



Staff Report to the Zoning Administrator

Application Number: **08-0256**

Applicant: James Cosgrove

Owner: Camille and Timothy Washovich

APN: 040-271-62

Agenda Date: 1/15/2010

Agenda Item #: 3

Time: After 10:00 a.m.

Project Description: Proposal to recognize a 48 foot monopole with one panel antenna and install a new panel antenna; install an additional equipment cabinet within the existing equipment building and a generator on site; and, to replace one of three existing panel antennas located on the deck support of an existing single family dwelling. The project requires a Development Permit Amendment to Permit 98-0031.

Location: The property is located on the west side of Skyward Drive (685 Skyward Drive), within the Aptos Planning Area.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Development Permit

Technical Reviews: None

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Denial of Application 08-0256, based on the attached findings and conditions.

Exhibits

- A. Zoning Administrator Staff Report dated 2/06/08
- B. Building Permit #102527
- C. Use Permit 98-0031
- D. Current Site Photos
- E. Correspondence

Zoning Administrator Action

The proposed project was considered by the Zoning Administrator at a public hearing on February 6, 2008. The staff report is attached as Exhibit A. The public testimony focused on the use permit history and the scope of the proposed use, existing facility noise, and road maintenance. The Zoning Administrator remanded the project to the Planning Department staff

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

with a request that the project be re-noticed following re-evaluation of the permits on file to ensure the accuracy of the project description noticing. The applicant was also directed to provide a noise study to evaluate the noise impacts of the existing air conditioning system and proposed generator as well as to provide revised plans to address any changes to the original plans or modifications necessary to mitigate noise for the air conditioning unit and generator to ensure that noise is fully contained on the property without impacting adjoining residential properties. In addition, the applicant was directed to join the road maintenance association and to negotiate a fair share of the cost for yearly road maintenance with the association.

Permit History/Permit Noticing

The site is developed with a permitted single-family dwelling and a detached garage.

On May 12, 1992 a building permit (BP# 102527 attached as Exhibit B) was incorrectly issued (finalized on December 17, 1992) in the absence of a use permit to allow the installation of a modular equipment building with associated electronic equipment and air conditioning unit, three panel antennas attached to the existing single family dwelling, and a 200 amp electrical service for a cellular telephone communications network. Subsequently, Use Permit 98-0031 (attached as Exhibit C) recognized this development.

Use permit 98-0031 also authorized a 48-foot monopole with one panel antenna, and emergency generator, and a propane tank with a condition to require a building permit. However, the monopole, panel antenna, and generator hook-up were constructed without the benefit of a building permit. Current site photos are attached as Exhibit D. Since these elements of Use Permit 98-0031 were not exercised before the expiration date of the use permit, they do not have a valid use permit.

The proposed project has been re-noticed to recognize the 48 foot high monopole, panel antenna on the monopole, generator, and an additional equipment cabinet within the existing equipment enclosure, as well as a proposal to replace an existing panel antenna on the deck support of the existing single family dwelling. This description excludes reference to the existing air conditioning unit on the exterior of the modular unit, though the sound baffling portion was not installed according to building permits, and three existing panel antennas located on the deck supports of the house because a building permit and use permit have been issued for these improvements.

Zoning Administrator Requested Materials

Since the Zoning Administrator remanded the project to staff in February of 2009, the applicant has not submitted any of requested materials including the revised plans, noise study or road maintenance association agreement. The noise study would have evaluated whether noise impacts of both the existing air conditioning unit and proposed generator could be addressed or if revised designs would have been necessary. The revised plans would have addressed the air conditioning unit sound baffling equipment and generator details. In addition, the applicant was required to provide some agreement with the road maintenance association to address impacts of the on-going maintenance vehicles on Skyward Drive. The applicant was sent correspondence on October 8, 2009 notifying him that if materials were not submitted within 30 days the

application would be recommended for denial based on a failure to provide required information.

Conclusion

The applicant has not provided any of the information that was requested by the Zoning Administrator in the nine months following the public hearing. Therefore, findings for approval of the project cannot be made to support the proposed project or determine that the project will not be injurious to surrounding properties. Therefore, the project is not consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **DENIAL** of Application Number **08-0256**, based on the attached findings.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Wireless Communication Facility Use Permit Findings

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

This finding cannot be made, in that the project is inconsistent with the purposes of the residential zone district specified under County Code 13.10.321, one of which is to "preserve areas for primarily residential uses in locations protected from the incompatible effects of nonresidential land uses" and "to protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes.

In particular, this facility, permitted under 98-0031, includes an existing air conditioning unit attached to the exterior of the equipment building, which emits noise that is disruptive to the surrounding neighbors at night. As a result, the existing facility is not in compliance with operational condition V.E, which requires that all noise be contained within the property. Operational Condition V.D also allows the Zoning Administrator to deny or modify the project conditions as a result of a request for modification to the type of equipment at the site. Since this proposed application proposes to recognize a 48-foot monopole and panel antenna built without a permit and proposes additional improvements that modify the type of equipment at the site, the Zoning Administrator may consider modifications of the project conditions or denial at this juncture.

In his review of the existing permit and proposed project the applicant was directed by the Zoning Administrator to provide information about existing and potential noise issues related to the air conditioning unit and the proposed generator, and to coordinate with the road maintenance association to provide a fair share of the road maintenance costs. In the nine months following the hearing, the applicant has failed to provide this information and otherwise meet the Zoning Administrator's requirements. Without the information about noise and resolution about nuisances regarding road maintenance, there is no basis for a finding that the project is in compliance with the use permit, with General Plan policy 6.9.1 (Noise-Land Use Compatible Guidelines) or with County Code Section 13.10.321 (a) 2 and 13.10.321 (a) 9 (Residential Purpose). Prior to scheduling this item for this current hearing (January 2010), the applicant was provided written correspondence requesting that this information be provided. It cannot be determined whether the existing noise can be mitigated or whether the proposed noise resulting from the generator will be fully contained on the property.

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 cannot be made, in that it has not been demonstrated that the project is not detrimental to health, safety, and welfare of nearby residences and is not injurious to neighboring properties. The air conditioning unit located on the outside of the existing equipment building intermittently turns on to cool the inside temperature and generates disruptive noise to the neighbors. Public testimony during the public hearing included complaints about this noise disrupting the immediate neighbors sleep during the night. As a result, the Zoning Administrator required a noise study to evaluate the noise levels and project design mitigations be provided to ensure that noise is contained on the property. To date, the applicant has not provided a noise study or provided project design modifications to address this issue. In addition, the applicant has not addressed a requirement to provide a fair share of the road maintenance needs as a result of wireless vehicles traveling the private road to the site. As a result, at this time it must be concluded that the project may be injurious to surrounding residents and properties.

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

This finding cannot be made, in that the existing and proposed cell facility and the conditions under which it would be operated or maintained will not be consistent with purpose of the RA (Residential Agriculture) zone district under County Code Section 13.10.321 (a) 9, which is "to protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes" in that the wireless use of the property is currently disruptive to the neighbors and it has not been shown that the noise from the proposed generator will be contained on the property.

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

This finding cannot be made, in that the existing wireless facility air conditioning unit and proposed facility currently adversely impact the surrounding neighbor due to a loud air conditioning unit attached to the facility. The project also proposes a generator that may impact surrounding residential properties. The objective of the General Plan Noise (Public Safety and Noise) Element, Objective 6.9a is "Promote land uses which are compatible with each other and with the existing and future noise environment. Prevent new noise sources from increasing the existing noise levels above acceptable standards and eliminate or reduce noise from existing objectionable noise sources."

As a result of public testimony regarding noise impacts from the existing and proposed use, the Zoning Administrator required the applicant to provide a noise study to evaluate the noise impacts of the air conditioning unit and generator and to provide design modifications as necessary to ensure that the noise is contained on the property. To date, the applicant has not

provided the required information and plans and therefore there is no basis for findings for approval.

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

This finding cannot be made, in that the proposed facility generates on-going traffic for maintenance of the wireless facility, which impacts the existing private road. During public testimony at the February 2008 hearing, the president of the road maintenance association requested that the wireless carrier be required to contribute to maintain the private roadway to address the impacts of heavy maintenance vehicles that regularly travel the private road. As a result, the applicant was required by the Zoning Administrator to coordinate with the road maintenance association to establish a fair share of the annual road maintenance cost toward maintenance of the road. To date, the applicant has not provided staff with any follow-up information confirming a road maintenance association agreement to cover the share of road improvement costs associated with the wireless facility.

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

This finding cannot be made, in that while the proposed cell facility is currently situated among existing trees, which screen the structures (pole and building) from view, the intensity of the land use results in noise impacts from existing and proposed equipment and maintenance vehicles that are incompatible with the surrounding, quiet, rural character of the residential neighborhood, as described in public testimony during the public hearing, and the continued road use by heavy maintenance vehicles impacts the quality of the private road unless mitigated.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 08-0256

Assessor Parcel Number: 040-271-62

Project Location: 685 Skyward Drive, Aptos, CA 95003

Project Description: Proposal to recognize a 48 foot monopole with a panel antenna and install a new panel antenna; install an additional equipment cabinet within the existing equipment building and a generator and propane tank on site; and, to convert one of the existing GSM antennas located on the existing dwelling deck support for use as a UMTS antenna. The project requires a Development Permit.

Person or Agency Proposing Project: James Cosgrove

Contact Phone Number: (415) 233-3838

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

Specify type: Statutory Exemption - 15270 - Projects which are disapproved

E. ☐ **Categorical Exemption**

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

Proposal to recognize an existing wireless communication facilities and make minor modifications to the structure and use.

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

Sheila McDaniel, Project Planner

Date: _____



Staff Report to the Zoning Administrator

Application Number: 08-0256

Applicant: James Cosgrove
Owner: Camille and Timothy Washovich
APN: 040-271-62

Agenda Date: 2/06/08
Agenda Item #: 3
Time: After 10:00 a.m.

Project Description: Proposal to recognize a 48 foot monopole with antenna, three panel antennas installed on the deck supports of an existing single family dwelling, existing equipment building with exterior air conditioning unit, installation of one new antenna on the monopole, and the reuse and conversion of one existing GSM antenna for use as a UMTS antenna on the existing deck support. The project requires a Development Permit.

Location: The property is located on the west side of Skyward Drive (685 Skyward Drive), within the Aptos Planning Area.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Development Permit
Technical Reviews: None

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0256, based on the attached findings and conditions.

Exhibits

- | | |
|---|---------------------------------------|
| A. Project plans | F. Zoning map/General Plan map |
| B. Findings | G. Existing Site Photos |
| C. Conditions | H. NIER Report, dated May 30, 2008 |
| D. Categorical Exemption (CEQA determination) | I. Alternative Site Analysis Material |
| E. Location and Assessor's parcel map | J. Comments & Correspondence |

Parcel Information

Parcel Size: 2.9 acres (EMIS Estimate)
Existing Land Use - Parcel: Residential
Existing Land Use - Surrounding: Residential

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Project Access: Skyward Drive, 40 foot right-of-way access
Planning Area: Aptos
Land Use Designation: RR (Rural Residential)
Zone District: RA (Residential Agriculture)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site, though area elsewhere on the site is identified on the Cooper Clark Landslide map.
Environmental Planning staff had no comments or concerns regarding this application.
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Well
Sewage Disposal: Septic
Fire District: Aptos La Selva Fire Protection District
Drainage District: N/A, Natural

History

Application 98-0031 recognized a 48 foot monopole with an antenna, a generator, and a 250 gallon propane tank, three panel antennas installed on a single-family dwelling deck support, and an equipment storage building as part of an existing un-permitted cellular transmission facility. The facility has operated ever since approval of the use permit, though a building permit was never issued and the use permit was not exercised and does not have a valid use permit to operate today.

Project Setting

The project site is approximately 2.9 acres in size with access via a 40' right-of-way that travels through the center of the parcel and services 4 additional parcels. The site slopes steeply from the north to the south and is forested with oak, fir, and redwoods.

The cell facility consists of three panel antennas that are attached to the exterior of the house on

the deck supports, as shown on the project plans and attached photo, Exhibit G. The equipment shelter is comprised of an approximately 220 square foot enclosed equipment building, approximately 23'4" in length by 9 wide by 11'6" feet in height and is surrounded on three sides by a four (4) foot high retaining wall. This facility does not currently include a propane tank or generator as originally conceived. The equipment cabinets and a generator receptacle are located within the structure and an exterior air conditioning unit is attached to the building. The 48 foot monopole is located adjacent to the equipment shelter. The equipment shelter, monopole, and house antennas are located approximately 130 feet from the nearest residential dwelling.

Project Proposal

The current application seeks to recognize the existing facility. The applicant proposes to add one new 5.5 inch by 10.3 inch by 54 inch (4.5 feet) antenna below the existing antenna on the monopole, one UMTS equipment cabinet within the equipment building, and to reuse one of the existing GSM antennas on the dwelling deck support as a UMTS antenna. The facility also shows a generator receptacle, though plans do not include a generator.

Zoning & General Plan Consistency

Cell Facility on a Residentially Zoned Parcel

Pursuant to County Code Section 13.10.661(c), parcels zoned Residential Agriculture are subject to the "Restricted Area" requirements. These code sections, 13.10.661(c) (3) and 13.10.661 (d), discourage non-collocated facilities, with exception that non co-located facilities are permitted within this zone district provided that an alternative analysis is submitted pursuant to County Code Section 13.10.662(c).

Alternatives Analysis

An alternative site analysis is a document that provides an evaluation of a number of cell sites with the intent of demonstrating that the proposed cell site provides more superior cell coverage than other sites and also most limits site visibility to surrounding properties and minimizes visual impacts. This site is unique in that it is an existing site currently operated by AT&T and was previously approved under Permit 98-0031, but not fully exercised because the building permit was not issued by the Planning Department. The applicant provided a rationale for this location within this context noting that this site was originally selected because it provides superior coverage and would leave a gap in the coverage if another site is required to be developed today. Site coverage mapping information and an email, attached as Exhibit I, are provided and serve as the alternatives site analysis that support this location selection. Mapping information show coverage provided for this carrier at this location. Staff concurs with the applicant with regard to site selection based on the information provided and does not recommend additional evaluation of other sites. Furthermore, another site would only be recommended by staff if the selected site would result in significant visual impacts to surrounding properties or to a sensitive scenic corridor or other impacts associated with the site that could not be mitigated. This site is not visible to any scenic corridor or to surrounding properties given the existing mature trees between properties.

Noise Considerations

Staff was contacted by a neighbor in a phone call following neighborhood noticing. In particular, the neighbor complained of noise related to this site during the night. Staff visited the site again and noted the existing air conditioning unit attached to the exterior of the equipment building and listened to the AC unit during operation. This AC unit requires additional noise evaluation, but in the absence of a noise study, it is recommended that this unit be removed from this facility. Furthermore, the project is conditioned to prohibit a generator and the proposed generator receptacle from this site to avoid these same noise issues. This will ensure that batteries are provided as the means of back-up for this facility during power outages.

Radiofrequency (RF) Exposure

An RF report, as required by the Wireless Communications Ordinance, is attached as Exhibit H. This report evaluates the existing facility (post construction levels) and evaluates projected emission levels (pre-construction). The existing and proposed levels are within FCC prescribed limits as shown on Table 2 of the report. The maximum level does not exceed 36% of the most restrictive public limit at ground level. The maximum exposure on nearby buildings is projected to be approximately .75 percent of the most restrictive limit established by the Federal Communications Commission.

Section 47 USC 332(c)(7)(iv) of the Telecommunications Act of 1996 prohibits jurisdictions from regulating the placement, construction, or modification of Wireless Communications Facilities based on the environmental effects of RF emissions if these emissions comply with FCC standards.

Setbacks

The following setbacks apply to this property based on the Residential Agriculture zone district.

| | Front | Side | Interior Right-of-Way | Rear |
|----------|-------|-------------------------------------|--|------|
| Required | 40' | 20' | 20' | 20' |
| Proposed | 220' | North Side-80', South Side- 160' | 60' from road edge, 45' from r/w edge | 350' |

The improvements comply with all required setbacks. The existing pole and equipment building are also located in proximity to an interior right-of-way and are subject to the 20 foot street side yard setback. The existing improvements are setback approximately 60 feet back from the edge of the roadway and approximately 45 feet from the right-of-way.

Design Review

The proposed facility will comply with the requirements of the County Design Review Ordinance, in that the equipment building and monopole are screened from adjacent residential properties by existing vegetation as noted in the site photos provided and attached as Exhibit G.

No visual mitigations are necessary for the proposed site. Please see attached Design Review, Exhibit J.

Environmental Review

Environmental review is not required for the proposed development. A CEQA exemption form is attached as Exhibit D for staff signature and filing with the Clerk of the Board following approval.

Conclusion

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

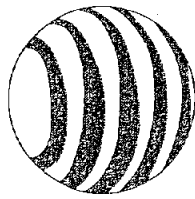
Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **08-0256**, based on the attached findings and conditions.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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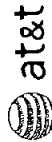
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CNU3498/JACKSON OVERLAY
685 SKYWARD DRIVE
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JRA

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PROJECT KEY INFORMATION
The information contained in this document is for informational purposes only and does not constitute a contract. The information is subject to change without notice and is not to be used for any other purpose without the written consent of Jeffrey R. Johnson, Inc.



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TITLE SHEET

T-1

SHEET INDEX

| NO. | DESCRIPTION |
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| 10 | 11111 - California - Fresno |

APPLICABLE CODES

1. ALL APPLICABLE CODES WITH THE FOLLOWING EXCEPTIONS:
2. 11111 - California - Fresno
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4. 11111 - California - Fresno
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10. 11111 - California - Fresno

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS AN UNDESIGNED PROJECT AND DOES NOT CONSTITUTE A CONTRACT. THE INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF JEFFREY R. JOHNSON, INC.

SCALE

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DEVELOPMENT SUMMARY

| NO. | DESCRIPTION |
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PROJECT DESCRIPTION

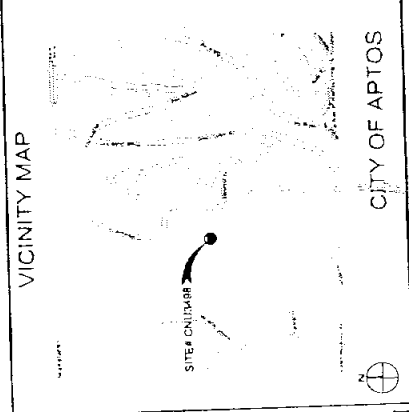
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CONSULTANT TEAM

| NO. | DESCRIPTION |
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SPECIAL INSPECTIONS

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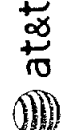
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Jarvis Engineering & Construction, Inc.
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PROJECT INFORMATION
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AT&T Regional Office
 San Diego, California 92101

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AT&T UNITS OVERLAY
JACKSON OVERLAY
 CNU3498
 SAN DIEGO, CALIF. 92101

DATE: 04/21/79
 BY: J.E. JARVIS
 CHECKED: J.E. JARVIS
 DATE: 04/21/79

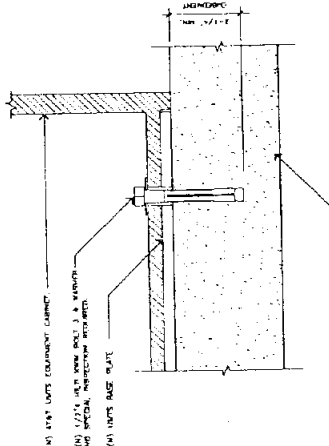
A.P.N. 040-271-62

EQUIPMENT DETAILS

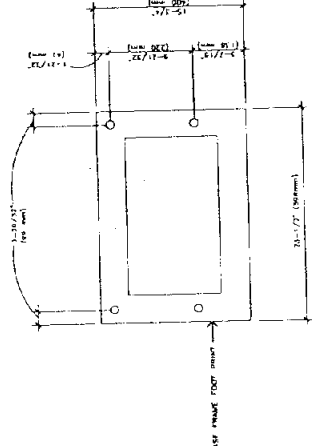
A-3

EQUIPMENT FLOOR PLAN GENERAL NOTES

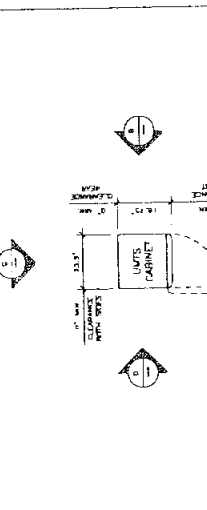
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2. CONNECTOR TO PROVIDE ALL OVER CABLE AND ANCHORS WHERE REQUIRED AND CONNECT TO THE UNIT CABLE.
3. CONNECTOR TO PROVIDE ALL OVER CABLE AND ANCHORS WHERE REQUIRED AND CONNECT TO THE UNIT CABLE.
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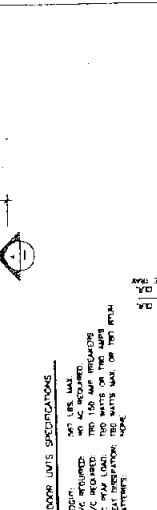
EQUIPMENT ANCHORAGE



