

1 **ATTACHMENT TO RESOLUTION NO. PZ 05-01**

2 (Approved by Albany Planning and Zoning Commission, January 25, 2005)

3
4 *Italic typeface indicates informational notations by staff; includes notes on Commission votes*
5 *where there was not 5-0 agreement.*

6
7 *Changes (from 1-19-05 draft ordinance) as directed by the Commission are indicated by*
8 *underline and ~~strikethrough~~.*

9
10 *Additional editorial changes suggested by staff are indicated by double underline and ~~double~~*
11 *~~strikethrough~~*

12
13 *Contents of draft ordinance:*

- 14 *A. Purpose and Intent (p.1)*
- 15 *B. Definitions (see Attachment A, p. 25)*
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23
24 **20.20.090 Wireless Communication Facilities.**

25
26 **A. Purpose and Intent.** The purpose and intent of this section are to:
27 [P&Z vote on this subsection: 4-1]

- 28
- 29 1. Enact appropriate regulations, in accordance with the Telecommunications
30 Act, for the provision of personal wireless service facilities for the benefit of
31 the Albany community.
- 32
- 33 2. Establish standards to regulate the placement and design of antennas and
34 wireless communication facilities so as to preserve the visual and other
35 characteristics of the City; to assure compatibility with properties adjacent to
36 such facilities; to minimize negative impacts; and to protect the general safety,
37 welfare, and quality of life of the community.
- 38
- 39 3. Establish development standards that are consistent with federal law related to
40 the development of wireless communication facilities.
- 41
- 42 ~~3. Acknowledge the community benefit associated with the provision of wireless~~
43 ~~communication services within the City, and encourage well designed and~~
44 ~~well located antennas and wireless communications facilities;~~

- 1 4. Pursue additional benefit to the public by encouraging the leasing of
2 municipally-owned properties where feasible or desirable, for the
3 development of wireless communications facilities;
4
- 5 5. Allow antennas to be located according to demonstrated need; encourage the
6 use of existing facilities, including co-location by multiple companies;
7 encourage the placement of antennas on existing structures and encourage the
8 use of smaller, less-obtrusive facilities such as repeaters and microcell
9 facilities where they are feasible alternatives to base station facilities.
10
- 11 6. Locate wireless communications facilities only within non-residential zoning
12 districts, according to a preferential ordering of zoning districts with an
13 objective of minimizing the impacts of such facilities upon neighboring land
14 uses.
15
- 16 7. Require all wireless communication facilities to be consistent with all other
17 applicable City of Albany plans and municipal code provisions, and
18 applicable regulations and standards of other governmental agencies, and any
19 applicable discretionary permits affecting the subject property except to the
20 extent the Planning and Zoning Commission or City Council shall modify
21 such requirements.
22

23 **B. Definitions.** Unless otherwise specifically provided, the terms used in this
24 section shall have the meanings stated in the Definitions section of this Chapter,
25 under the general heading of “Wireless Communications Facility”. *[See*
26 *“Attachment A” for listing of proposed definitions, to be included in Definitions section*
27 *of Zoning Ordinance (Section 20.08)]*
28

29 **C. Exempt Facilities.** Except as specifically noted, the following types of facilities
30 shall be exempt from the permit requirements of this section.
31

- 32 1. **Exempted by State and/or Federal Regulations.** An antenna or wireless
33 communications facility shall be exempt from the provisions of this section if
34 and to the extent that a permit issued by the California Public Utilities
35 Commission (CPUC) or the rules and regulations of the Federal
36 Communications Commission (FCC) specifically provides that the antenna
37 and/or wireless communications facility is exempt from local regulation.
38
- 39 2. **Exempted Subject to Locational Requirements.** The following types of
40 antennas are exempted provided that installations are entirely on-site and are
41 not located within required front yard or side yard setback areas. Installations
42 may be located in that portion of a rear yard where accessory buildings are
43 permitted to be located. Such locational requirements are necessary to ensure
44 that such antenna installations do not become public or private nuisances
45 adversely impacting adjacent properties, and/or result in hazards if located
46 adjacent to a street or other public right of way.
47

- 1 a. **Radio or Television Antenna.** A single ground-mounted or building-
2 mounted receive-only radio or television antenna for the sole use of
3 residential occupants of the parcel on which such antenna is located, with
4 a height including any mast not exceeding ten feet (10') over the basic
5 maximum building height prescribed by the regulations for the district in
6 which the site is located.
7
- 8 b. **Satellite Dish Antenna.** A ground-mounted or building-mounted receive-
9 only radio or television satellite dish antenna not exceeding twenty-four
10 inches (24") in diameter for the sole use of residential occupants of the
11 parcel on which such antenna is located, provided that the highest point of
12 such dish does not exceed the height of the highest roof ridge or parapet
13 line of the primary structure on said parcel.
14
- 15 c. **Citizens Band Antenna.** A ground-mounted or building-mounted citizens
16 band radio antenna not exceeding thirty-five feet (35') above grade
17 including any mast.
18
- 19 d. **Amateur Radio Antenna.** A ground-mounted, building-mounted or
20 tower-mounted antenna operated by a federally licensed amateur radio
21 operator as part of the Amateur Radio Service. Such antennas shall require
22 building permit approval and approval of placement by the Community
23 Development Director to ensure maximum safety is maintained. Height of
24 antenna and support structure shall not exceed thirty-five feet (35') above
25 grade, except that an extendable structure may, when fully extended,
26 exceed by no more than fifteen (15') feet the height limit prescribed by the
27 regulations for the district in which the site is located.
28
- 29 3. **Pre-existing Citizens Band and Amateur Radio Antennas.** All citizens
30 band radio antennas and antennas operated by a Federally-licensed amateur
31 radio operator as part of the Amateur Radio Service that existed at the time of
32 adoption of this section.
33
- 34 4. **Mobile Services.** Mobile services providing public information coverage of
35 news event of a temporary nature.
36
- 37 5. **Hand-Held Devices.** Hand-held devices such as cell phones, business-band
38 mobile radios, hand-held amateur radios, family service band radios, walkie-
39 talkies, cordless telephones, garage door openers, and such other devices as
40 the Community Development Director may find to be similar.
41
- 42 6. **Government Antennas.** Receive and/or transmit telemetry station antennas
43 owned and operated by the City of Albany and other public agencies including
44 Federal, state, county and special district entities, for supervisory control and
45 data acquisition systems for such functions as water, flood alert, traffic control

1 devices and signals, storm water, and sanitary sewer, with heights not
2 exceeding sixty (60') feet.

