

**From:** Planning Public Comment

**Sent:** Monday, January 13, 2025 11:38 AM

**To:** Vignesh Vivekraja [REDACTED] Planning Public Comment

<PlanningPublicComment@santaclaraca.gov>; PlanningCommission

<PLANNINGCOMMISSION@santaclaraca.gov>; Ken Kratz [REDACTED] Lesley Xavier

<LXavier@santaclaraca.gov>

**Cc:** Xiaoling Wang [REDACTED] Satish Moogi [REDACTED] Diane

Harrison [REDACTED] Ravi Sudharani [REDACTED]

[REDACTED] Aruna Balakrishnaraja [REDACTED]

[REDACTED] Lee Benton [REDACTED] Dino Plancarte

[REDACTED] Nicholas H Rossi [REDACTED]

**Subject:** RE: Objecting ATT tower proposal for 3111 Benton Street from resident; Jan15'25 Hearing

**PMM**  
**PC 1/15/25**  
**RTC 24-1256**  
**Item 2**

Thank you for your email. It will be part of the public record on this item.

**Elizabeth Elliott** | Staff Aide II

Community Development Department | Planning Division

1500 Warburton Avenue | Santa Clara, CA 95050

O: 408.615.2450 | D: 408.615.2474

[www.SantaClaraCA.gov](http://www.SantaClaraCA.gov)

---

**From:** Vignesh Vivekraja [REDACTED]

**Sent:** Saturday, January 11, 2025 11:41 AM

**To:** Planning Public Comment <[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov)>; PlanningCommission

<[PLANNINGCOMMISSION@santaclaraca.gov](mailto:PLANNINGCOMMISSION@santaclaraca.gov)>; Ken Kratz [REDACTED]

**Cc:** Xiaoling Wang [REDACTED] Satish Moogi [REDACTED] Diane

Harrison [REDACTED] Ravi Sudharani [REDACTED]

[REDACTED] Aruna Balakrishnaraja [REDACTED]

[REDACTED] Lee Benton [REDACTED] Dino Plancarte

[REDACTED] Nicholas H Rossi [REDACTED]

**Subject:** Objecting ATT tower proposal for 3111 Benton Street from resident; Jan15'25 Hearing

Hi Planning Commission,

This letter supports my position for Ken Kratz's letter from January 7'25. As a neighbourhood resident, I oppose placing AT&T cell phone towers on all sites at the Santa Clara First Baptist Church at 3111 Benton Street for the following reasons, in addition to previous discussions between city and area residents:

**1. Economic Impact and Potential Property Value Decrease:**

- AT&T's report, claiming no significant impact on neighboring property values, relies on a single, non-peer-reviewed source.
- In contrast, recent articles from the National Association of Realtors, a more trusted source ([link](#) - See reference section), multiple studies indicate a substantial decrease (up to 20%) in property values for homes near cell towers. Notable quotes include:
  - “We find that homes close to towers sell for a discount of up to 7.6%.”
  - “The negative price impact of 9.78% is much more severe for properties within visible range of a tower.”
- It seems unfair for residents near the Santa Clara First Baptist Church to bear this potential economic impact while AT&T and landlords benefit. Residents should be given the benefit of the doubt, and conclusions should not be based on non-peer-reviewed sources. I am concerned about this potential economic impact and motivated to consider all available options to address this issue, including possible legal avenues.

**2. Aesthetic Concerns:**

- Many residents, including myself, strongly object to the industrial appearance that cell towers would bring to our residential area.

**3. Potential Health Hazards:**

- While I understand this is beyond the City's control, I want to emphasize this concern in the decision-making process.

Alternatively, our neighborhood group, the ATT Tower Relocation Group (a group of neighborhood residents interested in relocating the AT&T telecommunication tower proposed for our neighborhood), thinks locating the tower in Central Park will be more compatible since the tower, a monotree with artificial limbs to resemble a tree, will aesthetically blend with the groves of mature trees found throughout the park rather than next to our homes. Our group recently met with the Parks and Recreation Department to make this suggestion.

I also recommend and propose that the Planning Commission consider the following locations in Central park, already proposed:

Central Park, NS dwy to CRC(looking south); Central Park NS dwy, to CRC (looking west).; Central Park, SS dwy to CRC(looking west); Central Park-near pond east side of creek(looking north); Central Park, dumpster near soccer field, east side of creek (looking north). Please consider the aforementioned locations in Central Park rather than on Benton Street.

Thank you for your attention.

Vignesh Vivekraj  
3086 Humbolt Avenue, Santa Clara  
ATT Tower Relocation Group Member

---

**From:** Sudharani Ravi [REDACTED]

**Sent:** Sunday, January 12, 2025 7:51 PM

**To:** Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Lesley Xavier <LXavier@santaclaraca.gov>; Tiffany Vien <tvien@santaclaraca.gov>; Sandy Le <SLe4@SantaClaraca.gov>

**Cc:** Eric Crutchlow <ecrutchlow@santaclaraca.gov>; Nancy Biagini <NBiagini@SantaClaraCA.gov>; Priya Cherukuru <PCherukuru@SantaClaraCA.gov>; Qian Huang <QHuang@Santaclaraca.gov>; Lance Saleme <LSaleme@SantaClaraCA.gov>; Mario Bouza <mbouza@Santaclaraca.gov>; Yashraj Bhatnagar <YBhatnagar@Santaclaraca.gov>; Steve Proo [REDACTED]; Rajiv Pendyala [REDACTED]

**Subject:** AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for January 15,...

Dear Planning Commission:

This is Sudharani Pendyala ( 3208 Humbolt Ave, Santa Clara), the immediate neighbor of the church at 3111 Benton Street.

Please consider locating the AT&T telecommunication tower in Central Park rather than on the Santa Clara First Baptist Church property at 3111 Benton Street. This email includes three (3) new locations (numbers 6, 7, & 8 as shown on the attached maps) that are in addition to the five (5) locations.

I have attached photos of those locations in addition to the maps. The numbered photos correspond to the numbered locations on the maps.

As we mentioned in our earlier email to you, our neighborhood group, the AT&T Tower Relocation Group (a group of neighborhood residents interested in relocating the AT&T telecommunication tower proposed for our neighborhood), think locating the tower in Central Park will be more compatible since the tower, a monotree with artificial limbs to resemble a tree, will aesthetically blend with the groves of mature trees found throughout the park rather than next to our homes. Our group recently met with the Parks and Recreation Department to make this suggestion but did not include these three new locations mentioned herein.

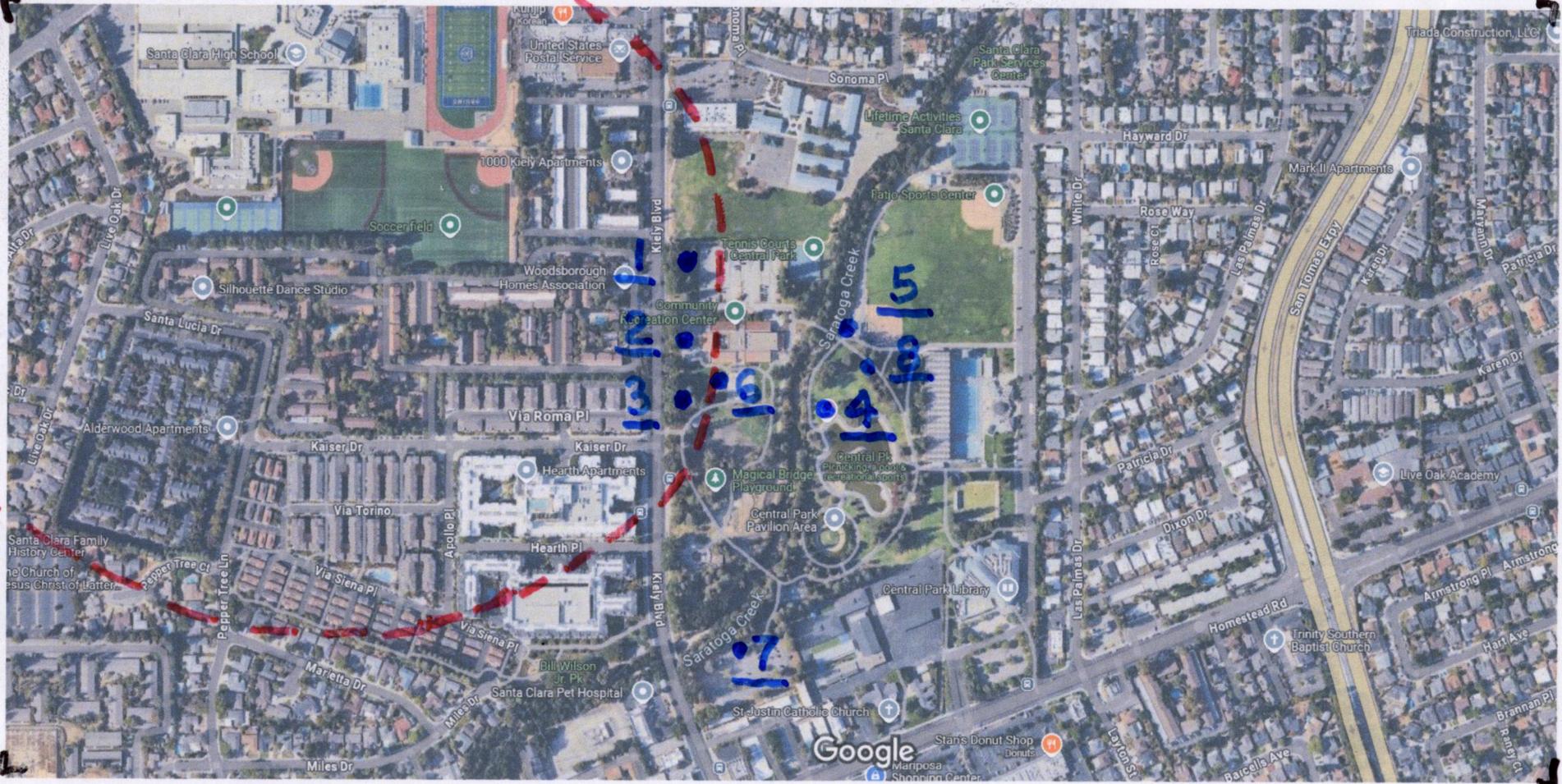
Again, please consider locating the AT&T telecommunication tower in Central Park rather than on Benton Street.

Sincerely,

Sudha Pendyala

Google Maps

City of Santa Clara Central Park



Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024 Google 200 ft









---

**From:** Yongli Wen [REDACTED]

**Sent:** Sunday, January 12, 2025 1:05 PM

**To:** Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Lesley Xavier <LXavier@santaclaraca.gov>; Sandy Le <SLe4@SantaClaraca.gov>

**Cc:** Eric Crutchlow <ecrutchlow@santaclaraca.gov>; Nancy Biagini <NBiagini@SantaClaraCA.gov>; Priya Cherukuru <PCherukuru@SantaClaraCA.gov>; Qian Huang <QHuang@Santaclaraca.gov>; Lance Saleme <LSaleme@SantaClaraCA.gov>; Mario Bouza <mbouza@Santaclaraca.gov>; Yashraj Bhatnagar <YBhatnagar@Santaclaraca.gov>; Steve Proo [REDACTED]

**Subject:** Re: AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for Januar...

Dear Sir/Madam,

FYI, attached is the whole presentation from Mr. Steve Proo, Complete Wireless Consulting on behalf of AT&T in the public hearing meeting on August 21, 2024.

Thanks,

Yongli Wen

On Saturday, January 11, 2025 at 11:56:36 PM PST, Yongli Wen [REDACTED] wrote:

Dear Sir/Madam,

Still Regarding the project of AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148). I just found in the agenda of public hearing meeting on 1/15/2025, its proposed locations for AT&T cell tower are still in the church property, the locations in the Central park are not shown as the alternative options. Would you please also put the Central park locations as the candidates?

Also in the public hearing meeting on August 21, 2024, Mr. Steve Proo, Complete Wireless Consulting on behalf of AT&T presented 6 other alternative locations including Central park as below:

- **Santa Clara HS 3000 Benton**

- **LDS Church 875 Quince**
- **Rooftop Colo 2898 Homestead**
- **Shopping Ctr 830 Kiely.**
- **Central Park 900 Kiely**
- **PG&E Substation 830 Kiely. (Behind)**

I'm also suggesting another location at **Earl R. Carmichael Park** located at 3445 Benton St, Santa Clara.

Would you please consider all these above alternative locations?

I'm attaching the screenshot the of proposed locations by Mr. Steve Proo.

Thanks,

Yongli Wen

On Thursday, January 9, 2025 at 08:14:59 PM PST, Yongli Wen [REDACTED] wrote:

To: City of Santa Clara Planning Commission (for January 15, 2025 meeting)  
From: Yongli Wen  
Re: AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)  
Date: January 09, 2025

Dear Planning Commission:

This is Yongli lives in 3190 Humbolt Ave, Santa Clara, the immediate neighbor of the church at 3111 Benton Street.

Please consider locating the AT&T telecommunication tower in Central Park rather than on the Santa Clara First Baptist Church property at 3111 Benton Street. This email includes three (3) new locations (numbers 6, 7, & 8 as shown on the attached maps) that are in addition to the five (5) locations.

I have attached photos of those locations in addition to the maps. The numbered photos correspond to the numbered locations on the maps.

As we mentioned in our earlier email to you, our neighborhood group, the AT&T Tower Relocation Group (a group of neighborhood residents interested in relocating the AT&T telecommunication tower proposed for our neighborhood), think locating the tower in Central Park will be more compatible since the tower, a monotree with artificial limbs to resemble a tree, will aesthetically blend with the groves of mature trees found throughout the park rather than next to our homes. Our group recently met with the Parks and Recreation Department to make this suggestion but did not include these three new locations mentioned herein.

Again, please consider locating the AT&T telecommunication tower in Central Park rather than on Benton Street.

Sincerely,

Yongli Wen

attach: photos and maps of three additional cell phone tower locations in Central Park suggested by the Group

CCL06126

**City of Santa Clara Planning  
Commission**

**PLN23-00148**

**August 21, 2024**

**Steve Proo, Complete Wireless  
Consulting on behalf of AT&T**

# Application Timeline

---

2020 – AT&T identified a gap in service in this section of City of Santa Clara. Between El Camino and Homestead Rd.

---

2020-2021 – AT&T investigated parcels to collocate/build

---

03/2021 – Submitted application for roof top collocation

---

04/2021 – Planning Approved

---

06/2021- Structural failed. Eliminating design

---

07/2021 – Located new candidate at 830 Kiely Blvd

---

02/2022 – 830 Kiely Blvd candidate died. Landlord backed out

---

12/2022– Went back to original candidate with new design as light pole standard in parking lot

---

03/24/2023 – Submitted new application for light pole design

---

04/05/2023 – Received NOI from city planning on redesign of structure. Suggested monopole or mono tree design.

---

12/18/2023 – Replied back to NOI, changing the design to a mono-broadleaf.

---

03/14/2024 – PCC deemed project as complete. Hearing date set for 04/24/2024

---

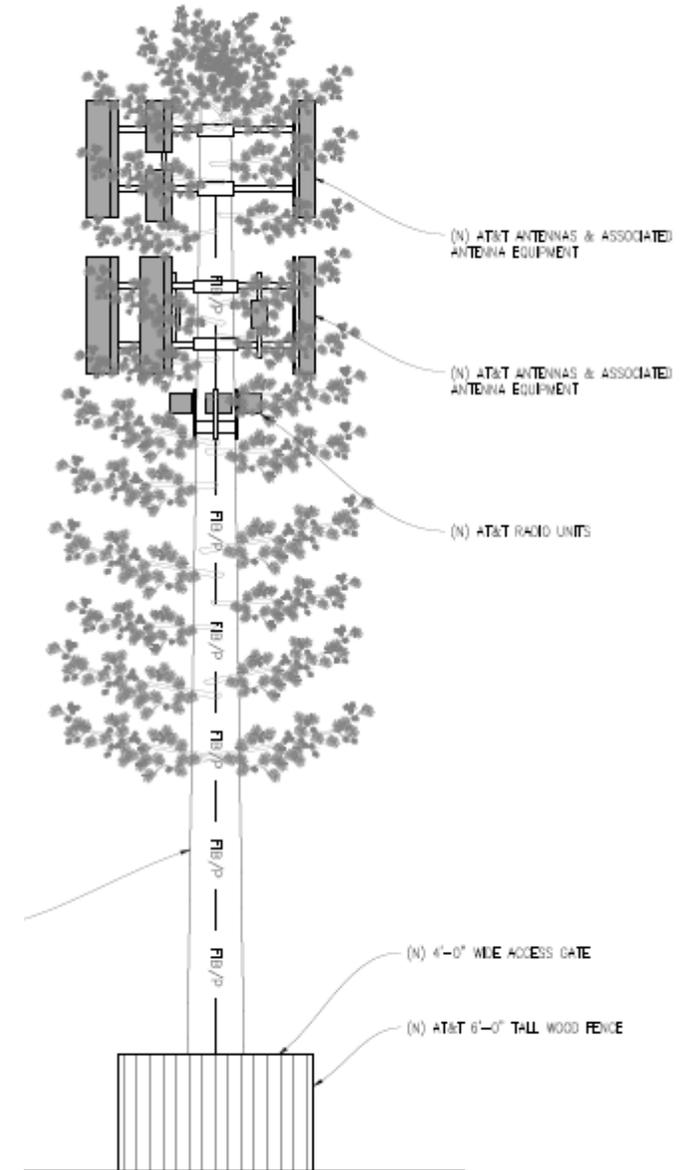
3/26/2024 – Project placed on hold due to landlord interest & possible design change.

