



WIRELESS TELECOMMUNICATIONS FACILITIES PERMIT APPLICATION

INTRODUCTION

This application is for a Wireless Telecommunications Facilities Permit (WFP) to operate a wireless telecommunications facility within the City of Los Altos. A separate WFP application is required for each new or modified wireless telecommunications facility, including any facility proposed to be co-located with an existing facility, as well as for renewal of an existing WFP within the City of Los Altos, including facilities within a public right-of-way or public utility easement or on private or public property.

APPLICATION FILING CHECKLIST See Section 6 of the application for specific requirements.

An applicant for a WFP shall complete and submit an application, together with all required information, to the City of Los Altos Public Works Department for review and processing. The application shall contain the following:

- Project application**, including Applicant and Contact Information, Project Information, Applicant Certification and Owner Consent Forms, and all required supplemental information.
- Filing fee**: \$1,000 for other than a co-location. Co-location filing fee is \$500 per up to five (5) facilities plus \$100 for each facility more than five. Fees may be paid in person at City Hall, mailed to the Public Works Department, or paid via the online via the City's eTrakit website. To pay online, the applicant must first set up an account in eTrakit.
- A map identifying the carrier's existing and proposed wireless telecommunications facilities within the City of Los Altos**, including all existing facilities in the city, the site for which this application is being submitted, location(s) of any other facility being proposed concurrently, and any pending applications and anticipated new applications over the next 90 days.
- Existing site survey, development plan, and certifications**, documenting existing conditions within the project site and detailing the proposed wireless telecommunications facility installation plan.
- Acoustic study** demonstrating compliance with Los Altos Municipal (LAMC) Code Chapter 6.16 noise standards.
- Landscape plan, if required**, depicting existing and proposed landscape conditions within the project site.
- Site photographs and visual simulations** with clear, accurate, and readable before and after photo-simulations of all proposed wireless telecommunications facilities. The simulations shall contain dimensions, height measurements, and color, size, and shape of the proposed facilities (showing accurate coloration and blending of the facility with the project site) in order to facilitate determination of potential visual impacts.
- Radiofrequency human exposure compliance certification** demonstrating that the proposed wireless telecommunications facility will comply with 47 CFR 1.1307(b) applicable radiofrequency (RF) exposure standards established by the Federal Communications Commission (FCC). See [oet65.pdf \(fcc.gov\)](#) for guidance.
- Certificate of public convenience and necessity** for facilities located within the public right-of-way. The applicant shall provide certification that the facility is for the use of a telephone corporation or state the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity issued by the California Public Utilities Commission, it shall provide a copy of the certificate.

PRE-SUBMITTAL CONFERENCE

To facilitate application submittal and processing, applicants are encouraged to schedule and attend a pre-application meeting with the Public Works Department. Please contact the Public Works Department at (650) 947-2780 or by email at engineering@losaltosca.gov to schedule a pre-submittal conference.

SUBMITTAL APPOINTMENT

All applications must be filed with the City at a pre-scheduled appointment. Please contact the Public Works Department at (650) 947-2780 or via email at engineering@losaltosca.gov to schedule submittal of an application. A separate appointment must be scheduled for each proposed wireless telecommunications facility.

City staff will not review any incomplete application.

Outside consultant(s) may be retained by the City to review this application and/or peer review technical submittals at the applicant's expense.

SECTION 1: APPLICABLE STANDARDS

Applications for new, co-located, modified, and renewed wireless telecommunications facilities are governed by LAMC Chapters 11.12 (Wireless Facilities) and 14.85 (Standards for the Location of Wireless Telecommunications Facilities) along with the City’s Wireless Telecommunications Facilities Design Guidelines (Resolution No. 2022-28). Applicants should familiarize themselves with these regulations and guidelines prior to undertaking a project in the city.

MUNICIPAL CODE REQUIREMENTS AT A GLANCE

Chapter 11.12, Wireless Facilities

[LAMC 11.12.020](#): Definitions.

415-404-5700SS

[LAMC 11.12.050](#): Application requirements reflected in this application package.

[LAMC 11.12.060](#): Conditions of approval for all facilities.

[LAMC 11.12.065](#): Additional conditions of approval for modification of an existing permit or a renewal of a permit for an existing facility.

[LAMC 11.12.070](#): Additional conditions of approval for facilities in the public right-of-way.

[LAMC 11.12.080](#): Required findings for approval of a wireless telecommunications facilities permit.

[LAMC 11.12.100](#): Wireless telecommunications facilities covered under **Section** 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

[LAMC 11.12.110](#): Wireless telecommunications co-location facilities covered under California Government Code Section 65850.6.

[LAMC 11.12.120](#): Business license required.

[LAMC 11.12.130](#): Emergency deployment.

[LAMC 11.12.140](#): Operation and maintenance standards.

[LAMC 11.12.150](#): No dangerous conditions or obstructions allowed.

[LAMC 11.12.160](#): Permit expiration. Wireless telecommunications facilities permits are issued for a 10-year period. An application for a new permit is required to be filed and approved to extend an expiring permit.

[LAMC 11.12.170](#): Cessation of use or abandonment.

[LAMC 11.12.180](#): Removal and restoration, permit expiration, revocation or abandonment.

[LAMC 11.12.190](#): Effect on other ordinances.

[LAMC 11.12.200](#): Effect of state or federal law.

[LAMC 11.12.210](#): Appeals.

Chapter 14.85, Standards for the Location of Wireless Telecommunications Facilities

[LAMC 14.85.030](#): Locational Preferences.

- A. Co-Location with Existing Wireless Telecommunications Facilities
- B. Preferred Locations for Wireless Telecommunications Facilities following Co-Location
- C. Less Preferred Locations for Wireless Telecommunications Facilities
- D. Placement Criteria

[LAMC 14.85.040](#): Requirements for Approval of Less Preferred Locations.

[LAMC 14.85.050](#): Eligible Facilities Requested per Municipal Code Section 11.12.100 and Applications Pursuant to California Government Code Section 65850.6.

