

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 03-0141

APN: 026-281-05

APPLICANT: Ridge Communications/Andrew Ratner

OWNER: Pacific Gas and Electric

PROJECT DESCRIPTION: Proposal to add six panel antennas mounted at 74.9 feet to an existing 90.5-foot telecommunication tower and to construct a 12-foot by 30-foot equipment shelter on a 920 square foot lease area inside an existing PG&E maintenance yard.

LOCATION: Property is located on the west side of 7th Ave (615 7th Ave) at approximately 200 feet north from Eaton Street.

PERMITS REQUIRED: Amendment to Commercial Development Permit 94-0407 and 76-193-PD

ENVIRONMENTAL DETERMINATION: Exempt - Category 3

COASTAL ZONE: ☒ Yes ☐ No

APPEALABLE TO CCC: ☐ Yes ☒ No

PARCEL INFORMATION

PARCEL SIZE: 7.853 Acres

EXISTING LAND USE:

PARCEL: PG&E maintenance yard.

SURROUNDING: Single-family residential, parks and recreation, commercial and visitor accommodation.

PROJECT ACCESS: 7th Avenue

PLANNING AREA: Live Oak

LAND USE DESIGNATION: P and O-U (Public Facility and Urban Open Space)

ZONING DISTRICT: PF (Public Facility)

SUPERVISORIAL DISTRICT: Third District (Mardi Wormhoudt)

ENVIRONMENTAL INFORMATION

- | | |
|----------------------|---|
| a. Geologic Hazards | a. Not mapped physical evidence on site |
| b. Soils | b. N/A |
| c. Fire Hazard | c. Not a mapped constraint |
| d. Slopes | d. N/A |
| e. Env. Sen. Habitat | e. Not mapped physical evidence on site |
| f. Grading | f. No grading proposed |
| g. Tree Removal | g. No trees proposed to be removed |
| h. Scenic | h. Not a mapped resource |
| i. Drainage | i. Existing drainage adequate |
| j. Traffic | j. N/A |
| k. Roads | k. Existing roads adequate |

- | | |
|-----------------------|--|
| l. Parks | 1. Existing park facilities adequate |
| m. Sewer Availability | m. N/A |
| n. Water Availability | n. N/A |
| o. Archeology | o. Not mapped/no physical evidence on site |

SERVICES INFORMATION

Inside Urban/Rural Services Line: X Yes N o

Water Supply: City of Santa Cmz Water District

Sewage Disposal: Santa Cmz County Sanitation District

Fire District: Central Fire Protection District

Drainage District: Zone 5

HISTORY

The application was accepted on May 5th, 2003 and deemed complete on October 9th, 2003

ANALYSIS AND DISCUSSION

The property is approximately 7.853 acres in area, located in the P-F (Public Facility) zone district and has a P (Public Facility) General Plan designation. The proposed wireless communication facility is an allowed use within the zone districts, per County code 13.10.659.F2, as a co-located facility.

The proposed six panel co-located antennas mounted at 74.9-feet will be painted to match the exterior of the existing tower and will be flush mounted to further minimize the possible significant adverse aesthetic impacts. In addition, the proposed equipment cabinets associated with the co-located facility will be placed adjacent to the existing Pacific Gas and Electric Building and will be painted to match the existing PG&E building.

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

ALTERNATIVE SITE ANALYSIS

An alternative sites analysis was not required for the proposed project, because it was determined by Planning Department staff that the use of the proposed site (which is already developed for Public Facility use and has an existing telecommunication tower located on site) would significantly reduce environmental impacts. The creation of an additional site in the immediate area would require the erection of additional towers that would create unnecessary, additional impacts to the scenic resources that are located on the surrounding parcels.

VISUAL ANALYSIS

The project site is not visible from the Highway One scenic corridor, as determined by Planning Department staff on site visits. The proposed project is designed to be a co-location on an existing telecommunication tower. The proposed antennas will be painted to match the exterior of the existing development. In addition, the associated cabinet shelter will also be required to be painted to match the existing buildings located at the PG&E maintenance yard. No further visual analysis is required.

