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August 8, 2012

VIA EMAIL AND FEDEX

Chair Doreen Farr
Vice Chair Salud Carbajal
Supervisors Janet Wolf,
Joni Gray and Steve Lavagnino
Board of Supervisors
Santa Barbara County
105 East Anapamu Street
Santa Barbara, California 93109

Re: Verizon Wireless Stealth Communications Facility
512 Santa Angela Lane, Montecito
Board of Supervisors Agenda August 21, 2012

Dear Chair Farr, Vice Chair Carbajal and Supervisors:

We write to you on behalf of our client Verizon Wireless to encourage you to affirm the well-reasoned and unanimous approval by the Planning Commission of the proposed wireless facility to be located on an existing Verizon building at 512 Santa Angela Lane in Montecito (the "Approved Facility"). The Approved Facility is a collocation with fully-screened antennas mounted adjacent to existing Cingular antennas behind a parapet wall. The Approved Facility poses absolutely no impacts to the adjacent community and will provide continuous Verizon Wireless service to Montecito upon the decommissioning of the existing Verizon Wireless monopole facility on Ortega Ridge Road (the "QAD Site").

After 25 years, Verizon Wireless's lease has not been renewed and the QAD Site will be decommissioned in October, potentially leaving Montecito without Verizon Wireless service. Following an exhaustive search, Verizon Wireless identified collocation of the Approved Facility on an existing Verizon building as the least intrusive means to maintain service to Montecito following decommissioning of the QAD Site. While fully supported by Planning Department staff, the Planning Commission and the Montecito Land Use & Development Code (the "Code"), appellants Mary Goolsby and Martha Kay (the "Appellants") object to the Approved Facility primarily due to perceived health effects from radio frequency ("RF") emissions and their desire to exclude further wireless facilities in their residential community. As set forth below, granting of the

appeal violates limitations imposed on local jurisdictions under federal law that would: 1) prohibit rejection of the Approved Facility based on the environmental effects of RF emissions in violation of 47 U.S.C. §332(c)(7)(B)(iv); 2) discriminate against Verizon Wireless by rejecting a facility identical to the Approved Facility at the same location in violation of 47 U.S.C. §332(c)(7)(B)(i)(I); and 3) would effectively prohibit Verizon Wireless service in Montecito in violation of 47 U.S.C. §332(c)(7)(B)(i)(II) where Verizon Wireless has demonstrated that a gap in coverage will occur following decommissioning of the QAD Site, and has selected the least intrusive alternative to provide service to the gap under the Code.

I. Project Description

The Approved Facility consists of nine new Verizon Wireless panel antennas located behind an RF-transparent parapet on top of an existing Verizon building that currently supports three Cingular antennas. Verizon Wireless radio equipment will be located in a new prefabricated shelter located in the building's parking lot, shielded from Santa Angela Lane by a vegetated block wall and connected by underground coaxial cables to the building on which the antennas are to be mounted. The Verizon building has operated under an approved landscape plan which has resulted in mature vegetation that completely screens the block wall surrounding the parking lot where the Verizon Wireless equipment shelter will be located, eliminating any visibility of the equipment shelter from public view. Photographs of the existing Verizon building and parapet where the Verizon Wireless facility will be located are attached as Exhibit A.

II. Federal Law

Verizon Wireless is licensed by the Federal Communications Commission (the "FCC") to provide wireless telecommunications services throughout the United States, including Santa Barbara County. The siting of wireless communications facilities ("WCFs"), including the one at issue here, is governed by both federal law and by local land use regulations such as the Code. The federal Telecommunications Act (the "TCA") attempts to reconcile any potential conflicts between the need for deployment of new WCFs and local land use authority "by placing certain limitations on localities' control over the construction and modification of WCFs." *See Sprint PCS Assets, LLC v. City of Palos Verdes Estates*, 583 F.3d 716, 721 (9th Cir. 2009). Specifically, the TCA preserves local control over land use decisions, subject to the following explicit statutory restrictions:

- The local government must act on a permit application within a reasonable period of time (47 U.S.C. §332(c)(7)(B)(ii));

- Any denial of an application must be in writing and supported by substantial evidence contained in a written record (47 U.S.C. §332(c)(7)(B)(iii));
- The local government may *not* regulate the placement, construction, or modification of WCFs on the basis of the environmental effects of radio frequency emissions to the extent such facilities comply with the FCC's regulations concerning such emissions (47 U.S.C. §332(c)(7)(B)(iv));
- The local government may not unreasonably discriminate among providers of functionally equivalent services (47 U.S.C. §332(c)(7)(B)(i)(I)); and
- The local government's decision must not "prohibit or have the effect of prohibiting the provision of personal wireless services" (47 U.S.C. §332(c)(7)(B)(i)(II)).

As interpreted under controlling federal court decisions, the "substantial evidence" requirement means that a local government's decision to deny an application must be "authorized by applicable local regulations and supported by a reasonable amount of evidence (i.e., more than a 'scintilla' but not necessarily a preponderance)." *See Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 725 (9th Cir. 2005). In other words, a local government must have specific reasons that are both consistent with the local regulations and supported by substantial evidence in the record to deny a wireless facility permit.

While a local government may regulate the placement of WCFs based on aesthetics, it must have specific reasons that are both consistent with the local regulations and supported by substantial evidence in the record. Generalized concerns or opinions about aesthetics or compatibility with a neighborhood are insufficient to constitute substantial evidence upon which a local government could deny a permit. *See City of Rancho Palos Verdes v. Abrams*, 101 Cal.App.4th 367, 381 (2002).

Local governments are specifically precluded under the federal statute from considering any alleged health or environmental effects of RF emissions of proposed WCFs "to the extent such facilities comply with the FCC's regulations concerning such emissions." 47 U.S.C. §332(c)(7)(B)(iv). The courts have made clear that federal law preempts any local decision based on the alleged health or environmental effects of RF emissions, even when such arguments are cloaked in the guise of other purported concerns (such as alleged impacts on and property values). *See e.g., AT&T Wireless Services of California LLC v. City of Carlsbad*, 308 F.Supp.2d 1148, 1159 (S.D. Cal. 2003) (concerns regarding property values were a proxy for issues related to RF emissions and could not justify denial).

A local government violates the "effective prohibition" clause of the TCA if it prevents a wireless provider from closing a "significant gap" in service by the least

intrusive means. This issue involves a two-pronged analysis: (1) whether the provider has demonstrated the existence of a “significant gap” in coverage; and (2) whether the proposed facility is the “least intrusive means,” in relation to the land use values embodied in local regulations, to address the gap. See *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987 (9th Cir. 2009); see also *T-Mobile West Corp. v. City of Agoura Hills*, 2010 U.S. Dist. LEXIS 134329 (C.D. Cal. Dec. 20, 2010).

If a provider demonstrates both the existence of a significant gap in coverage, and that the proposed facility meets the “least intrusive means” standard, the local government is *required* to approve the facility, even if there would otherwise be substantial evidence to deny the permit under local land use provisions. This is because the requirements for federal preemption have been satisfied, i.e., denial of the permit would “have the effect of prohibiting the provision of personal wireless services.” 47 U.S.C. §332(c)(7)(B)(1)(ii); *City of Anacortes*, 572 F.3d at 999. For the local jurisdiction to avoid such preemption, it must show that another alternative is available, that it is technologically feasible, and that it is “less intrusive” than the proposed facility. *T-Mobile v. Anacortes*, 572 F.3d at 998-999.

With this legal framework in mind, we address below the specific issues before this Board of Supervisors with respect to Verizon Wireless’s permit application. As we will explain, granting the appeal would violate federal law in the following respects.

