



Staff Report to the Zoning Administrator

Application Number: **101075**

Applicant: Ana Gomez/ AT&T Mobility
Owner: Michael T. Cobler
APN: 054-083-06

Agenda Date: January 21, 2011
Agenda Item #: 1
Time: After 10:00 a.m.

Project Description: Proposal to replace 4 omni-directional roof-mounted whip antennas with 9 roof-mounted panel antennas to be fully screened with 6-foot fiberglass panels, and to add 34 square feet to an existing ground-level enclosure to accommodate the addition of 6 new equipment cabinets, and to remove 2 existing equipment cabinets from the enclosure. Requires an Amendment to Commercial Development Permit 98-0063.

Location: The project is located off of Seascapes Boulevard, 2/3 of a mile from the intersection of Seascapes Boulevard and San Andreas Road at 2 Seascapes Village # 19.

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

Permits Required: Amendment to Commercial Development Permit 98-0063
Technical Reviews: RF Emissions Compliance Report

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 101075, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|---|----|----------------------------------|
| A. | Project plans | E. | Assessor's, Location, Zoning and |
| B. | Findings | | General Plan Maps |
| C. | Conditions | | |
| D. | Categorical Exemption (CEQA
determination) | | |

Parcel Information

Parcel Size:	4.08 acres
Existing Land Use - Parcel:	Commercial
Existing Land Use - Surrounding:	Multi-family residential, urban open space, public facility
Project Access:	Driveway and parking lot off of Seascapes Boulevard
Planning Area:	Aptos

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

Land Use Designation: C-N, O-U (Neighborhood Commercial, Urban Open Space)
Zone District: C-1, PR (Neighborhood Commercial, Public Resource)
Coastal Zone: x Inside Outside
Appealable to Calif. Coastal Comm. x Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
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: x Inside Outside
Water Supply: Soquel Water District
Sewage Disposal: Public sewer
Fire District: Aptos-La Selva Beach Fire District
Drainage District: Zone 6

History

Commercial Development Permit 87-1156 authorized the original development of Seascap Village, a neighborhood commercial complex with a variety of stores, offices and restaurants. The existing cell site in its current location within Seascap Village was approved under Commercial Development Permit 98-0063.

Project Setting

The project parcel is within a neighborhood commercial shopping center/ office complex comprised of seven 2-story buildings of consistent architectural style that are separated and surrounded by landscaped parking areas. The existing ground-level equipment cabinet that is proposed to be expanded in order to accommodate six new equipment cabinets and the removal of two existing cabinets is largely screened from view by a wood fence, landscaping and by its location behind one of the buildings.

The approximately 4-acre parcel has an unusual shape, with a long thin projection outside the shopping center that is zoned for park and open space uses. While the parcel has split zoning and General Plan designations (Neighborhood Commercial and Public Resource zoning, Neighborhood Commercial and Urban Open Space GP designation), the project is entirely within the Seascap Village shopping center that is within the Neighborhood Commercial portion of the parcel.

Analysis

The current application includes an analysis by Waterford Consultants, dated August 8, 2010, that

evaluates the maximum potential RF radiation exposure from the facility, pursuant to FCC-specific guidelines. The maximum ambient RF exposure level that could result from the simultaneous operation of the proposed new equipment and existing equipment at ground level is conservatively calculated to be below 1 % of the applicable public exposure limit.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 4.08 acres, located in the C-1, PR (Neighborhood Commercial, Public Resource) zone district, a designation that allows commercial uses. The proposed cell tower antennas and equipment is a permitted use within the zone district and the zoning is consistent with the site's (C-N, O-U) Neighborhood Commercial, Urban Open Space General Plan designation.

Local Coastal Program Consistency

The proposed cell tower antennas and equipment is in conformance with the County's certified Local Coastal Program, in that the antenna structures and equipment cabinet are sited and designed to be visually compatible with the character of the surrounding neighborhood commercial development. The antennas will be screened from view by panels that blend in color and finish with the rest of the existing structure on which they are mounted. The expanded ground-level enclosure for the equipment cabinets will remain largely screened by existing landscaping and by its location behind the existing office/commercial building where it is located. The design submitted is consistent with the existing architectural style of Seascape Village. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program; the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed cell tower antennas and equipment complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as colors and materials that match the existing structure to screen the antennas and to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Environmental Review

Environmental review of the proposed project per the requirements of the California Environmental Quality Act (CEQA) has resulted in the determination that the proposed project is exempt per CEQA Section 15302, Existing Facilities, which exempts replacement and reconstruction work on an existing telecommunications facility with negligible expansion of capacity.