---

07/25/2024 – Confirmed with planner that no changes are made. Asked to resume project

# Project Design

- 60-foot tower camouflaged as a broadleaf tree
- 25.5' diameter lease area for tower. Existing abandoned 20'x20' lease area AT&T will be taking over for equip.
- Emergency Stand-by generator
- Church parcel zoned public/quasi-B



# Photo Simulations



# Photo Simulation # 1



view from Humbolt Avenue looking southwest at site

# Photo Simulation # 2

Proposed

Proposed AT&T  
Installation



view from Humbolt Avenue looking southeast at site

**AdvanceSim**  
Photo Simulation Solutions  
Contact ( 925 ) 202-8507

 **AT&T Wireless**

CCL06126  
3111 Benton Street, Santa Clara, CA  
Photosims Produced on 11-1-2023

# Photo Simulation # 3

Proposed



Proposed AT&T  
Installation

view from Moraga Street looking west at site

# Photo Simulation # 4

Proposed



Proposed AT&T  
Installation

view from Benton Street looking north at site

**AdvanceSim**  
Photo Simulation Solutions  
Contact (925) 202-8507

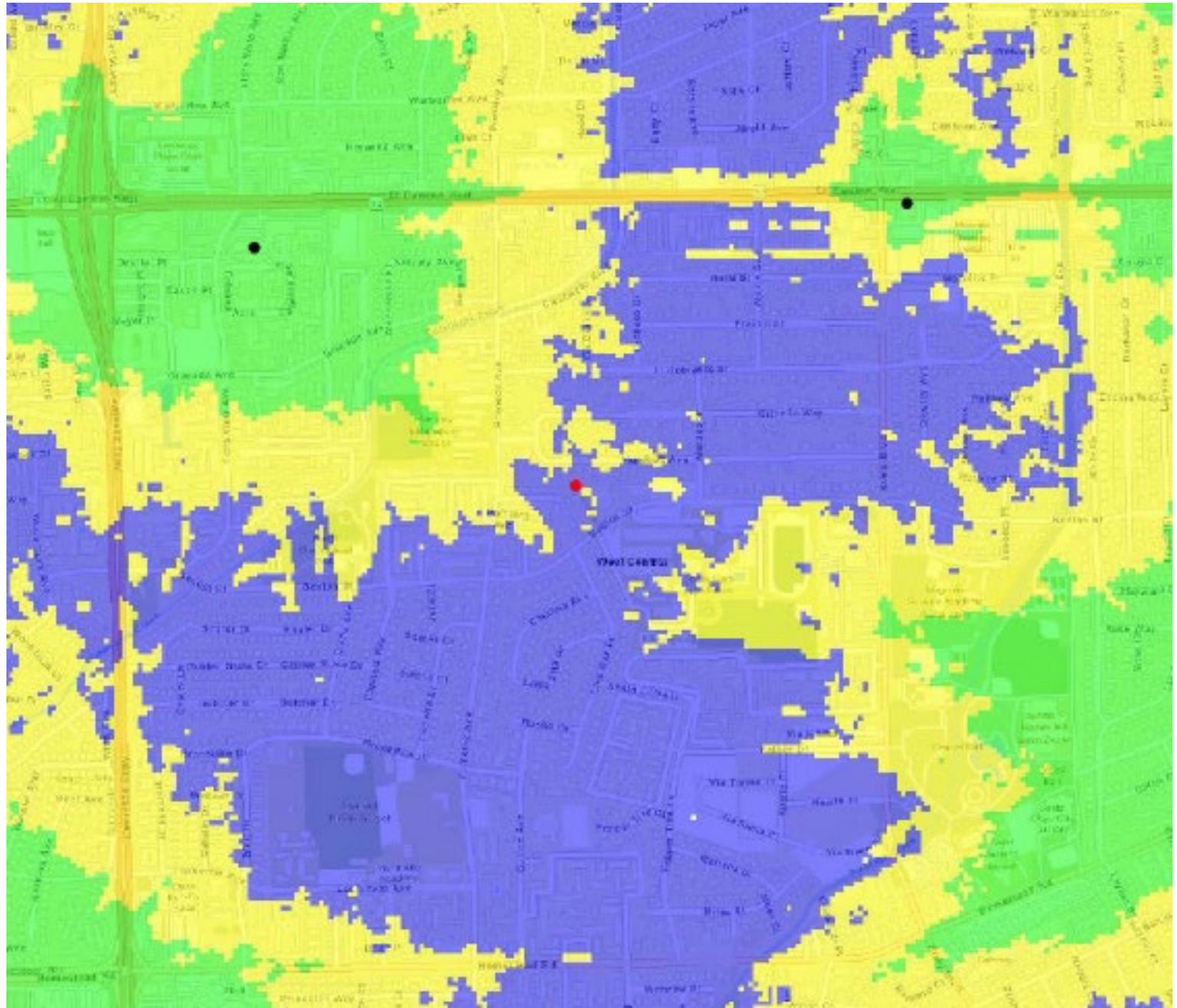
 **AT&T Wireless**

CCL06126  
3111 Benton Street, Santa Clara, CA  
Photosims Produced on 11-1-2023

# Coverage Gap – Existing 700 LTE Coverage

## Legend

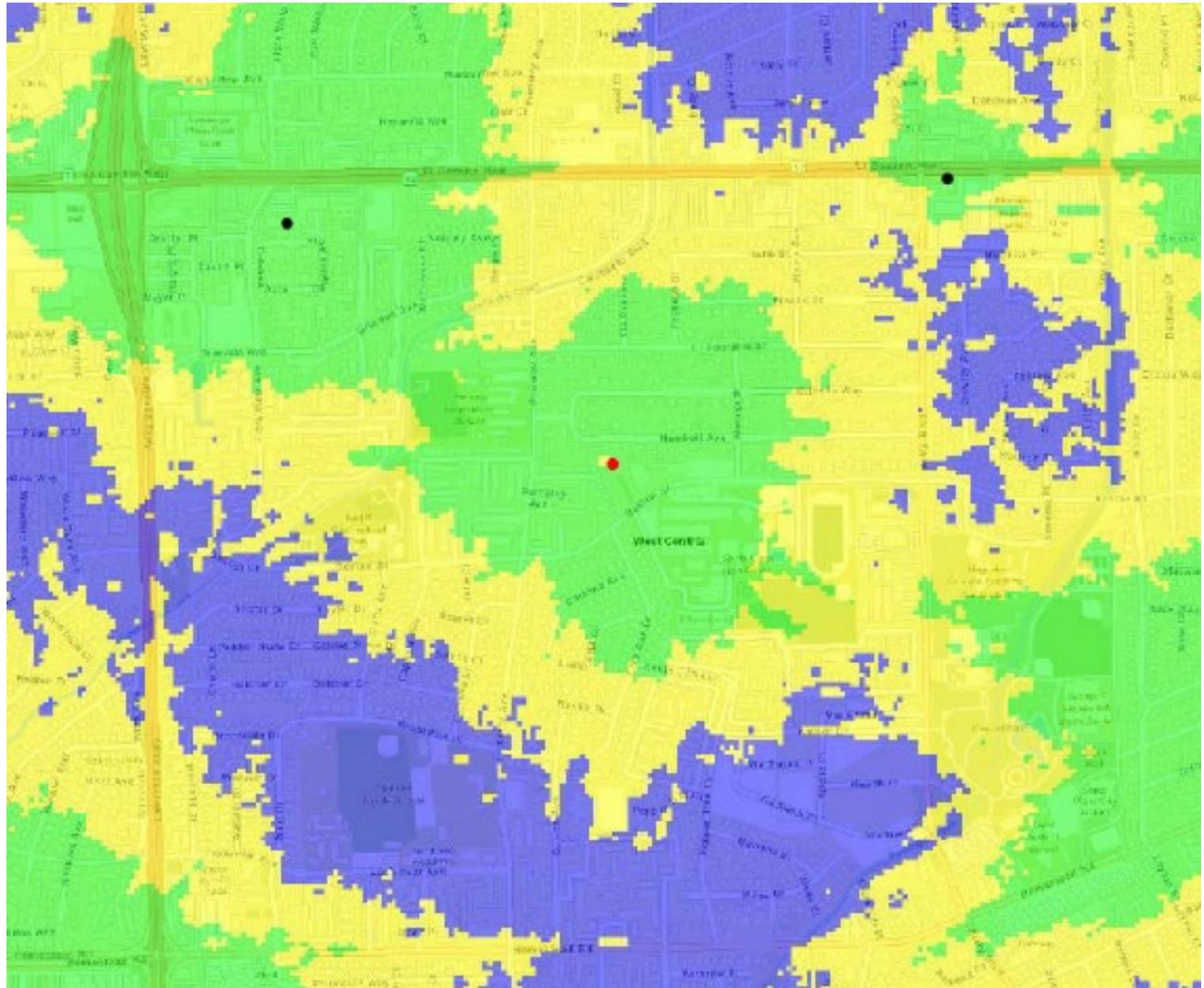
-  Reliable Service Indoors/Outdoors
-  Reliable Coverage in Transit  
Indoor Coverage Less Reliable
-  Reliable Coverage Outdoors  
Only  
Indoor Coverage Less Reliable
-  Existing site
-  Proposed site



# Coverage Gap – Improved Service 700 LTE Coverage

## Legend

-  Reliable Service Indoors/Outdoors
-  Reliable Coverage in Transit  
Indoor Coverage Less Reliable
-  Reliable Coverage Outdoors  
Only  
Indoor Coverage Less Reliable
-  Existing site
-  Proposed site





# Alternative Designs



# Proposed



# Complies with FCC Guidelines

- Engineer at EBI Consulting confirmed that radio frequency exposure will be less than FCC public limit at ground level. 25.31%
- Denial based on RF exposure preempted by federal law

## Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report

Site Number: CCL06126  
RFDS ID: 4289118  
Pace Number: MRSFR083017/ MRSFR073883/ MRSFR083099/ MRSFR083010/  
MRSFR083093/ MRSFR083975  
CCL06126  
3111 Benton Street  
Santa Clara, California 95051  
Santa Clara County  
37.34690556; -121.98486944 NAD83  
Monotree

**The proposed AT&T installation will be in compliance with FCC regulations upon proper installation of recommended signage.**

EBI Project No. 6223000962  
November 7, 2023



Prepared for:  
AT&T Mobility, LLC  
c/o Complete Wireless Consulting Inc  
2009 V St  
Sacramento, California 95818-1729

Prepared by:  
 **EBI Consulting**  
environmental | engineering | due diligence



sealed 07nov2023

Michael McGuire  
Electrical Engineer  
[mike@h2dc.com](mailto:mike@h2dc.com)

# Complies with City Permit Requirements

- Complies with all standards zoned Public/Quasi-B
- Design change request by city from light pole to single standing facility.
- Designed at minimum functioning height to fill significant coverage gap.

**From:** Yongli Wen [REDACTED]

**Sent:** Monday, January 13, 2025 2:13 PM

**To:** Steve Proo [REDACTED]

**Cc:** Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Lesley Xavier <LXavier@santaclaraca.gov>; Sandy Le <SLe4@SantaClaraca.gov>; Eric Crutchlow <ecrutchlow@santaclaraca.gov>; Nancy Biagini <NBiagini@SantaClaraCA.gov>; Priya Cherukuru <PCherukuru@SantaClaraCA.gov>; Qian Huang <QHuang@Santaclaraca.gov>; Lance Saleme <LSaleme@SantaClaraCA.gov>; Mario Bouza <mbouza@Santaclaraca.gov>; Yashraj Bhatnagar <YBhatnagar@Santaclaraca.gov>

**Subject:** AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for January 15...

Dear Mr. Proo:

This is Yongli lives in 3190 Humbolt Ave, Santa Clara, the immediate neighbor of the church at 3111 Benton Street.

As all the neighbors suggested, the Central park is the potential better location for AT&T cell tower, so have you contacted with the Parks and Recreation department of Santa Clara City? Also have you contacted with the owner of other 5 possible locations?

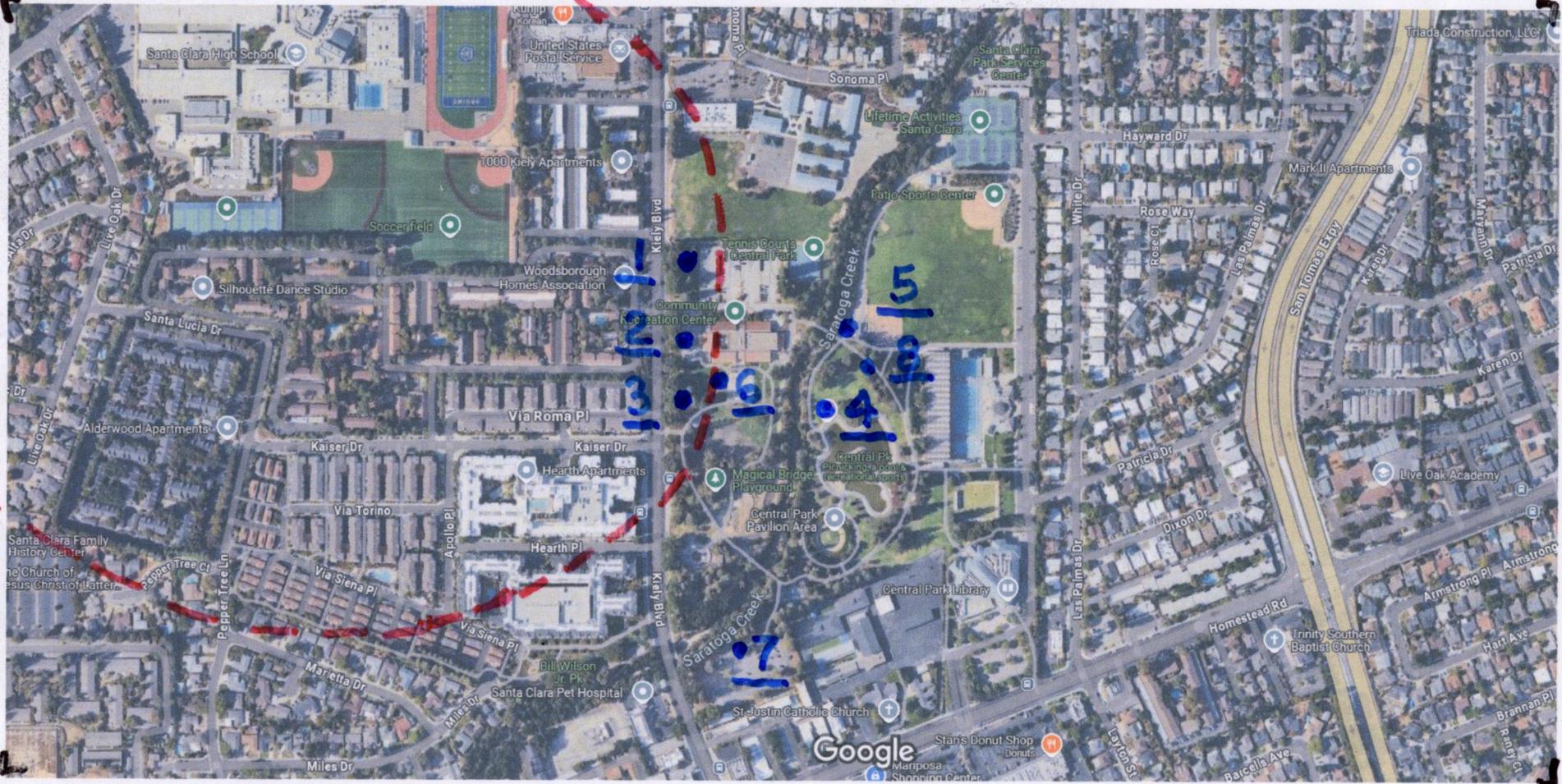
Sincerely,

Yongli Wen

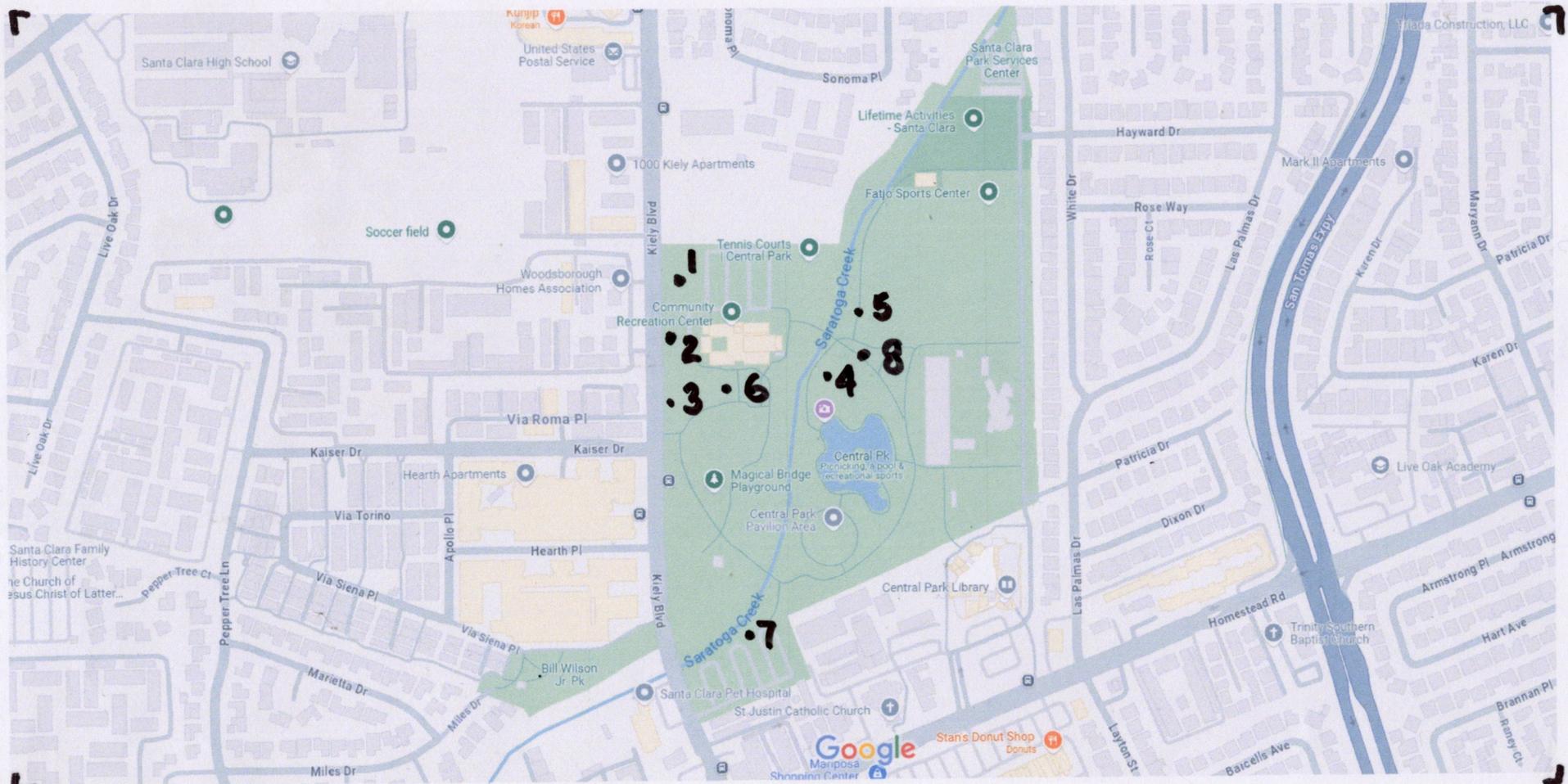
attch: photos and maps of three additional cell phone tower locations in Central Park suggested by the Group

Google Maps

City of Santa Clara Central Park



Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024 Google 200 ft



Map data ©2024 Google 200 ft







---

**From:** Planning Public Comment

**Sent:** Monday, January 13, 2025 3:53 PM

**To:** 'Ken Kratz' [REDACTED] Planning <Planning@santaclaraca.gov>; Lesley Xavier <LXavier@santaclaraca.gov>

**Cc:** PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; Aruna Balakrishnaraja [REDACTED]

Diane Harrison [REDACTED] Dino Plancarte [REDACTED] Lee Benton

[REDACTED] Marc Sunet [REDACTED] Nick Rossi

[REDACTED] Ravi Sudharani [REDACTED] Ritha Rossi

[REDACTED] Satish Moogi [REDACTED] sherry

[REDACTED] [REDACTED] Vignesh Vivekraj

[REDACTED] Xiaoling Wang [REDACTED]

**Subject:** RE: AT&T Telecommunications Tower project proposed for 3111 Benton Street; Planning Commission meeting scheduled for January 15, 2025; Contact with Parks and Recreation Department?

Good Afternoon,

Your email has been received in the Planning Division and will be part of the public record on this item.

Thank you.

