



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

February 24, 2016

Agenda Date: March 4, 2016

Agenda Item #1

Time: after 9:00 a.m.

Zoning Administrator
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: Findings, Conditions, and Project Plans for APPROVAL of Application 151068

Zoning Administrator:

On February 19th, you considered Application 151068, an application for a Commercial Development Permit to install 6 panel antennas with associated equipment at the 48 foot level of an existing 91 foot tall PG&E transmission line lattice tower, including outdoor equipment and a standby generator within a 650 square foot fenced lease area on a 22 acre Commercial Agricultural (CA) zoned parcel.

You will recall that the applicant submitted late correspondence prior to the hearing providing additional alternative analysis information supporting issuance of a telecommunications act exception. The applicant also suggested in public testimony that plan revisions could be provided to preclude removal of agricultural crops for compliance with the agricultural regulations. Following this testimony, the project was recommended for approval with direction for staff to provide the project findings and conditions on the March 4th consent agenda. This included a recommendation that conditions include a requirement to locate the equipment enclosure at the base of the tower and to prohibit the removal of agricultural crops.

As directed, attached are revised project plans (Exhibit A), project findings (Exhibit B) and project conditions of approval (Exhibit C) supporting approval of this application. You will note that the project plans show that the equipment enclosure is now located entirely within the footprint of the base of the existing 91 foot PG&E transmission tower and the proposed utilities are now located entirely within the existing roadway access within the agricultural fields, adjacent to the tower. Revised plans also show that no crops are required to be removed for construction of the proposed wireless facility.

Staff Recommendation

Staff recommends that you approve Application 151068, based on attached revised project

plans, project findings, and conditions of approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sheila McDaniel", with a stylized flourish at the end.

Sheila McDaniel
Project Planner
Development Review

Exhibits

- A. Revised Project Plans
- B. Findings
- C. Conditions of Approval

Z D DRAWING SIGN - OFF

DATE: TIME: X CMC-PLEASE RETURN BY:



SITE ACQUISITION:

PLANNING:

CONSTRUCTION:

MANAGEMENT:

SIGNATURE

DATE

CONSTRUCTION:

REAL ESTATE:

RF ENGINEER:

EQUIPMENT ENGINEER:

NEW ENG./TRANSPORT:

OTHER (IF APPLICABLE)

SIGNATURE

DATE

verizon

2785 Mitchell Drive, Walnut Creek, CA 94598

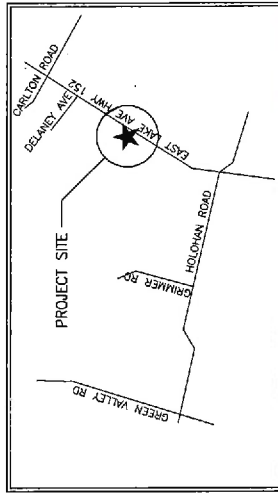
SANTA CRUZ FAIRGROUNDS

2535 EAST LAKE AVENUE
WATSONVILLE, CA 95076

APN: 051-441-20

SAP #: 40618383 VZN #: 280016

TOWER #: 012/070 MOSS LANDING-GREEN VALLEY #1, 115KV LINE



LOCATION PLAN

DIRECTIONS

1. FROM VERIZON OFFICE @ 2785 MITCHELL DRIVE, WALNUT CREEK, CA 94598
 2. HEAD NORTHEAST ON MITCHELL DR TOWARD OAK GROVE RD
 3. TAKE THE 1ST LEFT ONTO OAK GROVE RD
 4. TURN RIGHT ONTO N MAIN ST
 5. TURN RIGHT ONTO THE INTERSTATE 680 S RAMP TO OAKLAND/SAN JOSE
 6. MERGE ONTO I-680 S
 7. TAKE THE 2ND EXIT ON I-680 S
 8. TAKE THE 1ST RIGHT ONTO BUTTERFIELD BLVD
 9. TURN RIGHT ONTO TENANT AVE
 10. TURN LEFT ONTO BUTTERFIELD BLVD
 11. TURN RIGHT ONTO WATSONVILLE RD
 12. TURN RIGHT TO STAY ON WATSONVILLE RD
 13. TURN RIGHT ONTO CA-152 W
- DESTINATION WILL BE ON THE RIGHT

INDEX OF DRAWINGS

1. T1.1
 2. C1
 3. A1.1
 4. A2.1
 5. A2.2
 6. A3.1
- TITLE SHEET, LOCATION PLAN, PROJECT DATA
CIVIL SURVEY SHEET
OVERALL SITE PLAN, ENLARGED SITE PLAN
ANTENNA LAYOUT PLAN
PROJECT ELEVATIONS

