

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 02-0522 **APN:** 80-021-27
APPLICANT: Jason Osborne (of The Lyle Company), for AT&T Wireless Services
OWNER: Fred Jensen

PROJECT DESCRIPTION: Proposal to co-locate a wireless services site by mounting six panel antennas onto an existing monopole and installing an equipment cabinet. Requires an Amendment to Commercial Development Permit 93-0239, Biotic Pre-Site, and Archeological Site Review.

LOCATION: Property located on the east side of Empire Grade Road, 1.4 miles north from Alba Road, at 12500 Empire Grade Road.

PERMITS REQUIRED: Amendment to Commercial Development Permit 93-0239
ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 1801 Existing Facility

COASTAL ZONE: ___ Yes No

PARCEL INFORMATION

PARCEL SIZE: 46 acres
EXISTING LAND USE
 PARCEL: Christmas tree farm, timber, and monopole cell site
 SURROUNDING: Christmas tree farm, timber, residential
PROJECT ACCESS: Empire Grade Road
PLANNING AREA: Bonny Doon
LAND USE DESIGNATION: R-M, Mountain Residential
ZONING DISTRICT: TP, Timber Production
SUPERVISORIAL DISTRICT: Third District (Wormhoudt)

ENVIRONMENTAL INFORMATION

- | | |
|-----------------------|---|
| a. Geologic Hazards | a. No hazards mapped or sighted |
| b. Soils | b. Soils Report done for original monopole |
| c. Fire Hazard | c. Not critical |
| d. Slopes | d. Existing flat graded pad |
| e. Env. Sen. Habitat | No physical evidence on site |
| f. Grading | f. No grading proposed |
| g. Tree Removal | g. No trees proposed to be removed |
| h. Scenic | h. Empire Grade scenic road |
| i. Drainage | i. Existing drainage to receive minor upgrading |
| j. Traffic | k. No significant impact |
| k. Roads | Existing roads adequate |
| l. Parks | l. Existing park facilities adequate |
| m. Sewer Availability | m. N/A |

- n. Water Availability n. Private well
- o. Archeology o. Negative archeological site review

SERVICES INFORMATION

Inside Urban/Rural Services Line: ___ Yes X No
Water Supply: Private well
Sewage Disposal: N/A
Fire District: Bonny Doon/County Fire
Drainage District: None

HISTORY

The original telecommunications facility permit for the site was approved on March 1, 1994 as Commercial Development Permit 93-0239 (Exhibit J). The original approval was for an 80-foot tall monopole with antennas, equipment building, emergency generator and perimeter fencing. Staff Reports and supporting documents for 93-0239, including an Environmental Review Initial Study, are on file and available for viewing at the Santa Cruz County Planning Department.

ANALYSIS AND DISCUSSION

The proposed wireless facility co-location is a minor change to an approved project. The proposed six new antennas will be mounted on the existing monopole at 68 feet above ground level, approximately 10 feet below the existing antennas. There will also be a new seven foot by 11 foot concrete pad for new equipment cabinets, located within the existing 29 foot by 59 foot fenced compound at the base of the monopole.

The existing wireless facility is owned and operated by Crown Castle International of Pleasanton, California, in a joint venture with GTE Mobilnet. AT&T Wireless, an FCC licensed wireless communication company, seeks the additional antennas to provide improved service coverage for Ben Lomond, Felton, Scotts Valley and surrounding areas. Shared use of the monopole facility will be sublet to AT&T Wireless.

Lease income to the property owner from the wireless facility in effect adds to the economic viability of maintaining the property in its primary use as the well-known Crest Ranch Christmas Tree Farm.

Co-Location. The project alternative of establishing a separate, nearby facility location for this project would not meet Santa Cruz County's Wireless Communication Facilities Ordinance purposes. The proposed co-location on the existing monopole is consistent with the Wireless Ordinance's strong encouragement of co-located facilities.

Visual analysis. As shown in the photo simulations (Exhibit G) and project plans (Exhibit A), the new antennas will have a matching form and dark green color consistent with the existing set of antennas. The upper section of the existing monopole is intermittently visible, at distances of 800 feet or more, from portions of Empire Grade Road only while passing by the Christmas tree farm on which the monopole is located. In this rural setting there are mature native trees,

smaller Christmas tree plantings, other screening vegetation, a topographical rise between Empire Grade and the monopole site, and an elevated road embankment along a portion of Empire Grade, all of which serve to reduce the visibility of the monopole from Empire Grade Road. The visual impact of the added antennas in this particular circumstance is slight, and the casual observer would quite easily not be aware of any change. The potential visual impact of locating a new, separate monopole facility nearby would be much greater.

The permit conditions of the original monopole permit required certain additional screening tree plantings to be made in order to further reduce the visibility of the facility. Two well-established redwood plantings are now thriving just south of the fenced facility area. Other plantings did not survive the initial period of planting establishment and were not replaced. Since that time there are no records of complaints to the County Planning Department about the unreplaced plantings. County Planning staff only recently noted the absent plantings during a followup site inspection. Arrangements are now underway between staff, the wireless facility operators, and the property owner to obtain complete replantings along with a plan for maintaining the plantings. A Building Permit for the proposed co-location may not be applied for until the plantings are in place.

Federal requirements. The proposed co-location to the existing monopole complies with Federal Communications Commission regulations including construction requirements, technical standards, interference protection and radio frequency standards (Exhibit H).

CONCLUSION

As proposed and conditioned, the project is consistent, as a conditional use, 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. This project conforms to the County of Santa Cruz Interim Zoning Regulations Regarding Wireless Communication Facilities (Ordinance No. 463I), in effect at the time the permit application was deemed complete for processing.

All permit conditions of the original project approval for Commercial Development Permit #93-0239 remain in effect.

RECOMMENDATION

Staff recommends:

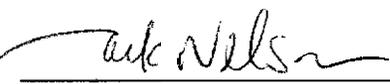
1. **APPROVAL** of Application Number **02-0522**, based on the attached findings and conditions; and
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

EXHIBITS

- A. Project plans by CH2MHILL as revised 9-25-02 (8.5x11" included here; full-size on file).
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning map & General Plan map
- G. Photo simulations
- H. Radio Frequency Analysis, Hammett & Edison, dated 9-27-02
- I. "Project Synopsis," from AT&T Wireless
- J. Permit 93-0239 with Findings and Conditions of Approval
- K. Site photograph: example view from Empire Grade Road near Crest Ranch Christmas Tree Farm entrance

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: _____


Jack Nelson
Santa Cruz County Planning Department
701 Ocean Street; 4th Floor
Santa Cruz CA 95060
(831) 454-3259 or jack.nelson@co.santa-cruz.ca.us

Report Reviewed By: _____


Cathy Graves
Principal Planner
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060



AT&T

AT&T WIRELESS SERVICES, L.L.C. SITE NUMBER: 960008035A SITE NAME: EMPIRE GRADE

EXHIBIT A

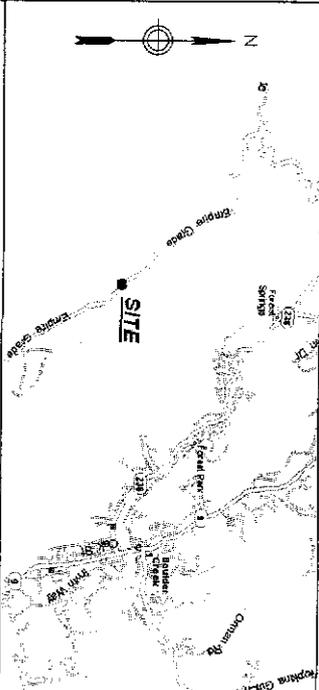
DRAWING INDEX

DRAWING INDEX	SEV.
008035A-Z01	3
960008035A-Z02	3
960008035A-Z03	3
960008035A-Z04	3
960008035A-Z05	3
960008035A-Z06	3
960008035A-C01	3

SEV.

DIRECTIONS FROM THE INTERSECTION OF HIGHWAYS 1 & 17 IN SANTA CRUZ:
TAKE HWY 17 NORTH TOWARDS THE CITY OF SCOTT VALLEY, JUST SOUTH OF SCOTT VALLEY, EXIT ONTO MOUNT HERMAN ROAD, TURN LEFT (N) AND PROCEED 3.5 MILES TO CROWDA HILL ROAD, TURN RIGHT ON CROWDA HILL TOWARDS THE INTERSECTION OF HIGHWAY 17, CROSS HIGHWAY 9 THE ROAD BECOMES FELTON EMPIRE ROAD, PROCEED 3.6 MILES ON FELTON EMPIRE ROAD, TURN RIGHT ON EMPIRE GRADE AND DRIVE ANOTHER 0.7 MILES.

LOCATION MAP



PROJECT INFORMATION

SCOPE OF WORK: AN UNMANNED TELECOMMUNICATIONS FACILITY INCLUDING (3) EQUIPMENT CABINETS ON THE GROUND & (6) PANEL ANTENNAS MOUNTED ON EXISTING 80'-0" MONOPOLE AT 69'-0" A.G.L.
SITE ADDRESS: 12300 EMPIRE GRADE, SANTA CRUZ, CA 95060

PROPERTY OWNER: FRED JENSEN, GRADE 12300 EMPIRE GRADE, SANTA CRUZ, CA 95060
CONTACT PERSON: BEN HESCHEN, CROWN CASTLE (925) 737-1108
APPLICANT: AT&T WIRELESS SERVICES, INC. 651 GATEWAY BLVD, SUITE 1000, SAN JOSE, CALIFORNIA, CA 95080
LATITUDE: 37° 7' 18.32" N
LONGITUDE: 122° 9' 22.84" W
ELEVATION: 2589.5' A.M.S.L.
JURISDICTION: SANTA CRUZ COUNTY
ASSESSOR PARCEL NO: 080-021-27
CURRENT USE: TELECOMMUNICATIONS FACILITY
PROPOSED USE: TELECOMMUNICATIONS FACILITY

SITE QUALIFICATION PARTICIPANTS

2. WORKING DAYS BEFORE YOU DIG UNDERGROUND SERVICE ALERT (800) 227-2800	YOU MUST CALL 48 HOURS PRIOR TO DIGGING TO HAVE UTILITIES LOCATED AND MARKED.
A/E	NAME
SAC	NESTOR I. POPOWICH
RF	MIKE BORCHARD
CON	DANISH BANSA
LAND/DIG	JERRY EPPERSON
APPLICANT	FRED JENSEN
	DAVID NEY
	THE LYLE COMPANY

COMPANY	NUMBER
CH2MHILL	(773) 693-5200
THE LYLE COMPANY	(916) 804-8460
WFI	(925) 857-8991
BECHTEL TELECOM	(925) 957-8835
	(831) 426-1522
	(650) 903-9950

CH2MHILL
COMMUNICATIONS GROUP
11800 WILLOW WAY, SUITE 1100
MINNETONKA, MN 55345
TEL: (763) 644-2000
FAX: (763) 644-2005
WWW.CH2MHILL.COM

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF CH2MHILL. THE USER OF THIS DRAWING OR THE REPRODUCTION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF CH2MHILL IS PROHIBITED. ALL RIGHTS RESERVED. ©2002

EMPIRE GRADE
960008035A
12300 EMPIRE GRADE
SANTA CRUZ, CA 95060

AT&T
WIRELESS SERVICES
401 BATTERY AVE., SUITE 1000
SAN FRANCISCO, CA 94102

NO.	DATE	DESCRIPTION	BY	CHK	APP'D
1	07/24/02	ISSUED FOR PERMITTING	SP	AK	MP
2	08/27/02	ISSUED FOR PERMITTING	SP	AK	MP
3	08/27/02	ISSUED FOR PERMITTING	SP	AK	MP

TITLE SHEET	SHEET NUMBER	REV
960008035A	201	3

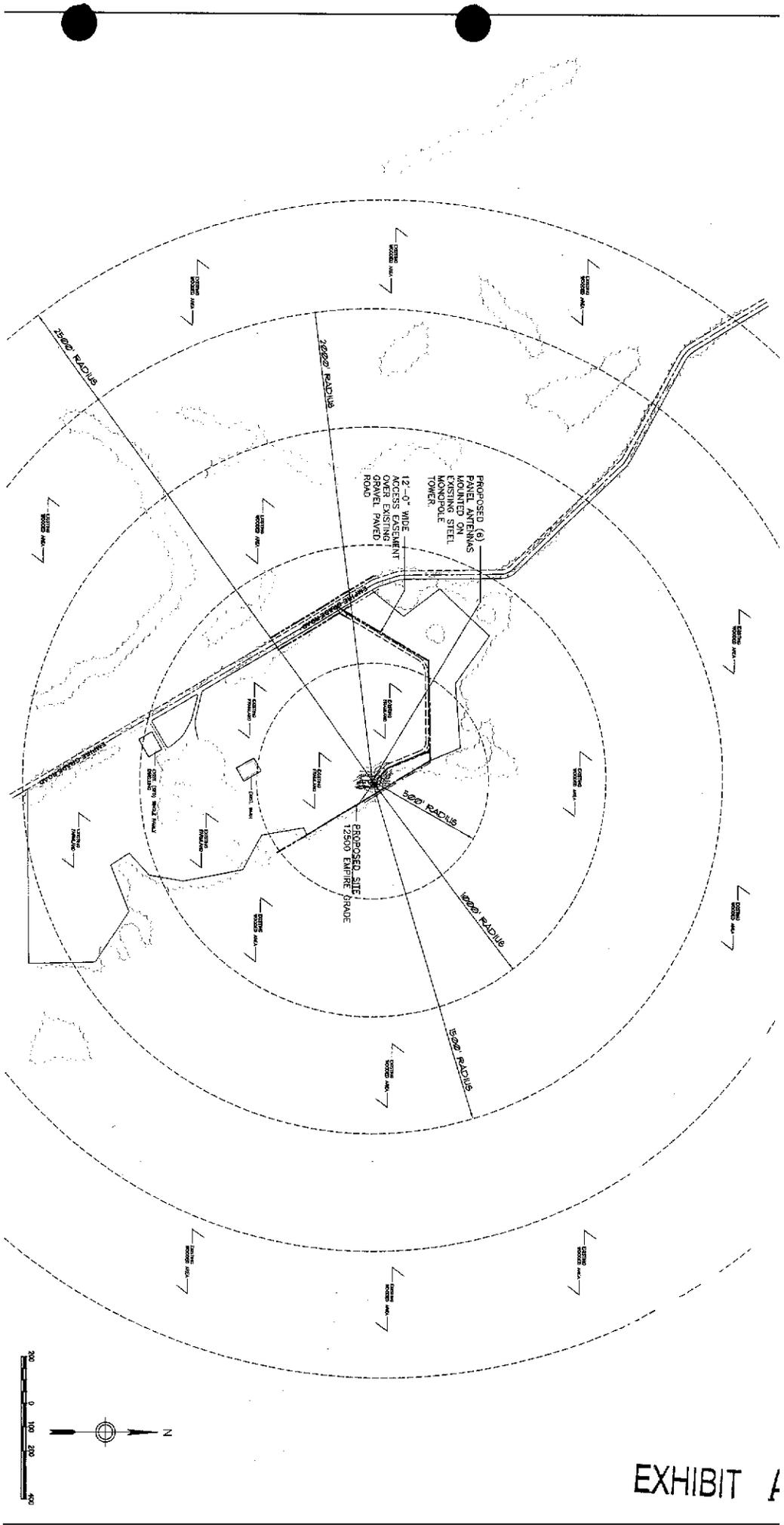
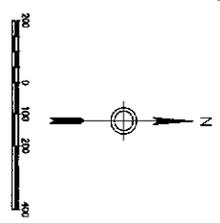


