

County of Santa Clara

Department of Planning and Development
County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, CA 95110
Phone: (408) 299-5700
www.sccplandev.org



March 15, 2023

Alex Salgado
Crown Castle USA, Inc.
200 Spectrum Center Dr., Ste 1700
Irvine, CA 92618

Alex.Salgado@crowncastle.com
BY EMAIL ONLY

FILE NUMBER: PLN23-029
SUBJECT: ASX for Cell Tower Colocation/Modification – Major: Install a 15-foot cell tower extension, modify the height from 35 feet to 50 feet, and add new diesel generator to fenced enclosure
SITE LOCATION: 13145 Murphy Avenue, San Martin (APN 825-37-039)

Dear Mr. Salgado:

The application for an Architecture and Site Approval Administrative Review (ASX) is **incomplete**. For the application processing to resume, please resolve the following issues and submit the information listed below.

Resubmittals are to be made electronically with Rebecca Rockom, the assigned project manager/planner, and must include all requested information along with a completed application form (which is used to track the resubmittal). Once the information is resubmitted, the Planning Office will distribute the plans, reports and/or information to the appropriate staff or agency for review.

If there are any questions about the information requested, please contact the specific staff for that item.

A VIRTUAL APPOINTMENT IS REQUIRED FOR A RESUBMITTAL. PLEASE EMAIL ME TO SCHEDULE AN APPOINTMENT.

Please submit electronic copies of the revised plans /resubmittal documents (PDF) with a *written response* addressing the following items.

PLANNING OFFICE

Contact (408) 299-5707 or rebecca.rockom@pln.sccgov.org regarding the following comments:

1. Please note the model and tank size for the proposed generator in the resubmittal. Planning Staff needs to verify the size of the tank and the overall generator dimensions.
2. Note on site plans (in addition to the existing “installer notes”) that the existing paint color is to be matched, along with the specs of the actual paint color. If existing paint color cannot be determined, previous Conditions of Approval have specified “dark earth tone colors in a non-glare finish”.
3. Please add a sheet with the full elevation of both existing tower and fenced enclosure, and the proposed tower and fenced enclosure to the scale plans.
4. Note that there is an open violation on the parcel (VIO-6417). Pursuant to County Code [Section C1-71](#), a *compliance agreement* will need to be signed and recorded prior to the issuance of any entitlement or development permits.

Airport Land-Use Commission Review

5. Prior to further processing of this application, the applicant must obtain a FAA No Hazard Determination and submit the determination to the Planning Office for review. If the No Hazard Determination does not allow the currently proposed height, modify as necessary.

To obtain a No Hazard Determination, go to the following URL:

<https://oeaaa.faa.gov/oeaaa/external/userMgmt/permissionAction.jsp?action=showRegistrationForm>

Additional review may be necessary pending the outcome of the No Hazard Determination.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 299-5748 or darrin.lee@cep.sccgov.org regarding the following comments:

6. Submit plans and associated documentation and required fees to the Hazardous Materials Compliance Division (HMCD) of the Department of Environmental Health at 1555 Berger Drive, Suite 300, San Jose, CA 95112-2716. Contact HMCD at (408) 918-1982 (Mickey Pierce) to ensure all necessary materials are included in the plan submittal. This is a separate submittal to DEH and additional fees may apply.

Submit a completed Hazardous Materials Clearance Form (available at www.EHinfo.org/hazmat) to the Hazardous Materials Compliance Division of the Department of Environmental Health at 1555 Berger Drive, Suite 300, San Jose, CA 95112-2716. This is a separate submittal to DEH and additional fees may apply. Upon obtaining a signed hazmat clearance form, upload the requested clearance form to the DEV record via Accela's public portal.

FIRE MARSHAL'S OFFICE

Contact Alex Goff at (408) 299-5763 or alex.goff@sccfd.org regarding the following comments:

7. Plans reference the 2019 code cycles, it appears this submittal should reference the 2023 code cycles.

8. Plans are to state the existing, new and total amounts of Energy System kWh to be reviewed per section 1207 of the CFC. This will determine if other permits will be required for Fire Hazmat.
 - a) Plans are to state the type of batteries along with the kWh.
9. Plans are to state the existing, new and total amounts of any fuels used to power equipment, such as a generator.

Please make sure the requested changes are made for the revised plan sets and documents that are needed for the resubmittal. **Resubmittals are only accepted by appointment with the assigned project manager.** If the requested information is not submitted within **180 days**, you are required to pay a fee of 10% of the application fee at the time the information is submitted. All requested information must be submitted no later than **one (1) year** from the date of the incomplete letter. **PARTIAL RESUBMITTALS WILL NOT BE PROCESSED.** Fees required at the time of resubmittal will be those in effect at that time.

Note the ASX application has been charged a minimum fee and will be charged additional fees to continue processing when the initial payment is exhausted.

In submitting the land use application, the owner/applicant included an initial application fee. Application fees are categorized as "fixed fees" and "billable fees", based on the specific application types. "Fixed fee" applications do not require any additional fees to continue processing. However, when funds associated with a "billable fee" application have been spent, an additional deposit will be required to continue processing the application.

If you have questions regarding the application, please contact (408) 299-5707 or rebecca.rockom@pln.sccgov.org.

Sincerely,



Rebecca Rockom
Assistant Planner