PROJECT DIRECTORY

PROPERTY OWNER:
VERIZON WIRELESS
2785 MITCHELL DRIVE
WALNUT CREEK, CA 94598

CONSTRUCTION MANAGER:
SERGIO CARRERA
COMPLETE WIRELESS CONSULTING, INC.
2008 MARKET STREET
SAN FRANCISCO, CA 94102
916-217-9219
scarrera@completewireless.net

PROJECT SUMMARY

ASSESSOR'S PARCEL NUMBER: 051-441-20
JURISDICTION: SANTA CRUZ COUNTY
DOCUMENT: 5-2 (UNMANNED TELECOMMUNICATIONS FACILITY) u (TOWER)
TYPE OF CONSTRUCTION: Y-B
ZONING: COMMERCIAL AGRICULTURAL (CA)

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT. NO OTHER CODES SHALL BE REQUIRED TO BE COMPLIED WITH FOR WORK NOT CONFORMING TO THESE CODES.

2013 CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, CALIFORNIA CODE OF REGULATIONS INCLUDING SUPPLEMENTS EFFECTIVE JULY 1, 2015

- PART 1 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE
- PART 2 CALIFORNIA BUILDING STANDARDS CODE
- PART 3 CALIFORNIA ELECTRICAL CODE
- PART 4 CALIFORNIA MECHANICAL CODE
- PART 5 CALIFORNIA PLUMBING CODE
- PART 6 CALIFORNIA FIRE CODE
- PART 7 CALIFORNIA HISTORICAL BUILDING CODE
- PART 8 CALIFORNIA FIRE CODE
- PART 9 CALIFORNIA GREEN BUILDING CODE
- PART 10 CALIFORNIA GREEN BUILDING STANDARDS CODE
- PART 11 CALIFORNIA GREEN BUILDING STANDARDS CODE
- PART 12 CALIFORNIA REFERENCE STANDARDS CODE

LOCAL COUNTY OR CITY ORDINANCES

ACCESSIBILITY REQUIREMENTS: THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY NOT REQUIRED IN ACCORDANCE WITH THE 2013 CSC 11B-202.3, AND 11B-202.4 EXCEPTION 7.

PROJECT DESCRIPTION

PROPOSED VERIZON WIRELESS UNMANNED TELECOMMUNICATIONS FACILITY INCLUDING:

- A 15'-1"X15'-4" LEASE AREA
- A FENCE • LEASE AREA PERIMETER
- OUTDOOR EQUIPMENT
- UNDERGROUND POWER & TELCO UTILITIES TO SITE
- A STANDBY GENERATOR
- 10,000 GALS FUEL STORAGE TANK
- ANTENNAS W/ASSOCIATED EQUIPMENT MOUNTED ON AN EXISTING PEARL TRANSMISSION TOWER

PROJECT MILESTONES

DATE	DESCRIPTION
05/12/2014	90% ZONING DOCUMENTS
05/23/2014	100% ZONING DOCUMENTS
09/19/2014	100% ZONING DOCUMENTS REV1
12/22/2014	100% ZONING DOCUMENTS REV2
01/15/2015	100% ZONING DOCUMENTS REV3
01/15/2015	100% ZONING DOCUMENTS REV4
02/18/2015	100% ZONING DOCUMENTS REV5
02/26/2015	100% ZONING DOCUMENTS REV6
03/06/2015	90% ZONING DOCUMENTS: DEC
11/03/2015	100% ZONING DOCUMENTS: DEC
02/22/2016	100% ZONING DOCUMENTS: DEC
XX/XX/XXXX	90% CONSTRUCTION DOCUMENTS
XX/XX/XXXX	100% CONSTRUCTION DOCUMENTS



