COUNTY OF SANTA CRUZ PLANNING DEPARTMENT Date: April 16,2004 Agenda Item: # 5 Time: After 1:00p.m.

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 02-0536APN 58-071-04APPLICANT: Jason Osborne (of The Lyle Company), for AT&T Wireless ServicesOWNER RMC Pacific Materials, Inc.

PROJECT DESCRIPTION:

Proposal to co-locate a wireless communication facility, including four flat panel antennas on the seventh floor and an equipment cabinet within a 36 square foot leased area on the sixth floor of the RMC Pacific Materials Davenport Cement Plant pre-heater tower. Requires an Amendment to Commercial Development Permit / Coastal Permit 94-0279.

LOCATION: Property located on the northeast side of Highway 1 (700 Highway 1), about 1,000 feet north from Marine View Ave.

PERMITS REQUIRED: Amendment to Coastal and Commercial Development Permits **ENVIRONMENTAL DETERMINATION:** Categorical Exemption, Section 1801 Existing

Facility

COASTAL ZONE: X Yes N o

PARCEL INFORMATION

PARCEL SIZE:	109 acres
EXISTING LAND USE	
PARCEL:	Heavy industrial; wireless communication facilities
SURROUNDING:	Commercial agriculture, neighborhood commercial, residential
PROJECT ACCESS:	Highway 1
PLANNING AREA:	North Coast
LAND USE DESIGNATIO	DN: I (Heavy Industry)
ZONING DISTRICT:	M-2 (Heavy Industrial)
SUPERVISORIAL DISTR	ICT: Third District (Wormhoudt)

ENVIRONMENTAL INFORMATION

a.	No geologic issues
b.	N/A
C.	Fire suppressionsystem required
d.	N/A
e.	N/A
f.	No grading proposed
g.	No trees proposed to be removed
h.	Highway 1 viewshed not impacted
1.	N/A
j.	No significant impact
	a. b. c. d. e. f. g, h. 1. j,

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k. Roads	k.	Existing roads adequate
1. Parks	1.	NIA
m. Sewer Availability	m.	N/A
n. Water Availability	n.	N/A
o. Archeology	0.	N/A

SERVICES INFORMATION

Inside Urban/Rural Services Line: Y e s X NoWater Supply:NIASewage Disposal:N/AFire District:County FireDrainage District:None

HISTORY

The original wireless communication facility permit on the site was approved on August 19, 1994 as Commercial Development Permit and Coastal Permit 94-0279. The original approval was for directional antennas mounted on the Davenport Cement Plant pre-heater tower, along with a small equipment building on the 6% floor of the tower. Additional co-located wireless communication facilities, including antennas and equipment, were approved under Minor Variations 96-0777 (on December *5*, 1996) and 00-0117 (on April 14,2000). Staff Reports and supporting documents for 94-0279, 96-0777, and 00-0117 are on file and available for viewing at the Santa Cruz County Planning Department. The existing wireless facilities are in compliance with the conditions of the approved permits.

ANALYSIS AND DISCUSSION

The proposed wireless communication facility co-location is a minor addition to an approved project. Although other added antennas were previously administratively approved as Level III Minor Variations (96-0777 and 00-0117), the present project is being processed at Level V (Zoning Administrator), consistent with the processing-level requirements of Interim Wireless Communication Facilities ordinance no. 4631. This project is being processed under said ordinance 4631, in that the project was deemed complete prior to April 29,2003.

The proposed four new flat panel antennas will be mounted on the tower at a centerline elevation of 222 feet above ground level. There will also be a new six foot by six foot lease area on the tower's sixth floor, enclosed by chain link fence, for a new equipment cabinet. The plans also indicate a small utility rack with future GPS and LMU antennas.

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

<u>Visual analysis</u>. Portions of the existing Davenport Cement Plant pre-heater tower, where the antennas will be located, are visible from the Highway 1 scenic corridor. However, this existing

industrial tower will not change in visual impact as a result of the additional antennas, which will be painted to match the tower's grey color. It would be exceptional for anyone to notice any visual change once the antennas are installed.