DESIGN GUIDELINES AT A GLANCE (Design Guidelines can be downloaded at: [A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS ADOPTING DESIGN GUIDELINES AND STANDARDS FOR WIRELESS FACILITIES | City of Los Altos California](#))

- I. Definitions
- II. Design and Development Standards for all Wireless Telecommunications Facilities
 - A. Purpose
 - B. Basic Design Principles
 - C. No Speculative Facilities
 - D. General Guidelines
- III. Additional Design and Development Standards for Facilities Outside of Public Rights-of-Way and Public Utilities Easements
 - A. Basic Requirements
 - B. Preferred Designs
 - C. Other Permitted Designs
 - D. Pole-Mounted Telecommunications Facilities
 - E. Accessory Equipment
 - F. Signage
- IV. Additional Design and Development Standards for Facilities in Public Rights-of-Way and Public Utilities Easements
 - A. Basic Requirements
 - B. Preferred Configurations
 - C. Less Preferred Configurations
 - D. Requirements for Approval of Less Preferred Configurations
 - E. Pole Requirements
 - F. Pole-Mounted Facilities Requirements
 - G. Accessory Equipment
 - H. Americans with Disabilities Act Compliance
 - I. Other Requirements

SECTION 2: APPLICANT AND CONTACT INFORMATION

Applicant: (This is the person the City will contact regarding this application unless a different representative is identified below.)

Name:	Ann Ji		
Company:	T-Mobile West LLC		
Mailing Address:	1855 Gateway Blvd., Suite 900		
City, State, Zip:	Concord, CA 94520		
Phone:	415-404-5700S	Fax:	
Email:	Ann.Ji129@T-Mobile.com		

Representative: (If same as above, check)

Name:	Andrea Liu		
Company:	Butler Telecom LLC		
Mailing Address:	1511 E Orangethorpe Ave., Suite D		
City, State, Zip:	Fullerton, CA 92831		
Phone:	714-423-0563	Fax:	
Email:	ALiu@butlertelecomllc.com		

Owner of Property, Building, or Pole on which Wireless Telecommunications Facility is Proposed: (If same as Applicant, check) (If same as Representative, check) (If neither, check)

Name:			
Company:	West Coast Investment Properties LLC		
Mailing Address:	2055 Grant Road, #200		
City, State, Zip:	Los Altos, CA 94024		
Phone:		Fax:	
Email:			

Carrier: (If same as Applicant, check) (If same as Representative, check) (If same as Owner, check)

Name:			
Company:			
Mailing Address:			
City, State, Zip:			
Phone:		Fax:	
Email:			

SECTION 3: PROJECT INFORMATION

To ensure City staff understands your project and to avoid delays in processing your application, it is important to provide as much information as possible on all aspects of the proposed project. Please complete all sections below and do not leave any blank spaces. If an item does not apply, mark it “N/A”. If more space is needed, provide the additional information in Section 4.

PROJECT DESCRIPTION SUMMARY
<i>Please provide a brief summary of the proposed project. If additional space is needed, complete this answer in Section 4.</i>
Remove (3) existing 6' panel antennas and install (3) new 3' panel antennas. Remove (3) existing radio units and install (3) new radio units. Remove (1) existing unused cabinet and replace with (2) new cabinets.

FACILITY TYPE (Check all that apply)	
<input type="checkbox"/>	NEW WIRELESS TELECOMMUNICATIONS FACILITY
	Pole-Mounted
	Existing Pole <input type="checkbox"/> Utility Pole <input type="checkbox"/> Streetlight/Traffic Signal <input type="checkbox"/> Other: _____
	<input type="checkbox"/> Replacement Pole
	<input type="checkbox"/> New Pole
	Building- or Roof-Mounted
	<input type="checkbox"/> Building-Mounted
	<input type="checkbox"/> Roof-Mounted
<input checked="" type="checkbox"/>	MODIFICATION OF AN EXISTING FACILITY
	<input checked="" type="checkbox"/> Subject to Government Code Section 6409(a) <input type="checkbox"/> Not Subject to Government Code Section 6409(a)
<input type="checkbox"/>	CO-LOCATION WITH AN EXISTING FACILITY (GOVERNMENT CODE SECTION 65850.6)
<input type="checkbox"/>	RENEWAL OF AN EXPIRING PERMIT FOR AN EXISTING FACILITY
<input type="checkbox"/>	SMALL WIRELESS FACILITY AS DEFINED BY 47 CODE OF FEDERAL REGULATIONS (CFR) SECTION 1.6002(l): <input type="checkbox"/> YES <input type="checkbox"/> NO

RELATED APPLICATIONS AND PERMITS	
<p>Concurrent Applications</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p><i>If yes, please identify address(es) of any wireless facilities permit applications being submitted concurrently.</i></p> <p>Building Permit application</p>
<p>Co-location with an Existing Facility; Modification or Extension of an Existing Permit</p>	<p><i>Please identify address and permit number of existing facility, if applicable.</i></p> <p>16-UP-01</p>
<p>LOCATION OF PROPOSED FACILITY (New facility only)</p>	
<p>Address/Location of Facility</p>	<p>Address: _____</p> <p>Assessor's Parcel Number (if applicable): _____</p> <p><input type="checkbox"/> Within a public right-of-way</p> <p><input type="checkbox"/> Within a public utility easement</p> <p><input type="checkbox"/> On private property</p> <p><input type="checkbox"/> On public property</p>
<p>LOCATION CHARACTERISTICS</p>	
<p>Description of Site</p>	<p>Facilities within public right-of-way adjacent to the proposed facility:</p> <p><input type="checkbox"/> Roadway has curb, gutter, and sidewalk</p> <p><input type="checkbox"/> Roadway does not have curb, gutter, and sidewalk</p> <p>Current use of immediately adjacent parcel: _____</p> <p>Facilities on private or public property:</p> <p>Parcel size: _____</p> <p>Current use: _____</p> <p>Current zoning designation: _____</p>
<p>Preferred or Less Preferred Location</p>	<p>If the proposed facility is not proposed to be co-located with an existing facility, is the facility proposed at a:</p> <p><input type="checkbox"/> Preferred location per LAMC Section 14.85.030 B</p> <p><input type="checkbox"/> Less preferred location per LAMC Section 14.85.030 C</p>
<p>Information Required for Facilities Proposed in Less Preferred Locations</p>	<p><u>All Facilities in Less Preferred Locations as Defined in LAMC Section 14.85.030 C</u></p> <p>1. An alternatives analysis demonstrating that no feasible preferred location is available shall be submitted. (See LAMC Section 14.85.040 for applicable requirements.)</p> <p><u>Facilities within Public Rights-of-Way and Public Utilities Easements</u></p> <p>2. Does this application propose a wireless telecommunications facility within a preferred location per LAMC Section 14.85.030 C.a? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. Is the proposed facility within a public utility easement where it runs across a required front, side, or rear yard setback? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Is the proposed facility (a) within a roadway right-of-way adjacent to a Residential Zoning District (LAMC Section 14.04.010 A-J, M, S-U, or W) <u>and</u> (b) located within the central 50 percent of an immediately adjacent parcel containing a dwelling unit? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, submittal of an analysis demonstrating that no feasible alternative exists within 500 feet of the proposed location that would meet the placement criteria of LAMC Section 14.85.030 C.c is required as an attachment to the application.</p>