EXHIBIT A



CH2MHILL
 Communications Group
 1808 HAWTHORNE AVENUE
 SUITE 100
 CHICAGO, ILLINOIS 60656
 TEL: (773) 744-1151
 FAX: (773) 624-3241

819 N. BRYNMAWR
 SUITE 100
 CHICAGO, ILLINOIS 60611
 TEL: (773) 624-3241
 FAX: (773) 624-3241

THE SOLE PROPERTY OF CH2MHILL. IT IS
 PRODUCED FOR USE BY A CLIENT WHOSE
 USE OF THIS DRAWING OR THE INFORMATION
 CONTAINED HEREIN IS LIMITED TO THE
 PROJECT AND SITE SPECIFICALLY IDENTIFIED
 HEREIN. NO OTHER USE OR REPRODUCTION
 IS PERMITTED. © 2002

EMPIRE GRADE
 960008035A
 12500 EMPIRE GRADE
 SANTA CRUZ, CA 95060

AT&T
 Wireless Services
 801 GATEWAY BLVD. SUITE 400
 SAN FRANCISCO, CA 94103

NO.	DATE	DESCRIPTION	BY	CHK	APP'D
3	09/23/02	ZONING ORDINANCE UPDATES	CP	RCC	NTP
2	09/05/02	FIELD SURVEY	JA	RC	NTP
1	07/25/02	REVISED WORKING DSH	CP	RC	NTP
0	06/17/02	ISSUED FOR ZONING APPROVAL	CP	RC	NTP

VICINITY MAP (2500')
 SITE NUMBER: _____ SHEET NUMBER: _____ REV: _____



EXHIBIT A

18200 REDWOOD BLVD
 LIVERMORE, CA 94551
 TEL: (425) 840-3000
 FAX: (425) 744-1151

COMMUNICATIONS GROUP
 5919 N. BRYAN BLVD
 TEL: (773) 693-5200
 FAX: (773) 383-3241

PROPOSED FOR USE BY ALEX WHEELER
 USE OF THIS DRAWING OR THE
 INFORMATION CONTAINED HEREIN
 IS LIMITED TO THE PROJECT AND
 RESERVED © 2002

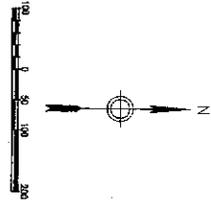
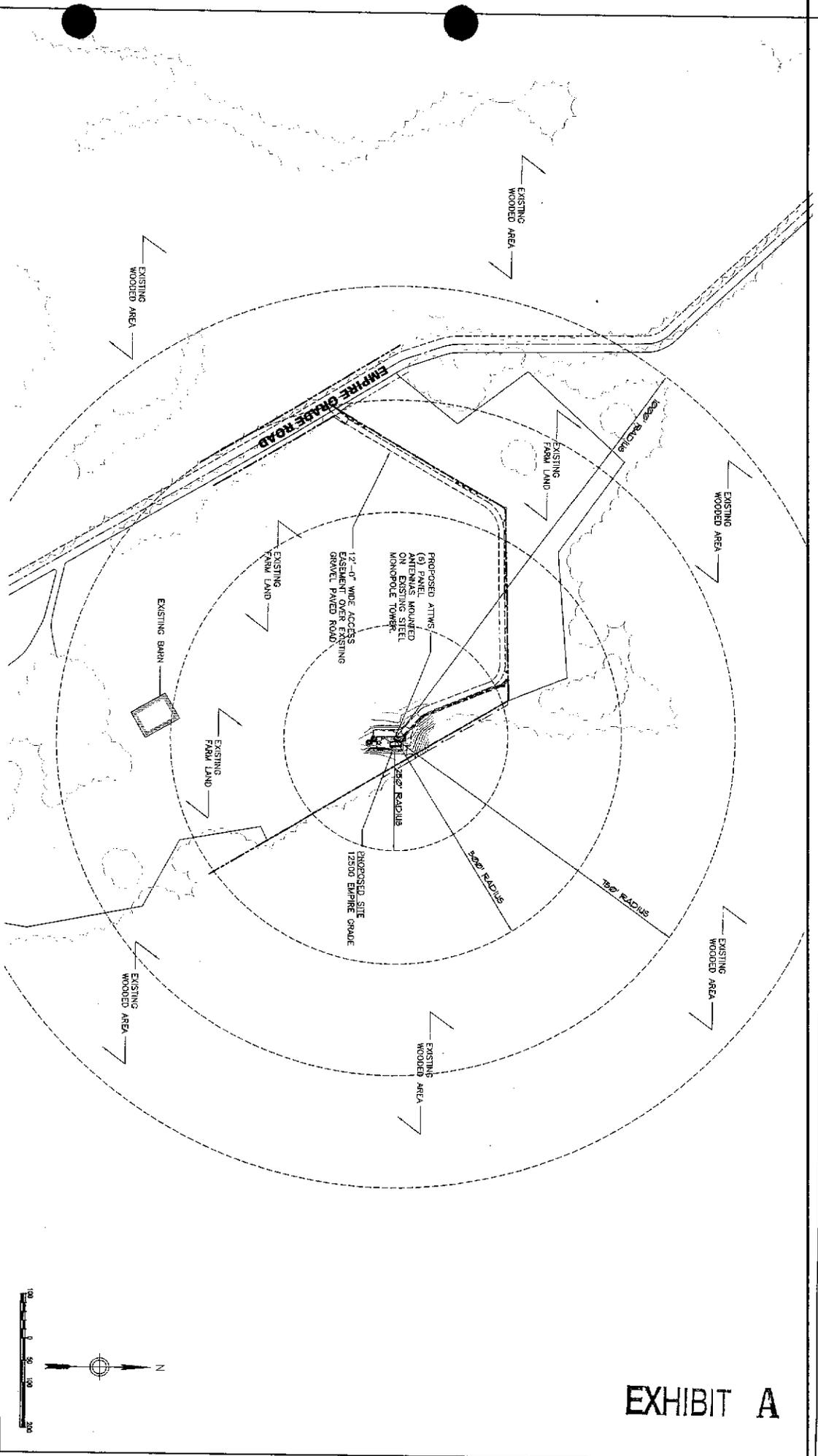
EMPIRE GRADE
 960008038A
 12500 EMPIRE GRADE
 SANTA CRUZ, CA 95060



NO.	DATE	REVISIONS	BY	CHECK	DATE
3	10/25/02	ZONING ORDINANCE UPDATED	BP	RJC	HTP
2	08/06/02	ADDED SITE	AM	KE	HTP
1	07/25/02	REMOVED ALTERNATIVE DIS.	EP	KE	HTP
0	06/17/02	ISSUED FOR ZONING APPROVAL	EP	KE	HTP

VICINITY MAP (AERIAL)
 SITE NUMBER: _____ SHEET NUMBER: _____ REV: _____

EXHIBIT A



CH2MHILL
Communications Group
16991 LINDEN RD
LINDEN, VA 22640
TEL: (703) 644-3405
FAX: (703) 644-1151

172066

THIS DRAWING IS COPYRIGHTED AND IS THE SOLE PROPERTY OF CH2MHILL. ITS USE FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CH2MHILL IS PROHIBITED. ALL RIGHTS RESERVED. ©2002

EMPIRE GRADE
960008035A
12500 EMPIRE GRADE
SANTA CRUZ, CA 95060

AT&T
Webb Services
AN ANTENNA RAY, DATE 8/00
ON SAN FRANCISCO, CA 94108

NO.	DATE	REVISIONS	BY	CHK	APP'D
3	8/26/02	ZONING ORDINANCE UPDATES	EP	RCJ	NTP
2	8/20/02	ADOPTED SURVEY	JA	RC	NTP
1	8/17/02	REMOVED SURVEY	EP	RC	NTP
0	8/17/02	ISSUED FOR ZONING APPROVAL	EP	RC	NTP

SCALE: 1" = 100'-0" (RENDERED: RC)

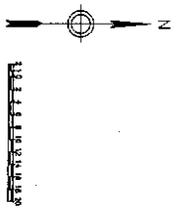
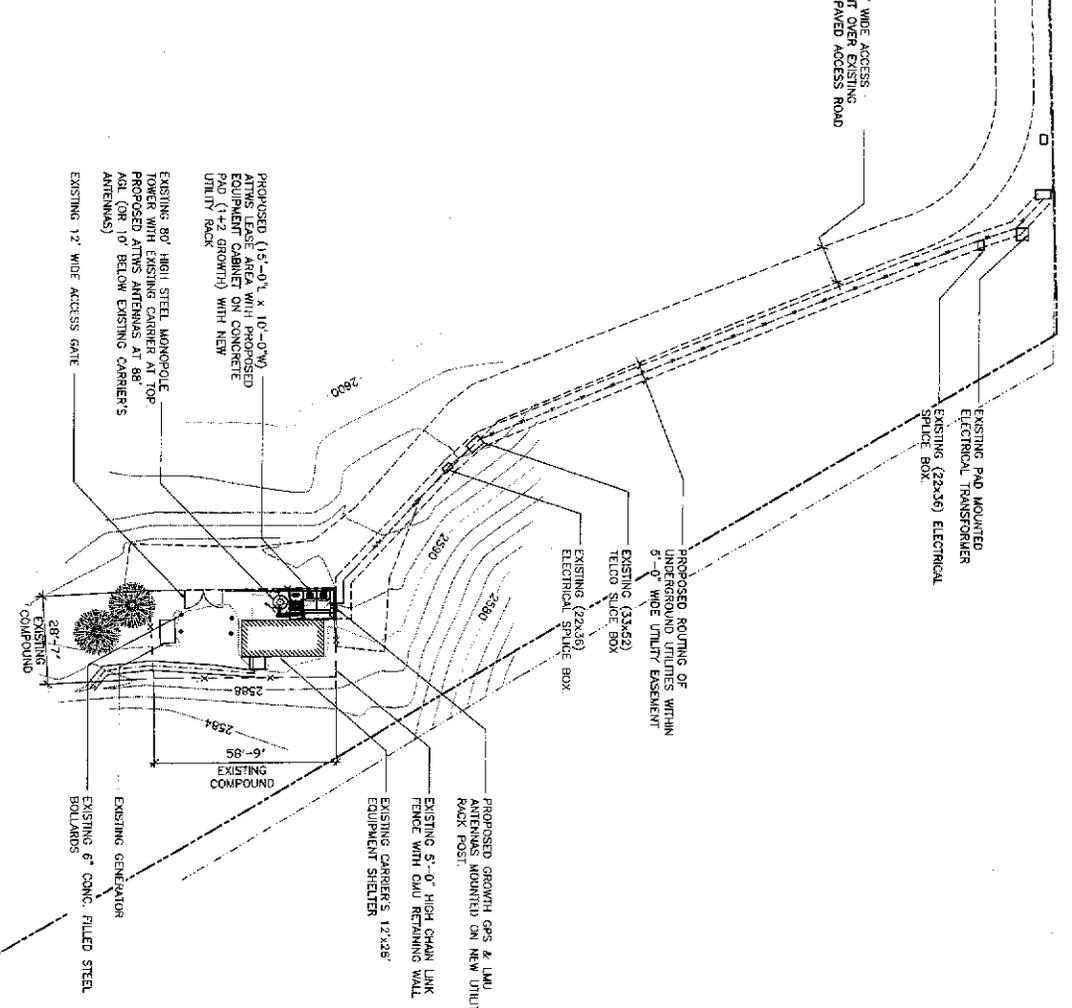
VICINITY MAP 1
SCALE: 1" = 800'-0"

VICINITY MAP (1000')

SITE NUMBER: 960008035A

SHEET NUMBER: 203

REV: 3



CH2MHILL
 Communications Group
 1808 HIGHWAY 85, AC
 FRENCO, CALIFORNIA
 TEL: (425) 744-1811
 FAX: (425) 744-1811

8019 W. BRYAN WAY
 CHUCKS, L. AGENT
 18000 W. BRYAN WAY
 FAY, (773) 886-3241
 RESERVED: 0200

CH2M HILL PROJECT NUMBER: 173966

THE FOLLOWING DESCRIBED ARE THE PROPOSED AND EXISTING UTILITIES AND THE GOVERNMENT OF CALIFORNIA, ITS AGENCIES, AND LOCAL GOVERNMENTS USE OF THE SAME. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. CH2M HILL AND ITS AGENTS MAKE NO WARRANTY, REPRESENTATION OR GUARANTEE OF ANY KIND, INCLUDING WITHOUT LIMITATION, THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. RESERVED: 0200

EMPIRE GRADE
 960008035A
 12800 EMPIRE GRADE
 SANTA CRUZ, CA 95060

AT&T
 Wireless Services
 601 GATEWAY PLAZA, SUITE 600
 SAN FRANCISCO, CA 94102

NO.	DATE	BY	CHK	APP'D	REVISIONS	REVISIONS	REVISIONS
3	09/25/02	EP	MC	HP	ZONING ORDINANCE UPDATES		
2	06/02/02	EP	MC	HP	ADDED SLOTTED		
1	07/25/02	EP	MC	HP	REMOVED WORKING DASH		
0	06/17/02	EP	MC	HP	ISSUED PER ZONING APPROVAL		

SCALE: AS SHOWN
 DRAWN: EP
 CHECKED: MC

SCALE: 1" = 20'-0"