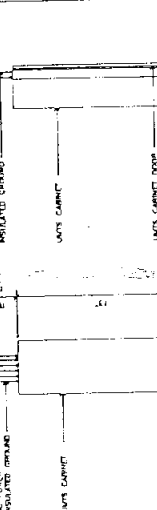
UMTS INDOOR CABINET 3206



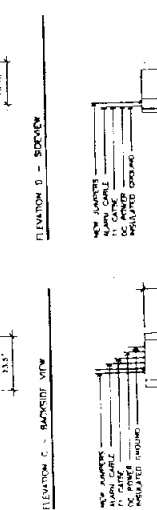
UMTS INDOOR CABINET 3206



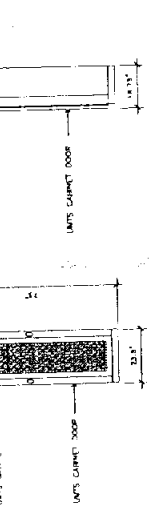
UMTS INDOOR CABINET 3206



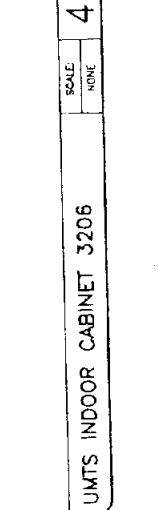
UMTS INDOOR CABINET 3206



UMTS INDOOR CABINET 3206



UMTS INDOOR CABINET 3206



JRA

Jeffrey R. Johnson, Inc.
Antenna - Lightning - Towers
Antenna - Lightning - Towers
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PROJECT: NEW INFORMATION FROM
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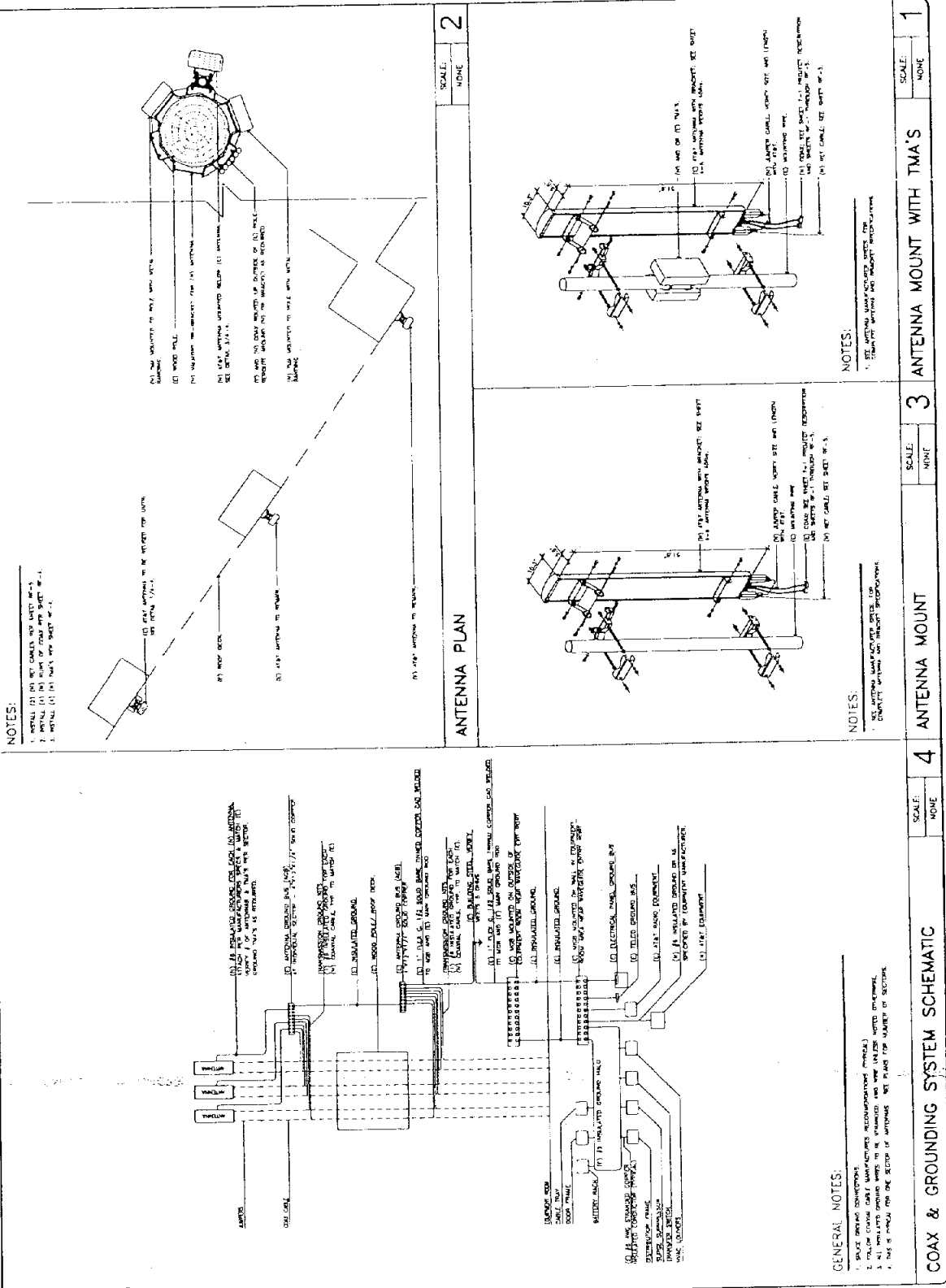
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|--------|--------|--------|--------|--------|
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| 1/1/93 | 1/1/93 | 1/1/93 | 1/1/93 | 1/1/93 |
| 1/1/93 | 1/1/93 | 1/1/93 | 1/1/93 | 1/1/93 |

PROJECT NAME
AT&T DUTTS OVERLAY
PROJECT NAME
AT&T DUTTS OVERLAY
PROJECT NAME
AT&T DUTTS OVERLAY

PROJECT DATES
1/1/93 TO 1/1/93
1/1/93 TO 1/1/93
1/1/93 TO 1/1/93
1/1/93 TO 1/1/93

PROJECT NO.
A.P.N. 040-271-62
PROJECT NO.
A.P.N. 040-271-62
PROJECT NO.
A.P.N. 040-271-62

A-4



JRA

John R. Anderson, Inc.
 Irvine, California • Norwalk
 Connecticut
 (800) 754-4477
 (407) 754-4477
 (407) 754-4477

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 1000 Mountain View
 Mountain View, California 94035

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| DATE | DATE | DATE | DATE | DATE |
| DATE | DATE | DATE | DATE | DATE |
| DATE | DATE | DATE | DATE | DATE |
| DATE | DATE | DATE | DATE | DATE |

PROJECT NAME
 AT&T UITS OVERLAY
PROJECT NUMBER
 JACKSON OVERLAY
 CNU3488
 1000 Mountain View
 Mountain View, California 94035

DATE
 10/27/99
BY
 1000 Mountain View
 Mountain View, California 94035

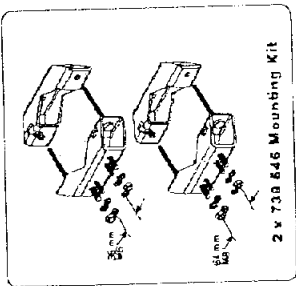
DATE
 10/27/99
BY
 1000 Mountain View
 Mountain View, California 94035

DATE
 10/27/99
BY
 1000 Mountain View
 Mountain View, California 94035

DATE
 10/27/99
BY
 1000 Mountain View
 Mountain View, California 94035

A-5

742 264
 65° Dualband Directional Antenna



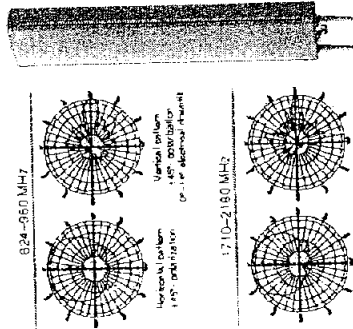
| Mounting Kit | Dimensions |
|--------------|------------------------------|
| 2 x 730 846 | Mounting Kit for 2 x 730 846 |
| 730 846 | Mounting Kit for 730 846 |
| 730 846 | Mounting Kit for 730 846 |
| 730 846 | Mounting Kit for 730 846 |
| 730 846 | Mounting Kit for 730 846 |



Order Information
 Model
 742 264
 Description
 65° Dualband Directional Antenna

All specifications are subject to change without notice. The life of specifications are available in www.jra.com. John R. Anderson, Inc. 1000 Mountain View, Mountain View, California 94035. Phone (407) 754-4477. Fax (407) 754-4477. Email: john@jra.com. Internet: www.jra.com.

742 264
 65° Dualband Directional Antenna



| Frequency | Gain | Beamwidth | Side Lobe Level | Return Loss |
|---------------|--------|-----------|-----------------|-------------|
| 824-860 MHz | 15 dBi | 10° | -15 dB | 15 dB |
| 1710-2180 MHz | 15 dBi | 10° | -15 dB | 15 dB |
| 2180-2300 MHz | 15 dBi | 10° | -15 dB | 15 dB |
| 2300-2400 MHz | 15 dBi | 10° | -15 dB | 15 dB |
| 2400-2500 MHz | 15 dBi | 10° | -15 dB | 15 dB |

John R. Anderson's dual band antennas are ready for 3G applications covering all existing wireless bands as well as all 3G applications under construction for future service. The antennas are designed for 3G applications, have crosspolarization, and are available in a compact, rugged, and are mountable on air, ground, and sea.

- Wide band operation
- Low return loss
- High gain
- High efficiency
- High reliability
- High strength
- High durability
- High performance
- High quality
- High price

| Frequency | Gain | Beamwidth | Side Lobe Level | Return Loss |
|---------------|--------|-----------|-----------------|-------------|
| 824-860 MHz | 15 dBi | 10° | -15 dB | 15 dB |
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John R. Anderson's dual band antennas are ready for 3G applications covering all existing wireless bands as well as all 3G applications under construction for future service. The antennas are designed for 3G applications, have crosspolarization, and are available in a compact, rugged, and are mountable on air, ground, and sea.

ANTENNA SPECS

JRA

Jeffrey R. Anderson, Inc.
 Irvine, California • Irvine
 (949) 451-1311
 Fax: (949) 451-1312
 jra@jra.com

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at&t
 1000 California Avenue
 San Jose, California 95128

PROJECT NAME
 AT&T UNITS OVERLAY
PROJECT NO.
 JACOBSON OVERLAY
DATE
 01/13/99
BY
 JACOBSON OVERLAY
DATE
 01/13/99

PROJECT NO.
 JACOBSON OVERLAY
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 JACOBSON OVERLAY
DATE
 01/13/99
BY
 JACOBSON OVERLAY
DATE
 01/13/99

RF-SITE DESIGN

RF-1

Cinquant RF-Site Design Form

Project Name: SAN FRANCISCO
Site Name: JACKSON OVERLAY - 0106
Model Type: Dual Band 860/1900 MHz
Units Site ID: CNU468
OSM Site ID: 3F160
Shelter Type: BLDG / MONOPOLE
Latitude (decimal): 36.98670
Longitude (decimal): -121.89800
Street Address: 884 SKYWARD DRIVE
City: SANTA CRUZ
State: CA
Zip Code: 95061

Date: February 27, 2008
Revision: 3.2
RF Engineer: Dominik Hamers
Company Number: 922.227.5512
Company: A T & T
Source of Existing Configuration Data: 1480 x 120 BSC78 Complex Growth and Redline
Source of Existing Configuration Data: RFUS
Project Type: Erosion Units Overlay
Technology: UMTS
Frequency Band: 850
Approved By: Steven Allways

| PLANNED CONSTRUCTION | | | |
|----------------------|-------|----------------|-------------------|
| BTS #1 | Model | Frequency Band | Number of Sectors |
| BTS #2 | Model | Frequency Band | Number of Sectors |
| BTS #3 | Model | Frequency Band | Number of Sectors |
| BTS #4 | Model | Frequency Band | Number of Sectors |
| BTS #5 | Model | Frequency Band | Number of Sectors |
| BTS #6 | Model | Frequency Band | Number of Sectors |
| BTS #7 | Model | Frequency Band | Number of Sectors |
| BTS #8 | Model | Frequency Band | Number of Sectors |
| BTS #9 | Model | Frequency Band | Number of Sectors |
| BTS #10 | Model | Frequency Band | Number of Sectors |
| BTS #11 | Model | Frequency Band | Number of Sectors |
| BTS #12 | Model | Frequency Band | Number of Sectors |
| BTS #13 | Model | Frequency Band | Number of Sectors |
| BTS #14 | Model | Frequency Band | Number of Sectors |
| BTS #15 | Model | Frequency Band | Number of Sectors |
| BTS #16 | Model | Frequency Band | Number of Sectors |
| BTS #17 | Model | Frequency Band | Number of Sectors |
| BTS #18 | Model | Frequency Band | Number of Sectors |
| BTS #19 | Model | Frequency Band | Number of Sectors |
| BTS #20 | Model | Frequency Band | Number of Sectors |
| BTS #21 | Model | Frequency Band | Number of Sectors |
| BTS #22 | Model | Frequency Band | Number of Sectors |
| BTS #23 | Model | Frequency Band | Number of Sectors |
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| BTS #25 | Model | Frequency Band | Number of Sectors |
| BTS #26 | Model | Frequency Band | Number of Sectors |
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| BTS #79 | Model | Frequency Band | Number of Sectors |
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| BTS #82 | Model | Frequency Band | Number of Sectors |
| BTS #83 | Model | Frequency Band | Number of Sectors |
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| BTS #86 | Model | Frequency Band | Number of Sectors |
| BTS #87 | Model | Frequency Band | Number of Sectors |
| BTS #88 | Model | Frequency Band | Number of Sectors |
| BTS #89 | Model | Frequency Band | Number of Sectors |
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| BTS #91 | Model | Frequency Band | Number of Sectors |
| BTS #92 | Model | Frequency Band | Number of Sectors |
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| BTS #94 | Model | Frequency Band | Number of Sectors |
| BTS #95 | Model | Frequency Band | Number of Sectors |
| BTS #96 | Model | Frequency Band | Number of Sectors |
| BTS #97 | Model | Frequency Band | Number of Sectors |
| BTS #98 | Model | Frequency Band | Number of Sectors |
| BTS #99 | Model | Frequency Band | Number of Sectors |
| BTS #100 | Model | Frequency Band | Number of Sectors |

RF-SITE DESIGN

RF-1

[illegible]

JRA

Jeffrey R. Anderson, Inc.
 10000 Wilshire Blvd., Suite 1000
 Los Angeles, CA 90024
 (310) 471-1000
 (310) 471-1001
 (310) 471-1002

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| | |
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| DATE | DATE |
| TIME | TIME |
| LOCATION | LOCATION |
| BY | BY |
| FOR | FOR |
| REVIEW | REVIEW |

PROJECT NAME
 AT&T UNITS OVERLAY
PROJECT NUMBER
 JACKSON OVERLAY
PROJECT LOCATION
 CHICAGO, ILL.
PROJECT DATE
 01/21/94

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PROJECT TITLE
 RF-SITE DESIGN

RF-3

| | |
|------------------|--|
| Sector A | <p>Relocate existing 4 port antenna at antenna POS.1 for UITS. Ensure at least 2ft. horizontal separation between antennas. Do not change existing tilt configuration on active GSM antennae if it is different than REFS. Redesign tilt section of GSM in REFS. Remove existing TDMA lines and wire coax for UITS at antenna POS.1. Add 2 new lines for UITS 1900. Add 2 TDMA UITS 1900 lines to antenna POS.1. Remove TDMA cabinet. Install UITS 800 Cabinet. Connect UITS 800 Cabinet to the UITS lines and then to antenna at POS.1. Install RET as shown in RET section. Install RET on the UITS antenna. And install CATS from UITS nodeB to the CCU. Connect CCU to Node B with CATS cable for IP connection.</p> |
| Sector B | <p>Relocate existing 4 port antenna at antenna POS.2 for UITS. Ensure at least 2ft. vertical separation between antennas. Do not change existing tilt configuration on active GSM antennae if it is different than REFS. Redesign tilt section of GSM in REFS. Remove existing TDMA lines for UITS 1900. Add 2 new lines for UITS 1900. Add 2 TDMA UITS 1900 lines to antenna POS.2. Add 2 new lines for UITS 1900. Add 2 TDMA UITS 1900 lines to antenna POS.2. Remove TDMA cabinet. Install UITS 800 Cabinet. Connect UITS 800 Cabinet to the UITS lines and then to antenna at POS.2. Install RET as shown in RET section. Install RET on the UITS antenna. And install CATS from UITS nodeB to the CCU. Connect CCU to Node B with CATS cable for IP connection.</p> |
| Sector C | <p>Relocate existing 4 port antenna at antenna POS.3 for UITS. Ensure at least 2ft. vertical separation between antennas. Do not change existing tilt configuration on active GSM antennae if it is different than REFS. Redesign tilt section of GSM in REFS. Remove existing TDMA lines for UITS 1900. Add 2 new lines for UITS 1900. Add 2 TDMA UITS 1900 lines to antenna POS.3. Add 2 new lines for UITS 1900. Add 2 TDMA UITS 1900 lines to antenna POS.3. Remove TDMA cabinet. Install UITS 800 Cabinet. Connect UITS 800 Cabinet to the UITS lines and then to antenna at POS.3. Install RET as shown in RET section. Install RET on the UITS antenna. And install CATS from UITS nodeB to the CCU. Connect CCU to Node B with CATS cable for IP connection.</p> |
| Revision History | <p>Rev. 3.1 UITS 800 Overlay Rev. 3.1 Rev. 3.1 with using existing coax using existing antenna on 2nd carrier UITS 800. PERH_COUPL_015908 & UITS 800. TEND_OPEN_012008</p> |

RF-SITE DESIGN

1

JRA

Jeffrey James B. Janssen, Inc.
 10000 - California - Irvine
 (949) 261-8871
 (949) 261-8872
 (949) 261-8873

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 (949) 261-8872
 (949) 261-8873

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| 01/21/98 | 01/21/98 | 01/21/98 | 01/21/98 | 01/21/98 |
| 01/21/98 | 01/21/98 | 01/21/98 | 01/21/98 | 01/21/98 |
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| 01/21/98 | 01/21/98 | 01/21/98 | 01/21/98 | 01/21/98 |

AT&T UNITS OVERLAY
 JACKSON OVERLAY
 CH03498
 10000 - California - Irvine
 (949) 261-8871
 (949) 261-8872
 (949) 261-8873

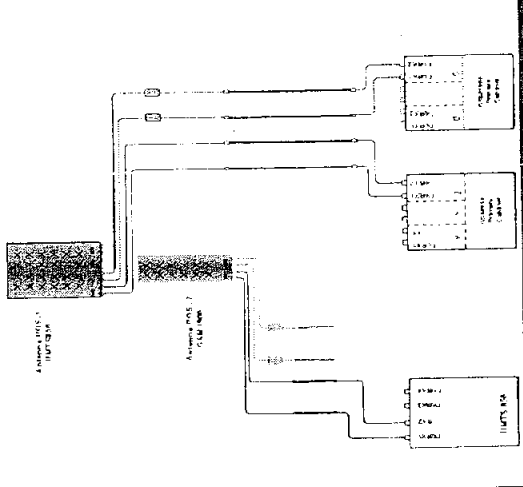
PROJECT NAME
 JACKSON OVERLAY
PROJECT NUMBER
 CH03498
PROJECT LOCATION
 10000 - California - Irvine
PROJECT DATE
 01/21/98

PROJECT TITLE
 RF-SITE DESIGN

RF-4

SECTOR C

GATE-15 AND JACKSON OVERLAY - DUB - RFPS Version: V3.1 - 012808



RF COMMENTS
 The RFPS Version: V3.1 - 012808 is a software tool used for RF site design. It is used to calculate the signal strength and coverage of a radio system. The results of the calculation are displayed on the screen. The user can also save the results to a file. The software is used by the RFPS team to design and optimize radio systems.

SECTOR B

GATE-15 AND JACKSON OVERLAY - DUB - RFPS Version: V3.1 - 012808



RF COMMENTS
 The RFPS Version: V3.1 - 012808 is a software tool used for RF site design. It is used to calculate the signal strength and coverage of a radio system. The results of the calculation are displayed on the screen. The user can also save the results to a file. The software is used by the RFPS team to design and optimize radio systems.

SECTOR A

GATE-15 AND JACKSON OVERLAY - DUB - RFPS Version: V3.1 - 012808



RF COMMENTS
 The RFPS Version: V3.1 - 012808 is a software tool used for RF site design. It is used to calculate the signal strength and coverage of a radio system. The results of the calculation are displayed on the screen. The user can also save the results to a file. The software is used by the RFPS team to design and optimize radio systems.

RF-SITE DESIGN

1

JRA

Jerry R. Anderson, Inc.
 11000 Wilshire Blvd.
 Suite 200
 Culver City, CA 90230
 (310) 551-0000

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at&t
 1100 Wilshire Blvd.
 Suite 200
 Culver City, CA 90230

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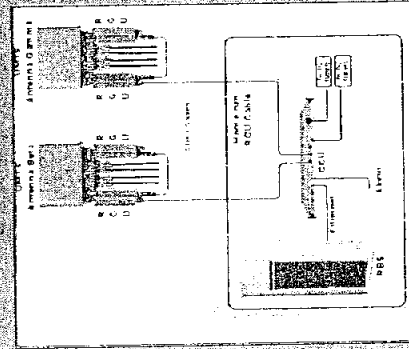
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**REMOTE ELECTRICAL
 CONFIGURATION**

JACKSON OVERLAY 0108
500 NUMBER CHU1458



RCU ASSIGNMENT

| SECTOR | ANTENNA POSITION | PORT | TYPE | FUNCTION | ADDRESS | PROJECT | DATE |
|--------|------------------|------|------|----------|---------|---------|------|
| 1 | ANTENNA 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2 | ANTENNA 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 3 | ANTENNA 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| 4 | ANTENNA 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| 5 | ANTENNA 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| 6 | ANTENNA 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| 7 | ANTENNA 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| 8 | ANTENNA 8 | 8 | 8 | 8 | 8 | 8 | 8 |
| 9 | ANTENNA 9 | 9 | 9 | 9 | 9 | 9 | 9 |
| 10 | ANTENNA 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| 11 | ANTENNA 11 | 11 | 11 | 11 | 11 | 11 | 11 |
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RF-SITE DESIGN

1

Wireless Communication Facility Use Permit Findings

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

This finding can be made in that the project will not be visible from any designated visual resource or surrounding residentially zoned property. The monopole and equipment building are shrouded in trees. The deck antennas are also not visible to any scenic corridor due to the location on a steep hill and are a significant distance from any visual resource. The antennas are incorporated into the design of the deck supports and painted to match the dwelling, which blend them into the dwelling and limit visibility from surrounding dwellings.

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

This finding can be made, in that pursuant to County Code Section 13.10.662(c), facilities located within the restricted zone districts are required to provide an alternatives site analysis. Ordinarily, when a new site is selected an alternative site analysis would evaluate other alternative sites where equal or superior cell coverage can be provided and a determination by staff can be completed to confirm that the selected site limits site visibility and minimizes visual impacts. This site is unique in that it is an existing site currently operated by AT&T previously approved, but not fully exercised (a building permit was not issued by the Department). The applicant provided a rationale for this location within that context noting that that this site was originally selected because it provides superior coverage and would leave a gap in the coverage if another site had been selected. Site coverage mapping information and an email response to the site analysis requirement is provided and serves as the alternatives site analysis, included in the findings by reference, that support this location selection. Staff concurs with the applicant with regard to site selection based on the information provided. Staff also finds that this site is ideal in terms of limiting visual impacts to surrounding properties and sensitive scenic receptors. Another site would only be recommended by staff if the selected site will result in significant visual impacts to surrounding properties or to a sensitive scenic corridor. This site is not visible to any scenic corridor or to surrounding properties given the existing mature trees between properties. Additional alternative site analysis is not necessary at this time for these reasons.

3. The subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any

other applicable provisions of this title (County Code 13.10.660) and that all zoning violation abatement costs, if any, have been paid.

This finding can be made, in that the existing residential and commercial use of the subject property is in compliance with the requirements of the zone district and General Plan designation, in which it is located. It should be noted that the subject application was determined to be "complete" prior to adoption of the recently revised wireless communication facilities. The Board of Supervisors excluded complete applications from current wireless facility regulations. However, the proposed project complies with both the previous ordinance and recently adopted ordinance language. It should be noted that the ordinance amends standards addressing co-located facilities and location of facilities within close proximity to schools. The proposed project is considered a new wireless facility and not a co-located facility.

