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

KATHLEEN MALLOY PREVISICH, PLANNING DIRECTOR

October 7, 2011

Agenda Date: November 9, 2011

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

Subject: A public hearing to consider an appeal of the Zoning Administrator's decision to approve application #101099 to recognize and expand an existing wireless communications facility.

Members of the Commission:

This item is an appeal of the Zoning Administrator's decision to approve application #101099 to recognize an existing wireless communications facility and to authorize additional improvements. This item was granted a continuance at the September 28, 2011 Planning Commission public hearing to allow for the completion of a third party review of the Alternative Site Analysis. Since the September hearing, the appellant indicated that he is no longer interested in having a third party RF engineer review the Alternatives Analysis submitted by AT&T (Exhibit A.b.).

History

New wireless communications facilities and co-locations require at minimum a Commercial Development Permit and an associated building permit.

- In 1992, in the absence of a Commercial Development Permit, building permit #102527 was obtained which permitted the installation of portions of the existing facility on the subject property.
- In 1998, the property owner obtained a Commercial Development Permit (98-0031) to recognize the use and improvements permitted by the previous building permit (#102527) and to allow for some additional improvements.
- The property owner neglected to obtain a building permit to exercise permit 98-0031 and the permit expired.

The current application is to recognize the existing facility and to allow for the installation of additional equipment.

Project Description

The existing facility to the east of the residence currently consists of a 48' tall wood monopole

with one panel antenna located above the top of the pole. The total height of the pole with the antenna is just over 47'. The proposal includes the addition of one panel antenna mounted directly below the existing antenna and two remote radio units (RRU's) mounted at the base of the monopole. The proposed new antenna will not add additional height to the monopole. There is an existing equipment shelter of approximately 207 square feet located at the base of the monopole. The equipment shelter is an above-ground modular structure of approximately 11 feet in height. Currently, there are nine equipment cabinets and associated equipment located within the shelter. The applicant is proposing to install three new cabinets, two remote radio units (RRU's) and two fan coils inside the equipment shelter.

There are also three existing panel antennas mounted to the deck of the existing single family dwelling. The applicant is proposing to replace the existing antennas with three panel antennas and to mount two RRU's on an existing deck column.

Currently, AT&T is the only carrier at the site.

Zoning Administrator Public Hearings

The Zoning Administrator heard the item at the June 3rd, 2011 public hearing (Exhibit D), which included testimony from the neighboring property owners. Neighbors expressed concerns associated with health impacts due to the proximity of residences; noise impacts from generator operation and transport, conflicts between commercial and residential uses in a residential zone district, wear and tear on the private road as a result of commercial maintenance vehicles, visual impacts, and concerns that the neighbors were not correctly noticed during the processing of the original use permit.

The Zoning Administrator continued the item to July 1, 2011 with direction to staff to clarify if the commercial use could legally utilize the private road without prior permission from the road association.

On July 1, 2011, the item was again presented to the Zoning Administrator at a public hearing with additional information regarding access rights (Exhibit D). Staff determined that although the County often requires the establishment of a road association or a homeowners association with a development approval to ensure long term maintenance of a property or road, the County does not participate in the development or enforcement of these private regulations. The grant deeds of the subject parcels do not specify an exclusion of commercial vehicles on Skyward Drive, therefore, it was determined that access was not a barrier to the development and that the neighbors have the option of addressing the concern privately.

The Zoning Administrator approved application #101099 on July 1, 2011 with conditions (Exhibit C).

Appeal Contents

The appellant, Dan Garcia, who is a neighbor of the subject property and who claims to be a representative of the Skyward Drive Road Association, feels that the commercial facility is not a compatible use with the surrounding residential neighborhood. The neighbor filed an appeal of the Zoning Administrator's decision on July 14, 2011 with a request for your Commission to

reconsider the approval based on the following issues. (Staff's comments have been included below each concern in italics.)

A. Noise associated with running the back-up generator and transporting the generator to and from the site in the event of a power outage is a nuisance to surrounding residences. The request is for AT&T to utilize a propane generator which is left permanently on-site.

In 2008, AT&T submitted an application for the same project as currently proposed (08-0256). The Zoning Administrator heard the item on February 6, 2008 and many of the same issues were raised by neighbors, including the concern that the operation of mechanical equipment on site created noise impacts on surrounding residences. This application was withdrawn by the applicant after the Zoning Administrator hearing. As a part of the current application, the applicant addressed this issue by incorporating noise baffling features for the A/C condensing units into the plans and relocated the units behind the equipment shelter. The Zoning Administrator further addressed this issue by adding a condition of approval that requires the removal of the generator from the site immediately following power restoration. The condition was intended to ensure that the generator would not operate outside of a power failure and resolve the noise issue.

The applicant is amenable to working with the neighbors on this issue and has agreed to allow for a propane generator to remain permanently on-site. Therefore staff recommends that your Commission include the following condition with an approval of the application (Exhibit B):

II.A.2. Plans shall show a propane generator located permanently on-site.

B. The Alternatives Analysis states that "it would take a combination of eleven sites to replicate the coverage that the Skyward site provides," however, this report was prepared by AT&T. The request is to have the report reviewed for accuracy by a third party engineer.

This concern has been withdrawn by the appellant (Exhibit A.b.).

C. Request for AT&T to provide logs, records and other documentation of site visits.

Various neighbors indicated that AT&T maintenance personnel visit the site more than once per month and often visit the site early in the morning, late at night, or whenever a problem occurs. Neighbors have claimed that the associated headlights, engine noise, and mechanical noise are a nuisance for the surrounding residential units. Therefore, staff recommends that your Commission include the following condition with an approval of the application:

IV. Operational Conditions

N. Site Visit Monitoring Logs: All visits to the site shall be recorded on logs posted at the site. Logs shall indicate the date, time, visitor (AT&T personnel or outside party), and the reason for the visit. Site visit logs shall be submitted to the Planning Department for review 6 months after the effective date of this permit and again 1 year after the effective date of this permit to ensure compliance with the operational conditions of this permit.

D. Request to require AT&T to submit additional information regarding access rights along the private right of way and to provide the language that they normally use when securing rights of ways to sites such as this. Request that the burden of proof is not placed on the neighbors.

The subject parcel has legal deeded access from the Skyward Drive right of way (Exhibit D.a.). The County does not participate in the enforcement of private road agreements. Although the County may require the establishment of a road association or homeowners association for the maintenance of private improvements, future and ongoing compliance with the terms of these agreements is not within the County's purview. Therefore, further action by the County is not recommended; however, the road association has the option to follow up on the matter privately and may impose restrictions or assess fees that are approved by the members. The appellant and applicant have indicated that the Skyward Drive road association is currently working with AT&T to resolve the matter.

E. This application should be treated as "new" and all residents within 1000 feet of the site should be notified of the proposal.

This application for a Commercial Development Permit is to recognize the entire facility, for which the original discretionary permit is now void, and to permit the installation of additional equipment. Staff is following the procedures required by the County Code for a "new" wireless facility rather than a co-location given that the entire facility is under review. Notices for every hearing associated with this application have been sent to the residents within 1000 feet of the subject parcels property lines.

F. The County is not holding the project to other requirements of the original use permit which required a coastal zoning permit and a building permit. Further, the applicant failed to obtain a building permit but did go ahead with the installation of the equipment authorized by the use permit. The use permit expired and the site does not have a valid use permit.

This parcel is not located within the Coastal Zone and is therefore not required to obtain approval of a Coastal Permit. In the absence of a discretionary permit, portions of the facility were permitted by a building permit in 1992. To correct this inconsistency, a Commercial Development Permit (98-0031) was approved in 1998 which allowed the facility to remain. The property owner failed to obtain a final building permit for the improvements and Commercial Development Permit 98-0031 expired. Approval of the subject application would recognize the facility as existing and would allow for additional equipment to be located on-site. The requirement for a property owner to obtain a use permit to recognize an unpermitted structure is not unique to this application.

Staff Recommendation

Planning Department Staff recommends that your Commission **UPHOLD** the Zoning Administrator's action to approve application #101099 with the attached amended conditions, based on the findings (Exhibit E.b.) and revised conditions (Exhibit B).

Sincerely,

Samantha Haschert
Project Planner
Development Review

Reviewed By: _____
Cathy Graves
Principal Planner
Development Review

Exhibits:

A. Appeal Materials Submitted
   a. Appeal Letter from Dan Garcia, Chairman of the Skyward Drive Road Association's "Committee to Study the Affects of Cell Site", dated July 14, 2011
   b. Comments from Dan Garcia regarding the third party review of the alternative site analysis, dated October 4, 2011.
B. Revised Conditions of Approval
C. Conditions approved by the Zoning Administrator on 7/1/11
D. Memo to the Zoning Administrator, heard on 7/1/11
   a. APN 040-271-62 Grant Deed
   c. Permit 89-0031 Public Noticing Materials
E. Staff report to the Zoning Administrator, heard on 6/3/11 and remanded to staff.
   a. Exhibit F: Visual Simulations
   b. Exhibit G: Alternatives Analysis
   d. Exhibit H: On-Site Photos
   e. Exhibit I: Acoustical Evaluation
   f. Exhibit J: NIER Exposure Report
F. Public Comments

July 14, 2011

2011 JUL 14 PM 12 16

Skyward Drive Road Association
365 Skyward Drive
Aptos CA 95003

~~Sheila McDaniel~~ Samantha Haschert
Santa Cruz County Planning Department
701 Ocean St, 4th Floor
Santa Cruz CA 95060

Re: Appeal to Application Number 101099

Require AT&T to place a permanent propane generator on the site properly shielded so that noise levels do not leave the site. This is consistent with the original staff report made in Use Permit application 98-0031 under Conditions of Approval section V. paragraph E. that "all noise be contained on the property".

Require AT&T to provide and pay for a complete Alternative Analysis by a qualified 3rd party. The staff are not experts in this area and should have requested that AT&T pay for an independent Alternative Analysis.

Require that AT&T provide logs, records and other documentation of site visits.

Require additional information from AT&T regarding Right of Way requirements and language that they use or have used when securing Rights of Way to sites such as this. Rather than placing the burden of proof on the residents and neighbors of Skyward Drive thereby placing us in the position of having to take legal action to secure our rights.

Require ~~that AT&T and~~ Skyward Drive Road Association be fairly compensated for Road Usage. by AT+T.

Given that AT&T did not follow procedures for use and building permits and continued to make improvements including placing a monopole on the site, adding air conditioning and other improvements while applying for or waiting for permit approvals. Make it a condition of the permit that any further violations will result in revocation or restriction of the site.

Treat this application as "New" and require AT&T to notify all residents within 1000 feet of the site.

History

A hearing for the original application for this cellular site (Application Number 08-0256) was held on Feb 6, 2008. The application called for the approval of an existing cellular facility located at 685 Skyward Drive. The application was referred to staff for further study and the delivery by the applicant of additional materials. On Jan 15, 2010 the application was denied because the applicant failed to provide the requested materials including the revised plan, noise study or road maintenance agreement.

After Application Number 08-0256 was denied, AT&T applied for a new use permit (Application Number 101099) In spite of the fact that AT&T had delayed providing information to staff for over 8 months resulting of the denial of Use Permit Application Number 08-0256 and that AT&T continued to make

EXHIBIT Aa:

unpermitted improvements to the site staff recommended not holding the applicant to the higher standards required by a new permit. This in spite of the fact that the original site was built without any knowledge of the county or neighbors and that the original building and use permits were to "recognize" a facility that was already operating before use or building permits were applied for. Holding the applicant to higher standard of requiring a new usage and building permits would require the applicant among other requirements to: give notice to neighbors within a 1000 foot radius of the site, obtain a Commercial Development Permit. Not doing this deprives the residents in the immediate vicinity and in a much wider area of a voice in this process.

Evidence of this is shown in the following quotes. According to staff reports on May 12, 1992 "a building permit (BP # 102527) was incorrectly issued (finaled on December 17, 1992) in the absence of a use permit to allow the installation of a modular equipment building with associated electronic equipment and air conditioning unit, there panel antennas attached to the existing single family dwelling and a 200 amp electrical service for a cellular telephone communications network. Subsequently, Use Permit 98-0031 recognized the development." This statement in the staff report is not completely accurate.

The original Use Permit 98-0031 (attached as exhibit B to Application 08-256) was not to allow the installation of the site but rather to "recognize" a 48 foot monopole with antenna, a generator, and a 250 gallon propane tank for an existing cellular telecommunications facility that includes three panel antennas installed on a single family dwelling and an equipment storage building.

The county is also not holding the project to other requirements of the original use permit which required a coastal zoning permit and a building permit. Further the applicant failed to obtain a building permit but did go ahead with the installation of the equipment authorized by the use permit. The use permit expired and the site does not have a valid use permit.

On the whole the planning department has bent over backward to support ATT proposal. Rather then holding them to the higher standards which a new site would require: A Commercial Permit and notification of all residents within 1000 feet of the site.

Noise and Traffic

Condition C of the final application number 10199 that states that regular maintenance visits by ATT are restricted to one visit per month. Based on the experience of the immediate neighbors there have been and continue to be many more visits to the site than that. It's difficult to believe that AT&T can maintain and service this site with only 12 visits per year. These sites are not typically serviced by AT&T only, visits are required for emergency power outages, emergency equipment repair and restoration and of communication facilities that provide data communication services to the site, which are not done by the same teams that service the equipment and buildings, repair and maintenance of air conditioning and other equipment by AT&T contractors, and Visits by co-located lessees of the site among I'm sure of many others.

One example of this relates to power outages: Because of the rural nature of area we have had numerous power outages not only this year but ever since the site was built. We've hade a least 5 this year from Jan to April that cut commercial power to the site from between 4 and 12 hours. Because AT&T is required to maintain continuous operation of the site for 911 requirements they have to send a generator to the site every time there is a power failure because of the limited capacity provided by batteries. Communication sites such as these always have battery backup in case of commercial power failure. I understand from a conversation with Bob (Don't remember his last name) one of the managers responsible for site

EXHIBIT A9

maintenance that the site has batteries capable of providing 8 hours of backup. When power fails an onsite generator kicks in or in the absence of a generator a power failure message is sent to a central service facility so that a portable generator can be sent to the site.

The county staff recommendation to not have a generator at this site makes the site even more of a nuisance because it requires AT&T of brings a generator and personal to the site with all the chaos of doing this in the middle of the night, when power outages inevitably occur. A better alternative would have been to approve an onsite generator, run on propane rather than diesel. An onsite generator would have a known DB output and could be properly sound proofed so that noise would not be produced beyond the site.

Reexamine staffs decision regarding the Alternative Site Analysis Material submitted by the applicant. The county should have asked that AT&T pay for a complete Alternative Analysis by a qualified 3rd party, rather than accepting the Analysis provided by AT&T. The assertion made in the Alternative Analysis document labeled as Exhibit G of Application Number 101099 that: "it would take a combination of eleven sites to replicate the coverage that the Skyward Drive site provides" was not challenged by staff. The staff are not experts in this area and should have requested that AT&T pay for an independent Alternative Analysis. Other carriers provide coverage to the same area without the use of the Skyward Drive site, and from the personal experience of neighbors and friends have equal to or better than service than AT&T provides.

Kevin F. Donohue one of the principals of Airwave Management LLC , Chester, New Jersey said "I would question the County as to why they do not hire a consultant to review AT&T's data when most municipalities around the country use such a consultant to review every application"

Did not properly consider the neighbors concerns regarding traffic on the site, never asking AT&T for logs or other records showing when sites visits were made.

Continued Violation of County Permit Process
Continued to make improvements to the site after the original use and building permits were issued but not approved. They added a second air conditioning unit to the site sometime between the original application and the current application again without permits, demonstrating a continuing disregard to the county and neighbors'.

Right of way
The planning department has placed the burden of proof on the homeowners of Skyward Drive to not only prove but to enforce the provisions of Right of Way placing us in the position of having to take legal action to prevent the usage of our private road by AT&T and any other Co-located partners that AT&T may lease to without taking responsibility for damage or wear and tear or indemnifying us from damage caused by them or their partners.

Sincerely,

Dan Garcia
Chairman of Skyward Drive Road Association "Committee to Study the Affects of Cell Site"

EXHIBIT A

Samantha Haschert

From: Dan Garcia [dangrc05@gmail.com]
Sent: Tuesday, October 04, 2011 3:39 PM
To: Samantha Haschert
Subject: Re: skyward drive appeal

Hi Samantha,

Per our discussion this afternoon. I would like to remove item B (3rd Party Alternative Site Analysis) from my appeal. I don't see a need to go forward with an addtional site analysis. My understanding is that the revised conditions would be made a part of the final permit.

Thank you,

Dan

EXHIBIT A6

PC 9/28/11 REVISED

(Strikeout text to be deleted; proposed language in **bold)**

Conditions of Approval

Exhibit A: Project Plans, 7 sheets, prepared by JRA (Jeffrey Rome & Associates, Inc.), dated 10/18/10 and 10/26/10 (final revision dates).

I. This permit recognizes the existing wireless communications facility including an approximately 48' tall monopole with one panel antenna, a 207 square foot equipment enclosure and three panel antennas installed on the deck of the existing single family dwelling. This permit also authorizes the following:

A. Replacement of three existing panel antennas with three new panel antennas and two Remote Radio Units (RRU's) on the deck of the single family dwelling;
B. Installation of one additional panel antenna on the monopole;
C. Installation of two Remote Radio Units (RRU's) at the base of the monopole;
D. Installation of three equipment cabinets, two RRU's, and two fan coils within the equipment shelter.

This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Nothing in this permit adjudicates AT&T access rights. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

E. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.

F. Within 6 months of the effective date of this permit, obtain a Building Permit from the Santa Cruz County Building Official for all existing equipment on-site exclusive of the 3 panel antennas mounted on the single family dwelling, the equipment shelter and the air conditioning unit which were permitted by building permit 102527. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

G. Obtain a building permit for all proposed new equipment. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

H. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

EXHIBIT R

I. Obtain a grading permit, if required.

J. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following:

1. Details showing compliance with fire department requirements.

2. Detailed grading plans.

3. Compliance with all recommendations of the Acoustic Evaluation and Survey and Analysis of Future Conditions including fencing construction and design and sound baffling panels.

4. Plans shall show the location of an easement over the portion of the driveway which accesses the wireless communications facility which is currently located on APN 040-271-58. A recorded copy of this right of way easement will be required prior to building permit issuance.

5. A detailed landscape plan that includes the planting of native species trees at the south and east sides of the facility to buffer the view of the facility. The plan shall show the replacement of any trees that have died or been removed with a native species and shall show an adequate number of 15 – 25 gallon trees to be planted. The applicant shall submit a 5 year maintenance plans that includes the replacement of any trees that die within that period.

6. Plans shall show a propane generator located permanently on-site.

B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.

C. Meet all requirements of and pay all required drainage fees to the County Department of Public Works, Stormwater Management.

EXHIBIT G

D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

E. Submit 3 copies of a soils report completed by a California licensed geotechnical engineer for review and approval.

F. Provide required off-street parking for one maintenance vehicle. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.

G. Provide a copy of a recorded right of way easement or other legal instrument which provides access over parcel 040-271-58 for the portion of the access driveway that is outside of the existing 40 foot right of way. If legal access is terminated at any point, this permit shall be null and void. No other access point is approved as a part of this permit. The applicant shall obtain a Level IV Permit Amendment prior to making any changes to access outside of the approved Exhibit A.

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

A. All site improvements shown on the final approved Building Permit plans shall be installed and shall be in substantial compliance with the approved visual simulation.

B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations of the approved soils reports.

D. The project planner shall inspect the site to ensure that landscaping has been installed as per the approved landscaping plans.

E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

A. NIER Report: A report documenting Non-Ionizing Electromagnetic Radiation at

EXHIBIT B

the facility site shall be submitted within ninety (90) days after the commencement of normal operations, or within ninety (90) days after any major modification to power output of the facility.

B. Maintenance: Regular maintenance visits are restricted to one visit per month between the hours of 8:30 a.m. and 5:00 p.m. Only one maintenance vehicle may access the site during a maintenance visit.

C. Storm Damage Maintenance: Maintenance visits to repair storm damaged equipment may occur as required and are limited to between the hours of 8:30 a.m. and 5:00 p.m.

D. Construction Hours: All activities associated with construction and installation of new equipment at the site, as permitted by this permit, shall be limited to Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

E. Additional Facilities: A Planning Department review that includes a public hearing shall be required for any future co-location at this wireless communications facility.

F. Equipment Modifications: Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.

G. Buffering: The required landscape buffers shall be permanently maintained in good condition in order to continue to meet the objective of buffering the facility from the private road and surrounding residences.

H. Noise: All noise generated from the approved use shall comply with the requirements of the General Plan. Sound baffling techniques shall be maintained in perpetuity. The generator shall be ~~on-site only~~ **utilized only** during an electric power outage and shall run only during the length of an electric power outage or as necessary to maintain communication. ~~Once electricity is restored, the generator shall be turned off as soon as possible and removed from the site.~~

Within one year after the commencement of operations, the applicant shall submit a noise study or letter from the acoustic engineer which indicates that the facility is operating in compliance with the approved Acoustical Evaluation (Wilson Ihrig & Associates, Inc., dated 9/15/10).

I. Lighting: All site, building, security and landscape lighting shall be directed away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.

EXHIBIT B

J. Future Technologies: If future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees through accepting the terms of this permit to make those modifications which would allow for reduced visual impact of the proposed facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding vegetation.

K. Future Studies: If, as a result of future scientific studies and alterations of industry-wide standards resulting from those studies, substantial evidence is presented to Santa Cruz County that radio frequency transmissions may pose a hazard to human health and/or safety, the Santa Cruz County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the conditions of this permit.

L. Transfer of Ownership: In the event that the original permittee sells its interest in the permitted wireless communications facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval, including proof of liability insurance. Within 30-days of a transfer of ownership, the succeeding carrier shall provide a new contact name to the Planning Department.

M. Noncompliance: In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

N. Site Visit Monitoring Logs: All visits to the site shall be recorded on logs posted at the site. Logs shall indicate the date, time, visitor (AT&T personnel or outside party), and the reason for the visit. Site visit logs shall be submitted to the Planning Department for review 6 months after the effective date of this permit and again 1 year after the effective date of this permit to ensure compliance with the operational conditions of this permit.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

EXHIBIT B

A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

Please note:

1. **This permit expires 6 months from the effective date listed below unless a building permit (or permits) is obtained for the existing unpermitted portions of the facility and equipment on site.**

2. **This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the proposed elements of the Wireless Facility as described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

EXHIBIT B

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Cathy Graves Principal Planner	Samantha Haschert Project Planner

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code

EXHIBIT R

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:
Planning Department
Attn: Samantha Haschert
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Conditions of Approval

Development Permit No. 101099
Property Owner: Washowich
Assessor's Parcel No.: 040-271-62

Exhibit A: Project Plans, 7 sheets, prepared by JRA (Jeffrey Rome & Associates, Inc.), dated 10/18/10 and 10/26/10 (final revision dates).

I. This permit recognizes the existing wireless communications facility including an approximately 48' tall monopole with one panel antenna, a 207 square foot equipment enclosure and three panel antennas installed on the deck of the existing single family dwelling. This permit also authorizes the following:

A. Replacement of three existing panel antennas with three new panel antennas and two Remote Radio Units (RRU's) on the deck of the single family dwelling;
B. Installation of one additional panel antenna on the monopole;
C. Installation of two Remote Radio Units (RRU's) at the base of the monopole;
D. Installation of three equipment cabinets, two RRU's, and two fan coils within the equipment shelter.

This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Nothing in this permit adjudicates AT&T access rights. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

E. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.

F. Within 6 months of the effective date of this permit, obtain a Building Permit from the Santa Cruz County Building Official for all existing equipment on-site

EXHIBIT C

exclusive of the 3 panel antennas mounted on the single family dwelling, the equipment shelter and the air conditioning unit which were permitted by building permit 102527. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

G. Obtain a building permit for all proposed new equipment. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

H. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

I. Obtain a grading permit, if required.

J. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following:

1. Details showing compliance with fire department requirements.

2. Detailed grading plans.

3. Compliance with all recommendations of the Acoustic Evaluation and Survey and Analysis of Future Conditions including fencing construction and design and sound baffling panels.

4. Plans shall show the location of an easement over the portion of the driveway which accesses the wireless communications facility which is currently located on APN 040-271-58. A recorded copy of this right of way easement will be required prior to building permit issuance.

5. A detailed landscape plan that includes the planting of native species trees at the south and east sides of the facility to buffer the view of the facility. The plan shall show the replacement of any trees that have died or been removed with a native species and shall show an adequate number of 15 – 25 gallon trees to be planted. The applicant shall submit a 5 year

maintenance plans that includes the replacement of any trees that die within that period.

B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.

C. Meet all requirements of and pay all required drainage fees to the County Department of Public Works, Stormwater Management.

D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

E. Submit 3 copies of a soils report completed by a California licensed geotechnical engineer for review and approval.

F. Provide required off-street parking for one maintenance vehicle. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.

G. Provide a copy of a recorded right of way easement or other legal instrument which provides access over parcel 040-271-58 for the portion of the access driveway that is outside of the existing 40 foot right of way. If legal access is terminated at any point, this permit shall be null and void. No other access point is approved as a part of this permit. The applicant shall obtain a Level IV Permit Amendment prior to making any changes to access outside of the approved Exhibit A.

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

A. All site improvements shown on the final approved Building Permit plans shall be installed and shall be in substantial compliance with the approved visual simulation.

B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations of the approved soils reports.

D. The project planner shall inspect the site to ensure that landscaping has been installed as per the approved landscaping plans.

E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director

EXHIBIT C

if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

A. NIER Report: A report documenting Non-Ionizing Electromagnetic Radiation at the facility site shall be submitted within ninety (90) days after the commencement of normal operations, or within ninety (90) days after any major modification to power output of the facility.

B. Maintenance: Regular maintenance visits are restricted to one visit per month between the hours of 8:30 a.m. and 5:00 p.m. Only one maintenance vehicle may access the site during a maintenance visit.

C. Storm Damage Maintenance: Maintenance visits to repair storm damaged equipment may occur as required and are limited to between the hours of 8:30 a.m. and 5:00 p.m.

D. Construction Hours: All activities associated with construction and installation of new equipment at the site, as permitted by this permit, shall be limited to Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

E. Additional Facilities: A Planning Department review that includes a public hearing shall be required for any future co-location at this wireless communications facility.

F. Equipment Modifications: Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.

G. Buffering: The required landscape buffers shall be permanently maintained in good condition in order to continue to meet the objective of buffering the facility from the private road and surrounding residences.

H. Noise: All noise generated from the approved use shall comply with the requirements of the General Plan. Sound baffling techniques shall be maintained in perpetuity. The generator shall be on-site only during an electric power outage and shall run only during the length of an electric power outage or as necessary to maintain communication. Once electricity is restored, the generator shall be turned off as soon as possible and removed from the site.

Within one year after the commencement of operations, the applicant shall submit a noise study or letter from the acoustic engineer which indicates that the facility is operating in compliance with the approved Acoustical Evaluation (Wilson Ihrig & Associates, Inc., dated 9/15/10).

I. Lighting: All site, building, security and landscape lighting shall be directed away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be

EXHIBIT C

integrated into the building design.

J. Future Technologies: If future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees through accepting the terms of this permit to make those modifications which would allow for reduced visual impact of the proposed facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding vegetation.

K. Future Studies: If, as a result of future scientific studies and alterations of industry-wide standards resulting from those studies, substantial evidence is presented to Santa Cruz County that radio frequency transmissions may pose a hazard to human health and/or safety, the Santa Cruz County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the conditions of this permit.

L. Transfer of Ownership: In the event that the original permittee sells its interest in the permitted wireless communications facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval, including proof of liability insurance. Within 30-days of a transfer of ownership, the succeeding carrier shall provide a new contact name to the Planning Department.

M. Noncompliance: In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

Please note:

1. **This permit expires 6 months from the effective date listed below unless a building permit (or permits) is obtained for the existing unpermitted portions of the facility and equipment on site.**

2. **This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the proposed elements of the Wireless Facility as described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: July 1, 2011

Effective Date: July 15, 2011

Expiration Date: January 15, 2012 & July 15, 2014

Steven Guiney, AICP
Deputy Zoning Administrator

Samantha Haschert
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code

EXHIBIT C

COUNTY OF SANTA CRUZ | Planning Department

MEMORANDUM

Date: June 14, 2011

To: Steven Guiney, Zoning Administrator

From: Samantha Haschert, Project Planner

Re: Application Number 101099

This application was originally brought before the Zoning Administrator on June 3, 2011. At the June 3rd public hearing, the item was continued by the Zoning Administrator with direction to staff to provide additional information regarding AT&T's road access rights. Some additional information has also been included to address public concerns that were raised at the June 3rd hearing.

