and comment, proposed amendments to the County's Wireless Communication Facilities (WCF) Ordinance (County Code Sections 13.10.660-668) to:
 - (a) Apply a 300-foot visual impact buffer between roof-mounted WCFs and residential areas, unless it can be shown that the roof-mounted WCF will not have a visual impact to surrounding residences;
 - (b) Limit the number of WCFs at any single co-location site to no more than 3 separate WCFs, with no more than 9 separate antennas and 3 separate equipment cabinets/shelters, unless it can be shown there will not be a visual impact.
 - (c) Apply a 300-foot (or 5-times the height of the WCF, whichever is greater) visual impact buffer between WCFs and public schools, unless it can be shown that the WCF will not have a visual impact; and
2. Defer consideration of the possibility of imposing additional fees and/or monthly rent on cell sites located in County rights-of-way until case law more clearly defines the legal constraints and proper procedures to follow in this regard.

Sincerely,


Tom Burns
Planning Director

RECOMMENDED:



SUSANA MAURIELLO
County Administrative Officer

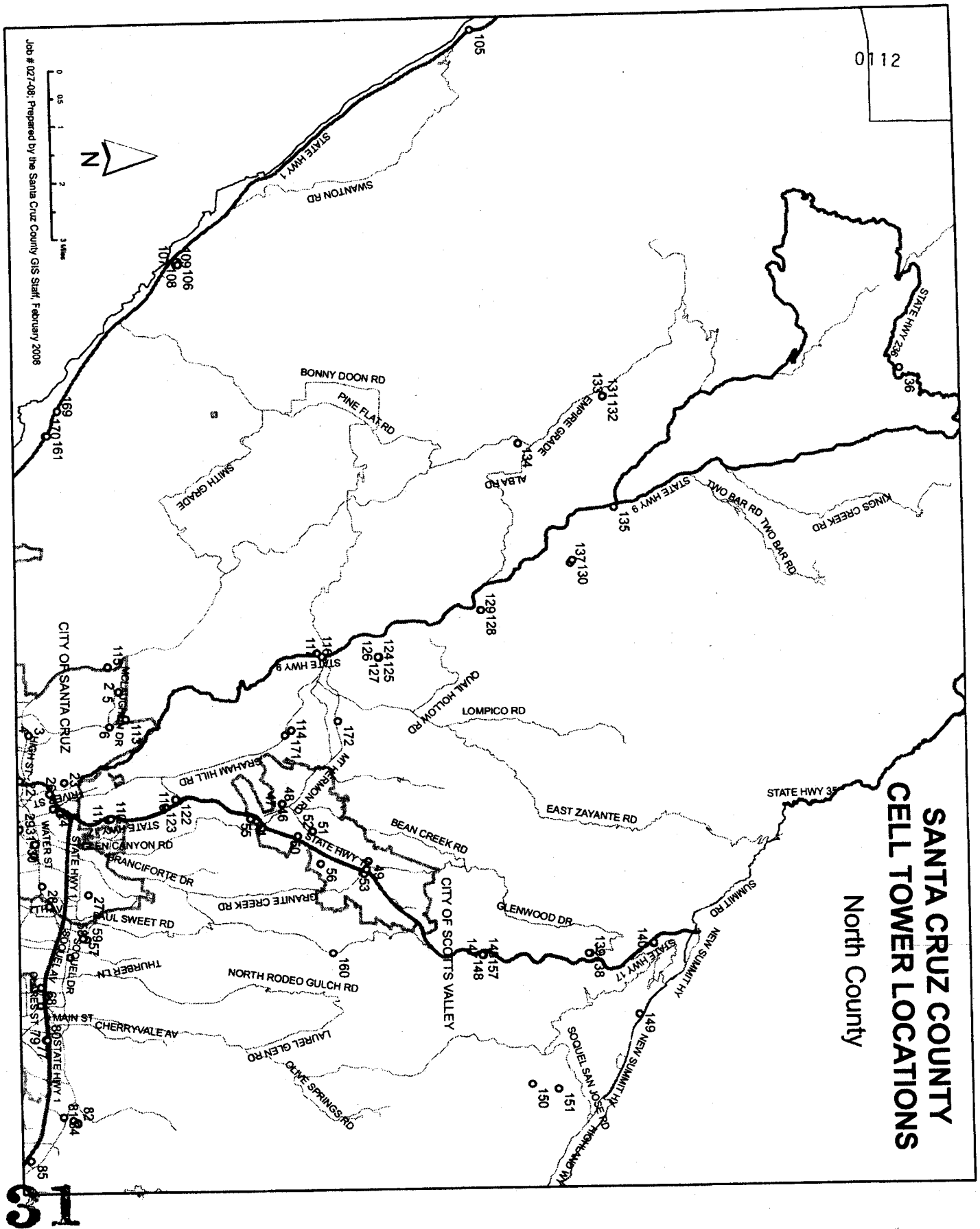
Proposed Amendments to Cell Tower Ordinance
Board of Supervisors Agenda: March 4, 2008
Page 5 of 5

Attachments:

1. Detailed Cell Tower Map and Site List

cc: County Counsel
Department of Public Works

TB:GH:fb\G:\Board Letters\2008\Pending\March 4\Conceptual Amendments to Cell Tower Ordinance