3
4 **D. Location by Zoning Districts.**

5
6 1. No wireless communication facilities that both transmit and receive
7 electromagnetic signals shall be permitted in any residential zone, except for
8 those facilities designated in paragraph C. above to be exempt from City
9 review, unless substantial technical evidence acceptable to the Planning and
10 Zoning Commission is submitted showing a clear need for this facility ~~to close~~
11 ~~a significant gap in wireless coverage~~ and the infeasibility of locating it
12 elsewhere.

13
14 2. Wireless communication facilities may be located within the following
15 Districts, subject to approval of a use permit, with the findings required by
16 Subsection 20.20.090.F.5 of this Chapter. The following permitted Districts
17 are listed in a descending order of preference for the location of wireless
18 communication facilities, with the CMX District being the most preferred
19 location:

20
21 a. Commercial Mixed Use District (CMX).

22
23 b. Public Facilities District (PF), except on sites occupied by schools and
24 parks.

25
26 Exception: The City may authorize the location of a facility within
27 Albany Hill Park, due to the unique qualities of the location, size and
28 elevation of that park, provided that any such facility is situated with
29 the maximum achievable setback from any abutting residential district.
30 *[P&Z vote on exception: 4-1.]*

31
32 c. San Pablo Commercial District (SPC).

33
34 d. Solano Commercial District (SC).

35 *[P&Z vote on paragraph 2, a.- d.:*
36 *Four tiers of preference as shown: 1*
37 *Three tiers, with SPC and SC treated equally: 2*
38 *No tiers: 2]*

39
40 3. In all districts where wireless communication facilities are permitted, any such
41 facility shall be located on a site that provides for, in order of priority,

42
43 a. the maximum achievable setback from any permitted child care facility or
44 school; and

45
46 b. the maximum achievable setback from any property line abutting a
47 residential district.

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4. In the San Pablo Commercial District and the Solano Commercial District any wireless communication facilities shall observe the daylight plane setback that is required where abutting a residential district (Subsection 20.24.070); and all facility components that are not enclosed within a building (with the exception of such elements as transmission cables and meter boxes) shall be located no less than ten (10') feet from any property line abutting a residential district, or such greater distance as the Planning and Zoning Commission may determine as necessary to mitigate any potential environmental nuisances, including but not limited to, equipment noise.

*[P&Z vote on this paragraph: As written: 2
As modified below: 3]*

In the San Pablo Commercial District and the Solano Commercial District any wireless communication facility that abuts a residential district shall be set back from a property line that is contiguous to the residential district a minimum distance of fifty (50') feet, provided that such distance may be reduced by the Planning and Zoning Commission based on a determination that the lesser distance will not have perceptibly greater noise impact or greater visual impact with respect to properties in the abutting residential district, and further provided that there be no less than ten (10') feet of separation between a property line that is contiguous to the residential district and the subject wireless communication facility (with the exception of such elements as transmission cables and meter boxes.)

E. Development Requirements and Standards.

- 1. **Basic Development Requirements.** The following basic development requirements shall be met by all new or modified wireless communications facilities.
 - a. Applicable Goals, Objectives, and Policies of the Albany General Plan
 - b. Permit requirements of any agencies having jurisdiction over the project;
 - c. Requirements established by the Albany Municipal Code;
 - d. Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire Code, where applicable;
 - e. Applicable easements or similar restrictions on the subject property;
 - f. Applicable development standards or conditions of approval for those properties developed under a Planned Unit Development procedure;
 - g. Applicable FCC rules, regulations, and standards;

- 1 h. All service providers shall cooperate in the locating of equipment and
2 antennas to accommodate the maximum number of operators at a given
3 site where feasible and aesthetically desirable. This will facilitate the co-
4 location of wireless communications facilities. The project sponsor shall
5 agree to allow future co-location of additional antennas and shall not enter
6 into an exclusive lease for the use of the site;
7
- 8 i. All equipment shall be situated or sufficiently buffered to minimize
9 interference with the quiet enjoyment of adjacent properties;
10
- 11 j. All equipment, antennas, poles, or towers shall have a non-reflective finish
12 and shall be painted or otherwise treated to minimize visual impacts; and
13
- 14 k. All wireless communications facilities shall provide sufficient security
15 measures and anti-climbing measures in the design of the facility to reduce
16 the potential for damage, theft, trespass, and injury.
17
- 18 2. **General Development Standards.** The following general development
19 standards shall be met by all new wireless communications facilities:
20
- 21 a. ~~Without exceeding a maximum of three (3) wireless communication facility~~
22 ~~providers per location,~~ New wireless communications facilities shall be
23 co-located with existing facilities and with other planned new facilities
24 whenever feasible and aesthetically desirable to minimize overall visual
25 impact. Service providers are encouraged to co-locate antennas with other
26 facilities such as water tanks, light standards, and other utility structures
27 where the co-location is found to minimize the overall visual impact;
28
- 29 b. Where feasible and aesthetically desirable, the location of wireless
30 communication facilities shall be encouraged to be located on City-owned
31 or controlled property or right-of-way, with the exception of right-of-way
32 within or abutting residential districts and school or park sites, in
33 accordance with provisions for location by zoning districts stated in D.
34 above.
35
- 36 c. Wireless communications facilities shall be sited to avoid any unreasonable
37 interference with views from neighboring properties, and where their
38 visual impact is least detrimental to scenic vistas.
39
- 40 d. Wireless communications facilities placed on vacant sites shall be
41 considered temporary and the Planning and Zoning Commission may
42 impose a condition that when the site is developed, these facilities shall be
43 removed, and if appropriate, replaced with building-mounted antennas;
44
- 45 e. All wireless communications facilities shall be screened in one of the
46 following ways:

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- 1) Substantially screened from the view of surrounding properties and the public view or co-located with existing facilities or structures so as not to create substantial visual, noise, or thermal impacts;
 - 2) Sited within areas with substantial screening by existing vegetation;
 - 3) Designed to appear as natural features found in the immediate area, such as trees or rocks, so as to be unnoticeable (stealth facilities); or
 - 4) Screened with additional trees and other native or adapted vegetation which shall be planted and maintained around the facility, in the vicinity of the project site, and along access roads in appropriate situations, where such vegetation is deemed necessary to screen the facilities. Such landscaping, including irrigation, shall be installed and maintained by the project sponsor, as long as the permit is in effect or to the extent permitted by law.
- f. Where the Community Development Director finds that proposed wireless communications facilities have the potential to create a significant impact to the surrounding area or neighborhood, the Community Development Director may require an independent, third-party review, at the expense of the project sponsor, to identify potential impacts on the surrounding area, to confirm the radio frequency needs of the project sponsor and to identify potential alternative solutions;
- g. All wireless communications facilities shall be designed, located and operated to avoid the quiet enjoyment of abutting residential properties, and at a minimum shall be subject to the City-adopted noise standards contained in Section 8-1 of the Albany Municipal Code. Where the Community Development Director finds that noise associated with such facilities may have a detrimental effect at a location off the site, the Director may require an independent acoustic analysis, at the expense of the project sponsor, to identify appropriate mitigation measures. Failure to institute any such required measures, or any violation of noise standards, may be cause for the Community Development Director to initiate a revocation procedure as provided by Subsection 20.100.010.M.
- h. The height of a wireless communications facility (building or ground mounted) shall not exceed ten feet (10') above the basic maximum building height prescribed by the regulations for the district in which the site is located, as provided by Subsection 20.24.080.B, and shall be subject to applicable daylight plane restrictions.
- i. For properties developed under a Planned Unit Development procedure, the maximum height for a proposed wireless communications facility shall

- 1 be determined by the Planning and Zoning Commission who shall
2 consider the maximum approved heights for buildings in the area and
3 adjacent to the subject parcel;
4
- 5 j. Unless mandated by federal or state regulations, the use of barbed wire,
6 razor wire, electrified fence, or any other type of hazardous fence as a
7 security precaution is not allowed;
8
- 9 k. Any equipment shelter shall be designed to be architecturally compatible
10 with existing structures on the site or found in the area; and
11
- 12 l. No advertising or signs, other than necessary owner identification signs and
13 warning signs, shall be allowed on or at the location of a wireless
14 communications facility.
15
- 16 ~~m. For the protection of emergency response personnel, at any wireless~~
17 ~~communication facility location where there is the possibility that RF~~
18 ~~radiation levels in excess of the FCC public exposure limit could be~~
19 ~~experienced by emergency response personnel working in close proximity~~
20 ~~to antennas/radio frequency emitting devices, said location shall have a~~
21 ~~single on site emergency power shut off to de energize all radio-~~
22 ~~frequency related circuitry/componentry at all facilities at the site, or some~~
23 ~~other method acceptable to the Fire Chief for de energizing the facility.~~
24
- 25 **3. Development Standards for Building and Roof-Mounted Antennas.** In
26 addition to all other applicable development standards, wireless
27 communications facilities proposed to be mounted on or attached to existing
28 or proposed buildings shall comply with the following:
29
- 30 a. Building-mounted antennas and any ancillary equipment shall be in scale
31 and architecturally integrated with the building design in such a manner as
32 to be visually unobtrusive. Screening may include designs such as locating
33 the facility within attics, steeples, towers, behind and below parapets, or
34 concealed within a new architectural addition to a building or structure
35 which is architecturally compatible with the building;
36
- 37 b. When antennas or other equipment are viewed directly against a building
38 wall, colors and materials of the equipment shall be painted or otherwise
39 treated to match the exterior of the building;
40
- 41 c. Roof-mounted equipment and antennas shall be located as far away as
42 feasible from the edge of the building; and
43
- 44 d. Antennas mounted on such structures as utility poles, light standards or
45 flagpoles shall be placed on the structure in a way to reduce visibility, and
46 shall be painted to blend into the structure.
47

- 1 4. **Additional Development Standards for Monopoles.** In addition to all other
2 applicable development standards, monopoles shall comply with the
3 following:
4
- 5 a. The project sponsor shall demonstrate that the proposed facility cannot be
6 placed on an existing building or co-located on an existing monopole or
7 other tower. Where the Community Development Director finds that such
8 demonstration has not been made, the Community Development Director
9 may require an independent, third-party review, at the expense of the
10 project sponsor, to identify the obstacles to co-location or building
11 placement, to confirm the electromagnetic frequency needs of the project
12 sponsor, and to identify alternative solutions;
13
- 14 b. The maximum height of the proposed monopole or other tower shall be no
15 higher than ten (10') feet above the height limit for the main structure
16 allowed by the zoning district within which the facility is located, as
17 provided by Subsection 20.24.080.B, and shall be subject to applicable
18 daylight plane restrictions. ~~Where the General Plan or zoning district does~~
19 ~~not specify a height limit, the proposed monopole or other tower shall be a~~
20 ~~maximum height of fifty five (55') feet, or as approved by the Planning~~
21 ~~and Zoning Commission. [Deleted because all districts in which wireless~~
22 ~~facilities would be permitted have a stated height limit]~~
23
- 24 c. Guy wires or support structures shall not be allowed; monopoles shall be
25 self-supporting structures. Design and safety considerations are subject to
26 approval by the Community Development Director;
27
- 28 d. A monopole or other tower facility shall be designed to allow co-location
29 of additional antennas, if deemed desirable by the Planning and Zoning
30 Commission; and
31
- 32 e. Exterior lighting shall not be allowed on commercial wireless
33 communications facilities except for that required for use of authorized
34 persons on site during hours of darkness or where antenna structure owner
35 or registrant is required to light the antenna structure by the terms of the
36 FAA Antenna Structure Registration applicable to the facility.
37

38 **F. Permit Approval Process**

- 39
- 40 1. **Types of Permits.** Except as specifically exempted in Subsection
41 20.20.090.C. above, all wireless communications facilities, and facility
42 modifications that involve any change in the specifications or conditions stipulated
43 in the approved use permit, including but not limited to, changes in power input
44 or output, number of antennas, antenna type or model, number of channels per
45 antenna above the maximum specified in a use permit, repositioning of
46 antennas, increase in proposed dimensions of tower or support structure, or

1 any other facility upgrades, shall be subject to the following permit
2 requirements:

3
4 a. **Minor Use Permit.** Administrative Approval. At the discretion of the
5 Community Development Director, an application for a proposed wireless
6 communications facility may be considered administratively ~~without a~~
7 with a noticed public hearing where the proposed facility will be co-
8 located on an existing pole, monopole, or similar support structure other
9 than a building, that has been approved by the City as a wireless
10 communication site.

11
12 b. **Major Use Permit.** Commission Approval. All facilities not exempted
13 by Section 20.20.090.C. above, or which are not eligible for consideration
14 for a minor use permit, including all building-mounted facilities, shall be
15 considered by the Planning and Zoning Commission in a noticed public
16 hearing and may be approved subject to conditions deemed appropriate by
17 the Commission.