Road Access Rights

The subject parcel (Assessors Parcel Number 040-271-62) is accessed by a private road which branches off of Skyward Drive. The private road is maintained with funds from a road association. During the June 3rd public hearing, some members of the road association objected to commercial AT&T vehicles utilizing the private road to access the cell site and claimed that commercial vehicles, in general, are not permitted to utilize the right of way as per the existing road association agreement.

Road association agreements exist on private roads throughout the County and are governed privately. These road association agreements may or may not include specific language regarding the types the vehicles that are permitted to utilize the right the way. Not unlike CC&R's, the County does not participate in the development, implementation, or enforcement of these rules.

For some projects, the Planning Department is required to confirm that a parcel has legal access prior to approval of a development permit. In these cases, the Department looks to Grant Deeds which provide descriptions of the rights of way which are conveyed with a parcel.

As per the most current Grant Deed for 685 Skyward Drive (Exhibit A), the subject parcel (APN 040-271-62) has been granted access by way of easement over the private road. The description of the right of way is standard for road and utility purposes and does not specifically exclude commercial vehicles. Therefore, it is recommended that no further action is taken by the County regarding private road association agreements.

Permit 98-0031

Portions of the existing wireless communications facility were incorrectly approved by a building permit in 1992, in that the application should have first been heard before the Zoning Administrator at a public hearing. Therefore, Permit 98-0031 was processed to recognize the facility approved by building permit and to recognize additional unpermitted portions of the facility including the monopole and antenna. A building permit was never obtained to exercise permit 98-0031; therefore the permit expired. In order to ensure that the entire facility is permitted, the current application is to recognize the existing facility, including all existing equipment and antennas. Some additional equipment is also proposed to be located on site and a new

EXHIBIT D

antenna is proposed to be located on the existing monopole, however, no new monopoles are proposed and the height of the existing monopole will not increase as a result of the project.

Public noticing associated with Permit 98-0031 was completed as per our requirements at that time (Exhibit B). Because the permit was processed prior to the adoption of the County's Wireless Ordinance, the County was required to send notices to property owners within 300 feet of the parcels boundaries. Currently, we are required to notice within 1000 feet of the parcels boundaries.

Maintenance Hours

Please note that a condition of approval has been recommended by staff which would limit maintenance at the site to one visit per month between the hours of 8:30 am and 5:00 pm.

Other Revisions

The staff report has been revised to incorporate the changes made by the Zoning Administrator and staff at the June 3rd public hearing. No other changes are proposed.

Conclusion

As requested, the additional information has been provided above regarding road access rights. The project is again before you today with a staff recommendation for: 1) approval of application number 101099 based on the revised attached conditions and findings and, 2) certification that the project is exempt from further environmental review under the California Environmental Quality Act.

EXHIBITS:

A. APN 040-271-62 Grant Deed
B. Permit 98-0031 Public Noticing Materials
C. 101099 Revised Staff Report and CEQA Categorical Exemption

EXHIBIT D

2008-0000186

Recorded Official Records County of Santa Cruz GARY E. HAZELTON Recorder	REC FEE 20.00
	SURVEY MONUMENT 10.00
08:00AM 03-Jan-2008	DLA Page 1 of 5

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:
Timothy Washowich and Camille Ann Washowich
685 Skyward Drive
Aptos, CA 95003

ORIGINAL

Space Above This Line for Recorder's Use Only

A.P.N.: 040-271-62-000

File No.: 4408-2905509 (JC)

(Capitola)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX **$0.00**; CITY TRANSFER TAX **$0.00**; No Consideration
SURVEY MONUMENT FEE $

[ ] computed on the consideration or full value of property conveyed, OR
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
[x] unincorporated area; [ ] City of **Aptos**, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Timothy Washowich and Camille Ann Washowich, Husband and Wife**

hereby GRANTS to **Camille Ann Washowich, Wife and Husband as joint tenants and Timothy Washowich**

the following described property in the Unincorporated area of **Aptos**, County of **Santa Cruz**, State of **California**:

See exhibit "A" attached hereto and made a part hereof

Dated: **12/21/2007**

Timothy Washowich

Camille Ann Washowich

Camille Ann Washowich

Mail Tax Statements To: **SAME AS ABOVE**

EXHIBIT D

STATE OF CALIFORNIA)SS
COUNTY OF SANTA CRUZ)

On December 21 2007, before me, Dena Kim Levey,
Notary Public, personally appeared
CAMILLE ANN WASHOWICH, TIMOTHY WASHOWICH, ~~personally known to me~~
(or proved ~~to me~~ on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

DENA KIM LEVEY
Commission # 1767299
Notary Public - California
Santa Cruz County
My Comm. Expires Oct 8, 2011

My Commission Expires: OCTOBER 8, 2011 *This area for official notarial seal*

Notary Name: Dena Kim Levey Notary Phone: (831) 419-7415
Notary Registration Number: 1767299 County of Principal Place of Business: SANTA CRUZ

EXHIBIT D

Exhibit "A"

Order No.: 3468140c
Reference No.: WASHOWICH
Escrow Officer: JENNIFER CORNELL-CAMPBELL
Escrow Number: 2905509

DESCRIPTION

All that certain land situated in the unincorporated area of the **County of SANTA CRUZ, State of California,** and described as follows:

PARCEL ONE:

BEING A PART OF THE LANDS OF FLORENCE P. PERRY DESCRIBED IN VOLUME 1781, PAGE 676, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND A PART OF PARCEL B AS SHOWN ON THE RECORD OF SURVEY MAP FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY IN MAP BOOK 45, PAGE 20, SANTA CRUZ COUNTY RECORDS, AND A PART OF THE APTOS RANCHO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH UNTAGGED PIPE FOUND AT THE SOUTHWESTERN CORNER OF SAID PARCEL ON THE SOUTHWESTERN BOUNDARY OF THE LANDS OF ROGER P. SMITH, ET UX., AS DESCRIBED IN VOLUME 1461, PAGE 410, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG SAID BOUNDARY NORTH 68 DEGREES 45' EAST 280.50 FEET TO A 1/2 INCH PIPE SET AT AN ANGLE IN AN OLD PICKET FENCE; THENCE LEAVING SAID BOUNDARY NORTH 72 DEGREES 17' EAST 472.82 FEET TO A 1/2 INCH PIPE SET IN THE EASTERLY LINE OF SAID LAND TO PERRY; BEING ALSO THE CENTERLINE OF A 60 FOOT RIGHT OF WAY THAT LEADS TO THE TROUT GULCH COUNTY ROAD; THENCE ALONG SAID CENTERLINE SOUTH 13 DEGREES 52' WEST 124.28 FEET TO A 1/2 INCH PIPE; THENCE SOUTH 28 DEGREES 36' EAST 54.04 FEET TO A 1/2 INCH PIPE FROM WHICH A SPIKE SET IN THE TOP OF A 36 INCH REDWOOD STUMP BEARS NORTH 68 DEGREES 51' EAST 14.40 FEET DISTANT; THENCE LEAVING SAID CENTERLINE SOUTH 44 DEGREES 10' WEST 443.06 FEET TO A 1/2 INCH PIPE SET ON THE SOUTHWESTERN BOUNDARY OF SAID PARCEL B; THENCE ALONG SAID BOUNDARY NORTH 58 DEGREES 55' WEST 465.93 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE LAND DESCRIBED IN THAT CERTAIN DEED TO OPAL LOUISE CORBETT, A MARRIED WOMAN, RECORDED JANUARY 19, 1972, IN VOLUME 2166, PAGE 575, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH PIPE AT THE MOST SOUTHERLY CORNER OF SAID TRACT, BEING A POINT IN THE WESTERLY LINE OF SAID PARCEL B; AND RUNNING THENCE ALONG THE WESTERLY LINE OF SAID TRACT, AND PARCEL, NORTH 58 DEGREES 55' WEST 100.00 FEET TO A POINT; THENCE NORTH 55 DEGREES 14' EAST 145.10 FEET TO A POINT; THENCE SOUTH 39 DEGREES 28' EAST 70.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID TRACT FROM WHICH THE MOST SOUTHERLY CORNER BEARS SOUTH 44 DEGREES 10' WEST 112.00 FEET DISTANT; THENCE ALONG SAID LINE SOUTH 44 DEGREES 10' WEST 112.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE LAND DESCRIBED IN THAT CERTAIN DEED TO MAURICE VIRGIL CORBETT, A MARRIED MAN, RECORDED JANUARY 19, 1972, IN VOLUME 2166, PAGE 577, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID TRACT, FROM WHICH THE MOST SOUTHERLY CORNER BEARS ALONG SAID LINE, SOUTH 44 DEGREES 10' WEST 112.00 FEET DISTANT; AND RUNNING THENCE ALONG SAID LINE, NORTH 44 DEGREES 10' EAST 100.00 FEET TO A POINT; THENCE NORTH 39 DEGREES 28' WEST 150.00 FEET TO A POINT; THENCE SOUTH 44 DEGREES 10' NORTH 100.00 FEET TO A POINT; THENCE SOUTH 39 DEGREES 28' EAST 150.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT D

ALSO EXCEPTING THEREFROM THE LAND DESCRIBED IN THAT CERTAIN DEED TO A. F. MILLER, SR., A MARRIED MAN, RECORDED JANUARY 19, 1972, IN VOLUME 2166, PAGE 579, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID TRACT, AND PARCEL, FROM WHICH THE MOST SOUTHERLY CORNER OF SAID TRACT BEARS ALONG SAID LINE SOUTH 58 DEGREES 55' EAST 100.00 FEET DISTANT; AND RUNNING THENCE ALONG SAID LINE, NORTH 58 DEGREES 55' WEST 60.00 FEET TO A POINT; THENCE NORTH 46 DEGREES 31' EAST 164.99 FEET TO A POINT; THENCE SOUTH 39 DEGREES 28' EAST 80.00 FEET TO A POINT; THENCE SOUTH 55 DEGREES 14' WEST 145.10 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

AN EASEMENT 60 FEET IN WIDTH FOR ROAD PURPOSES AS SHOWN ON THE RECORD OF SURVEY MAP FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF SANTA CRUZ COUNTY IN MAP BOOK 45, PAGE 20, SANTA CRUZ COUNTY RECORDS.

PARCEL THREE:

RIGHTS OF WAY 40 FEET IN WIDTH FOR ROAD AND UTILITY PURPOSES, APPURTENANT TO PARCEL 1, AS SET OUT IN THE DEED FROM F. D. A. LIMITED TO KEITH M. JACKSON, ET AL., RECORDED JULY 5, 1978, IN VOLUME 2932, PAGE 19, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL FOUR:

A RIGHT OF WAY FOR ROAD AND UTILITY PURPOSES APPURTENANT TO PARCEL 1, AS SET OUT IN THE DEED FROM HAMMERWELL, INC., TO KEITH W. JACKSON, ET AL., RECORDED APRIL 23, 1979, IN VOLUME 3047, PAGE 28, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL FIVE:

BEING A PORTION OF THE LANDS CONVEYED TO THOMAS RAHE AND DEBI RAHE BY DEED FILED IN BOOK 3952 OF OFFICIAL RECORDS, AT PAGE 459, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LANDS OF RAHE;

THENCE, ALONG THE WESTERLY LINE OF SAID LANDS, NORTH 00 DEGREES 07' 30" EAST A DISTANCE OF 23.4 FEET, MORE OR LESS, TO THE SOUTHERLY EDGE OF THE SIX FOOT HIGH BOARD FENCE EXISTING AS OF AUGUST 25, 1990, FROM WHICH A 1/2" IRON PIPE WITH A TAG STAMPED L.S. 3293, AS SHOWN ON A PLAT OF A PRIVATE SURVEY FOR KEITH M. JACKSON BY GEORGE DARLING (JOB NO. 79-12), BEARS SOUTH 45 DEGREES 54' EAST 206.68 FEET DISTANT, SAID IRON PIPE BEING THE MOST NORTHERLY PIPE USED FOR THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE, ALONG THE SOUTHERLY SIDE OF SAID FENCE, NORTH 89 DEGREES 57' EAST A DISTANCE OF 35.80 FEET TO AN ANGLE POINT TO THE SOUTH IN SAID FENCE, FROM WHICH SAID 1/2" IRON PIPE BEARS SOUTH 38 DEGREES 03' EAST 182.71 FEET DISTANT;

THENCE, ALONG THE WESTERLY SIDE OF SAID FENCE SOUTH 00 DEGREES 20' WEST A DISTANT OF 12 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF SAID LANDS OF RAHE;THENCE, ALONG SAID

Order No.: 3468140c
Reference No.: WASHOWICH
Escrow Officer: JENNIFER CORNELL-CAMPBELL
Escrow Number: 2905509

SOUTHERLY LINE, SOUTH 72 DEGREES 17' WEST A DISTANCE OF 37.6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

APN No: **040-271-62**

EXHIBIT D

SAN A CRUZ COUNTY PLANNING DEPARTMENT
ZONING DMINISTRATOR AND PLANNING C MISSION
PUBLIC HEARING RESERVATION FORM & NOTIFICATION INSTRUCTIONS

☒ Zoning Administrator ☐ Planning Commission

Requested Hearing Date: 6-5-98

Time: (check one)

Zoning Administrator	Planning Commission
☐ 8:30 a.m.	☐ 9:00 a.m.
☒ 10:00 a.m.	☐ 1:30 p.m.
	☐ Other _____

Place: (check one)
- ☒ Board Chambers
- ☐ HSA Large Auditorium
- ☐ HSA Building K, Rooms 206 & 207
- ☐ Other: _____

Item No.: 8 Planner: Wilson F

APPLICATION INFORMATION

Application No.: 98-0031 Owner: Riordan, Pat
APN: 40-271-62
Coastal Permit Required? ☐ Yes ☒ No
Coastal Permit is ☐ Appealable ☐ Not appealable to the California Coastal Commission.

NOTIFICATION INSTRUCTIONS

Mailed Notices

☒ Notification Required (check all that apply):
- ☒ Owners within 300 feet & Occupants within 100 feet including occupants of the subject property (if less than 10 different property owners, measure out in intervals of 50 feet until 10 owners are found)
- ☐ (quarries) Owners within 2640 feet & Occupants within 100 feet including occupants of the subject property public hearing
- ☐ Others (see reverse for additional names and addresses)

☐ Notification Not Required Because:
- ☐ Item was already noticed and continued to this agenda
- ☐ Because a display ad is being used
- ☐ Because the item is a study session, consent item, or other item which does not require a

Newspaper Advertising

☒ Run the condensed newspaper version of agenda description in:
- ☒ Santa Cruz Sentinel (North Coast, Bonny Doon, San Lorenzo Valley, Carbonera, Skyline, Summit, Soquel, Live Oak, Aptos, Aptos Hills, La Selva Planning Areas)
- ☐ Register Pajaronian (San Andreas, Pajaro Valley, Eureka Canyon, Salsipuedes Planning Areas)

☐ Publish a Display Ad: (☐ 1/4 Page ☐ 1/8 Page) (☐ Santa Cruz Sentinel ☐ Register Pajaronian)

☐ Published Legal Ad is not required as noted above

Posting of Property (check one)
- ☒ Mail 1 placard to applicant
- ☐ Prepare ___ placards and give to planner
- ☐ Placards not required

Computer Verification

Is all the computer information correct? ☒ Yes ☐ No (Computer status must be "scheduled")
If the item is not on the computer, provide a project description: _____

Is the situs address shown on the computer correct? ☒ Yes ☐ No
If there is no situs address, please provide the property location: _____

Staff Report Mailing

Please mail staff reports to:

Applicant: Steve Graves
Address: 4630 Soquel Dr. Suite 8
Soquel, Ca 95073

Owner: Patricia Riordan
685 Skyward Drive
APTOS, CA 95003

☐ See reverse for additional names and addresses for staff reports

Accountability

Reservation form completed, staff report prepared and attached, notification materials attached and submitted to agenda preparer — Planner: W.F. — Date: 5-5-98

Agenda materials reviewed and submitted to clerical — Agenda Preparer: [signature] — Date: 5.5.98

Legal ad or display ad faxed to newspaper — Clerical: KR — Date: 5-20-98

Notices to neighboring property owners mailed — Clerical: MR — Date: 5-22-98

Notices to neighboring residents/occupants mailed — Clerical: MR — Date: 5-22-98

Placards mailed to applicant or given to Planner — Clerical: -30- MR — Date: 5-22-98

Staff Reports mailed — Clerical: MR — Date: 5-29-98

EXHIBIT H

NOTICE OF PUBLIC HEARING

Notice is hereby given that the County of Santa Cruz Zoning Administrator will hold a public hearing on the following item:

8. **98-0031 685 SKYWARD DR APTOS APN(S): 040-271-62**
Proposal to recognize a 48 foot monopole with antenna, a generator, and a 250 gallon propane tank for an existing cellular telecommunications facility that includes three panel antennas installed on a single-family dwelling and an equipment storage building. Requires a Commercial Development Permit. Located on the northwest side of Skyward Drive (685 Skyward Drive) at approximately 3/4 mile north from Trout Gulch Road.
OWNER: RIORDAN PATRICK M & JANET H/W CP
APPLICANT: STEVE GRAVES SUPERVISORIAL DIST: 2
PROJECT PLANNER: MICHAEL FERRY, 454-3226

DATE: June 5, 1998
TIME: the morning agenda beginning at 10:00 am.
PLACE: Board of Supervisors Chambers
County Government Center
701 Ocean Street, Room 525
Santa Cruz, CA 95060

All interested persons are invited to provide comments to the Zoning Administrator either at the public hearing, or in writing. Written comments may be sent to the Zoning Administrator at the County Government Center, 4th Floor, 701 Ocean Street, Santa Cruz CA 95060. A copy of the staff report will be made available for review or purchase for a nominal fee one week before the public hearing at the County Planning Department, 701 Ocean Street, 4th Floor, Santa Cruz, California.

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The Board of Supervisors Chambers is located in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the **ADA Coordinator at 454-3145 (TDD number 454-2123)** at least 72 hours in advance of the meeting, to make arrangements. **As a courtesy to those persons affected, please attend the meeting smoke and scent free.**

Any persons whose interests are adversely affected by any act or determination of the Zoning Administrator may appeal such act or determination to the Planning Commission. Appeals from any action of the Zoning Administrator shall be taken by filing a written notice of appeal with the Planning Department and paying an appeal fee, not later than the tenth calendar day (15 calendar days for time extensions for land divisions) after the day on which the act or determination appeaedl was made.

If any person challenges an action taken on foregoing matter(s) in court, they may be limited to raising only those issues which were raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

___This project requires a Coastal Permit which is not appealable to the California Coastal Commission.

___This project requires a Coastal Permit, the approval of which is appealable to the California Coastal Commission (Grounds for appeal are listed in the County Code Section 13.20.122.) The appeal must be filed with the Coastal Commission within ten working days of receipt by the Coastal Commission of notice of local action.

For more information, call the project planner noted in the above project description at 454-2580

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EXHIBIT D

Staff Report to the Zoning Administrator

Application Number: 101099

Applicant: Leah Hernikl
Owner: Camille and Timothy Washowich
APN: 040-271-62

Agenda Date: June 3, 2011
Agenda Item #: 1
Time: After 10:00 a.m.

Project Description: Proposal to recognize and expand an existing wireless facility consisting of a 48 foot tall monopole with 1 existing panel antenna, 1 proposed new panel antenna and 2 proposed remote radio units (RRU); 3 existing panel antennas and 2 RRU's mounted on the existing single family dwelling; an approximately 207 square foot existing equipment enclosure with 9 existing equipment cabinets and associated equipment, 1 proposed generator connection/plug, 3 proposed equipment cabinets, two proposed RRU's, and 2 proposed A/C condensing units. Requires a Commercial Development Permit.

Location: Property located on Skyward Drive off of Trout Gulch Road in Aptos (685 Skyward Drive).

Supervisoral District: 2nd District (District Supervisor: Pirie)

Permits Required: Commercial Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 101099, based on the attached findings and conditions.

Exhibits

A. Project plans
B. Findings
C. Conditions
D. Categorical Exemption (CEQA determination)
E. Assessor's, Location, Zoning and General Plan Maps
F. Visual Simulations
G. Alternatives Analysis
H. On-site photos
I. Acoustical Evaluation
J. NIER Exposure Report
K. Comments & Correspondence

EXHIBIT F

Parcel Information

Parcel Size:	2.9 acres (126,324 square feet)
Existing Land Use - Parcel:	Single Family Residential
Existing Land Use - Surrounding:	Single Family Residential
Project Access:	Via a Private Road off of Skyward Drive
Planning Area:	Aptos
Land Use Designation:	R-R (Rural Residential)
Zone District:	RA (Residential Agriculture)
Coastal Zone:	__ Inside X Outside
Appealable to Calif. Coastal Comm.	__ Yes X No

Environmental Information

Geologic Hazards:	Eastern portion of the site mapped as landslide area; however, no development is proposed in this location.
Soils:	Lompico-Felton Complex; Geotechnical Report Review required prior to building permit issuance.
Fire Hazard:	Not a mapped constraint
Slopes:	Slopes 0-15% in location of proposed monopole and facility; no development proposed on steeper slopes (>30%)
Env. Sen. Habitat:	Parcel mapped for Dudley's Lousewort; however, no resources evident on site.
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Archeology:	Not a mapped resource

Services Information

Urban/Rural Services Line:	__ Inside X Outside
Water Supply:	Private Well
Sewage Disposal:	Septic
Fire District:	Aptos/La Selva Fire Protection District
Drainage District:	None

History

In 1992, the County issued a building permit (#102527, finaled in 1992) for the installation of a modular equipment building with associated electronic equipment and an air conditioning unit, the installation of three panel antennas attached to the existing single family dwelling, and 200 amp electrical service associated with a wireless communications facility.

Use permit 98-0031 was obtained in 1998 for the construction of a 48 foot tall monopole with one panel antenna, and an emergency generator and a propane tank. The facility was installed, however, a building permit was never obtained; therefore, permit 98-0031 is now void.

EXHIBIT K

In 2008, AT&T submitted an application to recognize the existing monopole, antennas and associated equipment as well as to install one new panel antenna and one new equipment cabinet (08-0256). The proposed project was considered by the Zoning Administrator at a public hearing on February 6, 2009. The public testimony focused on the use permit history and the scope of the proposed use, existing facility noise, and road maintenance. The applicant was directed to provide a noise study to evaluate the noise impacts of the existing air conditioning system and proposed generator as well as to provide revised plans to address any changes to the original plans or modifications necessary to mitigate noise for the air conditioning unit and generator to ensure that noise is fully contained on the property without impacting adjoining residential properties. In addition, the applicant was directed to join the road maintenance association and to negotiate a fair share of the cost for yearly road maintenance with the association. The applicant did not provide the requested materials and withdrew the application prior to a subsequent hearing with a staff recommendation for denial. Therefore, application 08-0256 was never approved.

On November 2, 2010, AT&T submitted the current application to fully recognize the facility, as built, with the proposed additional antennas and equipment.

Analysis

The subject property is approximately 1.5 acres in size and is located at the terminus of a private road (cul-de-sac) accessed from Skyward Drive in Aptos. The property is surrounded by parcels developed with single family dwellings at rural densities. Specifically, there are four single family dwellings located at the terminus of the cul-de-sac. The subject parcel and adjacent surrounding parcels are zoned RA (Residential Agriculture) with R-R (Rural Residential) or R-S (Suburban Residential) General Plan designations.

Wireless Communication Facility

There is one wireless facility located at the eastern portion of the site between the residence and the private road and there are also panel antennas attached to the single family dwelling on the south facing deck. The eastern facility is accessed by a separate, approximately 160' long driveway and there is a neighboring single family dwelling located directly across from the facility to the south.
There are non-native acacia trees and other various shrubs located between the facility and the private road which help to buffer the equipment shelter and monopole from surrounding residences.

The existing facility to the east of the residence consists of a 43' tall wood monopole with one panel antenna (51" x 10.3" x 5.5") located above the top of the pole. The total height of the pole with the antenna is just over 47'. The proposal includes the addition of one panel antenna (55.2" x 11.8" x 6") mounted directly below the existing antenna and two remote radio units (RRU's) mounted at the base of the monopole. The proposed new antenna will not add additional height to the monopole. There is an existing equipment shelter of approximately 207 square feet located at the base of the monopole. The equipment shelter is an above-ground modular structure of approximately 11 feet in height. Currently, there are nine equipment cabinets (four UMTS cabinets, two battery racks, one DC Power cabinet, one data rack, and one wall-mounted ciene

EXHIBIT E

cabinet) and associated equipment located within the shelter. The applicant is proposing to install three new cabinets (one UMTS cabinets and two MCPA cabinets), two remote radio units (RRU's) and two fan coils inside the equipment shelter.

There are also three existing panel antennas (51" x 10.3" x 5.5") mounted to the deck of the existing single family dwelling. The applicant is proposing to replace the existing antennas with three panel antennas, one measuring 55.2" x 11.8" x 6" and two measuring 75.4" x 10.3" x 5.5" and to mount two 10.4" x 14.4" x 22.4" RRU's on an existing deck column.

Visual simulations are provided in EXHIBIT F.

NIER Exposure Report

The applicant has submitted a Federal Communication Commission (FCC) Compliance Study on Non-Ionizing Electromagnetic Radiation (NIER) Exposure prepared by TRK Engineering (Exhibit J) which indicates that the radio frequency exposure level on nearby buildings, with all antennas transmitted at the maximum power level simultaneously, would be 0.23% of the Maximum Permissible Exposure (MPE). Additionally, the report determines that the highest exposure location is at the slope south of facility and indicates that, in that location, the power density from the facility is 15% of the MPE. The RF emissions of the wireless communications facility comply with FCC standards.

Zone District Consistency

The subject property is a parcel of approximately 1.5 acres and is located in the RA (Residential Agriculture) zone district.

As per County Code Section 13.10.661(c), the RA zone district is a 'Restricted Area' within which new, non co-located wireless communication facilities are discouraged; however, the County Code allows for exceptions to the restriction with evidence of the following:

1) That the proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network, and

2) That there are no viable, technically feasible, and environmentally equivalent or superior potential alternatives outside of restricted or prohibited areas identified in the County Code that could eliminate or substantially reduce said significant gaps.

An Alternatives Analysis (EXHIBIT G) was submitted by the applicant, which indicates that due to the high elevation of the parcel and excellent line of sight at the facility, the Skyward site provides a significant area of coverage east and west of the site, on both sides of Highway One, and at relatively distant locations including portions of Capitola and Santa Cruz. As opposed to other surrounding potential sites, the analysis deems the proposed site as the technically and environmentally superior option in that it is estimated that it would require a combination of eleven cell sites to replicate the coverage that the proposed site provides. Of those eleven sites, two would be potential co-locations, three would require equipment upgrades, and six would be new wireless communication facilities.

EXHIBIT K

The County Code strongly supports co-locations as the environmentally superior option given the minimal disturbance associated with installation at an existing facility. Staff is able to support the location of a wireless communication facility at the proposed Skyward site given that portions of the facility were permitted by a building permit in 1992 and by a discretionary permit in 1998 and that there is no one site or combination of sites in the surrounding area which provides comparable coverage and would have less environmental disturbance.

Setbacks/Visual Impacts

The subject wireless communications site meets all of the required site standards for the RA zone district as shown in the following table:

	Required as per 13.10.323, RA zone district	Proposed
Front Yard	40'	45' (from right of way)
Side Yard	20' & 20'	47' & 45'
Rear Yard	20'	>20'

A recent site visit confirmed that the facility is visible from the private road and from adjacent residential parcels to the south and southeast of the site (EXHIBIT H). The adjacent parcel to the south has the greatest visual impact, in that the residence is located directly at the end of the driveway which accesses the facility. In addition, although the monopole and antenna are adequately buffered from view, the equipment shed is clearly visible from the private road and from the adjacent residences on the cul-de-sac to the southeast and east. Conditions of approval are included which require the applicant to submit detailed landscape plans for approval by planning staff prior to building permit issuance. The landscape plans must show the planting of a vegetative buffer between the equipment shelter and the existing retaining wall/fence at the south side of the facility to buffer the view of the facility from the adjacent residence to the south, and the planting of additional trees at the east side of the facility adjacent to the private road to buffer the view of the facility from the road and residences to the east. Therefore, the facility complies with County Code Section 13.10.663(a)(9) for visual buffering and staff recommends that the Zoning Administrator waive additional visual setback requirements.