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

CONCLUSION

As proposed and conditioned, the project is consistent, as a conditional use, with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please *see* Exhibit B (Findings) for a complete listing of findings and evidence. This project conforms to the County of Santa Cruz Interim Zoning Regulations Regarding Wireless Communication Facilities (Ordinance No. 4631), in effect at the time the permit application was deemed complete for processing.

All permit conditions of the original project approval for Commercial Development Permit / Coastal Permit #94-0279 remain in effect.

RECOMMENDATION

Staff recommends:

- 1. APPROVAL of Application Number 02-0536, based on the attached findings and conditions; and
- 2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

EXHIBITS

- A. Project plans by CH2MHILL as revised 7-17-02 (8.5x11" included here; full-size on file).
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning map & General Plan map
- G. Photo simulations
- H. Radio Frequency Analysis, Hammett & Edison, dated 5-31-02
- I. "Project Description," from AT&T Wireless

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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.

KNelsa Report Prepared By:

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

Report Reviewed By:

Maghech for Cathy Graves

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

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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 M-2 Heavy Industrial, a designation which allows wireless communication facility uses. The proposed wireless communication facility is a conditionally permitted use within the zone district, consistent with the site's 'T' (Heavy Industry) 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 known easement or development restriction such as public access, utility, or open space easements.

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 project does not involve land disturbance, does not increase the visual impact of the cement plant tower from Highway 1, and is compatible with its surroundings.

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 wireless communications facility 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.



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The proposed project is in conformity with the County's certified Local Coastal Program in that the project does not increase the visibility of the industrial tower or affect the compatibility of the industrial facility with surrounding land uses. Additionally, wireless communication facilities are allowed uses in the M-2 Heavy Industrial zone district of the area, **as** well as the General Plan and Local Coastal Program land use designation.

DEVELOPMENT PERMIT FINDINGS:

1. THAT THE PROPOSED LOCATION OF THE PROJECT AND THE CONDITIONS UNDER WHICH IT WOULD BE OPERATED OR MAINTAINED WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OR THE GENERAL PUBLIC, AND WILL NOT RESULT IN INEFFICIENT OR WASTEFUL USE OF ENERGY, AND WILL NOT BE MATERIALLY INJURIOUS TO PROPERTIES OR IMPROVEMENTS IN THE VICINITY.

This finding may be made. The project is sited on a 109 acre parcel at an existing location of wireless communication facilities on a cement plant pre-heater tower. The visual impact of the co-location of facilities will be very slight, and much less than would potentially follow from a separate new facility nearby. The facility will comply with Federal Communications Commission safety criteria. A Radio Frequency Analysis was completed for the project which found that the project will comply with the prevailing standards for limiting public exposure to radio frequency energy (Exhibit H). The transmitting energy will not interfere with TV or AM/FM transmissions in the vicinity.

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

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

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

The project is located on a parcel in the M-2 (Heavy Industrial) zone district. Wireless communication facilities are a conditionally permitted use in the M-2 zone district. Lease income from the wireless facility to the property owner adds to the economic viability of the existing industrial use. The project is also consistent with the requirements of the Interim Wireless Facilities Ordinance No. **463**1, including the ordinance's strong encouragement for Co-location of wireless facilities.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE

COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The property is designated 'T' Heavy Industry in the County General Plan. Chapter 2, Objective 2.19a of the County General Plan states the purpose of the Heavy Industry designation is for heavy industrial activities such as major manufacturing plants, to encourage the productive use of the County's natural resources and provide employment for County residents, while ensuring compatibility with the environment, available infrastructure, and adjacent land uses. The project is consistent with these policies and is an appropriate supplemental land use within the Heavy Industry land use classification. A Specific Plan **has** not been adopted for the area.

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

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

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

As a co-location, the proposed wireless facility complements and harmonizes with the existing industrial tower and surrounding 109 acre cement plant industrial facility. The visual impact on the Highway 1 scenic corridor of the added antennas in this particular setting is slight to the extent that the antennas are unlikely to be noticed. The potential visual impact of locating a new, separate wireless communications facility nearby would be much greater.

6. THE PROPOSED DEVELOPMENT PROJECT IS CONSISTENT WITH THE DESIGN STANDARDS AND GUIDELINES (SECTIONS 13.11.070 THROUGH 13.11.076), AND ANY OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER.