III. Substantial Evidence for Approval, Lack of Substantial Evidence for Denial

As thoroughly described in the Staff Report for the May 23, 2012 Planning Commission hearing and confirmed by the approval of the Planning Commission, Verizon Wireless has submitted substantial evidence to support the Approved Facility. The Approved Facility qualifies as a Tier 4(a) facility under Code §35.444.010(C)(4)(a) and is permitted in a residential zone subject to the development standards set forth in Code §35.444.010(D). In keeping with the development standards, the Approved Facility is a collocation in which antennas will be entirely hidden from view behind an RF-transparent parapet that matches the existing parapet which presently conceals the existing Cingular antennas.

As detailed in the Planning Commission Staff Report, the Approved Facility fully complies with setback requirements, height limits, materials, lighting, landscaping and visibility standards and indeed all requirements of Code §35.444.010(D). Further, as required under federal law and the Code, the Statement of Hammett & Edison, Inc., Consulting Engineers, dated May 2, 2012 (the “H&E Report”), as submitted by Verizon Wireless, fully confirms compliance with all applicable FCC guidelines for RF emissions. Noise data provided by Verizon Wireless confirms that the facility will operate in full compliance with all required noise limits. Determined by Planning Department staff to be exempt under CEQA Guidelines §15301, “Existing Structures”,

and §15303, “Small Structures”, the Approved Facility simply imposes no environmental impacts on the neighboring community.

In contrast, Appellants have provided only generalized concerns and no evidence, let alone the substantial evidence required, to support denial of the application under federal law. Generic criticisms of proximity to certain properties, compatibility with surrounding land uses, neighborhood character and viability of the underlying 1965 conditional use permit for the existing Verizon building are not evidence and do not rise to the level of substantial evidence required for denial of a facility under federal law. Similarly, and as described below, Appellants’ underlying concerns regarding the health effects of the facility on adjacent churches and schools cannot be considered as substantial evidence for denial of a wireless facility as confirmed by applicable case law described above.

IV. Radio Frequency Emissions

As noted above, local jurisdictions are preempted from regulating the environmental effects of RF emissions where, as here, it has been shown that the proposed wireless facility complies with applicable FCC guidelines. As set forth in the H&E Report, the Approved Facility fully complies with applicable FCC guidelines and will operate well within (and actually far below) all applicable FCC public exposure limits. Indeed, the H&E Report calculates the cumulative power levels for both the Approved Facility and existing Cingular facility and concludes that “The maximum calculated cumulative level at ground, for the simultaneous operation of both carriers, is projected to be 9.5% of the public exposure limit.”¹ Therefore, any decision of the Board of Supervisors on the appeal that is based upon the environmental effects of RF emissions is fully pre-empted by federal law.

As set forth in the appeal and as reflected in letters accompanying the appeal from neighboring property owners, the opposition to the Approved Facility is largely based upon concerns over the health effects from RF emissions and the impact those fears may have on property values. This has been further confirmed by Appellants’ continued request for additional RF emissions data through their consultant, Cindy Sage & Associates. While Verizon Wireless’s independent RF engineer, Hammett & Edison, Inc., Consulting Engineers has responded to these requests and Verizon Wireless representatives have repeatedly met with Appellants and neighbors to resolve RF concerns, the fact remains that the H&E Report fully and completely confirms that the site will operate in compliance with FCC guidelines.

As cited above, the H&E Report verifies that the Approved Facility will operate at more than ten times below federal public exposure standards on the ground adjacent to

¹ H&E Report, p. 3.

the facility or at any nearby building. Given this uncontroverted evidence, granting of the appeal on this basis is prohibited by federal law. The federal preemption applies whether local regulation is directly based on emissions or indirectly based on a proxy such as property values. In light of the federal preemption of RF regulation, “concern over the decrease in property values may not be considered as substantial evidence if the fear of property value depreciation is based on concern over the health effects caused by radio frequency emissions.” *AT&T Wireless v. City of Carlsbad*, 308 F.Supp.2d 1148 at 1159.