SHEET TITLE: TITLE SHEET, LOCATION PLAN, PROJECT DATA
SANTA CRUZ FAIRGROUNDS
2535 EAST LAKE AVENUE
WATSONVILLE, CA 95076

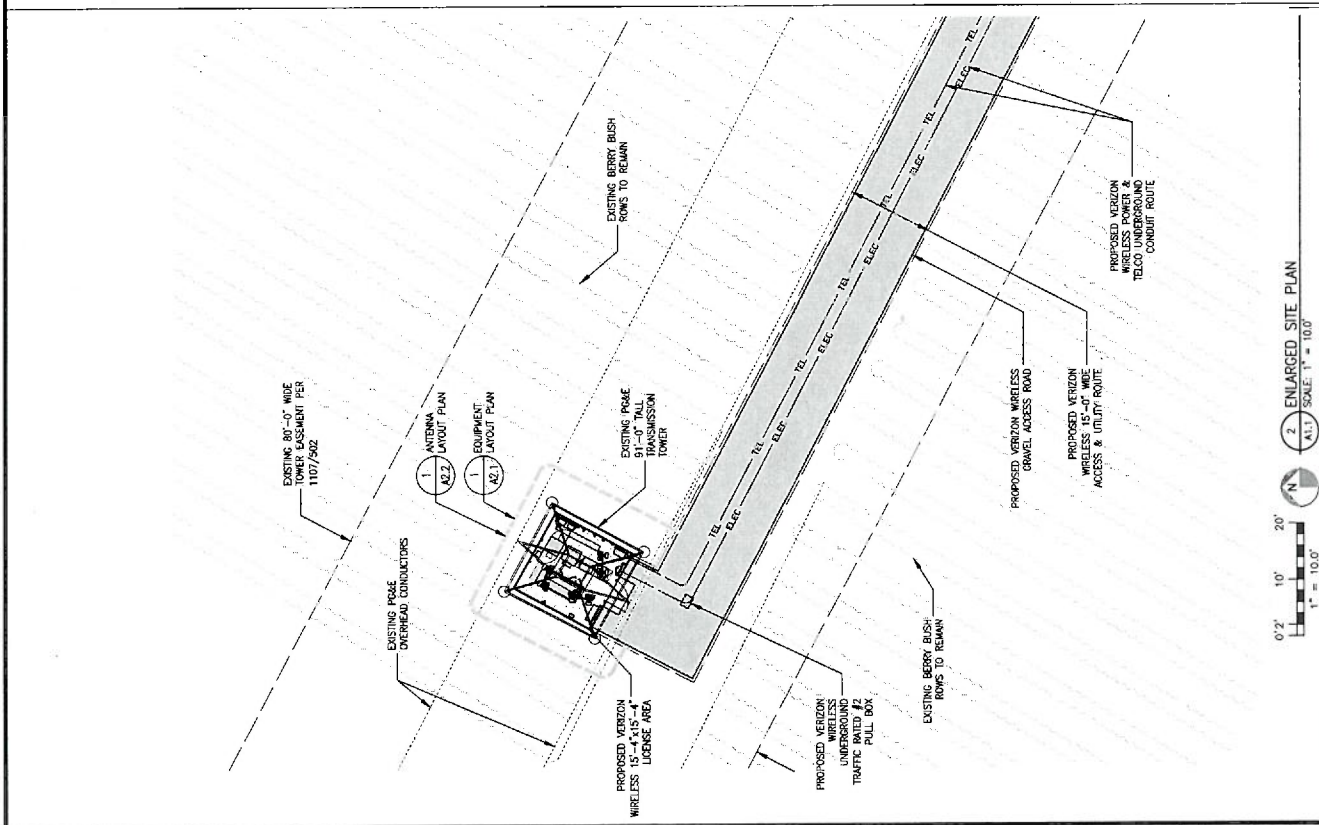
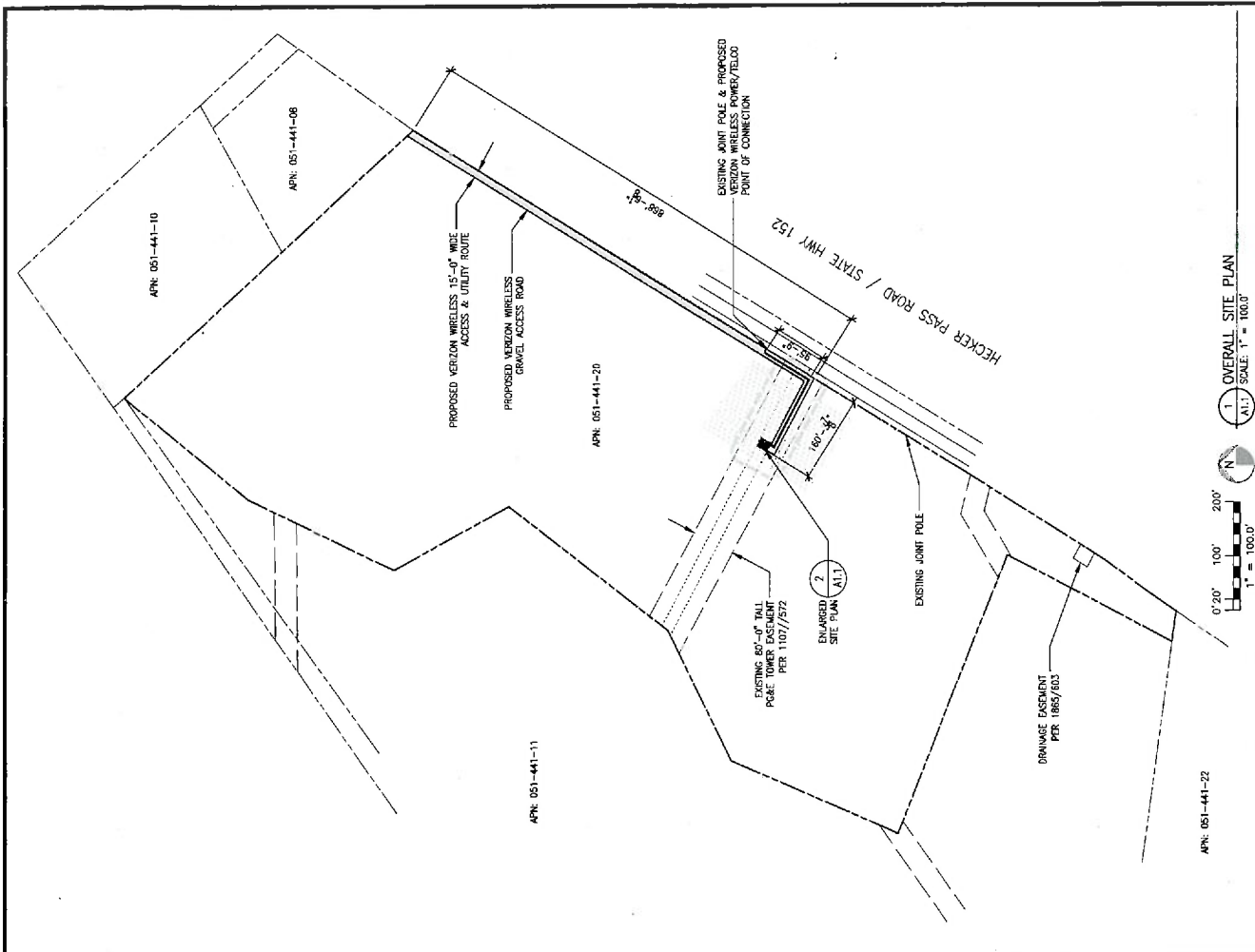


