



## **Supplemental Staff Report to the Zoning Administrator**

**Application Number: 171030**

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**Applicant:** Anthem Telecom, attn. Tricia Knight  
**Owners:** Robert and Loretta Hunt  
**APN:** 049-381-07

**Agenda Date:** January 19, 2018  
**Agenda Item #:** 2  
**Time:** After 9:00 a.m.

**Revised Project Description:** Proposal to construct a new 76 foot tall monopine wireless communication facility (WCF) for T-Mobile with an initial installation of 6 flat panel antennas, 6 Remote Radio Units (RRUs) and a microwave dish, located within a 3,500 square foot fenced enclosure with two ground mounted cabinets, a generator, an equipment panel and a propane tank mounted on a 195 square foot concrete pad. Requires a Commercial Development Permit and a Federal Telecom Act Exception (for being located in the RA-zone, a "restricted" area for WCFs).

**Location:** Property located on the southwest side of Calabasas Road (875 Calabasas Road) at about 200 feet southeast of the intersection with Morning Sun Ranch Road.

**Supervisory District:** 2nd District (District Supervisor: Zach Friend)

**Permits Required:** Commercial Development Permit, Federal Telecom Act Exception  
**Technical Reviews:** None

**Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171030, based on the attached findings and conditions.

**Attachments**

- |  |   |
|--|---|
| A. Categorical Exemption (CEQA determination)                                    | D. Original Project plans   |
| B. Original Staff Report and exhibits prepared for hearing on September 15, 2017 | E. Supplemental Information requested by the Zoning Administrator on September 15, 2017 |
| C. Revised Findings and Conditions   | F. Comments & Correspondence  |

### Parcel Information

Parcel Size:	4.88 acres
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Calabasas Road
Planning Area:	Aptos Hills
Land Use Designation:	R-R (Rural Residential)
Zone District:	RA (Residential Agriculture)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Submittal of soils report required with Building Permit
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	No physical evidence at project site (site investigation)
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Archeology:	Not mapped/no physical evidence at project site

### Services Information

Urban/Rural Services Line:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Water Supply:	Private mutual water company
Sewage Disposal:	Septic system
Fire District:	Santa Cruz County Fire Protection
Drainage District:	Out

### Analysis

On September 15, 2017, application 171030, a proposal to erect a 78 foot tall monopine wireless communication facility (WCF) for T-Mobile, with an initial installation of 6 flat panel antennas, 6 Remote Radio Units (RRUs) and a microwave dish, located within a 3,500 square foot fenced enclosure with two ground mounted cabinets, a generator, an equipment panel and a propane tank mounted on a 195 square foot concrete pad, was heard by the Zoning Administrator. At that hearing, concerns were raised by neighboring property owners regarding the potential visual and other impacts of the proposed tower. During discussions the Zoning Administrator also felt that the applicant had failed to adequately demonstrate that no equivalent alternative location exists outside a "restricted" zone district to justify the approval of a Federal Telecom Act Exception for the proposed site.

As a result, the Zoning Administrator continued application 171030 to a date uncertain, with full notice, to allow the applicant to provide additional information to support the alternatives analysis, and for the applicant to look at the feasibility of revising the design of the tower to reduce the visual impact on neighbors by, for example, reducing the height or relocating the structure on the parcel.

On November 3, 2017, the applicant submitted the requested additional information (Attachment E of this supplemental staff report). This includes a “Leasing Alternatives Evaluation” which documents attempts to locate an alternative technically feasible site in the vicinity, and a “Small Cells Alternatives analysis”, regarding the potential for a system which would mount equipment on 17 existing utility poles located within the County right-of-way as an alternative to the proposed single “monopine” WCF. In addition, because of specific concerns raised by the immediate neighbors of the proposed site, the applicant also prepared a visual analysis of the proposed WCF as viewed from the parcel to the south and east of the project site at 867 Calabasas Road, APN 049-041-64. This is included in the letter dated November 3, 2017 and is subsequently referred to in this report as “Visual Analysis from the Wessling Property, 867 Calabasas Road”.

Proposed TCA Exception For WCF Being Located on Property Zoned “RA”- Alternatives Analysis:

The additional alternatives analysis provided by the applicant clearly shows that there are no available alternative sites in the vicinity where the proposed WCF could feasibly located and also demonstrates that a small cells alternative would provide significantly less coverage and have a broader negative aesthetic impact on the area as a whole than the proposed “monopine” WCF. In addition, the small cells alternative would be more expensive and would cause greater disruption to the area as a whole, particularly during construction of the project. Therefore, based upon the additional information that has been submitted and the findings included in the staff report to the Zoning Administrator for September 15, 2017, the granting of a TCA Exception to allow placement in the “restricted” RA-zone is warranted.

Visual Analysis from the Wessling Property, 867 Calabasas Road:

The applicant has provided an analysis of two alternative locations for the proposed monopine WCF that would result in a reduced visual impact on the Wessling property, in particular in views from the rear deck at the dwelling.

Alternative one is northeast of the original site, such that the WCF would be further from the Wessling property and closer to the existing dense-canopied Pine tree located at the eastern of the proposed lease enclosure. Although this location results in the most significant reduction of the visual impact of the WCF in views from the rear deck at the Wessling property, staff does not support this alternative because the existing Pine tree would be required to be reduced in height by approximately 40 feet to maintain the desired coverage objectives of the site. This would mean that the proposed WCF would be more visible in public views from the adjacent public street (Calabasas Road) and also result in unnecessary damage to an existing healthy, mature tree.

Alternative two is approximately 30 feet northwest of the original site, such that the WCF would be located further from the Wessling property. In addition, because this site is further from the existing Pine tree, this second alternative allows for a reduction in the overall height of the proposed WCF by two feet. Staff therefore proposes that the proposed monopine WCF as shown on the project Plans (Attachment D of this report and Exhibit D of the original staff report) be relocated to be in the

northwest corner of the proposed lease site as shown in the letter dated November 3, 2017, and that the maximum height of the proposed tower be reduced from 78 feet to a maximum height of 76 feet.

### **Conclusion**

As proposed and conditioned, and with the proposed granting of a Federal Telecommunications Act Exception allowing siting the WCF on CA-zoned land, the revised project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Attachment "C" ("Revised Findings and Conditions") for a complete listing of findings and evidence related to the above discussion.

### **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 171030, based on the attached findings and conditions.

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

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

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## **Development Permit Findings (Revised)**

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

This finding can be made, in that the project is located in a zoning district that permits wireless communication facility (WCF) uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. The proposed WCF 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 these amenities.

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

This finding can be made, in that the proposed location of the WCF and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district as the primary use of the property will remain residential, with the proposed WCF being ancillary to that use, and that the WCF use will meet all current site standards for the zone district.

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

This finding can be made, in that the proposed WCF use is consistent with the use and density requirements specified for the Rural Residential (R-R) land use designation in the County General Plan.

The proposed WCF will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district, in that the WCF will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed WCF will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed WCF will be of a similar size to surrounding mature trees and will also comply with the site standards for the RA zone district (including setbacks, lot coverage) and will comply with the maximum height limit allowed for a free-standing WCF in the RA zone district, to result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed WCF is to be constructed on an existing 4.88 acre residential parcel and will not overload utilities in the area. Once all construction at the site has been completed, there is not expected to be any additional traffic generated by the proposed WCF project, thus the project will not adversely impact existing roads or 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.**

This finding can be made, in that the proposed structure is located in a rural area containing dense vegetation and many stands of tall, mature trees. Therefore the proposed faux-Pine tree (monopine) tower WCF, located adjacent to a mature Monterey Pine tree that has a similar height, will be consistent with that context and will blend-in seamlessly.

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

This finding can be made, in that the proposed 76-foot tall monopine WCF will be of an appropriate scale and type of design that will complement the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The location of the proposed monopine WCF has been carefully selected to minimize, to the greatest extent possible, impacts on surrounding properties, and in particular on the closest neighbor to the south.

## **Wireless Communication Facility Use Permit Findings (Revised)**

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

The subject property is not located within an area that has been designated as a scenic resource in the County General Plan and therefore the proposed WCF will not significantly affect any designated visual resources. The area surrounding the project site and the subject parcel contains many mature trees, including mature Monterey Pines, Coast Redwoods, Eucalyptus and Oaks, and the proposed WCF has been designed to resemble a Pine tree, so as to blend with the natural environment and reduce the visual impact of the proposed development. The color of the proposed foliage for the proposed monopine will match with the color of the foliage of the adjacent mature Monterey Pine and the pole will be textured and colored to resemble natural Pine bark. Therefore the proposed tower will blend into the natural landscape and not have a significant visual impact on surrounding land uses. The proposed fenced enclosure and equipment cabinets will be screened and softened by proposed landscape plantings that will include hardy, fast growing drought tolerant species that are suitable to the site.

The parcel is not mapped within a sensitive habitat and the proposed WCF will be located in an area of existing open lawn and therefore will not impact any sensitive habitat resources or other significant. Further, the proposed WCF will not negatively impact other County resources, including open space or community character resources. Finally, there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed faux-Pine tree tower design that would have less visual and/or other resource impacts.

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

This finding can be made, in that the proposed WCF will initially include 6 antennas mounted upon a faux-Pine tree that will blend in with the mature trees on the same parcel and will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan/LCP Sections 5.1, 5.10, and 8.6.6.), nor

significantly affect other County resources, including agricultural (i.e., will not displace any viable agricultural land), open space, or community character resources. Future colocations that include additional antennas for additional carriers will all be located lower in the canopy of the monopine than the proposed T-Mobile antennas. Moreover, as shown in the applicant's Alternatives Analysis submitted November 3, 2017, there are no other environmentally equivalent and/or superior and technically feasible alternatives to the faux-Pine tree design (including alternative locations and/or a small cell system located in the public right-of-way) with less visual and/or other resource impacts.

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

This finding can be made, in that the existing residential-related use of the subject property is in compliance with the requirements of the RA (Residential Agriculture) zone district and R-R (Rural Residential) General Plan designations, in which it is located. Code violations that have been identified on the subject parcel will be required to be resolved by the issuance of required permits prior to the final inspection clearance of the proposed WCF and there are no outstanding or unpaid zoning violation abatement costs.

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

This finding can be made, in that the proposed wireless communications facility will be located at a sufficient distance from Watsonville Airport (approx. 2.8 miles) and will be of a height (76 feet) too low to interfere with aircraft in flight.

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

This finding can be made, in that the maximum ambient RF levels at ground level due to the proposed WCF operations are calculated to be no more than 0.7% of the applicable FCC public exposure limit anywhere at ground level, and 1.2% of that limit at the second floor elevation of any nearby building. Based upon Google Maps it was estimated that the closest residential structure that may be subject to the higher level at the second floor was located at least 170 feet away from the proposed WCF. This structure is the dwelling on the subject parcel which is currently an only one-story house.

6. **The proposed wireless communication facilities as conditioned are consistent with the all applicable requirements of the Local Coastal Program (LCP).**

This finding is not applicable, in that the proposed WCF is located outside the Coastal Zone and is therefore not subject to the LCP.

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

This finding can be made in that the applicant has submitted information indicating that the proposed WCF location is necessary to close a “significant gap” in the carrier’s (T-Mobile’s) network. In addition evidence has been submitted indicating that other potential alternative sites in allowed zone districts that could close that gap are either not available or would be more visually obtrusive (i.e., closer to residences). Because of the rolling terrain in this area, the choice of sites is limited to parcels that are set at a higher elevation to ensure that the desired coverage can be obtained. The applicant has submitted information to support that attempts were made to find other viable sites outside of a restricted zone district but that they were unable to secure a lease at any of the other sites. The project site was also chosen because the surrounding mature vegetation which allows for better screening of the proposed WCF. The proposed 76-foot tall faux pine tree design (monopine) will “blend seamlessly into the existing public view.” In addition the applicant has submitted analysis of a small cell system that would include facilities mounted at existing or replaced utility poles within the public right-of-way and has shown that this alternative would not meet the desired coverage objectives and would have an overall increased negative visual impact on the area as a whole. Therefore, the granting of a TCA Exception to allow placement in the “restricted” RA-zone is warranted.

## CONDITIONS OF APPROVAL (REVISED)

**Attachment D/Exhibit D:** Project plans, 15 sheets, prepared by MT2 Telecom, LP, dated 6/9/17 as modified by alternative two presented in the letter dated November 3, 2017 (Attachment E of the supplemental staff report)

- I. This permit authorizes the construction of a 76-foot tall monopine wireless communication facility as indicated on the approved Attachment "D"/Exhibit "D" for this permit as amended by alternative two presented in the letter dated November 3, 2017 (Attachment E of the supplemental staff report) and these conditions of approval. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - 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.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain an Encroachment Permit from the Department of Public Works for any off-site work performed in the County road right-of-way.
  - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Attachment "D" on file with the Planning Department as amended for alternative two as set out in the letter dated November 3, 2017 (Attachment E of the supplemental staff report). Any changes from the approved Attachment "D"/Exhibit "D", amended as described above, for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. A copy of the text of these conditions of approval incorporated into the full size sheets of the building permit plan set.

2. Plans shall indicate that the maximum height of the structure, including all portions of any antenna or other equipment mounted on the tower and including all “branches” or other camouflage features, shall not exceed 76 feet as measured from the existing grade at the base of the tower. The proposed camouflage branches shall extend above the level of all antennas etc. to the same extent as shown on Attachment D/Exhibit D.
  3. One elevation shall indicate proposed materials and colors. In addition to showing the materials and colors on the elevation, the applicant shall supply a revised color and material sheet in 8 1/2” x 11” format for Planning Department review and approval that complies with the following: The monopine pole shall be finished with either the standard or aged pine bark finish as preferred. Foliage shall be chosen to blend with the dark green needles of the adjacent natural pine tree, panel antennas shall be concealed using foliage covered socks.
  4. Grading, drainage, and erosion control plans.
  5. The building plans must include detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 76 feet.
  6. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
  7. A revised Landscape Plan that includes additional plantings to screen the proposed fenced enclosure. A minimum of 28 plants around the perimeter will be required. The plan must include details of ground preparation and of ongoing the required maintenance to ensure survival of the plants.
- B. Meet all requirements of the County Department of Public Works, Stormwater Management. If drainage fees are applicable these will be assessed on the net increase in impervious area.
- C. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- D. Meet all requirements of the Environmental Planning section of the Planning Department as follows:
1. Submit a soils report (2 original signed/stamped versions) completed by a California licensed geotechnical engineer for review and approval.



2. Reference project arborist (Monarch Consulting Arborists) and contact information on "Sheet T-1".
  3. The project arborist shall inspect tree protection for all trees within the project area and provide an inspection letter to the Environmental Planning Section prior to commencement of any site disturbance work.
- E. Meet all requirements and pay any applicable plan check fee of the County Fire Protection District.
- F. Submit the following applications for the review and approval of unpermitted structures on the parcel:
1. A Residential Development Permit to recognize the construction of a 1,640 square foot non-habitable accessory structure that exceeds the maximum 1,000 square foot size limitation. This is a level 4 approval (Administrative review with public notice)
  2. Submit for concurrent processing, a Building Permit to recognize the construction of a 1,640 square foot non-habitable accessory structure.  
  
As an alternative to items F.1. and F.2. above you may obtain a Demolition Permit for this structure.
  3. Submit Demolition Permit to remove the 825 square foot garage that is located within the required setbacks.  
  
As an alternative to F.3. above a Building Permit may be submitted for this structure to be relocated to another site on the parcel where it will comply with all required site and development standards for the RA zone district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.
  - D. All Building Permits to recognize or to demolish unpermitted structures on the subject parcel shall be approved and issued.

- E. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

#### IV. Operational Conditions

- A. All replacement antennas and other equipment mounted on the tower shall comply with the maximum height as set out in II.A.2. (above) unless a the increased height is approved subject to a Variance.
  - B. All future co-locations on the approved monopine WCF facility shall be located as shown on Attachment D, below the currently proposed antennas, and shall not result in a further increase in height without the approval of a Variance. Future co-locations on the monopine pole must maintain the same or greater level of camouflage as approved by this permit. All ground mounted equipment shall be located within the approved fenced and landscaped enclosure. All required permits as set out in County Code shall also be obtained.
  - C. The foliage on the monopine shall be maintained in good condition and if damaged by wind or weather shall be replaced in-kind to retain the appearance of a natural tree to the greatest extent possible.
  - D. All landscape screening around the fenced enclosure shall be maintained in good condition. All dead plants shall be replaced in kind or with a similar large-scale, hardy, drought tolerant non-invasive species.
  - E. All maintenance activities associated with the WCF, including tests to the generator, shall be between the hours of 8:00am to 5:00pm weekdays and shall not occur on any holiday.
  - F. No light shall be added at the top of the monopine unless evidence is submitted, in writing, to show that this is a Federal Aviation Authority (FAA) requirement.
  - G. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval (“Development Approval Holder”), is required to defend, indemnify, and hold harmless the

COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, 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.

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

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

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

Application Number: 171030

Assessor Parcel Number: 049-381-07

Project Location: 875 Calabasas Road, Watsonville

**Project Description:** Proposal to construct a 78 ft monopine wireless communication facility with 6 flat panel antennas, 6 RRUs and a microwave dish, in a 3,500 sq.ft. fenced enclosure with two ground mounted cabinets, a generator, an equipment panel and a propane tank.

**Person or Agency Proposing Project:** Anthem Telecom, attn. Tricia Knight

**Contact Phone Number:** (805) 448 4221

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

Specify type: Type 3 - New Construction or Conversion of Small Structure (Section 15303)

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

Construction of a wireless communication facility disguised as a 78-foot tall faux Pine tree is not anticipated to generate any environmental impacts.

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

\_\_\_\_\_  
Lezanne Jeffs, Project Planner

Date: \_\_\_\_\_



## Staff Report to the Zoning Administrator

Application Number: **171030**

**Applicant:** Anthem Telecom, attn. Tricia Knight  
**Owners:** Robert and Loretta Hunt  
**APN:** 049-381-07

**Agenda Date:** September 15, 2017  
**Agenda Item #:**  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to construct a new 78 foot tall monopine wireless communication facility (WCF) for T-Mobile with an initial installation of 6 flat panel antennas, 6 Remote Radio Units (RRUs) and a microwave dish, located within a 3,500 square foot fenced enclosure with two ground mounted cabinets, a generator, an equipment panel and a propane tank mounted on a 195 square foot concrete pad. Requires a Commercial Development Permit and a Federal Telecom Act Exception (for being located in the RA-zone, a "restricted" area for WCFs).

**Location:** Property located on the southwest side of Calabasas Road (875 Calabasas Road) at about 200 feet southeast of the intersection with Morning Sun Ranch Road.

**Supervisory District:** 2nd District (District Supervisor: Zach Friend)

**Permits Required:** Commercial Development Permit  
**Technical Reviews:** None

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171030, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Categorical Exemption (CEQA determination)         | H. (Alternatives Analysis) Radio-Frequency Radiation Emissions Report |
| B. Findings   | I. Arborist Report  |
| C. Conditions   | J. Comments & Correspondence  |
| D. Project plans                                      |   |
| E. Assessor's, Location, Zoning and General Plan Maps |   |
| F. Photo-Simulations                                  |   |
| G. Project Support Statement                          |   |

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

### Parcel Information

Parcel Size: 4.88 acres  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential  
Project Access: Calabasas Road  
Planning Area: Aptos Hills  
Land Use Designation: R-R (Rural Residential)  
Zone District: RA (Residential Agriculture)  
Coastal Zone: ☐ Inside ☒ Outside  
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Submittal of soils report required with Building Permit  
Fire Hazard: Not a mapped constraint  
Slopes: N/A  
Env. Sen. Habitat: No physical evidence at project site (site investigation)  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Not mapped/no physical evidence at project site

### Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside  
Water Supply: Private mutual water company  
Sewage Disposal: Septic system  
Fire District: Santa Cruz County Fire Protection  
Drainage District: Out

### History

The 4.88 acre parcel has been in residential use for many years. The recognized structures on the parcel include a one-story single-family dwelling that was constructed in 1956 and a garage/tool room that was built next to the dwelling in 1961, although the Assessor's records for the parcel show that the tool room was converted to a guest room in the early 1970s. A one bedroom, one bathroom addition to the house was constructed in 1964 under building permit #14927. Other permitted work includes the addition of a solar hot water system under plumbing permit #74347 in 1983, and the installation of solar panels and an electrical upgrade under electrical permits B-162084 and B-162366 in 2016.

In 1974, Use Permit 74-64-U was approved for the formation of a mutual water company on the site and for the installation of facilities on the parcel for that use. In conjunction with the Use Permit a



Variance, 74-73-V was approved to permit the installation of a 20,000 gallon water tank within 5 feet of the rear property line. These Permits were approved subject to a condition of approval that all building code requirements be met including obtaining the necessary building permits. However, no building permits were issued for the water tank or for any other structure related to the mutual water company. There is also no record of any permit for the conversion of the tool room to a guest room.

As shown on the Assessor's Residential Building Records for the parcel a 1,107 square foot non-habitable structure was constructed on the parcel in the early 1970s. However, as indicated on the parcel survey submitted with the current application, this structure was later expanded to approximately 1,620 square feet. This addition appears to have been constructed after 1989 when the County Assessor last visited the parcel to carry out an appraisal. A second, approximately 825 square foot non-habitable structure shown on the survey also appears to have been built after 1989. The water tank that was approved by 74-64-U and 74-73-V was also constructed, although this structure is not shown on the submitted plans or on the Assessor's Records.

In April 2017 a complaint was received by the Code Compliance section of the Planning Department regarding two non-habitable accessory structures and a water tank that had been constructed without permits within the required setbacks at the northwest corner of the parcel.

### **Project Setting**

The project site is located in the Aptos Hills planning area, on a parcel that is currently developed with a single-family dwelling and other accessory structures. The subject parcel is bounded on all sides by residential parcels as designated by the General Plan, and that are developed with single-family dwellings. The zoning of these parcels is either RA (Residential Agriculture) or SU (Special Use). The existing dwelling on the parcel will be approximately 200 feet from the base of the proposed cell tower and the nearest adjacent residence on the surrounding parcels is located approximately 325 feet from the base of the proposed cell tower.

The project site is located in an area of rolling hills that contains dense vegetation and significant stands of mature trees. The project site is located on an area of high ground and is mostly surrounded by mature vegetation, particularly adjacent to Calabasas Road, with several tall trees including Redwoods and Pines as well as Oaks. The central and southern portion of the parcel is gently sloped down to the south and west, but along the northeastern property line, which borders Calabasas Road, the land slopes steeply toward the road. Because of the slopes and surrounding vegetation the interior of the site is not visible from Calabasas Road except that limited views, partially obstructed by vegetation, are available looking directly up the driveway. Some views into the site are also possible from the private right-of-way that wraps around the southern and western property boundaries, although these are also largely obscured by intervening trees and other vegetation.

### **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 4.88 acres, located in the RA (Residential Agricultural) zone district, a designation which allows wireless communication facility uses only with a Federal Telecommunications Act Exception. The proposed wireless communication

facility (WCF) is a permitted use within the zone district subject to approval by the Zoning Administrator, and the zoning is consistent with the site's Rural Residential (R-R) General Plan designation. The proposal requires a Commercial Development Permit, and a Federal Telecom Act (TCA) Exception to allow locating the WCF on a parcel that is zoned Residential Agriculture (RA), which is one of the "restricted" zone districts in the County's WCF Ordinance.

Proposed TCA Exception For WCF Being Located on Property Zoned "RA"

A Federal Telecom Act Exception is needed to allow locating the proposed WCF on a parcel that is zoned Residential Agriculture (RA), which is one of the "restricted" zone districts as per the County's WCF Ordinance. This ordinance states that new WCFs shall be discouraged in "restricted areas" except as set out in County code section 13.10.661(C)(3) as follows:

"Applicants proposing new, non-co-located wireless communication facilities in the restricted areas must submit as part of their application an Alternatives Analysis, as described in Section 13.10.662(C). In addition, to complying with the remainder of SCCC 13.10.660 through 668, inclusive, non-co-located wireless communication facilities may be sited in the restricted zoning districts only in situations where the applicant can prove that:

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

The applicant has submitted information indicating that the proposed WCF location is necessary to close a "significant gap" in the carrier's (T-Mobile's) network. In addition evidence has been submitted indicating that other potential alternative sites in allowed zone districts that could close that gap are either not available or would be more visually obtrusive (i.e., closer to residences). Because of the rolling terrain in this area, the choice of sites is limited to parcels that are set at a higher elevation to ensure that the desired coverage can be obtained. The applicant has submitted information to support that attempts were made to find other viable sites outside of a restricted zone district but that they were unable to secure a lease at any of the other sites. The project site was also chosen because the surrounding mature vegetation which allows for better screening of the proposed WCF. The proposed 78-foot tall faux pine tree design (monopine) will "blend seamlessly into the existing public view." Therefore, the granting of a TCA Exceptions to allow placement in the "restricted" RA-zone is warranted.

County Code requires that within a restricted zone district all new WCFs shall be co-located on existing facilities wherever possible. There are currently no existing facilities within this area available. However, the proposed monopine has been designed to allow for co-location of up to three additional carriers, where all additional antennas and other associated equipment would be camouflaged/screened to prevent significant visual impacts. The installation of any future co-locations on the proposed WCF would be required to comply with County Code 13.10.661(G).

## **Code Compliance**

As set out above, a complaint has been submitted to the Code Compliance section of the Planning Department regarding the construction of unpermitted structures on the subject parcel. Subsequent research into the permit history and other records has confirmed that a violation does exist. As set out in County Code section 12.01.07(C) "No building permit shall be issued for a project on a property which contains a code violation until such violation is corrected, or unless the building permit is for a project which includes correction of such violation." Therefore, the conditions of approval of this application require that, before a building permit for the proposed WCF may be issued, all required permits must be submitted for the recognition or demolition of the unpermitted structures. In addition, a hold will be placed upon the final of the building permit for the WCF, pending the approval and issuance of all required permits as required to resolve the violations on the parcel.

## **Design Review**

The proposed WCF complies with the requirements of the County Design Review Ordinance, in that the proposed project has been designed to resemble a Pine tree, so as to reduce the visual impact of the proposed development. The color of the proposed foliage for the proposed faux-Pine tree (monopine) will be chosen to most closely blend with the color of the foliage of the adjacent mature Monterey Pine (*Pinus radiata*), and the pole will be textured and colored to resemble natural Pine bark. Therefore the proposed tower will blend into the natural landscape and not have a significant visual impact on surrounding land uses.

## **Visual Analysis**

The area surrounding the project site and the subject parcel contains many mature trees, including mature Monterey Pines, Coast Redwoods, Eucalyptus and Oaks. Immediately adjacent to the proposed 78-foot tall monopine there is a 75 foot tall Monterey Pine tree that has a significantly larger spread than the proposed monopine and this tree will ensure that the new WCF pole will not appear to stand alone in views of the site. As shown by the submitted visual simulation views that show the site both with and without the proposed WCF the proposed monopine will blend in well with the existing rural backdrop, and thus the project will not significantly impact views. The proposed fenced enclosure that will be situated on an area that is currently an open lawn, will be screened and softened by proposed landscape plantings that will include hardy, fast growing drought tolerant species that are suitable to the site.

To ensure the ongoing health and survival of the surrounding mature trees on the parcel the applicant retained Monarch Consulting Arborists LLC to prepare a Tree Inventory, Assessment and Protection Report. The report sets out the current size and health of the trees and includes recommendations for the protection of all of the surrounding trees during construction. The report also shows that no trees will be highly impacted by the proposed WCF or will need to be removed. All recommendations of the Arborist's report are included as a conditions of approval of this project.

## **Radio Frequency Emissions**

A radio frequency (RF) radiation emissions calculation report has been prepared for this project by a qualified consulting engineer (Hammet & Edison). The proposed facility is calculated to result in a maximum ambient RF level of no more than 0.7% of the applicable FCC public exposure limit anywhere at ground level, and 1.2% of that limit at the second floor elevation of any nearby building. Based upon Google Maps Hammet and Edison estimated that the closest residential structure that may be subject to the higher level at the second floor was located at least 170 feet away from the proposed WCF. This structure is the dwelling on the subject parcel which is currently an only one-story house.

## **Environmental Review**

Staff has determined that the proposed project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) because it qualifies as "New Construction or Conversion of a Small Structure" (Class 3, Section 15303). The CEQA Categorical Exemption form is attached as Exhibit A.

## **Conclusion**

As proposed and conditioned, and with the proposed granting of a Federal Telecommunications Act Exception allowing siting the WCF on CA-zoned land, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## **Staff Recommendation**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **171030**, based on the attached findings and conditions.

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

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

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# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

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

Application Number: 171030

Assessor Parcel Number: 049-381-07

Project Location: 875 Calabasas Road, Watsonville

**Project Description:** Proposal to construct a 78 ft monopine wireless communication facility with 6 flat panel antennas, 6 RRUs and a microwave dish, in a 3,500 sq.ft. fenced enclosure with two ground mounted cabinets, a generator, an equipment panel and a propane tank.

**Person or Agency Proposing Project:** Anthem Telecom, attn. Tricia Knight

**Contact Phone Number:** (805) 448 4221

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

Specify type: Type 3 - New Construction or Conversion of Small Structure (Section 15303)

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

Construction of a wireless communication facility disguised as a 78-foot tall faux Pine tree is not anticipated to generate any environmental impacts.

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

\_\_\_\_\_  
Lezanne Jeffs, Project Planner

Date: \_\_\_\_\_



## **Development Permit Findings**

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

This finding can be made, in that the project is located in a zoning district that permits wireless communication facility (WCF) uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources. The proposed WCF 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 these amenities.

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

This finding can be made, in that the proposed location of the WCF and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district as the primary use of the property will remain residential, with the proposed WCF being ancillary to that use, and that the WCF use will meet all current site standards for the zone district.

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

This finding can be made, in that the proposed WCF use is consistent with the use and density requirements specified for the Rural Residential (R-R) land use designation in the County General Plan.

The proposed WCF will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district, in that the WCF will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed WCF will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed WCF will be of a similar size to surrounding mature trees and will also comply with the site standards for the RA zone district (including setbacks, lot coverage) and will comply with the maximum height limit allowed for a free-standing WCF in the RA zone district, to result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed WCF is to be constructed on an existing 4.88 acre residential parcel and will not overload utilities in the area. Once all construction at the site has been completed, there is not expected to be any additional traffic generated by the proposed WCF project, thus the project will not adversely impact existing roads or 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.**

This finding can be made, in that the proposed structure is located in a rural area containing dense vegetation and many stands of tall, mature trees. Therefore the proposed faux-Pine tree (monopine) tower WCF, located adjacent to a mature Monterey Pine tree that has a similar height, will be consistent with that context and will blend-in seamlessly.

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

This finding can be made, in that the proposed 78-foot tall monopine WCF will be of an appropriate scale and type of design that will complement the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.



## Wireless Communication Facility Use Permit Findings

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

The subject property is not located within an area that has been designated as a scenic resource in the County General Plan and therefore the proposed WCF will not significantly affect any designated visual resources. The area surrounding the project site and the subject parcel contains many mature trees, including mature Monterey Pines, Coast Redwoods, Eucalyptus and Oaks, and the proposed WCF has been designed to resemble a Pine tree, so as to blend with the natural environment and reduce the visual impact of the proposed development. The color of the proposed foliage for the proposed monopine will match with the color of the foliage of the adjacent mature Monterey Pine and the pole will be textured and colored to resemble natural Pine bark. Therefore the proposed tower will blend into the natural landscape and not have a significant visual impact on surrounding land uses. The proposed fenced enclosure and equipment cabinets will be screened and softened by proposed landscape plantings that will include hardy, fast growing drought tolerant species that are suitable to the site.

The parcel is not mapped within a sensitive habitat and the proposed WCF will be located in an area of existing open lawn and therefore will not impact any sensitive habitat resources or other significant. Further, the proposed WCF will not negatively impact other County resources, including open space or community character resources. Finally, there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed faux-Pine tree tower design that would have less visual and/or other resource impacts.

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

This finding can be made, in that the proposed WCF will initially include 6 antennas mounted upon a faux-Pine tree that will blend in with the mature trees on the same parcel and will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan/LCP Sections 5.1, 5.10, and 8.6.6.), nor

significantly affect other County resources, including agricultural (i.e., will not displace any viable agricultural land), open space, or community character resources. Future colocations that include additional antennas for additional carriers will all be located lower in the canopy of the monopine than the proposed T-Mobile antennas. Moreover, as shown in the applicant's Alternatives Analysis, there are no other environmentally equivalent and/or superior and technically feasible alternatives to the faux-Pine tree design (including alternative locations and/or designs) with less visual and/or other resource impacts.

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

This finding can be made, in that the existing residential-related use of the subject property is in compliance with the requirements of the RA (Residential Agriculture) zone district and R-R (Rural Residential) General Plan designations, in which it is located. Code violations that have been identified on the subject parcel will be required to be resolved by the issuance of required permits prior to the final inspection clearance of the proposed WCF and there are no outstanding or unpaid zoning violation abatement costs.

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

This finding can be made, in that the proposed wireless communications facility will be located at a sufficient distance from Watsonville Airport (approx. 2.8 miles) and will be of a height (78 feet) too low to interfere with aircraft in flight.

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

This finding can be made, in that the maximum ambient RF levels at ground level due to the proposed WCF operations are calculated to be no more than 0.7% of the applicable FCC public exposure limit anywhere at ground level, and 1.2% of that limit at the second floor elevation of any nearby building. Based upon Google Maps it was estimated that the closest residential structure that may be subject to the higher level at the second floor was located at least 170 feet away from the proposed WCF. This structure is the dwelling on the subject parcel which is currently an only one-story house.

- 6. The proposed wireless communication facilities as conditioned are consistent with the all applicable requirements of the Local Coastal Program (LCP).**

This finding is not applicable, in that the proposed WCF is located outside the Coastal Zone and is therefore not subject to the LCP.

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

This finding can be made in that the applicant has submitted information indicating that the proposed WCF location is necessary to close a “significant gap” in the carrier’s (T-Mobile’s) network. In addition evidence has been submitted indicating that other potential alternative sites in allowed zone districts that could close that gap are either not available or would be more visually obtrusive (i.e., closer to residences). Because of the rolling terrain in this area, the choice of sites is limited to parcels that are set at a higher elevation to ensure that the desired coverage can be obtained. The applicant has submitted information to support that attempts were made to find other viable sites outside of a restricted zone district but that they were unable to secure a lease at any of the other sites. The project site was also chosen because the surrounding mature vegetation which allows for better screening of the proposed WCF. The proposed 78-foot tall faux pine tree design (monopine) will “blend seamlessly into the existing public view.” Therefore, the granting of a TCA Exception to allow placement in the “restricted” RA-zone is warranted.

## CONDITIONS OF APPROVAL

**Exhibit D:** Project plans, 15 sheets, prepared by MT2 Telecom, LP, dated 6/9/17.

- I. This permit authorizes the construction of a 78-foot tall monopine wireless communication facility as indicated on the approved Exhibit "D" for this permit as amended by these conditions of approval. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - 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.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain an Encroachment Permit from the Department of Public Works for any off-site work performed in the County road right-of-way.
  - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. A copy of the text of these conditions of approval incorporated into the full size sheets of the building permit plan set.
    2. Plans shall indicate that the maximum height of the structure, including all portions of any antenna or other equipment mounted on the tower and including all "branches" or other camouflage features, shall not exceed 78 feet as measured from the existing grade at the base of the tower. The proposed camouflage branches shall extend above the level of all antennas etc. to the same extent as shown on Exhibit D.

3. One elevation shall indicate proposed materials and colors. In addition to showing the materials and colors on the elevation, the applicant shall supply a revised color and material sheet in 8 1/2" x 11" format for Planning Department review and approval that complies with the following: The monopine pole shall be finished with either the standard or aged pine bark finish as preferred. Foliage shall be chosen to blend with the dark green needles of the adjacent natural pine tree, panel antennas shall be concealed using foliage covered socks..
  4. Grading, drainage, and erosion control plans.
  5. The building plans must include detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 78 feet.
  6. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
  7. A revised Landscape Plan that includes additional plantings to screen the proposed fenced enclosure. A minimum of 28 plants around the perimeter will be required. The plan must include details of ground preparation and of ongoing the required maintenance to ensure survival of the plants.
- B. Meet all requirements of the County Department of Public Works, Stormwater Management. If drainage fees are applicable these will be assessed on the net increase in impervious area.
- C. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- D. Meet all requirements of the Environmental Planning section of the Planning Department as follows:
1. Submit a soils report (2 original signed/stamped versions) completed by a California licensed geotechnical engineer for review and approval.
  2. Reference project arborist (Monarch Consulting Arborists) and contact information on "Sheet T-1".
  3. The project arborist shall inspect tree protection for all trees within the project area and provide an inspection letter to the Environmental Planning Section prior to commencement of any site disturbance work.

E. Meet all requirements and pay any applicable plan check fee of the County Fire Protection District.

F. Submit the following applications for the review and approval of unpermitted structures on the parcel:

1. A Residential Development Permit to recognize the construction of a 1,640 square foot non-habitable accessory structure that exceeds the maximum 1,000 square foot size limitation. This is a level 4 approval (Administrative review with public notice)

2. Submit for concurrent processing, a Building Permit to recognize the construction of a 1,640 square foot non-habitable accessory structure.

As an alternative to items F.1. and F.2. above you may obtain a Demolition Permit for this structure.

3. Submit Demolition Permit to remove the 825 square foot garage that is located within the required setbacks.

As an alternative to F.3. above a Building Permit may be submitted for this structure to be relocated to another site on the parcel where it will comply with all required site and development standards for the RA zone district.

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

A. All site improvements shown on the final approved Building Permit plans shall be installed.

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

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

D. All Building Permits to recognize or to demolish unpermitted structures on the subject parcel shall be approved and issued.

E. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.