18
19 c. **Design Review.** All wireless communication facilities shall be subject to
20 design review and approval, according to procedures and standards stated
21 in Subsection 20.100.050. The reviewing body shall consider all
22 structures, materials, colors, and landscaping associated with any proposal
23 to establish a wireless communication facility. Review shall be the
24 responsibility of the Community Development Director in cases where
25 Minor Use Permits are required. The Planning and Zoning Commission
26 shall have responsibility in cases of Major Use Permits.

27
28 d. **Building Permit.** Unless otherwise specifically exempted by this Chapter,
29 a Building Permit shall be required for all wireless communication
30 facilities.

31
32 2. **Permit fees:** Fees for permits, including permits for all modifications, shall be
33 listed in the City's Master Fee Schedule.

34
35 3. **Notice Requirements.** Public notice shall be provided for any public hearings
36 on applications or appeals, pursuant to procedures stated in Section
37 20.100.010.

38 *[Three Commissioners would support a change to 20.100.010 to expand the radius*
39 *for direct notification of public hearings to 500 feet; two Commissioners prefer the*
40 *existing 300-foot requirement. Any such change would require an amendment to the*
41 *Zoning Ordinance, which would be subject to public hearings by both the Planning*
42 *and Zoning Commission and the City Council.]*

43
44 4. **Application Submittal.**

45
46 a. **General Submittal Requirements.** Applications for minor or major use
47 permits and design review of wireless communication facilities shall

1 submitted and processed in accordance with the Common Procedures
2 stated in Section 20.100.010. The applicant shall provide project
3 information and plans as required by forms and checklists established by
4 the Community Development Director. The Community Development
5 Director may establish and maintain a list of additional information that
6 must accompany each application for a wireless communications facility.
7 Said information may include but need not be limited to the additional
8 submittal requirements listed in paragraph b. below. and radio frequency
9 exposure studies, title report, and security considerations. Any required
10 study or report, performed at the request of the City or by engineers or
11 experts retained by the City, shall be at the expense of the applicant.
12

13 All applications for approval of wireless communication facilities shall
14 include, at a minimum, the items listed below:
15

- 16 1) Identification of the proposed operator of the facility, if a different
17 entity from the applicant, and the identification of and contact
18 information for the person to whom communications from the City
19 should be delivered.
20
- 21 2) Plans and elevations, drawn to scale, for façade- or roof-
22 mounted antennas, including plans and elevations of the existing
23 building. (See paragraph 3.e. below for specific requirements
24 for new towers and modifications to towers.)
25
- 26 3) Floor Plans, elevations and cross sections of any proposed
27 communications equipment shelter or other appurtenant structure at a
28 scale of no smaller that 1/4" = 1' (1:48) with representation of all
29 exterior materials.
30
- 31 4) Description of proposed approach for screening all facilities
32 from public view including plans for installation and
33 maintenance of landscaping, sample exterior materials and
34 colors.
35
- 36 5) Where applicable, a plan showing existing surrounding
37 landscaping, proposed landscaping, a landscape protection plan
38 for construction, and a maintenance plan including an irrigation
39 plan.
40 *[Staff suggests combining of 4) and 5), in the interest of streamlining*
41 *the list of requirements.]*
42
- 43 6) Description of the number, manufacturer, model number and type,
44 catalog number, power output, frequency range, and dimensions of
45 antennas, equipment cabinets, and related wireless communications
46 facilities proposed to be installed.
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7) A narrative description and map showing the coverage area of the provider’s existing facilities and the proposed coverage area of the specific site that is the subject of the application.

8) Technical information explaining the reasons why a permit is being sought (for example, whether a new antenna is necessary to accommodate increased demand or to fill a “dead zone” in the provider’s coverage area), why the subject site is considered necessary to accomplish the provider’s coverage objectives, and why the proposed site is the most appropriate location under existing circumstances. The explanation shall address the following as appropriate to the proposed location:

*[The following paragraphs a) through c) relate to the “preferential tiering” of zone districts described in Subsection D. If the City opts for no tiers, the following would be deleted. In the case of 3 tiers, reference to SC and SPC would be combined.
In addition, staff recommends modifications to eliminate reference to “significant gap”]*

a) An applicant seeking to locate a wireless communication facility on a public facilities site must explain why that location within the Public Facilities (PF) district is necessary ~~to close a significant gap in wireless coverage~~ for the provision of wireless service that cannot be ~~closed~~ achieved by locating a facility in the Commercial Mixed Use (CMX) district.

b) An applicant seeking to locate a wireless communication facility in the San Pablo Commercial (SPC) district must explain why that location within the SPC zone is necessary ~~to close a significant gap in wireless coverage~~ for the provision of wireless service that cannot be ~~closed~~ achieved by locating a facility in the CMX or PF zones.

c) An applicant seeking to locate Wireless Communications Facilities in the Solano Commercial (SC) district must explain why that location within the SC zone is necessary ~~to close a significant gap in wireless coverage~~ for the provision of wireless service that cannot be ~~closed~~ achieved by locating a facility in the CMX, PF or SPC zones.

9) A visual analysis to assess the effects on views from public areas and from private residences, and address cumulative impacts of the proposed facility and other existing and foreseeable wireless communications facilities. As required by the Community Development Director, the analysis may utilize a photomontage, field

1 mock-up or other techniques. The analysis shall include feasible
2 mitigations for any effects identified.

3
4 10) If co-location is not proposed and sites available for co-location exist
5 ~~with fewer than three (3) wireless communication facility providers~~
6 ~~per location~~, the applicant shall provide information pertaining to the
7 feasibility of joint-use antenna facilities, and discuss the reasons why
8 such joint use is not a viable option or alternative to a new facility site.
9 Such information shall include:

- 10
11 a) Whether it is feasible to locate proposed sites where facilities
12 currently exist;
13
14 b) Information on the existing structure that is closest to the site of the
15 applicant's proposed facility relative to the existing structure's
16 structural capacity, radio frequency interface, or incompatibility of
17 different technologies, which would include mechanical or
18 electrical incompatibilities; and
19
20 c) Written notification of refusal of the existing structure owner to
21 lease space on the structure.
22

23 b. **Additional Submittal Requirements.** The Community Development
24 Director shall have the authority to require additional information,
25 including but not limited to the following:
26