NO.	DATE	BY	CHK	APP'D	REVISIONS	REVISIONS	REVISIONS
1		EP	MC	HP			

SITE PLAN

SITE NUMBER	SHEET NUMBER	REV.
960008035A	204	3

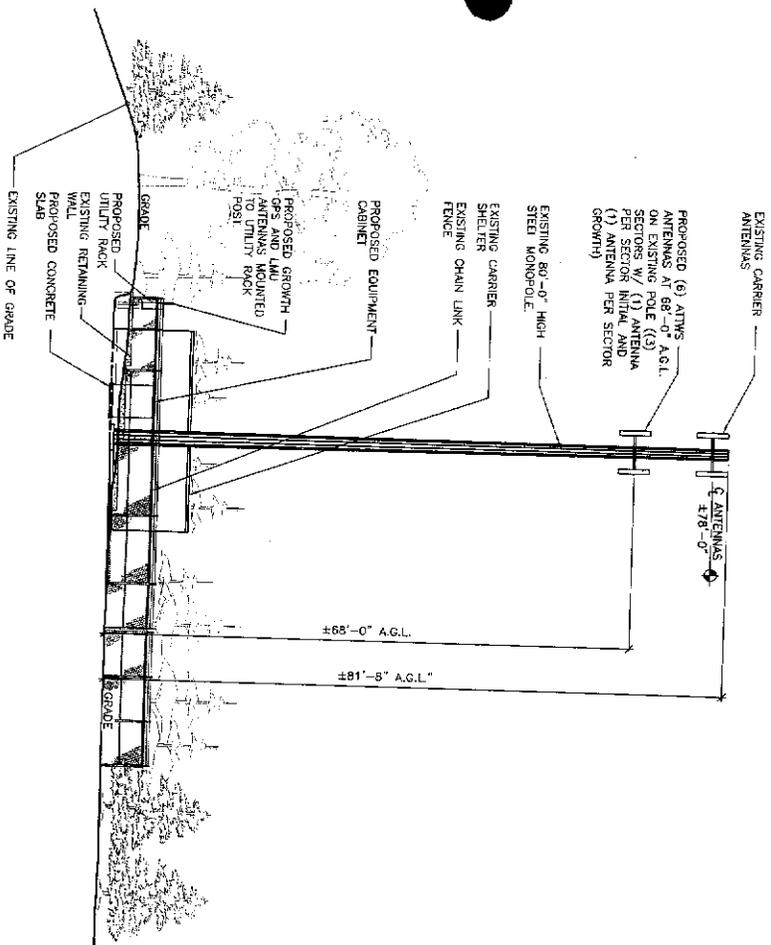
- NOTES:**
- EXISTING STRUCTURE BOUNDARY TAPE NORTH AND TOPOGRAPHIC INFORMATION WERE TAKEN FROM ATTACHED SITE SURVEY (SHEET C01) AS PREPARED BY INITIAL POINT, INC.
- LEGEND:**
- PROPERTY LINE
 - SETBACK LINE
 - EXISTING INTEREX CONTOURS
 - EXISTING INTERMEDIATE CONTOURS
 - EDGE OF BIT. ASPHALT PAVEMENT
 - EDGE OF GRAVEL DRIVEWAY
 - FENCE LINE
 - CENTERLINE OF DITCH
 - CULVERTS
 - UTILITY OF GROUND
 - ROUND IRON PIN
 - PROPOSED FINISHED GRADE
 - UNDERGROUND POWER LINE
 - UNDERGROUND TELEPHONE LINE
 - FIRE HYDRANT
 - SITE LIGHT

2 WORKING DAYS BEFORE YOU DIG
 UNDERGROUND SERVICE ALERT NORTH - (800) 227-2600
 YOU MUST CALL 48 HOURS PRIOR TO DIGGING TO HAVE UTILITIES LOCATED AND MARKED.

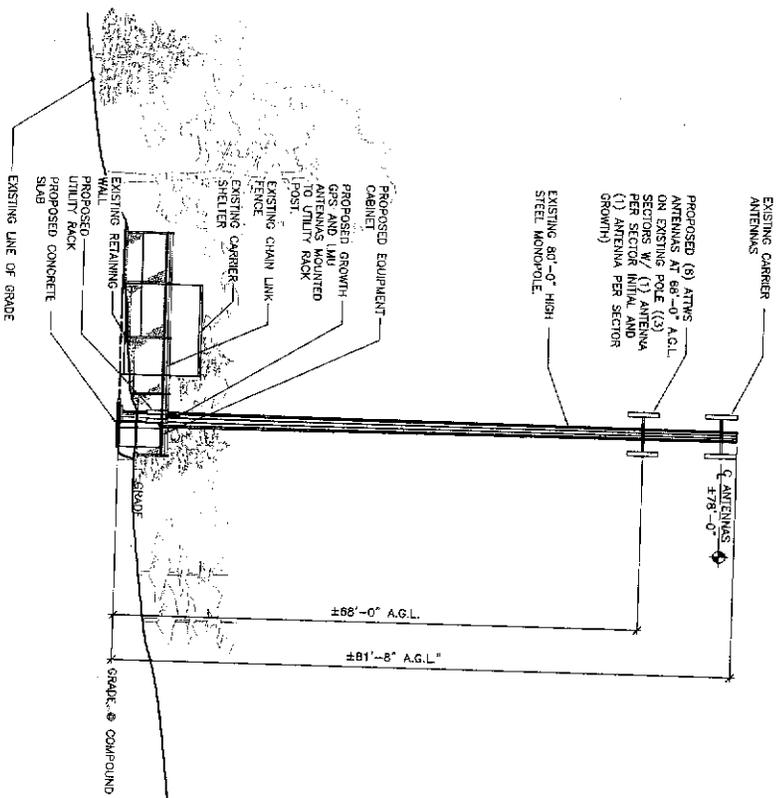
APPLICABLE CODES:
 1998 CALIFORNIA BUILDING CODE / 1997 UBC
 APPLICABLE AMENDMENTS TO STANDARD CODES ADOPTED AND ISSUED BY THE LOCAL JURISDICTION OF CITY OR COUNTY

LOWER BASE
 LATITUDE: 37° 7' 18.32" N
 LONGITUDE: 122° 9' 22.84" W
 (PER NORTH AMERICAN DATUM OF 1983)
 ELEVATION: 2585.8' ASL M.L.

EXHIBIT A



WEST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"

CH2MHILL
COMMUNICATIONS GROUP
18099 HIGHWAY 98, #C
LYNNWOOD, WA 98035
Tel: (206) 742-2005
Fax: (206) 742-1431

12000 EMPIRE GRADE
SANTA CRUZ, CA 95060
Tel: (723) 824-2210
Fax: (723) 998-5241

PROJECT NUMBER: 173965

THIS DRAWING IS CONSIDERED VALID FOR THE SITE PROPOSED FOR USE BY AT&T WIRELESS. INFORMATION CONTAINED HEREIN IS THE PROPERTY OF CH2MHILL. CH2MHILL IS PROVIDING AS RESERVED. ©2000

EMPIRE GRADE
960008035A
12000 EMPIRE GRADE
SANTA CRUZ, CA 95060

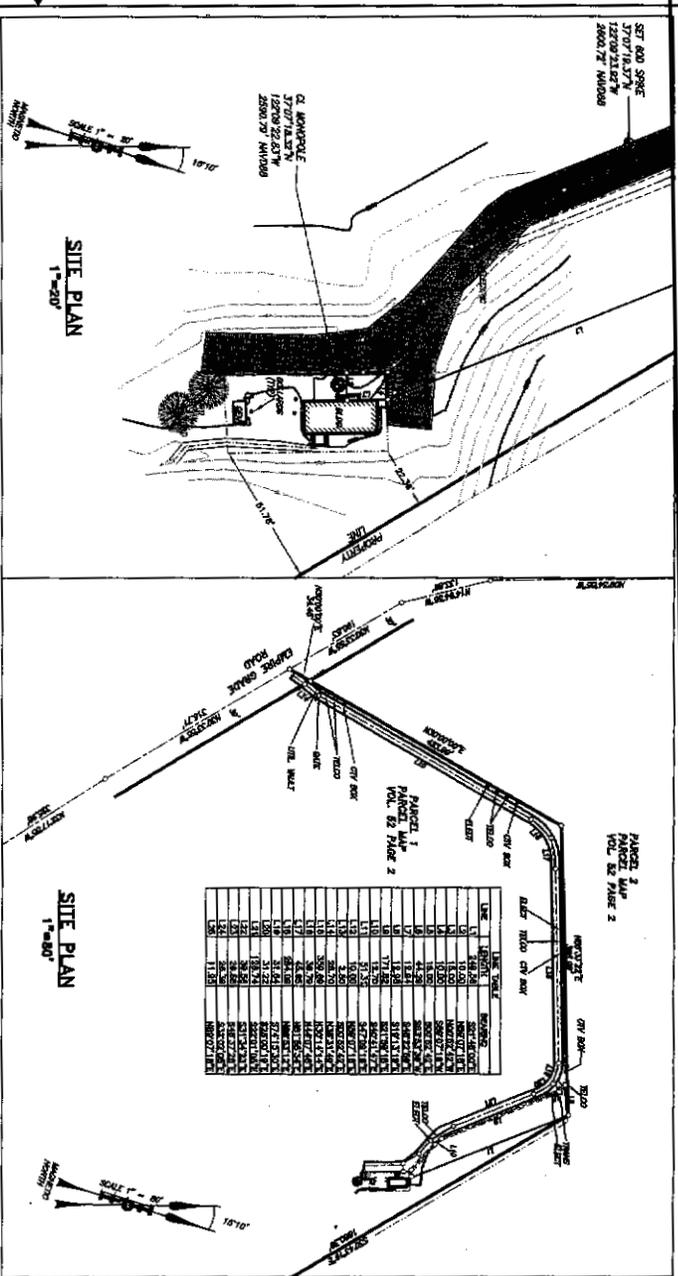


NO.	DATE	DESCRIPTION	BY	CHK	APP'D.
3	09/26/02	ZONING ORDINANCE UPDATES	AP	RC	NTP
2	06/05/02	ADDED SHEETS	AP	RC	NTP
1	07/28/02	REVISIONS WORKMANSHIP DISH	AP	RC	NTP
0	02/17/03	REVISION FOR ZONING APPROVAL	AP	RC	NTP

NORTH AND WEST ELEVATION VIEWS

SITE NUMBER: 960008035A
SHEET NUMBER: 206
REV: 3

EXHIBIT A



LEASE FENCE:
ALL THE CENTER BOUNDARY PROPERTY SHOWN IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, COMMENCING AT THE NORTHEAST CORNER OF LOT 1, AS SHOWN ON PARCEL MAP RECORDED IN VOLUME 52 OF PAGES 1407-1408 FROM A RECORD "N" FROM P.M.C. TOWN OF SAN JUAN, SANTA CRUZ COUNTY, CALIFORNIA, BEING 50 FEET EAST, 2500 FEET FROM A POINT "X" FROM P.M.C. TOWN OF SAN JUAN, SANTA CRUZ COUNTY, CALIFORNIA, BEING 214.45 FEET EAST, 248.64 FEET TO THE TRUE POINT OF BEGINNING, THENCE THE FOLLOWING PER (1) COURSE AND DISTANCES:

1. SOUTH 09° 52' 00" WEST, 10.00 FEET;
2. NORTH 09° 52' 00" WEST, 10.00 FEET;
3. NORTH 09° 52' 00" WEST, 10.00 FEET;
4. NORTH 09° 52' 00" WEST, 10.00 FEET.

TO THE TRUE POINT OF BEGINNING AND ENCLOSING 100 SQUARE FEET, MORE OR LESS.

ACCESS EASEMENT:
A STRIP OF LAND 12 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF LOT 1, AS SHOWN ON PARCEL MAP RECORDED IN VOLUME 52 OF PAGES 1407-1408 FROM A RECORD "N" FROM P.M.C. TOWN OF SAN JUAN, SANTA CRUZ COUNTY, CALIFORNIA, BEING 50 FEET EAST, 2500 FEET FROM A POINT "X" FROM P.M.C. TOWN OF SAN JUAN, SANTA CRUZ COUNTY, CALIFORNIA, BEING 214.45 FEET EAST, 248.64 FEET TO THE TRUE POINT OF BEGINNING, THENCE THE FOLLOWING PER (1) COURSE AND DISTANCES:

1. SOUTH 09° 52' 00" WEST, 11.88 FEET;
2. NORTH 09° 52' 00" WEST, 11.88 FEET;
3. NORTH 09° 52' 00" WEST, 11.88 FEET;
4. NORTH 09° 52' 00" WEST, 11.88 FEET;
5. NORTH 09° 52' 00" WEST, 11.88 FEET;
6. NORTH 09° 52' 00" WEST, 11.88 FEET;
7. NORTH 09° 52' 00" WEST, 11.88 FEET;
8. NORTH 09° 52' 00" WEST, 11.88 FEET;
9. NORTH 09° 52' 00" WEST, 11.88 FEET;
10. NORTH 09° 52' 00" WEST, 11.88 FEET;
11. NORTH 09° 52' 00" WEST, 11.88 FEET;
12. SOUTH 09° 52' 00" WEST, 11.88 FEET.

TO THE END OF THIS LINE, COMMENCING AT THE POINT OF BEGINNING AND ENCLOSING 100 SQUARE FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING AND ENCLOSING 100 SQUARE FEET, MORE OR LESS.

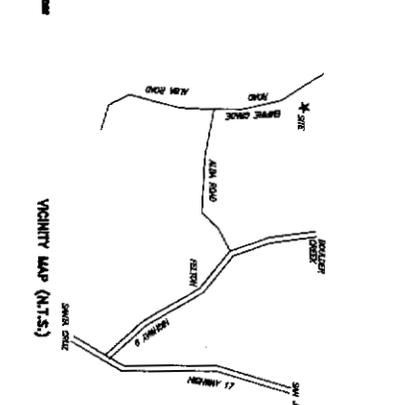
UTILITY EASEMENT:
A STRIP OF LAND 3 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF LOT 1, AS SHOWN ON PARCEL MAP RECORDED IN VOLUME 52 OF PAGES 1407-1408 FROM A POINT "X" FROM P.M.C. TOWN OF SAN JUAN, SANTA CRUZ COUNTY, CALIFORNIA, BEING 50 FEET EAST, 2500 FEET FROM A POINT "X" FROM P.M.C. TOWN OF SAN JUAN, SANTA CRUZ COUNTY, CALIFORNIA, BEING 214.45 FEET EAST, 248.64 FEET TO THE TRUE POINT OF BEGINNING, THENCE THE FOLLOWING PER (1) COURSE AND DISTANCES:

1. SOUTH 14° 22' 00" EAST, 12.84 FEET;
2. SOUTH 14° 22' 00" EAST, 12.84 FEET;
3. SOUTH 14° 22' 00" EAST, 12.84 FEET;
4. SOUTH 14° 22' 00" EAST, 12.84 FEET;
5. SOUTH 14° 22' 00" EAST, 12.84 FEET;
6. SOUTH 14° 22' 00" EAST, 12.84 FEET;
7. SOUTH 14° 22' 00" EAST, 12.84 FEET;
8. SOUTH 14° 22' 00" EAST, 12.84 FEET;
9. SOUTH 14° 22' 00" EAST, 12.84 FEET;
10. SOUTH 14° 22' 00" EAST, 12.84 FEET;
11. SOUTH 14° 22' 00" EAST, 12.84 FEET;
12. SOUTH 14° 22' 00" EAST, 12.84 FEET;
13. SOUTH 14° 22' 00" EAST, 12.84 FEET;
14. SOUTH 14° 22' 00" EAST, 12.84 FEET;
15. SOUTH 14° 22' 00" EAST, 12.84 FEET;
16. SOUTH 14° 22' 00" EAST, 12.84 FEET;
17. SOUTH 14° 22' 00" EAST, 12.84 FEET;
18. SOUTH 14° 22' 00" EAST, 12.84 FEET;
19. SOUTH 14° 22' 00" EAST, 12.84 FEET;
20. SOUTH 14° 22' 00" EAST, 12.84 FEET;
21. SOUTH 14° 22' 00" EAST, 12.84 FEET;
22. SOUTH 14° 22' 00" EAST, 12.84 FEET;
23. SOUTH 14° 22' 00" EAST, 12.84 FEET;
24. SOUTH 14° 22' 00" EAST, 12.84 FEET;
25. SOUTH 14° 22' 00" EAST, 12.84 FEET;
26. SOUTH 14° 22' 00" EAST, 12.84 FEET;
27. SOUTH 14° 22' 00" EAST, 12.84 FEET;
28. SOUTH 14° 22' 00" EAST, 12.84 FEET;
29. SOUTH 14° 22' 00" EAST, 12.84 FEET;
30. SOUTH 14° 22' 00" EAST, 12.84 FEET;
31. SOUTH 14° 22' 00" EAST, 12.84 FEET;
32. SOUTH 14° 22' 00" EAST, 12.84 FEET;
33. SOUTH 14° 22' 00" EAST, 12.84 FEET;
34. SOUTH 14° 22' 00" EAST, 12.84 FEET;
35. SOUTH 14° 22' 00" EAST, 12.84 FEET;
36. SOUTH 14° 22' 00" EAST, 12.84 FEET;
37. SOUTH 14° 22' 00" EAST, 12.84 FEET;
38. SOUTH 14° 22' 00" EAST, 12.84 FEET;
39. SOUTH 14° 22' 00" EAST, 12.84 FEET;
40. SOUTH 14° 22' 00" EAST, 12.84 FEET;
41. SOUTH 14° 22' 00" EAST, 12.84 FEET;
42. SOUTH 14° 22' 00" EAST, 12.84 FEET;
43. SOUTH 14° 22' 00" EAST, 12.84 FEET;
44. SOUTH 14° 22' 00" EAST, 12.84 FEET;
45. SOUTH 14° 22' 00" EAST, 12.84 FEET;
46. SOUTH 14° 22' 00" EAST, 12.84 FEET;
47. SOUTH 14° 22' 00" EAST, 12.84 FEET;
48. SOUTH 14° 22' 00" EAST, 12.84 FEET;
49. SOUTH 14° 22' 00" EAST, 12.84 FEET;
50. SOUTH 14° 22' 00" EAST, 12.84 FEET;
51. SOUTH 14° 22' 00" EAST, 12.84 FEET;
52. SOUTH 14° 22' 00" EAST, 12.84 FEET;
53. SOUTH 14° 22' 00" EAST, 12.84 FEET;
54. SOUTH 14° 22' 00" EAST, 12.84 FEET;
55. SOUTH 14° 22' 00" EAST, 12.84 FEET;
56. SOUTH 14° 22' 00" EAST, 12.84 FEET;
57. SOUTH 14° 22' 00" EAST, 12.84 FEET;
58. SOUTH 14° 22' 00" EAST, 12.84 FEET;
59. SOUTH 14° 22' 00" EAST, 12.84 FEET;
60. SOUTH 14° 22' 00" EAST, 12.84 FEET;
61. SOUTH 14° 22' 00" EAST, 12.84 FEET;
62. SOUTH 14° 22' 00" EAST, 12.84 FEET;
63. SOUTH 14° 22' 00" EAST, 12.84 FEET;
64. SOUTH 14° 22' 00" EAST, 12.84 FEET;
65. SOUTH 14° 22' 00" EAST, 12.84 FEET;
66. SOUTH 14° 22' 00" EAST, 12.84 FEET;
67. SOUTH 14° 22' 00" EAST, 12.84 FEET;
68. SOUTH 14° 22' 00" EAST, 12.84 FEET;
69. SOUTH 14° 22' 00" EAST, 12.84 FEET;
70. SOUTH 14° 22' 00" EAST, 12.84 FEET;
71. SOUTH 14° 22' 00" EAST, 12.84 FEET;
72. SOUTH 14° 22' 00" EAST, 12.84 FEET;
73. SOUTH 14° 22' 00" EAST, 12.84 FEET;
74. SOUTH 14° 22' 00" EAST, 12.84 FEET;
75. SOUTH 14° 22' 00" EAST, 12.84 FEET;
76. SOUTH 14° 22' 00" EAST, 12.84 FEET;
77. SOUTH 14° 22' 00" EAST, 12.84 FEET;
78. SOUTH 14° 22' 00" EAST, 12.84 FEET;
79. SOUTH 14° 22' 00" EAST, 12.84 FEET;
80. SOUTH 14° 22' 00" EAST, 12.84 FEET;
81. SOUTH 14° 22' 00" EAST, 12.84 FEET;
82. SOUTH 14° 22' 00" EAST, 12.84 FEET;
83. SOUTH 14° 22' 00" EAST, 12.84 FEET;
84. SOUTH 14° 22' 00" EAST, 12.84 FEET;
85. SOUTH 14° 22' 00" EAST, 12.84 FEET;
86. SOUTH 14° 22' 00" EAST, 12.84 FEET;
87. SOUTH 14° 22' 00" EAST, 12.84 FEET;
88. SOUTH 14° 22' 00" EAST, 12.84 FEET;
89. SOUTH 14° 22' 00" EAST, 12.84 FEET;
90. SOUTH 14° 22' 00" EAST, 12.84 FEET;
91. SOUTH 14° 22' 00" EAST, 12.84 FEET;
92. SOUTH 14° 22' 00" EAST, 12.84 FEET;
93. SOUTH 14° 22' 00" EAST, 12.84 FEET;
94. SOUTH 14° 22' 00" EAST, 12.84 FEET;
95. SOUTH 14° 22' 00" EAST, 12.84 FEET;
96. SOUTH 14° 22' 00" EAST, 12.84 FEET;
97. SOUTH 14° 22' 00" EAST, 12.84 FEET;
98. SOUTH 14° 22' 00" EAST, 12.84 FEET;
99. SOUTH 14° 22' 00" EAST, 12.84 FEET;
100. SOUTH 14° 22' 00" EAST, 12.84 FEET;

SURVEY NOTES

1. ALL DIMENSIONS AND LOCATIONS ARE AND BY ALL DIMENSIONS ARE MADE BY.
2. ALL DIMENSIONS AND LOCATIONS WERE MEASURED BY THE SURVEYOR AND THE REPORT IS MADE BY THE SURVEYOR. THE SURVEYOR'S NAME IS AT THE BOTTOM OF THIS REPORT.
3. DATE OF FIELD SURVEY: JULY 22, 2002.

TOWER ELEVATION
NO SCALE



1-A. ACQUISITION STATEMENTS

DATE OF SURVEY: JULY 22, 2002

SITE NUMBER: 960008035A

TYPE: ACQUISITION

DATE OF ACQUISITION: JULY 22, 2002

THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

1. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

2. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

3. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

4. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

5. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

6. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

7. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

8. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

9. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

10. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

11. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

12. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

13. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

14. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

15. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

16. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

17. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

18. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

19. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

20. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

21. THE ACQUISITION IS FOR THE CONSTRUCTION OF A TOWER AND RELATED FACILITIES.

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 may be made. The project is sited on a 46 acre parcel at an existing monopole location. The visual impact of the co-location of facilities will be very slight, and much less than would potentially follow from a separate new facility nearby. The facility will comply with Federal Communications Commission safety criteria. A Radio Frequency Analysis was completed for the project which found that the project will comply with the prevailing standards for limiting public exposure to radio frequency energy (Exhibit H). The transmitting energy will not interfere with TV or AM/FM transmissions in the vicinity.

Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building Ordinance to ensure safety and the conservation of energy and resources.

The proposed wireless facility will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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 project is located on a parcel in the TP (Timber Production) zone district. Communications facilities are a conditionally permitted use in the TP zone district. Lease income from the wireless facility to the property owner effectively adds to the economic viability of continuing the property as a Christmas tree farm and for timber production. The project is also consistent with the requirements of the Interim Wireless Facilities Ordinance No. 4631, including the ordinance's strong encouragement for co-location of wireless facilities.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The property is designated Mountain Residential in the County General Plan. Findings for consistency with the General Plan were approved under Application 93-0239 (Exhibit K) for the original facility at which this project proposes to co-locate. The proposed project maintains that

EXHIBIT B

General Plan consistency.

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed AT&T facility requires only electrical and telephone services, which are already available at the site. The expected level of traffic generated by the proposed project is anticipated to be only or two visits per month by maintenance personnel. Such an increase will not adversely impact existing roads and intersections in the surrounding area.

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.

As a co-location, the proposed wireless facility complements and harmonizes with the existing monopole wireless facility and the facility as a whole remains compatible with the surrounding Christmas tree farm. The visual impact of the added antennas in this particular setting is slight, and the casual observer would quite easily not be aware of any change. The potential visual impact of locating a new, separate monopole facility nearby would be much greater.

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 may be made, in that the proposed addition to the existing wireless communications facility will be of a physical shape and color that blends in with the existing facility.

WIRELESS COMMUNICATION FACILITY USE PERMIT FINDINGS

1. THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY WILL NOT SIGNIFICANTLY AFFECT ANY DESIGNATED VISUAL RESOURCES, OR OTHERWISE ENVIRONMENTALLY SENSITIVE AREAS OR RESOURCES, AS DEFINED IN THE SANTA CRUZ COUNTY GENERAL PLAN/LCP (SECTIONS 5.1, 5.10 AND 8.66), OR THERE IS NO OTHER ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE ALTERNATIVE TO THE PROPOSED LOCATION WITH LESS VISUAL IMPACTS AND THE PROPOSED FACILITY HAS BEEN MODIFIED TO MINIMIZE ITS VISUAL AND ENVIRONMENTAL IMPACTS.

The proposed wireless facility co-location is a minor change to an approved project. The visual impact of the added antennas in this particular setting is slight. The potential visual impact of locating a new, separate monopole facility nearby would be much greater.

EXHIBIT B

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

This is a proposal for co-location with an approved wireless communications facility, and no concerns about the adequacy of the site for the co-location have been identified. The co-location is in this instance clearly environmentally superior to development of a separate facility at another location.

3. THE SUBJECT PROPERTY UPON WHICH THE WIRELESS COMMUNICATIONS FACILITY IS TO BE BUILT IS IN COMPLIANCE WITH ALL RULES AND REGULATIONS PERTAINING TO ZONING USES, SUBDIVISIONS, AND OTHER APPLICABLE PROVISIONS OF THIS TITLE (COUNTY CODE SECTION 13.10.659) AND THAT ALL ZONING VIOLATION ABATEMENT COSTS, IF ANY, HAVE BEEN PAID.

No zoning violation abatement costs are applicable to the project site. The subject property is in compliance with existing zoning regulations and with the County wireless communications facilities ordinance.

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

The proposed additional antennas will be lower on an existing monopole than the existing antennas. The new antennas are not in an anticipated flight area and do not create a hazard for aircraft in flight.

5. THE PROPOSED WIRELESS COMMUNICATIONS FACILITY IS IN COMPLIANCE WITH ALL FEDERAL COMMUNICATIONS COMMISSION (FCC) AND CALIFORNIA PUBLIC UTILITIES COMMISSION (PUC) STANDARDS AND REQUIREMENTS.

The proposed facility, operated by A.T. & T. wireless and collocated on an existing facility operated by Crown Castle International, is required to comply with all FCC and PUC licensing and operating requirements.

CONDITIONS OF APPROVAL

Exhibit A: Project Plans by CH2MHILL, revised dated 9-25-02.

- I. This permit authorizes the construction and operation of the co-located wireless communications facility as shown in Exhibit A. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days of the approval date on this permit.
 - D. Obtain and maintain all required licenses and approvals from the California Public Utilities Commission and the Federal Communications Commission.

- II. Before a Building Permit application may be filed for this project, the existing facility operators, applicant, or property owner must complete the visual screening plantings that were required as a condition of Permit 93-0239. Before planting, final selection of native species and locations must be: (1) consistent with the intended visual screening outcome under Permit 93-0239; (2) not unfavorable to growing conditions for the nearby Christmas trees, except to an extent that may be necessary to achieve the visual screening; and (3) documented on an updated Landscaping Plan, for any revisions to the previously approved plan. Any such revisions must first obtain approval from the Project Planner at the County Planning Department. With or without any revisions, a Landscape Maintenance Plan shall be provided to County Planning for review and approval, for maintaining the plantings until established and for the life of the monopole facility. The designated party responsible for maintenance (is., facility operator, property owner, etc.) shall be identified in writing in the maintenance plan.

- III. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of antennas and equipment cabinets (to be dark green to match existing facility). The antennas shall have a non-reflective finish.

EXHIBIT C

2. Drainage and Erosion Control Plan. Site-specific measures shall be provided in the plans, to correct and control the minor rill erosion and slope erosion occurring on the sloping east and south sides of the monopole compound.
 3. Details showing compliance with fire department requirements
- B. Obtain an Environmental Health Clearance for this project if any hazardous materials, such as batteries, are utilized or generated on site from the County Department of Environmental Health Services.
 - C. Meet all requirements and pay any applicable plan check fee to the Fire Protection District.
 - D. To guarantee that the monopole remains in good visual condition and to ensure the continued provision of mitigation of the visual impact of the wireless communications facility, the applicant shall submit a maintenance program prior to building permit issuance which includes a signed maintenance contract with the company that provides the exterior finish; for annual visual inspections and follow-up maintenance as needed.
- IV. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- V. Operational Conditions
- A. 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.

- B. The applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunications facility, the applicant agrees to make those modifications which would allow for the 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 related structures and the restoration of the site as needed.
 - C. Any modification in the type of equipment shall be reviewed and acted on by Planning Department staff. The County may deny or modify conditions of permit approval at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
 - D. All noise shall be contained on the property. The maximum exterior noise level at the property line shall be 60 dBL dn, consistent with General Plan Policy 6.9.1.
 - E. All associated site, building, and security lighting shall be directed onto the lease site and away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources shall be shielded by landscaping, structures: fixture design, or other physical means. Building and security lighting shall be integrated into building design.
 - F. The applicant shall meet the requirements of County Code Section 13.10.659 pertaining to monitoring of Non-ionizing Electromagnetic Radiation (NIER) levels. Within 90 days after the commencement of normal operations, the applicant shall submit a report documenting NIER measurements at the facility site, consistent with the reporting requirements adopted in County Code. Failed compliance shall be grounds for review of this permit.
 - G. 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.
- VI. As a condition of this development approval, the holder of this development approval (“Development Approval Holder”), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys’ fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended,

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

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS AND COMMENCE CONSTRUCTION.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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

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

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

Application No.: 02-0522

Assessor's Parcel No.: 80-021-27

Project Description: Proposal to co-locate a wireless services site by mounting six panel antennas onto an existing monopole and installing an equipment cabinet.

Location: Property located on the east side of Empire Grade Road, 1.4 miles north from Alba Road, at 12500 Empire Grade Road, Santa Cruz County.

Person or Agency Proposing Project: Jason Osborne/The Lyle Company

Contact Phone: 415-559-2121

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

D. Categorical Exemption

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

E. Lead Agency Other Than County: N.A.

Reason why the project is exempt: The project is a minor alteration (adding antennas and equipment cabinet) to an existing facility. None of the conditions described in Section 15300.2 apply to this project.