Noise

There are two air conditioning/condensing units that are currently located on the east wall of the equipment shelter. An Acoustical Evaluation and Survey and Analysis of Future Conditions, prepared by Wilson Ihrig & Associates, dated 9/15/10 (EXHIBIT I) was submitted by the applicant to provide noise measurements from the existing facility and an analysis of future conditions resulting from the proposed noise baffling mitigations. The report indicates that although noise from the air conditioning units is clearly audible from all four surrounding parcels at the cul-de-sac, the ambient noise level (including refrigeration equipment noise) is well below the maximum of 60 Ldn allowable by the County Noise Ordinance. Additionally, the maximum hourly average noise level (Leq) allowed by the County General Plan is 40 dBA for stationary sources and the existing refrigeration equipment produces approximately 32 dBA.

EXHIBIT E

Although the report indicates that the existing facility meets the requirements of the Noise Ordinance in the County General Plan, the neighbors have identified mechanical noise as a nuisance. Therefore, the applicant is proposing to move the air conditioning units to the west wall (rear) of the equipment shelter and to enclose the units with solid fencing and sound absorptive panels at the locations of the air conditions units (as per the recommendations of the acoustical report) to mitigate exterior noise impacts. With the proposed and recommended mitigations described above, the project acoustic engineer estimates that the worst-case level of noise to be expected when both units run simultaneously will be 24 dBA, which is below the lowest level of ambient environmental noise observed during the quietest times of the day.

A generator is required to maintain power at the site during a power failure. Although there may be additional noise impacts as a result of the generator, the noise impacts will be temporary, in that the generator will only operate during the length of the power failure. A generator shall not remain on-site, rather a plug is proposed to be located at the south wall of the equipment shelter and a generator will be brought on-site only during a power outage and will be removed thereafter.

Road Maintenance/Access

The site plan (EXHIBIT A) indicates that there is an existing 40' wide right of way easement over parcel 040-271-58 which was deeded to parcel 040-271-62 in 1979 for access; however, a portion of the driveway which accesses the wireless facility is not located within the deeded right of way. Therefore, conditions of approval require that the applicant and/or property owner show the location of an easement over parcel 040-271-58 on the building permit plans and submit a copy of the recorded easement for Planning Department review and approval prior to building permit issuance.

Public testimony provided for the provider's 2008 application included neighbor concerns regarding road maintenance. The road which accesses the facility is a private road that is maintained with the funds from a Road Association. Comments received from neighbors indicate that the property owner may not be a party to the Road Association and further, that the property owner should be required to contribute additional funds, beyond regular dues, to the Association due to the increased impacts as resulting from commercial truck traffic.

The applicant indicated that the cellular site requires a monthly visit from a technician for regular maintenance. Staff does not support that a maintenance truck accessing the parcel once per month will increase pavement wear and tear beyond that of regular daily residential traffic. Further, Road Association agreements on private roads are not usually enforced or regulated by the County; therefore, conditions of approval are included which restrict maintenance vehicles associated with the facility to one visit per month and staff does not recommend further action by the Zoning Administrator.

Conclusion

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

EXHIBIT K

Wireless Communication Facility Use Permit Findings

1. The development of the proposed wireless communications facility as conditioned will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan/LCP Sections 5.1, 5.10, and 8.6.6.), and/or other significant County resources, including agricultural, open space, and community character resources; or there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed wireless communications facility as conditioned (including alternative locations and/or designs) with less visual and/or other resource impacts and the proposed facility has been modified by condition and/or project design to minimize and mitigate its visual and other resource impacts.

This finding can be made in that the subject property is not located within a scenic corridor, as designated in the County General Plan, is not mapped for biotic agricultural resources, and does not contain evident environmentally sensitive habitats that would be adversely affected by the facility. Landscaping would be required as a condition of approval of the project and would require the applicant to plant landscape buffers at the south and east sides of the property to buffer the view of the facility and specifically, the equipment shelter, from neighboring residences and the private road. An Alternative Analysis was submitted by the applicant, which indicates that the coverage provided in the subject location is equivalent to that of 11 individual sites, six of which would be new sites; therefore, the proposed single site is the most technically feasible and environmentally superior to the available alternatives.

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

This finding can be made in that the subject parcel is zoned Residential Agriculture (RA) which is a restricted area as set forth by the County Code, however the applicant submitted an Alternatives Analysis which concludes that there are no environmentally equivalent or superior and technically feasible alternative sites available. The report indicates that due to the elevation of the site and excellent line of sight, the Skyward site provides a significant area of coverage east and west of the site, on both sides of Highway One, and at relatively distant locations including portions of Capitola and Santa Cruz. As opposed to other surrounding potential sites, the analysis deems the proposed site as the technically and environmentally superior option in that it is estimated that it would require a combination of eleven cell sites to replicate the coverage that the proposed site provides. Of those eleven sites, two would be potential co-locations, three would require equipment upgrades, and six would be new wireless communication facilities and only three of those eleven sites are not located in a prohibited or restricted zone district.

3. The subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this title (County Code 13.10.660) and that all zoning

violation abatement costs, if any, have been paid.

This finding can be made in that the existing wireless communication facility is an allowed use in the RA (Residential Agriculture) zone district and Rural Residential (R-R) General Plan designation with the Alternatives Analysis which indicates that, as opposed to potential alternative locations, the subject parcel is the most technically feasible and environmentally superior location. Approval of this application will resolve the existing code violation and all violation abatement costs will be paid.

4. The proposed wireless communication facility as conditioned will not create a hazard for aircraft in flight.

This finding can be made in that the wireless communications facility is located on an approximately 48' tall monopole and this elevation is too low to interfere with an aircraft in flight.

5. The proposed wireless communication facility as conditioned is in compliance with all FCC and California PUC standards and requirements.

This finding can be made in that the maximum power density generated by the existing and proposed antennas is anticipated to be approximately 15% of the FCC's general public limit at the area of greatest exposure and is approximately 0.25% of the FCC's general public limit at surrounding residences; therefore, the RF emissions of the wireless communications facility comply with FCC standards.

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

The site is not located within the coastal zone; therefore, this finding is not applicable.

EXHIBIT B

Development Permit Findings

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

This finding can be made in that the maximum power density generated by the existing antennas is approximately 15 percent of the FCC's general public limit at the location of greatest exposure and approximately 0.25 percent at surrounding residences. Therefore, the RF emissions of the wireless communications facility comply with FCC standards.

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

The project will not be materially injurious to properties or improvements in the vicinity in that the monopole and equipment shelter will be required to be buffered from view of surrounding residences and the private road as a result of the approval in order to reduce visual impacts.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

The wireless communication facility is located within the RA (Residential Agriculture) zone district, which is a restricted zone district as per the County Code's Wireless Ordinance; however, an alternatives analysis indicates that based on the site's elevation and excellent line of sight, the subject site is the most technically viable and environmentally superior location for a cellular communications facility. A combination of eleven alternative sites would be required to achieve the coverage provided by the subject parcel, six of which would require construction on parcels designated as Prohibited or Restricted by the County Wireless Ordinance and only two of which would be potential co-locations. Therefore, this finding can be made.

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

This finding can be made in that the resulting wireless communication facility will not be visually intrusive as a result of required landscaping and vegetative buffering and is the least environmentally intrusive option due to the fact that eleven individual sites would be required to achieve the equivalent coverage provided at the subject property and six of those site would require the construction of new facilities which would create a greater environmental impact than locating at the one subject site.

The existing wireless communications facility is consistent with the uses specified for the Rural

EXHIBIT F
EXHIBIT B

Residential (R-R) land use designation in the County General Plan.

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

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

This finding can be made in that the project will not require the use of public services such as water or sewer and all electric power and telephone connections currently exist. The facility requires inspection by maintenance personnel once per month and this does not result in an increase in traffic that is unacceptable for the surrounding street network.

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

This finding can be made in that the facility will be comprised of a wood monopole with two panel antennas which is adequately buffered from view of the private road and adjacent residences by existing vegetation and the panel antennas to be located on the south facing deck of the existing single family dwelling are not visible from the private road. With the requirements for buffering landscaping, the project is compatible with the existing rural residential nature of developments on the subject and surrounding properties.

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

This finding can be made, in that conditions will require that the facility is adequately buffered from view of surrounding residences and the private road.

EXHIBIT H

EXHIBIT B

Conditions of Approval

Exhibit A: Project Plans, 7 sheets, prepared by JRA (Jeffrey Rome & Associates, Inc.), dated 10/18/10 and 10/26/10 (final revision dates).

I. This permit recognizes the existing wireless communications facility including an approximately 48' tall monopole with one panel antenna, a 207 square foot equipment enclosure and three panel antennas installed on the deck of the existing single family dwelling. This permit also authorizes the following:

A. Replacement of three existing panel antennas with three new panel antennas and two Remote Radio Units (RRU's) on the deck of the single family dwelling;
B. Installation of one additional panel antenna on the monopole;
C. Installation of two Remote Radio Units (RRU's) at the base of the monopole;
D. Installation of three equipment cabinets, two RRU's, and two fan coils within the equipment shelter.

This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

E. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.

F. Within one year of the effective date of this permit, obtain a Building Permit from the Santa Cruz County Building Official for all existing equipment on-site exclusive of the 3 panel antennas mounted on the single family dwelling, the equipment shelter and the air conditioning unit which were permitted by building permit 102527. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

G. Obtain a building permit for all proposed new equipment. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

H. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

I. Obtain a grading permit, if required.

J. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.

EXHIBIT C

EXHIBIT C

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following:

1. Details showing compliance with fire department requirements.

2. Detailed grading plans.

3. Compliance with all recommendations of the Acoustic Evaluation and Survey and Analysis of Future Conditions including fencing construction and design and sound baffling panels.

4. Plans shall show the location of an easement over the portion of the driveway which accesses the wireless communications facility which is currently located on APN 040-271-58. A recorded copy of this right of way easement will be required prior to building permit issuance.

5. A detailed landscape plan that includes the planting of native species trees at the south and west sides of the facility to buffer the view of the facility. The plan shall show the replacement of any trees that have died or been removed with a native species and shall show an adequate number of 15 – 25 gallon trees to be planted. The applicant shall submit a 5 year maintenance plans that includes the replacement of any trees that die within that period.

B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.

C. Meet all requirements of and pay all required drainage fees to the County Department of Public Works, Stormwater Management.

D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

E. Submit 3 copies of a soils report completed by a California licensed geotechnical engineer for review and approval.

F. Provide required off-street parking for one maintenance vehicle. Parking spaces

EXHIBIT C

must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.

G. Provide a copy of a recorded right of way easement over parcel 040-271-58 for the portion of the access driveway that is outside of the existing 40 foot right of way.

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

A. All site improvements shown on the final approved Building Permit plans shall be installed and shall be in substantial compliance with the approved visual simulation.

B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations of the approved soils reports.

D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

A. NIER Report: A report documenting Non-Ionizing Electromagnetic Radiation at the facility site shall be submitted within ninety (90) days after the commencement of normal operations, or within ninety (90) days after any major modification to power output of the facility.

B. Maintenance: Regular maintenance visits are restricted to one visit per month between the hours of 8:30 a.m. and 5:00 p.m. Only one maintenance vehicle may access the site during a maintenance visit.

C. Construction Hours: All activities associated with construction and installation of new equipment at the site, as permitted by this permit, shall be limited to Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.

D. Additional Facilities: A Planning Department review that includes a public hearing shall be required for any future co-location at this wireless communications facility.

EXHIBIT C

E. Equipment Modifications: Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.

F. Buffering: The required landscape buffers shall be permanently maintained in good condition in order to continue to meet the objective of buffering the facility from the private road and surrounding residences.

G. Noise: All noise generated from the approved use shall comply with the requirements of the General Plan. Sound baffling techniques shall be maintained in perpetuity. The generator shall run only during the length of an electric power outage or as necessary to maintain communication. Once electricity is restored, the generator shall be turned off as soon as possible.

H. Lighting: All site, building, security and landscape lighting shall be directed away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.

I. Future Technologies: If future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees through accepting the terms of this permit to make those modifications which would allow for reduced visual impact of the proposed facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding vegetation.

J. Future Studies: If, as a result of future scientific studies and alterations of industry-wide standards resulting from those studies, substantial evidence is presented to Santa Cruz County that radio frequency transmissions may pose a hazard to human health and/or safety, the Santa Cruz County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the conditions of this permit.

K. Transfer of Ownership: In the event that the original permittee sells its interest in the permitted wireless communications facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval, including proof of liability insurance. Within 30-days of a transfer of ownership, the succeeding carrier shall provide a new contact name to the Planning Department.

L. Noncompliance: In the event that future County inspections of the subject

property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

EXHIBIT B

EXHIBIT C

Please note:

1. **This permit expires one year from the effective date listed below unless a building permit (or permits) is obtained for the existing unpermitted portions of the facility and equipment on site.**

2. **This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structures described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP Deputy Zoning Administrator	Samantha Haschert Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

EXHIBIT C

at&t

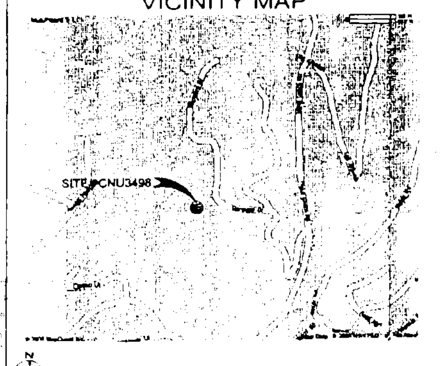
CNU3498/JACKSON OVERLAY
685 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

SPECIAL INSPECTIONS

1 CONCRETE
2 BOLTS INSTALLED IN CONCRETE
3 CONCRETE MOMENT-RESISTING SPACE FRAME
4 REINFORCING STEEL AND PRESTRESSING STEEL
5.1 ALL STRUCTURAL WELDING
5.2 WELD TESTING DUCTILE MOMENT-RESISTING STEEL FRAME
5.3 WELDING REINFORCING STEEL
6 HIGH-STRENGTH BOLTING
7 STRUCTURAL MASONRY
8 REINFORCED GYPSUM CONCRETE
9 INSULATING CONCRETE FILL
10 SPRAY-APPLIED FIREPROOFING
11 DEEP FOUNDATIONS (PILING, DRILLED & CAISSONS)
12 SHOTCRETE
13.1 VERIFY SOIL CONDITIONS ARE SUBSTANTIALLY IN CONFORMANCE WITH THE SOIL INVESTIGATION REPORT
13.2 VERIFY THAT FOUNDATION EXCAVATIONS EXTEND TO PROPER DEPTH AND BEARING STRATA
13.3 PROVIDE SOIL COMPACTION TEST RESULTS, DEPTH OF FILL, RELATIVE DENSITY, BEARING VALUES
13.4 PROVIDE SOIL EXPANSION TEST RESULTS, EXPANSION INDEX, RECOMMENDATIONS FOR FOUNDATIONS, ON-GRADE FLOOR SLAB DESIGN FOR EACH BUILDING SITE
14 SMOKE CONTROL SYSTEM
15 SPECIAL CASES (DESCRIBE)
16 OFF-SITE FABRICATION OF BUILDING COMPONENTS
17 OTHER SPECIAL INSPECTIONS AS REQUIRED BY DESIGNER

NO.	DESCRIPTION OF TYPE OF INSPECTION REQUIRED, LOCATION, REMARKS

VICINITY MAP



CITY OF APTOS

CONSULTANT TEAM

CLIENTS REPRESENTATIVE:

ERICSSON INC.
6160 STONERIDGE MALL ROAD
SUITE 400
PLEASANTON, CALIFORNIA 94588

SITE ACQUISITION AND PLANNING:
LEAH HERNIKL
PHONE: (408) 799-1187

ARCHITECT:

JEFFREY ROME & ASSOCIATES
1 SAN JOAQUIN PLAZA
SUITE: 250
NEWPORT BEACH, CALIFORNIA 92660
PHONE: (949) 760-3929
CELLULAR: (702) 324-4338
FAX: (949) 760-3931
CONTACT: ROBIN NELSON

DEVELOPMENT SUMMARY

APPLICANT:	AT&T MOBILITY 4430 ROSEWOOD DRIVE PLEASANTON, CALIFORNIA 94588
OWNER:	TM & CAMILLE WASHOBICH 685 SKYWARD DRIVE APTOS, CALIFORNIA 95003 PHONE: (831) 430-4696
TOWER OWNER:	N/A
OTHER ON-SITE TELECOM FACILITIES:	NO
PROJECT ADDRESS:	685 SKYWARD DRIVE APTOS, CALIFORNIA 95003
ASSESSORS PARCEL NUMBER:	040-271-62
LATITUDE:	36.98570
LONGITUDE:	-121.88900
LAT/LONG TYPE:	NAD-83
EXISTING ZONING:	TBD
PROPOSED PROJECT AREA:	NO INCREASE IN S.F.
EXISTING TYPE OF CONSTRUCTION:	TYPE V-B
PROPOSED TYPE OF CONSTRUCTION:	TYPE V-B
EXISTING OCCUPANCY:	U-2
PROPOSED OCCUPANCY:	U-2
JURISDICTION:	SANTA CRUZ COUNTY

PROJECT DESCRIPTION

AT&T MOBILITY PROPOSES TO CONSTRUCT, OPERATE AND MAINTAIN AN UNMANNED WIRELESS COMMUNICATIONS FACILITY. THIS FACILITY WILL CONSIST OF THE FOLLOWING:

- REMOVE (1) (E) WALL MOUNTED UNIT & (1) (E) GROUND MOUNTED CONDENSING UNIT
- INSTALL (2) (N) GROUND MOUNTED HVAC UNITS ON (N) CONCRETE PAD.
- INSTALL (N) WOODEN FENCE AROUND (N) HVAC EQUIPMENT. FENCE TO MATCH (E) WOODEN FENCE.
- INSTALL (3) (N) AT&T ANTENNAS TO REPLACE (E).
- SWAP (1) AND ADD (1) (N) ANTENNA ON (E) WOOD POLE.
- INSTALL (2) (N) FIBER AND (2) (N) POWER RUNS INSIDE (E) UNDERGROUND CONDUIT
- INSTALL (1) (N) 3206 UNITS CABINET IN SHELTER.
- INSTALL (2) (N) MCPA'S FOR GSM IN SHELTER.
- INSTALL (4) (N) 7/8" COAX ON WOOD POLE FOR LTE.
- INSTALL (4) (N) TMA'S ON WOOD POLE FOR LTE, AND (2) (N) TMA'S FOR UMTS. (1) ON (E) WOOD POLE, (1) ON (E) HOUSE.
- INSTALL (1) LTE RBS 6601 MU MOUNTED WITHIN (E) DATA RACK.

SHEET INDEX

APPLICABLE CODES

ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES:

2007 CALIFORNIA BUILDING CODE AND LOCAL AMENDMENTS
2007 CALIFORNIA MECHANICAL CODE AND LOCAL AMENDMENTS
2007 NATIONAL ELECTRIC CODE AND LOCAL AMENDMENTS
2007 UNIFORM PLUMBING CODE AND LOCAL AMENDMENTS

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL.

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNOCCUPIED WIRELESS PCS TELECOMMUNICATIONS FACILITY AND IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

SCALE

THE DRAWING SCALES SHOWN IN THIS SET REPRESENT THE CORRECT SCALE ONLY WHEN THESE DRAWINGS ARE PRINTED IN A 24"X36" FORMAT. IF THIS DRAWING SET IS NOT 24"X36", THIS SET IS NOT TO SCALE.

JRA
Jeffrey Rome & Associates, Inc.
Arizona • California • Nevada
Arizona: (602) 388-5579
California: (949) 760-3929
Nevada: (702) 785-0059

at&t
4430 Rosewood Drive
Pleasanton, California 94588

APPROVALS

R.F.	DATE
ZONING	DATE
CONSTRUCTION	DATE
SITE ACQUISITION	DATE
OWNER APPROVAL	DATE

PROJECT NAME
AT&T UMTS OVERLAY
SITE NAME
JACKSON OVERLAY
SITE NUMBER
CNU3498
685 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

08/05/10	HVAC RELO (P1-B5)
09/14/10	95% CD REVIEW (P1-B6)
09/22/10	97% CD REVIEW (P1-B7)
09/27/10	98% CD REVIEW (P1-B8)
10/18/10	100% FINAL ZD's (P2)

RFDS REVISION LEVEL 4.4

A.P.N: 040-271-62

SHEET TITLE

TITLE SHEET

T-1

EXHIBIT B
EXHIBIT A

GENERAL SPECIFICATIONS

1. THE LATEST EDITION OF THE AMERICAN INSTITUTE OF ARCHITECTS DOCUMENT A201 "GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION" ARE INCLUDED IN THESE SPECIFICATIONS AS IF COMPLETELY REPRODUCED HEREIN.

2. THIS FACILITY IS AN UNOCCUPIED PCS TELECOMMUNICATIONS SITE AND IS EXEMPT FROM DISABLED ACCESS REQUIREMENTS.

3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS PARTICIPATING SHALL VISIT THE JOB SITE AND FAMILIARIZE THEMSELVES WITH ALL FIELD CONDITIONS AFFECTING THE PROPOSED PROJECT INCLUDING DEMOLITION, ELECTRICAL, MECHANICAL AND STRUCTURAL INSTALLATIONS, AS WELL AS WITH THE CONSTRUCTION AND CONTRACT DOCUMENTS AND SHALL CONFIRM THAT THE PROJECT CAN BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. SHOULD ANY ERRORS, OMISSION, OR DISCREPANCIES BE FOUND, THE GENERAL CONTRACTOR SHALL IMMEDIATELY NOTIFY AT&T MOBILITY CONSTRUCTION MANAGER AND THE ARCHITECT IN WRITING. IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL INCLUDE THE MORE COSTLY OR EXTENSIVE WORK IN THE BID, UNLESS SPECIFICALLY DIRECTED OTHERWISE. IF A DISCREPANCY EXISTS AND THE PROJECT MANAGER AND ARCHITECT ARE NOT NOTIFIED, THE GENERAL CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ALL COSTS INCURRED TO REPAIR OR CORRECT ALL PROBLEMS THAT RESULT.

4. DRAWINGS SHALL NOT BE SCALED. THESE DRAWINGS ARE INTENDED TO BE DIAGRAMMATIC ONLY. FIGURED DIMENSIONS HAVE PRECEDENCE OVER DRAWING SCALE AND DETAIL DRAWINGS HAVE PRECEDENCE OVER SMALL SCALE DRAWINGS. CONTRACTOR SHALL CHECK ACCURACY OF ALL DIMENSIONS IN THE FIELD. UNLESS SPECIFICALLY NOTED, DO NOT FABRICATE ANY MATERIALS, OR BEGIN ANY CONSTRUCTION UNTIL THE ACCURACY OF DRAWING DIMENSIONS HAS BEEN VERIFIED AGAINST ACTUAL FIELD DIMENSIONS.

5. THE CONTRACTOR SHALL INCLUDE IN HIS OR HER BID ALL MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE THE WORK AS INDICATED OR IMPLIED BY THESE DRAWINGS.

6. CONTRACTOR SHALL NOTIFY THE AT&T MOBILITY CONSTRUCTION MANAGER, THE PROPERTY OWNER AND THE ARCHITECT IF ANY DETAILS ARE CONSIDERED IMPRACTICAL, UNSUITABLE, UNSAFE, NOT WATERPROOF, OR NOT WITHIN CUSTOMARY TRADE PRACTICE. IF WORK IS PERFORMED, IT WILL BE ASSUMED THAT THERE IS NO OBJECTION TO ANY DETAIL. DETAILS ARE INTENDED TO SHOW THE END RESULT OF THE DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB CONDITIONS, AND SHALL BE INCLUDED AS PART OF THE WORK.

7. EXISTING ELEVATIONS AND LOCATIONS TO BE JOINED SHALL BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION. IF THEY DIFFER FROM THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE AT&T MOBILITY CONSTRUCTION MANAGER AND THE ARCHITECT SO THAT MODIFICATIONS CAN BE MADE BEFORE PROCEEDING WITH THE WORK.

8. THE CONTRACTOR SHALL VERIFY ALL TELEPHONE & RADIO EQUIPMENT LAYOUTS, SPECIFICATIONS, PERFORMANCE, INSTALLATION AND FINAL LOCATIONS WITH AT&T MOBILITY CONSTRUCTION MANAGER PRIOR TO BEGINNING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS WORK WITH ERICSSON RADIO SYSTEMS.

9. ALL SYMBOLS & ABBREVIATIONS USED ON THE DRAWINGS ARE CONSIDERED CONSTRUCTION STANDARDS. IF THE CONTRACTOR HAS QUESTIONS REGARDING THEIR EXACT MEANING, THE AT&T MOBILITY CONSTRUCTION MANAGER AND THE ARCHITECT SHALL BE NOTIFIED FOR CLARIFICATION BEFORE THE CONTRACTOR PROCEEDS WITH THE WORK.

10. THE CONTRACTOR SHALL OBTAIN AND PAY FOR PERMITS, LICENSES AND INSPECTIONS NECESSARY FOR PERFORMANCE OF THE WORK AND INCLUDE THOSE IN THE COST OF THE WORK TO AT&T MOBILITY.

11. THE CONTRACTOR SHALL PROVIDE CONTINUOUS SUPERVISION WHILE ANY SUBCONTRACTORS OR WORKMEN ARE IN THE SITE AND SHALL SUPERVISE AND DIRECT ALL WORK, USING HIS BEST SKILL AND ATTENTION. HE SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES AND SEQUENCES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

12. WORKMANSHIP THROUGHOUT SHALL BE OF THE BEST QUALITY OF THE TRADE INVOLVED, AND SHALL MEET OR EXCEED THE FOLLOWING MINIMUM REFERENCE STANDARDS FOR QUALITY AND PROFESSIONAL CONSTRUCTION PRACTICE:

NRCA — NATIONAL ROOFING CONTRACTORS ASSOCIATION, O'HARE INTERNATIONAL CENTER, 10255 W. HIGGINS ROAD, SUITE 600, ROSEMONT, IL 60018

SMACNA — SHEET METAL AND AIR CONDITIONING CONTRACTORS NATIONAL ASSOCIATION, 4201 LAFAYETTE CENTER DRIVE, CHATILLY, VA 22021-1209

TLP — INTERNATIONAL INSTITUTE FOR LATH AND PLASTER, 820 TRANSFER ROAD, ST. PAUL, MN 55114-1406

13. INSTALL ALL EQUIPMENT AND MATERIALS PER THE LATEST EDITION OF THE MANUFACTURER'S INSTALLATION SPECIFICATIONS UNLESS SPECIFICALLY OTHERWISE INDICATED, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.

14. THE CONTRACTOR SHALL VERIFY, COORDINATE, AND PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGARS OR OTHER SUPPORTS FOR ALL ITEMS REQUIRING THE SAME.

15. THE CONTRACTOR AND ALL SUBCONTRACTORS SHALL GIVE ALL NOTICES AND SHALL COMPLY WITH ALL APPLICABLE LOCAL CODES, REGULATIONS, LAWS AND ORDINANCES AS WELL AS STATE DEPARTMENT OF INDUSTRIAL REGULATIONS AND DIVISION OF INDUSTRIAL SAFETY (OSHA) REQUIREMENTS.

16. THE CONTRACTOR SHALL PROTECT THE PROPERTY OWNERS, AND AT&T MOBILITY PROPERTY FROM DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION. ANY DAMAGE TO NEW AND EXISTING FINISHES, CONSTRUCTION, STRUCTURE, LANDSCAPING, CURBS, STAIRS, OR EQUIPMENT, ETC. SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO THE SATISFACTION OF AT&T MOBILITY, AND THE PROPERTY OWNER'S REPRESENTATIVE, AT THE EXPENSE OF THE CONTRACTOR.

17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR, AND SHALL REPLACE OR REMEDY, ANY FAULTY, IMPROPER, OR INFERIOR MATERIALS OR WORKMANSHIP OR ANY DAMAGE WHICH SHALL APPEAR WITHIN ONE YEAR AFTER THE COMPLETION AND ACCEPTANCE OF THE WORK BY AT&T MOBILITY UNDER THIS CONTRACT.

18. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, OR CONTACT AN OUTSIDE AGENCY TO LOCATE ALL EXISTING UTILITIES, WHETHER SHOWN HEREIN OR NOT, AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSES FOR THE REPAIR OR REPLACEMENT OF UTILITIES OR OTHER PROPERTY DAMAGED IN CONJUNCTION WITH THE EXECUTION OF WORK.