#### IV. Operational Conditions

- A. All replacement antennas and other equipment mounted on the tower shall comply with the maximum height as set out in II.A.2. (above) unless a the increased height is approved subject to a Variance.
- B. All future co-locations on the approved monopine WCF facility shall be located as shown on Exhibit D, below the currently proposed antennas, and shall not result in a further increase in height without the approval of a Variance. Future co-locations on the monopine pole must maintain the same or greater level of camouflage as approved by this permit. All ground mounted equipment shall be located within the approved fenced and landscaped enclosure. All required permits as set out in County Code shall also be obtained.
- C. The foliage on the monopine shall be maintained in good condition and if damaged by wind or weather shall be replaced in-kind to retain the appearance of a natural tree to the greatest extent possible.
- D. All landscape screening around the fenced enclosure shall be maintained in good condition. All dead plants shall be replaced in kind or with a similar large-scale, hardy, drought tolerant non-invasive species.
- E. All maintenance activities associated with the WCF, including tests to the generator, shall be between the hours of 8:00am to 5:00pm weekdays and shall not occur on any holiday.
- F. No light shall be added at the top of the monopine unless evidence is submitted, in writing, to show that this is a Federal Aviation Authority (FAA) requirement.
- G. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, 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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: \_\_\_\_\_

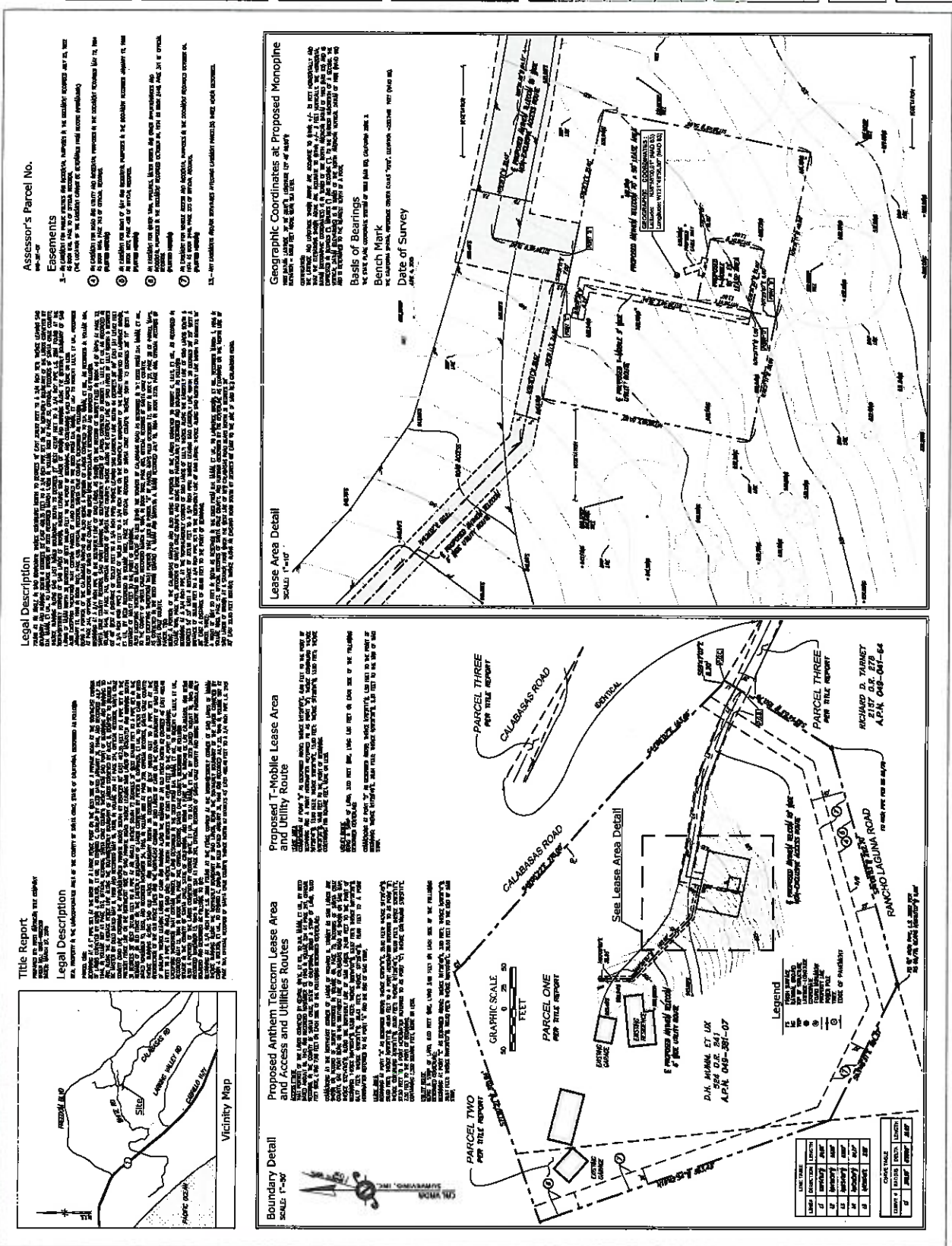
Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

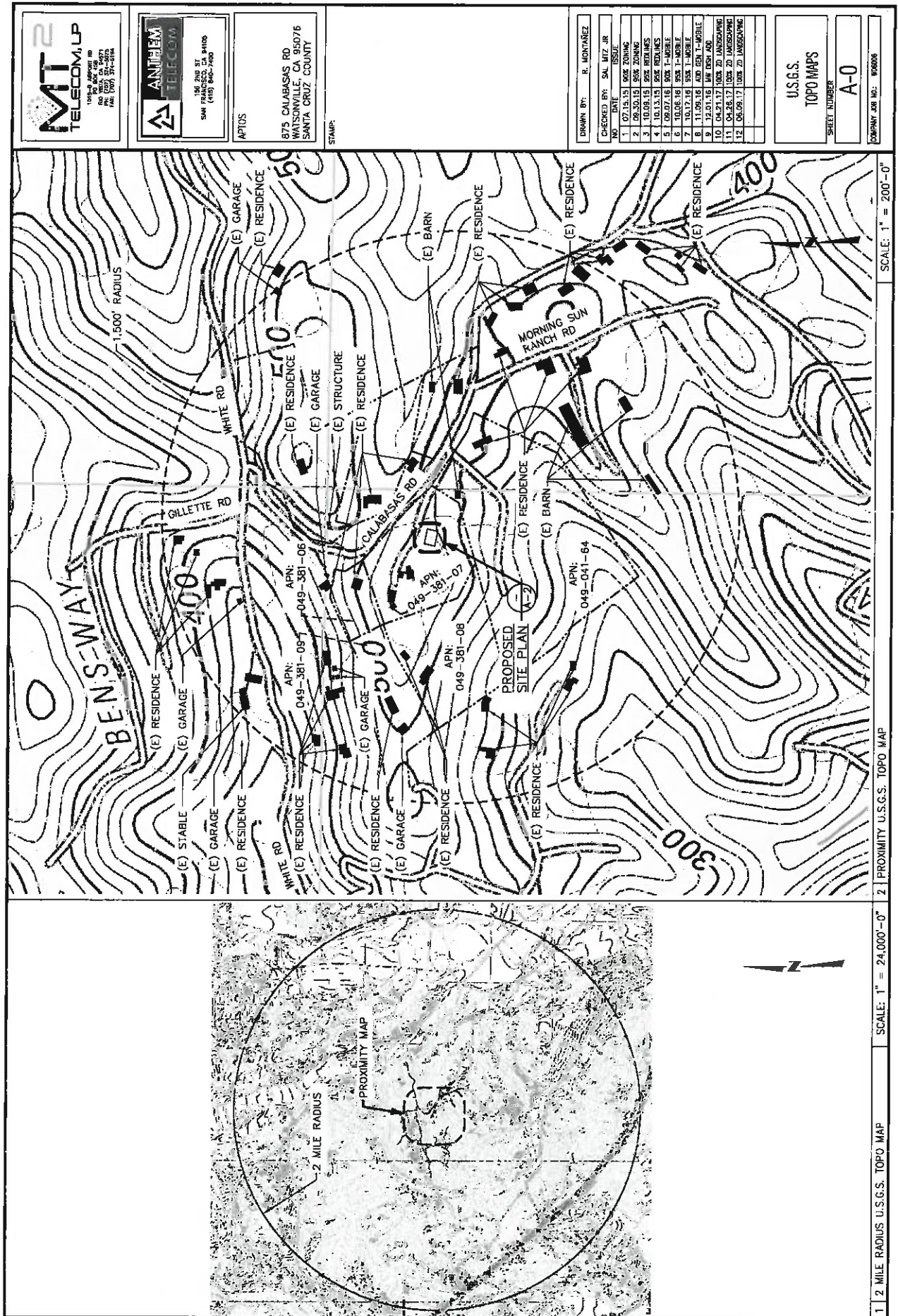
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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance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









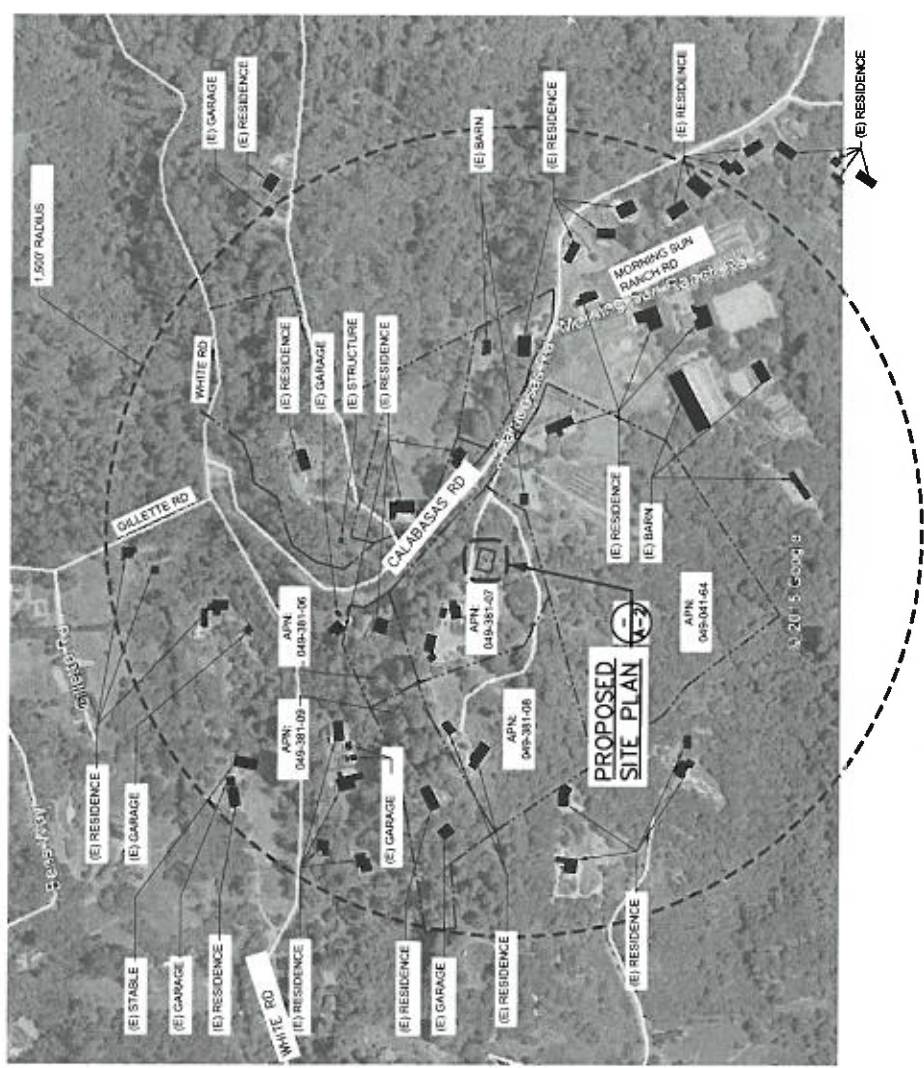


AP105  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

STAMP:

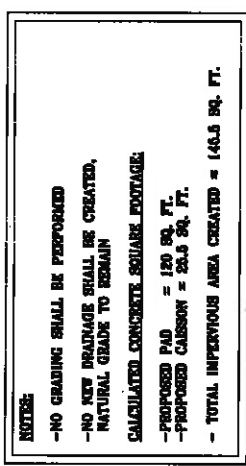
DRAWN BY:	R. MONTANEZ
CHECKED BY:	SAL WIZ JR
NO.	DATE
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2	09.30.15
3	10.09.15
4	10.13.15
5	09.27.16
6	10.05.16
7	11.09.16
8	12.01.16
9	04.21.17
10	04.25.17
11	06.09.17
12	06.09.17

AERIAL  
PROXIMITY MAP  
SHEET NUMBER  
A-1  
COMPANY JOB NO.: 100000



SCALE: 1" = 200'-0"

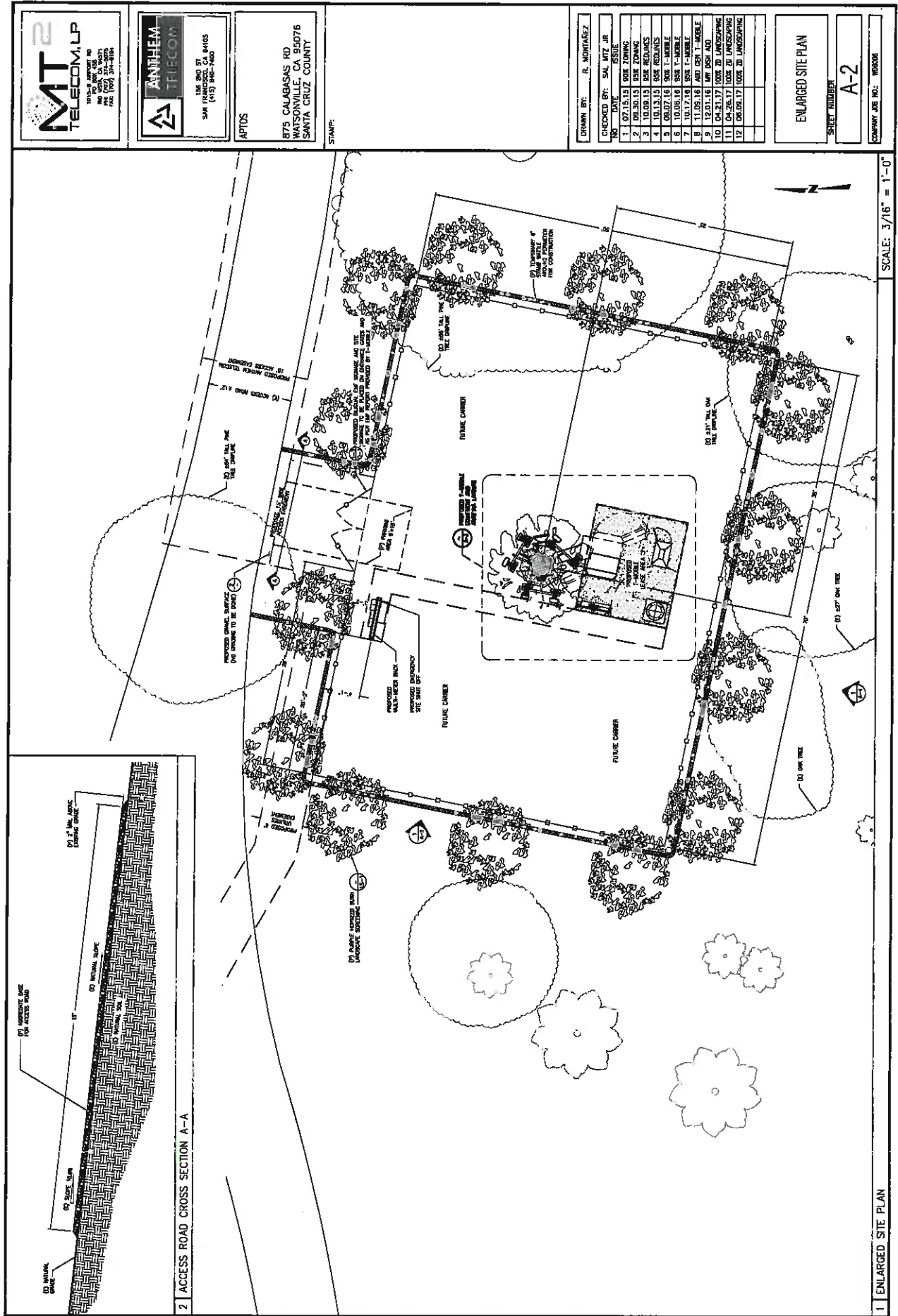
1 AERIAL PROXIMITY MAP



**SCALE: 1" = 40'**

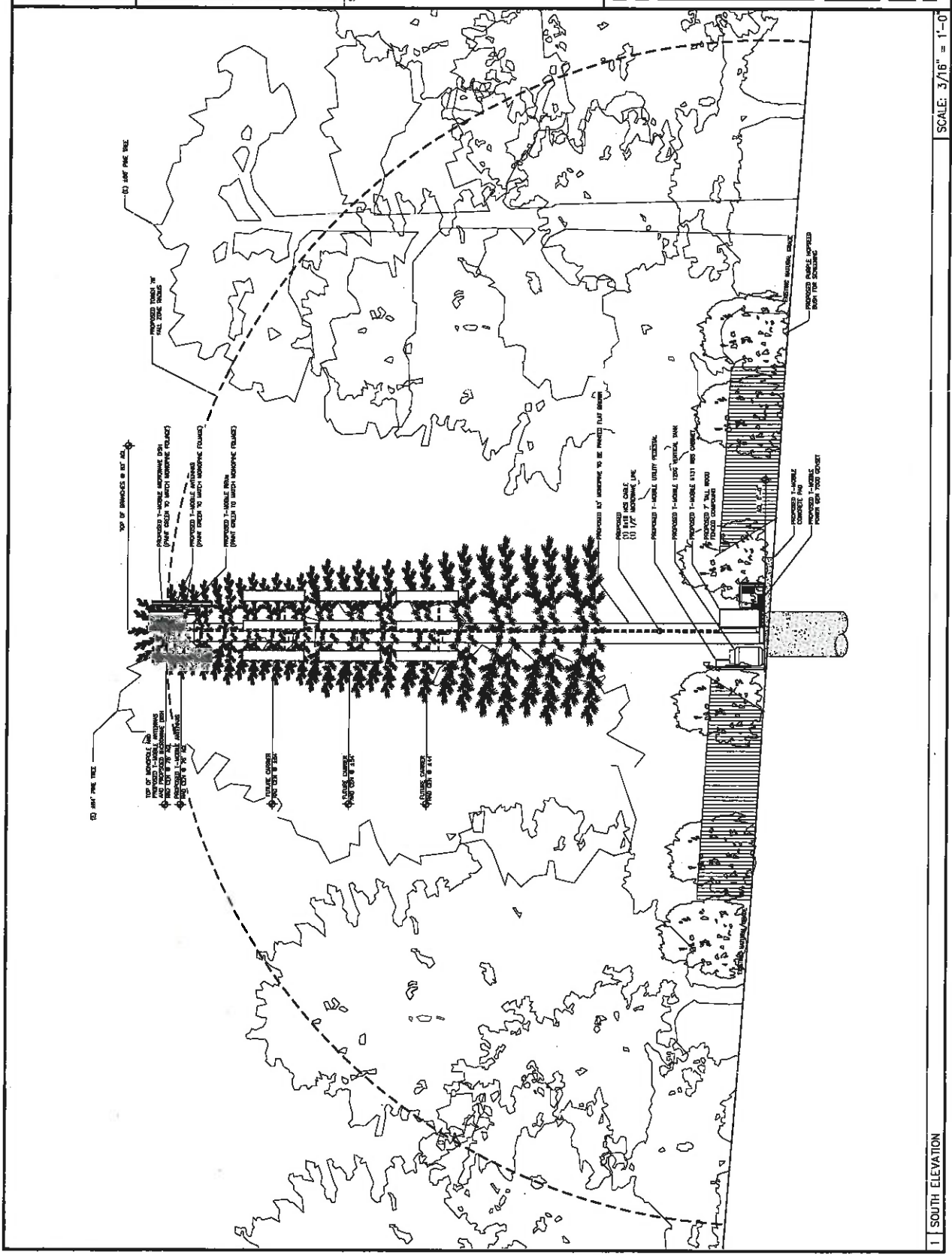
1	OVERALL SITE PLAN
---	-------------------















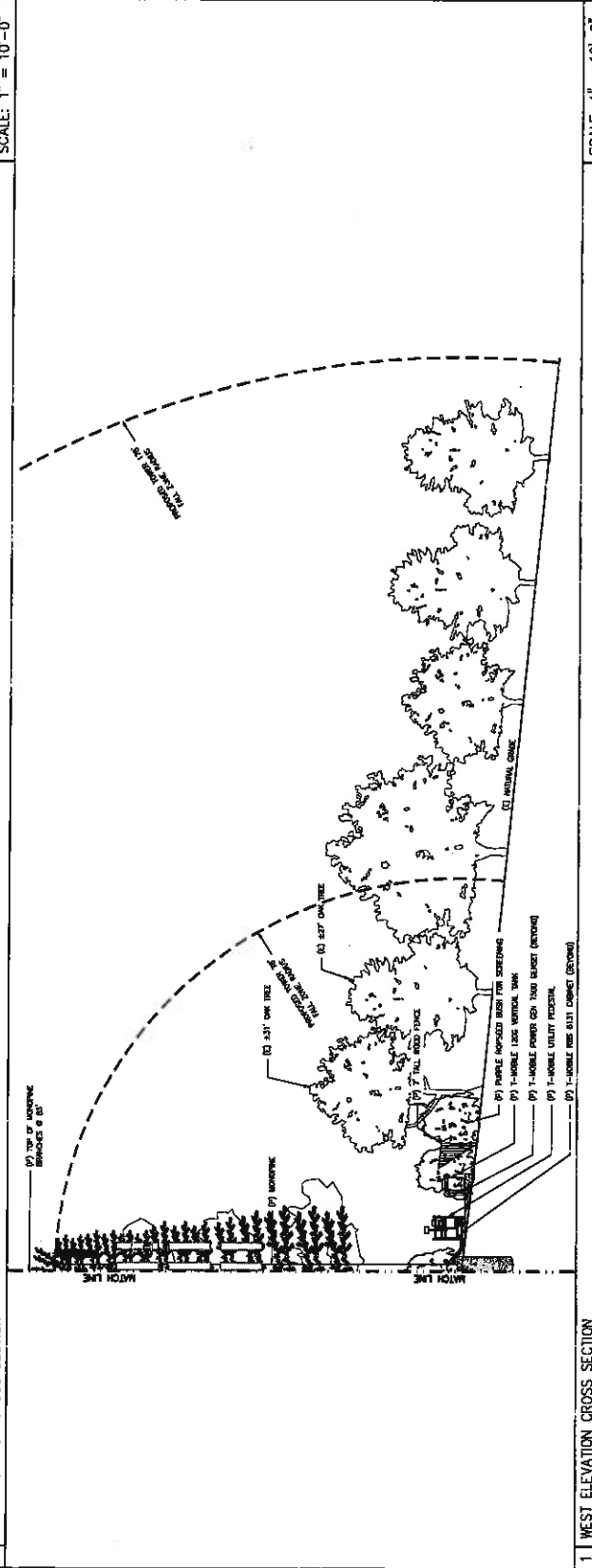
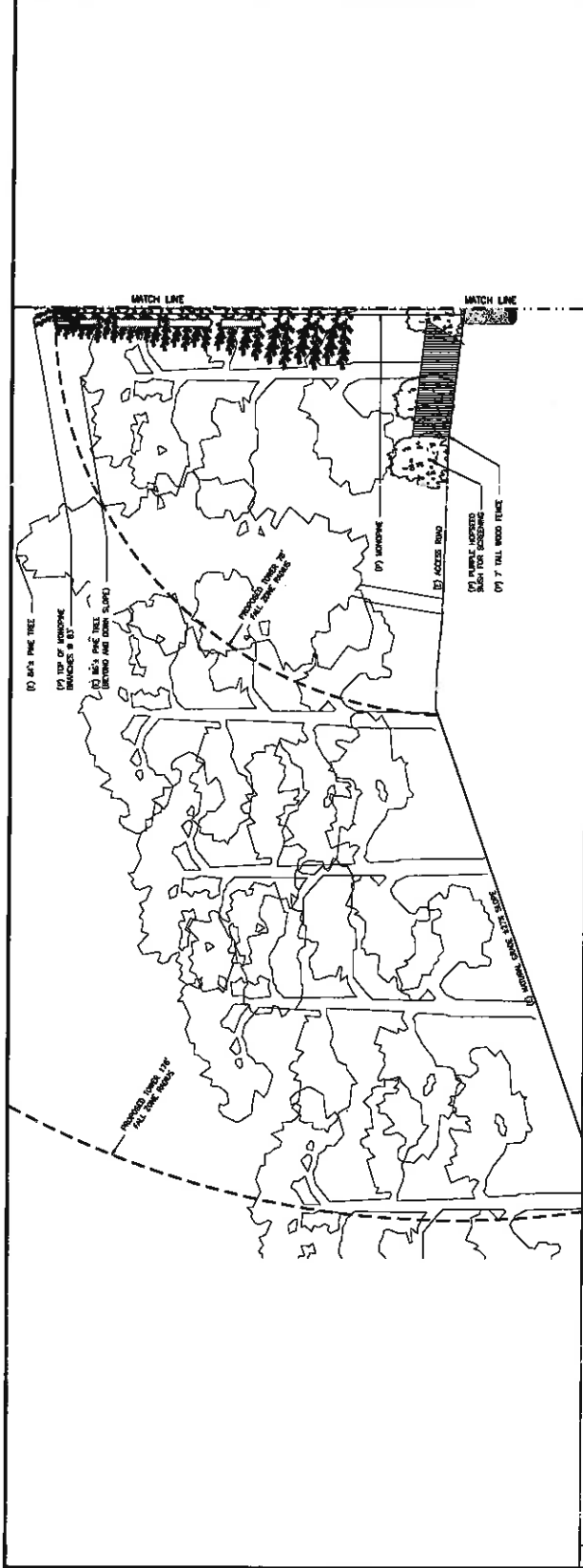


APT05  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

STAMP:

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CHECKED BY: SAL MIZ JR	
NO	DATE
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2	09.30.15
3	10.09.15
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5	09.07.16
6	10.09.16
7	11.09.16
8	12.01.16
9	04.21.17
10	04.26.17
11	06.09.17
12	06.09.17

WEST ELEVATION  
CROSS SECTIONS  
SHEET NUMBER  
A-7  
COMPANY JOB NO.: 100000





**MT2 TELECOM, LP**  
 1500 14TH ST, SUITE 200  
 SAN FRANCISCO, CA 94103  
 (415) 774-2070  
 FAX: (415) 774-2100

**PANTHEM TELECOM**  
 1500 14TH ST, SUITE 200  
 SAN FRANCISCO, CA 94103  
 (415) 774-2070

APTOS

875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

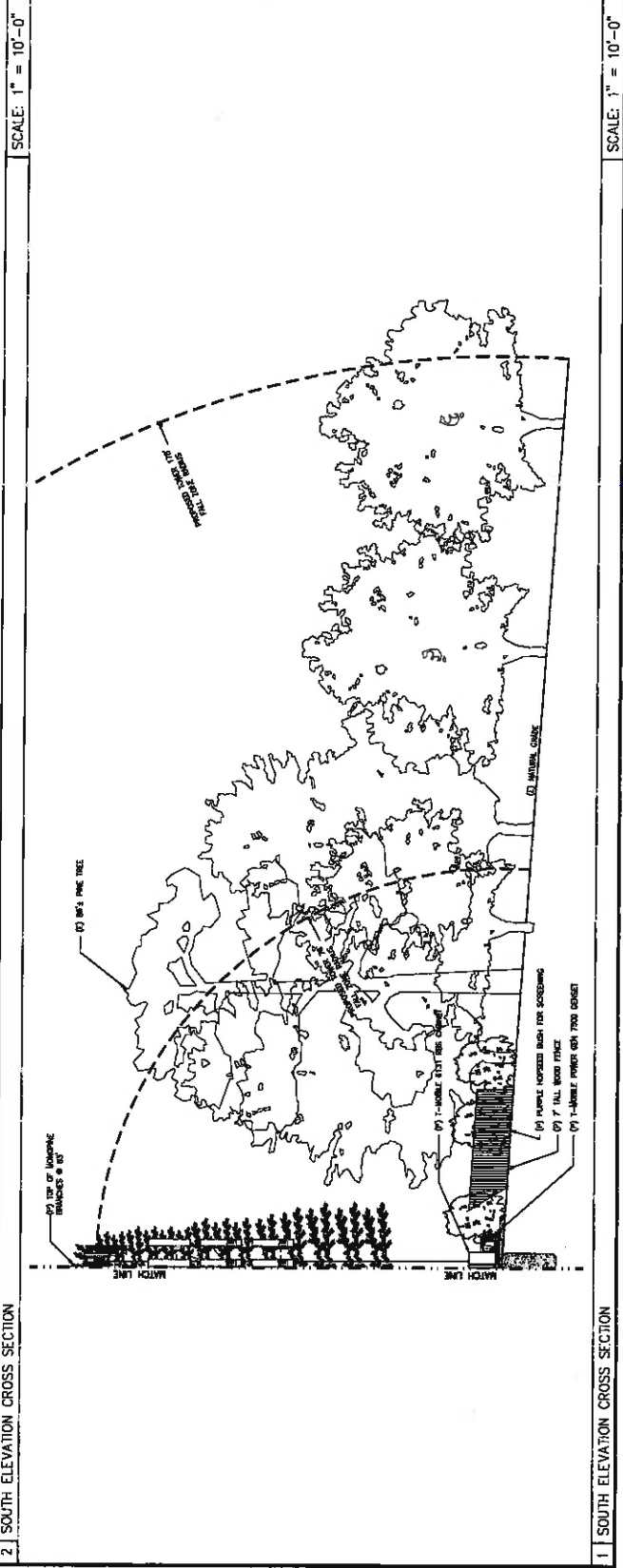
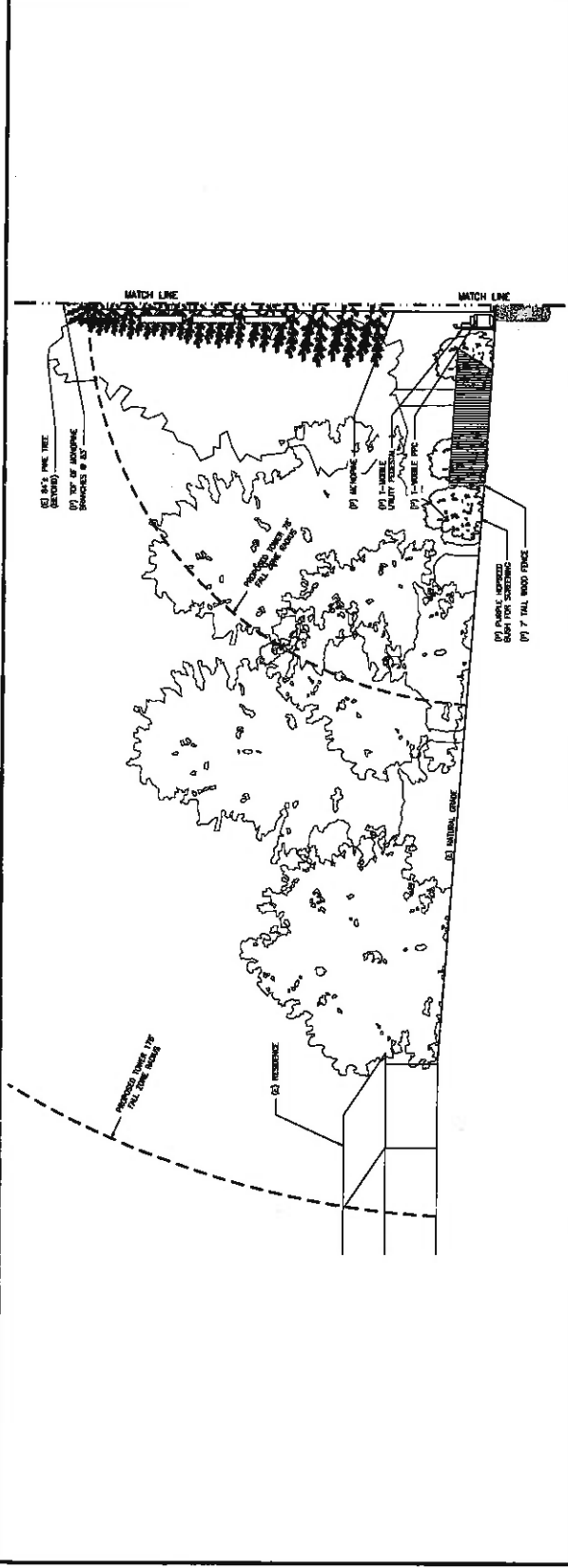
STAMP:

DRAWN BY: R. MONTANEZ	
CHECKED BY: S.M. MTZ JR.	
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5	09/07/16
6	10/09/16
7	11/17/16
8	12/01/16
9	04/21/17
10	04/28/17
11	06/09/17
12	06/09/17

SOUTH ELEVATION  
CROSS SECTIONS

SHEET NUMBER  
**A-8**

COMPANY JOB NO.: WINDORS



1014 S. ADELPHI RD  
MOUNTAIN VIEW, CA 94039  
TEL: (415) 374-9194  
FAX: (415) 374-9194

150 2ND ST  
SAN FRANCISCO, CA 94108  
(415) 840-1400

APTOS

875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

**CAUTION**

WARNING: This equipment may be used in the presence of flammable or explosive atmospheres. Do not use in such areas.

**CUIDADO**

ADVERTENCIA: Este equipo puede utilizarse en presencia de atmósferas inflamables o explosivas. No lo utilice en tales áreas.

**NOTICE**

WARNING: This equipment may be used in the presence of flammable or explosive atmospheres. Do not use in such areas.

**AVISO**

ADVERTENCIA: Este equipo puede utilizarse en presencia de atmósferas inflamables o explosivas. No lo utilice en tales áreas.

**NOTICE**

GUIDELINES FOR WORKING IN RADIO FREQUENCY ENVIRONMENTS (RFEM)

All personnel should have electromagnetic energy (EME) awareness training.

All personnel should be authorized.

They all must be authorized.

Before working on antennas, notify owners and disable appropriate transmitters.

Maintain minimum 3 feet clearance from all antennas.

Do not step in front of antennas.

Use personal RF monitors while working near antennas.

Never operate transmitters without shields during normal operation.

Do not operate base station antennas in equipment room.

**IN CASE OF EMERGENCY**

**---CALL---**

**1-888-662-4662**

Site No: SF15024C

**3 BILGUAL RADIO FREQUENCY SIGN**

**2 GUIDELINES FOR WORKING IN RF SIGN**

**1 EMERGENCY SITE SIGN**

**4 AIR21 B44/B2P**

**5 APXVF 24-C-A20**

**7 RRUS B2/B12 DETAILS**

**6 RBS 6131 CABINET DETAILS**

**8 GPS UNIT**



1918 S. AVENUE RD  
SAN JOSE, CA 95131  
TEL: (408) 274-9100  
FAX: (408) 274-9104

150 2ND ST  
SAN JOSE, CA 95131  
(408) 540-7400

APTOS

875 CALABASAS RD  
MILPITAS, CA 95078  
SANTA CRUZ COUNTY

STAMP:

DESIGN BY: R. MONTANEZ

CHECKED BY: SA, MTZ JR

NO DATE ISSUED

1 07.15.15 80X ZONING

2 09.30.15 80X ZONING

3 10.09.15 80X RELIANCE

4 10.13.15 80X RELIANCE

5 09.07.16 80X T-MOBILE

6 10.06.16 80X T-MOBILE

7 10.17.16 80X T-MOBILE

8 11.09.16 80X T-MOBILE

9 12.01.16 80X T-MOBILE

10 04.21.17 100X 2D LANDSCAPE

11 04.26.17 100X 2D LANDSCAPE

12 06.05.17 100X 2D LANDSCAPE

DETAILS

SHEET NUMBER

D-2

COMPANY JOB NO.: 80000

ITEM NO. PART NUMBER DESCRIPTION QTY:

1	BRACKET	HOLD DOWN BRACKET	4
2	BRACKET	401 3/4" T-BOLT BRASS SPANNER RD	4
3	BRACKET	WASHER PLAT 307X1 1/2"	4
4	BRACKET	WASHER SPUTLOCK 3/8" SLR	4
5	BRACKET	CRANE BIT FOR TAPER BRACKET 4X SPANNER	1

APPROVED BY: [Signature]

DATE: 04/04/18

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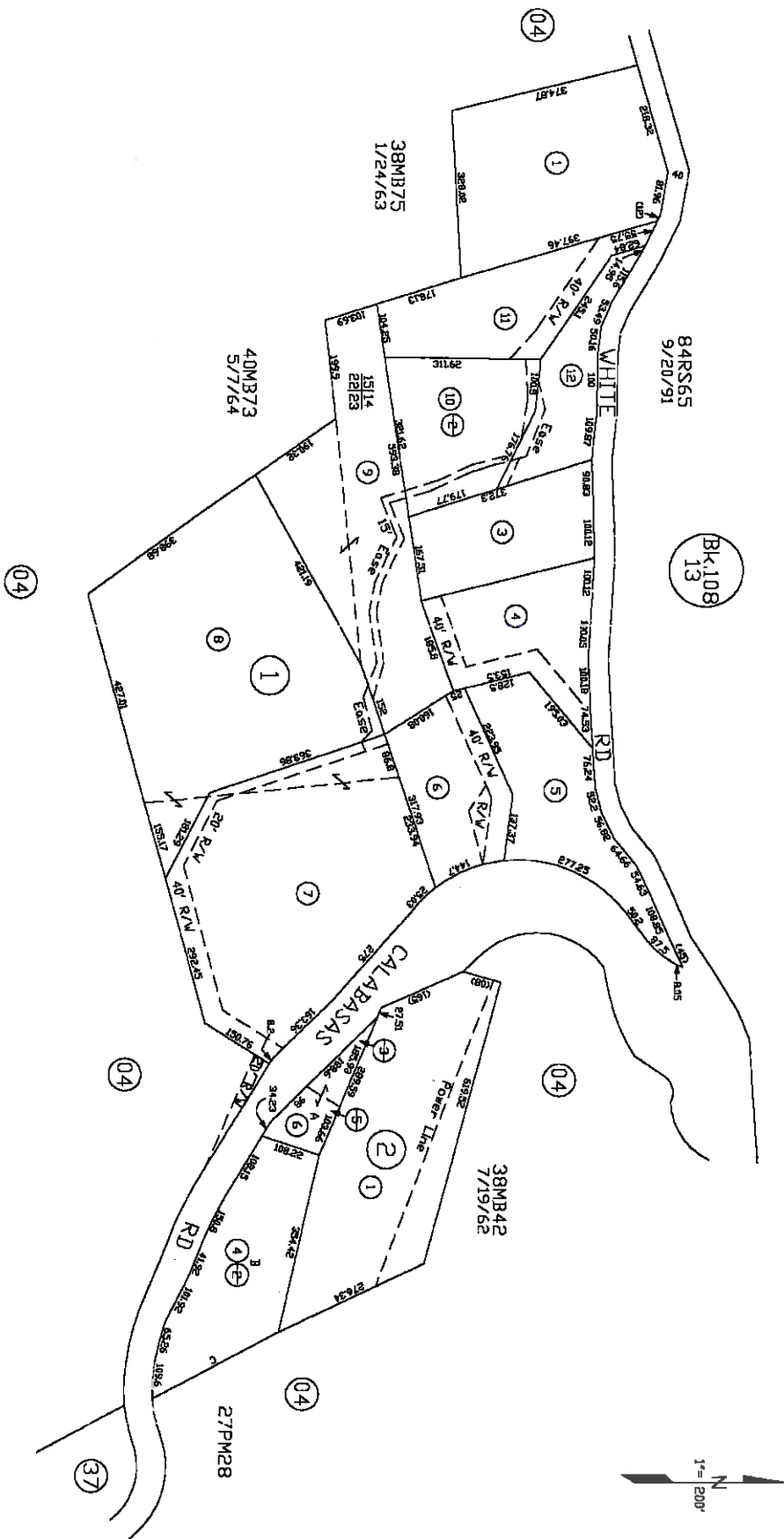


FOR TAX PURPOSES ONLY  
 THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000

POR. RANCHO LAGUNA DE LAS CALABASAS  
 SECS. 14,15,22 & 23, T.11S., R.1E., M.D.B. & M.

Tax Area Code  
 69-264

49-38



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

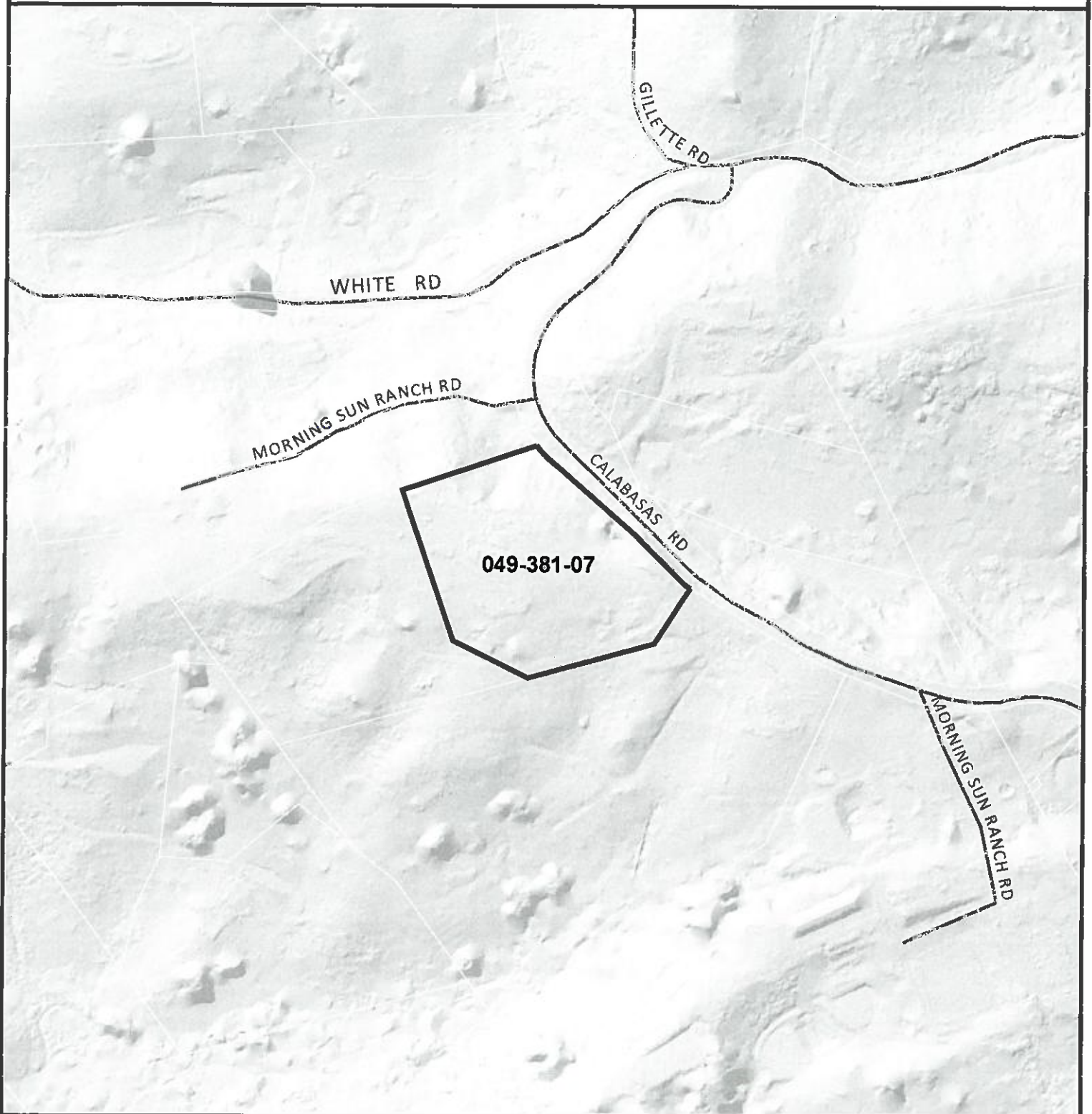
Assessor's Map No. 49-38  
 County of Santa Cruz, Calif.  
 April 2000



