MONTEREY COUNTY AIRPORT LAND USE COMMISSION



Monterey County ALUC Staff c/o HCD-Planning 1441 Schilling Place, 2nd Floor Salinas, CA 93901 Phone: (831) 755-5025 FAX: (831) 757-9516 Fionna Jensen : (831) 796-6407

SPECIAL MEETING AGENDA

Monterey Peninsula Airport District Board Meeting Room 200 Fred Kane Drive, Suite 200 Monterey, California

May 02, 2022

3:00 p.m.

IMPORTANCE NOTICE REGARDING PARTICPATION IN THE AIRPORT LAND USE COMMISSION MEETING

Starting January 24, 2022, all meetings of the Monterey County Airport Land Use Commission shall be held at the Monterey Peninsula Airport District Board Meeting Room. No teleconference option will be available for this meeting. <u>Airport Land Use Commission members must attend in-</u><u>person.</u> To participate in this Monterey County Airport Land Use Commission meeting, public participants are invited to observe and address the Commission in-person at the Board Meeting Room. Instructions for the public to participate are below:

Participate at the Physical Meeting Site: Monterey Peninsula Airport District, Board Meeting Road. 200 Fred Kane Drive, Suite 200, Monterey, CA 93940.

Meeting Instructions:

- 1. If a member of the public wishes to comment on a particular agenda item, the public is strongly encouraged to submit their comments in writing via email to the Commission staff at JensenF1@co.monterey.ca.us (Fionna Jensen). Comments should be submitted by 2:00 p.m. on the business day prior to the commission meeting date. To assist Commission staff in identifying the agenda item to which the comment relates, the public is requested to include the file number in the subject line. Comments received by the 2:00 p.m. deadline will be distributed to the Commission and will be placed in the record.
- 2. If speakers or other members of the public have documents they wish to distribute to the Commission for an agenda item, they are encouraged to submit such documents via email to the Commission staff at JensenF1@co.monterey.ca.us (Fionna Jensen). Documents should be submitted by 2:00 p.m. on the business day prior to the commission meeting date. To assist Commission staff in identifying the agenda item to which the document relates, the public is requested to include the file number in the subject line.
- 3. If applicants or members of the public want to present documents and/or Power Point presentations while speaking, they should submit the document and/or presentation electronically by 2:00 p.m. on the business day prior to the commission meeting date to Commission staff at JensenF1@co.monterey.ca.us (Fionna Jensen). If submitted after that deadline, staff will make best efforts, but cannot guarantee, to make the document and/or presentation available to present during the meeting.
- 4. While the matter is being heard, a member of the public may submit a comment via email, preferably limited to 250 words or less, to Commission staff <u>JensenF1@co.monterey.ca.us</u> (Fionna Jensen). To assist Commission staff in identifying the agenda item to which the comment relates, the public is requested to include the file

number in the subject line. If the comment is received prior to close of public comment on an agenda item, every effort will be made to read the comment into the record, but some comments may not be read out loud due to time limitations or length of the comment (e.g., if the comment exceeds 250 words). Comments received prior to the close of the public comment period on an agenda item will be made part of the record for that item.

- 5. Members of the public who wish to make a general public comment for items not on the day's agenda may submit their comment via email, preferably limited to 250 words or less, to the Airport Land Use Commission staff at JensenF1@co.monterey.ca.us (Fionna Jensen). The Airport Land Use Commission name and meeting date, and "general comment", should be indicated in the subject line. The comment will be placed in the record for the meeting, and every effort will be made to read the comment into the record at the appropriate time on the agenda.
- 6. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to the Commission staff at JensenF1@co.monterey.ca.us (Fionna Jensen). Such requests include but are not limited to: Wheelchair Accessible Facilities, Sign Language Interpreters and Printed Materials in large print, Braille, or on disk, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. The request should be made no later than 12:00 p.m. (i.e., noon) two (2) business days prior to the Airport Land Use Commission meeting date in order to provide time for the Commission staff to address the request.
- 7. The Commission Chair and/or Secretary may set reasonable rules as needed to conduct the meeting in an orderly manner.

1. CALL TO ORDER – Pledge of Allegiance

2. ROLL CALL

Any Commissioner who will not be able to attend the scheduled public meeting shall notify the Chair, their Proxy, and ALUC staff.

3. PUBLIC COMMENT

The Commission will receive public comment on non-agenda items within the purview of the Commission. It is not necessary to complete a speaker request form. The Chair may limit the length of individual presentations to 3 minutes.

4. COMMISSIONER'S COMMENTS

Commissioners may speak on non-agenda items within the purview of the Commission.

5. APPROVAL OF MINUTES April 25, 2022

6. CONSENT

None

7. SCHEDULED ITEMS

Note: Action listed for each item represents staff recommendation. The Commission may, at its discretion, take any action on the items listed on the Agenda.

a. ALUC File No. REF220028 / City of Monterey

Proposed adoption of an amendment to Chapter 38-112.4, Personal Wireless Service Facilities, of the City of Monterey's Municipal Code Proposed Action: ALUC find the proposed amendment consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport.

b. ALUC File No. REF220026 / Verizon

Proposed replacement of six wireless 4G antennas with six wireless 5G antennas and associated equipment improvements. Proposed Action: ALUC find the proposed project consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport.

c. ALUC File No. REF220029 / T-Mobile

Proposed replacement of three wireless 4G antennas with three wireless 5G antennas and associated equipment improvements. Proposed Action: ALUC find the proposed project consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport.

d. Airport Land Use Compatibility Plan (ALUCP) Update

Update regarding local jurisdiction progress on the requirement to amend applicable general and specific plans in response to the adoption of the ALUCPs for Monterey Regional Airport and Marina Municipal Airport.

Proposed Action: For information only. No action required.

e. Future Airport Land Use Compatibility Plan (ALUCP) Update Update regarding funding and staff resources for future updates to the ALUCPs for Salinas Municipal Airport and Mesa Del Rey (King City) Airport.

Proposed Action: For information only. No action required.

8. ANNOUNCEMENTS

9. ADJOURNMENT



MEMORANDUM

To:	Airport Land Use Commission	
From:	n: Fionna Jensen, ALUC Staff; April 14, 2022 (831) 796-6407, JensenF1@co.monterey.ca.us	
Meeting Date:	May 02, 2022	
Subject:	Scheduled Item 7a – Proposed adoption of an amendment (update) to Chapter 38-112.4, Wireless Communications Facilities, of the City of Monterey's Municipal Code (ALUC File No. REF220028).	

RECOMMENDATION:

Staff recommends the Monterey County Airport Land Use Commission (ALUC) find the proposed amendment to the Chapter 38 of the City of Monterey's Municipal Code (ALUC File No. REF220028) consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport (ALUCP).

BACKGROUND AND DISCUSSION:

On March 30, 2022, the City of Monterey submitted an application (ALUC File No. REF220028) to ALUC staff requesting consideration of a proposed amendment to the Chapter 38 of the City's Municipal Code (Zoning). The goal of this proposed Zoning Code amendment is to make the City' Wireless Communications Facilities Ordinance consistent with the Monterey Regional Airport Land Use Compatibility Plan (2019; ALUCP), incorporate Federal and State regulations pertaining to wireless communication facilities, and to provide clarity to the public pertaining to the City's Conditional Use Permit (CUP) processing, conditions and requirements for wireless communication facilities.

The amendment to Chapter 38, Zoning, proposes to add a new subsection, Section 38-112.4.C.3, to the City of Monterey's Municipal Code (Attachment C). This new subsection requires all wireless communications facilities located within an ALUCP Safety Zone (1-7) or Federal Aviation Administrative (FAA) defined airspace protection zone to be consistent with the ALCUP, specifically the established safety criteria matrix (Table 4B of the ALUCP). This subsection summaries the safety criteria of each Safety Zone. For example, a portion of the proposed subsection states,

"In Outer Approach/Departure Zone 4 and Airport Property Zone 6, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) The City shall refer objects greater than 70' tall to the ALUC and FAA." – Proposed Section 38-112.4.C.3.c of the City of Monterey's Municipal Code Additionally, the proposed Zoning Amendment prohibits wireless communications facilities from being placed in rights-of-ways or in a manner as to incommode the public use of the same, except such placement required under federal law. Finally, the proposed amendment also requires wireless communications facility applicants to submit certification that the project is consistent with the ALUCP and the applicable development standards, and submit any determinations made by the FAA or ALUC. Other amendments to Chapter 38, Section 112.4 relate to specific permitting processing, requirements, and conditions applicable to the City of Monterey and do not affect the ALUC's review.

CONSISTENCY DETERMINATION ANALYSIS:

ALUC staff reviewed the City's proposed amendment (update) to the Circulation Element in accordance with the adopted ALUCP as discussed below:

NOISE COMPATIBILITY

The proposed Amendment was reviewed for consistency with the most up-to-date Noise Contour Exposure Maps completed in 2018 for the MRY Airport Master Plan Environmental Impact Report. The Zoning Amendment does not propose any noise related updates to Section 38-112.4, Wireless Communications Facilities, because the current ordinance already requires compliance with City of Monterey noise regulations. Additionally, pursuant to Table 4A of the ALUCP, Noise Compatibility Criteria, wireless communications facilities are allowed uses in all Community Noise Equivalent Levels of the MRY (Exhibit 2E – Long Range Noise Exposure Contours). As a result, the proposed amendment is consistent with the ALUCP with regard to noise compatibility criteria, and no changes to the draft amendment and no conditions regarding noise are recommended.

AIRSPACE PROTECTION

ALUCP Policy 4.2.3 addresses the objective of airspace protection to avoid the development of land use conditions that would pose hazards to flight, such as airspace obstructions and interference with radar. Proposed Section 38-112.4.C.3 requires all wireless communications facilities located within a Safety Zone (1-7) or FAA defined airspace protection zone to be consistent the established safety criteria matrix (Table 4B of the ALUCP). If a wireless communication facility project does not comply with the height limit for each safety zone, the draft amendment requires the ALUC and FAA to review the project; this is in accordance with ALUCP Chapter 4.2.3.2, ALUC Review of Height of Proposed Objects and Criteria. Although it is anticipated that most future wireless communication facility projects will be confined to upgrading existing facilities from 4th Generation to 5th Generation broadband and therefore utilizing existing structures, the proposed zoning amendment also requires compliance with the ALUCP for new structures. Therefore, no changes to the draft amendment or conditions regarding airspace protection or other flight hazards are recommended.

SAFETY COMPATIBILITY

The Draft Wireless Communications Facility Ordinance will be applied citywide. As previously stated, proposed Section 38-112.4.C.3 requires all wireless communications facilities located within a Safety Zone (1-7) or FAA defined airspace protection zone to be consistent the established safety criteria matrix (Table 4B of the ALUCP). Wireless communications are not prohibited uses in any safety zone, unless considered a hazard to flight (e.g., height, electrical interference with aircraft or air traffic control communications or equipment, including radar, etc.). Because the ALUCP does not

establish thresholds for communication or equipment (including radar) electrical interference, City of Monterey Staff (when reviewing the CUP) and the ALUC (if review is required) shall rely on FAA standards and the Federal Communications Commission's (FCC) radiofrequency electromagnetic (RF-EME) Safety Guidelines, as set forth in the FCC Office of Engineering and Technology Bulletin 65, regarding limits for human exposure to RF fields. The current 2018 Wireless Communications Faculties Ordinances requires the applicant to submit a RF-EME assessment, prepared by a certified RF licensed engineer, that complies with the FCC's RF-EME Safety Guidelines, and failure to comply with these guidelines shall be a treated as a material violation of the terms of any agreement. The proposed amendment does not change this language. In response to the comment letter submitted by the Monterey Regional Airport staff, additional ordinance language is recommended (see Condition of Approval (ALUC-9)). This condition requires the City of Monterey to update the draft ordinance to include the following language to Section 38-112.4.C: "All wireless communications facilities located within the Monterey Regional Airport Influence Area (all safety zones), shall provide evidence to the City of Monterey Community Development Department – Planning demonstrating 1) submittal to the FAA the FAA Form 7460-1 Form, Notice of Proposed Construction or Alteration, 2) coordination with the FAA regarding tower activation, and 3) compliance with applicable FAA and FCC standards." Therefore, as proposed and conditioned, the amendment would not allow any new prohibited uses and does not warrant any additional conditions regarding safety compatibility.

Other minor recommendations to the draft amendment language include clarification between the ALUC and ALUCP and correcting the FAA form.

MONTEREY REGIONAL AIRPORT REVIEW:

Pursuant to ALUCP Policy 4.1.8.1, ALUC staff forwarded project information to Monterey Regional Airport staff on April 4, 2022, and Airport staff submitted a comment letter on April 22, 2022 (see Attachment D).

ALUC staff reviewed these comments and how they relate to the ALUCP for Monterey Regional Airport. As previously mentioned, the policy or direction pertaining to hazards of flight, specifically electrical interference, are absent in the ALUCP. Therefore, the Airport staff has requested that all 5G development be coordinated with the FAA to provide staff (City, Airport, ALUC) with 5G tower activation information as early as possible before the development occurs to reduce any aircraft disruption possibility to operations at Monterey Regional Airport. Additionally, Airport staff requested that 5G wireless communication facility applicants submit to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration). The FAA will use the information submitted on this form to conduct an aeronautical study, and if necessary, provide guidance on any course of action to prevent hazards to air navigation. Due to the absence of electrical interference regulations or thresholds in the ALUCP, ALUC staff finds the Airport staff requests appropriate and have included them as a condition of approval.

CONCLUSION:

Based on review and analysis of the proposed Personal Wireless Services Facility ordinance, staff recommends the ALUC adopt a resolution finding the proposed amendment (update) to Chapter 38 of the City of Monterey's Municipal Code consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport, subject to one condition of approval. The potential application of additional ALUC conditions would be better suited during the City of Monterey's review of any future wireless communication facility proposal. City staff may coordinate with ALUC staff to determine if conditions are appropriate (Table 4B of the ALUCP).

Attachments:

Attachment A	Draft ALUC Resolution, including draft Conditions
Attachment B	City of Monterey Consistency Analysis Letter,
	dated April 12, 2022 (prepared by Kim Cole,
	City of Monterey)
Attachment C	Draft Wireless Communications Facilities Ordinance
	(Chapter 38-112.4)
Attachment D	Monterey Regional Airport Comment letter, dated
	April 22, 2022

cc: ALUC Commissioners; ALUC Counsel; Monterey Peninsula Airport District (C. Morello); City of Monterey (Kim Cole); ALUC File No. REF220028

Attachment A - Draft Resolution Before the Monterey County Airport Land Use Commission, State of California

Resolution No. 22-00_

Finding the proposed adoption of an amendment (update) to Chapter 38-112.4, Wireless Communications Facilities, of the City of Monterey's Municipal Code consistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for Monterey Regional Airport.

REF220028, City of Monterey

WHEREAS, on March 30, 2022, the City of Monterey submitted an application (ALUC File No. REF220028) to ALUC staff requesting consideration of a proposed amendment to the Chapter 38 of the City's Municipal Code (Zoning); and

WHEREAS, the ALUC is responsible for the review of projects within the Airport Influence Area for Monterey Regional Airport, as identified in the 2019 ALUCP; and

WHEREAS, the goal of this proposed Zoning Code amendment is make the Wireless Communications Facilities Ordinance consistent with the Monterey Regional Airport Land Use Compatibility Plan (2019; ALUCP), incorporate Federal and State regulations pertaining to wireless communication facilities, and to provide clarity to the public pertaining to the City's Conditional Use Permit (CUP) processing, conditions and requirements for wireless communication facilities; and

WHEREAS, the amendment proposes to add a new subsection, Section 38-112.4.C.3, to the City of Monterey's Municipal Code requiring all wireless communications facilities located within an ALUCP Safety Zone (1-7) or Federal Aviation administrative (FAA) defined airspace protection zone to be consistent with the ALCUP, specifically the established safety criteria matrix (Table 4B of the ALUCP) and ALUCP Chapter 4.2.3.2; and

WHEREAS, pursuant to Table 4A of the ALUCP, Noise Compatibility Criteria, wireless communications facilities are allowed uses in all Community Noise Equivalent Levels of the MRY (Exhibit 2E – Long Range Noise Exposure Contours) and therefore, the proposed amendment is consistent with the ALUCP with regard to noise compatibility criteria; and

WHEREAS, the proposed Section 38-112.4.C.3 requires all wireless communications facilities located within a Safety Zone (1-7) or FAA defined airspace protection zone to be consistent the established safety criteria matrix (Table 4B of the ALUCP), and if a wireless communication facility project does not comply with the height limit for each safety zone, the draft amendment requires the ALUC and FAA to review the project. Therefore, adoption of the proposed amendment would require all

future wirless communications facilities to be consistent with the ALUCP with regard to airspace protection; and

WHEREAS, the amendment does not propose any development and does not allow any prohibited use as wireless communication facilities are an allowed use in all safety zones, unless considered a hazard to flight (e.g., height, visual, electrical interference with aircraft or air traffic control communications or equipment, etc.); and

WHEREAS, because the ALUCP does not establish thresholds or criteria for communication or equipment (including radar) electrical interference, City of Monterey staff (when reviewing the CUP) and the ALUC (if review is required) shall rely on FAA standards and the Federal Communications Commission's (FCC) radiofrequency electromagnetic (RF-EME) Safety Guidelines, as set forth in the FCC Office of Engineering and Technology Bulletin 65, regarding limits for human exposure to RF fields; and

WHEREAS, the ALUC recognizes that the FAA and FCC are the appropriate governing bodies to determine potential interference with communication and equipment; and

WHEREAS, the proposed amendment does not alter the current 2018 Wireless Communications Facilities Ordinance language which requires the applicant to submit an RF-EME assessment, prepared by a certified RF licensed engineer, that complies with the FCC's RF-EME Safety Guidelines, and failure to comply with these guidelines shall be a treated as a material violation of the terms of any agreement; and

WHEREAS, as conditioned, the proposed amendment would require all wireless communications facilities located within the Monterey Regional Airport Influence Area to provide evidence to the City of Monterey Community Development Department – Planning demonstrating 1) submittal to the FAA the FAA Form 7460-1 Form, Notice of Proposed Construction or Alteration, 2) coordination with the FAA regarding tower activation, and 3) compliance with applicable FAA and FCC standards; and

WHEREAS, ALUC staff included the proposed Wireless Communications Facilities Ordinance in the May 02, 2022 staff report to the ALUC; and

WHEREAS, on May 02, 2022, the ALUC conducted a duly noticed public meeting to consider the proposed amendment (update) to Chapter 38-112.4, Wiresless Communication Facilities, of the City of Monterey's Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use Commission does hereby find the proposed amendment (update) to Chapter 38-112.4, of the City of Monterey's Municipal Code consistent with the 2019 ALUCP for Monterey Regional Airport, incorporated herein by reference, and subject to one condition of approval.

PASSED AND ADOPTED on this 2nd day of May 2022, upon motion of Commissioner ______, by the following vote, to-wit:

AYES: NOES: ABSENT: ABSTAIN:

ATTEST Erik Lundquist, AICP, Secretary to the ALUC

By: Fionna Jensen, Designee of Secretary to the ALUC May 2, 2022

MONTEREY COUNTY AIRPORT LAND USE COMMISSION



ALUC CONDITIONS

The following standard and/or non-standard conditions may be applied to an application being considered before the ALUC. If the box next to the condition is marked, that indicates the condition is to be applied to the project as part of the ALUC recommendation.

PROJECT NAME: CITY OF MONTEREY ALUC FILE NO.: REF220028

 Prior to the issuance of a construction permit, the developer/owner shall grant an avigation and hazard easement to the appropriate airport authority. The easement shall be recorded at the Monterey County Recorder's Office. The easement may include: Right-of-flight at any altitude above the acquired easement surfaces. Right to cause noise, vibrations, fumes, dust and fuel particle emissions. Right to prevent construction or growth of all structures, objects or natural growth above the acquired easement surfaces. Right-of-entry to remove, mark or light any structures or growth above the acquired easement surfaces. Right to prohibit creation of electrical interference, unusual light sources and other hazards to aircraft flight. Any other limitation that the ALUC may recommend to protect the public's health, safety and welfare. ALUC-2 ALUC-3 ALUC-3 ALUC-4 ALUC-4 ALUC-3 ALUC-4 ALUC-4 ALUC-4 ALUC-4 ALUC-5 OBJECTS AFFECTING NAVIGABLE AIRSPACE 			T
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		Navigable Airspace.
	ALUC-6	EXTERIOR LIGHTING Prior to the issuance of a construction permit, an Exterior Lighting Plan shall be reviewed and approved by the applicable airport manager prior to the issuance of any construction permits. All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.
	ALUC-7	 TOWERS - MARKING AND LIGHTING When not specifically required by FAA Advisory Circular 70/7640-IF (Obstruction Marking and Lighting), the following ALUC recommendations shall be applied to towers: A flashing red beacon shall be installed at the highest point of the structure. A steady burning red obstruction light shall be installed at the highest point of the structure. A steady burning red obstruction light shall be installed at the intermediate level of the structure. Nine (9) day-glow markers (20" minimum) shall be installed on the top level of guide wires (3 to the wire). The applicant shall contact the FAA to publish a NOTAM (Notice to airmen) in Monterey County about the location of the proposed structure. Standard marking (orange and white striping) shall be installed, as defined in Chapter 3 of the FAA AC 70/7460-IF.
	ALUC-8	NO CONDITION REQUIRED The project, as reviewed by the ALUC, is consistent with the
	ALUC-9	CLUP for that jurisdiction and does not require any conditions. NON-STANDARD CONDITION (See attached)
	ALCO-3	

PROJECT REVIEWED BY THE ALUC ON: 5/02/2022

ALUC-9: NON-STANDARD CONDITION

Prior to the adoption of the Wireless Communications Facility Ordinance, the City of Monterey shall add the following language as Section 38-112.4.C.4:

"All wireless communications facilities located within the Monterey Regional Airport Influence Area (all safety zones), shall provide evidence to the City of Monterey Community Development Department – Planning demonstrating 1) submittal to the FAA the FAA Form 7460-1 Form, Notice of Proposed Construction or Alteration, 2) coordination with the FAA regarding tower activation, and 3) compliance with applicable FAA and FCC standards."

Prior to the adoption of the Wireless Communications Facility Ordinance, the City of Monterey shall submit evidence to the ALUC staff demonstrating that Section 38-112.4.C.4 has been added to the Ordinance, as stated above.



April 20, 2022

Monterey County Airport Land Use Commission % Fiona Jensen, Monterey County Planner JensenF1@co.monterey.ca.us

RE: City of Monterey Wireless Ordinance Update

Dear Commissioners,

The City of Monterey is proposing to update its existing wireless ordinance. The existing ordinance was approved in October 16, 2018 and the new ordinance will replace it.

The proposed ordinance addresses all the airport safety zones and references the prohibited uses and development conditions contained in the Comprehensive Land Use Plan. Ordinance Section 38-112.4.C.3 states:

All wireless communications facilities located within an airport safety zone as defined by the ALUC, or an airspace protection zone as defined by the FAA shall comply with applicable criteria in the Monterey Airport Land Use Compatibility Plan, and FAA standards. No work may proceed on a permit except in compliance with such standards, or without issuance of any required determinations of no hazard to aviation. No work may proceed on a permit where an applicant has failed to provide notices or seek reviews required under applicable requirements. Provided, nothing herein requires compliance with ALUC standards where such standards have been overruled in accordance with applicable law. Without limiting the foregoing, under the Airport Land Use Compatibility Plan in effect as of April 1, 2022:

a. In Runway Protection Zone 1, all structures are prohibited except facilities set by aeronautical function. No objects may exceed FAR Part 77 height limits as determined by the FAA. The City shall refer all objects within Zone 1 to the ALUC and FAA.

b. In Inner Airport/Departure Zone 2, Inner Turning Zone 3, and Sideline Safety Zone 5, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) Structures shall be located the maximum distance from extended runway centerline; and iii) The City shall refer objects greater than 35' tall to the ALUC and FAA.

c. In Outer Approach/Departure Zone 4 and Airport Property Zone 6, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) The City shall refer objects greater than 70' tall to the ALUC and FAA.

d. In Airport Influence Area Zone 7, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) The City shall refer objects greater than 100' tall to the ALUC and FAA; iii) New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 surfaces; and iv) New structures require additional airspace analysis and FAA form 7560 within the 50 foot terrain penetration buffer.

e. All structures that could penetrate 14 CFR Part 77 elevations must file Form 7460 with the FAA.

The City also added the following submittal requirement:

t. For any wireless communications facilities located within an airport safety zone as defined by the ALUC, or an airspace protection zone as defined by the FAA, applicant shall: submit a certification that it has reviewed the current Airport Land Use Compatibility Plan issued by the ALUC; attest whether the proposed project complies with applicable standards for development; state whether required notices have been provided and provide copies of any notices; and provide copies of any applications filed, and any determinations made by the ALUC or FAA.

The City of Monterey requests that the Monterey Airport Land Use Commission find the ordinance consistent with the Comprehensive Land Use Plan.

Sincerely,

Kimberly Cale

Kimberly Cole, AICP Community Development Director

ORDINANCE NO. ____ C.S.

Date: <MEETING_DATE>

Item No: <#>

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

AMENDING MONTEREY CITY CODE CHAPTER 38, ARTICLE 17, SECTION 112.4 – WIRELESS COMMUNICATIONS FACILITIES

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, the City of Monterey currently regulates the placement, design, construction and modification of wireless communications facilities in the City of Monterey;

WHEREAS, these regulations are designed to protect and promote the public's health, safety, and welfare;

WHEREAS, the City's aesthetics, unique historic setting, and views benefit residents, attract visitors worldwide, enhance property values, are a catalyst for economic development, and increase the City's tax base;

WHEREAS, the City finds that wireless communications facilities should not be placed in the rights-of-way at such points or in such manner as to incommode the public use of the same, except as such placement is required under federal law; and because of the impacts on the City and its residents, should not be placed at certain points or in such manner on public or private property unless required by federal law;

WHEREAS, the Planning Commission conducted a duly noticed public hearing on ______, took public testimony, held a discussion, and voted to recommend City Council adoption of the Zoning Ordinance amendment; and,

WHEREAS, the City of Monterey Planning Office determined the project is exempt from the California Environmental Quality Act (CEQA) Guidelines (Article 19, Section 15305, Class 5) because the project consists of a zoning ordinance amendment to modify existing regulations affecting wireless communication facilities, which would not result in any changes in density or traffic patterns. Additionally, the project is exempt from CEQA pursuant to CEQA Guidelines section 15308 (Class 8) as an action taken by a regulatory agency to assure the enhancement and protection of the environment, which includes the visual environment of the City. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2.

Exception a - Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental

resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The environment is not particularly sensitive because the project is purely a zoning ordinance amendment. Therefore, impacts would not occur. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Exception b - Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. No cumulative impact would occur because the project is purely a zoning ordinance amendment that would regulate the visual appearance of communications structures in the City right-of-way with uniform, objective standards. Therefore, cumulative impacts would not occur. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Exception c - Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances with this project because the project is purely a zoning ordinance amendment and the land use limitations imposed by the amendment are commonplace under Class 5 and Class 8 categorical exemptions. Therefore, significant impacts would not occur. Any subsequent discretionary projects resulting from this action will be assessed on a project-by-project basis for CEQA applicability.

Exception d - Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The project is purely a zoning ordinance amendment, which would not damage scenic resources, but rather, assure their protection. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Exception e - Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The project is purely a zoning ordinance amendment regulating the visual effect of communications structures. Therefore, impacts to hazardous waste sites would not occur. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Exception f - Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The project is purely a zoning ordinance amendment that would regulate the visual effect of communications structures in the City right-of-way, and not any historic resources. Therefore, impacts to historic resources would not occur. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Now therefore, the Monterey City Council declares as follows:

Section 2: The foregoing recitals are true and correct and are hereby adopted by the City Council.

Section 3: Section 38-112.4 is hereby repealed in its entirety and replaced with the following:

38-112.4 Wireless Communications Facilities

A. Purpose.

This section is enacted to reasonably regulate, to the extent permitted under California and federal law, the placement, design, construction, and modification of wireless communications facilities within the City of Monterey. These regulations are designed to protect and promote public's health, safety, and welfare. The City's aesthetics, unique historic setting, and views benefit residents, attract visitors worldwide, enhance property values, are a catalyst for economic development, and increase the City's tax base. The City's economy, as well as the well-being of all who work, visit or live in the City depends in part on maintaining the City's beauty.

B. Applicability.

- The provisions in this section shall be applied to all applications for new wireless communications facilities and all applications for changes to existing wireless communications facilities filed after the effective date of this section, unless the wireless communications facility is exempt from the permitting requirement. For all other applications, the provisions of Section 38-112.4 as it existed before the effective date shall apply.
- 2. This section is not intended to exempt wireless communications facilities from any applicable laws.
- 3. This section shall be interpreted and applied in a manner consistent with state and federal law.
- 4. The time within which any act provided by this ordinance is to be done has been computed to permit the City to comply with state and federal regulations governing the time for action on applications for wireless communications facilities, and may be extended by the City Manager where an extension will not result in a violation of those state or federal regulations, or otherwise prejudice the public, or shortened by the City Manager when necessary to prevent a violation of applicable law.

C. General Requirements.

1. Every wireless communications facility, whether or not installed pursuant to a use permit, shall:

a. Comply at all times with Federal Communications Commission ("FCC") standards for radiofrequency ("RF") emissions currently in effect or as may be amended;

b. Comply with all applicable state, federal and local laws and requirements.

c. Comply with conditions applicable to encroachments if located in the public rights-of-way.

- 2. No wireless communications facilities may be installed speculatively.
- 3. All wireless communications facilities located within an airport safety zone as defined by the ALUC, or an airspace protection zone as defined by the FAA shall comply with applicable criteria in the Monterey Airport Land Use Compatibility Plan, and FAA standards. No work may proceed on a permit except in compliance with such standards, or without issuance of any required determinations of no hazard to aviation. No work may proceed on a permit where an applicant has failed to provide notices or seek reviews required under applicable requirements. Provided, nothing herein requires compliance with ALUC standards where such standards have been overruled in accordance with applicable law. Without limiting the foregoing, under the Airport Land Use Compatibility Plan in effect as of April 1, 2022:

a. In Runway Protection Zone 1, all structures are prohibited except facilities set by aeronautical function. No objects may exceed FAR Part 77 height limits as determined by the FAA. The City shall refer all objects within Zone 1 to the ALUC and FAA.

b. In Inner Airport/Departure Zone 2, Inner Turning Zone 3, and Sideline Safety Zone 5, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) Structures shall be located the maximum distance from extended runway centerline; and iii) The City shall refer objects greater than 35' tall to the ALUC and FAA.

c. In Outer Approach/Departure Zone 4 and Airport Property Zone 6, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) The City shall refer objects greater than 70' tall to the ALUC and FAA.

d. In Airport Influence Area Zone 7, wireless communication facilities shall comply with the following development conditions: i) Airport disclosure notice shall be provided; ii) The City shall refer objects greater than 100' tall to the ALUC and FAA; iii) New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 surfaces; and iv) New structures require additional airspace analysis and FAA form 7560 within the 50 foot terrain penetration buffer.

e. All structures that could penetrate 14 CFR Part 77 elevations must file Form 7460 with the FAA.

- D. Planning Applications and Approvals Required
 - Use Permit Review. All new wireless communications facilities and all modifications to existing wireless communications facilities require a use permit issued pursuant to Section 38-156 et seq., except those subject to administrative review under this section.

The use permit for placement in the public rights-of-way, if granted, shall be deemed to constitute the encroachment permit required by Monterey City Code Chapter 32, Article 8. The application for a use permit must satisfy all the requirements for an encroachment permit, and without limitation any use permit issued shall be subject to all conditions set forth in, and regulations adopted pursuant to, that Chapter.

- 2. Administrative Review for Temporary Wireless Communication Facilities: A use permit may be issued for a temporary wireless communications facility by the Community Development Director under this section.
 - a. Application. An application for a temporary wireless communications facility shall provide a detailed description of the facility including: how it will be anchored or otherwise supported; where it will be placed; how it will be designed, secured, and marked to protect against harm to persons or property; the purpose of the placement; the duration it will be in place; and a certification by a California licensed structural engineer that the installation will be structurally safe.
 - b. Approval. Administrative approval shall be granted if:
 - i. The facility meets the definition of a temporary wireless communications facility;
 - ii. The proposed facility will be placed and protected to prevent hazards to persons and property, and so as not to unreasonably interfere with pedestrian or vehicular traffic or disrupt the use and enjoyment of adjoining properties;
 - iii. There is an appropriate plan for removal of the facility and restoration of property affected by it; and
 - iv. Except in the case of an emergency, the temporary wireless communications facility is not proposed for a residential zoning district (i.e., R-E, R-1, R-2, R-3 and any PC Zone not governed by a Specific Plan).
 - c. Conditions. Each permit for a temporary wireless communications facility shall be granted for the shortest period of time it will take to achieve the purposes for which it was installed. The permittee's period for removal and restoration shall be based upon the work required to remove the facility and restore affected property, and shall not exceed ten (10) days except for good cause shown as determined by the Director. Any facility that is not removed from private property by the date specified in the permit is hereby declared a public nuisance, which may be remedied pursuant to Monterey City Code Chapter 22, Article 4 and any other remedy allowed by law. Any facility that is not removed from City property

by the date specified in the permit may be removed by the City and the . City may restore affected property and charge the permittee the costs thereof.

d. Emergency Installation. A permit shall be obtained before a facility is installed except: (1) in the case of an emergency declared by federal, state, regional, or local officials; (2) when it is necessary to install a facility to immediately address an unanticipated service outage; or (3) when immediate action by a person or agency performing a public service is required to protect life or property in response to an emergency. In such cases, an application shall be submitted within five business days after the date of installation. The time for filing may be extended by the Director as needed based on the circumstances giving rise to the need for the temporary placement. If an application is not timely filed, or is denied, in addition to being subject to any other remedy available at law or equity, the temporary wireless communications facility will constitute a public nuisance, which on private property may be remedied pursuant to Monterey City Code Chapter 22, Article 4. Without limiting the foregoing, if the temporary wireless facility is on public property, and a timely application is not filed, or is denied, the facility shall be removed within twenty four (24) hours of failure to timely file, or the denial, as applicable, unless the Director specifies a later, alternative time for removal and restoration. If the facility is not removed and property restored as required, the City may remove the facility, and restore the property, and charge for costs associated with the same.