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 **101075**, 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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Santa Cruz CA 95060
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E-mail: alice.daly@co.santa-cruz.ca.us




**SEASCAPE
VILLAGE**

ISSUE STATUS		
Δ	DATE	DESCRIPTION BY
	06/24/10	ZD 90% -
	07/06/10	ZD 100% -
	11/24/10	CLIENT REV K.S. -
	-	-
	-	-
	-	-

DRAWN BY: J. BURRELL
 CHECKED BY: L. HOUGHTBY
 APPROVED BY: -
 DATE: 11/24/10

Streamline Engineering
Civil Design Inc.
3266 Penny Rd., Suite 200 Loomis, CA 95650
Contact: Larry Houghnaby Phone: 916-275-1190
Email: larry@streamlineeng.com Fax: 916-660-1941



at&t

SHEET TITLE:	TITLE	SHEET NUMBER:	T-1
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CODE COMPLIANCE

ALL WORK & MATERIALS SHALL BE PERFORMED & INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

1. 2007 CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25)

5	MF:	SEASCAPE WILAGE	SITE #	SF 434
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2 / 2

054-083-06 POWER: P&GE

SITE ADDRESS: 2 SEASCAPE VILLAGE #19
APTOS, CA 95003

TELEPHONE: A1&T

CURRENT ZONING: -

CONSTRUCTION TYPE:	IV	II
CONSTRUCTION TYPE:		

U
OCCUPANCY TYPE:
AG: MICHAEL T COBLER
PROPERTY OWNER:

TRUSTEE
1777 S. BASCOM AVE
COLUMBIA, PA. 19380

APPLICANT:
AT&T
CAMPBELL, CA 95008

4430 ROSEWOOD DR BLDG 3 6TH FLOOR
PLEASANTON, CA 94508

LEASING CONTACT:
ATTN: ANA GOMEZ-ABARCA
(415) 990-5304

ZONING CONTACT:
ATTN: ANA GOMEZ-ABARCA
(714) 851-0400 ext. 304

CONSTRUCTION CONTACT:
ATTN: SCOTT ROSS
(415) 980-3084

(530) 588-8207

LATITUDE: N 36° 57' 08.72" NAD 83
LONGITUDE: W 121° 52' 38.62" NAD 83

AMS. 4178.

100

DRIVING DIRECTIONS

FROM:	4430 ROOSEVELT BL. 1ST FLR. ELMSTATION, CA 94588	
TO:	2 SEASIDE PALM BL. APTOS, CA 92033	0.6 M
		0.6 M
		0.4 M
		0.6 M
		0.6 M
		0.2 M
		0.2 M
		1.0 M
		12.6 M
		24.6 M
		0.5 M
		0.0 M
		0.9 M
		0.8 M
		89 FT
		0.1 M

1.	HEAD EAST ON ROOSEVELT BL. TOWARD 440 SANTA RITA RD.	
2.	TURN LEFT ON SANTA RITA RD.	
3.	WALKED TO 1450 W. 4th ST. TOWARD SAN JOSE	
4.	THAT THE DUT. ONTO -4th ST. TOWARD SAN JOSE	
5.	THAT THE WALKER RUD. STAYE ROUTE DET. DET. TOWARD -4th	
6.	WENT RIGHT AT THE CORN. WENT ONTO WILSON BLVD.	
7.	THAT THE WALK ONTO -4th ST.	
8.	CONTINUE ONTO CA-115 S.	
9.	THAT THE STATE ROUTE 1 S. WALK TO WATSONVILLE/MONTFERY.	
10.	WALKED ONTO CA-115 S.	
11.	DET. ONTO SAN JOSE BLVD. TOWARD SEASIDE.	
12.	TURN RIGHT AT SEASIDE BLVD.	
13.	CONTINUE ONTO SEASIDE RESORT DR. TOWARD SEASIDE PALM.	
14.	TURN RIGHT TO STAY ON SEASIDE RESORT DR. TOWARD PALM.	
END AT:	2 SEASIDE PALM BL. APTOS, CA 92033	ESTIMATED DISTANCE: 72.6 MILES
		ESTIMATED TIME: 1 HOUR 24 MINUTES

APPROVAL

[illegible]

EXHIBIT A

Geographic Coordinates

TO BE DETERMINED

Bench Mark

Bench Mark
THE CALIFORNIA SPATIAL REFERENCE C.O.R.S. "9212", ELEVATION = 231.75 FEET (NAVD 83).