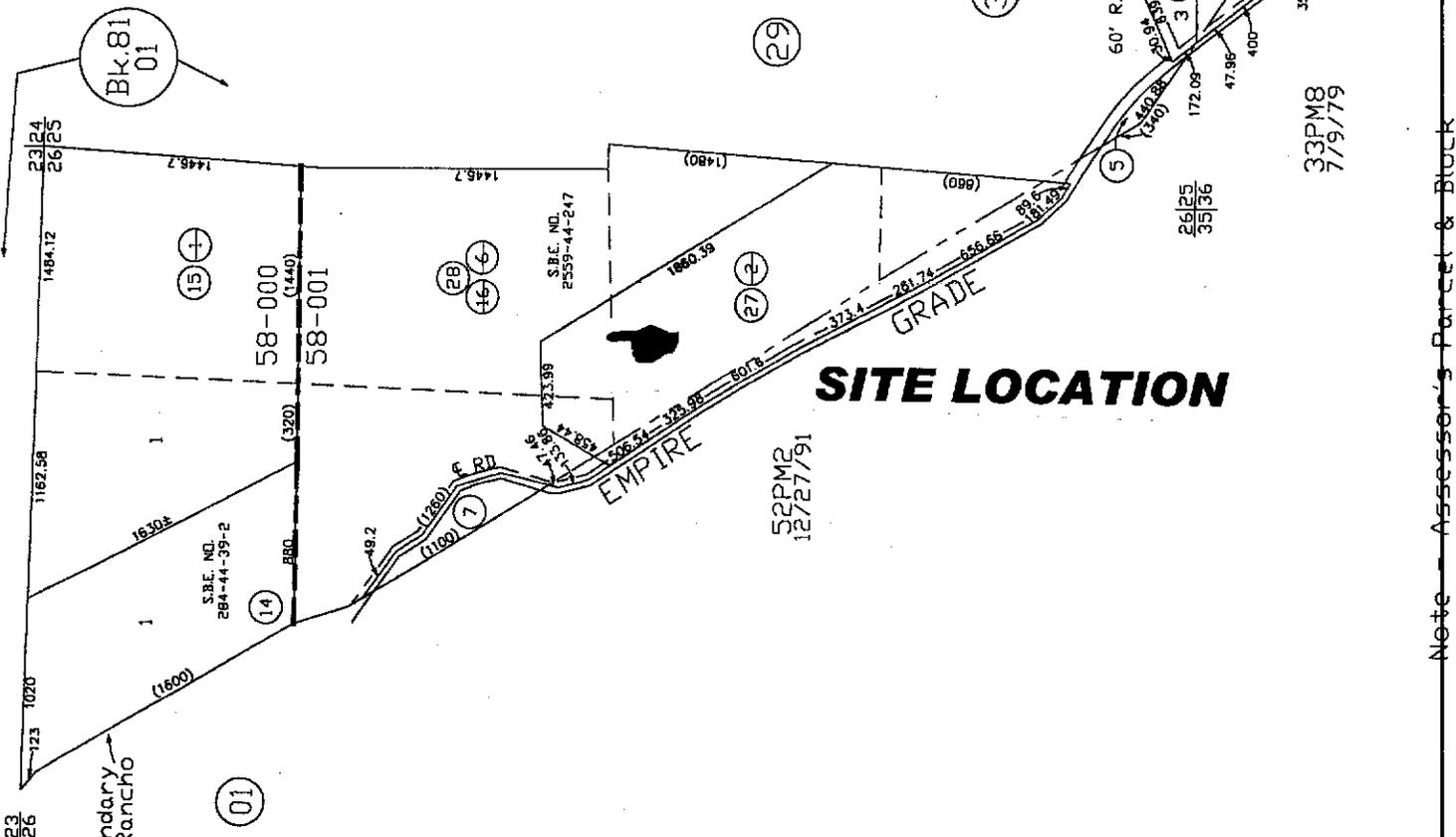
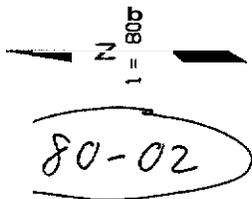
Jack Nelson, Project Planner

Date: February 6, 2004

EXHIBIT D

SEC. 23
SEC. 26
ASSESSOR 3000

Easterly Boundary
San Vicente Rancho



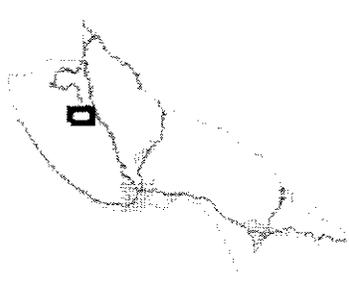
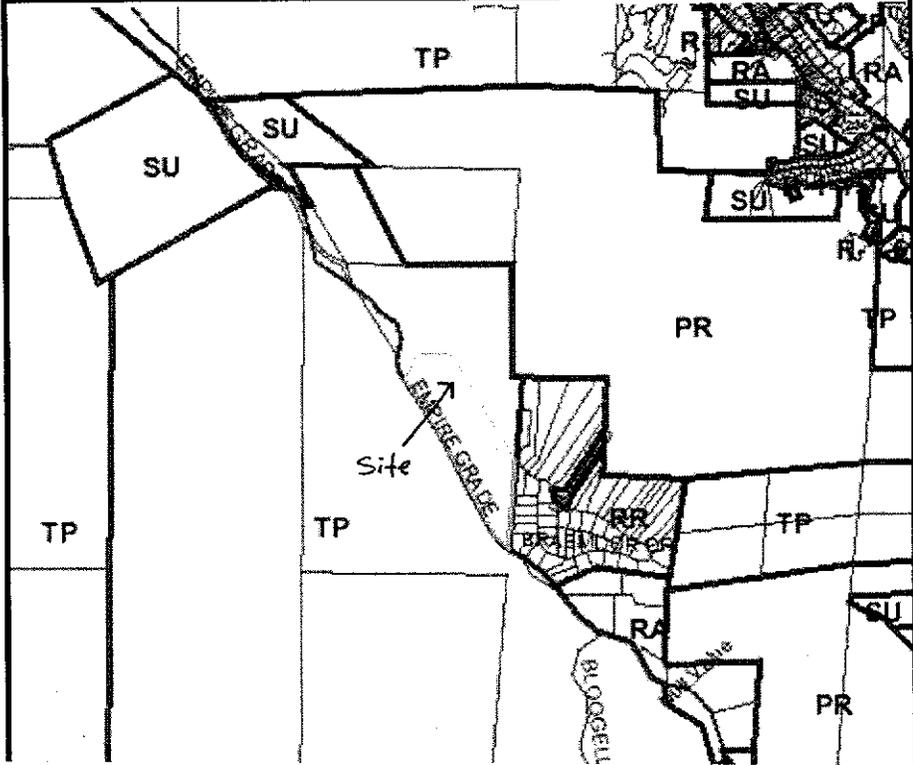
SITE LOCATION

52PM2
12/27/91

33PM8
7/9/79

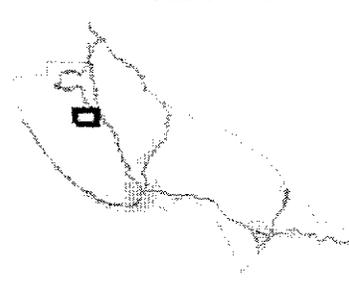
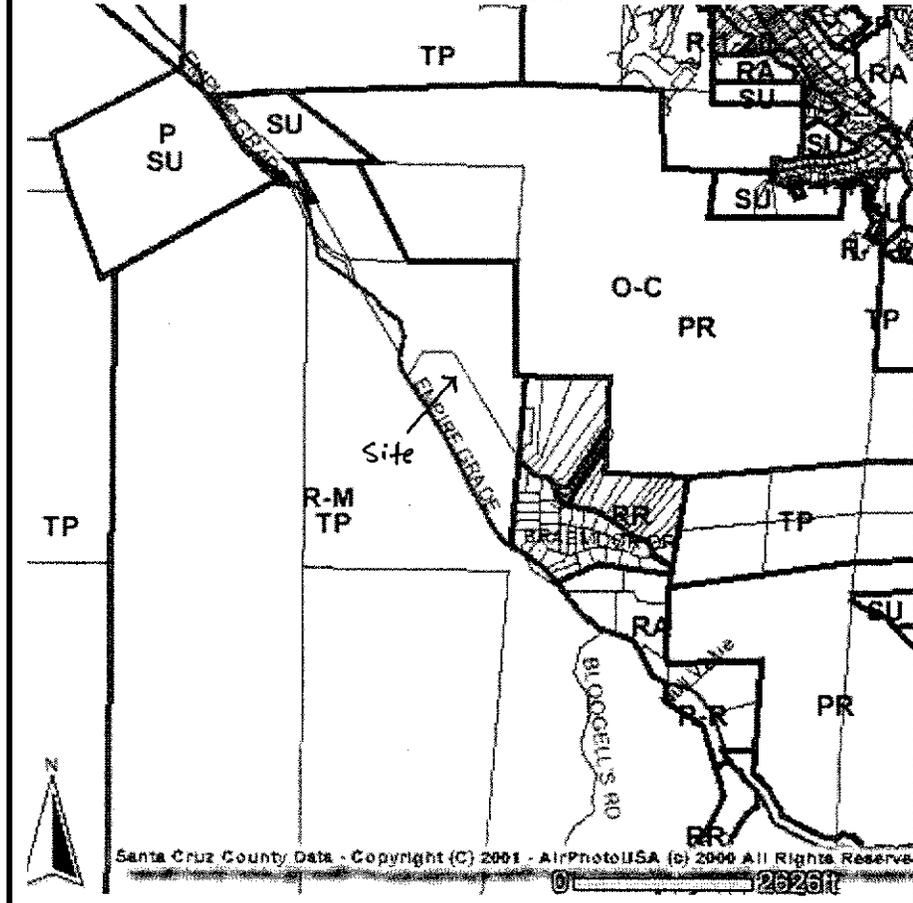
EXHIBIT E

Zoning Map, APN 80-021-27, Application 02-0522



- Legend**
Selected Features
- Parcel (Assessor's)
 - State Highways
 - County Streets
 - Major Streets
 - Zone Text (DETAILED)
 - Santa Cruz County Boundary

General Plan Map, APN 80-021-27, Application 02-0522

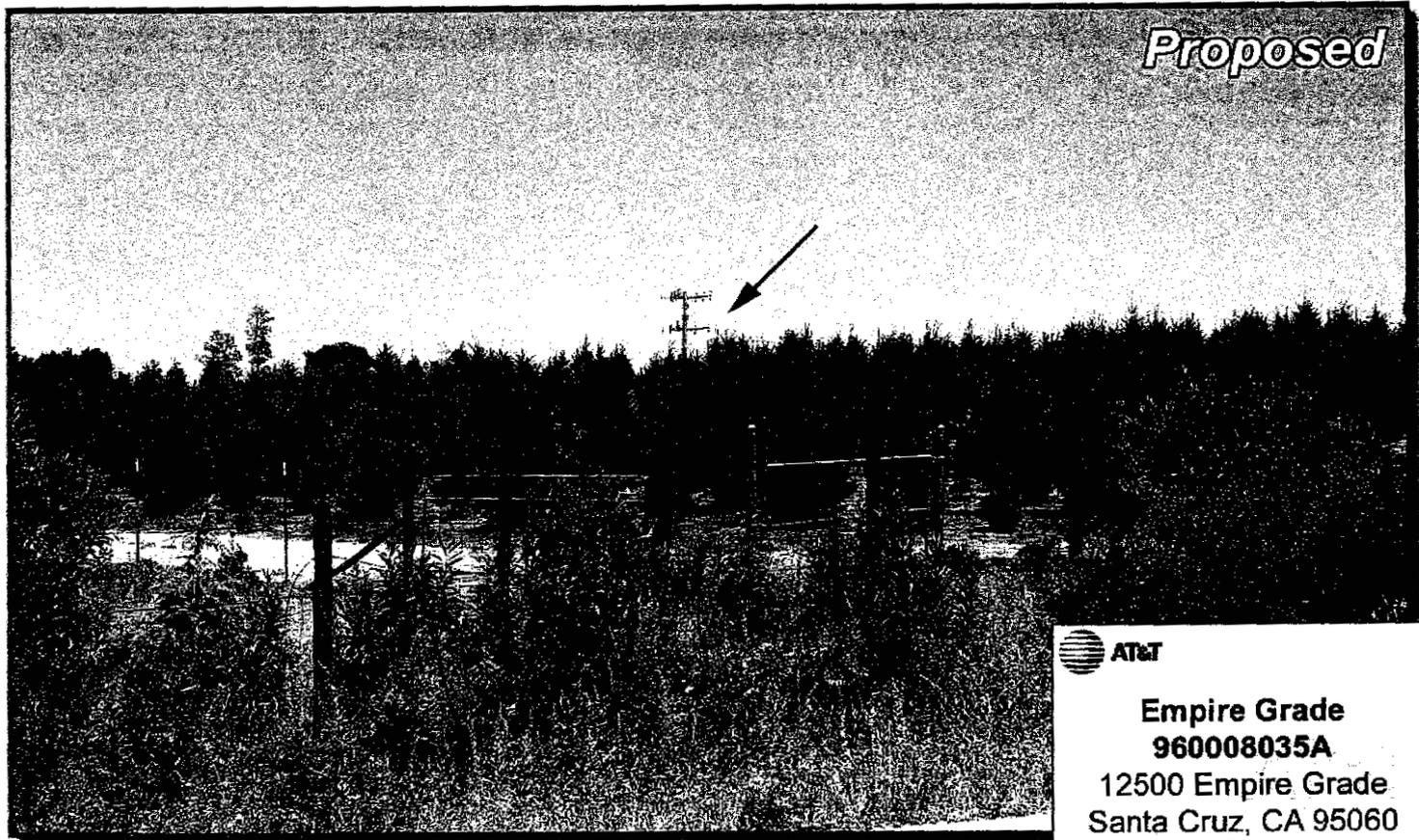
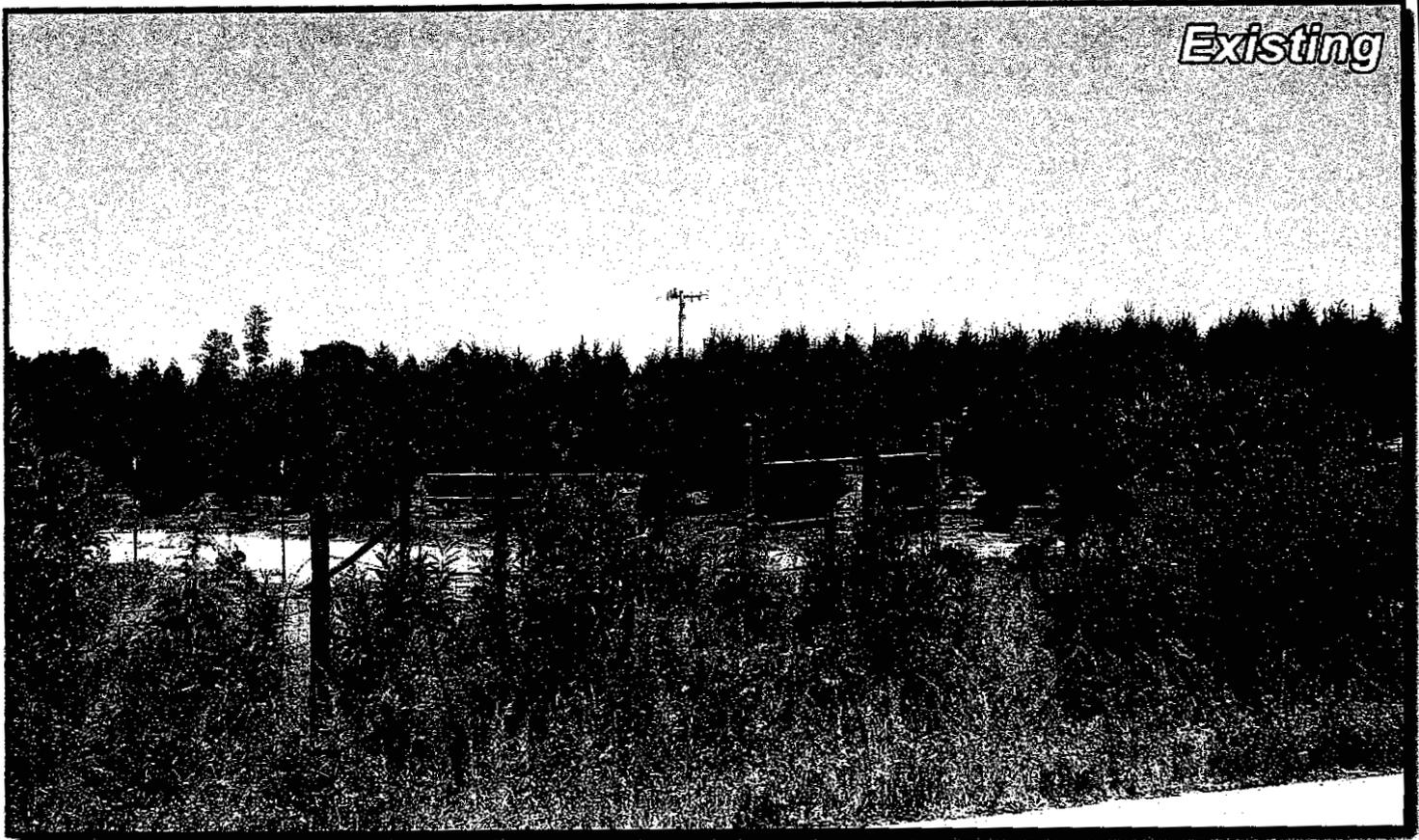