# Parcel Location Map

Santa Cruz County Planning Department

Parcel Number  
**049-381-07**  
Aug. 29, 2017



Location Overview

## Symbol Key

— Street



0 120 240  
Feet

**EXHIBIT E**

**ATTACHMENT B**





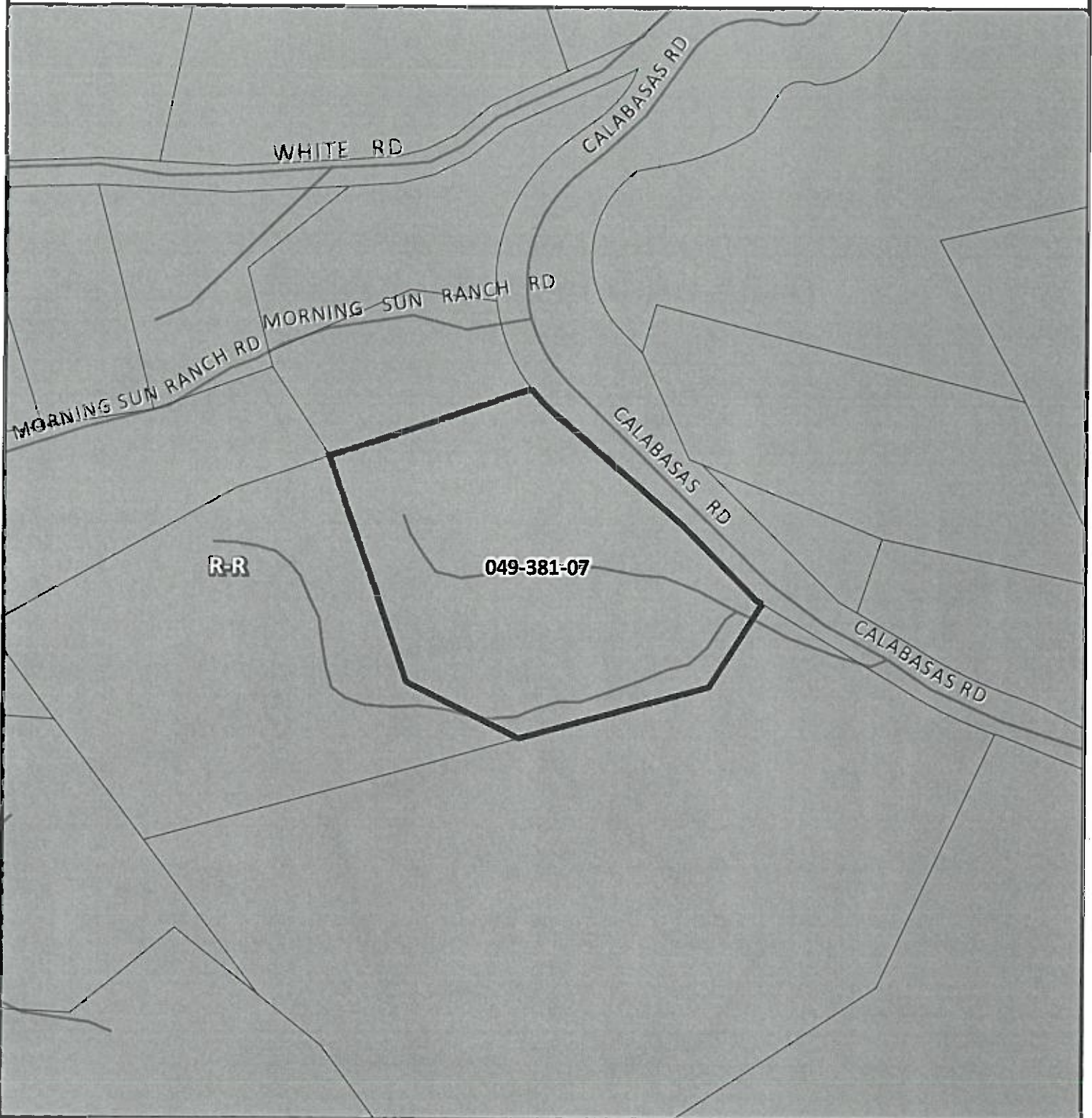
# Parcel General Plan Map

Santa Cruz County Planning Department

Parcel Number

049-381-07

Aug. 29, 2017



## General Plan

■ R-R - Residential-Rural



0 80 160  
Feet

EXHIBIT E

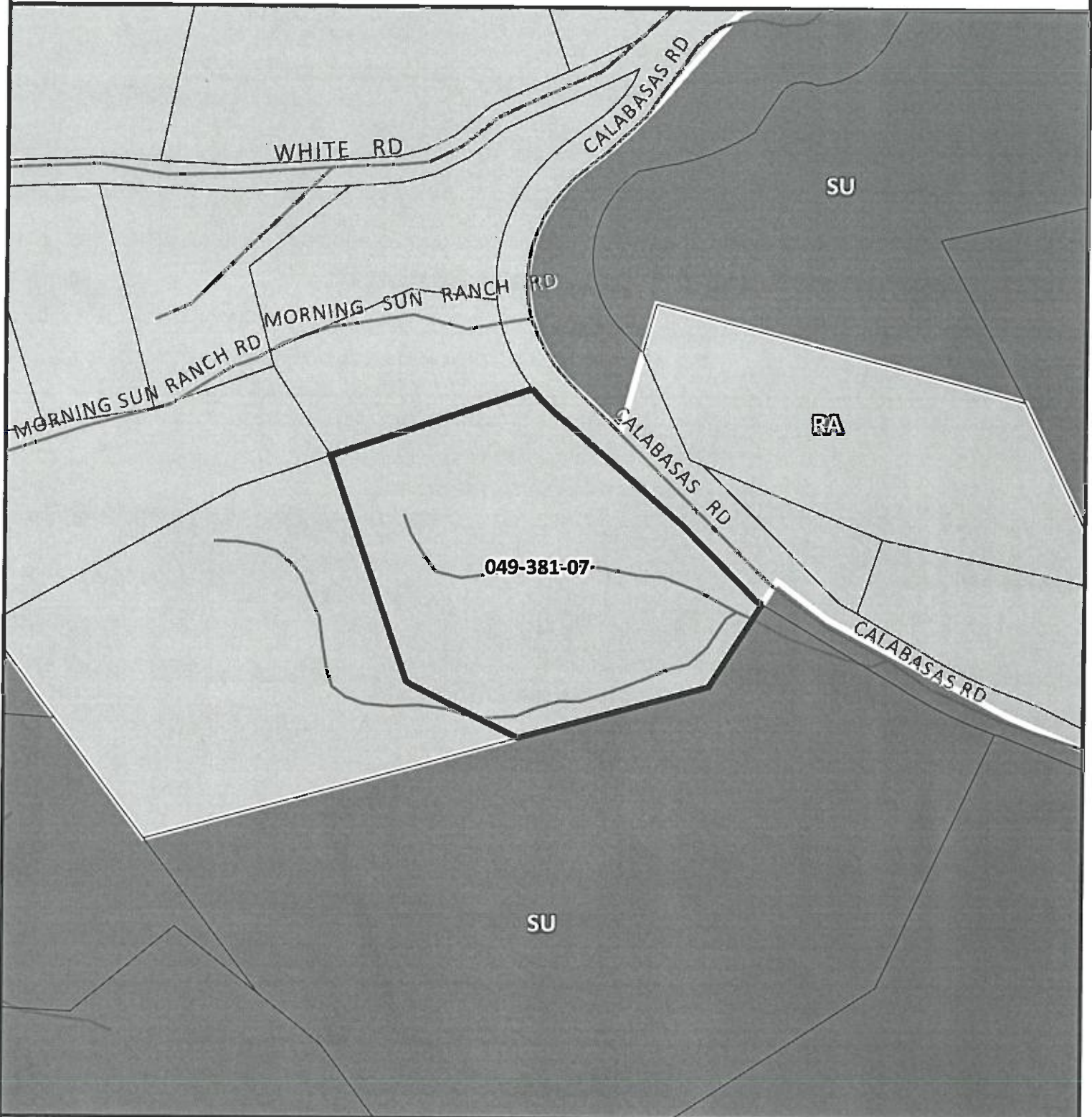
ATTACHMENT B



# Parcel Zoning Map

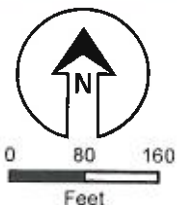
Santa Cruz County Planning Department

Parcel Number  
**049-381-07**  
Aug. 29, 2017



## Zoning

- (RA) Residential Agricultural
- (SU) Special Use



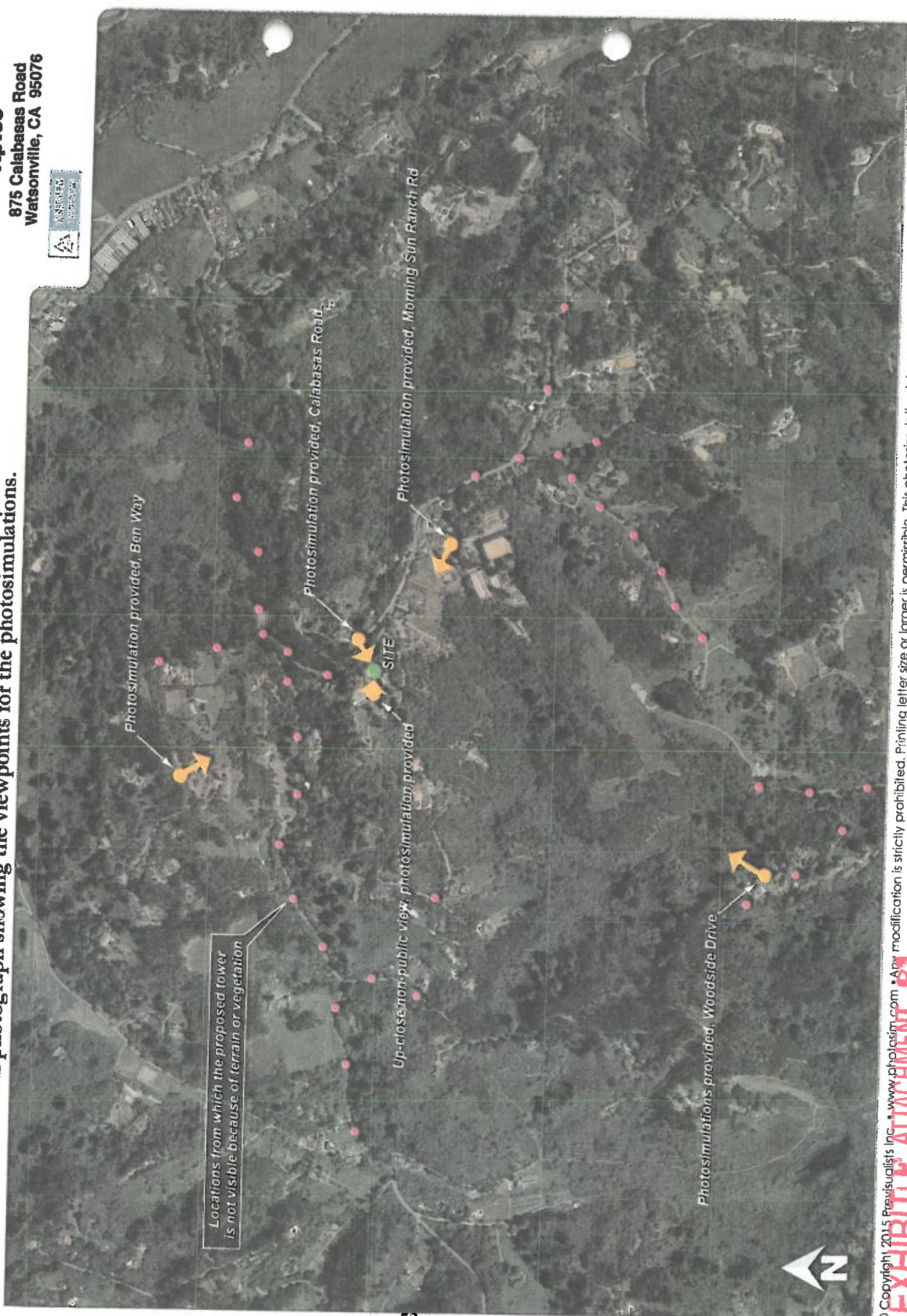
**EXHIBIT E**

**ATTACHMENT B1**



# Aerial photograph showing the viewpoints for the photosimulations.

**Aptos**  
875 Calabasas Road  
Watsonville, CA 95076





**Aerial photograph showing the viewpoints for the photosimulations.**



**Site Location** - The site was located by using the street address, and confirmed by the presence of the survey stakes in the ground.

**Viewpoint Selection** - The site is located near a hilltop in undulating rural terrain with dense patches of tall trees. As such, views of the proposed site are extremely limited.

A study was done using Google Earth to determine every possible public viewpoint. Because there are only a few roads in the area, ruling out viewpoints due to terrain blocking was quick and easy. With this information in hand a site visit was performed. Unfortunately because of the large number of trees, especially on the north and east sides of the project site, the site was not visible from any of the nearby roads.

There was absolutely no visibility from White Road. The clearest viewpoint came from Morning Sun Ranch Rd, so a photosimulation was provided from there. Due to the blocking of the trees and the shape of the terrain, the distant views from the southwest provide a glimpse of the scale pole. A photosimulation was provided from Woodside Drive, approximately 3,500 ft away, from a gap between homes and some trees. There were no other views from any public road from which the scale pole was visible.

**Scale** - A scale pole was placed at the edge of the lease area. The scale pole is a 45 foot Crane telescoping pole with ten-inch balloons placed at five foot intervals. These balloons are visible in all the photographs used for photosimulations.

**Equipment Information** - The images were taken with a Canon EOS 7D Mark II Professional Digital camera. Distances measured on Google Earth with a margin of error of less than 2 feet. All image manipulation done with Adobe Photoshop CC on MacPro workstations.

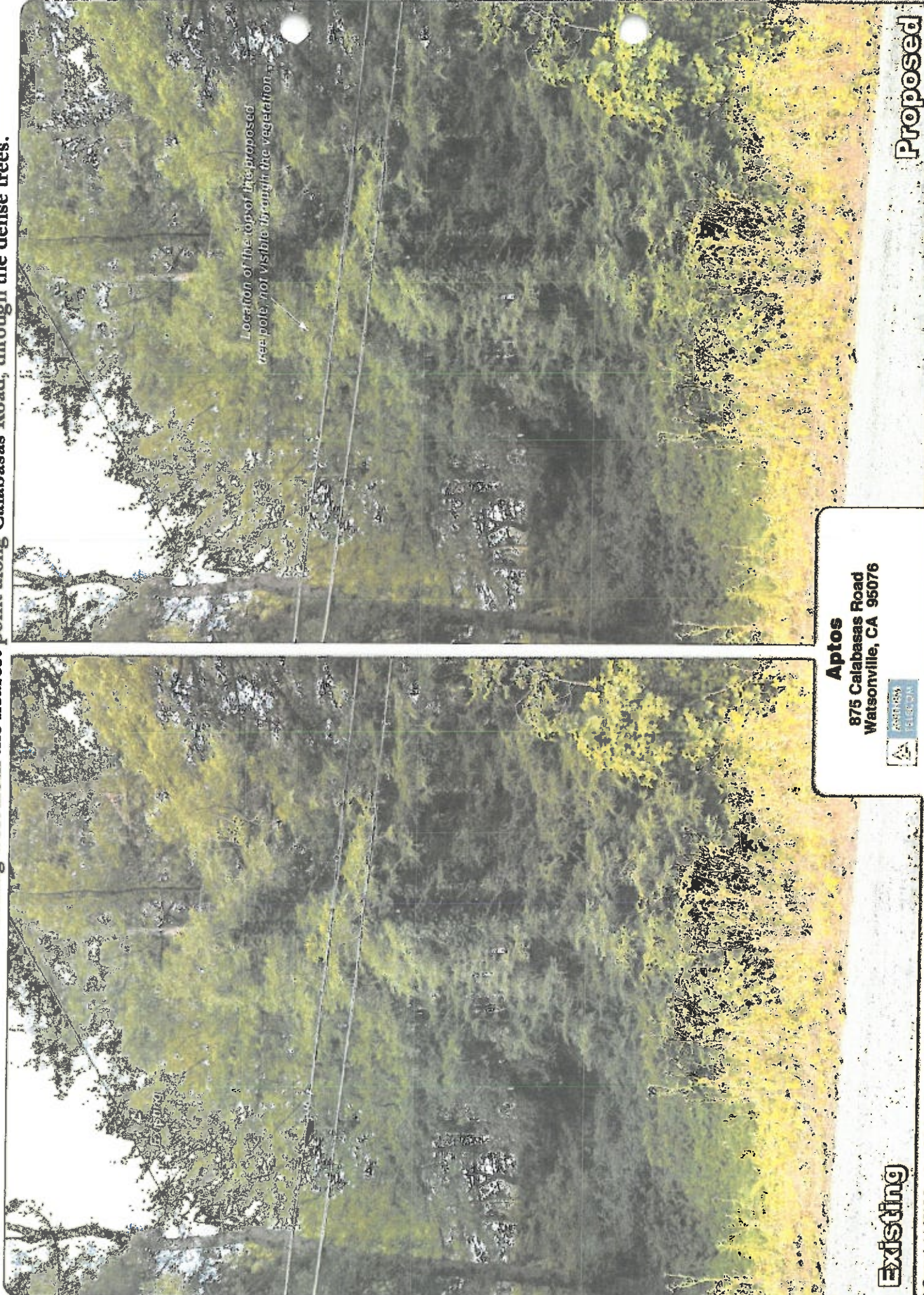
**Aptos**

875 Calabasas Road  
Watsonville, CA 95076





Photosimulation of the view looking west from the nearest point along Calabasas Road, through the dense trees.



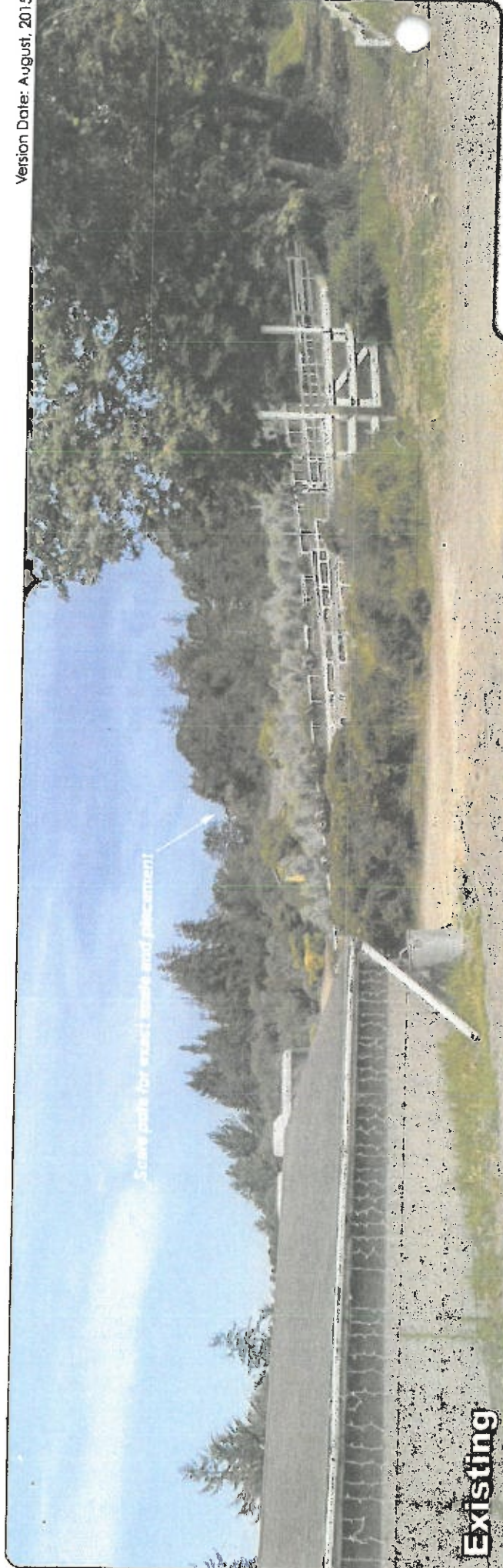
**Existing**

**Aptos**  
875 Calabasas Road  
Watsonville, CA 95076



**Proposed**

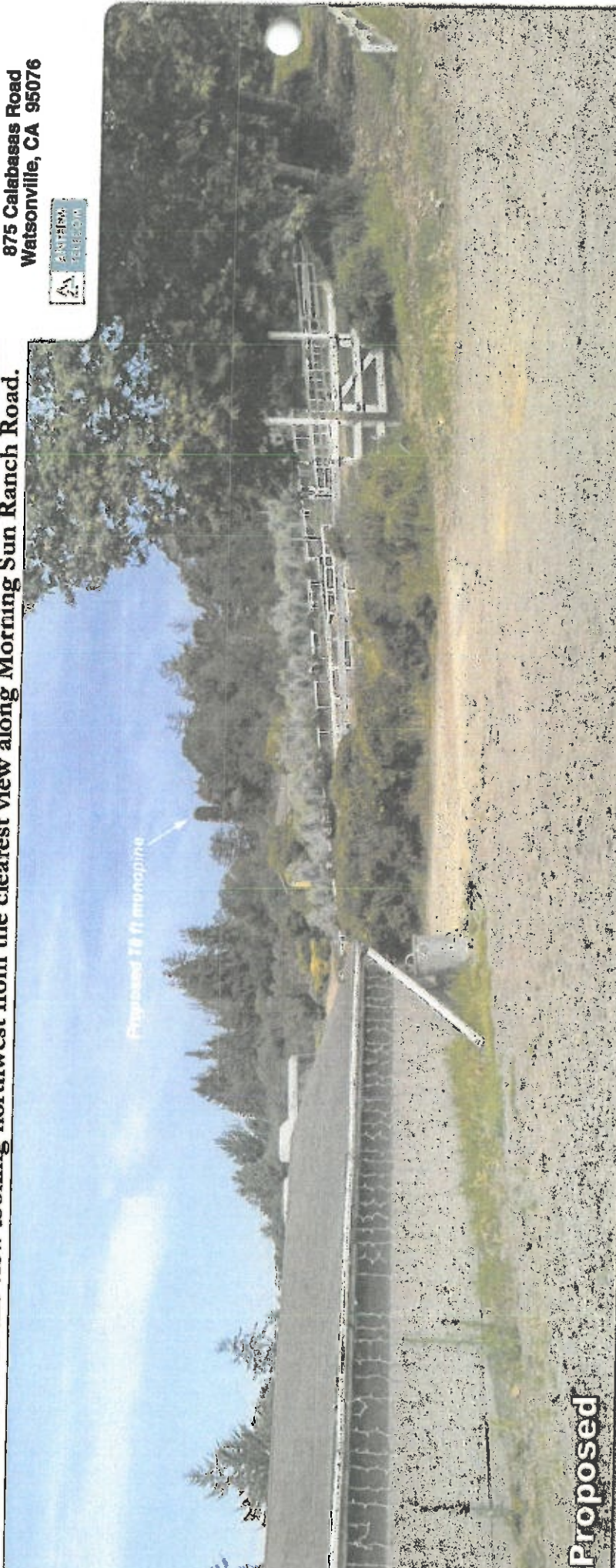




**Aptos**  
875 Calabasas Road  
Watsonville, CA 95076

**ANTHONY TELECOM**

Photosimulation of the view looking northwest from the clearest view along Morning Sun Ranch Road.







Scale pole for exact scale and placement

Photosimulation of the view looking northeast from Woodside Drive.

**Aptos**

875 Calabasas Road  
Watsonville, CA 95076



Proposed 78 ft monopine

**Proposed**



Existing

Photosimulation of the view looking south from Ben Way, the clearest elevated view from this direction.

**Aptos**  
875 Calabasas Road  
Watsonville, CA 95076



Top of the proposed 78 ft monopine,  
mostly screened by trees

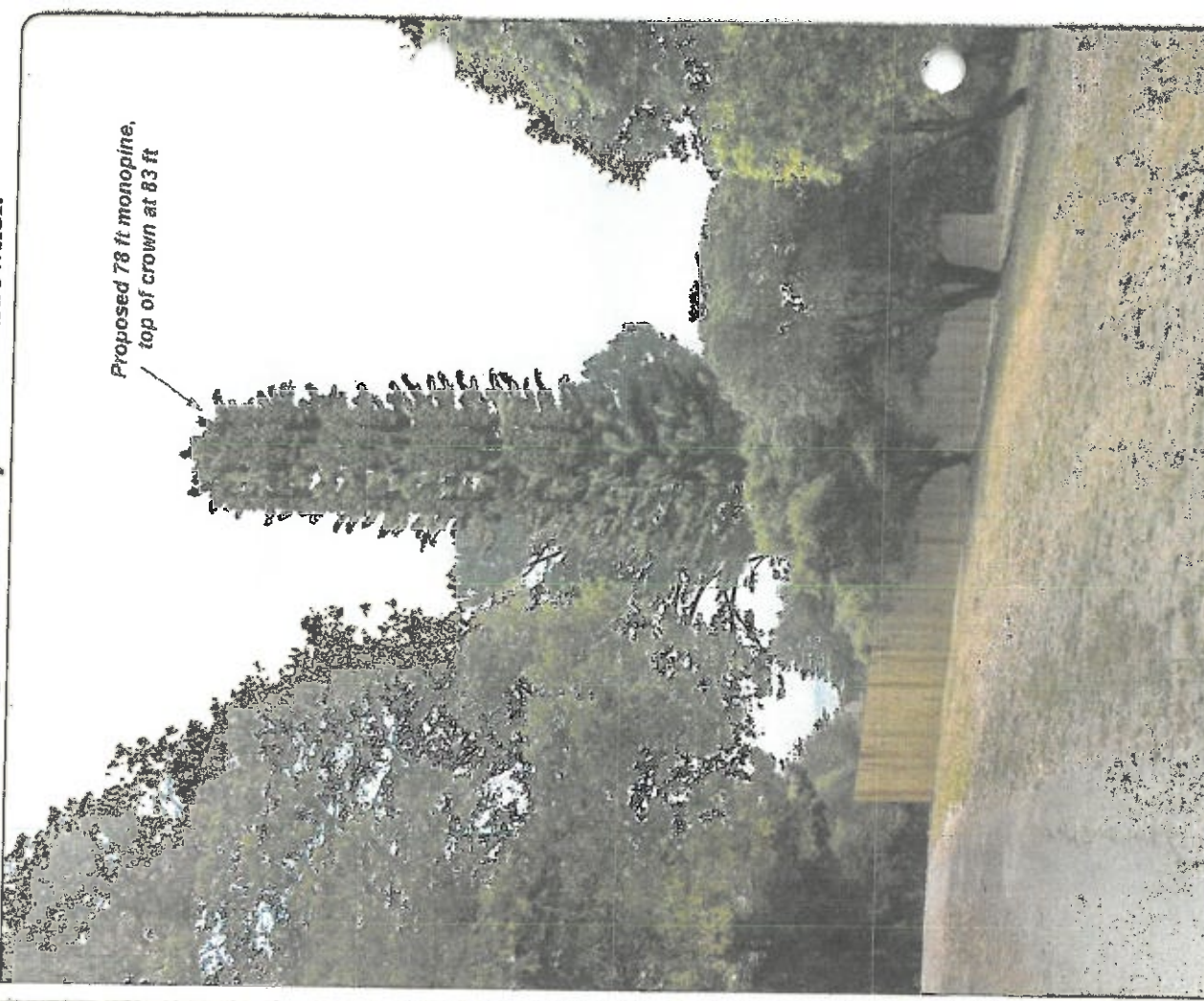
Proposed



Photosimulation of the view looking east towards the road, as seen alongside the private driveway of the landowner.



**Existing**



Proposed 78 ft monopine,  
top of crown at 83 ft

**Proposed**

**Aptos**  
875 Calabasas Road  
Watsonville, CA 95076



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**EXHIBIT 1 ATTACHMENT B**



## Lezanne Jeffs

---

**From:** Tricia Knight <triciaknight@charter.net>  
**Sent:** Thursday, August 31, 2017 10:06 AM  
**To:** Lezanne Jeffs  
**Cc:** Brian Richmond  
**Subject:** Application 171030-Anthem  
**Attachments:** image003.png; Untitled attachment 00076.htm; SF15024C JX Letter.pdf; Untitled attachment 00079.htm; Untitled attachment 01413.htm; Untitled attachment 00082.htm; L21 Predicted In-Building Coverage\_Around Watsonville without Candidate ....jpg; Untitled attachment 00085.htm; Untitled attachment 01416.htm; Untitled attachment 00088.htm; L21 Predicted In-Building Coverage\_Around Watsonville with Candidate SF1....jpg; Untitled attachment 00091.htm; Untitled attachment 01419.htm; Untitled attachment 00094.htm; Screen Shot 2017-03-31 at 11.31.46 AM.png; Untitled attachment 00097.htm; Untitled attachment 01422.htm; Untitled attachment 00100.htm; Screen Shot 2017-08-29 at 9.02.18 PM.png; Untitled attachment 00103.htm; Untitled attachment 01425.htm; Untitled attachment 00106.htm; Aptos Intro Letter-McAlpine.pdf; Untitled attachment 00109.htm; Untitled attachment 01413.htm; Untitled attachment 00112.htm

Good morning Lezanne,

Hope all is well. Below you will find our responses to your questions that you sent out to Brian and me earlier in the week. Looking forward to seeing you on the 15<sup>th</sup>.

- Brief discussion on why the site was needed (refer to coverage maps)

(See attached 6/9/17 letter, as well as propagation maps.)

The site was needed to best serve coverage objective of the carriers, including the anchor carrier T-Mobile: East and west directions of White Road and the artery roads along Calabasas Road to the southeast. The tower allows T-Mobile to institute azimuths that focus coverage on the portions of the surrounding area that are most heavily trafficked by T-Mobile's customers, which enables T-Mobile to maximize the utility of the tower site and and helps T-Mobile make the most efficient possible use of network resources in the area surrounding the site.

- Description of criteria for site selection (eg. radius/area of study, elevation of the site, presence of/lack of vegetation (for screening/not impeding signal), other??)

The site is uniquely positioned along the highpoint of a ridge line that sees T-Mobile's coverage objective—multiple valleys, and the roads and homes situated within them. There's a lot of topographic variation in the area, making it extremely difficult for the carriers to serve. See attached Google Earth screenshot of view south across White Road (a primary thoroughfare for the area). Doing a rotation on the property in Google Earth provides a good 360 degree perspective.

The property is also large (4.875 acres)—allowing a reasonable buffer from neighboring population— and is home to an array of large trees that screen the structure and create a backdrop for it, but are spread out enough so as to not overly impair RF signal.

- Number of suitable sites in the selected area.

See attached zoning map—a screenshot from the County GIS. It shows mostly Residential Agricultural (our property's designation), Agricultural, and Special Use. Both Residential Agricultural and Special Use with a residential General Plan



designation are Restricted Areas per the County's ordinance. There's a vast area surrounding our site location that's restricted, making it infeasible to find environmentally equivalent or superior potential alternatives "outside the restricted" as it's termed in the 2/28/17 incomplete letter. Most other site locations are below the primary ridge lines in the coverage area, which technically eliminates them from consideration.

Denny (899 Calabasas Rd., Watsonville, CA 95076; APN: 049-381-09-000) and Stoffel (877 Calabasas Rd., Watsonville, CA 95076; APN 049-381-08-000)—two families whose properties are immediately adjacent to Anthem's site on the same ridgeline, and could have been evaluated for siting feasibility— both wrote letters of opposition to the County.

We looked only at one other. It's on the same ridgeline as our selected property. We sent the attached letter of interest on 12/2/12 and then we visited the property with the landlord, Mr. McAlpine, on 12/10/12. The only location on the property that wasn't ruled out topographically re: RF signal (approximately 36.967249, -121.837135) was immediately adjacent to tall trees that would have obstructed the signal. We met with this owner first (down the street from Ms. Mumm) and then visited Ms. Mumm's property (Anthem's proposed site location) afterwards. Mr. McAlpine did not reject Anthem's proposal. Instead, we ruled it out for technical reasons.

- Documentation (letters sent/received, property owner names etc. results of inquiries made) regarding those sites

See above, and attached letter that was sent to Mr. McAlpine on 12/2/12.

- Discussion on (in)feasibility of a microcell/dispersed system alternative.

See the correspondence below between myself and the RF Engineer for T-Mobile regarding microcell or "small cell" technology.

I hope this answers your questions, but feel free to call anytime.

Tricia Knight  
<image001.gif>  
Principal  
TEK Consulting Inc.  
Permit Processing Services  
123 Seacliff Dr  
Pismo Beach, Ca 93449  
805.448.4221  
805.888.2807 Fax  
[www.tek-consulting.net](http://www.tek-consulting.net)

**T-Mobile response to small cell technology to cover same area as proposed project**

**From:** "Saluta, Joe" <[Jose.Saluta@T-Mobile.com](mailto:Jose.Saluta@T-Mobile.com)>  
**Subject:** Re: ALt Site Analysis T-Mobile SF15024C/Anthem Telecom "Aptos"  
**Date:** September 23, 2016 at 10:10:43 AM PDT  
**To:** Tricia Knight <[triciaknight@charter.net](mailto:triciaknight@charter.net)>  
**Cc:** "Byal, Janice" <[Janice.Byal@T-Mobile.com](mailto:Janice.Byal@T-Mobile.com)>, Brian Richmond <[brian@anthemtel.com](mailto:brian@anthemtel.com)>

Hi Tricia / Janice,

Small cell solution is employed in areas where we have small pockets of no coverage and capacity of surrounding sites is trending to become an issue.

SF15024c is purely a coverage site to serve a large "no service" area around the ring.  
Thanks.

Regards,  
Joe  
sent thru T-Mobile's LTE Network  
The Fastest in the Wireless Industry

On Sep 23, 2016, at 9:03 AM, Tricia Knight <[triciaknight@charter.net](mailto:triciaknight@charter.net)> wrote:

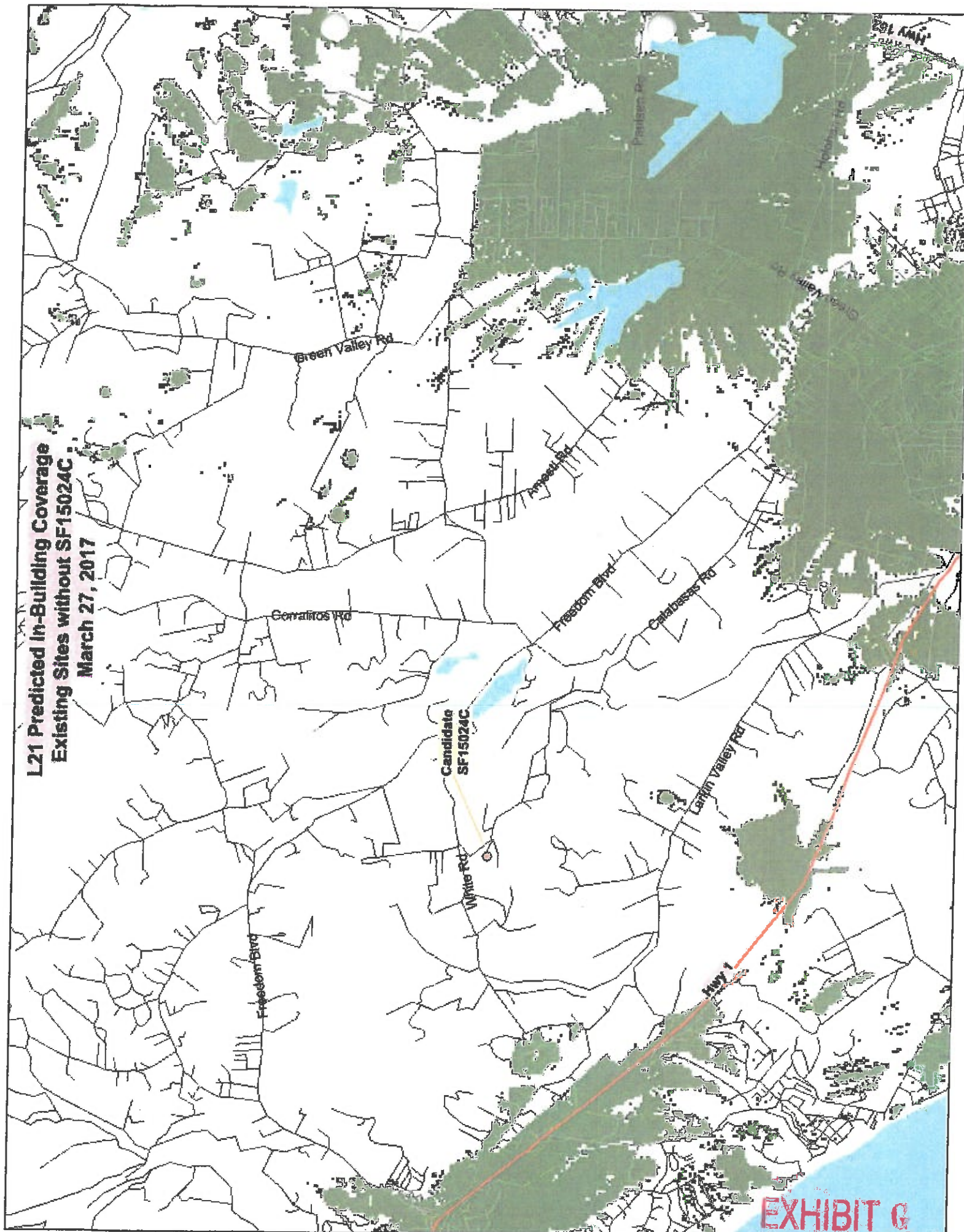
Good morning Janice and Joe,

Hope your week treated you well.

Hey I see below that Janice had asked Joe about potentially including info about a small cell network that may or may not work in this area. The ordinance asks us to consider this option. I don't remember seeing anything come back...any information you can give me would be greatly appreciated.

Tricia Knight  
<001.gif>  
Principal  
TEK Consulting Inc.  
Permit Processing Services  
123 Seacliff Dr  
Pismo Beach, Ca 93449  
805.448.4221  
805.888.2807 Fax  
[www.tek-consulting.net](http://www.tek-consulting.net)

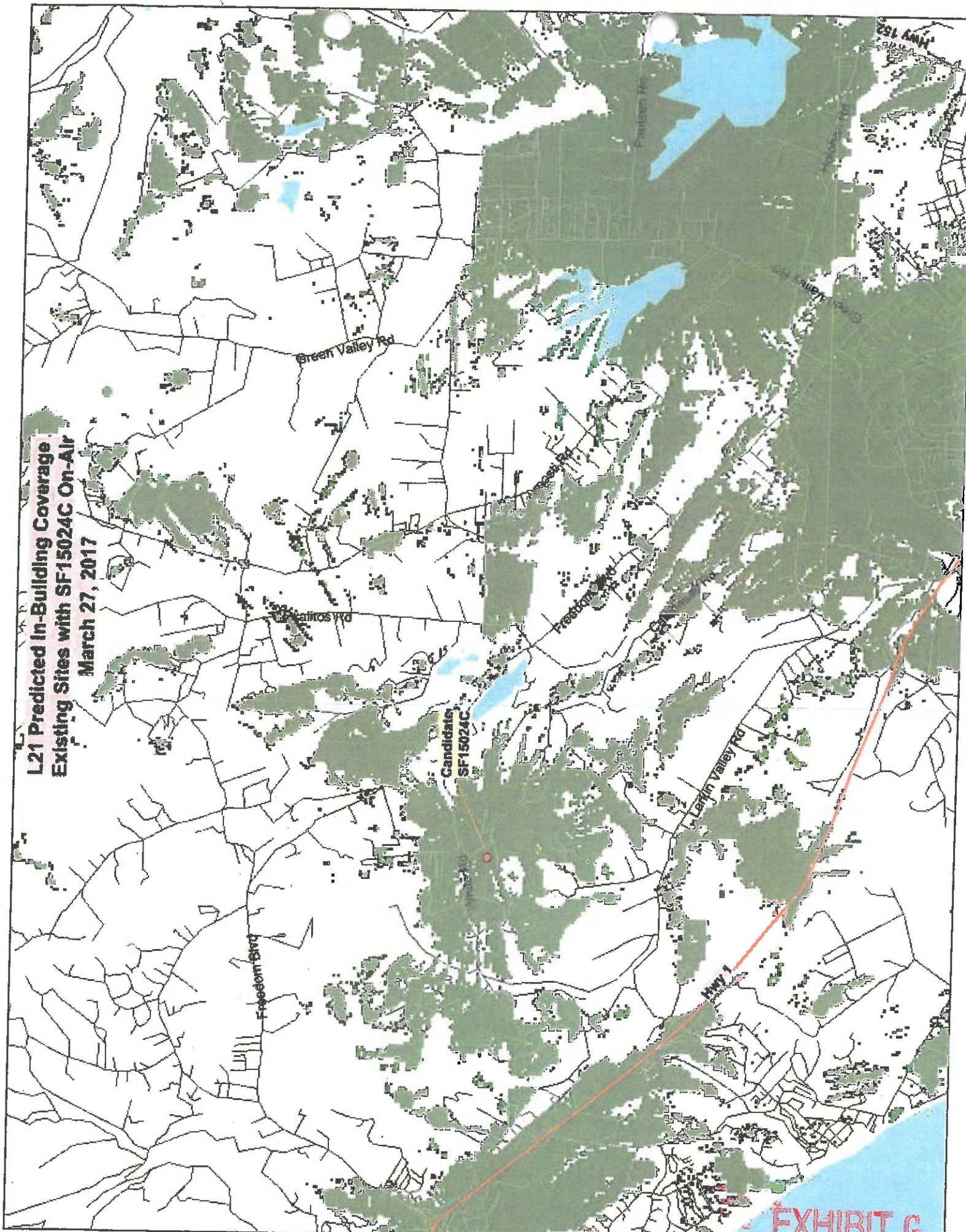
**L21 Predicted In-Building Coverage  
Existing Sites without SF15024C  
March 27, 2017**



**EXHIBIT G  
ATTACHMENT B 1**



**L21 Predicted In-Building Coverage  
Existing Sites with SF15024C On-Air  
March 27, 2017**





located at 875 Calabasas Rd. Watsonville, CA

Current Project Site

200 Oz Lane-Could not obtain a lease

875 Calabasas Rd

Aptos Hills-Larkin Valley

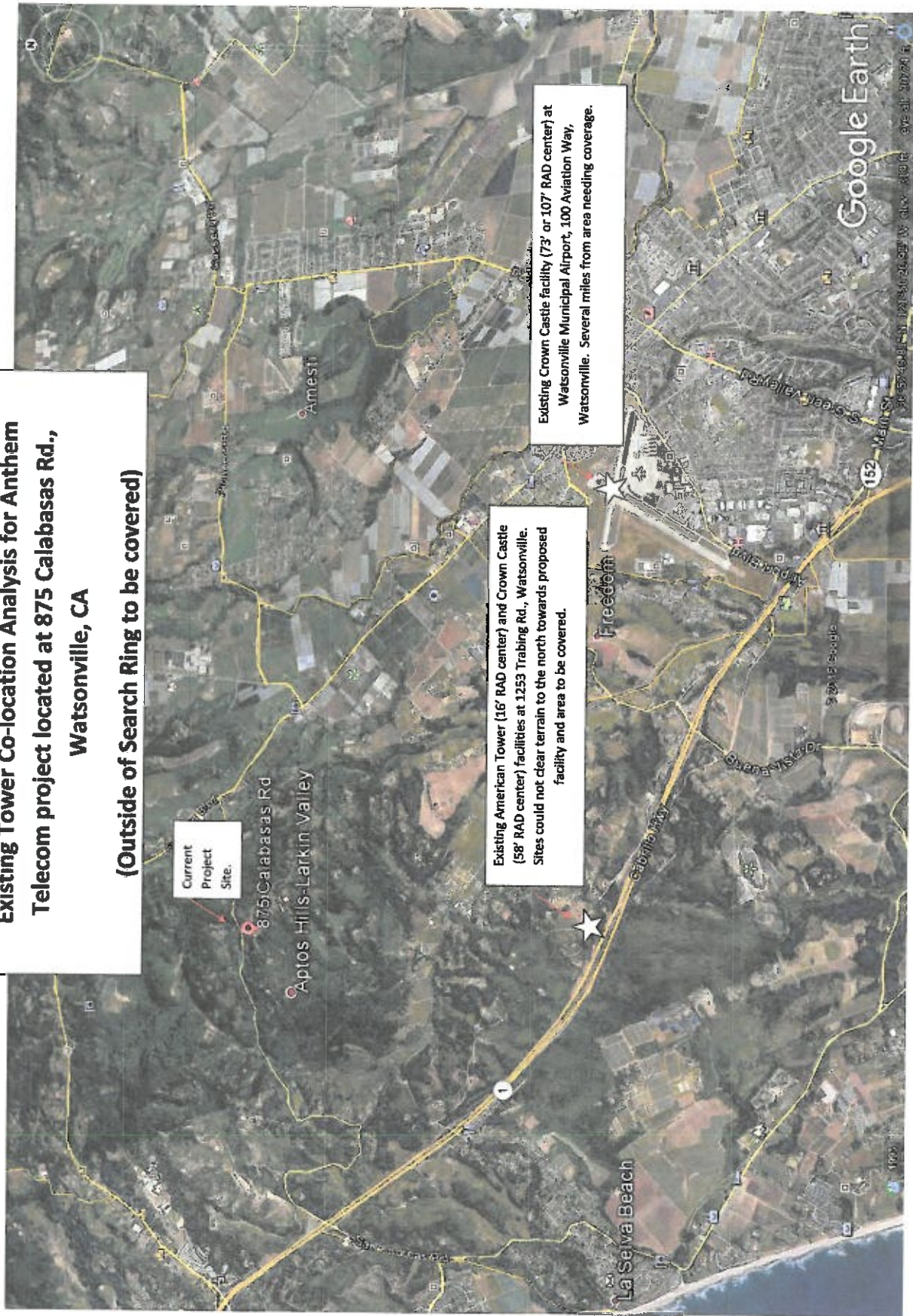
Morning Sun Ranch-Could not obtain a lease

Google Earth



**Existing Tower Co-location Analysis for Anthem  
Telecom project located at 875 Calabasas Rd.,  
Watsonville, CA**

**(Outside of Search Ring to be covered)**







436 Prospect Street  
Newport Beach, CA 92663  
949-631-2702 Fax 949-625-9269

December 2, 2012

Mr. John P. McAlpine  
P.O. Box 1934  
Aptos, CA 95001

Dear Mr. McAlpine:

It was a pleasure speaking with you this past week. Again, my name is Kris von Hoetendorff and I represent Anthem Telecom, a communications infrastructure company based in Orange County, California. Anthem develops, owns and operates communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you for the purpose of proposing a lease for a portion of your property located at 200 Oz Lane, Watsonville, CA 95076 (APN: 049-041-66). The lease area would support the placement of a communications facility. The facility would be discretely located on a small, unused portion of your property, and would not interfere with your proposed home. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Many thousands of communication facilities have been leased and developed throughout the U.S. resulting in an unexpected source of long term income that would not have otherwise been available to participating property owners. Your property is among a few Anthem is considering in this immediate area. The property may meet the basic geographical, engineering and entitlement conditions as they pertain to communications facilities. Time is of the essence to discuss this matter as Anthem expects to move forward with locking down a site location as soon as possible.

I look forward to meeting you personally at the property following your review of this information in order to determine the feasibility for placement of the facility.

Kindest regards,

A handwritten signature in dark ink, appearing to read 'Kris von Hoetendorff'.