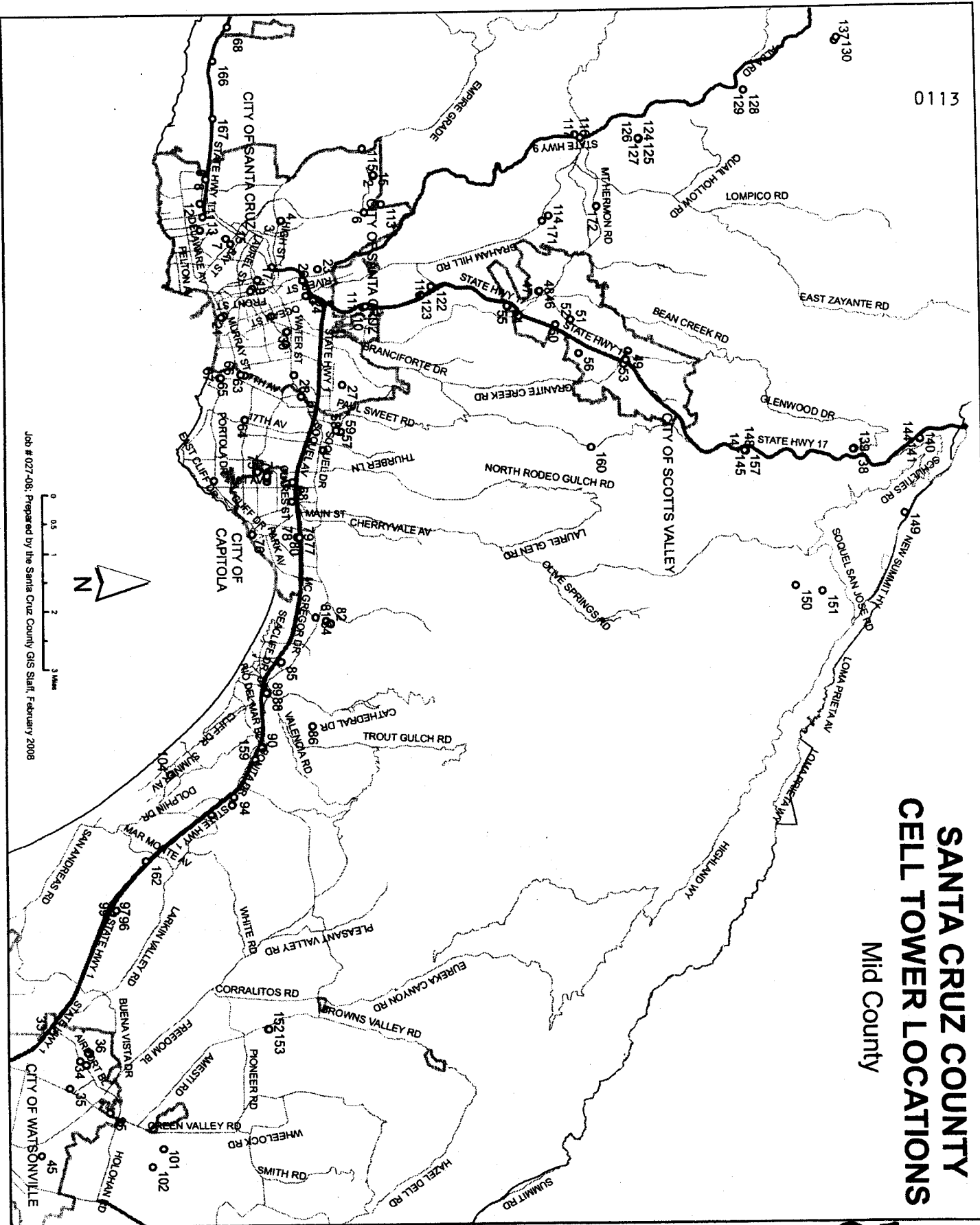
SANTA CRUZ COUNTY CELL TOWER LOCATIONS

North County

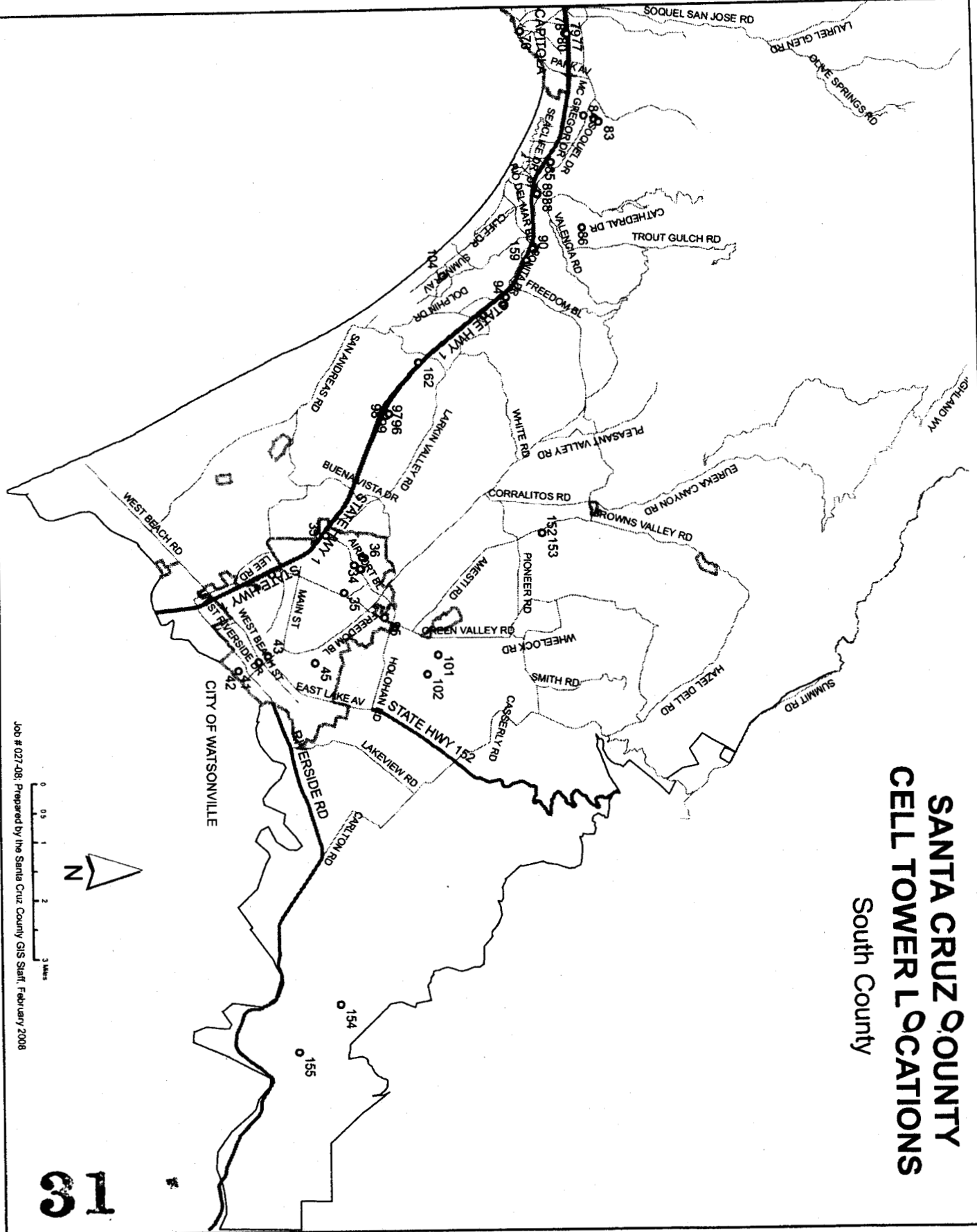
0113

SANTA CRUZ COUNTY CELL TOWER LOCATIONS

Mid County



31



Job # 027-08, Prepared by the Santa Cruz County GIS Staff, February 2008

31

2008 Detailed Cell Tower Map & List

(NOTE: Information contained herein may not be 100% accurate or complete. Information shown in italics or followed by "?" are only estimates or best guesses)

| # | Provider | Site ID | Site Name | Address | Cross Street | APN |
|----|---------------|------------|---|-------------------------|--------------------------------|----------------|
| 1 | Sprint/Nextel | CA-0575A | UC Santa Cruz | UCSC-KZSC Radio Station | Heller Dr. & McLaughlin (?) | 001-011-14 |
| 2 | T-Mobile | SF05713A | SF713 1156 High (UCSC) | 1156 High St. | Heller Dr. & McLaughlin (?) | 001-011-14 |
| 3 | MetroPCS | 1659 | Westlake - 1st Congr. Church (?) | 900 High Street | Moore St. | 001-022-40 |
| 4 | T-Mobile | SF05727A | SF727 First Congregation | 900 High Street | Moore St. | 001-022-40 |
| 5 | AT&T | CN3347 | UCSC - COMMUNICATIONS BUILDING | 1156 HIGH STREET | McLaughlin Dr. & Heller Dr. | 001-211-01 |
| 6 | T-Mobile | SF15129Z | UCSC/Pogonip (?) | 1156 High St. (?) | Upper Campus (?) | 001-211-04 (?) |
| 7 | Sprint/Nextel | SF33xc525 | UCSC (aka Santa Cruz Pottery Barn) | 1640 Mission St. | Olive St. | 002-235-01 |
| 8 | AT&T | SNFCCA1407 | HWY 1 & MISSION | 3004 MISSION ST | Hwy. 1 | 002-691-02 |
| 9 | Sprint/Nextel | SF22xc009 | Blacks Beach (aka Dascom Bldg.) | 3004 Mission St. | Hwy. 1 | 002-691-02 |
| 10 | T-Mobile | SF05812A | SF812 Terrace Point | 3004 Mission St. | Hwy. 1 | 003-021-03 |
| 11 | Sprint/Nextel | CA-1023A | South Santa Cruz | 2611 Mission St. | Hwy. 1 | 003-021-03 |
| 12 | Verizon | 1501752016 | Natural Bridge | 2611 Mission Street | Swift St. | 003-043-20 |
| 13 | MetroPCS | 1660 | Fanucci Auto Repair (?) | 211 McPherson St. | Almar Ave. | 003-101-35 |
| 14 | T-Mobile | SF15774A | Parker Hose Shop | 121 Ingalls Street | Bay St. | 004-043-28 |
| 15 | T-Mobile | SF05740A | SF740 Wilder Creek | 1521 Mission Street | Walnut Ave. | 005-071-23 |
| 16 | Sprint/Nextel | CA-2073D | Downtown Santa Cruz | 709 Center St. | Walnut Ave. | 005-071-23 |
| 17 | T-Mobile | SF05725A | SF725 Santa Cruz Pac Bell | 1101 PACIFIC AVENUE | Cathcart St. (Univ. Town Ctr.) | 005-141-20 |
| 18 | AT&T | SNFCCA1438 | DOWNTOWN SANTA CRUZ (?) | 1010 Pacific Av. | Cathcart St. | 005-152-35 |
| 19 | MetroPCS | 1661 | David (aka Carousel Motel) | 110 Riverside Ave | Beach St. | 005-224-20 |
| 20 | Sprint/Nextel | SF54xc437 | Lighthouse Field (Boardwalk) | 400 Beach Street | Riverside Ave. | 005-341-21 |
| 21 | Verizon | 158589 | Peyton (aka 1st Presbyterian Church) | 350 Mission St. | Highland Ave. | 006-171-44 |
| 22 | Sprint/Nextel | SF54xc438 | Harvey (West) Park | 146 Encinal St. | Limekiln St. | 008-021-33 |
| 23 | Sprint/Nextel | CA-1044A | Hampton Inn (?) | 1505 Ocean Street | Pryce St. | 008-182-39 |
| 24 | MetroPCS | 1656 | County Health (aka German-Amer. Hall) | 230 Plymouth St. | Buton St. | 008-202-21 |
| 25 | Sprint/Nextel | FS22xc007 | 600 River St. (Ross) | 600 River Street | Hwy. 1 | 008-601-04 |
| 26 | T-Mobile | SF05722A | De La Vega | 401 Upper Park Road | Prospect Hts. | 009-501-12 |
| 27 | Verizon | 115305 | CAPITOLA AND SOQUEL | 1999 SOQUEL AVENUE | Capitola Rd. | 010-012-45 |
| 28 | AT&T | SNFCCA1442 | County Offices (aka Brandiforte Plaza) | 555 Soquel Drive | Soquel Ave. | 010-042-25 |
| 29 | Sprint/Nextel | FS22xc010 | SOQUEL & BENITO | 142 BENITO AVE | Soquel Ave. | 010-042-40 |
| 30 | AT&T | SNFCCA1409 | Water & Soquel | 132 Benito Avenue | Soquel Ave. | 011-012-36 |
| 31 | Verizon | 158590 | SF714 Bill's Wheels | 1240 Soquel Ave. | Seabright Ave. | 015-111-71 |
| 32 | T-Mobile | SF05714A | Airport Blvd./Hwy. 1 (?) | 275 Westgate Drive | Airport Blvd. | 015-131-17 |
| 33 | MetroPCS | 1006 | WATSONVILLE FIRE | 370 AIRPORT BOULEVARD | Helm Rd. | 015-173-16 |
| 34 | AT&T | SNFCCA1416 | Penny Lane Spa | 25 Penny Lane | S. Green Valley Rd. | 015-221-01 |
| 35 | T-Mobile | SF15128A | Watsonville Airport | 100 Aviation Way | Airport Blvd. | 015-221-01 |
| 36 | Sprint/Nextel | SF33xc139 | SF734 Pinot (Pinto?) Lake (Wats. Airport) | 100 Aviation Way | Airport Blvd. | 015-221-02 |
| 37 | T-Mobile | SF05734A | Watsonville | 370 Airport Boulevard | Aviation Way | 017-111-16 |
| 38 | Verizon | CA0122 | Downtown Watsonville | 340 Rodriguez St | W. Beach St. | 017-111-16 |
| 39 | Sprint/Nextel | SF33xc509 | SF882 Hwy's 1 & 129 | 340 Rodriguez St. | W. Beach St. | 017-251-06 |
| 40 | T-Mobile | SF05882A | Watsonville South (?) | 11 Grove Street | W. Front St. | 017-251-06 |
| 41 | MetroPCS | 1005 | Downtown Watsonville | 11 Grove Street | W. Front St. | 017-251-06 |
| 42 | Verizon | 115311 | WATSONVILLE CITY CENTER | 15 WEST LAKE ST | Main St. | 018-231-47 |
| 43 | AT&T | SNFCCA1415 | | | | |