E. Applications and Submittals

- 1. This section establishes minimum application requirements for wireless communications facilities other than eligible facilities requests, for which applications shall be submitted and reviewed as provided in Section 38-112.4(G).
- Application Required. Each application for a permit under this Section shall be submitted on a form prescribed by the Director, in an electronic searchable format, and accompanied by a fee in the amount set by resolution. The Director may amend the submittal form and requirements as the Director deems appropriate to achieve the purposes of this Section.
- 3. Application Content. Each application shall be signed by the owner of the wireless communications facility. If the applicant is not a provider of wireless services, it shall provide a letter from each wireless service provider that will use the facility affirming: it will use the facility proposed, if approved; that it will make available such information as the City may require to act upon the application, either directly or through applicant; and will ensure that any representations made to the City regarding the services it will provide, or equipment it will use, are true, accurate, and complete. Each application shall include at least the following:

a. Written Authorizations. A written authorization signed by the owner(s) of the property and supporting structure consenting to the placement of the wireless communications facility as proposed. An authorization is not required as part of the application for placement on City-owned or controlled property, but appropriate consents and contracts must be obtained before a permit may issue.

b. Licenses. Evidence that the applicant and operator hold all current licenses and registrations from the FCC and California Secretary of Statewhere such license(s) or registration(s) are necessary to provide wireless services using the proposed wireless communications facility.

c. Notice and Proof of Service of Notice. Applicant shall mail notice of the application to all persons entitled to notice under Section 38-159 In addition to providing the information required by Section 38-159(D), the notice shall provide a brief description of the wireless communications facility and its location; identify what entities will own or operate any part of the wireless communications facility; state that the application may be reviewed online as posted by the Planning Department; and state that comments may be submitted to the Planning Department. The notice shall be mailed by the applicant on the day the application is filed and a proof of service on a form provided by the City shall be provided with the application.

d. To the extent that filing of the wireless application would establish a deadline for action on any other permit, agreement, or other authorization that may be required in connection with the wireless communications facility, the application shall include complete copies of applications for every such required permit, including without limitation, electrical permits, building permits, traffic control permits, and excavation permits, with all engineering completed, and with all fees associated with each permit. Provided, such additional applications are not required if applicant agrees, in the application for the wireless communication facility, that any such deadline will not begin to run until a separate and complete application for those permits is submitted.

e. Project Description Letter. A full written description of the proposed facility and the work that will be required to install or modify it, which description shall include whether:

- i. the facility will be on a new, existing, or replacement supporting structure;
- ii. excavation work will be required and where it will occur;
- iii. foundational work will be required; and
- iv. if the application is for a modification to an existing wireless communications facility, or a support structure, the application shall identify whether the existing wireless facility or support structure was installed pursuant to a permit and if so provide the original permit and any permit modifications; describe any camouflage and concealment

elements, and describe how the modifications to the facility or proposed support structure will maintain the concealment elements, and how it will preserve other requirements intended to camouflage or otherwise limit the visual impacts of a wireless communications facility, or support structure.

f. Equipment Specifications. Specifications that show the dimensions (height, width, depth, and cubic feet) for all components of the proposed wireless communications facility and the support structure, and the weight of all components of the wireless communications facility and any replacement or new support structure. If the wireless communications facility will be placed on an existing or replacement support structure, the specifications must include:

- i. a clear description of all components of the existing support structure, and how it is anchored/supported;
- ii. a clear description of all attachments to the existing support structure and their dimensions; and
- iii. a description of changes that will be made in connection with an attachment to, or replacement of, the existing structure, including but not limited to, steps that may be taken to strengthen or secure the supporting structure.

g. Lease Area. If the wireless communication facility will be installed pursuant to a lease or license, a plan depicting the leased or licensed area in relationship to the proposed facility.

h. Plot Plan. A plot plan of the lot, premises, or parcel of land showing the exact location of the proposed wireless facility (including all related equipment and cables), exact location and dimensions of all buildings, parking lots, walkways, property lines pertaining to the area leased or otherwise dedicated to the use of the wireless communications facility. For freestanding facilities, the plans should indicate surrounding grade, structures, and landscaping from all sides.

i. Elevations and Roof Plan. Building elevations and roof plan including exact location and dimensions of equipment proposed. For freestanding facilities, the plans should indicate surrounding grades, structures, and landscaping from all sides.

j. Screening. Proposed landscaping and maintenance plan for the life of the facility and/or non-vegetative screening (including required safety fencing) plan for all aspects of the facility. k. Manufacturer's Updated Specification. Manufacturer's specifications, including installation and maintenance specifications, exact location of cables, wiring, materials, color, and any support devices that may be required.

I. Photographs and Photo Simulations. Accurate color photographs and photo simulations that show the proposed facility in context of the site from reasonable line-of-sight locations from public streets or other adjacent viewpoints, together with a map that shows the photo location of each view angle.

- m. Hazard Compliance Certification. For placement of wireless communications facilities on utility poles, street light poles, or towers in the public rights-of-way, as part of the safety certification required by Section38-112.4(E)(5)(k):
 - i. If the application is for a wireless communications facility in a "High Hazard Zone" ("HHZ") (as demarcated on the current version of the California Public Utility Commission Fire-Threat Map) on a supporting structure that applicant contends is or will be under the jurisdiction of General Order ("GO") 95 ("GO 95"), or GO 165, or GO 166, the applicant shall submit documentation showing theHHZ where the wireless communications facility will be located; whether the supporting structure has been inspected and when; whether the structure, any existing facilities, and planned structures and facilities would comply with standards for placement on structures in a HHZ; and whether all required Fire Prevention Plans are in place. If existing or proposed structures or facilities are or will be non-compliant in any respect, the application shall identify what applicant will do to ensure the structure and existing and proposed facilities are compliant.
 - ii. If the application is for a wireless communications facility in a HHZ on a supporting structure or tower that applicant contends is not under the jurisdiction of GO 95, GO 165, and GO 166, the applicant shall submit documentation showing:
 - The specific HHZ in which the wireless communications facilities will be located, as demarcated on the current version of the California Public Utility Commission Fire-Threat Map;
 - A description of the steps the applicant has taken to reduce hazards to public safety, including fire safety hazards, that may be caused by the proposed wireless communications facility or any supporting structure; and
 - c. What applicant will do to inspect and maintain the safety of the wireless communications facility, or any supporting structure which

steps shall be at least as rigorous as if GO 95, 165, and GO 166 applied.

- d. The documentation shall be supported by sworn statements attesting that the wireless communications facility and any supporting structure as installed will comply with applicable law, and be as safe as facilities and structures which are subject to the General Orders.
- n. Safety Certification. Applicant shall submit structural analyses prepared by a licensed or registered California engineer or engineers qualified to attest to the facts showing that the portions of the wireless communications facility placed on or within the tower or supporting structures will be safely supported by the tower, or supporting structure, and also showing that all components of the structure and the wireless communication facility comply with applicable safety standards. a.
- o. Noise study. A noise study certified by an acoustical engineer licensed by the State of California for the proposed facility and all associated equipment including environmental control units, sump pumps, temporary backup power generators, and permanent backup power generators, demonstrating that the facility will comply with the city's noise regulations when fully operational. For example, if a wireless communications facility is planned to include multiple cooling units, the noise study will be performed assuming that all the units will be in place and operational. The noise study must also include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. A study is not required if the proposed facility does not contain equipment that generates noise. It shall be a condition of any permit that no modification may be made to a facility or associated equipment that adds equipment that generates noise without preparation and submission of an acoustical study as required herein, and no modification will be approved unless the study demonstrates that the facility will comply with the city's noise regulations when fully operational.
- p. Radio/antenna detail. Information regarding the radio units that will be installed at the site, including the manufacturer's name and specifications, and the actual frequencies and power levels (in watts effective radio power [ERP]) for the proposed wireless communications facility and for any existing wireless communications facility that must be considered in determining compliance with FCC RF standards.
- q. Radio Frequency (RF) Compliance Report. Applicant shall submit a RF exposure compliance report prepared by a RF licensed engineer. The report shall include a certification by the engineer that the facility complies with FCC RF standards, be prepared in accordance with FCC guidelines, and include the calculations and information on which the engineer relied. The report shall clearly identify any

areas where exposure would exceed occupational or general FCC exposure limits, vertically and horizontally, and shall include drawings that show those areas in relation to the proposed structure, adjoining buildings, and property lines. The report shall clearly identify any measures that must be taken to ensure compliance with FCC rules. The report's analysis will be based on a "worst case" scenario, and assuming all antennas are operating at maximum output.

- r. Underground vault and venting plans, if any element of the wireless communications facility will be placed underground. The underground vault and venting plans shall include manufacturer's specifications for cover, color, materials, dimensions, and reveal at the sidewalk, and evidence that all enclosures will comply with California Public Utilities Code standards for underground utility enclosures.
- s. Master Plan. A master plan which identifies the location of the proposed facility in relation to all existing wireless communications facilities used by the wireless service providers that will use the facility; and if the facility proposed is part of a planned network, the approximate location of other planned facilities.
- t. For any wireless communications facilities located within an airport safety zone as defined by the ALUC, or an airspace protection zone as defined by the FAA, applicant shall: submit a certification that it has reviewed the current Airport Land Use Compatibility Plan issued by the ALUC; attest whether the proposed project complies with applicable standards for development; state whether required notices have been provided and provide copies of any notices; and provide copies of any applications filed, and any determinations made by the ALUC or FAA.
- u. If applicant contends that denial of the application would result in an effective prohibition under federal law, or otherwise violate federal law such that a permit must issue, it must provide all facts that it relies upon for that claim. Where the applicant is not a wireless service provider, the information must be provided for the affected wireless service providers. Applicants who claim that denial would be a "prohibition" or "effective prohibition" are encouraged to address at least the following:
 - i.If it is contended that compliance with an aesthetic standard is not reasonable, explain why in detail, and describe alternatives considered in determining whether service objectives for the wireless service provider could be reasonably satisfied by other means.
 - ii.What existing or planned personal wireless services the affected wireless service provider would be effectively prohibited from providing if the application is denied.

- iii. The factual basis for any claim that denial will substantially impair a wireless service provider's ability to provide a personal wireless service, and the information relied upon in support of that claim.
- iv. The factual basis for any claim that denial would result in a prohibition or effective prohibition under applicable precedent in the United States Court of Appeals for the Ninth Circuit, and the information relied upon in support of that claim.
- v. Current signal coverage, by providing maps showing existing coverage in the area to be serviced by the proposed facilities. In order to be treated as probative, maps shall be dated, and based on data collected within the prior six months or less, to reflect all facilities installed inside and outside of the City as of the date of the application that may affect coverage.
- vi. The exact geographic area that would be served by the proposed facility, using coverage maps that describe the distances between the proposed and existing sites that show how the proposed service area fits into and is necessary to each affected wireless service provider's provision of personal wireless services given existing facilities, and planned or pending modifications or additions to those facilities that that may affect the provision of services;
- vii.Alternatives considered prior to the submission of the application, including alternatives that take advantage of software capabilities or reconfiguration of existing sites; the reason the alternative chosen was selected, and the reason other alternatives were not selected; and why applicant contends existing sites could not be used to provide service.
- 4. Presubmittal Conference. Before application submittal, applicants are strongly encouraged to schedule and attend a voluntary presubmittal conference with City staff for all wireless communications facilities applications. The presubmittal conference is intended to foster cooperative discussion between applicants and staff, identify potential avoidable issues, and generally streamline the application review process to occur after the applicant formally submits its application.
- 5. Application Submittal Appointment. All applications for wireless communications facilities use permits shall be submitted to the City at a prescheduled appointment with the Director. During the application submittal appointment, or thereafter, the Director shall review the application materials and determine whether the application is complete. If the application is found to be complete, the Director will refer the application to the Planning Commission. If the application is not complete, the Director shall issue in writing a denial of the application without prejudice to refiling, specifying the reasons for denial, unless the Director determines that permitting submission of additional materials

will not prevent the City from conducting, or the public from participating, in a timely review of the application. A denial may be appealed to the Planning Commission, but the appeal is limited to consideration of whether the application was properly denied for incompleteness.

- 6. Applications Available Online. Except where good cause has been shown, as determined by the Director, applications will be posted on the City website within five working days of filing or as soon thereafter as practical, along with communications between the City and the applicant regarding those filings (including additions and modifications to the filing). The City shall post notice promptly when the application is deemed "complete." The City's failure to post the applications by the time required shall not affect the validity of any application submitted under this Section.
- F. Location, Design and Development Standards.
 - 1. This section establishes design and development standards for wireless communications facilities and supporting structures, other than wireless communications facilities and supporting structures modified as part of an eligible facilities request.
 - 2. Overall Goals. It is the overall goal of the City to minimize the visual impact of wireless facilities; to minimize the number and height of supporting structures that may intrude upon view sheds; to maintain the overall visual character of individual neighborhoods, to encourage placement away from residential units; to minimize the number of structures in the public rights-of-way and prevent interference with the other uses of the public rights-of-way.
 - 3. General Principle for All Locations. The proposed wireless communications facility, and any supporting structure (to the extent installation requires installation of a new or replacement supporting structure, or any change in the height of an existing supporting structure) must be of the minimum size necessary to serve the defined service objectives of the wireless service provider(s) that will be using the facility.
 - a. Exception. Section f.2 does not apply when a larger facility is consistent with a stealth design approved by the City, or appropriate as part of the incorporation of a wireless communications facility into a structure such as a street light, where the facility must mimic the height of existing street lights.
 - 4. Design Standards for Facilities Off the Public Rights-of-Way- General Design and Aesthetic Standards. All new facilities and changes to existing facilities shall conform to the standards in this section.
 - a. Concealment. Wireless communications facilities shall incorporate concealment elements sufficient to render the facility stealth, as appropriate for the proposed location and design, or otherwise incorporate elements that will camouflage or limit the visual impacts of a wireless communications facility as well or better than a stealth facility. All facilities shall be designed to visually blend into the

surrounding area and should be compatible with the character of the area in which they are located, as described in the General Plan and provisions governing development of particular areas.

- Height. Wireless communications facilities, and any supporting structure shall not exceed the applicable height limit for structures in the applicable zoning district.
- c. Setbacks. Wireless communications facilities may not encroach into any applicable setback for structures in the applicable zoning district.
- d. Facilities Should Permit Collocation. Applicants shall design wireless communications facilities to accommodate future collocated facilities to the extent feasible, and to the extent consistent with the other provisions of this Code.
- e. Noise. A wireless communications facility shall comply with the noise standards in the City Code. Applicant may be required to install noise attenuating or baffling materials and/or other measures, including but not limited to walls or landscape features, as the approval authority deemed necessary or appropriate to ensure compliance with noise limits.
- f. Lights. Unless otherwise required under FAA or FCC regulations, applicants may install only timed or motion-sensitive light controllers and lights, and shall install such lights so as to avoid illumination impacts to adjacent properties to the maximum extent feasible. The City may, in its discretion, exempt an applicant from the foregoing requirement when the applicant demonstrates a substantial public safety need, or applicant shows that the light's effect is negligible. All aircraft warning lighting shall use lighting enclosures that avoid illumination impacts to properties in the City to the maximum extent feasible. This section does not apply to designs that are intended to mimic or to be incorporated within lighting structures on the property where the facility will be located.
- g. Signs. No wireless communications facility may display any signage or advertisements unless expressly allowed by the City in a written approval, recommended under FCC regulations, or required by law or permit condition. Every facility shall at all times display signage that accurately identifies the facility owner, provides the facility owner's unique site number, and a local or tollfree telephone number to contact the facility owner's operations center. "Signage" does not include approved banners or directional signage used to conceal a or camouflage a wireless communications facility.
- Fencing or Enclosures. Any fencing or enclosures proposed in connection with a wireless communications facility shall blend with the natural and/or manmade surroundings. Additional landscape features may be required to screen fences. Barbed wire, razor ribbon, electrified fences and similar measures for securing a wireless communications facility are not permitted.

- i. Landscaping. Landscaping may be required to visually screen facilities from adjacent properties or public view or to provide a backdrop to conceal the facilities. All proposed landscaping is subject to architectural review approval by the Director, unless the Director refers the landscaping plan to the Architectural Review Committee. Landscaping may be required for the purposes that include, but are not limited to, the following:
 - i. To preserve existing on-site and associated access way vegetation and trees to the extent feasible at all times before, during and after construction.
 - ii. To minimize disturbance of the existing topography.
 - iii. To provide screening of wireless communications facilities and access roads appurtenant to the wireless communications facility which screening may require planting of additional trees and other vegetation around the facility, and along access roads.
- j. Applicants must use flat rate electric metering, if available, so that no meter is required. If a ground-mounted or pole-mounted meter is used, applicant will provide information as to available form factors and show how those can be incorporated into the design to minimize visual impacts and, where possible, make the meter stealth.
- k. Ground-Mounted Equipment. Where above-ground, ground-mounted facilities are permitted, in locations visible or accessible to the public, applicants shall conceal outdoor ground-mounted equipment, with opaque fences or landscape features that mimic the adjacent structure(s) (including, but not limited to, dumpster corrals and other accessory structures).
- Building-Mounted Facilities. These requirements are in addition to design standards in Section 112.4(F)(4)(a)-(g) and (k).
 - a. General Design Preferences. Building-mounted wireless communications facilities shall be one of the following, in this order of preference; provided that any change to any building within the National Historic Landmark Districts, local historic district (H-D) or any change to individually zoned historic property (H-1 and H-2) must be fully consistent with design requirements and limitations on modifications to historic properties and buildings.
 - i. The wireless communications facilities must be completely concealed and architecturally integrated into the facade or rooftop-mounted base stations with no visible impacts (including shadowing) from any publicly accessible areas at ground level (examples include, but are not limited to, antennas behind existing parapet walls or facades replaced with RF-

transparent material and finished to mimic the replaced materials, provided such replacement is consistent with the historic preservation of a structure); then

- ii. Wireless communications facilities may be completely concealed new structures or appurtenances designed to mimic the support structure's original architecture and proportions (examples include, but are not limited to, cupolas, steeples, chimneys and water tanks), subject to height limits applicable to the area where the facility is located, and subject to standards that apply for similar modifications that do not involve wireless communications facilities.
- b. Rooftop-Mounted Equipment. Consistent with subsection 4.a.i, and subject to Section 112.4(F)(5)(a)(i), and subject to Section 1124(F)(4)(a), the City will not approve unscreened rooftop wireless communications facilities if the applicant has the right to increase the facility height so that the equipment would become visible to public view from ground level on adjoining properties or from the public rights-of-way, or unless the applicant shows that because of the design proposed, or the location, approval of a different design will be no more intrusive and consistent with the goals of the ordinance.
- c. Facade-Mounted Equipment. Applicants shall conceal all facade-mounted transmission equipment behind screen walls as flush to the facade as practicable. The City may not approve any "pop-out" screen boxes unless such design is architecturally consistent with the original support structure. The City may not approve any exposed facade-mounted antennas, which includes exposed antennas painted to match the façade, unless the applicant shows that because of the design proposed, or the location approval, of a different design will be no more intrusive and consistent with the goals of the ordinance.
- Freestanding Towers Outside of Rights-of-Way. In addition to satisfying the requirements of Section 112.4(F)(3)):
 - a. General Design Preferences. All applicants shall, to the extent feasible and appropriate for the proposed location, design wireless communications facilities on new towers according to the following preferences, ordered from most preferred to least preferred:
 - i. Faux architectural stealth structures including, but not limited to, sculptures, clock towers, and flagpoles of a size, type and proportions, and with design features consistent with the neighborhood and adjacent structures; then
 - ii. Faux trees in a stealth design of a size, type and proportions consistent with nearby trees, and landscaped and located near other vegetation to blend in and appear part of the natural environment.

- b. Tower-Mounted Equipment. All tower-mounted equipment shall be mounted as close to the tower as possible, or integrated within it to reduce its visual profile. Applicants shall mount non-antenna, tower-mounted equipment (including, but not limited to, remote radio units/heads, surge suppressors, and utility demarcation boxes) directly behind the antennas to the maximum extent feasible, and to the extent not inconsistent with a design under Section 112.4(F)(6)(a).
- c. Ground-Mounted Equipment. All equipment should generally be incorporated into the design of a tower proposed pursuant to Section 112.4(F)(6)(a)(i)-(ii). Where that is not technically feasible, and unless undergrounded, applicants shall use a stealth design or may be permitted to conceal ground-mounted equipment with opaque fences or other opaque enclosures, consistent with Section 112.4(F)(3)(a) provided that the concealment can be maintained throughout the term of the permit. The City shall require, as a condition of approval, design and/or landscape features in addition to other concealment when necessary to blend the equipment or enclosure into the surrounding environment.
- 7. Public Rights-of-Way Facilities.
 - a. Limitation on facilities permitted. The only wireless communications facilities permitted in the public rights-of-way are:

i. Modified facilities which must be permitted pursuant to an eligible facilities request, or

ii. Wireless communications facilities used in the provision of personal wireless services, which, absent a showing of effective prohibition, must be small wireless facilities; or

- iii. Wireless communications facilities, or other wireless equipment or structures that the City must permit a person holding a state or local franchise to install pursuant to that franchise.
- b. Structure Preference. The City's preference for wireless communications facilities in the public right-of-way in order of preference is as follows:
 - i. Locate antennas on existing or replacement light poles and other vertical structures owned or controlled by City that City chooses to make available for placement of wireless communications facilities; then
 - ii. Locate antennas on existing or replacement supporting structures; then

- iii. New support structures or towers in the public rights-of-way.
- c. Open Space Option. If the facility must be located near a residential or historic district, open space areas can be considered if the facility will be farther away from residences.
- d. Wireless communications facilities in the public rights-of-way shall be designed in compliance with Section 112(4)(F), except,
 - Setback requirements applicable to private property do not apply (requirements for setbacks from curbs and walkways applicable to users of the public rights-of-way, as well as sight line requirements do apply);
 - ii. Wireless communications facilities and any support structure must satisfy the height requirements of this subsection 7;
 - iii. Fencing and enclosure requirements applicable to private property do not apply (requirements related to fencing required to prevent hazards to pedestrians or vehicles, as may be required by applicable design manuals, do apply).
- e. Undergrounded Equipment. Applicants shall comply with applicable undergrounding requirements, including the requirements of Section 32-08.03-04. Vaults must be installed as if the same were subject to regulation by the California Public Utilities Commission, and must satisfy that agency's safety standards.
- f. Ground-Mounted Equipment. To the extent that the applicant qualifies for a deviation or exception from an undergrounding requirement, applicants shall only install the antenna and wiring on the support structure, or tower and all other equipment must be ground-mounted, unless:
 - i. ground-mounted equipment cannot be installed consistent with other applicable requirements, including the encroachment conditions; or
 - ii. where part of an approved stealth facility, or if integrated into a design for a street light pole or other vertical structure which design conforms to, and is consistent with the design of those facilities; or
 - iii. based on the permitted location, and available designs, placement of equipment on the support structure or tower will have a lesser overall impact on properties affected by the placement, and on pedestrian or vehicular use of the public right-of-way.
- g. In the event that the City approves ground-mounted equipment, the applicant shall conform to the following requirements:
 - i. Self-Contained Cabinet or Shroud. City may require placement of the equipment in a cabinet or shroud to conceal equipment, or where

appropriate to protect persons or property. The equipment shroud or cabinet shall contain all the equipment associated with the facility other than the antenna, or the meter, if one is required and cannot be integrated into the cabinet. All cables and conduits associated with the equipment shall be undergrounded to the supporting structure or tower.

- ii. Size. The equipment, excluding the meter and disconnect and including the cabinet, should be no larger than 16 cu. ft., and no higher than 50 inches, except that a larger size may be approved as part of a stealth design. Electrical meters, if required, and disconnects shall be the smallest possible size available.
- iii. Stealth Design and Concealment. The City may require the applicant to incorporate concealment elements into the proposed design, including but not limited to public art displayed on the cabinet, or to otherwise take steps to camouflage or minimize the visual impacts of the proposed design, including strategic placement in less obtrusive locations and placement within existing or replacement street furniture, or integration into the base of an existing or replacement supporting structure.
- h. Pole-Mounted Equipment. Other than antennas, equipment mounted on the exterior of an existing or replacement support structure (referred to herein as "pole-mounted equipment") is permitted if an applicant shows it is not required to install the equipment underground; that ground-mounted equipment is not required, or cannot be installed at a proposed location in a manner that complies with the requirements of this Code; and applicant cannot integrate the equipment within an existing or replacement supporting structure approved by City. Polemounted equipment other than antennas shall be installed as close to the support structure as technically and legally feasible to minimize impacts to the visual profile, and positioned on one side of the pole to minimize visibility. If a facility must be permitted in a residential area, the wireless communications facility must be placed to minimize visibility from doors and windows of the residential properties closest to the wireless communications facility, and subject to other provisions of this Code, to mimic other structures commonly mounted on utility poles. All required or permitted signage in the public rights-of-way shall face toward the street or otherwise be placed to minimize visibility from adjacent sidewalks and structures, except as inconsistent with the encroachment conditions in Chapter 32. All conduits, conduit attachments, cables, wires and other connectors shall be concealed from public view to the greatest extent feasible.
- i. Antennas. Antennas should be placed in a radome at top of the pole, so that the antenna appears to be an extension of, or a design element integral to, the supporting structure or tower, and so that the cable connections, antenna mount and other hardware are concealed. The total volume of the antennas should not

exceed 3 cu. ft., not including the connector to the supporting structure. GPS antennas shall be placed within the radome or directly above the radome not to exceed six inches.

- j. Extensions of structures and antenna height. To maintain consistency with the height of other, similar structures in the public rights-of-way, and as means of reducing and concealing the placement of an antenna, an antenna added to an existing supporting structure, or tower, including any extensions of that supporting structure or tower; or a replacement for an existing supporting structure or tower; or a replacement for an existing supporting structure, or the minimum amount required to obtain separation from electrical facilities on the pole. Provided that, City may permit a greater extension to street lights poles or other vertical structures that it owns or controls where that extension is consistent with the design of the supporting structures, and can be installed without adversely affecting the overall design of similar facilities in the same corridor.
- k. Pole-Mounted Equipment Cabinets. Except when integrated within a supporting structure or tower, all equipment other than the antenna(s) and disconnect switch shall be concealed within an equipment housing. Generally, all equipment other than the meter or disconnect associated with a wireless communications facility should be enclosed in a single equipment housing, unless applicant demonstrates that an alternative design will be less visible and more consistent with other pole-mounted equipment in the same portion of the public right-ofway. The equipment housing on the exterior of any supporting structure must be centered and placed on a single side of the structure. Equipment housing mounted on the pole should be no greater than 15 inches wide and 15 inches deep so that the housing is not readily visible to a reasonable observer on the opposite side of the pole. Wider equipment housing units are permitted where, consistent with a stealth design, such as signage placed at an appropriate height (a stop sign, for example). Equipment housing should be of a uniform depth, not exceeding 15" from the pole to which it is attached so that it appears, as far as possible, like part of the pole. All pole-mounted equipment shall be installed as flush to the pole as possible. Any standoff mount for the equipment cage may not exceed four inches and shall include metal flaps (or "wings") to conceal the space between the cage and the pole. Sizes are intended to be cumulative, reflecting the sizes of the equipment housings for all wireless facilities installed on a particular supporting structure. Total volume of all equipment housing on any support structure and strand within 20 feet of the attachment should not exceed 16 cu. ft.
- I. Exterior mounted equipment housing shall be placed to avoid interfering or creating any hazard to any other use of the public rights-of-way, and with the lowest edge of any exterior mounted equipment at least eight feet above ground

level. Equipment should not project over any street unless above the level approved for placement of wires across streets.

- m. Decorative Light Poles. Pole-mounted facilities are prohibited on decorative light pole fixtures where the height of the existing structure is 20 feet or less.
- n. Towers or New Supporting Structures. If a new supporting structure is permitted:
 - i. City may require or approve installation of a light pole of a stealth design and consistent in height and appearance to other light poles in the corridor, provided that the lighting is consistent with lighting plans for the area; and alternatively, the City may require or approve installation of a structure no higher than utility poles in the corridor in which it will be located, and if none, no higher than 35 feet.
 - ii. Unless a stealth design can be reasonably used at the proposed location, the new support structure must be a hollow, non-wood pole, in which all elements of the wireless communications facility other than antennas, undergrounded equipment, or equipment in approved ground-mounted facilities may be concealed. It must be colored and incorporate other elements, including camouflage and landscaping if appropriate at the location proposed, to minimize its visual impact.
 - iii. City must be permitted, at no charge, to attach and maintain traffic or similar signage or other devices; and City may require, as a condition of approval, sharing of the facility with others to minimize the need for additional facilities in the public rights-of-way.
- o. Strand mounting. Wireless communications facilities requiring a permit under this ordinance may not be mounted on strand.
- p. Non-reflective Finishes. All above-ground or pole-mounted equipment in the rights-ofway shall be finished with non-reflective materials, colored or painted to match the structure to which it is attached, or as consistent with the concealment element for the facility.
- 8. General Conditions. In addition to the foregoing:
 - a. A wireless communications facility shall be designed to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight or attractive nuisances.
 - b. The wireless communications facility shall not unreasonably impair or diminish views of and vistas from adjacent properties and designated scenic corridors.

- c. The design of the facility should be compatible with the neighborhood or community in which it is located. The City may consider factors that take into account the proposed facility in the context of its proposed location, which may include, but shall not be limited to, the proportionality and scale of the facility relative to the surrounding natural and/or constructed environment, the proximity of the facility to residential structures, the compatibility of the facility with uses on adjacent and nearby properties, and the effect, if any, on surrounding properties, the surrounding topography, the surrounding tree coverage and foliage, and the compatibility with the values and objectives expressed in the General Plan and any applicable specific plan.
- 9. Placement Preferences. Taking into account the size and nature of wireless communications facilities that have been proposed in the City and in neighboring communities, the City has the following preferences. An applicant's project plan shall show that it took these preferences into account, and explain why a preferred placement or design was not used; or may show that because of the design proposed, its design and geographic placement will be more consistent with the overall goals of the ordinance. A preferred design shall also be consistent with the other requirements of the Code.
 - a. Preferences City-owned or controlled parcels outside of open space districts, residential zoning districts (R-E, R-1, R-2, R-3 and PC zones not governed by a Specific Plan) or the H-1, H-2, H-D, D-1 overlay zones; and other City-owned properties identified by the City as preferred by resolution. Within this area, preferred designs in order of preference are: a. Placement on existing towers off the public rights-of-way or on similar, large vertical structures, such as water towers; or within or upon existing supporting structures, other than buildings, in a stealth configuration; b. Building-mounted facilities with rooftop mounted antennas; c. Building-mounted facilities with facade-mounted antennas; d. New towers or supporting structures in a stealth design; e. Existing or replacement supporting structures (other than buildings) where the wireless facility can be camouflaged; f. Placement on existing or replacement supporting structures (other than buildings) where the wireless communications facility is not stealth or camouflaged or a new non-stealth small wireless facility whose height above ground level is the lower of 35' or the height of the closest utility poles. The design choice between existing, replacement or new structures will be based on the overall visual impact of the facility on adjacent properties.
 - b. Parcels and public rights-of-way in industrial districts. Within this area, preferred designs in order of preference are: a. Placement on existing towers off the public rights-of-way or on similar, large vertical structures, such as water towers; or within or upon existing supporting structures (other than buildings) in a stealth configuration; b. Building-mounted facilities with rooftop mounted antennas; c. Building-mounted facilities with façade-mounted antennas; d. New towers or

supporting structures in a stealth design; e. Existing or replacement supporting structures (other than buildings) on private property (including easements), or in the public rights-of-way where the wireless facility can be camouflaged; f. Placement on existing or replacement supporting structures (other than buildings) where the wireless communications facility is not stealth or camouflaged or a new non-stealth small wireless facility whose height above ground level is the lower of 35' or the height of the closest utility poles. The design choice between existing, replacement or new structures will be based on the overall visual impact of the facility on adjacent properties.

- C. Parcels and public rights-of-way in commercial districts. Within this area, preferred designs in order of preference are: a. Placement on existing towers off the public rights-of-way or on similar, large vertical structures, such as water towers; or within or upon existing supporting structures (other than buildings) in a stealth configuration; b. Building-mounted facilities with rooftop mounted antennas; c. Building-mounted facilities with façade-mounted antennas; d. New towers or supporting structures in a stealth design; e. Existing or replacement supporting structures (other than buildings) on private property (including easements), or in the public rights-of-way where the wireless facility can be camouflaged; f. Placement on existing or replacement supporting structures (other than buildings) where the wireless communications facility is not stealth or camouflaged or a new non-stealth small wireless facility whose height above ground level is the lower of 35' or the height of the closest utility poles. The design choice between existing, replacement or new structures will be based on the overall visual impact of the facility on adjacent properties.
- d. City-owned or controlled parcels other than those listed in Section 112.4(F)(9)(a) Within this area, preferred designs in order of preference are: a. Placement on existing towers or on similar, large vertical structures, such as water towers; or within or upon existing supporting structures (other than buildings) in a stealth configuration; b. Building-mounted facilities with rooftop mounted antennas; c. Building-mounted facilities with façade-mounted antennas; d. New towers or supporting structures in a stealth design; e. Existing or replacement supporting structures (other than buildings) where the wireless facility can be camouflaged; f. Placement on existing or replacement supporting structures (other than buildings) where the wireless facility is not stealth or camouflaged or a new non-stealth small wireless facility whose height above ground level is the lower of 35' or the height of the closest utility poles. The design choice between existing, replacement or new structures will be based on the overall visual impact of the facility on adjacent properties.
- e. If the provider shows it must be permitted to place the wireless communications facility in a non-preferred area, the preferred designs in order of preference: a. Placement on existing towers off the public rights-of-way or on similar, large vertical structures, such as water towers; or within or upon existing structures in

a stealth configuration; b. Non-residential building-mounted facilities with rooftop mounted antennas; c. Non-residential building-mounted facilities with façademounted antennas; d. Existing or replacement supporting structures (other than buildings) on private property (including easements), or in the public rights-ofway where the wireless facility can be camouflaged; e. New towers or supporting structures in a stealth design; f. Placement on existing or replacement supporting structures (other than buildings) where the wireless communications facility is not stealth or camouflaged or a new non-stealth small wireless facility whose height above ground level is the lower of 35' or the height of the closest utility poles. The design choice between existing, replacement or new structures will be based on the overall visual impact of the facility on adjacent properties.