This finding may be made, in that the proposed additional wireless communication facility will be of a physical shape and color that blends in with the existing industrial facility.

WIRELESS COMMUNICATION FACILITY USE PERMIT FINDINGS

1. THE DEVELOPMENT OF THE PROPOSED WIRELESS COMMUNICATIONS FACILITY WILL NOT SIGNIFICANTLY AFFECT *ANY* DESIGNATED VISUAL RESOURCES, OR OTHERWISE ENVIRONMENTALLY SENSITIVE AREAS OR RESOURCES, AS DEFINED IN THE SANTA CRUZ COUNTY GENERAL PLAN/LCP (SECTIONS 5.1, 5.10 AND 8.66), OR THERE IS NO OTHER ENVIRONMENTALLY SUPERIOR AND TECHNICALLY FEASIBLE

EXHIBIT B

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> ALTERNATIVE TO THE PROPOSED LOCATION WITH LESS VISUAL IMPACTS AND THE PROPOSED FACILITY HAS BEEN MODIFIED TO MINIMIZE **ITS** VISUAL AND ENVIRONMENTAL IMPACTS.

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

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

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

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

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

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

The proposed additional antennas will not make any significant change to the silhouette of the existing cement plant pre-heater tower.

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

The proposed facility, operated by A.T. & T. Wireless and co-located on an existing industrial tower, is required to comply with all FCC and PUC licensing and operating requirements.



CONDITIONS OF APPROVAL

Exhibit A: Project Plans by CH2MHILL, revised dated 7-17-02.

- I. This permit authorizes the construction and operation of the co-located wireless communication facility as shown in Exhibit **A**. Prior to exercising any rights granted by this permit including without limitation, any construction or site disturbance, the applicant/owner shall:
 - **A.** Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office **of** the County Recorder) within **30** days of the approval date on this permit.
 - D. Obtain and maintain all required licenses and approvals from the California Public Utilities Commission and the Federal Communications Commission.
- **II.** Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
 - 1. Identify finish of exterior materials and color of antennas and equipment cabinets (to match existing facility). The antennas shall have a non-reflective finish.
 - 2. Details showing compliance with fire department requirements.
 - 3. To prevent occupational RF exposures in excess of FCC guidelines, details regarding wording and location of warning signage to be installed to prevent cement plant tower maintenance or other maintenance work within five feet directly in front of the antennas while the base station is in operation, consistent with recommendations of the Hammet & Edison consulting engineering report dated May 31, 2002.
 - B. Obtain an Environmental Health Clearance for this project if any hazardous materials, such as batteries, are utilized or generated on site from the County Department of Environmental Health Services.
 - C. Meet all requirements and pay any applicable plan check fee to the Fire Protection

EXHIBIT C

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.
- IV. Operational Conditions
 - A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval **or** any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
 - B. The matching non-reflective paint finish shall be permanently maintained to prevent visual impacts.
 - C. If, in the future, the facility is no longer needed, the applicant agrees to abandon the facility and be responsible for the removal of all related structures and the restoration of the site as needed.
 - D. Any modification in the type of equipment shall be reviewed and acted on by Planning Department staff. The County may deny or modify conditions of permit approval at this time, or the Planning Director may refer it for public heating before the Zoning Administrator.
 - E. The applicant shall meet the requirements of County Code Section 13.10.659 pertaining to monitoring of Non-ionizing Electromagnetic Radiation (NIER) levels. Within 90 days after the commencement of normal operations, the applicant shall submit a report documenting NIER measurements at the facility site, consistent with the reporting requirements adopted in County Code. Failed compliance shall be grounds for review of this permit.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, **from** and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.



- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of **any** claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. <u>Settlement</u>. 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 settlementmodifying 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. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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



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

Approval Date:

Effective Date:

Expiration Date:

Don Bussey Deputy Zoning Administrator Jack **Nelson** Project Planner

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

EXHIBIT U

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Application No.: 02-0536 Assessor's Parcel No.: 58-071-04

Project Description: Proposal to co-locate a wireless communication facility by mounting four panel antennas onto an existing cement plant tower and installing an equipment cabinet. Location: Property located on the northeast side of Highway 1 (700 Highway 1), about 1,000 feet north from

Marine View Ave., Santa Cruz County.