The subject parcel is zoned RA (Residential Agriculture), an identified "Restricted Zone District." New wireless transmission facilities are allowed uses within the restricted zone district pursuant to County Code Section 13.10.661, where it can be determined that the facility will "eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and there are no viable, technically feasible, and environmentally equivalent or superior alternatives outside the prohibited and restricted areas.. that would eliminate or substantially reduce said significant gaps." The applicant had originally located this cell facility at this location, and received approval, because it would eliminate a gap in their network. And pursuant to this code section, the proposed site also minimizes visual intrusion to surrounding properties and to scenic corridors because it is not visible to surrounding properties or to any scenic corridor. Furthermore, the project will be brought into compliance with issuance of this use permit and issuance of a building permit for the facility.

No zoning violation abatement fees are applicable to the subject property even though this site is currently operating without a permit.

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

This finding can be made, in that the proposed antennas will be located below the aircraft travel path.

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

This finding can be made, in that the radio frequency exposure levels were evaluated based on the power densities resulting from the operation of the existing as well as the proposed antennae array. The analysis was conducted by TRK Engineering. The result shown on Exhibit H, indicate that the maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be 36 % percent of the most restrictive applicable limit and the maximum exposure on nearby buildings is .76% of the most restrictive applicable limit worst case.

6. For wireless communication facilities in the coastal zone, the proposed wireless

Application #: 08-0256

APN: 040-271-62

Owner: Camille and Timothy Washovich

communication facility as conditioned is consistent with the applicable requirements of the Local Coastal Program.

The proposed project site is not located within the coastal zone.

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for Wireless uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed wireless use 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. However, an air conditioning unit located on the outside of the equipment building intermittently turns on to cool the inside temperature. Staff was contacted by neighboring property owner that complained of noise from this site disrupting their sleep during the night. This unit turned on during the staff site visit and although the noise level is low, it seems appropriate that noise generation be limited so that the quiet character of the residential zone district can be maintained. Thus, the project is conditioned to eliminate this air conditioning unit from the building prior to issuance of a building permit. Other suitable design alternatives may be provided in the building plans such as the creation of air vents, or other design that allows for air circulation to occur without noise generation. Changes to the design will not affect the visibility of the facility to neighboring properties and does not require additional approval. The project is also conditioned to prohibit generators from the site to avoid the same noise issues.

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

This finding can be made, in that the proposed location of the cell facility and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district in that the primary use of the property will be one residential dwelling.

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

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

The proposed cell facility 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 Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the cell facility will not adversely shade adjacent properties.

EXHIBIT A

The proposed cell facility will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed cell facility will comply with the site standards for the Residential Agriculture zone district (including, lot coverage, floor area ratio, height, setbacks, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity. In addition, the monopole and other antennas are not visible from surrounding properties, which comply with General Plan and Zoning Ordinance policies limiting visual impacts.

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

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

This finding can be made, in that the proposed facility will not generate additional traffic except that necessary to add the proposed antenna and service the facility, or adversely impact existing roads and intersections in the surrounding area. However, the project has been conditioned to require the property owner to enter into the road maintenance association, if they have not already done so, to cover the share of road improvement costs associated with the dwelling and wireless facility.

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

This finding can be made, in that the proposed cell facility is currently situated among existing trees, which screen the structures (pole and building) from view. This existing facility is only visible once you are on the subject property adjacent to the development because the property slopes up a steep hill from the property line to the location of the development. 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.

EXHIBIT A

Conditions of Approval

Development Permit No. 08-0256
Property Owner: Camille and Timothy Washovich
Assessor's Parcel No.: 040-271-62

Exhibit A: Project plans prepared by Jeffrey Rome and Associates, dated 5/22/08

I. This permit recognizes a 48 foot monopole with antenna, three panel antennas installed on a single family dwelling, existing equipment building, installation of one new equipment cabinet, one antenna, and the reuse and conversion of one existing GSM antenna for use as a UMTS antenna located on the existing deck support. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

- A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
- B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- C. The applicant shall remove the air conditioning unit from the existing equipment facility. The applicant shall obtain any necessary building permits for said work including a demolition permit, as needed.

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

- A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
- B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 - 1. One elevation shall indicate materials and colors as they were approved by

EXHIBIT A

been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval

2. Grading, drainage, and erosion control plans.
 3. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28-feet.
 4. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
 5. Building plans shall eliminate the generator receptacle from the building plans to ensure that a generator is prohibited from this site.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos La Selva Fire Protection District.
- F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer for review and approval.
- G. 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.
- H. Submit evidence that the property owner has joined the Skyward Road maintenance association.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be

installed.

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

IV. Operational Conditions

- A. The wireless communication facility may not be connected to a power source or operated until a final inspection and clearance from the Santa Cruz County Planning Department has been received.
- B. The use of temporary generators to power the wireless communication facility are not allowed.
- C. All noise generated from the approved use shall be contained on the property.
- D. The exterior finish and materials of the wireless communication facility must be maintained on an annual basis to continue to blend with the existing utilities infrastructure. Additional paint and/or replacement materials shall be installed as necessary to blend the wireless communication facility with the existing utilities infrastructure.
- E. Any existing vegetative screening of the project site and facilities must be maintained throughout the duration of the approved use. Tree removals or excessive pruning which reduce the visual screening of the project site are not allowed. If visual screening is reduced due to natural causes, replacement trees will be required which provide adequate visual screening of the project site and facilities.
- F. The operator of the wireless communication facility must submit within 90 days of commencement of normal operations (or within 90 days of any major modification of power output of the facility) a written report to the Santa Cruz County Planning Department documenting the measurements and findings with respect to compliance with the established Federal Communications Commission (FCC) Non-Ionizing Electromagnetic Radiation (NEIR) exposure standard. The wireless communication facility must remain in continued compliance with the NEIR standard established by the FCC at all times. Failure to submit required reports or to remain in continued compliance with the NEIR standard established

by the FCC will be a violation of the terms of this permit.

- G. If, in the future, the pole based utilities are relocated underground at this location, the operator of the wireless communication facility must abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding natural landscape.
- 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.
- I. If future technological advances would allow for reduced visual impacts resulting from the proposed telecommunication facility, the operator of the wireless communication facility must 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 operator of the wireless communication facility must abandon the facility and be responsible for the removal of all permanent structures and the restoration of the site as needed to re-establish the area consistent with the character of the surrounding natural landscape.
- J. Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny the modification or amend the approved conditions at that time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
- K. The access road shall be permanently maintained to allow access to emergency vehicles at all times. Any obstruction of the access road, as a result of neglect or lack of maintenance, will be in violation of the conditions of this permit.
- L. The equipment cabinet area must be locked at all times except when authorized personnel are present. The antennas must not be accessible to the public.
- M. All site, building, security and landscape lighting shall be directed onto the lease site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Building and security lighting shall be integrated into the building design and shall be operated with a manual on/off switch. The site shall be unlit except when authorized personnel are present at night.
- N. Transfer of Ownership: In the event that the original permittee sells its interest in the permitted wireless communications facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval,

including proof of liability insurance. Within 30-days of a transfer of ownership, the succeeding carrier shall provide a new contact name to the Planning Department.

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

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

Please note: This permit expires two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit,

Application #: 08-0256
APN: 040-271-62
Owner: Camille and Timothy Washovich

will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Sheila McDaniel
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.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 08-0256

Assessor Parcel Number: 040-271-62

Project Location: 685 Skyward Drive, Aptos, CA 95003

Project Description: Recognize a 48 foot monopole with antenna, generator, propane tank for an existing facility that includes 3 antennas on a single family dwelling, 1 new cabinet, 1 antenna, and reuse 1 existing antenna on deck support.

Person or Agency Proposing Project: James Cosgrove

Contact Phone Number: (415) 233-3838

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

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301)
Class 3- New Small Structures

F. Reasons why the project is exempt:

Proposal to recognize an existing wireless communication facilities and make minor modifications to the structure and use.

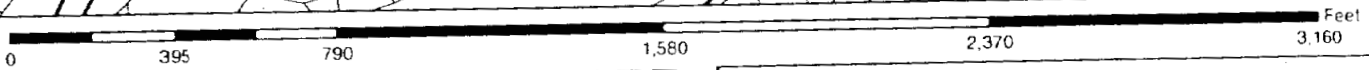
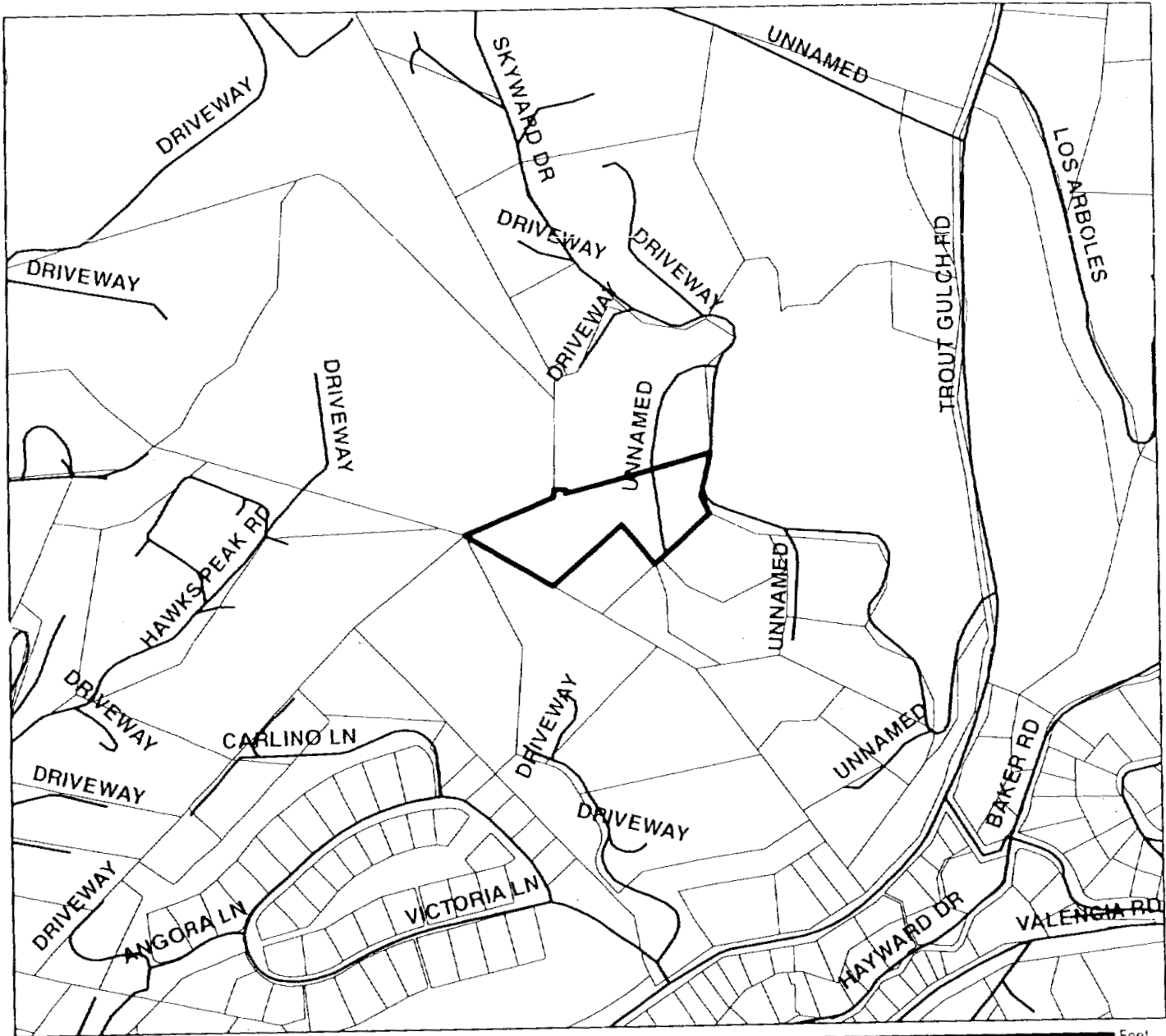
In addition, none of the conditions described in Section 15300.2 apply to this project.

Sheila McDaniel, Project Planner




Date: _____



Location Map



LEGEND

-  APN: 040-271-62
-  Assessors Parcels
-  Streets



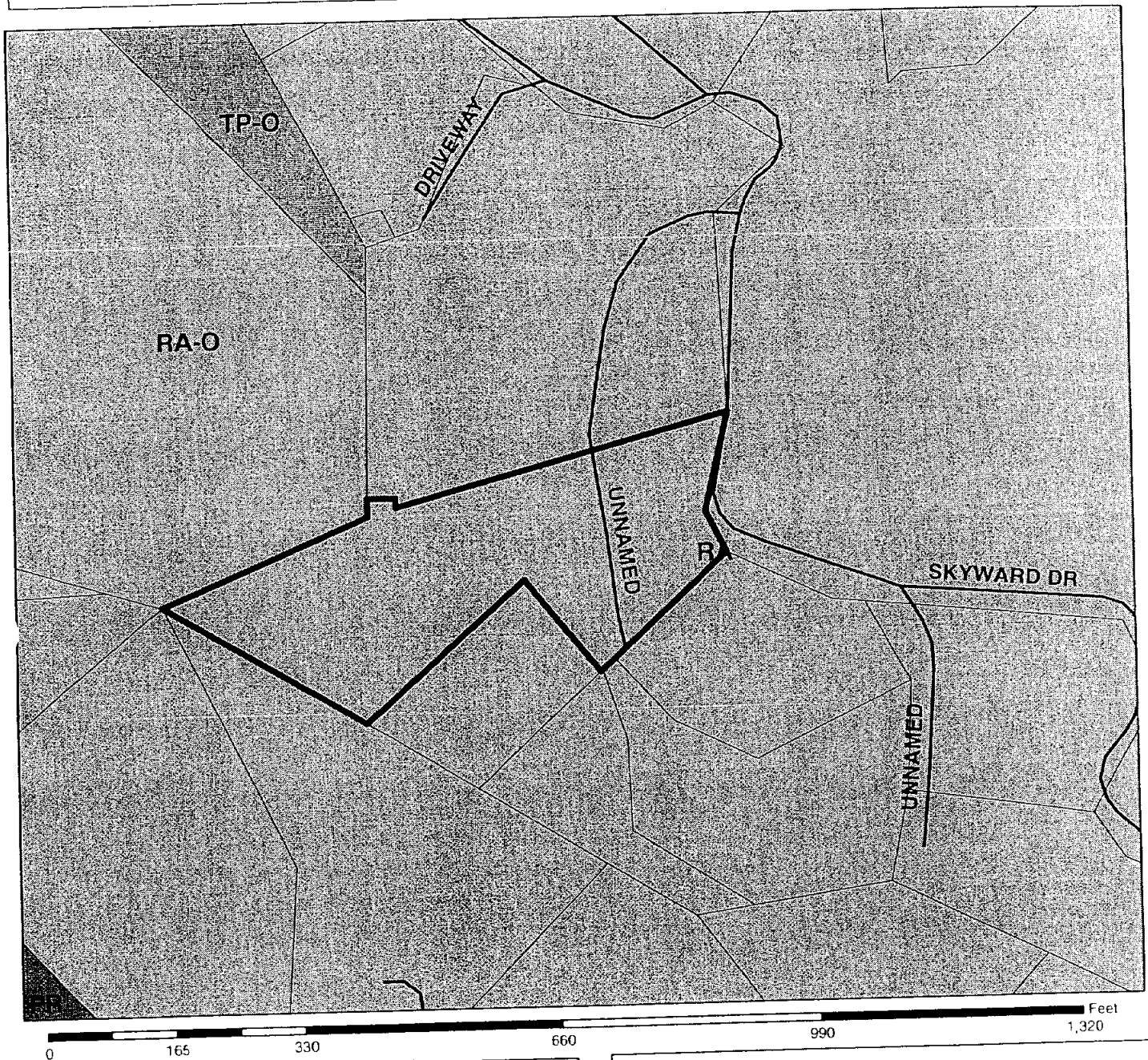
Map Created by
County of Santa Cruz
Planning Department
June 2008

EXHIBIT A

EXHIBIT E

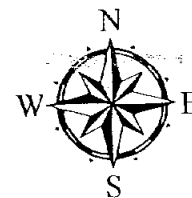


Zoning Map



LEGEND

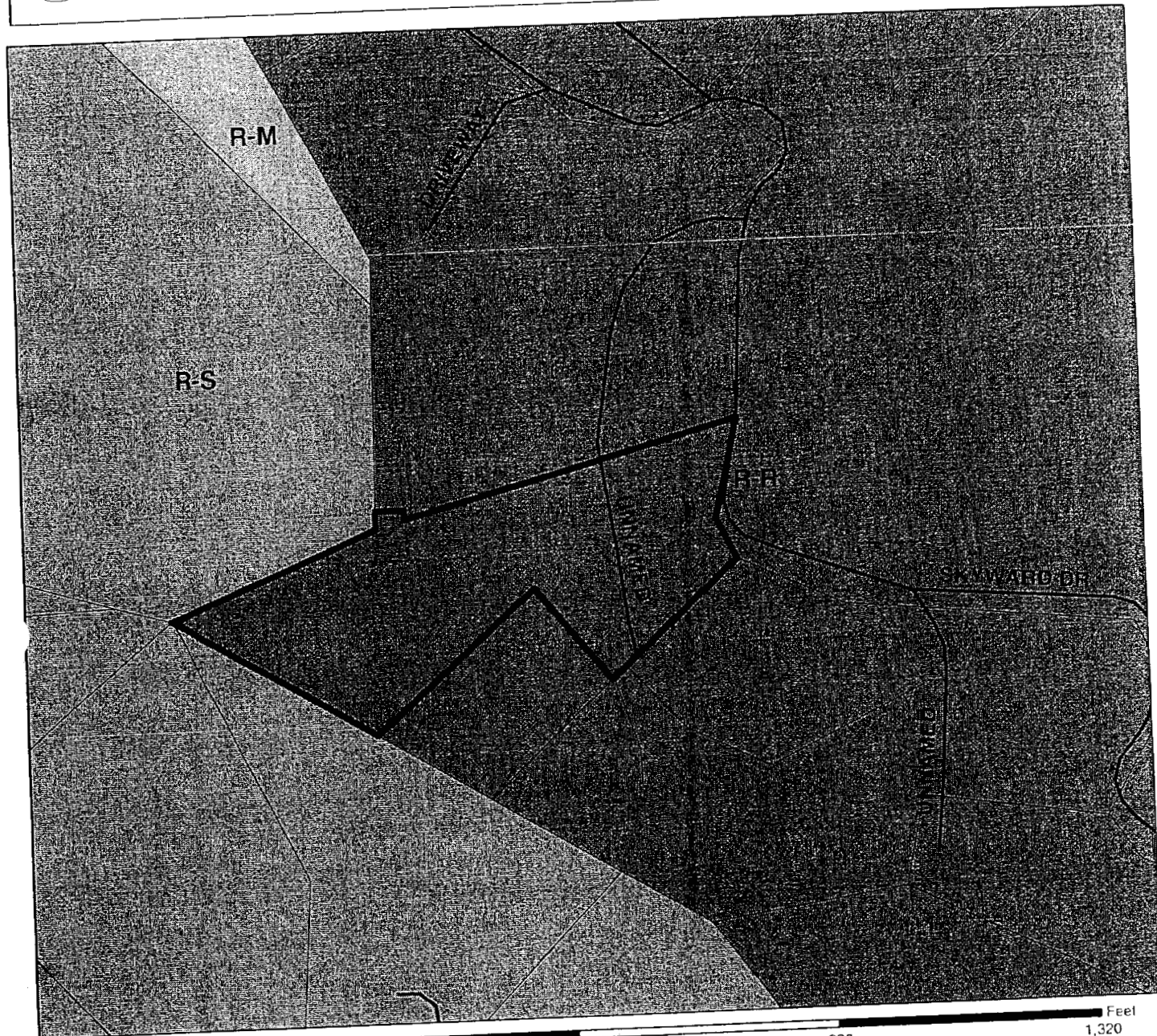
- APN: 040-271-62
- Assessors Parcels
- Streets
- AGRICULTURE RESIDENTIAL
- TIMBER PRODUCTION
- PARK



Map Created by
County of Santa Cruz
Planning Department
June 2008



General Plan Designation Map



LEGEND

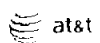
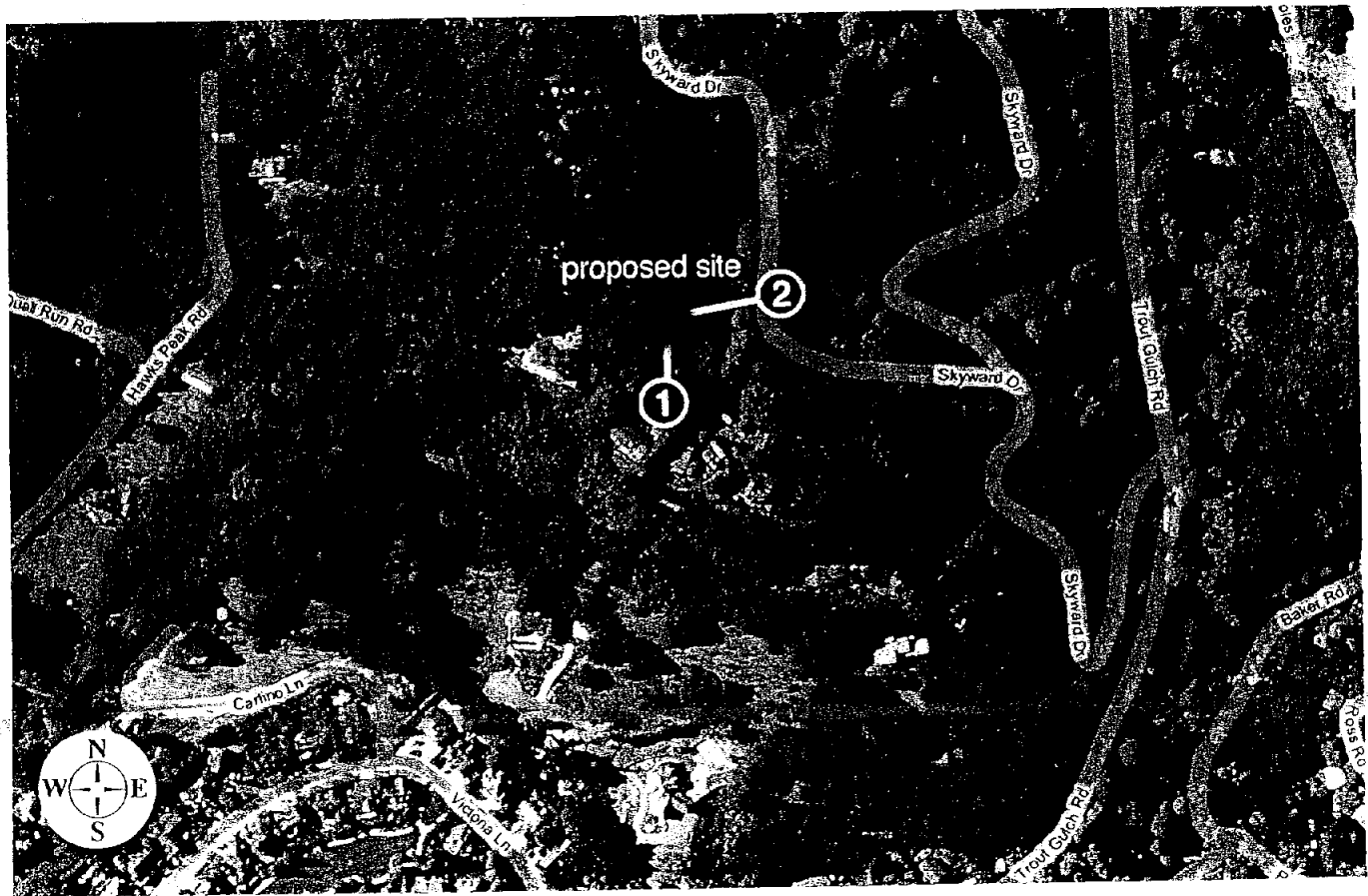
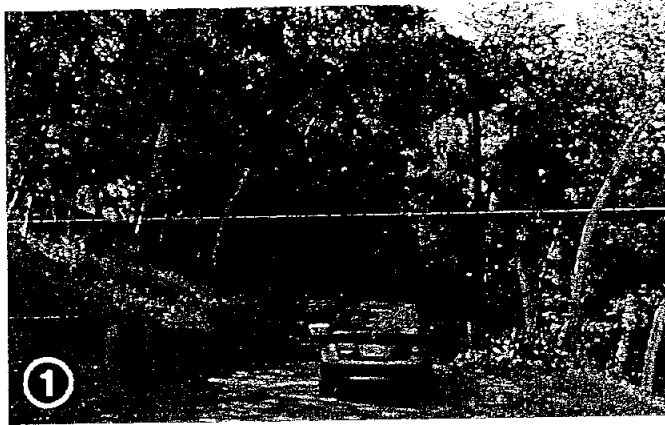
- APN: 040-271-62
- Assessors Parcels
- Streets
- Residential-Rural
- Residential-Mountain
- Residential-Suburban