**Elizabeth Elliott** | Staff Aide II

Community Development Department | Planning Division

1500 Warburton Avenue | Santa Clara, CA 95050

O: 408.615.2450 | D: 408.615.2474

[www.SantaClaraCA.gov](http://www.SantaClaraCA.gov)

---

**From:** Ken Kratz [REDACTED]

**Sent:** Monday, January 13, 2025 2:57 PM

**To:** Planning <[Planning@santaclaraca.gov](mailto:Planning@santaclaraca.gov)>

**Cc:** PlanningCommission <[PLANNINGCOMMISSION@santaclaraca.gov](mailto:PLANNINGCOMMISSION@santaclaraca.gov)>; Planning Public Comment

<[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov)>; Aruna Balakrishnaraja [REDACTED]  
Diane Harrison [REDACTED] Dino Plancarte [REDACTED] Ken Kratz  
[REDACTED] Lee Benton [REDACTED] Marc Sunet  
[REDACTED] Nick Rossi [REDACTED] Ravi Sudharani  
[REDACTED] Ritha Rossi [REDACTED] Satish Moogi  
[REDACTED] sherry [REDACTED]  
Vignesh Vivekraj [REDACTED] Xiaoling Wang [REDACTED]

**Subject:** AT&T Telecommunications Tower project proposed for 3111 Benton Street; Planning Commission meeting scheduled for January 15, 2025; Contact with Parks and Recreation Department?

Hello City of Santa Clara Planning Department,

Has the Parks and Recreation Department or the Planning Commission members contacted you about locating the AT&T telecommunications tower project in Central Park (or any City park for that matter) rather than at 3111 Benton Street (the church site)? I did not see in the agenda nor packet for the Planning Commission meeting scheduled for this Wednesday, January 15, 2025, any communication between the Parks and Recreation Department and the Planning Department or Planning Commission.

The AT&T Tower Relocation Group, a neighborhood organization interested in relocating the tower, made a presentation to the Parks and Recreation Department on December 23, 2024 to suggest the tower be located in Central Park; the Director of Parks and Recreation, Mr. Sparacino, said his department would respond in some manner. Our Group has not received a reply.

Several Planning Commissioner members mentioned at the the last public meeting on this subject in December that they are interested in receiving a response from the Parks and Recreation Department as well; at that commission meeting two commissioners volunteered to meet with the Parks and Recreation Department. Did they meet and did they receive a response and, if so, would that be part of the public record and be available to the public prior to the hearing this Wednesday? The Group would like to comment on any communications between public officials about this project.

Did you contact the Parks and Recreation Department in regard to this matter? If so, are those communications available to the public?

Lastly, did you receive any communications from Mr. Proo, the AT&T representative, about his contacting the Parks and Recreation Department after the Planning Commission meeting held in December in regard to this matter? If so, are those communications available to the public?

I appreciate you looking into this matter.

Ken Kratz  
AT&T Tower Relocation Group member

**From:** [REDACTED]  
**To:** [Planning Public Comment](#); [PlanningCommission](#); [Lesley Xavier](#); [Sandy Le](#)  
**Cc:** [Eric Crutchlow](#); [Nancy Biagini](#); [Priya Cherukuru](#); [Qian Huang](#); [Lance Saleme](#); [Mario Bouza](#); [Yashraj Bhatnagar](#);  
**Subject:** [REDACTED]  
Re: AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for Januar...  
**Date:** Tuesday, January 14, 2025 12:35:21 AM  
**Attachments:** [1. CSC zoning Code, title 18, 4-61, wireless telecommunication, with Ken's highlights.doc](#)

---

Dear Sir/Madam,

FYI, I'm attaching the copy of CSC zoning Code, Chapter 18.66 - Wireless Telecommunications Facilities with our highlights to indicate our doubts regarding the current plan.

Thanks,

Yongli Wen

Chapter 18.66 Wireless Telecommunications Facilities  
4-62 July 2024 Santa Clara Zoning Code, Title 18

## Chapter 18.66 - Wireless Telecommunications Facilities

### Sections

- 18.66.010 – Purpose and Applicability
- 18.66.020 – Definitions
- 18.66.030 – Exemptions from Discretionary Permits
- 18.66.040 – Permits Required
- 18.66.050 – Application Requirements
- 18.66.060 – Location Requirements
- 18.66.070 – Facility Design and Developmental Standards
- 18.66.080 – Modification Constituting a “Substantial Change”
- 18.66.090 – Operation and Maintenance Standards
- 18.66.100 – Discontinuance and Site Restoration

### 18.66.010 – Purpose and Applicability

**A. Purpose.** This Chapter establishes locational, developmental, and operational standards and permit requirements consistent with Federal law to: regulate the placement and design of wireless telecommunication facilities so as to preserve the unique visual character of the City, promote the aesthetic appearance of the City, and to ensure public safety and welfare; pursue additional benefits from the facilities for the public by allowing for the leasing of publicly-owned properties where feasible for the development of communication facilities; and to acknowledge and provide the community benefit associated with the provision of advanced wireless telecommunication services within the City.

**B. Applicability.** The requirements of this Chapter shall apply to all wireless telecommunications facilities located within the City.

### 18.66.020 – Definitions

The following definitions shall apply to this Chapter.

**Antennas.** Any system of wires, poles, rods, reflecting discs, dishes, flat panels, or similar devices, including “whip antennas,” attached to a wireless telecommunications tower, mast or other structure, which in combination with the radio-frequency radiation generating equipment associated with a base station are used for the transmission or reception of electromagnetic waves.

**Base Station.** The structure and equipment placed at a fixed location that enables Federal Communications Commission (FCC)-licensed or authorized wireless telecommunications between user equipment and a wireless telecommunication network. It includes, but is not limited to, utility poles, light standards, traffic signals, and other structures that house communication equipment as long as it received the applicable regulatory approvals, even if the structure was not built for the sole or primary purpose of providing wireless telecommunications support.

**Cellular Service.** A wireless telecommunications service that permits customers to use mobile telephones and other communication devices to connect, via low-power radio transmitter sites, either to the publicswitched telephone network or to other fixed or mobile communication devices.

**Channel.** The segment of the radiation spectrum from an antenna, which carries one signal. An antenna may radiate on many channels simultaneously.

**Co-location or Co-Located Facility.** The mounting or installation of transmission equipment on an existing wireless tower or base station for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

**Communication Equipment Shelter.** A structure located at a base station designed principally to enclose equipment used in connection with telecommunication transmissions.

**DAS.** Distributed Antenna System.

**dBm.** A unit of measure of the power level of an electromagnetic signal expressed in decibels referenced to one milliwatt.

**Dish Antenna.** Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals.

**FAA.** Federal Aviation Administration.

**FCC.** Federal Communications Commission. The Federal agency responsible for regulating telecommunications in the United States.

**GHz.** Gigahertz—one billion (1,000,000,000) hertz.

**Ground-Mounted Wireless Telecommunication Facility.** Any antenna with its base placed directly on the ground (e.g., bare ground, concrete slab or footing), or that is attached to a mast or pipe.

**Hertz (Hz).** A unit of measurement of an electric or magnetic field, which reverses its polarity at a frequency of once per second (i.e., one cycle or wavelength per second).

**MegaHertz (MHz).** One million (1,000,000) hertz.

**Microcell Site.** A small radio transceiver facility comprised of an equipment cabinet with a total volume of one hundred (100) cubic feet or less that is either under or aboveground, and one omnidirectional whip antenna with a maximum length of five feet, or up to three small (approximately one foot by two feet or one foot by four feet) directional panel antennas, mounted on a single pole, an existing conventional utility pole, an existing stop light, or some other similar support structure.

**Monitoring.** The measurement, by the use of instruments in the field, of radiofrequency/non-ionizing radiation exposure at a site as a whole, or from individual wireless telecommunication facilities/towers/antennas/repeaters.

**Monopole.** A single pole-structure erected on the ground (e.g., bare ground, concrete slab or footing), to support one or more wireless telecommunication antennas and connecting appurtenances.)

**Non-Ionizing Electromagnetic Radiation (NIER).** Radiation from the portion of the electromagnetic spectrum with frequencies of approximately one million (1,000,000) GHz and below, including all frequencies below the ultraviolet range (e.g., visible light, infrared radiation, microwave radiation, and radio frequency radiation).

**Radiofrequency (RF) Radiation.** Radiation from the portion of the electromagnetic spectrum with frequencies below the infrared range (approximately 100 GHz and below), including microwaves, television

VHF and UHF signals, radio signals, and low to ultra-low frequencies.

**Radome.** A dome or other structure protecting radar equipment and made from material transparent to radio waves.

**Repeater.** Small receiver/relay transmitter of relatively low power output designed to provide service to areas that are not able to receive adequate coverage directly from a base or primary station.

**Significant Gap.** A gap in the service provider's (applicant carrier's) own personal wireless services network within the City and Santa Clara County, as defined in Federal case law interpretations of the Federal Telecommunications Act of 1996.

**Slimline Monopole.** An antenna projecting less than three feet from the center of the pole, shielded with a radome, with a maximum allowable height of 75 feet.

**Stealth Technology/Techniques.** Camouflaging methods applied to wireless telecommunication towers, antennas and/or other facilities, which render them visually inconspicuous.

**Structure-Mounted Wireless Telecommunication Facility.** Any immobile antenna (including panels and directional antennas) attached to a structure (e.g., a structure facade or a water tower), or mounted upon a roof.

**Substantial Change.** Refers to a single change, or a series of changes over time (whether made by the same or different entities) viewed against the baseline conditions for the wireless telecommunication tower or base station.

**Wireless Telecommunication Tower (Cell Tower/Tower).** Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities. It includes, but is not limited to, masts, poles, monopoles, guyed towers, lattice towers, and freestanding towers.

**Transmission Equipment.** Equipment that facilitates transmission of any FCC-licensed or authorized wireless service. It includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic

cable, and regular and backup power supply.

Visual Impact. An adverse effect on the visual and/or aesthetic environment. This may derive from blocking of a view, or introduction of elements that are incompatible with the scale, texture, form or color of the existing natural or human-made landscape, including the existing character surrounding the proposed wireless telecommunication facility site.

Wireless Telecommunication (or Telecommunications) Facility. A facility, including all associated equipment, which supports the transmission and/or receipt of electromagnetic/radio signals. Wireless telecommunication facilities include cellular radiotelephone service facilities, personal communications service facilities (including wireless Internet), specialized mobile radio service facilities, and commercial paging service facilities. Components of these types of facilities can consist of the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of signals, telecommunication towers or similar structures supporting the equipment, equipment structures, parking area, and other accessory development.

#### **18.66.030 – Exemptions from Discretionary Permits**

The following wireless telecommunication facilities are exempt from the discretionary permit requirements of this Chapter. However, each wireless telecommunication facility shall comply with all applicable requirements of State and Federal law, the remaining requirements of this Chapter, and the issuance of a nondiscretionary Zoning Clearance.

A. Replacement or modification of a previously allowed facility or equipment determined by the Director to be of a minor nature that does not increase the number or height of antennas or significantly change or enlarge the related equipment at the site.

B. A dish antenna that is one meter (39 inches) or less in diameter or diagonal measurement located in a residential or mixed-use zone, that is designed:

1. To receive direct broadcast satellite service, including direct-to-home satellite service, as defined by Section 207 of the Telecommunications Act of 1996, Code of Federal Regulations Title 47, and any interpretive decisions thereof issued by the Federal Communications Commission; or

2. For subscribing to a multipoint distribution service.

C. A satellite earth station (SES) antenna of two meters (78 inches) or less in diameter or diagonal measurement, located in a non-residential or mixed-use zone, that is designed to transmit or receive radio communications by satellite or terrestrial communications antenna. These antennas shall require a Building Permit and approval of the placement by the Director to ensure safety, and to avoid tripping hazards and the creation of an attractive nuisance, shall be placed whenever possible, on the top of structures as far from the edge of rooftops towards the rear of the structure to minimize the view from the public rights-of-way.

D. Wireless telecommunication facilities and/or components of these facilities used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., City 911 emergency services, police, and/or fire department, first responder medical services, hospitals, etc.), are exempt from the provisions of this Chapter.

E. Temporary mobile wireless services, including mobile wireless telecommunication facilities and services providing public information coverage of news events, of less than two weeks in duration.

F. The co-location of a new antenna to an existing permitted wireless telecommunications tower or facility, or the replacement of an existing approved support structure in order to allow the co-location of a new antenna, without an increase in height. The issuance of a nondiscretionary Zoning Clearance shall also be required.

G. A ground- or structure-mounted receive-only radio or television antenna that does not exceed the height requirements of the zone in which it is located, or television dish antenna that does not exceed one meter (39 inches) in diameter if located on a residential or mixed-use zoned parcel.

H. Distributed Antenna System (DAS)/small cell sites or microcell sites in the public right-of-way (ROW) are subject to the execution of a master lease or development agreement between the City and project applicant, along with the criteria that includes all of the siting and design requirements and guidelines (the Small Cell/DAS Attachments to SVP Streetlights) that would typically occur in the planning review process and project implementation through an Encroachment Permit process.

I. Handheld devices (i.e., cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers), and similar devices.

J. Any modification or maintenance activities carried out as part of the routine operation of wireless telecommunication facilities that do not result in substantial change (See Sections 18.66.080 [Modification Constituting a “Substantial Change”] and 18.66.090 [Operation and Maintenance Standards]).

K. Any other facilities that are exempt from City approval by State or Federal statute.

#### **18.66.040 – Permits Required**

No wireless telecommunication facility except those designated in Section 18.66.030 (Exemptions from Discretionary Permits) shall be installed, erected, or modified in the City without the approval of either a Conditional Use Permit, Minor Use Permit, or Zoning Clearance in compliance with the list of allowable land uses specified in Article 2 (Zones, Allowable Uses, and Development Standards) and the following.

A. Conditional Use Permit. Conditional Use Permit approval is required for all new wireless telecommunication facilities and wireless telecommunication towers that exceed 70 feet in height, or do not meet the definition of slimline monopole subject to this Chapter.

B. Minor Use Permit. Minor Use Permit approval is required for the extension of an existing wireless

telecommunication facility and if the existing wireless telecommunications tower will be 70 feet or less feet in height and meets the definition of slimline monopole

C. Zoning Clearance. A nondiscretionary Zoning Clearance is required for co-location on an existing permitted wireless telecommunication tower or facility. Multiple service providers may submit one application for all intended co-located facilities. Prior to the issuance of a Zoning Clearance all the following requirements shall be met for the proposed facility. The wireless telecommunications facility:

1. Shall be consistent with current zoning regulations; and
2. Was previously granted discretionary review approval.

D. Conditions. In approving a Conditional Use Permit or Minor Use Permit, the appropriate Review Authority may impose conditions as it deems reasonable, necessary, and appropriate to further the purposes of this Chapter, including, but not limited to, redesign or relocation of the proposed facility and resubmittal of a revised proposal for further consideration.

#### **18.66.050 – Application Requirements**

A. Requirements. In addition to the information required for a Conditional Use Permit, Minor Use Permit, or Zoning Clearance application in Article 6 (Permit Processing Procedures) the application for a wireless telecommunication facility shall also include all the following:

**1. Boundary Map.** A map with locations and boundaries of the coverage areas and a search ring analysis for all of the applicant's tower sites existing, approved but not yet constructed, applicant submitted but not yet approved, **and potential future sites.** The Boundary Map shall also include all of the following:

**a. Indicate any existing communication towers located within a four-mile radius of the proposed site(s), the operators of each tower, the tower heights, and attempts to co-locate.**

b. Identify any airport facility located within a four-mile radius of the proposed site(s).

2. Site Specific Map. The applicant shall submit a detailed map for each proposed site coverage area including all the following:

a. Identify all structures, roads, highways, and residences; and

**b. Identify all feasible tower locations within each coverage area.**

3. Coverage Report Required. The applicant shall provide a coverage report containing an analysis of existing significant gaps in the service provider's network and how the proposed wireless telecommunication facility would eliminate or substantially reduce the gap in coverage.

4. Parcel Specific Information. The applicant shall provide copies of any land use easements or lease restrictions which would prohibit co-location (on existing wireless telecommunication facilities) or share locations (next to an existing wireless telecommunication facilities) by other service providers.

5. Explanation of Technology. The applicant shall provide a detailed explanation of the type of technology to be used and types of services to be provided by each wireless telecommunication facility site/installation.

6. Health Certification. The applicant shall supply certification acceptable to the Director for the proposed facility and shall comply with all applicable health requirements and standards pertaining to electromagnetic and/or radio frequency radiation.

7. Co-Location. All new towers shall allow for co-location of public safety transmission equipment when deemed feasible by the Director.

B. Information required Before Issuance of Building Permits. The applicant shall provide the City with all the following items before the issuance of a Building Permit:

1. An acceptable type of financial security (i.e., a letter of credit), to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed if non-operative or abandoned for a minimum 30-day period or upon expiration of the permit from the City, whichever first occurs;
2. A proposed wireless telecommunication tower lighting plan; and
3. At least two letters of intent, where more than one carrier is proposed for each tower, demonstrating an immediate need for the wireless telecommunications tower location.

#### **18.66.060 – Location Requirements**

A. Tower Placement in Commercial Zones. Wireless telecommunication tower facilities located within a Commercial zone shall be separated by a minimum distance of 200 feet from any other wireless telecommunication facility, and there shall be no more than two towers on a single parcel, unless the towers are located on a publicly owned facility.

B. Facility Placement in Residential and Mixed-Use Zones. Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of 300 feet of any residential structure or any other existing wireless communications facility except as follows.

1. When located on any existing nonresidential structure or on any existing utility pole, provided the location complies with all the following:

- a. The co-location is in full compliance with the California Public Utilities Commission Joint Pole Association General Order 95, Rule 94, and any other applicable State or

Federal regulations.

b. Existing wireless communications facilities to be used for co-location shall have been previously approved for a Conditional Use Permit or a Minor Use Permit, including modification of an existing Conditional Use Permit or Minor Use Permit. Legal nonconforming facilities do not qualify for co-location.

c. All new accessory equipment and enclosures shall be located underground or screened from public view as approved by the Director.

d. Unless shown in the submitted application documentation to the satisfaction of the Director to not be technically and/or commercially feasible, all antennas and/or antenna panels shall be flush mounted and limited in number to that amount necessary to achieve the required coverage described in the project application.

2. The proposed wireless telecommunication facility will replace or modify an existing wireless telecommunication facility for purposes of co-location.

3. The proposed wireless telecommunication facility will be designed and constructed in a manner to allow future co-location of additional wireless communication carriers, provided the applicant submits written documentation that shows that a more preferable location cannot be reasonably accommodated by the applicant due to technical requirements of the proposed facility, including but not limited to coverage requirements imposed by the Federal Communications Commission (FCC) or otherwise by law, or due to other factors beyond the applicant's reasonable control.

### **18.66.070 – Facility Design and Developmental Standards**

All wireless telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards:

#### **A. Height and Separation Requirements.**

1. The height of a wireless telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower or to the point of the highest piece of equipment attached to the tower.

2. Wireless telecommunications facilities and related equipment shall be safely erected and maintained at a height which does not exceed the surrounding conditions, improvements, and circumstances.

3. Wireless telecommunications facilities shall maintain at least one foot of separation to residential uses (located on or off-site) for each one foot of tower height.