Person or Agency Proposing Project: Jason Osborne/The Lyle Company Contact Phone: 415-559-2121

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

X 1. Existing Facility

- _____2. Replacement or Reconstruction
- _____3. New Construction of Small
- Structure
- **4.** Minor Alterations to Land **5.** Alterations in Land Use
- Limitations
- 7. Actions by Regulatory Agencies for Protection of the Environment
- <u>9</u>. Inspection
- ____ 10. Loans
- ____ 11. Accessory Structures
- ____ 12. Surplus Govt. Property Sales
- 13. Acquisition of Land for Wild-Life Conservation Purposes
- ____ 14. Minor Additions to Schools
- ____ 15. Minor Land Divisions
- ____ 16. Transfer of Ownership of Land to Create Parks
- ____ 17. Open Space Contracts or Easements
- ____ 18. Designation of Wilderness Areas
- ____ 19. Annexation of Existing Facilities Lots for Exempt Facilities
- E. Lead Agency Other Than County: N.A.

ack Nelson

Jack Nelson, Project Planner

- _____ 20. Changes in Organization of Local Agencies
- 21. Enforcement Actions by Regulatory Agencies
- _____ 22. Educational Programs
- 23. Normal Operations of Facilities for Public Gatherings
- _____24. Regulation of Working Conditions
- 25. Transfers of Ownership of Interests in Land to Preserve Open Space
- ----- 26. Acquisition of Housing for Housing Assistance Programs
- _____ 27. Leasing New Facilities
- 28. Small Hydroelectric Projects at Existing Facilities
- ____ 29. Cogeneration Projects at Existing Facilities
- _____ 32. In-Fill Development Projects

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

Date: April 16,2004



Map Output



Existii sec View as seen from Hwy I Northbound



^{© 2002} Perfect Image Salinas, CA (831)757-3191

Existing/Proposed View as seen from Hwy I Southbound



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AT&T Wireless • Proposed Base Station (Site Nu. 960008002A) 700 Highway 1 • Davenport, California

Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by AT&T Wireless, a telecommunications carrier, to evaluate a proposed new base station (Site No. 960008002A) to be located at 700 Highway 1 in Davenport, California, for compliance with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields.

Prevailing Exposure Standards

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

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

Personal Wireless Service	Approx. Freauency	Occupational Limit	Public Limit
Personal Communication ("PCS")	1,950 MHz	$5.00 \mathrm{mW/cm^2}$	$1.00 \mathrm{mW/cm^2}$
Cellular Telephone	870	2.90	0.58
Specialized Mobile Radio	855	2.85	0.57
[most restrictive frequency range]	30-300	1.00	0.20

General Facility Requirements

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



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

Computer Modeling Method

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

Site and Facility Description

Based upon information provided by AT&T, including zoning drawings by CH2M Hill, dated May 8, 2002, it is proposed to mount four Allgon Model 7250.03 directional panel PCS antennas on the side of an existing 250-foot tower located at the RMC Pacific Materials Cement Plant, 700 Highway 1 in Davenport. The antennas would be mounted at an effective height of about 222 feet above ground and would be oriented in pairs toward 140°T and 310°T, to provide service to surrounding areas. The maximum effective radiated power in any direction would be 985 watts.

Presently located on the same tower are similar antennas for use by AT&T Wireless, Verizon Wireless, Sprint PCS, and Cingular Wireless, other telecommunications carriers, as well as several omnidirectional antennas for use by others. Transmitting facilities reportedly used by those carriers are as follows:

<u>Carrier</u>	Antenna Model	Maximum ERP	<u>Height</u>
AT&T	Sinclair SRL410C	1,500 watts	251 ft
Verizon	Decibel DB884H60*	1,500*	245
Sprint	EMS RR6518	2,000	* 235
Cingular	EMS RR9017*	1,500*	210

Data **shown** are assumptions, based on similar sites for these services.