Kris von Hoetendorff  
Anthem Telecom



1855 Gateway Boulevard, 9<sup>th</sup> Floor  
Concord, CA 94520

June 9, 2017

**Statement of T-Mobile RF Engineer**

During the site walk conducted in the area on 6/6/16, it was determined that the location selected by T-Mobile (coordinates: 36.966919, -121.832472; RAD center: 78 ft) would best serve the coverage objective of the proposed site, which are the east and west directions of White Road and the artery of roads along Calabasas Rd southeast of the tower site. The optimal azimuths at this location are 30- 130- 280 degrees True North. They are optimal because they focus coverage on the portions of the surrounding area that are most heavily trafficked by T-Mobile's customers, which enables T-Mobile to maximize the utility of this tower site and helps T-Mobile to make the most efficient possible use of network resources in the area surrounding this site.

The alternative location suggested by the County (coordinates: 36.966708, -121.833169) is near a cluster of trees with heights ranging from 58 ft to 113 ft immediately to the west, and lower tree heights in the southeast according to the 4/17/17 Tree Inventory report. At this location, a significant RAD center height increase (additional 37 ft) would be required to clear the foliage while retaining our desired azimuths. At least another ten feet of height needs to be added to make the structure co-locatable, as is required (ten feet is the desired vertical separation between carriers). So at the alternative location, our minimum required RAD center would be 125 ft for a structure supporting two carriers and 135 ft for a structure supporting three carriers.

Sincerely,

  
Joe Saluta  
Sr. RF Engineer  
T-Mobile USA



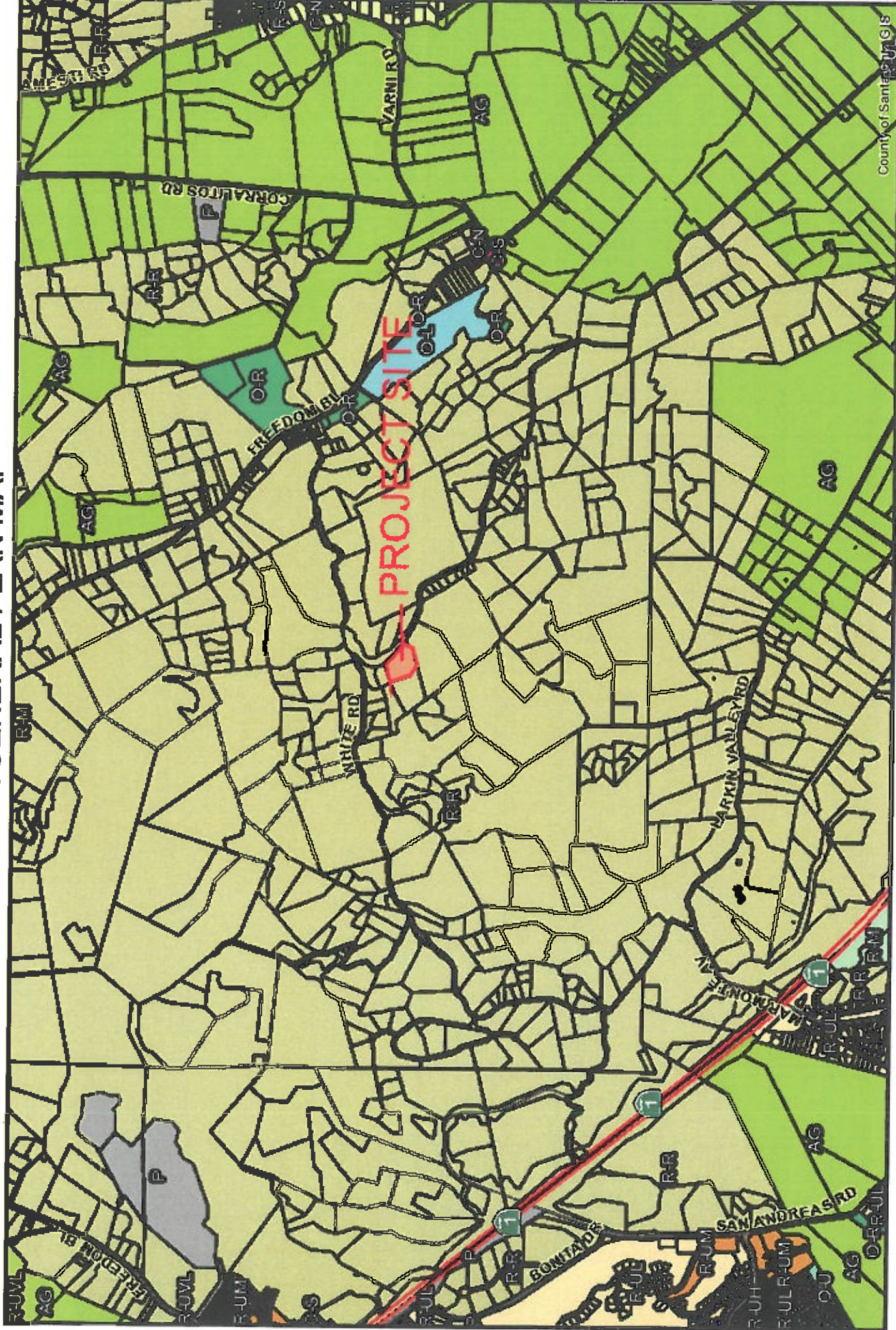
# AREA ZONING MAP



ATTACHMENT B,  
EXHIBIT G



# AREA GENERAL PLAN MAP



ATTACHMENT B  
EXHIBIT G







**T-Mobile West LLC • Proposed Base Station (Site No. SF15024C)  
875 Calabasas Road • Watsonville, California**

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

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by T-Mobile West LLC, a personal wireless telecommunications carrier, to evaluate the base station (Site No. SF15024C) proposed to be located at 875 Calabasas Road in Watsonville, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

**Executive Summary**

T-Mobile proposes to install directional panel antennas on top of a tall pole to be sited at 875 Calabasas Road in Watsonville. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy.

**Prevailing Exposure Standards**

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5-80 GHz	5.00 mW/cm <sup>2</sup>	1.00 mW/cm <sup>2</sup>
WiFi (and unlicensed uses)	2-6	5.00	1.00
BRS (Broadband Radio)	2,600 MHz	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.40	0.48
[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 "channels") 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. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some



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

M8ZN  
Page 1 of 3

**EXHIBIT H**  
**ATTACHMENT B**

**T-Mobile West LLC • Proposed Base Station (Site No. SF15024C)  
875 Calabasas Road • Watsonville, California**

height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. 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 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 at greater distances 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 T-Mobile, including zoning drawings by MT2 Telecom, dated November 9, 2016, it is proposed to install six directional panel antennas – three RFS Model APXVF24-C-A20 and three Ericsson Model AIR21 – on top of a new 78-foot steel pole to be sited on the hillside on the residential parcel located at 875 Calabasas Road in rural Santa Cruz County, several miles northwest of Watsonville. The antennas would employ 3° downtilt, would be mounted at effective heights of about 76 and 78 feet above ground, respectively, and would be oriented in identical pairs toward 30°T, 130°T, and 280°T. The maximum effective radiated power in any direction would be 6,490 watts, representing simultaneous operation at 2,200 watts for AWS, 2,420 watts for PCS, and 1,870 watts for 700 MHz service. Proposed to be mounted about 78 feet above ground is an RFS Model SC2-190BB microwave "dish" antenna, for interconnection of this site with others in the T-Mobile network. There are reported no other wireless telecommunications base stations at the site or nearby.

### **Study Results**

For a person anywhere at ground, the maximum RF exposure level due to the proposed T-Mobile operation, including the contribution of the microwave antenna, is calculated to be 0.047 mW/cm<sup>2</sup>, which is 0.70% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building\* is 1.2% 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 from the proposed operation.

\* Located at least 170 feet away, based on photographs from Google Maps.



**T-Mobile West LLC • Proposed Base Station (Site No. SF15024C)  
875 Calabasas Road • Watsonville, California**

**No Recommended Mitigation Measures**

Due to their mounting locations and height, the T-Mobile antennas would not be accessible to unauthorized persons, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. It is presumed that T-Mobile will, as an FCC licensee, take adequate steps to ensure that its employees or contractors receive appropriate training and 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 operation of the base station proposed by T-Mobile West LLC at 875 Calabasas Road in Watsonville, 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, 2017. 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.

December 13, 2016



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

707/996-5200



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

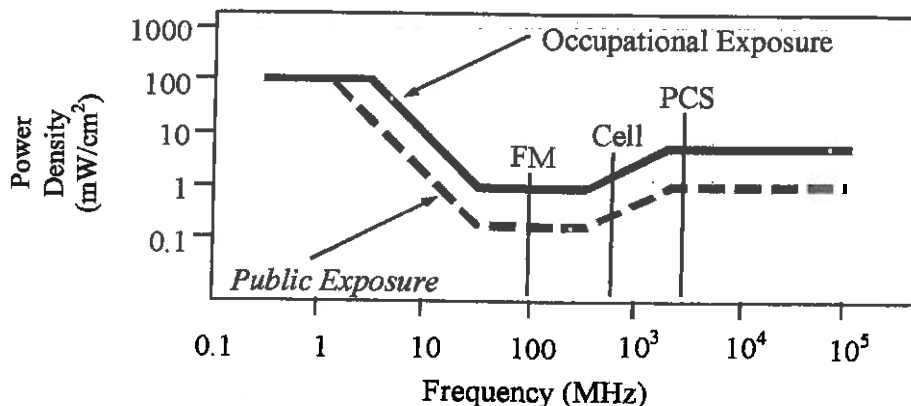
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Page 3 of 3

## 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 ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

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

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



**HAMMETT & EDISON, INC.**  
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FCC Guidelines  
Figure 1

## RFR.CALC™ Calculation Methodology

### Assessment by Calculation of Compliance with FCC Exposure Guidelines

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 maximum permissible exposure limits adopted by the FCC (see Figure 1) 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 base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density  $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$ , in mW/cm<sup>2</sup>,

and for an aperture antenna, maximum power density  $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$ , in mW/cm<sup>2</sup>,

where  $\theta_{BW}$  = half-power beamwidth of the antenna, in degrees, and

$P_{net}$  = net power input to the antenna, in watts,

$D$  = distance from antenna, in meters,

$h$  = aperture height of the antenna, in meters, and

$\eta$  = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

#### Far Field.

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

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

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 in the vicinity, to obtain more accurate projections.



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Methodology  
Figure 2



**Tree Inventory, Assessment,  
and  
Protection**

**875 Calabasas Road  
Watsonville, CA 95076**

**Prepared for:**

**Anthem Telecom**

**November 7, 2016**

**Prepared By:**

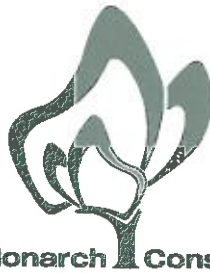
**Richard Gessner**

***ASCA - Registered Consulting Arborist ® #496***

***ISA - Board Certified Master Arborist® WE-4341B***

***ISA - Tree Risk Assessor Qualified***

***CA - Qualified Applicators License #104230***



**Monarch Consulting Arborists LLC**

P.O. Box 1010  
Felton, CA 95018  
831. 331. 8982

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## Summary

Anthem Telecom is planning to construct a communications tower on 875 Calabasas Road in Watsonville and the area contains 22 trees comprised of 5 different species. Only Monterey pine (*Pinus radiata*)(#1) has a trunk diameter greater than 40 inches and is considered a "Significant Tree" while the remaining 21 specimens do not fit the required criteria for protection as stated in the county ordinance. The trees in the primary site area where the tower is to be installed are far enough from the proposed construction to be adequately protected. The trees along the north side of the driveway including the Shreve oak (*Quercus parvula* var. *shrevei*) in the triangle could be moderately affected by the utility installation if it is traditionally trenched with an excavator along the driveway edge. No trees are to be removed.

## Introduction

### Background

Anthem Telecom is planning to construct a communications tower on 875 Calabasas Road in Watsonville. I agreed to assess the site, trees, proposed plans, and to provide a report with my findings and recommendations to help satisfy the Santa Cruz County planning requirements.

### Assignment

1. Provide an arborist's report that includes an assessment of the trees within the project area. The assessment is to include the species, size (trunk diameter), condition (health and structure), and suitability for preservation ratings.
2. Provide tree protection specifications, guidelines, and influence ratings for trees that will be affected by the project.

### Limits of the assignment

3. The information in this report is limited to the condition of the trees during my inspection on November 1, 2016.
4. The plans reviewed for this assignment were as follows: C-1 Site Survey, Sheets A-0, A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8 and D-1 dated October 17, 2016 provided by MT2 Telecom, LP and Anthem Com.

### Purpose and use of the report

The report is intended to identify all the trees within the plan area that could be affected by the project. The report is to be used by Anthem Telecom, their agents, and Santa Cruz County as a reference for existing tree conditions to help satisfy planning requirements.



## Observations

### Site and Trees

The 3000 square foot site is located along Calabasas Road off the south side of the driveway leading to #875. There is a clearing along the driveway surrounded by one large Monterey pine (*Pinus radiata*) and several small coast live oaks (*Quercus agrifolia*). There is a utility pole west up the driveway and several more trees growing along the north edge including coast redwoods (*Sequoia sempervirens*), Douglas-fir (*Pseudotsuga menziesii*), Monterey pine, and Shreve oaks (*Quercus parvula* var. *shrevei*). The property is not located within the "Urban Services Line", "Rural Services Line", or the "Coastal Zone". One Monterey pine (#1) has a trunk diameter greater than 40 inches and is the only "Significant Tree" within the project area.

### Plans

The plans for the project include some grading and the construction of a concrete pad to support the tower. The utility runs west to the nearby pole in a six foot easement near the existing driveway (Appendix A).

The utility trench along the existing driveway would have the greatest impact on nearby trees depending on the exact location and the techniques used to install the conduit. There are ten trees within the vicinity of the utility location located directly north of the driveway and one Shreve oak located in the driveway triangle. None of these trees are "Significant Trees"

The trees around the the tower site will not be affected by the proposed plan and are far enough from construction to be adequately protected. Any tree potentially influenced would only have construction of one side of its root area.



## Discussion

### Tree Inventory

The tree inventory includes all the trees located near the proposed plan that could be influenced by changes to the surrounding soil area.

Chapter 16.34 of the Santa Cruz County code considers the following “Significant Trees” and are protected:

“Significant tree,” for the purposes of this chapter, shall include any tree, sprout clump, or group of trees, as follows:

- A. Within the urban services line or rural services line, any tree which is equal to or greater than 20 inches d.b.h. (approximately five feet in circumference); any sprout clump of five or more stems each of which is greater than 12 inches d.b.h. (approximately three feet in circumference); or any group consisting of five or more trees on one parcel, each of which is greater than 12 inches d.b.h. (approximately three feet in circumference).
- B. Outside the urban services line or rural services line, where visible from a scenic road, any beach, or within a designated scenic resource area, any tree which is equal to or greater than 40 inches d.b.h. (approximately 10 feet in circumference); any sprout clump of five or more stems, each of which is greater than 20 inches d.b.h. (approximately five feet in circumference); or, any group consisting of 10 or more trees on one parcel, each greater than 20 inches d.b.h. (approximately five feet in circumference).
- C. Any tree located in a sensitive habitat as defined in Chapter [16.32](#) SCCC. Also see SCCC [16.34.090](#)(C), exemption of projects with other permits.

Only Monterey pine (#1) has a trunk diameter greater than 40 inches and is considered a “Significant Tree” while the remaining 21 specimens do not fit the required criteria for protection as stated in the county ordinance.

The tree inventory contains 22 trees comprised of 5 different species which are as follows: coast live oak (55%), coast redwood (14%), Douglas-fir (5%), Monterey pine (14%), Shreve oak (14%) (Appendix B).

Twelve trees are located in the primary project area and ten are along the north side near the proposed utility location (Appendix A).





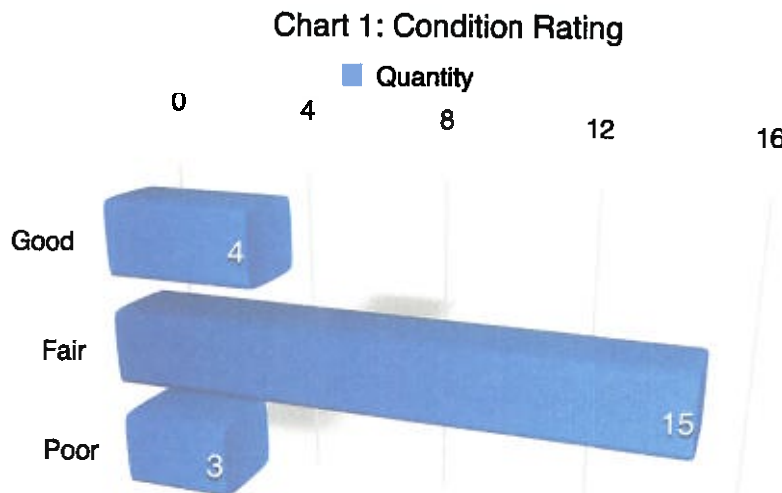
## Condition Rating

A tree's condition percentage is a determination of its overall health and structure based on five aspects: Roots, trunk, scaffold branches, twigs, and foliage. Points are totaled for each tree and converted to a percentage.

The following scale defines the condition ratings from the condition percentages:

- Exceptional = Good health and structure with significant size, location or quality.
- Good = No apparent problems, good structure and health.
- Fair = Minor problems, at least one structural defect or health concern, problems can be mitigated through cultural practices such as pruning or a plant health care program.
- Poor = Major problems with multiple structural defects or declining health, not a good candidate for retention.
- Dead/Unstable = Extreme problems, irreversible decline, failing structure, or dead.

Fifteen trees are in fair condition, four good, and three poor (Chart 1). The trees in poor condition consist of two coast redwoods (#14 and #18) along with a Douglas-fir (#15). The only tree in good condition is the Shreve oak located in the driveway triangle (#22). The remaining trees all have some health or structural issues to be considered in fair overall shape.

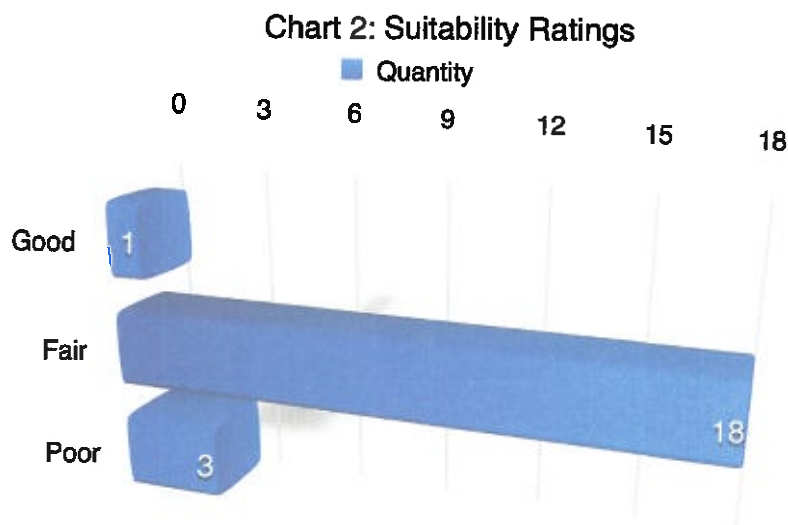


## Suitability for Preservation

A tree's suitability for preservation is determined based on its health, structure, age, species characteristics, and longevity using a scale of good, fair, or poor. The following list defines the rating scale (Tree Care Industry Association, 2012):

- Good = Trees with good health, structural stability and longevity.
- Fair = Trees with fair health and/or structural defects that may be mitigated through treatment. These trees require more intense management and monitoring, and may have shorter life spans than those in the good category.
- Poor = Trees in poor health with significant structural defects that cannot be mitigated and will continue to decline regardless of treatment. The species or individual may possess characteristics that are incompatible or undesirable in landscape settings or unsuited for the intended use of the site.

Only the Shreve oak (#22) has good suitability for preservation (Chart 2). Eighteen trees have fair suitability including Monterey pines (#16 and #20) along with Shreve oak (#19), all of which I considered to be in good condition. The reason for the discrepancies between suitability and condition can be explained by the Monterey pine species being somewhat undesirable and drought intolerant. The Shreve oak (#19) is a small suppressed tree that is in good health but growing directly under the pine. Three trees are poorly suited for retention.

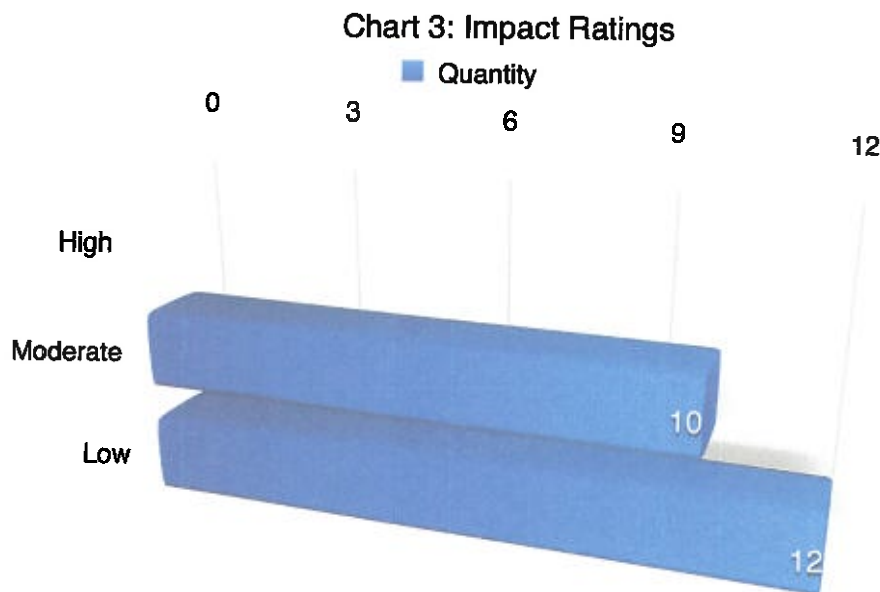


## Impact Level

Influence level defines how a tree may be influenced by construction activity and proximity to the tree, and is described as low, moderate, or high. The following scale defines the impact rating:

- Low = The construction activity will have little influence on the tree.
- Moderate = The construction may cause future health or structural problems, and steps must be taken to protect the tree to reduce future problems.
- High = Tree structure and health will be compromised and removal is recommended, or other actions must be taken for the tree to remain. The tree is located in the building envelope.

No trees will be highly impacted by the proposed plans and require removal (Chart 3). The trees in the primary site area where the tower is to be installed are all far enough from proposed construction to be adequately protected. The trees along the north side of the driveway including the oak in the triangle will be moderately affected by the utility installation. Depending on the actual location of the utility with regards to its proximity to trees 13 through 22, and how it is constructed will determine just how much impact will occur. The trees were not located on the plans so obtaining actual distances was not possible. However if the utility is bored underground using directional boring under the existing driveway the impact will likely be low. If the utility is traditionally trenched with an excavator I would expect to see tree roots in the proposed location and some damage.





## Tree Protection

Tree protection focuses on protecting trees from damage to the roots, trunk, or scaffold branches from heavy equipment (Appendix D). Tree protection can be accomplished with barriers to prevent access or by other means to protect or mitigate root damage.

The tree protection zone (TPZ) is the defined area in which certain activities are prohibited to minimize potential injury to the tree. The TPZ can be determined by a formula based on species tolerance, tree age, and diameter at breast height (DBH) (Matheny, N. and Clark, J. 1998) or as the drip line in some instances. All the trees are around the perimeter and a temporary site fence would exclude personnel or equipment from encroaching into the root zones. Fencing the site area and keeping personnel and equipment on designated existing roads will be adequate protection. Monitoring may need to be performed when the utility is installed depending on location and technique.

Preventing mechanical damage to the main stems from equipment or hand tools can be accomplished by wrapping the main stem with straw wattle (Figure 2). The wattle will create a porous barrier around the trunk and prevent damage to the bark and vascular tissues underneath. This mechanical barrier should be used around oak tree #13 under the utility pole when the connections and trenching are nearby.

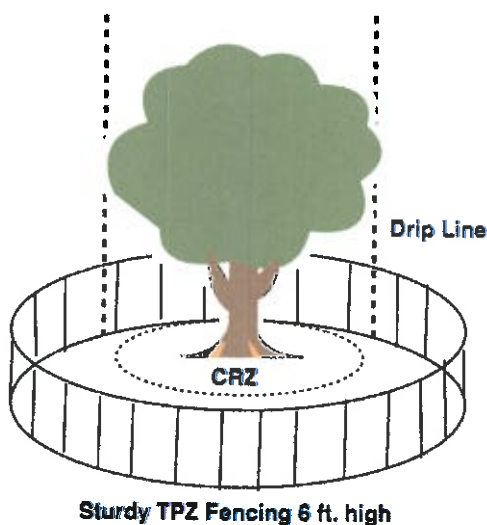


Figure 1: Tree protection distances

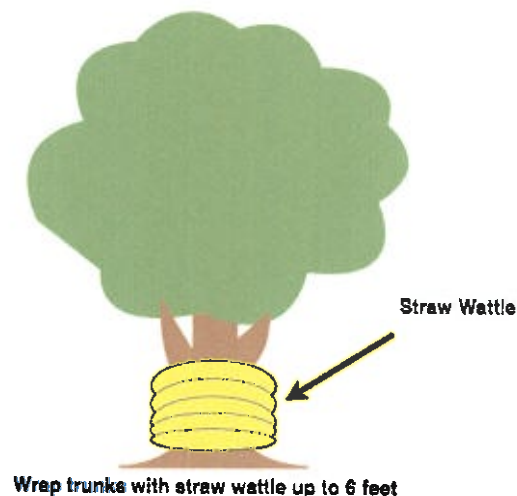


Figure 2: Trunk protection with straw wattle



## Conclusion

Anthem Telecom is planning to construct a communications tower on 875 Calabasas Road in Watsonville and the area contains 22 trees comprised of 5 different species. Only Monterey pine (#1) has a trunk diameter greater than 40 inches and is considered a "Significant Tree" while the remaining 21 specimens do not fit the required criteria for protection as stated in the county ordinance. Fifteen trees are in fair condition, four good, and three poor. Shreve oak (#22) has the best suitability for preservation. Eighteen trees have fair suitability and three poor. No trees will be highly impacted by the proposed plans and require removal. The trees in the primary site area where the tower is to be installed are all far enough from proposed construction to be adequately protected by the site fence. The trees along the north side of the driveway including the oak in the triangle could be moderately affected by the utility installation if the utility is traditionally trenched with an excavator along the driveway. All the trees are located around the perimeter and a temporary or permanent site fence would exclude personnel or equipment from encroaching into the tree protection zones. Fencing the site area and keeping personnel and equipment on designated existing roads will be adequate protection.

## Recommendations

1. Refer to Appendix D for general tree protection guidelines including recommendations for arborist assistance while working under trees, trenching, or excavation within a trees drip line.
2. Provide a copy of this report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect. It is the responsibility of the owner to ensure all parties are familiar with this document.
3. Place a fence around the construction site area prior to performing any work. This site fence either permanent or temporary will act as the tree protection fence.
4. Keep all equipment and personnel on designated existing hardscape or gravel areas or within the fenced project area.
5. If necessary move the utility to help preserve the trees along the driveway and accurately locate the trees on the survey map and site plans.



**Required Tree Protection Distances (Table 1)**

Table 1: Tree inventory and Assessment-1

#	Tree Species	Trunk Diameter (in.)	TPZ Maximum encroachment on one side (ft.) (5x DBH)	Best TPZ Radius (ft.)
1	*Monterey pine ( <i>Pinus radiata</i> )	47	20	47
2	Coast live oak ( <i>Quercus agrifolia</i> )	16	7	16
3	Coast live oak ( <i>Quercus agrifolia</i> )	10.5	4	10.5
4	Coast live oak ( <i>Quercus agrifolia</i> )	10.2	4	10.2
5	Coast live oak ( <i>Quercus agrifolia</i> )	15	6	15
6	Coast live oak ( <i>Quercus agrifolia</i> )	7	3	7
7	Coast live oak ( <i>Quercus agrifolia</i> )	10.2, 8.5, 10	11	28
8	Coast live oak ( <i>Quercus agrifolia</i> )	15	6	15
9	Coast live oak ( <i>Quercus agrifolia</i> )	13.3	6	13.3
10	Coast live oak ( <i>Quercus agrifolia</i> )	14, 12	10	26
11	Coast live oak ( <i>Quercus agrifolia</i> )	11, 11.6, 8.1, 9.5	16	40
12	Coast live oak ( <i>Quercus agrifolia</i> )	8.5, 6.5, 3	8	18
13	Coast live oak ( <i>Quercus agrifolia</i> )	20	8	20
14	Coast redwood ( <i>Sequoia sempervirens</i> )	20.4	9	20.4
15	Douglas-fir ( <i>Pseudotsuga menziesii</i> )	24.2	10	24.2
16	Monterey pine ( <i>Pinus radiata</i> )	37.5	16	37.5
17	Shreve oak ( <i>Quercus parvula</i> var. <i>shrevei</i> )	24.4	10	24.4
18	Coast redwood ( <i>Sequoia sempervirens</i> )	19.2	8	19.2
19	Shreve oak ( <i>Quercus parvula</i> var. <i>shrevei</i> )	23.4	10	23.4





#	Tree Species	Trunk Diameter (in.)	TPZ Maximum encroachment on one side (ft.) (5x DBH)	Best TPZ Radius (ft.)
20	Monterey pine ( <i>Pinus radiata</i> )	35	15	35
21	Coast redwood ( <i>Sequoia sempervirens</i> )	22.2	9	22.2
22	Shreve oak ( <i>Quercus parvula</i> var. <i>shrevei</i> )	27.4	11	27.4



## Bibliography

American National Standard for Tree Care Operations: Tree, Shrub and Other Woody Plant Management : Standard Practices (Management of Trees and Shrubs During Site Planning, Site Development, and Construction)(Part 5). Londonderry, NH: Secretariat, Tree Care Industry Association, 2012. Print.

Clark, James R., and Nelda P. Matheny. A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas. Bedminster, PA: International Society of Arboriculture, 1993.

ISA. *Glossary of Arboricultural Terms*. Champaign: International Society of Arboriculture, 2011. Print.

Matheny, Nelda P., Clark, James R. Trees and development: A technical guide to preservation of trees during land development. Bedminster, PA: International Society of Arboriculture 1998.

## Glossary of Terms

**Defect:** An imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

**Drip Line:** Imaginary line defined by the branch spread or a single plant or group of plants.

**Mechanical damage:** Physical damage caused by outside forces such as cutting, chopping or any mechanized device that may strike the tree trunk, roots or branches.

**Scaffold branches:** Permanent or structural branches that for the scaffold architecture or structure of a tree.

**Straw wattle:** also known as straw worms, bio-logs, straw noodles, or straw tubes are man made cylinders of compressed, weed free straw (wheat or rice), 8 to 12 inches in diameter and 20 to 25 feet long. They are encased in jute, nylon, or other photo degradable materials, and have an average weight of 35 pounds.

**Tree Protection Zone (TPZ):** Defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

**Trunk:** Stem of a tree.

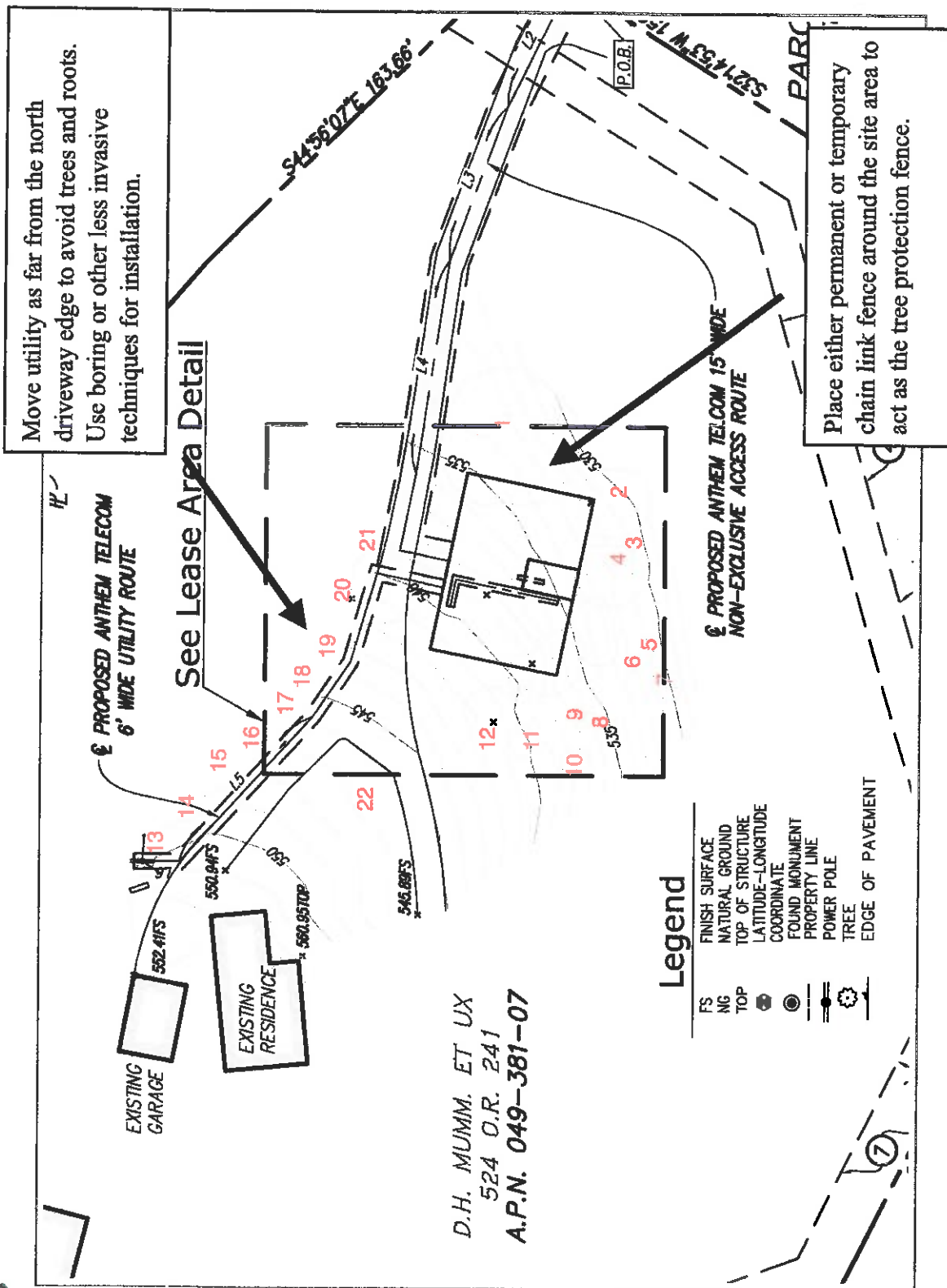
This Glossary of terms was adapted from the Glossary of Arboricultural Terms (ISA, 2011).



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# Appendix A: Tree Inventory and Protection Map



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## Appendix B: Tree Inventory and Assessment Table

\* indicated tree number 1 is the only "Significant Tree" assessed.

Table 2: Tree Inventory and Assessment

#	Tree Species	Trunk Diameter (in.)	~ Height (ft.)	~ Crown Diameter (ft.)	Condition	Suitability	Impact
1	*Monterey pine (Pinus radiata)	47	75	80	Fair	Fair	Low
2	Coast live oak (Quercus agrifolia)	16	35	40	Fair	Fair	Low
3	Coast live oak (Quercus agrifolia)	10.5	25	30	Fair	Fair	Low
4	Coast live oak (Quercus agrifolia)	10.2	25	30	Fair	Fair	Low
5	Coast live oak (Quercus agrifolia)	15	25	30	Fair	Fair	Low
6	Coast live oak (Quercus agrifolia)	7	15	20	Fair	Fair	Low
7	Coast live oak (Quercus agrifolia)	10.2, 8.5, 10	25	40	Fair	Fair	Low
8	Coast live oak (Quercus agrifolia)	15	25	40	Fair	Fair	Low
9	Coast live oak (Quercus agrifolia)	13.3	25	40	Fair	Fair	Low
10	Coast live oak (Quercus agrifolia)	14, 12	25	40	Fair	Fair	Low
11	Coast live oak (Quercus agrifolia)	11, 11.6, 8.1, 9.5	25	40	Fair	Fair	Low
12	Coast live oak (Quercus agrifolia)	8.5, 6.5, 3	20	35	Fair	Fair	Low
13	Coast live oak (Quercus agrifolia)	20	35	40	Fair	Fair	Moderate
14	Coast redwood (Sequoia sempervirens)	20.4	40	35	Poor	Poor	Moderate
15	Douglas-fir (Pseudotsuga menziesii)	24.2	65	40	Poor	Poor	Moderate
16	Monterey pine (Pinus radiata)	37.5	75	40	Good	Fair	Moderate



#	Tree Species	Trunk Diameter (in.)	~ Height (ft.)	~ Crown Diameter (ft.)	Condition	Suitability	Impact
17	Shreve oak ( <i>Quercus parvula</i> var. <i>shrevei</i> )	24.4	45	40	Fair	Fair	Moderate
18	Coast redwood ( <i>Sequoia sempervirens</i> )	19.2	45	35	Poor	Poor	Moderate
19	Shreve oak ( <i>Quercus parvula</i> var. <i>shrevei</i> )	23.4	35	35	Good	Fair	Moderate
20	Monterey pine ( <i>Pinus radiata</i> )	35	70	50	Good	Fair	Moderate
21	Coast redwood ( <i>Sequoia sempervirens</i> )	22.2	55	40	Fair	Fair	Moderate
22	Shreve oak ( <i>Quercus parvula</i> var. <i>shrevei</i> )	27.4	35	40	Good	Good	Moderate