V. Approval Avoids Unreasonable Discrimination

The County of Santa Barbara granted approval to the existing Cingular facility in 2004. The impacts from the existing Cingular facility are negligible as the antennas are fully screened behind a parapet and the radio equipment shelter is located behind a landscaped block wall. The Approved Facility will similarly add antennas fully screened behind the same parapet and an equipment shelter placed behind the same landscaped block wall. As properly determined by the Planning Commission and Planning Department staff, the Approved Facility poses no new impacts and certainly no impacts that are dissimilar to the minimal impacts of the Cingular facility. Under the circumstances, where the Approved Facility is clearly “similarly situated” to the approved Cingular facility, approval of the Approved Facility avoids it from being “treated differently” than the Cingular facility and avoids discrimination under 47 U.S.C. §332(c)(7)(B)(i)(I).

VI. Approval Avoids Prohibition of Verizon Wireless Service

Appellants do not challenge the significant gap in coverage identified by Verizon Wireless. As described in the Statement of Dewayne Bonham, Verizon Wireless Radio Frequency Design Engineer (the “RF Statement”) attached as Exhibit B, there will be a significant gap in Verizon Wireless coverage in Montecito following the decommissioning of the QAD Site. In total, the Approved Facility will ensure continued Verizon Wireless service over an area of 13 square miles and will enhance E911 locator service for nearly 20,000 residents.

Similarly, Appellants fail to provide any evidence of a less intrusive feasible alternative to the Approved Facility that would provide wireless service to the identified significant gap. That is because there is no less intrusive alternative under the Code to a fully-screened collocation like the Approved Facility. As shown in the Alternatives Analysis attached as Exhibit C, collocation of the concealed Approved Facility on an existing Verizon building that already hosts an operating Cingular facility is clearly the least intrusive means of providing service within the significant gap under the values expressed in the Code. There are simply no other collocation opportunities within

Montecito that would be less intrusive than the Approved Facility and would provide equivalent service to the identified significant gap.

Where Verizon Wireless has identified a significant gap in coverage and shown that the Approved Facility is the least intrusive means to provide service within that gap in coverage under the values expressed in the Code, denial of the appeal and approval of the Approved Facility avoids violation of 47 U.S.C. §332(c)(7)(B)(i)(II).

VII. Grounds for Appeal are Without Merit

As set forth above, federal law compels denial of the appeal. In addition, as thoroughly reviewed in the Planning Commission Staff Report, the Appellants' procedural grounds for appeal lack merit and provide no basis for the Board of Supervisors to reverse Planning Commission approval of the Approved Facility. To summarize, Appellants' five grounds of appeal must be dismissed as follows:

A. Additional Findings for Telecommunications Facilities (Code §35.444.010(G))

Appellants' specific grounds for appeal allege that the Planning Commission erred in making certain required findings for wireless facilities in Montecito. However, while stating generalized objections to the Approved Facility such as "commercial intensification" and incompatibility with the "small-town, semi-rural character", Appellants fail to identify any specific evidence or fact that would contradict the Planning Commission's well-reasoned findings and decision. While focusing on setback and noise concerns with respect to each finding (addressed below), Appellants provide no specifics to support these grounds and indeed there are none. Appellants' generalized objections simply do not qualify as the substantial evidence needed to grant the appeal.

B. Setbacks

The existing Verizon building was constructed pursuant to a conditional use permit granted in 1965. In addition to the existing building, the 1965 improvements include an approximately 8 foot tall block wall which currently benefits from over four decades of mature landscaping. The Approved Facility is fully constructed within the envelope of the existing building and improvements. As determined by staff and affirmed by the Planning Commission, setbacks attendant to the 1965 conditional use permit and improvements apply to the Approved Facility. Appellants' challenge to these setbacks is entirely in error and cannot stand as a basis for reversing the well-reasoned findings of the Planning Commission.