Map Created by
County of Santa Cruz
Planning Department
June 2008

EXHIBIT A

EXHIBIT F



Jackson Overlay

Site # CNU3498

Aerial Map

5/14/08

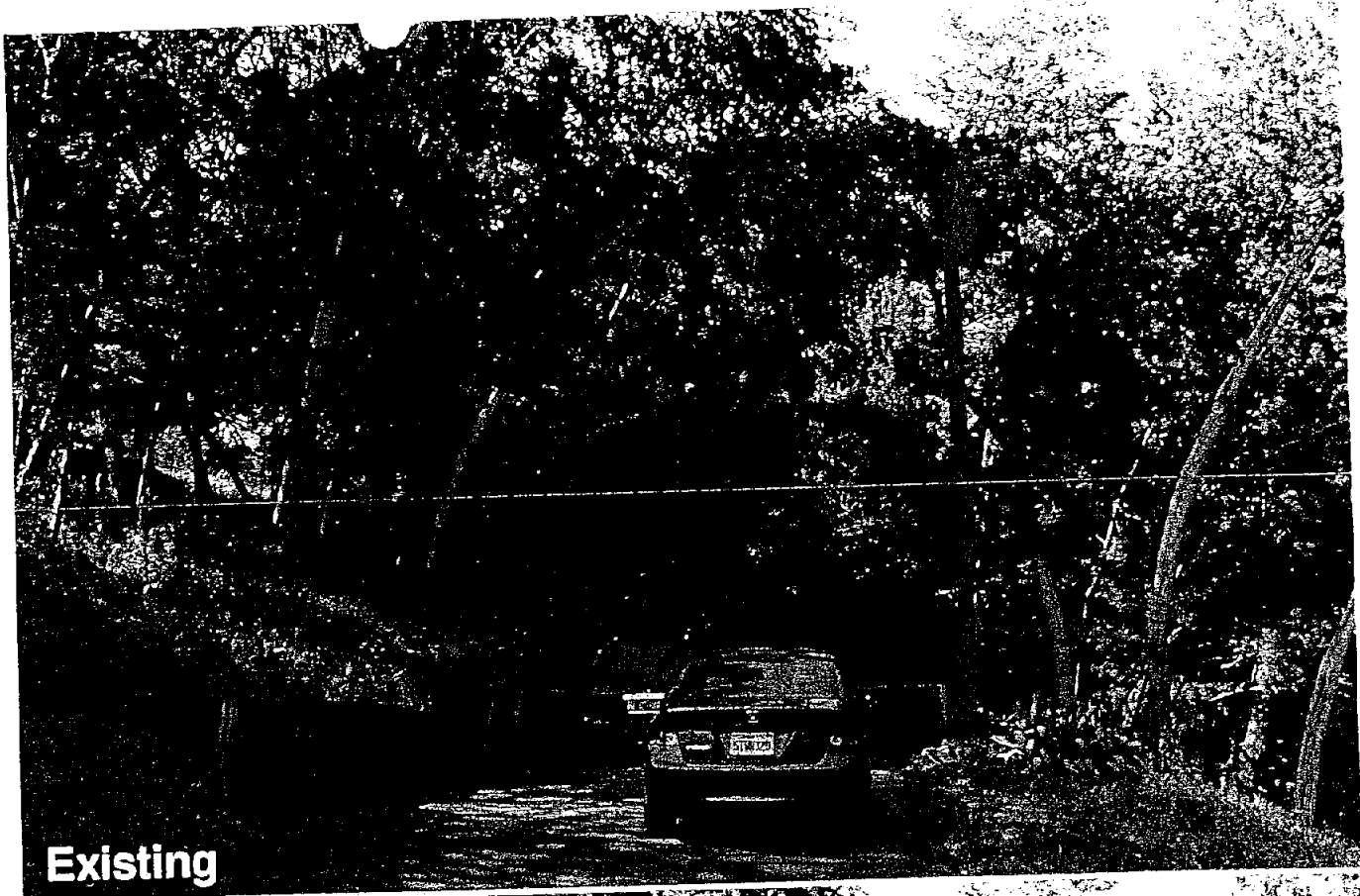
685 Skyward Drive
Aptos, CA 95003

43 / 99

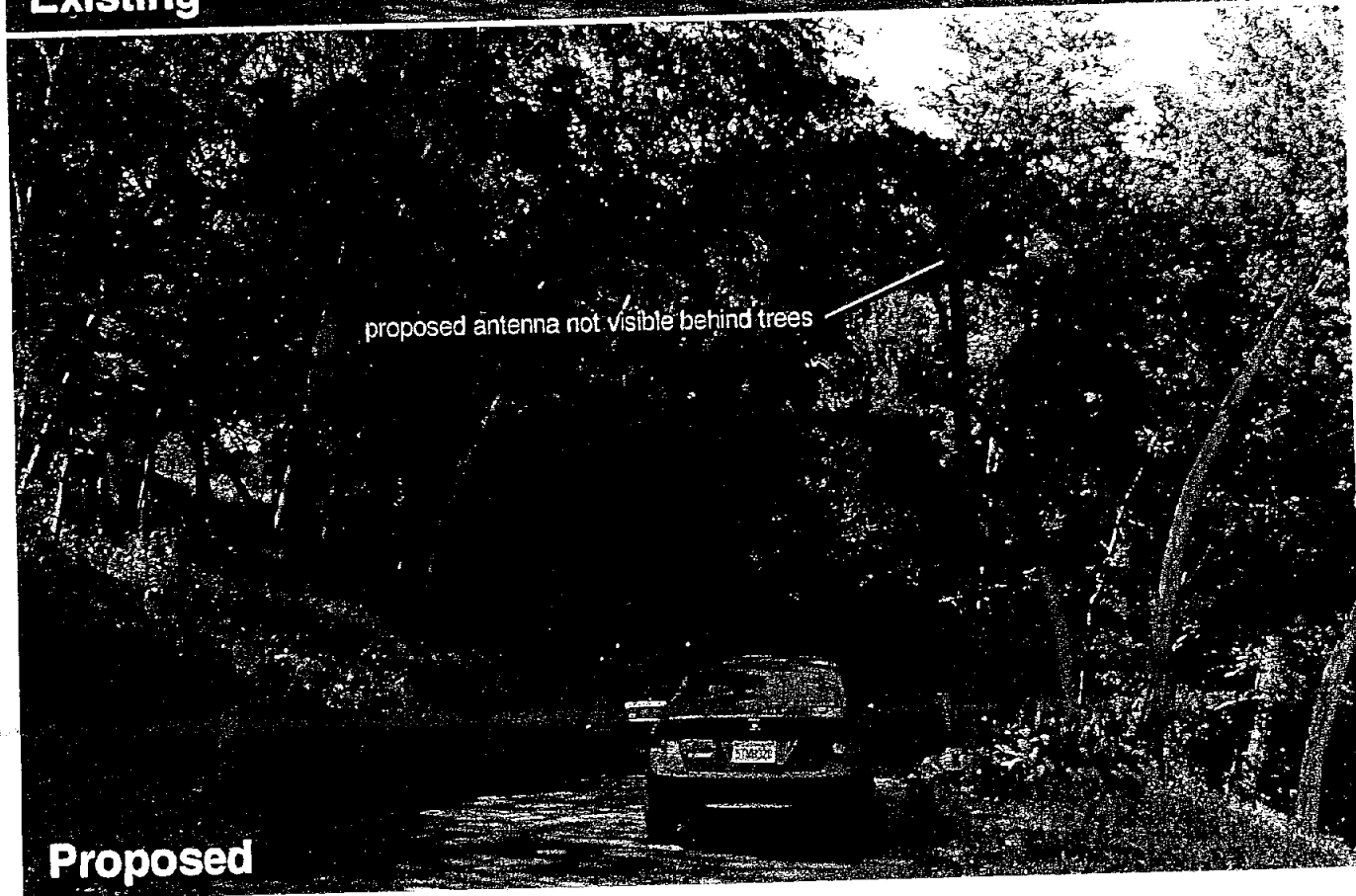
Applied Imagery 5/10/07 10:00:00

EXHIBIT G

A



Existing



proposed antenna not visible behind trees

Proposed



Jackson Overlay

Site # CNU3498

Looking North from Site

685 Skyward Drive
Aptos, CA 95003

5/14/08

Applied Imaging Corp. 10/10/08

EXHIBIT

A

EXHIBIT G



Existing



proposed antenna not visible behind trees

Proposed

Looking West from Skyward Drive

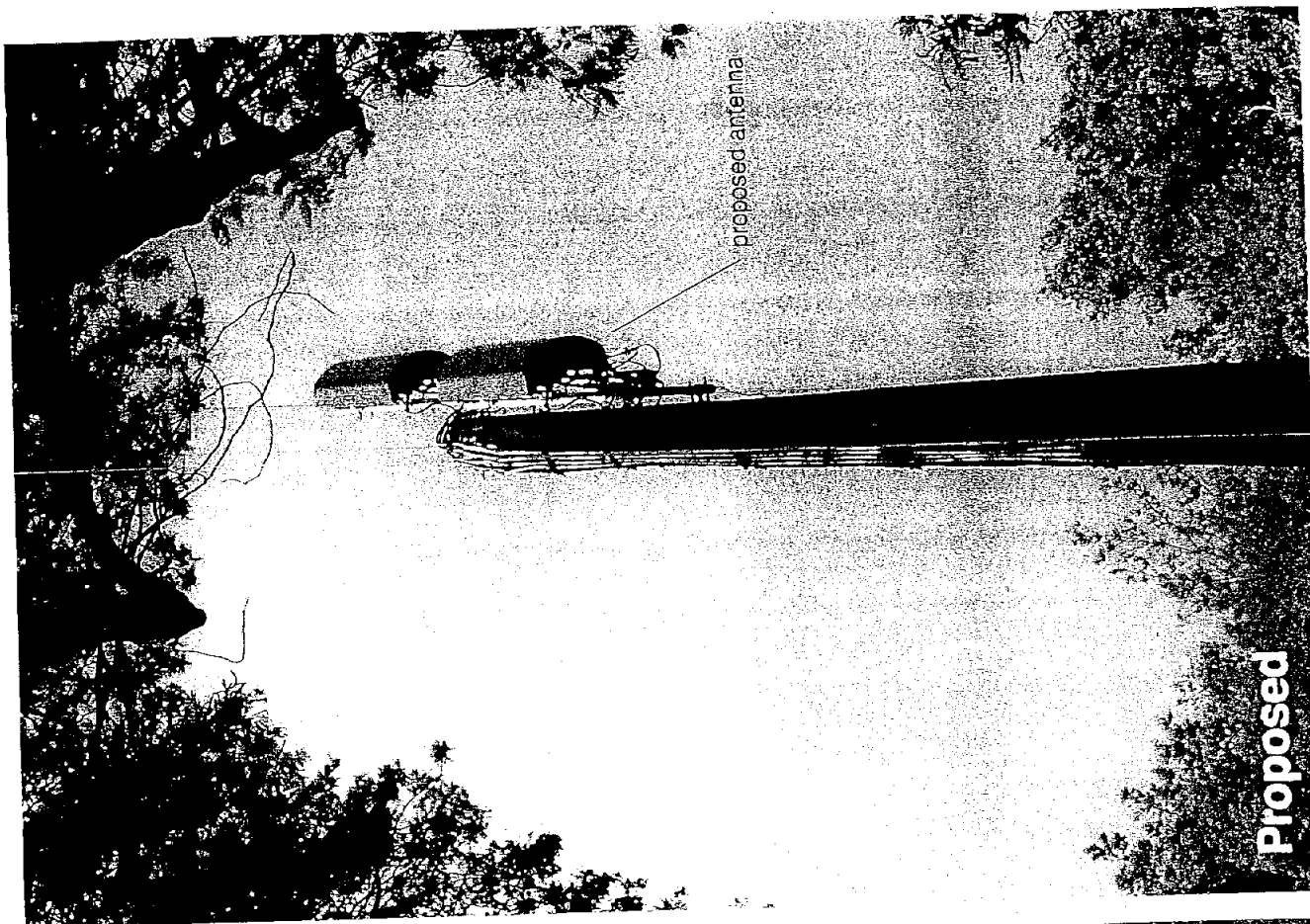
Site # CNU3498

Jackson Overlay

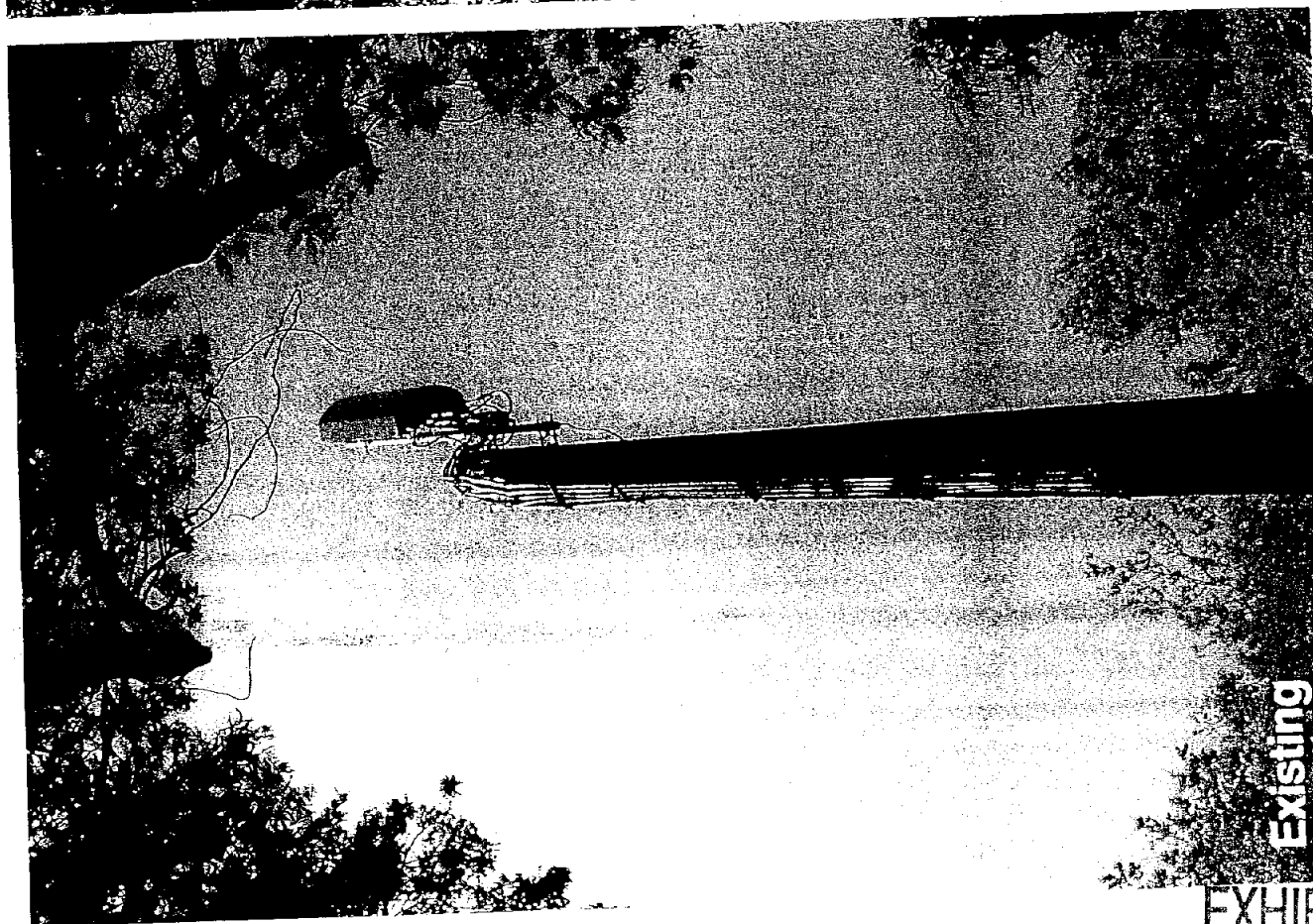
685 Skyward Drive
Aptos, CA 95003

Applied Imagination 510.914.0500

at&t
4/08
A



Looking North



Existing

Site # CNU3498

Jackson Overlay

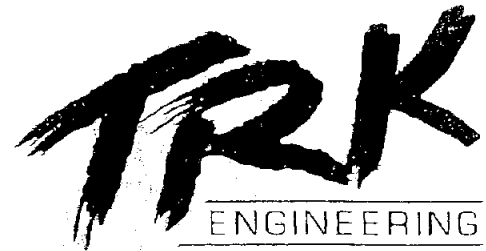


685 Skyward Drive
Aptos, CA 95003

5/14/08

Applied Imagination 510.914.0500





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

Prepared for:



CNU3498
JACKSON OVERLAY
685 SKYWARD DRIVE
APTOS, CA
95003

MAY 30/08, REV. 0

SITE DESCRIPTION:

| | |
|---------------------|--|
| Carrier: | AT&T |
| Address: | 685 Skyward Drive, Aptos, CA 95003 |
| Type of Service: | 1. UMTS, 2. GSM (1900 MHz and 850 MHz Broadband PCS) |
| Sectors: | 2 (215°, 100°) |
| Antenna Type: | Kathrein 742 264, Decibel QBXLH-6565A-VTM |
| Number of Antennas: | sector B (3), sector C (2) |
| Maximum Power: | 500 W (Maximum ERP per technology per sector) |
| Antenna Height: | 10'±, 38.75'±, 45'± (Radiation center AGL) |

Table 1. AT&T RF summary

AT&T is proposing to deploy new UMTS in addition to the existing GSM services at its wireless communication facility located at the above address (Figure 1). Sector C consists of a 40' wood pole with two directional antennas inside a compound surrounded by retaining wall. Sector B is located 160' away on a building roof deck with three directional antennas. The building is surrounded by 4' high chain link fence and gates. One new indoor equipment cabinet will be installed inside the existing shelter. Access to the facilities is restricted to authorized personnel.

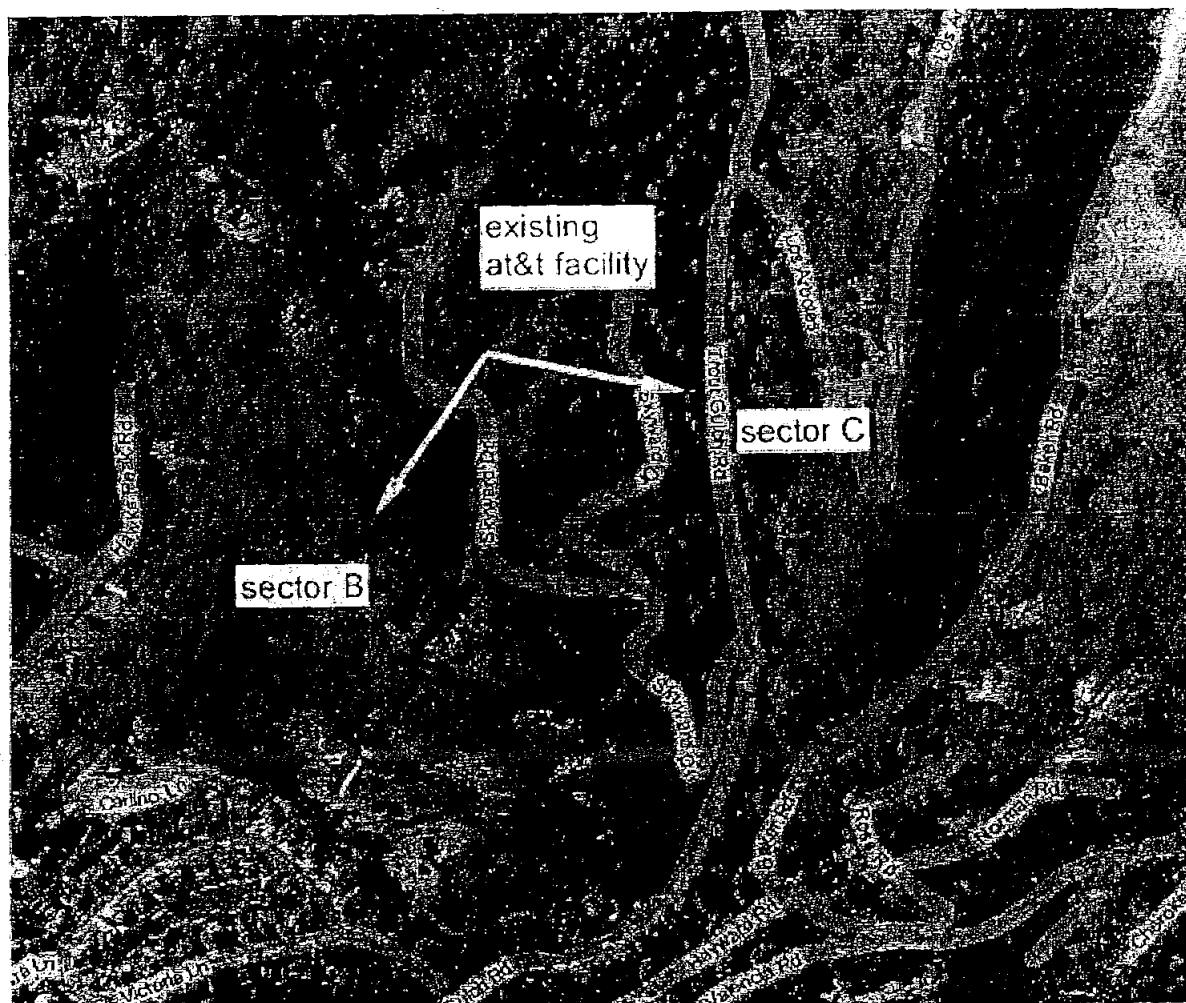


Figure 1. Area surrounding facility

PROTOCOL:

This study, and the calculations performed therein, is based on OET Bulletin 65¹ which adopts ANSI C95.1-1992 and NCRP standards. In particular, equation 10 from section 2 of the guideline is used as a model (in conjunction with known antenna radiation patterns) for calculating the power density at different points of interest. This information will be used to judge the RF exposure level incident upon the general population, and any employee present in the area. It should be noted that ground reflection of RF waves has been taken into account.