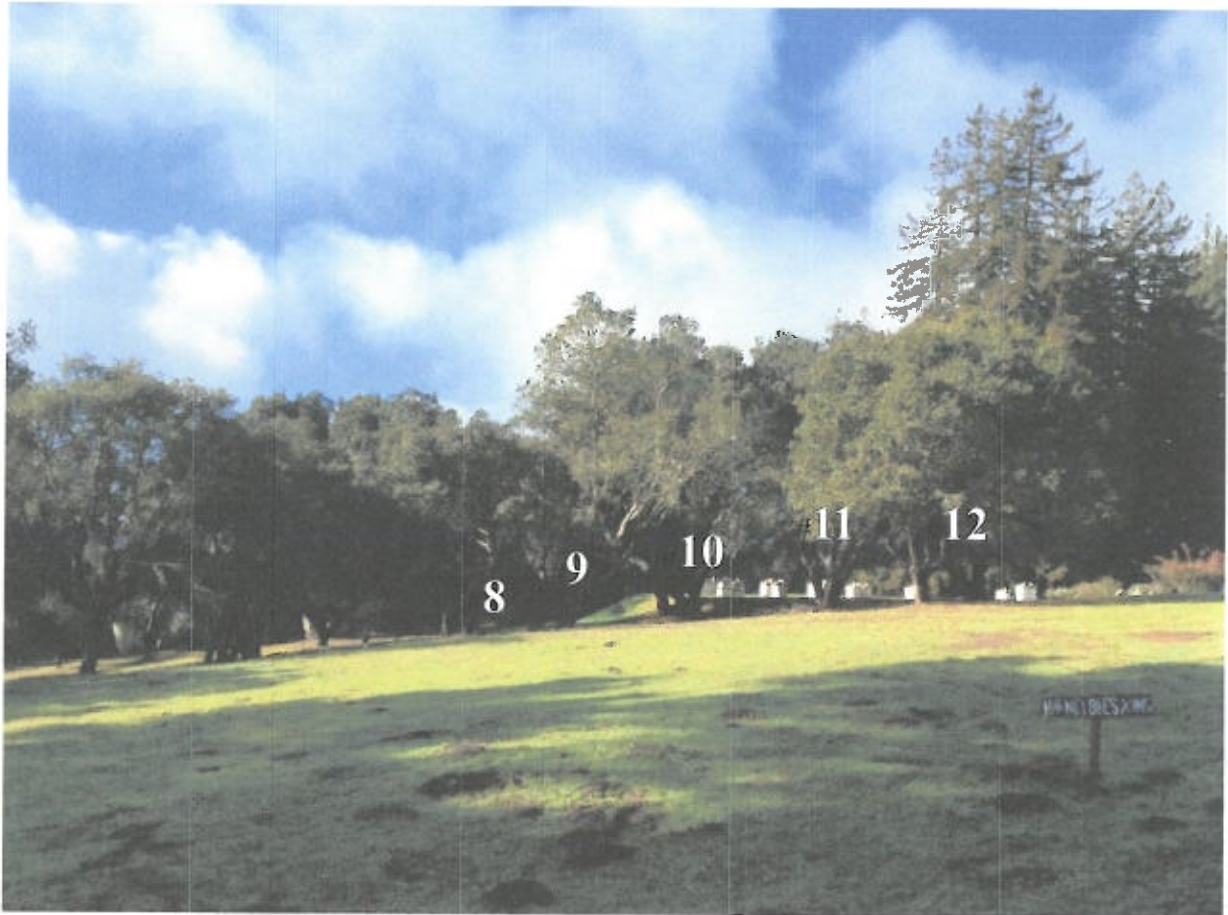
## Appendix C: Photographs

### C1: Trees 2 through 7

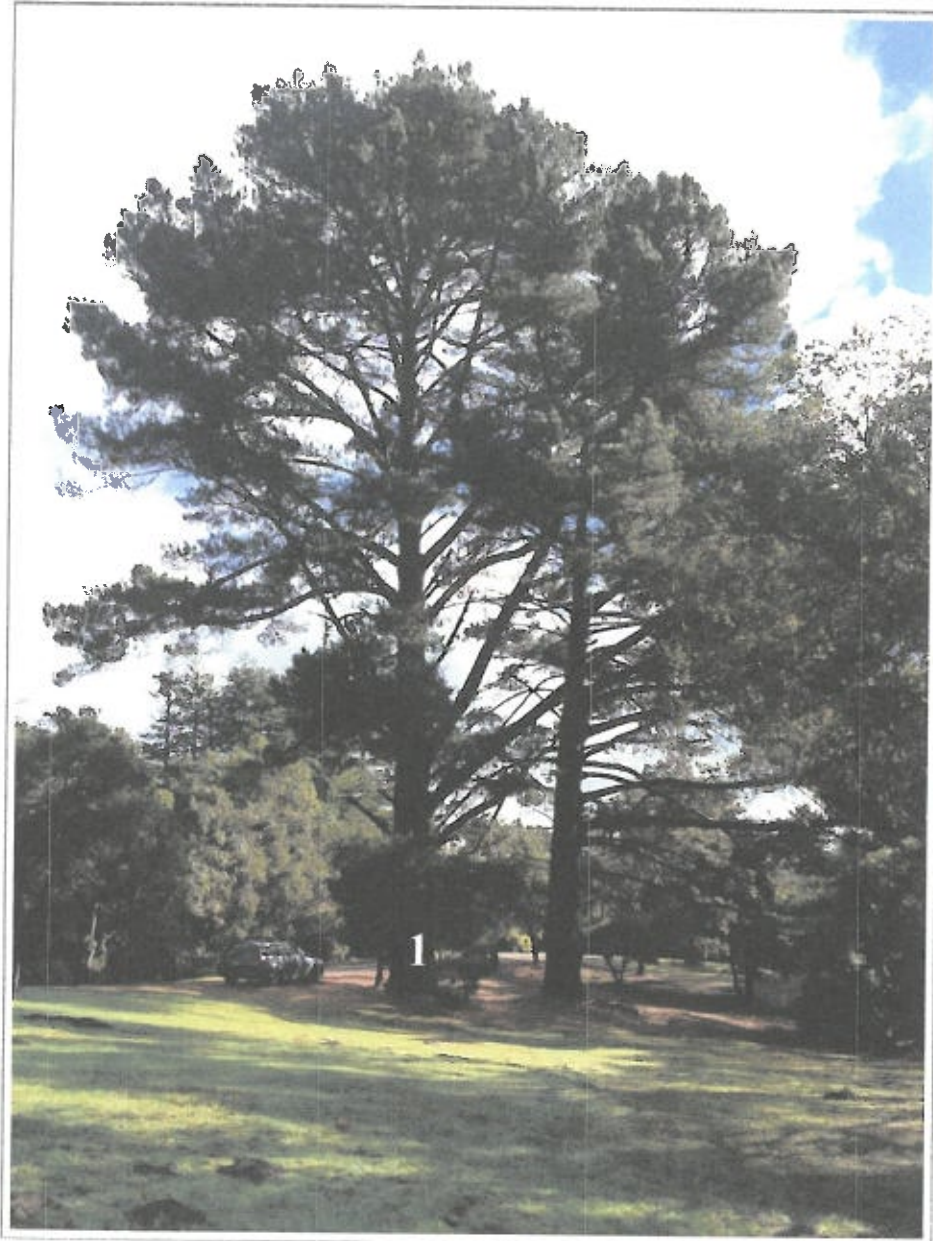




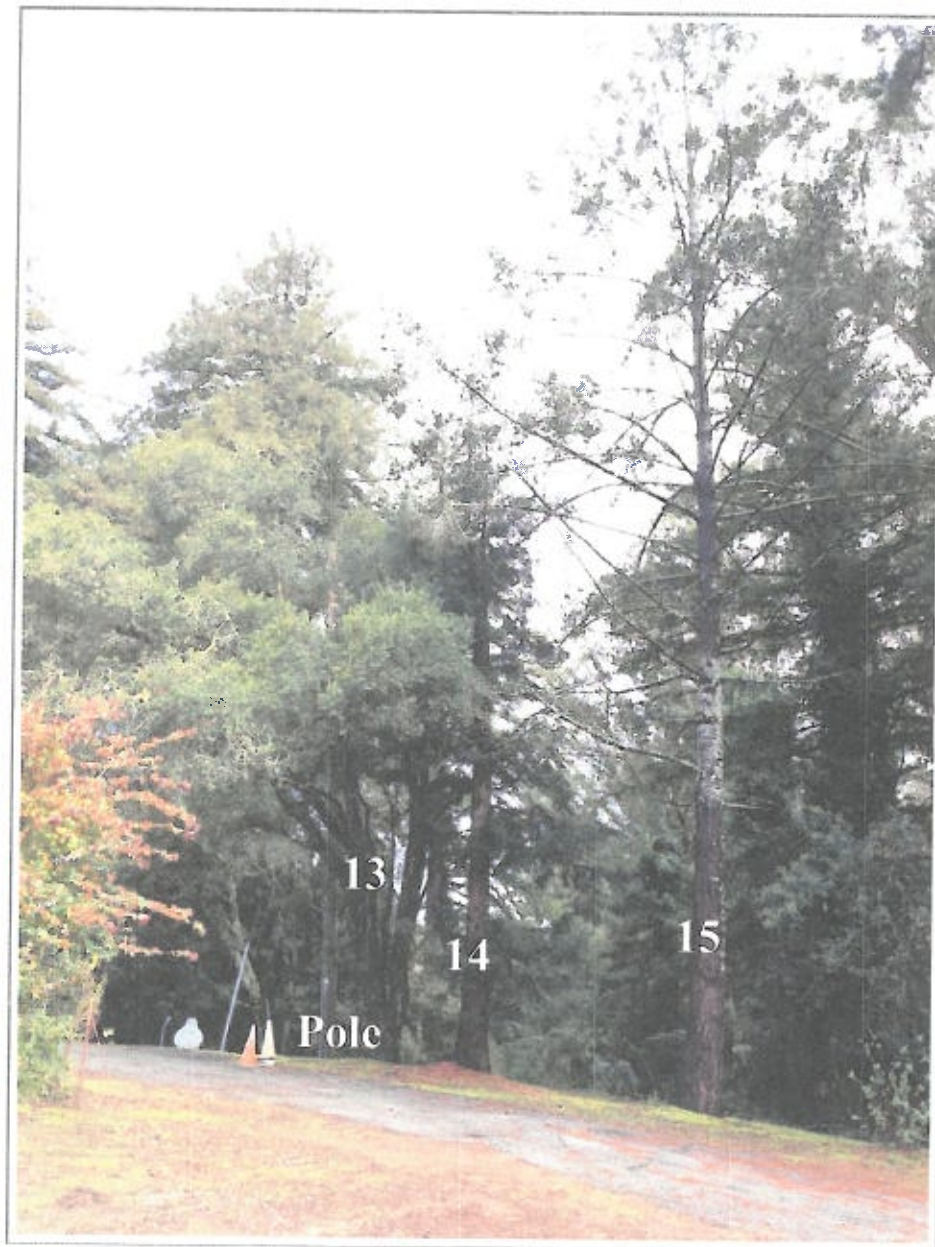
## C2: Trees 8 through 12



**C3: Tree number 1**

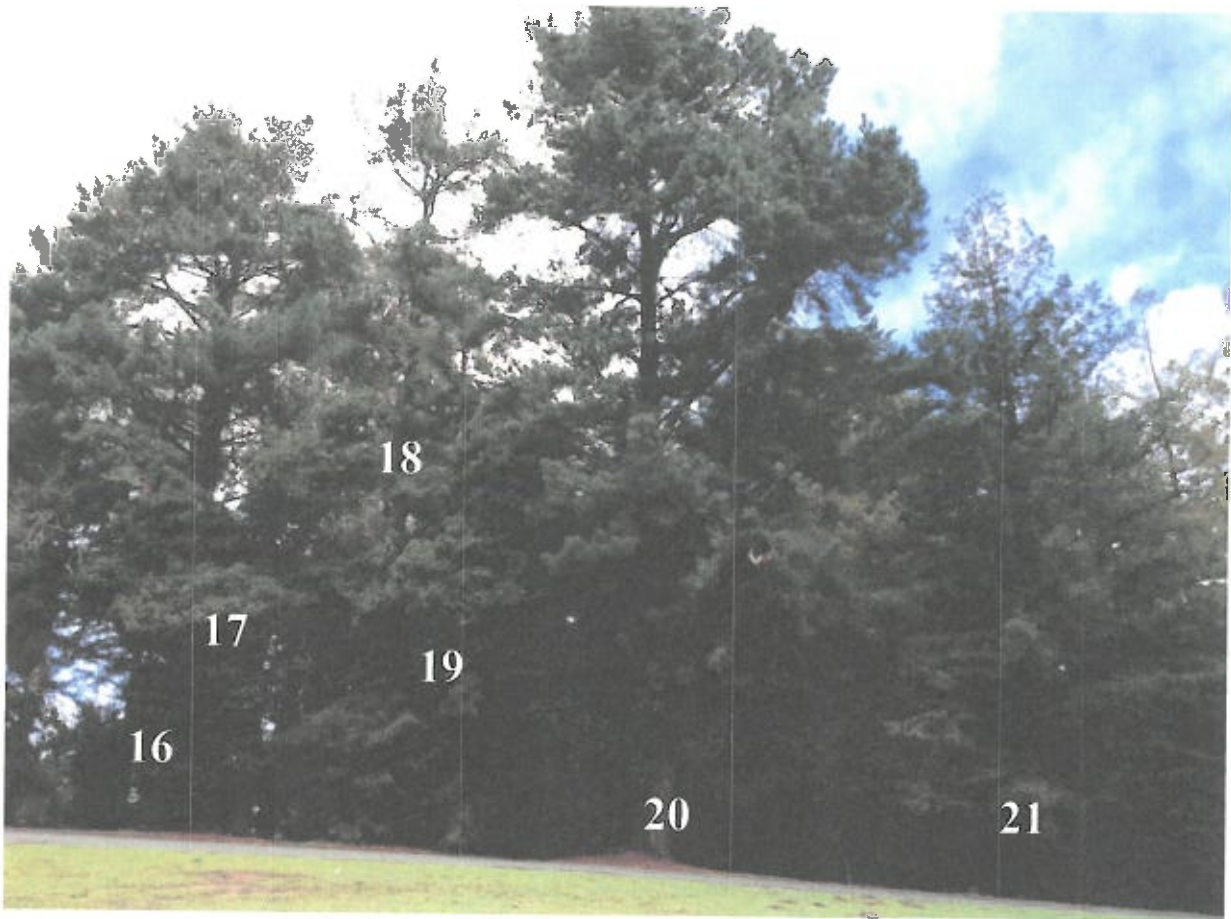


## C4: Utility Area





## C5: Utility Area



## C6: Tree in Triangle



## **Appendix D: Tree protection specifications**

### **Pre-Construction Meeting with the Project Arborist**

Tree protection locations should be marked before any fencing contractor arrives.

Prior to beginning work, all contractors involved with the project should attend a pre construction meeting to review the tree protection guidelines. Access routes, storage areas, and work procedures will be discussed.

### **Tree Protection Zones and Fence Specifications**

Tree protection fence should be established prior to the arrival of construction equipment or materials on site. Fence should be comprised of six-foot high chain link fence mounted on eight-foot tall, 1 7/8-inch diameter galvanized posts, driven 24 inches into the ground and spaced no more than 10 feet apart. Once established, the fence must remain undisturbed and be maintained throughout the construction process until final inspection.

The fence should be maintained throughout the site during the construction period and should be inspected periodically for damage and proper functions. Fence should be repaired, as necessary, to provide a physical barrier from construction activities.

### **Restrictions Within the Tree Protection Zone**

No storage of construction materials, debris, or excess soil will be allowed within the Tree Protection Zone. Spoils from the trenching shall not be placed within the tree protection zone either temporarily or permanently. Construction personnel and equipment shall be routed outside the tree protection zones.

### **Root Pruning**

When roots over two inches in diameter are encountered they should be pruned by hand with loppers, handsaw, reciprocating saw, or chain saw rather than left crushed or torn. Roots should be cut beyond sinker roots or outside root branch junctions. When completed, exposed roots should be kept moist with burlap or backfilled within one hour.





## **Boring or Tunneling**

Boring machines should be set up outside the drip line or established Tree Protection Zone. Boring may also be performed by digging a trench on both sides of the tree until roots one inch in diameter are encountered and then hand dug or excavated with an Air Spade® or similar air or water excavation tool. Bore holes should be adjacent to the trunk and never go directly under the main stem to avoid oblique (heart) roots. Bore holes should be a minimum of three feet deep.

## **Timing**

If the construction is to occur during the summer months supplemental watering and bark beetle treatments should be applied to help ensure survival during and after construction.

## **Tree Pruning and Removal Operations**

All tree pruning or removals should be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree pruning should be specified in writing according to ANSI A-300A pruning standards and adhere to ANSI Z133.1 safety standards. Trees that need to be removed or pruned should be identified in the pre-construction walk through.

## **Tree Protection Signs**

All sections of fencing should be clearly marked with signs stating that all areas within the fencing are Tree Protection Zones and that disturbance is prohibited. Text on the signs should be in both English and Spanish (Appendix E).



## Appendix E: Tree Protection Signs

E1: English

**WARNING**  
**Tree Protection Zone**  
  
**This Fence Shall not be moved without  
approval. Only authorized personnel  
may enter this area!**

Project Arborist



**E2: Spanish**

**CUIDADO**  
**Zona De Arbol Pretejido**  
**Esta cerca no sera removida sin**  
**aprobacion. Solo personal autorizado**  
**entrara en esta area!**

Project Arborist





## Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.



## Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party, nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any other subsequent events;

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner



ASCA Registered Consulting Arborist® #496  
ISA Board Certified Master Arborist® WE-4341B  
ISA Tree Risk Assessor Qualified



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**Lezanne Jeffs**

---

**From:** MARY N WESSLING <mnw@wessling.com>  
**Sent:** Monday, February 13, 2017 1:21 PM  
**To:** Lezanne Jeffs  
**Subject:** Letter of opposition, cell tower application #171030  
**Attachments:** SectionMap for PlanningDept.pdf; ATT00001.htm

Lezanne:

The following is the letter of opposition to the cell tower application #171030. We will also send a signed hard copy. Please see attached map for further details. The right-of-way in question is circled.

We are resident owners of the property at 867 Calabasas Road. This letter expresses our opposition to Application #171030 for the erection of cell towers on the Mumm property at 875 Calabasas Road. The Mumm property sits in the middle of a rural residential neighborhood. People live here because they want to experience the pleasure of country living: the proposed cluster of towers does not fit in this setting.

Beyond that, we call your attention to a specific problem: Two properties, 867 and 877 Calabasas road, are directly affected by this project because the current access to the proposed cell tower site is through a shared driveway that crosses the Wessling property via a 20-foot-wide right-of-way. Because this impacts the use of our property, we should have been included in the initial discussions leading to the signing of the Ground Lease Agreement. Instead, the Mumms deliberately withheld information about the negotiation and signing of the lease agreement from us, probably because they knew we would object. We only learned about it when, after the death of her husband, Dana Mumm made a public appeal for financial help in voiding the agreement. Her tactics apparently resulted in a modified lease agreement with better terms for Mrs. Mumm, but no redress for the damage that will be inflicted on us by this project.

The driveway in question is gravel based with chip and seal surfacing. It is intended for use by the residents and is not designed to handle heavy truck traffic. Its location presents a problem for truck and other large vehicle traffic. The right-of-way traverses our property in an east-west orientation connecting to Calabasas Road at a very sharp angle. Trucks coming from White road, the only direct access to HWY 1, must turn at a very sharp angle to access the driveway (effectively having to make a U-turn). That means they either swing wide across the double yellow line on Calabasas Road, thereby creating a traffic hazard, or cross beyond the right of way boundary onto our property. The only alternative is to partially enter the right of way and then back up to reorient the vehicle in the direction of the driveway before proceeding up to the Mumm property, again creating a hazard.

In light of the foregoing explanation, we request that this application be denied. If you should allow this project to go forward, there must be a stipulation that Anthem Telecom provide independent access to the Mumm property.



D.H. MUMM ET UX  
524 O.R.241

RICHARD D. TARMER  
2157 O.R. 278

ELIZABETH H. BLODGETT  
2157 O.R. 280

FD. 1/2" I.P. NO TAG  
BADLY BENT

CALABASAS ROAD

# COUNTY SURVEYOR'S CERTIFICATE

This map has been submitted for consideration with the requirements of the Land Surveyor's Act this 20<sup>th</sup> day of April 1977

County Surveyor R.C.E. 1676

By: Deputy

### RECORDER'S CERTIFICATE

Filed this 20th day of April 1972  
at 2:58 PM in Book 65 of Maps of page 26  
at the request of County Surveyor  
# 19754

Richard C. Neal  
County Recorder

By Deputy Denni L. Rodriguez



**EXHIBIT J**  
**ATTACHMENT B1**

Sharon Heckert  
David Farberow  
870 Calabasas Rd.  
Watsonville, CA. 95076

2/19/17

Santa Cruz Planning Commission

Hello Lezanne or To Whom it May Concern,


I am writing to express our opposition to Application 171030--cell tower construction in our neighborhood.

This is a residential area. We strongly oppose the construction of cell towers because of the adverse effect on property values, the increase of heavy traffic and the "eye sore" of the towers in our beautiful area. There are plenty of other areas available for towers where they are more removed from residents.

Thank you for your consideration in this matter.

Sincerely,

Sharon Heckert



David Farberow



## Lezanne Jeffs

---

**From:** Lezanne Jeffs  
**Sent:** Thursday, February 09, 2017 2:42 PM  
**To:** 'MATT STOFFEL'  
**Subject:** RE: Application 171030

Hi Matt,

This application, which is for a new cell tower, was submitted on January 31st and is currently under review by the Planning Department and other reviewing agencies. The first stage of the application will be a determination as to whether the application is complete (all of the required information has been submitted). This initial stage will also include a preliminary review as to whether the proposed tower meets requirements of County Code.

Once the application can be deemed to be complete a staff report will be prepared for the project that will include recommendations to the approving body (Zoning Administrator) and the project will then be scheduled for a public hearing. A "Notice of Proposed Development" sign will also be posted on the property and two weeks before the scheduled hearing, notices of the public hearing will be sent to all homeowners within 1,000 feet of the site.

At the hearing the Zoning Administrator (ZA) will hear public testimony and will make a decision to either approve or deny the project. Alternatively, the ZA may choose to continue the project to a future hearing date, with specific reasons for the continuance (such as a request for more information). Once a decision has been made by the ZA the project will be appealable to the Planning Commission. Appeals must be filed, with the appropriate fee, within 14 calendar days of the date of the original decision.

If you are opposing this project you may submit comments in writing to me before the public hearing and they will be included with the public record for the project. You may also attend the hearing in person to testify before the Zoning Administrator.

I hope that this helps you to understand the process.

Sincerely,

Lezanne

Lezanne Jeffs  
Senior Planner  
Development Review  
Tel: (831) 454 2480  
[lezanne.jeffs@santacruzcounty.us](mailto:lezanne.jeffs@santacruzcounty.us)

**From:** MATT STOFFEL [mailto:mstoffel@prodigy.net]  
**Sent:** Thursday, February 09, 2017 8:44 AM  
**To:** Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>  
**Subject:** Application 171030

My name is Matthew D. Stoffel I am apposed to this application and wish to be contacted with information about public hearing.  
Matthew D. Stoffel



877 Calabasas road.  
Watsonville, Ca. 95076  
mstoffel@prodigy.net  
831-212-5277

## Lezanne Jeffs

---

**From:** Lezanne Jeffs  
**Sent:** Thursday, February 09, 2017 2:32 PM  
**To:** 'Ritchie A. Wessling'  
**Subject:** RE: application number 171030

Hi Ritchie,

This application, which is for a new cell tower, was submitted on January 31st and is currently under review by the Planning Department and other reviewing agencies. The first stage of the application will be a determination as to whether the application is complete (all of the required information has been submitted). This initial stage will also include a preliminary review as to whether the proposed tower meets requirements of County Code.

Once the application can be deemed to be complete a staff report will be prepared for the project that will include recommendations to the approving body (Zoning Administrator) and the project will then be scheduled for a public hearing. A "Notice of Proposed Development" sign will also be posted on the property and two weeks before the scheduled hearing, notices of the public hearing will be sent to all homeowners within 1,000 feet of the site.

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If you are opposing this project you may submit comments in writing to me before the public hearing and they will be included with the public record for the project. You may also attend the hearing in person to testify before the Zoning Administrator.

I hope that this helps you to understand the process.

Sincerely,

Lezanne

Lezanne Jeffs  
Senior Planner  
Development Review  
Tel: (831) 454 2480  
lezanne.jeffs@santacruzcounty.us

-----Original Message-----

**From:** Ritchie A. Wessling [mailto:rich@wessling.com]  
**Sent:** Thursday, February 09, 2017 10:49 AM  
**To:** Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>  
**Subject:** Re: application number 171030

Lezanne

What is the status of this application? Is there an proposed timetable? How do I make my opposition known to the Planning Department?





Matthew D. Stoffel  
877 Calabasas Rd.  
Watsonville, CA 95076

ATTN: Lezanne Jeffs  
Senior Planner  
Development Review  
Santa Cruz County

February 14, 2017

Re: Application #171030

Applicant Tricia Knight or Jessica Rider/Anthem Telecom

Dear Ms. Jeffs,

I am writing to express my concerns about planned application review for application #171030. I live at 877 Calabasas Rd, the adjacent property to proposed development site. I have invested my life's work, fortune and everything I have to make my property a safe place to raise my children.

The only way into my property is through my deed granted right of way easement that goes through our one lane shared driveway, not before going through yet another easement shared my my neighbors, Richard and Mary Wessling.

Almost daily as I try to go to work to pay my taxes, I am met by either a mail truck, UPS truck, propane delivery, newspaper delivery or one of the other drivers that use our one lane entry driveway. I understand the world is growing, but there simply isn't enough room to handle the added impact of a commercial business with more trucks and equipment on a one lane road that serves three residences, and that I pay to maintain.

Last year I spent \$25,000 to resurface my driveway and recent rains have destroyed our road again.

Aside from the clear impact of the telecom traffic and work alone, I just don't want to raise my children next to a cell tower. We cannot afford a property value decrease after everything we have put into attaining our property.

Please take into account that we are a quiet little neighborhood when deciding whether or not to approve application #171030. I speak for all of my neighbors when I say we don't want a cellular communication outpost here.

Thank you,  
Matt Stoffel

## Lezanne Jeffs

---

**From:** Lezanne Jeffs  
**Sent:** Monday, February 13, 2017 10:15 AM  
**To:** 'Christine Denny'  
**Subject:** RE: Thank you for your time

Dear Christine,

Thank you for your input regarding application 171030, I will take the information that you gave me into consideration during the review of the proposed cell tower.

Below is the e-mail that I sent to other neighbors regarding the processing of this application.....

This application, which is for a new cell tower, was submitted on January 31st and is currently under review by the Planning Department and other reviewing agencies. The first stage of the application will be a determination as to whether the application is complete (all of the required information has been submitted). This initial stage will also include a preliminary review as to whether the proposed tower meets requirements of County Code.

Once the application can be deemed to be complete a staff report will be prepared for the project that will include recommendations to the approving body (Zoning Administrator) and the project will then be scheduled for a public hearing. A "Notice of Proposed Development" sign will also be posted on the property and two weeks before the scheduled hearing, notices of the public hearing will be sent to all homeowners within 1,000 feet of the site.

At the hearing the Zoning Administrator (ZA) will hear public testimony and will make a decision to either approve or deny the project. Alternatively, the ZA may choose to continue the project to a future hearing date, with specific reasons for the continuance (such as a request for more information). Once a decision has been made by the ZA the project will be appealable to the Planning Commission. Appeals must be filed, with the appropriate fee, within 14 calendar days of the date of the original decision.

If you are opposing this project you may submit comments in writing to me before the public hearing and they will be included with the public record for the project. You may also attend the hearing in person to testify before the Zoning Administrator.

I hope that this helps you to understand the process.

Sincerely,

**From:** Christine Denny [mailto:christinedenny@hotmail.com]  
**Sent:** Thursday, February 09, 2017 6:41 PM  
**To:** Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>  
**Subject:** Thank you for your time

Dear Lezanne,

Thank you for your time this afternoon.

Please keep my on your list of updates for Permit Application Number 171030-Parcel Number 049-381-07.

Sincerely,

Christine Denny  
899 Calabasas Rd  
685-1015 home/ 251-4257 cell

WATSONVILLE >> These are dark days for Dana Mumm and her bees. As a hard rain fell on Pacific Crest Apiaries on Wednesday, Mumm sat beneath an shelter in the yard and talked about her husband, Ed Mumm, who died of complications related to Alzheimer's disease on April 6, 2016.

"Ed was 17 years older than me and all he cared about was my well-being and the added income. If he knew what was happening, he would be turning over in his grave," said Mumm, 63, choking back tears. "That is, if we hadn't spread his ashes over the bee colonies like he asked."

In March 2013, Ed and Dana Mumm were considering semi-retirement after decades of beekeeping. Ed Mumm had been keeping bees since 1944, when he was an 8-year-old boy living on his family's Calabasas Road turkey ranch. Dana Mumm had fallen in love with bees when she fell in love with Ed in 1990.

So when a telecommunications company, whose name Dana Mumm is legally bound to keep secret, told her husband that hosting a cell tower on the property would provide the extra income they needed to stay in the home and keep the honey flowing, Ed Mumm leaped at the opportunity.

"In the past, he was always careful about matters pertaining to agreements needing signatures," Mumm said. "In fact, I trusted him completely regarding any legal matters. There was never any indication not to trust my husband."

What Dana didn't know was Ed Mumm was already suffering from early onset Alzheimer's disease when he presented her with the agreement.

"He was mentally compromised and unable to fully understand the agreement he and I signed," Mumm said.

The 30-year Ground Lease Agreement remains binding and the telecommunications company has informed Mumm they could begin breaking ground on the project as early as this month. Like the identity of the company, details of the agreement cannot be made public due to legal constraints, according to Sam Storey, who represents Mumm.

"Losing this case will cause this honey farm of 50 years to cease. It would force me to leave my home of 26 years. It would completely destroy my livelihood," Mumm said.

Yet Mumm is not going down without a fight. She has launched a GoFundMe campaign to raise funds for the legal battle ahead. However, she fully comprehends that time is not on her side.

"Until last April, I was in 100 percent caregiver mode — taking Ed to doctor's appointments; helping him dress, shave and basically other needs," Mumm said. "This cell tower agreement was the last thing on my mind; I never gave it thought."

Of course, Dana Mumm and her bees are no strangers to crisis. Pacific Crest Apiaries barely survived the Varroa mite infestation that caused bee colonies around the U.S. to collapse. The farm, which boasted 900 colonies in 1990, only has 150 today.

"This weather isn't good for the bees either," Dana Mumm said, peering out from under the shelter. "But we need the rain — and the sun will come out again eventually."

For information about Pacific Crest Apiaries, visit [pacificcrestapiaries.com](http://pacificcrestapiaries.com). To support her legal battle, search for Dana Mumm's name at [gofundme.com](http://gofundme.com).

ATTACHMENT B1  
EXHIBIT J



## Lezanne Jeffs

---

**From:** Bob Hunt <ebobmac@me.com>  
**Sent:** Friday, March 17, 2017 6:24 PM  
**To:** Lezanne Jeffs  
**Subject:** Re: Inquiry about cell site permit for 049-381-07

Lezanne,

Thank you very much for taking so much time with me today. I greatly appreciate your helping me to understand the process and current status of the permitting process for this property. I'm a bit sick to my stomach to know what to do with this one. I'm a bit sick to my stomach over what to do with this property. I did not really expect to have her accept the offer but now that she has, I have to really face the reality that an eyesore cell tower could very well end up on this otherwise bucolic location.

I started reading the ordinance at your suggestion and I do really wonder whether Anthem has demonstrated that there are no alternative locations per this section of the code which I think you also referenced in our conversation.

(5) Commercial wireless communication facilities are commercial uses and as such are ***generally incompatible with the character of residential zones*** in the County and, therefore, ***should not be located on residentially zoned parcels*** unless it can be proven that ***there are no alternative nonresidential sites*** from which can be provided the coverage needed to eliminate or substantially reduce significant gaps in the applicant carrier's coverage network.

When I look at the surrounding areas, I see a lot of SU and a few A zones in the same area which, based on the above statements, would be better suited.

I also wonder if the need for additional coverage has really been demonstrated, I had 3 bars of LTE coverage while at the property and didn't notice ever losing cell coverage while driving within the Larkin Valley area. Is it really required that every cell company have equal coverage here? If for example at least two, say Verizon and ATT, provide reasonable coverage, isn't that enough?

I will continue to read so I can better understand the intricacies of the county rules on this. Thanks again for pointing me in the right direction. I can't promise I won't call one more time.

;-)

Bob Hunt  
408-476-5102

On Mar 15, 2017, at 7:37 PM, Lezanne Jeffs <[Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)> wrote:

Bob,

Once the application can be deemed complete signage will be erected on the parcel to notify neighbors of the pending application. Completeness means that the applicant has submitted all of the required information needed for the County to make a decision. At that time I will

commence preparation of a staff report and schedule the project for a public hearing before the Zoning Administrator.

Regards,

Lezanne

Lezanne Jeffs  
Senior Planner  
Development Review  
Tel:(831) 454 2480  
[lezanne.jeffs@santacruzcounty.us](mailto:lezanne.jeffs@santacruzcounty.us)

-----Original Message-----

From: Bob Hunt [mailto:[ebobmac@me.com](mailto:ebobmac@me.com)]  
Sent: Wednesday, March 15, 2017 5:34 PM  
To: Lezanne Jeffs <[Lezanne.Jeffs@santacruzcounty.us](mailto:Lezanne.Jeffs@santacruzcounty.us)>  
Subject: Re: Inquiry about cell site permit for 049-381-07

Lezanne,

Thank you for the prompt reply via voicemail.

I am aware of and now reviewing the lease. What I'd hoped is that you might provide insight about and the likelihood that the permit will be approved by the county, i.e. if there are any county restrictions that might get in its way. It's interesting to hear you mention that there's also a hearing phase, is that a public hearing?

thanks again for your help,

Bob

On Mar 15, 2017, at 6:12 PM, Bob Hunt <[ebobmac@me.com](mailto:ebobmac@me.com)> wrote:

Hello,

I'm writing to see if you can provide any further detail about the status of the permit process that Anthem Telecom has submitted to put a cell tower on this parcel. Online it just shows as incomplete.

I'm a prospective buyer of this property and therefore quite interested in knowing whether this is really going to happen. I was actually a bit surprised that a cell tower could be built so close to a residence. Any guidance you might provide would be most appreciated.

Thank you,

Bob Hunt

408-476-5102

## Lezanne Jeffs

---

**From:** Lezanne Jeffs  
**Sent:** Friday, September 01, 2017 1:02 PM  
**To:** 'Ritchie A. Wessling'  
**Subject:** RE: cell tower at 875 Calabasas

Good morning Ritchie,

I apologize for the confusion. Anthem has installed a crane on the parcel as a mock-up to show the maximum height of the top of the monopine "tree" (antennas etc. would be located below this level camouflaged within the foliage). The yellow flag on the basket at the top is located at the tallest point at the top of the branches. This crane is not on site for construction purposes.

I have also heard that some neighbors believe that the approval would allow for the installation of 3 additional towers on the parcel. This is not correct. The tree has been designed so as to allow for the addition of additional carrier sites on the same pole and these would all be required to be located lower down and within the foliage of the "tree". Ground mounted equipment would have to be in the same fenced enclosure as is currently proposed.

I hope that this clarifies the current situation.

Sincerely,

Lezanne

Lezanne Jeffs  
Senior Planner  
Development Review  
Tel:(831) 454 2480  
lezanne.jeffs@santacruzcounty.us

-----Original Message-----

**From:** Ritchie A. Wessling [mailto:rich@wessling.com]  
**Sent:** Friday, September 01, 2017 12:52 PM  
**To:** Lezanne Jeffs <Lezanne.Jeffs@santacruzcounty.us>  
**Subject:** cell tower at 875 Calabasas

Lezanne

You told us that the hearing was to decide if the cell tower project should be allowed. Anthem Telecom appears to have already started the installation. Does this mean that the decision has already been made, and that the hearing is just PR to give the impression that input from the affected property owners has been considered?

Rich



**Lezanne Jeffs**

---

**From:** MATT STOFFEL <mstoffel@prodigy.net>  
**Sent:** Sunday, September 10, 2017 6:16 PM  
**To:** Lezanne Jeffs  
**Subject:** Fw: Cell Tower Calabasas Rd. Letters and Photos Copy of Letters and Photos sent to Attorney  
**Attachments:** Hello Michael Valente.pdf; Letter to County Planner Lezanne Jeffs.docx; File\_000.jpeg; File\_001.jpeg; File\_002.jpeg; File\_003.jpeg; File\_004 (1).jpeg; File\_005.jpeg; File\_006.jpeg; File\_007.jpeg

On Saturday, September 9, 2017 9:46 PM, MATT STOFFEL <mstoffel@prodigy.net> wrote:

Hello Michael Valente,

Here are some pictures of our shared right of easement.

Our easement is on our neighbor's property, the Westlings, at 867 Calabasas Rd, and is shared by 875 and 877 Calabasas Rd, White Calabasas Mutual Water Company. That is four separate entities that have rights to the Westling's easement. This one lane easement is also used by PG&E to service the poles that run through our property whenever they need. Other utilities include propane delivery, postal deliveries, garbage service and Cal Fire (comes through two times per year to inspect for fire prevention).

I don't see how T-Mobile is of any consideration, given the already impacted use of our easement. The only access to 875, where T-Mobile (Anthem) cell tower is proposed is from Highway one to Larkin Valley, or Freedom Blvd, then to White Rd, then to Calabasas. It is necessary to make a 180 degree switch back across both lanes of traffic. Nothing larger that a car can come the other way on Calabasas as it's too small and windy for a direct approach.

Document 1 is a letter I sent to Santa Cruz planning commissioner, Lezanne Jeffs, to protest future cell tower proposal.

Picture 1 is my parcel map showing my only egress right of way and the White Calabasas Mutual Water Company's shared easement and only access to service ten homes in this neighborhood.

Picture 2 is our four way shared access easement. The white line is surveyed property line of the Westlings at 867 Calabasas. My neighbor has every intention of moving his fence to the white line to stop equipment and traffic from damaging his pavement. If you look far right, you see Calabasas Rd. Imagine trying to make that turn with concrete trucks and trailered equipment. Not sure if county would allow tree removal to ease compression of switch back. You can see beginning of my driveway, second one, all the way at the end of white line. This shared one lane easement is my only form of egress. Good view of approach from small country road.

Picture 3: You can see my truck in the foreground to give perspective of road.

Picture 4: See pothole from constant use.

Picture 5: Shows composition of roadway, 1 inch thick sprayed tar with crushed gravel, approximately twenty years old, over base rock.

**Picture 6: Shows roadway crushed from machine brought in to display cell tower mock up.**

**Picture 7: Image of machine raised to proposed cell tower height of 78 feet. This machine is a SkyJack SJ86T and weighs 37,800 pounds. Our driveway is rated at 5,500 pounds.**

**Picture 8: Shows notice of proposed development. If you look at the vocabulary, it is proposed to construct one tower with three more to follow. A back up generator with propane tank (more deliveries) and noise. Requires a commercial development permit. This is a small neighborhood, not a commercial wasteland.**

**Whose water will they use?**

**We have invested every penny we have ever made in this property and don't deserve to be forced to live next to a cell tower, disguised as an unsightly tinsel tree. Why should T-Mobile (Anthem) be granted an exception, while we are not?**

Matthew D. Stoffel  
877 Calabasas Rd.  
Watsonville, CA 95076

ATTN: Lezanne Jeffs  
Senior Planner  
Development Review  
Santa Cruz County

February 14, 2017

Re: Application #171030  
Applicant Tricia Knight or Jessica Rider/Anthem Telecom

Dear Ms. Jeffs,

I am writing to express my concerns about planned application review for application #171030. I live at 877 Calabasas Rd, the adjacent property to proposed development site. I have invested my life's work, fortune and everything I have to make my property a safe place to raise my children.

The only way into my property is through my deed granted right of way easement that goes through our one lane shared driveway, not before going through yet another easement shared by my neighbors, Richard and Mary Wessling.

Almost daily as I try to go to work to pay my taxes, I am met by either a mail truck, UPS truck, propane delivery, newspaper delivery or one of the other drivers that use our one lane entry driveway. I understand the world is growing, but there simply isn't enough room to handle the added impact of a commercial business with more trucks and equipment on a one lane road that serves three residences, and that I pay to maintain.

Last year I spent \$25,000 to resurface my driveway and recent rains have destroyed our road again.

Aside from the clear impact of the telecom traffic and work alone, I just don't want to raise my children next to a cell tower. We cannot afford a property value decrease after everything we have put into attaining our property.

Please take into account that we are a quiet little neighborhood when deciding whether or not to approve application #171030. I speak for all of my neighbors when I say we don't want a cellular communication outpost here.

Thank you,  
Matt Stoffel

EXHIBIT J  
ATTACHMENT B



BY SURVEYING

Warning: For this map to be given full effect, it must be shown as shown on record of Survey Map, 040-M-73, City records.

APPROXIMATE LOCATION OF IS NOT GUARANTEED AS SHOWN ON ASSASSIN'S PARCEL MAP IN BOOK 643 AT PAGE 36. NOT RESEARCHED OR SURVEYED AT THIS TIME.

POSSIBLE PROPERTY LINE (TYPICAL)

Julie Ann Stoffel  
DOWNSIDE 040-M-73  
ALPH 040-301-08

CALABASAS ROAD

040-M-73

040-M-73

FOUND 3/4" IRON PIPE, L.S. 2002  
(IN 79°10'15" E 152.00')  
S 20°21'37" E 363.00'

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

SET LATH ON LINE

FOUND 3/4" IRON PIPE, BENT WITH NO TAG, BEARS S 79°45'30" E 0.90' DISTANT.

FOUND 3/4" IRON PIPE, BENT WITH NO TAG, BEARS S 79°45'30" E 0.90' DISTANT.

FOUND 3/4" IRON PIPE, BENT WITH NO TAG, BEARS S 79°45'30" E 0.90' DISTANT.

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FOUND 3/4" IRON PIPE, BENT WITH NO TAG, BEARS S 79°45'30" E 0.90' DISTANT.

FOUND 3/4" IRON PIPE, BENT WITH NO TAG, BEARS S 79°45'30" E 0.90' DISTANT.

SURVEYORS MAP FOR

Julie Stoffel

Being the lands, within the County of Santa Cruz, conveyed to Julie Stoffel, by deed recorded in Doc. No. 2014-0922603 of the Official Records of Santa Cruz County.

May, 2015 ALPH 040-301-08 Scale: 1" = 60'

HANABAN LAND SURVEYING, INC.  
308-C BRIGGS AVE. SANTA CRUZ, CA 95062  
PHONE 831-460-0330



Sheet 1 of 1 sheets Job # 15021

ATTACHMENT B  
EXHIBIT J





ATTACHMENT B  
EXHIBIT J



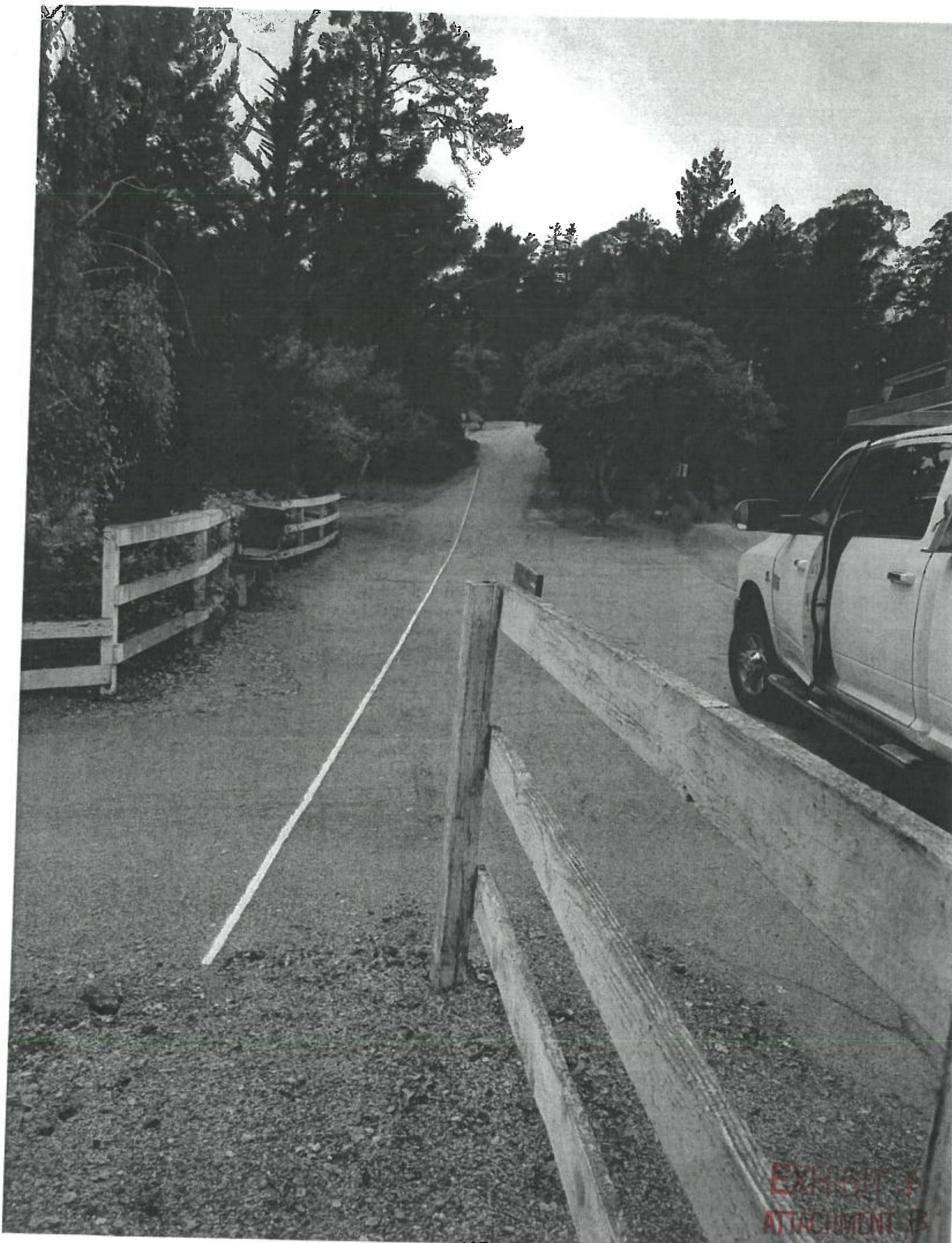


EXHIBIT 3  
ATTACHMENT B













ATTACHMENT B  
EXHIBIT 1







# NOTICE OF PROPOSED DEVELOPMENT

Application #: 171030

**Description:** Proposal to construct a new 78 foot tall monopine wireless communication facility for T-Mobile with an initial installation of 6 flat panel antennas, 6 RRUs and a microwave dish, located within a 3,500 square foot fenced enclosure with two ground mounted cabinets, a generator, an equipment panel and a propane tank mounted on a 195 square foot concrete pad. The facility also provides three additional sites for use by future carriers. Requires a Commercial Development Permit.

**Location:** Property located on the southwest side of Calabasas Road (875 Calabasas Road) at about 200 feet southeast of the intersection with Morning Sun Ranch Road.

**APN:** 049-381-07

**Applicant:**  
Tricia Knight or Jessica Rider  
123 Seaciff Drive  
Pismo Beach, CA 93449  
Tel: (805) 448 4221  
E-mail: jridersmail@gmail.com

**Project Planner:**  
Lezanne Jeffs  
Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz, CA 95060  
Tel (831) 454-2480  
E-mail: Lezanne.Jeffs@santacruzcounty.us

EXHIBIT 1  
ATTACHMENT B



## Lezanne Jeffs

---

**From:** Keith Otto <keith\_otto@yahoo.com>  
**Sent:** Friday, September 15, 2017 7:14 AM  
**To:** Lezanne Jeffs  
**Cc:** Wanda Williams  
**Subject:** Opposition To Application 171030 - 875 Calabasas - APN 049-381-07  
**Attachments:** Opposition-SCCO-Application-171030-2017-09-15.pdf

Ms. Jeffs,

I am unable to attend the Zone Administrator hearing Friday, September 15, 2017, regarding item:

2. 171030 875 Calabasas Road, Watsonville APN: 049-381-07

The application should be denied due to 1) improper noticing and 2) the incorrect alternative analysis.

Please review the comments attached and include them in the decision process for this application.

Thank you for your careful consideration of this matter.