C. Noise

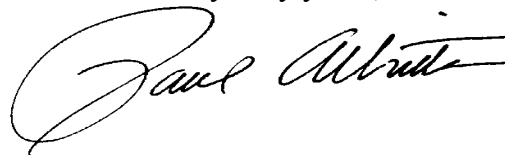
The only noise-generating features of the Approved Facility are the air conditioners placed at one end of the equipment shelter, required to keep the facility cool in warm weather. Noise specifications for these air conditioners were supplied to Planning Department staff as part of Verizon Wireless's application and deemed inconsequential given the limited noise generated and the fact that the equipment shelter is separated from the nearest property line by a concrete block wall. Notably, the existing Cingular facility at the site has operated since 2004 with nearly identical air conditioning without complaint. Appellants' objections to the Approved Facility based on noise from what are equivalent to household air conditioners behind a block wall are simply overstated.

In order to fully inform Planning Department staff, Verizon Wireless provided noise specifications for a typical roll-up generator that may be located at the facility during times of extended power outages. The Approved Facility is equipped with backup batteries, and a generator will only be required once backup batteries have been exhausted and will be subject to any applicable permitting requirements at that time. Like the air conditioning units, the temporary generator will create minimal noise impacts which will fully comply with County noise requirements. Appellants' alleged claims that noise impacts from the Approved Facility will violate applicable noise standards are entirely in error and cannot stand as a basis for reversing the well-reasoned findings of the Planning Commission.

Conclusion

The Planning Commission and Planning Department staff in its thorough Planning Commission Staff Report fully support approval of the Approved Facility. There is no basis for denial of the Approved Facility under federal law. Indeed, based on the substantial evidence for approval (and lack of any evidence for denial), the prohibition of denial based on the environmental effects of radio frequency emissions and the likely prohibition of service, federal law compels denial of the appeal and affirmation of the Planning Commission approval of the Approved Facility. Residents of Montecito desperately need the continued Verizon Wireless service to be provided by the Approved Facility. We urge you to affirm approval of this necessary infrastructure for your community.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul Albritton", written in a cursive style.

Paul B. Albritton

Santa Barbara County Board of Supervisors
August 8, 2012

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cc: Michael Ghizzoni, Chief Assistant County Counsel
Megan Lowery, Planner
Anne Almy, Supervising Planner

Schedule of Exhibits

Exhibit A: Photographs

Exhibit B: Statement of Verizon Wireless Radio Frequency Design Engineer
Dewayne Bonham

Exhibit C: Alternatives Analysis



Proposed Antennas (screened by façade)





August 8, 2012

To: Santa Barbara County Board of Supervisors

From: Dewane Bonham, RF Design Engineer, Verizon Wireless

Subject: Statement in Support of Verizon Wireless's Proposed Telecommunications Facility at 512 Santa Angela Lane, Santa Barbara County

Summary

Verizon Wireless must decommission its existing Montecito cell site on Ortega Ridge Road by October 20th of this year. The resulting loss of coverage would make the Verizon Wireless network inaccessible to 1,473 people and 13 square miles of Santa Barbara County. The coverage gap would also impact two state highways (traveled by over 80,000 vehicles per day) and E911 call locator service for 20,428 residents. To address this gap in service, a new facility is required to allow Verizon Wireless to provide uninterrupted reliable wireless coverage within this coverage gap area. A completely concealed co-location facility on an existing Verizon Building at 512 Santa Angela Lane received the unanimous approval of the Montecito Planning Commission on May 23, 2012 (the "Approved Facility").