**B. Colors and Materials.** All antennas, poles, towers, or related equipment, including ancillary support

equipment, shall have a nonreflective finish and shall be painted or otherwise treated to match or blend with the primary background and minimize visual impacts. Antennas attached to a structure shall be painted or otherwise treated to match the exterior of the structure or the antenna's background color.

C. Stealth Features. When determined to be appropriate by the City, wireless telecommunications facilities shall incorporate stealth features or technologies to blend the tower into its natural surroundings to the maximum extent possible. This is typically achieved through camouflaging the tower to look like trees or other similar natural-looking features in the vicinity.

D. Equipment Cabinets. A wireless telecommunication facility shall not exceed four equipment cabinets.

E. Screening, Landscaping. All ground mounted equipment, antennas, poles, or towers shall be sited to be screened by existing development, topography, or vegetation. Ground mounted facilities shall be screened with structures or located underground or in areas where substantial screening by existing structures or vegetation can be achieved. Additional new vegetation or other screening may be required by the Review Authority. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.

F. Additional Screening and Landscaping. As part of project review and the imposition of conditions of approval, the Review Authority may require additional screening and/or landscaping, undergrounding, an alternative color scheme, or relocation of a tower or ancillary equipment to a less obtrusive area of the site where it would have a less prominent visual presence due to slope, topography, size, or relationship to the public rights-of-way.

G. Lighting. If required by the City or State or Federal regulations, wireless telecommunication towers shall be lighted, with lighting hooded/shielded and directed downward and away from adjoining properties and the public rights-of-way. No blinking or flashing lights shall be allowed unless required by State or Federal regulations.

H. Power. The provision of power to and within a communication facility site shall be installed underground, unless, in the determination of the Review Authority, conditions on the site render undergrounding infeasible.

I. Backup Power Supply. A backup power supply (i.e., generator) and associated fuel storage tanks to support the backup power supply shall be enclosed within a structure and screened to the satisfaction of the Director.

J. Signs. No advertising signs or logos other than a maximum three-square foot nameplate shall be allowed on a tower and related facilities.

#### **18.66.080 – Modification Constituting a “Substantial Change”**

The following definition of “substantial change” shall refer to a single change, or a series of changes over time (whether made by the same or different entities) measured against the originally approved

wireless telecommunication tower or base station that would have any of the effects described below:

A. Wireless Telecommunication Tower or Base Station. The proposed co-location or modification:

1. Height. Would increase the height by more than 10 percent or 10 feet above the originally approved height (whichever is greater); and/or
2. Width. Would protrude from the edge of the originally approved structure by more than six feet.

B. Additional Equipment Cabinets. The proposed co-location or modification would involve adding additional equipment cabinets.

C. Work Outside Existing Boundaries. A proposal that includes excavation or development of equipment outside the wireless telecommunication facility's originally approved boundaries.

D. Violation of Condition of Approval. The proposed co-location or modification would violate one or more existing condition(s) of approval.

E. Site Alterations. A proposal that would alter required access, parking, or landscaping.

F. Replacement of Facility. A proposal to replace the wireless telecommunication tower or foundation.

#### **18.66.090 – Operation and Maintenance Standards**

A. Contact and Site Information. The owner or operator of any wireless facility shall submit and maintain current at all times basic contact and site information. The owner or operator shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. At a minimum this information shall include all the following:

1. Name, address, telephone numbers and legal status of the owner of the facility, including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility;
2. Name, address, and telephone numbers (land line(s) and mobile) of a local contact person for emergencies;
3. Type of service provided.
4. Identification signs, including emergency phone numbers (land line(s) and mobile) of the utility provider, shall be posted at all communication facilities sites.

B. Facility Maintenance. All wireless telecommunication facilities and related equipment, including lighting, fencing, screening, shields, cabinets, yards, and poles shall be maintained in good repair, free from trash, debris, litter, graffiti, and other forms of vandalism, and any damage from any cause shall

be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.

C. Landscaping Maintenance. All trees, foliage, and other landscaping elements on a wireless telecommunication facility site, whether or not used as screening, shall be maintained in good condition at all times in compliance with the approved landscape plan. The facility owner or operator shall be responsible for replacing any damaged, dead, or decayed landscaping as promptly as reasonably possible. Amendments or modifications to the landscape plan shall require approval by the Director. The Review Authority may also require a landscape maintenance agreement.

D. Noise. Each wireless telecommunication facility shall be operated to minimize the generation of noise that is audible from off the site. Backup generators shall only be operated during periods of power outages and shall not be tested on weekends or holidays. At no time shall equipment noise from any source exceed the noise standards in Chapter 9.10 of the SCCC (Regulation of Noise and Vibration).

E. Exterior Lighting. Any exterior lighting shall be manually operated and used only during night maintenance or emergencies, unless otherwise required by applicable Federal law or FCC rules. The lighting shall be constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled. Light fixtures shall be low wattage, hooded, and directed downward and away from adjoining properties.

F. Site Inspection Required. Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards identified in this Section.

#### **18.66.100 – Discontinuance and Site Restoration**

A. All equipment associated with a wireless telecommunication facility shall be removed from the site within 30 days of the discontinuance of the use and the site shall be restored to its original pre-construction condition or better, subject to the approval of the Director.

B. The service provider shall provide the City with a notice of intent to vacate a site a minimum of 30 days before site vacation.

C. This removal requirement, and appropriate bonding requirements, shall be included in the terms of a lease for a facility on public property.

D. A private lease for a facility located on private property is encouraged to include terms for equipment removal, since the property owner shall be ultimately responsible for removal of the equipment.

(END)

**From:** [REDACTED]  
**To:** [Planning Public Comment](#); [PlanningCommission](#); [Lesley Xavier](#); [Sandy Le](#)  
**Cc:** [Eric Crutchlow](#); [Nancy Biagini](#); [Priya Cherukuru](#); [Qian Huang](#); [Lance Saleme](#); [Mario Bouza](#); [Yashraj Bhatnagar](#);  
**Subject:** [REDACTED]  
Re: AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for Januar...  
**Date:** Tuesday, January 14, 2025 2:27:30 AM  
**Attachments:** [AT&T cell tower rejection signatures\\_01\\_13\\_2025.pdf](#)

---

Dear Sir/Madam,

Here I re-send the rejection letter with newly added appendix with nearby residents signatures.

Thanks,

Yongli Wen

January 13, 2025

From: Neighborhood Residents

To: Santa Clara Planning Commission Board Members:

**Re: Project File No.: PLN23-00148 (“Proposed Installation”)**

This letter is regarding the installation of a 60-foot-monotree, or an alternative design with 3 shorter shorted cell towers located in the parking lot by AT&T on the premises of Santa Clara First Baptist Church at 3111 Benton Street.

On the 10/23/2024 meeting, we all knew the proposal of the installation of a 60-foot-monotree had been denied by the planning commissioners, and we already stated our objections and the reasons for the objections.

Our neighborhood community hereby formally submits our letter with signatures opposing this new proposed plan which is the alternative design with 3 shorter shorted cell towers located in the parking lot prior to the meeting which is scheduled for Wednesday, December 4th, 2024.

We are still strongly opposed to the Proposed New Installation as we believe this plan is not in the best interest of our community. Our response to the Proposed New Installation is **a big NO**.

1. There are two parking lots on the premises of the church, not sure which parking lot it will be located in. But on the Google Map, we can see the cell towers will be still less than **500 feet** away from the backyard fence of nearby houses no matter which parking lot it will be.

**requirement to 1,000 feet or more from residential properties and/or property line:**

- Los Altos, CA
- Fremont, CA
- Pleasanton, CA
- Laguna Beach, CA
- West Los Angeles, CA
- South Los Angeles, CA
- Hollywood, CA
- San Diego, CA
- Beverly Hills, CA
- Calabasas, CA
- Encinitas, CA
- Palm Springs, CA

2. There are already more than **FIVE** “wireless cell phone base stations” from Verizon at the roof of the main church building, which sits just ~80 feet away from the new AT&T location and is already of major concern.

Therefore, with 3 lower cell towers, there will be more than **EIGHT** wireless base stations on the same premises on the church property, also **3 lower towers** sitting together will make the radiation energy to the nearby residences even more strong, thereby further increasing the potential health risks to the surrounding residents.

3. We, the neighborhood community, have the followings concerns:

A. **The negative health effects caused by wireless radiation from the towers.** There has NOT been a clear conclusion that cell towers are not harmful to health.

**This is a serious enough issue that the International Association of Fire Fighters has opposed the installation of cell towers at fire stations, where its fire fighters live.**

**Further reading can be done on their website  
<https://www.iaff.org/cell-tower-radiation/>**

**B. Risk of fire. There is a risk of fire, potentially from a malfunction in equipment, weather related such as a lightning strike, or arson and will be devastating for the neighboring houses should one occur.**

**Cell towers can catch fire due to the electrical infrastructure required for wireless facilities. Wiring faults can create electrical arcs that reach temperatures up to 35,000 degrees fahrenheit, which is hotter than the surface of the sun, and is often referred to as an "arc flash."**

**Malfunctions in transmitters, antennas, or wiring can lead to electrical fires. Lightning strikes could also potentially cause a fire. Due to unpredictable weather patterns in recent years, lightning strikes are also of concern. There have also been reports of fires caused by arson. The following are examples of cell phone towers fires:**

- **2020- Virginia:** Entire cell tower caught fire overnight. The cause was believed to be equipment malfunction related to a transformer.
- **2019- California:** Cell tower in Sonoma County caught fire, potentially due to an electrical fault.
- **2018- New Jersey:** A fire at a cell tower was attributed to arson. Local authorities investigated the incident due to suspicious circumstances.
- **2017- Texas:** Cell tower fire occurred, likely due to equipment malfunction, as heavy winds and storms were present.
- **2016- Florida:** Cell tower caught fire after being struck by lightning.

- **2015 - Illinois:** Cell tower fire was reported, attributed to equipment failure. The fire spread to nearby vegetation.
- **2014 - North Carolina:** A fire was caused by an electrical issue related to the cell tower's lighting equipment.
- **2012 - Michigan:** Cell tower fire occurred, believed to be caused by an equipment malfunction.
- **2011 - Alabama:** Cell tower fire occurred due to a lightning strike, causing significant damage to the structure.
- **2009 - Georgia:** A fire was reported at a cell tower site, attributed to equipment failure and overheating.
- **2008 - Colorado:** A fire broke out at a cell tower, suspected to be caused by an electrical short circuit.
- **2006 - Ohio:** Cell tower caught fire due to a malfunction in the power supply system.
- **2005 - New York:** A fire was linked to an electrical issue at a cell tower site.
- **2004 - Louisiana:** Cell tower fire was attributed to a lightning strike.
- **2003 - Maryland:** A fire occurred at a cell tower site due to suspected electrical malfunctions.
- **2002 - Florida:** Cell tower fire was reported, believed to be caused by equipment overheating during extreme weather conditions.
- **2001 - Texas:** A fire at a cell tower was linked to an arson investigation, where the tower was set on fire deliberately.

**C. Property Values. Even with three lower cell towers, we believe they still can be seen from the backyards or the dindows of nearby houses. Someday, if we decide to sell our houses, we will need to disclose to the buyer that our homes are right under two wireless companies' EIGHT cell phone towers, not to mention that the towers will be extremely conspicuous.**

**Many real estate professionals agree that potential buyers will not consider purchasing homes in the nearby vicinity of a cell phone tower. As such, the Proposed Installation could negatively impact property values in the neighborhood.**

#### **4. Serious aesthetic problems to nearby Pomeroy Green Community**

- 1) Putting the monotree at said location would present **serious aesthetic problems**. The 60 foot structure or the lower 3 towers planned are much higher and most trees in the neighborhood and will detract from the overall aesthetic qualities of the complex and neighborhood. At Pomeroy Green, all our utilities are placed underground to create a beautiful environment for our residents.
- 2) Whether it's the 60 foot monotree or 3 shorter monotrees, it will be an eyesore, and will be visible not only to all residents of Pomeroy Green but nearby houses in the surrounding areas.
- 3) It will be inconsistent with the development in the neighborhood. Pomeroy Green. The Pomeroy Green Cooperative housing complex is registered in the **National Register of Historic Places (THE NRHP]** and therefore the tower project may be required to be **reviewed for environmental impacts, including aesthetic, by local and higher government agencies**. The tower project may require a permit from the FCC, making the **project subject to Section 106 of the National Historic Preservation Act. The range of environmental impacts** may extend to another nearby multifamily complex, Pomeroy West (potentially historic) and the city's Earl Carmichael Park. Those residents and the City's Parks and Recreation Department should be **provided with the notice of public hearing** so that those residents and the public can comment on the project.
- 4) The Project could easily be **located elsewhere in the City** at a location that will solve most of the problems we have enumerated above, as stated **in more detail in our letter of November 14, 2024, also on file and is part of the public record in this item. AT&T has provided no evidence that they have done due diligence in examining other more suitable locations.**

ATT&T cell tower rejection letter and signatures

If AT&T really needs to install a new tower in this area, why don't they choose a location that is not so close to **someone's backyard?**

We respectfully urge you to honor the wishes of this community and reject this plan from AT&T, and let them seek out alternate sites.

Sincerely,

Signatures of the neighborhood residents:

Lynn Wang & Yongli  
3190 Humboldt Ave.

Sherry Shinn  
3216 Humboldt Ave.

Jesus Rivera  
324 Humboldt Ave

YAMBAO JONATHAN  
3241 HUMBOLDT AVE

Sapna Agrawal  
1155 Pomeroy Ave

Sanjay Agarwal  
1155 Pomeroy Ave

Colin Wm  
1114 Pomeroy Ave

Prabin Bhandari/Smriti Sharma  
1149 Pomeroy Ave

Pooarti Gupta  
3215, Benton Street.

ATT&T cell tower rejection letter and signatures

Ablishek Vik.

3215 Benton Street.

Satnam Sidhu

3170 Humboldt AV ~~ter~~

Zhiling Wan, Zhong Qian

3160 Humboldt Avenue

Maha Chauhan

3130 Humboldt Ave

3042

P NO L D

Lin Ma Weili

3141 Humboldt Ave

Yang Lin

3151 Humboldt Ave

Rossen TAPPA

3209 Humboldt Ave

Ni Zhu

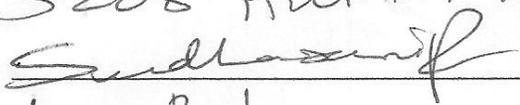
3161 Humboldt Ave.

Uttam Chauhan

3208 Humboldt Ave

ATT&T cell tower rejection letter and signatures

Melody Xiong  
1165 Pomeroy Ave

3208 Humboldt Ave RAJIV PENDYALA  


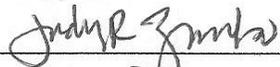
Laura Benton  
3232 Humboldt Ave.

Lee Benton  
3232 Humboldt Ave.

Violeta Villa Velazquez  
3232 Humboldt Ave

David Benton  
3232 Humboldt Ave

JUDY ZAMBO  
3150 HUMBOLT AVE.



Dino Plancarte  
3120 Humboldt Ave



Adriana Garcia  
3100 Humboldt Ave  
Santa Clara CA 95051 

Vignesh Vivekanaja  
3086 Humboldt Ave  
Santa Clara CA 95051

## Appendix: suggested locations instead of

Re: PLN23-00148, APN 290-27-006

3111 Benton Street,

AT&T telecommunication facility, Installation of 60 foot tall monotree.

Planning Commission Hearing; October 23, 2024 (past) & December 4, 2024 (pending)

Dear Ms. Leslie Xavier,

Please find and consider our suggestions for alternative sites (map attached) for the installation of the telecommunications monotree facility proposed by AT&T at the 3111 Benton Street site. We believe our suggested locations, rather than the 3111 Benton Avenue site, are more compatible with the neighborhood, particularly neighborhood aesthetics, and will provide the signal coverage desired by AT&T.

Please forward our suggested alternatives to AT&T for their consideration and discussion prior to the next Planning Commission meeting hearing on this project scheduled for December 4.

We consulted the AT&T coverage maps (“Existing Sites...Coverage” and “Existing Sites +... Coverage”) provided by AT&T that were included in the attachments for Planning Commission meeting held on October 23. We used those maps to find compatible locations for the monotree in the dark purple and yellow colored areas on the “Existing Sites...” map where indoor coverage is lacking or less reliable in our neighborhood.

The following are our suggested alternatives for the tower in the dark purple areas of the AT&T coverage map (areas of no coverage to date) that should provide equal or better coverage than the 3111 Benton site; these locations are indicated by **red** dots on the attached map):

┌

1. Earl Carmichael Park, 3445 Benton Street, rear of park
2. Stratford School, 890 Pomeroy Avenue near school or rear parking lot (*Best Location*)
3. Curtis Field, 890 Pomeroy Avenue, field near Stratford School parking lot
4. Homesteaders 4-H Ranch, 3450 Brookdale Drive, parking lot
5. The Church of Jesus of Latter Day Saints, 875 Quince Avenue, rear parking lot
6. Church in Santa Clara, 3550 Benton Street, parking lot or field next door
  
7. Church of Christ of Santa Clara, 850 Pomeroy Avenue, north parking lot, in soil area
8. Neighborhood Christian Center, 887 Pomeroy Avenue, parking lot or lawn in front

The following alternatives for the tower are located in the yellow colored areas of the AT&T map (areas of less reliable coverage) that should provide enhanced coverage than the 3111 Benton site; these locations are indicated by **yellow** colored dots on the attached map

1. Central Park, 909 Kiely Blvd., especially the area near the baseball field (*Best Location*)
2. Pomeroy Elementary School, 1250 Pomeroy Avenue, north side of site or field in back
3. Kiely Plaza, 1052-1092 Kiely Blvd. southwest corner of intersection with Benton St.
4. Benton Shopping Center, 3565 Benton St., landscaped areas front of the mall

## Appendix added on 01/13/2025: the 300feet distance requirement from city zone coding

From city zone coding document at <https://www.codepublishing.com/CA/SantaClara/html/pdfs/SantaClara18.pdf>, we just found the proposed AT&T cell tower locations in the church violate the city code, please check the screenshot of the document in section 18.66.060 as below, we can see that the distance of cell tower location to any residential structure is **minimum 300 feet**. The current proposed locations obviously can't meet the requirement. Please explain this to all nearby neighbors.

1. An acceptable type of financial security (i.e., a letter of credit), to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed if non-operative or abandoned for a minimum 30-day period or upon expiration of the permit from the City, whichever first occurs;
2. A proposed wireless telecommunication tower lighting plan; and
3. At least two letters of intent, where more than one carrier is proposed for each tower, demonstrating an immediate need for the wireless telecommunications tower location.

### **18.66.060 – Location Requirements**

**A. Tower Placement in Commercial Zones.** Wireless telecommunication tower facilities located within a Commercial zone shall be separated by a minimum distance of 200 feet from any other wireless telecommunication facility, and there shall be no more than two towers on a single parcel, unless the towers are located on a publicly owned facility.

**B. Facility Placement in Residential and Mixed-Use Zones.** Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of **300 feet of any residential structure or any other existing wireless communications facility** except as follows.