19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE PROJECT SITE WHILE THE JOB IS IN PROGRESS AND UNTIL THE JOB IS COMPLETED AND ACCEPTED BY AT&T MOBILITY.

20. THE CONTRACTOR SHALL PROVIDE TEMPORARY WATER, POWER AND TOILET FACILITIES AS REQUIRED BY THE PROPERTY OWNER, AT&T MOBILITY, AND THE CITY OR GOVERNING AGENCY.

21. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REDLINING THE CONSTRUCTION DOCUMENTS TO ILLUSTRATE THE AS-BUILT CONDITION OF THE SITE. THIS SHALL BE DONE AFTER THE SITE HAS BEEN AWARDED FINAL INSPECTION BY THE RESPONSIBLE BUILDING AGENCY. ONE SET OF REDLINED DRAWINGS SHALL BE PROVIDED TO THE AT&T MOBILITY CONSTRUCTION MANAGER.

22. THE LATEST EDITION OF ALL PERMITTED AND APPROVED PLANS PERTAINING TO THIS PROJECT SHALL BE KEPT IN A PLAN BOX AND SHALL NOT BE USED BY WORKERS. ALL CONSTRUCTION SETS SHALL REFLECT THE SAME INFORMATION. THE CONTRACTOR SHALL ALSO MAINTAIN IN GOOD CONDITION, ONE COMPLETE SET OF PLANS WITH ALL REVISIONS, ADDENDA AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES. THESE ARE TO BE UNDER THE CARE OF THE JOB SUPERINTENDENT.

23. THE CONTRACTOR SHALL REMOVE ALL RUBBISH AND WASTE MATERIALS ON A DAILY BASIS, EXCEPT FOR THAT SPECIFIED AS REMAINING THE PROPERTY OF THE BUILDING OR PROPERTY OWNER AND SHALL EXERCISE STRICT CONTROL OVER JOB CLEANING THROUGHOUT CONSTRUCTION, INCLUDING FINAL CLEAN-UP UPON COMPLETION OF WORK. ALL AREAS ARE TO BE LEFT IN A BROOM CLEAN CONDITION AT THE END OF EACH DAY AND VACUUM CLEAN CONDITION, FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE AT COMPLETION OF WORK.

24. THE GENERAL CONTRACTOR MUST PERFORM WORK DURING PROPERTY OWNER'S PREFERRED HOURS TO AVOID DISRUPTION OF NORMAL ACTIVITY.

25. ALL EXPOSED METAL SHALL BE HOT-DIPPED GALVANIZED.

26. SEAL ALL PENETRATIONS THROUGH FIRE-RATED AREAS WITH U.L. LISTED OR FIRE MARSHALL APPROVED MATERIALS IF AND WHERE APPLICABLE TO THIS FACILITY AND PROJECT SITE.

27. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE PROJECT AREA CONSTRUCTION.

28. ELECTRICAL POWER SYSTEM SHALL BE GROUNDED PER NEC ARTICLES 250 AND 810.

29. ALL NEW OPENINGS IN THE EXTERIOR ENVELOPE OF CONDITIONED SPACES SUCH AS AT WALL AND ROOF PENETRATIONS SHALL BE CAULKED OR SEALED TO LIMIT INFILTRATION OF AIR AND MOISTURE.

30. UPON COMPLETION OF CONSTRUCTION, AT&T MOBILITY CONSTRUCTION MANAGER SHALL CONDUCT A WALK-THRU WITH PROPERTY OWNER OR REPRESENTATIVE OF PROPERTY OWNER.

31. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL SYSTEM EQUIPMENT IN A CLEAN WORKING ORDER UNTIL ACCEPTANCE OF THE PROJECT BY AT&T MOBILITY.

32. INSTALL ALL EQUIPMENT AND MATERIALS PER THE LATEST EDITION OF THE MANUFACTURER'S INSTALLATION SPECIFICATIONS UNLESS SPECIFICALLY OTHERWISE INDICATED, OR WHERE LOCAL CODES OR REGULATION TAKE PRECEDENCE.

ROOFING & WATERPROOFING NOTES

1. CONTRACTOR SHALL CONTACT BUILDING OWNER TO DETERMINE IF ROOF IS UNDER WARRANTY. CONTRACTOR SHALL GUARANTEE THAT ANY AND ALL NEW ROOFING WORK MEETS THE SPECIFICATION OF ANY EXISTING ROOFING WARRANTIES SUCH THAT THE WARRANTY IS NOT MADE INVALID AS A RESULT OF THIS WORK. IF IT IS DETERMINED THAT THE ARCHITECT'S DETAILING IS INADEQUATE OR IMPROPER OR IF ANY OTHER DISCREPANCY IS FOUND, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT AND THE AT&T MOBILITY PROJECT MANAGER IN WRITING. ULTIMATELY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH THE ORIGINAL ROOF MANUFACTURER'S SPECIFICATIONS.

2. CONTRACTOR SHALL USE METHODS AND MATERIALS SIMILAR AND COMPATIBLE WITH EXISTING MATERIALS & CONDITIONS FOR ROOF PATCHING, NEW PENETRATIONS, ETC.

3. THE CONTRACTOR SHALL PROPERLY SEAL ALL NEW ROOF & BUILDING ENVELOPE PENETRATIONS SUCH THAT THE INTEGRITY OF THE ORIGINAL BUILDING ASSEMBLY AND ALL APPLICABLE WARRANTIES ARE MAINTAINED.

4. IF IT DEEMED NECESSARY TO REMOVE EXISTING FINISHES AND/OR MATERIALS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECONSTRUCTING FINISHES AND MATERIALS TO LIKE-NEW CONDITION. CONTRACTOR SHALL MAINTAIN THE ORIGINAL COLORS, TEXTURES & FINISHES UNLESS SPECIFICALLY NOTED TO THE CONTRARY OR APPROVED BY THE AT&T MOBILITY CONSTRUCTION MANAGER IN ADVANCE.

5. AT THE AT&T MOBILITY CONSTRUCTION MANAGER'S DIRECTION, THE CONTRACTOR SHALL PROVIDE ROOFTOP WALKPADS TO ALL NEW EQUIPMENT INCLUDING ANTENNAS AND BTS UNITS AND ALONG COAX CABLE ROUTING, ON CONVENTIONAL ROOFING. THE WALK PADS SHALL BE "DUCK BOARDS" AS MANUFACTURED BY APC OR EQUAL. ON SPECIAL ROOFING SYSTEMS SUCH AS SINGLE MEMBRANE ROOFS WILL REQUIRE A SPECIFIC PRODUCT AS NOTED ON PLANS OR AS REQUIRED BY NOTES 1 & 2 ABOVE.

PENETRATION AT FIRE RATED ASSEMBLIES

1. AT THE AT&T MOBILITY PROJECT MANAGER'S DIRECTION, THE CONTRACTOR SHALL PROVIDE "HILTI" HIGH PERFORMANCE FIRESTOP SYSTEM #FS601 AT ALL FIRE RATED PENETRATIONS INSTALLED PER MANUFACTURER'S LATEST INSTALLATION SPECIFICATIONS.

2. ALL PENETRATIONS THROUGH FIRE RATED ASSEMBLIES SHALL BE CONSTRUCTED SO AS TO MAINTAIN AN EQUAL OR GREATER FIRE RATING.

PAINTING NOTES & SPECIFICATIONS

A. GENERAL

1. ALL PAINT PRODUCT LINES SHALL BE SHERWIN WILLIAMS UNLESS SPECIFICALLY NOTED OTHERWISE.
2. CONTRACTOR SHALL PREPARE ALL SURFACES AND APPLY ALL FINISHES PER LATEST EDITION OF MANUFACTURER'S SPECIFICATIONS.
3. COMPLY WITH MANUFACTURER'S WRITTEN INSTRUCTIONS REGARDING SUFFICIENT DRYING TIME BETWEEN COATS WITH PROVISIONS AS RECOMMENDED BY MANUFACTURER FOR EXISTING WEATHER CONDITIONS.
4. FINISH COLOR AND TEXTURE OF ALL PAINTED SURFACES SHALL MATCH EXISTING ADJACENT SURFACES UNLESS OTHERWISE NOTED.
5. ALL PAINT MATERIAL DATA SHEETS SHALL BE PROVIDED TO THE AT&T MOBILITY CONSTRUCTION MANAGER.
6. PREPARE PREVIOUSLY PAINTED SURFACE BY LIGHT SANDING WITH 400 GRIT SANDPAPER AND NON-HYDROCARBON WASH. PREPARE GALVANIZED SURFACES BY ACID ETCH OR SOLVENT CLEANING IN ACCORDANCE WITH SSPC-SP1.
7. FURNISH DROP CLOTHES, SHIELDS, MASKING AND PROTECTIVE METHODS TO PREVENT SPRAY OR DROPPINGS FROM DAMAGING ADJACENT SURFACES AND FACILITIES.
8. APPLY PAINT BY AIRLESS SPRAY, SANDING LIGHTLY BETWEEN EACH SUCCEEDING ENAMEL COAT ON FLAT SURFACES. APPLY MATERIAL TO ACHIEVE A COATING NO THINNER THAN THE DRY FILM THICKNESS INDICATED.
9. APPLY BLOCK FILTER TO CONCRETE BLOCK CONSTRUCTION AT A RATE TO ENSURE COMPLETE COVERAGE WITH PORES COMPLETELY FILLED.
10. CONTRACTOR SHALL CORRECT RUNS, SAGS, MISSES AND OTHER DEFECTS INCLUDING INADEQUATE COVERAGE AS DIRECTED BY THE AT&T MOBILITY CONSTRUCTION MANAGER. REPAINT AS NECESSARY TO ACHIEVE SURFACES WHICH ARE SMOOTH, EVENLY COATED WITH UNIFORM SHEEN AND FREE FROM BLEMISHES.

B. PAINTING SCOPE

1. PAINT THE FOLLOWING MATERIALS AND SYSTEMS CHECKED BELOW WITH THE COATING SYSTEM INDICATED.

PAINTING SCOPE				
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

C. COATING SYSTEM SPECIFICATIONS

1. DTM ACRYLIC COATING (SERIES B66) BY SHERWIN WILLIAMS CO. 1 MIL DFT PER COAT APPLIED IN TWO COATS OVER DTM BONDING PRIMER (B66A50).
2. 100% ACRYLIC, LATEX COATING EQUIVALENT TO A-100 (SERIES A-82) BY SHERWIN WILLIAMS CO. 1 MIL DFT PER COAT APPLIED IN TWO COATS OVER SPECIFIED PRIMER.

PAINT & PRIMER

D. ANTENNAS
PRIMER - KEM AQUA E61-W525
TOPCOAT - COROTHANE 1 B65W200/B60V27

BTS CABINET
PRIMER - KEM AQUA E61-W525
TOPCOAT - COROTHANE 1 B65W200/B60V27

COAXIAL JUMPER CABLES
PRIMER - AS REQUIRED FOR ADHESION, APPLY ONE COAT OF KEM AQUA WATER REDUCIBLE PRIMER E61W25 REDUCED 25%
TOPCOAT - 2 COATS COROTHANE 1 POLYURETHANE B65W200/B60V2

RAW STEEL
PRIMER - KEM BOND HS B50WZ4, DMT ACRYLIC PRIMER
TOPCOAT - 2 COATS COROTHANE 1 POLYURETHANE B65W200/B60V2

GALVANIZED METAL
ACID ETCH WITH COMMERCIAL ETCH OR VINEGAR PRIMER COAT AND FINISH COAT (GALVITE HIGH SOLIDS OR DTM PRIMER/FINISH)

STAINLESS STEEL
PRIMER - DTM WASH PRIMER, B71Y1
TOPCOAT - 2 COATS COROTHANE 1 POLYURETHANE B65W200/B60V2

PRE-PRIMED STEEL
TOUCH UP ANY RUST OR UN-PRIMED STEEL WITH KEM BOND HS, S50WZ4

ALUMINUM & COPPER
PRIMER - DTM WASH PRIMER, B71Y1
TOPCOAT - 2 COATS COROTHANE 1 POLYURETHANE B65W200/B60V2

CONCRETE MASONRY
PRIMER - PRO MAR EXTERIOR BLOCK FILLER
TOPCOAT - 2 COATS A-100 LATEX HOUSE & TRIM, SHEEN TO MATCH

CONCRETE STUCCO(EXISTING)
2 COATS A-100 LATEX HOUSE & TRIM, SHEEN TO MATCH

STUCCO
PRIMER - PRO MAR MASONRY CONDITIONER B-46-W21000
TOPCOAT - SUPERPAINT A-80 SERIES A-89 SATIN A-84 GLOSS

WOOD
PRIMER - A-100 EXTERIOR ALKYD WOOD PRIMER Y-24W20
TOPCOAT - 2 COATS A-100 LATEX HOUSE & TRIM SHEEN TO MATCH ADJACENT SURFACES

GLU-LAM BEAMS
PRIMER - A-100 EXTERIOR ALKYD WOOD PRIMER Y-24W20
TWO COATS SHOP APPLIED PER GLU-LAM MANUFACTURER'S SPECIFICATIONS
TOPCOAT - SUPERPAINT A-80 SERIES A-89 SATIN A-84 GLOSS
TWO COATS SHOP OR FIELD APPLIED AT CONTRACTOR'S OPTION

FIELD CUTS/DAMAGE(PRIOR TO PRIME & PAINT)
FIRST & SECOND COAT - CUPRINOL CLEAR WOOD PRESERVATIVE #15B-0356
ALL PENETRATIONS INTO FINISHED GLU-LAMS SHALL BE CAULKED WITH "SIKAFLEX" SEALANT

STEEL TOUCH UP
STEEL THAT HAS BEEN WELDED, CUT OR SCRATCHED IN THE FIELD SHALL BE TOUCHED UP WITH COLD GALVANIZED PAINT

STRUCTURAL SPECIFICATIONS

A. GENERAL

PRECEDENCE: UNLESS OTHERWISE SHOWN OR SPECIFIED, THE FOLLOWING GENERAL NOTES SHALL APPLY. INFORMATION ON THESE DRAWINGS SHALL HAVE THE FOLLOWING PRECEDENCE.

A. ALL DIMENSIONS TO TAKE PRECEDENCE OVER SCALE SHOWN ON PLANS, SECTIONS AND DETAILS.
B. NOTES AND DETAILS ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS.
C. MATERIAL NOTES AND SPECIFICATIONS ON THE DRAWINGS SHALL TAKE PRECEDENCE OVER THE SPECIFICATIONS.

2. OTHER TRADES: SEE THE ARCHITECTURAL DRAWINGS FOR ALL DIMENSIONS NOT SHOWN.
3. GENERAL DETAILS AND NOTES ON THESE SHEETS SHALL APPLY UNLESS SPECIFICALLY SHOWN OR NOTED OTHERWISE. CONSTRUCTION DETAILS NOT FULLY SHOWN OR NOTED SHALL BE SIMILAR TO DETAILS SHOWN FOR SIMILAR CONDITIONS.
4. SHORING: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSTALL ALL TEMPORARY BRACING AND SHORING TO INSURE THE SAFETY OF THE WORK UNTIL IT IS IN IT'S COMPLETED FORM. THIS INCLUDES UNDERPINNING EXISTING FOOTINGS WHERE APPLICABLE.
5. SAFETY: THESE STRUCTURAL DRAWINGS REPRESENT THE FINISHED STRUCTURE. UNLESS OTHERWISE INDICATED, THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION.
6. WATERPROOFING: WATERPROOFING AND DRAINAGE, DETAILS AND SPECIFICATIONS, ALTHOUGH SOMETIMES SHOWN ON STRUCTURAL DRAWING ARE OF GENERAL INFORMATION PURPOSES ONLY. WATERPROOFING AND DRAINAGE ARE SOLELY THE DESIGN RESPONSIBILITY OF THE ARCHITECT.

B. STEEL

1. ALL STRUCTURAL STEEL SECTIONS AND WELDED PLATE MEMBERS SHALL CONFORM TO ASTM A-36 AND BE FABRICATED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE AISC.
2. ALL BOLTS SHALL CONFORM TO ASTM A-307 UNLESS OTHERWISE NOTED ON PLANS. HIGH STRENGTH BOLTS SHALL CONFORM TO ASTM A-325.
3. STEEL PIPE COLUMNS SHALL BE GRADE "B" CONFORMING TO ASTM A53.
4. STEEL TUBING SHALL BE GRADE "B" CONFORMING TO ASTM A500.
5. ALL WELDING SHALL BE DONE BY THE SHIELDED ARC METHOD. ALL WELDERS SHALL BE PROPERLY QUALIFIED AND BE PRE-APPROVED. SURPLUS METAL SHALL BE DRESSED OFF TO SMOOTH, EVEN SURFACES WHERE WELDS ARE NOT EXPOSED TO VIEW. ALL WELDING SHALL COMPLY WITH THE LATEST A.W.S. SPECIFICATIONS.
6. THE FOLLOWING WELDING EQUIPMENT MUST BE USED:
A. 250 AMP WELDERS.
B. ROD OVENS.
C. GRINDERS.
7. NO BUZZ BOXES SHALL BE USED.
8. ALL STRUCTURAL STEEL SHALL MILL CERTIFICATION. MILL CERTIFICATION SHALL BE KEPT ON THE JOB SITE FOR EXAMINATION BY THE DESIGN ENGINEER AND THE CITY INSPECTOR.
9. ALL HIGH STRENGTH BOLTS SHALL HAVE MILL CERTIFICATION. MILL CERTIFICATION SHALL BE KEPT ON THE JOB SITE FOR EXAMINATION BY THE INSPECTOR.
10. STEEL THAT HAD BEEN WELDED, CUT OR SCRATCHED IN THE FIELD SHALL BE TOUCHED UP WITH COLD GALVANIZING PAINT.
11. WELDING INDICATED IN THESE DRAWINGS IS DESIGNED FOR ONE HALF OF ALLOWABLE CODE STRESSES UNLESS SPECIFICALL NOTED "FULL STRESS" AT END OF WELD SYMBOL.

C. CONCRETE

1. STRENGTH: CONCRETE FOR THE PROJECT SHALL HAVE THE FOLLOWING ULTIMATE COMPRESSIVE STRENGTH AT AGE OF 28 DAYS:

LOCATION	STRENGTH	WT.	SLUMP	ADMIXTURE
A. SLAB&FOOTING	3000psi	150pcf	4"	NONE

2. INSPECTION: CONCRETE WITH SPECIFIED STRENGTH GREATER THAN 2500psi SHALL BE CONTINUOUSLY INSPECTED DURING PLACEMENT BY A DEPUTY INSPECTOR EMPLOYED BY A TESTING LABORATORY APPROVED BY THE BUILDING DEPT.
3. REBAR GRADES: REINFORCING STEEL SHALL BE CLEAN PREFORMED BARS CONFORMING TO ASTM A615 AS FOLLOWS:
#4 & SMALLER BARS............ GRADE 40
#5 & LARGER BARS.................GRADE 60
ALL BARS AT CAISSON FOOTING...GRADE 60
4. CEMENT: FOUNDATIONS & SLABS: TYPE V, LOW ALKALI, CONFORMING TO ASTM C-150. PIER/CAISSON FOOTINGS: TYPE V, LOW ALKALI, CONFORMING TO ASTM C-150
5. AGGREGATE: USED IN THE CONCRETE SHALL CONFORM TO ASTM C-33. USE ONLY AGGREGATES KNOWN NOT TO CAUSE EXCESSIVE SHRINKAGE. THE MAXIMUM SIZE AGGREGATE IN CONCRETE WORK SHALL BE THE FOLLOWING:
A. FOUNDATIONS & SLABS 9" OR LESS: 3/4" GRAVEL
B. PIER/CAISSON FOOTING: 1" GRAVEL.
6. WATER: SHALL BE CLEAN AND FREE FROM DELETERIOUS AMOUNT OF ACIDS, ALKALIS, ORGANIC MATERIALS AND SHALL BE SUITABLE FOR HUMAN CONSUMPTION.
7. MIXING: PREPARATION OF CONCRETE SHALL CONFORM TO ASTM C-94. NO MORE THAN 90 MINUTES SHALL ELAPSE BETWEEN CONCRETE BATCHING AND CONCRETE PLACEMENT UNLESS APPROVED BY A TESTING AGENCY.
8. SEGREGATION OF AGGREGATES: CONCRETE SHALL NOT BE FLOPPED THROUGH REINFORCING STEEL (AS IN WALLS, COLUMNS, CAISSON, AND DROP CAPITALS) SO AS TO CAUSE SEGREGATION OF AGGREGATES. USE HOPPERS, CHUTES, TRUNKS OR PUMP HOSE SO THAT THE FREE UNCONFINED FALL OF CONCRETE SHALL NOT EXCEED 5 FT.
9. SPLICES OF REINFORCING STEEL SHALL BE LAPPED A MINIMUM OF 30 DIAMETERS AND SECURELY WIRED TOGETHER. SPLICES OF ADJACENT REINFORCING BARS SHALL BE STAGGERED WHEREVER POSSIBLE.
10. REAR CLEARANCE: MINIMUM COVERAGE FOR JOISTS, BEAMS, GIRDERS AND COLUMNS SHALL BE TO FACE OF STIRRUPS OR TIES. UNLESS OTHERWISE NOTED, CONCRETE COVERAGE FOR REINFORCING BARS TO FACE OF BAR SHALL BE AS FOLLOWS:

A. CONCRETE IN CONTACT WITH EARTH, UNFORMED	3"
B. CONCRETE IN CONTACT WITH EARTH, FORMED	2"
C. WALL EXTERIOR FACE	1-1/2"
D. WALL INTERIOR FACE	1"
E. STRUCTURAL SLABS	3/4"
F. JOISTS	3/4"
G. BEAMS, GIRDERS & COLUMNS	1-1/2"

11. PENETRATIONS: NO SLEEVES OR CHASES SHALL BE PLACED IN BEAMS, SLABS, WALLS AND COLUMNS, EXCEPT THOSE SHOWN ON THE PLANS. CONTRACTOR SHALL OBTAIN PRIOR APPROVAL FOR INSTALLATIONS OF ANY ADDITIONAL SLEEVES OR CHASES. ALL PLUMBING, ELECTRICAL AND MECHANICAL OPENINGS SHALL BE SLEEVES. CORING IS NOT ALLOWED UNLESS PRIOR APPROVAL IS OBTAINED FROM THE STRUCTURAL ENGINEER.
12. EMBEDDED ITEMS: CONDUIT PLACED IN A CONCRETE SLAB SHALL NOT HAVE AN OUTSIDE DIAMETER GREATER THAN 1/4 THE THICKNESS OF THE SLAB. CONDUIT SHALL NOT BE EMBEDDED IN A SLAB THAT IS LESS THAN 3-1/2" THICK, UNLESS SLAB IS LOCALLY THICKENED. MINIMUM CLEAR DISTANCE BETWEEN CONDUITS SHALL BE SIX INCHES.
13. ANCHORING: ALL ANCHOR BOLTS, REINFORCING STEEL, DOWELS, INSERTS, ETC. SHALL BE WELL SECURED IN POSITION PRIOR TO PLACING CONCRETE. NO REPOSITIONING DURING CONCRETE POUR IS ALLOWED.
14. CURING: SLABS SHALL BE SPRAYED WITH A CURING COMPOUND IMMEDIATELY AFTER FINISHING. CURING COMPOUNDS USED ON CONCRETE WHERE TILE OR FLOOR COVERING IS TO BE BONDED TO THE CONCRETE SURFACE SHALL BE APPROVED BY THE TILE OR FLOOR COVERING MANUFACTURER. KEEP SLAB WET FOR 7 DAY MINIMUM PERIOD.
15. CONSOLIDATION: ALL CONCRETE SHALL BE VIBRATED AS IT IS BEING PLACED WITH ELECTRICALLY OPERATED VIBRATING EQUIPMENT.

D. TIMBER

1. ALL FRAMING LUMBER FOR 4X AND LARGER-BEAMS-SHALL BE NO. 1 GRADE DOUGLAS FIR., S4S, UNLESS NOTED OTHERWISE ON THE DRAWINGS.
2. ALL FRAMING LUMBER FOR 2X RAFTERS AND JOISTS SHALL BE NO 2 GRADE DOUGLAS FIR, S4S, UNLESS NOTED OTHERWISE ON DRAWINGS
3. STRIPPING, BLOCKING, BACKING AND OTHER NON-STRUCTURAL LUMBER SHALL BE NO. 2 OR STD & BTR GRADE DOUGLAS FIR S4S, 2X4 STUD WALLS SHALL BE D.F. STANDARD & BTR.
4. ALL BEAMS, JOISTS AND RAFTERS SHALL BE INSTALLED WITH CROWN SIDE UP.
5. ROOF PLYWOOD SHALL MATCH EXISTING PLYWOOD SHEATHING WITH A SPAN INDEX RATIO 32/16. EDGE NAIL WITHIN AT 6" O.C. UNLESS NOTED OTHERWISE ON PLANS. FIELD NAIL WITH 8d AT 12" O.C.
6. PLYWOOD SHEETS SHALL BE LAID WITH THE FACE GRAIN PERPENDICULAR TO SUPPORTS AND WITH THE EDGES STAGGERED, UNLESS NOTED OTHERWISE ON THE PLANS.
7. PLYWOOD SHALL BE GRADE MARKED BY DFPA, TECO, OR PTL AND SHALL CONFORM TO PS 1-83
8. THE MAXIMUM MOISTURE CONTENT OF ALL LUMBER SHALL NOT EXCEED 24% AT THE TIME OF INSTALLATION.
9. MINIMUM NAILING SHALL COMPLY WITH TABLE 23-1-Q OF BUILDING CODE. ALL NAILS SHALL BE COMMON WIRE NAILS.
10. ALL BOLTS SHALL HAVE STANDARD CUT WASHERS UNDER HEADS AND/OR NUTS WHERE IN CONTACT WITH WOOD.
11. LAG BOLTS SHALL BE SCREWED INTO PLACE, NOT DRIVEN. LAG BOLTS SHALL BE INSTALLED IN PRE-DRILLED HOLES WITH A DIAMETER EQUAL TO 75% DIAMETER OF BOLT.
12. CONNECTORS: ALL SHEET METAL FRAMING CONNECTORS SHOWN IN THE PLANS SHALL BE STRONG CONNECTORS AS MANUFACTURED BY THE SIMPSON COMPANY. SUBSTITUTIONS MAY BE MADE WHEN APPROVED BY THE STRUCTURAL ENGINEER.
13. ALL LUMBER EXPOSED TO WEATHER OR IN CONTACT WITH MASONRY OR CONCRETE SHALL BE WOLMANIZED PRESSURE TREATED LUMBER OR A NATURALLY DECAY RESISTANT LUMBER SUCH AS REDWOOD OR CEDAR.
14. ALASKAN YELLOW CEDAR GLUE-LAMINATED BEAMS
A. LUMBER SPECIES: ALASKAN YELLOW CEDAR (A.C.) CONFORMING TO 20F-V12
B. STRENGTH PROPERTIES
Fb BOTTOM FIBER BENDING STRESS 2000psi MIN.
Fb TOP FIBER BENDING STRESS 1000psi MIN.
Fv SHEAR STRESS 190psi MIN.
Fc COMPRESSION STRESS PERPENDICULAR TO GRAIN 560psi MIN
E MODULUS ELASTICITY 1400ksi MIN
C. CAMBER TO RADIUS OF 1600' U.O.N.
D. ALL GLB'S SHALL BE FABRICATED WITH EXTERIOR GLUE.
E. MANUFACTURE OF GLB'S SHALL CONFORM TO THE UBC.
F. GLU-LAM MATERIAL SHALL BE IN ACCORDANCE WITH ANSI/AITC A190.1 AND ASTM D3737.