Regards,  
Keith

Keith Otto  
831.685.8000  
keith\_otto@yahoo.com

SANTA CRUZ COUNTY  
STATE OF CALIFORNIA

-----X

In the Matter of the Application of

**Anthem Telecom,**  
for a Commercial Development Permit  
and a Federal Telecom Act Exception

Premises: 875 Calabasas Road  
Watsonville, CA 95076

**MEMORANDUM  
IN OPPOSITION**

**Commercial Development Permit and  
Federal Telecom Act Exception**

-----X

**MEMORANDUM IN OPPOSITION**

Respectfully Submitted September 15, 2017,

Matt Stoffel, 877 Calabasas Road, Watsonville, CA 95076

### Preliminary Statement

This memorandum is being submitted by, and on behalf of, multiple homeowners whose homes are situated in close proximity to the tower installation proposed for construction at 877 Calabasas Road, Watsonville, CA 95076.

The applicant, *Anthem Telecom* (hereinafter "*Anthem*"), seeks to install an eighty-three (83) foot tall cell tower in the heart of a residential neighborhood (the proposed location is located in a RA zone), in a location where no existing structure currently stands taller than two (2) stories in height. *Anthem* seeks to construct this (8) story cell tower on behalf of *T-Mobile* in order to provide *T-Mobile* personal wireless service.

As the evidence submitted herewith makes indisputable, the current application should be denied because: (a) the tower is wholly unnecessary for the applicant's provider (*T-Mobile*) to provide personal wireless services within Santa Cruz County, (b) the proposed tower would violate the Santa Cruz County Code, and (c) and the erection of an eighty-three (83) foot tall tower would inflict upon the surrounding homes and residential neighborhood the very adverse impacts for which those provisions of the County Code were specifically enacted to prevent.

Finally, even if this wholly unnecessary tower was actually deemed necessary, there are several alternative locations where such a tower could be built and inflict less severe adverse impacts upon the community.

As such, the residential homeowners, on whose behalf this Memorandum is submitted, respectfully argue that the application should be denied, and they seek to ensure that it is denied in a manner which does not conflict with the Telecommunications Act of 1996.

### Statement of Facts

As shown by *Anthem's* site plans, *Anthem* seeks to construct an eighty-three (83) foot tall communications tower on a parcel of property owned by Robert Hunt in a residential neighborhood at 877 Calabasas Road, Watsonville, CA 95076.<sup>1</sup>

*Anthem's* provider, *T-Mobile*, is engaged in the business of providing cellular phone service in Santa Cruz County. It is beyond argument that *T-Mobile* does not need this tower to provide personal wireless services within Santa Cruz County because *T-Mobile* has already saturated the area with wireless coverage.

*Anthem* has presumably obtained an option to lease a small section of property from the property owner, upon which it seeks to construct an eighty-three (83) foot tall wireless telecommunications facility in close proximity to roughly one hundred (100) homes, in a residential area (the property at issue is zoned RA Residential Agricultural) where no other structure stands more than two (2) stories in height in an area known for its natural beauty and scenic views.

Development and use of the small leased parcel will include the construction of a 50 foot x 70 foot compound enclosed within a wooden fence, within which would be built: (a) an eighty-three (83) foot cell tower (made up of a 78 foot monopine tower topped with five feet of fake tree material), (b) six flat panel antennas, (c) six Remote Radio Units (RRUs), (d) one microwave dish, (e) two ground mounted cabinets, (f) one generator, (g) one equipment panel, (h) one propane tank, and (i) one 195 square foot concrete pad, all of which would be accessible via a 6 foot wide utilities easement on the property at 877 Calabasas Road, Watsonville, CA 95076.

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<sup>1</sup> See Exhibit "A," *Anthem's* site plans.



As discussed herein below, *Anthem's* application for a Commercial Development Permit and Federal Telecom Act Exception should be denied because the proposed cell tower is not necessary for *Anthem's* provider, *T-Mobile*, to provide personal wireless services within Santa Cruz County, and construction of the eight (8) story cell tower would not only violate the Santa Cruz County Code, but would inflict upon the nearby homes the very adverse impacts which the County Code was enacted to prevent.

### Point I

It is Beyond Dispute That the Proposed Eighty-Three (83) Foot Tall Cell Tower is Not Necessary for the Applicant's Provider (*T-Mobile*) to Provide Personal Wireless Services Within Santa Cruz County

Under the Telecommunications Act of 1996, a local government cannot deny an application for the installation of a cell tower, if the denial of such an application would "*prohibit*" the applicant from providing personal wireless service in the area where it proposes to install the new tower.<sup>2</sup>

To establish that a denial would "prohibit" it from providing wireless services, an applicant must prove both parts of a two (2) part test.

First, it must prove that it suffers from "a significant gap" in its personal wireless services. Second, it must establish that the proposed installation is the "least intrusive means" of remedying such gap, meaning that there are no less intrusive alternative locations. See T-Mobile Central LLC v. Charter Township of West Bloomfield, 691 F3d 794 (6th Cir. 2012).

The sole purpose for which *Anthem* seeks to erect this eighty-three (83) foot tall cell tower in the heart of a residential neighborhood is in pursuit of the profits it will reap from leasing space

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<sup>2</sup> See 47 U.S.C.A. §332(c)(7)(B)(i)(II).

on its proposed tower to providers, including *T-Mobile*. Further, neither *Anthem* nor *T-Mobile* has submitted any valid convincing evidence that the proposed tower is necessary to close any gap in coverage. All *T-Mobile* submitted in support of its argument that it suffers from a gap in coverage in Santa Cruz County are two purported coverage maps.<sup>3</sup> One map purports to represent the current coverage in the area, while the second map claims to represent the coverage that the area would receive if the proposed site is constructed. See Exhibit "B." These are proffered without any analysis whatsoever. *T-Mobile* does not reveal the methodology that it used to come up with such maps nor does it reveal ways to test the veracity of the submitted maps. It is respectfully submitted that the proffered maps are not merely hollow and totally conclusory, but do not, and cannot satisfy *Anthem* and *T-Mobile's* burden of establishing that, in reality, there is a significant gap in coverage, as *Anthem* and *T-Mobile* should be required to establish.

Neither *Anthem* nor *T-Mobile* have submitted any materials that would explain what these two purported coverage maps mean and if there is even a gap in service. Without any analysis, these maps utterly fail to show any gap in service whatsoever.

Where a wireless provider suffers from *an actual* gap in its wireless service, providing "substantial evidence" of such gap is both simple, and extremely inexpensive.

Typically, the wireless provider will produce evidence of its gap by either performing a simple drive test, or, by simply providing a dropped call log.

A drive test is remarkably simple.

The tester takes an ordinary cell phone, and attaches a recording device, which records the wireless signal strength which the phone is receiving.

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<sup>3</sup> See Exhibit "B," *T-Mobile's* purported March 27, 2017 Coverage Maps.

The paired devices are then temporarily attached to the dashboard of a car, which then drives through the area within which the provider believes a gap to exist. Since the recording device records the signal strength every few milliseconds or so, on a one hour drive the device can record as many as several hundred thousand readings, which provide a crystal clear picture of whether or not a gap in service exists, as well as the actual location of any such gap.

There is nothing estimated, surmised, or projected in this test.

Only the actual, real, existing signal strengths are recorded, and only *actual gaps* in wireless service are shown.

Even less burdensome, is the printing-out of a dropped call log.

Modern wireless carriers' computer systems maintain continuous records of dropped calls on their system. With the input of a few keystrokes, providers can print out actual call logs which show the exact number of dropped calls in any location or area, for any chosen period of time.

Not surprisingly, given the ease and lack of expense involved in producing such proof to local zoning authorities, when applicants seeking permission to install a new tower suffer from an actual gap in their wireless service, these are two types of evidence which they will typically provide.

As the record clearly reflects, neither *Anthem* nor *T-Mobile* has produced any such proof in connection with its current application, and proffers no excuse for having failed to do so.

It is beyond argument that *T-Mobile* cannot claim that it suffers from a "significant gap" in its wireless services within Santa Cruz County because the evidence submitted herewith as Exhibit "C" proves that *T-Mobile* does not have any gaps, much less any "significant gaps", in its wireless service.



A. T-Mobile's Coverage Map

Significantly, any claim that *Anthem's* provider, *T-Mobile*, suffers from any gap in coverage is directly contradicted by *T-Mobile's* own current coverage map which *T-Mobile* has posted on its website.

As is reflected upon *T-Mobile's* own coverage map, current as of September 14, 2017, *T-Mobile* has indicated that it has wireless LTE coverage over the entire area which is the subject of this application.<sup>4</sup>

In view of the forgoing, it is simply indisputable that *Anthem's* provider, *T-Mobile*, does not suffer from any significant gap in its wireless coverage in the area that the proposed eighty-three (83) foot cell tower will purportedly serve. In fact neither *Anthem* nor *T-Mobile* can convincingly demonstrate that there is a significant gap in coverage at all in its application.

B. The Applicant has Wholly Failed to Establish That There Are No Less Intrusive Alternative Sites Available.

Cost as the Principal Factor in the Proposed Siting of the Facility

Unfortunately, when seeking to construct commercial wireless installations, wireless companies do not seek to locate their facilities upon sites which would minimize the adverse impacts which such installations would inflict upon nearby homes and/or the community at large.

Instead, the owners of such facilities simply seek to install them at sites which are the least expensive to build upon. There are three (3) principal site criteria that affect the cost of constructing such facilities. They are electrical power, road access and rent.

Driven by a concern for minimizing expenses, siting preferences for these facilities is quite simple. Applicants seek to build upon sites where they secure the lowest rent, are near a power line to which they can attach, and are near an existing road which can be used for access to the installation.

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<sup>4</sup> See Exhibit "C," *T-Mobile's* online wireless coverage map from September 14, 2017.

By contrast, building such a facility in a "remote location," and further away from residential areas, would require them to run power lines, either on poles or in trenches, and to install gravel access roads, both of which are expenses they prefer to avoid.

Where, as here, they locate a potential site which would be cost effective, but would inflict adverse impacts upon nearby residences or the community at large, companies typically fabricate purely hollow explanations as to why their chosen site is their only viable option.

In this case, it appears that the low cost of building at its proposed site is why *T-Mobile* has failed to give any meaningful consideration to potential alternative sites, which would have far less adverse impacts upon the community.

*Anthem's* Alternative Site Analysis simply lists two properties on a map and claims, without showing any proof, that it could not obtain a lease with each respective property owner.<sup>5</sup> Further, *Anthem's* explanation as to why it cannot co-locate the proposed tower on either of two existing towers is completely unavailing and conclusory. See Exhibit "D." No analysis was conducted by *Anthem* and *T-Mobile* as to why the selected site is the least intrusive site.

As reflected within *Anthem's* plans and project descriptions, a power line is closely situated to the proposed site, and a short driveway will extend to the site.

#### *Less Intrusive Alternative Sites Are Available*

As detailed herein above, if *Anthem* is given permission to construct its proposed facility at the site it has chosen, such installation would adversely impact many individual nearby residences and the nature of this residential community.

*Anthem* could easily build its desired facility at any of a number of alternative locations at which it would not be closely situated to residential homes, and would have no adverse impacts upon the applicable properties.

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<sup>5</sup> See Exhibit "D," *Anthem's* Alternative Site Analysis.

By way of example, *Anthem* could build such a facility at alternative locations such as: (a) the property located at 665 Willow Heights, Aptos; (b) the property located at 300 Playa De Niños, Watsonville; (c) the property located at 220 Playa De Niños, Watsonville; (d) the property located at 245 Gillette Road, Watsonville; (e) the property located at 200 Chandler Lane, Watsonville; or even at a combination of such locations, to remedy any alleged gaps in wireless services which it claims to exist.

Absent from *Anthem's* application is any evidence that *Anthem* has given *meaningful* consideration to any of these, or any other potential alternative locations, at all. *Anthem* has not even contacted the property owners of the sites mentioned above regarding a potential cell tower.

The fact remains, that there are less intrusive alternative locations available for the installation being proposed by *Anthem*. As such, *Anthem's* application for a Commercial Development Permit and Federal Telecom Act Exception should be denied because granting such application without requiring *Anthem* to prove that no less intrusive location is possible would violate both the letter and the spirit of the Santa Cruz County Code.

## Point II

### *Anthem's* Application Must Be Denied Because it Does Not Comply with the Santa Cruz County Code

#### A. *Anthem's* Application Must be Denied, Because the Proposed Tower Would Inflict Upon the Residential Neighborhood the Very Impacts Which the Provisions of the County Code Were Specifically Intended to Prevent

##### (i) The Proposed Installation Will Inflict a Dramatic and Wholly Unnecessary Adverse Impact Upon the Aesthetics and Character of The Area.

As is stated within the text of the Santa Cruz County Code (hereinafter "SCCC"), the wireless communication facilities sections of the SCCC were enacted "to assure, by the regulation of siting of wireless communications facilities, that the integrity and nature of residential, rural, commercial, and industrial areas are protected from the indiscriminate proliferation of wireless

communications facilities." See SCCC § 13.10.660(A). The SCC was also enacted to "locate and design wireless communication towers/facilities so as to *minimize negative impacts*, such as, but not limited to, *visual impacts*, agricultural and open space land resource impacts, *impacts to the community and aesthetic character of the built and natural environment*, attractive nuisance, noise and falling objects, and the *general safety, welfare and quality of life of the community (emphasis added)*. See SCCC § 13.10.660(A). *Anthem's* application should be denied because the installation of such a massive eight (8) story tower, so unnecessarily close to residential homes, will adversely affect the visual character and the aesthetics of the adjacent properties, nearby properties, and the community in general.

Further, SCC § 13.10.660(B) found that "the proliferation of antennas, towers, satellite dishes, and other wireless communication facility structures could create significant, adverse visual impacts. Therefore, there is a need to regulate the siting, design, and construction of wireless communication facilities to ensure that the appearance and integrity of the community is not marred by unsightly commercial facilities, particularly in residential, historically significant, scenic coastal areas, and other environmentally sensitive areas."

Within its proposal, *Anthem* proposes to construct an eighty-three (83) foot tall cell tower in the heart of a residential community known for its natural beauty where it would be immediately visible to approximately one hundred (100) homes where no existing structure stands more than two (2) stories in height.

As such, the proposed tower would inflict upon the neighborhood, and the homes within it, the very types of adverse impacts which the Santa Cruz County Code was specifically enacted to guard against.

Collectively submitted as Exhibit "E" herewith, are letters from the homeowners whose homes are in close proximity to the proposed site. Within each of those letters, the homeowners



personally detail the adverse aesthetic and other impacts that the proposed installation would inflict upon their respective homes.

As federal Courts have ruled, where a local government is entertaining a cell tower application, it should accept, as evidence, such statements and letters of homeowners because they are in the best position to know and understand the actual extent of the impact they stand to suffer. *See e.g. Omnipoint Communications Inc. v. The City of White Plains*, 430 F2d 529 (2nd Cir. 2005). Furthermore, Federal Courts have consistently held that adverse aesthetic impacts are a valid basis on which to deny applications for proposed telecommunications towers. *See Omnipoint Communications Inc. v. The City of White Plains*, 430 F2d 529 (2nd Cir. 2005).

Each of the neighboring property owners have provided detailed and compelling explanations of the dramatic adverse impacts their properties would suffer if the proposed installation is permitted to proceed.

Such installation would dominate the skyline, tower over their homes and destroy the views from all areas of their properties and from both inside and outside of their homes.

Although *Anthem's* application calls for a cell tower with a "fake tree" design, the eight (8) story monstrosity will continue to stick out like a "sore thumb." There is no doubt that "fake tree" cell towers do not look like natural trees. The proposed eight (8) story monopine cell tower will constitute a visual blight that will loom over the community.

Such detailed descriptions of the adverse impacts that their respective homes in Santa Cruz County would sustain, and which Santa Cruz County should properly consider, are collectively submitted herewith as Exhibit "E" from: Mary N. Wessling, 867 Calabasas Road, Watsonville, CA; Sharon Heckert and David Farberow, 870 Calabasas Road, Watsonville, CA; Matthew D. Stoffel, 877 Calabasas Road, Watsonville, CA; Ritchie A. Wessling, 867 Calabasas

Road, Watsonville, CA; and Christine Denny, 899 Calabasas Road, Watsonville, CA.

Once again, all of the adverse aesthetic impacts which the proposed cell tower would inflict upon their respective homes is entirely unnecessary. First, it is unnecessary because *Anthem* does not need the proposed eight (8) story cell tower to provide wireless services within Santa Cruz County. Second, it is unnecessary because there are superior alternative locations where a new cell tower could be constructed, with far less dramatic impacts upon the community. There has been no showing by *Anthem* that this location is the least intrusive location.

(ii) The Proposed Installation Will Inflict a Substantial and Wholly Unnecessary Loss in the Values of the Adjacent and Nearby Residential Properties

In addition to the adverse impacts upon the aesthetics and residential character of the area at issue, the construction of such a massive tower at the proposed location would contemporaneously inflict an adverse impact upon the actual value of the several residential properties situated in close proximity to the proposed tower.

Across the entire United States, both real estate appraisers<sup>6</sup> and real estate brokers have rendered professional opinions which simply support what common sense dictates.

When large cell towers are installed unnecessarily close to residential homes, such homes suffer material losses in value which typically range anywhere from 5% to 20%.<sup>7</sup>

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<sup>6</sup> See e.g. a February 22, 2012 article discussing a NJ appraiser's analysis wherein he concluded that the installation of a tower in close proximity to a home had reduced the value of the home by more than 10%, go to <http://bridgewater.patch.com/articles/appraiser-t-mobile-cell-tower-will-affect-property-values>.

<sup>7</sup> In a series of three professional studies conducted between 1984 and 2004, one set of experts determined that the installation of a cell tower in close proximity to a residential home reduced the value of the home by anywhere from 1% to 20%. These studies were as follows:

The Bond and Hue - *Proximate Impact Study* - The Bond and Hue study conducted in 2004 involved the analysis of 9,514 residential home sales in 10 suburbs. The study reflected that close proximity to a Cell Tower reduced price by 15% on average.

The Bond and Wang - *Transaction Based Market Study*  
The Bond and Wang study involved the analysis of 4,283 residential home sales in 4 suburbs between 1984 and 2002. The study reflected that close proximity to a Cell Tower reduced the price between 20.7% and 21%.

The Bond and Beamish - *Opinion Survey Study*

In the worst cases, towers built near existing homes have caused the homes to be rendered wholly unsaleable.<sup>8</sup>

As has been recognized by federal Courts, it is perfectly proper for a local zoning authority to consider, as evidence, the professional opinions of real estate brokers, (as opposed to appraisers) as to the adverse impact upon property values which would be caused by the installation of a proposed cell tower. See Omnipoint Communications Inc. v. The City of White Plains, 430 F2d 529 (2nd Cir. 2005), and this is especially true when they are possessed of years of real estate sales experience within the community and specific geographic area at issue.

Given the reduction in property values which the nearby homes would sustain, the granting of *Anthem's* application would inflict upon the residential neighborhood the very impacts which the County Code sections were intended to prevent.

Accordingly, its application must be denied.

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The Bond and Beamish study involved surveying whether people who lived within 100' of a tower would have to reduce the sales price of their home. 38% said they would reduce the price by more than 20%, 38% said they would reduce the price by only 1%-9%, and 24% said they would reduce their sale price by 10%-19%.

<sup>8</sup> Under FHA regulations, no FHA (federally guaranteed) loan can be approved for the purchase of any home which is situated within the fall zone of a cell tower. *See* HUD FHA HOC Reference Guide Chapter 1 - hazards and nuisances. As a result, there are cases across the country within which: (a) a homeowner purchased a home, (b) a cell tower was thereafter built in close proximity to it, and (c) as a result of same, the homeowners could not sell their home, because any buyer who sought to buy it could not obtain an FHA guaranteed loan. *See, e.g.* October 2, 2012 Article "...Cell Tower is Real Estate Roadblock" at

<http://www.wfaa.com/news/consumer/Ellis-County-Couple--Cell-tower-making-it-impossible-to-sell-ho-me--172366931.html>.

B. *Anthem's* Application Must be Denied Because the Proposed Site of the Commercial Wireless Communication Facility is in a Residential Neighborhood.

SCCC § 13.10.660(B)(5) provides that "commercial wireless communication facilities are commercial uses and as such are generally incompatible with the character of residential zones in the County and, therefore, should not be located on residentially zoned parcels unless it can be proven that there are no alternative nonresidential sites from which can be provided the coverage needed to eliminate or substantially reduce significant gaps in the applicant carrier's coverage network."

As the proposed cell tower is to be located in a RA Residential Agricultural Zone, *Anthem's* application must be denied. Further, as shown above, *Anthem* has utterly failed to demonstrate that its carrier, *T-Mobile*, suffers from any significant gap in coverage whatsoever and there are various less intrusive locations that the proposed cell tower could be placed.

As such, *Anthem's* application must be denied.

C. *Anthem's* Application Must be Denied Because Wireless Communications Facilities Are Discouraged in Residential Agricultural (RA) Zones.

SCCC § 13.10.661(C) provides that "non-co-located wireless communication facilities are discouraged in the following zoning districts, subject to the exceptions described in subsection (C)(3) of this section and/or unless a Telecommunications Act exception is approved pursuant to SCCC 13.10.668" including in "Residential Agricultural (RA)" Zones.

*Anthem's* proposed installation is proposed to be located in an RA Residential Agricultural Zone. Because the proposed installation would not qualify for an exception under (C)(3) nor would it qualify for a Telecommunications Act exception (please see *supra*), *Anthem's* application must be denied.



D. Anthem's Application Must Be Denied Because it Does Not Meet the Standard for an Exception to the SCCC's Prohibition of Wireless Communication Facilities Within the RA Zone.

SCCC § 13.10.661(C)(3) provides that in order to be granted an exception to the prohibition of Wireless Communication Facilities within the RA Zone, "the applicant can prove that: (a) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and (b) There are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and or designs) outside the prohibited and restricted areas identified in subsections (B) and (C) of this section that could eliminate or substantially reduce said significant gap(s)."

As has been seen above, *Anthem* has utterly failed to show that its provider, *T-Mobile*, suffers from any gap in service. It has also failed to even consider the many potential less intrusive sites where such proposed tower could be placed.

Because the proposed tower installation is to be located in an RA Zone and *Anthem* has failed to show that it meets the requirements of an exception from this prohibition, *Anthem's* application must be denied.

E. Anthem's Application Must be Denied Because the Proposed Site is Not in the Least Visually Obtrusive Location.

SCCC § 13.10.661(F) provides that "wireless communication facilities shall be sited in the least visually obtrusive location that is technically feasible."

As can be seen above, *Anthem* has not proposed the least visually obtrusive location for its proposed cell tower. As can be seen by the home owner letters (*see* Exhibit "E"), this proposed tower at this site will be extremely visually obtrusive and will loom over the

community destroying all scenic views. Further, as can be seen above, there are various alternative locations where the proposed tower could be placed and be much less visually obtrusive.

As such, *Anthem's* application must be denied.

F. *Anthem's* Application Must be Denied Because the Proposed Cell Tower Will not Be Co-Located on an Existing Facility.

SCCC § 13.10.661(G) provides "co-location of new wireless facilities into/onto existing wireless communication facilities and/or existing telecommunication towers is generally encouraged if it does not create significant visual impacts."

As *Anthem* is proposing a new cell tower and not seeking to co-locate on another existing tower, its application must be denied.

G. *Anthem's* Application Must be Denied Because its Alternative Site Analysis was Defective.

SCCC § 13.10.662(C)(5) provides that the alternative site analysis that must be submitted with the application for every wireless communication facility "must document good faith and diligent attempts to rent, lease, purchase or otherwise obtain the use of at least two of the viable, technically feasible alternative sites which may be environmentally equivalent or superior to the proposed project site."

*Anthem's* Alternative Site Analysis (see Exhibit "D") gives short shrift in documenting good faith attempts to lease or purchase less intrusive alternative sites for the proposed wireless communications tower. The Alternative Site Analysis summarily and in a conclusory manner claims that they were unable to procure a lease from two alternative sites (not to mention that there were other various alternative locations that were not considered by *Anthem*).

The lack of any good faith effort to document efforts to place the proposed facility at

another site indicates that *Anthem's* application must be denied.

H. *Anthem's Application Must be Denied Because the Proposed Site will Damage the Visual Character of the Community.*

SCCC § 13.10.663(A)(1) provides that "site location and development of wireless communications facilities shall preserve the visual character, native vegetation and aesthetic values of the parcel on which such facilities are proposed, the surrounding parcels and the road rights-of way, and the surrounding land uses to the greatest extent that is technically feasible, and shall minimize visual impacts on surrounding land and land uses to the greatest extent feasible."

As was shown above in the home owner letters (*see* Exhibit "E"), the proposed facility will have severe aesthetic impacts.

As such, the *Anthem's* application must be denied.

I. *Anthem's Application Must be Denied Because the Proposed Site will Include Above Ground Equipment Shelters.*

SCCC § 13.10.663(B)(3) provides that "the County strongly encourages all support facilities, such as equipment shelters, to be placed in underground vaults, so as to minimize visual impacts." As the proposed facility includes above ground equipment cabinets, *Anthem's* application must be denied.

J. *Anthem's Application Must be Denied Because the Proposed Site is Not in Compliance with the General Plan.*

SCCC § 13.10.661 provides that "all wireless communications facilities shall comply with all applicable goals, objectives and policies of the General Plan/Local Coastal Program, area plans, zoning regulations and development standards." Further, according to the Land Use Element of the General Plan, it is the Goal of the General Plan to "provide an organized and

functional balance of urban, rural, and agricultural land use that maintains environmental quality; enhances economic vitality, protects public health, safety and welfare; and preserves the quality of life in the unincorporated areas of the County. *See General Plan Page 2-4.*

*Anthem's* proposed installation will cause serve adverse aesthetic impacts and severe reduction in property values. These adverse effects that would occur if the proposed tower is built would jeopardize the welfare of the people living in the Watsonville area and go in direct contravention of the Santa Cruz County General Plan.

As such, *Anthem's* application must be denied.

K. *Anthem's* Application Must be Denied Because the Proposed Structure Will Exceed the Maximum Allowable Height in the RA Zone.

SCCC § 13.10.323 provides that the maximum height of a structure within the RA Zone is to be 28 feet. Because the proposed facility is approximately fifty-five (55) feet taller than the maximum allowed height in the RA zone, *Anthem's* application must be denied.

L. If Santa Cruz County is Inclined to Grant *Anthem's* Application, It Must Condition Such Approval Upon Random Independent Testing of Such Facility to Ensure Compliance with FCC Regulations.

SCCC § 13.10.64(A) provides that "no wireless communication facility shall be located or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, no telecommunication facility or combination of facilities shall produce at any time power densities in any area that exceed the FCC-adopted standard for human exposure, as amended, or any more restrictive standard subsequently adopted or promulgated by the Federal government."

If the County of Santa Cruz is inclined to grant *Anthem's* application, even though there is an overwhelming basis to deny the application, the County should impose independent



random testing of the facility at the applicant's cost to ensure continuing compliance with FCC regulations.

### Point III

*Anthem's Application Should be Denied Because § 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 Would Allow Anthem to Subsequently Increase the Size of the Proposed Cell Tower Without Prior Zoning Approval.*

§ 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 provides "notwithstanding section 704 of the Telecommunications Act of 1996 or any other provision of law, a State or local government may not deny, and shall approve, any eligible request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." *See* 47 U.S.C. § 1455(a). Under FCC regulation, there is a "substantial change" when "it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater." *See* 47 C.F.R. § 1.40001(b)(7).

Under the FCC's reading of § 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, local governments are prohibited from denying modifications to cell towers unless the modification will "substantially change" the physical dimensions of the tower. The FCC defines "substantial change" to include any modification that would increase the height of the tower by more than ten (10%) percent or by more than "the height of one additional antenna with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater." Typical telecommunication antennas are usually eight (8) feet tall, so this provision would allow an increase in the cell tower's height by approximately twenty-eight (28) feet, with this height increase not being able to be challenged by local governments.

Under the FCC's regulation, once this proposed eighty-three (83) foot tall cell tower is put in place, *Anthem* at any time could increase the height of the tower by up to approximately twenty-eight (28) feet, and there would be no way for Santa Cruz County to prevent such an occurrence.

Even more alarming is the fact that *Anthem* is not prevented from making even further "modifications." Once *Anthem* has made its first modification, it can subsequently further modify the cell tower by increasing its height by approximately another twenty-eight (28) feet or by ten (10%) of the towers present height, whichever is greater. In this way, what was supposed to be an eighty-three (83) foot cell tower, after various "modifications," can become potentially a one hundred fifty (150) foot tower.

Because of the potential for abuse by *Anthem* once the tower is installed, *Anthem's* application should be denied.

#### **Point IV**

##### ***Anthem's* Application Should be Denied Because its Proposed Installation Does Not Provide a Sufficient Fallzone or Safezone**

Although Santa Cruz County has not enacted a specific setback/fallzone requirement for cell towers, local governments across the entire United States have enacted setback/fallzone requirements for cell towers for the purpose of protecting their citizenry, and the public at large, against the potential adverse impacts which irresponsibly placed towers present. There are three (3) physical dangers that have induced local governments to adopt specific setback requirements for cell towers, and which serve as the reason why the required setback distances for cell towers are invariably tied directly to the height of respective towers.

These dangers are ice fall, debris fall and structural failures.

Since the entire leased compound described by *Anthem* is to be only 70 foot x 50 foot with the cell tower measuring eighty-three (83) feet, it is factually impossible to afford a sufficient safezone or fallzone to afford safety to the public.

Despite the fact that the cell tower will be located on a larger property, *Anthem* will only be leasing a 70' x 50' parcel of that property with a 6 foot wide access easement to get to and from the compound. *Anthem* only has the power to exclude people from the leased 70' x 50' parcel and cannot prevent people from going elsewhere on the larger property and protect them. Even if the eighty-three (83) foot tall cell tower is placed in the very center of the 70' by 50' compound, the eight (8) story cell tower would be set back only approximately 25 feet from two sides of the leased parcel and 35 feet from the other two sides of the leased parcel. The location of this tower on such a small parcel of leased land makes it impossible for *Anthem* to afford safety to the public.

Since *Anthem* is entirely without power to exclude persons from entering the area outside of its small leased parcel, *Anthem's* proposed compound offers absolutely no protection to anyone who could be standing or passing outside of its compound but within the fallzone of the tower or debris fall zones of the tower.

#### Structural Failures

There are well-documented multiple dangers from structural failures of all types of cell towers, from lattice structures to monopoles, wherein a component of an installation fails, causing an element or part of the structure to hurdle to the ground, or in some cases, the entire tower to collapse<sup>9</sup> or to burst into flames and fall over.<sup>10</sup>

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<sup>9</sup> To see dramatic images of a 165-foot tower having collapsed at a firehouse, crushing the Fire Chief's vehicle, go to [www.firehouse.com/news/10530195/oswego-new-york-cellular-tower-crushes-chiefs-vehicle](http://www.firehouse.com/news/10530195/oswego-new-york-cellular-tower-crushes-chiefs-vehicle), or go to Google and search for "Oswego cell tower collapse."

<sup>10</sup> To see videos of modern towers bursting into flames and/or burning to the ground, go to

Some of the most common elements and areas of failure which result in the collapse of cell towers are baseplates,<sup>11</sup> flanges, joints, bolts and guy wires.<sup>12</sup>

This danger is even made more acute by the fact that Santa Cruz County is very susceptible to earthquakes. A large earthquake could potentially cause the potential cell tower to fall to the earth causing harm and danger to anyone within the fallzone.

#### Debris Fall

Finally, there is the danger of falling debris, and more specifically, items dropped or caused to fall during routine maintenance activities that must be performed upon such towers on a regular basis.<sup>13</sup>

To afford adequate protections against these very real dangers, local governments have imposed setback requirements to afford sufficiently sized buffer/safety areas to ensure the safety of both their citizens and the public at large.

These buffer or safety zones consist of an area surrounding a tower which is restricted from public or personal access, and which is large enough to ensure that if a tower were to fail or collapse, or ice were to hurdle downward from the top of it, nobody would be close enough to be injured or killed by same.

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<http://www.youtube.com/watch?v=0cT5cXuyiYY&NR=1> or <http://www.youtube.com/watch?v=yNKVWrazg>, or simply go to *Google*, and search for "cell tower burns."

<sup>11</sup> To see images of monopole baseplate failures, go to <http://residentsact.blogspot.com/2007/11/just-how-safe-are-monopole-cell-towers.html>

<sup>12</sup> To see multiple images of telecommunications towers which have collapsed, go to google, type in a search for "radio tower collapse", and then choose "images" from the search results.

<sup>13</sup> Annexed hereto as Exhibit "F" is a page from a study completed by a consultant hired by the City of Brookfield Wisconsin, - which depicts a lump hammer which had been dropped from a cell tower during routine maintenance, and crashed through the roof of a nearby structure.



A sample of a typical local government zoning regulation which actually describes such concerns is the Town of Huntington, NY Code Section §113 which provides as follows:

“It shall be demonstrated to the satisfaction of the Town Board that the proposed facility is set back adequately to prevent damage or injury resulting from ice fall or debris resulting from the failure of a wireless telecommunications facility, or any part thereof and to avoid and minimize all other impacts upon adjoining properties.”

Huntington Town Code §113-58.1(F)

As a rule of thumb, to ensure that a buffer/safety zone of sufficient size is maintained, knowledgeable local governments across the Country have enacted ordinances that generally require minimum setbacks ranging from 100% to 200% of the height of a respective communications tower.

Although Santa Cruz County does not have a specific setback requirement, it should be determined that the required minimum setback in this case should, on all sides, be at least equal to 100% of the height of the respective tower. Since *Anthem's* proposed tower does not meet such setback requirements, nor afford a sufficiently safe fallzone around its proposed tower to restrict access to the zones for structural failures, ice fall or debris fall (especially since the propose cell tower will be in an area where earthquakes are common), its application should be denied.

#### **Point V**

*Anthem's* Application Must Be Denied Because the Applicant's  
Photo Submission is Defective and Should be Disregarded Entirely

In connection with its application, *Anthem* has provided various photographs and/or photo simulations in an effort to persuade Santa Cruz County that the adverse aesthetic impact, which its proposed compound and tower would inflict upon the community, would not be substantial.

Such simulations and presentations are inherently defective, and should be wholly disregarded by the County because the applicant has conveniently abstained from providing images taken from the perspective of the nearby homes, or any location which would reflect the most significant adverse aesthetic impacts.

As is likely known to the applicant, photo simulations of proposed cell towers are inherently defective, and serve no legitimate purpose from a zoning perspective, when they do not include recorded images taken from the properties of nearby residential homes which stand to suffer the most significant adverse aesthetic impact if the proposed installation is constructed.

In Omnipoint Communications Inc. v. The City of White Plains, 430 F2d 529 (2nd Cir. 2005), a federal court explicitly ruled that where, as here, a proponent of a cell tower presents a visual impact study wherein they “omit” from the study any images or analysis of the perspectives of homeowners whose homes are in close proximity to the proposed installation, the study is inherently defective, and should be properly disregarded by the respective government entity that received it. As was explicitly stated by the federal court, “the Board was free to discount Omnipoint’s study because it was conducted in a defective manner. . . because the study was conducted without notice to the Board or the community, the observation points were limited to locations accessible to the public roads, and no observations were made from the residents’ backyards much less from their second story windows” *Id.*

Not surprisingly, the images presented by *Anthem* do not include any images taken from the properties of the nearby homeowners who have provided detailed descriptions of the adverse aesthetic impacts their respective homes will sustain if the proposed tower is constructed. (See Exhibit "E" letters).

As such, in accord with the federal court’s holding in Omnipoint, the applicant’s photo submission must be disregarded in its entirety.<sup>14</sup>

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<sup>14</sup> See Exhibit "G," *Anthem's* August 2015 Photosimulation.

## Point VI

### To Comply With the TCA *Anthem's* Application Should Be Denied in a Written Decision Which Cites the Evidence Provided Herewith

The Telecommunications Act of 1996 requires that any decision denying an application to install a cell tower: (a) be made in writing, and (b) be made based upon substantial evidence, which is discussed in the written decision. *See* 47 U.S.C.A. §332(c)(7)(B)(iii).

#### The Written Decision Requirement

To satisfy the requirement that the decision be in writing, a local government must issue a written denial which is separate from the written record of the proceeding, and the denial must contain a sufficient explanation of the reasons for the denial to allow a reviewing Court to evaluate the evidence in the record supporting those reasons. *See e.g. MetroPCS v. City and County of San Francisco*, 400 F.3d 715(2005).

#### The Substantial Evidence Requirement

To satisfy the requirement that the decision be based upon substantial evidence, the decision must be based upon such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. "Substantial evidence" means "less than a preponderance, but more than a scintilla. Review under this standard is essentially deferential, such that Courts may neither engage in their own fact finding nor supplant a local zoning board's reasonable determinations. *See e.g. American Towers, Inc. v. Wilson County*, Slip Copy 59 Communications Reg. P & F 878 (U.S.D.C. M.D. Tennessee January 2, 2014)[3:10-CV-1196]

To ensure that the Board's decision cannot be challenged under the Telecommunications Act of 1996, it is respectfully requested that the Board deny *Anthem's* application in a separate written decision, wherein the Board cites the evidence based upon which it made its

determination.

### CONCLUSION

In view of the forgoing, it is respectfully submitted that *Anthem's* application should be denied in its entirety.

Respectfully Submitted,

Matt Stoffel





**T-Mobile.**

**SITE NAME:**  
**ANTHEM CALABASAS**

**SITE NUMBER:**  
**SF15024C**

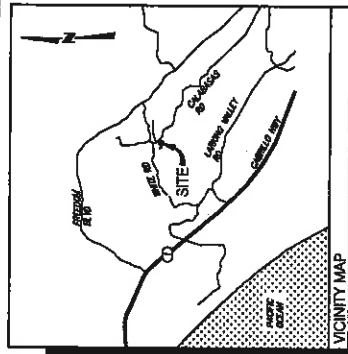
**SITE NAME:**  
**APTOS**  
875 CALABASAS RD  
WATSONVILLE, CA 95076



APTOS  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

08/17/15

### GENERAL NOTES



### VICINITY MAP

[illegible][illegible][illegible][illegible][illegible]

136 2ND ST SAN FRANCISCO, CA 94105

-SET ON -160 W  
-FOLLOW 155-161 W  
-THAT EXT 11A FROM CA-18 S. CONTINUE TO SANTA CRUZ  
-THAT EXT 18 FROM CA-17 S, FOLLOW CA-1 S TO  
-THAT EXT 43A FROM CA-1 S  
-THAT EXT 43A FROM CA-1 S  
-CONTINUE ON FREEDOM BLVD  
-CROSS TO CARABASO RD N. APPROX HILLS-JACKSON VALLEY  
879 CARABASO RD  
MILLSBORO, CA 94778

<b>DIRECTIONS</b>	ALL WORK AND MATERIALS SHALL BE PROVIDED AND INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AS ADOPTED BY THE LOCAL GOVERNMENT OF THE CITY OF LOS ANGELES. THIS PLUMBING IS TO BE CONSIDERED TO PERMIT WATER HOT COULDRATING.
2013 OUTSIDE PLUMBING CODE (MCC)	2013 INTERNATIONAL BUILDING CODE (IBC)
(INCL. TITLES 24 & 29)	2012 INTERNATIONAL CODE (ICC)
2013 CALIFORNIA PLUMBING CODES	2012 APACHE PLUMBING CODE (IPC)
2013 CALIFORNIA PLUMBING CODES	2012 CALIFORNIA PLUMBING CODE (CALC)
2013 CALIFORNIA PLUMBING CODES	2011 BUILDING CODE (BLC)
2013 CALIFORNIA ELECTRONIC CODES	CITY / COUNTY ORDINANCES

[illegible]

ALWAYS USE THE OTHER AFFORDABLE LOOK

## APPLICABLE CODES

1

SITE NAME:	APRIS
SITE ADDRESS:	878 CALABRES RD REDWOODVILLE, CA 95078
APPLICANT:	ARMED TELECOM
PRIORITY OFFER:	LEONARD A. MAJAL SR. DANA M. MAJAL 878 CALABRES RD REDWOODVILLE, CA 95078

CONTACT:	A.P.J.L.	CURRENT ZONE:	SANJA CRUZ COUNTY
		COORDINATE:	SA
		LATITUDE:	36°N 05' 17" NAD 83
		LONGITUDE:	-121° 49' 54.80" WAD 83

10

## PROJECT SUMMARY

\_\_\_\_\_

[illegible][illegible]

### Measuring Pain

[illegible]

PROJECT DESCRIPTION

1

S/NL NO.	DESCRIPTION
1-1	WALL 9'-X-2'
2-1	WALL 9'-X-2'
3-1	WALL 9'-X-2'
4-1	WALL 9'-X-2'
5-1	WALL 9'-X-2'
6-1	WALL 9'-X-2'
7-1	WALL 9'-X-2'
8-1	WALL 9'-X-2'
9-1	WALL 9'-X-2'
10-1	WALL 9'-X-2'
11-1	WALL 9'-X-2'
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13-1	WALL 9'-X-2'
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1-2	STAGE EIGHTY-EIGHT WORK</	

[illegible]

U.S.-1	LANDSCAPING PLAN
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SHEET INDEX

**CHECKED BY:**

NO	DATE	ISSUE
1	07.15.19	BOOK ZOWING
2	09.30.19	BOOK ZOWING
3	10.09.19	BOOK REMAINS
4	10.13.19	BOOK REMAINS
5	09.07.18	BOOK T-MOBILE
6	10.06.18	BOOK T-MOBILE
7	10.17.18	BOOK T-MOBILE
8	11.06.16	BOOK GEN. T-MOBILE

9	12.01.18	141	DISH ADD	
10	04.21.17	100%	ZD LAMOSCAPING	
11	04.26.17	100%	ZD LAMOSCAPING	
12	06.09.17	100%	ZD LAMOSCAPING	

116

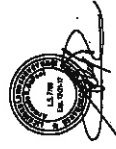
10-11-1967

SHEET NUMBER

**T-Mobile**  
Stick Together  
2000 BULLY AVENUE  
IRVINE, CA 92614

**ANHEIM**

**CAL VADA SURVING, INC.**  
CORNELL UNIT  
10718  
10718  
10718



REVISION	DATE	DESCRIPTION
1	01/11/07	ORIGINAL

**ANHEIM APTOS**  
SF16024C  
876 CALABASAS RD,  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

**TOPOGRAPHIC SURVEY**

**C-1**  
SHEET 1 OF 1

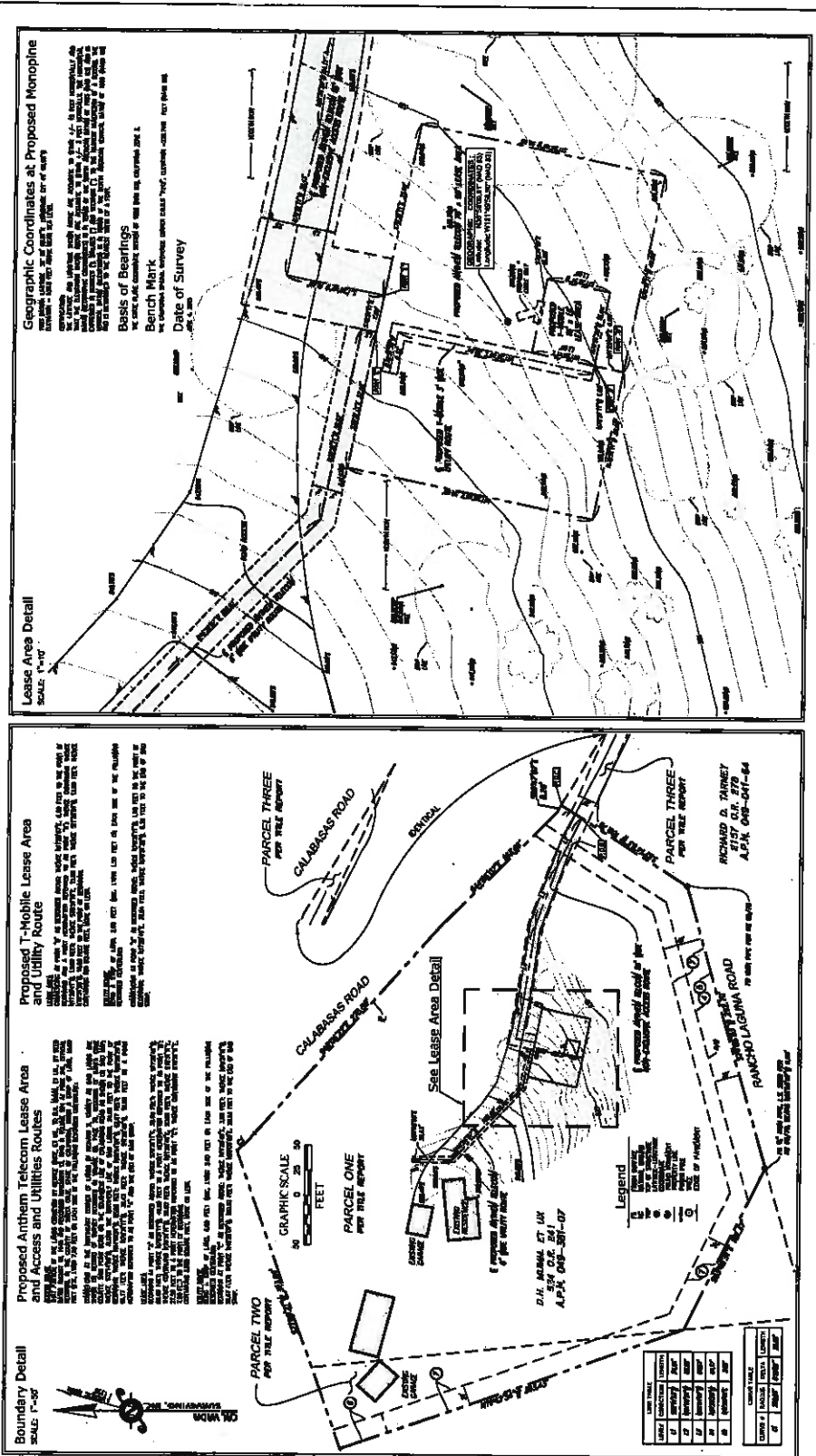
**Title Report**  
This report is prepared for the purpose of providing information regarding the legal status of the property described herein. It is not intended to constitute a warranty of any kind, and it is not to be relied upon as such. The information contained herein is based on the records of the County of Santa Cruz, California, and the records of the State of California, and is not to be relied upon as such.