- Legend**
Selected Features
- Parcel (Assessor's)
 - State Highways
 - County Streets
 - Major Streets
 - Zone Text (DETAILED)
 - General Plan (B&W Text)
 - Santa Cruz County Boundary



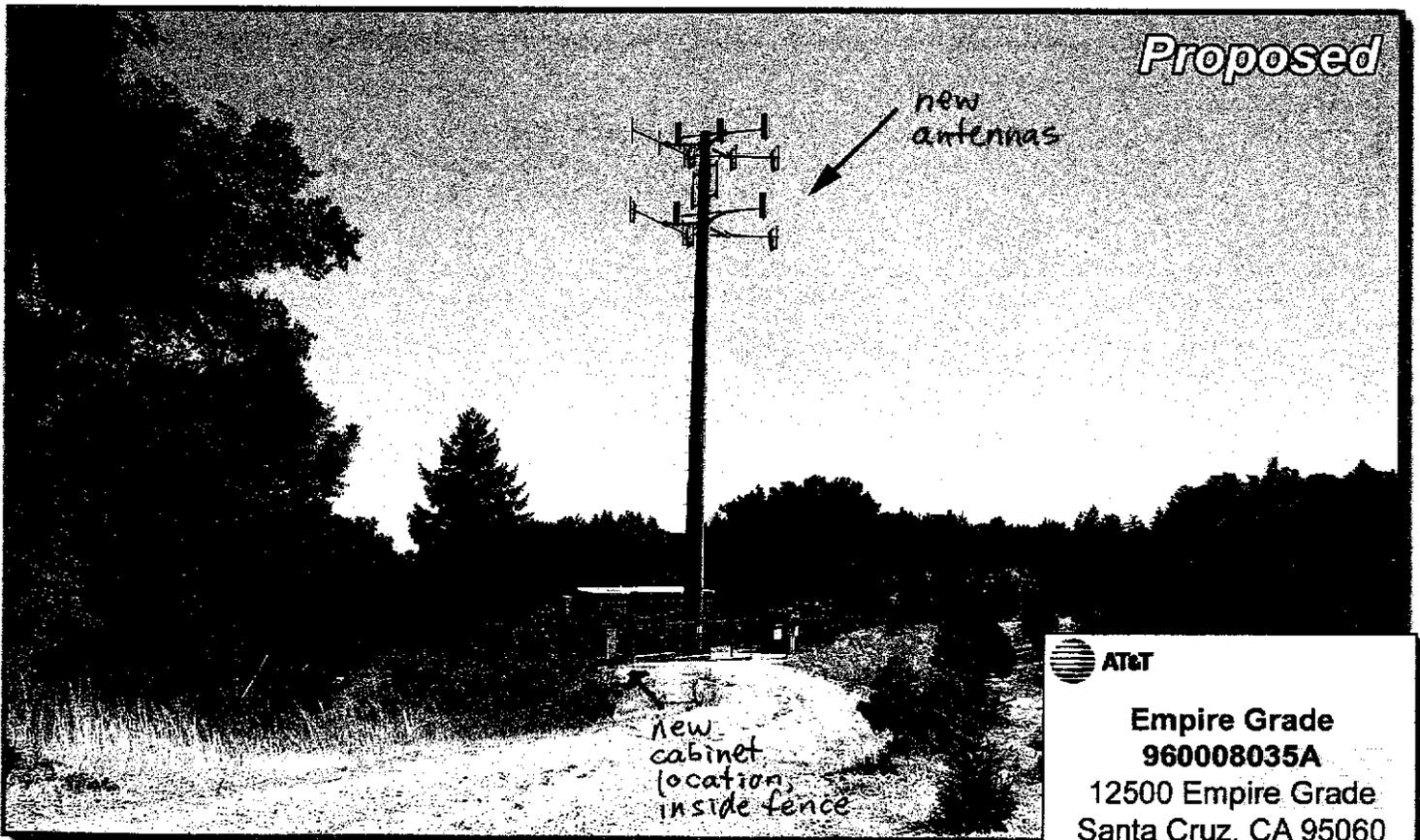
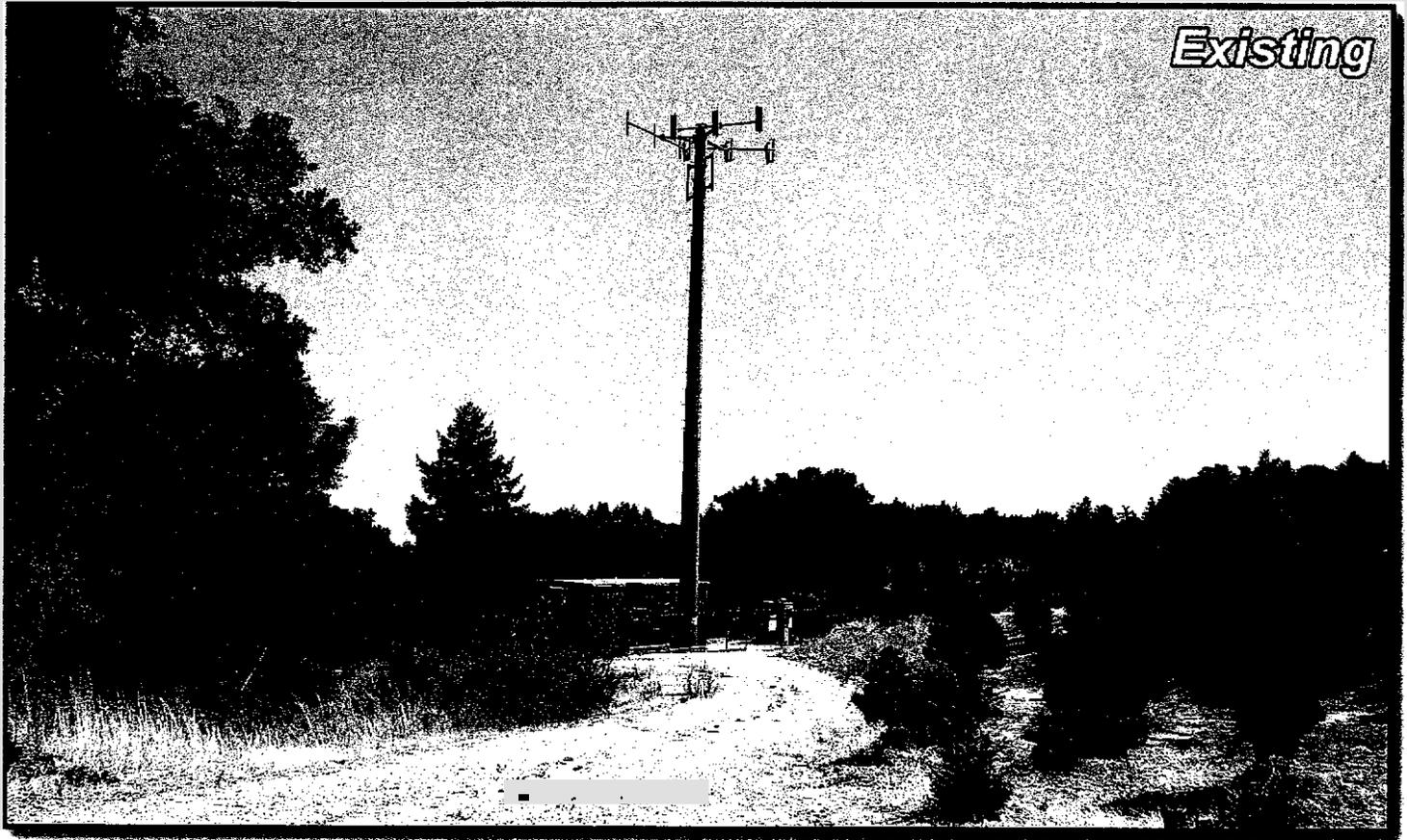
Santa Cruz County Data - Copyright (C) 2001 - AirPhotoUSA (p) 2000 All Rights Reserved
2026R

Existing / Proposed View as seen from Empire Grade Road



 **AT&T**
Empire Grade
960008035A
12500 Empire Grade
Santa Cruz, CA 95060

Existing / Proposed View as seen from dirt access road - West Elevation



**AT&T Wireless • Proposed Base Station (Site No. 960008035A)
12500 Empire Grade Road • Felton, California**

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by AT&T Wireless, a telecommunications carrier, to evaluate a proposed new base station (Site No. 960008035A) to be located at 12500 Empire Grade Road in Felton, California, for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields.

Prevailing Exposure Standards

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements (“NCRP”). A summary of the exposure limits contained in NCRP-86 is shown in Figure 1. Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent Institute of Electrical and Electronics Engineers (“IEEE”) Standard C95.1-1999, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes nearly identical exposure limits. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

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

Personal Wireless Service	Approx. Frequency	Occupational Limit	Public Limit
Personal Communication (“PCS”)	1.950 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Cellular Telephone	870	2.90	0.58
Specialized Mobile Radio	855	2.85	0.57
[most restrictive frequency range]	30–300	1.00	0.20

General Facility Requirements

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “cabinets”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables about 1 inch thick. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sightpaths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the



**AT&T Wireless • Proposed Base Station (Site No. 960008035A)
12500 Empire Grade Road • Felton, California**

horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

Computer Modeling Method

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

Site and Facility Description

Based upon information provided by AT&T, including zoning drawings by CH2M Hill, dated May 3, 2002, it is proposed to mount six directional panel antennas on an existing 80-foot pole, located at 12500 Empire Grade Road in Felton. The antennas would be mounted in pairs at an effective height of about 68 feet above ground, with four Allgon Model 7250.03 antennas oriented toward 40°T and 120°T and two ARC Wireless Model PCS-DS-16-09007 oriented toward 260°T. The maximum effective radiated power in any direction would be 985 watts.

Located higher on the same pole are similar antennas for use by Verizon Wireless, another telecommunications carrier. For the purposes of this study, it is assumed that Verizon has installed Allen Telecom Model DB844H60 directional antennas, with a maximum effective radiated power of 1.500 watts.

Study Results

The maximum ambient RF level at any ground level location within 1,000 feet due to the proposed AT&T operation by itself is calculated to be 0.00071 mW/cm², which is 0.071% of the applicable public limit. The maximum calculated cumulative level within 1,000 feet for the simultaneous operation of both carriers is 0.27% of the public exposure limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels. Figure 3 attached provides the specific data required under Santa Cruz County Code Section 13.10.659(g)(2)(ix), for reporting the analysis of RF exposure conditions.

**AT&T Wireless • Proposed Base Station (Site No. 96008035A)
12500 Empire Grade Road • Felton, California**

No Recommended Mitigation Measures

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

It is presumed that AT&T and Verizon will, as FCC licensees, take adequate steps to ensure that their employees or contractors comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves.

Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the AT&T Wireless base station proposed at 12500 Empire Grade Road in Felton, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

Authorship

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2005. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.