Date of Survey

JUNE 21, 2010

Easements

NOT AVAILABLE

Access Easement/Lease Area

TO BE DETACHED

Basis of Bearings

THE STATE PLANE COORDINATE SYSTEM OF 1983 (NAD 83), CALIFORNIA ZONE 1.

Title Report

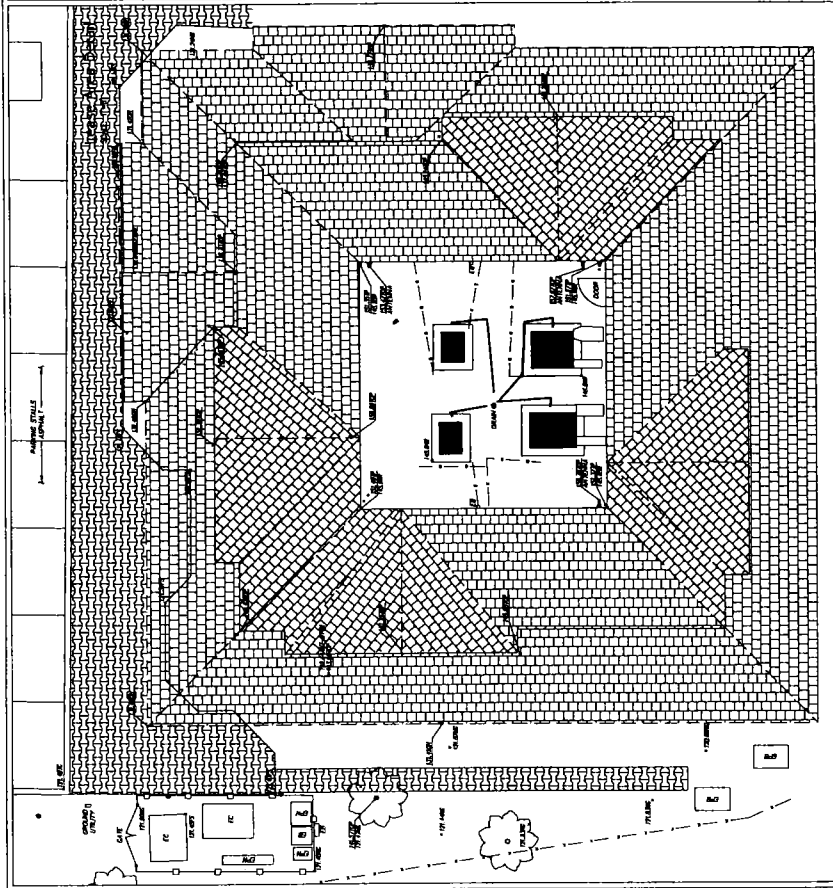
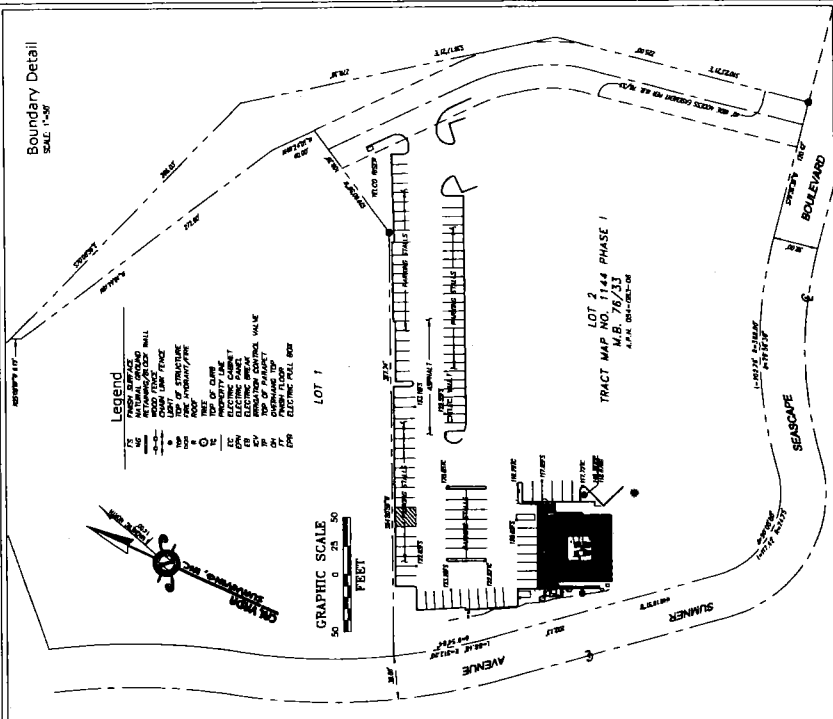
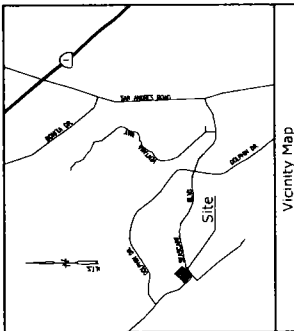
THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT.
PREPARED BY:
CINCINNATI, OHIO
DATE:

[illegible]

LOT 2 OF TRACT MAP NO. 1144, PHASE 1 IN THE CITY OF ARTES, COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, FILED IN VOLUME 74, PAGE 33, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Assessor's Parcel No.

034-003-00



454110
CROSSING STATION
OF THE RIVER IN THE
STATE OF TEXAS

ISSUE STATUS			
	DATE	DESCRIPTION BY	
	06/24/10	ZD 903E	-
	07/08/10	ZD 1003E	-
	11/24/10	CLIENT REV	K.S.
			-
			-
			-
REVIEW BY:	J. BURRELL		
CHECKED BY:	L. HOUGHTBY		
APPROVED BY:	-		
DATE:	11/24/10		

Streamline Engineering
and Design Inc.
2266 Rayns Rd., Suite 200 (Loomis, CA 95650)
Contact: Larry Houghley Phone: 916-272-4100
E-Mail: larry@streamlineeng.com Fax: 916-650-1941

atst



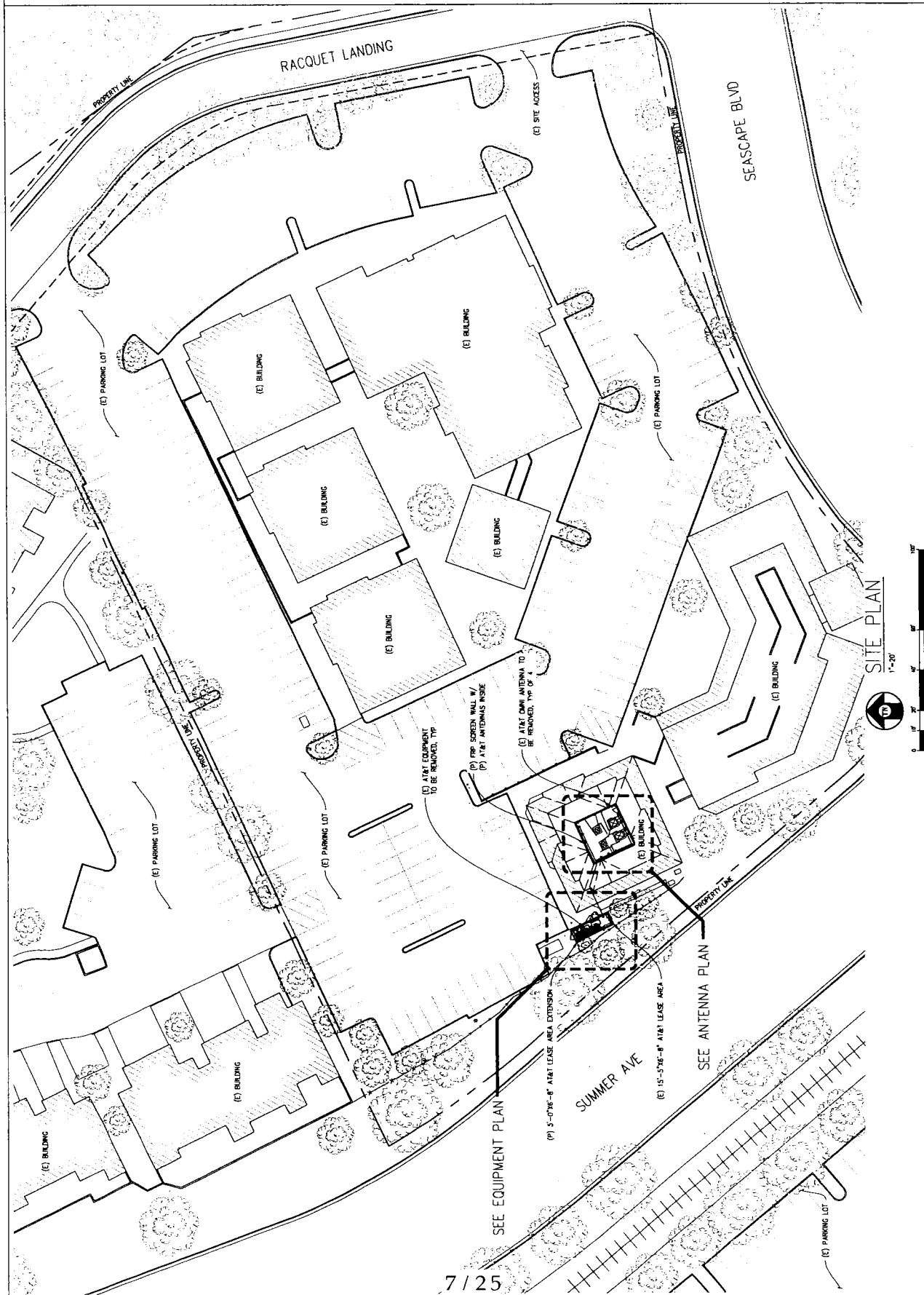
4430 ROSEWOOD DR BLDG 3, 8TH FLOOR
PLEASANTON, CA 94588