Coverage Gap

The coverage gap is located between several existing Verizon Wireless sites. The closest site to the east lies along Route 101 three miles distant from the Approved Facility in Summerland. To the west, several sites cover the city of Santa Barbara. The closest of these sites to the Approved facility lies three miles away at the intersection of Montecito Street and Quarantina Street. Once the Ortega Ridge Road site is decommissioned, Verizon Wireless service will be impacted between the 101 and Los Padres National Forest over a large area bordered on the east by Ortega Ridge Road and west by Sycamore Canyon Road. A lack of service in this area would constitute a significant gap in the Verizon Wireless network. Exhibit A is a detailed prediction of coverage in the area once the Ortega Ridge site has been decommissioned. Green-shaded areas indicate areas where the signal is strong enough for reliable indoor coverage, yellow-shaded areas indicate areas where the signal is strong enough for in-transit service but in-building service is unreliable, and red-shaded areas indicate areas where the signal would be usable outdoors but not reliable in vehicles and unreliable or unavailable in buildings. Unshaded areas indicate

where little or no usable signal will exist. The Proposed Facility location is marked in blue. The approved Verizon Wireless site is designed to address the gap in service that will result from the required decommissioning of the Ortega Ridge site.

Vehicular Coverage Gap

Without the Ortega Ridge site, signal levels along most roadways within the gap area will be insufficient to provide reliable in-vehicle cellular communications. In addition to county roads, two highways will be impacted by the gap: 192 and 1/101. Highway 192 is a California State highway which links Santa Barbara, California to State Route 150. The two lane road experiences a daily traffic volume of about 2,600 vehicles.¹ Also, a key area of heavily traveled route 1 / 101 near the intersection of Sheffield Road will also be without reliable mobile service absent the Approved Facility. Between 76,000 and 80,000 vehicles per day use this section of highway.² The Approved Facility is vital to maintaining network reliability along roads in the gap area.

E911 Service Gap

As a telecommunications carrier licensed by the Federal Communications Commission and as one of the two largest carriers serving California, Verizon Wireless is committed to providing reliable emergency services to the public. The anticipated coverage gap to be served by the approved site affects not only the ability to reliably make emergency calls within the gap area, but also the ability of the network to relay the geographic location of the calling device to assist public safety professionals in locating callers in distress (“E-911 Service”). The Approved Facility will provide the area with E-911 Service and enhance E-911 Service for an estimated 20,428 residents within the gap area. Furthermore, The Santa Barbara County Sheriff’s Office and Montecito Fire Protection District both use Verizon Wireless service in carrying out their official duties. In fact, the area served by the Approved Facility contains a large swath of steep and wooded residential and open space areas classified by CalFire as a “Very High” fire hazard severity zone.³ In the event of a wildfire, cellular communications have proven vital to rescue and firefighting efforts.⁴ In the event of a fire emergency, the proposed facility will provide emergency services personnel with potentially lifesaving communications capability.

¹www.montecitofire.com/resources/pdf/Station_3/Recirc_Draft_EIR_Components/2.0_Project%20Description.pdf

² www.sbcag.org/Meetings/SCSPC/2012/03%20March/Item%207%20FSP.pdf

³ http://frap.cdf.ca.gov/webdata/maps/santa_barbara/fhszs_map.42.pdf

⁴ "Cell phones proved to be valuable backups." Jeff Frazier, operations chief for the San Diego Fire-Rescue Department (after 2,200 homes were lost in the Cedar Fire).

Conclusion

The required decommissioning of the Ortega Ridge site will remove coverage over a large portion of Montecito and Santa Barbara County. To prevent this unacceptable loss of service to our customers, Verizon Wireless has worked with Santa Barbara County to gain Planning Commission approval of this co-location site on an existing Verizon building. Completely screened with no impacts to the community, the Approved Facility will help Verizon Wireless continue to provide Montecito and Santa Barbara County with reliable wireless service.