27 1) A report by an approved radio frequency engineer or licensed electrical
28 engineer specializing in radio frequency radiation (RFR) studies
29 (hereinafter, "an approved engineer"), retained by the City, verifying
30 that the site is necessary for the purpose stated in the provider's
31 explanation of reasons for seeking the permit. If deemed necessary by
32 the engineer, such information shall include documentation of any
33 facility sites, in Albany and abutting jurisdictions, in which the
34 provider has a legal or equitable interest, whether by ownership,
35 leasehold or otherwise. For each such facility site identified by the
36 engineer, at the request of the engineer, the provider shall demonstrate
37 that these sites are not already providing, ~~or do not have the potential~~
38 ~~by adjusting the site, to close the significant gap in~~ wireless coverage
39 in the city of Albany identified by the applicant.
40

41 2) An Alternatives Analysis, either submitted by the applicant and subject
42 to independent engineering review by the City, or obtained by the City
43 from its retained engineer, which shall at a minimum:
44

- 45 a) Identify and indicate on a map, at a minimum, two (2) viable
46 technically feasible, and potentially environmentally equivalent or

1 superior alternative locations outside the prohibited and restricted
2 areas which could eliminate or substantially reduce the significant
3 gap(s) in wireless coverage intended to be eliminated by the
4 proposed facility. If there are fewer than two such alternative
5 locations, the applicant must provide evidence establishing that
6 fact. The map shall also identify all locations where an unimpaired
7 signal can be received to eliminate or substantially reduce the
8 significant gap(s). Where appropriate the applicant must also shall
9 be required to evaluate the potential use of one or more microcell
10 sites (i.e., smaller facilities often mounted upon existing or
11 replacement utility poles), and the use of repeaters, to eliminate or
12 substantially reduce said significant gap(s) in lieu of the proposed
13 facility. Radial plots of all repeaters or other alternative facilities
14 considered for use in conjunction with these facility sites shall be
15 provided as part of the alternatives analysis. For each alternative
16 location so identified, the applicant shall describe the type of
17 facility and design measures that could be used at that location so
18 as to minimize negative impacts (e.g., the use of stealth
19 camouflaging techniques).
20

- 21 b) Evaluate the potential for co-location with existing wireless
22 communication facilities as a means to eliminate or substantially
23 reduce the significant gap(s) in the applicant carrier's network
24 intended to be eliminated by the proposed facility.
25
- 26 c) Evaluate the potential for use of inter-carrier roaming agreements
27 as an alternative.
28
- 29 d) Compare, across the same set of evaluation criteria and to similar
30 levels of description and detail, the relative merits of the proposed
31 site with those of each of the identified technically feasible
32 alternative locations and facility designs, and all technically
33 feasible inter-carrier roaming agreements. Such comparison
34 analysis shall rank each of the alternatives (i.e., the proposed
35 location/facility and each of the technically feasible
36 location/design alternatives) in terms of impacts (i.e., from least to
37 most environmentally damaging), and shall support such ranking
38 with clear analysis and evidence.
39
- 40 e) Include photo-simulations of each of the alternatives (i.e., the
41 proposed location/facility and each of the technically feasible
42 location/design alternatives).
43
- 44 f) Document good faith and diligent attempts to rent, lease, purchase
45 or otherwise obtain the use of at least two (2) of the viable,
46 technically feasible alternative sites which may be environmentally

1
2 equivalent or superior to the proposed project site. The decision-
3 making body may determine that an alternative site is not viable if
4 good faith attempts to rent, lease, purchase or otherwise obtain the
5 site have been unsuccessful.
6

7 c. **Specific Submittal Requirements for Towers.** All applications for new
8 tower construction, or major modification of an existing tower shall
9 include:
10

11 1) A written, irrevocable commitment by the proposed operator, valid
12 for the duration of the existence of the tower, to rent or lease
13 available space for co-location on the tower at fair-market prices and
14 terms to other personal wireless service providers without
15 discrimination.
16

17 2) A professional structural engineer's written description of the
18 proposed tower structure and its capacity to support additional
19 antennas or other communications facilities at different heights and
20 the ability of the tower to be shortened if future communications
21 facilities no longer require the original height.
22

23 3) A description of available space on the tower, providing illustrations
24 and examples of the type and number of wireless communication
25 facilities that could be mounted on the structure.
26

27 d. **Technical Review.** The Community Development Director may employ,
28 on behalf of the City, at the expense of the applicant, an independent
29 technical expert to review the application submittal and provide
30 determinations and recommendations on such issues as compliance with
31 radio frequency emissions standards, the identification of alternative
32 solutions or locations, and the justifications for installation of monopoles
33 or for any requested exceptions to City standards. The costs of said review
34 and any administrative costs shall be paid by the applicant.
35

36 **5. Findings for Approval.**

37

38 The approving body may approve a use permit for a wireless communications
39 facility only upon making written findings based on substantial evidence in
40 the record.
41

42 a. All of the following findings shall be made for the approval of a use permit
43 for a wireless communication facility:
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- 1) Findings otherwise required for use permits by Section 20.100.030. ⁽¹⁾
- 2) The establishment or expansion of the facility demonstrates a reasonable attempt to minimize stand-alone facilities, is designed to protect the visual quality of the City, and will not have an undue adverse impact on historic resources, scenic views, or other natural or man-made resources.
- 3) All applicable Development Standards in Section 20.20.090.E. above have been met;
or:
Finding for an exception to the Development Standards: Strict compliance would not provide for adequate radio-frequency signal reception and that no other alternative solutions which would meet the Development Standards are feasible.

[P&Z deferred the determination of the appropriate content of the findings to the City Council, as the issue involves legal considerations. Staff and the City Attorney believe that the findings statements 1 through 3 above are adequate, and recommends that the following findings 4 through 6 be deleted.]

- ~~4) The placement, construction, or modification of a wireless telecommunications facility in the proposed location is necessary for the provision of wireless communication services to Albany residents and businesses, or their owners, customers, guests, or invitees, or other persons traveling in or about the City, to the extent that without such antenna or facility, the operator will be unable to *close a significant gap in wireless coverage.~~
- ~~5) The facility located on a site that provides for the maximum achievable setback from childcare facilities, schools and from any property line abutting a residential district.~~
- ~~6) No alternative site in a preferred wireless zoning district or an environmentally superior site (i.e., a site having fewer visual, aesthetic or other environmental impacts) within the same zoning district could close a significant gap in wireless coverage.~~

b. Findings required, in addition to those in paragraph a. above, for specific situations:

⁽¹⁾ The key finding required by 20.100.030 for a use permit reads as follows:
“Necessity, Desirability, Compatibility. That the size, intensity and location of the proposed use will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.”