<p>Information Required for Facilities Proposed in Less Preferred Locations (cont'd)</p>	<p>5. Is the proposed facility located within a roadway right-of-way or public utility easement adjacent to or within a park or school but NOT proposed to be mounted on an existing pole? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, submittal of an analysis demonstrating that no feasible alternative exists within 500 feet of the proposed location that would either (a) be mounted on an existing pole, or (b) not be located within a roadway right-of-way or public utility easement adjacent to or within a park or school is required as an attachment to the application.</p>
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~~PROPOSED FACILITY CHARACTERISTICS~~

<p>Geographic Service Area</p>	<p><i>Please provide a written description of the proposed facility's geographic service area.</i></p>
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Facility Type	Existing Maximum Height of Pole Above Finished Grade (in feet and inches)	Proposed Maximum Height of Pole Above Finished Grade (in feet and inches)	Proposed Change in Maximum Height Above Finished Grade
Pole-Mounted Facility on:			
Existing Pole			_____ feet-inches ____ %
Replacement Pole			_____ feet-inches ____ %
New Pole	N/A		N/A
Roof-Mounted Facility	38'6"	38'6"	_0_ feet-inches _0_ %

<p>Building Mounted Facility Location</p>	<p><input type="checkbox"/> Façade</p> <p><input type="checkbox"/> Clock tower</p> <p><input type="checkbox"/> Other: _____</p>
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<p>Information Required for Proposed Small Wireless Facilities</p>	<ol style="list-style-type: none"> Is the structure on which the facility is proposed more than 10 percent taller than other structures of the same type (e.g., utility poles, commercial buildings)? <input type="checkbox"/> YES <input type="checkbox"/> NO Will each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 CFR Section 1.1320(d)), be no more than 3 cubic feet in volume? <input type="checkbox"/> YES <input type="checkbox"/> NO Will the total volume of all other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, be no more than 28 cubic feet in volume? <input type="checkbox"/> YES <input type="checkbox"/> NO Unless otherwise required by General Order 95, are all antennas proposed to be shrouded with an outer diameter of 15 inches or less and measure no more than 5 cubic feet in volume? <input type="checkbox"/> YES <input type="checkbox"/> NO Will pole-mounted equipment measure 9 cubic feet or less? <input type="checkbox"/> YES <input type="checkbox"/> NO
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PROPOSED FACILITY CHARACTERISTICS (cont'd)	
<p>Information Required for Modifications to Wireless Facilities</p>	<p>1. Would the modification increase the height of the facility by the greater of (a) 10 percent, or (b) the height of the additional antenna array plus separation of up to 20 feet from the top of the nearest existing antenna? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>2. Would the modification add an appurtenance to the body of the tower or pole that would protrude from the edge of the tower or pole more than 20 feet or more than the width of the tower structure at the level of the appurtenance, whichever is greater? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>3. Does the modification involve the installation of more than the standard number of new equipment cabinets for the technology involved or add more than four new equipment cabinets? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>4. Does the modification entail any excavation or deployment outside the current site by more than 30 feet in any direction, not including any access or utility easements? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>5. Does the modification defeat the concealment elements of the eligible support structure? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>6. Does the modification violate conditions associated with the siting approval with the prior approval the tower or base station other than as specified in 47 C.F.R. Section 1.6100(c)(7)(i) – (iv)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>
<p>Ground Mounted Facilities</p>	<p><i>Please describe any proposed ground-mounted facilities:</i></p>
<p>Underground Facilities</p>	<p><i>Please describe the location of any underground facilities in relation to the proposed facility and whether the site is in an area proposed for or currently allowing for undergrounding of above-ground utility facilities:</i></p>
<p>Proposed Landscaping</p>	<p>1. Will any existing landscaping be modified or removed? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>2. Is new landscaping proposed to be provided? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>If the answer to either of these questions is YES, submittal of a landscape plan is required.</p>

ENVIRONMENTAL QUESTIONNAIRE

1. Is the project application being submitted concurrently or within 90 days of submittal of applications for other wireless telecommunications facilities within the City of Los Altos by the same carrier?

YES NO

If Yes, please identify the address(es) of each other application:

2. Are there any natural environmental features on or within 250 feet of the site of the proposed wireless telecommunications facility, including but not limited to hillsides, mature trees, or biological habitats?

YES NO

If Yes, please identify these features:

3. Is a generator proposed for backup power? YES NO

If Yes, submittal of an acoustic study is required.

4. Will the facility use fans for cooling equipment? YES NO

If Yes, submittal of an acoustic study is required.

5. Will the proposed project be located on a hazardous waste site that is included on any list compiled pursuant to Section 65962.5 of the Government Code? YES NO

If Yes, please identify the listing status and methods that will be employed during project installation to protect public health and safety.