1. When located on any existing nonresidential structure or on any existing utility pole, provided the location complies with all the following:
  - a. The co-location is in full compliance with the California Public Utilities Commission Joint Pole Association General Order 95, Rule 94, and any other applicable State or Federal regulations.
  - b. Existing wireless communications facilities to be used for co-location shall have been previously approved for a Conditional Use Permit or a Minor Use Permit, including modification of an existing Conditional Use Permit or Minor Use Permit. Legal nonconforming facilities do not qualify for co-location.
  - c. All new accessory equipment and enclosures shall be located underground or screened from public view as approved by the Director.
  - d. Unless shown in the submitted application documentation to the satisfaction of the Director to not be technically and/or commercially feasible, all antennas and/or antenna panels shall be flush mounted and limited in number to that amount necessary to achieve the required coverage described in the project application.

**From:** Yongli Wen [REDACTED]

**Sent:** Tuesday, January 14, 2025 9:19 PM

**To:** Lesley Xavier <LXavier@santaclaraca.gov>; Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Sandy Le <SLe4@SantaClaraca.gov>

**Cc:** Eric Crutchlow <ecrutchlow@santaclaraca.gov>; Nancy Biagini <NBiagini@SantaClaraCA.gov>; Priya Cherukuru <PCherukuru@SantaClaraCA.gov>; Qian Huang <QHuang@Santaclaraca.gov>; Lance Saleme <LSaleme@SantaClaraCA.gov>; Mario Bouza <mbouza@Santaclaraca.gov>; Yashraj Bhatnagar <YBhatnagar@Santaclaraca.gov>; Steve Proo Aruna Balakrishnaraja [REDACTED] Diane Harrison [REDACTED] Dino Plancarte [REDACTED] Ken Kratz [REDACTED] Lee Benton [REDACTED] Marc Sunet [REDACTED] Nick Rossi [REDACTED] Ravi Sudharani [REDACTED] Ritha Rossi [REDACTED] Satish Moogi [REDACTED] sherry [REDACTED] Vignesh Vivekraja [REDACTED] Xiaoling Wang [REDACTED]

**Subject:** Fw: AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for Januar...

Hi Lesley,

Thanks a lot for your feedback!

I still have some questions:

1. The residential zone or mixed used zone has the 300 feet rule, what's the reason for having such a 300 feet rule? We think there should be some concerns like negative health impact, property value decrease, etc., right? **If such kind of concerns exist, we should also have concerns for all other kind of zones, right?**
2. Now for a public or quasi-public zone, what's the rule for it? Doesn't the city planning department also have to take account of some concerns like negative health impact, property value, etc. for nearby residential houses?
3. Now for our case, let's first assume the church is in quasi-public zone, but **our houses are in the residential zone, not in the public area**, the only thing is that we are the immediate neighbors of the church, we share the same fence with the church, even though, **does anyone still think it really makes sense to install a cell tower with only 15 feet distance to our backyards? Does anyone think it really won't have any negative impact to our health and property value with such short distance?**
4. Also for the church, it is not a normal public area like a shopping mall, a plaza, a city park, etc. which have enough buffer area between residential zones, the church is just part of our community, already integrated into our neighborhoods, **does anyone think the church is really a a normal public or quasi-public area?**

We still strongly oppose the plan to install cell tower in the church area, because we think the plan doesn't make any sense, please seriously consider our opinion and suggestions.

Sincerely,

Yongli

**From:** [Lesley Xavier](#)  
**To:** [REDACTED] [Planning Public Comment](#); [PlanningCommission](#); [Sandy Le](#)  
**Cc:** [REDACTED]  
**Subject:** RE: AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for Januar...  
**Date:** Tuesday, January 14, 2025 8:21:54 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)

---

Hello – Yongli

Thank you for your email. Unfortunately your reading of the code section is incorrect.

The section of the code that you are referencing below applies to properties where the cell facility will be located on a residentially zoned or mixed use zoned site. In this case the site where the cell facility will be located on is zoned public quasi-public and this section does not apply.

*Lesley*

**Lesley Xavier** | Planning Manager  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
D: 408.615.2484 | email: [LXavier@SantaClaraCA.gov](mailto:LXavier@SantaClaraCA.gov)

[www.SantaClaraCA.gov](http://www.SantaClaraCA.gov)

---

**From:** Yongli Wen [REDACTED]  
**Sent:** Tuesday, January 14, 2025 12:35 AM  
**To:** Planning Public Comment <[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov)>; PlanningCommission <[PLANNINGCOMMISSION@santaclaraca.gov](mailto:PLANNINGCOMMISSION@santaclaraca.gov)>; Lesley Xavier <[LXavier@santaclaraca.gov](mailto:LXavier@santaclaraca.gov)>; Sandy Le <[SLe4@SantaClaraCA.gov](mailto:SLe4@SantaClaraCA.gov)>  
**Cc:** Eric Crutchlow <[ecrutchlow@santaclaraca.gov](mailto:ecrutchlow@santaclaraca.gov)>; Nancy Biagini <[NBiagini@SantaClaraCA.gov](mailto:NBiagini@SantaClaraCA.gov)>; Priya Cherukuru <[PCherukuru@SantaClaraCA.gov](mailto:PCherukuru@SantaClaraCA.gov)>; Qian Huang <[QHuang@SantaClaraCA.gov](mailto:QHuang@SantaClaraCA.gov)>; Lance Saleme <[LSaleme@SantaClaraCA.gov](mailto:LSaleme@SantaClaraCA.gov)>; Mario Bouza <[mbouza@SantaClaraCA.gov](mailto:mbouza@SantaClaraCA.gov)>; Yashraj Bhatnagar <[YBhatnagar@SantaClaraCA.gov](mailto:YBhatnagar@SantaClaraCA.gov)>; Steve Proo [REDACTED]  
**Subject:** Re: AT&T telecommunications tower proposal for 3111 Benton Street: 2nd request by AT&T Tower Relocation Group to locate tower in Central Park (more alternative locations for the Planning Commission's consideration at their meeting scheduled for Januar...

Dear Sir/Madam,

FYI, I'm attaching the copy of CSC zoning Code, Chapter 18.66 - Wireless Telecommunications Facilities with our highlights to indicate our doubts regarding the current plan.

Thanks,

Yongli Wen

On Monday, January 13, 2025 at 08:55:04 PM PST, Yongli Wen [REDACTED] wrote:

To: City of Santa Clara Planning Commission (for January 15, 2025 meeting)  
From: Yongli Wen  
Re: AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)  
Date: January 13, 2025

Dear Planning Commission:

This is Yongli lives in 3190 Humbolt Ave, Santa Clara, the immediate neighbor of the church at 3111 Benton Street.

From city zone coding document at <https://www.codepublishing.com/CA/SantaClara/html/pdfs/SantaClara18.pdf>, we just found the proposed AT&T cell tower locations in the church violate the city code, please check the screenshot of the document in section 18.66.060 as below, we can see that the distance of cell tower location to any residential structure is **minimum 300 feet**. The current proposed locations obviously can't meet the requirement. Please explain this to all nearby neighbors.

1. An acceptable type of financial security (i.e., a letter of credit), to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed if non-operative or abandoned for a minimum 30-day period or upon expiration of the permit from the City, whichever first occurs;
2. A proposed wireless telecommunication tower lighting plan; and
3. At least two letters of intent, where more than one carrier is proposed for each tower, demonstrating an immediate need for the wireless telecommunications tower location.

#### **18.66.060 – Location Requirements**

**A. Tower Placement in Commercial Zones.** Wireless telecommunication tower facilities located within a Commercial zone shall be separated by a minimum distance of 200 feet from any other wireless telecommunication facility, and there shall be no more than two towers on a single parcel, unless the towers are located on a publicly owned facility.

**B. Facility Placement in Residential and Mixed-Use Zones.** Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of 300 feet of any residential structure or any other existing wireless communications facility except as follows.

1. When located on any existing nonresidential structure or on any existing utility pole, provided the location complies with all the following:
  - a. The co-location is in full compliance with the California Public Utilities Commission Joint Pole Association General Order 95, Rule 94, and any other applicable State or Federal regulations.
  - b. Existing wireless communications facilities to be used for co-location shall have been previously approved for a Conditional Use Permit or a Minor Use Permit, including modification of an existing Conditional Use Permit or Minor Use Permit. Legal nonconforming facilities do not qualify for co-location.
  - c. All new accessory equipment and enclosures shall be located underground or screened from public view as approved by the Director.
  - d. Unless shown in the submitted application documentation to the satisfaction of the Director to not be technically and/or commercially feasible, all antennas and/or antenna panels shall be flush mounted and limited in number to that amount necessary to achieve the required coverage described in the project application.

4-66 | July 2024

Santa Clara Zoning Code, Title 18

Thanks,

Yongli Wen

On Thursday, January 9, 2025 at 08:14:59 PM PST, Yongli Wen [REDACTED] wrote:

To: City of Santa Clara Planning Commission (for January 15, 2025 meeting)  
From: Yongli Wen  
Re: AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)  
Date: January 09, 2025

Dear Planning Commission:

This is Yongli lives in 3190 Humbolt Ave, Santa Clara, the immediate neighbor of the church at 3111 Benton Street.

Please consider locating the AT&T telecommunication tower in Central Park rather than on the Santa Clara First Baptist Church property at 3111 Benton Street. This email includes three (3) new locations (numbers 6, 7, & 8 as shown on the attached maps) that are in addition to the five (5) locations.

I have attached photos of those locations in addition to the maps. The numbered photos correspond to the numbered locations on the maps.

As we mentioned in our earlier email to you, our neighborhood group, the AT&T Tower Relocation Group (a group of neighborhood residents interested in relocating the AT&T telecommunication tower proposed for our neighborhood), think locating the tower in Central Park will be more compatible since the tower, a monotree with artificial limbs to resemble a tree, will aesthetically blend with the groves of mature trees found throughout the park rather than next to our homes. Our group recently met with the Parks and Recreation Department to make this suggestion but did not include these three new locations mentioned herein.

Again, please consider locating the AT&T telecommunication tower in Central Park rather than on Benton Street.

Sincerely,

Yongli Wen

attach: photos and maps of three additional cell phone tower locations in Central Park suggested by the Group

**From:** [Planning Public Comment](#)  
**To:** [REDACTED] [Planning Public Comment](#); [Lesley Xavier](#)  
**Subject:** RE: AT&T  
**Date:** Tuesday, January 14, 2025 2:37:03 PM

---

Thank you for your email, it will be part of the public record on this item.

Regards,

ELIZABETH ELLIOTT | Staff Aide II  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
O : 408.615.2450 Direct : 408.615.2474

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

From: Ritha Canales-Rossi [REDACTED]  
Sent: Tuesday, January 14, 2025 10:33 AM  
To: Planning Public Comment <PlanningPublicComment@santaclaraca.gov>  
Subject: AT&T

I am a resident of Pomeroy Green and I disagree with Park and Recreation flat denial of the relocation of the AT & T tower impacted with this decision, I encourage the residents of Hambold and Moraga to demand a clear explanation and alternatives from the Director of Park and Recreation as well as the City Planning of SC on 1/15/25 during the meeting.

Thank you,

Ritha Rossi

**From:** [Planning Public Comment](#)  
**To:** [REDACTED] [lxavier@santaclara.gov](mailto:lxavier@santaclara.gov)  
**Cc:** [Planning](#); [Planning Public Comment](#); [REDACTED]  
**Subject:** RE: AT&T Tower Relocation Group Follow-Up  
**Date:** Tuesday, January 14, 2025 2:37:32 PM

---

Thank you for your email, it will be part of the public record on this item.

Regards,

ELIZABETH ELLIOTT | Staff Aide II  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
O : 408.615.2450 Direct : 408.615.2474

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

**From:** Nicholas H Rossi [REDACTED]  
**Sent:** Tuesday, January 14, 2025 1:01 PM  
**To:** [lxavier@santaclara.gov](mailto:lxavier@santaclara.gov)  
**Cc:** [Planning <Planning@santaclaraca.gov>](mailto:Planning@santaclaraca.gov); [Planning Public Comment](#)  
[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov); [REDACTED]

**Subject:** AT&T Tower Relocation Group Follow-Up

Hello,

As residents of Pomeroy Green in Santa Clara, we disagree with the report from Parks and Recreation Department of Santa Clara that there are problems with putting the tower in Santa Clara Central Park. We demand that the Director of Parks and Recreation give a clear explanation of what those problems are and alternatives. During our meeting on Dec.23, 2024 with Parks and Recreation Department, Ken Kratz presented 5 reasonable alternatives of possible locations in Central Park. This monotree must be placed in a park where people visit but do not reside for 24 hours a day, 7 days a week. Also, during the meeting, it was mentioned that in Cupertino, a neighboring city, monotree tower is placed in the Memorial Park. Why not ask. In other cities as well, a monotree tower was placed in the park.

During our upcoming meeting to be held on 1/15/25, we will urge the Commissioners to hear our request of a clear explanation of the decision of Parks and Recreation instead of ambiguous response. We want alternatives. We don't understand why Santa Clara should be different from the aforementioned nearby cities, why Santa Clara should place them in a heavily populated residential area rather than a commercial or industrial area or a park where people visit but do not live.

Dear Commissioners: we will appreciate you support for the best interests of the residents of Santa Clara rather the financial interests of AT&T and the Santa Clara Baptist Church

Nick and Ritha Rossi

**From:** [Planning Public Comment](#)  
**To:** [REDACTED] [PlanningCommission](#); [Planning Public Comment](#)  
**Cc:** [REDACTED]  
**Subject:** RE: AT&T telecommunications tower proposal for 3111 Benton Street  
**Date:** Wednesday, January 15, 2025 10:09:00 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

Thank you for your email. Your comments will be part of the public record on this item.

**ELIZABETH ELLIOTT** | Staff Aide II  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
O : 408.615.2450 Direct : 408.615.2474

---

**From:** [REDACTED]  
**Sent:** Wednesday, January 15, 2025 12:15 AM  
**To:** PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Planning Public Comment <PlanningPublicComment@santaclaraca.gov>  
**Cc:** Kenneth Kratz [REDACTED] Nick Rossi [REDACTED] Ritha Rossi [REDACTED]  
[REDACTED] Satish Moogi [REDACTED] Lee Benton [REDACTED]  
[REDACTED] Marc Sunet [REDACTED] Vignesh Vivekraj [REDACTED]  
[REDACTED] Dino Plancarte [REDACTED] Ravi Sudharani [REDACTED]  
[REDACTED] Sherry [REDACTED]  
Xiaoling Wang [REDACTED] Aruna Balakrishnaraja [REDACTED] Yongli Wen [REDACTED]  
**Subject:** AT&T telecommunications tower proposal for 3111 Benton Street

Dear Commissioners & Staff,

I am part of the AT&T tower relocation group and have weighed in before. I live in Pomeroy Green. Please take into consideration all the time and research that has been done pro bono by members of the group, and reject the proposed siting of this tower.

It is not fair that our residences are treated differently from residences in a different zone or near a school or park. A residence is a place where people spend nearly all their time, particularly those who are elderly or very young children. Schools, parks, office buildings, stores, and, yes, churches may be full of people on some days at some times, but not 24-7-365.

I have also read chapter 18.66 of the city's own zoning code, and it seems clear that much of it was ignored in the siting of this cell tower. Our planning department should not put itself in the business of rubber-stamping whatever businesses propose.

Finally, if the city wishes to have cell towers all over town, it is time to put the issue of placing them in city parks (all of them, not just Central Park) on the ballot. The revenue generated from these placements should compensate and surpass the cost of the one ballot measure. A winning ballot argument could be that the alternative could be a tower much closer to any given voter's home. No one wants to see a cell tower in close proximity from their bedroom window.

Thank you.

Sincerely,  
Diane Harrison  
3283 Benton St.  
Santa Clara, CA 95051  
(land of the Ohlone and Muwekma Ohlone people)



Member: Santa Clara County Green Party County Council

**From:** [Planning Public Comment](#)  
**To:** [Redacted] [Planning Public Comment](#); [PlanningCommission](#)  
**Cc:** [Lesley Xavier](#); [Redacted]  
**Subject:** RE: Objecting ATT tower proposal for 3111 Benton Street from resident, Jan15'25 Hearing  
**Date:** Wednesday, January 15, 2025 10:08:00 AM  
**Attachments:** [1. CSC zoning Code, title 18, 4-61, wireless telecommunication, with Ken's highlights.doc](#)  
[image001.png](#)  
[image002.png](#)

---

Thank you for your email. Your comments will be part of the public record on this item.

**ELIZABETH ELLIOTT** | Staff Aide II  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
O : 408.615.2450 Direct : 408.615.2474

---

**From:** Vignesh Vivekraj [Redacted]  
**Sent:** Tuesday, January 14, 2025 10:17 PM  
**To:** Planning Public Comment <[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov)>; PlanningCommission <[PLANNINGCOMMISSION@santaclaraca.gov](mailto:PLANNINGCOMMISSION@santaclaraca.gov)>  
**Cc:** Ken Kratz [Redacted] Lesley Xavier <[LXavier@santaclaraca.gov](mailto:LXavier@santaclaraca.gov)>; Xiaoling Wang [Redacted] Satish Moogi [Redacted] Diane Harrison [Redacted] Ravi Sudharani [Redacted] Aruna Balakrishnaraja [Redacted] Lee Benton [Redacted] Dino Plancarte [Redacted] Nicholas H Rossi [Redacted]  
**Subject:** Objecting ATT tower proposal for 3111 Benton Street from resident, Jan15'25 Hearing

Hi Planning Commission,

This is a followup to my letter on January 11 opposing the construction of ATT cell tower in Santa Clara Baptist Church at 3111 Benton Street, to be discussed on Jan15 city meeting.

1. Thanks to research by one of our neighbours, the proposed site clearly violates the lines highlighted in yellow in the attached word doc source from City's code link(<https://www.codepublishing.com/CA/SantaClara/html/pdfs/SantaClara18.pdf>. The applicable section, on cell phone towers, starts on page 340). The most significant one being following lines in 18.66.060 – Location Requirements.

" B. Facility Placement in Residential and Mixed-Use Zones. Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of 300 feet of any residential structure or any other existing wireless communications facility except as follows. "

It's evident that the tower is located within 300 feet of residential areas, which constitutes a

clear violation. I sincerely hope that the city planners prioritize the well-being of the residents over technicalities such as the zoning of a church, which should not be a significant factor given that the city code mandates a 300-foot clearance from residential properties for a reason. I sincerely hope the City uses its power to amend rules if zoning is cited as a reason for approval, which is clearly not in good faith if approved.

I prefer not to go into detail about the other violations mentioned in the zoning code, as its already highlighted in attached email. However, I would appreciate it if the city could review these issues and explain why each one is not considered a violation.

2. A couple of our neighbors met with the planner and recreation staff and learned that Park Recreation offered AT&T two locations in Central Park. However, from what we learnt the AT&T representative, Mr. Proo, declined these options, citing that one was too close to residential houses and the other was not within the desired area for AT&T. If this is accurate, it suggests that Mr. Proo and his team are not acting in good faith. They should relocate the tower to the suitable area proposed by Parks. It appears they are financially driven to finalize their deal for their consultant, benefiting themselves, AT&T, and the park, while the residents of our community near the church bear the financial, health, and aesthetic costs. I hope the city supports its long-term, tax-paying residents and compels AT&T to consider the park location.

If we cant find a resolution, I am prepared to explore all options, including legal options against all parties involved.