- 10. Special Considerations for Certain Districts: In addition to satisfying the standards in this ordinance, in certain districts and at certain locations, an applicant must show that denial of an application will result in an effective prohibition or otherwise violate federal law such that a permit must issue, and show that the design used and the placement will minimize the impact of granting the permit (these showings are referred to as an "effective prohibition showing"):
 - a. In H-1, H-2 and H-D, overlay zones, any wireless communications facility must be either a stealth facility, or a facility that is not visible to the general public (a rooftop facility, for example), and is subject to conditions that would prevent it from becoming visible to the general public as a matter of right. Any other placement requires an effective prohibition showing.
 - b. In any residential zoning district (R-E, R-1, R-2, R-3, and PC zones not governed by a Specific Plan), placement of a wireless communications facility requires an effective prohibition showing.
 - c. In any portion of any district where there are no utility lines aboveground in the public rights-of-way, and no street lights or traffic signals, placement of a wireless communications facility requires an effective prohibition showing.
 - d. For wireless communications facilities proposed for the public rights-of-way in any portion of any district (other than residential zoning districts – R-E, R-1, R-2, R-3 and PC zones not covered by a Specific Plan) with aboveground street lights or traffic signals in the public rights-of-way, but no aboveground utility poles, an effective prohibition showing is required unless the City determines that the wireless communications facility will be integrated into those street lights or traffic signals in a manner consistent with the requirements of this Code.
 - e. Notwithstanding the foregoing, with respect to wireless communications facilities proposed for the public rights-of-way, an application may be granted if applicant shows that issuance of a permit is required by state law. To the extent applicant claims that its proposed facility would not incommode the public, City will consider factors relevant to that determination under state law, including whether

it diminishes public use or enjoyment, either visual or physical, of the public right of way, or of adjoining properties.

G. Eligible Facilities Requests. This section applies to eligible facilities requests, as that term is defined under federal law and applicable regulations.

- 1. Applications. Applications for eligible facilities requests must contain the information required by Section 112.4(E)(3)(a)-(r)), and must be submitted in the manner required for all other applications.
- 2. Justification. Without limiting the foregoing, the project plan for an eligible facilities request must specifically list every element that must be satisfied in order for a request to be an eligible facilities request under federal law, and must show that each element is satisfied.
- 3. If an application submitted as an eligible facilities request is not an eligible facilities request, it shall be denied, and no further action taken on the application until information required for other wireless applications is submitted.

H. Abandoned or Decommissioned Facilities

- 1. Procedures for Abandoned or Discontinued Facilities.
 - a. To promote the public health, safety and welfare, the Director may declare a facility abandoned or discontinued when:
 - i. The permittee notifies the Director that it abandoned or discontinued the use of a facility for a continuous period of 90 days; or
 - ii. The permittee fails to respond within 30 days to a written notice sent by certified U.S. Mail, return receipt requested, from the Director that states the basis for the Director's belief that the facility has been abandoned or discontinued for a continuous period of 90 days; or
 - iii. The permit expires, in the case where the permittee has failed to file a timely application for renewal.
 - b. If the Director declares a facility abandoned or discontinued, Director shall mail a notice of declaration to the last known address of permittee and the permittee shall have 90 days from the date of the notice(or longer time as the Director may approve in writing as reasonably necessary) to remove the facility and all improvements installed solely in connection with the facility, and restore the site to a condition compliant with all applicable codes and consistent with the then-existing surrounding area.
 - c. If the permittee fails to remove the facility as required by Section 112.4(H), the City may exercise any rights or remedies to abate the public nuisance pursuant to City Code chapter 22, Article 4, and exercise any other remedy allowed by law.

I. Transfer of Ownership. Within 30 days after a permittee transfers any interest in the facility or permit(s) in connection with the facility, the permittee shall deliver written notice to the City. Failure to submit the notice rquired herein shall be a cause for the City to revoke the applicable permits pursuant to Section 38-221, and to exercise any oter remedy allowed by law. The written notice required in this section shall include: 1 the transferee's legal name; 2. the transferee's full contact information, including a primary contact person, mailing address, telephone number and email address; and 3. a statement signed by the transferee that the transferee shall accept all permit terms and conditions.

- J. Notices—Findings—Decisions.
 - 1. Notice.

Notice Required for a Use Permit. The Planning Commission shall conduct a noticed public hearing in accordance with Section 38-159.

- 2. Use Permit Findings. In addition to the findings required by Section 38-161, the Planning Commission may approve an application for a use permit if, based on the record, it finds:
 - a. The facility will comply with subsection C, General Requirements; and
 - b. The facility satisfies the applicable design standards set forth herein; or
 - c. The applicant proves that denial would result in an actual or effective prohibition or otherwise violate applicable law, such that the City is required to permit applicant to install a wireless communications facility, and the wireless communications facility adheres to the design standards except to the minimum extent necessary to avoid an effective prohibition. By way of example, and not limitation, if applicant shows a larger antenna is required than is permitted under the design standards, application of this section would permit a larger antenna, but not placement of cabinets aboveground.
- 3. Written Decision. The reviewing authority shall provide the applicant written notice that contains both the decision and the findings for the decision.
- 4. Appeals. Any interested party may appeal an action of the approval authority in accordance with Chapter 38, Article 27.

K. Independent Consultant Review.

 Deposit. The applicant shall pay for the cost of any independent consultant retained by the City to review any issue in connection with the permit and for the technical consultant's testimony in any hearing as requested by the City and shall provide a reasonable advance deposit of the estimated cost of such review with the City prior to the commencement of any work by the technical consultant. Once the deposit is reduced to 50% the applicant shall restore the fund to its original amount. Promptly upon issuance of the final decision on the application, City shall issue an invoice, showing as a credit against the amount owed the amount deposited; return any amounts deposited in excess of the invoice; and bill for any expense not covered by the invoice, which invoice must be paid within thirty (30) days.

- L. Additional Conditions of Approval for Wireless Use Permits.
 - 1. Standard Conditions for Use Permits. Generally, City shall include appropriate conditions consistent with other use permits it issues.
 - 2. Permit Term. Any validly issued conditional use permit for a wireless communications facility will automatically expire at 12:01 a.m. local time exactly 10 years and one day from the issuance date, except when California Government Code section 65964(b), as may be amended, authorizes the City to issue a permit with a shorter term. Provided that:
 - i. Permits for eligible facilities requests shall expire on the date the underlying permit expires.
 - ii. Where City is required by federal law or regulation to issue a permit, and the federal law or regulation is changed, or declared invalid, it shall be a condition of the continuing validity of the permit that the City may amend the permit to include any condition that it could have included in the absence of the changed or invalid law or regulation. Alternatively, City may terminate the permit where the placement would not have been permitted. *Provided that,* a permittee will be provided a reasonable opportunity to show the Planning Commission that the wireless communications facility should be allowed to remain in place under then applicable laws and regulations.
 - 3. Ongoing Compliance. City may inspect and test wireless facilities to ensure ongoing compliance with permit conditions, and charge the cost of the inspection to persons holding wireless permits for the facilities inspected. Testing and inspection may include, but is not limited to, testing to ensure compliance with RF exposure limits. Tests may be based on complaints received, or may be part of a regular testing and inspection program. Permittee must, within 30 days of a request therefor, provide the City with access and information it may require regarding the wireless communications facility in order to inspect or conduct testing.
 - 4. Disconnection. The permittee shall provide the City with access to the facility to disconnect it from power in an emergency.
 - 5. Maintenance of Elements Designed to Reduce Visual Impacts. Without limiting the general obligation to maintain the site and facility, all concealment elements shall be maintained in a manner so that the concealment elements are not defeated. By way of example, if a stealth facility is approved, it must be maintained so that color fading and damage do not result in changing the approved appearance of the facility. Likewise, requirements intended to camouflage or otherwise limit the visual impacts of a wireless communications facility, shall be maintained so that the effectiveness of the same is not

diminished. By way of example and not limitation, if permittee is entitled to increase the size or number of ground cabinets, and the placement is subject to requirements designed to conceal cabinetry, the existing requirements will also be read to require concealment of the additional or larger cabinets.

- 6. Construction Period. Unless a permit specifically provides otherwise, in order to prevent applicants from applying for unnecessary facilities, or from stockpiling locations, it is a permit condition that a wireless communications facility must be constructed and must be in use for the provision of wireless services within twelve (12) months of issuance of the use permit. The period may be extended by the Director for good cause shown.
- 7. Removal upon Termination. Upon termination of the wireless permit, unless renewed, permittee shall remove the wireless communications facility and all improvements installed in connection with the facility (including but not limited to a supporting structure, or an extension to a supporting structure), and restore the site to a condition compliant with all applicable codes and consistent with the surrounding area.

M. Post Construction Reporting.

- Permittee shall notify the City within 30 days of completion of construction of a wireless communications facility, and shall provide as-built plans showing all elements of the wireless communications facility and supporting structure as built. The plans, without limitation, must show the location of power and communication lines serving the facility, and the location of disconnect boxes. City shall promptly inspect the facility to ensure compliance with all permit conditions, and shall charge the permittee the costs thereof.
- 2. Within 30 calendar days following the activation of any wireless communications facility (including a modification that affects the RF emissions patterns of the wireless communications facility), the applicant shall provide a radio frequency emissions compliance report to the city prepared and certified by a RF licensed engineer. The report must be prepared in accordance with FCC guidelines and shall include the calculations and information on which the engineer relied. The report shall: clearly identify any differences between the facility as proposed and the facility as built, including differences in areas where RF emissions exceed the FCC's general and occupational levels, and any necessary mitigation measures. In addition, the report shall include:
 - a. A certification of compliance with all mitigation measures required by the use permit.
 - b. The date and time of the inspection, the methodology used to make the determination, including certification documents of test equipment.
 - c. The name and title of the person(s) conducting the tests.
 - d. information on whether the levels of radio frequency emissions comply with applicable FCC standards, and identify the source or sources of any non-compliance.

- 3. If the report shows that FCC general and occupational exposure levels are exceeded in areas that were not reported in the application; or that necessary mitigation measures have not been implemented; the permit for any wireless communications facility that bears responsibility in whole or in part for the non-compliance will be deemed suspended pending correction. As part of the suspension, general operations must cease until the facility is brought into compliance, and mitigation measures implemented. If the City finds that the correction or mitigation either requires a change to the facility inconsistent with the use permit; or that the necessary mitigation measures would adversely affect the community in a manner not contemplated in the review of the application, it may require removal, relocation or modification of the wireless communications facility as a condition of ending the suspension, or take any other permitted enforcement action. The City may require applicant to provide additional reports, and may require additional independent technical evaluation of the wireless communications facility, at the applicant's sole cost, to ensure compliance with FCC standards and to ensure appropriate mitigation measures have been implemented.
- N. Municipally-Owned or Controlled Property and Supporting Structures.
 - 1. Policy Statement. The City may negotiate agreements for use of city owned or controlled property and supporting structures for the placement of wireless communications facilities, including street light poles in the rights of way. In exercising its decision to agree to access to a City property or supporting structure, the City will generally consider factors and consider designs consistent with this ordinance. Any design must be consistent with the supporting structure to be used, and result in no uncompensated cost to City. Without limitation, for example, the design for a wireless communications facility to be attached to a street light must be consistent with designs in use along the corridor or (if more consistent with plans for the corridor) consistent with planned designs. Further, use will not be permitted if it requires the City to incur uncompensated costs, or accept risks or liability it would not otherwise face. Access will only be granted if it presents no safety issues, causes no harm to a structure, does not interfere with present or planned uses of the property or structure, and is in the City's best interests as facilities owner. Subject to lawful limits imposed by state or federal law, the agreement shall specify the compensation to the City for use of the property or structures. Except as prohibited by law, the person seeking the agreement shall additionally reimburse the city for all costs the city incurs in connection with its review of, and action upon, the person's request for an agreement.
 - 2. Requests for Use. A request for use of a City-owned property or structure may be submitted to Community Development Director. The request can be submitted before an application is submitted to the Planning Commission, so long as the requesting party agrees that the request does not trigger any shot clock with respect to any permit that may be required for deployment of the structure. Community Development Director is authorized to negotiate agreements for use of City-owned or controlled supporting structures, and to bring those agreements to the City for approval. Community Development Director may also issue a written denial of access, stating reasons therefore. If City receives multiple, conflicting requests for placement of wireless

communications facilities for the same location from different entities, City, may require consolidation of wireless communications facilities or, allocate sites on any basis consistent with applicable law.

- 3. Compliance with RF Standards. No permit and no agreement for use of city owned or controlled supporting structures, shall be issued or effective unless it is shown that the wireless communications facility will comply with Federal Communication Commission ("FCC") regulations governing radio frequency ("RF") emissions. Every wireless communications facility shall at all times comply with applicable FCC regulations governing RF emissions, and failure to comply shall be a treated as a material violation of the terms of any agreement.
- 4. Non-Interference. Before a wireless communications facility is attached to city owned or controlled supporting structure, the owner of the wireless communications facility must submit a study showing that the attachment or modification will not interfere with then-existing or planned City uses of the structure, including communications uses. Any request for use must include detailed drawings and specifications so that the City may determine whether there will be interference with City uses.
- O. Pre-Approval of Designs.
 - Alternative. A person who wishes to install a wireless communications facility with a design that does not comply with the design standards set forth in Section 38-112.4(F), but who believes that the design is fully consistent with the goals of this ordinance may submit a request for pre-approval of the design to the Planning Commission. A preapproval request is not mandatory, and is not an application for a wireless communications facility within the meaning of this ordinance, and must be submitted with a clear statement that consideration of the request is not subject to any shot clock. The purpose of permitting the request is to encourage development of, and provide a means for public consideration of those designs.
 - 2. Consideration. The proposed design will be publicly published, and the Planning Commission may conduct such investigations, and require the person requesting pre-approval to submit such information, and provide such mock-ups as may be necessary to evaluate the impact of the design. If, after a full opportunity for public hearing the Planning Commission finds that the design serves the goals of this ordinance, it may recommend pre-approval to the City Council for the placement as a design permitted under Section 38-112.4(F)(1)-(10). The recommendation may limit areas where the facility would be pre-approved for placement. The Planning Commission may also recommend elimination or modification of any pre-approved design, after a public hearing where it finds that the design as adopted does not serve the purposes of this ordinance.
 - 3. Council Action. The Council may pre-approve the design by resolution. The design will be published. Council may also eliminate or modify a pre-approval.

P. Definitions. Except where otherwise expressly incorporated into a provision of the Code, the following definitions only apply to this Section 38-112.4, and shall not be construed to define the same terms found in any other section of this code.

"Accessory equipment" means any equipment associated with the installation of a wireless communication facility, including but not limited to cabling, generators, fans, air conditioning unit, electrical panels, equipment shelters, equipment cabinets, equipment buildings, pedestals, meters, vaults, splice boxes, and surface location markers.

"Antenna" means any system of wires, poles, rods, reflecting discs, dishes, whips or other similar devices used for transmission or receptions of electromagnetic waves. A device where the antenna is integrated with the radio unit shall be treated as an antenna.

"Base station" has the same meaning as the term used in 47 CFR Section 1.16100(b)(1), as may be amended, except that, to the extent not included within the FCC definition, the term includes accessory equipment.

"Camouflage" means a wireless communications facility or supporting structure to which the applicant applies some concealment techniques in order to blend all or a portion of the facility or structure into the surrounding area or to appear to be an object that is congruent with its environment, but which is not designed to look like some feature other than a wireless communications facility to a reasonable person.

"City Manager" means the City Manager or the Manager's designee.

"Community Development Director" or "Director" means the Community Development Director or the Director's designee.

"CPUC" means the California Public Utilities Commission established in the California Constitution, Article XII, Section 5, or its duly appointed successor agency.

"Eligible facilities request" means the same as defined by the FCC in 47 CFR Section 1.6100(b)(3), as may be amended. "Eligible support structure" means the same as defined by the FCC in 47 CFR Section 1.6100(b)(4), as may be amended.

"FAA" means the Federal Aviation Administration or its duly appointed successor agency.

"FCC" means the Federal Communications Commission or its duly appointed successor agency.

"Modification" means a change to an existing wireless communications facility that involves a change to the size, physical configuration, appearance, height, weight or structural loading of the existing wireless communications facility or its supporting structure, or which results in an increase in the noise emitted by the wireless communications facility. Modification does not include repair, replacement or maintenance if those actions do not involve a change to the size, physical configuration, appearance, height, weight or structural loading of the existing facility or its supporting structure, or result in an increase in the noise emitted by the wireless communications do not involve a change to the size, physical configuration, appearance, height, weight or structural loading of the existing facility or its supporting structure, or result in an increase in the noise emitted by the wireless

communications facility. Modification does not include removal unless the facility is replaced, and the replacement would constitute a modification.

"Mock-up" means a temporary, full-sized, structural model built to scale chiefly for study, testing, or displaying a wireless communications facility. It is nonfunctional and has no power source.

"Mounted" means attached or supported.

"Personal wireless service facilities" means the same as provided in 47 U.S.C. Section 332(c)(7)(C)(ii), as may be amended.

"Public rights-of-way" means land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved and dedicated to the general public for street, highway, alley, public utility or pedestrian walkway purposes, whether or not the land has been improved or accepted for maintenance by the City. Public right-of-way includes but is not limited to street, roadway, planter strip and sidewalk.

"Radome" means a weatherproofed enclosure (typically constructed from fiberglass or plastic material) that protects and conceals an antenna or antennas contained therein.

"RF" means "radio frequency" or electromagnetic waves between 30 kHz and 300 GHz in the electromagnetic spectrum range.

"Site" means the same as defined by the FCC in 47 CFR Section 1.6100(b)(6), as may be amended.

"Small wireless facility" means the same as defined in 47 CFR section 1.6002. , as may be amended.

"Stealth" means a wireless tower or base station designed to look like some feature other than a wireless tower or base station to a reasonable person. Examples include, but are not limited to: (1) wireless equipment placed completely within existing architectural features such that the installation causes no visible change to the underlying structure; (2) new architectural features that match the underlying building in architectural style, physical proportion and constructionmaterials quality; (3) flush-to-grade underground equipment vaults with flush-to-grade entry hatches, with wireless equipment placed completely within.

"Supporting Structure" means any structure, other than a tower, capable of supporting, or supporting a Base Station. An existing supporting structure is a structure in place at the time an application is filed; a replacement support structure is a structure that replaces an existing structure, which structure must be removed; a new support structure is a structure other than a tower, that is not in place at the time an application is filed, and that will be constructed as part of the placement of the Base Station.

"Temporary wireless communications facility" means wireless communications facilities intended or used to provide personal wireless services on a temporary or emergency basis, such as a large scale special event in which more users than usual gather in a confined location or when a disaster requires additional service capabilities. Temporary wireless communications facilities include without limitation, cells on wheels (COW), sites on wheels (SOW) and cells on light trucks (COLTs) or other similar wireless facilities: (1) that will be in place for no more than 60 days (or such other longer time as the City may allow); (2) for which required notice is provided to the FAA; (3) that do not require marking or lighting under FAA regulations; (4) that will be less than 100 feet in height; and (5) that will either involve no excavation or involve excavation only as required to safely anchor the facility, where the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least two feet.

"Tower" means the same as defined by the FCC in 47 CFR Section 1.6100(b)(9), as may be amended.

"Transmission equipment" means the same as defined by the FCC in 47 CFR Section 1.6100(b)(8).

"Wireless" means any FCC-licensed or authorized wireless communication service transmitted over frequencies in the electromagnetic spectrum.

"Wireless communications facility" means all elements of a facility at a fixed location used in connection with the provision of any FCC licensed or authorized wireless service to the public, including the base station and tower, if any, but excluding the supporting structure to which the base station is attached or within which it is enclosed. Provided that, the term does not include:

a. wireless devices entirely enclosed within an existing building outside of the rights of way, where installations does not require a modification of the exterior of the building;

b. wireless devices attached to the exterior of a building, which would constitute an accessory use of the building permitted under this Code, and where the wireless communications facility located on the exterior is less than 3 cubic feet in size;

c. Amateur radio antennas (including ham and shortwave).

d. Over-the-air reception devices ("OTARDs") as defined in 47 CFR Section 1.4000 et seq., as may be amended or superseded.

e. Wireless communications facilities owned and operated by the City for its use, or by any governmental agency for its own or public safety uses.

f. The exemptions under subsections (c)-(d) do not apply to the extent the facility is used for any purpose, or integrates any wireless facility such that the entire facility is not required to be treated as an "amateur radio antenna" or an OTARD under FCC rules. By way of example, if an antenna is used in the provision of personal wireless services, it is not treated as an OTARD.

g. The exempt facilities remain subject to other provisions of the Code. By way of example, and not limitation, a modification to an historic structure to install a wireless communications facility exempt under this provision of the Code would be subject to review under other provisions of the Code governing modifications to historic structures.

"Wireless service provider" means the FCC licensed or authorized entity offering wireless services to the public.

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 8: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this day of _____, 202_, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

APPROVED:

ATTEST:

Mayor of said City

City Clerk thereof



BOARD OF DIRECTORS

Carl Miller, Chair William Sabo Mary Ann Leffel Gary Cursio LisAnne Sawhney

EXECUTIVE STAFF

Michael La Pier, AAE Executive Director Scott Huber District Counsel

Attachment D - MRY Comment letter Via email -Fionna Jensen

04/21/2022 Airport Land Use Commission

The Monterey Regional Airport (Airport) staff have reviewed the 5G documents before the ALUC as follows:

- City of Monterey Proposed Wireless Ordinance
- T-Mobile application SF15772A
- Verizon application 20212251099

The Airport provides the following comments:

5G Aviation Safety Criteria Consistency and Airspace Consistency

The FAA is working to ensure that radio signals from newly activated wireless telecommunications systems can coexist safely with flight operations in the United States, with input from the aviation sector and telecommunications industry.

Because proposed 5G deployment involves a new combination of power levels, frequencies, proximity to flight operations, and other factors, the FAA must impose restrictions on flight operations using certain types of radio altimeter equipment close to antennas in 5G networks. These safety restrictions could in the future affect flight schedules and operations at Monterey Regional Airport.

The Airport would request that any proposed 5G development upgrades be coordinated with FAA to provide 5G tower activation information as early as possible before the development occurs to reduce any aircraft disruption possibility to operations at Monterey Regional Airport.

The Airport further requests the proponents submit the FAA 7460-1 Form, Notice of Proposed Construction or Alteration to evaluate the equipment that is proposed which will include bandwidth, frequency, and FCC structure registration. The form is to be submitted to the FAA, electronically via the online web link: (https://oeaaa.faa.gov/oeaaa/external/portal.jsp).

The FAA will then conduct an aeronautical study based on the information provided by the proponents on an FAA Form 7460-1, and if necessary, provide guidance on any course of action to prevent hazards to air navigation.

In response to the proposed Wireless Ordinance, we request that language be added that meets the above requirements for Aircraft Safety and Review.

Respectfully, Monterey Regional Airport

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Michael La Pier, AAE Executive Director

Cc Kimberly Cole, Community Development Director



MEMORANDUM

To:	Airport Land Use Commission
From: Craig Patton, ALUC Staff; April 21, 2022	
TTOM.	(831) 755-5173, pattonc@co.monterey.ca.us
Meeting Date:	May 2, 2022
	Scheduled Item 7b – Verizon Wireless
Subject:	Proposed replacement of six wireless 4G antennas with six wireless 5G antennas and associated equipment upgrades. The proposed project site is located at 2200 Garden Road, City of Monterey, Assessor's Parcel Number 013-312-01225-000 (ALUC File No. REF220026)

RECOMMENDATION:

Staff recommends the Monterey County Airport Land Use Commission (ALUC) find the proposed replacement of wireless communication facility equipment consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport (ALUCP).

PROJECT & SITE INFORMATION:

On March 29, 2022, the City of Monterey on behalf of Verizon Wireless (project applicant) referred an application (ALUC File No. REF220026) to ALUC staff for ALUC consideration. This application involves the removal of six (6) existing antennas and installation of six (6) new antennas, and associated upgrades including replacing six radio units and installing three filters, four surge suppressors and two hybrid cables. The project will be placed on an existing 70-foot lattice tower. The proposed project site is located at 2200 Garden Road, Monterey, Assessor's Parcel Number 013-312-015-000 (ALUC File No. REF220026).

The project would be located in the southeast corner of the subject parcel on a 70-foot above grade level lattice tower, which currently houses the wireless communications equipment operated by Verizon. The proposed project will not alter the existing height as the replacement antennas and related equipment will be located within the same areas as the equipment being replaced. The subject parcel and all properties to the north, east and west are zoned Industrial. The southern boundary of the subject property borders the County of Monterey. The local jurisdiction (City of Monterey) zoned the property as an industrial and a majority of the surrounding properties are zoned either commercial or industrial. The site is located within Safety Zone 7 (Airport Influence Area Zone), see Figure 1 below.

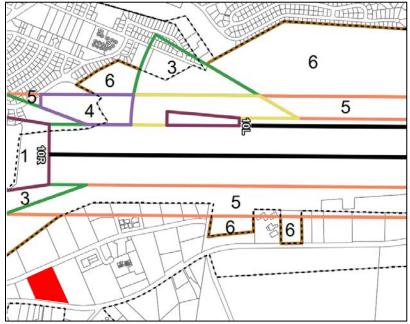


Figure 1. Exhibit 4C – Monterey Regional Airport Safety Zone, ALUCP. Subject property is illustrated as the red box.

COORDINATION WITH AIRPORT STAFF

Pursuant to ALUCP Policy 4.1.8.1, ALUC staff forwarded project information to Monterey Peninsula Airport District (MAPD) staff on April 4, 2022. MPAD staff responded on April 22, 2022 (Attachment 4).

ALUC staff reviewed these comments and how they relate to the ALUCP for Monterey Regional Airport. As previously mentioned, the policy or direction pertaining to hazards of flight, specifically electrical interference, are absent in the ALUCP. Therefore, the Airport staff has requested that all 5G development be coordinated with the FAA to provide City of Monterey staff with 5G tower activation information as early as possible before the development occurs to reduce any aircraft disruption possibility to operations at Monterey Regional Airport. Additionally, Airport staff requested that 5G wireless communication facility applicants submit to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration). The FAA will use the information submitted on this form to conduct an aeronautical study, and if necessary, provide guidance on any course of action to prevent hazards to air navigation. ALUC staff finds the Airport staff requests appropriate and have included them as a condition of approval (ALUC-9).

CONSISTENCY DETERMINATION ANALYSIS:

ALUC staff has reviewed the applicant's proposal in accordance with the adopted 2019 ALUCP as discussed below:

Noise Compatibility

The project was reviewed for consistency with the most up-to-date Noise Contour Exposure Maps completed in 2018 for the Monterey Regional Airport Master Plan Environmental Impact Report, which are generally consistent with the noise contour maps shown in the 2019 ALUCP for Monterey Regional Airport at Exhibits 2D, 2E, and 4B. In accordance with the ALUCP, Table 4A, Noise Compatibility Criteria Matrix, communication and utility facilities, such as the proposed wireless communication facility upgrade, located outside of the 65 CNEL are a compatible use with no restrictions. The project site is not located within or near the 60 or 65 CNEL noise contour; therefore, the project will not expose people to frequent and/or high levels of airport noise capable of disrupting noise-sensitive activities.

Airspace Protection

The project area is located within the Horizontal Surfaces as identified by Title 14 of the Code of Federal Regulation (CFR) Part 77 approach imaginary surfaces for Monterey Regional Airport; however, the proposed project will not penetrate the Part 77 transitional surfaces, as it does not exceed 100 feet above ground level. The project does not alter the existing height of the 70-foot communications tower. Therefore, as proposed, the project would not create any new obstruction issues for pilots, nor penetrate into the Part 77 transitional surfaces. Based on the evidence above, ALUC staff does not recommend any conditions related to airspace protection.

Safety Compatibility

The entire project area is located within the Airport Influence Area (Safety Zone 7), as shown in Exhibit 4C "Monterey Regional Airport Safety Zones" of the ALUCP. Pursuant to Table 4B, Safety Criteria Matrix, the project meets the applicable safety zone criteria.

Other Flight Hazards

ALUCP Policy 4.2.3.4 identifies land use characteristics that are incompatible with airport operations because they would cause visual, physical, electronic, or wildlife hazards. The project will not result in any visual, physical or wildlife hazards. Additionally, the proposed project complies with the radiofrequency field levels established by the Federal Communications Commission (FCC). The applicant submitted a radiofrequency electromagnetic (RF-EME) assessment (Attachment 5) which found that the proposed project will comply with the FCC's RF-EME Safety Guidelines, as set forth in the FCC Office of Engineering and Technology Bulletin 65, regarding limits for human exposure to RF fields. On behalf of the City of Monterey, this report was peer reviewed by an independent consultant, which also found the project to be consistent with FCC guidelines. Additionally, as conditioned, the project's applicant/owner shall submit for review and approval to the City of Monterey Community Development – Planning Department evidence of 1) submittal to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration), 2) coordination with the FAA regarding tower activation, and 3) compliance with applicable FCC and FAA standards. Therefore, as proposed and conditioned, the project would not introduce uses involving hazards to air navigation, such as electrical interference, high intensity lighting, bird attraction, or glare.

CONCLUSION:

Based on the review and analysis completed for the proposed project, staff recommends the ALUC adopt a resolution (**Attachment 1**) finding the proposed replacement of six wireless 4G antennas with six wireless 5G antennas and associated equipment upgrades, consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport (ALUCP), subject to one ALUC condition.

Attachments:

Attachment 1	Draft ALUC Resolution, including draft Conditions	
Attachment 2	Project Plans (staff included only those pages applicable to ALUC	
	review)	
Attachment 3	City of Monterey Consistency Review Memo (March 29, 2022)	
Attachment 4	Monterey Regional Airport comment letter, dated April 22, 2022	

Attachment 5 Radiofrequency electromagnetic assessment (certification page only; dated November 5, 201)

cc: ALUC Commissioners; ALUC Counsel; Monterey Peninsula Airport District (C. Morello); City of Monterey Planning Office (Kimberly Cole); Eric Lentz (Verizon, Inc.), Applicant; Sherri Stewart (Verizon, Inc); RF Vendor; ALUC File No. REF220026

ATTACHMENT 1

DRAFT ALUC RESOLUTION

Before the Monterey County Airport Land Use Commission, State of California

Resolution No. 22-00_

Finding the proposed replacement of six wireless 4G antennas with six wireless 5G antennas and associated equipment upgrades consistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for Monterey Regional Airport.

REF220026, City of Monterey (Assessor's Parcel Number 013-312-015-000)

WHEREAS, on March 29, 2022, City of Monterey Planning Office (applicable jurisdiction) referred an application on behalf of Verizon Wireless (project applicant) to Monterey County Airport Land Use Commission (ALUC) staff (ALUC File No. REF220026) for the proposed replacement of six wireless 4G antennas with six wireless 5G antennas and associated equipment upgrades.; and

WHEREAS, the ALUC is responsible for review of projects within the applicable area of influence for consistency with the 2019 Monterey Regional Airport Land Use Compatibility Plan; and

WHEREAS, on May 2, 2022, the ALUC conducted a duly noticed public meeting to consider the proposed project; and

WHEREAS, the proposed project site is located at 2200 Garden Road, City of Monterey, Assessor's Parcel Number 013-312-015-000, and is located within the Airport Influence Area (AIA or Zone 7), of the Monterey Regional Airport; and

WHEREAS, the proposed wireless 5G communication facility would upgrade the existing wireless 4G communication facility which is located on a ground mounted 70-foot lattice tower located in the southeastern corner of the subject property; and

WHEREAS, the project would involve the removal of six existing antennas and the installation of six new antennas in roughly the same locations, and other associated upgrades including replacing six radio units and installing three filters, four surge suppressors and two hybrid cables; and

WHEREAS, in accordance with ALCUP Table 4A, communication and utility facilities located outside of the 65 CNEL, such as the subject property, would be a compatible use with no restrictions and therefore the project does not have the ability to

not expose people to frequent and/or high levels of airport noise capable of disrupting noise-sensitive activities; and

WHEREAS, the proposed project will not create any new obstructions for pilots, nor will it penetrate the Part 77 approach surfaces because it does not alter the existing structure's height of 70 feet which is below the 100-foot height required for FAA review within the Airport Influence Area (Safety Zone 7); and

WHEREAS, the project will not introduce uses involving hazards to air navigation, high intensity lighting, bird attraction, or glare and Verizon's radiofrequency electromagnetic (RF-EME) assessment found that the proposed project will comply with the FCC's RF-EME Safety Guidelines, as set forth in the FCC Office of Engineering and Technology Bulletin 65, regarding limits for human exposure to RF fields, and therefore, proposed project is consistent with applicable ALUCP policies relating to safety and flight hazards; and

WHEREAS, as conditioned, the project's applicant/owner shall submit for review and approval to the City of Monterey Community Development – Planning Department evidence of 1) submittal to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration), 2) coordination with the FAA regarding tower activation, and 3) evidence of compliance with applicable FAA and FCC standards; and

WHEREAS, on May 2, 2022, the ALUC conducted a duly noticed public meeting to consider the proposed 5G wireless communications facility upgrades.

WHEREAS, the ALUC finds that the proposed project is consistent overall with the ALUCP policies.

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use Commission does hereby find that the proposed replacement of wireless 4G antennas with wireless 5G antennas and associated equipment upgrades consistent with the 2019 ALUCP for Monterey Regional Airport, incorporated herein by reference, and subject to one ALUC condition.

PASSED AND ADOPTED on this 2nd day of May 2022, upon motion of Commissioner ______, by the following vote, to-wit:

AYES: NOES: ABSENT: ABSTAIN:

ATTEST Erik Lundquist, AICP, Secretary to the ALUC

By:

Craig Patton, Designee of Secretary to the ALUC May 2, 2022

MONTEREY COUNTY AIRPORT LAND USE COMMISSION



ALUC CONDITIONS

The following standard and/or non-standard conditions may be applied to an application being considered before the ALUC. If the box next to the condition is marked, that indicates the condition is to be applied to the project as part of the ALUC recommendation.