SHEET TWO E:

SITE PLAN

HEET NUMBER:

A-1



Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned C-1, PR (Neighborhood Commercial, Public Resource), and C-1 is a designation that allows commercial uses. The proposed cell tower antennas and cabinet equipment is a principal permitted use within the zone district, and the zoning is consistent with the site's (C-N, O-U) Neighborhood Commercial, Urban Open Space General Plan designation. While the parcel has split zoning and General Plan designations (Neighborhood Commercial and Public Resource zoning, Neighborhood Commercial and Urban Open Space GP designation), the project is entirely within the Seascape Village shopping center and is contained within the Neighborhood Commercial portion of the parcel.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

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

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors and materials will match the existing structures and be complementary to the site, and the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the cell tower antennas and cabinet equipment will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified Local Coastal Program.

This finding can be made, in that the antennas and cabinet enclosures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Commercial uses such as cell site facilities are allowed uses in the C-1, PR

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Owner: Michael T. Cobler

(Neighborhood Commercial, Public Resource) zone district, as well as in the applicable General Plan and Local Coastal Program land use designation. Developed parcels in the area contain a variety of commercial, open space and multi-family uses, and the design submitted is consistent with the existing architectural styles and site design.

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 existing cellular wireless communication facility is located within a shopping center on the rooftop of a commercial building, and in an enclosure with the associated equipment cabinets within a fenced and landscaped area behind the commercial building to reduce visibility of the site and the footprint of the facility. The installation of a larger ground mounted cabinet will not impact visual or sensitive habitat resources, in that the cabinet will be screened by new fencing and existing landscaping, and the project is not located in an identified biotic resource area.

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 the proposed removal of 4 antennas and addition of 9 new antennas on an existing rooftop location are proposed for an existing cellular wireless communications facility that was approved under Commercial Development Permit 98-0063. The site is not located in one of the prohibited and/or restricted areas set forth in County Code Sections 13.10.661(b) and 13.10.661 (c).

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 project site is located within a property located in the C-1 (Neighborhood Commercial) zone district, a designation that allows commercial uses. The proposed cell tower antennas are a permitted use within the zone district and the zoning is consistent with the site's (C-N) Neighborhood Commercial General Plan designation. No zoning violation abatement fees are applicable to the subject property.

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 existing wireless communications facility is located on an existing rooftop of a commercial building, which is approximately 35 feet in height, and this elevation is too low to interfere with an aircraft in flight.

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

This finding can be made, in that the maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be less than one percent of the most restrictive applicable limit.