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APPROVALS

R.F.	DATE
ZONING	DATE
CONSTRUCTION	DATE
SITE ACQUISITION	DATE
OWNER APPROVAL	DATE

PROJECT NAME
AT&T UMTS OVERLAY
SITE NAME
JACKSON OVERLAY
SITE NUMBER
CNU3498
685 SPYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

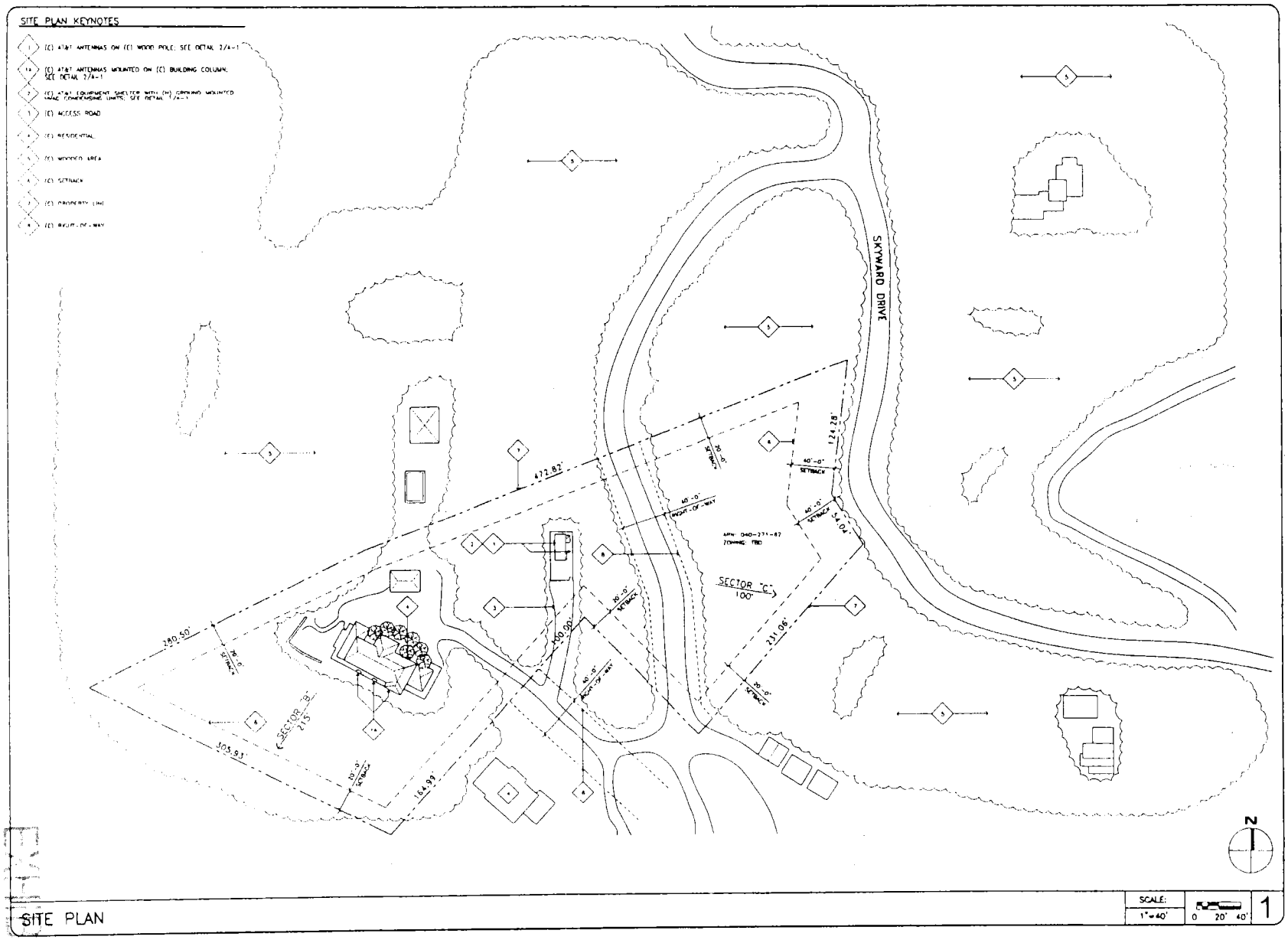
08/05/10	HVAC RELO (P1-R5)
09/14/10	95% CD REVIEW (P1-R6)
09/22/10	97% CD REVIEW (P1-R7)
09/27/10	98% CD REVIEW (P1-R8)
10/18/10	100% FINAL ZD's (P2)

RFDS REVISION LEVEL 4.4

A.P.N: 040-271-62

SHEET TITLE
SPECIFICATIONS AND NOTES

T-2



SITE PLAN

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PROJECT NAME
AT&T UMTS OVERLAY

SITE NAME
JACKSON OVERLAY

SITE NUMBER
CNU3498

865 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

08/05/10	HVAC RELO (P1-83)
09/14/10	95% CD REVIEW (P1-86)
09/22/10	97% CD REVIEW (P1-87)
09/27/10	98% CD REVIEW (P1-88)
10/18/10	100% FINAL ZD's (P2)

RFDS REVISION LEVEL 4.4

A.P.N: 040-271-62

SHEET TITLE

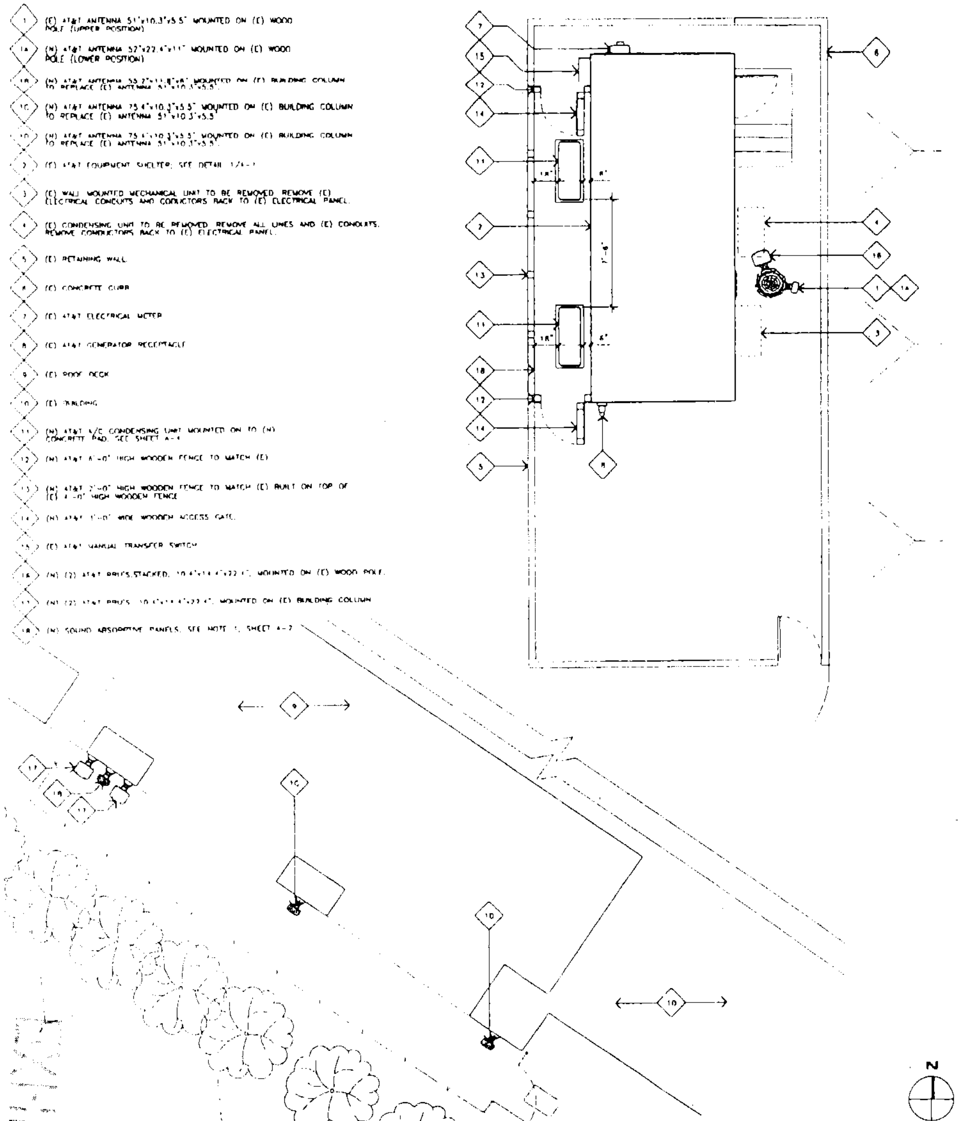
SITE PLAN

A-0

- 50 -1

EXISTING COMPOUND PLAN KEYNOTES

1. (E) AT&T ANTENNA 51"x10.3"x5.5" MOUNTED ON (E) WOOD POLE (UPPER POSITION)
1A. (N) AT&T ANTENNA 52"x22.4"x11" MOUNTED ON (E) WOOD POLE (LOWER POSITION)
1B. (N) AT&T ANTENNA 55.2"x11.8"x8" MOUNTED ON (E) BUILDING COLUMN TO REPLACE (E) ANTENNA 51"x10.3"x5.5"
1C. (N) AT&T ANTENNA 75.4"x10.3"x5.5" MOUNTED ON (E) BUILDING COLUMN TO REPLACE (E) ANTENNA 51"x10.3"x5.5"
1D. (N) AT&T ANTENNA 75.4"x10.3"x5.5" MOUNTED ON (E) BUILDING COLUMN TO REPLACE (E) ANTENNA 51"x10.3"x5.5"
2. (E) AT&T EQUIPMENT SHELTER. SEE DETAIL 1/A-1
3. (E) WALL MOUNTED MECHANICAL UNIT TO BE REMOVED. REMOVE (E) ELECTRICAL CONDUITS AND CODUCTORS BACK TO (E) ELECTRICAL PANEL.
4. (E) CONDENSING UNIT TO BE REMOVED. REMOVE ALL LINES AND (E) CONDUITS. REMOVE CONDUCTORS BACK TO (E) ELECTRICAL PANEL.
5. (E) RETAINING WALL
6. (E) CONCRETE CURB
7. (E) AT&T ELECTRICAL METER
8. (E) AT&T GENERATOR RECEPTACLE
9. (E) ROOF DECK
10. (E) BUILDING
11. (N) AT&T A/C CONDENSING UNIT MOUNTED ON TO (N) CONCRETE PAD. SEE SHEET A-4
12. (N) AT&T 6'-0" HIGH WOODEN FENCE TO MATCH (E)
13. (N) AT&T 2'-0" HIGH WOODEN FENCE TO MATCH (E) BUILT ON TOP OF (E) 4'-0" HIGH WOODEN FENCE
14. (N) AT&T 3'-0" WIDE WOODEN ACCESS GATE.
15. (E) AT&T MANUAL TRANSFER SWITCH
16. (N) (2) AT&T RRUS STACKED, 10.4"x14.4"x22.1", MOUNTED ON (E) WOOD POLE.
17. (N) (2) AT&T RRUS, 10.4"x14.4"x22.1", MOUNTED ON (E) BUILDING COLUMN
18. (N) SOUND ABSORPTIVE PANELS. SEE NOTE 1, SHEET A-2

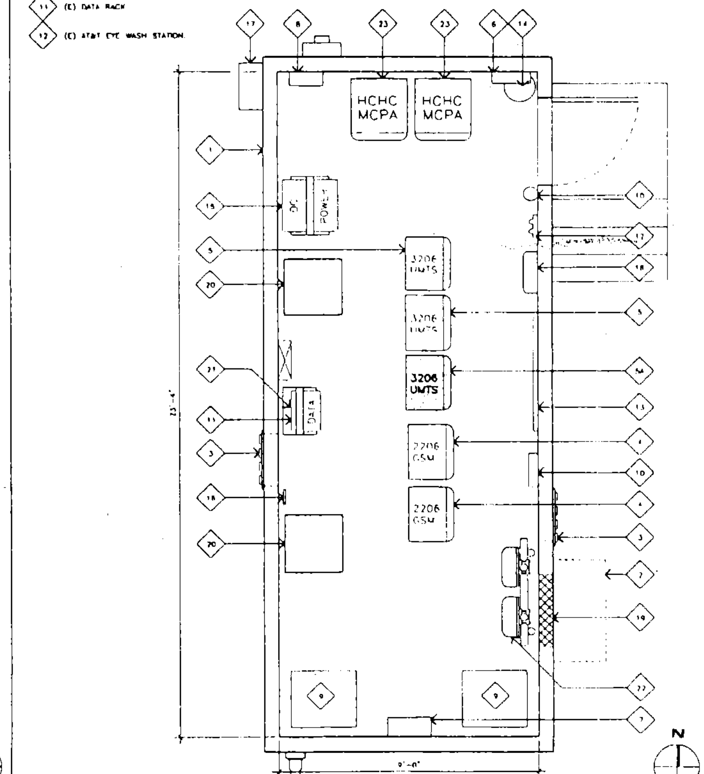


EXISTING COMPOUND PLAN 2

SCALE: 1/4"=1'-0"

EXISTING INTERIOR SHELTER LAYOUT KEYNOTES

1. (E) AT&T 10'-0" x 24'-4" EQUIPMENT SHELTER.
2. (E) WALL MOUNTED MECHANICAL UNIT TO BE REMOVED. REMOVE (E) ELECTRICAL CONDUITS AND CODUCTORS BACK TO (E) ELECTRICAL PANEL.
3. (E) AT&T WAVEGUIDE ENTRY PORTS.
4. (E) ERICSSON 2206 GSM CABINET.
5. (E) ERICSSON 3206 UMTS CABINET.
5A. (N) ERICSSON 3206 UMTS CABINET.
6. (E) AT&T FIRE ALARM PANEL.
7. (E) AT&T BATTERY DISCONNECT
8. (E) AT&T ELECTRICAL PANEL.
9. (E) AT&T BATTERY RACK
10. (E) EXTERNAL ALARM CABINET
11. (E) DATA RACK
12. (E) AT&T EYE WASH STATION.
13. (E) TELCO BACKBOARD
14. (E) AT&T HALON SPHERE.
15. (E) AT&T 24VDC ARGUS RECTIFIER CABINET
16. (E) AT&T MAIN GROUND BUSS BAR (MGB).
17. (E) AT&T MANUAL TRANSFER SWITCH
18. (E) AT&T CIENE CABINET
19. (E) AT&T A/C CUT-OUT TO BE INFILLED WITH FRAMING AND INSULATION TO MATCH (E) WALL FINISH. FINISH TO MATCH (E) EXTERIOR AND INTERIOR.
20. (N) AT&T FLOOR MOUNTED FAN COIL. SEE MECHANICAL PLANS.
21. (N) RBS 6601 MU MOUNTED IN (E) 19" DATA RACK.
22. (N) (2) RRUS (RRUS11-700 & RRUS11-AWS)
23. (N) (2) MCPA EQUIPMENT CABINETS.



EXISTING INTERIOR SHELTER LAYOUT 1

SCALE: 1/2"=1'-0"

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APPROVALS

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AT&T UMTS OVERLAY
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JACKSON OVERLAY
SITE NUMBER
CNU3498
885 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

08/05/10	HVAC RELO (P1-R5)
09/14/10	95% CD REVIEW (P1-R6)
09/22/10	97% CD REVIEW (P1-R7)
09/27/10	98% CD REVIEW (P1-R8)
10/18/10	ZONING SUBMITTAL (P1-R9)
10/26/10	LTE CLARIFICATIONS (P1-R10)
RFDS	REVISION LEVEL 4.4

A.P.N: 040-271-62

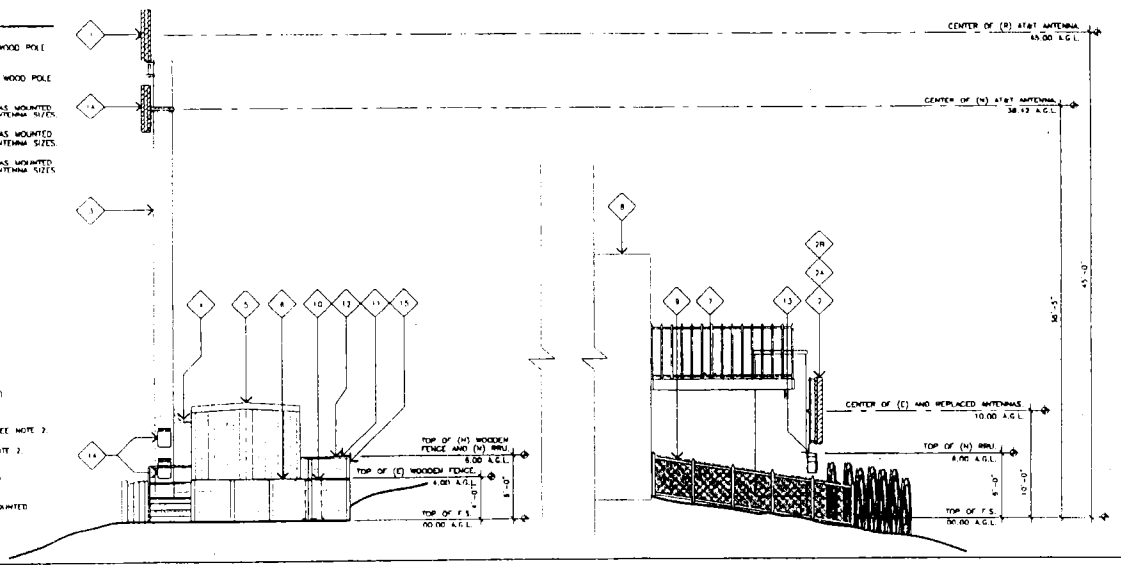
SHEET TITLE
COMPOUND & SHELTER SKETCH

A-1

EXHIBIT A

ELEVATION KEYNOTES

1. (E) AT&T ANTENNA 51"x10.3"x5.5" MOUNTED ON (E) WOOD POLE
1A. (N) AT&T ANTENNA, 55.2"x11.8"x8", MOUNTED ON (E) WOOD POLE
2. (N) (3) AT&T ANTENNAS TO REPLACE (E) (3) ANTENNAS MOUNTED ON (E) BUILDING COLUMN. SEE DETAIL 3/A2.1 FOR ANTENNA SIZES.
2A. (N) (3) AT&T ANTENNAS TO REPLACE (E) (3) ANTENNAS MOUNTED ON (E) BUILDING COLUMN. SEE DETAIL 3/A2.1 FOR ANTENNA SIZES.
2B. (N) (3) AT&T ANTENNAS TO REPLACE (E) (3) ANTENNAS MOUNTED ON (E) BUILDING COLUMN. SEE DETAIL 3/A2.1 FOR ANTENNA SIZES.
3. (E) 15" DIAMETER WOOD POLE
4. (N) AT&T COAX ROUTED UP OUTSIDE (E) WOOD POLE
5. (E) AT&T EQUIPMENT SHELTER
6. (E) RETAINING WALL
7. (E) ROOF DECK
8. (E) BUILDING
9. (E) 6'-0" HIGH CHAIN LINK FENCE
10. (N) AT&T A/C CONDENSING UNIT MOUNTED ON TO (N) CONCRETE PAD
11. (N) AT&T 7'-0" HIGH WOODEN FENCE TO MATCH (E) BUILT ON TOP OF (E) 4'-0" HIGH WOODEN FENCE. SEE NOTE 2.
12. (N) AT&T 3'-0" WIDE WOODEN ACCESS GATE. SEE NOTE 2.
13. (N) (2) AT&T RRU'S, 10.4"x14.4"x22.4", MOUNTED ON (E) BUILDING COLUMN
14. (N) (2) AT&T RRU'S, STACKED, 10.4"x14.4"x22.4", MOUNTED ON (E) WOOD POLE
15. (N) SOUND ABSORPTIVE PANELS. SEE NOTE 1



ELEVATION GENERAL NOTES

1. INSTALL SOUND ABSORPTIVE PANELS ON 50% OR MORE OF THE AREA OF THE (E) RETAINING WALL AND (N) FENCE FACING THE (N) A/C CONDENSING UNITS. PANELS SHALL HAVE A NOISE REDUCTION COEFFICIENT (NRC) OF NOT LESS THAN 0.9 AND BE CENTERED FACING THE UNITS. ACCEPTABLE PRODUCTS ARE EMPIRE ACOUSTICAL W-80 "BACKLESS" PANELS, KINETICS NOISEBLOCK PANELS, SOUNDFIGHTER LSE PANELS, ACOUSTICBLOCK ALL WEATHER SOUND PANELS, OR INDUSTRIAL NOISE CONTROL PAN-L-SORB PANELS.
2. CONSTRUCT NEW FENCE AND GATE WITH NO GAPS OR OPENINGS USING TONGUE AND GROOVE LUMBER HAVING A SURFACE DENSITY OF NOT LESS THAN 3 LBS/ SQFT.

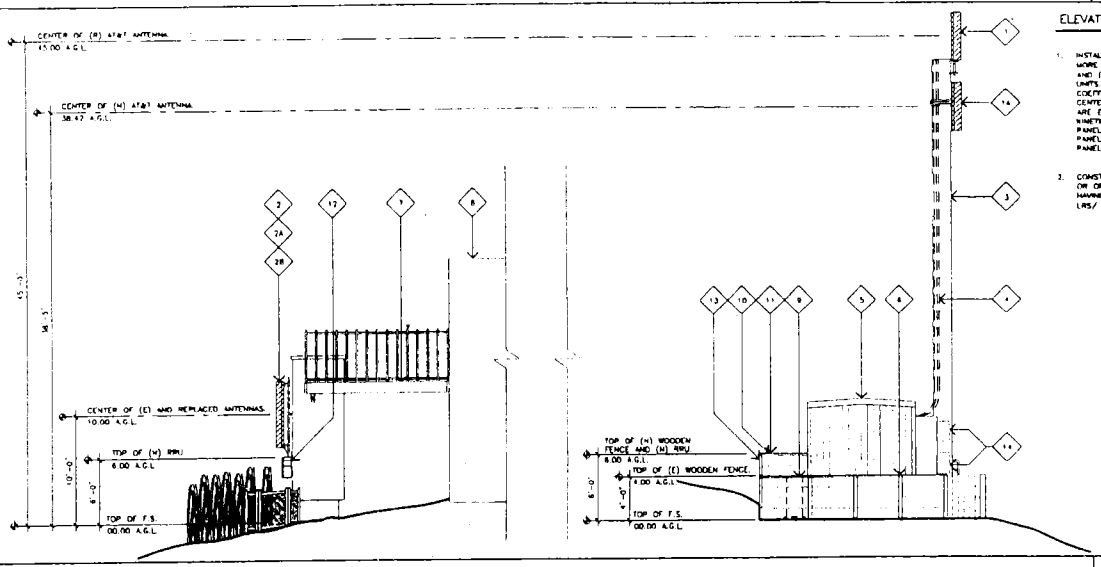
NORTH/NORTHWEST ELEVATION

SCALE: 3/16"=1'-0" 0 3' 6'

2

ELEVATION KEYNOTES

1. (E) AT&T ANTENNA 51"x10.3"x5.5" MOUNTED ON (E) WOOD POLE
1A. (N) AT&T ANTENNA, 55.2"x11.8"x8", MOUNTED ON (E) WOOD POLE
2. (N) (3) AT&T ANTENNAS TO REPLACE (E) (3) ANTENNAS MOUNTED ON (E) BUILDING COLUMN. SEE DETAIL 3/A2.1 FOR ANTENNA SIZES.
2A. (N) (3) AT&T ANTENNAS TO REPLACE (E) (3) ANTENNAS MOUNTED ON (E) BUILDING COLUMN. SEE DETAIL 3/A2.1 FOR ANTENNA SIZES.
2B. (N) (3) AT&T ANTENNAS TO REPLACE (E) (3) ANTENNAS MOUNTED ON (E) BUILDING COLUMN. SEE DETAIL 3/A2.1 FOR ANTENNA SIZES.
3. (E) 15" DIAMETER WOOD POLE
4. (N) AT&T COAX ROUTED UP OUTSIDE (E) WOOD POLE
5. (E) AT&T EQUIPMENT SHELTER
6. (E) RETAINING WALL
7. (E) ROOF DECK
8. (E) BUILDING
9. (N) AT&T A/C CONDENSING UNIT MOUNTED ON TO (N) CONCRETE PAD
10. (N) AT&T 7'-0" HIGH WOODEN FENCE TO MATCH (E) BUILT ON TOP OF (E) 4'-0" HIGH WOODEN FENCE. SEE NOTE 2.
11. (N) AT&T 3'-0" WIDE WOODEN ACCESS GATE. SEE NOTE 2.
12. (N) (2) AT&T RRU'S, 10.4"x14.4"x22.4", MOUNTED ON (E) BUILDING COLUMN
13. (N) SOUND ABSORPTIVE PANELS. SEE NOTE 1
14. (N) (2) AT&T RRU'S, STACKED, 10.4"x14.4"x22.4", MOUNTED ON (E) WOOD POLE



ELEVATION GENERAL NOTES

1. INSTALL SOUND ABSORPTIVE PANELS ON 50% OR MORE OF THE AREA OF THE (E) RETAINING WALL AND (N) FENCE FACING THE (N) A/C CONDENSING UNITS. PANELS SHALL HAVE A NOISE REDUCTION COEFFICIENT (NRC) OF NOT LESS THAN 0.9 AND BE CENTERED FACING THE UNITS. ACCEPTABLE PRODUCTS ARE EMPIRE ACOUSTICAL W-80 "BACKLESS" PANELS, KINETICS NOISEBLOCK PANELS, SOUNDFIGHTER LSE PANELS, ACOUSTICBLOCK ALL WEATHER SOUND PANELS, OR INDUSTRIAL NOISE CONTROL PAN-L-SORB PANELS
2. CONSTRUCT NEW FENCE AND GATE WITH NO GAPS OR OPENINGS, USING TONGUE AND GROOVE LUMBER HAVING A SURFACE DENSITY OF NOT LESS THAN 3 LBS/ SQFT.

SOUTH/SOUTHWEST ELEVATION

SCALE: 3/16"=1'-0" 0 3' 6'

1

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Jeffrey Burns & Associates, Inc.
Arizona • California • Nevada
Arizona: (602) 795-3579
California: (949) 760-3679
Nevada: (702) 795-0059

at&t
4430 Rosewood Drive
Pleasanton, California 94588

APPROVALS

R.F.	DATE
ZONING	DATE
CONSTRUCTION	DATE
SITE ACQUISITION	DATE
OWNER APPROVAL	DATE

PROJECT NAME
AT&T UMTS OVERLAY
SITE NAME
JACKSON OVERLAY
SITE NUMBER
CNU3498
685 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

08/05/10	HVAC RELO (P1-B5)
09/14/10	95% CD REVIEW (P1-B6)
09/23/10	97% CD REVIEW (P1-B7)
09/27/10	98% CD REVIEW (P1-B8)
10/18/10	ZONING SUBMITTAL (P1-B9)
10/26/10	LTE CLARIFICATIONS (P1-B10)

RFDS	REVISION LEVEL 4.4

A.P.N: 040-271-62

SHEET TITLE

NORTH AND SOUTH ELEVATIONS

A-2

- 52 - 1

JRA PROJECT NUMBER 09-5312

STANDARD CONCRETE NOTES

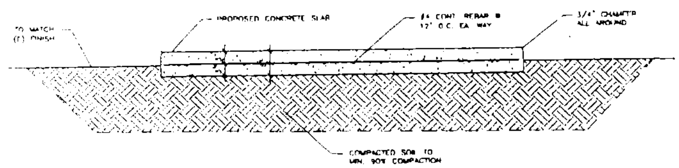
1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301-05, ACI 318-05 AND THE SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS UNLESS NOTED OTHERWISE.
3. REINFORCING STEEL SHALL CONFORM TO ASTM A 615, GRADE 60, DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A 185 WELDED STEEL WIRE FABRIC UNLESS NOTED OTHERWISE. SPLICES CLASS "B" AND ALL HOOKS SHALL BE STANDARD UNLESS NOTED OTHERWISE.
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS:

CONCRETE CAST AGAINST EARTH .... 3 IN.

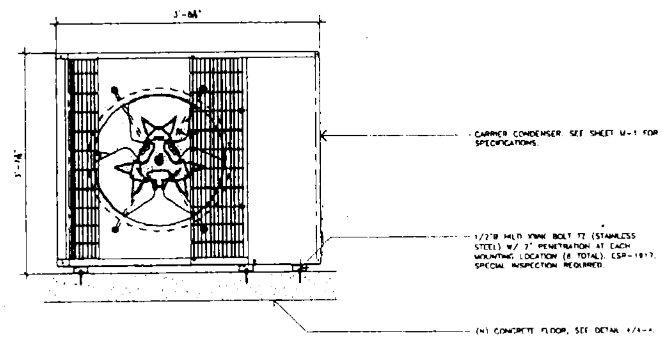
CONCRETE EXPOSED TO EARTH OR WEATHER:
#6 AND LARGER .... 2 IN.
#5 AND SMALLER & WWF .... 1-1/2 IN.

CONCRETE NOT EXPOSED TO EARTH OR WEATHER OR NOT CAST AGAINST THE GROUND:
SLAB AND WALL .... 3/4 IN.
BEAMS AND COLUMNS .... 1-1/2 IN.