EXHIBIT E

31

| # | Provider | Site ID | Site Name | Address | Cross Street | WPN |
|----|---------------|-----------|---|---------------------------|-------------------------------|-------------------------|
| 44 | T-Mobile | SF15330Z | Westridge Dr. (?) | 314 Westridge Dr. (?) | Harkins Slough Rd. | 018-401-14 |
| 45 | T-Mobile | SF05612A | BA612 1st Methodist (Watsonville) | 229 Stanford Street | Monte Vista Ave. | 019-054-11 |
| 46 | MetroPCS | 1622 | Scotts Valley South (?) | 701 Lundy Lane | Whispering Pines | 021-271-01 |
| 47 | Sprint/Nextel | SF33xc508 | Scotts Valley (aka PG&E Tower Camp Evers) | 181/34 Camp Evers | Lundy Ln. & Whispering Pines | 021-271-01 |
| 48 | T-Mobile | SF05878A | Scotts Valley (aka PG&E Tower Camp Evers) | 700 Lundy Lane | Whispering Pines Dr. | 021-271-01 |
| 49 | AT&T | SF05878A | GRANITECREEK | 5619 SCOTTS VALLEY DR. | Glenwood Dr. | 022-011-17 |
| 50 | AT&T | CN3175 | SEAGATE ISE | 900 DISC DRIVE | Hwy. 17 | 022-111-12 |
| 51 | AT&T | SF05878A | SCOTTS VALLEY & CADILLAC | 4823 SCOTTS VALLEY DR. | Civic Center Dr. | 022-481-02 |
| 52 | T-Mobile | SF05892A | SCOTTS Valley Valley-Pac Bell | 4823 Scotts Valley Drive | Civic Center Dr. | 022-481-02 |
| 53 | T-Mobile | SF05183X | Santa's Village (?) | 90 SANTA'S VILLAGE RD (?) | Club Dr. & Hwy. 17 (?) | 024-031-10 (?) |
| 54 | AT&T | SF05878A | HWY 17 / MOUNT HERMON | 2980 EL RANCHO DR. | Hwy. 17 & Mt. Hermon Rd. exit | 024-222-07 |
| 55 | Sprint/Nextel | FS22xc006 | Camp Evers (aka SV Medical Center) | 315 Southwood Drive | Mt. Hermon & Hwy. 17 | 024-222-08 |
| 56 | MetroPCS | 1651 | Scotts Valley East (?) | 1555 Soquel Drive | Bel Air Dr. | 024-301-01 & 024-301-02 |
| 57 | MetroPCS | 1664 | PG&E/Dominican | Houts Dr. | Houts Dr. | 025-013-36 |
| 58 | Sprint/Nextel | FS22xc012 | Dominican Hosp. | 1555 Soquel Drive | Houts Dr. | 025-013-36 |
| 59 | T-Mobile | SF05738A | SF738 Dominican Santa Cruz | 2325 Soquel Drive | Prather Ln. | 025-351-06 |
| 60 | Verizon | 158581 | Soquel & 41st | 1616 Soquel Ave. | Capitola Rd. | 026-021-36 |
| 61 | MetroPCS | 1663 | Soquel Dr./Capitola Rd. (EDD Offices)(?) | 615 7th Avenue | Mello Ln. | 026-273-01 |
| 62 | Verizon | CA2022 | Twin Lakes | 615 7th Avenue | Eaton St. | 026-281-05 |
| 63 | Sprint/Nextel | CA-2339C | Santa Cruz East PG&E Service Center | 615 Seventh Ave | Kinsley St. | 026-311-57 |
| 64 | Sprint/Nextel | FS22xc001 | Lifestyles (aka Glen's Trenching) | 1101 17th Ave | Bonnie St. | 027-142-02 |
| 65 | AT&T | SF05878A | Twin Lakes (Park Place) | 200 7TH AVE | Eaton St. | 027-142-02 |
| 66 | MetroPCS | 1662 | PG&E Yacht Harbor | 615 7th Avenue | Bonnie St. | 027-142-02 |
| 67 | T-Mobile | SF05707A | SF707 Squid Row (Park Place) | 200 7th Ave. | Gross Rd. | 031-021-74 |
| 68 | MetroPCS | 1667 | Hwy. 1 & 41st Ave. (?) | 9000 SOQUEL AVE #100 | 38th Ave. | 032-092-02 (?) |
| 69 | MetroPCS | 1665 | TRM/PP Public Storage | 3840 Portola Dr. | 41st Ave. | 034-141-32 |
| 70 | T-Mobile | SF05777A | SF777 Capitola | 4400 Auto Plaza Drive | Capitola Rd | 034-261-38 |
| 71 | Sprint/Nextel | SF54xc439 | Jewel (aka Capitola Mall) | 1855 41st Ave | Clares St. | 034-261-38 |
| 72 | MetroPCS | 1658 | Capitola Mall (?) | 1855 41ST AVENUE | Capitola & Clares | 034-261-52 |
| 73 | AT&T | SF05878A | CAPITOLA & BULB | 3640 Capitola Rd | Bulb Ave. | 034-282-04 |
| 74 | Sprint/Nextel | CA-2069F | Capitola | 3640 Capitola Rd. | Bulb Ave. | 034-282-04 |
| 75 | T-Mobile | SF05726A | SF726 Twin Lakes Pac Bell | 120 Monterey Ave. | Esplanade | 035-262-04 |
| 76 | T-Mobile | SF05728A | SF728 Capitola Theater | 200 KENNEDY DRIVE | Rosedale & Hwy. 1 | 036-031-01 |
| 77 | AT&T | SF05878A | HWY 1 / DUCATTI MOTORS | 200 Kennedy Dr | Rosedale & Hwy. 1 | 036-031-01 |
| 78 | Sprint/Nextel | FS22xc011 | Capitola (aka Britalia Motors) | 1027 Rosedale Ave | Kennedy Dr. & Hwy. 1 | 036-031-01 |
| 79 | Sprint/Nextel | CA-0157D | Soquel (aka Capitola or Britalia Motors) | 200 Kennedy Drive | Rosedale & Hwy. 1 | 036-031-01 |
| 80 | T-Mobile | SF15026A | ATC on Soquel | 6500 Soquel Drive | Perimeter Rd. | 037-261-03 |
| 81 | Sprint/Nextel | FS22xc013 | Cabrillo College | 6500 Soquel Drive | Perimeter Rd. | 037-261-03 |
| 82 | T-Mobile | SF05739A | SF739 Rodeo Creek (Cabrillo College) | 6500 Soquel Drive | Perimeter Rd. | 039-141-04 |
| 83 | Verizon | CA0237 | Aptos (Cabrillo College) | 6500 Soquel Drive | Cabrillo College Dr. | 039-421-06 |
| 84 | MetroPCS | 1668 | Cabrillo College (?) | 7500 Old Dominion Court | State Park Dr. | 040-232-02 |
| 85 | Sprint/Nextel | CA-0163E | Seacliff Inn | 685 SKYWARD DRIVE | Trout Gulch Rd. | 041-042-24 |
| 86 | AT&T | SF05878A | JACKSON OVERLAY - D106 | 1 Post Office Drive | Soquel Dr. | 041-042-42 |
| 87 | Sprint/Nextel | FS22xc014 | Seacliff (aka Biancato Property) | 140 Post Office Drive | Soquel Dr. | 041-042-42 |
| 88 | MetroPCS | 1643 | Global/State Park | 140 Post Office Drive | Soquel Dr. | 041-221-41 |
| 89 | T-Mobile | SF05736A | SF736 Rio Del Mar (Warmth Co.) | 9565 Soquel Drive | Monroe Ave. | 041-221-41 |
| 90 | MetroPCS | 1669 | Rio Del Mar | 9565 SOQUEL DR #100 | Monroe Ave. | 041-221-41 |
| 91 | T-Mobile | SF15880Z | Metro Rio Del Mar | | | |

| # | Provider | Site ID | Site Name | Address | Cross Street | APN |
|-----|---------------|------------|---|---------------------------|-----------------------------|----------------|
| 92 | Sprint/Nextel | FS22xc015 | Rio Del Mar/Rob Roy (aka Tarkanian Prop.) | 1025 Moon Valley Ranch Rd | Hwy. 1 & Larkin Valley exit | 041-301-46 |
| 93 | T-Mobile | SF05888A | SF888 Manresa State Beach (Moon Valley) | 1025 Moon Valley Ranch Rd | Hwy. 1 & Larkin Valley exit | 041-301-46 |
| 94 | AT&T | SNFCCA1414 | Moon Valley (??) (see 1447) | 1025 MOON VALLEY RANCH RD | Hwy. 1 | 041-661-08 |
| 95 | MetroPCS | 1033 | Endoscopy Office (?) | 243 Green Valley Road | Thicket Ln. | 048-321-01 |
| 96 | AT&T | SNFCCA1413 | HWY1 & Spring View (aka Trabing Rd.) | 1253 Trabing Rd. | Hwy. 1 | 049-131-23 |
| 97 | MetroPCS | 1672 | Trabing Rd. | 1253 Trabing Road | Hwy. 1 | 049-131-23 |
| 98 | Sprint/Nextel | FS22xc016 | Larkin Valley/Mar Monte (aka Corrigan Res.) | 1253 Trabing Rd. | Hwy. 1 | 049-131-23 |
| 99 | T-Mobile | SF05735A | SF735 La Selva Beach (Trabing Rd.) | 1253 Trabing Road | Hwy. 1 | 049-131-23 |
| 100 | Verizon | 15686 | Marmonte | 200 Minto Rd. | Hwy. 1 | 051-091-03 |
| 101 | T-Mobile | SF15112A | PG&E Green Valley Road | 200 Minto Rd. | Green Valley Rd. | 051-107-22 (?) |
| 102 | MetroPCS | 519 | Minto PG&E (?) | 280 Minto Rd. | Green Valley Rd. | 051-101-76 (?) |
| 103 | T-Mobile | SF15006Z | Green Valley Rd. & Holohan Rd. (?) | Green Valley Rd. (?) | Holohan Rd. (?) | 054-083-03 |
| 104 | AT&T | SNFCCA1434 | Seascope Village | 17 SEASCAPE VILLAGE | Seascope Blvd. | 057-081-22 |
| 105 | Sprint/Nextel | SF33xc247 | Big Creek Airstrip | 3564 Hwy 1 | Swanton Rd. | 058-071-04 |
| 106 | AT&T | SNFCCA1405 | RMC Pacific (Davenport) | 700 HIGHWAY 1 | Cement Plant Rd. | 058-071-04 |
| 107 | Sprint/Nextel | SF33xc503 | Davenport (aka Lonestar Tower Davenport) | 700 Hwy. 1 | Cement Plant Rd. | 058-071-04 |
| 108 | T-Mobile | SF05715A | SF7145 Davenport (Cement Plant) | 700 Highway 1 | Cement Plant Rd. | 058-071-04 |
| 109 | Verizon | 1501752006 | Davenport (Cement Plant) | 200 EL RANCHO DR | Cement Plant Rd. | 060-261-11 |
| 110 | AT&T | SNFCCA1440 | HWY 17 EL RANCHO | 200 El Rancho Drive | Hwy. 17 | 060-261-11 |
| 111 | MetroPCS | 1655 | T-Mobile / Pasatiempo | 200 El Rancho Drive | Hwy. 17 | 060-261-11 |
| 112 | T-Mobile | SF05748A | SF748 Pasatiempo | 1156 High Street | Hwy. 17 | 061-321-40 |
| 113 | Verizon | CA0121 | Santa Cruz (UCSC Upper Campus) | 1156 High Street | Empire Grade & Cave Gulch | 061-371-16 |
| 114 | T-Mobile | SF15034Z | Graham Hill (?) | 3650 Graham Hill Rd. (?) | Lockwood Ln. | 062-041-49 |
| 115 | AT&T | SNFCCA1408 | UCSC - KZSC RADIO TOWER | 1156 HIGH STREET | Empire Grade & Cave Gulch | 065-072-05 |
| 116 | AT&T | SNFCCA1486 | FELTON FIRE OVERLAY - D115 | 131 KIRBY STREET | Hwy. 9 & Hihn | 065-081-08 |
| 117 | T-Mobile | SF05731A | SF731 Tirebiter PB | 6206 Highway 9 | Kirby St. | 067-202-64 |
| 118 | AT&T | SNFCCA1423 | Firehouse Lane | 155 FIRE HOUSE LANE | Simms Rd. | 067-202-64 |
| 119 | MetroPCS | 1654 | Sprint/Firehouse Lane | 155 Firehouse Lane | Simms Rd. | 067-202-64 |
| 120 | Sprint/Nextel | FS22xc008 | Beulah Park (aka Miller Residence) | 58 Sims Rd | Firehouse Lane | 067-202-64 |
| 121 | T-Mobile | SF05879A | SF879 Glen Canyon | 58 Sims Rd. | Simms Rd. | 067-221-25 |
| 122 | Verizon | 158751 | Pasatiempo | 155 Firehouse Lane | Simms Rd. | 071-081-03 |
| 123 | AT&T | SNFCCA1473 | PASTIEMPO OVERLAY - D116 | 1339 LA MADRONA DRIVE | Simms Rd. | 071-081-03 |
| 124 | AT&T | SNFCCA1420 | HWY 97 CONDOR (Rose Acres) | 6961 ROSE ACRES LANE | Brackney Rd. & Hwy 9 | 071-081-03 |
| 125 | Sprint/Nextel | CA-2652 | Rose Acres (aka Felton) | 7000 Rose Acres Lane | Hwy. 9 | 071-081-03 |
| 126 | T-Mobile | SF05708A | SF708 Highway 9 #1 (Rose Acres) | 6961 Rose Acres Lane | Brackney Rd. & Hwy 9 | 071-081-03 |
| 127 | Verizon | CA0254 | Felton (Rose Acres) | 7000 Rose Acres Lane | Central Ave. | 077-092-08 |
| 128 | Sprint/Nextel | CA-2653 | Ben Lomond | 9575 Love Creek Rd | Central Ave. | 077-092-08 |
| 129 | T-Mobile | SF05733A | SF733 Big Ben Pac Bell (Ben Lomond) | 9575 Love Creek Rd. | Central Ave. | 079-041-18 |
| 130 | AT&T | SNFCCA1424 | Brookdale | 653 REBECCA DR | Nina Dr. | 080-021-27 |
| 131 | AT&T | SNFCCA1436 | Empire Grade II | 12500 EMPIRE GRADE | Braemoor Dr. | 080-021-27 |
| 132 | Sprint/Nextel | CA2654 | Boulder Creek (Empire Grade) | 12500 EMPIRE GRADE | Braemoor Dr. | 080-021-27 |
| 133 | Verizon | CA0247 | Boulder Creek (Empire Grade) | 12500 Empire Grade Road | Braemoor Dr. | 080-041-03 |
| 134 | AT&T | SCZ102 | Boulder Creek-Empire Grade (?) | 125 PATRICK RD | Empire Grade | 081-131-27 |
| 135 | T-Mobile | SF05737A | SF737 Boulder Creek Pac Bell | 145 Forest Street | Railroad Ave. | 087-052-05 |
| 136 | AT&T | SNFCCA1470 | BUTANO RIDGE OVERLAY - D119 | 28372 BIG BASIN WAY | Hwy. 236 & Stellar Wy. | 090-251-08 |
| 137 | T-Mobile | SF05721A | SF721 Broke-down Palace | 653 Rebecca Drive | Nina Dr. | 093-112-08 |
| | Verizon | 1645 | Sprint/Glenwood | 23430 Glenwood Drive | Hwy. 17 | 093-112-08 |
| | print/Nextel | FS22xc003 | Inspiration Point (aka Finley Residence) | 23430 Glenwood Drive | Hwy. 17 | 093-112-08 |