Private views will be impacted by the proposed wireless communications facility, in that the proposed project is clearly visible from the properties located to the west, east, south and north of the project site. These views will not be altered by the proposed project, as the project as designed will include six panel antennas flush mounted to an existing telecommunication tower.

Larry Kasparowitz, the County's Urban Designer reviewed the project on January 8th, 2004 and concluded that the project, as proposed, will have minimal visual impacts to the adjacent properties. However, the urban designer suggested that a revised landscaping plan be required to further reduce the visual impacts from 7th Avenue. A Condition of Approval requires that a revised landscaping plan be submitted prior to issuance of the building permit. The revised landscaping plan will include additional landscaping along the 7th Avenue travel corridor. instead of the landscaping shown on the submitted plans (Exhibit "A").

The proposed Verizon antenna addition fully complies with all Federal Communications Commission (FCC) guidelines construction requirements, technical standards, interference protection and radio frequency regulations.

RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **03-0141**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)

- E. Urban Designer Comments
- F. Zoning Map
- G. General Plan **Map**
- H. Comments & Correspondence

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

Report Prepared By: David Heinlein
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (531) 454-5321 (or, david.heinlein@co.santa-cruz.ca.us)

COASTAL DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned PF (Public Facility), a designation which allows telecommunication uses. The proposed antenna co-location is an allowed use within the zone district, and is consistent with the site's (P) Public Facility General Plan designation.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. THAT THE PROJECT IS CONSISTENT WITH THE DESIGN CRITERIA AND SPECIAL USE STANDARDS AND CONDITIONS OF THIS CHAPTER PURSUANT TO SECTION 13.20.130 et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

In addition, Larry Kasparowitz, the County's Urban Designer reviewed the proposed project on January 8th, 2004 and concluded that the proposed design and colors will not cause an adverse visual impact for the area. The urban designer's comments are attached as Exhibit "E."

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the telecommunication antenna co-location will not interfere with public access to the beach, ocean,

or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE
CERTIFIED LOCAL COASTAL PROGRAM.

The proposed project is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, telecommunication uses are allowed uses in the PF (Public Facility) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family, multi family dwellings, and commercial development. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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.

The location of the proposed wireless communications facility 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, in that the maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be 0.47% percent of the most restrictive applicable limit.

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

The project will not be materially injurious to properties or improvements in the vicinity in that the project will be painted to match the existing color of the existing telecommunication tower, resulting in a minimal visual impact.

2. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL BE CONSISTENT WITH ALL PERTINENT COUNTY ORDINANCES AND THE PURPOSE OF THE ZONE DISTRICT IN WHICH THE SITE IS LOCATED.

The property is a 7.85-acre parcel, zoned (PF) Public Facility that allow the existing and the proposed use. The current use is consistent with the zone district.

The proposed camouflaged, co-located wireless communications facility is not a principal permitted use within the zone district, but is a use that can be conditionally approved in the PF zone district on parcels with an existing public facility General Plan designation. The ordinance regulating the location of wireless communications facilities (13.10.659) does authorize the construction of such devices within public facility districts or General Plan areas, but does state that, "the proliferation of antennas, towers and or satellite dishes could create a 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 the cluttering or unsightly facilities." The proposed project is consistent with the Wireless Communication Facilities ordinance, in that the proposed antennae will be co-located

on an existing 90.5-foot telecommunication tower and will be painted to match the existing colors of the existing telecommunication tower. Planning Department staff has determined that the proposed site is the environmentally superior site, with no further alternative sites analysis being required.

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

The property is located in the PF zoning designation, which is implemented by and consistent with the site's P (Public Facility) general plan designation. The existing and proposed uses, as designed, are compatible with the zone district and General Plan designation.

The proposed antenna co-location 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 as specified in Objective 8.1.3 (Residential Site and Development Standards Ordinance), in that the additional wireless communications antennas will not adversely shade adjacent properties, and will be camouflaged to mitigate visual impacts to the surrounding neighborhood.