FCC'S MAXIMUM PERMISSIBLE EXPOSURE (MPE) LIMIT:

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

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

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

Scenario 1: Maximum Exposure near facility

The RF exposure level for a six-foot tall person standing near the AT&T facility is analyzed. For the worst-case scenario, we assume that the facility will radiate the maximum number of channels for all the technologies at the same time, with each channel at its maximum power level. Please refer to scenario 1 in appendix A for the complete geometry and analysis. The highest exposure location is found to be approximately 7' from the roof deck. The calculations of the maximum cumulative RF power densities are shown in Table 2.

| Service | Max. ERP | F ² | R (m) | S ($\mu W/cm^2$) (from eq. 1) | MPE % |
|-----------|----------|-----------------|-------|---------------------------------|---------|
| GSM 850 | 500 W | -12 dB (0.0631) | 2.4 | 88.6388 | 15.2826 |
| GSM 1900 | 500 W | -20 dB (0.0100) | 2.4 | 28.0503 | 2.8050 |
| UMTS 850 | 500 W | -12 dB (0.0631) | 2.4 | 88.6388 | 15.2826 |
| UMTS 1900 | 500 W | -20 dB (0.0100) | 2.4 | 28.0503 | 2.8050 |
| Total | | | | | 36.1752 |

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

The Maximum Permissible Exposure (MPE) limit for 1900 MHz PCS facility for general population/uncontrolled exposure is 1000 $\mu W/cm^2$, and 580 $\mu W/cm^2$ for 850 MHz facility². At this location, the power density from the facility is calculated to be 36.2% of the MPE limit.

¹ Cleveland, Robert F, et al. Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields. OET Bulletin 65, Edition 950/99, just 1997.

² Ibid., page 67.

Scenario 2: Maximum Exposure on nearby buildings

In the surrounding areas, there are low density residential houses. The RF exposure levels on the nearby buildings are evaluated. Please refer to scenario 2 in appendix A for the complete geometry and analysis. Again, we assume all antennas are transmitting with maximum power level at the same time. The maximum exposure is found to be on the rooftop of the nearest building to the facility. The calculations for this location are summarized in Table 3. The highest exposure location is found to be approximately 360' from the sector B antennas. The maximum power density is calculated to be 0.76% of the MPE limit.

| Service | Max. ERP | F ² | R (m) | S (μW/cm ²) (from eq. 1) | MPE % |
|-----------|----------|----------------|-------|--------------------------------------|--------|
| GSM 850 | 500 W | 0 dB (1.0000) | 109.8 | 1.3865 | 0.2390 |
| GSM 1900 | 500 W | 0 dB (1.0000) | 109.8 | 1.3865 | 0.1386 |
| UMTS 850 | 500 W | 0 dB (1.0000) | 109.8 | 1.3865 | 0.2390 |
| UMTS 1900 | 500 W | 0 dB (1.0000) | 109.8 | 1.3865 | 0.1386 |
| Total | | | | | 0.7552 |

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

Conclusion:

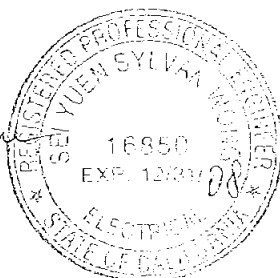
There is a relatively low level of RF energy directed either above or below the horizontal plane of the antennas. Under "worst-case" conditions, the calculations shown above predict that the maximum possible RF exposure is 36.2% of the MPE limit. There will be less RF exposure at other locations near or away from the compound. Therefore, the proposed modifications to AT&T wireless communications facility will comply with the general population/uncontrolled limit.

FCC COMPLIANCE:

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

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

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



May 30, 2008

EXHIBIT A

EXHIBIT H

APPENDIX A

FCC'S MAXIMUM PERMISSIBLE EXPOSURE (MPE) LIMIT:

Equation 10 from Bulletin 65 is reproduced here as equation 1:

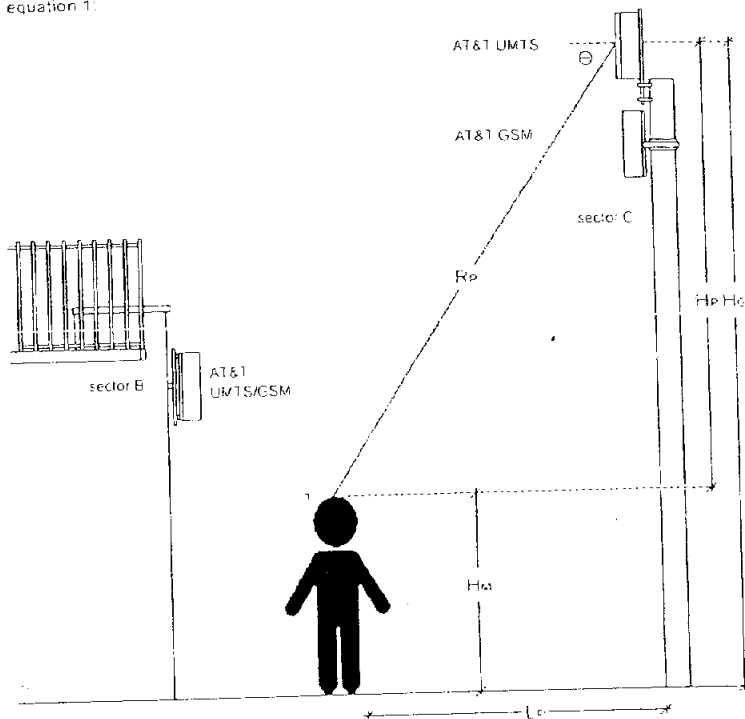
$$S = \frac{33.4 F^2 ERP}{R^2}$$

Where:

- S = Power density [$\mu\text{W}/\text{cm}^2$]
- ERP = Effective radiated power [W]
- R = Distance [m]
- F = Relative field factor
- $L_F = H_p \times \tan^{-1}(\theta)$
- $R_p = \sqrt{H_p^2 + L_F^2}$

Relative Field Factor at θ

$$F^2 = 10^{-\frac{F^2}{10}} \text{ (in term of power density)}$$



Scenario 1: Standing Near The Facility

The highest exposure location at ground from the antenna person's height (H_p) = 6 ft

Sector C

At $\theta = 75^\circ$, the exposure location at ground from the monopole $L_p = 9$ ft

| Service Provider | Height H_G , ft | Height H_p , ft | Max ERP | Angle θ | F^2 | R_p (m) | S ($\mu\text{W}/\text{cm}^2$) | MPE% |
|------------------|-------------------|-------------------|---------|---------------------|-------------------|-----------|---------------------------------|--------|
| AT&T GSM 850 | 38.75 | 32.75 | 500.0 | $\theta = 75^\circ$ | -22 dB (0.0063) | 10.3 | 0.9849 | 0.1697 |
| AT&T GSM 1900 | 38.75 | 32.75 | 500.0 | $\theta = 75^\circ$ | -15 dB (0.0316) | 10.3 | 4.9359 | 0.4936 |
| AT&T UMTS 850 | 45.00 | 39.00 | 500.0 | $\theta = 77^\circ$ | -30 dB (0.0010) | 12.2 | 0.1124 | 0.0194 |
| AT&T UMTS 1900 | 45.00 | 39.00 | 500.0 | $\theta = 77^\circ$ | -28 dB (0.0016) | 12.2 | 0.1798 | 0.0180 |
| Total | | | | | | | | 0.7007 |

At $\theta = 45^\circ$, the exposure location at ground from the monopole $L_p = 33$ ft

| Service Provider | Height H_G , ft | Height H_p , ft | Max ERP | Angle θ | F^2 | R_p (m) | S ($\mu\text{W}/\text{cm}^2$) | MPE% |
|------------------|-------------------|-------------------|---------|---------------------|-------------------|-----------|---------------------------------|--------|
| AT&T GSM 850 | 38.75 | 32.75 | 500.0 | $\theta = 45^\circ$ | -12 dB (0.0631) | 14.1 | 5.2854 | 0.9113 |
| AT&T GSM 1900 | 38.75 | 32.75 | 500.0 | $\theta = 45^\circ$ | -15 dB (0.0316) | 14.1 | 2.6469 | 0.2647 |
| AT&T UMTS 850 | 45.00 | 39.00 | 500.0 | $\theta = 50^\circ$ | -18 dB (0.0158) | 15.5 | 1.0940 | 0.1886 |
| AT&T UMTS 1900 | 45.00 | 39.00 | 500.0 | $\theta = 50^\circ$ | -24 dB (0.0040) | 15.5 | 0.2770 | 0.0277 |
| Total | | | | | | | | 1.3923 |

At $\theta = 30^\circ$, the exposure location at ground from the monopole $L_p = 57$ ft

| Service Provider | Height H_G , ft | Height H_p , ft | Max ERP | Angle θ | F^2 | R_p (m) | S ($\mu\text{W}/\text{cm}^2$) | MPE% |
|------------------|-------------------|-------------------|---------|---------------------|-------------------|-----------|---------------------------------|--------|
| AT&T GSM 850 | 38.75 | 32.75 | 500.0 | $\theta = 30^\circ$ | -15 dB (0.0316) | 20.0 | 1.3233 | 0.2282 |
| AT&T GSM 1900 | 38.75 | 32.75 | 500.0 | $\theta = 30^\circ$ | -20 dB (0.0100) | 20.0 | 0.4188 | 0.0419 |
| AT&T UMTS 850 | 45.00 | 39.00 | 500.0 | $\theta = 35^\circ$ | -20 dB (0.0100) | 21.0 | 0.3790 | 0.0653 |
| AT&T UMTS 1900 | 45.00 | 39.00 | 500.0 | $\theta = 35^\circ$ | -16 dB (0.0251) | 21.0 | 0.9514 | 0.0951 |
| Total | | | | | | | | 0.4305 |

At $\theta = 10^\circ$, the exposure location at ground from the monopole $L_p = 186$ ft

| Service Provider | Height H_G , ft | Height H_p , ft | Max ERP | Angle θ | F^2 | R_p (m) | S ($\mu\text{W}/\text{cm}^2$) | MPE% |
|------------------|-------------------|-------------------|---------|---------------------|-------------------|-----------|---------------------------------|--------|
| AT&T GSM 850 | 38.75 | 32.75 | 500.0 | $\theta = 10^\circ$ | -5 dB (0.3162) | 57.5 | 1.5971 | 0.2754 |
| AT&T GSM 1900 | 38.75 | 32.75 | 500.0 | $\theta = 10^\circ$ | -14 dB (0.0398) | 57.5 | 0.2010 | 0.0201 |
| AT&T UMTS 850 | 45.00 | 39.00 | 500.0 | $\theta = 12^\circ$ | -5 dB (0.3162) | 57.9 | 1.5773 | 0.2719 |
| AT&T UMTS 1900 | 45.00 | 39.00 | 500.0 | $\theta = 12^\circ$ | -14 dB (0.0398) | 57.9 | 0.1985 | 0.0199 |
| Total | | | | | | | | 0.5673 |

Sector B

Within in facility compound

At $\Theta = 75^\circ$, the exposure location at ground from the roof deck $L_p = 1$ ft

| Service Provider | Height H_G , ft | Height H_P , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | S ($\mu W/cm^2$) | MPE% |
|------------------|-------------------|-------------------|----------|---------------------|-------------------|----------|----------------------|---------|
| AT&T GSM 850 | 10.00 | 4.00 | 500.0 | $\Theta = 75^\circ$ | -22 dB (0.0063) | 1.3 | 66.2698 | 2.2852 |
| AT&T GSM 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 75^\circ$ | -15 dB (0.0316) | 1.3 | 332.4011 | 6.6480 |
| AT&T UMTS 850 | 10.00 | 4.00 | 500.0 | $\Theta = 75^\circ$ | -22 dB (0.0063) | 1.3 | 66.2698 | 2.2852 |
| AT&T UMTS 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 75^\circ$ | -15 dB (0.0316) | 1.3 | 332.4011 | 6.6480 |
| Total | | | | | | | | 17.8654 |

Within in facility compound

At $\Theta = 60^\circ$, the exposure location at ground from the roof deck $L_p = 2$ ft

| Service Provider | Height H_G , ft | Height H_P , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | S ($\mu W/cm^2$) | MPE% |
|------------------|-------------------|-------------------|----------|---------------------|-------------------|----------|----------------------|--------|
| AT&T GSM 850 | 10.00 | 4.00 | 500.0 | $\Theta = 60^\circ$ | -22 dB (0.0063) | 1.4 | 52.9199 | 1.8248 |
| AT&T GSM 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 60^\circ$ | -20 dB (0.0100) | 1.4 | 83.9998 | 1.6800 |
| AT&T UMTS 850 | 10.00 | 4.00 | 500.0 | $\Theta = 60^\circ$ | -22 dB (0.0063) | 1.4 | 52.9199 | 1.8248 |
| AT&T UMTS 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 60^\circ$ | -20 dB (0.0100) | 1.4 | 83.9998 | 1.6800 |
| Total | | | | | | | | 7.0096 |

Within in facility compound

At $\Theta = 45^\circ$, the exposure location at ground from the roof deck $L_p = 4$ ft

| Service Provider | Height H_G , ft | Height H_P , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | S ($\mu W/cm^2$) | MPE% |
|------------------|-------------------|-------------------|----------|---------------------|-------------------|----------|----------------------|---------|
| AT&T GSM 850 | 10.00 | 4.00 | 500.0 | $\Theta = 45^\circ$ | -12 dB (0.0631) | 1.7 | 356.1959 | 12.2826 |
| AT&T GSM 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 45^\circ$ | -15 dB (0.0316) | 1.7 | 178.3802 | 3.5676 |
| AT&T UMTS 850 | 10.00 | 4.00 | 500.0 | $\Theta = 45^\circ$ | -12 dB (0.0631) | 1.7 | 356.1959 | 12.2826 |
| AT&T UMTS 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 45^\circ$ | -15 dB (0.0316) | 1.7 | 178.3802 | 3.5676 |
| Total | | | | | | | | 31.7004 |

At $\Theta = 30^\circ$, the exposure location at ground from the roof deck $L_p = 7$ ft

| Service Provider | Height H_G , ft | Height H_P , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | S ($\mu W/cm^2$) | MPE% |
|------------------|-------------------|-------------------|----------|---------------------|-------------------|----------|----------------------|---------|
| AT&T GSM 850 | 10.00 | 4.00 | 500.0 | $\Theta = 30^\circ$ | -15 dB (0.0316) | 2.4 | 88.6388 | 15.2826 |
| AT&T GSM 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 30^\circ$ | -20 dB (0.0100) | 2.4 | 28.0503 | 2.8050 |
| AT&T UMTS 850 | 10.00 | 4.00 | 500.0 | $\Theta = 30^\circ$ | -15 dB (0.0316) | 2.4 | 88.6388 | 15.2826 |
| AT&T UMTS 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 30^\circ$ | -20 dB (0.0100) | 2.4 | 28.0503 | 2.8050 |
| Total | | | | | | | | 36.1752 |

At $\Theta = 15^\circ$, the exposure location at ground from the roof deck $L_p = 15$ ft

| Service Provider | Height H_G , ft | Height H_P , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | S ($\mu W/cm^2$) | MPE% |
|------------------|-------------------|-------------------|----------|---------------------|-------------------|----------|----------------------|---------|
| AT&T GSM 850 | 10.00 | 4.00 | 500.0 | $\Theta = 15^\circ$ | -10 dB (0.1000) | 4.7 | 75.2791 | 12.9792 |
| AT&T GSM 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 15^\circ$ | -14 dB (0.0398) | 4.7 | 29.9611 | 2.9961 |
| AT&T UMTS 850 | 10.00 | 4.00 | 500.0 | $\Theta = 15^\circ$ | -10 dB (0.1000) | 4.7 | 75.2791 | 12.9792 |
| AT&T UMTS 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 15^\circ$ | -14 dB (0.0398) | 4.7 | 29.9611 | 2.9961 |
| Total | | | | | | | | 31.9506 |

At $\Theta = 5^\circ$, the exposure location at ground from the roof deck $L_p = 46$ ft

| Service Provider | Height H_G , ft | Height H_P , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | S ($\mu W/cm^2$) | MPE% |
|------------------|-------------------|-------------------|----------|--------------------|------------------|----------|----------------------|---------|
| AT&T GSM 850 | 10.00 | 4.00 | 500.0 | $\Theta = 5^\circ$ | 0 dB (1.0000) | 14.0 | 85.3259 | 14.7114 |
| AT&T GSM 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 5^\circ$ | -3 dB (0.5012) | 14.0 | 42.7654 | 4.2765 |
| AT&T UMTS 850 | 10.00 | 4.00 | 500.0 | $\Theta = 5^\circ$ | 0 dB (1.0000) | 14.0 | 85.3259 | 14.7114 |
| AT&T UMTS 1900 | 10.00 | 4.00 | 500.0 | $\Theta = 5^\circ$ | -3 dB (0.5012) | 14.0 | 42.7654 | 4.2765 |
| Total | | | | | | | | 37.9758 |

Scenario 2: Nearby Buildings/ Rooftops

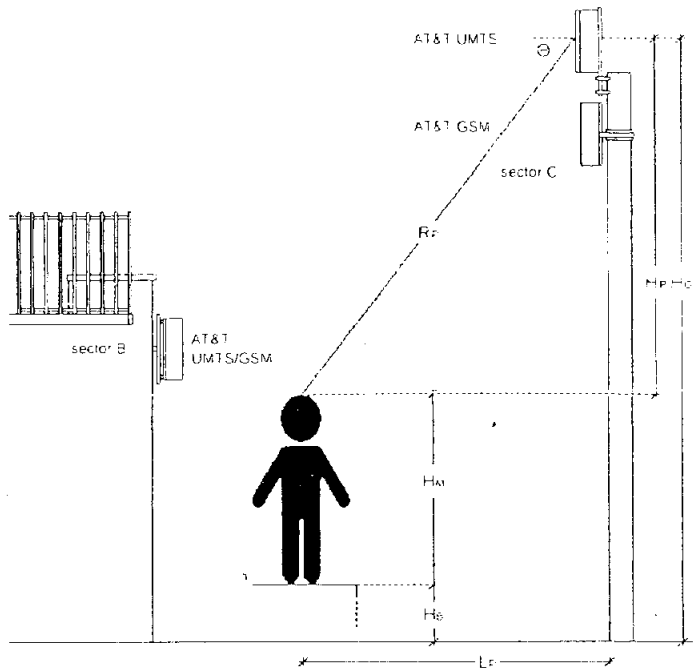
Relative Field Factor at Θ

$$F^2 = 10^{-10} \text{ (in term of power density)}$$

$$R_p = \sqrt{H_p^2 + L_p^2}$$

$$\Theta = \arctan(H_p/L_p)$$

person's height (H_M) = 6 ft



Residential building within Sector B

$H_E = 4$ ft (360 ft from the roof deck)

| Service Provider | Height H_G , ft | Height H_p , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | $S (\mu W/cm^2)$ | MPE% |
|------------------|-------------------|-------------------|----------|--------------------|-----------------|----------|------------------|--------|
| GSM 850 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 109.8 | 1.3865 | 0.2390 |
| GSM 1900 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 109.8 | 1.3865 | 0.1386 |
| UMTS 850 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 109.8 | 1.3865 | 0.2390 |
| UMTS 1900 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 109.8 | 1.3865 | 0.1386 |
| Total | | | | | | | | 0.7552 |

Residential building within Sector B

$H_E = 4$ ft (630 ft from the roof deck)

| Service Provider | Height H_G , ft | Height H_p , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | $S (\mu W/cm^2)$ | MPE% |
|------------------|-------------------|-------------------|----------|--------------------|-----------------|----------|------------------|--------|
| GSM 850 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 192.1 | 0.4527 | 0.0780 |
| GSM 1900 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 192.1 | 0.4527 | 0.0453 |
| UMTS 850 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 192.1 | 0.4527 | 0.0780 |
| UMTS 1900 | 10.00 | 0.00 | 500.0 | $\Theta = 0^\circ$ | 0 dB (1.0000) | 192.1 | 0.4527 | 0.0453 |
| Total | | | | | | | | 0.2466 |

Residential building within Sector C

$H_E = 16$ ft (400 ft from the monopole)

| Service Provider | Height H_G , ft | Height H_p , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | $S (\mu W/cm^2)$ | MPE% |
|------------------|-------------------|-------------------|----------|--------------------|-----------------|----------|------------------|--------|
| GSM 850 | 38.75 | 16.75 | 500.0 | $\Theta = 2^\circ$ | 0 dB (1.0000) | 122.1 | 1.1209 | 0.1933 |
| GSM 1900 | 38.75 | 16.75 | 500.0 | $\Theta = 2^\circ$ | 0 dB (1.0000) | 122.1 | 1.1209 | 0.1121 |
| UMTS 850 | 45.00 | 23.00 | 500.0 | $\Theta = 3^\circ$ | 0 dB (1.0000) | 122.2 | 1.1192 | 0.1930 |
| UMTS 1900 | 45.00 | 23.00 | 500.0 | $\Theta = 3^\circ$ | 0 dB (1.0000) | 122.2 | 1.1192 | 0.1119 |
| Total | | | | | | | | 0.6103 |

Residential building within Sector C

$H_E = 16$ ft (680 ft from the monopole)

| Service Provider | Height H_G , ft | Height H_p , ft | Max. ERP | Angle Θ | F^2 | $R_p(m)$ | $S (\mu W/cm^2)$ | MPE% |
|------------------|-------------------|-------------------|----------|--------------------|-----------------|----------|------------------|--------|
| GSM 850 | 38.75 | 16.75 | 500.0 | $\Theta = 1^\circ$ | 0 dB (1.0000) | 207.4 | 0.3883 | 0.0670 |
| GSM 1900 | 38.75 | 16.75 | 500.0 | $\Theta = 1^\circ$ | 0 dB (1.0000) | 207.4 | 0.3883 | 0.0368 |
| UMTS 850 | 45.00 | 23.00 | 500.0 | $\Theta = 2^\circ$ | 0 dB (1.0000) | 207.4 | 0.3881 | 0.0669 |
| UMTS 1900 | 45.00 | 23.00 | 500.0 | $\Theta = 2^\circ$ | 0 dB (1.0000) | 207.4 | 0.3881 | 0.0368 |
| Total | | | | | | | | 0.2115 |

KATHREIN SCALA DIVISION

AP14/17-880/1940/065D/ADT/XXP

742-264

65° Multiband Directional Antenna

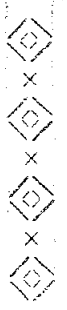
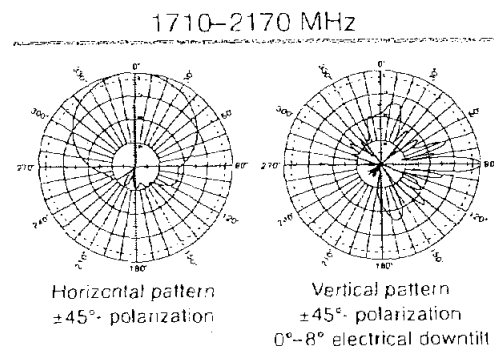
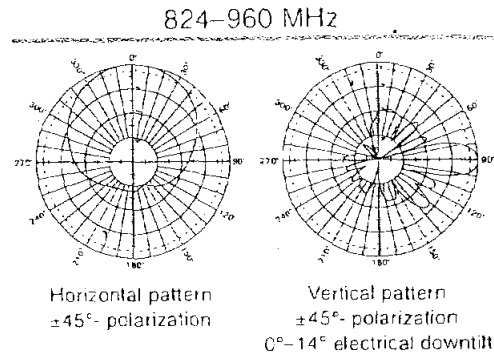
Kathrein's dual band antennas are ready for 3G applications, covering all existing wireless bands as well as all spectrum under consideration for future systems, AMPS, PCS and 3G/UMTS. These cross-polarized antennas offer diversity operation in the same space as a conventional 800 MHz antenna, and are mountable on our compact sector brackets.