EXHIBIT E

31

| # | Provided | Site ID | Site Name | Address | Cross Street | ROW |
|-----|---------------|------------|---|--------------------------------|-----------------------------|--------------------|
| 140 | AT&T | SNFCCA1421 | HWY 17/Santa Cruz Visitor Center | 22970 SANTA CRUZ HWY | Summit Rd. | 095-012-06 |
| 141 | MetroPCS | 1644 | Summit | 22970 Hwy. 17 | Summit Rd. | 095-012-06 |
| 142 | Sprint/Nextel | FS22xc002 | Cloud Nine (aka Taglie Residence) | 22970 Hwy 17 | Summit Rd. | 095-012-06 |
| 143 | T-Mobile | SF05899A | SF899 Burns Creek (Hwy. 17 Summit) | 22970 State Hwy 17 | Summit Rd. | 095-012-06 |
| 144 | Verizon | CA116597 | Glenwood (Hwy. 17 Summit) | 22970 Santa Cruz Hwy | Summit Rd. | 095-012-06 |
| 145 | MetroPCS | 1646 | CC/Mt. Roberta | 9000 Highway 17 | Glenwood Cut-off | 095-241-04 |
| 146 | Sprint/Nextel | FS22xc004 | Mount Roberta | 9000 Highway 17 | Glenwood Cut-off | 095-241-04 |
| 147 | Sprint/Nextel | CA-0754D | Scotts Valley (aka Mt. Roberta) | 9000 Hwy. 17 | Glenwood Cut-off | 095-241-04 |
| 148 | T-Mobile | SF05876A | SF876 Mt. Colocate (Mt. Roberta) | 9000 Hwy. 17 | Glenwood Cut-off | 095-241-04 |
| 149 | T-Mobile | SF05898A | SF898 Rogers Property | 24695 Santa Cruz Hwy. | Summit Rd. @ Sunset Dr. | 096-131-15 |
| 150 | Sprint/Nextel | CA-0604E | CA0620-Synergy (aka South Route 17) | 25 Ocean View Rd. | Soquel -San Jose Rd. | 097-321-08 |
| 151 | AT&T | SNFCCA1461 | Vineyard Overlay | 24869 MILLER HILL RD | Soquel -San Jose Rd. | 098-061-46 |
| 152 | AT&T | SNFCCA1418 | Amesti (aka Corralitos) | 100 CROW AVENUE | Corralitos Rd. | 108-371-15 |
| 153 | Sprint/Nextel | CA-2830-A | Corralitos | 100 Crow Ave. | Amesti Rd. | 108-371-15 |
| 154 | Verizon | CA0549 | Pajaro Gap | 2325 Riverside Dr. (Hwy 129) | Vanoni Rd. & Hwy. 129 | 110-181-03 |
| 155 | AT&T | SNFCCA1417 | Aromas | 2325 RIVERSIDE DR. | Vanoni Rd. & Hwy 129 | 110-191-10 |
| 156 | Sprint/Nextel | CA-0894J | Watsonville | 370 Airport Blvd | Aviation Way | 15-221-01 |
| 157 | AT&T | SNFCCA1433 | HWY 17 / VINE HILL (Mt. Roberta) | 151 PEYTON STREET | Hwy. 17 & Sugarloaf Rd. | 95-241-04 |
| 158 | AT&T | SNFCCA1447 | Moon Valley | Moon Valley Ranch Rd. | Hwy. 1 | Caltrans ROW |
| 159 | AT&T | SNFCCA1448 | Soquel & Jaunell | Soquel Dr. | Jaunell | Caltrans ROW |
| 160 | AT&T | SNFCCA2228 | Delaveaga Pk JPA | Mountain View Rd @ Vines | Vines | Co. ROW |
| 161 | AT&T | SNFCCA1450 | Hwy. 1 & Back Ranch Rd. | 5209 CABRILLO HIGHWAY | Back Ranch Rd. | ROW |
| 162 | AT&T | SNFCCA1446 | MAR MONTE DANS DRIVE | NORTH OF SELVA DR. & DANS DR. | Hwy. 1 | ROW |
| 163 | MetroPCS | 1647 | Scotts Valley North (?) | 6020 Scotts Valley | Hwy. 17 | ROW nr. 023-151-06 |
| 164 | Sprint/Nextel | FS22xc005 | Santa's Village (aka Caltrans Sign Scotts Valley) | Adj. to 6020 Scotts Valley Dr. | Hwy. 17 | ROW nr. 024-211-06 |
| 165 | T-Mobile | SF05891A | SF81 Green Hills Road JP | Green Hills Road | Glen Canyon Rd | ROW nr. 059-041-30 |
| 166 | AT&T | SNFCCA1451 | Hwy. 1 Landfill Site | 2101 COAST ROAD | Hwy. 1 (Graniterock Quarry) | ROW nr. 059-041-33 |
| 167 | AT&T | SNFCCA1445 | Hwy. 1 North & Graniterock | 1056 W/O 640 650 CABRILLO HWY. | Wilder Creek | ROW nr. 059-121-09 |
| 168 | AT&T | SNFCCA1444 | Hwy. 1 North & Dimeo Lane | DIMEO LANE | Hwy. 1 | ROW nr. 059-161-01 |
| 169 | AT&T | SNFCCA1441 | Hwy. 1 North & Laguna Rd. | LAGUNA ROAD | Hwy. 1 | ROW nr. 059-161-02 |
| 170 | AT&T | SNFCCA1443 | Hwy. 1 North/Farmlands | 1046 W/O 3810 CABRILLO HWY. | Back Ranch Rd. | ROW nr. 061-371-16 |
| 171 | AT&T | SNFCCA1429 | MT. HERMAN OVERLAY - D112 | 3650 GRAHAM HILL RD | Lockwood Ln. | ROW nr. 071-231-07 |
| 172 | T-Mobile | SF05893A | SF893 Mt. Hermon Rd., #1 | Mt. Hermon Road (ROW ?) | nr. Bucklein Wy. | |

EXHIBIT E



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: County of Santa Cruz Planning Department

APPLICATION NO.: N/A County Code Section 13.10.660-68 Amendments

APN: Countywide

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration
(Your project will not have a significant impact on the environment.)

_____ Mitigations will be attached to the Negative Declaration.

XX No mitigations will be attached.