PROJECT NO: 051-441-20
DRAWN BY: JZ
CHECKED BY: JZ
DATE: 02/22/16

FILE: 051-441-20.dwg
DATE: 02/22/16

11.1

EXHIBIT A





A2.2

Job No. 102274

File: 102274_A2.dwg
Drawn By: LA
Checked By: aw
Scale: As Shown
Date: 02/27/13

Revisions:
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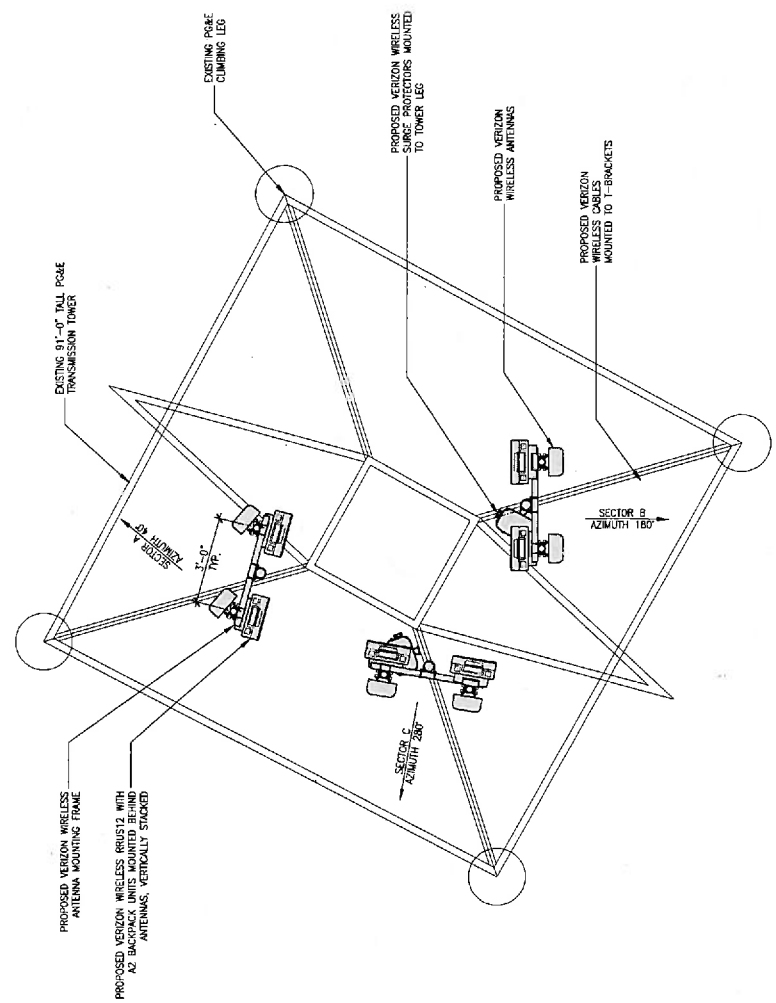
SHEET TITLE:

ENLARGED ANTENNA PLAN

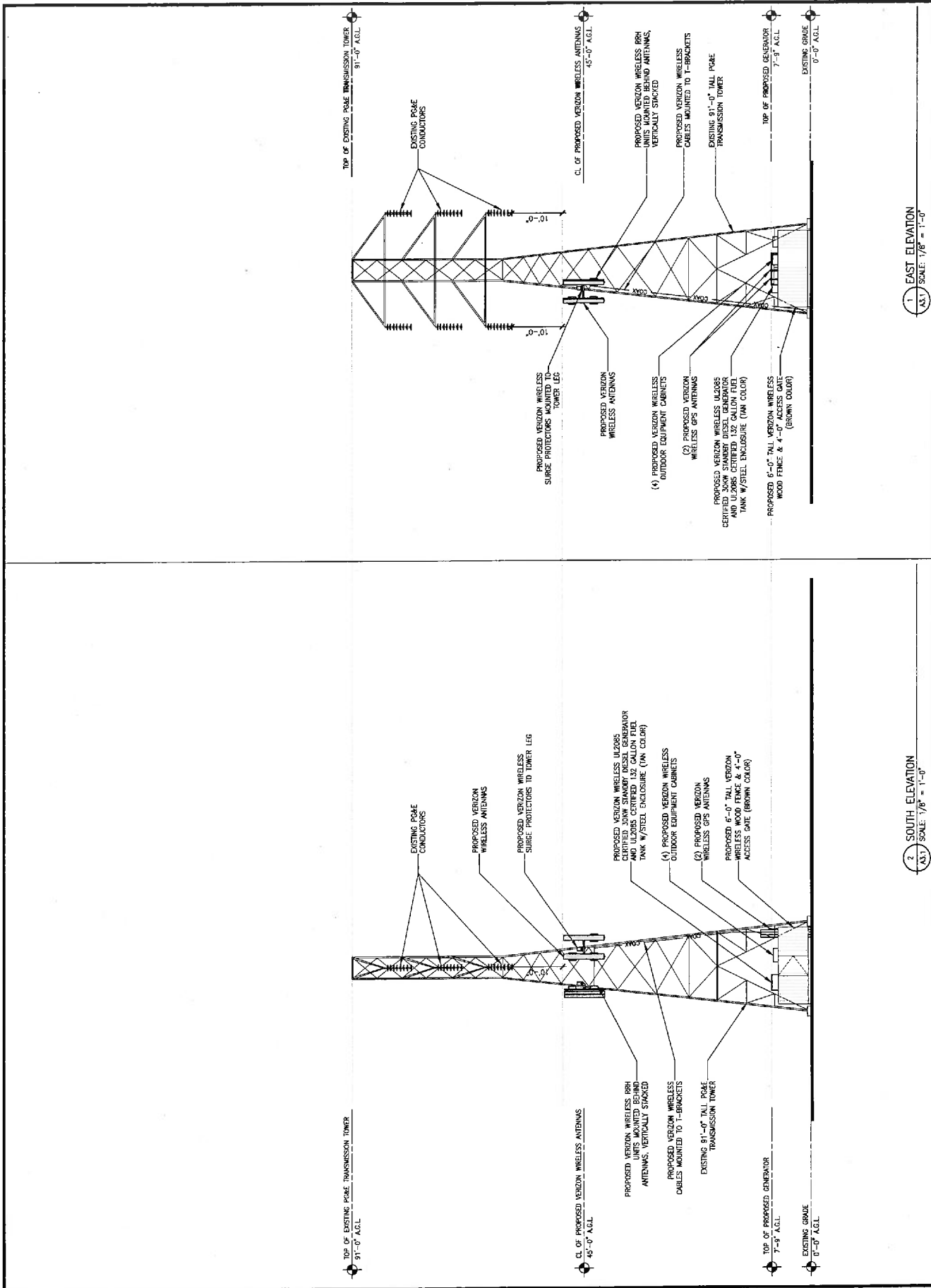
verizon
SANTA CRUZ FARIGROUNDS
2535 EAST LAKE AVENUE
WATSONVILLE, CA 95076

MST ARCHITECTS
13330 VIA PALM DRIVE, WATSONVILLE, CA 95076
TEL: 831.867.0430
WWW.MSTARCHITECTS.COM
COMPLETE
MST ARCHITECTS
13330 VIA PALM DRIVE, WATSONVILLE, CA 95076
TEL: 831.867.0430
WWW.MSTARCHITECTS.COM

NOTE: ACTUAL LOCATION AND ATTACHMENT OF POLE AND RAYCAPS TO BE DETERMINED BY POLE IN THE FIELD.