September 27, 2002



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

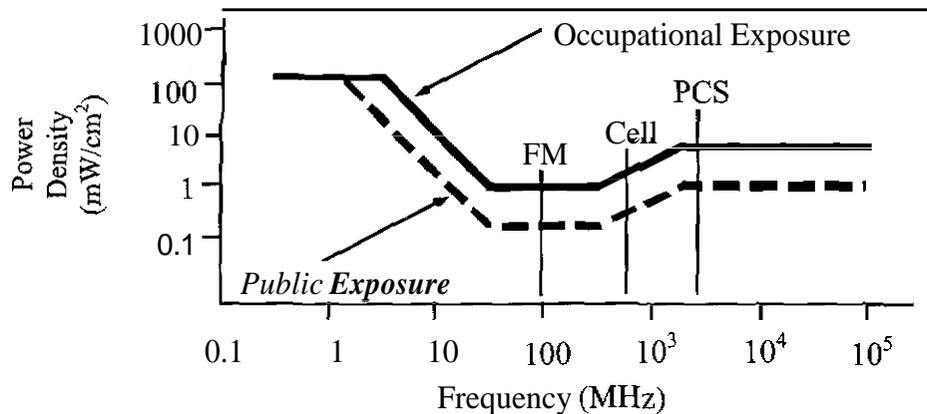


FCC Radio Frequency Protection Guide

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

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

Frequency Applicable Range (MHz)	Electromagnetic Fields (f is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm ²)	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34– 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f²</i>
3.0– 30	1842/f	<i>823.8/f</i>	4.891f	<i>2.19/f</i>	900/f ²	<i>180/f²</i>
30– 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300– 1,500	3.54√f	<i>1.59√f</i>	√f/106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500– 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



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

RFRCALC™ Calculation Methodology
Assessment by Calculation
of Compliance with Human Exposure Limitations

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

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

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

where h = aperture height of the antenna, in meters, and
 λ = wavelength of the transmitted signal, in meters

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

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

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

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

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

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

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

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

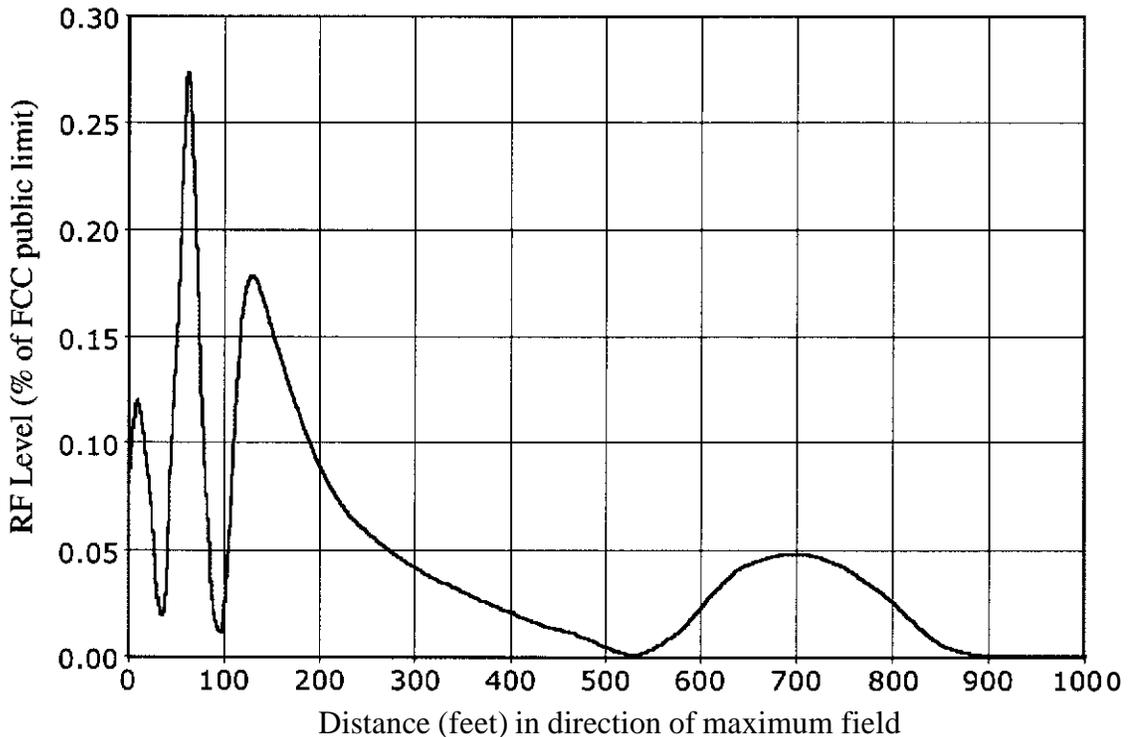


**AT&T Wireless • Proposed Base Station (Site No. 960008035A)
12500 Empire Grade Road • Felton, California**

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

"Compliance with the FCC's non-ionizing electromagnetic radiation (NIE) standards or other applicable standards shall be demonstrated for any new wireless communication facility through submission, at the time of application for the necessary permit or entitlement, of NIE calculations specifying NIE levels in the area surrounding the proposed facility. Calculations shall be made of expected NIE exposure levels during peak operation at a [redacted] taking into account [redacted] from the proposed source in combination with all other existing NIE transmission sources within a one-mile radius. This should also include a [redacted] from any NIE transmission source associated with the proposed wireless communication facility, consistent with the NIE standards of the FCC, or any potential future superceding standards."

Calculated Cumulative NIE Exposure Levels during Peak Operation Periods



RF level (% limit)	0.15%	0.027%	0.088%	0.041%	0.0046%	0.041%	0.00080%
--------------------	-------	--------	--------	--------	---------	--------	----------

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

Maximum effective radiated power (*peak* operation) - 985 watts

Effective AT&T antenna height above ground - 68 feet

Other sources nearby - Verizon Wireless

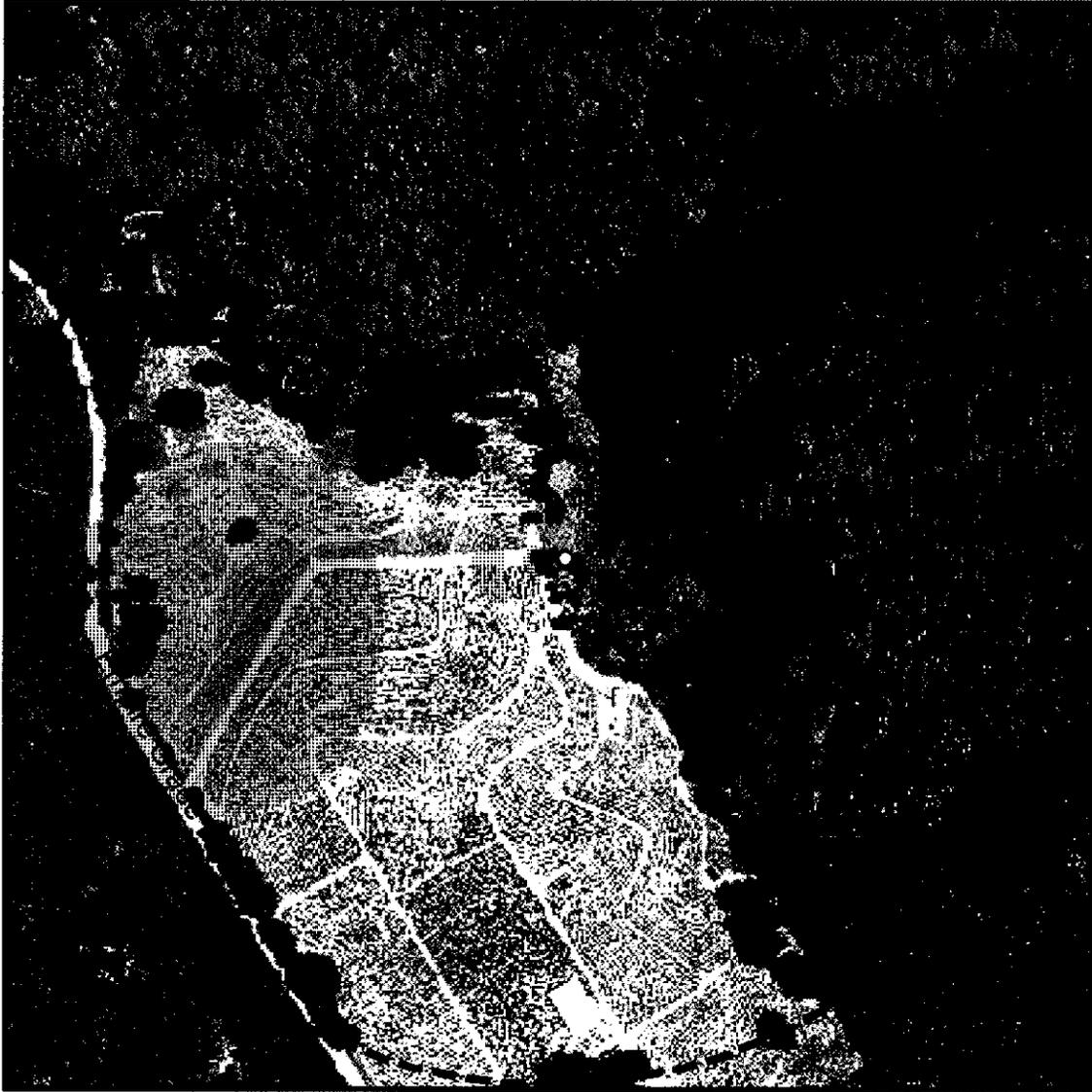
Other *sources* within one mile - No AM, FM, or TV broadcast stations

No two-way stations close enough to affect compliance

[redacted] - Antennas are mounted on tall pole within fenced enclosure.

AT&T Wireless • Proposed Base Station (Site No. 960008035A)
12500 Empire Grade Road • Felton, California

Calculated Cumulative NIER Exposure Levels
Within 1,000 Feet of Proposed Site
For Simultaneous Operation of
AT&T Wireless and Verizon Wireless



Aerial photo from Mapquest.

Legend

- blank - less than 0.1% of FCC public limit (*i.e.*, more than 1,000 times below)
- - 0.1% and above near ground level (highest level is 0.37%)

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



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
SAN FRANCISCO

EXHIBIT H

AT8035595.1
Figure 3B



WIRELESS SERVICES

Project Synopsis

Nature of Request

AT&T Wireless Services (AWS) seeks approval of a Conditional Use Permit, and all related permits to allow the construction of a communication facility on an existing parcel. Developed with a "monopole" (Owned by Crown Castle International - 6620 Owens Drive Pleasanton, CA. 94588). The plan calls for (6) new antennas, 3 sectors, two per sector. The antennas and mounting hardware are to be mounted below the existing configuration, at an operating center of 68' above ground level. The existing tower is 81' - 8" above ground level. The ancillary equipment cabinets will be placed next to the tower, within the existing compound. The plan calls for 3 cabinets, one to be installed and allowance for 2 more with future growth. The cabinets will require a new concrete slab, approximately 7' x 11', within the 10x15 lease area. The base station is intended to provide improved coverage for Ben Lomand, Felton, Scotts Valley and surrounding areas. This facility is being proposed in accordance with AWS' FCC license requirements.

Property Description

The subject property is located at 12500 Empire Grade Road, Santa Cruz County. The Assessor's Parcel # of the property is 080 - 021 - 27. The property owner is Mr. Fred Jensen, of the same address. The existing facilities are located at the southeastern end of the property. The property is a Mountain Residential zone, and has no neighboring residential structures within 500 feet of the communication facility. The property has no public access, and is not visible from anywhere but Empire Grade Road. (see Photosimulations).

Project Description

AT&T Wireless Services proposes to provide service for the area around this parcel by installing (6) new antennas to an existing "monopole". The flat panel antennas will be mounted below the existing antennas, at an operating center height of 68 above ground level. The existing pole stands at 81'-8" in height. The 3 equipment cabinets are to be placed next to the existing compound, behind a locked gate and fence. The entire equipment area is not within any public access, and will not be expanded to include the AWS equipment. Access to the project site will be gained through permission of the

property owner, and will only be gained by authorized AT&T contractors, for periodic monitoring. There are no hazardous materials **used** in conjunction with this facility.

Statement of Operations

The proposed AT&T facility requires **only** electrical and telephone services, which are available at the site. No nuisances will be created by the proposed installation, and the facility will not endanger public safety or health. The expanded service will benefit the public. AT&T technology does not interfere with any other forms of electronic communication, public or private. Construction of the facility may be done with minimal impact to the surrounding area, and the entire complex is tightly self – contained.

Upon completion of the project, periodic maintenance will occur, but the site is to operate as an unmanned facility. Existing parking will be unaffected. The site *is* self monitoring, and connects directly to central office computers, which alert personnel to any equipment malfunction or security breach. No on site water or sanitation facilities will be required in this proposal.

Zoning Analysis

Pursuant to The County of Santa Cruz Wireless Telecommunication Services (WTS) guidelines, the proposed use is permitted in this Zoning District, subject to approval of a Conditional Use Permit. The proposal is consistent with the County design, siting, and review guidelines for commercial antenna installation. The project calls for co-location with existing facilities, and is architecturally integrated into the existing conditions. The proposal is put forth in the least obtrusive manner possible, and is separated from areas of public access. This proposal adheres to all of the zoning guidelines outlined in the current County Zoning Ordinance.

Compliance with Federal Regulations

AT&T Wireless installations comply fully with all Federal Communications Commission (FCC) guidelines, governing construction requirements, technical standards, interference protection, power level and height restrictions, and radio frequency regulations. Additionally, the AWS will comply with all Federal Aviation Administration (FAA) standards on Cellular base station operations. All NEPA, and SHPO requirements are adhered to as well. This proposal is CEQA exempt.

Alternative Site Analysis

The area surrounding the subject parcel does not contain another wireless facility within 1000 feet. This site was selected for very specific reasons: 1) The view of the intended coverage area, 2) The fact that a site exists and co-location is encouraged by the jurisdiction, and 3) the design of the proposal integrates well with the current zoning standards for the County of Santa Cruz. In addition to this, the existing layout facilitates construction in a very non-invasive manner.

Our goal in determining this site as one for our proposal is based on minimizing impacts, visual and others, and to adhere **as** closely as possible to the zoning standards set forth by the jurisdiction regarding cellular base stations.

No other reasonable candidates exist within the search area, and to create a new facility on another parcel would mean closer encroachment to residential areas, greater visual impacts to the community, and a more intrusive construction process. The commercial zoning and favorable location of this facility make it the ideal candidate for AWS to provide improved service to this area.

Amendment

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

Technical Review

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

Fees

A check in the amount of **\$5000.00**, check # **7075823** is attached as an initial payment for processing the application submitted on behalf of **AT&T** Wireless Services.



AT&T WIRELESS SERVICES

Supplemental Application Information/8035 Empire Grade

(1) Submittal Information

(i) Identity and Legal Status of the Applicant

AT&T Wireless PCS, LLC,
A Delaware Limited Liability Company
DBA AT&T Wireless

(ii) Name Address and Telephone Number

AT&T Wireless, Inc.
651 Gateway Blvd.
S. San Francisco, CA. 94060
415/559-2121

(iii) Name, Address, Telephone# of Authorized Agent

~~David A. Ney~~ Jason Osborne
Lyle Company, LLC
~~1260 W. Washington Avenue #23~~ 1787 Granada Dr.
~~Sunnyvale, CA. 94086~~ Concord CA 94519
Contact Representative: ~~David Ney 650/903-9950~~ (415) 559-2121

(iv) Address, Parcel Map Description Lat/Long

12500 Empire Grade Road
Santa Cruz County, CA. 95060

37' 07' 18.32" N
121' 09' 22.84" W

(v) Narrative & Map of Future Sites (5 year plan)

The build out plan of AT&T is determined by RF engineers who design the system to allow for the maximum blanketing coverage, while using the least amount of sites in the area. This limits the number of visual impacts in the area, and can minimize the expense of building the network, thus keeping the price of wireless services down, while quality of service remains good. The current 3rd generation network will require 33

to 35 sites throughout Santa Cruz county. Preliminary studies have determined that approximately 17 sites fall within the jurisdiction of Santa Cruz County, with the remaining sites spread out through City of Santa Cruz, Capitola and Watsonville locations.

Included in this submittal is Exhibit G, a map of the aforementioned sites, which includes a directory with site names that provide a general area of where the sites will be. The exact locations will be determined through the Site Development process, which must account for Leasing, Zoning and Construction issues. Any one of these issues can affect the feasibility of a site location.

The exhibit shows the proposed sites for the county, and is accurate to date. If there are changes to locations of sites that are proposed, we will update the information, in order for the county to keep its database current.