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- 1) Finding for establishment of a satellite dish or parabolic antenna exceeding 39 inches in diameter: A smaller or different antenna can not feasibly accomplish the provider’s technical objectives and that the facility will not be readily visible.

- 2) Findings for the establishment of a wireless communications facility that is not co-located with other existing or proposed facilities or a new freestanding pole or tower (at least one finding required):
 - a) ~~There are no sites with fewer than three (3) wireless communication facility providers per location;~~
 - a) Co-location is not feasible;
 - b) Co-location would have more significant adverse effects on views or other environmental considerations;
 - c) Co-location is not permitted by the property owner;
 - d) Co-location would impair the quality of service to the existing facility;
 - e) Co-location would require existing facilities at the same location to go off-line for a significant period of time; or
 - f) ~~Co-location would not allow the applicant to *close a significant gap in wireless coverage in city of Albany, either with or without the use of repeaters.~~

6. Standard Agreement.

- a. Except for exempt facilities defined in Section 20.20.090.C. a maintenance and facility removal agreement shall be executed by the operator, the property owner if other than the operator, and the City, for any wireless communication facility that includes any one or combination of the following elements:
 - 1) A free-standing tower in excess of ten (10) feet in height,
 - 2) One or more buildings or enclosures larger in the aggregate than three hundred (300) square feet;
 - 3) More than three (3) antennas or satellite dishes of any size; or
 - 4) Any satellite dish larger than twenty-four inches (24”) in diameter.

- 1 b. No use permit shall become effective until such agreement has been
2 executed. Said agreement shall bind the operator, the property owner,
3 and all successor parties to the following:
4
5 1) Maintain the exterior appearance of the facility;
6
7 2) Ultimately to remove the facility in compliance with this Chapter and
8 any conditions of approval;
9
10 3) Pay all costs for monitoring for compliance with this agreement and all
11 conditions and environmental mitigation measures;
12
13 4) Reimburse the City for all costs incurred for work the applicant had
14 failed to perform;
15
16 5) Where applicable in the case of a freestanding tower, the agreement
17 shall stipulate that the permittee will rent or lease available space on the
18 tower, under the terms of a fair-market lease, to other wireless service
19 communication providers without discrimination.
20
21 c. The Community Development Director shall develop a standard form for
22 such agreement which shall include the provisions of this paragraph and
23 other provisions which shall include, but not be limited to, authorization
24 for City agents to enter the property, and establishment of liability of the
25 applicant for any pollution resulting from the facility.
26

27 **G. Operation and Maintenance Standards.**
28

29 All wireless communication facilities shall at all times comply with the
30 following operation and maintenance standards. Failure to comply shall be
31 considered a violation of conditions of approval subject to enforcement
32 pursuant to provisions of this Chapter.
33

- 34 1. After the granting of a use permit but before an approved facility begins
35 transmission, the applicant shall pay for an independent consultant, hired by
36 the City, to monitor the background levels of radio-frequency radiation around
37 the facility site and/or any repeater locations to be utilized in connection with
38 such facilities. The independent consultant shall use the Monitoring Protocol
39 (See definition, Section 20.08). A report of the monitoring results shall be
40 prepared by the independent consultant and submitted to the Community
41 Development Director.
42
43 2. Any major modification of the existing facility, or the activation of any
44 additional permitted channels, shall require new monitoring.
45
46 3. Each owner or operator of a wireless communication facility shall
47 provide signage identifying the name and phone number of a party to

1 contact in event of an emergency. Where a utility pole or light standard
2 is utilized as a support structure, the signage shall be attached to the
3 base of the pole or standard.
4

5 4. Wireless communication facilities and related equipment, including
6 lighting, fences, shields, cabinets, and poles, shall be maintained in
7 good repair, free from trash, debris, litter and graffiti and other forms of
8 vandalism, and any damage from any cause shall be repaired as soon as
9 reasonably possible so as to minimize occurrences of dangerous
10 conditions or visual blight. Graffiti shall be removed from any facility
11 or equipment as soon as practicable, and in no instance more than forty-
12 eight (48) hours from the time of notification by the city.
13

14 5. The owner or operator of a wireless communication facility shall be
15 responsible for maintaining landscaping in accordance with the
16 approved landscape plan and for replacing any damaged or dead trees,
17 foliage, or other landscaping elements shown on the approved plan.
18 Amendments or modifications to the landscape plan shall be submitted
19 to the Community Development Director for approval.
20

21 6. Each wireless communication facility shall be operated in a manner that
22 will minimize noise impacts to surrounding residents and persons using
23 nearby parks, trails, and similar recreation areas. Except for emergency
24 repairs, testing and maintenance activities that will be audible beyond
25 the property line shall only occur between the hours of 8:00 a.m. and
26 7:00 p.m. on Monday through Friday, excluding holidays. All air
27 conditioning units and any other equipment that may emit noise that
28 would be audible from beyond the property line shall be enclosed or
29 equipped with noise attenuation devices. Backup generators shall only
30 be operated during periods of power outages or for testing. At no time
31 shall equipment noise from any source exceed the standards specified in
32 the Albany Municipal Code.
33

34 7. All wireless communication facilities providing service to the
35 government or the general public shall be designed to meet the
36 following requirements:
37

38 a. The exterior walls and roof covering of all aboveground equipment
39 shelters and cabinets shall be constructed of materials rated as
40 nonflammable in the Uniform Building Code.
41

42 b. All structures shall meet wind load standards as specified by the
43 Uniform Building Code.
44

- 1 c. Openings in all aboveground equipment shelters and cabinets shall be
2 protected against penetration by fire and windblown embers to the
3 extent feasible.
- 4
- 5 d. Material used as supports for antennas shall be fire resistant, termite
6 proof, and subject to all applicable requirements of the Uniform
7 Building Code.
- 8
- 9 e. Wireless communication antenna towers shall be designed to
10 withstand forces expected during earthquakes to the extent feasible
11 building-mounted facilities shall be anchored so that a quake does
12 not dislodge them or tip them over. All equipment mounting racks
13 and attached equipment shall be anchored so that a quake would not
14 tip them over, throw equipment off its shelves, or otherwise damage
15 equipment.
- 16
- 17 f. All connections between various components of the wireless
18 communications facility and necessary power and telephone lines
19 shall, to the extent feasible, be protected against damage by fire,
20 flooding, and earthquake. Reasonable measures shall be taken to
21 keep wireless communication facilities in operation in the event of a
22 natural disaster.
- 23
- 24 8. Vehicle and personnel access to sites for maintenance and repairs shall
25 not be from residential streets or adjacent residential properties to the
26 maximum extent possible.
- 27