EQUIPMENT SCHEDULE					
EQUIPMENT	DESCRIPTION	QUANTITY			
		SECTOR A	SECTOR B	SECTOR C	TOTAL
ANTENNA	SRNH-1055B	2	2	2	6
RRU	RRU12 WITH A2 BACKPACK OR EQUIVALENT	3	3	3	9
TMA OR DUPLEXER	N/A	0	0	0	0
SURGE PROTECTOR/HYBRID	RAYCAP 3315 / HYBRID TRUNK CABLE	2/2			
COAXIAL CABLE	N/A	0	0	0	0
PET CABLE	N/A	0	0	0	0



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 proposed antennas and equipment enclosure will be located on and under an existing PG&E transmission tower would be located outside any mapped visual resources, environmentally sensitive habitat resources, or other significant county resources. In addition, the proposed project would not require removal of agricultural row crops and would not affect agricultural operations on the subject property.

Furthermore, the applicant has submitted information indicating that the proposed WCF location is necessary to close a "significant gap" in the carrier's (Verizon's) network, and evidence indicating that only one of the potential sites is located in a permitted district and then this site is not viable. Only two alternative sites were identified that were both technically feasible and viable. Of these two, one is located in a prohibited zone district (CA) requiring construction of a new wireless facility tower with potentially more visual impacts than the proposed facility and the other alternative is located in a restricted zone district (PF-L) requiring a new facility and resulting in significantly more visual impacts than the proposed co-location facility. Restricted districts only allow facilities where the project will not result in significantly more visual impacts.

Of all potential alternative sites, the proposed site is the only viable and technically feasible macro cell alternative that minimizes visual impacts because it is proposed on an existing utility tower and does not require construction of a new wireless tower or result in significant visual impacts. The alternative analysis also confirmed that the microcell alternative available to the carrier would require between 20 to 30 microcell sites located throughout the coverage area, with potentially more visual impacts than one wireless facility with antennas on an existing PG&E tower.

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 a Federal Telecom Act Exception is required to allow the location of the proposed WCF on a parcel that is zoned Commercial Agriculture (CA), which is one of the “prohibited” zone districts as per the County’s WCF Ordinance, which states that WCFs cannot be constructed in “prohibited areas” except as follows (as per Sec. 13.10.661(b)(4)):

“If a Telecommunications Act Exception is approved pursuant to Section 13.10.668(a) that allows for siting a wireless communications facility within any of theprohibited areas, then such facility shall comply with the remainder of Sections 13.10.660 through 13.10.668 inclusive, and shall be co-located. Applicants proposing new wireless communication facilities in any of the above-listed prohibited areas must submit as part of their application an Alternatives Analysis, as described in Section 13.10.662(c) below. Non-collocated wireless communication facilities may be sited in the prohibited areas listed above only in situations where the applicant can prove that:

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

The applicant has submitted information indicating that the proposed WCF location is necessary to close a “significant gap” in the carrier’s (Verizon’s) network, and evidence indicating that only one of the potential sites is located in a permitted district and then this site is not viable. Only two sites were identified that were both technically feasible and viable. Of these two, one is located in a prohibited zone district (CA) requiring construction of a new wireless facility tower with potentially more visual impacts than the proposed facility and the other is located in a restricted zone district (PF-L) requiring a new facility and resulting in significantly more visual impacts than the proposed co-location facility. Restricted districts only allow facilities where the project will not result in significantly more visual impacts.

Of all potential alternative sites, the proposed site is the only viable and technically feasible macro cell alternative that minimizes visual impacts because it is proposed on an existing utility tower and does not require construction of a new wireless tower. The alternative analysis confirmed that the microcell alternative available to the carrier would require between 20 to 30 microcell sites located throughout the coverage area, with potentially more visual impacts than one wireless facility with antennas on an existing PG&E tower.

Furthermore, the proposed facility is collocated on an existing utility tower and would not result in construction of another tower.

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 is located in a zoning district (Commercial Agriculture) that prohibits wireless communication facility (WCF) uses unless a Telecom Act Exception can be granted for the proposed use. WCFs cannot be constructed in “prohibited areas” except as follows (as per Sec. 13.10.661(b)(4)):

“If a Telecommunications Act Exception is approved pursuant to Section 13.10.668(a) that allows for siting a wireless communications facility within any of the ...prohibited areas, then such facility shall comply with the remainder of Sections 13.10.660 through 13.10.668 inclusive, and shall be co-located. Applicants proposing new wireless communication facilities in any of the above-listed prohibited areas must submit as part of their application an Alternatives Analysis, as described in Section 13.10.662(c) below. Non-collocated wireless communication facilities may be sited in the prohibited areas listed above only in situations where the applicant can prove that:

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

The applicant has submitted information indicating that the proposed WCF location is necessary to close a “significant gap” in the carrier’s (Verizon’s) network, and evidence indicating that only one of the potential sites is located in a permitted district and then this site is not viable. Only two sites were identified that were both technically feasible and viable. Of these two, one is located in a prohibited zone district (CA) requiring construction of a new wireless facility tower with potentially more visual impacts than the proposed facility and the other is located in a restricted zone district (PF-L) requiring a new facility and resulting in significantly more visual impacts than the proposed co-location facility. Restricted districts only allow facilities where the project will not result in significantly more visual impacts.