- Wide band operation.
- Exceptional intermodulation characteristics.
- Remote control ready.
- Various gain, beamwidth and downtilt ranges.
- AISG compatible.
- High strength pultruded fiberglass radome.

General specifications:

| | |
|----------------------------|---|
| Frequency range | 824-960 MHz 1710-2170 MHz |
| Impedance | 50 ohms |
| VSWR | <1.5:1 |
| Intermodulation (2x20w) | IM3: -150 dBc |
| Polarization | +45° and -45° |
| Connector | 4 x 7/16 DIN female |
| Isolation | intrasystem >30 dB intersystem >50 dB (824-960 // 1710-2170 MHz) |
| Weight | 36.4 lb (16.5 kg) |
| Dimensions | 51.8 x 10.3 x 5.5 inches (1316 x 262 x 139 mm) |
| Equivalent flat plate area | 4.13 ft ² (0.384 m ²) |
| Wind survival rating* | 120 mph (200 kph) |
| Shipping dimensions | 64 x 12 x 8 inches (1626 x 305 x 203 mm) |
| Shipping weight | 45 lb (20.4 kg) |
| Mounting | Fixed mount options are available for 2 to 4.6 inch (50 to 115 mm) CD masts |

See reverse for order information.



| Specifications: | 824-894 MHz | 870-960 MHz | 1710-1880 MHz | 1850-1990 MHz | 1920-2170 MHz |
|---|----------------------------|----------------------------|---------------------------|---------------------------|---------------------------|
| Gain | 12 dBd/14 dBi | 12 dBd/14 dBi | 14.5 dBd/16.5 dBi | 14.8 dBd/16.8 dBi | 15 dBd/17 dBi |
| Front-to-back ratio | >26 dB (co-polar) | >26 dB (co-polar) | >25 dB (co-polar) | >25 dB (co-polar) | >25 dB (co-polar) |
| Maximum input power | 250 watts (at 50°C) | 250 watts (at 50°C) | 200 watts (at 50°C) | 200 watts (at 50°C) | 200 watts (at 50°C) |
| +45° and -45° polarization horizontal beamwidth | 68° (half-power) | 65° (half-power) | 65° (half-power) | 65° (half-power) | 63° (half-power) |
| +45° and -45° polarization vertical beamwidth | 16° (half-power) | 14.5° (half-power) | 7.8° (half-power) | 7.3° (half-power) | 6.8° (half-power) |
| Electrical downtilt continuously adjustable | 0°-14° | 0°-14° | 0°-8° | 0°-8° | 0°-8° |
| Sidelobe suppression for first sidelobe above horizon | 0° 7° 14° T 14 14 13 dB | 0° 7° 14° T 14 14 13 dB | 0° 4° 8° T 14 14 14 dB | 0° 4° 8° T 16 16 15 dB | 0° 4° 8° T 15 16 15 dB |
| Cross polar ratio | | | | | |
| Main direction | 0° | 0° | 0° | 0° | 0° |
| Sector | ±60° | ±60° | ±60° | ±60° | ±60° |



10633-F
936.209/1

* Mechanical design is based on environmental conditions as stipulated in EIA-222-F (June 1996) and/or ETS 300 019-1-4 which include the static mechanical load imposed on an antenna by wind at maximum velocity. See the Engineering Section of the catalog for further details.

55/99

Kathrein Inc., Scala Division Post Office Box 4580 Muncie, IN 47301 (USA) Phone: (541) 779-6500
Email: communications@kathrein.com Internet: www.kathrein-scala.com

EXHIBIT A

EXHIBIT H

Product Specifications



QBXLH-6565A-VTM

DualPol® Dual Band Quad Antenna, 824-960 MHz and 1710-2180 MHz, 65° horizontal beamwidth, RET compatible variable electrical tilt



- Four DualPol® antennas under one radome
- Interleaved dipole technology providing for attractive, low wind load mechanical package
- Each antenna is independently capable of field adjustable electrical tilt
- Fully compatible with Andrew remote electrical tilt system

CHARACTERISTICS

General Specifications

Antenna Type DualPol® dual band, quad
 Brand DualPol® | Teletilt®
 Operating Frequency Band 1710 - 2180 MHz | 824 - 960 MHz

Electrical Specifications

| Frequency Band, MHz | 824-896 | 870-960 | 1710-1880 | 1850-1990 | 1920-2180 |
|--|-----------|-----------|-----------|-----------|-----------|
| Beamwidth, Horizontal, degrees | 66 | 60 | 60 | 60 | 60 |
| Gain, dBd | 11.9 | 11.9 | 14.4 | 14.7 | 14.9 |
| Gain, dBi | 14.0 | 14.0 | 16.5 | 16.8 | 17.0 |
| Beamwidth, Vertical, degrees | 16.0 | 15.0 | 7.1 | 6.5 | 6.0 |
| Beam Tilt, degrees | 0-15 | 0-15 | 0-8 | 0-8 | 0-8 |
| Upper Sidelobe Suppression (USLS), typical, dB | 15 | 15 | 15 | 15 | 15 |
| Front-to-Back Ratio at 180°, dB | 28 | 25 | 25 | 27 | 25 |
| Isolation, dB | 30 | 30 | 30 | 30 | 30 |
| VSWR | 1.5:1 | 1.5:1 | 1.5:1 | 1.5:1 | 1.5:1 |
| 3rd Order IMD at 2 x 20 W, dBc | -150 | -150 | -150 | -150 | -150 |
| Input Power, maximum, watts | 250 | 250 | 250 | 250 | 250 |
| Polarization | ±45° | ±45° | ±45° | ±45° | ±45° |
| Impedance | 50 | 50 | 50 | 50 | 50 |
| Lightning Protection | dc Ground | dc Ground | dc Ground | dc Ground | dc Ground |

From North America, toll free
 Telephone: 1-800-255-1479
 Fax: 1-800-349-5444

Outside North America
 Telephone: +1-708-875-2307
 Fax: +1-779-435-8579

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 All specifications are subject to change. Please see www.andrew.com for the most current information.

Product Specifications



Mechanical Specifications

| | |
|-----------------------|--|
| Color | Off white |
| Connector Interface | 7-16 DIN Female |
| Connector Location | Bottom |
| Connector Quantity | 8 |
| Wind Area, maximum | 0.2 m ² 2.5 ft ² |
| Wind Loading, maximum | 522.8 N @ 100 mph 140.0 lbf @ 100 mph |
| Wind Speed, maximum | 201.2 km/h 125.0 mph |

Dimensions

| | |
|------------|---------------------|
| Depth | 279.4 mm 11.0 in |
| Length | 1320.8 mm 52.0 in |
| Width | 581.7 mm 22.9 in |
| Net Weight | 33.3 kg 73.5 lb |

Remote Electrical Tilt (RET) Information

| | |
|---------------------------------------|-----------------|
| Model with Factory Installed Actuator | QBXLH-6565A-R2M |
| RET System | Teletilt® |

Regulatory Compliance/Certifications

Agency

RoHS 2002/95/EC
China RoHS SJ/T 11364-2006

Classification

Compliant by Exemption
Logo 2



Included Products



DB5083

Downhill Mounting Kit for 4.5 in (114.3 mm) OD round members



DB380

Pipe Mounting Kit for 4.5 in (114.3 mm) OD round members

From North America, toll free
Telephone: 1-800-255-1479
Fax: 1-800-545-5444

Outside North America
Telephone: +1-708-873-2307
Fax: +1-779-435-8579

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page 2 of 4

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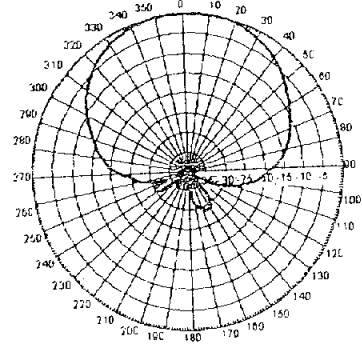
EXHIBIT
EXHIBIT H

A

Product Specifications

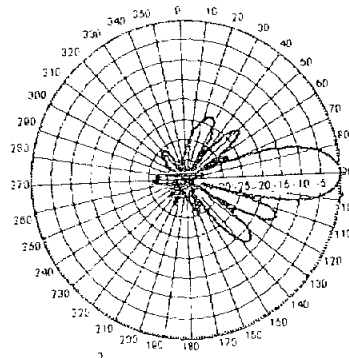


Horizontal Pattern

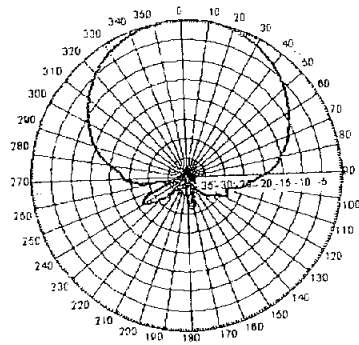


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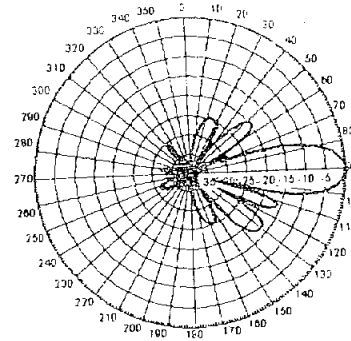
Vertical Pattern



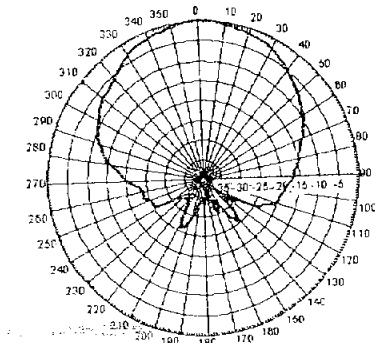
Freq: 850 MHz, Tilt: 0



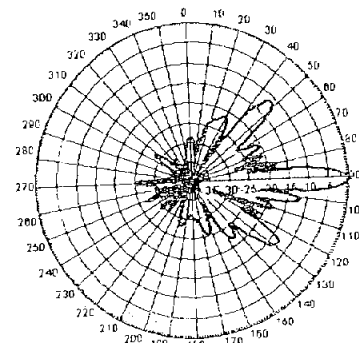
Freq: 940 MHz, Tilt: 0



Freq: 940 MHz, Tilt: 0



Freq: 1785 MHz, Tilt: 0



Freq: 1785 MHz, Tilt: 0

From North America, toll free
Telephone: 1-800-255-1479
Fax: 1-800-349-5444

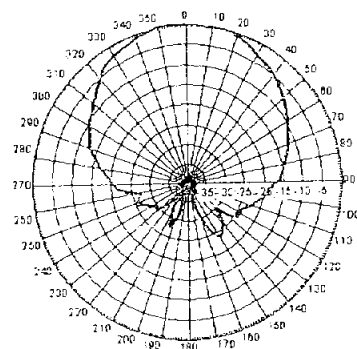
Outside North America
Telephone: +1-708-873-2307
Fax: +1-779-435-8579

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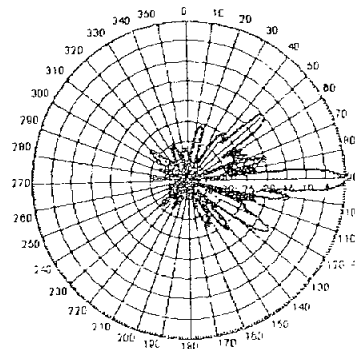
EXHIBIT A
of 4
4/25/2008

EXHIBIT H

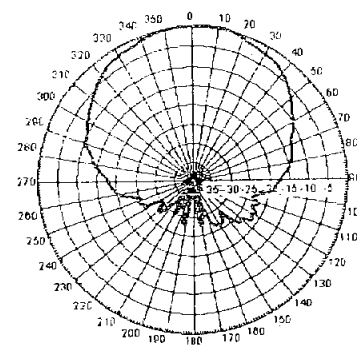
Product Specifications



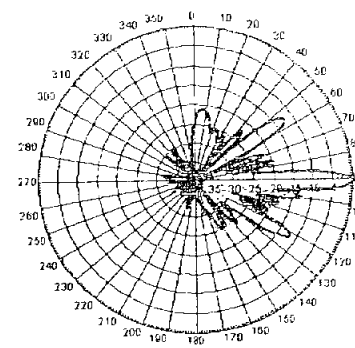
Freq: 1520 MHz, TDR: 0



Freq: 1920 MHz, TDR: 0



Freq: 2110 MHz, TDR: 0



Freq: 2110 MHz, TDR: 0

From North America, toll free
Telephone: 1-800-255-1476
Fax: 1-800-349-5444

Outside North America
Telephone: +1-708-873-2307
Fax: +1-779-435-8579

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EXHIBIT A
EXHIBIT H



at&t

James Cosgrove
Site Planning and Acquisition
56 Bay Road
Fairfax, CA 94930

Tel: 415 233 3838

10/01/08

Re: App # 08-0256

Dear Shelia

I am providing the following information and documents in order to deem my application complete:

Alternative Site Analysis and Coverage Objective:

Included are propagation maps for before and after this site is on air. The coverage objective for this site is between HWY 1, from Soquel Drive to Freedom. Based upon the position of the hillsides, the elevation of the existing site, willingness at the time of the land owner to work with us on a design, this site was considered ideal for obtaining the highest percent of the proposed coverage area.

I am also including a photo of the Cell Site. You and I previously discussed, that based upon the steepness of the hillside, it is difficult to obtain photos from the front of the home.

Thank you,

A handwritten signature in black ink, appearing to read 'Jim Cosgrove'.

Jim Cosgrove

jamestcosgrove@comcast.net
Tel: 415 233 3838



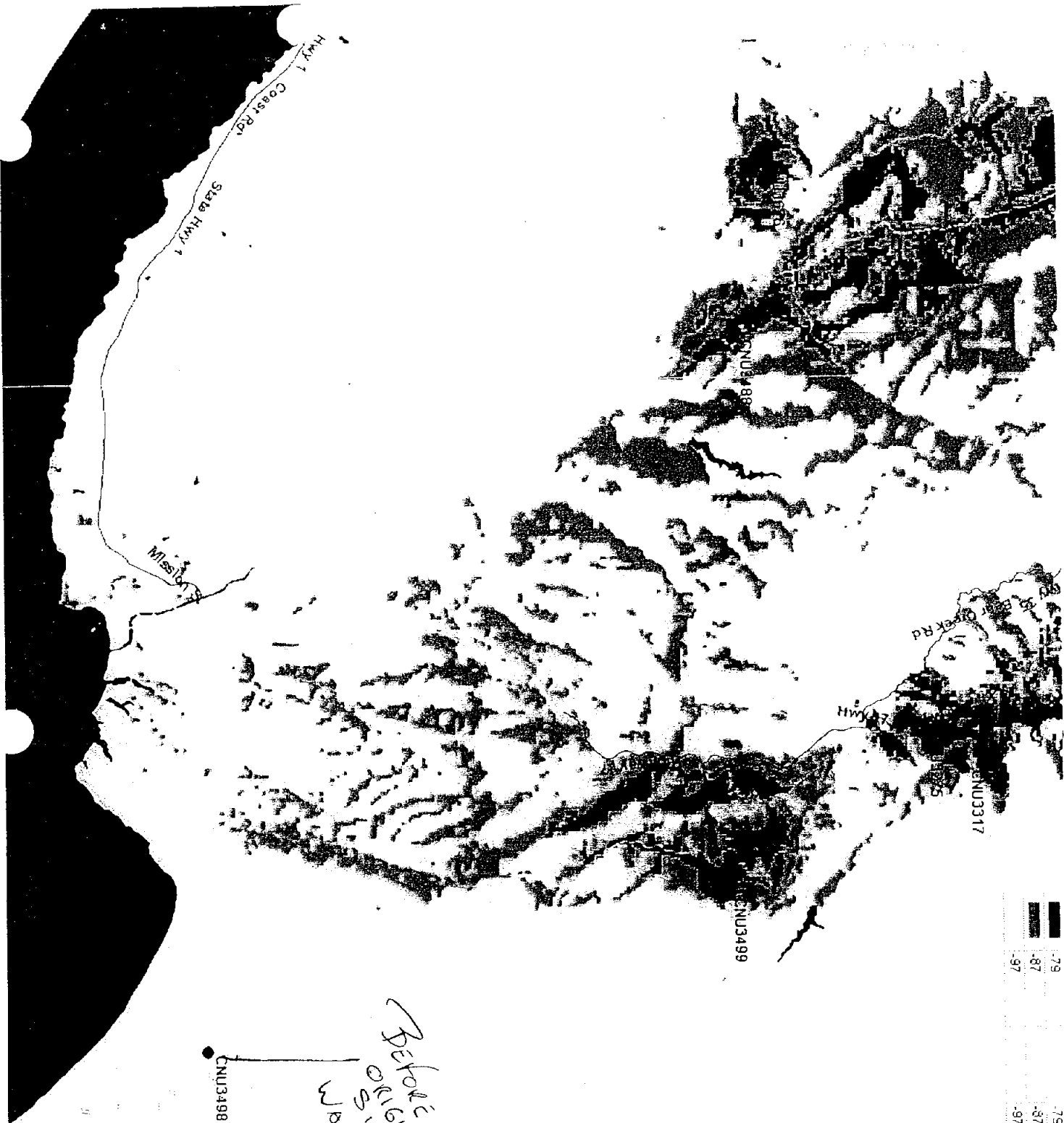
HATER
 OUBINE
 SITE
 UPS
 02 APR

| | |
|----|------------------------------|
| 79 | 79 dBm to Indoor Coverage |
| 87 | 87 dBm to in Car Coverage |
| 97 | 97 dBm to On Street Coverage |

APR 1991

EXHIBIT A

EXHIBIT I



*Before
CNUS3498
Mission
CNUS3498*

| | |
|----|-----------------------------|
| 79 | 79dBm to Indoor Coverage |
| 87 | 87dBm to In Car Coverage |
| 97 | 97dBm to On Street Coverage |

Detail

Sheila McDaniel

From: JAMES COSGROVE [jamestcosgrove@comcast.net]
Sent: Wednesday, July 30, 2008 3:40 PM
To: Sheila McDaniel
Cc: Tony Poletti; Chris Moller XX; Lisa Elliott; Sean Carpenter; Alex Figueroa
Subject: Application 08-0256 (3498), Alternative Site Analysis letter for application

Hello Shelia:

Thank you for your help the other day with supplying all the contact information about obtaining the B.P.

I'm sending this email for application 08-0256, addressing item Number 1 on the incomplete application form; A B.P. was not obtained for construction of the original site. Because of the time that has passed, the C.U.P. has now expired, and the code has recently changed. This code change is forcing us to perform an Alternative Site Analysis (A.S.A.).

We are asking that you recognize the existing structure at this location and that AT&T files a B.P. to fully meet Building Code Standards and not perform an A.S.A. for the following reasons:

A.S.A's are historically performed on new build sites within a given search ring, where there are several choices of different candidates to decide from in that area we want to cover, i.e. PG&E lattice towers, water tanks or open land. We decided on this site because of the high probability of it passing Planning and the strategic coverage it provides in contributing to our fully meshed network that we have in Santa Cruz. As I'm sure you are aware, a fully meshed network is nothing more than a series of strategically placed, over lapping Search Rings, that allow people to move around long distances receiving and sending calls, including 911 without disruption.

Although County Code has changed and now requires an A.S.A. This A.S.A. will not provide any useful data in justifying the cell site placement, unless Planning is considering that we remove the site and consider another location within the search ring. This would inevitably leave a gap in the meshed network. Locating equipment on an adjacent cell site (AT&T's or another carriers) would leave a gap in this search ring. Otherwise we would not have decided on that site to begin with. I understand that codes do change and that our C.U.P. fell out of compliance, by allegedly not submitting a B.P., however we are asking for another way to resolve this issue, such as realizing a mistake might of occurred and to remedy the situation by now getting the site up to building standards as originally proposed.

Can you please present this to your manager for review and if needed I would like to set up a call to discuss this with you both.

Photo - I am sending you the only photo we were able to take of the antennas on this site because of the fenced in area and the cliffside in front of the antenna deck.

Drawings - I am sending you a soft copy of the drawings we submitted so you can have an 8.5' x 11". Please let me know if you would like me to mail you a hard copy.

Thank you again for all your help on this site.