6. Is there a historical resource on or within 250 feet of the site of the proposed wireless telecommunications facility? YES NO

If Yes, please describe methods that will be employed during project installation to protect the historical integrity of the resource.

SECTION 4: ADDITIONAL INFORMATION SUBMITTED BY APPLICANT

Please use this section to amplify or complete any answer from Section 3. Be sure to identify the question(s) for which additional information is being provided.

If no answers from Section 3 require amplification or additional information, please mark this section “N/A”.

See attached 6409 project analysis

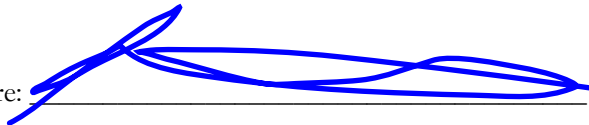
SECTION 5: APPLICANT CERTIFICATION AND OWNER CONSENT

APPLICANT CERTIFICATION

I hereby certify that the plans and information furnished in this application and in the attached exhibits present all of the data and information required by the City of Los Altos Wireless Telecommunications Facilities Permit (WFP) application, and that the facts, statements, and information presented are true and correct. Furthermore, I understand that failure to provide the plans and information required by this application and any incompleteness may result in this application not being accepted as complete for filing and/or processing.

I understand that the filing of this application grants the City of Los Altos permission to reproduce submitted materials, including but not limited to plans, exhibits, and photographs, for distribution to City staff, commissions, boards, and City Council members, and to other agencies in order to process the application, and to make those materials available to the public on the City of Los Altos' website, notwithstanding California Health & Safety Code Section 19851 or any other provision of law. Nothing in this consent, however, shall entitle any person to make use of the intellectual property in plans, exhibits, or photographs for any purpose unrelated to the City's consideration of this application.

This application is being signed under penalty of perjury by a person of legal authority to bind the applicant and owner.

Signature:  Date: 01/12/2024

Print Name: Andrea Liu dba Butler Telecom LLC

The City will not start processing applications until all required documents have been submitted and all fees have been paid.

Applications submitted or fees paid outside of the Public Works Department Public Counter Hours will not be accepted for processing until the next business day.

CONSENT BY CARRIER/WIRELESS PROVIDER

If the applicant and representative are other than the carrier, the carrier must sign this form consenting to file the application. A letter of authorization will not be accepted in lieu of signing this form.

As a duly authorized employee with signatory authority of the subject carrier, I/we consent to the filing of this application. I/we further consent and hereby authorize City representative(s) to review technical documents for the purpose of processing the application(s) being filed.

Signature: Ann Ji Date: 1/16/24

Print Name: Ann Ji, T-Mobile SDM

OWNER CONSENT

If the applicant and carrier are other than the property owner or owner of any structure onto which the proposed wireless telecommunications facility would be installed, an authorized agent of such owner must sign this form consenting to file the application. Applications for wireless telecommunications facilities proposed to be installed within a roadway right-of-way or on City property do not, however, require a City signature for this application.

As the authorized agent of the subject owner, I consent to the filing of this application. I/we further consent and hereby authorize City representative(s) to access the property and review technical documents for the purpose of processing the application(s) being filed.

Signature: _____ Date: _____

Print Name: [See attached lease agreement between property owner and T-Mobile West LLC](#)

LEASE DOC
SF04650A
6/21/95

COMMUNICATIONS SITE LEASE AGREEMENT

THIS COMMUNICATIONS SITE LEASE AGREEMENT ("Agreement") is entered into this 21st day of June, 1995, between Pacific Bell Mobile Services, a California corporation ("Lessee") and Mr. Ronald Bushnell ("Lessor").

The parties hereto agree as follows:

1. Premises. Subject to the following terms and conditions, Lessor leases to Lessee that portion of its property described in Exhibits "A", "B" & "C" attached hereto, including any applicable easements for access and utilities (collectively, the "Premises").

2. Use. The Premises may be used by Lessee for any lawful activity in connection with the provisions of mobile/wireless communications services, including without limitation, the transmission and the reception of radio communication signals on various frequencies and the construction, maintenance and operation of related communications facilities. Lessor agrees to cooperate with Lessee, at Lessee's expense, in making application for and obtaining all licenses, permits and any and all other necessary approvals that may be required for Lessee's intended use of the Premises.

3. Conditions Precedent. This lease is conditioned upon Lessee, or Lessee's assigns, receiving a license from the Federal Communications Commission ("FCC") and obtaining all governmental permits and approvals enabling Lessee, or its assigns, to construct and operate mobile/wireless communications facilities where the Premises are located. If by May 31, 1996 Lessee or its assigns have not received such necessary licenses, permits and approvals, this Agreement shall be null and void and of no force or effect.

4. Term. The term of this lease shall be five (5) years commencing with the issuance of a local building permit to construct communications facilities on the Premises, or May 31, 1996, whichever is earlier ("Commencement Date"). Lessee shall have the right to extend this lease for five (5) additional terms of five (5) years each. The terms and conditions for the renewal term shall be the same terms and conditions of this lease, except that Rent shall be increased as set forth hereinbelow. Each renewal term shall be on the same terms and conditions as set forth herein. This lease shall automatically be renewed for each successive renewal term unless Lessee notifies Lessor in writing of Lessee's intention not to renew this lease at least thirty (30) days prior to the expiration of the original term or any renewal term.

5. Rent.

(a) Upon the Commencement Date, Lessee shall pay Lessor, as rent, the sum of [REDACTED] ("Rent") per month. Rent shall be payable on the 1st day of each month, in advance, to Lessor's address specified in Paragraph 17 below.

(b) If the Commencement Date is other than the first day of a calendar month, Lessee may pay on the first day of the term the prorated Rent for the remainder of the calendar month in which the term commences, and thereafter Lessee shall pay a full month's Rent on the first day of each calendar month, except that payment shall be prorated for the final fractional month of the term, or if this lease is terminated before the expiration of any month for which Rent should have been paid.