Of all potential alternative sites, the proposed site is the only viable and technically feasible macro cell alternative that minimizes visual impacts because it is proposed on an existing utility tower and does not require construction of a new wireless tower. The alternative analysis confirmed that the microcell alternative available to the carrier would require between 20 to 30 microcell sites located throughout the coverage area, with potentially more visual impacts than one wireless facility with antennas on an existing PG&E tower.

Therefore, the proposed alternative analysis supports a Telecommunication Act Exception for location within a prohibited zone district.

The wireless facility improvements are proposed at the 48 foot level of an existing 91 foot tall PG&E transmission line tower. The height of the proposed antennas does not exceed the maximum 90 foot height permitted for wireless facilities within the Commercial Agricultural Zone District. The project has been revised to locate the proposed outdoor equipment at the base tower and the electrical conduit within the existing roadway access and no longer requires removal of agricultural crops.

The proposed equipment cabinet HVAC system and generator comply with the maximum General Plan noise threshold established for both the maximum daytime level of 70 dB and hourly average of 50 dB and the nighttime night time noise threshold of 45 dBA.

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 proposed wireless communications facility will be located at the 48 foot level of an existing 91 foot tall PG&E transmission line tower, which 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 1.5 percent of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building is also 1.5 percent of the public exposure limit. The maximum calculated level at the second-floor level elevation of any nearby residence is .76 percent of public exposure limit.

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

This finding does not apply in that the proposed project site is not located within the coastal zone.

Agricultural Development Findings

1. That the establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.

This finding can be made for project approval for the following reasons. The subject property is a fully developed commercial agriculture operation containing berry crops within hoop houses and contains a PG&E transmission tower located in the central portion of the property. The proposed wireless facility antennas are proposed on the existing PG&E transmission tower and the equipment enclosure is located at the base of the tower and neither the antennas nor the equipment enclosure require the removal of agricultural crops. The electrical conduit is proposed within the access roadway in the agricultural field and does not require removal of crops either.

Therefore, these improvements would not require removal of crops or affect the agricultural operation and would provide economic support to the agricultural property owner and, in turn, support the continued agricultural operations at this location. As a result, the proposed project would not reduce, restrict and adversely affect current and future agricultural operations on the subject property or reduce the potential economic viability of the current commercial agricultural operation.

- 2 (a). That the use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or that no other agricultural use is feasible for the parcel; or

This finding can be made for the proposed project in that the proposed use is incidental to agricultural operations in that the project is located on and under an existing PG&E transmission tower that does not interfere with agricultural operations.

- 2 (b). That no other agriculture use is feasible for the parcel; or

This finding can be made as agricultural operations are not feasible on an existing PG&E tower and the proposed use does not interfere with the existing row crops on the property.

- 2 (c). That the use consists of an interim public use which does not impair long-term agricultural viability or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of SCCC 13.10.635; or

This finding does not apply to the project.

3. That single-family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on site, where

applicable, or in the area.

The project does not include single family residential uses. This finding does not apply to the proposed project.

4. That the use will be sited to remove no land from production (or potential production) if any non-farmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

This finding can be made in that the proposed project would not require removal of agricultural land from production for the antennas, equipment enclosure, or the electrical conduit as the proposed project is located on and under an existing PG&E transmission tower and utilities are proposed within an existing access road on the property.

production) if any non-farmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

This finding can be made in that the proposed project would not require removal of agricultural land from production for the antennas, equipment enclosure, or the electrical conduit as the proposed project is located on and under an existing PG&E transmission tower and utilities are proposed within an existing access road 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 can be made, in that although the project is located in a zoning district (Commercial Agriculture) that prohibits wireless communication facility (WCF) uses, a telecom act exception can be granted for the proposed use. County Code Section 13.10.661.B(4) (b) (Exceptions to Prohibited Areas Prohibition) requires that “no viable, technically feasible, and environmentally (e.g. visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and/or designs) outside the prohibited areas identified in subsection B (prohibited areas) of this section that could eliminate or substantially reduce said significant gap(s). The required alternative analysis indicates that the proposed WCF location is necessary to close a “significant gap” in the carrier’s (Verizon’s) network, and evidence indicating that only one of the potential sites is located in a permitted district and then this site is not viable. Only two sites were identified that were both technically feasible and viable. Of these two, one is located in a prohibited zone district (CA) requiring construction of a new wireless facility tower with potentially more visual impacts than the proposed facility and the other is located in a restricted zone district (PF-L) requiring a new facility and resulting in significantly more visual impacts than the proposed co-location facility. Restricted districts only allow facilities where the project will not result in significantly more visual impacts.