(vi) Wireless Services to be Provided

Benefits to the Community

Wireless technology *can* provide many benefits to the Santa Cruz County residents. These benefits include:

- 1) Quick access to 911 emergency allowing motorists to summon emergency aid and report dangerous situations.
- 2) Support for emergency services by providing wireless communications access to paramedics, firefighters and law enforcement agencies that utilize this technology
- 3) The ability to transmit data over the airwaves allowing immediate access to information for emergency services
- 4) Communication capabilities in remote areas, enhancing the safety of travelers and residents by allowing immediate access to emergency services.
- 5) Provide quality wireless communication including voice, paging and digital data.
- 6) Enhance the communication services of those residents who conduct business and professional services for Santa Cruz and surrounding areas..

(vii) California Public Utilities Commission

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

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

EXHIBIT I

(viii) **Federal Communications Commission**

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

Market Number: BTA404

Call Sign: KNLG542

File Number: 0000030525

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

Exhibit E, which describes NIER/EMF compliance issues regarding this proposal. This report is submitted respectively by Hammett & Edison, an independent consultant that examines the safety of cellular installations.

(x) **Security Considerations**

The proposed area of installation is not accessible to the general public, being located on private property. Only authorized technicians will be allowed access to the facility, through permission of the property owner.

Federal Law mandates that all areas, in compliance with FCC guidelines, shall include **ANSI** compliant RF sign in a visible place for workers approaching the site.

(xi) **Visual Impact Study**

Exhibit F, photographic simulations, which show what the site will look like from the nearest public vantage point.

Darcy



COUNTY OF SANTA CRUZ Planning Department

COMMERCIAL DEVELOPMENT PERMIT

Owner Fred Jensen
Address 17400 High Street
Los Gatos, CA 95032

Permit Number 93-0239
Parcel Number(s) 080-021-27

PROJECT DESCRIPTION AND LOCATION

Proposal to construct a G.T.E. Mobilnet Cell site consisting of an 80 foot high monopole with panel antenna and microwave dish, emergency generator, diesel tank, transformer pad, and a 292.5 square foot prefabricated equipment building. Requires a commercial development permit and a grading permit to grade 425 cubic yards of earth. Property located on the east side of Alba Road. Subject to attached conditions.

Approval Date: 3/1/94
Exp. Date (if not exercised) N/A/96
Denied by: 3/1

Effective Date: 3/1/94
Coastal Appeal Exp. Date: N/A
Denial Date: _____

_____ This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 10 working days of action by the Zoning Administrator.

_____ This project requires a Coastal Zone Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110) The appeal must be filed with the Coastal Commission Within 10 working days of receipt by the Coastal Commission of notice of local action. Approval or denial of the Coastal Zone Permit is appealable to the Planning Commission; the appeal must be filed within 10 working days of action by the Zoning Administrator.

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

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

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

Signature of Owner/Agent
Darcy Houghton
Staff Planner

Date
3/7/94
Date

EXHIBIT J

DEVELOPMENT PERMIT FINDINGS:

REVISED 12/15/95

Required 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, OR BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

The proposed G.T.E. Mobilnet Cellular site will emit radiofrequency radiation (RFR) and microwave radiation. The applicant has provided an assessment of the potential for health effects from these emissions. The study has been conducted by radiation consultant, Peter Polson, PH.D. (see Attachment 8 of Exhibit C). Assessment results are based on the engineering design information for this particular site.

The 80 foot tower will support six antennas, functionally arranged in threes. These antennas are the source of the radiofrequency radiation (RFR). The antenna system is planned to have the capacity of 32 channels. The effective radiated power (ERP) will be 32.5 watts per channel. The maximum RFR power density level to which people could be exposed in the vicinity of the tower is less than 0.4 microwatts (millionths of a watt) per sq cm. The most stringent exposure standard in the United States allows exposures of approximately 1,350 times greater than the highest level near the facility. Levels at residences surrounding the site will be less. Levels inside residences are estimated to be between 10 and 100 times less than the outdoor levels because of the attenuation properties of vegetation and building materials.

The facility will include an eight foot diameter grid dish mounted just below the antenna system. A microwave communications link is planned between this site and the Loma Prieta cell site using this microwave dish. The radiated microwave power will be 1.25 watts. It will be a highly directional, narrow beam of radiation. The maximum power density in the microwave beam (73 feet above the ground) will be approximately 37 microwatts per sq cm. At ground level, the microwave power density will be hundreds of times less than in the beam, or less than 0.37 microwatts per sq cm. This value is approximately 3,600 times lower than the maximum permissible exposure level for this frequency as determined by the IEEE C95.1-1991 standard, and is negligible in terms of potential hazard to human health.

The project will not result in the disposal of any wastes. The equipment building will be occupied only briefly during routine periodic maintenance work. No waste disposal system or water source will be required.

The facility will not obstruct any private or public viewshed. The tower will be almost entirely screened by trees and other vegetation. It will not be detrimental to surrounding properties or improvements.

EXHIBIT J

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 project site is zoned TP (Timber Production). Utilities such as communications facilities are conditional uses within the TP Zone District. To find that a conditional use is consistent with the zoning, the use must prove to be compatible with the surrounding, existing uses. The proposed cellular transmission site is compatible with the neighboring residential uses.

Section 13.10.371 of the County Code establishes the purposes of the TP Zone District. The TP Zoning is intended to protect and maintain the timberland of the County through regulation of timberland use; to establish a zone district consistent with the mandates of the Forest Taxation Reform Act of 1976; to protect the health, safety and welfare of the people of Santa Cruz County; and to preserve agriculture and other open space uses where compatible with timberland uses. A Timber Management Plan has been prepared and accepted for the project area. The plan establishes long range timber management techniques which the property owner has agreed to implement. A letter has been submitted from a forester which addresses the impacts of the project on the timber resources and future implementation of the timber management plan. The letter by Stephen Smith dated February 10, 1993, (see Attachment 6 of Exhibit C), concludes that construction and operation of the G.T.E. Mobilnet Cellular Site will not disrupt the management of the timber resources or conflict with future timber harvests.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project site is designated Mountain Residential on the Santa Cruz County General Plan. Chapter 5.1 of the General Plan describes the objectives and policies for development in the Mountain Residential Land Use Classification. The Mountain Residential areas are unsuited to intensive development due to the presence of physical hazards and development constraints, the necessity to protect natural resources, and the lack of public services and facilities. The project under consideration will not subject any humans to physical hazards as it will not be occupied by a full time resident. The equipment building will only be occupied occasionally for maintenance purposes. The analysis by the forester for the project has demonstrated that the cellular transmission facility will not impact the timber resources. No other mapped protected natural resources exist at this location. The project does not require public services which are not available at this location such as public water and sewer to operate. Therefore, the proposal to allow a communication facility is consistent with the criteria for development in the Mountain Residential General Plan Classification.

EXHIBIT J

Applicant: Matthews and Co. for G.T.E. Mobilnet, Inc
Application No.: 93-0239
APN: 080-021-27

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The project will not require the use of public services such as water and sewer. Electrical and telephone utilities will be placed underground. These utilities will not be overloaded.

Fire protection will be provided by the County Fire Department. The proposal includes installation of an automatic fire extinguishing system within the equipment building. The County Fire Department has approved the project with the halon sprinkler system and 12 foot wide access road.

The site will be served by a new access road off Empire Grade Road. It will consist of a 20 foot wide right-of-way, with a 12 foot wide improved surface which will be 6" Class III aggregate base. Adequate turn around will be provided at the end of the road. The transceiving site will generate about one trip for the purposes of maintenance each month. The maintenance vehicle will not include large equipment which may be inappropriate for a 12 foot wide access road. This section of Empire Grade Road is not operating at a level of service which would prohibit one additional trip each month.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS, LAND USE INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The project site consists of a 46 acre Christmas tree farm. Structures and improvement associated with the tree farm such as caretakers residence, outbuildings, and a rough road system are located throughout the property. Surrounding the farm are residential uses with accessory agricultural pursuits. Large, vacant parcels with timber and open space uses are located to the north, west, and south of the site. To the south-east a subdivision consisting of residentially used lots exists. The dense vegetation and distance from the developed site are factors which minimize the visibility of the tower from these residences. To the east is an open space area owned by the San Lorenzo Valley Water District. The project will have minimal impact on these surrounding uses due to the lack of noise or any other disturbance associated with the proposed communication facility.

Photographic evidence of the visibility of a similar sized tower was provided regarding the proposed monopole and antennae, at this particular site. It will complement the surrounding Braemoor Drive neighborhood and harmonize with the surrounding land uses in that it does not result in a significant visual impact to the neighborhood and provides cellular telephone services which will benefit the neighborhood.

EXHIBIT J

Applicant: Matthews Land Co. for G.T.E. Mobilnet, Inc.
Application No.: 93-0239
APN: 080-021-27

CONDITIONS OF APPROVAL

Commercial Development Permit
Application No. 93-0239
APN: 080-021-27
Fred Jensen
Mathews Land Company for G.T.E. Mobilnet

PLANNING AREA: San Lorenzo Valley
LOCATION: 12500 Empire Grade Road in Bonny Oon

EXHIBITS

- A. Findings
 - B. Conditions
 - C. Environmental Review Initial Study and Notice Of Determination
 - D. Letter from Matthews Land Company dated April 20, 1993 which includes project details
 - E. Location Map
 - F. Assessor's Map
 - G. Zoning Map
 - H. Site Plan of Property
 - I. Site Plan of G.T.E. Mobilnet Cell Site.
 - J. Project Plans (on file at the Planning Department)
- I. Applicant shall obtain a building permit and a grading permit for the proposed improvements. Building plans shall substantially conform to the approved Exhibit J and the following.
- A. To provide an adequate and stable foundation base for the antenna pole and related structures, the owner/applicant shall follow all recommendations of the soil report prepared for this project by Earth Systems Consultants dated March 26, 1993 in project grading and construction.
 - B. Plans for the automatic fire extinguishing system.
 - C. Proposed color of exterior of equipment and fence.
- II. Prior to approval of the building permit and grading permit., the following shall **be** completed.
- A. To ensure that all soil report recommendations have been followed, the owner/applicant shall submit the following to the County Planning Department:
 - 1. A plan review letter from the project geotechnical engineer demonstrating geotechnical review and approval of the project building plans (submitted prior to issuance of Building Permit);
 - 2. To prevent erosion impacts from occurring as a result of grading activities for the project, the owner/applicant shall revise the project grading plan to incorporate the following:
 - a. Show drainage improvements along the project roadway entrance and at the building site;

EXHIBIT J

Applicant: Matthews and Co. for G.T.E. Mobilnet, Inc
Application No.: 93-0739
APN: 080-021-27

- B. Submit a landscape plan to the Planning Department which proposes planting native trees to the north of the proposed cellular site; along the south-west property line of Assessor's Parcel Number **080-021-27**.
 - b. Show details for energy dissipation ; and
 - c. Include a letter from the project geotechnical engineer that demonstrates the grading plan's drainage and erosion control features have been reviewed and approved by this consultant.

- III. Prior to pouring concrete for the foundations, an inspection letter shall be submitted from the project geotechnical engineer that demonstrates soil excavations meet the recommendations of the soil report.

- IV. Prior to final inspection/ occupancy, the following shall be complied with.
 - A. Submit a final inspection letter from the project geologist demonstrating that all recommendations of the soil report have been adequately complied with in the construction of the project.
 - 8. To minimize the visual impact of the antenna pole, the owner/applicant shall:
 - 1. Paint the pole, associated buildings and fences dark green and permanently maintain them with this color;
 - 2. Not attach any flags, banners, signs, beacons or other similar visual displays to the antenna pole or its antennas in view of any property beyond the project parcel.
 - 3. Extend the planting of coast live oak (*Quercus agrifolia*) and madrone (*Arbutus menziesii*) to the west side of the project site in a manner that will effectively screen the visibility of the lower 30-40 feet of project facilities from Empire Grade right-of-way in the event all Christmas trees in that vicinity are harvested.
 - 4. Implement the approved landscape plan to plant native trees to the north and east of the cellular site.
 - C. To protect against fire danger from the project facilities, the owner/applicant shall:
 - 1. Install an automatic fire suppression system in the equipment building prior to final inspection and clearance of the Building Permit; and
 - 2. Construct the project roadway at a width of 12 feet.

- V. Operational conditions.
 - A. Permanently retain and maintain all visual screening tree planting surrounding the project building site.
 - 8. This permit authorizes a monopole equipped with six antennas, functionally arranged in groups of three. Each set will comprise a transmitter and two receiver antennas. One set will service an approximately 90-degree sector and the other set will service a similar sector at 135 degrees. The system shall have a maximum capacity of **16** channels per sector. Any modification in the type of equipment, number of channels, or radiated power per channel shall be reviewed and acted on subsequent to public notice and a public hearing. The County may deny or modify the conditions in the Commercial Development Permit at this time.

EXHIBIT J

- C. If as a result of future scientific studies and alterations of industry wide standards resulting from those studies, substantial evidence is presented to the County that radio frequency transmissions may be a hazard to human health and/or safety, then the County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the conditions in the Commercial Development Permit.

VI. Mitigation Monitoring

The mitigation measures listed under this heading have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed below. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.

1. Mitigation Measure: Condition I.A. - Follow recommendations in the soil report.

Monitoring Program: The building technician will require that the applicant submit two copies of the soil report with the application for the building permit. The building permit application and plans shall be reviewed by the Environmental Planning Section and the Building Plan Checker with the copies of the soil report. Foundation plans and grading plans must match specifications in the report. In addition, a plan check letter from the soil engineer is required which states that the plans conform to the recommendations in the report (per Condition II.A.1.). A building permit will not be issued until this letter is submitted.

2. Mitigation Measure: Condition II.A.1. - Plan review letter.

Monitoring Program: The Environmental Planning Section of the Planning Department will deny the application for a building permit until this letter is received.

3. Mitigation Measure: Condition III. - Inspection letter from soil engineer.

EXHIBIT J

Applicant: Matthews Land Co. for G.T.E. Mobilnet. Inc.
Application No.: 93-0239
APN: 080-021-27

Monitoring Program: Project Planner will enter into the computer that this is a requirement prior to pouring the concrete for the foundation. Building Inspector will not approve the foundation inspection without this letter submitted from applicant.

4. Mitigation Measure: Condition IV.A. - Final inspection letter from soil engineer.

Monitoring Program: Project Planner will enter into the computer that the inspection letter from the geotechnical engineer is required to be submitted before final clearance for occupancy. The Building Inspector will not give the buildings their final inspection until this is complete.

5. Mitigation Measure: Condition II.A.2. - Revisions to grading plan.

Monitoring Program - The Resource Planner that reviews and approves the grading permit application and grading plans will require that this has been completed before issuance of the grading permit.

6. Mitigation Measure: Condition IV.8. - Minimize visual impact of the antenna pole.

Monitoring Program: The project planner will enter a hold on the final of the building permit and conduct an inspection of the site to ensure these items have been completed by the applicant.

7. Mitigation Measure: Condition IV.C. - Fire protection improvements.

Monitoring Program: The Bonny Doon Fire Department must inspect the building and the access road prior to final of the buildings to ensure the sprinkler system has been installed and road improved to meet the standards required in the permit conditions.



Example view of existing monopole and antennas, seen from Empire Grade Road near the entrance to Crest Ranch Christmas Tree Farm.

EXHIBIT K