PROJECT NAME: VERIZON ALUC FILE NO.: REF220026

r	1	
		AVIGATION AND HAZARD EASEMENT
		Prior to the issuance of a construction permit, the
		developer/owner shall grant an avigation and hazard easement
		to the appropriate airport authority. The easement shall be
		recorded at the Monterey County Recorder's Office. The
		easement may include:
		 Right-of-flight at any altitude above the acquired easement
		surfaces.
		 Right to cause noise, vibrations, fumes, dust and fuel particle
	ALUC-1	emissions.
	ALUC-I	 Right to prevent construction or growth of all structures, objects
		or natural growth above the acquired easement surfaces.
		 Right-of-entry to remove, mark or light any structures or growth above the acquired easement surfaces, or right to require the
		owner to remove, mark or light.
		-
		Right to prohibit creation of electrical interference, unusual light
		sources and other hazards to aircraft flight.
		 Any other limitation that the ALUC may recommend to protect
		the public's health, safety and welfare.
		NOISE INSULATION STANDARDS
	ALUC-2	The project shall conform to current noise insulation standards
	ALCO Z	pursuant to the California Code of Regulations, Title 25,
		Chapter 1, Subchapter 1.
		NOISE STANDARDS
	ALUC-3	The project shall conform to noise standards pursuant to the
		California Code of Regulations, Title 21, Subchapter 6.
		AIRPORT APPROACH ZONING
ALUC-4		The project shall conform with Title 20 and Title 21 of the
	Monterey County Code (Zoning Ordinances), Chapter 20.92	
		and Chapter 21.86, Airport Approaches Zoning, and/or
		applicable zoning code relevant to airport hazards and
	ALUC-5	OBJECTS AFFECTING NAVIGABLE AIRSPACE
		The project shall conform to FAR, Part 77 – Objects Affecting

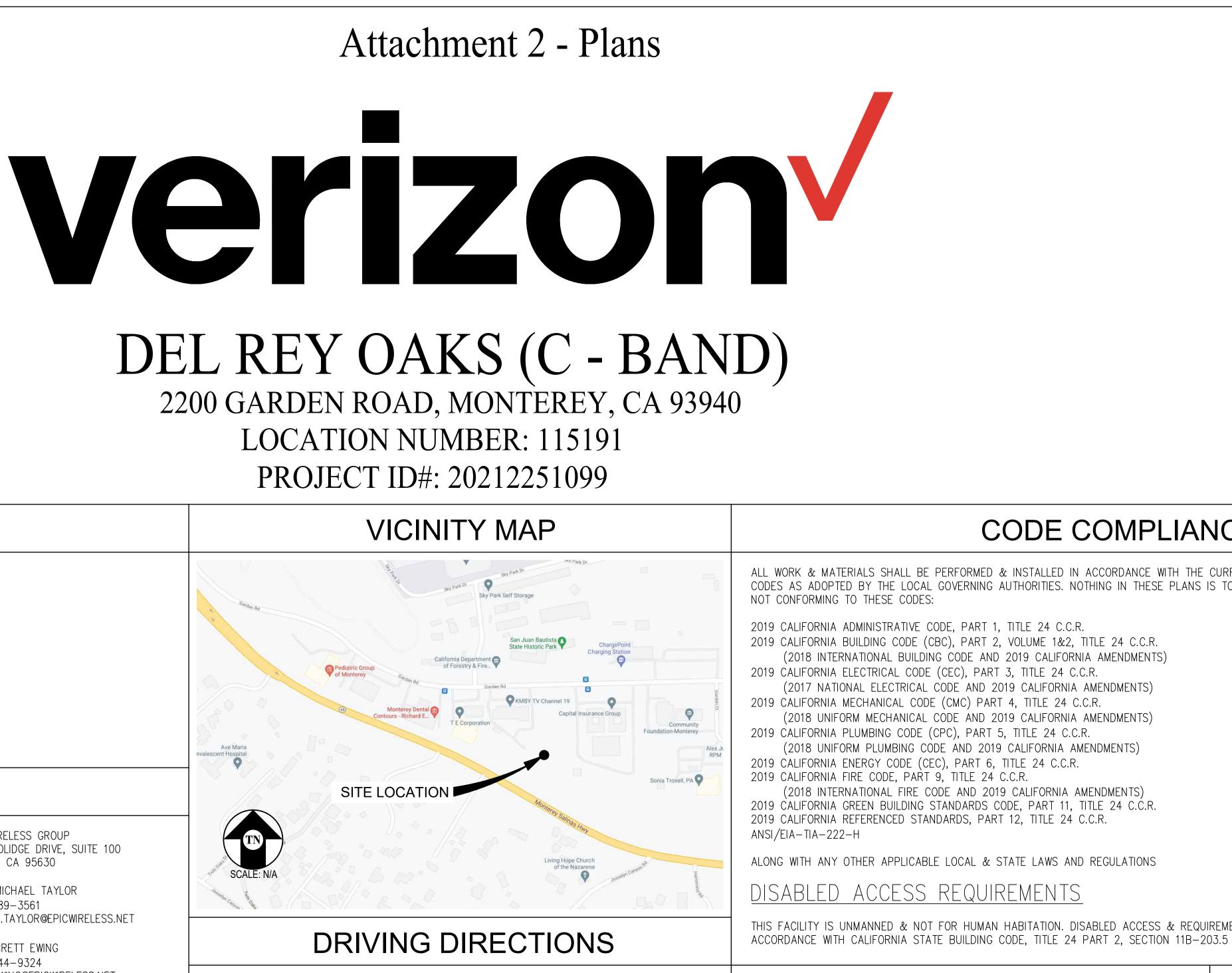
	Navigable Airspace.		
	ALUC-6	EXTERIOR LIGHTING Prior to the issuance of a construction permit, an Exterior Lighting Plan shall be reviewed and approved by the applicable airport manager prior to the issuance of any construction permits. All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.	
	ALUC-7	 TOWERS - MARKING AND LIGHTING When not specifically required by FAA Advisory Circular 70/7640-IF (Obstruction Marking and Lighting), the following ALUC recommendations shall be applied to towers: A flashing red beacon shall be installed at the highest point of the structure. A steady burning red obstruction light shall be installed at the highest point of the structure. A steady burning red obstruction light shall be installed at the intermediate level of the structure. Nine (9) day-glow markers (20" minimum) shall be installed on the top level of guide wires (3 to the wire). The applicant shall contact the FAA to publish a NOTAM (Notice to airmen) in Monterey County about the location of the proposed structure. Standard marking (orange and white striping) shall be installed, as defined in Chapter 3 of the FAA AC 70/7460-IF. 	
	ALUC-8	NO CONDITION REQUIRED The project, as reviewed by the ALUC, is consistent with the	
		CLUP for that jurisdiction and does not require any conditions.	
\square	ALUC-9	NON-STANDARD CONDITION (See attached)	

PROJECT REVIEWED BY THE ALUC ON: 5/02/2022

ALUC-9: NON-STANDARD CONDITION

Prior to the issuance of building permits, the applicant/owners shall submit for review and approval to the City of Monterey Community Development – Planning Department evidence demonstrating 1) submittal to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration), 2) coordination with the FAA regarding tower activation, and 3) compliance with applicable FCC and FAA standards.

VERIZON WIRELESS EQUIPMENT ENGINEER:	PROPERTY OWNER:
SIGNATURE DATE	SIGNATURE DATE
VERIZON WIRELESS CONSTRUCTION:	EPIC WIRELESS GROUP INC - LEASING
SIGNATURE DATE	SIGNATURE DATE
VERIZON WIRELESS REAL ESTATE:	EPIC WIRELESS GROUP INC - ZONING
SIGNATURE DATE	SIGNATURE DATE
VERIZON WIRELESS RF ENGINEER:	EPIC WIRELESS GROUP INC - CONSTRUCTION
SIGNATURE DATE	SIGNATURE DATE



PROJECT DESCRIPTION

A MODIFICATION OF AN (E) VERIZON WIRELESS UNMANNED TELECOMMUNICATION FACILITY CONSISTING OF:

- INSTALLING (6) (N) VERIZON WIRELESS ANTENNAS
- REMOVING (6) (E) VERIZON WIRELESS ANTENNAS
- RELOCATING (1) (E) VERIZON WIRELESS ANTENNA INSTALLING (3) (N) RADIO 8843 UNITS
- INSTALLING (3) (N) RADIO 4449 UNITS
- INSTALLING (3) (N) 8863 UNITS
- INSTALLING (3) (N) FILTERS
- REMOVING (6) (E) RRUS-32 UNITS
- INSTALLING (2) (N) RAYCAP 6627 SURGE SUPPRESSORS @ ANTENNAS
- REMOVING (E) RBS 6201 CABINET & ASSOCIATED RRUS @ EQUIPMENT
- INSTALLING (2) (N) RAYCAP 4520 SURGE SUPPRESSORS IN (E) MISC RACK @ EQUIPMENT
- INSTALLING (2) (N) 12X24 HYBRID CABLES

PROJECT INFORMATION

SITE NAME:	DEL REY OAKS	SITE ACQUISITION COMPANY:	EPIC WIRELESS GROUP 605 COOLIDGE DRIVE, SUITE 100
SITE #:	115191		FOLSOM, CA 95630
COUNTY:	MONTEREY	LEASING CONTACT:	ATTN: MICHAEL TAYLOR
JURISDICTION:	MONTEREY COUNTY		(714) 989-3561 MICHAEL.TAYLOR@EPICWIRELESS.NET
APN:	013-312-015	ZONING CONTACT:	ATTN: BRETT EWING
SITE ADDRESS:	2200 GARDEN ROAD Monterey, ca 93940		(916) 844-9324 BRETT.EWING@EPICWIRELESS.NET
CURRENT ZONING:	_	CONSTRUCTION CONTACT:	ATTN: BRETT EWING (916) 844–9324
CONSTRUCTION TYPE:	II-B		BRETT.EWING@EPICWIRELESS.NET
OCCUPANCY TYPE:	U, (UNMANNED COMMUNICATIONS FACILITY))	
POWER:	PG&E		
LATITUDE:	N 36° 35′ 5.8992″ NAD 83		
LONGITUDE:	W 121° 51' 30.3984" NAD 83		
PROPERTY OWNER:	CLEAR CHANNEL MEDIA AND ENTERTAINMENT 2666 SHELLWOOD DRIVE, MELBOURNE, FL 32934		
APPLICANT:	VERIZON WIRELESS 2785 MITCHELL DRIVE, BLDG 9 WALNUT CREEK, CA 94598		

FROM: 2785 MITCHELL DRIVE, BLDG 9, WALNUT CREEK, CA 94598 2200 GARDEN ROAD, MONTEREY, CA 93940 TO:

1. START OUT GOING NORTHEAST ON MITCHELL DR TOWARD OAK GROVE RD.

- 2. TURN LEFT ONTO OAK GROVE RD. 3. TURN LEFT ONTO TREAT BLVD.
- 4. TURN RIGHT ONTO N MAIN ST.
- 5. MERGE ONTO I-680 S.
- 6. MERGE ONTO US-101 S VIA EXIT 1B TOWARD LOS ANGELES
- 7. MERGE ONTO CA-156 W VIA EXIT 336 TOWARD PENINSULA/MONTEREY.
- 8. CA-156 W BECOMES PACIFIC COAST HIGHWAY/CA-1 S.
- 9. TAKE THE CASA VERDE WAY EXIT, EXIT 402A.
- 10. TURN LEFT ONTO CASA VERDE WAY. 11. TURN RIGHT ONTO FAIRGROUND RD.
- 12. TURN LEFT ONTO GARDEN RD.

END AT: 2200 GARDEN ROAD, MONTEREY, CA 93940

ESTIMATED TIME: 2 HOURS 31 MINUTES

ESTIMATED DISTANCE: 120 MILES

0.12 MILES 0.54 MILES 2.29 MILES 0.10 MILES 47.65 MILES 48.84 MILES 6.50 MILES 12.09 MILES 0.20 MILES 0.33 MILES 0.24 MILES 0.84 MILES

SHEET I

DESCRIPTION	
	-

T-1.1	TITLE SHEET
A-1.1	OVERALL SITE PLAN
A-1.2	ENLARGED SITE PLAN
A-2.1	ANTENNA PLANS
A-3.1	ELEVATIONS
A-3.2	ELEVATIONS

A-4.1 DETAILS

SHEET

S-1.1 STRUCTURAL NOTES &



CODE COMPLIANCE

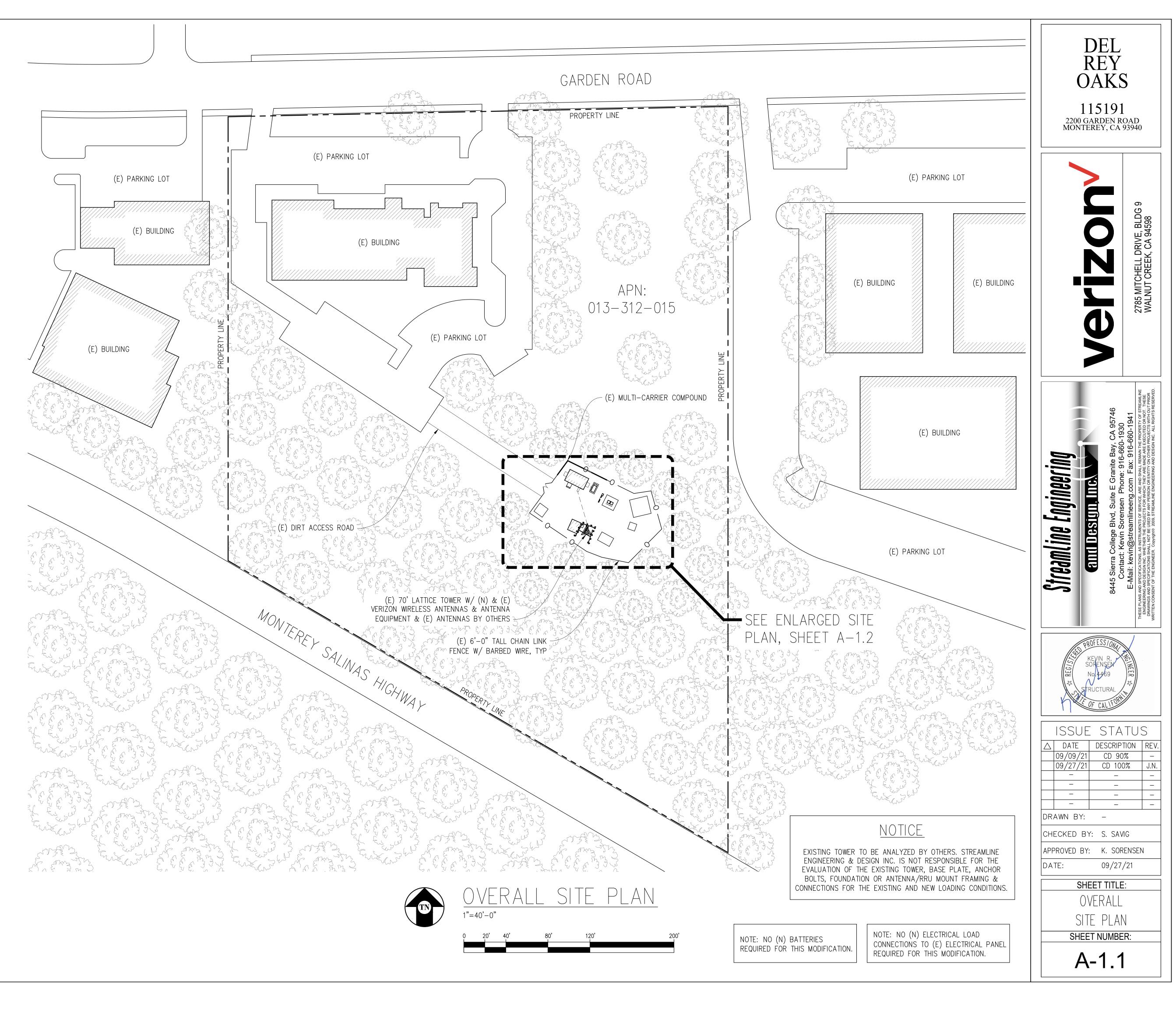
ALL WORK & MATERIALS SHALL BE PERFORMED & INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK

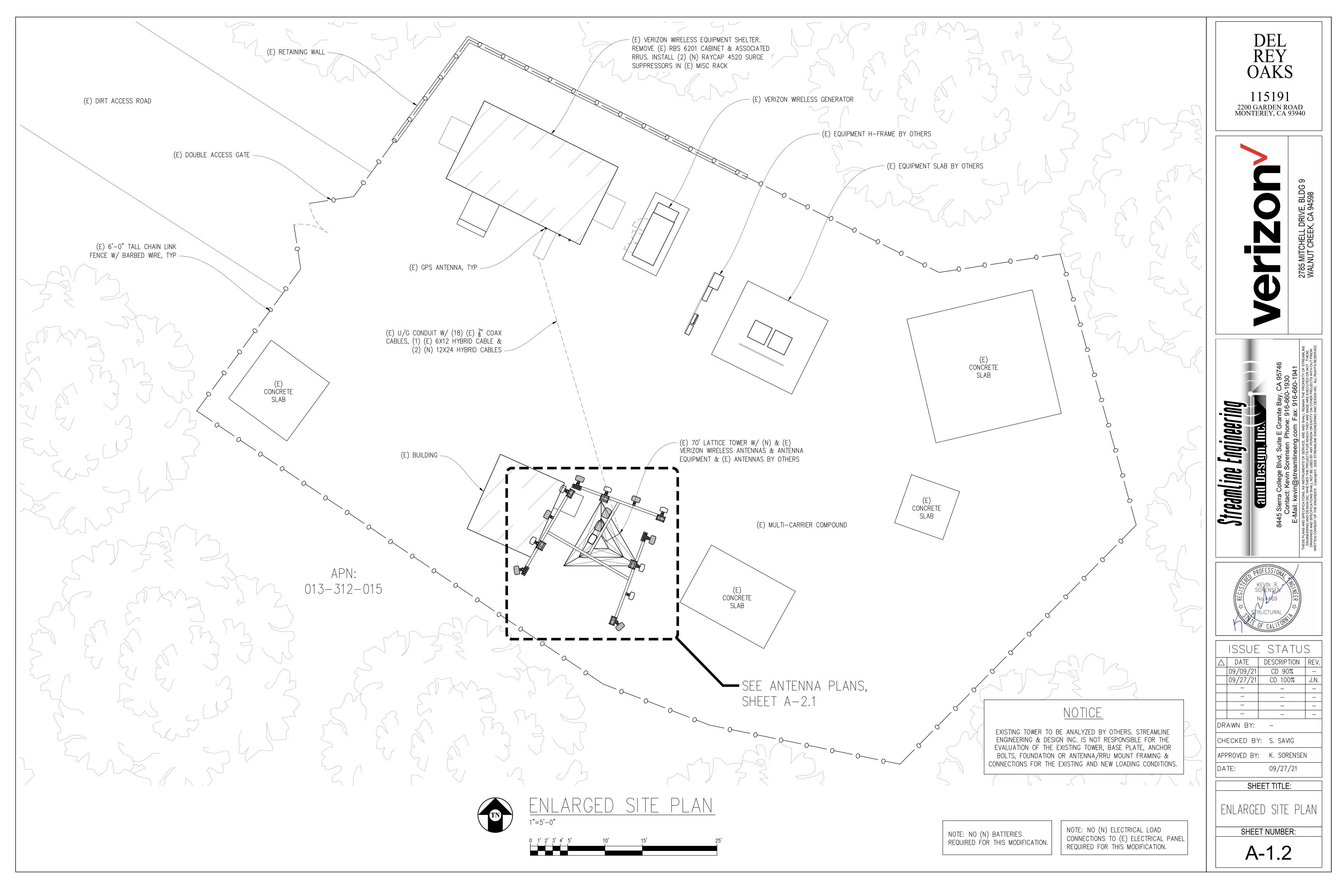
THIS FACILITY IS UNMANNED & NOT FOR HUMAN HABITATION. DISABLED ACCESS & REQUIREMENTS ARE NOT REQUIRED IN

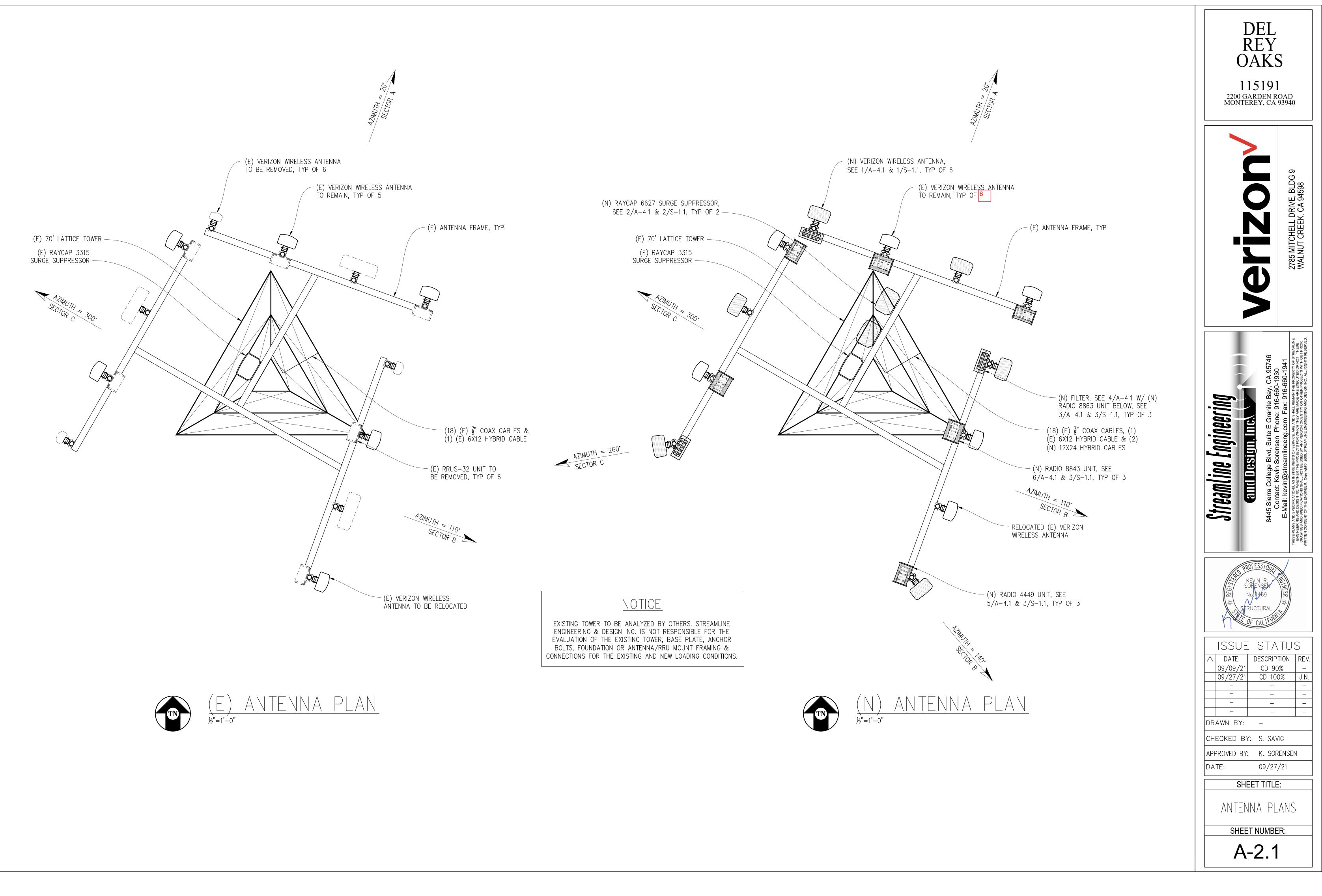
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DETAILS -	

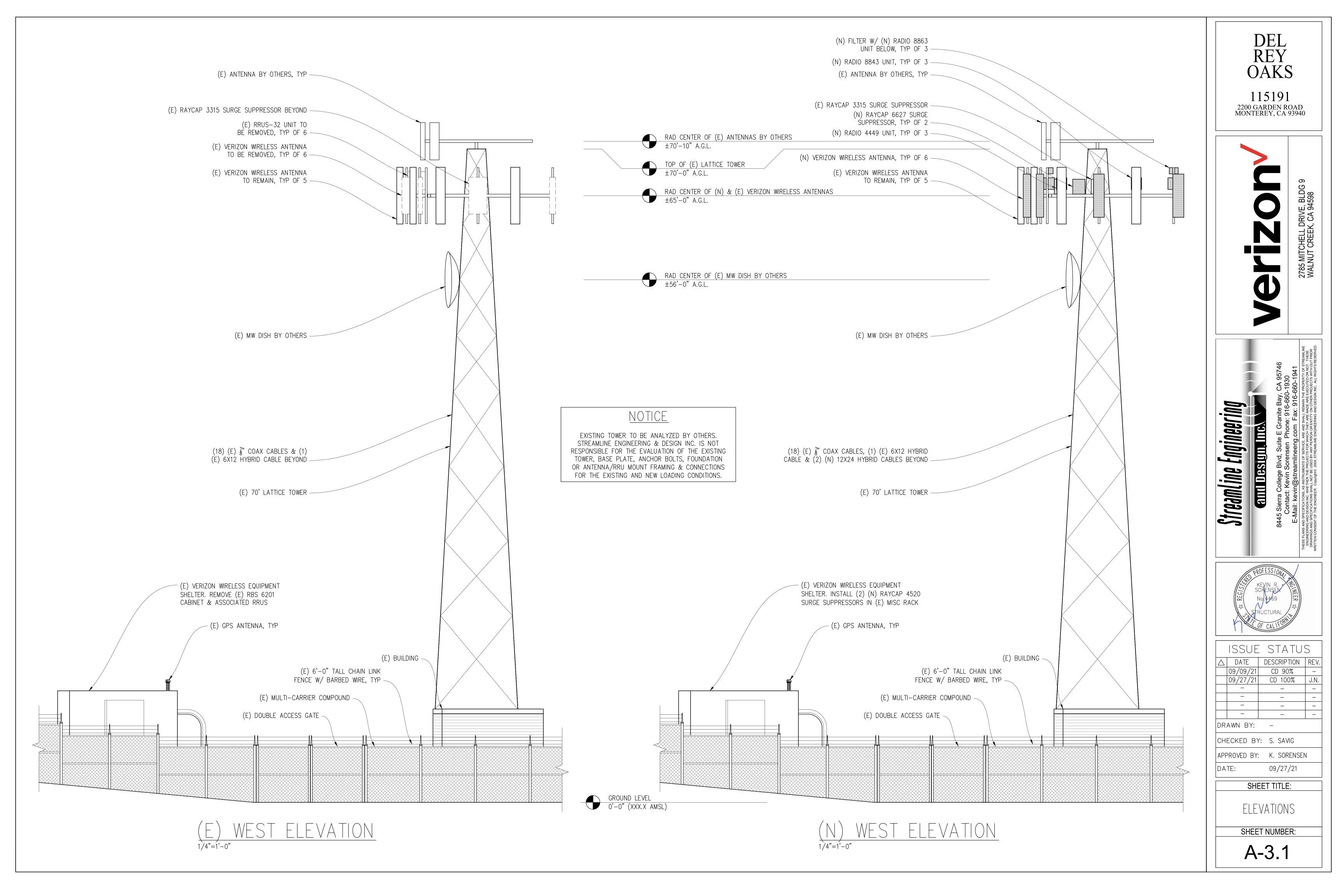
PROJECT GENERAL NOTES

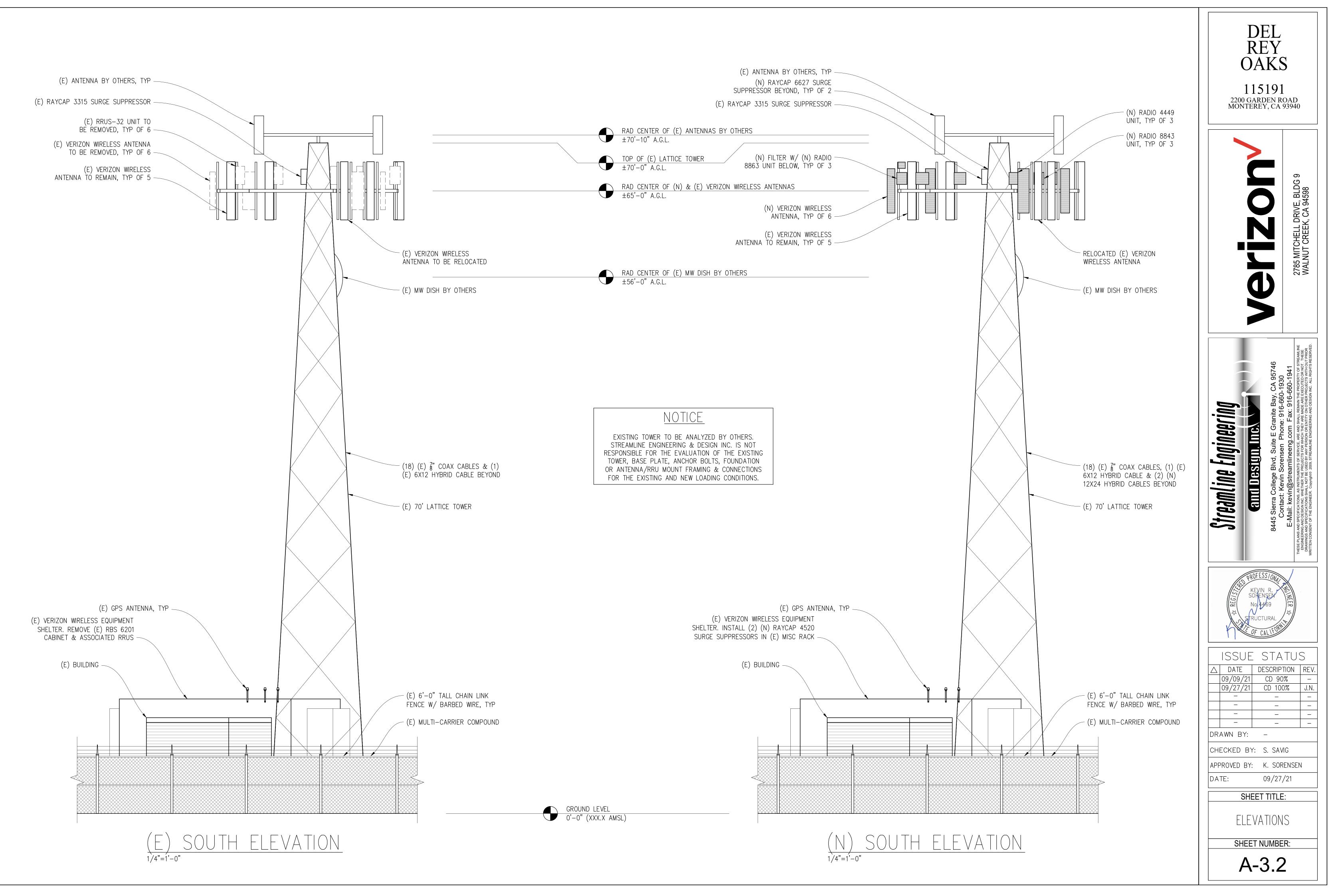
- THIS FACILITY IS AN UNOCCUPIED WIRELESS TELECOMMUNICATION FACILITY.
 PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC
- OUTLINE ONLY, UNLESS NOTED OTHERWISE. 3. THE SCOPE OF WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS
- INDICATED ON THE DRAWINGS.
 PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRM THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE CONSTRUCTION MANAGER AND ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- 5. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PAY FOR PERMIT FEES, AND TO OBTAIN SAID PERMITS AND TO COORDINATE INSPECTIONS.
- 6. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
- CALL BEFORE YOU DIG. CONTRACTOR IS REQUIRED TO CALL 811 (NATIONWIDE "CALL BEFORE YOU DIG" HOTLINE) AT LEAST 72 HOURS BEFORE DIGGING.
 ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT
- 8. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK.
- 9. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES. CONTRACTOR SHALL ALSO COORDINATE ALL PORTIONS OF THE WORK UNDER THE CONTRACT; INCLUDING CONTACT AND COORDINATION WITH THE CONSTRUCTION MANAGER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
- 10. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, PAVING, CURBS, GALVANIZED SURFACES, ETC., AND UPON COMPLETION OF WORK, REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF THE PROJECT MANAGER.
- 11. KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS AND RUBBISH. REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
- 12. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED, OR OTHERWISE DISCONNECTED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, AS DIRECTED BY THE RESPONSIBLE ENGINEER, AND SUBJECT TO THE APPROVAL OF THE OWNER AND/OR LOCAL UTILITIES.
- 13. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC AND ALL OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK SHALL BE PROTECTED AT ALL TIMES.
- 14. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
- 15. THE CONTRACTOR SHALL PROVIDE A TOILET FACILITY DURING ALL PHASES OF CONSTRUCTION.
- 16. SUFFICIENT MONUMENTATION WAS NOT RECOVERED TO ESTABLISH THE POSITION OF THE BOUNDARY LINES SHOWN HEREON. THE BOUNDARY REPRESENTED ON THIS MAP IS BASED ON COMPILED RECORD DATA AND BEST FIT ONTO EXISTING IMPROVEMENTS. IT IS POSSIBLE FOR THE LOCATION OF THE SUBJECT PROPERTY TO SHIFT FROM THE PLACEMENT SHOWN HEREON WITH ADDITIONAL FIELD WORK AND RESEARCH. THEREFORE ANY SPATIAL REFERENCE MADE OR SHOWN BETWEEN THE RELATIONSHIP OF THE BOUNDARY LINES SHOWN HEREON AND EXISTING GROUND FEATURES, EASEMENTS OR LEASE AREA IS INTENDED TO BE APPROXIMATE AND IS SUBJECT TO VERIFICATION BY RESOLVING THE POSITION OF THE BOUNDARY LINES.
- THE CONTRACTOR TO VERIFY THE LATEST/CURRENT RF DESIGN.
 WHERE APPLICABLE, CONTRACTOR SHALL PROVIDE SEPARATE PLANS, SPECIFICATIONS, FEES AND PERMITS FOR ANY REVISION TO ANY FIRE SPRINKLER AND/OR ALARM SYSTEM ON THE PREMISES AS MAY BE NEEDED TO COMPLETE THE WORK DEPICTED HEREIN, USING A LICENSED SUBCONTRACTOR FOR ALL SUCH WORK.