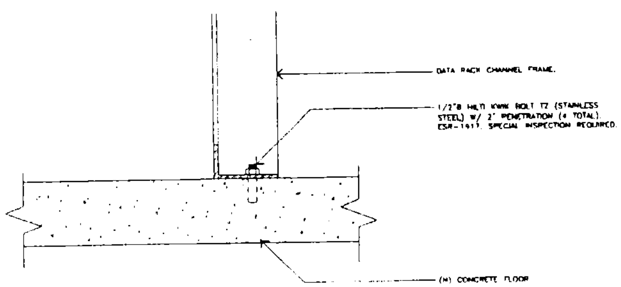
5. A CHAMFER 3/4" SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE U.N.O. IN ACCORDANCE WITH ACI 301 SECTION 4.2.4.
6. HOLES TO RECEIVE EXPANSION/WEDGE ANCHORS SHALL BE 1/8" LARGER IN DIAMETER THAN THE ANCHOR BOLT, DOWEL OR ROD AND SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. LOCATE AND AVOID CUTTING EXISTING REBAR WHEN DRILLING HOLES IN ELEVATED CONCRETE SLABS.
7. USE AND INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR SHALL BE PER ICC & MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURES.



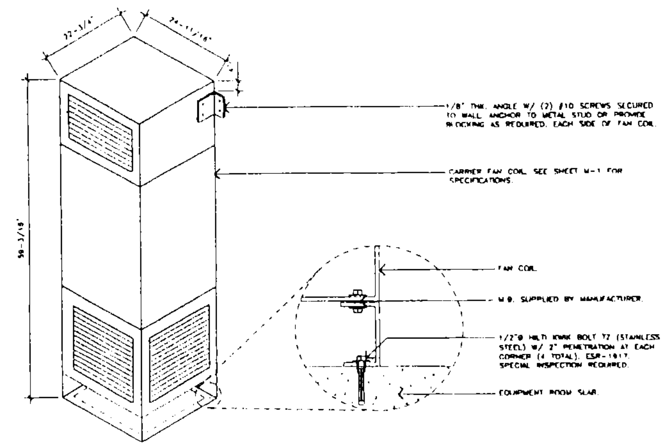
CONDENSER PAD	SCALE: NTS	4



CONDENSER ANCHORAGE	SCALE: NTS	2



DATA RACK ANCHORAGE	SCALE: NTS	3



FAN COIL ANCHORAGE	SCALE: NTS	1

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Pleasanton, California 94588

APPROVALS

R.F.	DATE
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PROJECT NAME
AT&T UMTS OVERLAY
SITE NAME
JACKSON OVERLAY
SITE NUMBER
CNU3498
885 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

08/05/10	HVAC RELO (P1-B5)
08/14/10	95% CD REVIEW (P1-B6)
08/22/10	97% CD REVIEW (P1-B7)
08/27/10	98% CD REVIEW (P1-B8)
10/18/10	100% FINAL ZD's (P2)

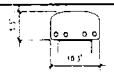
REVISION LEVEL

A.P.N: 040-271-62

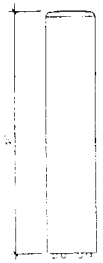
SHEET TITLE

DETAILS

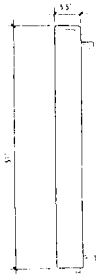
A-3



TOP VIEW

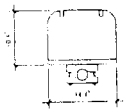


FRONT VIEW

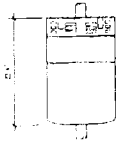


RIGHT VIEW

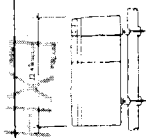
KATHREIN 742-264 SPEC. SCALE: NTS 5



TOP VIEW

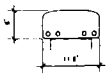


FRONT VIEW



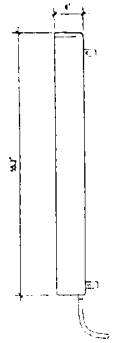
RIGHT VIEW

RRU CABINET SCALE: 1"=1'-0" 0 .25' .5' 1'



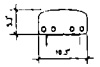
TOP VIEW

FRONT VIEW

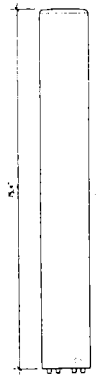


RIGHT VIEW

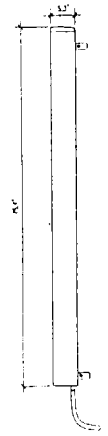
4 KATHREIN 800-10764 SPEC. SCALE: NTS



TOP VIEW

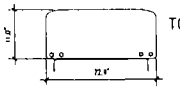


FRONT VIEW

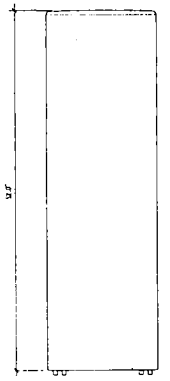


RIGHT VIEW

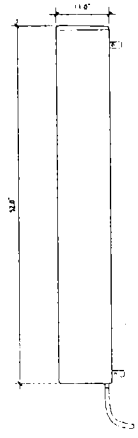
3 KATHREIN 742265 SPEC. SCALE: NTS



TOP VIEW



FRONT VIEW



RIGHT VIEW

2 DECIBEL QBXLH-6565A-VTM SPEC. SCALE: NTS 1

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APPROVALS

R.F.	DATE
ZONING	DATE
CONSTRUCTION	DATE
SITE ACQUISITION	DATE
OWNER APPROVAL	DATE

PROJECT NAME
AT&T UMTS OVERLAY

SITE NAME
JACKSON OVERLAY

SITE NUMBER
CNU3498

665 SKYWARD DRIVE
APTOS, CALIFORNIA 95003

DRAWING DATES

08/05/10	HVAC RELO (P1-B5)
09/14/10	95% CD REVIEW (P1-B6)
09/22/10	97% CD REVIEW (P1-B7)
09/27/10	98% CD REVIEW (P1-B8)
10/18/10	ZONING SUBMITTAL (P1-B9)
10/28/10	LTE CLARIFICATIONS (P1-B10)

RFDS REVISION LEVEL 4.4

A.P.N: 040-271-62

SHEET TITLE

RRU DETAILS

A-4

- 54 - 1

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

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

Application Number: 101099
Assessor Parcel Number: 040-271-62
Project Location: 685 Skyward Drive

Project Description: Proposal to recognize an unpermitted wireless communication facility.

Person or Agency Proposing Project: Leah Hernikl

Contact Phone Number: (408) 799-1182

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

Specify type:

E. __X__ **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

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

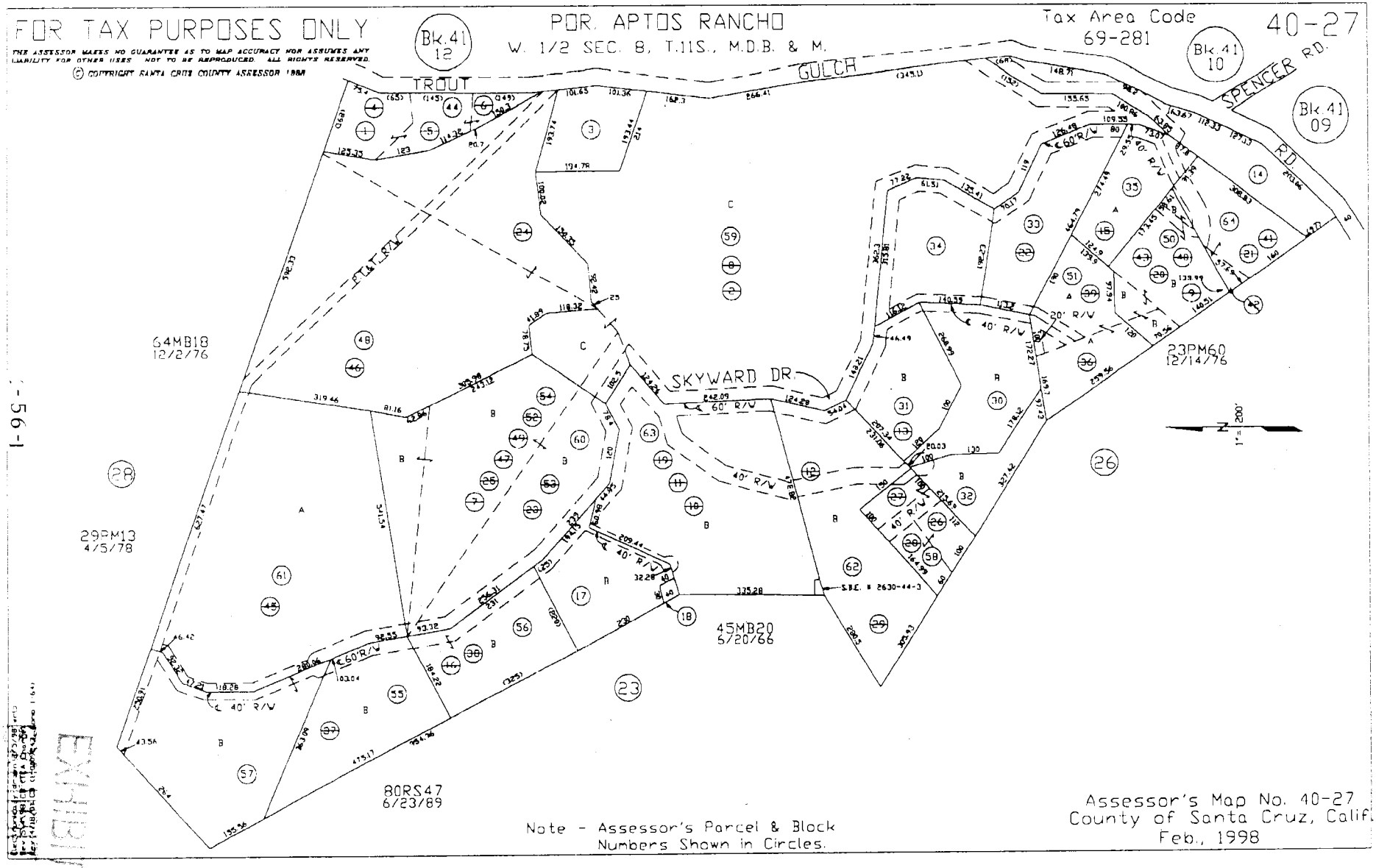
Recognition of a wireless communication facility in a zone district which allows for new wireless communication facilities.

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

_____ Date: _____
Samantha Haschert, Project Planner

EXHIBIT E

EXHIBIT D


FOR TAX PURPOSES ONLY
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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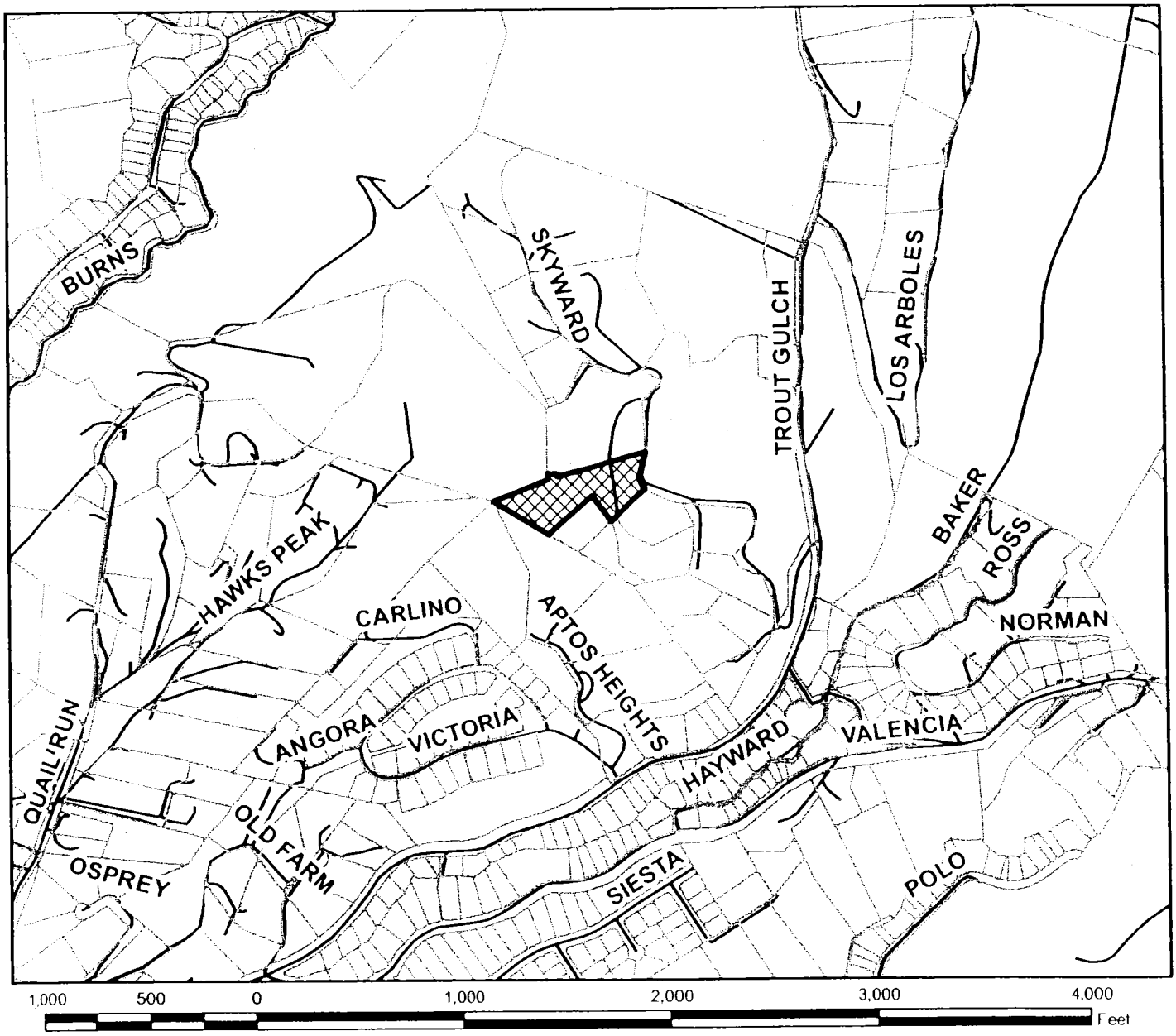
Bk. 41 12
POR. APTOS RANCHO
W. 1/2 SEC. 8, T.11S., M.D.B. & M.
Tax Area Code 69-281
40-27
Bk. 41 10
Bk. 41 09
TROUT GULCH
SPENCER RD.
SKYWARD DR.
64MB18 12/2/76
29PM13 4/5/78
45MB20 5/20/66
23PM60 12/14/76
80RS47 6/23/89
Note - Assessor's Parcel & Block Numbers Shown in Circles.
Assessor's Map No. 40-27
County of Santa Cruz, Calif.
Feb., 1998

Location Map



LEGEND

APN: 040-271-62

Assessors Parcels

Streets

N

W E

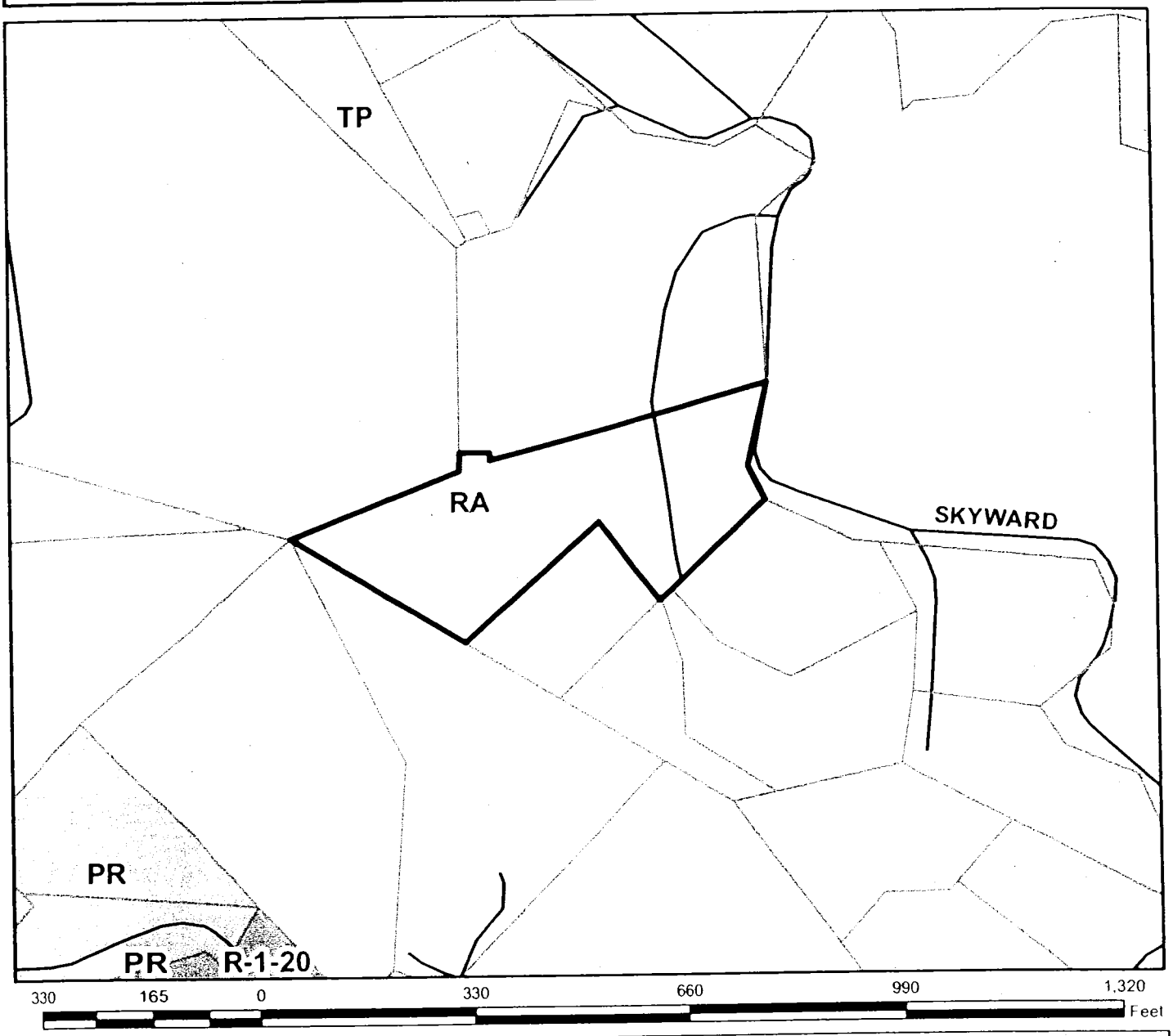
S

Map Created by
County of Santa Cruz
Planning Department
November 2010

EXHIBIT D

EXHIBIT E

Zoning Map



LEGEND

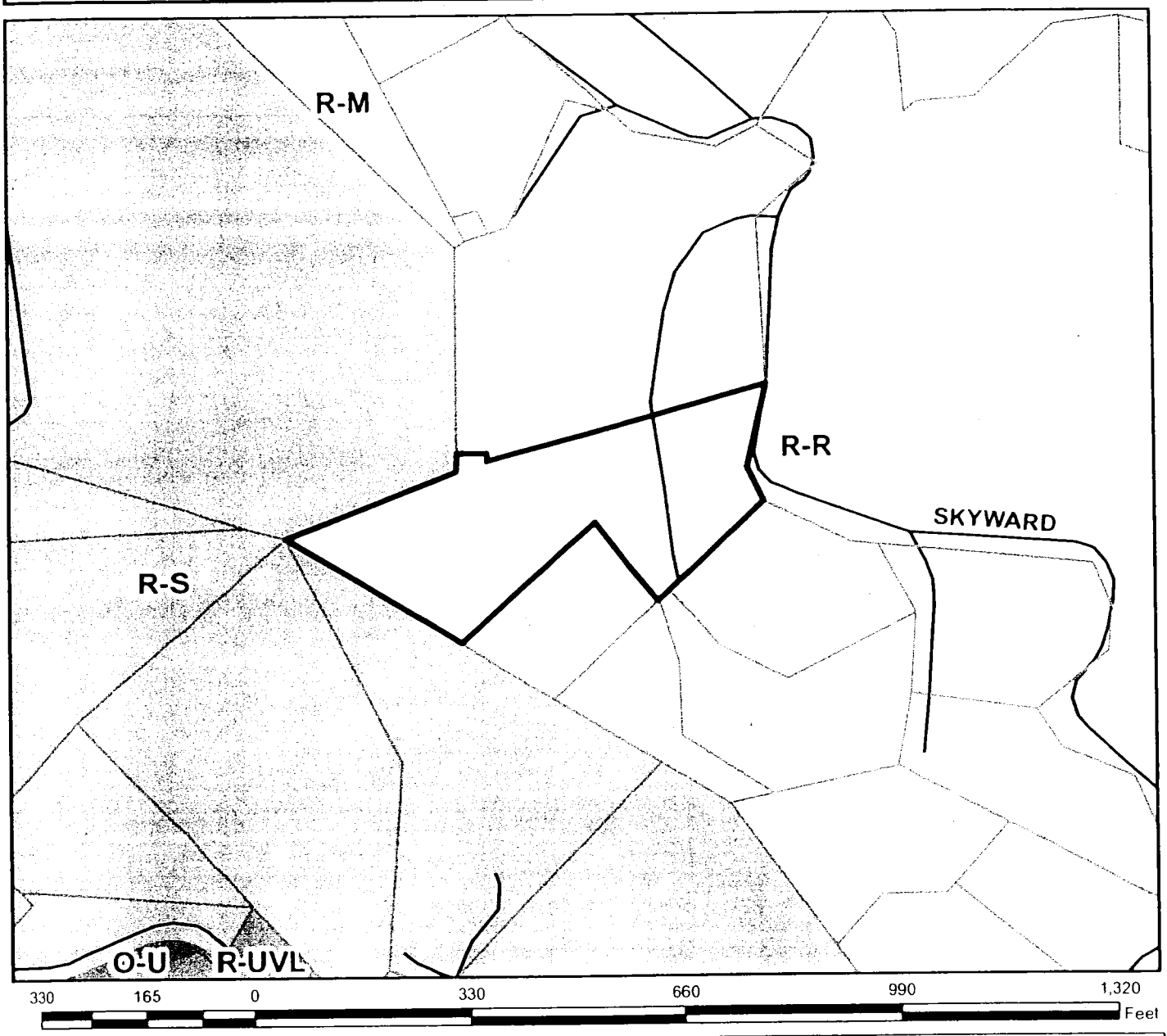
- APN: 040-271-62
- Assessors Parcels
- Streets
- AGRICULTURE RESIDENTIAL
- TIMBER PRODUCTION
- PARK
- RESIDENTIAL-SINGLE FAMILY

N
W E
S

Map Created by
County of Santa Cruz
Planning Department
November 2010

EXHIBIT H
EXHIBIT E

General Plan Designation Map



LEGEND

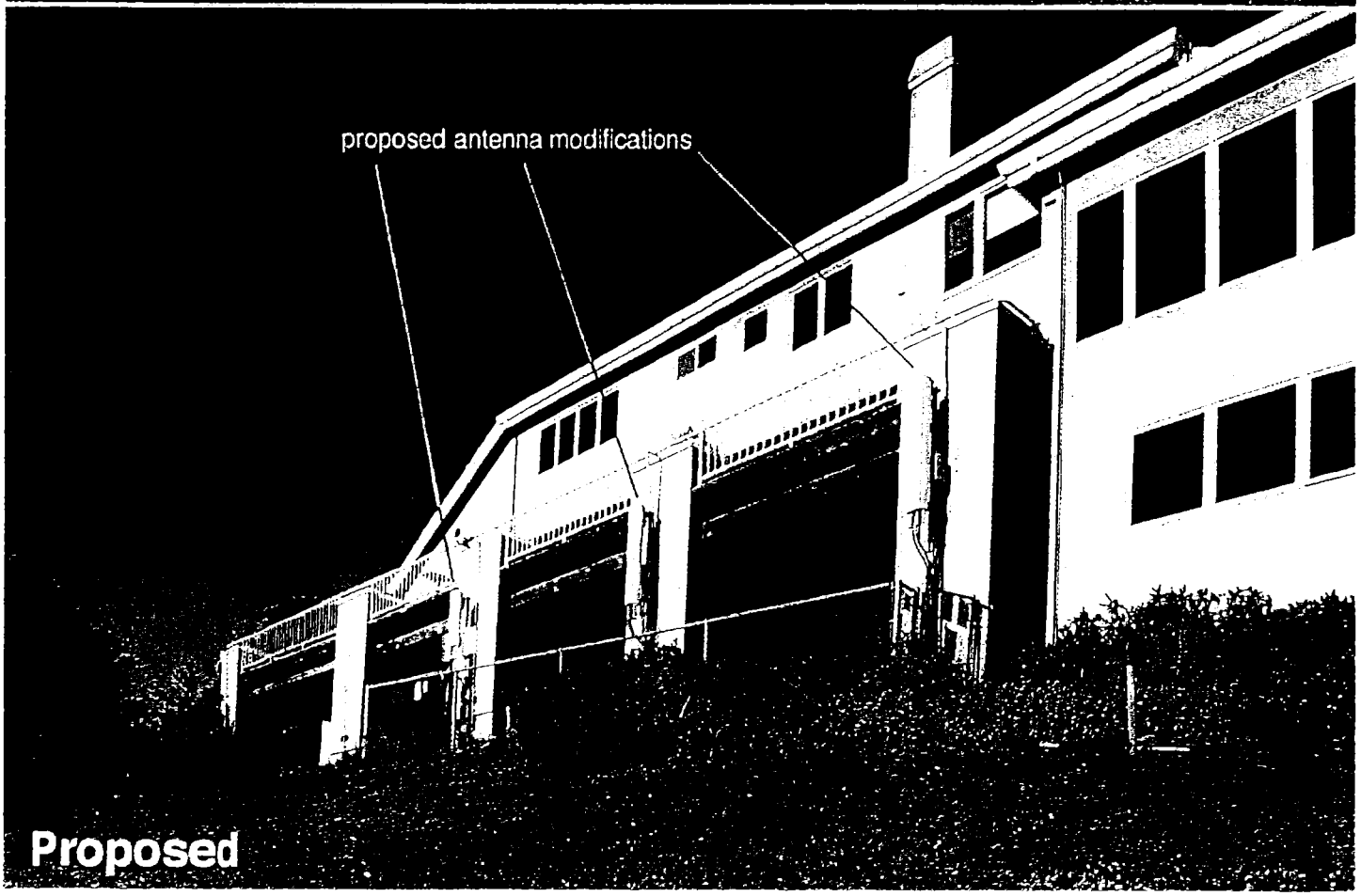
- APN: 040-271-62
- Assessors Parcels
- Streets
- Residential-Rural
- Residential-Mountain
- Residential-Suburban
- Residential - Urban Very Low Density
- Urban Open Space