James T. Cosgrove

56 Bay Road
Fairfax CA, 94930
Office: 415.456.2970
Cell: 415.233.3838
Email: jamestcosgrove@comcast.net

INTEROFFICE MEMO

APPLICATION NO: 08-0256

Date: July 1, 2008

To: Sheila McDaniel, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Cellular antennae at Skyward Drive, Aptos

COMPLETENESS ITEMS

- None

COMPLIANCE ISSUES

Design Review Authority

13.10.663 General development performance standards for wireless communication facilities.

| Evaluation Criteria | Meets criteria In code(✓) | Does not meet criteria (✓) | Urban Designer's Evaluation |
|---|--------------------------------|------------------------------------|--------------------------------|
| SITE LOCATION | | | |
| Visual character of site | | | |
| Site location and development of wireless communications facilities shall preserve the visual character, native vegetation and aesthetic values of the parcel on which such facilities are proposed, the surrounding parcels and road right-of-ways, and the surrounding land uses to the greatest extent that is technically feasible, and shall minimize visual impacts on surrounding land and land uses to the greatest extent feasible | ✓ | | |
| Facilities shall be integrated to the maximum extent feasible to the existing characteristics of the site, and every effort shall be made to avoid, or minimize to the maximum extent feasible, visibility of a wireless communication facility within significant public viewsheds. | ✓ | | |
| Utilization of camouflaging and/or stealth techniques shall be encouraged where appropriate. | ✓ | | |
| Support facilities shall be integrated to the existing characteristics of the site, so as to | ✓ | | |

| | | | |
|---|---|--|--|
| minimize visual impact. | | | |
| Colocation | | | |
| Co-location is generally encouraged in situations where it is the least visually obtrusive option, such as when increasing the height/bulk of an existing tower would result in less visual impact than constructing a new separate tower in a nearby location. | ✓ | | |
| Site Disturbance | | | |
| Disturbance of existing topography and on-site vegetation shall be minimized, unless such disturbance would substantially reduce the visual impacts of the facility. | ✓ | | |
| All proposed wireless communication facilities shall comply with the policies of the County General Plan/Local Coastal Plan and all applicable development standards for the zoning district in which the facility is to be located, particularly policies for protection of visual resources (i.e., General Plan/LCP Section 5.10). Public vistas from scenic roads, as designated in General Plan Section 5.10.10, shall be afforded the highest level of protection. | ✓ | | |

| Evaluation Criteria | Meets criteria In code (✓) | Does not meet criteria (✓) | Urban Designer's Evaluation |
|---|---------------------------------|------------------------------------|--------------------------------|
| DESIGN REVIEW CRITERIA | | | |
| Non-flammable Materials | | | |
| All wireless communication facilities shall be constructed of non-flammable material, unless specifically approved and conditioned by the County to be otherwise (e.g., when a wooden structure may be necessary to minimize visual impact). | ✓ | | |
| Tower Type | | | |
| All telecommunication towers shall be self-supporting monopoles except where satisfactory evidence is submitted to the appropriate decision-making body that a non-monopole (such as a guyed or lattice tower) is required or environmentally superior. | ✓ | | |
| All guy wires must be sheathed for their entire length with a plastic or other suitable covering. | ✓ | | |

| | | | |
|--|---|--|--|
| Support Facilities | | | |
| Any support facilities not placed underground shall be located and designed to minimize their visibility and, if appropriate, disguise their purpose to make them less prominent. These structures should be no taller than twelve (12) feet in height, and shall be designed to blend with existing architecture and/or the natural surroundings in the area or shall be screened from sight by mature landscaping. | ✓ | | |
| Exterior Finish | | | |
| All support facilities, poles, towers, antenna supports, antennas, and other components of communication facilities shall be of a color approved by the decision making body. | ✓ | | |
| Components of a wireless communication facility which will be viewed against soils, trees, or grasslands, shall be of a color or colors consistent with these landscapes. | ✓ | | |
| Visual Impact Mitigation | | | |
| Co-location of a new wireless communication facility onto an existing telecommunication tower shall generally be favored over construction of a new tower. | ✓ | | |
| Owners/operators of wireless communication towers/facilities are required to maintain the appearance of the tower/facility, as approved, throughout its operational life. | ✓ | | |
| Lighting | | | |
| Except for as provided for under Section 13.10.663(a)(5), all wireless communication facilities shall be unlit except when authorized personnel are present at night. | ✓ | | |
| Roads and Parking | | | |
| All wireless communication facilities shall be served by the minimum sized roads and parking areas feasible. | ✓ | | |
| Vegetation Protection and Facility Screening | | | |
| In addition to stealth structural designs, vegetative screening may be necessary to minimize wireless communication facility visibility within public viewsheds. | ✓ | | |

| | | | |
|---|---|--|--|
| All applications shall provide detailed landscape/vegetation plans specifying the non-invasive native plant species to be used, including identification of sources to be used to supply seeds and/or plants for the project. | ✓ | | |
| Any such landscape/vegetation plan shall be prepared by a qualified botanist experienced with the types of plants associated with the facility area. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a size that will provide the appropriate level of visual screening immediately upon installation. | ✓ | | |
| All nursery stock, construction materials and machinery, and personnel shall be free of soil, seeds, insects, or microorganisms that could pose a hazard to the native species or the natural biological processes of the areas surrounding the site (e.g., Argentine ants or microorganisms causing Sudden Oak Death or Pine Pitch Canker Disease). | ✓ | | |
| Underground lines shall be routed outside of plant drip lines to avoid damage to tree and large shrub root systems to the maximum extent feasible. | ✓ | | |

PERMIT CONDITIONS / ADDITIONAL INFORMATION

▪ none

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Sheila Mcdaniel
Application No.: 08-0256
APN: 040-271-62

Date: January 8, 2009
Time: 16:25:28
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON JULY 21, 2008 BY ROBERT S LOVELAND =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON JULY 21, 2008 BY ROBERT S LOVELAND =====

Conditions of Approval:

1. Submit a soils report (3 copies) completed by a California licensed geotechnical engineer for review and approval.

NOTE TO PLANNER: The mapped resource for this area was not detected within the project areas.

Dpw Road Engineering Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JUNE 30, 2008 BY ANWARBEG MIRZA =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JUNE 30, 2008 BY ANWARBEG MIRZA =====
NO COMMENT

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 20, 2008 BY ERIN K STOW =====
DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON AUGUST 20, 2008 BY ERIN K STOW =====
NO COMMENT



Aptos/La Selva Fire Protection District

6934 Soquel Drive • Aptos, CA 95003
Phone # 831-685-6690 • Fax # 831-685-6699

August 19, 2008

Planning Department
County of Santa Cruz
Attention: Sheila McDaniel
701 Ocean Street
Santa Cruz, CA 95060

Subject: APN: 40-271-62 / Appl #08-0256
685 Skyward Drive

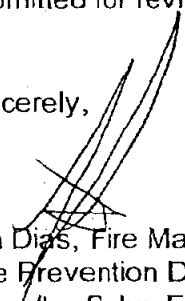
Dear Ms. McDaniel:

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

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

- Any other requirements will be addressed in the Building Permit phase.
- Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Sincerely,


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

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

Cc: James Cosgrove
56 Bay Road
Fairfax, CA 94930



Aptos/La Selva Fire Protection District

6934 Soquel Drive • Aptos, CA 95003
Phone # 831-685-6690 • Fax # 831-685-6699

DISCRETIONARY APPLICATION FEE

PLAN REVIEW:

DATE: 8/19/2008 APN: 040-271-62 APPL: 08-0256

PROJECT ADDRESS: 685 Skyward Drive Aptos, CA 95003

PROJECT NAME: Washowich Monopoloe

SFD [] SFR [] MFD [] COR [] COM []

OWNER: Timothy & Camille Washowich TELEPHONE: _____

OWNER

ADDRESS: 685 Skyward Drive

SPRINKLERED: Yes [] No [X]

RATE: \$50 X 1 HOURS = FEE: \$50.00

TOTAL DUE: \$50.00

Fire Dept. Use Only

DATE PAID: _____ INITIALS: _____

Sheila McDaniel

From: Warren Eraut [erautlaw@yahoo.com]
Sent: Tuesday, December 02, 2008 10:08 AM
To: Sheila McDaniel
Subject: Permit #08-256

Dear Mrs. McDaniel: This email concerns the pending application for installation of a 40 foot tower, a new (and probably louder) generator, and associated "improvements" to the current use of the transmitting tower at 685 Skyward Drive, Aptos. The easement for use of the property was granted to the applicant's predecessors in interest by Kip Jackson quite some years ago. The predecessor users of the property, along with the current users, contribute nothing to the maintenance of the road association despite consistent and regular access to the facility. The predecessors in interests absolutely refused to contribute to the road association. The current facility generates an irritating noise at night - Irene and I have spent many a night listening to the equipment emit the irritating noise. The proposed "improvement" of a larger generator will bring with it more noise pollution. The current tower is hidden; the new one will be an eye-sore and will probably affect resale home values since one will now have to disclose the presence of the tower. The equipment that will be required for the installation of the "improvements" will involve a significant imposition on the neighborhood as various cranes, and other construction equipment try to access this site. The only available parking for the equipment will, of course, be our driveway. I tried to find a means by which to formally object via the County web-site; I was not able to do so. Please let me know if I need to file a formal objection by use of some required form. Otherwise, we would like to be "on record" as formally objecting to this expanded use of the facility. The one on site is bad enough. Thank you. Warren E. Eraut (645 Skyward Drive, Aptos (work:688-4569)

12/3/2008

72/99

EXHIBIT A
~~EXHIBIT J~~

Sheila McDaniel

From: Sheila McDaniel
Sent: Tuesday, December 02, 2008 1:19 PM
To: 'Jim Brownson'
Subject: RE: Proposed Development on Skyward Drive

You are welcome to make an appointment with me and take a look at the plans. Essentially the project proposal is to recognize the existing facility because the facility was previously approved, but the applicant did not obtain a building permit for the facility.

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

From: Jim Brownson [mailto:jimbrownson@earthlink.net]
Sent: Friday, November 28, 2008 2:38 PM
To: Sheila McDaniel
Subject: Proposed Development on Skyward Drive

Greetings Sheila,

I am the Skyward Drive Road Association President. A number of neighbors have asked me about the proposed development for an AT&T cell tower on Skyward Drive. I told the that I would attempt to get more information.

How can we find out more about this proposal ?

Sincerely, Jim Brownson 684-1963

1/9/2009

73 / 99

EXHIBIT A
EXHIBIT J

Standards Ordinance), in that the cell facility will not adversely shade adjacent properties.

The proposed cell facility will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed cell facility will comply with the site standards for the Residential Agriculture zone district (including, lot coverage, floor area ratio, height, setbacks, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity. In addition, the monopole and other antennas are not visible from surrounding properties, which comply with General Plan and Zoning Ordinance policies limiting visual impacts.

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

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

This finding can be made, in that the proposed facility will not generate additional traffic except that necessary to add the proposed antenna and service the facility, or adversely impact existing roads and intersections in the surrounding area. However, the project has been conditioned to require the property owner to enter into the road maintenance association, if they have not already done so, to cover the share of road improvement costs associated with the dwelling and wireless facility.

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

This finding can be made, in that the proposed cell facility is currently situated among existing trees, which screen the structures (pole and building) from view. This existing facility is only visible once you are on the subject property adjacent to the development because the property slopes up a steep hill from the property line to the location of the development. 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.

Final 12-17-92

BUILDING PERMIT APPLICATION



P/D 12-28-94

SANTA CRUZ COUNTY PLANNING DEPARTMENT • 701 OCEAN STREET • SANTA CRUZ, CA • 95060
408-425-2751 • FAX 408-458-7139

APPLICATION NO.: 07520G

APPLICATION DATE: 02/20/92

DATE: 02/20/92

PARCEL NO. 040-271-29
SITUS ADDRESS 685 SKYWARD DR

APTOS

95001

| | | |
|-----|----|----|
| LND | HI | PL |
| USE | ST | AR |
| G61 | N | AP |

PROJECT TYPE: NAS

PROJECT DESCRIPTION: MODULAR EQUIPMENT BUILDING

INSTALL MODULAR EQUIPMENT BUILDING WITH ASSOCIATED ELECTRONIC EQUIPMENT,
PANEL ANTENNAS, AND 200 AMP ELECTRICAL SERVICE FOR TELEPHONE COMMUNICATIONS
NETWORK.

NO. OF PERMITS TO BE ISSUED: 1

OWNER: JACKSON KEITH M & GAIL A HAW CP
685 SKYWARD DR
APTOS CA 95003

DESIGNER/ARCHITECT: THOMAS RAHE

LIC: C-11815

CONTACT PERSON: LYNNE GIUFFRE
3949 RESEARCH PARK CT. SUITE 100
SOQUEL CA 95073 408 464-1000

PERMIT WILL BE ISSUED TO: OWNER'S AGENT

GAS SERVICE: NONE

EXISTING USE NARRATIVE: RESIDENTIAL

PROPOSED USE NARRATIVE: SAME

ROUTING:

ZONING REVIEW

BUILDING PLAN CHECK

EMERGENCY SERVICES

FIRE DEPARTMENT: APTOS LA SELVA

ENVIRONMENTAL HEALTH

ESTIMATED TIME FOR FIRST REVIEW: 4 WEEKS

ADDITIONAL DOCUMENTS REQUIRED PRIOR TO ISSUANCE:

WORKER'S COMP. CERTIFICATE

SIGNATURE OF LICENSED CONTRACTOR/SUBCONTRACT

OWNER AGENT FORM

APPLICATION FEES:

ZONING PLAN CHECK 60.00

BUILDING PLAN CHECK 35.00

** TOTAL \$ 95.00

75/99

REDUCTION OF PLOT PLAN
AND FLOOR PLAN
REQUIRED BEFORE ISSUANCE

ARCHIVE BOX # 3171153-222
DO NOT PASS ..DO NOT REFILE
RETURN TO THE RECORDS
ROOM WHEN FINISHED!!!!!!

EXHIBIT B 1

UNDERGROUND UTILITY TRENCH
POLE

(N) UTILITY POLE

24" AC

(N) 24" HIGH W/D RET WALL
BASE ROCK SURFACE

16

PROPOSED
MOBILE/MODULAR BLDG

12' AC

7' SETBACK

REMOVE (E) RET WALL
SHOWN DASHED

40" AC

22' 22' 22' 22' 22' 22' 22' 22'

APTOS / LA SELVA T.P.D.
7960 SOQUEL DRIVE, SUITE D-1
APTOS, CA. 95003
(408) 688-3263

24 HOUR NOTICE IS REQUIRED FOR

NOTE: Underground Electric and Gas
must be inspected before

EXHIBIT B

77/99

EXHIBIT 120
12-10-070 (a)
Sec 8-6

24-0

Smoke
detector

1210a

ELECTRONIC
County Code
12-10-070 (a)

30085C

A/C

SOUND Baffle

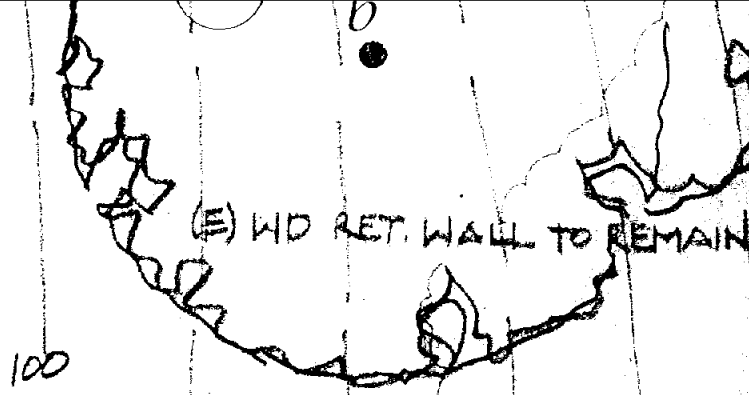
200 AMP ELEC MTR & PANEL

All Elect. Control
to 1990 NEC

1/4" = 1'-0"

FLOOR PLAN

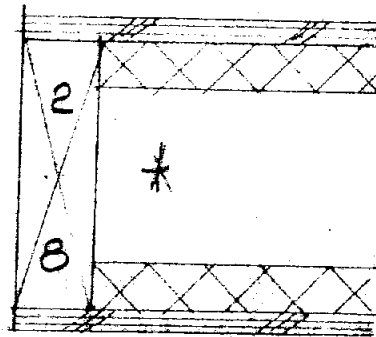
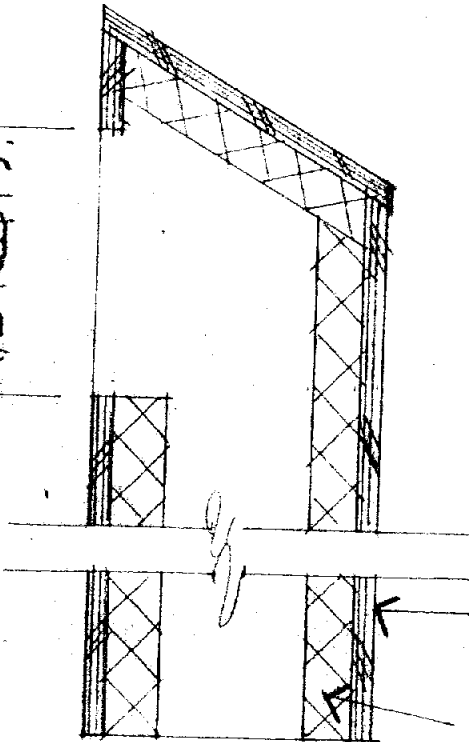
(MOBILE MODULAR BLDG)



(E) CONC DRIVEWAY

(E) TREE
CANOPY

4'1/2" x 3'-0" *
VERIFY W/
A/C REQTS.



5/8" PLYWD SIDING
MATCH MODULAR BLDG
1 1/2" RIGID INSULATION.

SAME AS 4' MAX HT.

SOUND BAFFLE

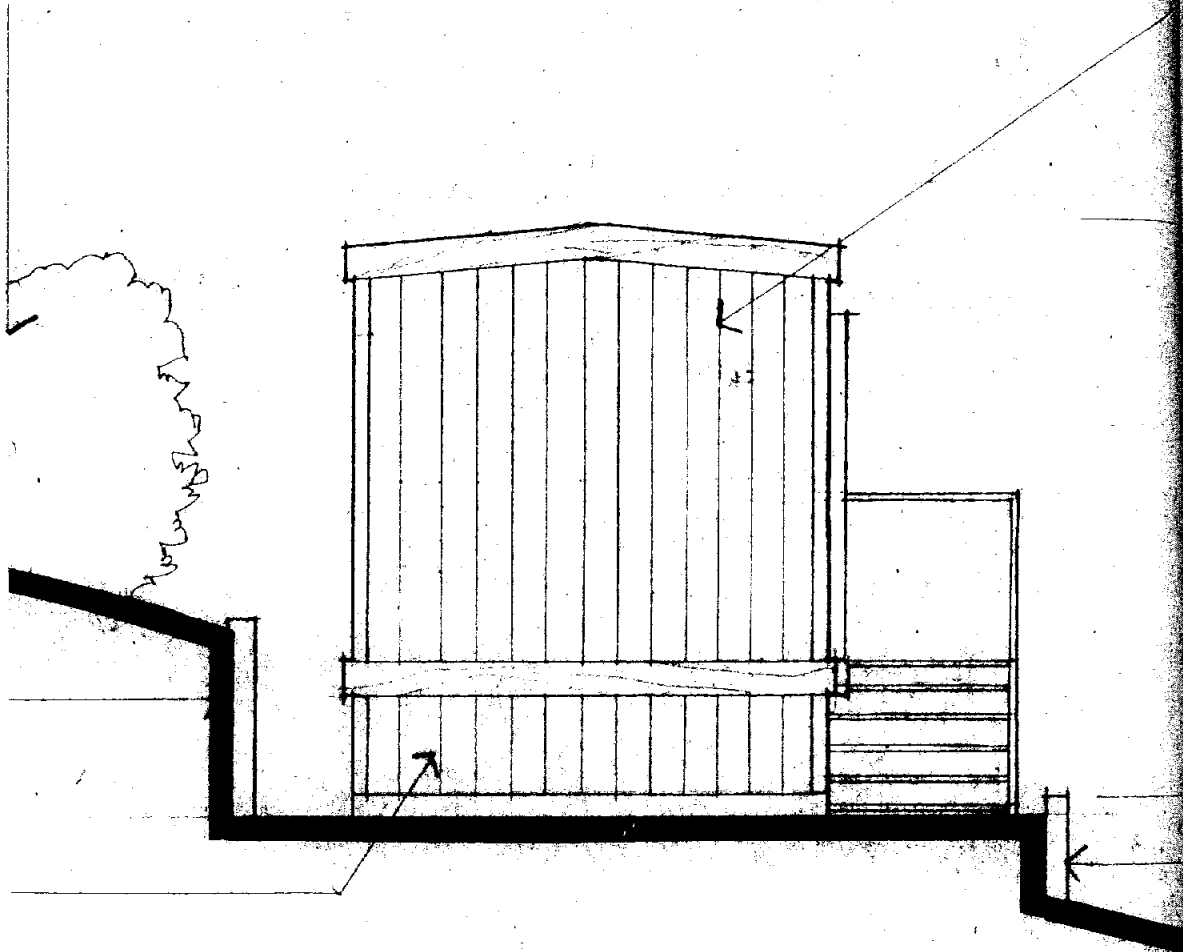
ING (DARK STAIN)



PREFAB MT
STAIR & LD
GUARDRAIL
1988 UBC
1711 ex.

EAST / WEST (SIM)





SOUTH/NORTH(SIM) $1/4" = 1'-0"$



COUNTY OF SANTA CRUZ Planning Department

PERMIT

Owner Patrick Riordan
Address 685 Skyward Drive
Aptos, CA 95003

Permit Number 98-0031
Parcel Number(s) 040-271-62

PROJECT DESCRIPTION AND LOCATION

Proposal to recognize a 48 foot monopole with antenna, a generator, and a 250 gallon propane tank for an existing cellular telecommunications facility that includes three panel antennas installed on a single-family dwelling and an equipment storage building. Requires a Commercial Development Permit. Located on the northwest side of Skyward Drive (685 Skyward Drive) at approximately 3/4 mile north from Trout Gulch Road.

SUBJECT TO ATTACHED CONDITIONS.

Approval Date: 6/5/98

Effective Date: 6/15/98

Exp. Date (if not exercised): 6/15/00

Coastal Appeal Exp. Date: N/A

Denied by: _____

Denial Date: _____

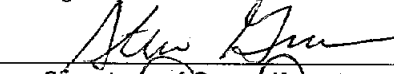
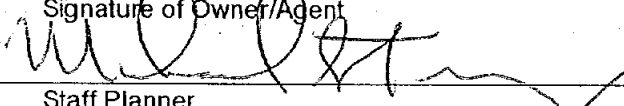
This project requires a coastal zone permit which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission. The appeal must be filed within 10 calendar days of action by the decision body.

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

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

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

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


Signature of Owner/Agent

Staff Planner

6/5/98
Date
6-15-98
Date

Distribution: Applicant, File, Clerical, Coastal Commission

COUNTY OF SANTA CRUZ
ZONING ADMINISTRATOR

Date: 6-5-98
Agenda Item: 8
Time: After 10:00 AM

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO: 98-0031

APN: 040-271-62

APPLICANT: Steve Graves

OWNER: Patrick Riordan

PROJECT DESCRIPTION: Proposal to recognize the installation of a cellular radio transmission facility that includes a 48 foot high monopole with 1 panel antenna, three panel antennae attached to an existing single family dwelling, a 220 square foot equipment building and an emergency generator on site with a single family dwelling. Requires a Commercial Development Permit.