I earnestly urge you to reflect on whether any members of the City Council, the planning committee, the landlord, the AT&T consultant, or ATT company executives would permit this if it were in their own backyard. Please make a moral decision and support the residents.

Vignesh

Chapter 18.66 Wireless Telecommunications Facilities  
4-62 July 2024 Santa Clara Zoning Code, Title 18

## Chapter 18.66 - Wireless Telecommunications Facilities

### Sections

- 18.66.010 – Purpose and Applicability
- 18.66.020 – Definitions
- 18.66.030 – Exemptions from Discretionary Permits
- 18.66.040 – Permits Required
- 18.66.050 – Application Requirements
- 18.66.060 – Location Requirements
- 18.66.070 – Facility Design and Developmental Standards
- 18.66.080 – Modification Constituting a “Substantial Change”
- 18.66.090 – Operation and Maintenance Standards
- 18.66.100 – Discontinuance and Site Restoration

### 18.66.010 – Purpose and Applicability

**A. Purpose.** This Chapter establishes locational, developmental, and operational standards and permit requirements consistent with Federal law to: regulate the placement and design of wireless telecommunication facilities so as to preserve the unique visual character of the City, promote the aesthetic appearance of the City, and to ensure public safety and welfare; pursue additional benefits from the facilities for the public by allowing for the leasing of publicly-owned properties where feasible for the development of communication facilities; and to acknowledge and provide the community benefit associated with the provision of advanced wireless telecommunication services within the City.

**B. Applicability.** The requirements of this Chapter shall apply to all wireless telecommunications facilities located within the City.

### 18.66.020 – Definitions

The following definitions shall apply to this Chapter.

**Antennas.** Any system of wires, poles, rods, reflecting discs, dishes, flat panels, or similar devices, including “whip antennas,” attached to a wireless telecommunications tower, mast or other structure, which in combination with the radio-frequency radiation generating equipment associated with a base station are used for the transmission or reception of electromagnetic waves.

**Base Station.** The structure and equipment placed at a fixed location that enables Federal Communications Commission (FCC)-licensed or authorized wireless telecommunications between user equipment and a wireless telecommunication network. It includes, but is not limited to, utility poles, light standards, traffic signals, and other structures that house communication equipment as long as it received the applicable regulatory approvals, even if the structure was not built for the sole or primary purpose of providing wireless telecommunications support.

**Cellular Service.** A wireless telecommunications service that permits customers to use mobile telephones and other communication devices to connect, via low-power radio transmitter sites, either to the publicswitched telephone network or to other fixed or mobile communication devices.

**Channel.** The segment of the radiation spectrum from an antenna, which carries one signal. An antenna may radiate on many channels simultaneously.

**Co-location or Co-Located Facility.** The mounting or installation of transmission equipment on an existing wireless tower or base station for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

**Communication Equipment Shelter.** A structure located at a base station designed principally to enclose equipment used in connection with telecommunication transmissions.

**DAS.** Distributed Antenna System.

**dBm.** A unit of measure of the power level of an electromagnetic signal expressed in decibels referenced to one milliwatt.

**Dish Antenna.** Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals.

**FAA.** Federal Aviation Administration.

**FCC.** Federal Communications Commission. The Federal agency responsible for regulating telecommunications in the United States.

**GHz.** Gigahertz—one billion (1,000,000,000) hertz.

**Ground-Mounted Wireless Telecommunication Facility.** Any antenna with its base placed directly on the ground (e.g., bare ground, concrete slab or footing), or that is attached to a mast or pipe.

**Hertz (Hz).** A unit of measurement of an electric or magnetic field, which reverses its polarity at a frequency of once per second (i.e., one cycle or wavelength per second).

**MegaHertz (MHz).** One million (1,000,000) hertz.

**Microcell Site.** A small radio transceiver facility comprised of an equipment cabinet with a total volume of one hundred (100) cubic feet or less that is either under or aboveground, and one omnidirectional whip antenna with a maximum length of five feet, or up to three small (approximately one foot by two feet or one foot by four feet) directional panel antennas, mounted on a single pole, an existing conventional utility pole, an existing stop light, or some other similar support structure.

**Monitoring.** The measurement, by the use of instruments in the field, of radiofrequency/non-ionizing radiation exposure at a site as a whole, or from individual wireless telecommunication facilities/towers/antennas/repeaters.

**Monopole.** A single pole-structure erected on the ground (e.g., bare ground, concrete slab or footing), to support one or more wireless telecommunication antennas and connecting appurtenances.)

**Non-Ionizing Electromagnetic Radiation (NIEER).** Radiation from the portion of the electromagnetic spectrum with frequencies of approximately one million (1,000,000) GHz and below, including all frequencies below the ultraviolet range (e.g., visible light, infrared radiation, microwave radiation, and radio frequency radiation).

**Radiofrequency (RF) Radiation.** Radiation from the portion of the electromagnetic spectrum with frequencies below the infrared range (approximately 100 GHz and below), including microwaves, television

VHF and UHF signals, radio signals, and low to ultra-low frequencies.

**Radome.** A dome or other structure protecting radar equipment and made from material transparent to radio waves.

**Repeater.** Small receiver/relay transmitter of relatively low power output designed to provide service to areas that are not able to receive adequate coverage directly from a base or primary station.

**Significant Gap.** A gap in the service provider's (applicant carrier's) own personal wireless services network within the City and Santa Clara County, as defined in Federal case law interpretations of the Federal Telecommunications Act of 1996.

**Slimline Monopole.** An antenna projecting less than three feet from the center of the pole, shielded with a radome, with a maximum allowable height of 75 feet.

**Stealth Technology/Techniques.** Camouflaging methods applied to wireless telecommunication towers, antennas and/or other facilities, which render them visually inconspicuous.

**Structure-Mounted Wireless Telecommunication Facility.** Any immobile antenna (including panels and directional antennas) attached to a structure (e.g., a structure facade or a water tower), or mounted upon a roof.

**Substantial Change.** Refers to a single change, or a series of changes over time (whether made by the same or different entities) viewed against the baseline conditions for the wireless telecommunication tower or base station.

**Wireless Telecommunication Tower (Cell Tower/Tower).** Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities. It includes, but is not limited to, masts, poles, monopoles, guyed towers, lattice towers, and freestanding towers.

**Transmission Equipment.** Equipment that facilitates transmission of any FCC-licensed or authorized wireless service. It includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic

cable, and regular and backup power supply.

Visual Impact. An adverse effect on the visual and/or aesthetic environment. This may derive from blocking of a view, or introduction of elements that are incompatible with the scale, texture, form or color of the existing natural or human-made landscape, including the existing character surrounding the proposed wireless telecommunication facility site.

Wireless Telecommunication (or Telecommunications) Facility. A facility, including all associated equipment, which supports the transmission and/or receipt of electromagnetic/radio signals. Wireless telecommunication facilities include cellular radiotelephone service facilities, personal communications service facilities (including wireless Internet), specialized mobile radio service facilities, and commercial paging service facilities. Components of these types of facilities can consist of the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of signals, telecommunication towers or similar structures supporting the equipment, equipment structures, parking area, and other accessory development.

#### **18.66.030 – Exemptions from Discretionary Permits**

The following wireless telecommunication facilities are exempt from the discretionary permit requirements of this Chapter. However, each wireless telecommunication facility shall comply with all applicable requirements of State and Federal law, the remaining requirements of this Chapter, and the issuance of a nondiscretionary Zoning Clearance.

A. Replacement or modification of a previously allowed facility or equipment determined by the Director to be of a minor nature that does not increase the number or height of antennas or significantly change or enlarge the related equipment at the site.

B. A dish antenna that is one meter (39 inches) or less in diameter or diagonal measurement located in a residential or mixed-use zone, that is designed:

1. To receive direct broadcast satellite service, including direct-to-home satellite service, as defined by Section 207 of the Telecommunications Act of 1996, Code of Federal Regulations Title 47, and any interpretive decisions thereof issued by the Federal Communications Commission; or

2. For subscribing to a multipoint distribution service.

C. A satellite earth station (SES) antenna of two meters (78 inches) or less in diameter or diagonal measurement, located in a non-residential or mixed-use zone, that is designed to transmit or receive radio communications by satellite or terrestrial communications antenna. These antennas shall require a Building Permit and approval of the placement by the Director to ensure safety, and to avoid tripping hazards and the creation of an attractive nuisance, shall be placed whenever possible, on the top of structures as far from the edge of rooftops towards the rear of the structure to minimize the view from the public rights-of-way.

D. Wireless telecommunication facilities and/or components of these facilities used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., City 911 emergency services, police, and/or fire department, first responder medical services, hospitals, etc.), are exempt from the provisions of this Chapter.

E. Temporary mobile wireless services, including mobile wireless telecommunication facilities and services providing public information coverage of news events, of less than two weeks in duration.

F. The co-location of a new antenna to an existing permitted wireless telecommunications tower or facility, or the replacement of an existing approved support structure in order to allow the co-location of a new antenna, without an increase in height. The issuance of a nondiscretionary Zoning Clearance shall also be required.

G. A ground- or structure-mounted receive-only radio or television antenna that does not exceed the height requirements of the zone in which it is located, or television dish antenna that does not exceed one meter (39 inches) in diameter if located on a residential or mixed-use zoned parcel.

H. Distributed Antenna System (DAS)/small cell sites or microcell sites in the public right-of-way (ROW) are subject to the execution of a master lease or development agreement between the City and project applicant, along with the criteria that includes all of the siting and design requirements and guidelines (the Small Cell/DAS Attachments to SVP Streetlights) that would typically occur in the planning review process and project implementation through an Encroachment Permit process.

I. Handheld devices (i.e., cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers), and similar devices.

J. Any modification or maintenance activities carried out as part of the routine operation of wireless telecommunication facilities that do not result in substantial change (See Sections 18.66.080 [Modification Constituting a “Substantial Change”] and 18.66.090 [Operation and Maintenance Standards]).

K. Any other facilities that are exempt from City approval by State or Federal statute.

#### **18.66.040 – Permits Required**

No wireless telecommunication facility except those designated in Section 18.66.030 (Exemptions from Discretionary Permits) shall be installed, erected, or modified in the City without the approval of either a Conditional Use Permit, Minor Use Permit, or Zoning Clearance in compliance with the list of allowable land uses specified in Article 2 (Zones, Allowable Uses, and Development Standards) and the following.

A. Conditional Use Permit. Conditional Use Permit approval is required for all new wireless telecommunication facilities and wireless telecommunication towers that exceed 70 feet in height, or do not meet the definition of slimline monopole subject to this Chapter.

B. Minor Use Permit. Minor Use Permit approval is required for the extension of an existing wireless

telecommunication facility and if the existing wireless telecommunications tower will be 70 feet or less feet in height and meets the definition of slimline monopole

C. Zoning Clearance. A nondiscretionary Zoning Clearance is required for co-location on an existing permitted wireless telecommunication tower or facility. Multiple service providers may submit one application for all intended co-located facilities. Prior to the issuance of a Zoning Clearance all the following requirements shall be met for the proposed facility. The wireless telecommunications facility:

1. Shall be consistent with current zoning regulations; and
2. Was previously granted discretionary review approval.

D. Conditions. In approving a Conditional Use Permit or Minor Use Permit, the appropriate Review Authority may impose conditions as it deems reasonable, necessary, and appropriate to further the purposes of this Chapter, including, but not limited to, redesign or relocation of the proposed facility and resubmittal of a revised proposal for further consideration.

#### **18.66.050 – Application Requirements**

A. Requirements. In addition to the information required for a Conditional Use Permit, Minor Use Permit, or Zoning Clearance application in Article 6 (Permit Processing Procedures) the application for a wireless telecommunication facility shall also include all the following:

**1. Boundary Map.** A map with locations and boundaries of the coverage areas and a search ring analysis for all of the applicant's tower sites existing, approved but not yet constructed, applicant submitted but not yet approved, **and potential future sites.** The Boundary Map shall also include all of the following:

**a. Indicate any existing communication towers located within a four-mile radius of the proposed site(s), the operators of each tower, the tower heights, and attempts to co-locate.**

b. Identify any airport facility located within a four-mile radius of the proposed site(s).

2. Site Specific Map. The applicant shall submit a detailed map for each proposed site coverage area including all the following:

a. Identify all structures, roads, highways, and residences; and

**b. Identify all feasible tower locations within each coverage area.**

3. Coverage Report Required. The applicant shall provide a coverage report containing an analysis of existing significant gaps in the service provider's network and how the proposed wireless telecommunication facility would eliminate or substantially reduce the gap in coverage.

4. Parcel Specific Information. The applicant shall provide copies of any land use easements or lease restrictions which would prohibit co-location (on existing wireless telecommunication facilities) or share locations (next to an existing wireless telecommunication facilities) by other service providers.

5. Explanation of Technology. The applicant shall provide a detailed explanation of the type of technology to be used and types of services to be provided by each wireless telecommunication facility site/installation.

6. Health Certification. The applicant shall supply certification acceptable to the Director for the proposed facility and shall comply with all applicable health requirements and standards pertaining to electromagnetic and/or radio frequency radiation.

7. Co-Location. All new towers shall allow for co-location of public safety transmission equipment when deemed feasible by the Director.

B. Information required Before Issuance of Building Permits. The applicant shall provide the City with all the following items before the issuance of a Building Permit:

1. An acceptable type of financial security (i.e., a letter of credit), to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed if non-operative or abandoned for a minimum 30-day period or upon expiration of the permit from the City, whichever first occurs;
2. A proposed wireless telecommunication tower lighting plan; and
3. At least two letters of intent, where more than one carrier is proposed for each tower, demonstrating an immediate need for the wireless telecommunications tower location.

#### **18.66.060 – Location Requirements**

A. Tower Placement in Commercial Zones. Wireless telecommunication tower facilities located within a Commercial zone shall be separated by a minimum distance of 200 feet from any other wireless telecommunication facility, and there shall be no more than two towers on a single parcel, unless the towers are located on a publicly owned facility.

B. Facility Placement in Residential and Mixed-Use Zones. Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of 300 feet of any residential structure or any other existing wireless communications facility except as follows.

1. When located on any existing nonresidential structure or on any existing utility pole, provided the location complies with all the following:

- a. The co-location is in full compliance with the California Public Utilities Commission Joint Pole Association General Order 95, Rule 94, and any other applicable State or

Federal regulations.

b. Existing wireless communications facilities to be used for co-location shall have been previously approved for a Conditional Use Permit or a Minor Use Permit, including modification of an existing Conditional Use Permit or Minor Use Permit. Legal nonconforming facilities do not qualify for co-location.

c. All new accessory equipment and enclosures shall be located underground or screened from public view as approved by the Director.

d. Unless shown in the submitted application documentation to the satisfaction of the Director to not be technically and/or commercially feasible, all antennas and/or antenna panels shall be flush mounted and limited in number to that amount necessary to achieve the required coverage described in the project application.

2. The proposed wireless telecommunication facility will replace or modify an existing wireless telecommunication facility for purposes of co-location.

3. The proposed wireless telecommunication facility will be designed and constructed in a manner to allow future co-location of additional wireless communication carriers, provided the applicant submits written documentation that shows that a more preferable location cannot be reasonably accommodated by the applicant due to technical requirements of the proposed facility, including but not limited to coverage requirements imposed by the Federal Communications Commission (FCC) or otherwise by law, or due to other factors beyond the applicant's reasonable control.

### **18.66.070 – Facility Design and Developmental Standards**

All wireless telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards:

#### **A. Height and Separation Requirements.**

1. The height of a wireless telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower or to the point of the highest piece of equipment attached to the tower.

2. Wireless telecommunications facilities and related equipment shall be safely erected and maintained at a height which does not exceed the surrounding conditions, improvements, and circumstances.

3. Wireless telecommunications facilities shall maintain at least one foot of separation to residential uses (located on or off-site) for each one foot of tower height.

**B. Colors and Materials.** All antennas, poles, towers, or related equipment, including ancillary support

equipment, shall have a nonreflective finish and shall be painted or otherwise treated to match or blend with the primary background and minimize visual impacts. Antennas attached to a structure shall be painted or otherwise treated to match the exterior of the structure or the antenna's background color.

C. Stealth Features. When determined to be appropriate by the City, wireless telecommunications facilities shall incorporate stealth features or technologies to blend the tower into its natural surroundings to the maximum extent possible. This is typically achieved through camouflaging the tower to look like trees or other similar natural-looking features in the vicinity.

D. Equipment Cabinets. A wireless telecommunication facility shall not exceed four equipment cabinets.

E. Screening, Landscaping. All ground mounted equipment, antennas, poles, or towers shall be sited to be screened by existing development, topography, or vegetation. Ground mounted facilities shall be screened with structures or located underground or in areas where substantial screening by existing structures or vegetation can be achieved. Additional new vegetation or other screening may be required by the Review Authority. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.

F. Additional Screening and Landscaping. As part of project review and the imposition of conditions of approval, the Review Authority may require additional screening and/or landscaping, undergrounding, an alternative color scheme, or relocation of a tower or ancillary equipment to a less obtrusive area of the site where it would have a less prominent visual presence due to slope, topography, size, or relationship to the public rights-of-way.

G. Lighting. If required by the City or State or Federal regulations, wireless telecommunication towers shall be lighted, with lighting hooded/shielded and directed downward and away from adjoining properties and the public rights-of-way. No blinking or flashing lights shall be allowed unless required by State or Federal regulations.

H. Power. The provision of power to and within a communication facility site shall be installed underground, unless, in the determination of the Review Authority, conditions on the site render undergrounding infeasible.

I. Backup Power Supply. A backup power supply (i.e., generator) and associated fuel storage tanks to support the backup power supply shall be enclosed within a structure and screened to the satisfaction of the Director.

J. Signs. No advertising signs or logos other than a maximum three-square foot nameplate shall be allowed on a tower and related facilities.

#### **18.66.080 – Modification Constituting a “Substantial Change”**

The following definition of “substantial change” shall refer to a single change, or a series of changes over time (whether made by the same or different entities) measured against the originally approved

wireless telecommunication tower or base station that would have any of the effects described below:

A. Wireless Telecommunication Tower or Base Station. The proposed co-location or modification:

1. Height. Would increase the height by more than 10 percent or 10 feet above the originally approved height (whichever is greater); and/or
2. Width. Would protrude from the edge of the originally approved structure by more than six feet.

B. Additional Equipment Cabinets. The proposed co-location or modification would involve adding additional equipment cabinets.

C. Work Outside Existing Boundaries. A proposal that includes excavation or development of equipment outside the wireless telecommunication facility's originally approved boundaries.

D. Violation of Condition of Approval. The proposed co-location or modification would violate one or more existing condition(s) of approval.

E. Site Alterations. A proposal that would alter required access, parking, or landscaping.

F. Replacement of Facility. A proposal to replace the wireless telecommunication tower or foundation.

#### **18.66.090 – Operation and Maintenance Standards**

A. Contact and Site Information. The owner or operator of any wireless facility shall submit and maintain current at all times basic contact and site information. The owner or operator shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. At a minimum this information shall include all the following:

1. Name, address, telephone numbers and legal status of the owner of the facility, including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility;
2. Name, address, and telephone numbers (land line(s) and mobile) of a local contact person for emergencies;
3. Type of service provided.
4. Identification signs, including emergency phone numbers (land line(s) and mobile) of the utility provider, shall be posted at all communication facilities sites.