_____ Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Matt Johnston, Environmental Coordinator at (831) 454-3201, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: **August 25, 2008**

Frank Barron
Staff Planner

Phone: 454-2530

Date: July 31, 2008



Environmental Review Initial Study

Application Number: N/A

Date: July 15, 2008

Staff Planner: Frank Barron, Policy Section

I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: County of Santa Cruz

APN: N/A

OWNER: N/A

SUPERVISORAL DISTRICT: Countywide

LOCATION: Countywide

SUMMARY PROJECT DESCRIPTION: This project consists of County Code amendments to the County's Wireless Communication Facilities (WCF) Ordinance (County Code Section 13.10.660-68). These amendments would: (1) apply a 300-foot visual impact buffer between roof-mounted WCFs and residential areas, unless it can be shown that proposed new WCF antennas/equipment would not be readily visible from nearby residences or public viewsheds; (2) apply a 300-foot (or 5-times the height of the WCF tower, whichever is greater) visual impact buffer between WCFs and public primary and secondary schools, unless it can be shown that proposed new WCF antennas/equipment would not be readily visible from nearby residences or public viewsheds; and (3) limit the number of WCFs on any single parcel to no more than three separate WCFs, with no more than nine separate antenna panels and three separate equipment enclosures/shelters, unless it can be shown that additional WCF antennas/equipment would not be readily visible from nearby residences or public viewsheds. The intent of the project is to reduce the visual impacts from WCFs.

ALL OF THE FOLLOWING POTENTIAL ENVIRONMENTAL IMPACTS ARE EVALUATED IN THIS INITIAL STUDY. CATEGORIES THAT ARE MARKED HAVE BEEN ANALYZED IN GREATER DETAIL BASED ON PROJECT SPECIFIC INFORMATION.

| | |
|---|---|
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Hydrology/Water Supply/Water Quality | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Energy & Natural Resources | <input type="checkbox"/> Public Services & Utilities |
| <input checked="" type="checkbox"/> Visual Resources & Aesthetics | <input type="checkbox"/> Land Use, Population & Housing |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Cumulative Impacts |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Mandatory Findings of Significance |

DISCRETIONARY APPROVAL(S) BEING CONSIDERED

| | |
|---|--|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Use Permit |
| <input type="checkbox"/> Land Division | <input type="checkbox"/> Grading Permit |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Riparian Exception |
| <input type="checkbox"/> Development Permit | <input checked="" type="checkbox"/> Other: County Code Amendment |
| <input type="checkbox"/> Coastal Development Permit | |

NON-LOCAL APPROVALS

Other agencies that must issue permits or authorizations: Calif. Coastal Commission

ENVIRONMENTAL REVIEW ACTION

On the basis of this Initial Study and supporting documents:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the attached mitigation measures have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.


Matthew Johnston

7/30/08
Date

For: Claudia Slater
Environmental Coordinator

II. BACKGROUND INFORMATION

EXISTING SITE CONDITIONS

Parcel Size: N/A (Countywide)

Existing Land Use: N/A (Countywide)

Vegetation: N/A (Countywide)

Slope in area affected by project: N/A (Countywide)

Nearby Watercourse: N/A (Countywide)

Distance To: N/A (Countywide)

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Groundwater Supply: N/A

Water Supply Watershed: N/A

Groundwater Recharge: N/A

Timber or Mineral: N/A

Agricultural Resource: N/A

Biologically Sensitive Habitat: N/A

Fire Hazard: N/A

Floodplain: N/A

Erosion: N/A

Landslide: N/A

Liquefaction: N/A

Fault Zone: N/A

Scenic Corridor: Possibly

Historic: N/A

Archaeology: N/A

Noise Constraint: N/A

Electric Power Lines: N/A

Solar Access: N/A

Solar Orientation: N/A

Hazardous Materials: N/A

SERVICES

Fire Protection: N/A

School District: N/A

Sewage Disposal: N/A

Drainage District: N/A

Project Access: N/A

Water Supply: N/A

PLANNING POLICIES

Zone District: Various

General Plan: N/A

Urban Services Line:

Coastal Zone:

X Inside

X Inside

Special Designation: N/A

X Outside

X Outside

| | | | |
|---|---|---|-------------------|
| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
|---|---|---|-------------------|

PROJECT SETTING AND BACKGROUND: When the Santa Cruz County Wireless Communications Facilities (WCF) Ordinance was originally written and approved in 2001, it was thought that it was generally better to concentrate WCFs by "co-locating" them (i.e., single poles with multiple carriers/WCFs mounted upon them), so as to minimize their proliferation throughout the community, and thus minimize their visual impact. However, it has become clear that at many of these co-locations and other types of multi-carrier sites (i.e., where multiple towers/poles exist on a single parcel) there has been an over-proliferation of unsightly equipment and antennas that have resulted in a significant visual impact (see photos in Attachment 2). The Board of Supervisors has, therefore, determined that there should be a limit on the overall number of carriers (3), antennas (9) and equipment shelters (3) allowed at any one co-location/multi-carrier site (the WCF Ordinance currently contains no such limits). To further protect visual resources in the community, the Board of Supervisors also determined that the existing visual impact buffer requirement between WCF towers and residences (i.e., 300-foot or 5 times the height of the tower, whichever is greater) should be expanded to include roof-mounted WCFs and should apply to the areas around public primary and secondary schools as well as residences.

The areas to be affected by this countywide policy change include numerous potential and actual WCF co-location/multi-carrier sites, most of which are located in non-residential areas, generally on or near hilltops or other prominent locations Countywide (so as to maximize radio wave propagation). There are approximately 20 such co-location/multi-carrier sites currently in existence in the unincorporated area, approximately 12 of which already have 3 or more Personal Wireless Service carriers (i.e., telecom companies) and thus would not be able to accept additional carriers (unless the additional antennas/equipment would not be readily visible from neighboring residences or public viewsheds). Other affected areas will include areas within 300-feet of residential properties, in which roof-mounted WCFs will become prohibited (unless they will not be readily visible from nearby residences or public viewsheds), and areas within 300-feet (or 5 times the height of the WCF tower, whichever is greater) of public primary and secondary schools, areas which currently have no special visual impact protections.

DETAILED PROJECT DESCRIPTION: This project, the intent of which is to reduce the visual impacts from Wireless Communication Facilities (WCFs), consists of County Code amendments to the County's WCF Ordinance (County Code Section 13.10.660-68). These amendments would:

(1) Apply a 300-foot visual impact buffer between roof-mounted WCFs and residential areas, unless it can be shown that proposed new WCF antennas/equipment would not be readily visible from nearby residences or public viewsheds. This would be accomplished through an amendment to County Code Section 13.10.663(a)(9) (Visual Impacts to Neighboring Parcels) to add roof-mounted WCFs to the types of WCFs for which a visual buffer is required (see Attachment 1).

(2) Apply a 300-foot (or 5-times the height of the WCF tower, whichever is greater) visual impact buffer between WCFs and public primary and secondary schools, unless it can be shown that proposed new WCF antennas/equipment would not be readily visible from nearby residences

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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or public viewsheds. This would also be accomplished through an amendment to County Code Section 13.10.663(a)(9) (Visual Impacts to Neighboring Parcels) to require a visual impact buffer from public primary and secondary schools as well as residences (see Attachment 1).

(3) Limit the number of WCFs at any single co-location/multi-carrier site to no more than three (3) separate WCFs, with no more than nine (9) separate antennas and three (3) separate equipment enclosures/shelters, unless it can be shown that additional WCF antennas/equipment would not be readily visible from nearby residences or public viewsheds. This would be accomplished through amendments to County Code Sections 13.10.661(c)(3) (Exceptions to Restricted Area Prohibition) to limit the number of WCFs (i.e. telecom carriers) at any one site (i.e., parcel) to three (3), the total number of antennas to nine (9), and the total number of equipment enclosures/shelters to three (3) (see Attachment 1).

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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III. ENVIRONMENTAL REVIEW CHECKLIST

A. Geology and Soils

Does the project have the potential to:

1. Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving:
 - A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or as identified by other substantial evidence?

_____ X _____

The project affects multiple parcels Countywide but would not, in and of itself, result in any change in the seismic risk to County residents or structures. Any new development that would result from the proposed policy change will be subject to County Code Chapter 16.10 (Geologic Hazards Ordinance) and would require geologic/geotechnical investigations to minimize potential adverse impacts if it could potentially result in a geologically-related hazard. The proposed project does not constitute a significant additional seismic or landslide risk to County residents or structures.

- B. Seismic ground shaking?

_____ X _____

See A.1.A.

- C. Seismic-related ground failure, including liquefaction?

_____ X _____

See A.1.A.

- D. Landslides?

_____ X _____

See A.1.A.

2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?

_____ X _____

See A.1.A.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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3. Develop land with a slope exceeding 30%?

_____ X _____

Any new development that would result from the proposed policy change will be subject to County Code Chapters 16.10 (Geologic Hazards Ordinance) and 16.20 (Erosion Control Ordinance) and would generally be prohibited from occurring on slopes exceeding 30%.

4. Result in soil erosion or the substantial loss of topsoil?

_____ X _____

Any new development that would result from the proposed policy change will be subject to County Code Chapter 16.20 (Erosion Control Ordinance), which would prevent excessive loss of soil.

5. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to property?

_____ X _____

The proposed project would not change the County's regulations regarding expansive soils, and thus would result in only minimal, if any, additional risks from construction on such soils. Any development resulting from this policy change would be subject to preparation of soils and geologic reports and meeting any identified mitigations.

6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems?

_____ X _____

The proposed project could not result in the installation of any additional septic systems.

7. Result in coastal cliff erosion?

_____ X _____

Any new development that would result from the proposed policy change will be subject to County Code Chapters 16.10 (Geologic Hazards Ordinance), 16.20 (Erosion Control Ordinance), and 13.20 (Coastal Zone Regulations) and would generally be prohibited from resulting in coastal cliff erosion.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

1. Place development within a 100-year flood hazard area?

_____ X _____

The project affects multiple parcels Countywide but would not, in and of itself, result in any change in the flooding or inundation risk to County residents or structures. Any new development that would result from the proposed policy change will be subject to County Code Chapter 16.10 (Geologic Hazards Ordinance). The proposed project does not constitute a significant additional flooding/inundation risk to County residents or structures.

2. Place development within the floodway resulting in impedance or redirection of flood flows?

_____ X _____

See B-1.

3. Be inundated by a seiche or tsunami?

_____ X _____

See B-1.

4. Deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table?

_____ X _____

The proposed project would not affect the County's regulations regarding groundwater recharge areas or result in significant additional groundwater use, and thus would result in only minimal, if any, additional impact on groundwater resources. The project affects multiple parcels Countywide but would not, in and of itself, result in any significant change in groundwater supplies or recharge.

5. Degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion).

_____ X _____

The proposed project would not affect the County's regulations regarding water quality protection, and thus could result in only minimal, if any, additional water quality degradation.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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6. Degrade septic system functioning? _____ X

No new septic systems could result from the proposed policy change.

7. Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which could result in flooding, erosion, or siltation on or off-site? _____ X

The proposed project would not affect the County's regulations regarding drainage or erosion control and all future development would be subject to these regulations, thus the project would result in only minimal, if any, additional drainage or erosion-related impacts.

8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff? _____ X

The proposed project would not affect the County's regulations regarding drainage or erosion control and all future development would be subject to these regulations (including review by County Public Works and Environmental Planning staff), thus the project would result in only minimal, if any, additional drainage/runoff or erosion-related water quality impacts.

9. Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff? _____ X

See B.8.

10. Otherwise substantially degrade water supply or quality? _____ X

See B.7 & B.8.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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C. Biological Resources

Does the project have the potential to:

1. Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?

_____ X _____

Any new development resulting from this policy change would be subject to the County's Sensitive Habitat Ordinance, the Riparian Corridor Protection Ordinance, the Erosion Control Ordinance, and Significant Tree Removal regulations, thus the project would result in only minimal, if any, additional sensitive habitat or species impacts.

2. Have an adverse effect on a sensitive biotic community (riparian corridor, wetland, native grassland, special forests, intertidal zone, etc.)?

_____ X _____

See C.1.

3. Interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites?

_____ X _____

See C.1.

4. Produce nighttime lighting that will illuminate animal habitats?

_____ X _____

See C.1.

5. Make a significant contribution to the reduction of the number of species of plants or animals?

_____ X _____

See C.1.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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6. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6 inch diameters or greater)?

_____ X _____

See C.1.

7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

_____ X _____

See C.1. Any new development on sites subject to Habitat Conservation Plans (HCPs) would be subject the requirements of those HCPs.

D. Energy and Natural Resources

Does the project have the potential to:

1. Affect or be affected by land designated as "Timber Resources" by the General Plan?

_____ X _____

The proposed project would not affect the County's regulations regarding timber resources. All future development affected by the proposed amendments would be subject to these regulations. The project would result in only minimal, if any, timber resource-related impacts.

2. Affect or be affected by lands currently utilized for agriculture, or designated in the General Plan for agricultural use?

_____ X _____

The proposed project would not affect the County's regulations regarding agricultural resources. All future development affected by the proposed amendments would be subject to these regulations. Moreover, WCFs are generally prohibited from parcels zoned Commercial Agricultural ("CA"), thus the project would result in only minimal, if any, agricultural resource-related impacts.

EXHIBIT F

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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3. Encourage activities that result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?

_____ X _____

The proposed amendments would not result in development that would require significant additional use of fuel, water or energy.

4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)?

_____ X _____

The proposed amendments would not result in development that would require significant additional use, extraction or depletion of natural resources.

E. Visual Resources and Aesthetics

Does the project have the potential to:

1. Have an adverse effect on a scenic resource, including visual obstruction of that resource?

_____ X _____

Since the proposed Code amendments would limit the number of WCFs that could be located at any one site to three WCFs, the amendments would likely result in a greater proliferation of WCFs, spreading the visual impacts of such facilities to more locations throughout the County. However, this factor is counterbalanced by the fact that the amendments would reduce the concentration of WCFs at individual locations (which often leads to unsightly clutter – see photos in Attachment 2). The County's WCF Ordinance currently is highly protective of scenic resources, by requiring WCFs that could effect scenic resources to be sited elsewhere or be hidden so as not to be visually prominent. The proposed amendments would not remove or change these existing protections.

2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings?

_____ X _____

See E.1. In addition, the County's WCF Ordinance (Sec. 13.10.661[c][1]) currently considers parcels with a historic zoning overlay to be a "restricted" area, where new WCFs are generally prohibited unless they are co-located on an already existing WCF or are of the visually less obtrusive micro-cell variety (i.e., small antennas mounted upon and exiting utility pole). The proposed amendments would not remove this protection, and would even enhance it by limiting the number of WCFs that could be sited at one co-location site to 3 WCFs.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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3. Degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridge line?

_____ X _____

See E.1 and E.2. In addition, the County's WCF Ordinance (Sec. 13.10.663[a][3]) currently requires that WCFs be sited below ridgelines when viewed from public roads, and if that is not possible that the WCF be camouflaged (e.g., to appear as a tree) or otherwise hidden.

4. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

_____ X _____

WCFs generally are not illuminated unless they pose a potential danger to aircraft. The County's WCF Ordinance (Sec. 13.10.663[a][5]) currently requires that WCFs not be illuminated except as required by FAA regulations and that off-site glare be controlled. The proposed amendments would not result in any additional sources of light or glare that would not already be allowed under the current WCF Ordinance language.

5. Destroy, cover, or modify any unique geologic or physical feature?

_____ X _____

See E.1. The proposed amendments are not likely to result in any impacts to unique geological or physical features.

F. Cultural Resources

Does the project have the potential to:

1. Cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines 15064.5?

_____ X _____

The proposed project would not affect the County's regulations regarding historical resources and all future development would be subject to these regulations, thus the project would result in only minimal, if any, additional impacts to such resources.

2. Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5?

_____ X _____

The proposed project would not affect the County's regulations regarding archeological resources and all future development would be subject to these regulations, thus the project

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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would result in only minimal, if any, additional impacts to such resources.

3. Disturb any human remains, including those interred outside of formal cemeteries?

X

The proposed project would not affect the County's regulations regarding archeological resources, the project including human burial sites, and all future development would be subject to these regulations, and thus the project would result in only minimal, if any, additional impacts to such resources.

4. Directly or indirectly destroy a unique paleontological resource or site?

X

The proposed project would not affect the County's regulations regarding paleontological resources and all future development would be subject to these regulations, thus the project would and thus would result in only minimal, if any, additional impacts to such resources.

G. Hazards and Hazardous Materials

Does the project have the potential to:

1. Create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials, not including gasoline or other motor fuels?

X

Some WCF sites include emergency power generators that generally run on either gasoline, diesel or propane fuels, but since these generators only are activated during emergencies (or for testing) there is no "routine" transport of these fuels. County Environmental Health Services also places safety conditions on all such WCF installations. Since the proposed Code amendments would limit the number of WCFs that could be located at any one site to three WCFs, the amendments would likely result in a greater proliferation of WCFs, spreading the hazards from such fuels to more locations throughout the County. However, this factor is counterbalanced by the fact that the amendments would reduce the concentration of WCFs at any single locations, reducing the concentration of hazard at those locations. Therefore, the proposed project would not result in the creation of any additional significant hazard to the public or the environment as a result of the transport, storage, use, or disposal of hazardous materials.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

X

See G.1. The proposed project would not, in and of itself, result in development on sites included in the County's list of hazardous materials sites.

3. Create a safety hazard for people residing or working in the project area as a result of dangers from aircraft using a public or private airport located within two miles of the project site?

X

The proposed project would not, in and of itself, result in development on located within 2 miles of any airport. Any WCF projects built pursuant to this amendment would be subject to the County's airport vicinity safety regulations.

4. Expose people to electro-magnetic fields associated with electrical transmission lines?

X

The proposed project would not affect the County's regulations regarding EMFs, and all future development would be subject to these regulations, thus the project would result in no additional related impacts.

5. Create a potential fire hazard?

X

See G.1. The proposed project would not affect the County or State's regulations regarding fire safety, and all future development would be subject to these regulations, thus the project would result in only minimal, if any, additional related impacts.

6. Release bio-engineered organisms or chemicals into the air outside of project buildings?

X

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in the release of bio-engineered organisms or chemicals into the air.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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H. Transportation/Traffic

Does the project have the potential to:

1. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them (which due not generate traffic), would result in significant traffic-related impacts.

2. Cause an increase in parking demand which cannot be accommodated by existing parking facilities?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them (which do not generate parking demand), would result in significant parking-related impacts.

3. Increase hazards to motorists, bicyclists, or pedestrians?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them (which due not generate traffic), would result in significant hazards to motorists, bicyclists, or pedestrians.

4. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the county congestion management agency for designated intersections, roads or highways?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them (which due not generate traffic), would result in significant LOS reduction.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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I. Noise

Does the project have the potential to:

1. Generate a permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

_____ X _____

Some WCF sites include emergency power generators that generally produce noise when they are running, which is usually only during power outages or when the generator systems are being tested. The existing WCF Ordinance requires that any such generators located within 100-feet of a residence include noise attenuation features, so that the noise from their operation does not exceed exterior levels of 60 Ldn or interior levels of 45 Ldn. Since the proposed Code amendments would limit the number of WCFs that could be located at any one site to three WCFs, the amendments would likely result in a greater proliferation of WCFs, potentially spreading the noise impacts from such emergency generators to more locations throughout the County. However, this factor is counterbalanced by the fact that the amendments would reduce the concentration of WCFs at any single locations, thereby reducing the concentration of noise generation at any single location. Therefore, it is likely that the proposed project would not result in the creation of any additional significant noise generation experienced by the public.

2. Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies?

_____ X _____

See I.1. The proposed project would not result in an increase in noise levels above the threshold limits specified by the General Plan.

3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

_____ X _____

See I.1. WCF construction activities potentially will result in a temporary increase in ambient noise levels in the project vicinity. The existing WCF Ordinance requires that any such construction-related noise generally occur only on non-holiday weekdays, between the hours of 8:00 am and 6:00 pm. Since the proposed Code amendments would limit the number of WCFs that could be located at any one site to three WCFs, the amendments would likely result in a greater proliferation of WCFs, potentially spreading the noise impacts from such construction activities to more locations throughout the County. However, this factor is counterbalanced by the fact that the amendments would reduce the concentration of WCFs at any single locations, thereby reducing the concentration of noise generation at any single location. Therefore, it is likely that the proposed project would not result in the creation of any additional significant noise generation experienced by the public.

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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J. Air Quality

Does the project have the potential to:
(Where available, the significance criteria established by the MBUAPCD may be relied upon to make the following determinations).

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them (which due not generate air quality impacts), would result in any significant air quality impacts and would not be inconsistent with the Monterey Bay Regional Air Pollution Control Plan.

2. Conflict with or obstruct implementation of an adopted air quality plan?

_____ X _____

See J.1.

3. Expose sensitive receptors to substantial pollutant concentrations?

_____ X _____

See J.1.

4. Create objectionable odors affecting a substantial number of people?

_____ X _____

See J.1.

K. Public Services and Utilities

Does the project have the potential to:

1. Result in the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

- a. Fire protection?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them (which would

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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be subject to County fire standards), would result in any significant additional need for new or physically altered public facilities for fire protection.

b. Police protection? _____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any significant additional need for new or physically altered public facilities for police protection.

c. Schools? _____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any significant additional need for new or physically altered public school facilities.

d. Parks or other recreational activities? _____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any significant additional need for new or physically altered public park/recreational facilities.

e. Other public facilities; including the maintenance of roads? _____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any significant additional need for new or physically altered public facilities or road maintenance.

2. Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any significant additional need for new or expanded drainage facilities.

3. Result in the need for construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any additional need for new or expanded water or wastewater treatment facilities.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board?

X

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any wastewater treatment standard violation.

5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?

X

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in any significant additional water supply constraints.

6. Result in inadequate access for fire protection?

X

Neither the proposed amendments, nor any WCF projects built pursuant to them (which would be subject to CDF Fire road standards), would result in inadequate access for fire protection.

7. Make a significant contribution to a cumulative reduction of landfill capacity or ability to properly dispose of refuse?

X

Neither the proposed amendments, nor any WCF projects built pursuant to them, would result in a significant additional cumulative reduction of landfill capacity or the ability to dispose of refuse properly.

8. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?

X

Neither the proposed amendments, nor any WCF projects built pursuant to them (which would be subject to CDF Fire road standards), would result in a breach of regulations related to solid waste management.

L. Land Use, Population, and Housing

Does the project have the potential to:

1. Conflict with any policy of the County adopted for the purpose of avoiding or mitigating an environmental effect?

X

The proposed amendment constitute a partial shift from the previous policy of the County's

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| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Or No Impact | Not Applicable |
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WCF Ordinance to encourage co-locations no matter how many WCFs were sited at any one location/parcel. That policy was put in place to reduce the proliferation of WCFs. Due to an unanticipated level of visual clutter at some multi-carrier sites, this policy is being amended to limit the number of WCFs at any one site to three. However, this minor policy shift does not constitute a significant conflict with the previous policy since the new policy would still allow up to three carriers (WCFs) to be located at any one site, and because many of the potential multi-user sites in the County already have four or more carriers at them and these would be allowed to continue to be in use.

2. Conflict with any County Code regulation adopted for the purpose of avoiding or mitigating an environmental effect?

_____ X _____

See L.1.

3. Physically divide an established community?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would physically divide any community.

4. Have a potentially significant growth inducing effect, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would have a potentially significant growth inducing effect, either directly or indirectly.

5. Displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere?

_____ X _____

Neither the proposed amendments, nor any WCF projects built pursuant to them, would have the potential to displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere.

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?

Yes X No

California Coastal Commission certification of the proposed County Code amendment is required since this would constitute and Local Coastal Program amendment.

N. Mandatory Findings of Significance

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory?

Yes No X

2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts endure well into the future)

Yes No X

3. Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage)?

Yes No X

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes No X

TECHNICAL REVIEW CHECKLIST

| | <u>REQUIRED</u> | <u>COMPLETED*</u> | <u>N/A</u> |
|---|-----------------------------|-----------------------------|-------------------|
| Agricultural Policy Advisory Commission (APAC) Review | <u> </u> | <u> </u> | <u> X </u> |
| Archaeological Review | <u> </u> | <u> </u> | <u> X </u> |
| Biotic Report/Assessment | <u> </u> | <u> </u> | <u> X </u> |
| Geologic Hazards Assessment (GHA) | <u> </u> | <u> </u> | <u> X </u> |
| Geologic Report | <u> </u> | <u> </u> | <u> X </u> |
| Geotechnical (Soils) Report | <u> </u> | <u> </u> | <u> X </u> |
| Riparian Pre-Site | <u> </u> | <u> </u> | <u> X </u> |
| Septic Lot Check | <u> </u> | <u> </u> | <u> X </u> |
| Other: | <u> </u> | <u> </u> | <u> X </u> |
| | <u> </u> | <u> </u> | <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> |

Attachments:

1. Proposed County Code Amendment
2. Photographic examples of visual clutter at existing multi-user cell sites in the unincorporated area

Proposed Amendments to Wireless Communication Facilities Ordinance

A. To address Board of Supervisors direction to (1) apply a 300-foot visual impact buffer between roof-mounted wireless communication facilities (WCFs) and residential areas, and (2) apply a 300-foot visual impact buffer between WCFs and public schools, unless it can be shown there will not be a visual impact, the following amendment is proposed to County Code:

Section 13.10.663 - GENERAL DEVELOPMENT/PERFORMANCE STANDARDS FOR WIRELESS COMMUNICATION FACILITIES:

(a) Site Location:

- (9): Visual Impacts to Neighboring Parcels and Public Schools. To minimize visual impacts to surrounding residential uses and public primary or secondary schools, the base of any new freestanding telecommunications tower or building/roof-mounted wireless communication facility shall be set back from the property line of any residentially zoned parcel, or the property line for any public primary or secondary school, a distance equal to five times the height of the tower (if mounted upon a telecommunications tower), or a minimum of 300 feet, whichever is greater. This requirement may be waived by the decision making body if the applicant can prove that the tower wireless communication facility will not be readily visible from neighboring residential structures, or public primary or secondary schools within 300-feet (or five times the height of the telecommunications tower, whichever is greater), or if the applicant can prove that a significant area proposed to be served would otherwise not be provided personal wireless services by the subject carrier, including proving that there are no viable, technically feasible, environmentally equivalent or superior alternative sites outside the prohibited and restricted areas designated in Section 13.10.661(b) and 13.10.661(c).

B. To address Board direction to limit the number of WCFs at any single co-location site to no more than three separate WCFs, with no more than nine separate antennas and three separate equipment cabinets/shelters, unless it can be shown there will not be a visual impact, the following County Code amendments are proposed:

Section 13.10.661 - GENERAL REQUIREMENTS FOR WIRELESS COMMUNICATIONS FACILITIES:

(c) Restricted Areas:

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

allowed in the restricted zoning districts listed in (c)(1) above. Proposed new wireless communication facilities at multi-carrier sites that would result in more than three (3) separate wireless communications facilities or carriers, or nine (9) total individual antenna panels (max. 8'x2'x1' in size each), or three (3) above-ground equipment enclosures/shelters, located on the same parcel, are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will not be readily visible from neighboring residences and public viewsheds (i.e., will not increase the visual impact of the multi-carrier site)(NOTE: this provision does not apply to the WCFs already present at existing multi-carrier sites, even if their number already exceed three WCFs). 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:

- (i) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and
 - (ii) 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).
- (g) Co-Location. Co-location of new wireless communication facilities into/onto existing wireless communication facilities and/or existing telecommunication towers is generally encouraged if it does not create significant visual impacts. Proposed new wireless communication facilities at multi-carrier sites that would result in more than three (3) separate wireless communications facilities or carriers, or nine (9) total individual antenna panels (max. 8'x2'x1' in size each), or three (3) above-ground equipment enclosures/shelters, located on the same parcel, are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will not be readily visible from neighboring residences and public viewsheds (i.e., will not increase the visual impact of the multi-carrier site))(NOTE: this provision does not apply to the WCFs already present at existing multi-carrier sites, even if their number already exceed three WCFs).. Co-location may require that height extensions be made to existing towers to accommodate additional users, or may involve constructing new multi-user capacity towers that replace existing single-user capacity towers. Where the visual impact of an existing tower/facility must be increased to allow for co-

location, the potential increased visual impact shall be weighed against the potential visual impact of constructing a new separate tower/facility nearby. Where one or more wireless communication tower/facilities already exist on the proposed site location, co-location shall be required if it will not significantly increase the visual impact of the existing facilities (i.e., does not result in more than 3 separate wireless communications facilities carriers, or 9 total individual antenna panels (max. 8'x2'x1' in size each), or 3 above-ground equipment enclosures/shelters, located on the same parcel, unless the applicant can prove that the additional antennas/equipment will not be readily visible from neighboring residences and public viewsheds, or increase the visual impact of the multi-carrier site). This may require that the existing tower(s) on the site be dismantled and its antennas be mounted upon the new tower, particularly if the new tower would be less visually obtrusive than the existing tower(s). If a co-location agreement cannot be obtained, or if co-location is determined to be technically infeasible, documentation of the effort and the reasons why co-location was not possible shall be submitted.

Section 13.10.663 - GENERAL DEVELOPMENT/PERFORMANCE STANDARDS FOR WIRELESS COMMUNICATION FACILITIES:

(b): Design Review Criteria:

- (12) Facility and Site Sharing (Co-Location). New wireless communication towers should be designed to accommodate multiple carriers, and/or to be readily modified to accommodate multiple carriers, so as to facilitate future co-locations and thus minimize the need to construct additional towers, if it will not create significant visual impacts. Proposed new wireless communication facilities that would result in more than three (3) separate wireless communications facilities or carriers, or nine (9) total individual antenna panels (max. 8'x2'x1' in size each), or three (3) above-ground equipment enclosures/shelters, located on the same parcel, are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will not be readily visible from neighboring residences and public viewsheds (i.e., will not increase the visual impact of the multi-carrier site) (NOTE: this provision does not apply to the WCFs already present at existing multi-carrier sites, even if their number already exceed three WCFs).. New telecommunications towers should be designed and constructed to accommodate up to no more than nine (9) total individual future additional antennas panels (max. 8'x2'x1' in size each), accommodating up to no more than three (3) total carriers, unless the applicant can prove that the additional antennas/equipment would not be readily visible from neighboring residences and public viewsheds (i.e., will not increase the visual impact of the multi-carrier site) and/or height extensions, as technically feasible. New wireless communication facility components, including but not limited to parking areas, access roads, and utilities should also be designed so as not to preclude site sharing by multiple users, as technically feasible, in order to remove potential