28 **H. Certification of Facilities.**

- 29
- 30 1. No wireless communications facility or combination of facilities shall at
31 any time produce power densities that exceed the FCC's limits for
32 radio-frequency strength and power density for transmitters. In order to
33 ensure continuing compliance with all applicable emission standards,
34 all wireless communications facilities shall be reviewed by an approved
35 engineer in accord with the schedule and procedures set forth below.
36 All reasonable costs of such inspections shall be born by the owner or
37 operator of the facility. The City may require, at the operator's expense,
38 independent verification of the results of any analysis. If an operator of
39 a communications facility fails to supply the required reports or fails to
40 correct a violation of the Federal Communications Commission
41 standard following notification, the Use Permit is subject to
42 modification or revocation by the Planning and Zoning Commission
43 following a public hearing.
- 44
- 45 a. Within forty five (45) days of initial operation or modification of a
46 communications facility, the operator of each communications

1 antenna shall submit to the Community Development Director
2 written certification by an approved engineer that the facility's
3 radio frequency emissions are in compliance with the approved
4 application and any required conditions. The engineer shall
5 measure the radio-frequency radiation of the approved facility and
6 determine if it meets the FCC requirements. A report of these
7 measurements and the engineer's findings with respect to
8 compliance with the FCC's radio-frequency limits shall be
9 submitted to the Community Development Director. If the report
10 shows that the facility does not comply with applicable FCC
11 requirements, the owner or operator shall cease operation of the
12 facility until the facility complies with, or has been modified to
13 comply with, this standard. Proof of compliance shall be a
14 certification provided by the engineer who prepared the original
15 report. In order to assure the objectivity of the analysis, the City
16 may require, at the applicant's expense, independent verification
17 of the results of the analysis.

- 18
- 19 b. Once every two years, the City shall retain, at the operator's
20 expense, an approved engineer to conduct an unannounced spot
21 check of the facility's compliance with applicable FCC radio-
22 frequency standards, utilizing the Monitoring Protocol (See
23 definition, Section 20.08). This monitoring shall measure levels of
24 radio-frequency radiation from the facility site's primary antennas
25 as well as from repeaters, if any.
- 26
- 27 c. The City shall require inspection of tower and antenna structural
28 integrity by a structural engineer ~~every 10 years, and~~ following
29 significant storms and seismic events, within thirty days of such events,
30 at applicant's cost.
- 31
- 32 d. In the event of a change in the FCC's limits for radio-frequency strength
33 and power density for transmitters, the operator of each wireless
34 communications facility shall be required to submit to the Community
35 Development Director written certification by an approved engineer of
36 compliance with applicable FCC radio-frequency standards within 90
37 days of any change in applicable FCC radio-frequency standards or of
38 any modification of the facility requiring a new submission to the FCC
39 to determine compliance with emission standards. If calculated levels
40 exceed 50% of the FCC's limits, the operator of the facility shall hire an
41 approved engineer to measure the actual exposure levels. If calculated or
42 measured levels are not in compliance with the FCC's limit, the operator
43 shall cease operation of the facility until the facility is brought into
44 compliance with the FCC's standards and all other applicable
45 requirements. A report of these calculations, required measurements, if
46 any, and the engineer's findings with respect to compliance with the
47 current FCC limits shall be submitted to the Community Development

1 Director.

2
3 e. If the Community Development Director at any time finds that there
4 is good cause to believe that a wireless communication antenna is
5 not in compliance with applicable FCC radio-frequency standards,
6 he/she may require the operator to submit written certification that
7 the facility is in compliance with such FCC standards.

8
9 2. The owner or operator of any wireless communication facility that was
10 approved by the City before the effective date of this chapter, shall submit
11 within six (6) months from the date of notification, to the Community
12 Development Director, written certification by an approved engineer that the
13 facility's radio-frequency emissions are in compliance with the approved
14 application and any required conditions. The engineer shall measure the radio-
15 frequency radiation of the approved facility and determine if it meets the FCC
16 requirements. If the report shows that the facility does not comply with
17 applicable FCC requirements, the owner or operator shall cease operation of
18 the facility until the facility is brought into compliance. In order to assure the
19 objectivity of the analysis, the City may require, at the applicant's expense,
20 independent verification of the results of the analysis.

21
22 3. Any facility that was approved by the City prior to the effective date of this
23 chapter and which does not comply with this chapter on the date of its adoption
24 shall be considered a lawful non-conforming use provided that the owner or
25 operator submits the information required in subsection 2 of this section. A
26 lawful non-conforming wireless communication service facility shall be
27 subject to the requirements of Section 20.44 except to the extent that they are
28 modified herein.

29
30 4. Failure to submit the information required in this section will be considered a
31 violation of the Zoning Ordinance. Any facility found in violation may be
32 ordered to terminate operations by the Planning Commission following a duly
33 noticed public hearing.

34
35 **I. Duration, Revocation and Discontinuance.**

36
37 **1. Duration of Permits and Approvals.**

38
39 a. An approved use permit for a wireless communication facility must be
40 activated within one (1) year from the date of final approval. If not
41 activated within one (1) year from the date of final approval, the permit
42 shall be deemed expired, as provided in Subsection 20.100.010.K.1.

43
44 b. Once activated, all permit approvals for wireless communication facilities
45 shall be valid for an initial maximum period of up to ten (10) years, or as
46 specified by the approving body.

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c. Permit approvals may be administratively extended without a public hearing for subsequent five (5) -year term(s) by the Community Development Director upon verification of continued compliance with the findings and conditions of approval under which the application was originally approved, as well as any other provisions provided for in the Municipal Code, and Federal and State regulations which are in effect at the time of permit renewal.

[P&Z vote on paragraphs b. and c.: 4-1]

d. In the event that the Community Development Director finds that the applicant has not maintained the facility in compliance with all applicable code requirements, conditions of approval and provisions of the maintenance agreement, the Director may initiate a revocation procedure as provided by Subsection 20.100.010.M.

e. Costs associated with the process of verification of compliance and extension or revocation of approval shall be borne by the permit holder.