B. Facility Maintenance. All wireless telecommunication facilities and related equipment, including lighting, fencing, screening, shields, cabinets, yards, and poles shall be maintained in good repair, free from trash, debris, litter, graffiti, and other forms of vandalism, and any damage from any cause shall

be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.

C. Landscaping Maintenance. All trees, foliage, and other landscaping elements on a wireless telecommunication facility site, whether or not used as screening, shall be maintained in good condition at all times in compliance with the approved landscape plan. The facility owner or operator shall be responsible for replacing any damaged, dead, or decayed landscaping as promptly as reasonably possible. Amendments or modifications to the landscape plan shall require approval by the Director. The Review Authority may also require a landscape maintenance agreement.

D. Noise. Each wireless telecommunication facility shall be operated to minimize the generation of noise that is audible from off the site. Backup generators shall only be operated during periods of power outages and shall not be tested on weekends or holidays. At no time shall equipment noise from any source exceed the noise standards in Chapter 9.10 of the SCCC (Regulation of Noise and Vibration).

E. Exterior Lighting. Any exterior lighting shall be manually operated and used only during night maintenance or emergencies, unless otherwise required by applicable Federal law or FCC rules. The lighting shall be constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled. Light fixtures shall be low wattage, hooded, and directed downward and away from adjoining properties.

F. Site Inspection Required. Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards identified in this Section.

#### **18.66.100 – Discontinuance and Site Restoration**

A. All equipment associated with a wireless telecommunication facility shall be removed from the site within 30 days of the discontinuance of the use and the site shall be restored to its original pre-construction condition or better, subject to the approval of the Director.

B. The service provider shall provide the City with a notice of intent to vacate a site a minimum of 30 days before site vacation.

C. This removal requirement, and appropriate bonding requirements, shall be included in the terms of a lease for a facility on public property.

D. A private lease for a facility located on private property is encouraged to include terms for equipment removal, since the property owner shall be ultimately responsible for removal of the equipment.

(END)

**From:** Vignesh Vivekraj [REDACTED]

**Sent:** Wednesday, January 15, 2025 12:00 PM

**To:** Ken Kratz [REDACTED]

**Cc:** Planning Public Comment <PlanningPublicComment@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Planning <Planning@santaclaraca.gov>; Steve Proo

[REDACTED] Lesley Xavier <LXavier@santaclaraca.gov>; Sandy Le <SLe4@SantaClaraca.gov>; sherry [REDACTED] Marc Sunet

[REDACTED] Satish Moogi [REDACTED] Ravi Sudharani

[REDACTED] Dino Plancarte [REDACTED] Lee Benton

[REDACTED] Ritha Rossi [REDACTED] Xiaoling Wang

[REDACTED] Aruna Balakrishnaraja

[REDACTED] Nick Rossi [REDACTED] Diane Harrison

[REDACTED]

**Subject:** Re: AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)--Parks Department's suggested locations for a cell phone tower in Central Park

Hi Planning Commision,

I concur with Ken here and support the ballot measure , as well as moving the proposed tower to a park.

Vignesh

3086 Humbolt ave , Santa Clara

On Wed, Jan 15, 2025 at 11:56 AM Ken Kratz [REDACTED] wrote:

**To:** City of Santa Clara Planning Commission (for January 15, 2025 meeting)

**From:** Ken Kratz

**Re:** AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)

**Date:** January15, 2025

Dear Planning Commission:

Please locate the AT&T telecommunication tower in Central Park in one of the two (2) locations suggested by the Parks and Recreation Director, Mr. Sparacino (sketch attached; provided to our Group by the Department). The locations include, as best as I can determine from the sketch provided:

1. North of the Veterans Memorial (north of Kaiser Drive on Kiely Boulevard) and near the Community Recreation Center.

This location is within the red circle on the map of optimum signal distribution that Mr. Proo, the Complete Wireless Consultant on behalf of AT&T, provided. This proposed cell tower location is 250' to 300' from the housing located across Kiely Boulevard. That proposed location includes many large trees that will help the tower blend with the surroundings.

2. East side of Saratoga Creek in the unimproved area near the large dumpster located behind the baseball field backstop.

Although this location is slightly outside the red circle on the map of optimum signal distribution that Mr. Proo, the Complete Wireless Consultant on behalf of AT&T, provided, I think it may be a candidate if the tower is increased in height slightly. This location has many benefits. It is far from homes, it is near the large trees that line Saratoga Creek and its installation will be easy due to the unimproved area (the soil) in that location.

Please recommend the City Council place a measure on the ballot for a general election to let the voters decide if they desire to locate a cell phone tower in Central Park. If the measure passes, the revenue the City will receive from the ground lease will eventually offset the cost to put this measure on the ballot. The cell phone tower in the City of Cupertino's Memorial Park was approved by the voters in that city. We are in no rush to have additional cell phone service providers in our area of the city, so we should take carefully study all alternatives to locating the cell phone tower.

Again, please consider locating the AT&T telecommunication tower in Central Park rather than on Benton Street. It's the most compatible location for the tower to serve our area of the city.

Sincerely,

Ken Kratz  
AT&T Tower Relocation Group member  
[3283 Benton Street](#)  
[Santa Clara, Ca. 95051](#)

cc: AT&T Tower Relocation Group members  
Mr. Proo, Complete Wireless Consultant (on behalf of AT&T)  
Lesley Xavier, City of Santa Clara Planning Department  
Sandy, City of Santa Clara Parks and Recreation Department

attch: sketch map of suggested cell phone tower locations in Central Park  
photo of cell phone tower in Memorial Park in the City of Cupertino

**From:** Planning

**Sent:** Wednesday, January 15, 2025 11:58 AM

**To:** Ken Kratz [REDACTED] Planning Public Comment

<PlanningPublicComment@santaclaraca.gov>; PlanningCommission

<PLANNINGCOMMISSION@santaclaraca.gov>; Planning <Planning@santaclaraca.gov>

**Cc:** Steve Proo [REDACTED] Lesley Xavier <LXavier@santaclaraca.gov>; Sandy Le

<SLe4@Santaclaraca.gov>; sherry [REDACTED] Marc Sunet

[REDACTED] Satish Moogi [REDACTED] Ravi Sudharani

[REDACTED] Dino Plancarte [REDACTED] Lee Benton

[REDACTED] Ritha Rossi [REDACTED] Xiaoling Wang

[REDACTED] [REDACTED] Aruna Balakrishnaraja

[REDACTED] Nick Rossi [REDACTED] Diane Harrison

[REDACTED] Vignesh Vivekraja [REDACTED]

**Subject:** RE: AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)--Parks Department's suggested locations for a cell phone tower in Central Park

Thank you for your email. It will be part of the public record on this item.

**Elizabeth Elliott** | Staff Aide II

Community Development Department | Planning Division

1500 Warburton Avenue | Santa Clara, CA 95050

O: 408.615.2450 | D: 408.615.2474

[www.SantaClaraCA.gov](http://www.SantaClaraCA.gov)

---

**From:** Ken Kratz [REDACTED]

**Sent:** Wednesday, January 15, 2025 11:54 AM

**To:** Planning Public Comment <[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov)>; PlanningCommission

<[PLANNINGCOMMISSION@santaclaraca.gov](mailto:PLANNINGCOMMISSION@santaclaraca.gov)>; Planning <[Planning@santaclaraca.gov](mailto:Planning@santaclaraca.gov)>

**Cc:** Steve Proo [REDACTED]; Lesley Xavier <[LXavier@santaclaraca.gov](mailto:LXavier@santaclaraca.gov)>; Sandy Le

<[SLe4@SantaClaraca.gov](mailto:SLe4@SantaClaraca.gov)>; sherry [REDACTED] Marc Sunet

[REDACTED] Ken Kratz [REDACTED] Satish Moogi  
[REDACTED] Ravi Sudharani [REDACTED] Dino Plancarte  
[REDACTED] Lee Benton [REDACTED] Ritha Rossi  
[REDACTED] Xiaoling Wang [REDACTED]  
Aruna Balakrishnaraja [REDACTED] Nick Rossi [REDACTED] Diane  
Harrison [REDACTED] Vignesh Vivekraj [REDACTED]

**Subject:** AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)--Parks Department's suggested locations for a cell phone tower in Central Park

You don't often get email from [REDACTED] [Learn why this is important](#)

**To:** City of Santa Clara Planning Commission (for January 15, 2025 meeting)  
**From:** Ken Kratz  
**Re:** AT&T telecommunication tower proposal for 3111 Benton Street (PLN23-00148)  
**Date:** January 15, 2025

Dear Planning Commission:

Please locate the AT&T telecommunication tower in Central Park in one of the two (2) locations suggested by the Parks and Recreation Director, Mr. Sparacino (sketch attached; provided to our Group by the Department). The locations include, as best as I can determine from the sketch provided:

1. North of the Veterans Memorial (north of Kaiser Drive on Kiely Boulevard) and near the Community Recreation Center.

This location is within the red circle on the map of optimum signal distribution that Mr. Proo, the Complete Wireless Consultant on behalf of AT&T, provided. This proposed cell tower location is 250' to 300' from the housing located across Kiely Boulevard. That proposed location includes many large trees that will help the tower blend with the surroundings.

2. East side of Saratoga Creek in the unimproved area near the large dumpster located behind the baseball field backstop.

Although this location is slightly outside the red circle on the map of optimum signal distribution that Mr. Proo, the Complete Wireless Consultant on behalf of AT&T, provided, I think it may be a candidate if the tower is increased in height slightly. This location has many benefits. It is far from homes, it is near the large trees that line Saratoga Creek and its installation will be easy due to the unimproved area (the soil) in that location.

Please recommend the City Council place a measure on the ballot for a general election to let the voters decide if they desire to locate a cell phone tower in Central Park. If the measure passes, the revenue the City will receive from the ground lease will eventually offset the cost to put this measure on the ballot. The cell phone tower in the City of Cupertino's Memorial Park was approved by the voters in that city. We are in no rush to have additional cell phone service providers in our area of the city, so we should take carefully study all alternatives to locating the cell phone tower.

Again, please consider locating the AT&T telecommunication tower in Central Park rather than on Benton Street. It's the most compatible location for the tower to serve our area of the

city.

Sincerely,

Ken Kratz  
AT&T Tower Relocation Group member  
3283 Benton Street  
Santa Clara, Ca. 95051  


cc: AT&T Tower Relocation Group members  
Mr. Proo, Complete Wireless Consultant (on behalf of AT&T)  
Lesley Xavier, City of Santa Clara Planning Department  
Sandy, City of Santa Clara Parks and Recreation Department

attch: sketch map of suggested cell phone tower locations in Central Park  
photo of cell phone tower in Memorial Park in the City of Cupertino



---

**From:** Planning Public Comment

**Sent:** Wednesday, January 15, 2025 11:50 AM

**To:** Sherry Shinn [REDACTED] Planning Public Comment

<PlanningPublicComment@santaclaraca.gov>; PlanningCommission

<PLANNINGCOMMISSION@santaclaraca.gov>

**Cc:** Ken Kratz [REDACTED] Lesley Xavier <LXavier@santaclaraca.gov>; Xiaoling Wang

[REDACTED] Satish Moogi [REDACTED] Diane Harrison

[REDACTED] Ravi Sudharani [REDACTED] Aruna Balakrishnaraja

[REDACTED] [REDACTED] Lee Benton [REDACTED] Dino

Plancarte [REDACTED] Nicholas H Rossi [REDACTED] Vignesh

Vivekraj [REDACTED]

**Subject:** RE: Objection to AT&T's Proposed Cell Towers Along Benton Ave.

Thank you for your email. It will be part of the public record on this item.

**ELIZABETH ELLIOTT** | Staff Aide II

Community Development Department | Planning Division

1500 Warburton Avenue | Santa Clara, CA 95050

O : 408.615.2450 Direct : 408.615.2474

---

**From:** Sherry Shinn [REDACTED]

**Sent:** Wednesday, January 15, 2025 11:36 AM

**To:** Planning Public Comment <[PlanningPublicComment@santaclaraca.gov](mailto:PlanningPublicComment@santaclaraca.gov)>; PlanningCommission

<[PLANNINGCOMMISSION@santaclaraca.gov](mailto:PLANNINGCOMMISSION@santaclaraca.gov)>

**Cc:** Ken Kratz [REDACTED] Lesley Xavier <[LXavier@santaclaraca.gov](mailto:LXavier@santaclaraca.gov)>; Xiaoling Wang

[REDACTED] Satish Moogi [REDACTED] Diane Harrison

[REDACTED] Ravi Sudharani [REDACTED]

Aruna Balakrishnaraja [REDACTED] Lee Benton  
[REDACTED] Dino Plancarte [REDACTED] Nicholas H Rossi  
[REDACTED] Vignesh Vivekraj [REDACTED]

**Subject:** Objection to AT&T's Proposed Cell Towers Along Benton Ave.

Dear Commissioners and City of Santa Clara:

As a longtime resident of Humbolt Ave. in Santa Clara and a lifelong real estate professional in both commercial and residential real estate, I am unconditionally **OPPOSED** to the installation of AT&T's proposed cell tower(s) along Benton Ave. on Santa Clara Baptist Church Property, which abuts a heavily residential neighborhood.

My reasons for objection are as follows:

**1.** The proposed site clearly violates the lines highlighted in yellow in the attached word doc source from City's code link(<https://www.codepublishing.com/CA/SantaClara/html/pdfs/SantaClara18.pdf>). The applicable section, on cell phone towers, starts on page 340). The most significant one being the following lines in 18.66.060 – Location Requirements on page 345.

" **B. Facility Placement in Residential and Mixed-Use Zones. Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of 300 feet of any residential structure or any other existing wireless communications facility...**"

Furthermore, members of our community had a meeting on Dec. 23, 2024 with the Parks and Recreation Department, where one of the neighbors, Ken Kratz, presented 5 reasonable alternatives of possible locations in Central Park. This is due diligence that should have been done by AT&T from the very onset several years ago.

Mr. Proo himself declared during the Planning Commission Meeting on October 23, 2024 that AT&T reached out to the Parks and Recreation Department and got "zero response." I'd like for Mr. Proo to answer exactly WHO did AT&T reach out to, how many times, when, and by what method? Phone call? Email? Because when members of our community reached out, the City Parks and Recreations Department graciously provided a time to meet with us soon after our request AND even offered **TWO** potential locations to AT&T soon after our meeting. In my opinion, the Parks and Recreations Department was very expeditious in responding to us and presenting possible solutions. So this leaves me no choice but to question the veracity of Mr. Proo's claims of having received "zero response."

Next, I was told that Mr. Proo dismissed the proposal for those two potential locations offered by the City: one as being "too close to residential" and the second one being outside the radius of what AT&T needs.

I'd like to know if the location deemed to be "too close to residential" is merely

Mr. Proo's conjecture without doing sufficient due diligence. Moreover, why would the second location's proposal be "out of the radius" when AT&T was in negotiations at 830 Kiely before that deal fell through in Feb 2022? 830 Kiely is more "out of the radius" than Central Park. Why DID the 830 Kiely deal fail? Could that deal have been saved had AT&T decided to pay the potential landlord a higher rent amount?

Additionally, during the meeting, it was also mentioned that in Cupertino, a neighboring city, a monotree tower was installed and currently exists in Cupertino's Memorial Park.

**2.** As an active member of the National Association of Realtors, the largest professional real estate trade organization in the world, there have been a number of studies citing economic impact and property value decrease due to the proximity of cell phone towers to residential areas. AT&T's report, claiming no significant impact on neighboring property values, relies on a single, non-peer-reviewed source. As a long-time real estate professional who is active in the field, I can attest that every single client I have served is adamant about their purchase of residential property not being in close proximity to a cell tower and all of my colleagues have said the same about their clients.

Per the Housing and Urban Development, cell phone towers are a hazard and nuisance and appraisers must take them into account when performing a property appraisal as per below (<https://archives.hud.gov/offices/hsg/sfh/ref/sfh1-18f.cfm>):

## **HUD HOC Reference Guide**

### **Hazards & Nuisances: Overhead High Voltage Transmission Towers and Lines**

#### **Chapter 1 Appraisal & Property Requirements Page 1-18f**

The appraiser must indicate whether the dwelling or related property improvements is located within the easement serving a high-voltage transmission line, radio/TV transmission tower, **cell phone tower**, microwave relay dish or tower, or satellite dish (radio, TV cable, etc).

1. If the dwelling or related property improvement is located within such an easement, the DE Underwriter must obtain a letter from the owner or operator of the tower indicating that the dwelling and its related property improvements are not located within the tower's (engineered) fall distance in order to waive this requirement.
2. If the dwelling and related property improvements are located outside the easement, the property is considered eligible and no further action is necessary. The appraiser, however, is instructed to note and comment on the effect on marketability resulting from the proximity to such site

hazards and nuisances.

I urge the Planning Commission to reject any installation of cell phone towers along Benton Ave on the Santa Clara Baptist Church property and have AT&T pursue the proposals provided by the City's Parks and Recreations Department.

Thank you for your time.

Sherry Shinn

--

**Sherry S. Shinn**  
**Broker Associate, Realtor**  
**Bay Area Real Estate Services**  
**Cell: 415-336-1811**

**Member of**  
**San Mateo County Association of Realtors**

**DRE# 01226221**

Chapter 18.66 Wireless Telecommunications Facilities  
4-62 July 2024 Santa Clara Zoning Code, Title 18

## Chapter 18.66 - Wireless Telecommunications Facilities

### Sections

- 18.66.010 – Purpose and Applicability
- 18.66.020 – Definitions
- 18.66.030 – Exemptions from Discretionary Permits
- 18.66.040 – Permits Required
- 18.66.050 – Application Requirements
- 18.66.060 – Location Requirements
- 18.66.070 – Facility Design and Developmental Standards
- 18.66.080 – Modification Constituting a “Substantial Change”
- 18.66.090 – Operation and Maintenance Standards
- 18.66.100 – Discontinuance and Site Restoration

### 18.66.010 – Purpose and Applicability

**A. Purpose.** This Chapter establishes locational, developmental, and operational standards and permit requirements consistent with Federal law to: regulate the placement and design of wireless telecommunication facilities so as to preserve the unique visual character of the City, promote the aesthetic appearance of the City, and to ensure public safety and welfare; pursue additional benefits from the facilities for the public by allowing for the leasing of publicly-owned properties where feasible for the development of communication facilities; and to acknowledge and provide the community benefit associated with the provision of advanced wireless telecommunication services within the City.

**B. Applicability.** The requirements of this Chapter shall apply to all wireless telecommunications facilities located within the City.

### 18.66.020 – Definitions

The following definitions shall apply to this Chapter.

**Antennas.** Any system of wires, poles, rods, reflecting discs, dishes, flat panels, or similar devices, including “whip antennas,” attached to a wireless telecommunications tower, mast or other structure, which in combination with the radio-frequency radiation generating equipment associated with a base station are used for the transmission or reception of electromagnetic waves.

**Base Station.** The structure and equipment placed at a fixed location that enables Federal Communications Commission (FCC)-licensed or authorized wireless telecommunications between user equipment and a wireless telecommunication network. It includes, but is not limited to, utility poles, light standards, traffic signals, and other structures that house communication equipment as long as it received the applicable regulatory approvals, even if the structure was not built for the sole or primary purpose of providing wireless telecommunications support.