N
W E
S

Map Created by
County of Santa Cruz
Planning Department
November 2010

EXHIBIT F
EXHIBIT D

Existing



Proposed

at&t

Jackson Overlay

Site # SF1460

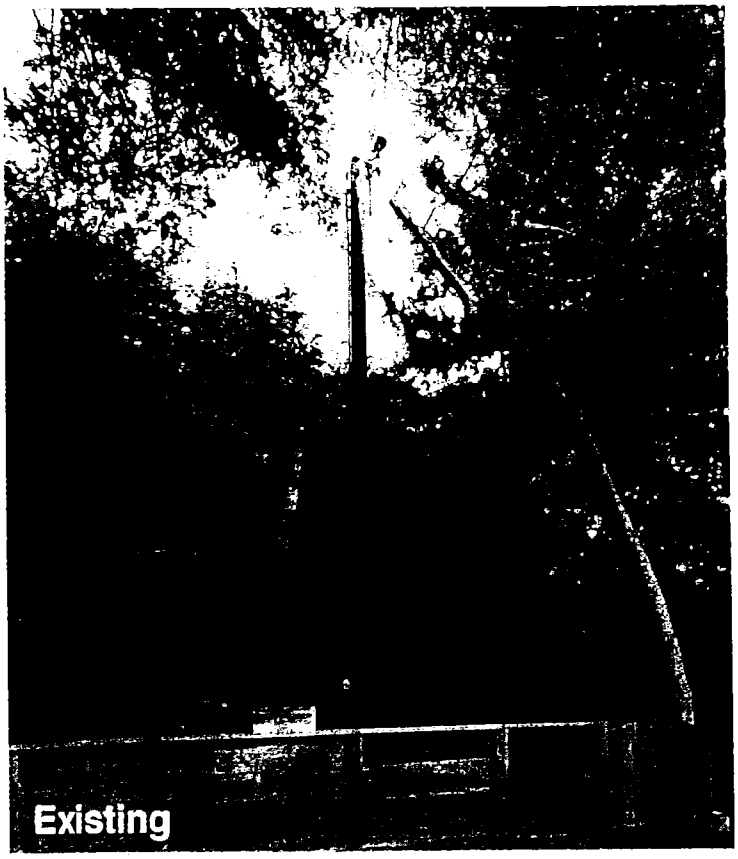
Looking Northwest

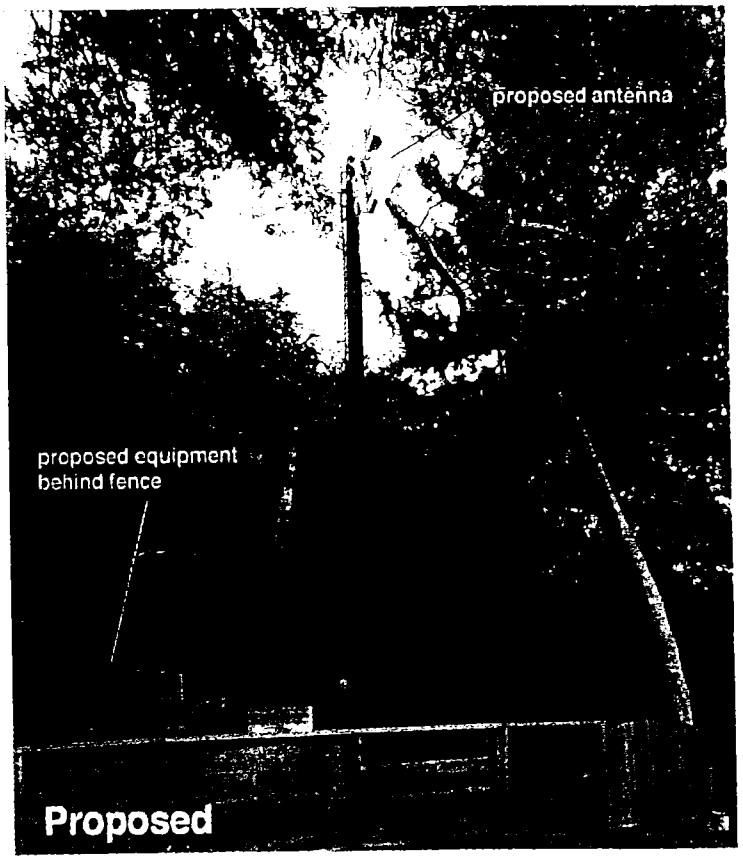
685 Skyward Drive
Aptos, CA 95003

10/02/10

EXHIBIT P

EXHIBIT P





atat

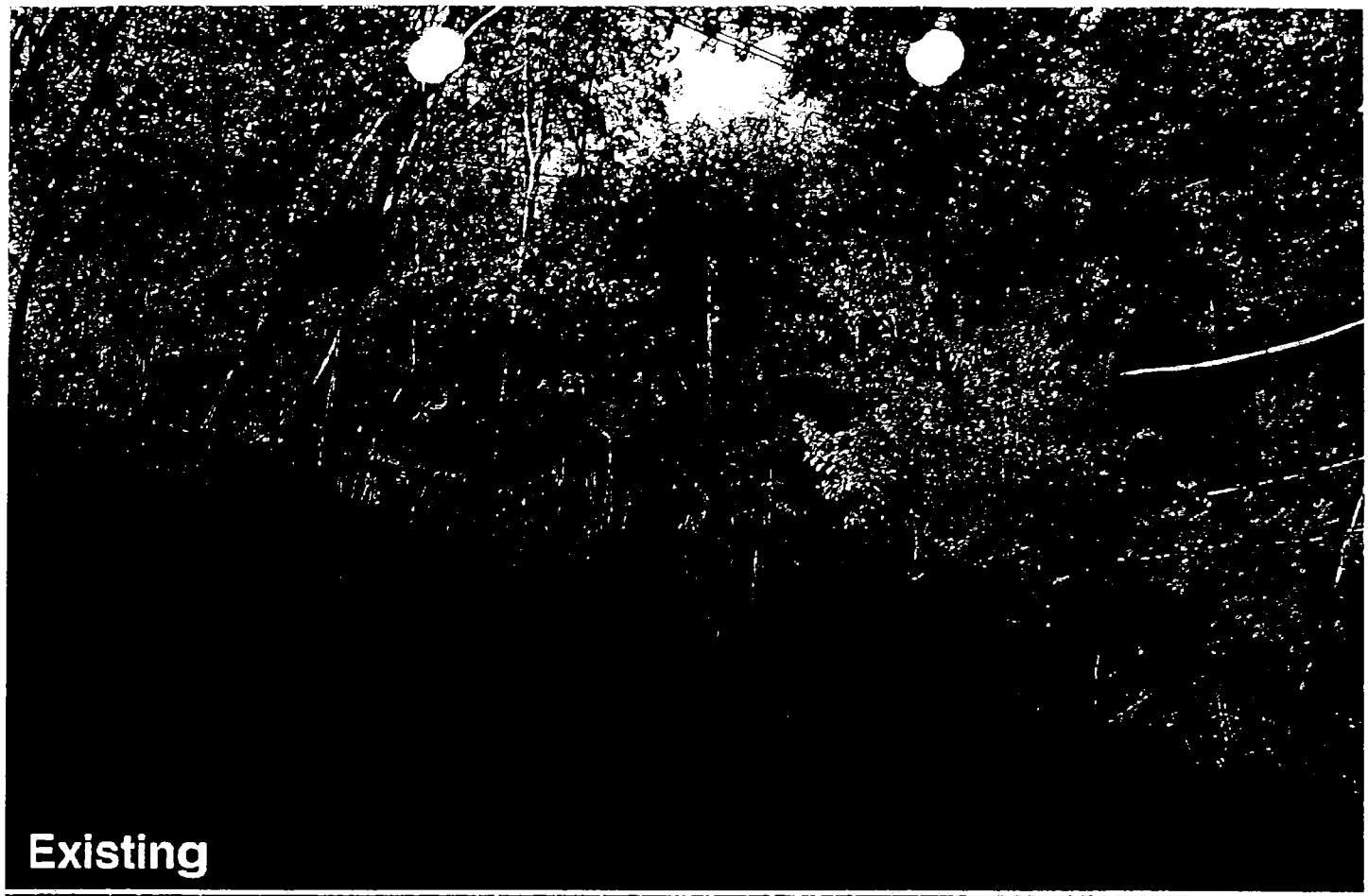
Jackson Overlay

685 Skyward Drive
Aptos, CA 95003

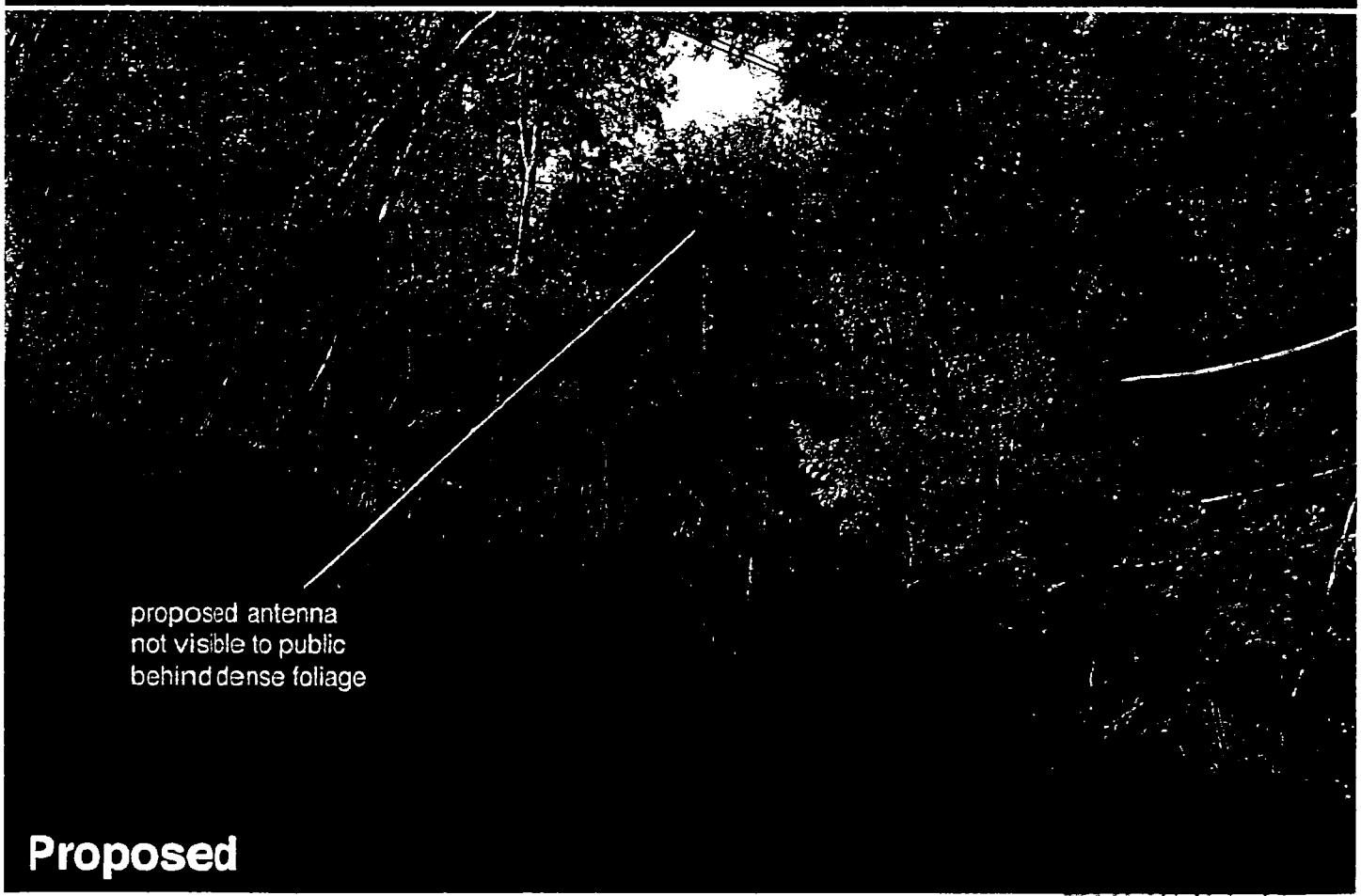
Site # SF1460

Looking North from Driveway

11/02/10



Existing



Proposed

at&t

Jackson Overlay

Site # SF1460

Looking West from Skyward Drive

685 Skyward Drive
Aptos, CA 95003

11/02/10

EXHIBIT F

EXHIBIT F

ALTERNATIVES ANALYSIS
Development Permit Application 101099
685 Skyward Drive, Aptos
AT&T Site CNU3498

Coverage Area of Subject Site

As shown in the enclosed coverage maps, the subject site on Skyward provides a significant area of coverage east and west of the site, and on both sides of Highway One. In addition to its primary coverage, this site also provides coverage infill at areas relatively distant, including portions of Capitola and Santa Cruz.

The site's high elevation relative to these areas provides excellent line-of-sight, that allows the Skyward facility to provide continuity where gaps in coverage exist from other cell sites located at lower elevations, with more limited line-of-sight.

Alternatives to Subject Site

The site and surrounding areas are zoning districts that are designated Restricted or Prohibited in the County's Wireless Ordinance. There is no single location that is both technically feasible in terms of replicating the coverage of the subject site, and is not in a Restricted/Prohibited zone. The nearest non-Restricted/Prohibited zoning districts are too low in elevation to achieve what the Skyland facility accomplishes.

Due to the site's height and far-reaching line-of-sight, AT&T radio frequency engineers calculate that it would take a combination of eleven cell sites to replicate the coverage that the site provides. Of these eleven sites, two could potentially be co-locations with other carriers, three would be upgrades to existing AT&T sites (adding UMTS service to the existing GSM service), and six would require new facilities.

The locations and brief descriptions of their relative merits are listed in the table "Comparison of Replacement Sites."

Merits of Subject Site

- Provides significant primary coverage, and supplemental infill, with one facility, rather than requiring multiple cell sites
- Wood pole design, location and surrounding vegetation render the facility not visible from off of the immediate property
- The site was located in an area with existing infrastructure and roadways. Only a driveway and minimal grading were required for the equipment shelter and access/parking area
- AT&T will cooperate with allowing other carriers to co-locate

COMPARISON OF REPLACEMENT SITES

Map ID	Location	Co-location	Favorable Zoning	Restricted Zoning	Prohibited Zoning	Longitude	Latitude	Comparative Merits and Disadvantages	Feasibility
1	[redacted]	X	C-1			-121.985	36.9708	Co-location; increase height of existing monopole	None of these sites are technically feasible as a replacement to the subject site, as they each would only provide a portion of the coverage provided by the subject site.
2	[redacted]				R-1	-122.00357	36.9904	Prohibited zoning, City of Santa Cruz	
3	Post Office Draptos	X	C-2			-121.9	36.9752	Co-location	
5	Seascape Golf Clubhouse			PR		-121.883	36.96665	Possible opportunity to stealth antennas in rooftop element. Access and power available.	
6	Santana Dr			RA		-121.85	36.9908	If access and power are available, and the facility can be hidden, it would be on par with the subject site.	
7	White Rd/Frogsong			RA		-121.85	36.96049	If access and power are available, and the facility can be hidden, it would be comparable to, but not superior to, the subject site.	
8	[redacted]				R-1-1	-121.874	36.98039	Prohibited zoning	
9	Pleasure Point		C-2			-121.966	36.9626	Possible rooftop locations	
CNU3478	Moon Valley Ranch	X				-121.87	36.9681	Modify existing AT&T facility; add UMTS	
CNU3632	San Andreas	X		SU		-121.863	36.9628	Modify existing AT&T facility; add UMTS	
CNU3237	Mar Monte	x		SU		-121.849	36.9473	Modify existing AT&T facility; add UMTS	

EXHIBIT

1. View from south adjacent residence:

Top of Monopole and Antenna

Exhibit I

2. View from southeast adjacent residence:

EXHIBIT H

3) Views from east adjacent residence and from private road:

MONOPOLE AND ANTENNA

WILSON IHRIG & ASSOCIATES
ACOUSTICAL AND VIBRATION CONSULTANTS

CALIFORNIA NEW YORK

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15 September 2010

Mr. Anthony Poletti
Project Manager
Black Dot Wireless
27271 Las Ramblas, Suite 200
Mission Viejo, California, 92691

Subject: Acoustical Evaluation and Survey and Analysis of Future Conditions
Cell Site CNU3498, Aptos, California

Dear Mr. Poletti:

This letter presents an evaluation of the noise produced by current refrigeration equipment at the site of CNU3498 along Skyward Drive near Aptos, CA and predictions of expected future noise after the present equipment is replaced with lower noise types.

Executive Summary

Noise due to current refrigeration equipment at the cell site is clearly audible by the property line of all four residences abutting the cul-de-sac at the end of Skyward Drive. However, the data obtained indicates that such noise does not violate the requirements of the City of Santa Cruz Noise Element.

The current upgrade project to the cell site includes the replacement of the current cooling equipment with much quieter units to be located *behind* the site's building and surrounded by a sound barrier fence. Calculations performed of the expected level of noise to be produced by the new equipment at the proposed location indicate that such noise is likely to become inaudible during most of the day and just barely audible during those times when other environmental noises in the area are the lowest while fully complying with applicable legislation.

Applicable Legislation

The County of Santa Cruz has enacted legislation as part of their General Plan that regulates noise. This is contained in the Noise Element, Chapter 6, Section 6.9 of the General Plan as a goal which attempts:

> *"To protect the public and sensitive wildlife habitat areas from harmful noise sources such as industrial facilities, automobiles, airplanes, motorcycles, construction noise, surface mining operations, chainsaws, off-road vehicles, loud music, and other noise sources."*

Two noise standards are mentioned in the Noise Element; a daily average noise standard for Land Use Compatibility with various Noise Environments and Maximum Allowable Noise Exposures due to Stationary Noise Sources such as the current cell phone station. The two Standards are summarized in Figure 6-1 and Figure 6-2, respectively, and are reproduced below.

EXHIBIT F

EXHIBIT F

Figure 6-1
Land Use Compatibility For Community Noise Environments

LAND USE CATEGORY	EXTERIOR NOISE EXPOSURE Ldn or CNEL (Both are weighted in decibels by when noise occurs - day or night)						
	55	60	65	70	75	80	
Residential, Hotels, and Motels							
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds							
Schools, Libraries, Museums, Hospitals, Personal Care, Meeting Halls, Churches							
Office Buildings, Business Commercial, and Professional							
Auditoriums, Concert Halls, Amphitheaters							
Industrial, Manufacturing, Utilities, and Agriculture							

NORMALLY ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

CONDITIONALLY ACCEPTABLE
Specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features included in the design.

UNACCEPTABLE
New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

Ldn = Day/Night Average Sound Level
CNEL = Community Noise Equivalent Level

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EXHIBIT 1

Figure 6-2
Maximum Allowable Noise Exposure
Stationary Noise Sources (1)

	Daytime (5) (7 PM to 10 PM)	Nighttime (2,5) (10 PM to 7 AM)
Hourly Leq average hourly noise level, dB (3)	50	45
Maximum Level, dB (3)	70	65
Maximum Level dB - Impulsive Noise (4)	65	60

db = decibel

(1) As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the reception side of noise barriers or other property line noise mitigation measures.

(2) Applies only where the receiving land use operates or is occupied during nighttime hours.

(3) Sound level measurements shall be made with "slow" meter response.

(4) Sound level measurements shall be made with "fast" meter response.

(5) Allowable levels shall be raised to the ambient noise levels where the ambient levels exceed the allowable levels. Allowable levels shall be reduced 5 dB if the ambient hourly Leq is at least 10 dB lower than the allowable level.

As show in Figure 6-2, noise levels due to stationary sources such as the cell site are limited to no more than 50 dBA on average over one hour during the daytime and no more than 45 dBA during nighttime hours. (Please note that although not explicitly indicated in the Table, all values are assumed to be expressed in A-weighted decibels –dBA-, as such metric is standard for the evaluation of environmental noise). However, if the ambient hourly average (Leq) noise level is 10 decibels *lower* than the allowable level, then such allowable level is reduced by 5 decibels.

For short-term duration noises, maximum levels allowed are 70 dBA during the daytime hours and 65 dBA during the night, as noise due to operation of the cell site is not impulsive in nature. However, as the ambient noise at the nearest residences is more than 10 decibels lower than the maximums shown in the above Figure, a 5 decibel penalty must be applied to those maximum as per note (5), thus the maximums allowed are 65 and 60, for day and nighttime, respectively.

Present Noise levels

In order to determine the present level of noise in the area, continuous monitoring for a period of seven contiguous days was conducted by means of precision, calibrated, digitally logging sound meters left unattended at two locations. These meters recorded the level of environmental noise eight times each second, providing statistical summaries every hour of the day for each of the days surveyed. In addition to the hourly summary statistics, the meters were programmed to store the average and maximum level of noise once a minute for the entire duration of the survey, resulting in approximately 11,000 points of data for each monitor. This was done to determine the effect that the intermittent sources of noise by the cell site had on the noise environment by the residences.

EXHIBIT E
EXHIBIT I

The first location surveyed corresponds approximately with the southeast corner of the site and was used as a "control" to determine when the equipment was running and when it was not. The second location selected was near the western property line for the residence at 645 Skyward Drive, across the street from the cell station.

The resulting data indicates that noise in the area is fairly typical of that found in low density urban environments, influenced by distant vehicular traffic, local sounds such as those produced by birds, tree leafs moving due to wind and mechanical equipment such as the water pump servicing the large water reservoir east of the residence at 645 Skyward Dr. and refrigeration unit(s) servicing the cell site. The following table presents a summary of the data measured:

Table 1: Long-term survey noise level summary.
All levels in decibels A-weighted (dBA)

Location	Average Daytime(1)	Average Nighttime(1)	Ldn (daily average)
1 - by cell site	50-55	48-52	56-58
2 - by 645 Skyward residence	40-50	30-40	44-47
Note: All level ranges shown are typical. See Figures 1 & 2 for hourly and daily average (Ldn) details (1) typical hourly average (Leq) as per City's Noise Element, Table 6-2			

Present Mechanical Equipment Noise

The minute long noise data gathered revealed that noise due to cooling equipment at the cell site reaches the nearest residential property at average levels of approximately 37 to 39 decibels A-weighted (dBA). This is clearly evident in the data during nighttime hours, when other environmental noise sources are silent. Please see Figures 3 and 4 for a sample plot of the minute-by-minute average and maximum noise data by the cell site and by the residence, respectively.

Noise due to refrigeration equipment at the cell site is clearly audible during daytime hours by the property line of all four residences abutting the cul-de-sac at the end of Skyward Drive. The data obtained reveals that the level of ambient noise at the nearest residence, ranging from 44 to 47Ldn decibels is significantly below the maximum 60Ldn allowable by the County of Santa Cruz for residential land uses (see Figure 6-1, from the County's Noise Element, above), even with the refrigeration equipment being clearly audible.

The hourly average noise level (Leq) at the nearest residence due to the refrigeration equipment is approximately 32 decibels A-weighted (dBA). This level is also significantly below the 40 dBA allowed by the County's Noise Element for stationary sources during nighttime hours. See Figure 6-2, above. Please note that being that the ambient noise level without the refrigeration equipment running is less than 10 dB lower than the 45 dBA allowable level, a penalty of 5 dB is applied to this maximum allowable level thereby lowering such maximum to 40 dBA.

When the data obtained is compared to the instantaneous maximum level metric indicated by the Code (see 2nd row in Figure 6-2), it is also evident that the approximately 37 to 39 dBA produced by the refrigeration equipment is also significantly below the 60 dBA allowed (after 5 dB penalty is applied here also.)

EXHIBIT F

Predicted Future Mechanical Equipment Noise

Calculations of the expected future level of noise to be produced by the proposed equipment were made using the methodology indicated in AHRI Standard 275-2009[1] and the manufactured-provided sound data for the equipment proposed[2].

The proposed layout consists of two 3-Ton condenser units to be located west of the existing building, between the retaining wall and the west building façade. Please see Figure 5 for a plan of the proposed layout. In addition, two 6' tall wood fences with gates will be constructed (see items #12 and 14 in Figure 5) so as to create a sound barrier effect and thus further shield surrounding residential land uses from mechanical noise.

Given the proposed layout and the sound data provided by the manufacturer, our calculations indicate that the worst-case level of noise to be expected when both units run simultaneously will be 24 dBA. This calculation assumes sound absorbent panels will be installed on the retaining wall, facing the proposed condenser units and that the new fences and gates will be built with no gaps or openings between wood slats, using a tongue-and-groove or overlapping slat arrangement, so as to minimize sound flanking.

Conclusions and Recommendations

The predicted noise levels on the order of 24 dBA are below the lowest level of environmental noise observed during the quietest times of the day, as these were measured to be approximately 30 dBA on average and as low as 28 dBA for short periods of time between 3am and 7am. Please see Figures 2 and 4. Hence, it is expected for mechanical noise due the proposed units to be virtually inaudible under most circumstances.

In order to minimize the level of noise produced, our recommendations are to:

(A) Incorporate sound absorptive panels on 50% or more of the area of the retaining wall facing the proposed equipment. These panels should have a Noise Reduction Coefficient (NRC) of not less than 0.9 and be centered facing the condenser units. Acceptable products include:

a. Empire Acoustical *M-90* "backless" panel (www.empireacoustical.com)
b. Kinetics *Noiseblock* panels (www.kineticsnoise.com)
c. SoundFighter *LSE* (www.soundfighter.com)
d. AcoustiBlock *All Weather Sound Panels* (www.acoustiblock.com)
e. Industrial Noise Control *Panl-Sorb* panels (www.industrialnoisecontrol.com)

(B) Build the proposed fence and gates with no gaps or openings, using tongue-and-groove lumber having a surface density of not less than 2 lbs/sq.ft.

* * *

[1] Air-Conditioning, Heating and Refrigeration Institute (AHRI) Standard 275-2009 "Application of Sound Rating Levels of Outdoor Unitary Equipment"

[2] Carrier Corporation. Sound level data for "Performance Series" 38HDR Air Conditioner with PURON – 3 Ton Model

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EXHIBIT 1

Please do not hesitate to contact us if you have any questions.

Very truly yours

WILSON, IHRIG & ASSOCIATES, INC.

Pablo A. Daroux, MS (Acoustics)
Principal

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EXHIBIT F
EXHIBIT F

FEDERAL COMMUNICATIONS COMMISSION (FCC)
COMPLIANCE STUDY ON
NON-IONIZING ELECTROMAGNETIC RADIATION (NIER)
EXPOSURE

Prepared for:

at&t

CNU3498
JACKSON OVERLAY
685 SKYWARD DRIVE
APTOS, CA
95003

OCTOBER 20/10, REV. 0

SITE DESCRIPTION:

Carrier:	AT&T
Address:	685 Skyward Drive, Aptos, CA 95003
Type of Service:	i) 850 & 1900 MHz GSM/UMTS ii) LTE
Sectors:	2 (215°, 100°)
Antenna Type:	i) Kathrein 742 264, Decibel QBXLH-6565A-VTM ii) Kathrein 800 10764
Number of Antennas:	5 (3 + 2)
Maximum Power:	500 W *(Maximum ERP per technology per sector)*
Antenna Height:	10'±, 38'-5"±, 45'± *(Radiation center AGL)*

Table 1. AT&T RF summary

AT&T is proposing to deploy new LTE service in addition to the existing GSM and UMTS services provided at its wireless communication facility located at the above address (Figure 1). The facility will have antennas at two locations inside the property. An existing 40' wood pole with two panel antennas is located on the east side (sector C). Another three panel antennas will be installed on the existing building columns facing the south (sector B). Both locations are surrounded by fences. One new indoor equipment cabinet will be installed inside the existing equipment shelter near the wood pole. Access to the facility is restricted to authorized personnel.

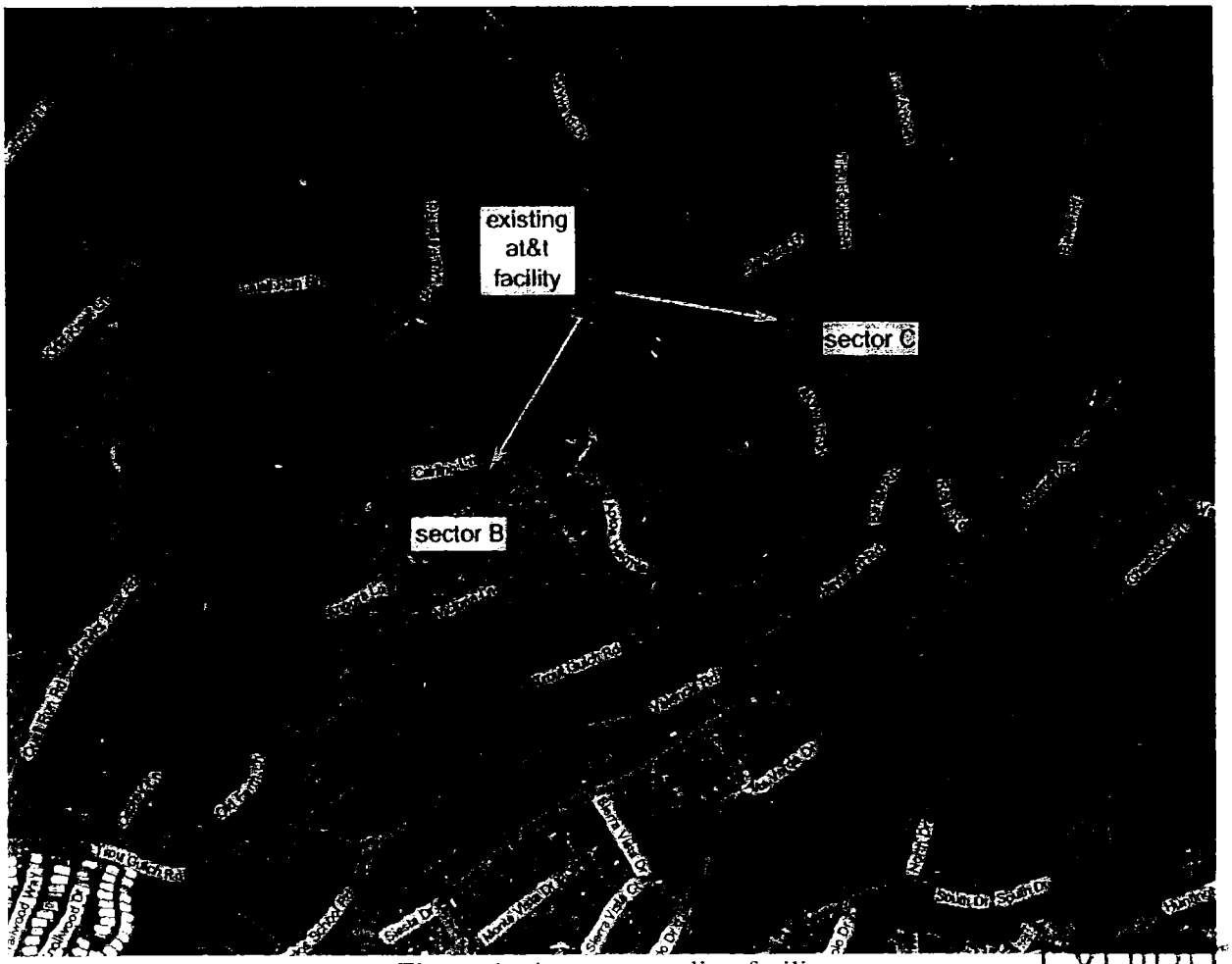

Figure 1. Ar - 77 - 1 unding facility

PROTOCOL:

This study, and the calculations performed therein, is based on OET Bulletin 65[1] which adopts ANSI C95.1-1992 and NCRP standards. In particular, equation 10 from section 2 of the guideline is used as a model (in conjunction with known antenna radiation patterns) for calculating the power density at different points of interest. This information will be used to judge the RF exposure level incident upon the general population, and any employee present in the area. It should be noted that ground reflection of RF waves has been taken into account.