The subject property for the proposed project is not located within the Highway One scenic corridor nor visible from any local state beaches. However the proposed antenna additions are visible from the adjacent properties, but are design in such a matter to be visually compatible with the existing surroundings. The proposed facility will be located on an existing telecommunication tower and painted to match the colors of the existing tower. The proposed design will result in a negligible visual impact to the adjacent properties as a result of this project. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that the project as proposed minimizes disruption of landform and aesthetic character caused by grading operations, timber harvests, utility wires, poles, signs, inappropriate landscaping and structure design.

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.

The project will not require the use of public services such as water or sewer, but will require electric power and telephone connections. The facility will require inspection by maintenance personnel at least once per month and this will not result in increasing traffic to unacceptable levels in the vicinity.

5. THAT THE PROPOSED PROJECT WILL COMPLEMENT AND HARMONIZE WITH THE EXISTING AND PROPOSED LAND USES IN THE VICINITY AND WILL BE COMPATIBLE WITH THE PHYSICAL DESIGN ASPECTS. LAND USE

INTENSITIES, AND DWELLING UNIT DENSITIES OF THE NEIGHBORHOOD.

The proposed camouflaged wireless communications tower 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 in the vicinity, in that the proposed antennae will be located on an existing telecommunication tower and will be painted to appear as part of the existing development. This proposed design will adequately mitigate any potential visual impacts to the surrounding neighborhood.

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.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed wireless antenna co-location will be of an appropriate scale and type of design that will not detract from the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. Larry Kasparowitz reviewed the proposed project on January 8th, 2004 and concluded that the associated cabinet shelter should be painted to match the existing exterior of the PG&E buildings located on the property and that a revised landscaping plan shall be submitted to further reduce the visual impacts to the surrounding area. Both of his suggestions have been incorporated as Conditions of Approval (Exhibit "C"). Mr. Kasparowitz comments are included as Exhibit "E."

WIRELESS COMMUNICATION FACILITY USE PERMIT FINDINGS:

1. THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY WILL NOT SIGNIFICANTLY AFFECT ANY DESIGNATED VISUAL RESOURCES, OR OTHERWISE ENVIRONMENTALLY SENSITIVE AREAS OR RESOURCES, AS DEFINED IN THE SANTA CRUZ COUNTY GENERAL PLAN/LCP (SECTIONS 5.1, 5.10, AND 8.6.6), OR THERE IS NO OTHER ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE ALTERNATIVE TO THE PROPOSED LOCATION WITH LESS VISUAL IMPACTS AND THE PROPOSED FACILITY HAS BEEN MODIFIED TO MINIMIZE ITS VISUAL AND ENVIRONMENTAL IMPACTS.

The subject property for the proposed project is not located within the Highway One scenic corridor nor visible from any state beaches or County designated scenic corridors. The proposed antenna co-location is visible from the adjacent properties, but is designed to mitigate potential significant visual impacts. The proposed panels will be located on an existing telecommunication tower and are designed to appear as a part of the existing design of the development. The project site is not located near any scenic corridor and combined with the camouflage of the existing development, will result in negligible visual impacts to the existing neighborhood as a result of this project. The proposed project complies with General Plan Policy 5.10.3 (Protection of Public Vistas), in that the project as proposed minimizes disruption of landform and aesthetic character caused by grading operations, timber harvests, utility wires, poles, signs, inappropriate landscaping and structure design. The existing public views from the state beaches will remain unchanged as a result of this project.

No formal alternative sites analysis has been required for this project, and the proposed project site has been considered as the environmentally superior site by Planning Department staff, in that the creation of an additional wireless communications facility, including the addition of a of an new telecommunication tower, would most likely result in more visually intrusive project and cause additional visual impacts to the scenic resources to the surrounding areas.

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

No formal alternative sites analysis has been required for this project, and the proposed project site has been considered as the environmentally superior site by Planning Department staff, in that the creation of an additional wireless communications facility, including the construction of an new telecommunication tower, would most likely result in more visually intrusive project and cause additional impact to the scenic resources in the surrounding areas.