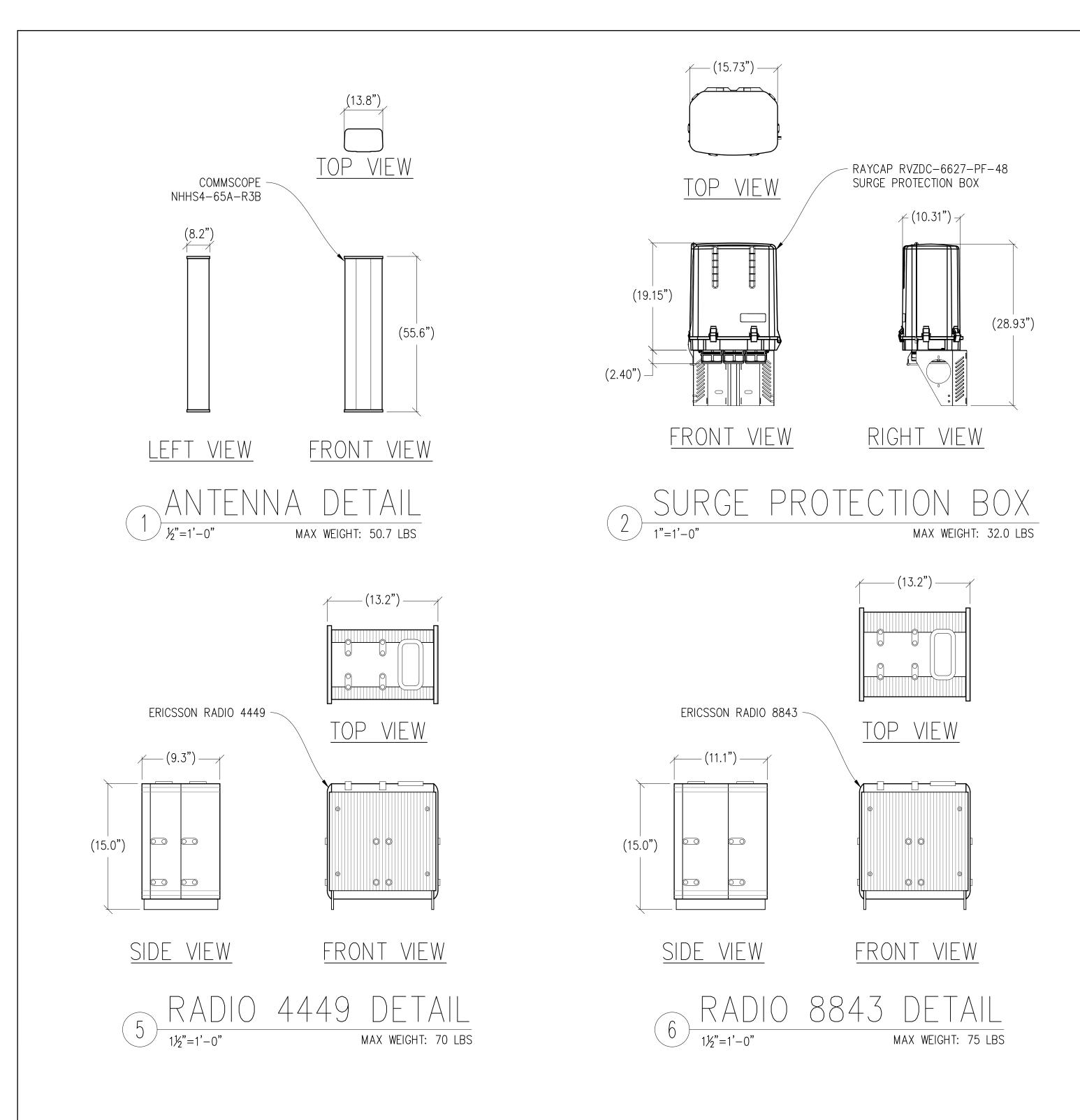


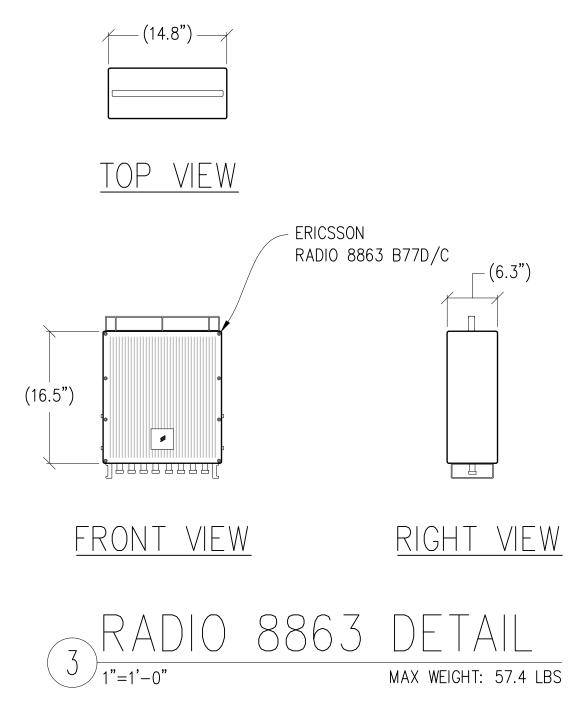


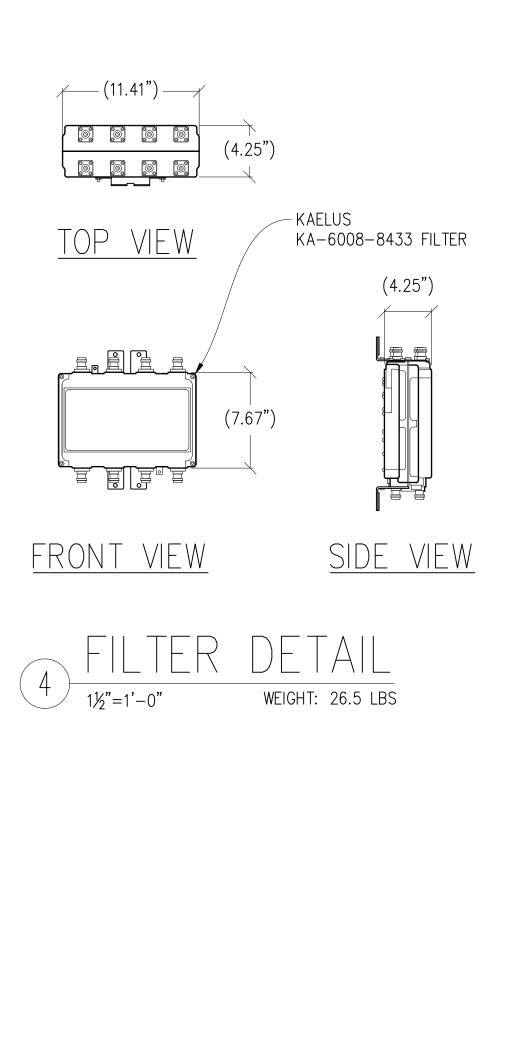












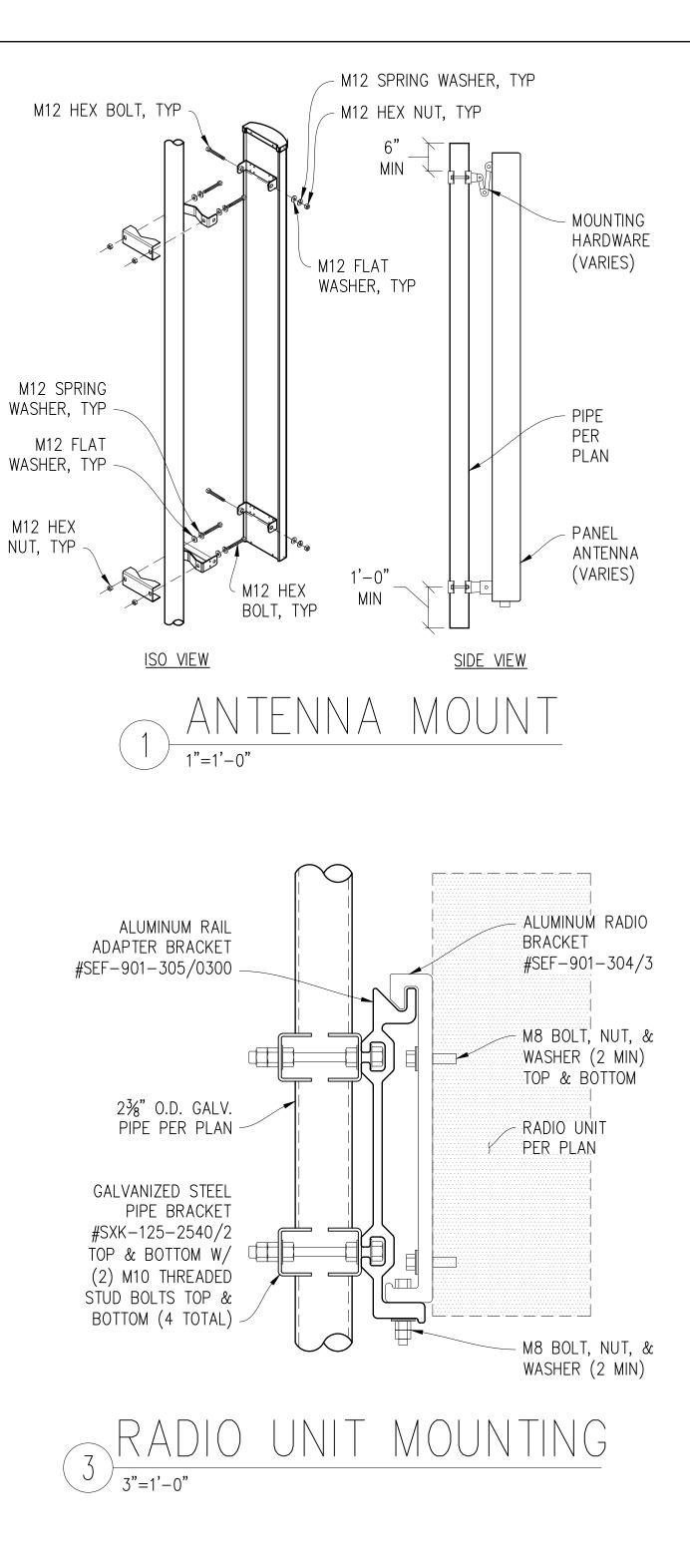


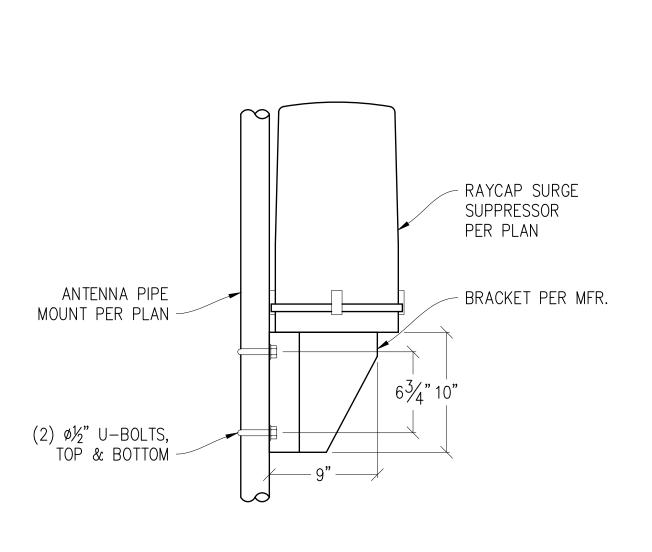
CONSTRUCTION NOTES

- 1. EXISTING BUILDING CONSTRUCTION CONDITIONS INDICATED ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO PROCEEDING WITH CONSTRUCTION OR ORDERING OF MATERIALS. IF EXISTING CONDITIONS DO NOT ALLOW FOR DETAILS OF CONSTRUCTION AS SHOWN ON THESE DRAWINGS, NOTIFY ENGINEER OF RECORD FOR RESOLUTION PRIOR TO PROCEEDING. CONTRACTOR SHALL EXPOSE AND REVIEW EXISTING CONDITIONS IN A TIMELY MANNER SUCH THAT ALTERNATE DESIGNS OR DETAILS, IF REQUIRED, MAY BE GENERATED WITHOUT DELAY TO THE PROJECT.
- 2. DURING CONSTRUCTION, THE CONTRACTOR SHALL NOT ALTER, DAMAGE OR REMOVE ANY PART OF THE EXISTING STRUCTURE UNLESS SPECIFICALLY DETAILED ON THESE DRAWINGS.
- THE INTENT OF THESE DRAWINGS IS THAT THE WORK OF THE ADDITION, ALTERATION, REHABILITATION, OR RECONSTRUCTION IS TO BE IN ACCORDANCE WITH THE 2019 CBC. SHOULD ANY EXISTING CONDITIONS SUCH AS DETERIORATION OR NONCOMPLYING CONSTRUCTION BE DISCOVERED WHICH IS NOT COVERED BY THE CONTRACT DOCUMENTS WHEREIN THE FINISHED WORK WILL NOT COMPLY WITH THE 2019 CBC, A CHANGE ORDER, OR A SEPARATE SET OF PLANS AND SPECIFICATIONS, DETAILING AND SPECIFYING THE REQUIRED WORK SHALL BE PREPARED AND SUBMITTED TO AND APPROVED BY THE BUILDING DEPARTMENT PRIOR TO PROCEEDING WITH THE WORK.
 ALL WORK AND MATERIALS SHOWN ARE NEW UNLESS INDICATED AS EXISTING (E).
- 5. IT MAY BE NECESSARY TO REMOVE ARCHITECTURAL FINISHES, PLUMBING PIPES AND FIXTURES, ELECTRICAL CONDUIT, FIXTURES, PANELS, BOXES, TELEPHONE OR FIRE ALARM WIRING AND FIXTURES OR OTHER NON-STRUCTURAL ITEMS TO INSTALL STRUCTURAL WORK AND MATERIALS SHOWN ON THESE DRAWINGS. SUCH ITEMS SHALL BE REMOVED, REPAIRED AND/OR REPLACED TO MATCH PRE-CONSTRUCTION CONDITIONS AT THE CONTRACTORS EXPENSE.
- 6. ALL WEATHER PROOFING. INCLUDING BUT NOT LIMITED TO TORCH DOWN, CAULKING, Z-FLASHING OR ANY OTHER MATERIAL THAT MAY BE ALTERED DURING INSTALLATION SHALL BE REPAIRED REPLACED AND/OR MODIFIED TO ENSURE THE BUILDING AT THE INSTALLATION SITE IS WEATHER PROOF.
- 7. ANY PROPOSED SUBSTITUTIONS FOR STRUCTURAL MEMBERS, HARDWARE, ANCHOR TYPES, OR DETAILING INDICATED IN THESE DRAWINGS SHALL BE SUBMITTED TO AND REVIEWED BY THE ENGINEER OF RECORD PRIOR TO ORDERING MATERIALS. SUCH REVIEW SHALL BE BILLED ON A TIME AND MATERIALS BASIS TO THE CONTRACTOR WITH NO GUARANTEE THAT THE SUBSTITUTION WILL BE ALLOWED.
- 8. CONTRACTOR SHALL ENSURE ALL ROOF AREAS HAVE POSITIVE SLOPE TO ALL EXISTING ROOF DRAINS. PROVIDE ADDITIONAL CRICKETS OR BUILD UP ROOFING AS REQUIRED TO PROVIDE POSITIVE DRAINAGE AROUND ALL NEW CONSTRUCTION INCLUDING ANY CURBS, SLEEPERS, SUPPORT BASES, ETC.

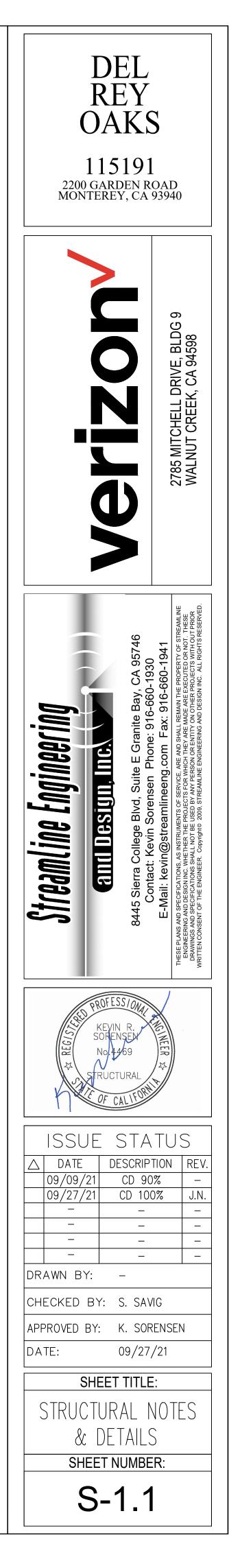
STRUCTURAL STEEL NOTES

- 1. ALL STEEL CONSTRUCTION INCLUDING FABRICATION, ERECTION AND MATERIALS SHALL COMPLY WITH ALL REQUIREMENTS OF THE 2016 AISC SPECIFICATION FOR THE DESIGN, FABRICATION, AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS AND THE 2019 CBC.
- 2. ALL STRUCTURAL STEEL SHALL BE ASTM A36 UNLESS OTHERWISE NOTED. ALL WF (WIDE FLANGE) & WT (TEE) SHAPES TO BE ASTM A992 (F_Y =50,000 PSI) UNLESS NOTED OTHERWISE. ALL STRUCTURAL TUBING (TS OR HSS) SHALL BE ASTM A500 GRADE B (F_Y =46,000 PSI). ALL STEEL PIPE SHALL BE ASTM A53 (TYPE E OR S, GRADE B (F_Y =35,000 PSI)) SCHEDULE 40 WITH OUTSIDE DIAMETERS GIVEN UNLESS OTHERWISE NOTED.
- 3. ALL WELDING SHALL BE PERFORMED USING E70XX ELECTRODES UNLESS OTHERWISE NOTED AND SHALL CONFORM TO AISC & AWS D1.4. WHERE FILLET WELD SIZES ARE NOT SHOWN PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC SPECIFICATION. PAINTED SURFACES SHALL BE TOUCHED UP.
- 4. ALL WELDING SHALL BE PERFORMED BY QUALIFIED, CERTIFIED WELDERS.
- 5. HIGH STRENGTH BOLTS SHALL BE GALVANIZED ASTM F3125/F3125M GRADE A325 MINIMUM. BOLTED CONNECTIONS SHALL BE BEARING TYPE. SEE PLANS FOR LOCATION, NUMBER, & SIZE OF BOLTS.
- 6. HIGH STRENGTH BOLT NUTS SHALL BE ASTM A563/A563M AND WASHERS SHALL BE ASTM F436/ F436M.
- 7. THREADED RODS SHALL BE SAE J429, GRADE 2 U.O.N.
- 8. ALL HOLES FOR BOLTED CONNECTIONS SHALL BE 1/16" LARGER THAN THE NOMINAL BOLT DIAMETER. USE STANDARD AISC GAGE AND PITCH FOR BOLTS EXCEPT AS NOTED OTHERWISE. HOLES FOR ANCHOR BOLTS IN BASE PLATES MAY BE AISC "OVERSIZE" HOLES WHERE ACCOMPANIED BY OVERSIZED HARDENED HOT DIPPED GALVANIZED WASHERS.
- 9. ALL SHOP FABRICATED STEEL STRUCTURAL MEMBERS FOR EXTERIOR USE SHALL BE HOT DIP GALVANIZED PER ASTM A123 AFTER FABRICATION & PAINTED PER CUSTOMER SPECIFICATIONS AS REQUIRED. STEEL FOR INTERIOR USE SHALL BE SHOP COAT OR GALVANIZED & PAINTED.
- 10. ALL FIELD FABRICATED GALVANIZED STEEL THAT IS CUT, GROUND, DRILLED, WELDED OR DAMAGED SHALL BE TREATED WITH "ZINC RICH" COLD GALVANIZING SPRAY OR COATING. NO RAW STEEL SHALL BE EXPOSED.
- 11. AT ALL WEB STIFFENER PLATES LEAVE 34"ø (OR K, WHICHEVER IS
- LARGER) HOLE @ WEB/FLANGE INTERSECTION UNLESS NOTED OTHERWISE. 12. U-BOLTS AT ANTENNA & RRU MOUNT TO BE GALVANIZED SAE J429, GRADE 2 WITH J995 NUTS U.O.N.
- 13. ALL STRUT MEMBERS USED IN EXTERIOR APPLICATIONS SHALL BE HOT DIPPED GALVANIZED PER ASTM A123 OR ASTM A153.
- 14. ALL STAINLESS STEEL BOLTED CONNECTIONS SHALL BE ASTM F593-17 ALLOY GROUP 1 OR 2 AND STAINLESS STEEL NUTS SHALL BE ASTM F594-09 (2015).





2 SURGE PIPE MOUNT



March 29, 2022

Monterey County Airport Land Use Commission % Fiona Jensen, Monterey County Planner JensenF1@co.monterey.ca.us

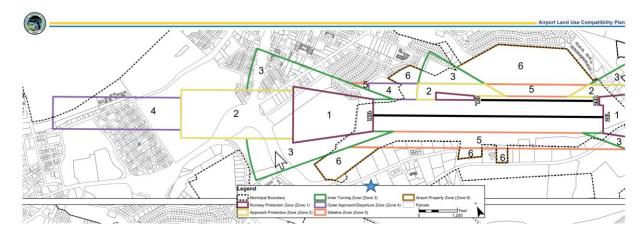
RE: 2200 Garden Road

Dear Commissioners,

The City of Monterey has received a 6409 request for a replacement personal wireless facility at 2200 Garden Road. The proposed facility replaces a 4G facility with a 5G facility. These types of applications are required to be reviewed and final decisions rendered within 60 days.

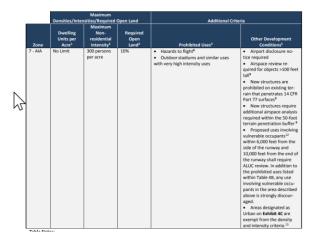
The proposed facility is located in Zone 7 Airport Influence Area (see blue star at bottom of figure).

Figure 1 Monterey Regional Airport Safety Zones



The Safety Criteria Matrix states:

Table 1: Safety Criteria Matrix



Prohibited uses include hazards to flight, outdoor stadiums and similar uses with very high intensity uses. The only applicable prohibition is hazards to flight which are defined as physical (e.g. tall objects), visual, and electronic forms of interference with the safety of aircraft operations. The existing tower is not increasing in height and exists today. In regards to electronic forms of interference, the project complies with the RF emission levels established by the FCC. Verizon's engineer has prepared an RF report as well as it has been peer reviewed by an independent consultant. Since this is the first 5G application adjacent to the airport, if there are other "electronic" criteria to be evaluated with airports it is unknown by City staff and the applicant's RF engineer should provide additional information.

In regards to the "Other Development Conditions" specified in the Safety Matrix, a condition of approval can be added regarding Airport disclosure notice. The existing facility is approximately 71' tall according to the project drawings and airspace review would not be required. Since it is not a new structure, airspace analysis review is not required. The remaining issues (vulnerable occupants and urban areas) do not apply to this project.

There are also noise regulations that apply to properties surrounding the airport. The project site is located outside the airport's noise contour impact areas and the airport noise will have no impact on the facility. The City also requires that a noise report be submitted with the project application to ensure that adjacent uses are not impacted by the facility.

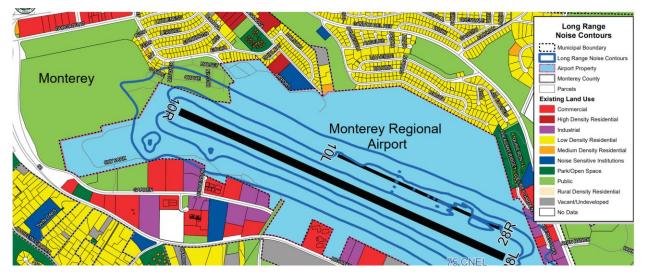


Figure 2 Long Range Noise Exposure Contours

In summary, the facility appears to be in compliance with the Monterey Airport Land Use Plan.

Sincerely,

_ Kimberly Cale

Kimberly Cole, AICP Community Development Director



BOARD OF DIRECTORS

Carl Miller, Chair William Sabo Mary Ann Leffel Gary Cursio LisAnne Sawhney

EXECUTIVE STAFF

Michael La Pier, AAE Executive Director Scott Huber District Counsel

Via email -Fionna Jensen

04/21/2022 Airport Land Use Commission

The Monterey Regional Airport (Airport) staff have reviewed the 5G documents before the ALUC as follows:

- City of Monterey Proposed Wireless Ordinance
- T-Mobile application SF15772A
- Verizon application 20212251099

The Airport provides the following comments:

5G Aviation Safety Criteria Consistency and Airspace Consistency

The FAA is working to ensure that radio signals from newly activated wireless telecommunications systems can coexist safely with flight operations in the United States, with input from the aviation sector and telecommunications industry.

Because proposed 5G deployment involves a new combination of power levels, frequencies, proximity to flight operations, and other factors, the FAA must impose restrictions on flight operations using certain types of radio altimeter equipment close to antennas in 5G networks. These safety restrictions could in the future affect flight schedules and operations at Monterey Regional Airport.

The Airport would request that any proposed 5G development upgrades be coordinated with FAA to provide 5G tower activation information as early as possible before the development occurs to reduce any aircraft disruption possibility to operations at Monterey Regional Airport.

The Airport further requests the proponents submit the FAA 7460-1 Form, Notice of Proposed Construction or Alteration to evaluate the equipment that is proposed which will include bandwidth, frequency, and FCC structure registration. The form is to be submitted to the FAA, electronically via the online web link: (https://oeaaa.faa.gov/oeaaa/external/portal.jsp).

The FAA will then conduct an aeronautical study based on the information provided by the proponents on an FAA Form 7460-1, and if necessary, provide guidance on any course of action to prevent hazards to air navigation.

In response to the proposed Wireless Ordinance, we request that language be added that meets the above requirements for Aircraft Safety and Review.

Respectfully, Monterey Regional Airport

~ :+?

Michael La Pier, AAE Executive Director

Cc Kimberly Cole, Community Development Director

Attachment 5 - RF Assessment Verizon Wireless • Base Station No. 115191 "Del Rey Oaks" 2200 Garden Road • Monterey, California

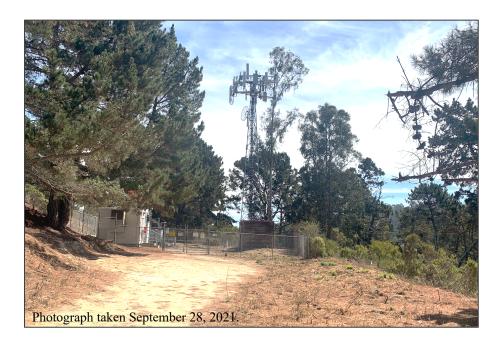
Certification

Based on the information and analysis above, it is the undersigned's professional opinion, under penalty of perjury, that proposed operation of the Verizon Wireless base station located at 2200 Garden Road in Monterey, California, will comply with the FCC standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations. Training authorized personnel and posting explanatory signs are recommended to establish compliance with occupational exposure limits.

The author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2023. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.

13026 -20676 William F. Hammett, P.E. 0. 6-30-2023 707/996-5200

November 5, 2021





HAMMETT & EDISON, INC. CONSULTING ENGINEERS SAN FRANCISCO ©2021 Y3NM Page 4 of 4



MEMORANDUM

To:	Airport Land Use Commission
From: Fionna Jensen, ALUC Staff; April 1, 2022 (831) 796-6407; jensenf1@co.monterey.ca.us	
Meeting Date:	May 02, 2022
Subject:	Scheduled Item 7c – T-Mobile Proposed replacement of three wireless 4G antennas with three wireless 5G antennas and associated equipment upgrades. The project is located at 2500 Garden Road, City of Monterey, Assessor's Parcel Number 013-322- 004-000. (ALUC File No. REF220029)

RECOMMENDATION:

Staff recommends the Monterey County Airport Land Use Commission (ALUC) find the proposed replacement antennas consistent with the 2019 Airport Land Use Compatibility Plan for the Monterey Regional Airport (ALUCP).

PROJECT & SITE INFORMATION:

On March 31, 2022, City of Monterey (applicable jurisdiction), on behalf of the applicant, T-Mobile, submitted an application (ALUC File No. REF220029) to ALUC staff for the proposed replacement of three antennas and associated fifth-generation (5G equipment upgrades. Associated upgrades include replacing 4 coax cables and three radios, and installing a new power supply unit (PSU), interconnect router, and hybrid cable system (HCS). The project site is located at 2500 Garden Road, City of Monterey, Assessor's Parcel Number 013-322-004-000 (ALUC File No. REF220029)

The 6.6-acre property is currently developed with the Shoreline Community Church. The site has an Industrial zoning designation. The 55,000 square foot church has an existing root-mounted wireless 4G communication facility. As proposed, the project will consist of retaining three (3) existing antennas and replacing three (3) existing antennas with three (3) new antennas – total 6, removing three (3) existing radios and installing three (3) new radios, retaining two (2) existing coax cables, and replacing four (4) existing coax cables with four (4) new coax cables – total 6, retaining and installing related equipment, and removing any unused equipment if any (see **Attachment 2**, Project Plans). The existing church has a height of approximately 29 feet above grade level. The existing roof mounted communication facility has a height of approximately 9 feet 8 inches, for a total development height of 38 feet 8 inches above grade level. The proposed project will not alter the existing height as the replacement antennas and related equipment will be located within existing mechanical screen enclosures.

The development site is located approximately 1.362 feet (0.25 miles) south (0.51 miles) west of Runway 10R, and approximately 2,620 feet (0.5 miles) southwest of Runway

10L. The site is surrounded by Industrial zoned and developed parcels to the north, east, and west, all of which are located within the City of Monterey. The southern boundary of the subject property borders the County of Monterey. The parcel south of the subject development is zoned Recourse Conservation. The project site (illustrated below as a red box) is located within safety zone 7, Airport Influence Area (AIA).

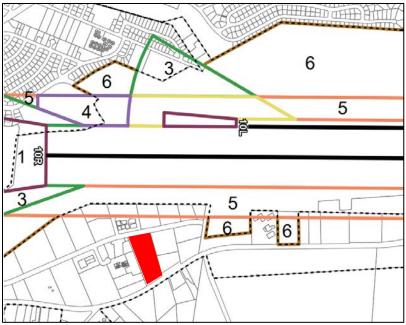


Figure 1. Exhibit 4C – Monterey Regional Airport Safety Zone, ALUCP.

COORDINATION WITH MONTEREY REGIONAL AIRPORT STAFF:

Pursuant to ALUCP Policy 4.1.8.1, ALUC staff forwarded project information to Monterey Regional Airport staff on April 4, 2022. Monterey Regional Airport staff submitted a comment letter on April 22, 2022 (Attachment 4).

ALUC staff reviewed these comments and how they relate to the ALUCP for Monterey Regional Airport. As previously mentioned, the policy or direction pertaining to hazards of flight, specifically electrical interference, are absent in the ALUCP. Therefore, the Airport staff has requested that all 5G development be coordinated with the FAA to provide staff (City, Airport, ALUC) with 5G tower activation information as early as possible before the development occurs to reduce any aircraft disruption possibility to operations at Monterey Regional Airport. Additionally, Airport staff requested that 5G wireless communication facility applicants submit to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration). The FAA will use the information submitted on this form to conduct an aeronautical study, and if necessary, provide guidance on any course of action to prevent hazards to air navigation. Due to the absence of electrical interference regulations or thresholds in the ALUCP, ALUC staff finds the Airport staff requests appropriate and have included them as a condition of approval (ALUC-9).

CONSISTENCY DETERMINATION ANALYSIS:

ALUC staff has reviewed the applicant's proposal in accordance with the adopted 2019 ALUCP as discussed below:

NOISE COMPATIBILITY

The project was reviewed for consistency with the Long Rang Noise Exposure Contours shown in the 2019 ALUCP for Monterey Regional Airport at Exhibits 2D, 2E, and 4B. Although Exhibit 4B of the ALUCP identifies the property as a Noise Sensitive Institution, the project site located over 650 feet (0.12 mile) linear feet outside of the 65 (or greater) Community Noise Equivalent Level (CNEL) contour. In accordance with the ALUCP, Table 4A, Noise Compatibility Criteria Matrix, communication and utility facilities, such as the proposed wireless communications facility upgrade, located outside of the 65 CNEL would be a compatible use with no restrictions. The project site is located outside of the 65 CNEL and due to the nature of the project being a replacement communication facility, the project does not have the ability to not expose people to frequent and/or high levels of airport noise capable of disrupting noise-sensitive activities.

AIRSPACE PROTECTION

ALUCP Policy 4.2.3 addresses the objective of airspace protection to avoid development of land use conditions which would pose hazards to flight, such as airspace obstructions. The proposed development site is located within the Horizontal Surfaces of the 14 Code of Federal Regulations (CFR) Part 77 approach imaginary surfaces for Monterey Regional Airport. The proposed development will not alter the previously approved height of the church or the roof mounted communications facility, which have a total height of 38 feet 8 inches. Therefore, the project will not create any new obstructions for pilots, nor will it penetrate the Part 77 approach surfaces. Additionally, the existing structure's height of 38 feet 8 inches feet is below the 100-foot height required for FAA review within the Airport Influence Area (Safety Zone 7) and is consistent with the height of other structures and trees in the project vicinity. Based on the evidence above, ALUC staff does not recommend any conditions related to airspace protection.

SAFETY COMPATIBILITY

The project site is be located within Zone 7 (Airport Influence Area) as shown in Exhibit 4C "Monterey Regional Airport Safety Zones" of the ALUCP. Pursuant to Table 4B, Safety Criteria Matrix, the project meets the applicable safety zone criteria.