**Legal Description**  
The property described herein is located in the County of Santa Cruz, California, and is described as follows: [Detailed legal description of the property, including its location, area, and any existing encumbrances.]

**Vicinity Map**  
The vicinity map shows the location of the property within the County of Santa Cruz, California, and its proximity to the following roads: [List of roads shown on the map.]

**Proposed T-Mobile Lease Area and Access and Utilities Routes**  
The proposed T-Mobile lease area is shown on the map, and is described as follows: [Detailed description of the proposed lease area, including its location, area, and any existing encumbrances.]

**Proposed Anthem Telecom Lease Area and Access and Utilities Routes**  
The proposed Anthem Telecom lease area is shown on the map, and is described as follows: [Detailed description of the proposed lease area, including its location, area, and any existing encumbrances.]



**MT<sup>2</sup>**  
TELECOM, LP  
10155 A LARSEN RD  
SAN FRANCISCO, CA 94109  
(415) 398-1000  
FAX (415) 398-1000

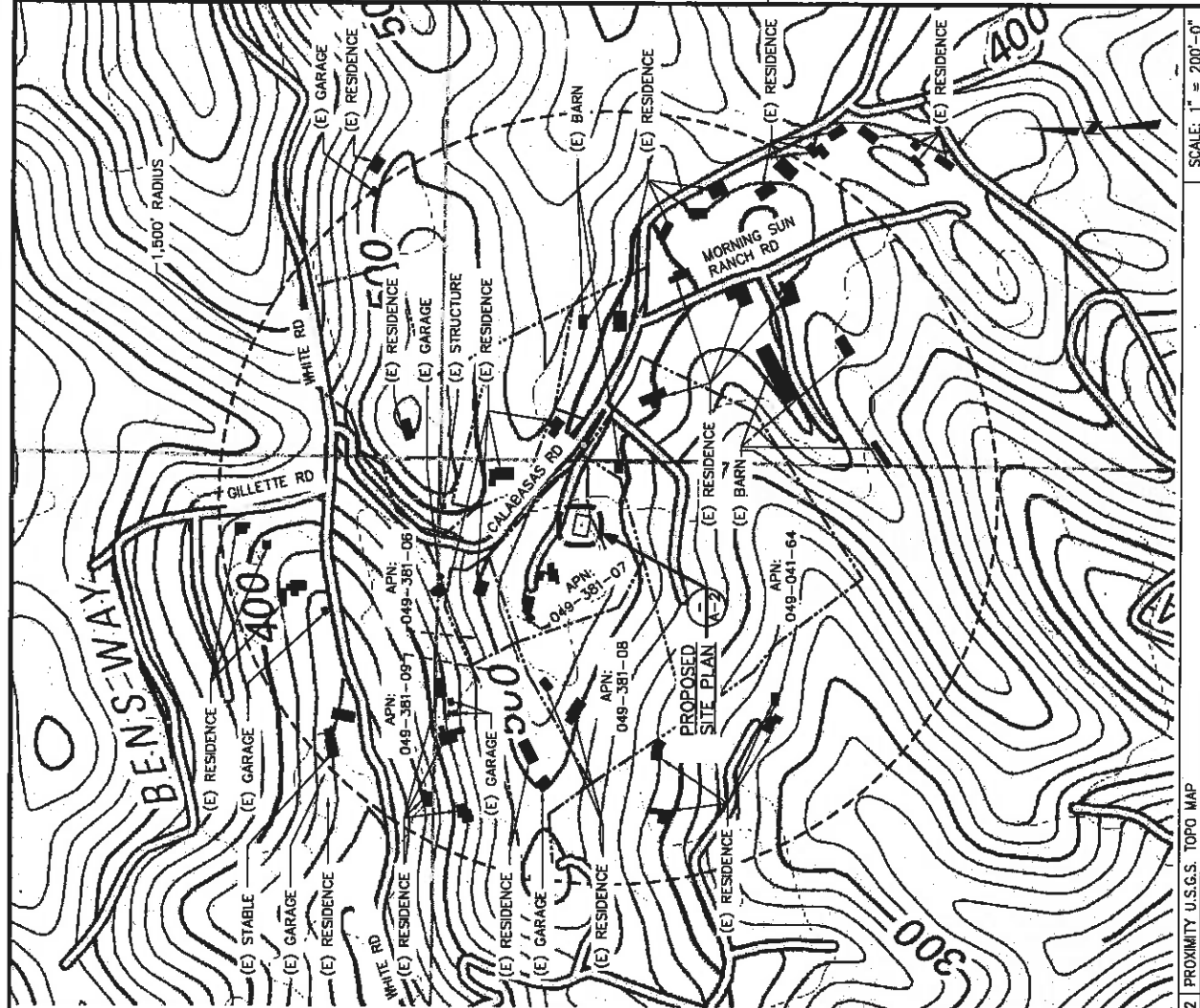
**ANTHEM**  
138 2ND ST  
SAN FRANCISCO, CA 94105  
(415) 840-7400

APTDS  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

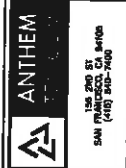
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CHECKED BY:	SAC, MT <sup>2</sup> JR
DATE:	08/15/13
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U.S.G.S.  
TOPO MAPS  
SHEET NUMBER:  
A-0  
COMPANY JOB NO.: 000000







APTOS  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

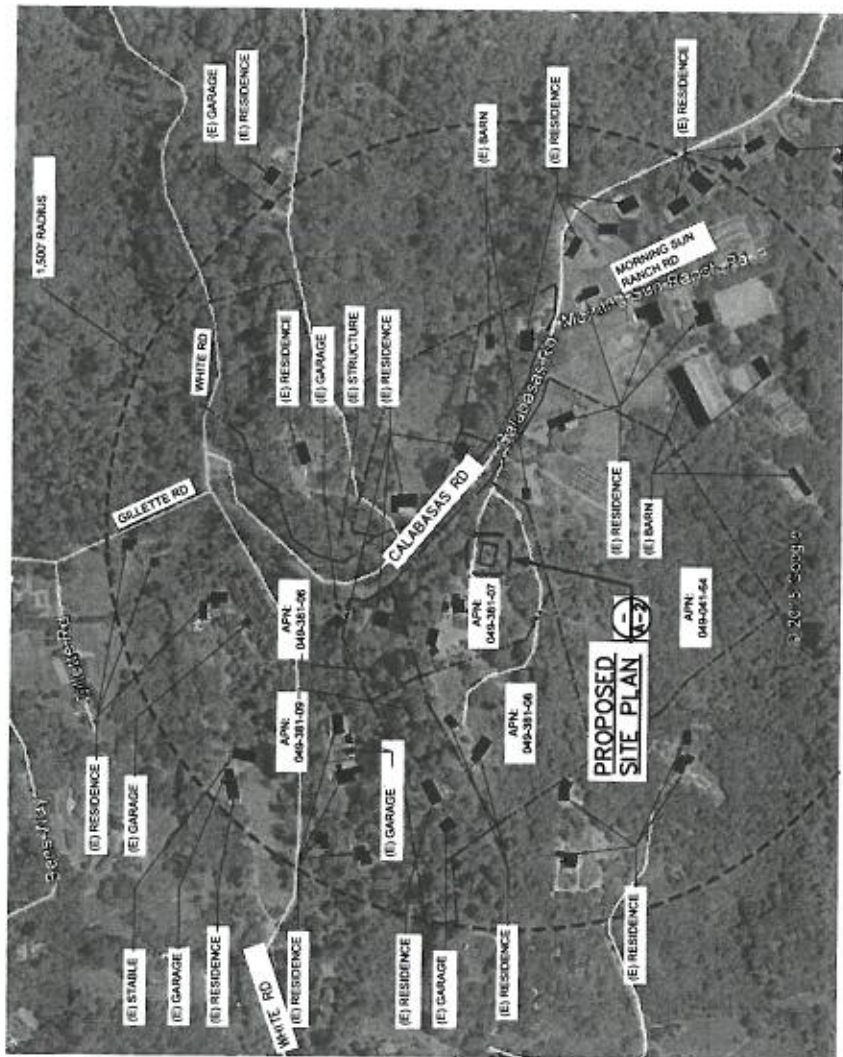
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CHECKED BY:	SAL MIZ JR
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4	10/15/10
5	09/07/10
6	10/06/10
7	10/17/10
8	11/06/10
9	12/01/10
10	04/21/11
11	04/28/11
12	06/28/11

AERIAL  
PROXIMITY MAP

SHEET NUMBER  
A-1

COURTESY AND INC. 950000



SCALE: 1" = 200'-0"

1 AERIAL PROXIMITY MAP





1000 MARKET STREET  
 SUITE 200  
 SAN FRANCISCO, CA 94103  
 (415) 774-8888

1000 MARKET STREET  
 SUITE 200  
 SAN FRANCISCO, CA 94103  
 (415) 774-8888

APPROVED

875 CALABASAS RD  
 WATSONVILLE, CA 95076  
 SANTA CRUZ COUNTY

STAMP:

DESIGNED BY: J. MONTAGNEZ

CHECKED BY: S. K. J. JR.

DATE: 10/15/15

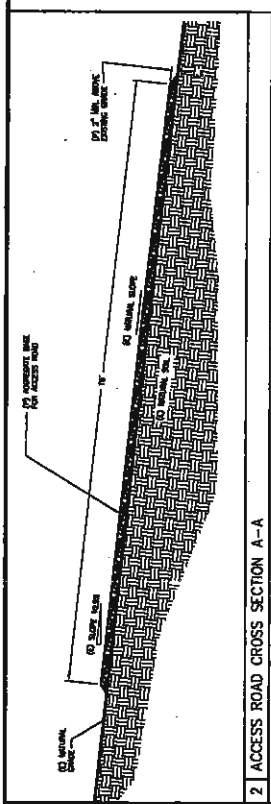
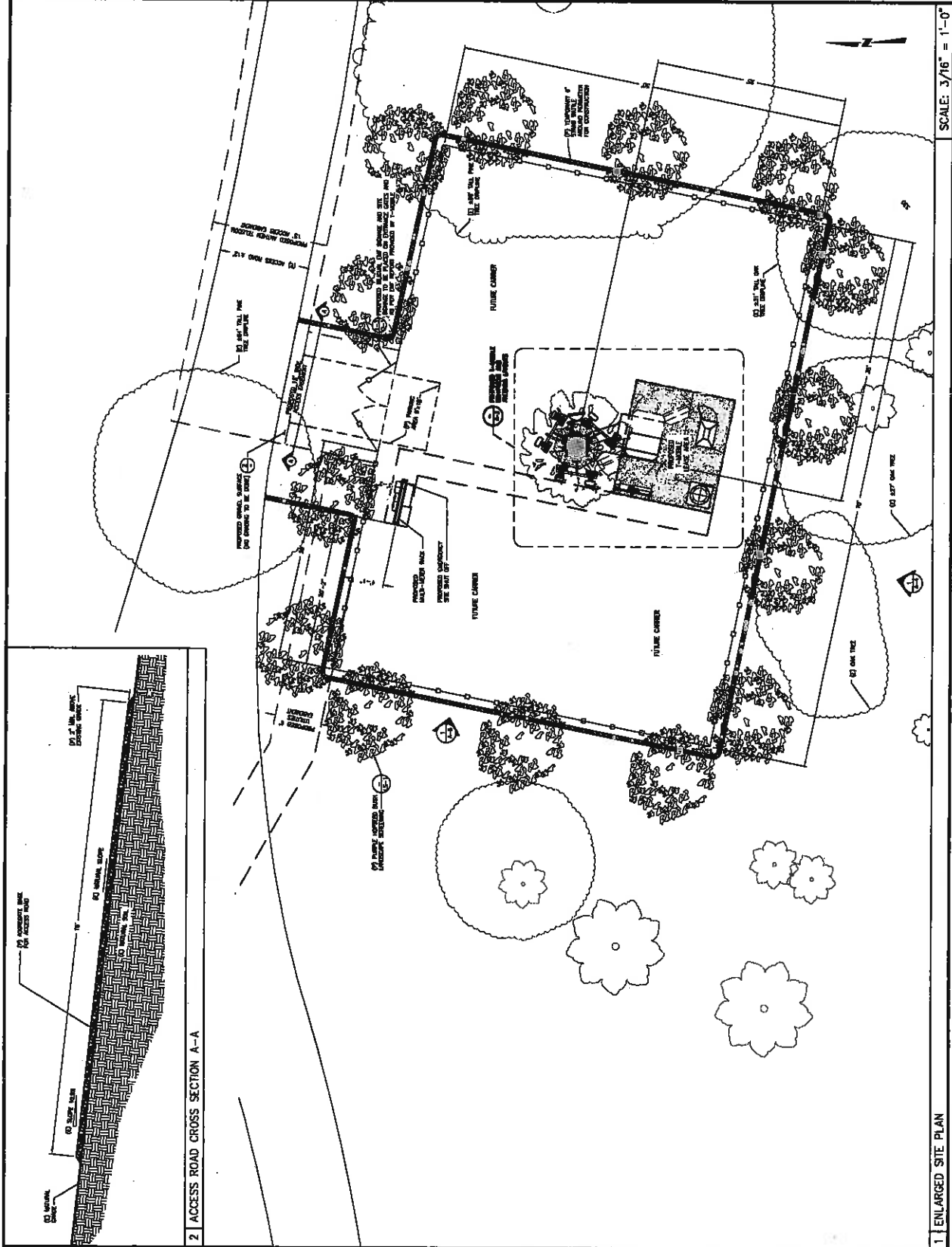
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6	10.06.16	002 ZONING
7	10.17.16	002 ZONING
8	11.02.16	002 ZONING
9	11.02.16	002 ZONING
10	11.02.16	002 ZONING
11	11.02.16	002 ZONING
12	11.02.16	002 ZONING

ENLARGED SITE PLAN

SHEET NUMBER

A-2

COMPANY AND PROJ. NO. 000000



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

1 | ENLARGED SITE PLAN



**NAT 2**  
TELECOM, LP  
1700 14TH ST, SUITE 100  
SAN FRANCISCO, CA 94103  
TEL: (415) 774-1000  
FAX: (415) 774-1001

**ANTHEM**  
1205 2ND ST  
SAN FRANCISCO, CA 94103  
(415) 942-7400

**APTOS**  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

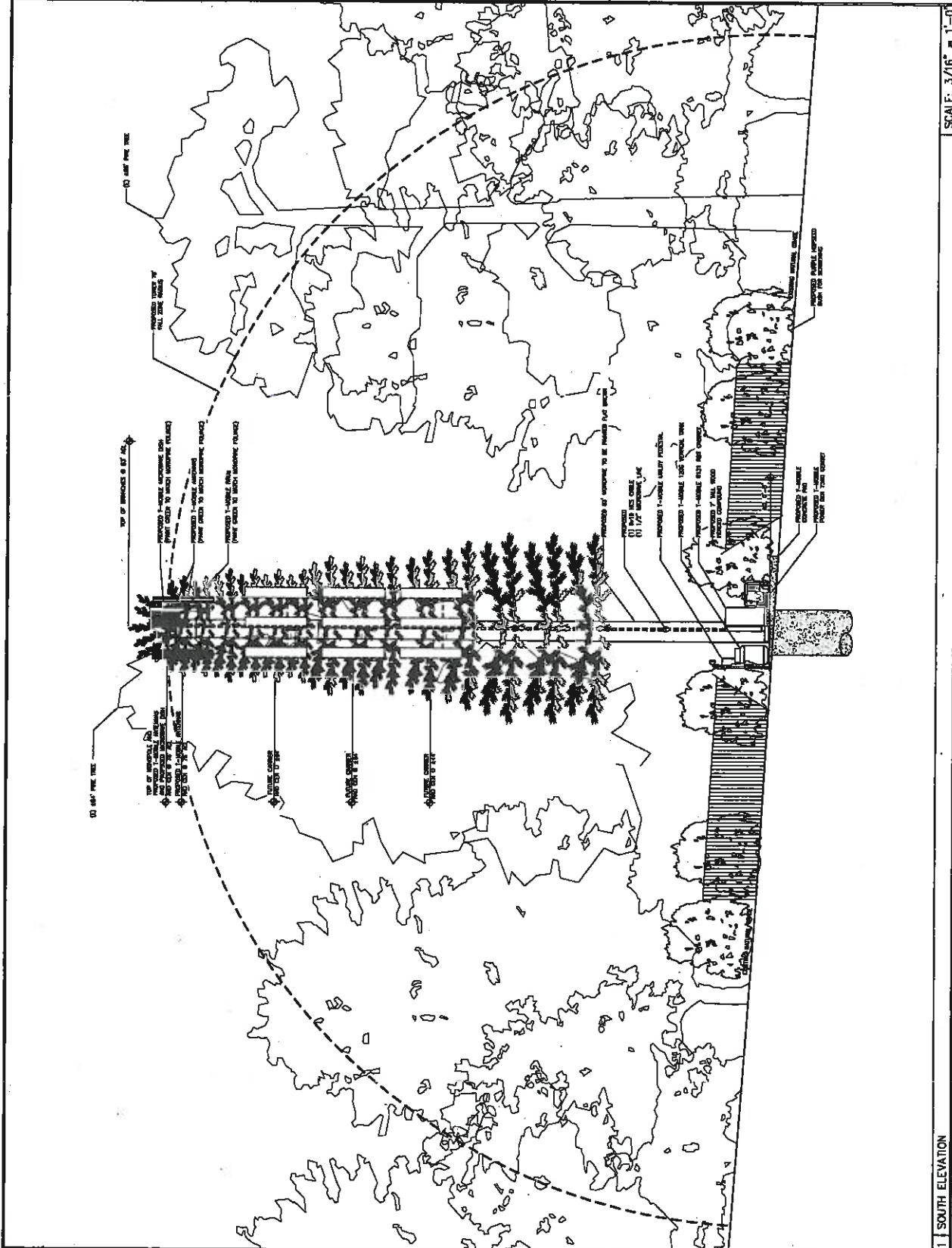
STAMP:

DESIGNED BY:	EL. MONTANEZ
CHECKED BY:	SAM MITZ JR.
NO.	DATE
1	07/15/15
2	08/30/15
3	10/06/15
4	10/13/15
5	09/27/15
6	10/06/15
7	11/17/15
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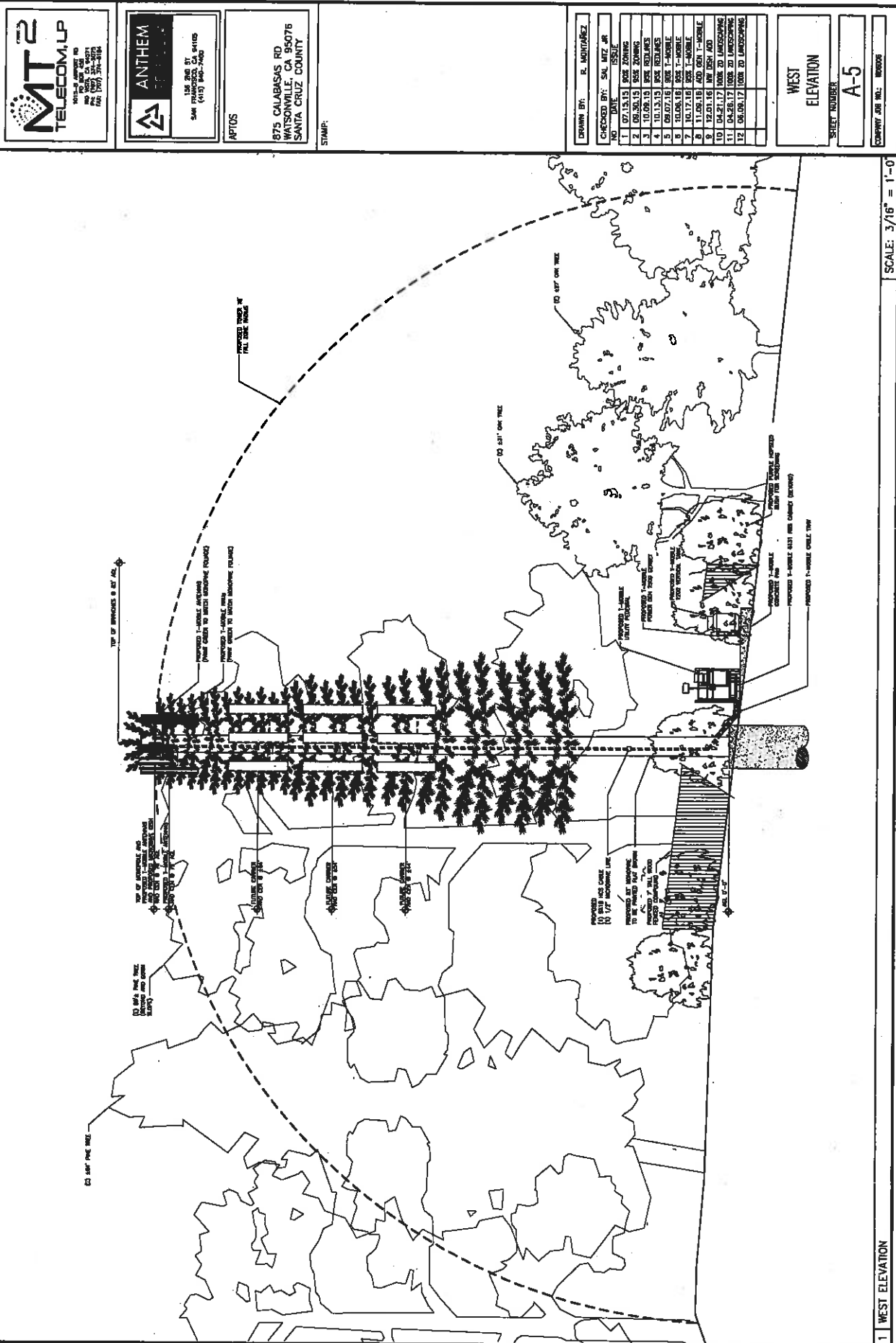
**EQUIPMENT AND ANTENNA LAYOUTS**

**A-3**

COMPANY AND NO.: WOODS







**MTS**  
TELECOM, LP  
1000 CALIFORNIA STREET  
SAN FRANCISCO, CA 94109  
(415) 398-3800

**ANTHEM**  
1350 2ND ST  
SAN FRANCISCO, CA 94105  
(415) 840-7600

APTOS  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

STAMP:

NO.	DATE	BY	DESCRIPTION
1	07.13.15	SSS	SSS ZONING
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5	09.07.16	SSS	SSS ZONING
6	10.08.16	SSS	SSS ZONING
7	10.17.16	SSS	SSS ZONING
8	11.03.16	SSS	SSS ZONING
9	12.01.16	SSS	SSS ZONING
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11	04.26.17	SSS	SSS ZONING
12	06.08.17	SSS	SSS ZONING

WEST  
ELEVATION

SHEET NUMBER  
**A-5**

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

ATTACHMENT D







APTD  
875 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

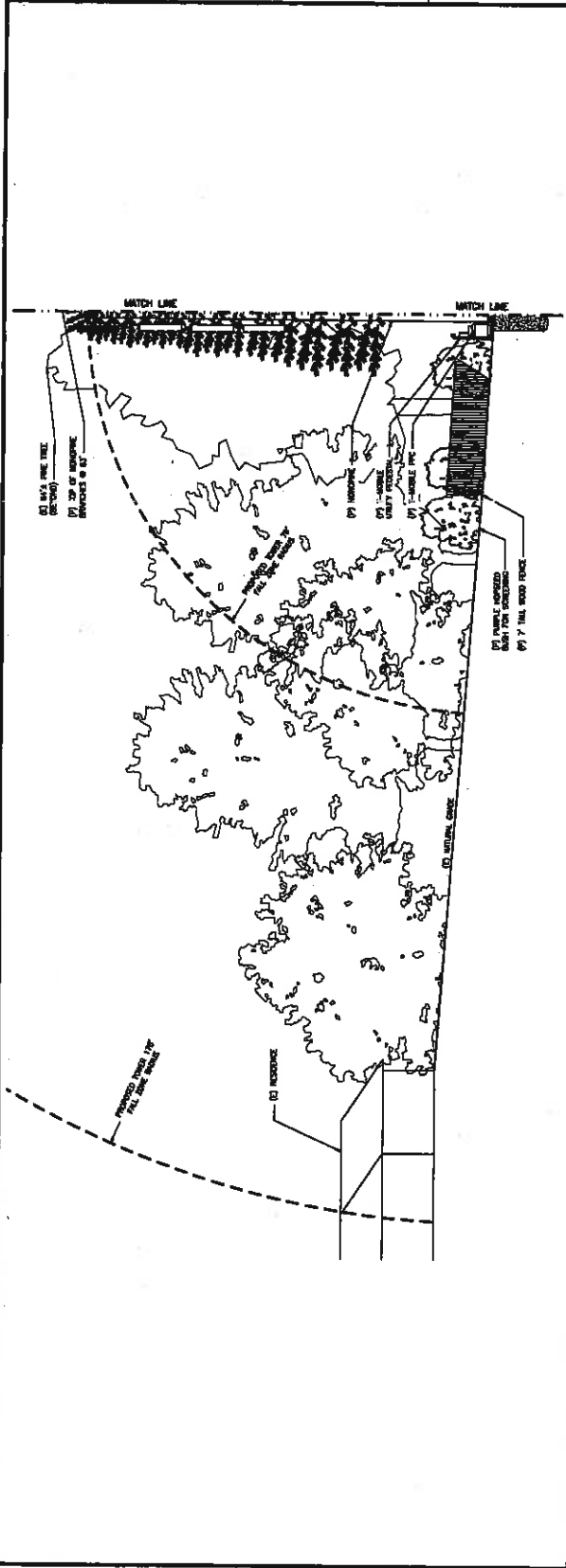
STAMP

DESIGN BY:	R. MONTANEZ
CHECKED BY:	SAL BIZ JR
DATE:	10/11/11
ISSUE:	1
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2	01.01.11
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12	01.01.11

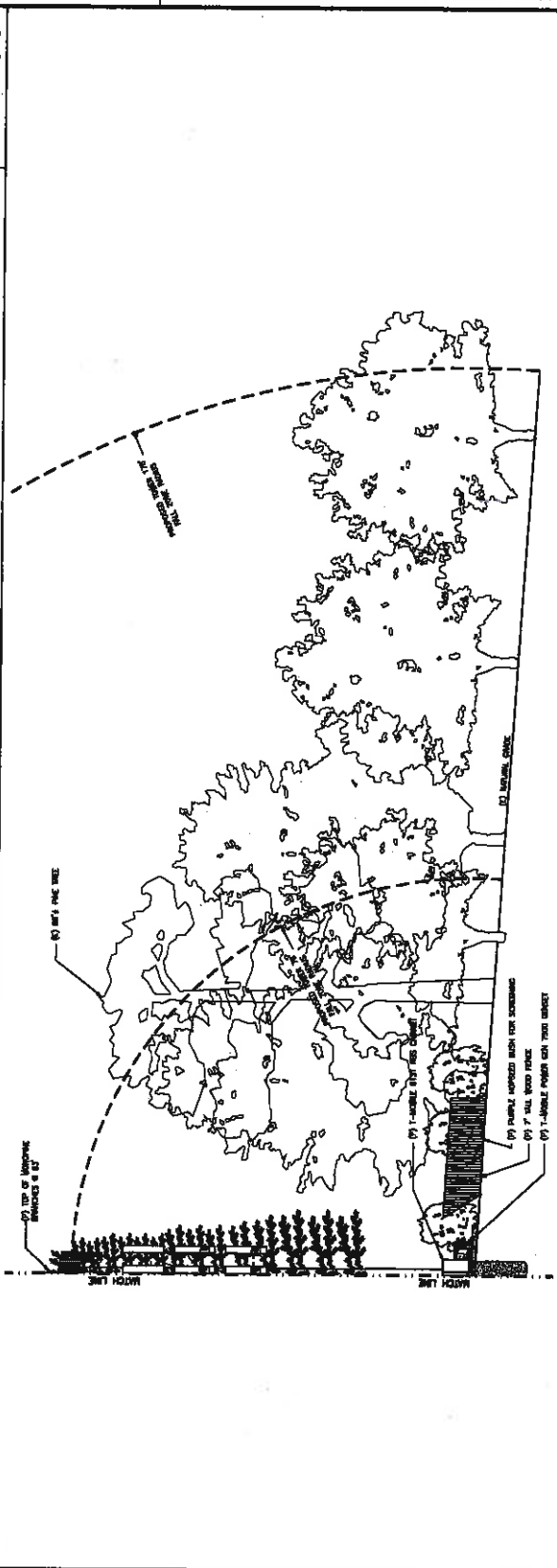
SOUTH ELEVATION  
CROSS SECTIONS

SHEET NUMBER  
A-8

CURRENT JOB NO. 100000

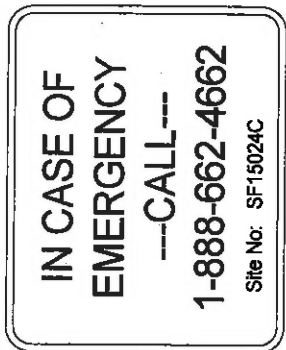


2 SOUTH ELEVATION CROSS SECTION  
SCALE: 1" = 10'-0"



1 SOUTH ELEVATION CROSS SECTION  
SCALE: 1" = 10'-0"



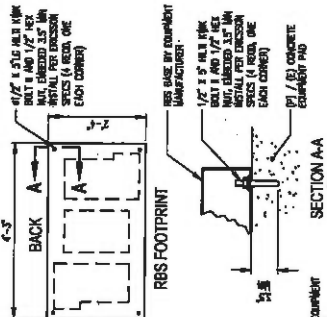


## 2 | GUIDELINES FOR WORKING IN RE SIGN

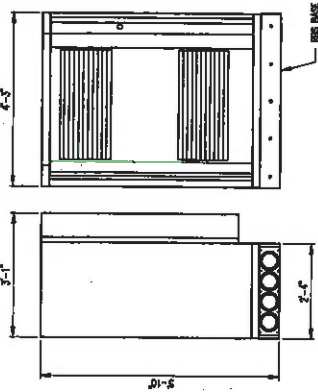
EMERGENCY SITE SIGN	
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4	AIR21 B4A/B2P
---	---------------



6 | RBS 6131 CABINET DETAILS



B	GPS UNIT
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## MENT D





APROS  
875 CALABASAS RD  
WILSONVILLE, CA 95076  
SANTA CRUZ COUNTY

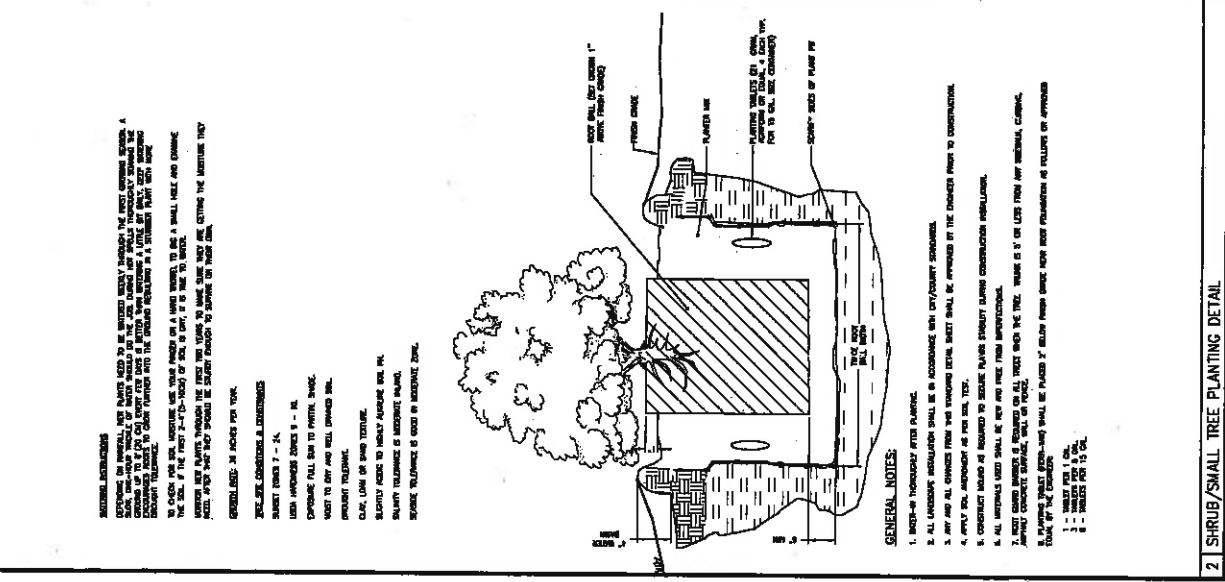
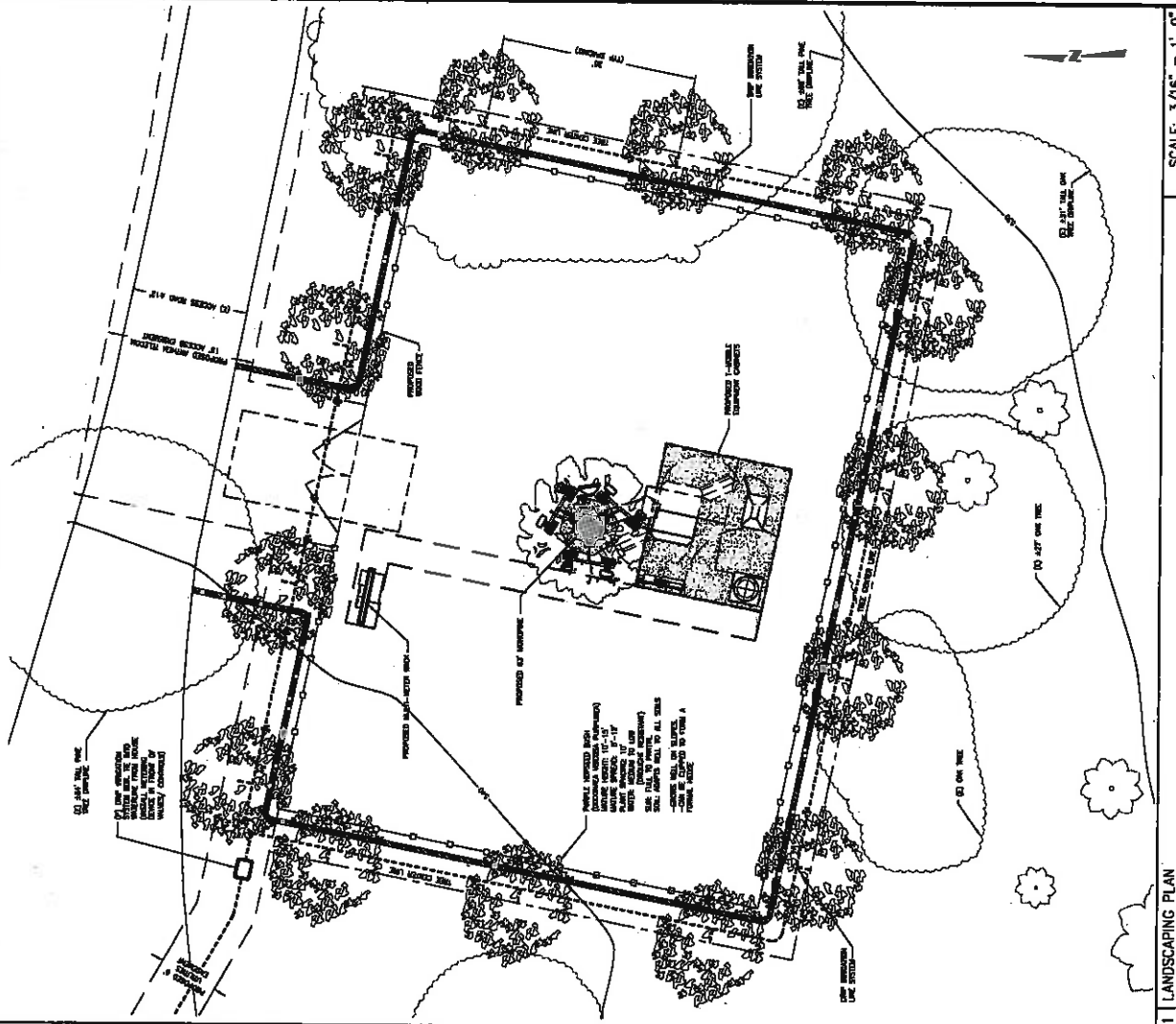
STAMP

DRAWN BY:	R. MONTAÑEZ		
CHECKED BY:	SAL MIZ JR		
NO	DATE	ISSUE	
1	07.15.15	ISSUE	
2	08.05.15	REV ZONING	
3	08.05.15	REV ZONING	
4	10.13.15	REV REDLINES	
5	09.02.16	REV L-ADDITION	
6	10.06.16	REV L-ADDITION	
7	10.17.16	REV L-ADDITION	
8	11.09.16	REV L-ADDITION	
9	12.01.16	REV L-ADDITION	
10	04.21.17	REV L-ADDITION	
11	04.28.17	REV L-ADDITION	
12	04.09.17	REV L-ADDITION	

LANDSCAPING  
PLAN

SHEET NUMBER  
LS-1

DATE: 07/15/15





# TEK CONSULTING INC.

November 3, 2017

Ms. Lezanne Jeffs  
County of Santa Cruz Planning Department  
Attn: Lezanne Jeffs, Senior Planner  
701 Ocean Street – 4th Floor  
Santa Cruz, CA 95060

Dear Ms. Jeffs:

In response to instructions provided by the Santa Cruz County Zoning Administrator during the September 15, 2017 public hearing on Anthem Telecom's Commercial Development Permit application for a multi-carrier wireless communications located at 875 Calabasas Road in Watsonville, Anthem is hereby presenting the attached supplemental information in support of its proposal.

## 1. Leasing alternatives evaluation.

Anthem believes that its proposed wireless communications facility is located at the most viable, technically feasible, environmentally superior site serving the coverage objectives: The multiple valleys in the Aptos Hills area, and the roads and homes situated within them. Attached as **Exhibit 1A** are Sheets A-0 and A-1 from Anthem's previously submitted zoning drawings indicated a 1,500-foot radius around Anthem's proposed wireless communications facility. T-Mobile's search ring for this site is located entirely within the circled area. Anthem has evaluated all properties within this area for siting feasibility. On September 25, 2017, Anthem sent certified letters to owners of those properties that may meet the following zoning and technical criteria for a multi-carrier wireless communications facility, despite the engineering deficiencies they could present:

- Properties on the same ridgeline as Anthem's proposed wireless communications facility, with minimally impeded views of the coverage objectives.
- Properties with zoning designations that permit multi-carrier wireless communications facilities—in this case, all within the Restricted Area, per section 13.10.661 of the County's ordinance.
- Properties that may have the size, topographic and natural landscape features that combine to provide the context for the proposed wireless communications facility to blend seamlessly into the existing public view.

These letters invite the recipients to explore the possibility of leasing portions of the subject properties to Anthem for Anthem's proposed multi-carrier wireless communications facility. Copies of these letters are attached as **Exhibit 1B**. As of the date of this letter, Anthem has received the attached return receipts on five of the six letters sent. Anthem has received two owner responses:

- Attached postmarked October 5, 2017 letter from Ritchie A. Wessling and Mary M. Wessling.
- October 6, 2017 voicemail message from Christine Denny indicating that the Denny's house is for sale, that Ms. Denny thinks it is under contract, that the Denny's are not the parties to contact, that she does not want to speak for buyer, that she



does not think the buyer is interested in leasing to Anthem, and that this is not something that the Denny's are going to address.

## **2. Small cells alternatives analysis.**

T-Mobile's focus for this site is to provide vehicular and in-building coverage in the surrounding areas that are most heavily trafficked by T-Mobile's customers, which enables T-Mobile to maximize the utility of the wireless communications facility and help T-Mobile to make the most efficient possible use of network resources in the region. Small cell solutions are employed by T-Mobile in areas where T-Mobile has small pockets of no coverage, and capacity of surrounding sites is trending to become an issue. In contrast, T-Mobile's proposed macro site is purely a coverage site to serve a large "no service" area within and beyond T-Mobile's search ring.