The presence of the existing commercial development on the project site, with the associated road and utilities infrastructure, result in the determination that the currently proposed project site is the environmentally superior site for this project, with no further alternative sites analysis being necessary.

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

The existing public facility use is in compliance with the (P) Public Facility Use General Plan designation, in which it is located, The existing PG&E maintenance yard is the desired use within the PF zone district on properties that hold a (P) Public Facility General Plan designation.

The existing and proposed uses, as designed, are compatible with the zone district and General Plan designation.

No zoning violation abatement fees are applicable to the subject property

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

The proposed wireless communications facility will be located on an existing telecommunication tower, which is approximately 90.5-feet in height. The existing tower location and the proposed antenna co-location do not interfere with any flight patterns from local airports or Dominican Hospital.

5. THE PROPOSED WIRELESS COMMUNICATION FACILITY IS IN COMPLIANCE WITH ALL FCC (Federal Communications Commission) AND CALIFORNIA PUC (Public Utilities Commission) STANDARDS AND REQUIREMENTS.

The location of the proposed wireless communications facility 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, in that the maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be 0.47% percent of the most restrictive applicable limit.

CONDITIONS OF APPROVAL

Exhibit A: Project Plans by Rey Lising & Associates dated May 16th, 2003, sheets TI and T2; project plans dated June 20th, 2003, sheets A1 thru A6, site survey topography plans by Rey Lising & Associate, dated April 18th, 2002; sheets C1 and C2.

- I. This permit authorizes the construction of six panel antennas to an existing 90.6-foot monopole and one 12 ft. by 30 ft. associated ground equipment shelter and associated GPS equipment. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days of the approval date on this permit.
- II. Applicant shall obtain approval from the California Public Utilities Commission and the Federal Communications Commission.
- III. Prior to issuance of a Building Permit the applicantowner shall:
 - A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 1. Identify finish of exterior materials and color of roof covering for the associated ground equipment shelter for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Drainage and erosion control plans. **(DPW Drainage)**
 3. For the building application stage, please show on the plans how runoff from the development will be handled on-site. **(DPW Drainage)**
 4. Details showing compliance with fire department requirements.
 5. Exterior elevations identifying finish materials and colors. Exterior antenna material shall be non-reflective gray color to blend with the existing natural surroundings
 6. Provide fencing and warning sign details. Include sign location, fence

CONDITIONS OF APPROVAL

Exhibit A: Project Plans by Rey Lising & Associates dated May 16th, 2003, sheets T1 and T2; project plans dated June 20th, 2003, sheets AI thru A6, site survey topography plans by Rey Lising & Associate, dated April 18th, 2002, sheets C1 and C2.

- I. This permit authorizes the construction of six panel antennas to an existing 90.6-foot monopole, one 12 ft. by 30 ft. associated ground equipment shelter and associated GPS equipment. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days of the approval date on this permit.
- II. Applicant shall obtain approval from the California Public Utilities Commission and the Federal Communications Commission.
- III. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 - 1. Identify finish of exterior materials and color of roof covering for the associated ground equipment shelter for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 - 2. Drainage and erosion control plans. **(DPW Drainage)**
 - 3. For the building application stage, please show on the plans how runoff from the development will be handled on-site. **(DPW Drainage)**
 - 4. Details showing compliance with fire department requirements.
 - 5. Exterior elevations identifying finish materials and colors. Exterior antenna material shall be non-reflective gray color to blend with the existing natural surroundings
 - 6. Provide fencing and warning sign details. Include sign location, fence

location, height, and materials for review and approval by the County.

7. Indicate on the building plans that any proposed lighting shall have a manual on/off switch and that no continuous lighting will be used.