Respectfully submitted,


 8/8/2012


Dewane Bonham
RF Design Engineer
RF Engineering Department - Verizon Wireless





Montecito - Coverage Gap

Sectors 




 Proposed Facility

 collector_road

 secondary_highway

 major_highway

CDMA Ec Multiple Carriers
F1
Clr: RSSI (dBm)

-  \geq In-Building
-  \geq In Vehicle
-  \geq On Street

Scale: 1:22000

verizonwireless

GeoPlan v5.8.5

Proprietary and Confidential

Alternatives Analysis

**Verizon Wireless
Montecito
512 Santa Angela Lane**



August 8, 2012

**Summary of Site Evaluations
Conducted by SAC Wireless**

Compiled by Mackenzie & Albritton LLP

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I. Executive Summary

In October 2012, Verizon Wireless must decommission its wireless facility on Ortega Ridge Road that currently serves the Montecito area, which will result in a significant gap in coverage. The gap includes significant commercial and residential areas of Montecito as well as County roadways and two highways. Based on an extensive review of available sites as set forth in the following analysis, Verizon Wireless believes the proposed collocation of antennas on an existing Verizon building (the “Approved Facility”) constitutes the least intrusive alternative to help fill the identified coverage gap based on the values expressed in the Montecito Land Use & Development Code (the “Code”).

II. Coverage Gap

Verizon Wireless Performance Engineers have determined that there will be a significant gap in coverage in the Montecito area following decommissioning of the Ortega Ridge Road Verizon Wireless site in October 2012. The gap would extend from Highway 101 on the south to Las Padres National Forest on the north, bordered on the east by Ortega Ridge Road and on the west by Sycamore Canyon Road (the “Coverage Gap”). The Coverage Gap is more fully described in the Statement of Verizon Wireless Radio Frequency Design Engineer Dewayne Bonham date August 8, 2012.

III. Methodology

Once a coverage gap has been determined, Verizon Wireless seeks to identify a proposal that will provide coverage through the “least intrusive means” based upon the values expressed by local regulation. In addition to seeking the “least intrusive” alternative, sites proposed by Verizon Wireless must be feasible. In this regard, Verizon Wireless reviews the topography, radio frequency propagation, elevation, height, available electrical and telephone utilities, access, and other critical factors such as a willing landlord in completing its site analysis. Wherever feasible, Verizon Wireless seeks to identify collocation opportunities that allow placement of wireless facilities with minimal impacts.

The Code establishes the priority for wireless facility location and design in Montecito. While the Code allows the placement of certain temporary or small facilities and facilities in nonresidential zones through administrative procedures, the Code further provides for facilities in residential zones with a Conditional Use Permit under Code §35.44.010(C)(4)(a) subject to development standards provided under Code §35.44.010(D). Under these development standards, collocation is required where available with only certain exceptions. (Code §35.44.010(D)(2)(c)) Additional development standards clearly favor sites that do not disrupt scenic view corridors and that minimize aesthetic impacts through screening and camouflage.

IV. Analysis

For the last five years, Verizon Wireless has sought to identify a suitable location for its wireless facility to serve Montecito. As collocation of facilities is generally required where available under Code §35.444.010(D)(2)(c), Verizon Wireless sought collocation sites which could provide radio frequency propagation to the Coverage Gap. Two such collocation sites were found, one located in public utilities zoning district and another located on a residentially-zoned parcel with a long-established telecommunications use. Additionally, while they are not collocations, two nearby sites were considered that are located in non-residential areas which could potentially provide radio frequency propagation to the Coverage Gap.

Collocation Sites

The clear preference for siting of wireless communications facilities under the Code is collocation with existing wireless facilities. Verizon Wireless identified two collocation opportunities which could serve the Coverage Gap, only one of which creates no visual impacts, as detailed below.

1. Verizon Building (Approved Facility)

512 Santa Angela Lane

Elevation: 215 feet

Zoning: 20-R-1



This Verizon building has been used as a telephone switch serving Montecito customers since 1965 and has supported a Cingular wireless facility since 2004. Verizon Wireless selected this site for its facility because it is the only collocation opportunity which can serve the Coverage Gap once the Ortega Ridge Road facility is decommissioned and also creates no visual impacts. The Verizon building already supports architectural features that will fully screen Verizon Wireless's antennas. An RF-transparent parapet that has long hidden the existing Cingular antennas will also conceal Verizon Wireless's antennas from any public view. Similarly, a concrete block wall that surrounds the building's parking lot (and is also covered with mature vegetation) will screen the new Verizon Wireless radio equipment shelter from view. This collocation opportunity does not create any new antenna structure. Because the placement of the facility on the Verizon building accords with the Code preference for collocation facilities and is fully screened from any public view, it is the least intrusive means to provide continued service to this area of Montecito.