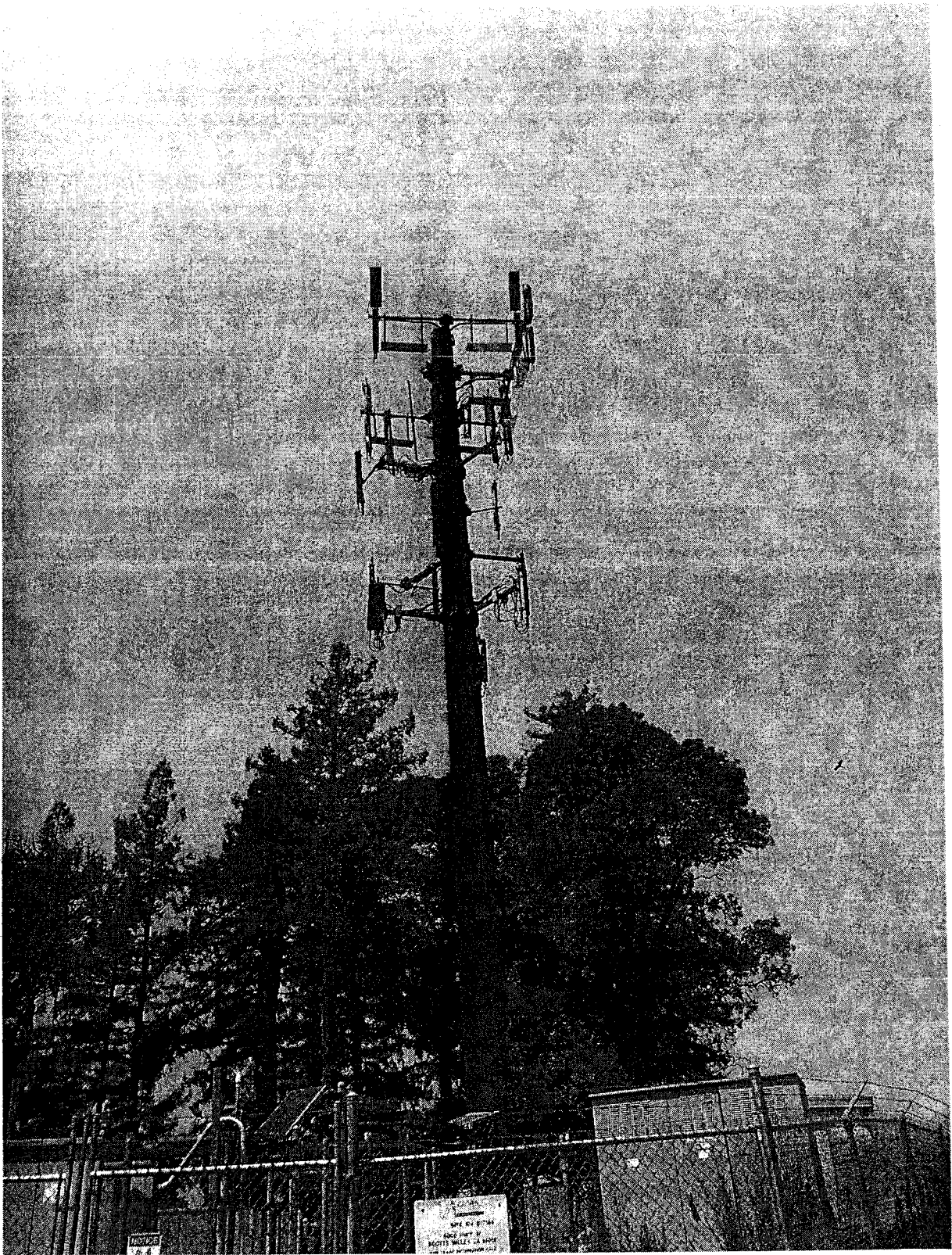
Environmental Review Initial Study
 ATTACHMENT 1, 3 of 9
 APPLICATION N/A (Amendment Sec. 13.10.660-68 Amendment(s)).
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EXHIBIT F

obstacles to future co-location opportunities. The decision making body may require the facility and site sharing (co-location) measures specified in this section if necessary to comply with the purpose, goals, objectives, policies, standards, and/or requirements of the General Plan/Local Coastal Program, including Sections 13.10.660 through 13.10.668 inclusive and the applicable zoning district standards in any particular case. However, a wireless service provider will not be required to lease more land than is necessary for the proposed use. If room for potential future additional users cannot, for technical reasons, be accommodated on a new wireless communication tower/facility, written justification stating the reasons why shall be submitted by the applicant. Approvals of wireless communication facilities shall include a requirement that the owner/operator agrees to the following co-location parameters:

- (i) To respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;
- (ii) To negotiate in good faith for shared use of the wireless communication facility by third parties; and
- (iii) To allow shared use of the wireless communication facility if an applicant agrees in writing to pay reasonable charges for co-location.

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ATTACHMENT 1, 4 of 4
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Mt. Roberta (off Hwy. 17, north of Scotts Valley)(4 WCFs, 24 antennas)

Environmental Review Initial Study

ATTACHMENT 2 1 of 4
APPLICATION W/A County Code Sec. 72
13.11.01.01 - Amendment

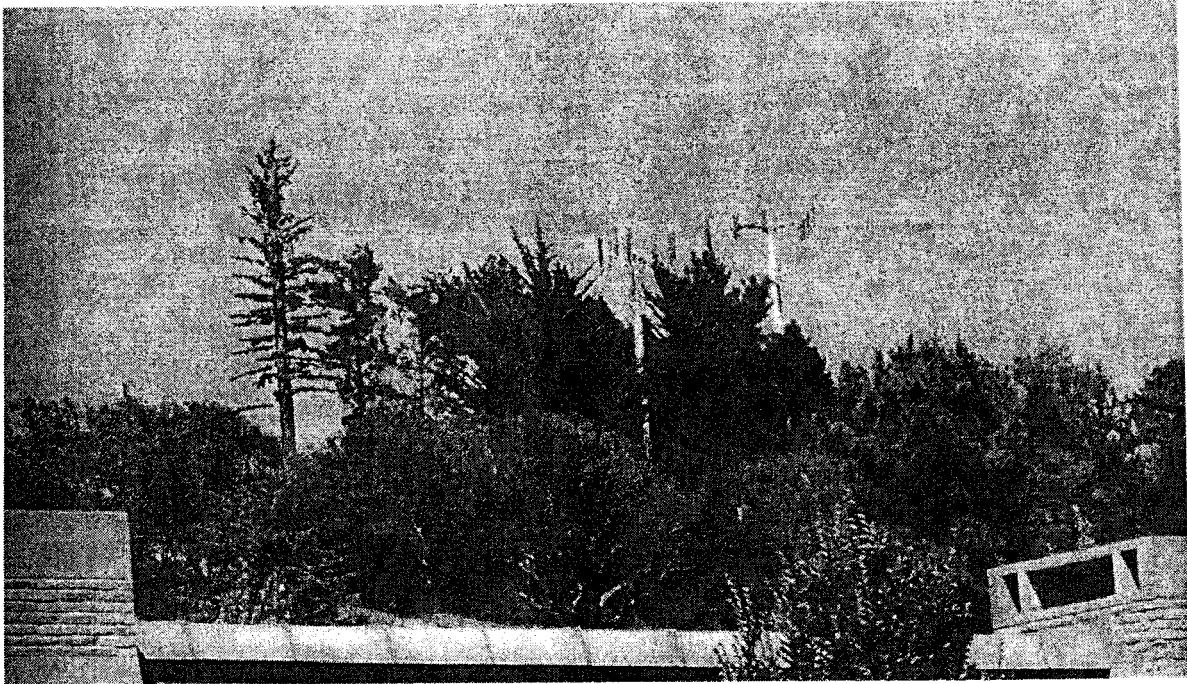
EXHIBIT F



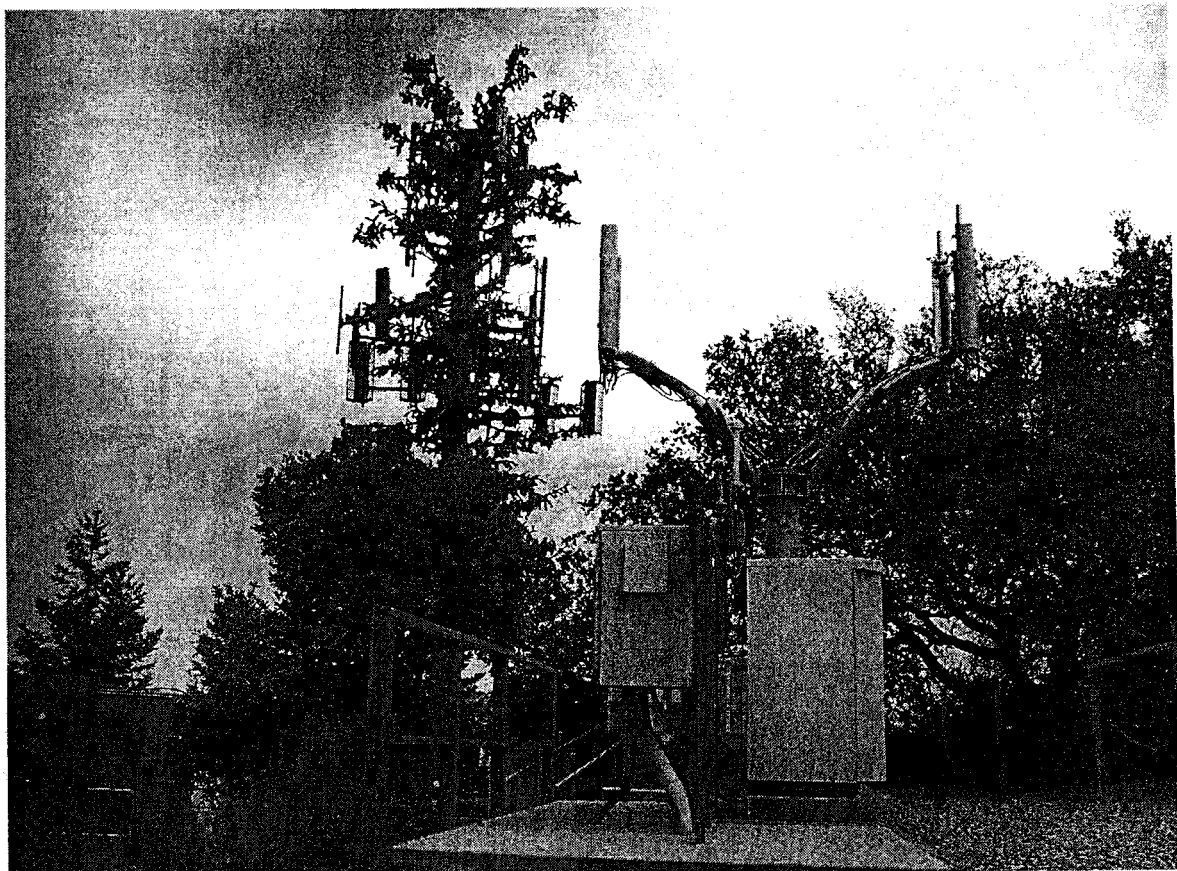
Post Office Dr. (Aptos Village, near Soquel Dr. and Trout Gulch Dr.)(4 WCFs)

Environmental Review Initial Study
ATTACHMENT 2, 3 of 4
APPLICATION N/A (County Code Sec.
13.10.660-68 Amendments)

EXHIBIT F



Cabrillo College (on hill above campus)(5 WCFs)



Trabing Rd. (off Hwy. 1, across from Mar Monte Vista Pt.)(5 WCFs)

Environmental Review Initial Study

ATTACHMENT 2

APPLICATION WALSH

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EXHIBIT