B. To guarantee that the antennas remain in good visual condition and to ensure the continued provision of mitigation of the visual impact of the wireless communications facility, the applicant shall submit a maintenance program prior to building permit issuance which includes the following:

1. A signed contract for maintenance with the company that provides the exterior finish and camouflage materials, for annual visual inspections and follow-up, painting, and resurfacing as necessary

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

D. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

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

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

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

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

V. Operational Conditions

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

actions, up to and including permit revocation.

- B. If, as a result of future scientific studies and alteration of industry-wide standards resulting from these studies, substantial evidence is presented to Santa Cruz County that radio frequency transmissions may pose a hazard to human health and/or safety, the Santa Cruz County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the condition of this permit.
- C. The applicant shall agree in writing that where future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the applicant agrees to make those modifications which would allow for reduced visual impact of the proposed facility as part of the normal replacement schedule. If, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to reestablish the area consistent with the character of the surrounding vegetation.
- D. Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the condition at his time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
- E. All noise shall be contained on the property. A maximum exterior noise level at the property line is 60 LDN.
- F. All site, building, security and landscape lighting shall be directed onto the lease site and away from the scenic corridor and adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.
- G. The applicant shall meet all requirements of County Code 13.10.659(i) pertaining to initial and ongoing monitoring of NIER (Non-Ionizing Electromagnetic Radiation) levels.
- H. If, as a result of future scientific studies and alterations of industry-wide standards resulting from those studies, substantial evidence is presented to Santa Cruz County that radio frequency transmissions may pose a hazard to human health and/or safety, the Santa Cruz County Planning Department shall set a public hearing and in its sole discretion, may revoke or modify the conditions of this permit. The communications facility must demonstrate continued compliance with the Non-ionizing electromagnetic radiation Monitoring (NIER) standard established by the FCC and any NIER standards of other regulatory agencies as may become effective. By July 1st of every second year, a report listing each

transmitter and antenna present at the facility and the effective radiated power shall be submitted to the Planning Director.

- VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

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

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

David Heinlein
Project Planner

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

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Application No.: 03-0141

Assessor Parcel No.: 026-281-05

Project Location: 615 7th Avenue, Santa Cruz

Project Description: Proposal to add 6 panel antennas to an existing 90.5 foot telecommunication tower and to construct a 12 by 30 foot equipment shelter.

Person or Agency Proposing Project: Ridge Communications/ Andrew Ratner

Contact Phone: (925)-200-6332

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

D. Categorical Exemption

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

E. ☐ Lead Agency Other Than County:

David Heinlein, Project Planner

Date: _____

EXHIBIT D

COUNTY OF SANTA CRUZ

Planning Department

INTEROFFICE MEMO

APPLICATION NO: 03-0141 (2nd Routing)

Date: January 8, 2004

To: David Heinlein, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a replacement wireless communication facility at 615 7th Avenue, Santa Cruz
(PG & E / owner, Ridge Communications/ applicant)**GENERAL PLAN/ ZONING CODE ISSUES****Design Review Authority**

13.11.040 Projects requiring design review

(e) All commercial remodels or new commercial construction

Design Review Standards

13.11.072 Site design.

Evaluation Criteria	Meets criteria In code(✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout			N/A
Relationship to natural site features and environmental influences			N/A
Landscaping		✓	See comments below.
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing structures		✓	See comments below.
Natural Site Amenities and Features			
Relate to surrounding topography			N/A
Retention of natural amenities			N/A

Siting and orientation which takes advantage of natural amenities			N/A
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system			N/A
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form			N/A
Building silhouette			N/A
Spacing between buildings			N/A
Street face setbacks			N/A
Character of architecture			N/A
Building scale			N/A
Proportion and composition of projections and recesses, doors and windows, and other features			N/A
Location and treatment of entryways			N/A
Finish material, texture and color		✓	See comments below.
Scale			
Scale is addressed on appropriate levels			N/A
Design elements create a sense of human scale and pedestrian			N/A
Variation in wall plane, roof line, detailing, materials and siting.			N/A

Building design provides solar access that is reasonably protected for adjacent properties...			N/A
Building walls and major window areas are oriented for passive solar and natural lighting.			N/A