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Study Results

The maximum ambient RF level at any ground level location within 1,000 feet due to the proposed AT&T operation by itself is calculated to be 0.000038 mW/cm², which is just 0.0038% of the applicable public limit. The maximum calculated cumulative level at any ground level location within 1,000 feet for the simultaneous operation of all carriers is 0.079% of the public exposure limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels. Figure **3** attached provides the specific data required under Santa Cruz County Code Section 13.10.659(g)(2)(ix), for reporting the analysis of RF exposure conditions.

Recommended Mitigation Measures

Due to their mounting location on a tall tower, the AT&T antennas are not accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines.

To prevent occupational exposures in excess of the FCC guidelines, no access within 5 feet directly in front of the antennas themselves, such as might occur during maintenance work on the tower, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs[†] at the base of the tower and at the antennas, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

Conclusion

Based on the information **and** analysis above, it is the undersigned's professional opinion that the AT&T Wireless base station proposed at 700 Highway 1 in Davenport, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need 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.

[†] Warning signs should comply with **ANSI C95.2** color, symbol, and content conventions. In addition, contact information should be provided (*e.g.*, a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required.



EXHIBIT H

AT&T Wireless • Proposed Base Station (Site No. 960008002A) 700 Highway 1 • Davenport, California

Authorship

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

OFESS E-13026 M-20676 William F Exp. 6-30-05

May 31,2002



EXHIBIT H



Report No. 86 (Published 1986) "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields"

Radio Frequency Protection Guide

Frequency		Contact Currents		
Applicable Range (MHz)	Elechic Field Strength	Magnetic Field Strength (A/m)	Equivalent Far-Field Power Density (mW/cm ²)	(mA)
0.3 – 1.34	614 614	1.63 1.63	100 100	200
1.34 - 3.0	614 823.8/f	1.63 2.19/f	100 180/f ²	200
3.0 - 30	1842/f 823.8/f	4.89/f 2.194'	900/f ² 180/f ²	200
30 - 300	61.4 27.5	0.163 0.0729	1.0 0.2	no limit
300 - 1,500	3.54√f 1.59√f	√¶106 <i>√¶238</i>	f/300 <i>f/1500</i>	no limit
1,500-100,000	131 61.4	0.364 0.163	5.0 1.0	no limit

Note: f is frequency of emission, in MHz.



Frequency (MHz)

EXHIBIT H



NCRP-86 Standard Figure 1

ເ ເ ເ ເ CALC[™] Calculation Methodo ເບgy

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRF"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent Institute of Electrical and Electronics Engineers ("IEEE") Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, **3** kHz to 300 GHz," includes nearly identical exposure limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

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

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

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

 λ = wavelength of the transmitted signal, in meters.

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

powerdensity
$$\mathbf{S} = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$$
, in mW/cm²,

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

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

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

power density
$$S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$$
, in mW/cm²,

where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

D = distance from the center of radiation to the point of calculation, in meters.

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



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EXHIBIT H

Methodology Figure 2

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

"compliance with the FCC's non-ionizing electromagnetic radiation (NIER) standards or other applicable standards shall be demonstrated for any new wireless communication facility through submission at the time of application for the necessary permit or entitlement, of NIER calculations specifying NER levels in the area surrounding the proposed facility. Calculations shall be made of expected NIER exposure levels during peak operation periods at a range of distances from fifty (50) to one thousand (1,000) feet, taking into account cumulative NIER exposure levels from the proposed source in combination with all other existing NIER transmission sources within a one-mile radius. This should also include a plantic ensure the transmission source associated with the proposed wireless communication facility, consistent with the NER standords of the FCC or any potential future superceding standards."





 Distance (feet)
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Maximum effective radiated power (peak operation) - 985 watts

Effective AT&T antenna height above ground - 222 feet

Other sources nearby - AT&T Wireless, Cingular Wireless, Sprint PCS, Verizon Wireless, and several whip antennas

Other sources within one mile - No AM, FM, or TV broadcast stations No two-way stations close enough to affect compliance

Plan for a stricting public access - Antennas are mounted on **a** tall tower at a cement plant.