6. For wireless communication facilities in the coastal zone, the proposed wireless communication facility as conditioned is consistent with the applicable requirements of the Local Coastal Program.

This finding can be made, in that the proposed modifications to the wireless communication facility are designed and located in a manner that will minimize potential impacts to scenic and biotic resources, and that the construction of the proposed facility will not impede access to the beach or other recreational resources.

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 maximum ambient RF levels at ground level due to the existing wireless communications facilities and the proposed operation are calculated to be less than one percent of the most restrictive applicable limit. 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 cell tower antennas and cabinet equipment will not deprive adjacent properties or the neighborhood of light, air, or open space, and will meet all current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the cell tower antennas and equipment and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-1, PR (Neighborhood Commercial, Public Resource) zone district, as the primary use of the property will be cell tower antennas and cabinet equipment in an existing telecommunications facility that meets all current site standards for the zone district.

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

This finding can be made, in that the proposed commercial use is consistent with the use and density requirements specified for the Neighborhood Commercial, Urban Open Space (C-N, O-U) land use designation in the County General Plan.

The proposed cell tower antennas and equipment will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meet all current site and development standards for the zone district as specified in General Plan Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the cell tower antennas and equipment will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed cell tower antennas and equipment will be properly proportioned to the parcel size or the character of the neighborhood and the proposed cell tower antennas and equipment will comply with the site standards for the C-1, PR zone district (including setbacks and height).

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 cell tower antennas and equipment is to be constructed within an existing cellular communications facility on an existing developed commercial lot. It is not anticipated that the project would have any impact on traffic levels in the vicinity.

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

This finding can be made, in that the proposed cell tower antennas will be located on an existing rooftop cellular communications facility and be hidden behind roof panels that match the existing architecture of the commercial building on which they are to be located. The addition to the ground-level equipment cabinet will be well screened by fencing, landscaping, and its location behind an existing building. The proposed cell tower antennas and equipment will not impact the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed cell tower antennas and equipment will be of an appropriate scale and type of design that will not detract from the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Project plans, 6 pages, by Streamline Engineering and Design, dated 8/31/10

- I. This permit authorizes the replacement of 4 omni-directional roof-mounted whip antennas with 9 roof-mounted panel antennas to be fully screened with 6-foot fiberglass panels, and the addition of 34 square feet to an existing ground-level enclosure to accommodate the removal of 2 existing equipment cabinets and the addition of 6 new equipment cabinets at an existing cellular communications facility that was approved under Commercial Development Permit 98-0063. 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. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final 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. 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. Identify color and finish of exterior materials on plans.
 2. Details showing compliance with fire department requirements.
 - B. 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.

- C. Meet all requirements of and pay Zone 6 drainage fees, if any, to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - D. Meet all requirements and pay any applicable plan check fee of the Aptos/ La Selva Fire Protection District.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
 - B. All noise generated from the approved use shall be contained on the property.
 - C. 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.
 - D. 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.
 - E. 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.

- F. 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 landscape.
- G. Any modification in the type of equipment shall be reviewed and acted on by the Planning Department staff. The County may deny or modify the conditions at this time, or the Planning Director may refer it for public hearing before the Zoning Administrator.
- H. 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.
- I. 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.
- J.
- 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 that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney
Deputy Zoning Administrator

Alice Daly
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: 101075

Assessor Parcel Number: 054-083-06

Project Location: Seascap Village, Aptos, CA 95003

Project Description: replace 4 omni-directional roof-mounted whip antennas with 9 roof-mounted panel antennas fully screened with 6-foot fiberglass panels and add 34 square feet to an existing ground-level enclosure and replace 2 existing equipment cabinets w/ 6 new cabinets

Person or Agency Proposing Project: Ana Gomez/ AT&T Mobility

Contact Phone Number: 415-990-5384

- 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 2 - Existing Facilities (Section 15302)

F. Reasons why the project is exempt:

Replacement and reconstruction of an existing telecommunications facility involving negligible expansion of capacity.