2. **Discontinuance of Use.** All equipment and improvements associated with a wireless communication facility shall be removed within thirty (30) days of the discontinuation of the use and the site shall be restored to its original, pre-construction condition, or as approved by the Community Development Director. For facilities located on City property, this removal requirement shall be included within the terms of the lease. For facilities located on private sites, the terms of private leases shall also require equipment removal as a provision of the lease. Written verification of the removal of wireless communications facilities on private property shall be provided to the Community Development Director within thirty (30) days of the discontinuation of the use.

a. If the operator fails to remove the wireless communication facilities from the site, the property owner shall be responsible for removal, and may use any bond or other assurances provided by the operator pursuant to the requirements of this Chapter to do so. If such facilities are not removed, the site shall be deemed to be a nuisance and the City may call the bond for removal or take such other action as is it deems appropriate.

b. Failure to inform the Community Development Director of cessation of operations of any existing facility shall constitute a violation of the Zoning Ordinance and be grounds for:

- 1) Prosecution;
- 2) Revocation or modification of the permit;
- 3) Calling of any bond or other assurance secured by the operator pursuant to the requirements of this Chapter; and/or
- 4) Removal of the facilities.

1 **3. Existing Uses.** All equipment and improvements associated with a wireless
2 communications facility permitted as of the date of passage of this Chapter
3 shall be allowed to continue as they presently exist, but will be considered
4 legal nonconforming uses insofar as they do not comply with standards stated
5 in this Subsection. Routine maintenance shall be permitted on existing,
6 operational equipment and facilities. However, new construction, other than
7 routine maintenance on existing towers, antennas, buildings, or other facilities
8 shall comply with the requirements of this Chapter. In the event of the
9 abandonment of the use of any equipment or facility for a continuous period
10 of one hundred eighty (180) days, the provisions of Subsection 20.44.040,
11 Abandonment of Nonconforming Use, shall apply, the associated permits and
12 approvals shall expire, and the site shall thereafter be maintained in
13 conformity with the regulations for the district in which the site is located. The
14 Community Development Director may require removal of such disused
15 equipment or facilities, as provided in Subsection 20.20.090.G.2 above.
16

1 *Attachment "A" to Wireless Communications Facilities ordinance, as recommended*
2 *by Planning and Zoning commission, 1-25-05*

3
4 **Definitions.**

5
6 **Wireless Communications Facility.** Any device or system for the transmitting
7 and/or receiving of electromagnetic signals, including but not limited to radio waves
8 and microwaves, for cellular technology, personal communications services, mobile
9 services, paging systems and related technologies. Facilities include antennas,
10 microwave dishes, parabolic antennas and all other types of equipment used in the
11 transmission and reception of such signals; structures for the support of such
12 facilities, associated buildings or cabinets to house support equipment, and other
13 accessory development.

14
15 The following terms related to Wireless Communications Facilities shall have the
16 following meanings:

17
18 **a. Antenna.** Any system of poles, panels, rods, reflecting disks, wire or similar
19 devices used for the transmission or reception of electromagnetic signals. Does
20 not include any support structure upon which an antenna is mounted.

21
22 **b. Antenna Structure.** Any structure, including a pole, mast, or tower, whether free-
23 standing or mounted on another building or structure, that supports an antenna or
24 an array of antennas. The height of an antenna structure is measured to the highest
25 point of any antenna mounted thereon.

26
27 **c. Base Station:** The primary sending and receiving site in a wireless
28 telecommunications network, including all radio-frequency generating equipment
29 connected to antennas. More than one base station and/or more than one variety of
30 telecommunications providers can be located on a single tower or structure.

31
32 **d. Co-Location.** A situation in which a single support structure supports one (1) or
33 more antennas owned or used by more than one (1) public or private entity.

34
35 **e. Microcell site:** A small radio transceiver facility comprised of an unmanned
36 equipment cabinet with a total volume of one hundred (100) cubic feet or less that
37 is either under or aboveground, and one omni-directional whip antenna with a
38 maximum length of five feet, or up to three small (approximately 1'x 2' or 1'x 4')
39 directional panel antennas, mounted on a single pole, an existing conventional
40 utility pole, or some other similar support structure.

41
42 **f. Monitoring Protocol:** An industry accepted radio-frequency (RF) radiation
43 measurement protocol used to determine compliance with FCC RF radiation
44 exposure standards, in accordance with the National Council on Radiation
45 Protection and Measurements Reports 86 and 119 and consistent with the RF
46 radiation modeling specifications of OET Bulletin 65 (or any superceding

- 1 reports/standards), which is to be used to measure the emissions and determine
2 radio-frequency radiation exposure levels from existing and new
3 telecommunications facilities. RF radiation exposure measurements are to be
4 taken at various locations, including those from which public RF exposure levels
5 are expected to be the highest.
6
- 7 **g. Monopole.** A type of free-standing antenna structure that is seventeen (17') feet or
8 more in height and is designed to be self-supporting without the use of guy wires.
9
- 10 **h. Preferred wireless zoning district:** A zone where the City has determined that the
11 location of a Wireless Communications Facility would reduce the noise, aesthetic
12 and visual impact of that facility relative to its placement in another zone. The
13 City has determined that Wireless Communication Facilities may be located in the
14 following order of preference: CMX, PF, SPC and SC.
15 *[Order of preference may be adjusted, depending on City's final choice.]*
16
- 17 **i Radio-Frequency (RF) Radiation.** Radiation from the portion of the
18 electromagnetic spectrum with frequencies below the infrared range
19 (approximately 100 GHz and below), including microwaves, television VHF and
20 UHF signals, radio signals, and low to ultra low frequencies.
21
- 22 **j. Receive-Only Antenna.** Antenna for the reception of radio and television signals,
23 without transmitting capabilities; may include pole or dish types of antennas.
24
- 25 **k. Repeater:** A small receiver/relay transmitter of not more than 20 watts output
26 designed to provide service to areas which are not able to receive Adequate
27 Coverage directly from a Base Station.
28
- 29 **l. Satellite Dish.** A bowl-shaped antenna used to receive and/or transmit
30 electromagnetic signals to and from an orbiting satellite.
31
- 32 **m. Significant gap in wireless coverage:** Sufficiently poor wireless service such that
33 significant numbers of remote users of those services are unable connect with the
34 land-based national telephone network, or to maintain a reasonably uninterrupted
35 communication within City limits. Individual dead spots within a greater service
36 area do not constitute a significant gap in coverage.
37 *[This definition should be deleted if the term is not used in the ordinance.]*
38
- 39 **n. Stealth Facility.** A wireless communications facility located so as to be of
40 minimal visibility, such as being incorporated within an architectural feature such
41 as a steeple or parapet, or in the open but disguised as a tree or other natural
42 feature.
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