Attached as **Exhibit 2** are a coverage map, antenna specification sheet and photo examples representing T-Mobile's alternatives analysis for a small cells system designed to best serve coverage and capacity deficiencies within the coverage area given inherent technical limitations. It consists of seventeen nodes, each consisting of two 4-foot panel antennas required for the core 700MHz service that T-Mobile is employing to serve this area mounted at the 24-foot centerline of an existing or replacement 30-foot utility pole, as well as a cluster of equipment enclosures mounted lower on the pole. Also attached for comparison purposes is the coverage map for the macro site T-Mobile proposes to install at Anthem's proposed wireless communications facility. It becomes apparent that the small cells design is not a viable, technically feasible, environmentally equivalent or superior potential alternative that could eliminate or substantially reduce the significant coverage gap. This small cells system would have the following deficiencies relative to T-Mobile's macro site proposal:

- Much less coverage and capacity; with a concentration on highly trafficked primary thoroughfares, and not on secondary roads or on residences.
- Broader aesthetic impact, with a cluster of unobstructed wireless communications equipment stretching several miles along White Rd. and Calabasas Rd. and visible to thousands of automobiles on a daily basis.
- Significant delay and risk in implementation given the substantial engineering and permitting requirements involved.
- More significant construction-related impacts (e.g., underground work, pole upgrades, road closures, etc.).
- Much greater development and construction costs relative to that forecasted for T-Mobile's proposed macro site.

## **3. Visual analysis from Wessling property; 867 Calabasas Road, Watsonville.**

Anthem undertook a visual analysis of its proposed wireless communications facility from the Wessling property using a set of photos provided by Mary Wessling to you on September 11, 2017. It is reasonable to conclude that the most sensitive view from this set is from the rear deck of the Wessling's home. Therefore, the photosimulation included in **Exhibit 3** could represent the worst case from this property. There would be no visibility from the area where the Wessling family is seated and likely no visibility looking from inside the house due to surrounding tree cover. It is important to note that the field of view in this photo is quite narrow (approximately 35 degrees) while the human perceptual field of view is near 180 degrees, resulting in even less of a visual impact.

At the request of the County, Anthem also evaluated two relocations of the monopine in an effort to mitigate the visual impact from the photo location: 1) 20 feet to the northeast within Anthem's proposed lease area, and 2) 30 feet to the northwest of within Anthem's proposed lease area.

As demonstrated in **Exhibit 3** (see estimated photosimulation and aerial overview), a move to the northeast would place the monopine closer to the dense-canopied 86-foot tall pine tree located at the east edge of the proposed equipment area. The canopy of this tree would obstruct radiofrequency signal to and from two of the three T-Mobile antennas, as well as those of any future carriers that would want to maintain similar antenna orientations. With the pine tree at its existing height, T-Mobile would face unacceptable signal loss.

Accordingly, T-Mobile rejects this option (see Statement of T-Mobile RF Engineer included in **Exhibit 3**). In order to eliminate the issue, Anthem would need to remove approximately 40 feet from the top of the tree to maintain the viability of the wireless communications facility for hosting at least two co-locating carriers. In connection with the reduction in tree height, Anthem could possibly lower the tower height by approximately 2 feet. With the massing of the pine tree being significantly diminished, the top section of the monopine would now be more visible from Calabasas Road, a primary public vantage point. Anthem believes that this design change would result in a negative aesthetic impact. Moreover, Anthem is uncertain whether it would gain the approval of Anthem's landlord.

As demonstrated in **Exhibit 3** (see estimated photosimulation and aerial overview), a move of the monopine 30 feet to the northwest would take it further away from the problematic pine tree and the Wessling's home. While this is a less favored option relative to Anthem's proposed design, it could be acceptable to Anthem and T-Mobile. Already having reduced the height of the monopine by 5 feet to comply with Santa Cruz County zoning regulations, Anthem has concerns about the impact of any additional height reductions on the feasibility of hosting future carriers. However, Anthem could consider an additional height reduction of 2 feet at this location.

We hope this supplemental information package helps the Zoning Administrator to make a more informed decision on Anthem's Commercial Development Permit application. We request that you schedule this case for the earliest possible Zoning Administrator hearing, and that approval is issued so that Anthem may get underway with next steps in the implementation of this important utility, which will enhance voice and data communications and public safety for thousands of residents and visitors in the Aptos Hills area. If you have any questions or require any additional information, please do not hesitate to call or email me.

Sincerely,



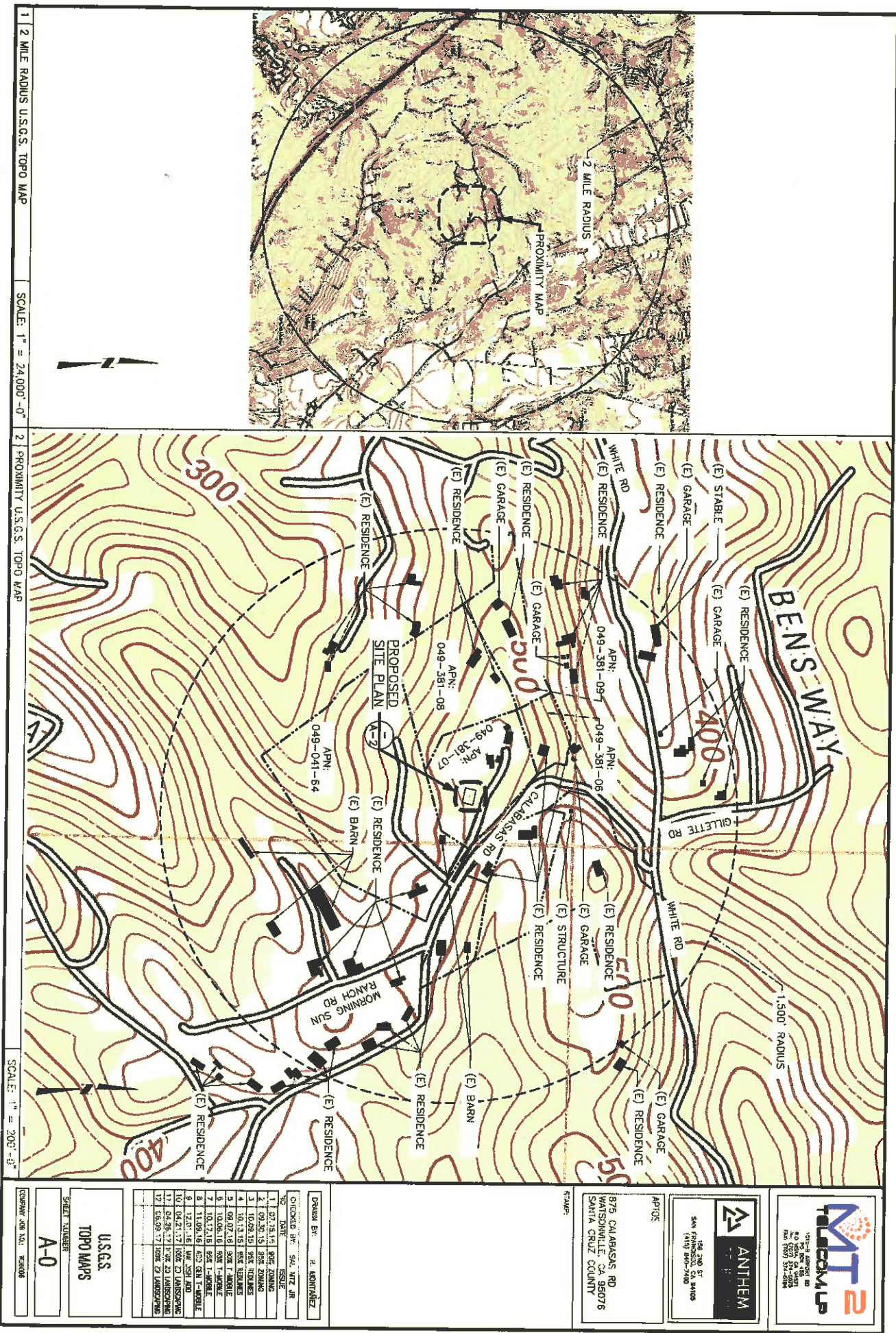
Tricia Knight  
Principal Planner

123 Seaclyff Dr. Pismo Beach, CA 93449  
805.448.4221 | 805.773.1778  
triciaknight@charter.net | PERMIT PROCESSING SERVICES

**Exhibit 1A**

**Leasing alternatives search area**





**NTS**

NOT FOR CONSTRUCTION

NO OTHER USES

NO OTHER USES

NO OTHER USES

**ANTHEM**

15000 E. ANTHEM BLVD

SCOTTSDALE, AZ 85254

(480) 948-4400

**APN: 049-381-06**

875 CALABASAS RD

WATSONVILLE, CA 95076

SANTA CRUZ COUNTY

**Drawn By: R. MONTANEZ**

NO.	DATE	ISSUE
1	07/15/11	ISSUE
2	07/20/11	ISSUE
3	07/20/11	ISSUE
4	07/20/11	ISSUE
5	07/20/11	ISSUE
6	07/20/11	ISSUE
7	07/20/11	ISSUE
8	07/20/11	ISSUE
9	07/20/11	ISSUE
10	07/20/11	ISSUE
11	07/20/11	ISSUE
12	07/20/11	ISSUE

**U.S.G.S.**

**TOPO MAPS**

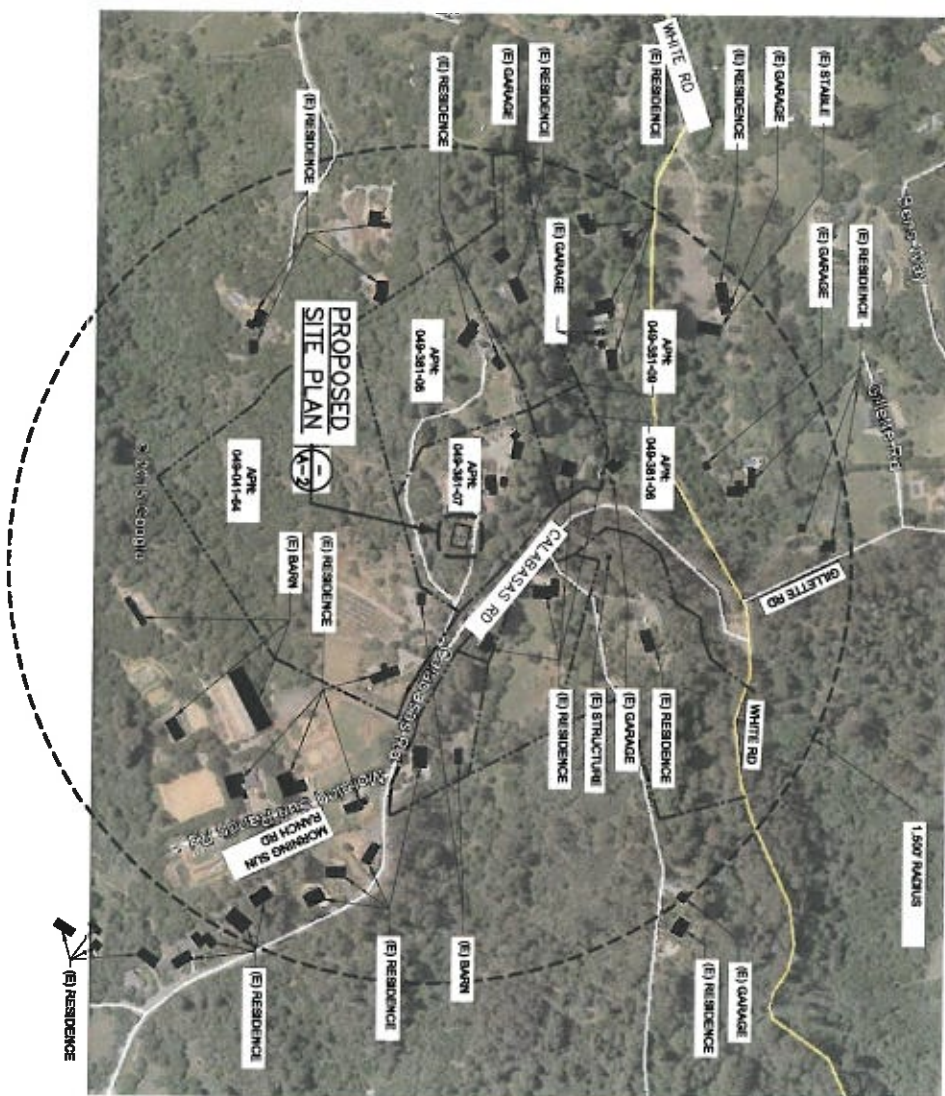
**SHEET NUMBER**

**A-0**

**DATE: 07/20/11**

**SCALE: 1" = 200'-0"**





COMPANY JOB NO.: 00000000

## AERIAL PROXIMITY MAP

4

**COMPANY JOB NO.: 00000000**

STAMP-  
B75 CALABASAS RD  
WATSONVILLE, CA 95076  
SANTA CRUZ COUNTY

AP-105

SAN FRANCISCO, CA 94102  
(415) 840-7400

**ANTHEM**  
TELEPHONE



1010-B ABERCORN RD  
PO BOX 446  
RD WEST, CA 94571  
PH (925) 374-0070  
FAX (925) 374-0164

**Exhibit 1B**

**Leasing alternatives letters**



156 2nd Street  
San Francisco, CA 94105  
(415) 840-7400 | [info@anthemtel.com](mailto:info@anthemtel.com)

September 20, 2017

Stephen H. and Christine Denny  
899 Calabasas Rd.  
Watsonville, CA 95076

Dear Mr. & Mrs. Denny:

I represent Anthem Telecom, a communications infrastructure company based in San Francisco, California. Anthem develops, owns and operates wireless communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you to explore the possibility of leasing a portion of your property located at 899 Calabasas Rd., Watsonville, CA 95076 (APN: 049-381-09). The lease area would support the placement of a multi-carrier wireless communications facility. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Your property is among a small number Anthem is considering in this immediate area that may satisfy the basic geographical, engineering and entitlement conditions for the successful implementation of a wireless communications facility.

Time is of the essence to discuss this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'JBR', written over the word 'Sincerely,'.

John Brian Richmond  
President



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Stephen H. and Christine Denny  
899 Calabasas Road  
Watsonville, CA 95076



9590 9402 2622 6336 7391 79

2. Article Number (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

10/4/17

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

3. Service Type

- |  |   |
|--|---|
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| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |





156 2nd Street  
San Francisco, CA 94105  
(415) 840-7400 | [info@anthemtel.com](mailto:info@anthemtel.com)

September 20, 2017

Sherman Susan Trust  
890 Calabasas Rd.  
Watsonville, CA 95076

Dear Sir/Madam:

I represent Anthem Telecom, a communications infrastructure company based in San Francisco, California. Anthem develops, owns and operates wireless communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you to explore the possibility of leasing a portion of your property located at 890 Calabasas Rd., Watsonville, CA 95076 (APN: 049-042-07). The lease area would support the placement of a multi-carrier wireless communications facility. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Your property is among a small number Anthem is considering in this immediate area that may satisfy the basic geographical, engineering and entitlement conditions for the successful implementation of a wireless communications facility.

Time is of the essence to discuss this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'JBR', written over the word 'Sincerely,'.

John Brian Richmond  
President



156 2nd Street  
San Francisco, CA 94105  
(415) 840-7400 | [info@anthemtel.com](mailto:info@anthemtel.com)

September 20, 2017

Julie A Stoffel  
877 Calabasas Rd.  
Watsonville, CA 95076

Dear Ms. Stoffel:

I represent Anthem Telecom, a communications infrastructure company based in San Francisco, California. Anthem develops, owns and operates wireless communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you to explore the possibility of leasing a portion of your property located at 877 Calabasas Rd., Watsonville, CA 95076 (APN: 049-381-08). The lease area would support the placement of a multi-carrier wireless communications facility. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Your property is among a small number Anthem is considering in this immediate area that may satisfy the basic geographical, engineering and entitlement conditions for the successful implementation of a wireless communications facility.

Time is of the essence to discuss this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.B. Richmond'.

John Brian Richmond  
President

SENDER: COMPLETE

7 DAY DELIVERED  
NEVER  
PLACE STICKER AT TOP OF ENVELOPE AND RETURN TO THE POST OFFICE

NEVER

ATTACHMENT E

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Julie A Stoffel  
877 Calabasas Road  
Watsonville, CA 95076



9590 9402 2622 6336 7391 48

2. Article Number (Transfer from service label)

PS Form 3811, July 2015 PSN 7530-02-000-9053

A. Signature

X

*Paul Stoffel*

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9/29/17

D. Is delivery address different from item 1? ☐ Yes ☒ No  
If YES, enter delivery address below:

3. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Adult Signature                                | <input type="checkbox"/> Priority Mail Express®                         |
| <input checked="" type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™                               |
| <input type="checkbox"/> Certified Mail®                                | <input checked="" type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery             | <input type="checkbox"/> Return Receipt for Merchandise                 |
| <input type="checkbox"/> Collect on Delivery                            | <input type="checkbox"/> Signature Confirmation™                        |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery        | <input type="checkbox"/> Signature Confirmation Restricted Delivery     |
| <input type="checkbox"/> Insured Mail                                   |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)  |   |

Domestic Return Receipt



156 2nd Street  
San Francisco, CA 94105  
(415) 840-7400 | info@anthemtel.com

September 20, 2017

Michael and Gina Kindscher  
815 Calabasas Rd #A  
Watsonville, CA 95076

Dear Mr. and Mrs. Kindscher:

I represent Anthem Telecom, a communications infrastructure company based in San Francisco, California. Anthem develops, owns and operates wireless communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you to explore the possibility of leasing a portion of your property located at 115 Morning Sun Ranch Road, Watsonville, CA 95076 (APN: 049-041-44). The lease area would support the placement of a multi-carrier wireless communications facility. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Your property is among a small number Anthem is considering in this immediate area that may satisfy the basic geographical, engineering and entitlement conditions for the successful implementation of a wireless communications facility.

Time is of the essence to discuss this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'JBR' or similar, written over the word 'Sincerely,'.

John Brian Richmond  
President



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

Michael and Gina Kindsvater  
815 Cababosas Road #A  
Watsonville, CA 95076



9590 9402 2622 6336 7391 55

**2. Article Number (Transfer from service label)**

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

X *[Signature]*

☒ Agent  
☐ Addressee

**B. Received by (Printed Name)**

**C. Date of Delivery**

10/16/17

**D. Is delivery address different from item 1?**  
If YES, enter delivery address below: ☐ Yes ☒ No

**3. Service Type**

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |



156 2nd Street  
San Francisco, CA 94105  
(415) 840-7400 | [info@anthemtel.com](mailto:info@anthemtel.com)

September 20, 2017

Janet E Bricken Trust  
892 Calabasas Rd.  
Watsonville, CA 95076

Dear Ms. Bricken:

I represent Anthem Telecom, a communications infrastructure company based in San Francisco, California. Anthem develops, owns and operates wireless communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you to explore the possibility of leasing a portion of your property located at 894 Calabasas Rd., Watsonville, CA 95076 (APN: 049-042-08). The lease area would support the placement of a multi-carrier wireless communications facility. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Your property is among a small number Anthem is considering in this immediate area that may satisfy the basic geographical, engineering and entitlement conditions for the successful implementation of a wireless communications facility.

Time is of the essence to discuss this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.B. Richmond'.

John Brian Richmond  
President



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

**Janet E Bricken Trust**  
**892 Calabasas Rd.**  
**Watsonville, CA 95076**



**9590 9402 2622 6336 7391 93**

**2. Article Number (Transfer from service label)**

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

**X**

*Jan Bricken*

☒ **Agent**

☐ **Addressee**

**B. Received by (Printed Name)**

**C. Date of Delivery**

**07/29/17**

**D. Is delivery address different from item 1? If YES, enter delivery address below:**

☐ **Yes**  
☒ **No**

**3. Service Type**

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery



156 2nd Street  
San Francisco, CA 94105  
(415) 840-7400 | [info@anthemtel.com](mailto:info@anthemtel.com)

September 20, 2017

Ritchie A. & Mary M. Wessling  
867 Calabasas Rd.  
Watsonville, CA 95076

Dear Drs. Wessling:

I represent Anthem Telecom, a communications infrastructure company based in San Francisco, California. Anthem develops, owns and operates wireless communications facilities throughout the United States that support wireless carrier systems. Our Website can be reviewed at <http://www.anthemtel.com/>.

I contacted you to explore the possibility of leasing a portion of your property located at 867 Calabasas Rd., Watsonville, CA 95076 (APN: 049-041-64). The lease area would support the placement of a multi-carrier wireless communications facility. The lease would provide a long term, recurring revenue source to you. The entitlement, development, construction and maintenance costs related to the facility would be the responsibility of Anthem.

Your property is among a small number Anthem is considering in this immediate area that may satisfy the basic geographical, engineering and entitlement conditions for the successful implementation of a wireless communications facility.

Time is of the essence to discuss this matter. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'JBR' followed by a flourish.

John Brian Richmond  
President



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

*Ritchie A. & Mary M. Westling  
867 Cablass Road  
Watsonville, CA 95076*



9590 9402 2622 6336 7391 86

**2. Article Number (Transfer from service label)**

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

*Ritchie A. Westling*

☐ Agent

**B. Received by (Printed Name)**

*Ritchie A. Westling*

**C. Date of Delivery**

*9/30/17*

☒ Addressee

**D. Is delivery address different from item 1?**  
If YES, enter delivery address below:

☐ Yes  
☐ No

**3. Service Type**

- |   |   |
|---|---|
| <input type="checkbox"/> Adult Signature                                | <input type="checkbox"/> Priority Mail Express®                         |
| <input checked="" type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™                               |
| <input type="checkbox"/> Certified Mail®                                | <input checked="" type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery             | <input type="checkbox"/> Return Receipt for Merchandise                 |
| <input type="checkbox"/> Collect on Delivery                            | <input type="checkbox"/> Signature Confirmation™                        |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery        | <input type="checkbox"/> Signature Confirmation Restricted Delivery     |
| <input type="checkbox"/> Insured Mail                                   |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)  |   |

867 Calabasas Rd.  
Watsonville CA 95076

Anthem Telecom  
156 2nd Street  
San Francisco, CA 94105

Attn: John B. Richmond

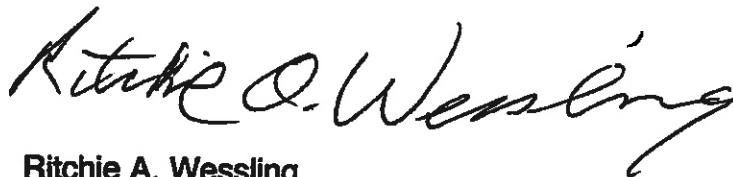
Mr. Richmond:

This is in response to your letter dated 09/20/2017 inquiring about the possibility of leasing a portion of our property. We assume this is an action dictated by the order from the Santa Cruz County Zoning Administrator for Anthem Telecom to explore alternatives to the site you have leased at 875 Calabasas Road.

As you certainly must know, this site sits in the middle of a cluster of houses in a residential neighborhood. None of us wants this facility in this location. Moving it to an adjacent property does nothing to negate our objections. Note also that there is no problem with cell phone service in this area. While we realize there may be poor phone service in areas near us, there is also a lot of open space, far from houses, that would be better suited for your purposes, e.g. in the Eagle Ridge area. A distributed antenna system would be even better if placed in the area needing better service.

Having read the Ground Lease Agreement that you negotiated with the Mumms, the former owners of 875 Calabasas, it is easy to understand why you want to build there. The terms are very favorable to your company and the site offers easy access. It would probably cost you more to develop a more suitable site, but that's your problem. You surely can't expect the residents here to help your company profit at our expense.

The answer is, not interested!



Ritchie A. Wessling

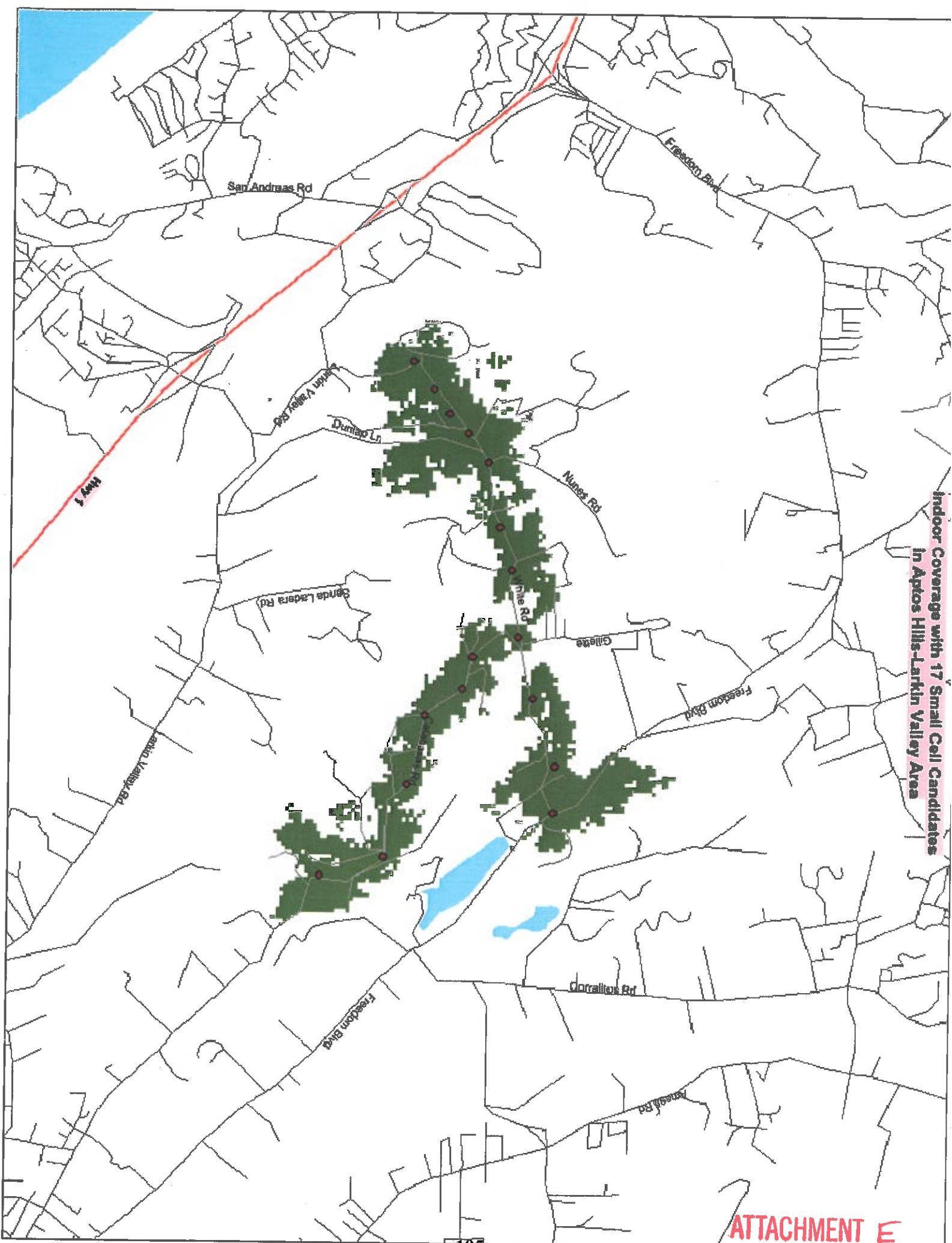


Mary M. Wessling

**Exhibit 2**

**T-Mobile small cells analysis**

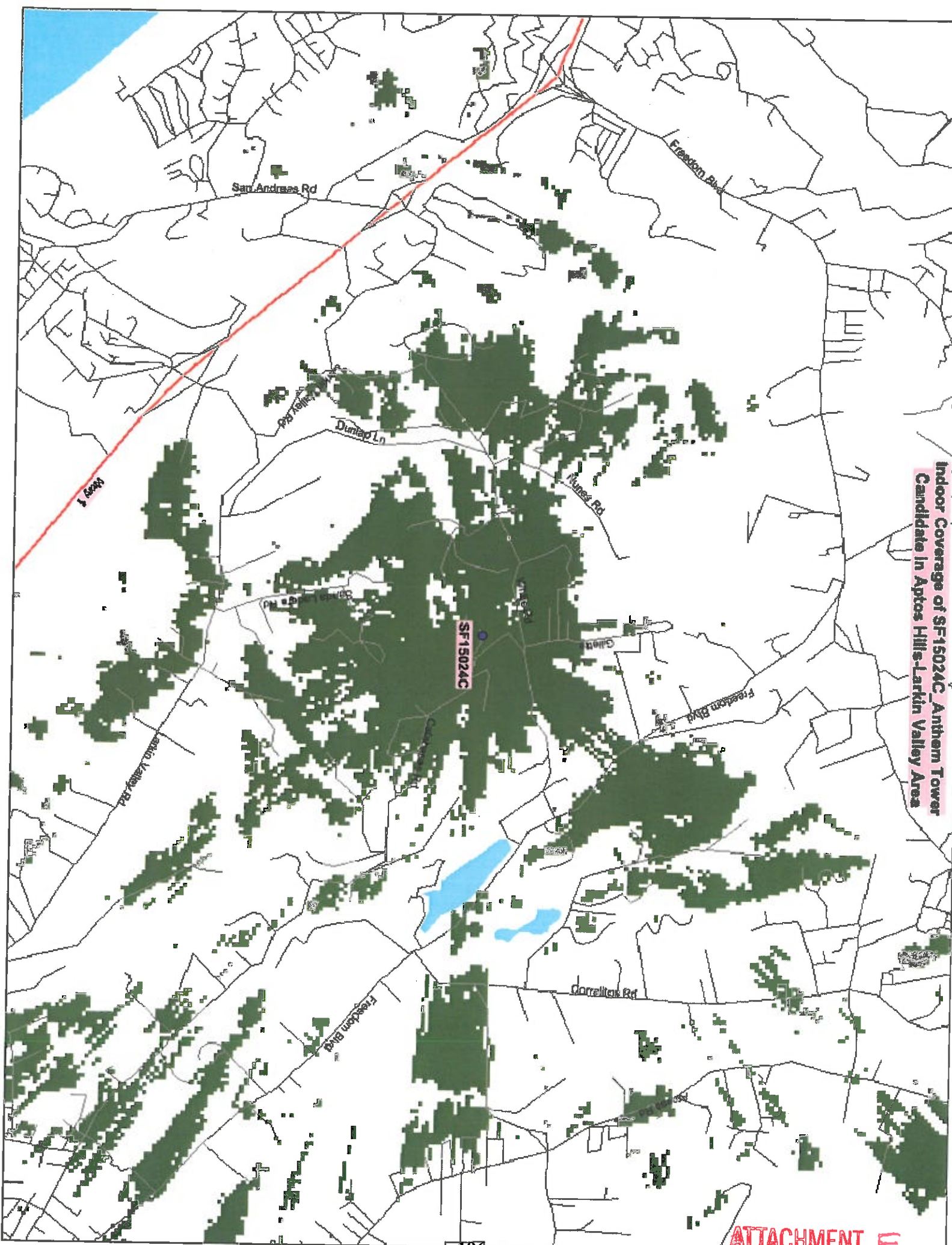
Indoor Coverage with 17 Small Cell Candidates  
in Aptos Hills-Larkin Valley Area



ATTACHMENT E



Indoor Coverage of SF15024C\_Anthem Tower  
Candidate in Aptos Hills-Larkin Valley Area




**APXVFW12-C-A20**

**Cross Polarized Dual Band Antenna, 698-2360MHz, 65deg,  
13.8/15.7/16.3dBi, 4ft, VET**

## Product Description

This antenna is an ideal choice for site upgrades and new deployments where additional capacity and increased coverage is required. Only 12 inches wide and 4 feet high, it can be used for 2G, 3G and 4G technologies. This multi-band antenna features superior pattern symmetry and a phase shifter for each radiating dipole providing exceptional patterns at all tilt settings. It is supplied with an integrated and field replaceable AISG 2.0 antenna control unit (ACU) for remote electrical tilt (RET) compatibility.

- **Cross polarization**  
Dual band version with 4 ports (2x 698-894 MHz and 2x 1710-2360 MHz)
- **One phase shifter per radiating element**  
Improves radiating patterns
- **Superior X-Pol Discrimination**  
Improves Rx diversity
- **High suppression of upper sidelobes**  
Reduces cell interference
- **Variable electrical downtilt**  
Provides enhanced precision in controlling intercell interference
- **Enhanced tilt range from 2-10 degrees for 698-894MHz and 0-10 degrees for 1710-2360MHz**  
Ideal for applications in dense areas
- **High reliability**  
Designed to last in a tower top environment
- **Design incorporates low windload and low weight**  
Minimizes tower loading
- **Quick and easy to install**  
Reduces time and costs

## Technical Specifications

### Electrical Specifications

Frequency Range, MHz	698-806	806-894	1710-1850	1850-1990	1990-2170	2305-2360
Horizontal Beamwidth, deg	77	73	69	67	65	55
Vertical Beamwidth, deg	21.0	17.0	10.0	9.2	8.8	8.4
Electrical Downtilt Range, deg	4-14	4-14	0-10	0-10	0-10	0-10
Gain, dBi (d8d)	13.5 (11.4)	13.8 (11.7)	15.2 (13.1)	15.7 (13.6)	16.0 (13.9)	16.3 (14.2)
1st Upper Sidelobe Suppression, dB	18					
Front-To-Back Ratio, dB (+/-20° cone)	> 24	> 32	> 27	> 26	> 26	> 29
Polarization	Dual pol +/-45°					
VSWR	< 1.5:1					
Isolation between Ports, dB	>30 typ.					
XPol Ratio ±60 degrees, dB	> 10					
3rd Order IMP @ 2 x 43 dBm, dBc	> 153					
Impedance, Ohms	50					
Maximum Power Input, W	500	500	300	300	300	300
Lightning Protection	Direct Ground					
Connector Type/Location	(4) 7-16 Long Neck Female/Bottom					

### Mechanical Specifications

Dimensions - HxWxD, mm (in)	1220 x 299 x 200 (48 x 11.8 x 7.9)
Weight w/o Mtg Hardware, kg (lb)	18.2 (40)
Survival/Rated Wind Speed, km/h (mph)	240 (150) / 150 (93.2)
Applied Wind Load Standard	DIN 1055-4
Wind Load @ Rated Wind, Front, N (lbf)	275 (62)
Wind Load @ Rated Wind, Max., N (lbf)	340 (77)
Wind Load @ Rated Wind, Side, N (lbf)	340 (77)
Wind Load @ Rated Wind, Rear, N (lbf)	312 (71)
Operation temperature, °C (°F)	-40 to +60 (-40 to +140)
Radome Material/Color	ASA/Light Grey RAL7035
Mounting Hardware Material	Diecasted Aluminum and Galvanized Steel

**RFS The Clear Choice®**
**APXVFW12-C-A20 | Print Date: 28.5.2014 | Rev: P2\* | Rev Date: 28.5.2014**

This data is provisional and subject to change.

[www.rfsworld.com](http://www.rfsworld.com)

Page 1 of 2

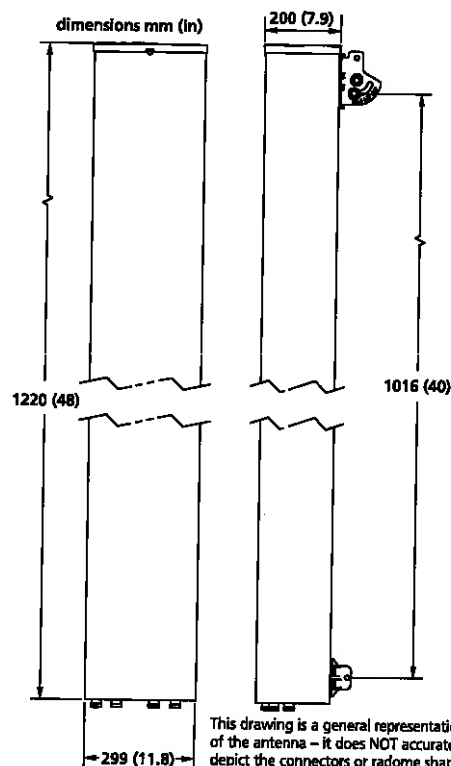
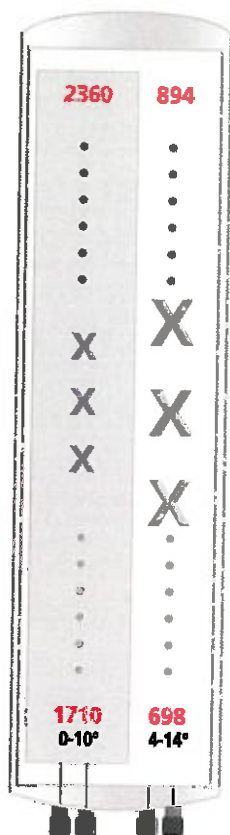
All information contained in this datasheet is subject to confirmation at time of ordering.





**APXVFW12-C-A20**

Cross Polarized Dual Band Antenna, 698-2360MHz, 65deg,  
13.8/15.7/16.3dBi, 4ft, VET



**Technical Specifications**

**Ordering Information**

Mounting Hardware	APM40-2
Mounting Pipe Diameter, mm (in)	60-120 (2.36-4.72)
Mounting Hardware Weight, kg (lb)	3.4 (7.5)

**Related Documents**

[APM40 Series Datasheet](#)

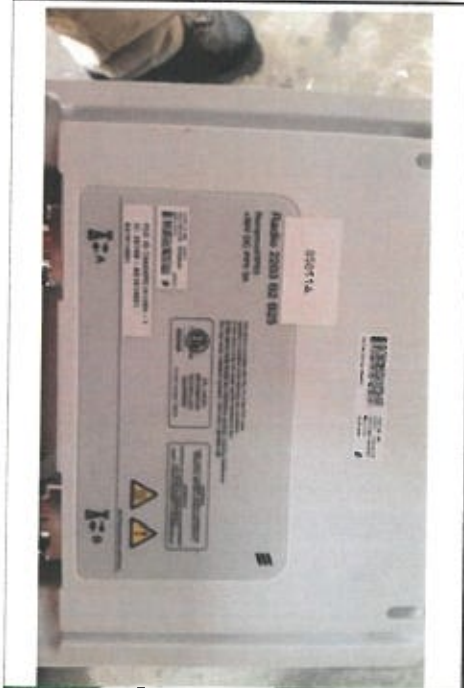
[APM40 Series Installation Instructions](#)

**Pole-mounted Antenna Example**





**Pole-mounted Ancillary Equipment Example**



**Exhibit 3**

**Visual analysis of communications facility from Wessling property**







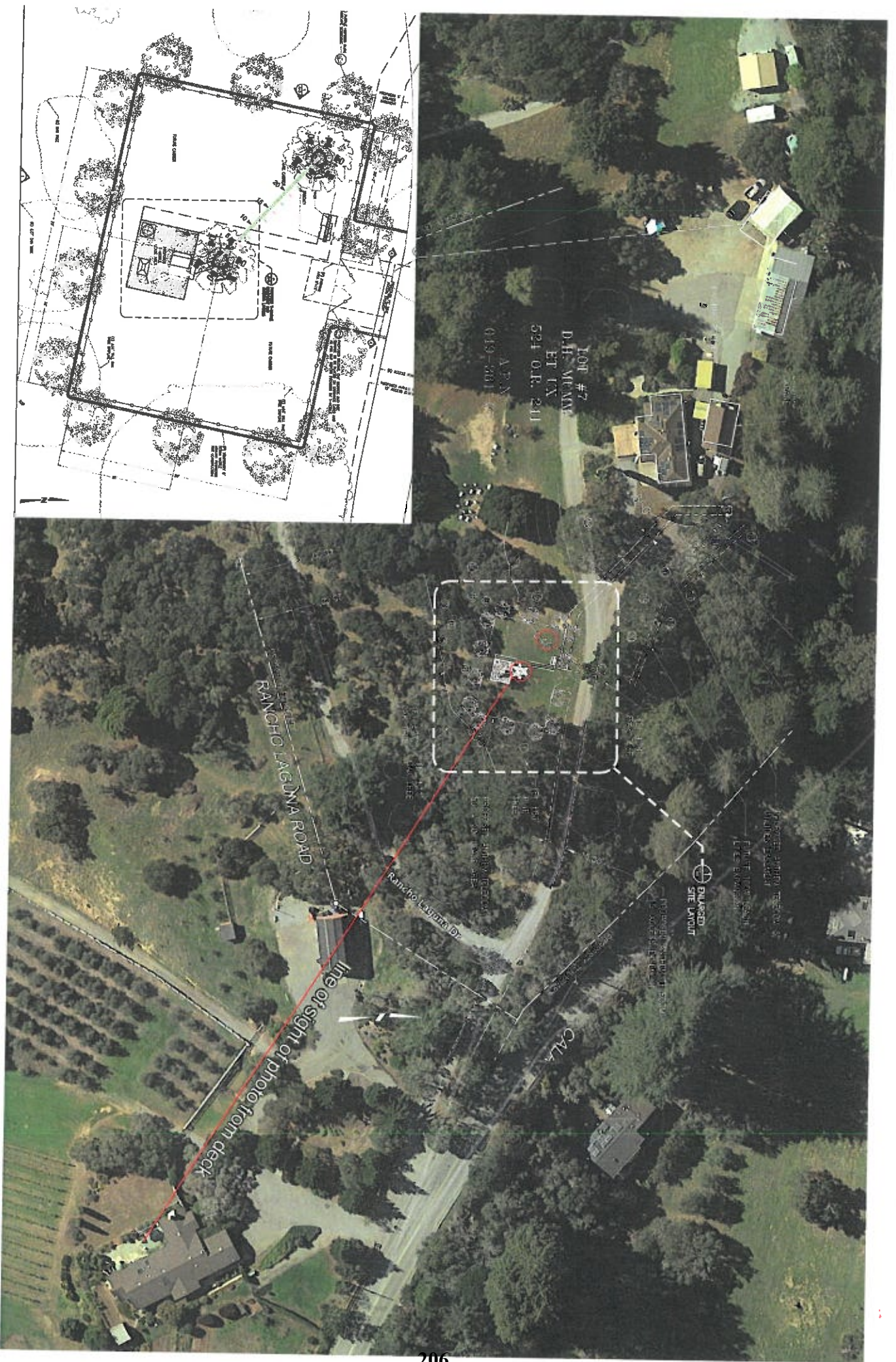












October 31, 2017

**Statement of T-Mobile RF Engineer re Proposed Site SF15024C, 875 Calabasas Rd, Watsonville, CA. 95076**

Today I had a discussion with Anthem Telecom regarding possible compromises that we need to consider for our proposed cell site with a monopine installation. The objective is to look for alternate locations that could mitigate the aesthetic impact to the nearest residents, the Wesslings, while still maintaining our coverage objective.

One option considered was to move the monopine location 20 feet in the NE direction. While this could reduce the visual impact from the residents' view, it would bring our antennas much closer to the cluster of trees thereby increasing our signal propagation loss that could affect our path reliability especially for the sectors pointing in the NE and SE directions. When the obstructions are closer they also limit our ability to downtilt our antennas which in this case would be towards Calabasas Road. This idea was rejected.

The second option was to move the monopine 30 ft to the NW. This will also reduce the visual impact from the same residents' view but it is a more favorable compromise since our site would be further away from the cluster/taller trees. Again, when our antennas have more separation to potential obstructions, signal propagation is more reliable.

I would, however, reiterate that the current proposed location is still the preferred spot for our monopine because of its overall clearance and distance to the surrounding tree clusters.

I can be reached at [jose.saluta@t-mobile.com](mailto:jose.saluta@t-mobile.com) if you have any questions.

Regards,



**Joe Saluta**  
**Sr RF Engineer**  
T-Mobile USA  
San Francisco Market