(c) Rent shall be adjusted annually as of the anniversary of the Commencement Date to the extent of any percentage change which occurred in the Consumer Price Index (All Items, Base 1982-84 = 100) as published by the United States Department of Labor, Bureau of Labor Statistics for All Consumers for the San Francisco-Oakland-San Jose Metropolitan area (hereinafter "CPI"). The rental adjustment shall be calculated by multiplying the Rent then in effect by a fraction, the denominator of which is the CPI in effect as of the calendar month fourteen full months prior to the anniversary date, and the numerator of which is the CPI in effect two full months prior to the anniversary date. Notwithstanding the foregoing, in no event shall Rent be increased by more than [REDACTED] of the Rent paid during the previous year."

(d) Following the full execution of this Agreement, and upon Lessee's and Lessor's approval of the final drawings or property survey depicting the description of the Premises, Lessee shall pay Lessor a fee of [REDACTED].

6. Improvements; Access.

(a) Lessee shall have the right (but not the obligation) at any time following the full execution of this Agreement and prior to the Commencement Date to enter the Premises for the purpose of making necessary engineering surveys and inspections (and soil tests where applicable) and other reasonably necessary tests ("Tests") and for the purpose of determining the suitability of Lessee Facilities (as defined herein) for mobile/wireless communications operations and preparing for the construction of such facilities. During any Tests or pre-construction work, Lessee will have insurance as set forth in Section 12, and will notify Lessor of any proposed Tests or pre-construction work and will coordinate the scheduling of same with Lessor. If Lessee determines that the Premises are unsuitable for Lessee's contemplated use, then Lessee will notify Landlord and this Agreement will terminate.

(b) Lessee has the right to erect, maintain and operate on the Premises radio communications facilities, including but not limited to radio frequency transmitting and receiving equipment, batteries, utility lines, transmission lines, radio frequency transmitting and receiving antennas and supporting structures and improvements ("Lessee Facilities"). In connection therewith, Lessee has the right to do all work necessary to prepare, add, maintain and alter the Premises for Lessee's business operations and to install utility lines and transmission lines connecting antennas to transmitters and receivers. All of Lessee's construction and installation

work shall be performed at Lessee's sole cost and expense and in a good and workmanlike manner. Title to the Lessee Facilities and any equipment placed on the Premises by Lessee shall be held by Lessee. All of Lessee Facilities shall remain the property of Lessee and are not fixtures. Lessee has the right to remove all Lessee Facilities at its sole expense on or before the expiration or earlier termination of this Agreement.

(c) Lessor shall provide to Lessee, Lessee's employees, agents and subcontractors access to the Premises twenty-four (24) hours a day, seven (7) days a week, at no charge to Lessee. Lessor represents and warrants that it has full rights of ingress to and egress from the Premises, and hereby grants such rights to Lessee to the extent required to maintain, install and operate the Lessee Facilities on the Premises.

(d) Lessor shall maintain all access roadways from the nearest public roadway to the Premises in a manner sufficient to allow access. Lessor shall be responsible for maintaining and repairing such roadway, at its sole expense, except for any damage caused by Lessee's use of such roadways. If Lessee causes any such damage, it shall promptly repair same.

(e) Lessee shall have the right to install utilities, at Lessee's expense, and to improve the present utilities on or near the Premises (including, but not limited to the installation of emergency power generators). Subject to Lessor's approval of the location, which approval shall not be unreasonably withheld, Lessee shall have the right to place utilities on (or to bring utilities across) Lessor's properties in order to service the Premises and the Lessee Facilities. Lessor shall execute easement(s) evidencing this right upon Lessee's request.

(f) Lessee shall fully and promptly pay for all utilities furnished to the Premises for its use throughout the term hereof, and all other costs and expenses of every kind whatsoever in connection with Lessee's use, operation and maintenance of the Premises and all activities conducted thereon.

(g) Upon the expiration, cancellation or termination of this Agreement, Lessee shall surrender the Premises to Landlord in good and broom clean condition, less ordinary wear and tear.

7. Interference. Lessor shall not use, nor shall Lessor permit its tenants, licensees, invitees or agents to use any portion of Lessor's properties in any way which interferes with the operations of Lessee. Such interference shall be deemed a material breach by Lessor, and Lessor shall have the responsibility to terminate said interference. In the event any such interference does not cease promptly, the parties acknowledge that continuing interference will cause irreparable injury to Lessee, and therefore Lessee shall have the right, in addition to any other rights that it may have at law or in equity, to bring action to enjoin such interference or to terminate the lease immediately upon notice to Lessor.

8. Taxes. Lessee shall pay personal property taxes assessed against the Lessee Facilities and Lessor shall pay when due, all real property taxes and all other taxes fees and assessments attributable to the Premises and this lease.

9. Termination. This Agreement may be terminated without further liability on thirty (30) days prior written notice as follows: (i) by either party upon a default of any covenant or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default; (ii) by Lessee for any reason or for no reason, provided Lessee delivers written notice of termination to Lessor prior to the Commencement Date; (iii) by Lessee if it does not obtain or maintain licenses, permits or other approvals necessary to the construction or operation of Lessee Facilities; or (iv) by Lessee if Lessee is unable to occupy and utilize the Premises due to a ruling or directive of the FCC or other governmental or regulatory agency, including, but not limited to, a take back of channels or change in frequencies; or (v) by Lessee if Lessee determines that the Premises are not appropriate for its operations for economic, environmental or technological reasons, including without limitation, signal interference.

10. Destruction of Premises. If the Premises or the Lessee Facilities are destroyed or damaged so as in Lessee's judgment to hinder the effective use of the Lessee Facilities, Lessee may elect to terminate this lease as of the date of the damage or destruction by so notifying Lessor no more than 30 days following the date of damage or destruction. In such event, all rights and obligations of the parties shall cease as of the date of the damage or destruction.