As proposed, the project would not include any dwelling units or open space, so this criterion does not apply to the proposed development. Hazards to flight are a prohibited use in Zone 7. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. As previously stated, the proposed project will not alter the existing height of 38 feet 8 inches above grade level and will not penetrate the Part 77 approach surfaces. The ALUCP does not establish criteria or thresholds to review determine a project's potential level of electronic interference. Therefore, as conditioned, the project's applicant/owner shall submit for review and approval to the City of Monterey Community Development – Planning Department evidence of 1) submittal to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration), 2) coordination with the FAA regarding tower activation, and 3) compliance with applicable FCC and FAA standards. The applicant submitted radiofrequency electromagnetic (RF-EME) assessment (Attachment 5) which found that the proposed project will comply with the FCC's RF-EME Safety Guidelines, as set forth in the FCC Office of Engineering and Technology Bulletin 65, regarding limits for human exposure to RF fields. Additionally, Conditioning the project to require the Airport disclosure notice, pursuant to Table 4B, Safety Criteria Matrix, is not

applicable in this case the project does not involve a residential property and does not alter the existing height.

Based on the evidence above, staff finds that the proposed project is consistent with applicable ALUCP policies relating to safety and flight hazards.

CONCLUSION:

Based on the review and analysis completed for the proposed redevelopment project, staff recommends the ALUC adopt a resolution (**Attachment 1**) finding the proposed project consisting of retaining three (3) existing antennas and replacing three (3) existing antennas with three (3) new antennas – total 6, removing three (3) existing radios and installing three (3) new radios, retaining two (2) existing coax cables, and replacing four (4) existing coax cables with four (4) new coax cables – total 6, retaining and installing related equipment, and removing any unused equipment if any, consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport (ALUCP), and subject to one condition of approval.

Staff has prepared a draft resolution with a finding of consistency. If the Commission desires to take a different action, the Commission could adopt a motion of intent and continue the hearing to a date certain for the staff to prepare a resolution with a modified finding.

Attachments:

Draft ALUC Resolution, including draft Conditions
Project Plans
City of Monterey Consistency Review Memo (July 27, 2020)
Monterey Regional Airport Comment letter, dated
April 22, 2022
Radiofrequency electromagnetic assessment (cover page only;
dated March 16, 2022)

cc: ALUC Commissioners; ALUC Counsel; Monterey Peninsula Airport District (C. Morello); City of Monterey (Kim Cole); Andrea Raskop (T-Mobile), Agent; Shoreline Community Church, Owner/Applicant; ALUC File No. REF220029

Attachment 1 - Draft Resolution Before the Monterey County Airport Land Use Commission, State of California

Resolution No. 22-00_

Finding the proposed replacement of three wireless 4G antennas with three wireless 5G antennas and associated equipment improvements consistent with the 2019 Monterey Regional Airport Land Use Compatibility Plan (ALUCP).

REF220029, T-Mobile. The project is located at 2500 Garden Road, City of Monterey, Assessor's Parcel Number 013-322-004-000.

WHEREAS, on March 31, 2022, City of Monterey (applicable jurisdiction), on behalf of the applicant, T-Mobile, submitted an application (ALUC File No. REF220029) to ALUC staff for the proposed replacement of three communication facility antennas and associated fifth-generation (5G equipment upgrades); and

WHEREAS, the ALUC is responsible for the review of projects within the Airport Influence Area for Monterey Regional Airport, as identified in the 2019 ALUCP; and

WHEREAS, the proposed wireless 5G communication facility would upgrade the existing wireless 4G communication facility which is roof-mounted to the Shoreline Community Church located at 2500 Garden Road, City of Monterey; and

WHEREAS, the proposed project consists of retaining three (3) existing antennas and replacing three (3) existing antennas with three (3) new antennas – total 6, removing three (3) existing radios and installing three (3) new radios, retaining two (2) existing coax cables, and replacing four (4) existing coax cables with four (4) new coax cables – total 6, retaining and installing related equipment, such as a new power supply unit (PSU), interconnect router, and hybrid cable system (HCS), and removing any unused equipment if any; and

WHEREAS, the amendment would clarify the current maximum stay limit in hotels and motels, subject to being located in specific zoning districts, by deleting existing language in Zoning Code sections 37-30.200 and 37-30.240; and

WHEREAS, as shown in Exhibit 4C (Monterey Regional Airport Safety Zone) of the ALUCP, the proposed replacement facility is located in safety zone 7, Airport Influence Area, and does not propose development in any other safety zones; and

WHEREAS, in accordance with ALCUP Table 4A, Noise Compatibility Criteria Matrix, communication and utility facilities located outside of the 65 CNEL would be a compatible use with no restrictions. The project site is located outside of the 65 CNEL and due to the nature of the project being a replacement communication facility, the project does not have the ability to not expose people to frequent and/or high levels of airport noise capable of disrupting noise-sensitive activities; and

WHEREAS, the proposed project does not alter the existing structure's height of 38 feet

8 inches feet which is below the 100-foot height required for FAA review within the Airport Influence Area (Safety Zone 7), is consistent with the height of other structures and trees in the project vicinity, and therefore, will not create any new obstructions for pilots, nor will it penetrate the Part 77 approach surfaces; and

WHEREAS, the project will not introduce uses involving hazards to air navigation, high intensity lighting, bird attraction, or glare; and

WHEREAS, T-Mobile's radiofrequency electromagnetic (RF-EME) assessment found that the proposed project will comply with the FCC's RF-EME Safety Guidelines, as set forth in the FCC Office of Engineering and Technology Bulletin 65, regarding limits for human exposure to RF fields, and therefore, proposed project is consistent with applicable ALUCP policies relating to safety and flight hazards; and

WHEREAS, as conditioned, the project's applicant/owner shall submit for review and approval to the City of Monterey Community Development – Planning Department evidence of 1) submittal to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration), 2) coordination with the FAA regarding tower activation, and 3) evidence of compliance with applicable FAA and FCC standards; and

WHEREAS, on May 2, 2022, the ALUC conducted a duly noticed public meeting to consider the proposed 5G wireless communications facility upgrades.

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use Commission does hereby find that the proposed replacement of three wireless 4G antennas with three wireless 5G antennas and associated equipment upgrades consistent with the 2019 Monterey Regional Airport Land Use Compatibility Plan, incorporated herein by reference, and subject to one condition of approval.

PASSED AND ADOPTED on this 2nd day of May 2022, upon motion of Commissioner ______, by the following vote, to-wit:

AYES: NOES: ABSTAIN: ABSENT:

Erik Lundquist, AICP, Secretary to the ALUC

By:

Fionna Jensen, Designee of Secretary to the ALUC May 2, 2022

MONTEREY COUNTY AIRPORT LAND USE COMMISSION



ALUC CONDITIONS

The following standard and/or non-standard conditions may be applied to an application being considered before the ALUC. If the box next to the condition is marked, that indicates the condition is to be applied to the project as part of the ALUC recommendation.

PROJECT NAME: T-MOBILE ALUC FILE NO.: REF220029

-	1	
		AVIGATION AND HAZARD EASEMENT
		Prior to the issuance of a construction permit, the
		developer/owner shall grant an avigation and hazard easement
		to the appropriate airport authority. The easement shall be
		recorded at the Monterey County Recorder's Office. The
		easement may include:
		Right-of-flight at any altitude above the acquired easement
		surfaces.
		Right to cause noise, vibrations, fumes, dust and fuel particle
	ALUC-1	emissions.
	/	• Right to prevent construction or growth of all structures, objects
		or natural growth above the acquired easement surfaces.
		• Right-of-entry to remove, mark or light any structures or growth
		above the acquired easement surfaces, or right to require the
		owner to remove, mark or light.
		Right to prohibit creation of electrical interference, unusual light
		sources and other hazards to aircraft flight.
		Any other limitation that the ALUC may recommend to protect
		the public's health, safety and welfare.
		NOISE INSULATION STANDARDS
	ALUC-2	The project shall conform to current noise insulation standards
	ALUC-2	pursuant to the California Code of Regulations, Title 25,
		Chapter 1, Subchapter 1.
		NOISE STANDARDS
	ALUC-3	The project shall conform to noise standards pursuant to the
		California Code of Regulations, Title 21, Subchapter 6.
		AIRPORT APPROACH ZONING
	ALUC-4	The project shall conform with Title 20 and Title 21 of the
		Monterey County Code (Zoning Ordinances), Chapter 20.92
		and Chapter 21.86, Airport Approaches Zoning, and/or
		applicable zoning code relevant to airport hazards and
		operations.
	ALUC-5	OBJECTS AFFECTING NAVIGABLE AIRSPACE
		The project shall conform to FAR, Part 77 – Objects Affecting

		Navigable Airspace.
	ALUC-6	EXTERIOR LIGHTING Prior to the issuance of a construction permit, an Exterior Lighting Plan shall be reviewed and approved by the applicable airport manager prior to the issuance of any construction permits. All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.
	ALUC-7	 TOWERS - MARKING AND LIGHTING When not specifically required by FAA Advisory Circular 70/7640-IF (Obstruction Marking and Lighting), the following ALUC recommendations shall be applied to towers: A flashing red beacon shall be installed at the highest point of the structure. A steady burning red obstruction light shall be installed at the highest point of the structure. A steady burning red obstruction light shall be installed at the intermediate level of the structure. Nine (9) day-glow markers (20" minimum) shall be installed on the top level of guide wires (3 to the wire). The applicant shall contact the FAA to publish a NOTAM (Notice to airmen) in Monterey County about the location of the proposed structure. Standard marking (orange and white striping) shall be installed, as defined in Chapter 3 of the FAA AC 70/7460-IF.
	ALUC-8	NO CONDITION REQUIRED The project, as reviewed by the ALUC, is consistent with the
		CLUP for that jurisdiction and does not require any conditions.
\square	ALUC-9	NON-STANDARD CONDITION (See attached)

PROJECT REVIEWED BY THE ALUC ON: 5/02/2022

ALUC-9: NON-STANDARD CONDITION

Prior to the issuance of building permits, the applicant/owners shall submit for review and approval to the City of Monterey Community Development – Planning Department evidence of 1) submittal to the FAA the FAA Form 7460-1 (Notice of Proposed Construction or Alteration), 2) coordination with the FAA regarding tower activation, and 3) evidence of compliance with applicable FAA and FCC standards.

Sľ **SF772**

SHEET		PROJECT DESCRIPTION
TITLE SHEET	T-1	
GENERAL NOTES	GN-1	HIS IS AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY FOR T-MOBILE ONSISTING OF THE INSTALLATION AND OPERATION OF AN ANTENNA AND ASSOCIATED
GENERAL NOTES	GN-2	QUIPMENT. SCOPE OF WORK CONSISTS OF THE FOLLOWING:
SITE SIGNAGE	GN-3	TENNA AREA:
OVERALL SITE PLAN	A-1	
EXISTING AND PROPOSED EQUIPMENT PLANS	A-2	RETAIN (3)(E) ANTENNAS AND REPLACE (3)(E) ANTENNAS WITH (3)(N) ANTENNAS – TOTAL 6 INSTALL (3)(N) RADIOS
EXISTING AND PROPOSED ANTENNA AND EQ	A-2.1	RETAIN (2)(R) RADIOS RETAIN (2)(E) COAX CABLES AND REPLACE (4)(E) COAX CABLES
EXISTING AND PROPOSED ELEVATIONS (SOU	A-3	WITH (4)(N) COAX CABLES - TOTAL 6
EXISTING AND PROPOSED ELEVATIONS (WES	A-4	JIP m ent area:
ANTENNA AND EQUIPMENT SCHEDULE	A-5	RETAIN (3)(E) BASEBAND AND INSTALL (1)(N) BASEBAND INSIDE (E) 6102 CABINET – TOTAL 4
	A-6	OVE (3)(E) RADIOS
STRUCTURAL DETAILS	S-1	TALL (1)(N) PSU TALL (1)(N) IXRE ROUTER TALL (3)(N) HYBRID CABLE SYSTEM (HCS) MOVE UNUSED EQUIPMENT IF ANY
OCCUPANCY AN		CODE COMPLIANCE
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Attachment	t 2 - Plans		Prepared For:
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	PROJECT INFORMATION <u>CURRENT USE:</u> UNMANNED TELECOMMUNICATIONS FACILITY <u>PROPOSED USE:</u> UNMANNED TELECOMMUNICATIONS FACILITY <u>STRUCTURE TYPE:</u>	Foundation-Monterey	Jurisdiction:
ND CONSTRUCTION TYPE	ROOFTOP MOUNT APN:	Tree Of Life Transformation Center Monterey Salinas Hwy	IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.
ACILITY)	013-322-004 LATITUDE:	STRUCTURE PHOTO	Licensor:
ABITATION, ACCESSIBILITY ACCESS AND REQUIREMENTS ARE NOT TATE ADMINISTRATIVE CODE, PART 2, TITLE 24, SECTION 1103B.1, 4.	<u>LONGITUDE:</u> -121.852944 JURISDICTION:		
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EL DATE: 03/25/2022	<u>PROPERTY OWNER:</u> at&t 1480 buringa m e ave.		OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.
ONTRACTOR NOTES	POWER AGENCY: PG&E 245 MARKET STREET SAN FRANCISCO, CA 94105		SF15772A_T-1 - T-1
E AT 24" x 36". CONTRACTOR SHALL CONDITIONS ON THE JOBSITE AND SHALL WRITING OF ANY DISCREPANCIES BEFORE S OR BE RESPONSIBLE FOR THE SAME.	TELEPHONE AGENCY: AT&T CALIFORNIA 5001 EXECUTIVE PARKWAY SAN RAMON, CA 94583		Sheet Number:

GENERAL CONSTRUCTION NOTES

- 1. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE LOCAL BUILDING CODE, THE LATEST EDIT AND ALL OTHER APPLICABLE CODES AND ORDINATES.
- 2. CONTRACTOR SHALL VISIT THE JOB SITE TO BECOME FAMILIAR HIMSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS AS TO THE COST THEREOF. CONTRACTOR SHALL ALSO BE RESPONSIBLE TO BECOME FAMILIAR WITH THE CONTRACT DOCUMENTS. FIELD CONDITIONS AND DIMENSIONS AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO ATTENTION OF THE ENGINEER OF RECORD PRIOR TO THE COMMENCEMENT OF WORK. NO COMPENSATION WILL BE AWARDED BASED ON CLAIM OF LACK OF THE KNOWLEDGE OF THE FIELD CONDITIONS.
- 3. PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY UNLESS OTHERWISE NOTED. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT AND APPURTENANCES, AND LABOR NECESSARY TO EFFECT ALL INSTALLATION AS INDICATED ON THE DRAWINGS. OWNER PROVIDED MATERIALS WILL INCLUDE THE FOLLOWING BUT NOT LIMITED TO, UNLESS NOTED OTHERWISE:
 - A) ANTENNAS B) RADIOS
 - C) TOWER-MOUNTED AMPLIFIERS (TMA)
 - D) MULTIPLEXERS E) CABLES (COAX, HCS, JUMPERS)
 - F) ENCLOSURES AND BASEBANDS
 - G) MOUNTINGS H) INTEGRATED LOAD CENTER
- 5. DIMENSIONS SHOWN ARE TO BE FINISH SURFACED UNLESS OTHERWISE NOTED. SPACING BETWEEN EQUIPMENT IS REQUIRED CLEARANCE. THEREFORE, IT IS CRITICAL TO FIELD VERIFY DIMENSIONS, SHOULD THERE BE ANY QUESTIONS REGARDING THE CONTRACT DOCUMENTS, EXISTING CONDITIONS AND/OR DESIGN INTENT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE WORK.
- 6. DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK
- 7. CONTRACTOR SHALL RECEIVE CLARIFICATION IN WRITING, AND SHALL RECEIVE IN WRITING AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEMS NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACTOR DOCUMENTS.
- 8. CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE BEST CONSTRUCTION SKILLS AND ATTENTION. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER CONTRACT, UNLESS OTHERWISE NOTED.
- 9. CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF THE WORK AREA, ADJACENT AREAS AND BUILDING OCCUPANTS THAT ARE LIKELY TO BE AFFECTED BY THE WORK UNDER THIS CONTRACT. WORK SHALL CONFORM TO ALL OSHA REQUIREMENTS.
- 10. CONTRACTOR SHALL COORDINATE HIS WORK WITH THE SUPERINTENDENT OF BUILDINGS & GROUNDS AND SCHEDULE HIS ACTIVITIES AND WORKING HOURS IN ACCORDANCE WITH THE REQUIREMENTS.
- 11. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THIER WORK WITH THE WORK OF OTHERS AS IT MAY RELATE TO RADIO EQUIPMENT, ANTENNAS AND ANY OTHER PORTION OF THE WORK.
- 12. INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS UNLESS SPECIFICALLY OTHERWISE INDICATED OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
- 13. MAKE NECESSARY PROVISIONS TO PROTECT EXISTING SURFACES, EQUIPMENT, IMPROVEMENTS PIPING ETC. AND IMMEDIATELY REPAIR ANY DAMAGE THAT OCCURS DURING CONSTRUCTION.
- 14. IN DRILLING HOLES INTO CONCRETE WHETHER FOR FASTENING OR ANCHORING PURPOSED, OR PENETRATIONS THROUGH THE FLOOR FOR CONDUIT RUNS. PIPE RUNS. ETC., MUST BE CLEARLY UNDERSTOOD THAT REINFORCING STEEL SHALL NOT BE DRILLED INTO, CUT OR DAMAGED UNDER ANY CIRCUMSTANCES (UNLESS NOTED OTHERWISE). LOCATIONS OF REINFORCING STEEL ARE NOT DEFINITELY KNOWN AND THEREFORE MUST BE SEARCHED FOR BY APPROPRIATE METHODS AND equipment
- 15. REPAIR ALL EXISTING WALL SURFACES DAMAGED DURING CONSTRUCTION SUCH THAT THEY MATCH AND BLEND IN WITH ADJACENT SURFACES.
- 16. SEAL PENETRATIONS THROUGH FIRE RATED AREA WITH U.L. LIST AND FIRE CODE APPROVED MATERIALS.
- 17. KEEP CONTRACT AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS, AND RUBBISH, EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY OF THE OWNER SHALL BE REMOVED. LEAVE PREMISE IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL ITEMS UNTIL COMPLETION OF CONSTRUCTION.
- 18. MINIMUM BEND RADIUS OF ANTENNA CABLES SHALL BE IN ACCORDANCE WITH CABLE MANUFACTURERS RECOMMENDATIONS.
- 19. ALL EXISTING INACTIVE SEWER, WATER, GAS ELECTRIC, AND OTHER UTILITY, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO APPLICABLE REGULATORY AUTHORITIES.
- 20. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION SHALL BE IN CONFORMANCE WITH JURISDICTION OR STATE AND LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL AND COORDINATE WITH LOCAL REGULATORY AUTHORITIES.
- 21. ALL CONSTRUCTION IS TO ADHERE TO T-MOBILE INTEGRATED CONSTRUCTION STANDARDS UNLESS CALIFORNIA CODE IS MORE STRINGENT.
- 22. THE INTENT OF THE PLANS AND SPECIFICATIONS TO PERFORM THE CONSTRUCTION IN ACCORDANCE WITH THE CALIFORNIA BUILDING STANDARDS CODE, TITLES 19 AND 24, CALIFORNIA CODE OF REGULATIONS SHALL ANY CONDITIONS DEVELOP NOT COVERED BY THE APPROVED PLANS AND SPECIFICATIONS WHEREIN THE FINISHED WORK WILL NOT COMPLY WITH TITLE 24, CALIFORNIA CODE OF REGULATIONS, A CHANGE ORDER DETAILING AND SPECIFYING THE REQUIRED WORK SHALL BE SUBMITTED TO AND APPROVED BY THE JURISDICTION BEFORE PROCEEDING WITH THE WORK.

ELECTRICAL NOTES

- 1. ELECTRICAL CONTRACTOR SHALL SUPPLY AND INSTALL ANY/ALL ELECTRICAL WORK INDICATED. ANY/ALL CONSTRUCTION SHALL BE IN ACCORDANCE W/DRAWINGS AND ANY/ALL APPLICABLE SPECIFICATIONS. IF ANY PROBLEMS ARE ENCOUNTERED BY COMPLYING WITH THESE REQUIREMENTS, CONTRACTOR SHALL NOTIFY 'CONTRACTOR MANAGER' AS SOON AS POSSIBLE, AFTER THE DISCOVERY OF THE PROBLEMS, AND SHALL NOT PROCEED WITH THAT PORTION OF WORK, UNTIL THE 'CONSTRUCTION MANAGER' HAS DIRECTED THE CORRECTIVE TO BE TAKEN.
- 2. ELECTRICAL CONTRACTOR SHALL VISIT THE JOB SITE AND THEMSELF WITH ANY/ALL CONDITIONS AFFECTING ELECTRICAL AND COMMUNICATION INSTALLATION AND MAKE PROVISIONS AS TO COST THEREOF. ALL EXISTING CONDITIONS OF ELECTRICAL EQUIP., LIGHT FIXTURES, ETC., THAT ARE PART OF THE FINAL SYSTEM, SHALL BE VERIFIED BY THE CONTRACTOR, PRIOR TO THE SUBMITTING OF HIS BID, FAILURE TO COMPLY WITH THIS PARAGRAPH WILL IN NO WAY RELIEVE CONTRACTOR OF PERFORMING ALL WORK NECESSARY FOR A COMPLETE AND WORKING SYSTEM.
- 3. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE CEC AND ALL CODES AND LOCAL ORDINANCES OF THE LOCAL POWER & TELEPHONE COMPANIES HAVING JURISDICTION AND SHALL INCLUDE BUT NOT LIMITED TO:
 - A. UL UNDERWRITERS LABORATORIES B. CEC - CALIFORNIA ELECTRICAL CODE
 - C. NEMA NATIONAL ELECTRICAL MANUFACTURERS ASSOC. D. OSHA – OCCUPATIONAL SAFETY AND HEALTH ACT
 - E. CBC CALIFORNIA BUILDING CODE
- 4. DO NOT SCALE ELECTRICAL DRAWINGS, REFER TO SITE PLANS AND ELEVATIONS FOR EXACT LOCATION OF ALL EQUIPMENT, AND CONFIRM WITH 'CONSTRUCTION MANAGER' ANY SIZES AND LOCATIONS WHEN NEEDED.
- 5. EXISTING SERVICE: CONTRACTOR SHALL NOT INTERRUPT EXISTING SERVICE WITHOUT WRITTEN PERMISSION OF THE OWNER.
- 6. CONTRACTOR SHALL PAY FOR ANY/ALL PERMITS, FEES, INSPECTIONS AND TESTING. CONTRACTOR IS TO OBTAIN PERMITS AND APPROVED SUBMITTALS PRIOR TO THE WORK BEGINNING OR ORDERING EQUIP**M**ENT.
- 7. THE TERM "PROVIDE" USED IN CONSTRUCTION DOCUMENTS AND SPECIFICATIONS, INDICATED THAT THE CONTRACTOR SHALL FURNISH AND INSTALL.
- 8. CONTRACTOR SHALL CONFIRM WITH LOCAL UTILITY COMPANY ANY/ALL REQUIREMENTS. ANY/ALL CONFLICTS SHALL BE BROUGHT TO THE ATTENTION OF THE CONSTRUCTION MANAGER, PRIOR TO BEGINNING ANY WORK
- 9. MINIMUM WIRE SIZE SHALL BE #12 AWG, NOT INCLUDING CONTROL WIRING, UNLESS NOTED OTHERWISE. ALL CONDUCTORS SHALL BE COPPER WITH THWN INSULATION.
- 10. OUTLET BOXES SHALL BE PRESSED STEEL IN DRY LOCATIONS, CAST ALLOY WITH THREADED HUBS IN WET/DAMP LOCATIONS AND SPECIAL ENCLOSURES FOR OTHER CLASSIFIED AREAS.
- 11. IT IS NOT THE INTENT OF THESE PLANS TO SHOW EVERY MINOR DETAIL OF THE CONSTRUCTION. CONTRACTOR IS EXPECTED TO FURNISH AND INSTALL ALL ITEMS FOR A COMPLETE ELECTRICAL SYSTEM AND PROVIDE ALL REQUIREMENTS FOR THE EQUIPMENT TO BE PLACED IN PROPER WORKING ORDER.
- 12. ELECTRICAL SYSTEM SHALL BE AS COMPLETELY AND EFFECTIVELY GROUNDED, AS REQUIRED BY SPECIFICATIONS, SET FORTH BY T-MOBILE.
- 13. ALL WORK SHALL BE PERFORMED BY LICENSED ELECTRICAL CONTRACTOR IN A FIRST CLASS, WORKMANLIKE MANNER, THE COMPLETED SYSTEM SHALL BE FULLY OPERATIVE AND SUBJECT TO REGULATORY INSPECTION AND APPROVAL BY CONSTRUCTION MANAGER.
- 14. ALL WORK SHALL BE COORDINATED WITH OTHER TRADES TO AVOID INTERFERENCE WITH THE PROGRESS OF CONSTRUCTION.
- 15. CONTRACTOR SHALL GUARANTEE ANY/ALL MATERIALS AND WORK FREE FROM DEFECTS FOR A PERIOD OF NOT LESS THAN ONE YEAR FROM THE OF ACCEPTANCE.
- 16. THE CORRECTION OF ANY DEFECTS SHALL BE COMPLETED WITHOUT ANY ADDITIONAL CHARGE AND SHALL INCLUDE THE REPLACEMENT OR THE REPAIR OF NAY OTHER PHASE OF THE INSTALLATION, WHICH MAY BEEN DAMAGED THEREIN.
- 17. ADEQUATE AND REQUIRED LIABILITY INSURANCE SHALL BE PROVIDED FOR PROTECTION AGAINST PUBLIC LOSS AND ANY/ALL PROPERTY DAMAGE FOR THE DURING OF WORK.
- 18. PROVIDE AND INSTALL CONDUIT, CONDUCTORS, PULL WIRES, BOXES, COVER PLATES AND DEVICES FOR ALL OUTLETS AS INDICATED.
- 19. DITCHING AND BACK FILL: CONTRACTOR SHALL PROVIDE FOR ALL UNDERGROUND INSTALLED CONDUIT AND/OR CABLES INCLUDING EXCAVATION AND BACKFILLING AND COMPACTION. REFER TO NOTES AND REQUIREMENTS, EXCAVATION, AND BACKFILLING.
- 20. MATERIALS, PRODUCTS AND EQUIPMENT, INCLUDING ALL COMPONENTS THEREOF, SHALL BE NEW AND SHALL APPEAR ON LIST OF U.L. APPROVAL ITEMS AND SHALL MEET OR EXCEED THE REQUIREMENTS OF THE CEC AND NE**m**a.
- 21. CONTRACTOR SHALL SUBMIT SHOP DRAWING OR MANUFACTURERS CATALOG INFORMATION OF ANY/ALL LIGHTING FIXTURES, SWITCHES AND ALL OTHER ELECTRICAL ITEMS FOR APPROVAL BY THE CONSTRUCTION MANAGER PRIOR TO INSTALLATION.
- 22. ANY CUTTING OR PATCHING DEEMED NECESSARY FOR ELECTRICAL WORK IS THE ELECTRICAL CONTRACTOR RESPONSIBILITY AND SHALL BE INCLUDED IN THE COST FOR WORK AND PERFORMED TO THE SATISFACTION OF THE 'CONSTRUCTION MANAGER' UPON FINAL ACCEPTANCE.
- 23. THE ELECTRICAL CONTRACTOR SHALL LABEL ALL PANELS WITH ONLY TYPEWRITTEN DIRECTORIES. ALL ELECTRICAL WIRING SHALL BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR.
- 24. DISCONNECT SWITCHES SHALL BE H.P. RATED HEAVY-DUTY, QUICK-MAKE AND QUICK-BREAK ENCLOSURES, AS REQUIRED BY EXPOSURE TYPE.
- 25. ALL CONNECTIONS SHALL BE MADE WITH A PROTECTIVE COATING OF AN ANTI-OXIDE COMPOUND SUCH AS "NON-OXIDE A" BY DEARBORNE CHEMICAL CO. COAT ALL WIRE SURFACES BEFORE CONNECTING . EXPOSED COPPER SURFACES, INCLUDING GROUND BARS, SHALL BE TREATED - NO SUB STITUTIONS.
- 26. RACEWAYS: CONDUIT SHALL BE SCHEDULE 40 PVC MEETING OR EXCEEDING NEMA TC2 -2020. CONTRACTOR SHALL PLUG AND CAP EACH END OF SPARE AND EMPTY CONDUITS AND PROVIDE TWO SEPARATE PULL STRINGS - 200 LBS TEST POLYETHYLENE CORD. ALL CONDUIT BENDS SHALL BE A MINIMUM OF 2 FT. RADIUS RGS CONDUITS WHEN SPECIFIED, SHALL MEET UL-6 FOR GALVANIZED STEEL . ALL FITTINGS SHALL BE SUITABLE FOR USE WITH THREADED RIDGE CONDUIT. COAT ALL THREADS WITH 'BRITE ZINC' OR ' GOLD GALV'

- LUGS FOR NO. 8 AWG AND LARGER.
- OR OWNERS AGENT WILL APPLY FOR POWER.
- INDICATED ON DRAWINGS.

- 34. ALL BOLTS SHALL BE STAINLESS STEEL.

27. SUPPORT OF ALL ELECTRICAL WORK SHALL BE AS REQUIRED BY CEC.

28. CONDUCTORS: CONTRACTOR SHALL USE 98% CONDUCTIVITY COPPER TYPE THWN. INSULATION, 800 VOLT, COLOR CODED, USE SOLID CONDUCTORS FOR WIRE UP TO AND INCLUDING NO. 8 AWG. USE STRANDED CONDUCTORS FOR WIRE ABOVE NO. 8 AWG.

29. CONNECTORS FOR POWER CONDUCTORS, CONTRACTORS SHALL USE PRESSURE TYPE INSULATED TWIST-ON CONNECTORS FOR NO.10 AWG AND SMALLER USE SOLDERLESS MECHANICAL. TERMINAL

30. SERVICE: 120/240V, SINGLE PHASE, 3 WIRE CONNECTION AVAILABLE FROM UTILITY COMPANY. OWNER

31. TELEPHONE SERVICE: CONTRACTOR SHALL PROVIDE EMPTY CONDUITS WITH PULL STRINGS AS

32. ELECTRICAL AND TELCO RACEWAYS TO BE BURIED A MINIMUM OF 2' DEPTH.

33. CONTRACTOR SHALL PLACE TWO LENGTHS OF WARNING TAPE AT A DEPTH OF 12" BELOW GROUND AND DIRECTLY ABOVE ELECTRICAL, AND TELCO SERVICE CONDUITS. CAUTIONS TAPE TO READ "CAUTION BURIED ELECTRIC" OR "BURIED TELECOMM".

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SITE WORK NOTES

- 1. DO NOT EXCAVATE OR DISTURB THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.
- 2. DO NOT SCALE BUILDING DIMENSIONS FROM DRAWING.
- 3. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON AS-BUILT DRAWINGS BY GENERAL CONTRACTOR AND ISSUED TO ARCHITECT/ENGINEER AT COMPLETION OF PROJECT.
- 4. ALL EXISTING UTILITIES, FACILITIES, CONDITIONS AND THEIR DIMENSIONS SHOWN ON PLANS HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTOR SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
- 5. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES BOTH HORIZONTALLY AND VERTICALLY PRIOR TO START OF CONSTRUCTION. ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT/ENGINEER FOR SOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT/ENGINEER. FAILURE TO SECURE SUCH AS INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE. CONTRACTOR SHALL CALL LOCAL DIGGER HOT LINE FOR UTILITY LOCATIONS 48 HOURS PRIOR TO CONSTRUCTION.
- 6. ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.
- 7. GRADING OF THE SITE WORK AREA IS TO BE SMOOTH AND CONTINUOUS IN SLOPE AND IS TO FEATHER INTO EXISTING GRADES AT THE GRADING LIMITS.
- 8. ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC. SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
- 9. STRUCTURAL FILES SUPPORTING PAVEMENT SHALL BE COMPACTED TO 95% OF MAXIMUM STANDARD PROCTOR DRY DENSITY.
- 10. NEW GRADES NOT IN BUILDING AND DRIVEWAY IMPROVEMENT AREA TO BE ACHIEVED BY FILLING WITH APPROVED CLEAN FILL AND COMPACTED TO 95% OF STANDARD PROCTOR DENSITY.
- 11. ALL FILLS SHALL BE PLACED IN UNIFORM LIFTS. THE LIFTS THICKNESS SHOULD NOT EXCEED THAT WHICH CAN BE PROPERLY COMPACTED THROUGHOUT ITS ENTIRE DEPTH WITH THE EQUIPMENT AVAILAB LE.
- 12. ALL FILLS PLACED ON EXISTING SLOPES THAT ARE STEEPER THAN 10 HORIZONTAL TO 1 VERTICAL SHALL BE PROPERLY BENCHED INTO THE EXISTING SLOPE AS DIRECTED BY A GEOTECHNICAL ENGINEER.
- 13. CONTRACTOR SHALL CLEAN ENTIRE SITE AFTER CONSTRUCTION SUCH THAT NO PAPERS, TRASH, WEEDS, BRUSHES OR ANY OTHER DEPOSITS WILL REMAIN. ALL MATERIALS COLLECTED DURING CLEANING OPERATIONS SHALL BE DISPOSED OF OFF-SITE BY THE GENERAL CONTRACTOR.
- 14. ALL TREES AND SHRUBS WHICH ARE NOT IN DIRECT CONFLICT WITH THE IMPROVEMENTS SHALL BE PROTECTED BY THE GENERAL CONTRACTOR.
- 15. ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY GENERAL CONTRACTOR WITH LOCAL UTILITY COMPANY, TELEPHONE COMPANY, AND OTHER UTILITY COMPANIES HAVING JURISDICTION OVER THIS LOCATION.