LOCATION: The project is located on the northwest side of Skyward Drive, approximately 3/4 miles north of Trout Gulch Road.

FINAL ACTION DATE: 8-5-98 Per the Permit Streamlining Act

PERMITS REQUIRED: Commercial Development Permit.

ENV. DETERMINATION: Categorical Exemption, Section 1801(E)

COASTAL ZONE: ☐yes ☒no APPEALABLE TO CCC: ☐yes ☒no

PARCEL INFORMATION

PARCEL SIZE: 2.9 acres

EXISTING LAND USE: PARCEL: Single family dwelling

SURROUNDING: Same

PROJECT ACCESS: Skyward Drive

PLANNING AREA: Aptos

LAND USE DESIGNATION: Rural Residential

ZONING DISTRICT: Residential Agriculture (RA)

SUPERVISORIAL DIST: 2nd

ENVIRONMENTAL INFORMATION

| <u>Item</u> | <u>Comments</u> |
|----------------------|----------------------|
| a. Geologic Hazards | a. No mapped hazards |
| b. Archeology | b. None mapped |
| c. Fire Hazard | c. None Mapped |
| d. Slopes | d. 0->30% |
| e. Env. Sen. Habitat | e. None mapped |
| f. Grading | f. None proposed |
| g. Tree Removal | g. None proposed |
| h. Scenic | h. None mapped |
| i. Drainage | i. NA |
| j. Sewer Avail. | j. NA |
| k. Water Avail. | k. NA |

Applicant: Steve Graves
Project: 98-0031
APN: 040-271-62

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SERVICES INFORMATION

W/in Urban Services Line: yes XXno
Water Supply: Not applicable
Sewage Disposal: Not applicable
Fire District: Aptos/La Selva Beach Fire District
Drainage District: Not applicable

DISCUSSION

The project site is approximately 2.9 acres in size with access via a 40' right-of-way that travels through the center of the parcel and services 4 additional parcels. The site slopes steeply from the north to the south and is forested with oak, fir and redwoods. The parcel is currently developed with a single family dwelling and a detached garage. On May 5, 1992 building permit #102527 was incorrectly issued to install the existing modular equipment building, associated electronic equipment and the three panel antennae that are attached to the single family dwelling. The installation of the existing facility should have been reviewed by the Zoning Administrator at a public hearing. The current application is to recognize the installation of an additional panel antenna on a 40 foot tall monopole as well as recognizing the communication facility installed in 1992.

The existing transmission facility consists of three panel antennae that are attached to the exterior of the house as shown on the project plans. The antennae cable has been buried and runs from the house to the equipment building that is located 150 feet to the east. The equipment building is approximately 220 square feet and 12 feet high. Adjacent to the equipment building is an existing 40 foot tall monopole with an additional panel antenna on top. The antenna, located at the top of the pole measures 8' high. The monopole is a standard 40' telephone pole structure. The panel antenna will be conditioned to be painted flat sky blue. The site as is heavily forested which screens the monopole from nearby residents.

The proposed transmission site will be part of a network of transmission sites for Cellular One to accommodate wireless customers. Wireless telecommunication systems are mobile communication units similar to cellular phones. The transmission site will serve users along Highway 1 near Aptos as well as other nearby areas.

The radio frequency exposure levels were evaluated based on the power densities resulting from the operation of the existing as well as the proposed antennae array. The analysis was conducted by Hammett & Edison, INC. using radiated power levels of 800 watts from the antennae located on the house. This level will be reduced to 400 watts with the commencement of the additional panel antenna on the monopole. The antenna on the monopole will operate at 160 watts. The result shown on Exhibit G, indicate that the maximum ground level exposure is currently 64% of the most restrictive applicable public limit for the house mounted antennae. When the monopole antenna is operational, the ground level exposure will be reduced to 32% of the most restrictive applicable public limit. Recommended mitigation measures in the report will be incorporated into the conditions of approval for this permit.

Applicant: Steve Graves
Project: 98-0031
APN: 040-271-62

Page 3

Please see Exhibit A ("Findings") for complete listing of findings and evidence related to the above discussion.

RECOMMENDATION

Staff recommends approval of Application No. 98-0031, based on the attached findings and conditions.

EXHIBITS

- A. Findings
- B. Conditions
- C. Environmental Exemption
- D. Assessor's Map
- E. Zone District Map
- F. Building Permit #102527
- G. Analysis from Hammet & Edison, INC., dated 3-20-98
- H. Project Plans (on file)
- I. Comments from the Aptos/La Selva Fire District, dated 2-9-98

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: Michael S. Ferry, AICP
Phone Number: (408) 454-3226
Santa Cruz County Planning Dept.
701 Ocean St., 4th Floor
Santa Cruz, CA 95060

DEVELOPMENT PERMIT FINDINGS:

Required Findings:

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

The radio frequency exposure levels were evaluated based on the power densities resulting from the operation of the existing as well as the proposed antennae array. The analysis was conducted by Hammett & Edison, INC. using radiated power levels of 800 watts from the antennae located on the house. This level will be reduced to 400 watts with the commencement of the additional panel antenna on the monopole. The antenna on the monopole will operate at 160 watts. The result shown on Exhibit G, indicate that the maximum ground level exposure is currently 64% of the most restrictive applicable public limit for the house mounted antennae. When the monopole antenna is operational, the ground level exposure will be reduced to 32% of the most restrictive applicable public limit. Recommended mitigation measures in the report will be incorporated into the conditions of approval for this permit.

The site will be visited by maintenance personnel about once each month. No restroom facilities or water sources will be required. The only utility necessary for operation is electricity. The facility will not obstruct any private or public viewshed. The project's maximum use of energy is 200 amps and will not result in inefficient or wasteful use of energy. The transmitting energy will not disrupt TV or AM/FM transmissions.

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

The project site is zoned RA. Section 13.10.655 of the County Code allows radio and television transmission towers and accessory uses in any zone district subject to obtaining approval by the Zoning Administrator at a public hearing.

Section 13.10.321 establishes the purposes of the residential zone districts. These include preserving areas for primarily residential uses in locations protected from the incompatible effects of nonresidential land uses; and protect residential properties from nuisances such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes. The project is not in close proximity to other residential structures and the operational conditions of the project limit the access and number of maintenance trips while generating minimal levels of noise, dust and vibrations. The applicant will be conditioned to paint the antenna on top of the monopole flat sky blue to screen the facility from neighbors.

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

The project site is designated Rural Residential in the Santa Cruz County General Plan. The policies for residential development in the General Plan require that the character of existing residential neighborhoods be preserved and maintained. The proposed communication structures on this parcel although adjacent to developed residential parcels will not be visible. Conditions of this project include that the antenna on the monopole be painted a flat, non-reflective sky blue to blend into 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 project will not require the use of public services such as water and sewer but will require power. The facility requires a visit by maintenance personnel once or twice each month which will not create unacceptable levels of traffic.

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 project will be located in a semi-rural part of Santa Cruz County. The site is screened from view by heavy forest, distance and changes in elevation to other residences. The applicant will be conditioned to paint the antenna on the monopole a flat sky blue to blend with the surroundings. The equipment generates no noise or odors leaving no sensitive residential neighborhoods impacted by the transmission site. In addition, fencing and warning signs shall be used to increase safety for people in the area.

CONDITIONS OF APPROVAL

Development Permit No. 98-0031

Applicant: Steve Graves
Assessor's Parcel No. 040-271-62

Property location: The project is located on the northwest side of Skyward Drive, approximately 3/4 miles north of Trout Gulch Road.

Aptos Planning Area

EXHIBIT A: Architectural Plans, dated 12-18-97

- I. This permit authorizes the construction of a Personal Communications Services (PCS) transmission facility consisting of a 40 foot tall monopole with one panel antenna, a Base Transmission station approximately 220 square feet in size, a 250 gallon propane tank, a generator and three panel antenna attached to a single family dwelling. The facility shall be constructed in accordance with the approved Exhibit A described above. 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.
- II. Applicant shall obtain approval from the California Public Utilities Commission and the Federal Communications Commission.
- III. Applicant shall obtain a building permit for the existing monopole and panel antenna. 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, but not be limited to, the following:
 1. Exterior elevations identifying finish materials and colors.
 2. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, parking areas and fencing.
 - a. The monopole and equipment area is to be fenced. Fencing shall also be designed to restrict access to the panel antenna mounted on the house. Fencing design and materials shall be reviewed and approved by the project planner.

- b. Include a sign plan as recommended in the Hammett & Edison RF analysis (Exhibit G) as a mitigation measure. The plan should address the both antenna sites.
3. To ensure that the project does not result in visual impacts, the applicant shall paint the antenna on the monopole a flat sky blue color. The applicant shall submit a sample color chip of the exterior paint for planning approval.
4. To ensure that the storage of hazardous materials on the site does not result in environmental impacts, the applicant shall submit a Hazardous Materials Management Plan for review and approval by County Environmental Health Services.
5. Meet the conditions of the Aptos/La Selva Fire District as stated in their memo dated 2-9-98 (Exhibit I).

IV. All construction shall be performed in accordance with the approved plans. Prior to final building inspection and building occupancy, the applicant/owner shall meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The Hazardous Materials Management Plan shall be approved by County Environmental Health Services.
- D. The antenna shall be painted the approved color.
- E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

V. Operational Conditions:

- A. Antenna shall be permanently maintained and painted regularly with the approved paint.
- B. If as a result of future scientific studies and alterations of industry wide standards resulting from those studies, substantial evidence is presented to the County that radio frequency transmissions may be a hazard to human health and/or safety, then the County Planning Depart-

ment shall set a public hearing and in its sole discretion, may revoke or modify the conditions in this permit.

- C. 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 removal of all permanent structures, and restoration of the site as needed to re-establish 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 Planning Department Staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
- E. All noise shall be contained on the property.
- F. 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.

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 DATE OF APPROVAL UNLESS YOU OBTAIN YOUR BUILDING PERMIT AND COMMENCE CONSTRUCTION.

Applicant: Steve Graves
Project: 98-0031
APN: 040-271-62

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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 Number: 98-0031

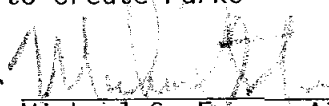
Assessor Parcel Number: 040-271-62

PROJECT DESCRIPTION: Proposal to recognize the installation of a cellular radio transmission facility that includes a 48 foot high monopole with 1 panel antenna, five panel antenna attached to an existing single family dwelling, a 220 square foot equipment building and an emergency generator on site with a single family dwelling. The project is located on the northwest side of Skyward Drive, approximately 3/4 miles north of Trout Gulch Road.

Person or Agency Proposing Project: Steve Graves

Phone Number: 465-0677

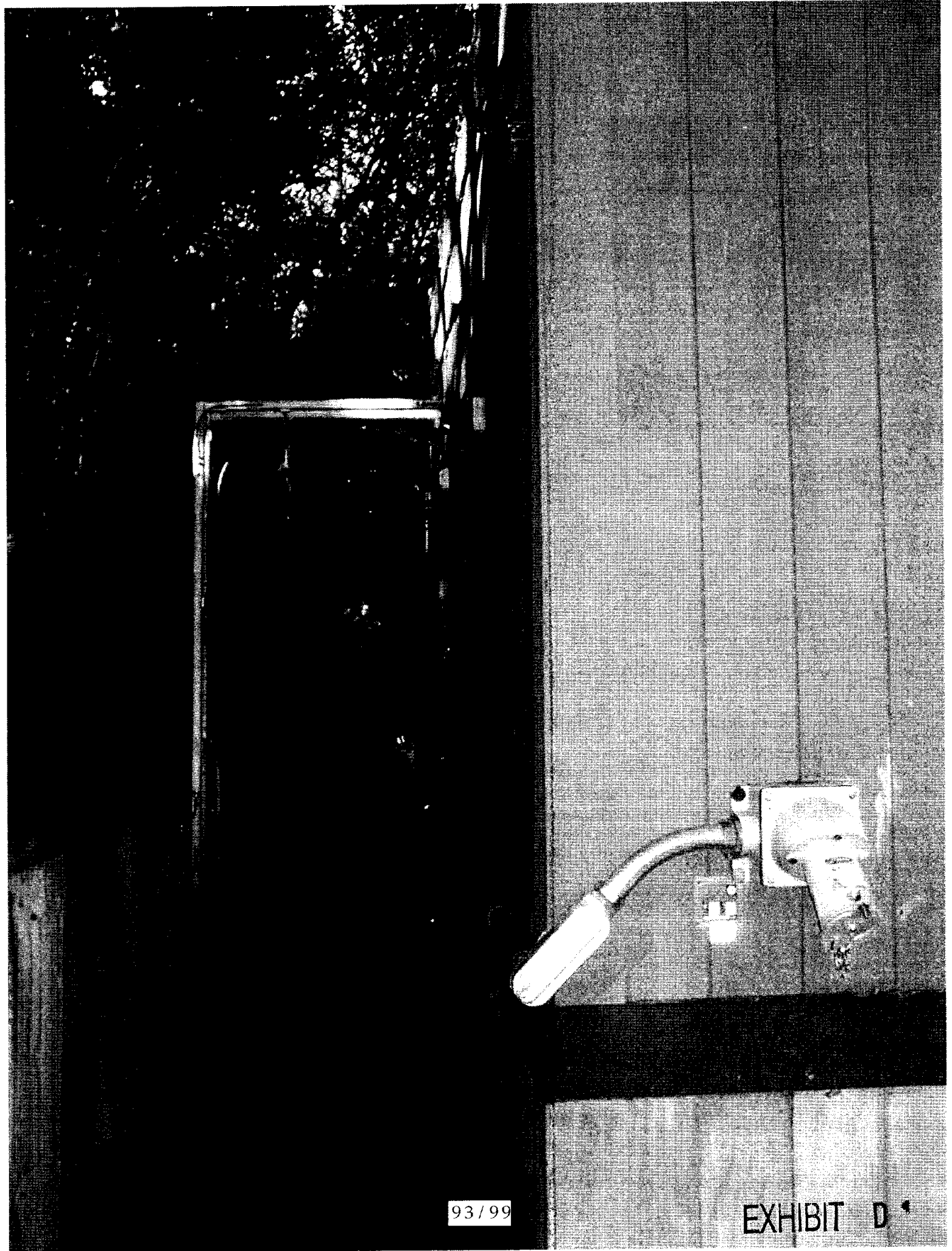
- A. ☐ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
- B. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.
- C. ☐ Statutory Exemption other than a Ministerial Project.
Specify type:
- D. Categorical Exemption
- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| XXX <input checked="" type="checkbox"/> 3. New Construction of Small facilities/ Structure | <input type="checkbox"/> Lots for Exempt Facilities |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitation | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wildlife Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Functional Equivalent to EIR | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

Staff Planner 
Michael S. Ferry, AICP

Date: 5-27-98

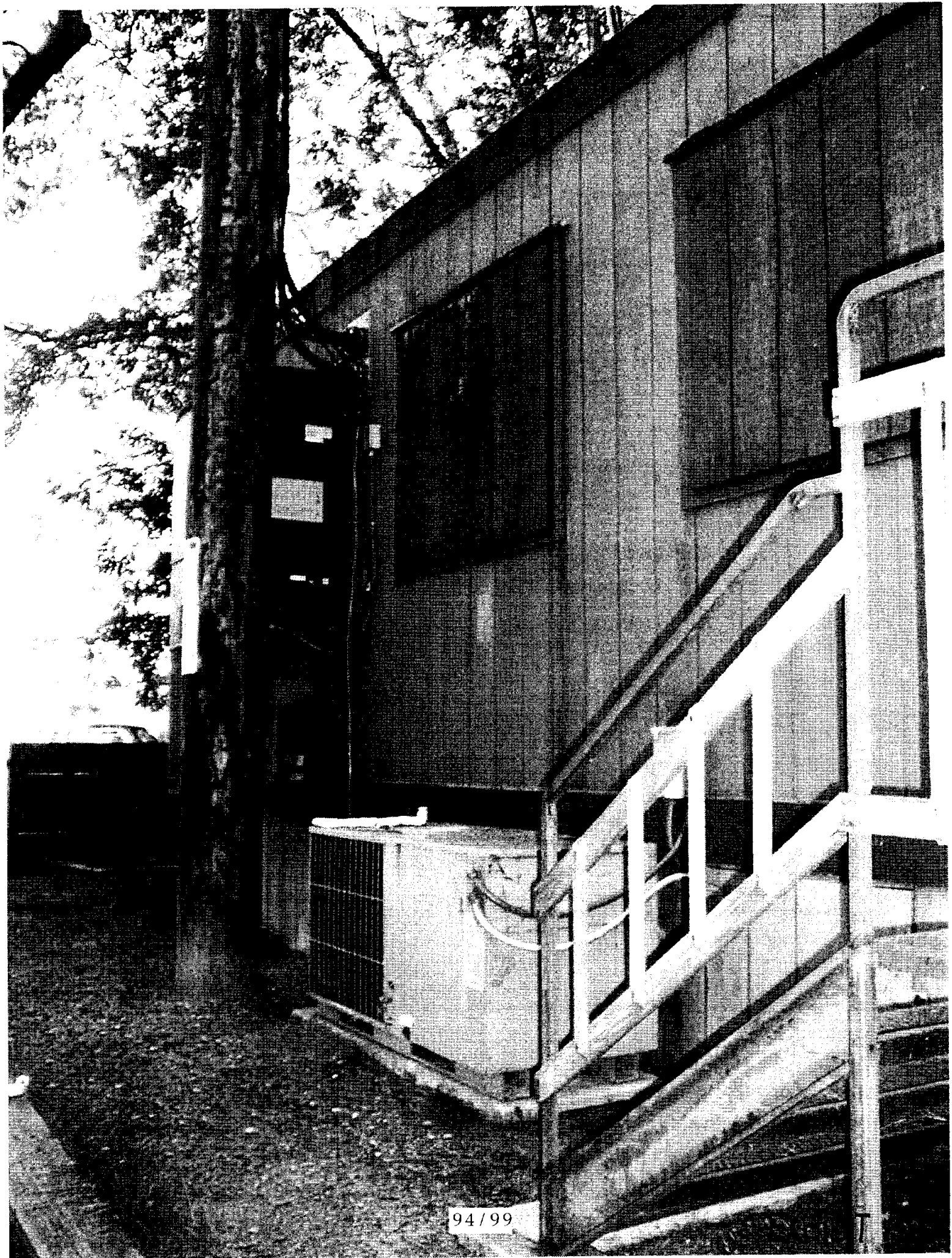






93/99

EXHIBIT D





Sheila McDaniel

From: Jim Brownson [jimbrownson@earthlink.net]
Sent: Friday, December 11, 2009 11:05 AM
To: JAMES COSGROVE
Cc: Irene Eraut; Sheila McDaniel; Barbara Garcia
Subject: Skyward Drive Use Assessment

Jim,

Skyward Drive Road Association just invested \$19,305 in repairs and preventative maintenance on Skyward Drive. We have been working on a formal agreement between Skyward Drive Road Association and AT&T to address Road Access and Maintenance for almost one year now. Despite not having completed this process, the Skyward Drive Road Association is requesting AT&T to pay \$1,200 for access privileges for 2009 (this is the amount that we had tentatively agreed upon).

Please consider this a formal invoice for this annual access fee (assessment). If I should make this request in a different format or to a different department in AT&T, please advise.

Payment is due upon receipt, payable to: Skyward Drive Road Association, 365 Skyward Drive, Aptos, CA 95001

Sincerely,

Jim Brownson
Skyward Drive Road Association - President

Sheila McDaniel

From: Jim Brownson [jimbrownson@earthlink.net]
Sent: Friday, October 30, 2009 8:52 AM
To: Sheila McDaniel
Subject: Re: Proposed Development by AT&T on Skyward Drive, Aptos

Greetings Sheila,

Thanks for your prompt reply and information. We all are looking forward to resolution. The new owners of 675 Skyward Drive (next to the cell tower power building) started to move in Wednesday. Since they have small children, I am glad that the retaining wall already has fallen completely down - and not while a child was playing on or near it.

Jim Brownson.

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

From: Sheila McDaniel
To: Jim Brownson
Sent: Tuesday, October 27, 2009 2:44 PM
Subject: RE: Proposed Development by AT&T on Skyward Drive, Aptos

Jim, I will let you know if they submit the requested materials. I recently sent a reminder letter requesting that materials be submitted within 30 days, otherwise I would prepare a recommendation for denial. I will keep you posted. Thank you, Sheila

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

From: Jim Brownson [mailto:jbbrownson@gmail.com]
Sent: Tuesday, October 27, 2009 2:36 PM
To: Sheila McDaniel; Warren Eraut; Bunky & Duane Watters
Cc: Barbara Garcia; Irene Eraut
Subject: Proposed Development by AT&T on Skyward Drive, Aptos

Greetings Warren, Duane and Sheila,

I am very concerned with the lack of progress on resolving the issues related to this cell phone tower facility.

The last hearing was conducted almost 9 months ago. Per the Hearing Officer's request, AT&T (via James Cosgrove) and the Skyward Drive Road Association came to a preliminary agreement about road usage / maintenance cost sharing. I realize that this proposed agreement only covers Skyward Drive and not the remaining 1/3 of the roadway (the "600 Spur") used by At&T. Since then I made a number of follow up calls to Mr. Cosgrove. Each time I am assured that lots of progress has been made and AT&T is on the verge of wrapping up the details to complete resolution of the issues.

Last month the Skyward Drive Road Association invested \$20,000 in repairing and preserving this road. A contribution from AT&T to these costs would certainly have been appreciated (and fair).

Today I inspected the cell tower power plant building site. I can see no visible progress on any of the structural issues (except that the six foot tall weeds were cut down some time in the summer). The power pole continues to lean to the extent that the phone lines are at head height. In the last month the retaining wall along the access lane to this structure has completely fallen down. I could see no change in the old air-conditioning equipment that generates excessive noise.

Thus, I am soliciting your recommendations on how we can raise the bar on our efforts to come to

resolution of these issues.

Thanks, Jim Brownson - Skyward Drive Road Association President 684-1963 jbbrownson@gmail.com

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.423 / Virus Database: 270.14.34/2463 - Release Date: 10/27/09 15:50:00

Sheila McDaniel

From: Jim Brownson [jimbrownson@earthlink.net]
Sent: Wednesday, March 04, 2009 4:45 PM
To: Sheila McDaniel
Subject: Proposed Development Sign on Skyward Drive

Greetings Sheila,

With respect to the Proposed Development sign on Skyward Drive: Can you have it removed now ? I would be glad to take it down and dispose of it, with your permission.

Jim Brownson, Road Manager

PS: Jim Cochran from AT&T and I are making good progress on an agreement with respect to their use of Skyward Drive in exchange for a contribution to our maintenance costs.