11. Condemnation. If a condemning authority takes all of the Premises, or a portion which in Lessee's opinion is sufficient to render the Premises unsuitable for the Lessee's use, then this lease shall terminate as of the date when possession is delivered to the condemning authority. The parties shall be entitled to share in the condemnation proceeds in proportion to the values of their respective interests in the Premises (which for Lessee shall include, the value of its Lessee Facilities, moving expenses, prepaid rent, business dislocation expenses and bonus value of the lease). Sale of all or part of the Premises to a purchaser with the power of eminent domain in the face of the exercise of the power, shall be treated as a taking by condemnation.

12. Insurance. Lessee shall maintain the following insurance: (1) Commercial General Liability with limits of \$5,000,000.00 per occurrence (2) Automobile Liability with a combined single limit of \$1,000,000.00 per accident and (3) Workers Compensation as required by law and Employers Liability with limits of \$1,000,000.00 per occurrence.

Lessee and Lessor shall each maintain standard form property insurance ("All Risk" coverage) equal to 90% of replacement cost covering their respective property. Lessee and Lessor waive any rights of recovery against the other for injury or loss due to hazards covered by the above insurance and shall require their insurance policies to reflect the foregoing waiver of claims. Lessee shall name Lessor as an additional insured with respect to the above Commercial General Liability

insurance. Lessee shall have the right to self-insure with respect to any of the above insurance.

13. Assignment. Lessee may assign this lease at any time upon notice to Lessor.

14. Title and Quiet Enjoyment.

(a) Lessor warrants that it has full right, power, and authority to execute this lease; Lessor further warrants that Lessee shall have quiet enjoyment of the Premises during the term of this lease or any renewal thereof.

(b) Lessee has the right to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice. If, in the opinion of Lessee, such title report shows any defects of title or any liens or encumbrances which may adversely affect Lessee's use of the Premises, Lessee shall have the right to terminate this lease immediately upon written notice to Lessor.

15. Repairs. Lessee shall not be required to make any repairs to the Premises unless such repairs shall be necessitated by reason of the default or neglect of Lessee, its agents, servants and employees as specified herein.

16. Environmental. Lessor represents that the Premises have not been used for the generation, storage, treatment or disposal of hazardous substances or hazardous wastes. In addition, Lessor represents that no hazardous substances, hazardous wastes, pollutants, asbestos, polychlorinated biphenyl's (PCBs) petroleum or other fuels (including crude oil or any fraction or derivative thereof) or underground storage tanks are located on or about the Premises. Notwithstanding any other provision of this Agreement, Lessee relies upon the representations stated herein as a material inducement for entering into this lease.

17. Miscellaneous.

(a) This Agreement constitutes the entire Agreement and understanding between the parties, and supersedes all offers, negotiations and other agreements concerning the subject matter contained herein. There are no representations or understandings of any kind not set forth herein. Any amendments to this Agreement must be in writing and executed by both parties.

(b) If any provision of the Agreement is invalid or unenforceable with respect to any party, the remainder of this Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, shall not be affected and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

(c) This Agreement shall be binding on and inure to the benefit of the successors and permitted assignees of the respective parties.

(d) Any notice or demand required to be given herein shall be made by certified or registered mail, fax, return receipt requested, or reliable overnight mail to the address of the respective parties set forth below:

Lessor: Ronald Bushnell
2055 Grant Road
Los Altos, CA 94024

Lessee: Pacific Bell Mobile Services
4420 Rosewood Drive, Bldg. 2, 4th Floor
Pleasanton, California 94588

Lessor or Lessee may from time to time designate any other address for this purpose by written notice to the other party.

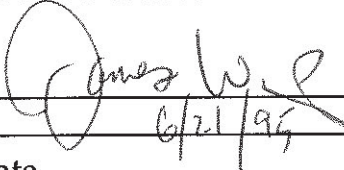
(e) This Agreement shall be governed under the laws of the State of California.

(f) The substantially prevailing party in any legal claim arising hereunder shall be entitled to its reasonable attorney's fees and court costs, including appeals, if any.

(h) Upon request either party may require that a Memorandum of lease be recorded in the form of Exhibit "C".