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

Alice Daly, Project Planner





Date: _____

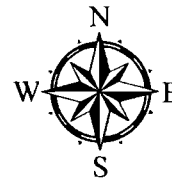


Location Map



LEGEND

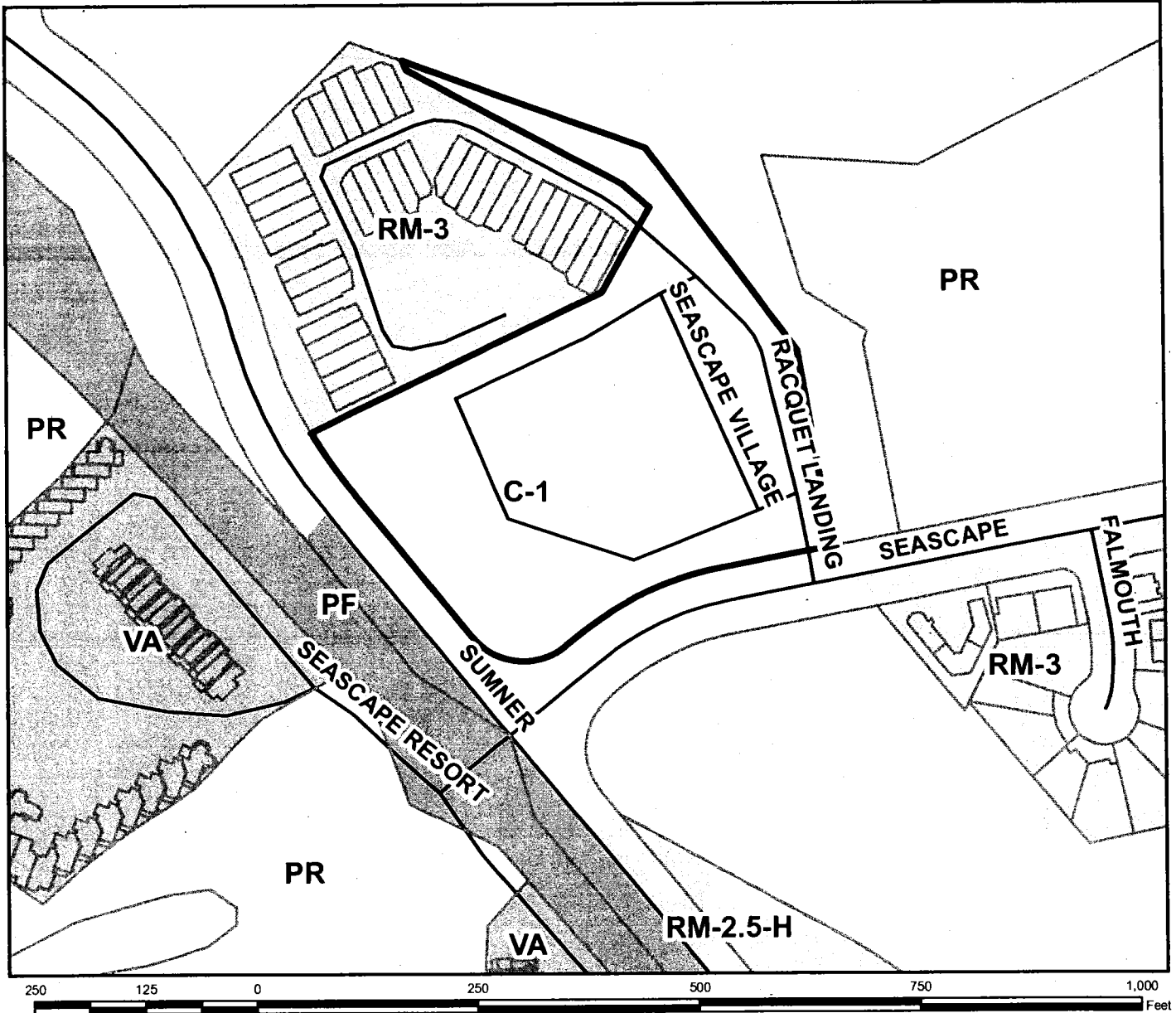
-  APN: 054-083-06
-  Assessors Parcels
-  Streets
-  County Boundary



Map Created by
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Planning Department
October 2010