Of all potential alternative sites, the proposed site is the only viable and technically feasible macro cell alternative that minimizes visual impacts because it is proposed on an existing utility tower and does not require construction of a new wireless tower. The alternative analysis also confirmed that the microcell alternative available to the carrier would require between 20 to 30 microcell sites located throughout the coverage area, with potentially more visual impacts than one wireless facility on an existing PG&E tower. Therefore, the alternative analysis supports a telecommunication act exception for placement of the facility within a prohibited zone district.

Furthermore, the property 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 improvements will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure will meet all current setbacks that ensure access to these amenities.

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

This finding can be made, in that the project is located in a zoning district (Commercial Agriculture) that prohibits wireless communication facility (WCF) uses unless a Telecom Act Exception can be granted for the proposed use. WCFs cannot be constructed in "prohibited areas" except as follows (as per Sec. 13.10.661(b)(4)):

"If a Telecommunications Act Exception is approved pursuant to Section 13.10.668(a) that allows for siting a wireless communications facility within any of theprohibited areas, then such facility shall comply with the remainder of Sections 13.10.660 through 13.10.668 inclusive, and shall be co-located. Applicants proposing new wireless communication facilities in any of the above-listed prohibited areas must submit as part of their application an Alternatives Analysis, as described in Section 13.10.662(c) below. Non-collocated wireless communication facilities may be sited in the prohibited areas listed above only in situations where the applicant can prove that:

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

The applicant has submitted information indicating that the proposed WCF location is necessary to close a "significant gap" in the carrier's (Verizon's) network, and evidence indicating that only one of the potential sites is located in a permitted district and then this site is not viable. Only two sites were identified that were both technically feasible and viable. Of these two, one is located in a prohibited zone district (CA) requiring construction of a new wireless facility tower with potentially more visual impacts than the proposed facility and the other is located in a restricted zone district (PF-L) requiring a new facility and resulting in significantly more visual impacts than the proposed co-location facility. Restricted districts only allow facilities where the project will not result in significantly more visual impacts.

Of all potential alternative sites, the proposed site is the only viable and technically feasible macro cell alternative that minimizes visual impacts because it is proposed on an existing utility tower and does not require construction of a new wireless tower. The alternative analysis confirmed that the microcell alternative available to the carrier would require between 20 to 30 microcell sites located throughout the coverage area, with potentially more visual impacts than one wireless facility with antennas on an existing PG&E tower.

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

This finding can be made, in that the proposed WCF use is consistent with the Policy 5.13.6 of the General Plan (Conditional uses on Commercial Agricultural zoned lands) as the project is designed to minimize conflicts with existing agricultural operations and avoids removal of land

from agriculture.

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

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

This finding can be made, in that the proposed WCF is to be constructed on an existing 22 acre agricultural parcel, and that there is not expected to be any additional traffic generated by the proposed WCF project, thus the project will not adversely impact existing roads or intersections in the surrounding area.

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

This finding can be made, in that the proposed project is located in a rural/agricultural area containing an agricultural land uses and agriculturally-related structures, including an existing utility tower. The proposed antennas would be located on the existing utility tower and be compatible with the character of the utility tower. The proposed WCF would be consistent with that context, and will blend-in seamlessly. The proposed equipment enclosure, located at the base of the tower, would not be visible to surrounding uses because it is surrounded by existing berry crops under hoop houses and therefore would be compatible with the agricultural operation in use.

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 wireless facility is located on an existing utility tower and blends in with the existing visual character of structure. The proposed equipment enclosure will not be visible from adjacent properties.

Conditions of Approval

Exhibit A: Project Plans, 6 sheets, prepared by MST Architects/Geil Engineering Surveying, dated 2/22/2016

- I. This permit authorizes the installation of 6 panel antennas with associated equipment at the 48 foot level of an existing 91 foot tall PG&E transmission line lattice tower, including outdoor equipment and a standby generator located at the base of the tower. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works for any off-site work performed in the County road right-of-way.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final 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 this Discretionary Application. If specific materials and colors have not 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. Final plans shall show no loss of agricultural crops as a result of the proposed equipment enclosure located at the base of, and under, the PG&E transmission tower. Any required removal of agricultural crops for the construction and installation of underground utilities to the equipment enclosure shall require replanting of field crops.
 3. Details showing compliance with fire department requirements. This shall include the following:
 1. Note on the plans "these plans are in compliance with California Building and Fire Codes (2013) and Pajaro Valley Fire Protection District Amendments.
 2. Note on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."
 3. The submitter, designer and installer shall certify that the building plans and details comply with application Specifications, Standards, Codes and Ordinances, and agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.
 - 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 7 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.

- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the approved soils reports.
- D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

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

- E. 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.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
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Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

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

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Wanda Williams
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.