EXHIBIT H





Project Description

Nature of Reauest

AT&T Wireless Services (AWS) seeks approval of a Conditional Use Permit, and related permits to allow the construction of a communication facility on an existing parcel developed. This site would be a collocation, as we would be placing our antennas on **an** existing site, while maintaining the design and appearance of the present tower. **Dobson Cellular**, formerly known as 'Santa Cruz Cellular', presently occupies the 'tree pole'. This facility is intended to provide coverage along Corralitos Road, and the surrounding valley in Santa Cruz County. This site is being proposed in accordance with AWS' FCC license requirements.

Property Description

The subject property is located at The Lone Star Cement Corporation, 700 Highway One. APN#: 058-071-04. The site is located in Davenport, but is within the jurisdiction of Santa Cruz County. Mr. James Scheidenberger, who has authorized **us** to utilize his property for this use, owns the subject parcel.

Heavy Industrial

The property is located within a **Commercial Agricultural** (M-2) Zoning District, which allows installation of wireless telecommunications facilities as a conditional **use** pursuant to Section 13.10.659.21.8F.2 of the Planning Code. This area, as mentioned above is operated under the name of "Lone Star Cement Company". This area is not designed for residential uses, and will remain its industrial nature, which provides an excellent facility for our wireless communication facility. The proposed use matches the present use, as the project does not deviate nor substantially increase the visual blight of the present use/site.

Project Description

AT&T proposes to install a communication facility that will consist of Four (4) flat panel antennas mounted on the existing steel platform tower at a Centerline elevation of 222. 0". The new antennas will be mounted on the tower, designed not to exceed the (e) ht. of the "tower". The antennas will be painted to match the tower to minimize any visual blight that could be associated with this project (Please see Photosimulations). The cabling, called 'coax' will not be seen, as it vvil be routed inside the building and attaching to the antennas. In addition, a +/- 36 square foot area will be developed with One (1) equipment cabinet on the sixth floor and will not be visible from any adjacent properties, as it will be located within the structure. Interior service lights that are only used during routine maintenance or emergency situations will be located on the site for safety purposes.

The Lyle Company Representing AT&T Wireless EXHIBIT I

Access to the project site will be via the (E) asphalt road with a 20' easement that has been approved by the landlord. Our proposal, other than construction, will only add a maximum of two road trips per month, therefore limiting any erosion issues that may be of concern in this area. There is also an (E) turnout lane to mitigate any road safety issues that could be attributed to our maintenance.

Statement of Operations

The proposed AT&T communication facility only requires electrical and telephone services, which are readily available to the building/site. No nuisances **vvill** be generated by the proposed facility, nor will the facility injure the public health, safety, morals or general welfare of the community. AT&T technology does not interfere with any other forms of communication devices whether public or private. Construction of this facility will actually enhance wireless communications for residents or motorists traveling along Rural Santa Cruz County by providing seamless service to numerous customers.

As mentioned before, upon completion of construction, fine-tuning of the AT&T facility may be necessary, meaning the site will be adjusted once or twice a month by a service technician for routine maintenance. No additional parking spaces are needed at the project site for maintenance activities. The site is entirely self-monitored and connects directly to a central office where sophisticated computers alert personnel to any equipment malfunction or breach of security.

Because AT&T's facility will be un-staffed, there will be no regular hours of operation and no impact to existing traffic patterns. An existing dirt/gravel road will provide ingress and egress. Allowing access to the technician who arrives infrequently to service the site. No on-site water or sanitation services will be required as a part of this proposal.

Zoning Analysis

Heavy Industrial

AT&T's proposed facility **vvill** be located within a **Commercial Agricultural** zoning District (**M-2**). Pursuant to the County of Santa Cruz Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposed use is allowed in this zoning district subject to approval of a Level 5 Conditional Use Permit. The proposal is consistent with the County design, siting and review guidelines for commercial antenna installation in that this project proposes to be collocated with another carrier and will be architecturally/visually integrated into the existing "steel platform tower" design to minimize visual impacts. Additionally, the proposal includes the placement of equipment which AT&T wireless has designed the base facility **in** the "least visual obtrusive manner". Please see the "Supplemental Information", Exhibit D, section for more indepth analysis of Zoning as it follows your Interim Wireless Ordinance.