**Cellular Service.** A wireless telecommunications service that permits customers to use mobile telephones and other communication devices to connect, via low-power radio transmitter sites, either to the publicswitched telephone network or to other fixed or mobile communication devices.

**Channel.** The segment of the radiation spectrum from an antenna, which carries one signal. An antenna may radiate on many channels simultaneously.

**Co-location or Co-Located Facility.** The mounting or installation of transmission equipment on an existing wireless tower or base station for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

**Communication Equipment Shelter.** A structure located at a base station designed principally to enclose equipment used in connection with telecommunication transmissions.

**DAS.** Distributed Antenna System.

**dBm.** A unit of measure of the power level of an electromagnetic signal expressed in decibels referenced to one milliwatt.

**Dish Antenna.** Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals.

**FAA.** Federal Aviation Administration.

**FCC.** Federal Communications Commission. The Federal agency responsible for regulating telecommunications in the United States.

**GHz.** Gigahertz—one billion (1,000,000,000) hertz.

**Ground-Mounted Wireless Telecommunication Facility.** Any antenna with its base placed directly on the ground (e.g., bare ground, concrete slab or footing), or that is attached to a mast or pipe.

**Hertz (Hz).** A unit of measurement of an electric or magnetic field, which reverses its polarity at a frequency of once per second (i.e., one cycle or wavelength per second).

**MegaHertz (MHz).** One million (1,000,000) hertz.

**Microcell Site.** A small radio transceiver facility comprised of an equipment cabinet with a total volume of one hundred (100) cubic feet or less that is either under or aboveground, and one omnidirectional whip antenna with a maximum length of five feet, or up to three small (approximately one foot by two feet or one foot by four feet) directional panel antennas, mounted on a single pole, an existing conventional utility pole, an existing stop light, or some other similar support structure.

**Monitoring.** The measurement, by the use of instruments in the field, of radiofrequency/non-ionizing radiation exposure at a site as a whole, or from individual wireless telecommunication facilities/towers/antennas/repeaters.

**Monopole.** A single pole-structure erected on the ground (e.g., bare ground, concrete slab or footing), to support one or more wireless telecommunication antennas and connecting appurtenances.)

**Non-Ionizing Electromagnetic Radiation (NIER).** Radiation from the portion of the electromagnetic spectrum with frequencies of approximately one million (1,000,000) GHz and below, including all frequencies below the ultraviolet range (e.g., visible light, infrared radiation, microwave radiation, and radio frequency radiation).

**Radiofrequency (RF) Radiation.** Radiation from the portion of the electromagnetic spectrum with frequencies below the infrared range (approximately 100 GHz and below), including microwaves, television

VHF and UHF signals, radio signals, and low to ultra-low frequencies.

**Radome.** A dome or other structure protecting radar equipment and made from material transparent to radio waves.

**Repeater.** Small receiver/relay transmitter of relatively low power output designed to provide service to areas that are not able to receive adequate coverage directly from a base or primary station.

**Significant Gap.** A gap in the service provider's (applicant carrier's) own personal wireless services network within the City and Santa Clara County, as defined in Federal case law interpretations of the Federal Telecommunications Act of 1996.

**Slimline Monopole.** An antenna projecting less than three feet from the center of the pole, shielded with a radome, with a maximum allowable height of 75 feet.

**Stealth Technology/Techniques.** Camouflaging methods applied to wireless telecommunication towers, antennas and/or other facilities, which render them visually inconspicuous.

**Structure-Mounted Wireless Telecommunication Facility.** Any immobile antenna (including panels and directional antennas) attached to a structure (e.g., a structure facade or a water tower), or mounted upon a roof.

**Substantial Change.** Refers to a single change, or a series of changes over time (whether made by the same or different entities) viewed against the baseline conditions for the wireless telecommunication tower or base station.

**Wireless Telecommunication Tower (Cell Tower/Tower).** Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities. It includes, but is not limited to, masts, poles, monopoles, guyed towers, lattice towers, and freestanding towers.

**Transmission Equipment.** Equipment that facilitates transmission of any FCC-licensed or authorized wireless service. It includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic

cable, and regular and backup power supply.

Visual Impact. An adverse effect on the visual and/or aesthetic environment. This may derive from blocking of a view, or introduction of elements that are incompatible with the scale, texture, form or color of the existing natural or human-made landscape, including the existing character surrounding the proposed wireless telecommunication facility site.

Wireless Telecommunication (or Telecommunications) Facility. A facility, including all associated equipment, which supports the transmission and/or receipt of electromagnetic/radio signals. Wireless telecommunication facilities include cellular radiotelephone service facilities, personal communications service facilities (including wireless Internet), specialized mobile radio service facilities, and commercial paging service facilities. Components of these types of facilities can consist of the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of signals, telecommunication towers or similar structures supporting the equipment, equipment structures, parking area, and other accessory development.

#### **18.66.030 – Exemptions from Discretionary Permits**

The following wireless telecommunication facilities are exempt from the discretionary permit requirements of this Chapter. However, each wireless telecommunication facility shall comply with all applicable requirements of State and Federal law, the remaining requirements of this Chapter, and the issuance of a nondiscretionary Zoning Clearance.

A. Replacement or modification of a previously allowed facility or equipment determined by the Director to be of a minor nature that does not increase the number or height of antennas or significantly change or enlarge the related equipment at the site.

B. A dish antenna that is one meter (39 inches) or less in diameter or diagonal measurement located in a residential or mixed-use zone, that is designed:

1. To receive direct broadcast satellite service, including direct-to-home satellite service, as defined by Section 207 of the Telecommunications Act of 1996, Code of Federal Regulations Title 47, and any interpretive decisions thereof issued by the Federal Communications Commission; or

2. For subscribing to a multipoint distribution service.

C. A satellite earth station (SES) antenna of two meters (78 inches) or less in diameter or diagonal measurement, located in a non-residential or mixed-use zone, that is designed to transmit or receive radio communications by satellite or terrestrial communications antenna. These antennas shall require a Building Permit and approval of the placement by the Director to ensure safety, and to avoid tripping hazards and the creation of an attractive nuisance, shall be placed whenever possible, on the top of structures as far from the edge of rooftops towards the rear of the structure to minimize the view from the public rights-of-way.

D. Wireless telecommunication facilities and/or components of these facilities used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., City 911 emergency services, police, and/or fire department, first responder medical services, hospitals, etc.), are exempt from the provisions of this Chapter.

E. Temporary mobile wireless services, including mobile wireless telecommunication facilities and services providing public information coverage of news events, of less than two weeks in duration.

F. The co-location of a new antenna to an existing permitted wireless telecommunications tower or facility, or the replacement of an existing approved support structure in order to allow the co-location of a new antenna, without an increase in height. The issuance of a nondiscretionary Zoning Clearance shall also be required.

G. A ground- or structure-mounted receive-only radio or television antenna that does not exceed the height requirements of the zone in which it is located, or television dish antenna that does not exceed one meter (39 inches) in diameter if located on a residential or mixed-use zoned parcel.

H. Distributed Antenna System (DAS)/small cell sites or microcell sites in the public right-of-way (ROW) are subject to the execution of a master lease or development agreement between the City and project applicant, along with the criteria that includes all of the siting and design requirements and guidelines (the Small Cell/DAS Attachments to SVP Streetlights) that would typically occur in the planning review process and project implementation through an Encroachment Permit process.

I. Handheld devices (i.e., cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers), and similar devices.

J. Any modification or maintenance activities carried out as part of the routine operation of wireless telecommunication facilities that do not result in substantial change (See Sections 18.66.080 [Modification Constituting a “Substantial Change”] and 18.66.090 [Operation and Maintenance Standards]).

K. Any other facilities that are exempt from City approval by State or Federal statute.

#### **18.66.040 – Permits Required**

No wireless telecommunication facility except those designated in Section 18.66.030 (Exemptions from Discretionary Permits) shall be installed, erected, or modified in the City without the approval of either a Conditional Use Permit, Minor Use Permit, or Zoning Clearance in compliance with the list of allowable land uses specified in Article 2 (Zones, Allowable Uses, and Development Standards) and the following.

A. Conditional Use Permit. Conditional Use Permit approval is required for all new wireless telecommunication facilities and wireless telecommunication towers that exceed 70 feet in height, or do not meet the definition of slimline monopole subject to this Chapter.

B. Minor Use Permit. Minor Use Permit approval is required for the extension of an existing wireless

telecommunication facility and if the existing wireless telecommunications tower will be 70 feet or less feet in height and meets the definition of slimline monopole

C. Zoning Clearance. A nondiscretionary Zoning Clearance is required for co-location on an existing permitted wireless telecommunication tower or facility. Multiple service providers may submit one application for all intended co-located facilities. Prior to the issuance of a Zoning Clearance all the following requirements shall be met for the proposed facility. The wireless telecommunications facility:

1. Shall be consistent with current zoning regulations; and
2. Was previously granted discretionary review approval.

D. Conditions. In approving a Conditional Use Permit or Minor Use Permit, the appropriate Review Authority may impose conditions as it deems reasonable, necessary, and appropriate to further the purposes of this Chapter, including, but not limited to, redesign or relocation of the proposed facility and resubmittal of a revised proposal for further consideration.

#### **18.66.050 – Application Requirements**

A. Requirements. In addition to the information required for a Conditional Use Permit, Minor Use Permit, or Zoning Clearance application in Article 6 (Permit Processing Procedures) the application for a wireless telecommunication facility shall also include all the following:

**1. Boundary Map.** A map with locations and boundaries of the coverage areas and a search ring analysis for all of the applicant's tower sites existing, approved but not yet constructed, applicant submitted but not yet approved, **and potential future sites.** The Boundary Map shall also include all of the following:

- a. **Indicate any existing communication towers located within a four-mile radius of the proposed site(s), the operators of each tower, the tower heights, and attempts to co-locate.**
- b. Identify any airport facility located within a four-mile radius of the proposed site(s).

**2. Site Specific Map.** The applicant shall submit a detailed map for each proposed site coverage area including all the following:

- a. Identify all structures, roads, highways, and residences; and
- b. Identify all feasible tower locations within each coverage area.**

**3. Coverage Report Required.** The applicant shall provide a coverage report containing an analysis of existing significant gaps in the service provider's network and how the proposed wireless telecommunication facility would eliminate or substantially reduce the gap in coverage.

4. Parcel Specific Information. The applicant shall provide copies of any land use easements or lease restrictions which would prohibit co-location (on existing wireless telecommunication facilities) or share locations (next to an existing wireless telecommunication facilities) by other service providers.

5. Explanation of Technology. The applicant shall provide a detailed explanation of the type of technology to be used and types of services to be provided by each wireless telecommunication facility site/installation.

6. Health Certification. The applicant shall supply certification acceptable to the Director for the proposed facility and shall comply with all applicable health requirements and standards pertaining to electromagnetic and/or radio frequency radiation.

7. Co-Location. All new towers shall allow for co-location of public safety transmission equipment when deemed feasible by the Director.

B. Information required Before Issuance of Building Permits. The applicant shall provide the City with all the following items before the issuance of a Building Permit:

1. An acceptable type of financial security (i.e., a letter of credit), to ensure that the approved facility is properly maintained and to guarantee that the facility is dismantled and removed if non-operative or abandoned for a minimum 30-day period or upon expiration of the permit from the City, whichever first occurs;

2. A proposed wireless telecommunication tower lighting plan; and

3. At least two letters of intent, where more than one carrier is proposed for each tower, demonstrating an immediate need for the wireless telecommunications tower location.

#### **18.66.060 – Location Requirements**

A. Tower Placement in Commercial Zones. Wireless telecommunication tower facilities located within a Commercial zone shall be separated by a minimum distance of 200 feet from any other wireless telecommunication facility, and there shall be no more than two towers on a single parcel, unless the towers are located on a publicly owned facility.

B. Facility Placement in Residential and Mixed-Use Zones. Wireless communications facilities located within a Mixed-Use zone shall be separated by a minimum distance of 300 feet of any residential structure or any other existing wireless communications facility except as follows.

1. When located on any existing nonresidential structure or on any existing utility pole, provided the location complies with all the following:

a. The co-location is in full compliance with the California Public Utilities Commission Joint Pole Association General Order 95, Rule 94, and any other applicable State or

Federal regulations.

b. Existing wireless communications facilities to be used for co-location shall have been previously approved for a Conditional Use Permit or a Minor Use Permit, including modification of an existing Conditional Use Permit or Minor Use Permit. Legal nonconforming facilities do not qualify for co-location.

c. All new accessory equipment and enclosures shall be located underground or screened from public view as approved by the Director.

d. Unless shown in the submitted application documentation to the satisfaction of the Director to not be technically and/or commercially feasible, all antennas and/or antenna panels shall be flush mounted and limited in number to that amount necessary to achieve the required coverage described in the project application.

2. The proposed wireless telecommunication facility will replace or modify an existing wireless telecommunication facility for purposes of co-location.

3. The proposed wireless telecommunication facility will be designed and constructed in a manner to allow future co-location of additional wireless communication carriers, provided the applicant submits written documentation that shows that a more preferable location cannot be reasonably accommodated by the applicant due to technical requirements of the proposed facility, including but not limited to coverage requirements imposed by the Federal Communications Commission (FCC) or otherwise by law, or due to other factors beyond the applicant's reasonable control.

### **18.66.070 – Facility Design and Developmental Standards**

All wireless telecommunication facilities shall be located, developed, and operated in compliance with all of the following standards:

#### **A. Height and Separation Requirements.**

1. The height of a wireless telecommunication tower shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower or to the point of the highest piece of equipment attached to the tower.

2. Wireless telecommunications facilities and related equipment shall be safely erected and maintained at a height which does not exceed the surrounding conditions, improvements, and circumstances.

3. Wireless telecommunications facilities shall maintain at least one foot of separation to residential uses (located on or off-site) for each one foot of tower height.

**B. Colors and Materials.** All antennas, poles, towers, or related equipment, including ancillary support

equipment, shall have a nonreflective finish and shall be painted or otherwise treated to match or blend with the primary background and minimize visual impacts. Antennas attached to a structure shall be painted or otherwise treated to match the exterior of the structure or the antenna's background color.

C. Stealth Features. When determined to be appropriate by the City, wireless telecommunications facilities shall incorporate stealth features or technologies to blend the tower into its natural surroundings to the maximum extent possible. This is typically achieved through camouflaging the tower to look like trees or other similar natural-looking features in the vicinity.

D. Equipment Cabinets. A wireless telecommunication facility shall not exceed four equipment cabinets.

E. Screening, Landscaping. All ground mounted equipment, antennas, poles, or towers shall be sited to be screened by existing development, topography, or vegetation. Ground mounted facilities shall be screened with structures or located underground or in areas where substantial screening by existing structures or vegetation can be achieved. Additional new vegetation or other screening may be required by the Review Authority. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.

F. Additional Screening and Landscaping. As part of project review and the imposition of conditions of approval, the Review Authority may require additional screening and/or landscaping, undergrounding, an alternative color scheme, or relocation of a tower or ancillary equipment to a less obtrusive area of the site where it would have a less prominent visual presence due to slope, topography, size, or relationship to the public rights-of-way.

G. Lighting. If required by the City or State or Federal regulations, wireless telecommunication towers shall be lighted, with lighting hooded/shielded and directed downward and away from adjoining properties and the public rights-of-way. No blinking or flashing lights shall be allowed unless required by State or Federal regulations.

H. Power. The provision of power to and within a communication facility site shall be installed underground, unless, in the determination of the Review Authority, conditions on the site render undergrounding infeasible.

I. Backup Power Supply. A backup power supply (i.e., generator) and associated fuel storage tanks to support the backup power supply shall be enclosed within a structure and screened to the satisfaction of the Director.

J. Signs. No advertising signs or logos other than a maximum three-square foot nameplate shall be allowed on a tower and related facilities.

#### **18.66.080 – Modification Constituting a “Substantial Change”**

The following definition of “substantial change” shall refer to a single change, or a series of changes over time (whether made by the same or different entities) measured against the originally approved

wireless telecommunication tower or base station that would have any of the effects described below:

A. Wireless Telecommunication Tower or Base Station. The proposed co-location or modification:

1. Height. Would increase the height by more than 10 percent or 10 feet above the originally approved height (whichever is greater); and/or
2. Width. Would protrude from the edge of the originally approved structure by more than six feet.

B. Additional Equipment Cabinets. The proposed co-location or modification would involve adding additional equipment cabinets.

C. Work Outside Existing Boundaries. A proposal that includes excavation or development of equipment outside the wireless telecommunication facility's originally approved boundaries.

D. Violation of Condition of Approval. The proposed co-location or modification would violate one or more existing condition(s) of approval.

E. Site Alterations. A proposal that would alter required access, parking, or landscaping.

F. Replacement of Facility. A proposal to replace the wireless telecommunication tower or foundation.

#### **18.66.090 – Operation and Maintenance Standards**

A. Contact and Site Information. The owner or operator of any wireless facility shall submit and maintain current at all times basic contact and site information. The owner or operator shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. At a minimum this information shall include all the following:

1. Name, address, telephone numbers and legal status of the owner of the facility, including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility;
2. Name, address, and telephone numbers (land line(s) and mobile) of a local contact person for emergencies;
3. Type of service provided.
4. Identification signs, including emergency phone numbers (land line(s) and mobile) of the utility provider, shall be posted at all communication facilities sites.

B. Facility Maintenance. All wireless telecommunication facilities and related equipment, including lighting, fencing, screening, shields, cabinets, yards, and poles shall be maintained in good repair, free from trash, debris, litter, graffiti, and other forms of vandalism, and any damage from any cause shall

be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.

C. Landscaping Maintenance. All trees, foliage, and other landscaping elements on a wireless telecommunication facility site, whether or not used as screening, shall be maintained in good condition at all times in compliance with the approved landscape plan. The facility owner or operator shall be responsible for replacing any damaged, dead, or decayed landscaping as promptly as reasonably possible. Amendments or modifications to the landscape plan shall require approval by the Director. The Review Authority may also require a landscape maintenance agreement.

D. Noise. Each wireless telecommunication facility shall be operated to minimize the generation of noise that is audible from off the site. Backup generators shall only be operated during periods of power outages and shall not be tested on weekends or holidays. At no time shall equipment noise from any source exceed the noise standards in Chapter 9.10 of the SCCC (Regulation of Noise and Vibration).

E. Exterior Lighting. Any exterior lighting shall be manually operated and used only during night maintenance or emergencies, unless otherwise required by applicable Federal law or FCC rules. The lighting shall be constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled. Light fixtures shall be low wattage, hooded, and directed downward and away from adjoining properties.

F. Site Inspection Required. Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards identified in this Section.

#### **18.66.100 – Discontinuance and Site Restoration**

A. All equipment associated with a wireless telecommunication facility shall be removed from the site within 30 days of the discontinuance of the use and the site shall be restored to its original pre-construction condition or better, subject to the approval of the Director.

B. The service provider shall provide the City with a notice of intent to vacate a site a minimum of 30 days before site vacation.

C. This removal requirement, and appropriate bonding requirements, shall be included in the terms of a lease for a facility on public property.

D. A private lease for a facility located on private property is encouraged to include terms for equipment removal, since the property owner shall be ultimately responsible for removal of the equipment.

(END)