2. **Montecito Water District**
583 San Ysidro Road
Elevation: 230 feet
Zoning: PU



The Montecito Water District office is located on a three acre parcel one-tenth of a mile northeast of the Approved Facility and 15 feet higher in elevation, and it is the site of a small antenna mast which hosts Montecito Water District and Montecito Fire Protection District antennas. Collocation of Verizon Wireless antennas at this site will require replacement of the existing slender mast with a monopole capable of holding Verizon Wireless panel antennas and tall enough to create necessary radio frequency separation to avoid interference with existing antennas. In addition, a 250 square foot radio equipment shelter would have to be located on the property. Because collocation of the Verizon Wireless facility at the Montecito Water District office would create visual impacts from a new monopole and equipment structure, it is an unsuitable alternative relative to the Approved Facility collocated on the Verizon building, which creates no visual impacts. Notwithstanding these impediments, Verizon Wireless entered into lease negotiations with the Montecito Water District in 2007. Ultimately, the water district was not a willing landlord to host a Verizon Wireless facility at this location. Lacking a willing landlord, this is not presently a viable alternative.

Non-collocation Sites

Notwithstanding Code requirements that prefer collocation of facilities, Verizon Wireless investigated two nearby non-residential (commercial) sites which could provide sufficient radio frequency propagation to the Coverage Gap.

- 3. Montecito Village Shopping Center**
East Valley Road
Elevation: 210 feet
Zoning: CN



The Montecito Village Shopping Center is located due east of the Approved Facility and five feet less in elevation. The 3.3 acre shopping center is composed of numerous buildings designed in the Spanish Colonial Revival architectural style with distinctive tiled and sloping rooftops. Installation of antennas on these buildings would require alterations to accommodate antennas at a sufficient height for radio frequency propagation, disrupting the uniform style adopted for Montecito's commercial development. Aside from required parking spaces in front of the various retail establishments, the land occupied by the shopping center buildings is completely built-out, leaving no room for a wireless facility radio equipment shelter. Due to architectural and space constraints, the Montecito Village Shopping Center is not a feasible location for Verizon Wireless's facility. As noted, this site does not provide required collocation where another collocation is otherwise available.

4. **The Old Firehouse**
1486 East Valley Road
Elevation: 200 feet
Zoning: CN



This historic landmark is situated some 15 feet lower in elevation and 300 feet east of the Approved Facility and recently underwent historic renovation as a bank. The building's most prominent feature is a tower that was originally used for drying cloth-covered fire hoses. While the top of the tower structure might provide sufficient height for Verizon Wireless's antennas, it would not be possible to place the antennas in the tower without obstructing the open air arches and altering the tower's historical character. Additionally, space is too limited to conceal the required number of panel antennas, which would have to be mounted externally to the historic façade. Considering the Code's emphasis on architectural integration of telecommunications facilities, the Old Firehouse would not be a preferable alternative as it would disrupt the character of the tower's historic architecture. As noted, this site does not provide required collocation where another collocation is otherwise available.

Conclusion

Verizon Wireless evaluated several site alternatives within the Coverage Gap. Based on the foregoing analysis, Verizon Wireless concludes that the proposed fully-screened collocation facility at the existing Verizon building is the least intrusive means to provide continued Verizon Wireless service to critical areas of Montecito where service will not be available following the decommissioning of the existing Verizon Wireless site at Ortega Ridge Road.

**Verizon Wireless
Montecito
Locations of Sites
Proposed and Alternatives**