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

ATTEST WITNESS


6/21/95
Date

LESSOR: Ronald Bushnell

By: 
Title: Owner

Tax ID#: 566-82-8824

Date: June 21, 1995

ATTEST WITNESS

Date

LESSEE: Pacific Bell Mobile Services, a
California Corporation

By: _____
Title: _____

Date: _____

EXHIBIT A

LEGAL DESCRIPTION OF LESSOR'S PROPERTY

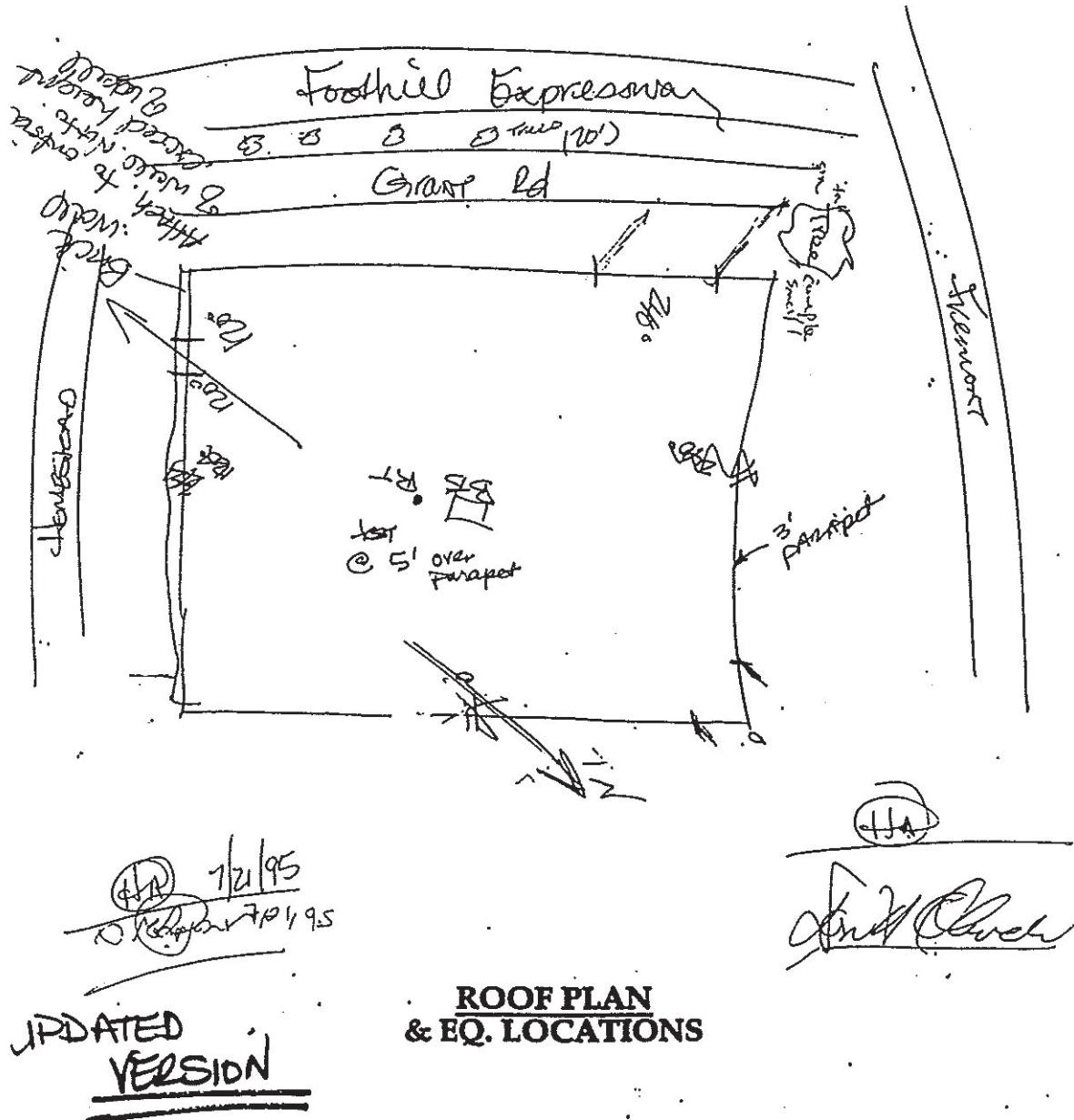
The Lessor's property of which Premises are a part is legally described as follows:

(e.g., Legal Description from Title Report description)

EXHIBIT B

DESCRIPTION OF PREMISES

The location of the Premises within the Lessor's property together with access, ingress, egress, easements and utilities are more particularly described or depicted as follows:



A final drawing or copy of a property survey depicting the above will replace this Exhibit "B" when initialed by Lessor.

EXHIBIT C

RECORDING REQUESTED BY, AND
WHEN RECORDED, RETURN TO:
Pacific Bell Mobile Services
4420 Rosewood Dr., Bldg. 2, 4th Floor
Pleasanton, California 94588

Attention:

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE ("Memorandum") is executed as of June 21, 1995, by and between RONALD BUSHHNEILL ("Lessor"), and PACIFIC BELL MOBILE SERVICES, a California corporation ("Lessee").

RECITALS

WHEREAS, Lessor and Lessee have executed that certain Communications Site Lease Agreement ("Lease") dated as of June 21, 1995, covering certain premises and related improvements ("Premises") in certain buildings situated on certain real property located in the City of Los Altos, County of Santa Clara, State of California, and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Lessor and Lessee desire to record notice of the Lease in the Official Records of Santa Clara County, California;

NOW, THEREFORE, in consideration of the foregoing, Lessor and Lessee hereby declare as follows:

1. Demise. Lessor has leased the Premises to Lessee and Lessee has hired the Premises from Lessor, subject to the terms, covenants and conditions contained in the Lease.

2. Expiration Date. The term of the Lease ("Term") is scheduled to commence on or about _____, 1995 and shall five (5) years thereafter, subject to Lessee's option to extend the Term pursuant to Section 4 of the Lease for, at Lessee's election for five (5) additional terms of five (5) years each.

3. Lease Controlling. This Memorandum is solely for the purpose of giving constructive notice of the Lease. In the event of conflict between the terms of the Lease and this Memorandum, the terms of the Lease shall control.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Lessor and Lessee have executed this Memorandum of Lease as of the date and year first written above.

ATTEST WITNESS

LESSOR: Ronald Bushnell

By: Ronald Bushnell

Date

Title: Owner

Date: June 21, 1995

ATTEST WITNESS

LESSEE: Pacific Bell Mobile Services, a California Corporation

By: _____

Date

Title: _____

Date: _____

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: _____ (Seal)

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: _____ (Seal)

SECTION 6: DETAILED REQUIREMENTS FOR APPLICATIONS

A separate application for a Wireless Telecommunications Facilities Permit (WFP) to operate a wireless telecommunications facility within the City of Los Altos is required for each new or modified wireless telecommunications facility, including any facility proposed to be co-located with an existing facility, as well as for renewal of an existing WFP within the City of Los Altos, including facilities within a public right-of-way or public utility easement or on private or public property. Use of a single application for multiple facilities at different sites is not permitted.

If multiple carriers jointly propose a new co-located facility, a single permit application may be filed provided that a single carrier is identified as the applicant for the facility.

1. APPLICATION FILING PROCEDURES

1.1 Applications for wireless telecommunications facilities must be submitted electronically to the City of Los Altos Public Works Department at engineering@losaltosca.gov in PDF format in the following files:

1. [address] WFP Project Application
2. [address] WFP Location Map
3. [address] WFP Site Plan
4. [address] WFP Engineering Plan
5. [address] WFP Structural Plan
6. [address] WFP Architectural Design
7. [address] WFP Landscape Plan (if applicable)
8. [address] WFP Visual Simulations
9. [address] WFP Acoustic Study
10. [address] WFP Certificate of Public Convenience and Necessity
11. [address] WFP Radiofrequency Human Radiation Exposure Compliance Certification
12. [address] WFP Other Materials Submitted by Applicant

1.2 Filing fees are to be submitted electronically

1.3 Although not required, meeting with City staff in a Pre-Submittal Conference prior to formally submitted a WFP application will facilitate application submittal and processing. Please contact the Public Works Department at (650) 947-2780 or via email at engineering@losaltosca.gov to schedule a pre-submittal conference.