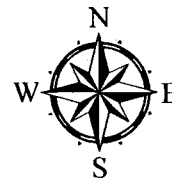


Zoning Map



LEGEND

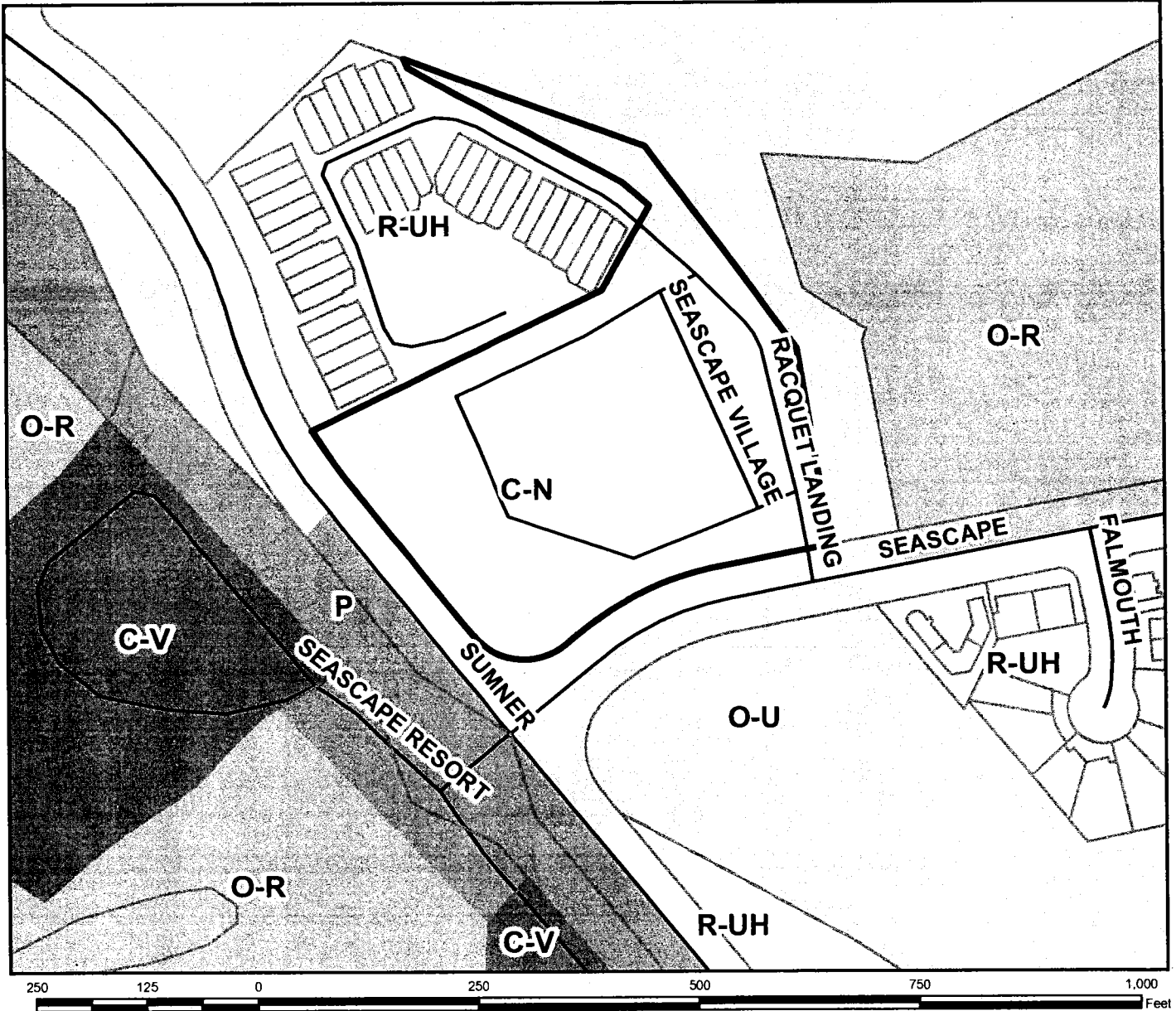
- APN: 054-083-06
- Assessors Parcels
- Streets
- COMMERCIAL-NEIGHBORHOOD
- PARK
- PUBLIC FACILITY
- RESIDENTIAL-MULTI FAMILY
- COMMERCIAL-VISITOR ACCOM.



Map Created by
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October 2010

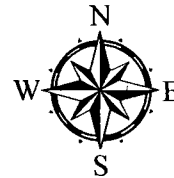


General Plan Designation Map



LEGEND

- APN: 054-083-06
- Assessors Parcels
- Streets
- Commercial-Neighborhood
- Residential - Urban High Density
- Urban Open Space
- Parks and Recreation
- Public Facilities
- Commercial-Visitor Accom.



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October 2010