FCC'S MAXIMUM PERMISSIBLE EXPOSURE (MPE) LIMIT:

In order to evaluate the RF exposure level, the power densities at different locations of interest have been examined. Equation 10 from Bulletin 65 is reproduced here as equation 1:

$$S = \frac{33.4 F^2 ERP}{R^2} \qquad (1)$$

Where: S = *Power density [$\mu W/cm^2$]*
ERP = *Effective radiated power [W]*
R = *Distance [m]*
F = *Relative field factor (relative numeric gain)*

Scenario 1: *Maximum Exposure near facility*

The RF exposure level for a six-foot tall person standing near the AT&T facility is analyzed. For the worst-case scenario, we assume that the facility will radiate the maximum number of channels for all the technologies at the same time, with each channel at its maximum power level. Please refer to scenario 1 in appendix A for the complete geometry and analysis. The highest exposure location is found to be on the slope south of the facility near the existing chain-link fence, which is approximately 5' from the antennas. The calculations of the maximum cumulative RF power densities are shown in Table 2.

Service	Max. ERP	F^2	R (m)	S ($\mu W/cm^2$) (from eq. 1)	MPE %
AT&T 1900	1000 W	-20 dB (0.0100)	2.4	57.9861	5.7986
AT&T 850	1000 W	-25 dB (0.0032)	2.4	18.5556	3.1992
AT&T LTE	500 W	-20 dB (0.0100)	2.4	28.9931	5.9291
Total					14.9269

Table 2. Worst-case predicted power density values for scenario 1.

The Maximum Permissible Exposure (MPE) limit for 1900 MHz PCS facility for general population/uncontrolled exposure is 1000 $\mu W/cm^2$, 580 $\mu W/cm^2$ for 850 MHz facility[2] and 512 $\mu W/cm^2$ for 704 MHz facilities[3]. At this location, the power density from the facility is calculated to be 15% of the MPE limit.

[1] Cleveland, Robert F, et al. Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields. OET Bulletin 65, Edition 97-01, August 1997.
[2] Ibid., page 67.
[3] Ibid., page 67.

EXHIBIT E
EXHIBIT 3

Scenario 2: *Maximum Exposure on nearby buildings*

There are residential houses in the surrounding areas. The RF exposure levels on the nearby buildings are evaluated. Please refer to scenario 2 in appendix A for the complete geometry and analysis. Again, we assume all antennas are transmitting with maximum power level at the same time. The maximum exposure is found to be on the rooftop of the nearest building approximately 350' from the sector C antennas. The maximum power density is calculated to be 0.23% of the MPE limit.

Service	Max. ERP	F^2	R (m)	S ($\mu W/cm^2$) (from eq. 1)	MPE %
AT&T 1900	1000 W	-14 dB (0.0398)	108.8	0.1123	0.0112
AT&T 850	1000 W	-6 dB (0.2512)	108.8	0.7088	0.1222
AT&T LTE	500 W	-5 dB (0.3162)	108.4	0.4494	0.0919
Total					0.2253

Table 3. Worst-case predicted power density values for scenario 2.

Conclusion:

There is a relatively low level of RF energy directed either above or below the horizontal plane of the antennas. Under "worst-case" conditions, the calculations shown above predict that the maximum possible RF exposure is 15% of the MPE limit. There will be less RF exposure at other locations near or away from the facility. Therefore, the proposed modifications to AT&T wireless communications facility will comply with the general population/uncontrolled limit.

FCC COMPLIANCE:

Only trained persons will be permitted to access the facility and the antennas. They will be made fully aware of the potential for RF exposure and can choose to exercise control over their exposure that is within the occupational/controlled limits which is 5 times higher than the uncontrolled limits.

The general population/uncontrolled exposure near the facility, including persons on the ground level, in nearby open areas, and inside or on existing nearby buildings will have RF exposure much lower than the "worst-case" scenario, which is only a small percentage of the MPE limit.

REGISTERED PROFESSIONAL ENGINEER
SEI YUEN SYLVAN WONG
16850
EXP. 12/31/10
ELECTRICAL
STATE OF CALIFORNIA

October 25, 2010

Sei Yuen Sylvan Wong, PE
California PE Reg. No. E 16850

EXHIBIT F

III

Duane C. Watters
665 Skyward Dr.
Aptos, California 95003

March 23, 2011

Samantha Haschert
Development Review Planner
Santa Cruz County Planning Department
701 Ocean St., 4th Floor
Santa Cruz, CA 95060

Subject: App # 101099

Dear Ms. Haschert:

We wish to advise you that we object to the subject recognition application currently under consideration by your office. We will appreciate the notice of hearing and suggest that you provide that notice to all Skyward Drive Road Association members.

Your file dealing with the AT&T cellular phone station on Skyward Drive has many previous complaints and there have been others recently addressed to AT&T about noise and late night maintenance that disrupts our residential peace and security. AT&T has not been an acceptable neighbor and we would like to see the facility removed from our hill or moved to another location.

I have reviewed the situation with Ellen Pirie, 2nd District Supervisor and she tells me she will contact you for an assessment of the problems we have submitted to the Planning Department previously.

Sincerely,

Duane C. Watters

EXHIBIT I.

IRENE & WARREN E. ERAUT
645 Skyward Drive
Aptos, Ca. 95003
(831) 688-8481
Email: erautlaw@yahoo.com

March 21, 2011

COUNTY OF SANTA CRUZ
ZONING ADMINISTRATOR
Planning Department
701 Ocean Street,
Santa Cruz, Ca. 95060

Attn: Samantha Hashert – Project Planner

Re: Application No: 101099
APN 040-271-62

Dear Ms. Hashert:

Enclosed are copies of my earlier correspondence to Sheila McDaniel regarding our continuing objections to the above project.

A T & T or its successors continues to use the private Skyward Drive road for access to the cellular tower facility without no concern about contributing towards road maintenance nor about any intrusion such use might have for the neighbors affected by the tower and adjoining facilities.

Access to and use of the facility involves 675 Skyward Drive as well.

It came as a surprise at the hearting on the matter on February 06, 2009 that some or all of this use had been the subject of prior permit processes. Had the neighbors received notice of such an application for a permit, some form of formal objection would have been lodged with the County since the proposed use seems to be nonconforming and incompatible with the character and use of the neighborhood.

The initial preparation of our response to the proposal involved a cross-reference to the applicable County Zoning Ordinances and related Building Codes. The common theme emphasized in the zoning ordinances is that any proposed use be harmonious with and compatible with the uses and character of the neighborhood.

The uses of 675 and/or 685 Skyward Drive as a location for a cellular tower and related service facility is and remains inconsistent with the character of the neighborhood in which we reside.

In addition to this inconsistency, the affected neighbors must disclose this use (and any related claimed health issues) when and if the decision is made to sell a particular property. There seems to be some evidence to suggest that the presence of a cellular

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telephone tower constitutes a health hazard.

Therefore, we continue to object to the A T & T tower facility remaining in our neighborhood.

Our objections include problems with noise; the character of such commercial use in the neighborhood; the failure of A T & T, or its predecessor–in-interest to contribute towards the maintenance of both the main road and the branch road that provides access to our homes from that main road; the affect such a facility will have on property values as well as the obligation of any of us to disclose the presence of the facility.

The current application, as understood by us, is to "recognize a 48 foot monopole with antenna, existing equipment building with exterior air conditioning" which was previously un-permitted.

In our opinion, this use should be disallowed as being commercial in nature and inconsistent with the nature of the neighborhood in which it is located. There's a multitude of ordinances which apply to "non-conforming" use.

If allowed, the air conditioning unit should have a sound barrier. The building shed itself could be a sound barrier because A T & T could reasonably relocate the air conditioning unit to the west or NW side of the building. In its present location, the air conditioning unit emits noise which is an irritant at night. Zoning Ordinance 13.10.130 © provides this agency with the authority to regulate the "location, height, bulk, number of stories and size of buildings and structures". It is consistent with the authority granted this agency under the Zoning Ordinances to require a relocation of the building so as to preserve and protect the integrity of the neighborhood. If the building and access to it is to be allowed, then A T & T need only relocate the entire structure to 685 Skyward Drive.

This use to be "recognized" also involves continued use of our private road; i.e., not only the main road to which all of the members of the association contribute dues and maintenance expense, but the subsidiary or secondary road over which the A T & T equipment will travel for access to the facilities. As it relates to 675 and 685 Skyward, the access to those properties is presumably covered under the terms of the lease agreement negotiated between the predecessors-in-interest. However, no such use was permitted or agreed to by either the membership as a whole, or the members or our section in particular. There is no evidence of an easement granted A T & T to allow continued use of Skyward Drive.

The road association will have to seek an injunction against continued use if your agency is unwilling or unable to control the use. The ideal of course would be for removal.

Thus, in addition to the presence of this unharmonious facility in our nice neighborhood, we are also "blessed" with the presence of A T & T service equipment on a frequent and regular basis.

County Zoning Ordinance 12.01.010 has, as one of its purposes, the purpose to "protect the public health, safety and welfare". This requires consistent and harmonious use compatible with the neighborhood in which the use is located. The continued presence

EXHIBIT E

EXHIBIT K

and use of the properties by A T & T is inconsistent with the state and avowed purpose as stated in this Zoning Ordinance. It is not healthy; it is not safe; and it certainly provides us with nothing in the form of welfare.

County Zoning Ordinance 12.10.110 provides for "minimum standards to safeguard life or limb, health, property and public welfare by controlling the ...moving ...of all buildings, structures, and or property service equipment..." If this agency determines that the balancing of the hardships justifies the continued presence of the A T & T facility, it certainly seems that the neighbors at 645, 655, and 665, and possibly 675 would be less impacted if the entire facility was moved up and directly onto the applicants' property at 685. This would ensure that the presence and any noise or other nuisance would be isolated from the neighbors. This would require the removal of the equipment shed and re-installing it on any appropriate section of the main yard at 685; in other words, have it relocated further up the hill.

County Ordinance 13.10.280 provides this agency with the duty to ensure that permits or licenses are inconformity with the provisions of this chapter. When such use is "in conflict with the provisions, then such use shall be null and void". We, therefore, contend that this use, *ab initio*, has been in conflict with certain provisions of the zoning ordinances and therefore is "null and void". Your agency does not have to sanction continued use; it is respectfully contended that your agency has both the discretion and the duty to disallow use that is not harmonious and is incompatible with the character of the neighborhood in which it is located. A hardship to A T & T does not justify the hardship imposed upon the neighbors.

County Ordinance 12.10.310 requires the issuance of permits. No permits were initially issued. One wonders how it is a large business like A T & T can violate the intent and purpose of the permit process without consequences. The fact that the cellular telephone tower was placed on site and operational does not necessarily mean it should continue.

County Ordinance 12.10.430 lists certain violations, some of which are present here. First, it shall be "unlawful for any person, firm or corporation to erect, construct, enlarge, ...unless a building permit has first been obtained for each building or structure..." The purpose is the obvious: it allows both the agency and the affected neighbors to determine if the proposed use is both appropriate and harmonious, and it allows alternative proposals to be submitted for consideration. This was apparently not done in this case. This does not mean that this use need be continued or condoned.

County Ordinance 13.10.120 provides for implementation of a general plan by providing specific regulations. It also requires that this agency implement this statutory purpose and "promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare; to protect that character, stability, and satisfactory interrelationship of residential, commercial industrial ...areas within the County".

The proposed "recognition" of prior use is in complete contradiction of the terms and the intent of the statutory purpose; there is nothing in the proposed presence of a cellular transmitting tower and facility that "protects health, safety, comfort" nor does it maintain the unique character of this residential neighborhood. There's a reason why this statute speaks

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to the "interrelationship" of various uses; it refers to the well-understood fact that certain uses belong in certain areas. Somehow, this commercial use was transplanted into a residential neighborhood and allowed to continue. Under County Ordinance 13.10.140, this agency is charged with the responsibility to disallow and prevent enlargement or relocations of a building, or expand or intensify an existing use unless it is in conformity with the uses allowed within the district.

The proposed "recognition" of use by A T & T is to allow and to expand use that is inconsistent with and which lacks harmony with the neighborhood itself. This is in violation of County Ordinance 13.10.170 – that "allowable uses ...are in harmony with and compatible with the County General Plan". Ordinance 13.10.265 emphasizes that the use must "complement and harmonize with the existing land use in the vicinity and will be compatible with the physical design aspects of the neighborhood". This proposed use is inconsistent and incompatible in the extreme. At a minimum, all of the structure and use needs to be relocated as stated.

In point of fact, County Ordinance 13.10.230 discusses variances and restricts variances when the granting of same will not be in harmony with the general intent and purpose of zoning and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements within the vicinity. The proposed recognition of existing use and expansion of same violates the intent and purpose of this ordinance; it condones use which is injurious to property because it becomes a use that must be disclosed upon sale of the affected properties.

Upon a proposed sale of the affected properties, some of which have significant values, the seller must disclose the presence of any material nuisance or use or anything that is material to the decision of a buyer. There were comments at the hearing that this type of use involves radiation of sorts which is detrimental to one's health. This same use also generates a noise that is persistent and pervasive emanating from the building into the homes affected, especially at night. Since it must be disclosed, one would suggest that relocating the facility to the applicant's yard minimizes the impact of the disclosure and certainly removes the continued, persistent noise. A sound barrier is insufficient; the entire building across from 675 needs to be relocated to 685 unless, of course, this agency determines, pursuant to County Ordinance 13.10.260 that such use is an imminent threat to health or safety and should be terminated.

As stated previously, there are those who stand to benefit from this permit process and the continued use; namely, A T & T will be allowed to expand its noxious presence in the neighborhood; the applicants will continue to benefit financially while the neighbors downhill deal with the irritant of such use; and the neighbors, especially those at 645, 655, and 665 will be burdened with the continued use of the facility.

In addition to the general zoning requirements as mentioned, there are specific requirements for the siting (sic), design and construction of wireless communication facilities. See: County Ordinance 13.10.660 et seg. The entire text of this ordinance speaks to the issue of protection of the "integrity and nature of residential ...areas"; that the proposed use be such that "minimize(s) negative impacts" to the community and that it does not interfere with the "quality of life of the community".

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EXHIBIT K

In subsection (5), it is stated: "Commercial wireless communications facilities are **commercial uses and as such are generally incompatible with the character of residential** zones ... and therefore should not be located on residentially zoned parcels" (without prove that there are no other alternative locations). Such use requires a Level V Use Approval. (Ordinance 13.10.655).

The best alternative locations are elsewhere within the general semi-commercial environs of mid-county. If allowed at all, the entire operation should be relocated to be onto the property which benefits from its use and presence. This would effectively minimize the intrusion on to the other neighbors while allowing A T & T to continue with its operation.

The continued use by A T & T violates the use purposes for residential districts as set forth in Ordinance 13.10.321: (2) "to preserve areas for primarily residential uses in locations protected from the incompatible effects of non-residential land uses."

Also, subsection (9) applies: "To protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion and hazards..."

Ordinance 13.10.661 has certain requirements which have not been met here. This ordinance prohibits wireless facilities in certain zoning districts including R-1 districts unless the applicant wireless company can prove it can and will comply with all of the requirements of Ordinance sections 13.10.660 to and including 13.10.668 and it shall be "co-located"; if not co-located, then the applicant wireless company shall meet the proof requirements as set forth in this section. This includes the proof that there are no viable and technically feasible alternative sites. The best alternative site would be out of the neighborhood entirely; absent that, the next alternative site would be the applicant site at 685.

The list of requirements mandated by 13.10.661 et seg are substantial and important. It is certainly problematical as to whether A T & T complied with those requirements or can do so at this time.

Finally, the continued use by A T & T was gained by permission from the prior owners of 675 and 685 Skyward Drive. This may have been through the mechanism of an easement onto those properties, although we have not been able to locate such an easement. These owners did not have the legal authority to grant an easement for the use of the road commonly referred to as Skyward Drive nor certainly the branch road that connects to Skyward Drive. There are some 600 + feet of travel over our branch road in order for AT & T to have access to their facility. In our opinion, the use by A T & T has been and continues to be a trespass for which there is no statute of limitations; such trespasses can and should be the subject of an injunction regardless of the alleged "permission" by the prior owners of 675 and 685 Skyward.

Therefore, it is respectfully contended on our part that the A T & T permit should be denied and the facility removed. If, in your opinion, the proposed use meets the code requirements for nonconforming use, then the facility should be relocated to be more directly connected to 685 since that property gains the benefit of being paid for the use. If,

EXHIBIT E

EXHIBIT A

in your opinion, the permit should be issued, then A T & T should not only contribute to the main road (Skyward Drive) but also to the maintenance of our branch road; and, A T & T should relocate its facility as suggested. At a minimum, the pumps and air compressors, and other equipment, should be moved to the opposite side of the equipment shed and facility across from 675 Skyward.

Thank you for taking the time to consider our position in this regard.

Very truly yours,

Warren & Irene Eraut

EXHIBIT E

EXHIBIT E

IRENE & WARREN E. ERAUT
645 Skyward Drive
Aptos, Ca. 95003
(831) 688-8481
Email: erautlaw@yahoo.com

COUNTY OF SANTA CRUZ
ZONING ADMINISTRATOR
Planning Department
701 Ocean Street,
Santa Cruz, Ca. 95060

Attn: Sheila McDaniel – Project Planner

Re: Application No: 08-0256
APN 040-271-62

Dear Ms. McDaniel:

Thank you for your efforts to evaluate the pending permit application and the proposal to continue with the use of a cellular telephone transmitting station on the property at 685 Skyward Drive.

We have the impression that the use of a portion of the facility involves 675 Skyward Drive as well.

It came as a surprise at the hearting on the matter on February 06, 2009 that some or all of this use had been the subject of prior permit processes. As was stated, had the neighbors received notice of such an application for a permit, some form of formal objection would have been lodged with the County since the proposed use seems to be nonconforming and incompatible with the character and use of the neighborhood.

The initial preparation of our response to the proposal involved a cross-reference to the applicable County Zoning Ordinances and related Building Codes. The common theme emphasized in the zoning ordinances is that any proposed use be harmonious with and compatible with the uses and character of the neighborhood.

The uses of 675 and/or 685 Skyward Drive as a location for a cellular tower and related service facility is and remains inconsistent with the character of the neighborhood in which we reside.

In addition to this inconsistency, the affected neighbors must disclose this use (and any related claimed health issues) when and if the decision is made to sell a particular property. There seems to be some evidence to suggest that the presence of a cellular telephone tower constitutes a health hazard.

Therefore, we object to the A T & T tower facility remaining in our neighborhood.

EXHIBIT H

EXHIBIT H

The objections include problems with noise; the character of such commercial use in the neighborhood; the failure of A T & T, or its predecessor–in-interest to contribute towards the maintenance of both the main road and the branch road that provides access to our homes from that main road; the affect such a facility will have on property values as well as the obligation of any of us to disclose the presence of the facility.

The initial application, as understood by us, was to "recognize a 48 foot monopole with antenna,...existing equipment building with exterior air conditioning"

This language leads one to conclude that the prior use was use that was not permitted. Why else would your agency be called upon to "recognize" such prior use? At the hearing, it was apparent that your agency was relying upon prior permits in order to determine if the proposed expanded use should be "recognized".

In our opinion, this use should be disallowed as being commercial in nature and inconsistent with the nature of the neighborhood in which it is located. There's a multitude of ordinances which apply to "non-conforming" use.

If allowed, the air conditioning unit should have a sound barrier. The building shed itself could be a sound barrier because A T & T could reasonably relocate the air conditioning unit to the west or NW side of the building. In its present location, the air conditioning unit emits noise which is an irritant at night. Zoning Ordinance 13.10.130 © provides this agency with the authority to regulate the "location, height, bulk, number of stories and size of buildings and structures". It is consistent with the authority granted this agency under the Zoning Ordinances to require a relocation of the building so as to preserve and protect the integrity of the neighborhood. If the building and access to it is to be allowed, then A T & T need only relocate the entire structure to 685 Skyward Drive.

This use to be "recognized" also involves continued use of our private road; i.e., not only the main road to which all of the members of the association contribute dues and maintenance expense, but the subsidiary or secondary road over which the A T & T equipment will travel for access to the facilities. As it relates to 675 and 685 Skyward, the access to those properties is presumably covered under the terms of the lease agreement negotiated between the predecessors-in-interest. However, no such use was permitted or agreed to by either the membership as a whole, or the members or our section in particular. There is no evidence of an easement granted A T & T to allow continued use of the branch road.

Thus, in addition to the presence of this unharmonious facility in our nice neighborhood, we are also "blessed" with the presence of A T & T service equipment on a frequent and regular basis.

County Zoning Ordinance 12.01.010 has, as one of its purposes, the purpose to "protect the public health, safety and welfare". This requires consistent and harmonious use compatible with the neighborhood in which the use is located. The continued presence and use of the properties by A T & T is inconsistent with the stated and avowed purpose as stated in this Zoning Ordinance. It is not healthy; it is not safe; and it certainly provides us with nothing in the form of welfare.

EXHIBIT K

Discretionary Application Comments 101099

APN 040-271-62

Drainage Review

Routing No: 1 | Review Date: 11/29/2010
GERARDO VARGAS (GVARGAS) : Complete

Application has been approved for the discretionary stage in regards to drainage.
Miscellaneous Comments:
A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently $1.07 per square foot, and are assessed upon permit issuance. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.
Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

Routing No: 2 | Review Date: 02/28/2011
SAMANTHA HASCHERT (SHASCHERT) : Not Required

Environmental Planning

Routing No: 1 | Review Date: 11/22/2010
ROBERT LOVELAND (RLOVELAND) : Complete

Conditions of Approval:
1. Submit a soils report completed by a California licensed geotechnical engineer for review and approval.
2. Submit grading information for the project area.
3. Obtain a grading permit if required.

NOTE TO PLANNER: The mapped resource was not detected in the project area.

Routing No: 2 | Review Date: 02/28/2011
SAMANTHA HASCHERT (SHASCHERT) : Not Required

Fire Review

Routing No: 1 | Review Date: 11/16/2010
ERIN COLLINS (ECOLLINS) : Complete

a 100-foot clearance shall be maintained around and adjacent to the building or structure to provide additional fire protection or fire break by removing all brush, flammable vegetation, or combustible growth.
EXCEPTION: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, pro-vided they do not form a means of rapidly trans-mitting fire from native growth to any structure.

EXHIBIT K

Fire Review

Routing No: 2 | Review Date: 02/28/2011
SAMANTHA HASCHERT (SHASCHERT) : Not Required

Project Review

Routing No: 1 | Review Date: 12/02/2010
SAMANTHA HASCHERT (SHASCHERT) : Incomplete

see incomplete letter in file

Routing No: 2 | Review Date: 03/03/2011
SAMANTHA HASCHERT (SHASCHERT) : Incomplete

Incomplete for signage

Routing No: 3 | Review Date: 04/28/2011
SAMANTHA HASCHERT (SHASCHERT) : Complete

Urban Designer Review

Routing No: 1 | Review Date: 12/02/2010
SAMANTHA HASCHERT (SHASCHERT) : No Response

Routing No: 2 | Review Date: 02/28/2011
SAMANTHA HASCHERT (SHASCHERT) : Not Required

EXHIBIT E

Aptos/La Selva Fire Protection District
6934 Soquel Drive • Aptos, CA 95003
Phone # 831-685-6690 • Fax # 831-685-6699

November 16, 2010

Planning Department
County of Santa Cruz
Attention: Samantha Haschert
701 Ocean Street
Santa Cruz, CA 95060

Subject: APN: 040-271-62/ Appl #101099
685 Skyward Drive

Dear Ms. Haschert:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented.

A plan review fee of **$50.00** is due and payable to the Aptos/La Selva Fire Department **PRIOR TO APPROVAL** of building application. **Reminder:** the enclosed Permit/Service Fees form must be submitted to the Aptos/La Selva Fire Department at time of payment.

NOTE on the plans "a 100-foot clearance shall be maintained around and adjacent to the building or structure to provide additional fire protection or fire break by removing all brush, flammable vegetation, or combustible growth.

EXCEPTION: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure."

Sincerely,

Jim Dias, Fire Marshal
Fire Prevention Division
Aptos/La Selva Fire Protection District

Cc: Timothy & Camille Washowich
685 Skyward Drive
Aptos, CA 95003

Cc: Leah Hernikl
410 Clubhouse Drive
Aptos, CA 95003

EXHIBIT F
EXHIBIT K

09-12-11P03:00 RCVD

Duane C. Watters
665 Skyward Dr.
Aptos, California 95003

September 12, 2011

Planning Commission at the County Government Center
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: Appeal of AT&T application # 101099, Cell Phone Station at 685 Skyward Dr. Aptos, California – Hearing September 28, 2011

There have been considerable correspondence and complaints filled with the Santa Cruz County Planning Department and AT&T at various locations regarding the Cellular Phone Station at 685 Skyward Dr. Correspondence has been carried on with Sheila McDaniel, Laura Madrigal, Maureen ? and Samantha Haschert in the Planning Department. Certain contacts at AT&T include Chris Holder of Erickson Communications (AT&T contract operator), Jim Cosgrove -AT&T, Vickie Harrison-AT&T, Kevin Hicks-AT&T, Pat Hammer-AT&T, Linda Williamson-AT&T and AT&T Inc, Dallas, Texas.

The Planning Department has previous complaints on file and has not responded to these in a satisfactory manner. The Planning Department advises that some requirements submitted to AT&T and found to be unresolved after over a 2 year period are unable to be enforced. These itemized complaints were not dealt with at the June 3, 2011 hearing. The objections and complaints on file must be part of this appeal.

1. *Noise – There is still disturbing noise from the site. The level is noticeable and is unacceptable. It is not continuous but comes on at various times.*
2. *Traffic – There have been 4 or five trucks and vehicles at the site during the day on many occasions. That is an example of frequent traffic. Some of these are large noisy trucks and not all AT&T vehicles. The statement of the Planning Department that one vehicle per month at the site is not true and is certainly misleading.*
3. *Location-The cell phone site is an eyesore and has not been maintained in concert with the residential area that it shares. Basically, AT&T is a terrible neighbor.*
4. *Disturbances-At 665 Skyward Drive, we have been woken at midnight and 2PM by trucks shinning lights into our house and backing with their warning alarms*

EXHIBIT F

on along with loud talking. The peace and quite we expect has been violated on several occasions. This is unacceptable in our neighborhood. The Planning Department has not addressed this issue in an enforceable manner.

5. *Proper Site Approval-We believe there was never a solicitation for approval or comment from the property owners that would be affected by this commercial installation on private residential property. That is dead wrong by the Planning and Permit Departments of Santa Cruz County.*

This appeal includes previous objections filed with the Planning Department and complaints to AT&T for the record. Some of the residents on Skyward Drive and certain spurs of Skyward Drive are primarily concerned with the private road expenses and we concur. AT&T should support the access expense. However, we are close neighbors with the cell site and have had serious problems with AT&T and their contractors and joint venture partners that may not have affected some of the others and we take exception to the cell site location as previously stated to you.

Duane C. Watters

EXHIBIT F