ENVIRONMENTAL NOTES

- 1. ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH ISSUED PERMITS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYMENT OF FINES AND PROPER CLEAN UP FOR AREAS IN VIOLATION.
- 2. CONTRACTOR AND/OR DEVELOPER SHALL BE RESPONSIBLE FOR CONSTRUCTION AND MAINTENANCE OF EROSION AND SEDIMENTATION CONTROLS DURING CONSTRUCTION FOR PROTECTION OF ADJACENT PROPERTIES, ROADWAYS AND WATERWAYS AND SHALL BE MAINTAINED IN PLACE THROUGH FINAL JURISDICTIONAL INSPECTION & RELEASE OF SITE.
- 3. CONTRACTOR SHALL INSTALL/CONSTRUCT ALL NECESSARY SEDIMENT/SILT CONTROL FENCING AND PROTECTIVE MEASURES WITHIN THE LIMITS OF SITE DISTURBANCE PRIOR TO CONSTRUCTION.
- 4. NO SEDIMENT SHALL BE ALLOWED TO EXIT THE PROPERTY. THE CONTRACTOR IS RESPONSIBLE FOR TAKING ADEQUATE MEASURED FOR CONTROLLING EROSION. ADDITIONAL SEDIMENT CONTROL FENCING MAY BE REQUIRED IN ANY AREAS SUBJECT TO EROSION.
- 5. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING POSITIVE DRAINAGE ON THE SITE AT ALL TIMES WITH SILT AND EROSION CONTROL MEASURES MAINTAINED ON THE DOWNSTREAM SIDE OF SITE DRAINAGE. ANY DAMAGE TO ADJACENT PROPERTY AS A RESULT OF EROSION WILL BE CORRECTED AT THE CONTRACTOR EXPENSE.
- 6. CONTRACTOR SHALL BE RESPONSIBLE FOR DAILY INSPECTIONS AND ANY REPAIRS OF ALL SEDIMENT CONTROL MEASURES INCLUDING SEDIMENT REMOVAL AS NECESSARY.
- 7. CLEANING OF VEGETATION AND TREE REMOVAL SHALL BE ONLY AS PERMITTED AND BE HELD TO A MINIMUM. ONLY TREES NECESSARY FOR CONSTRUCTION OF THE FACILITIES SHALL BE REMOVED.
- 8. SEEDING AND MULCHING AND/OR SODDING OF THE SITE WILL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER COMPLETION OF THE PROJECT FACILITIES AFFECTING LAND DISTURBANCE.
- 9. CONTRACTOR SHALL PROVIDE ALL EROSION AND SEDIMENTATION CONTROL MEASURES AS REQUIRED BY LOCAL, COUNTY AND STATE CODES AND ORDINANCES TO PROTECT EMBANKMENTS FROM SOIL LOSS AND PREVENT ACCUMULATION OF SOIL AND SILT IN STREAMS AND DRAINAGE PATHS LEAVING THE CONSTRUCTION AREA. THIS MAY INCLUDE SUCH MEASURES AS SILK FENCES, STRAW BALE SEDIMENT BARRIERS, AND CHECK DAMS.
- 10. RIP RAP OF SIZES INDICATED SHALL CONSIST OF CLEAN, HARD, SOUND, DURABLE, UNIFORM IN QUALITY STONE FREE OF ANY DETRIMENTAL QUANTITY OF SOFT, FRIABLE, THIN, ELONGATED OR LAMINATED PIECES, DISINTEGRATED MATERIAL, ORGANIC MATTER, OIL, ALKALI, OR OTHER DELETERIOUS SUB STANCES.

FOUNDATION, EXCAVATION AND BACKFILL NOTES

- 1. ALL FINAL GRADED SLOPES SHALL BE A MAXIMUM OF 3 HORIZONTAL TO 1 VERTICAL.
- 2. ALL EXCAVATIONS PREPARED FOR PLACEMENT OF CONCRETE SHALL BE OF UNDISTURBED SOIL, SUBSTANTIALLY HORIZONTAL AND FREE FROM ANY LOOSE, UNSUITABLE MATERIAL OR FROZEN SOILS, AND WITHOUT THE PRESENCE OF POUNDING WATER. DEWATERING FOR EXCESS GROUND WATER SHALL BE PROVIDED WHEN REQUIRED. COMPACTION OF SOILS UNDER CONCRETE PAD FOUNDATIONS SHALL NOT BE LESS THAN 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY FOR THE SOIL IN ACCORDANCE WITH ASTM D1557.
- 3. CONCRETE FOUNDATIONS SHALL NOT BE PLACED ON ORGANIC OR UNSUITABLE MATERIAL. IF INADEQUATE BEARING CAPACITY IS REACHED AT THE DESIGNED EXCAVATION DEPTH, THE UNSATISFACTORY SOIL SHALL BE EXCAVATED TO ITS FULL DEPTH AND EITHER BE REPLACED WITH MECHANICALLY COMPACTED GRANULAR MATERIAL OR THE EXCAVATION SHALL BE FILLED WITH CONCRETE OF SAME TYPE SPECIFIED FOR THE FOUNDATION. CRUSHED STONE MAY BE USED TO STABILIZE THE BOTTOM OF THE EXCAVATION. ANY STONE SUB-BASE MATERIAL, IF USED, SHALL NOT SUBSTITUTE FOR REQUIRED THICKNESS OF CONCRETE.
- 4. ALL EXCAVATIONS SHALL BE CLEAN OF UNSUITABLE MATERIAL SUCH AS VEGETATION, TRASH, DEBRIS, AND ALSO FORTH PRIOR TO BACK FILLING. BACK-FILL SHALL CONSIST OF APPROVED MATERIAL SUCH AS EARTH, LOAM, SANDY CLAY, SAND, AND GRAVEL, OR SOFT SHALE, FREE FROM CLODS OR LARGE STONES OVER 2-1/2" MAX DIMENSION. ALL BACK FILL SHALL BE PLACED IN COMPACTED LAYERS.
- 5. ALL FILL MATERIALS AND FOUNDATION BACK FILL SHALL BE PLACED IN MAXIMUM 6" THICK LIFTS BEFORE COMPACTION. EACH LIFT SHALL BE WETTED IF REQUIRED AND COMPACTED TO NOT LESS THAN 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY FOR SOIL IN ACCORDANCE WITH AST**M** D1557.
- 6. NEWLY PLACED CONCRETE FOUNDATION SHALL CURE A MINIMUM OF 72 HOURS PRIOR TO BACK–FILL.
- 7. FINISHED GRADING SHALL BE SLOPED TO PROVIDE POSITIVE DRAINAGE AND PREVENT STANDING WATER. THE FINAL (FINISH) ELEVATION OF SLAB FOUNDATION SHALL SLOPE AWAY IN ALL DIRECTIONS FROM THE CENTER. FINISH GRADE OF CONCRETE PADS SHALL BE A MINIMUM OF 4 INCHES ABOVE FINISH GRADE ELEVATIONS. PROVIDE SURFACE FILL GRAVEL TO ESTABLISH SPECIFIED ELEVATIONS WHERE REQUIRED.
- 8. NEWLY GRADED SURFACE AREAS TO RECEIVE GRAVEL SHALL BE COVERED WITH GEOTEXTILE FABRIC TYPE: TYPAR-3401 AS MANUFACTURED BY "CONSTRUCTION MATERIAL 1-800-239-384" OR AN APPROVED EQUIVALENT, SHOWN ON PLANS. THE GEOTEXTILE FABRIC SHALL BE BLACK IN COLOR TO CONTROL THE RECURRENCE OF VEGETATIVE GROWN AND EXTEND TO WITHIN 1 FOOT OUTSIDE THE SITE FENCING OR ELECTRICAL GROUNDING SYSTEM PERIMETER WHICH EVER IS GREATER. ALL FABRIC SHALL BE COVERED WITH A MINIMUM OF 4" DEEP COMPACTED STONE OR GRAVEL AS SPECIFIED, I.E. FDOT TYPE NO. 57 FOR FENCED COMPOUND, FDOT TYPE NO.67 FOR ACCESS DRIVE AREA.
- 9. IN ALL AREAS TO RECEIVE FILL, REMOVE ALL VEGETATION, TOPSOIL, DEBRIS, WET AND UNSATISFACTORY SOIL MATERIALS, OBSTRUCTIONS, AND DELETERIOUS MATERIALS FROM VERTICAL TO 4 HORIZONTAL SUCH AS THAT FILL MATERIAL WILL BIND WITH EXISTING/PREPARED SOIL SURFACE.
- 10. WHEN SUB-GRADE OR PREPARED GROUND SURFACE HAS A DENSITY LESS THAN THAT REQUIRED FOR THE FILL MATERIAL, SCARIFY THE GROUND SURFACE TO DEPTH REQUIRED, PULVERIZE, MOISTURE-CONDITION AND/OR AERATE THE SOIL AND RECOMPACT TO THE REQUIRED DENSITY PRIOR TO PLACEMENT OF FILLS.
- 11. IN AREAS WHICH EXISTING GRAVEL SURFACING IS REMOVED OR DISTURBED DURING CONSTRUCTION OPERATIONS, REPLACE GRAVEL SURFACING TO MATCH ADJACENT GRAVEL SURFACING AND RESTORED TO THE SAME THICKNESS AND COMPACTION AS SPECIFIED. ALL RESTORED GRAVEL SURFACING SHALL BE FREE FROM CORRUGATIONS AND WAVES.
- 12. EXISTING GRAVEL SURFACING MAY BE EXCAVATED SEPARATELY AN REUSED WITH THE CONDITION THAT ANY UNFAVORABLE AMOUNTS OF ORGANIC MATTER, OR OTHER DELETERIOUS MATERIALS ARE REMOVED PRIOR TO REUSED. FURNISH ANY ADDITIONAL GRAVEL RESURFACING MATERIAL AS NEEDED TO PROVIDE A FULL DEPTH COMPACTED SURFACE THROUGHOUT SITE.
- 13. GRAVEL SUB SURFACE SHALL BE PREPARED TO REQUIRED COMPACTION AND SUB GRADE BEFORE GRAVEL SURFACING IS PLACED AND/OR RESIDRED. ANY LOOS DISTURBED MATERIALS SHALL BE THROUGHOUT COMPACTED AND ANY DEPRESSIONS IN THE SUB-GRADE SHALL BE FILLED AND COMPACTED WITH APPROVED SELECTED MATERIAL. GRAVEL SURFACING MATERIAL SHALL NOT USED FOR FILLING DEPRESSIONS IN THE SUB-GRADE.
- 14. PROTECT EXISTING GRAVEL SURFACING AND SUB-GRADE IN AREAS WHERE EQUIPMENT LOADS WILL OPERATE. USE PLANKING 'MATTS' OR OTHER SUITABLE PROTECTION DESIGNED TO SPREAD EQUIPMENT LOADS AS MAY BE NECESSARY. REPAIR ANT DAMAGE TO EXISTING GRAVEL. SURFACING OR SUB-GRADE WHERE SUCH DAMAGE IS DUE TO THE CONTRACTOR'S OPERATIONS.
- 15. DAMAGE TO EXISTING STRUCTURES AND/OR UTILITIES RESULTING FROM CONTRACTOR'S NEGLIGENCE SHALL BE REPAIRED AND/OR REPLACED TO OWNER'S SATISFACTION AT NO ADDITIONAL COST TO THE CONTRACT.
- 16. ALL SUITABLE BORROW MATERIAL FOR BACKFILL OF THE SITE SHALL BE INCLUDED IN THE BID. EXCESS TOPSOIL AND UNSUITABLE MATERIAL SHALL BE DISPOSED OF OFF-SITE AT LOCATIONS APPROVED BY GOVERNING AGENCIES AT NO ADDITIONAL COST TO THE CONTRACT.

STRUCTURAL STEEL

- MODIFICATIONS ARE TO BE COATED WITH ZINC-ENRICHED PAINT.
- -ANGLE, BARS, AND CHANNELS: ASTM A36, 36 KSI —W—SHAPES: ASTM 1992, 50 KSI -HSS SECTOR: ASTM A53-E, 35 KSI
- "MANUAL OF STEEL CONSTRUCTION". PAINTED SURFACES SHALL BE TOUCHED UP.

CONCRETE AND REINFORCEMENT STEEL

- CAST-IN-PLACE CONCRETE SPECIFICATIONS.
- UNLESS NOTED OTHERWISE.
- OTHERWISE
- 5. SPLICES CLASS "B" AND ALL HOOKS SHALL BE STANDARD UNLESS NOTED OTHERWISE.
- 6. A 3/4" CHAMFER SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE UNLESS NOTED OTHERWISE IN ACCORDANCE WITH ACI 301 SECTION 4.2.4.
- 20.6.1.3.1:

CONCRETE EXPOSURE	MEMBER	REINFORC E M ENT	SPECIFIED COVER, IN.
CAST AGAINST AND Per m anently in contact With ground	ALL	ALL	3
EXPOSED TO WETHER OR IN		NO.6 THROUGH NO.18 BARS	2
CONTACT WITH GROUND	ALL	NO. 5 BAR, W31 OR D31 WIRE, AND S M ALLER	1-1/2
	SLABS, JOISTS, AND WALLS	NO. 14 AND NO.18 BARS	1-1/2
NOT EXPOSED TO WEATHER OR IN CONTACT WITH	WALLS	NO.11 BAR AND S m aller	3/4
GROUND	BEAMS, COLUMNS PEDESTALS, AND TENSION TIES	PRIMARY REINFORCEMENT, STIRRUPS, TIES, SPIRALS, AND HOOPS	1-1/2

CONCRETE MASONRY

- CONSOLIDATED WITH A MECHANICAL VIBRATOR.
- C90, GRADE N-1, f'M OF 1,500 PSI.
- "DEEP CUT" UNITS.
- SHALL BE PLACED IN BOND OR LINTEL BEAM UNITS.
- CONSTRUCTION, MAXIMUM GROUT POUR HEIGHT IS 4 FEET.
- EXCESS OF 4'-0" OF HEIGHT.
- MASONRY UNITS.
- LUMPS, SHALE, ALKAU OR ORGANIC MATERIAL.
- 9. BRICK SHALL CONFORM TO ASTM C-62 and shall be grade MW or better.

SPECIAL INSPECTION

- MANUFACTURERS ARE NOT ALLOWED.
- INSTALLED IN MASONRY CONCRETE.
- ANCHOR BOLTS, DOWEL OR ROD.
- ATTENTION OF THE ENGINEER OF RECORD IMMEDIATELY.

1. ALL STEEL WORK SHALL BE IN ACCORDANCE WITH STEEL CONSTRUCTION MANUAL, 15th EDITION AND ALL EXTERIOR EXPOSED STEEL AND HARDWARE SHALL BE HOT-DIPPED GALVANIZED. FILL

2. STEEL SECTIONS SHALL BE IN ACCORDANCE WITH THE FOLLOWING ASTM STANDARDS:

3. ALL WELDING SHALL BE PERFORMED USING E70 (LOW HYDROGEN) ELECTRODES BY AWS CERTIFIED WELDERS. WELDING SHALL CONFORM TO AISC AND THE LATEST EDITION OF AWS D1.1. WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC

4. NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING MAY USE 5/8" DIA. ASTM A307 BOLTS UNLESS NOTED OTHERWISE. BOLTED CONNECTIONS SHALL BE ASTM A325 BEARING TYP. 3/4" DIA. CONNECTIONS AND SHALL HAVE MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE.

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH ACI 318-16, ACI 301-16 AND THE

2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS

3. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185 WELDED STEEL WIRE FABRIC UNLESS NOTED

4. REINFORCING STEEL SHALL CONFORM TO ASTM A615, GRADE 60, UNLESS NOTED OTHERWISE.

7. CONCRETE COVER FOR REINFORCEMENT STEEL SHALL BE ACCORDING TO ACI 318-19, TABLE

1. MORTAR SHALL BE HAVE TYPE "S" WITH A MINIMUM 1,800 PSI AT 28 DAYS. GROUT SHALL BE A MINIMUM COMPRESSIVE STRENGTH OF 2,000 PSI AT 28 DAYS AND ALL GROUT SHALL BE

2. CONCRETE MASONRY UNITS SHALL BE MEDIUM WEIGHT (115 PCF) UNITS CONFORMS TO ASTM

3. ALL CELLS IN CONCRETE BLOCKS SHALL BE FILLED SOLID WITH GROUT, EXCEPT AS NOTED IN THE DRAWINGS OR SPECIFICATIONS. CELL SHALL BE IN VERTICAL ALIGNMENT. DOWELS IN FOOTINGS SHALL BE SET TO ALIGN WITH CORES CONTAINING STEEL. ALL BOND BEAM BLOCK SHALL BE

4. ALL CELLS CONTAINING REINFORCING STEEL OR EMBEDDED ITEMS AND ALL CELLS IN RETAINING WALLS AND WALLS BELOW GRADE SHALL BE SOLID GROUTED. ALL HORIZONTAL REINFORCING STEEL

5. WHEN GROUTING IS STOPPED FOR ONE LONGER, HORIZONTAL CONSTRUCTION JOINTS SHALL BE FORMED BY STOPPING THE GROUT POUR 1-1/2" BELOW TOP OF THE UPPERMOST UNIT. LOW LIFT

6. PROVIDE INSPECTION AND CLEAN OUT HOLES AT BASE OF VERTICAL CELLS HAVING GROUT LIFTS IN

7. PROVIDE ONE BAR DIAMETER (A MINIMUM OF 1/2") GROUT BETWEEN MAIN REINFORCING AND

8. SAND SHALL BE CLEAN, SHARP AND WELL GRADED, AND FREE FROM INJURIOUS AMOUNTS OF DUST,

1. SPECIAL INSPECTION IS REQUIRED FOR THE INSTALLATION OF HILTI STAINLESS STEEL ANCHOR BOLTS ACCORDING TO ICC-ESR# 1917. THE INSTALLATION OF ANCHOR BOLTS BY OTHER

2. HILTI ANCHORS SHALL BE INSTALLED IN NORMAL WEIGHT CONCRETE WITH A MINIMUM CONCRETE STRENGTH OF 2,500 PSI AT 28 DAYS. UNDER NO CIRCUMSTANCES SHALL THE ANCHORS BE

3. HOLES TO RECEIVE EXPANSION/WEDGE ANCHORS SHALL BE 1/8" LARGER IN DIAMETER THAN THE

4. THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT THE INSTALLATION OF HILTI ANCHORS DOES NOT CUT THE EXISTING REBARS IN CONCRETE. ANY ISSUES SHALL BE BROUGHT TO THE

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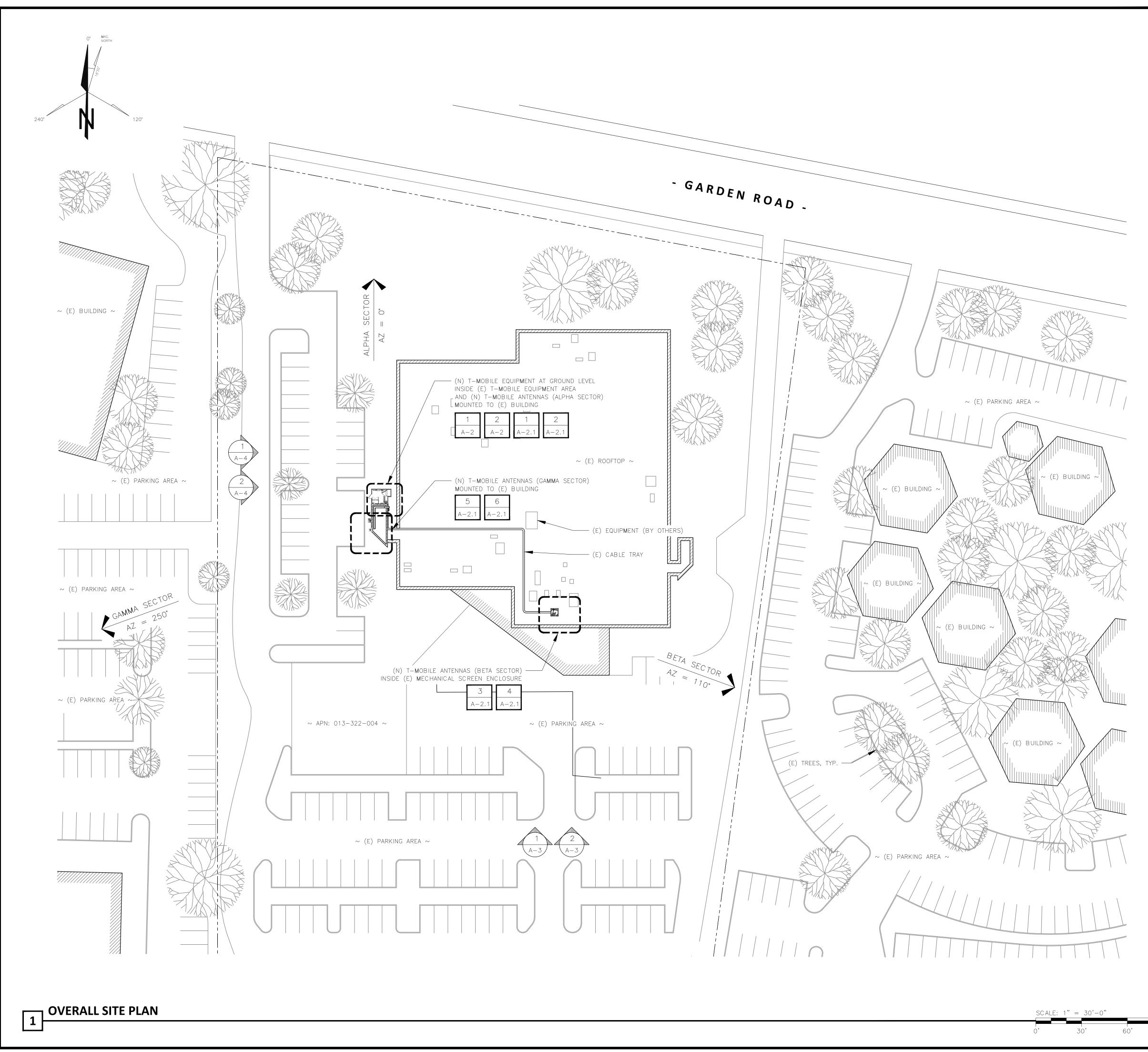
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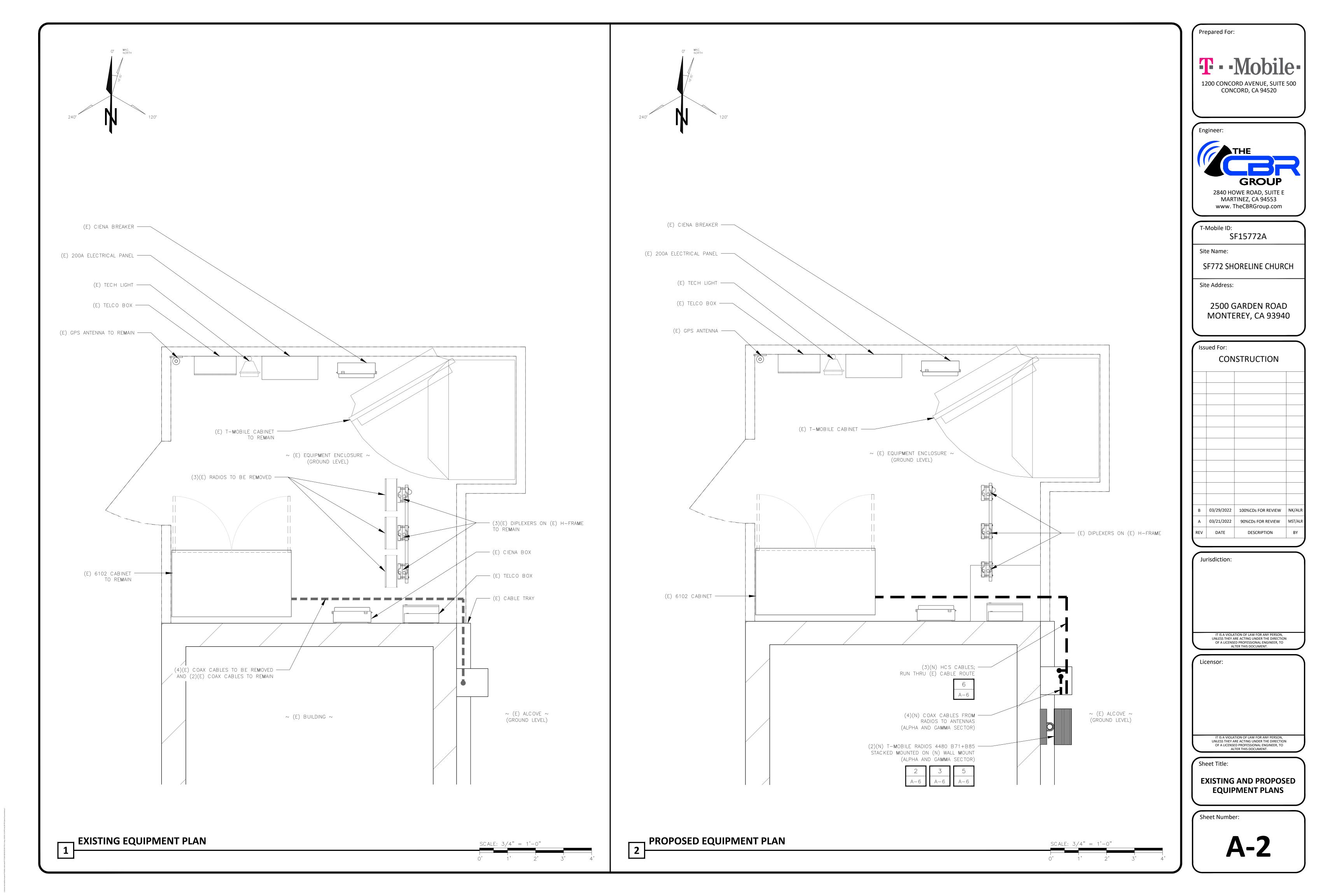
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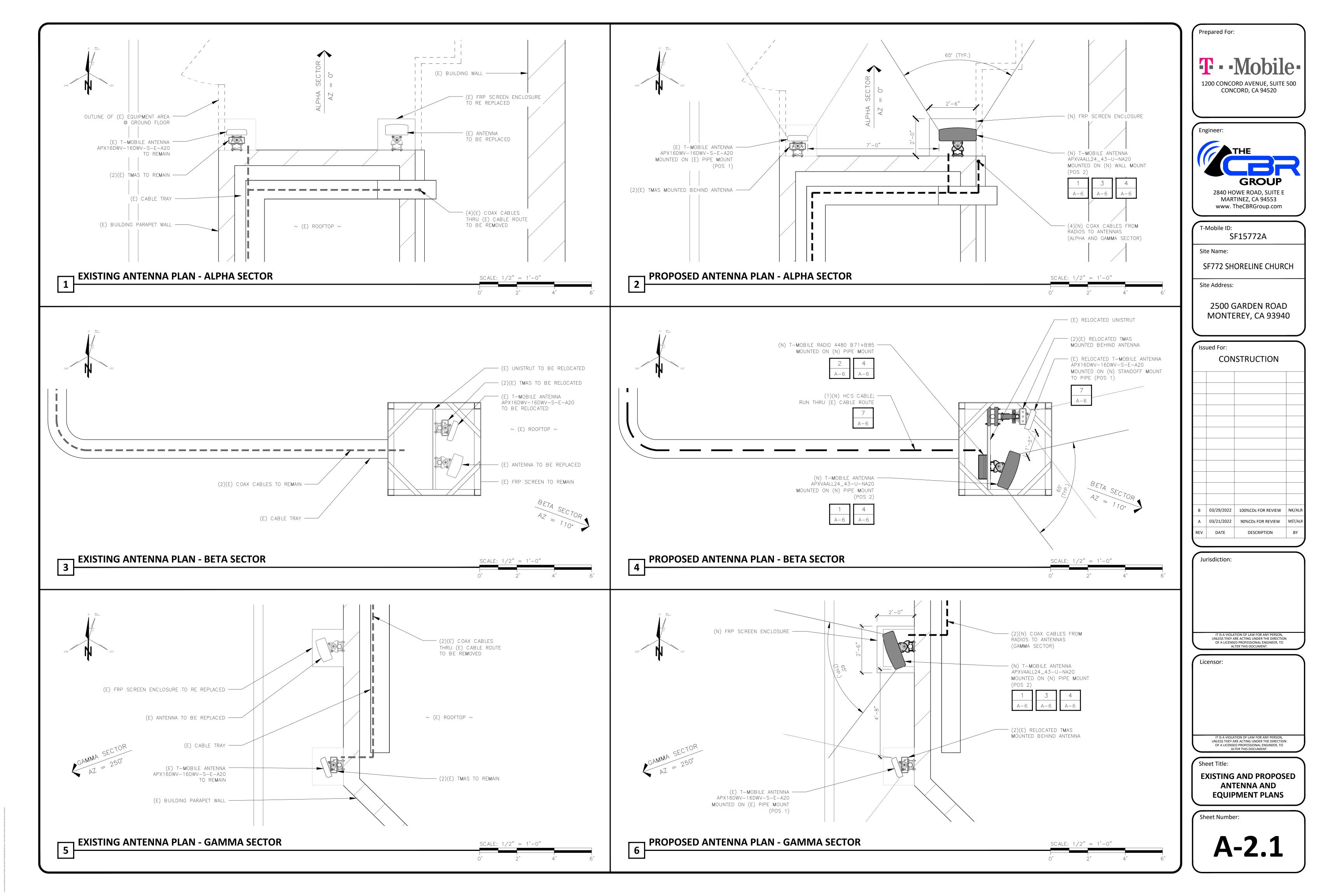
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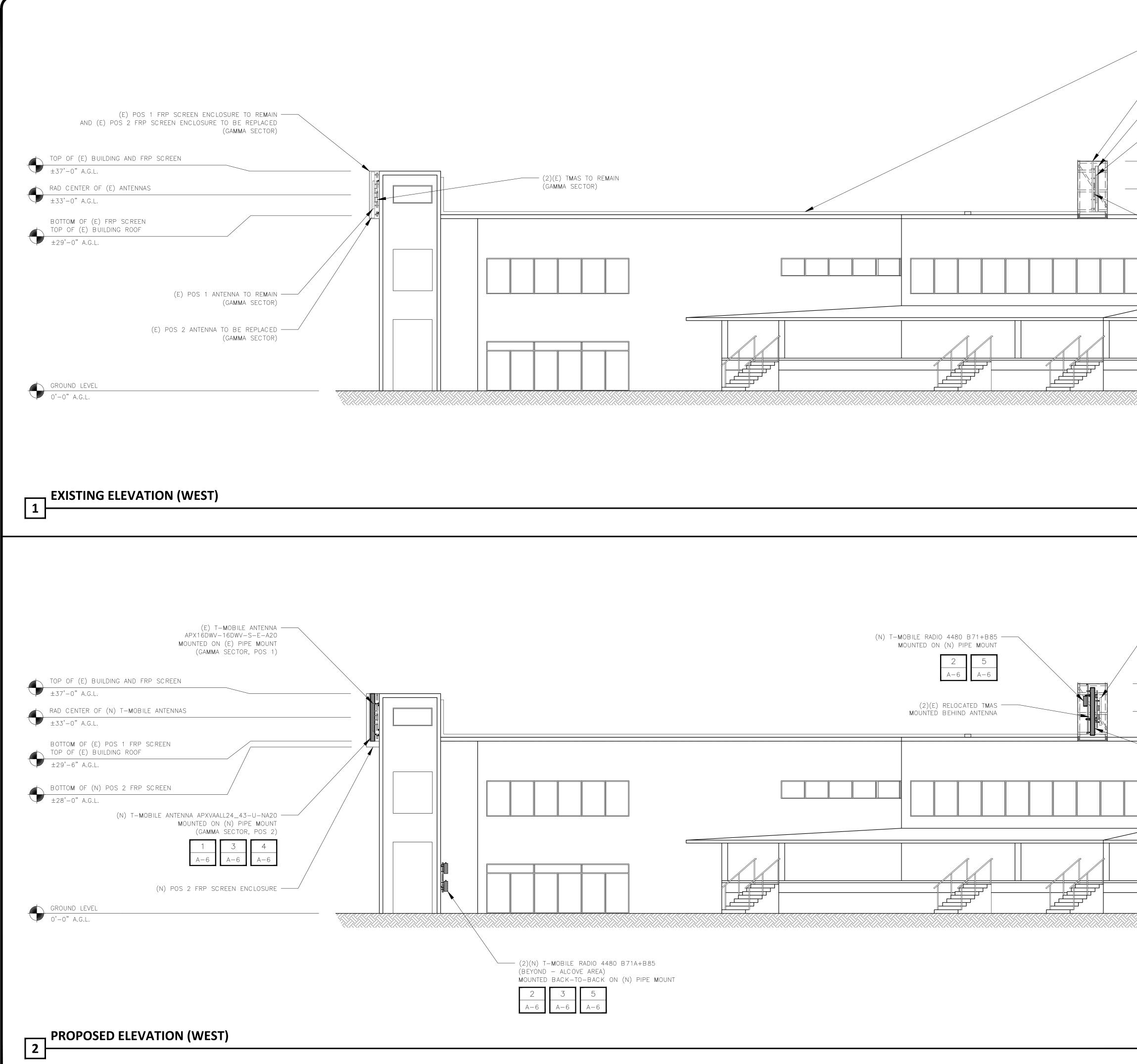
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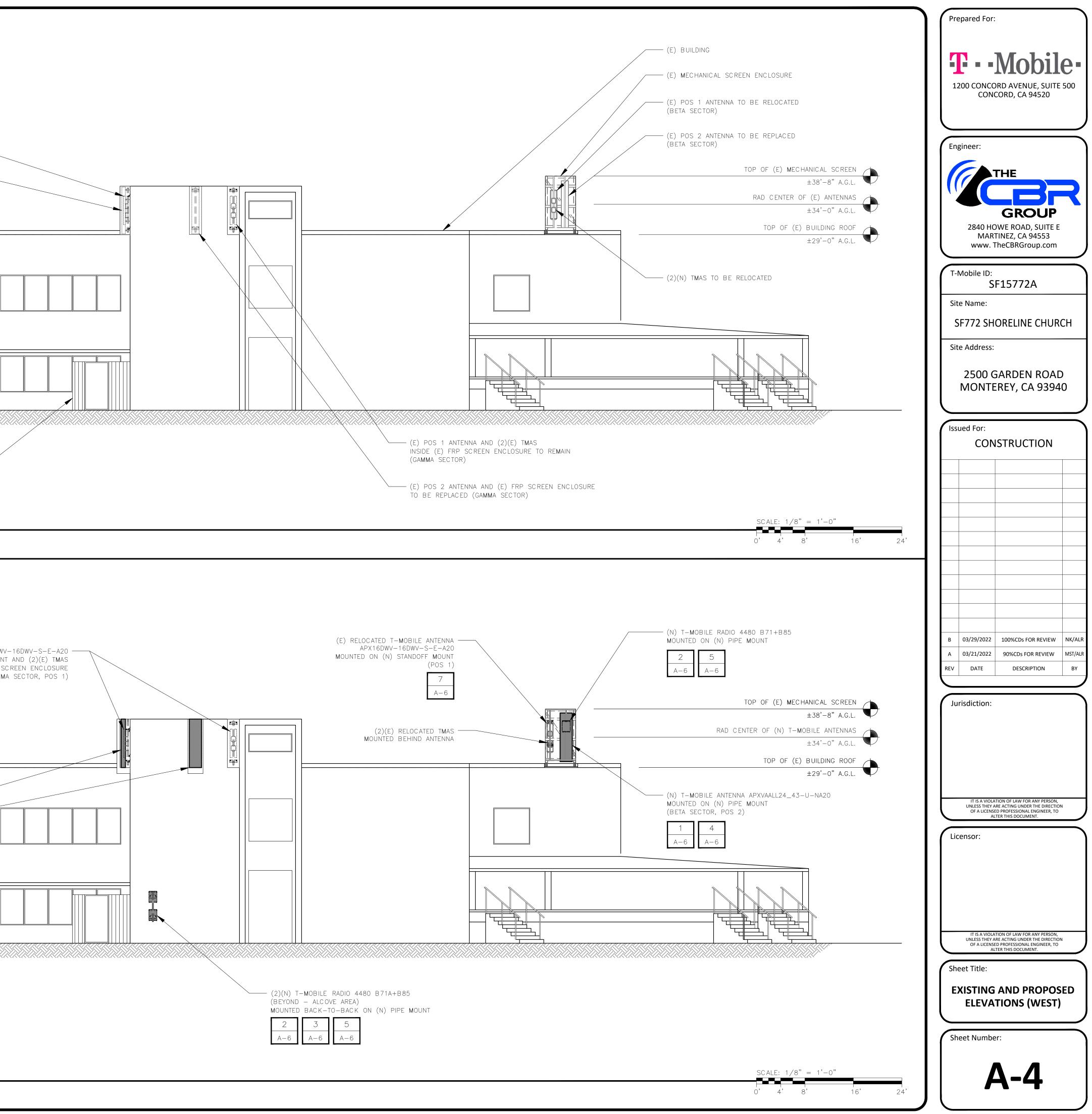