Minimize the visual impact of pavement and parked vehicles.			N/A
Parking design shall be an integral element of the site design.			N/A
Site buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot is encouraged where appropriate.			N/A
Lighting			
All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties.			<i>Suggest as Condition of Approval</i>
Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.			<i>Suggest as Condition of Approval</i>
All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed.			<i>Suggest as Condition of Approval</i>
Building and security lighting shall be integrated into the building design.			<i>Suggest as Condition of Approval</i>
Light sources shall not be visible from adjacent properties.			<i>Suggest as Condition of Approval</i>
Loading areas			
Loading areas shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing from or onto a public street.			N/A
Landscape			
A minimum of one tree for each five parking spaces should be planted along each single or double row of parking spaces.			N/A

A minimum of one tree for each five parking spaces shall be planted along rows of parking.			N/A
Trees shall be dispersed throughout the parking lot to maximize shade and visual relief.			N/A
At least twenty-five percent (25%) of the trees required for parking lot screening shall be 24-inch box size when planted; all other trees shall be 15 gallon size or larger when planted.			N/A
Parking Lot Design			
Driveways between commercial or industrial parcels shall be shared where appropriate.			N/A
Avoid locating walls and fences where they block driver sight lines when entering or exiting the site.			N/A
Minimize the number of curb cuts			N/A
Driveways shall be coordinated with existing or planned median openings.			N/A
Entry drives on commercial or industrial projects greater than 10,000 square feet should include a 5-foot minimum net landscaped median to separate incoming and out going traffic, where appropriate.			N/A
Service Vehicles/Loading Space. Loading space shall be provided as required for commercial and industrial uses.			N/A
Where an interior driveway or parking area parallels the side or rear property line, a minimum 5-foot wide net landscape strip shall be provided between the driveway and the property line.			N/A
Parking areas shall be screened from public streets using landscaping, berms, fences, walls, buildings, and other means, where appropriate.			N/A
Bicycle parking spaces shall be provided as required in. They shall be appropriately located in relation to the major activity area.			N/A
Reduce the visual impact and scale of interior driveways, parking and paving.	✓		
Parking Lot Landscaping			

It shall be an objective of landscaping to accent the importance of driveways from the street, frame the major circulation aisles, emphasize pedestrian pathways, and provide shade and screening.			N/A
Parking lot landscaping shall be designed to visually screen parking from public streets and adjacent uses.			N/A
Parking lots shall be landscaped with large canopy trees.			N/A
A landscape strip shall be provided at the end of each parking aisle.			N/A
A minimum 5-foot wide landscape strip (to provide necessary vehicular back-out movements) shall be provided at dead-end aisles.			N/A
Parking areas shall be landscaped with large canopy trees to sufficiently reduce glare and radiant heat from the asphalt and to provide visual relief from large stretches of pavement.			N/A
Variation in pavement width, the use of texture and color variation in paving materials, such as stamped concrete, stone, brick, pavers, exposed aggregate, or colored concrete is encouraged in parking lots to promote pedestrian safety and to minimize the visual impact of large expanses of pavement.			N/A
As appropriate to the site use, required landscaped areas next to parking spaces or driveways shall be protected by a minimum six-inch high curb or wheel stop, such as concrete, masonry, railroad ties, or other durable			N/A
On-site pedestrian pathways shall be provided from street, sidewalk and parking areas to the central use area. These areas should be delineated from the parking areas by walkways, landscaping, changes in paving materials, narrowing of roadways, or other design techniques.			N/A
Plans for construction of new public facilities and remodeling of existing facilities shall incorporate both architectural barrier removal and physical building design and parking			N/A

area features to achieve access for the physically disabled.			
Separations between bicycle and pedestrian circulation routes shall be utilized where appropriate.			N/A

*The new **Tristania conferta** proposed for the North side of the sight will not add screening given the existing fence **dong** that line. I suggest that these trees be used within the fence at the entries to the site **dong** Seventh Avenue (where there are planters and irrigation already provided).*

EXHIBIT F