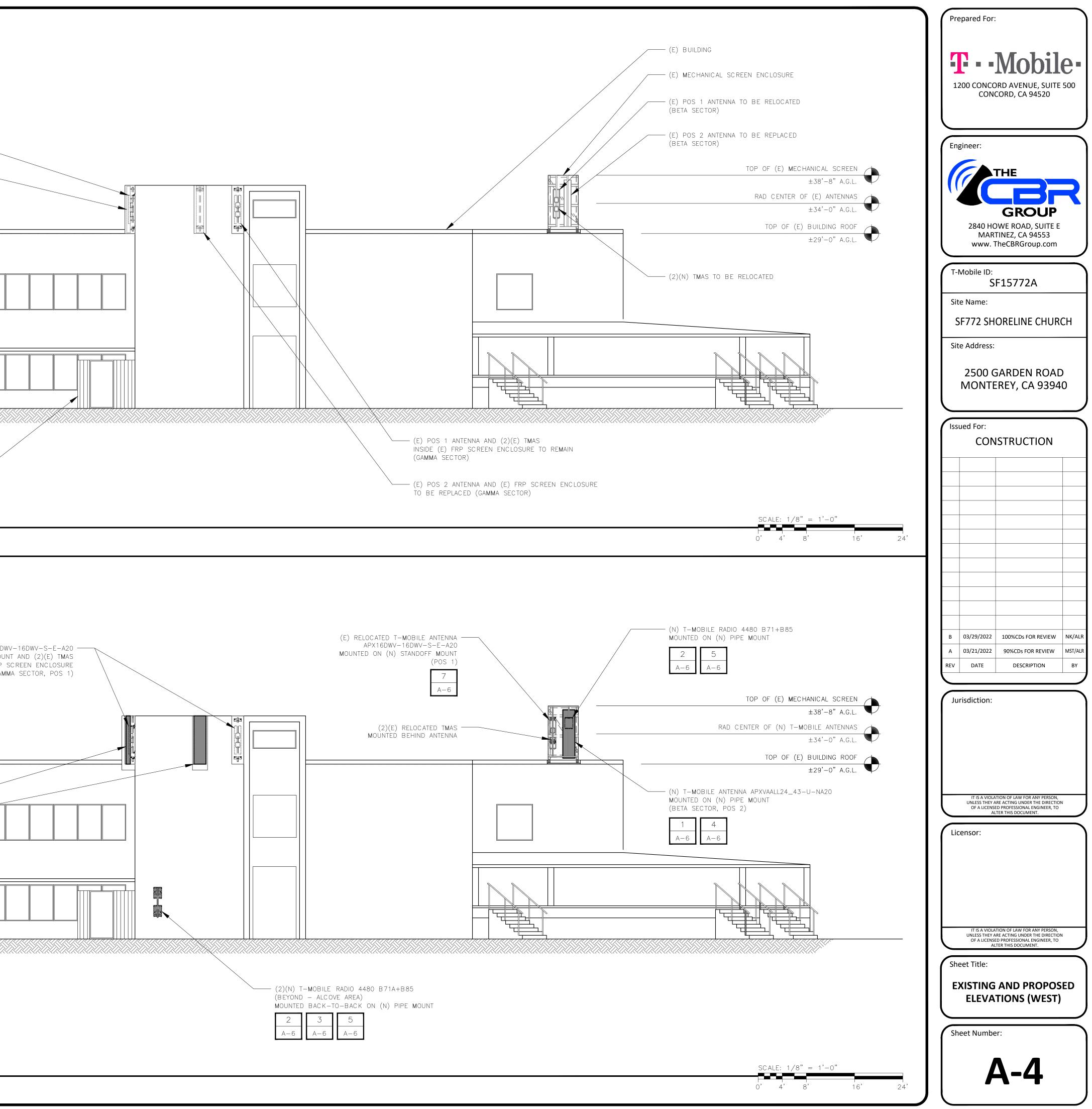




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(BETA SECTOR) — (E) POS 1 ANTENNA TO BE RELOCATED	
(BETA SECTOR)	Engineer:
 TOP OF (E) MECHANICAL SCREEN ±38'-8" A.G.L.	THE
RAD CENTER OF (E) ANTENNAS ±34'-0" A.G.L.	GROUP
TOP OF (E) BUILDING ROOF ±29'-0" A.G.L.	2840 HOWE ROAD, SUITE E MARTINEZ, CA 94553
	www. TheCBRGroup.com
(2)(N) TMAS TO BE RELOCATED	T-Mobile ID: SF15772A
	Site Name: SF772 SHORELINE CHURCH
	Site Address:
	2500 GARDEN ROAD
	MONTEREY, CA 93940
	Issued For:
	CONSTRUCTION
SCALE: 1/8" = 1'-0" 0' 4' 8' 16' 24'	
0 4 0 10 24	
— (E) RELOCATED T—MOBILE ANTENNA APX16DWV—16DWV—S—E—A20 MOUNTED ON (N) STANDOFF MOUNT	B 03/29/2022 100%CDs FOR REVIEW NK/ALR
(BETA SECTOR, POS 1)	A03/21/202290%CDs FOR REVIEWMST/ALRREVDATEDESCRIPTIONBY
A-6 TOP OF (E) MECHANICAL SCREEN	Jurisdiction:
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 ±34'-0" A.G.L.	
TOP OF (E) BUILDING ROOF ±29'-0" A.G.L.	
(N) T-MOBILE ANTENNA APXVAALL24_43-U-NA20	IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO
MOUNTED ON (N) PIPE MOUNT (BETA SECTOR, POS 2)	Licensor:
1 4 A-6 A-6	
	IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO
	ALTER THIS DOCUMENT. Sheet Title:
	EXISTING AND PROPOSED
	ELEVATIONS (WEST)
	Sheet Number:
SCALE: $1/8" = 1'-0"$	A-3
0'4'8'16'24'	

(E) POS 2 ANTENNA A	AND (E) FRP SCREEN ENCLOSURE — TO BE REPLACED (ALPHA SECTOR)		
	IU BE REFLACED (ALFHA SECIUR)		<u> </u>
TOP OF (E) BUILDING AND FRP SCREEN ±37'-0" A.G.L.			_
RAD CENTER OF (E) ANTENNAS ±33'-0" A.G.L.			
BOTTOM OF (E) FRP SCREEN TOP OF (E) BUILDING ROOF			
±29'-0" A.G.L.			
GROUND LEVEL O'-O" A.G.L.			
EXISTING ELEVATION (W	EST)		EL
EXISTING ELEVATION (W	EST)	(E) T-MOBILE ANTE MOUNTED ON (INS (ALE	ENI (E) SID
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ALPHA					1	ANTENNA SCHEDULE (VERIFY WITH CURRENT RFDS)			
ECTORE	EXISTING/PROPOSED	ANTENNA	SIZE (INCHES) (H X W X D)	ANTENNA RAD CENTER	AZI m uth	AC TIVE TEC HNOLOGY	RADIO (QTY)	TMA / MULTIPLEXER (QTY)	FIBER, COAX TYPE AND QUANTITY (LENGTH)
A1	EXISTING	RFS — APX16DWV-16DWV-S-E-A20 (QUAD)	55.9" X 13.0" X 3.15"			L2100, U1900, G1900	(1) TRX (ERICSSON) (AT CABINET)	(1) ATMAT1921B78-21A TMA (1) ATM1900D-1A20 TMA	(2) 7/8" COAX - 50 FT
	PROPOSED	OSED	33'-0"	33'-0" O°			(1) CBC61921Y-DS-2X DIPLEXER (AT CABINET)	(2) 7/8" COAX - 75 FT	
10	EXISTING	RFS — APXVF24—C—A20 (DUAL)	93.1" X 14.5" X 6.9"			L700	(1) RRUS11 B12 (AT CABINET)		(1) COAX JU m per
A2	PROPOSED	RFS — APXVAALL24_43-U-NA20 (OCTO)	96.0" X 24.0" X 8.5"		L700, L600, N600	(1) RADIO 4480 B71+B85		(4) JUMPER 6 FT SUREFLEX 4.3-10 TO 4.3-10 (2) FIBER JUMPER	

BETA	ANTENNA SCHEDULE (VERIFY WITH CURRENT RFDS)								
SECTOR	EXISTING/PROPOSED	ANTENNA	SIZE (INCHES) (H X W X D)	ANTENNA AZ	ZI m uth	AC TIVE TEC HNOLOGY	RADIO (QTY)	TMA / MULTIPLEXER (QTY)	FIBER, COAX TYPE AND QUANTITY (LENGTH)
B 1	EXISTING	RFS - APX16DWV-16DWV-S-E-A20 (QUAD)	55.9" X 13.0" X 3.15"			L2100, U1900, G1900	(1) TRX (ERICSSON) (AT CABINET)	(1) ATMAT1921B78-21A TMA (1) ATM1900D-1A20 TMA	(2) 1-5/8" COAX - 230 FT
	PROPOSED			34'-0"	1.1.0°			(1) CBC61921Y-DS-2X DIPLEXER (AT CABINET)	
	EXISTING	RFS — APXVF24—C—A20 (DUAL)	93.1" X 14.5" X 6.9"	54 -0	110°	L700	(1) RRUS11 B12 (AT CABINET)		(1) COAX JU m per
B2	PROPOSED	RFS — APXVAALL24_43—U—NA20 (OCTO)	96.0" X 24.0" X 8.5"			L700, L600, N600	(1) RADIO 4480 B71+B85		(4) JUMPER 6 FT SUREFLEX 4.3-10 TO 4.3-10 (2) FIBER JUMPER

ANTENNA SCHEDULE (VERIFY WITH CURRENT RFDS)								
SECTOR EXISTING/PROPOSED	ANTENNA	SIZE (INCHES) (H X W X D)	ANTENNA RAD CENTER	AZI m uth	AC TIVE TEC HNOLOGY	RADIO (QTY)	TMA / MULTIPLEXER (QTY)	FIBER, COAX TYPE AND QUANTITY (LENGTH)
EXISTING							(1) ATMAT1921B78-21A TMA	(2) 7/8" COAX - 50 FT
C 1 PROPOSED	RFS — APX16DWV—16DWV—S—E—A20 (QUAD)	55.9" X 13.0" X 3.15"			L2100, U1900, G1900	(1) TRX (ERICSSON) (AT CABINET)	(1) ATM1900D-1A20 TMA (1) CBC61921Y-DS-2X DIPLEXER (AT CABINET)	(2) 7/8" COAX - 75 FT
EXISTING	RFS — APXVF24—C—A20 (DUAL)	93.1" X 14.5" X 6.9"	- 33'-0"	250°	L700	(1) RRUS11 B12 (AT CABINET)		(1) COAX JU m per
C 2 PROPOSED	RFS — APXVAALL24_43-U-NA20 (OCTO)	96.0" X 24.0" X 8.5"			L700, L600, N600	(1) RADIO 4480 B71+B85		(4) JUMPER 6 FT SUREFLEX 4.3-10 TO 4.3-10 (2) FIBER JUMPER

		F		
EXISTI	NG EQUIPMENT SCHEDULE (AT EQUIPMENT AREA)		PROPO	DSED EQUIPMENT SCHEDULE (AT EQUIPMENT AREA)
	1	-	ENCLOSURE	1
ΈE	RBS 6102	-	ENCLOSURE TYPE	RBS 6102
	DUW30 (U1900), DUG20 (G1900), BB6630 (L2100, I700)		BASEBAND	DUW30 (U1900), DUG20 (G1900), BB6648 (L700, L600, N600), BB6630 (L
YSTEM	_		HYBRID CABLE SYSTE m	(3) ERICSSON HYBRID TRUNK 6/24 4AWG 40 m , (1) PSU 4813 VR4A (K
TEM	_		TRANSPORT SYSTE m	(1) CSR IXRE V2 (GEN2)
	(3) RUS01 B2 (G1900), (3) RUS01 B2 (U1900), (6) RUS01 B4 (L2100)		RADIO	(3) RUS01 B2 (G1900), (3) RUS01 B2 (U1900), (6) RUS01 B4 (L210

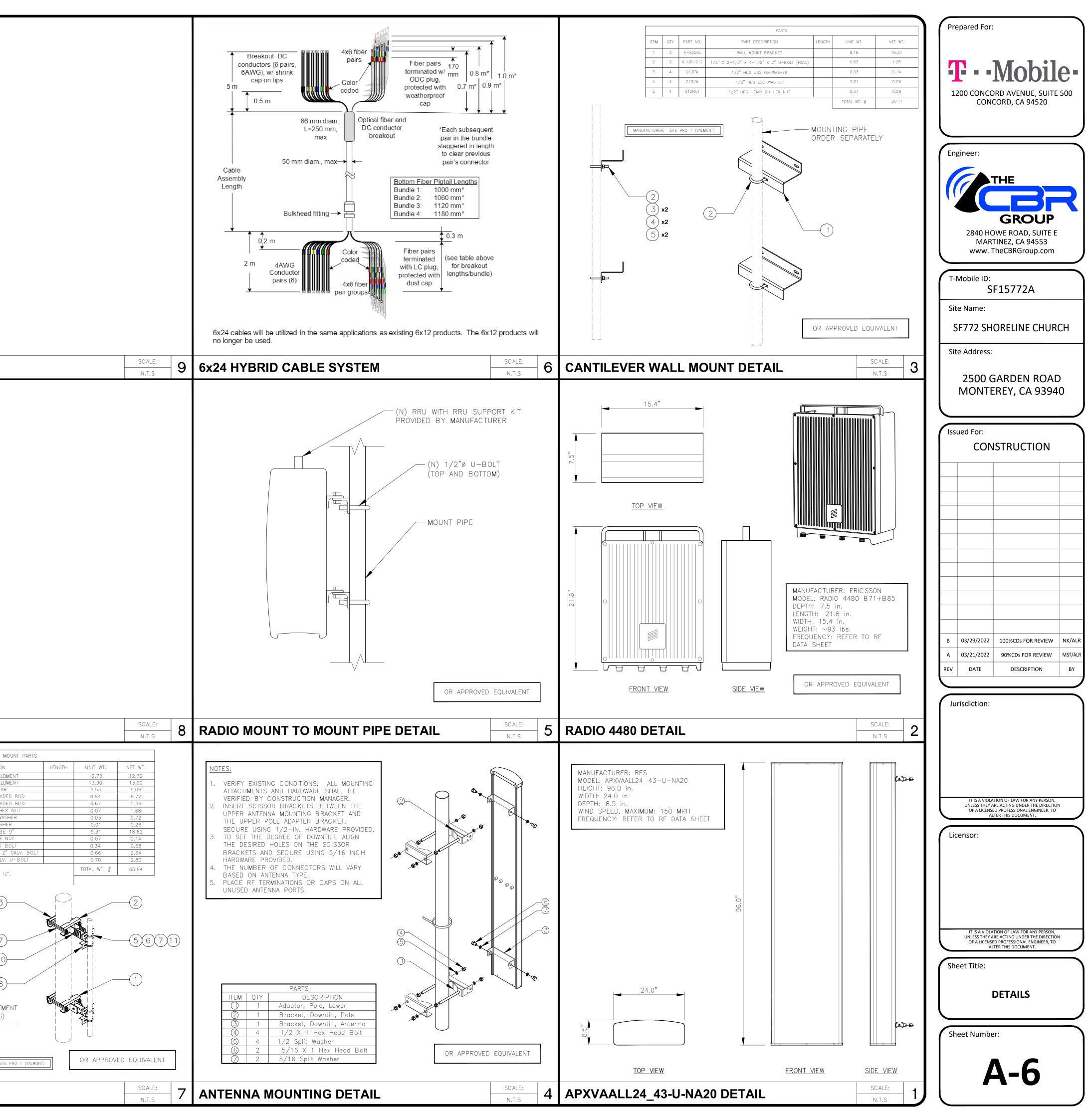
EXISTI	NG EQUIPMENT SCHEDULE (AT EQUIPMENT AREA)	PROPO	OSED EQUIPMENT SCHEDULE (AT EQUIPMENT AREA)
ENCLOSURE	1	ENCLOSURE	1
ENCLOSURE TYPE	RBS 6102	ENCLOSURE TYPE	RBS 6102
BASEBAND	DUW30 (U1900), DUG20 (G1900), BB6630 (L2100, I700)	BASEBAND	DUW30 (U1900), DUG20 (G1900), BB6648 (L700, L600, N600), BB6630 (L
RID CABLE SYSTE m	_	HYBRID CABLE SYSTEM	(3) ERICSSON HYBRID TRUNK 6/24 4AWG 40 m , (1) PSU 4813 VR4A (KI
RANSPORT SYSTE m	_	TRANSPORT SYSTEM	(1) CSR IXRE V2 (GEN2)
RADIO	(3) RUS01 B2 (G1900), (3) RUS01 B2 (U1900), (6) RUS01 B4 (L2100)	RADIO	(3) RUS01 B2 (G1900), (3) RUS01 B2 (U1900), (6) RUS01 B4 (L2100

RAN SCOPE OF WORK (VERIFY LATEST RFDS)	1) RETAIN (E) 6102 CABINET 2) KEEP (E) BB6630 FOR L21 3) ADD (1) BB6648 FOR LB 4) ADD (3) HCS 5) ADD (1) PSU 6) ADD (1) IXRE
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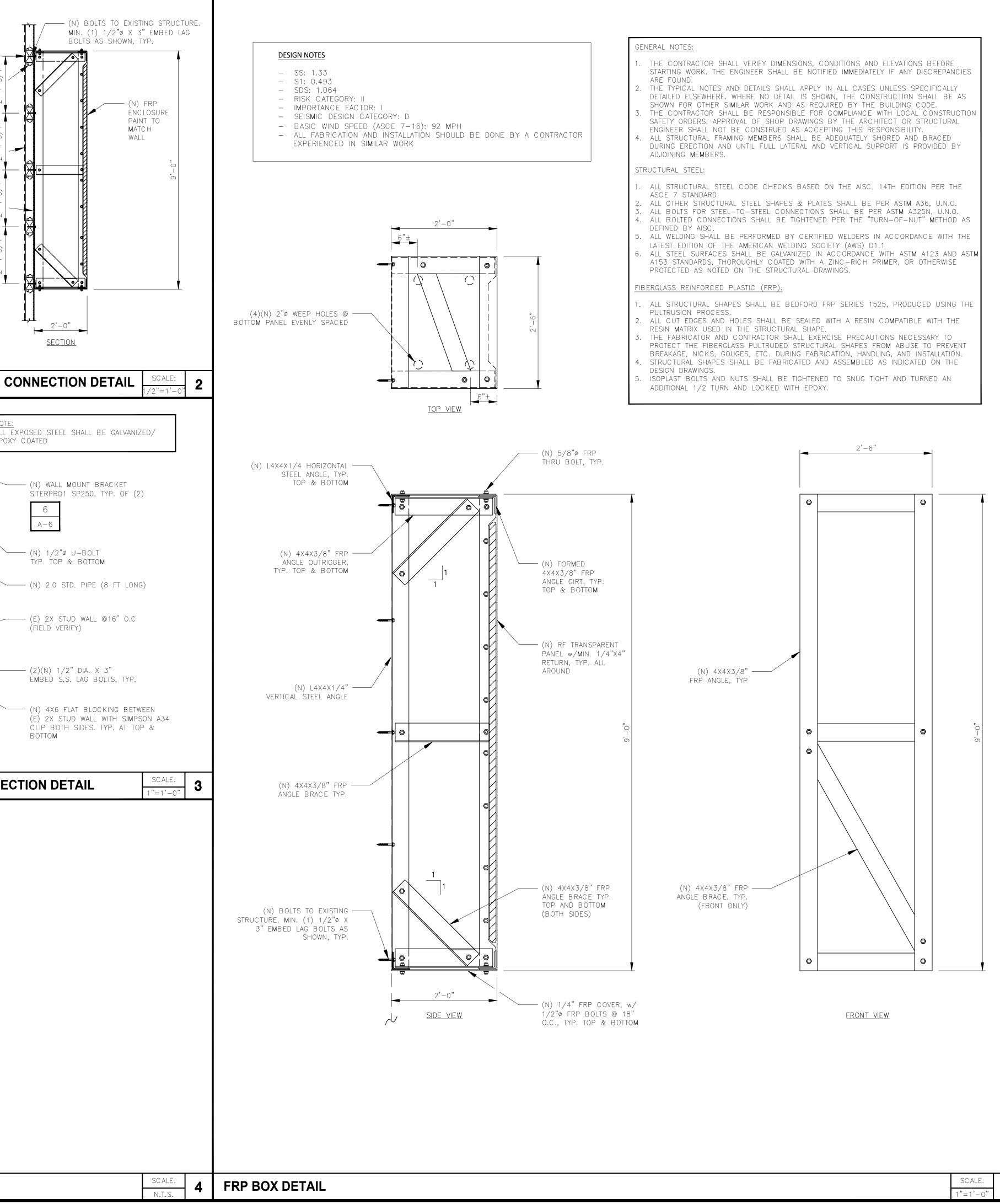
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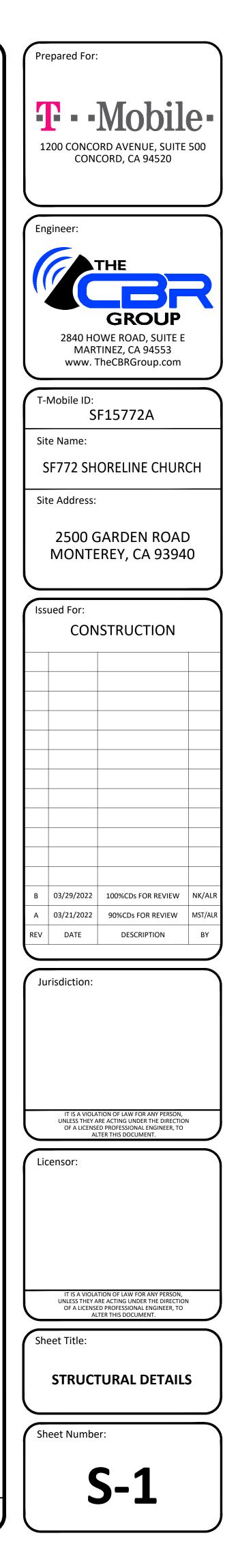
Prepared For: T - Nobile 1200 CONCORD AVENUE, SUITE 500 CONCORD, CA 94520					
Engineer: THE THE GROUP 2840 HOWE ROAD, SUITE E MARTINEZ, CA 94553 www. TheCBRGroup.com					
T-Mobile ID: SF15772A Site Name: SF772 SHORELINE CHURCH Site Address: 2500 GARDEN ROAD MONTEREY, CA 93940					
Issued For: CONSTRUCTION					
Image: Second state of the second s	/ALR				
Jurisdiction: IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.	IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION				
Licensor: IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.					
Sheet Title: ANTENNA AND EQUIPMENT SCHEDULE Sheet Number: A-5					

	SCALE:		
NOT USED	N.T.S	12	NOT USED
	SCALE:	44	
NOT USED	N.T.S	11	NOT USED
			ITEM QTY PART NO. PART DESCRIPTIO
			1 1 CFS LOWER GATE FOOT WEL 2 1 CFM UPPER GATE FOOT WEL 3 2 GBB GATE BACKING BA
			4 8 G12R-15 1/2" X 15" GALV. THREA 4 8 G12R-12 1/2" X 12" GALV. THREA 5 24 G12NUT 1/2" HDG HEAVY 2H H
			6 24 G12FW 1/2" HDG USS FLATW. 7 26 G12LW 1/2" HDG LOCKWAS 8 2 X-UAPM UNIVERAL ANGLE TUB 9 2 A12NUT 1/2" HDG A325 HEX
			10 2 A1205 1/2" X 5" A325 HDG 11 4 X-UB1212 1/2" X 2-1/2" X 4-1/2" X
			11 4 X-UB 1300 1/2" X 3" X 5" X 2" GAL NOTE: OPTONAL LARGE LEG ADAPTER KIT (TAM-LL) AVAILABLE FOR ROUND LEGS UP TO 12-3/4", 60' ANGLE LEGS UP TO 90' ANGLE LEGS UP TO 8-1/2" (SOLD SEPARATELY)
			13 7/8"
			MIN.
			€ E 4 E 4 4 4 4 4 4 4 4 4 4 4 4 4
			[∞]
			MANUFAC TURER: S
NOT USED	SCALE:	10	STANDOFF MOUNT
	N.T.S		



			(N) 4X6 FLAT BLOCKING BETWEEN STUDS AT LAG BOLT LOCATIONS, TYP. (N) SIMPSON A34 CLIP BOTH SIDES, TYP. AT TOP & BOTTOM (E) 2X STUD WALL TO REMAIN (E) WALL SHEATHING TO REMAIN (E) WALL SHEATHING TO REMAIN (E) WALL SHEATHING TO REMAIN
NOT USED	SCALE: N.T.S.	5	(N) FRP SCREEN ENCLOSURE
NOT USED	SCALE: N.T.S.	6	ANTENNA PIPE MOUNT CONNI
NOT USED	SCALE: N.T.S.	7	NOT USED





April 14, 2022

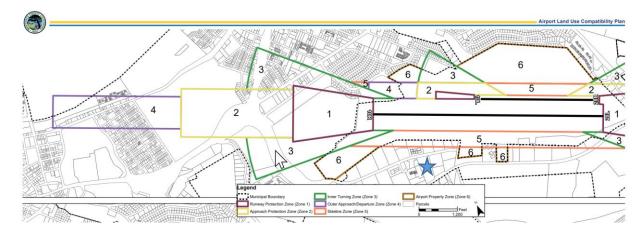
Monterey County Airport Land Use Commission % Fiona Jensen, Monterey County Planner JensenF1@co.monterey.ca.us

RE: 2500 Garden Road

Dear Commissioners,

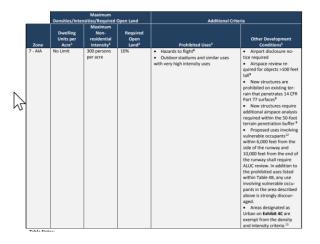
The Monterey County Airport Land Use Commission has received a request for a personal wireless facility at 2500 Garden Road. The proposed facility is located in Zone 7 Airport Influence Area (see blue star).

Figure 1 Monterey Regional Airport Safety Zones



The Safety Criteria Matrix states:

Table 1: Safety Criteria Matrix



Prohibited uses include hazards to flight, outdoor stadiums and similar uses with very high intensity uses. The only applicable prohibition is hazards to flight which are defined as physical (e.g. tall objects),

visual, and electronic forms of interference with the safety of aircraft operations. The proposed project does not increase the existing building height. In regards to electronic forms of interference, the project complies with the RF emission levels established by the FCC. The project engineer has prepared an RF report. Since this is among the first 5G application adjacent to the airport, if there are other "electronic" criteria to be evaluated with airports it is unknown by City staff and the applicant's RF engineer should provide additional information directly to the ALUC staff.

In regards to the "Other Development Conditions" specified in the Safety Matrix, a condition of approval can be added regarding Airport disclosure notice. Since the building exists today, it doesn't appear that a disclosure notice is warranted or that airspace analysis is required but the Airport Land Use Commission can make that determination. The remaining issues (vulnerable occupants and urban areas) do not apply to this project.

There are also noise regulations that apply to properties surrounding the airport. The project site is located outside the airport's noise contour impact areas and the airport noise will have no impact on the facility. The City also requires that a noise report be submitted with the project application to ensure that adjacent uses are not impacted by the facility.

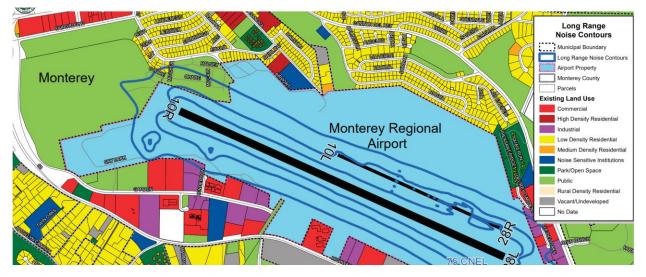


Figure 2 Long Range Noise Exposure Contours

In summary, the facility appears to be in compliance with the Monterey Airport Land Use Plan.

Sincerely,

Kimberly Cale

Kimberly Cole, AICP Community Development Director



BOARD OF DIRECTORS

Carl Miller, Chair William Sabo Mary Ann Leffel Gary Cursio LisAnne Sawhney

EXECUTIVE STAFF

Michael La Pier, AAE Executive Director Scott Huber District Counsel

Via email -Fionna Jensen

04/21/2022 Airport Land Use Commission

The Monterey Regional Airport (Airport) staff have reviewed the 5G documents before the ALUC as follows:

- City of Monterey Proposed Wireless Ordinance
- T-Mobile application SF15772A
- Verizon application 20212251099

The Airport provides the following comments:

5G Aviation Safety Criteria Consistency and Airspace Consistency

The FAA is working to ensure that radio signals from newly activated wireless telecommunications systems can coexist safely with flight operations in the United States, with input from the aviation sector and telecommunications industry.

Because proposed 5G deployment involves a new combination of power levels, frequencies, proximity to flight operations, and other factors, the FAA must impose restrictions on flight operations using certain types of radio altimeter equipment close to antennas in 5G networks. These safety restrictions could in the future affect flight schedules and operations at Monterey Regional Airport.

The Airport would request that any proposed 5G development upgrades be coordinated with FAA to provide 5G tower activation information as early as possible before the development occurs to reduce any aircraft disruption possibility to operations at Monterey Regional Airport.

The Airport further requests the proponents submit the FAA 7460-1 Form, Notice of Proposed Construction or Alteration to evaluate the equipment that is proposed which will include bandwidth, frequency, and FCC structure registration. The form is to be submitted to the FAA, electronically via the online web link: (https://oeaaa.faa.gov/oeaaa/external/portal.jsp).

The FAA will then conduct an aeronautical study based on the information provided by the proponents on an FAA Form 7460-1, and if necessary, provide guidance on any course of action to prevent hazards to air navigation.

In response to the proposed Wireless Ordinance, we request that language be added that meets the above requirements for Aircraft Safety and Review.

Respectfully, Monterey Regional Airport

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Michael La Pier, AAE Executive Director

Cc Kimberly Cole, Community Development Director

Attachment 5 - RF Assessment



RF-EME SAFETY COMPLIANCE REPORT

March 16, 2022

Purpose of Report:

Soteria RF Safety Consultants has been contracted as an independent/third party consultant to provide a radiofrequency electromagnetic (RF-EME) assessment to determine if the proposed wireless facility listed below complies with the Federal Communications Commission - Office of Engineering and Technology Bulletin 65 (FCC-OET-65), which establishes Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields. This report summarizes:

Front Page – Site Info / Compliance Statement	Section 3.0 – Calculation Methodology
Section 1.0 – Proposed Design	Section 4.0 – Results & Conclusions
Section 2.0 – FCC Standards & Guidelines	Section 5.0 – Recommended Mitigations

Wireless Facility Info:

Carrier/Project:	T-Mobile
Site Name:	SF15772A/SF5772 SORELINE
	CHURCH
Structure Type:	ROOFTOP
Pole ID:	n/a

(Proposed Wireless Facility Location)



Report Certification:

CA Registration No: E-16587

Expiration Date: 06/30/2022

I have reviewed and approve of the following report and believe it to be true and accurate to the best of my knowledge.

Credential: Registered Professional Engineer

Name: Wafic M. Hojeij

COMPLIANCE STATEMENT

Based on location, proposed design, equipment, and operational parameters given to Soteria RF Safety Consultants, along with accepted predictive modeling based on worst-case scenario (maximum power, operating 24x7x365), the following wireless facility: SF15772A / SF5772 SHORELINE CHURCH

WILL COMPLY

with the FCC's RF-EME Safety Guidelines, as set forth in the FCC-OET-65, regarding limits for human exposure to radiofrequency (RF) fields: provided all recommended mitigations identified in Section 5.0 of this report are implemented/adhered to.

Address: 2500 Garden Road Monterey, CA 93940

Latitude: 36.585361 Longitude: -121.852944

(Proposed Wireless Facility Vicinity)