1.4 All applications must be filed with the City at a pre-scheduled submittal appointment. Please contact the Public Works Department at (650) 947-2780 or via email at engineering@losaltosca.gov to schedule submittal of an application. An appointment must be scheduled for each proposed WFP application. If the applicant is proposing multiple permits, an appointment is needed for each permit. In the case of multiple permits being proposed, City staff will reserve the time and schedule appointments so that each permit can be submitted in a single sitting.

2. PROJECT APPLICATION

2.1 The application must identify the individual contact person for the applicant and, if different from the applicant, for the representative, owner, and carrier.

2.2 “Owner” refers to the owner of the property on which the wireless facility is to be installed.

- a. If the facility is to be roof- or building-mounted, provide the requested information for the building owner.
- b. If the facility is to be mounted on a new pole on private or public property, provide the requested information for the property owner of record.

- c. If the facility is to be installed on an existing or replacement utility pole, provide the requested information for the utility that will own the pole.
- 2.3 All portions of Section 3, Project Information, must be filled out. If an item does not apply, mark it “N/A”. If more space is needed, provide the additional information in Section 4.
- 2.4 Facility height is to be measured from adjacent finished grade to the top of the proposed facility. Height for pole-mounted facilities that are located on a pedestal is to be measured from finished grade adjacent to the pedestal to the top of the proposed facility. For building- and roof-mounted facilities, the height of the wireless telecommunication facility is to be measured from finished grade adjacent to the building to the top of the facility.
- 2.5 Signatures are required from the applicant and, if different from the applicant, signatures are also required from the carrier/wireless provider and property owner.

3. FILING FEE

- 3.1 Filing fees must be submitted to the City electronically.

4. MAP OF CARRIER’S EXISTING AND PROPOSED WIRELESS TELECOMMUNICATIONS FACILITIES WITHIN THE CITY OF LOS ALTOS

- 4.1 Each application shall include a map of the City of Los Altos indicating locations for:
 - a. All existing wireless telecommunications facilities being operated by the carrier within the City of Los Altos;
 - b. The wireless facility for which the application is being submitted;
 - c. Any other wireless facilities the carrier is proposing concurrently;
 - d. Any pending applications the carrier has on file with the City of Los Altos; and
 - e. Any anticipated new applications for wireless facilities the carrier intends to submit to the City of Los Altos within 90 days following submittal of this application.

5. EXISTING SITE SURVEY, DEVELOPMENT PLANS, AND CERTIFICATIONS

- 5.1 **For Modifications and Renewals of Existing Permits:** An existing site survey is not required if an accurate survey meeting the requirements below is on file with the City as part of an existing permit. Please check with the Public Works Department at (650) 947-2780 or via email at engineering@losaltosca.gov to confirm whether submittal of an existing site survey is required.
- 5.2 **General Requirements.** Complete and accurate site survey and plan, drawn to scale, signed, and sealed by a California-licensed engineer, land surveyor, and/or architect shall be submitted in scalable PDF format. All plans shall be drawn on uniform sheets, and ready to print no larger than 24 inches x 36 inches. All plans and maps shall be clearly labeled with sheet title, applicant’s and carrier’s name(s), and site address.
- 5.3 **Existing Site Survey.** Provide an existing site survey with north arrow, date, scale, and legend, identifying and depicting all existing boundaries, encroachments, and other structures on the entire property or right-of-way for the block on which the facility is proposed, as well as any adjacent areas within 300 feet of the proposed facility, including without limitation all:
 - a. Traffic lanes;
 - b. Properties and property lines;
 - c. Buildings and other structures;
 - d. Above- and below-ground utilities and related structures and encroachments;
 - e. Fire hydrants, roadside call boxes, and other public safety infrastructure;
 - f. Utility poles, streetlights, traffic signals, and permanent signage;

- g. Sidewalks, driveways, parkways, curbs, gutters and storm drains;
- h. Benches, trash cans, mailboxes, kiosks, and other street furniture; and
- i. Existing trees having a minimum 4-inch diameter at a point 4.5 feet above ground level, planters, and other landscaping features.

5.4 **Site Development Plan.** Provide complete and accurate plans, drawn to scale, signed, and sealed by a California-licensed engineer, land surveyor, and/or architect that include the following information:

- a. A site plan with north arrow, date, scale, and legend, including:
 - (1) A depiction, with length and width measurements, indicating the exact proposed location of all facilities, including but not limited to the location and dimensions of the structure upon which the wireless facility is to be placed; the location and dimension of the wireless facility; and location of handholes, pull boxes, poles, or any other existing or proposed items and equipment related to the proposed facility.
 - (2) Location of any areas owned, and all leased or licensed areas associated with the proposed facility, in plan view with all dimensions clearly shown and called out.
 - (3) Existing and proposed above- and below-ground site improvements in the right-of-way within 50 feet of the proposed wireless facility, including signs, light fixtures, bicycle parking, trash and recycling (including proposed containers or related equipment), enclosures, fences, backflow preventers, above-ground electrical utilities, boxes, transformers, meter mains, fire standpipes, vaults, underground utilities (sewer, gas, electric, water), communication facilities (fiber optic, conduit and any other facilities), and similar.
 - (4) Boundaries for all easements and/or dedications, with all dimensions clearly shown and called out.
 - (5) All access points and/or access routes to the nearest public roadway right-of-way.
 - (6) Footprint of all buildings and structures on adjacent parcels, with distances from the proposed wireless facility indicated.
- b. Project elevations, sections, and schematic details stamped and signed by an engineer and/or architect licensed to practice in California providing detailed elevations, equipment details, and all other information necessary to convey the proposed project with clarity, including but not limited to:
 - (1) Elevations showing all existing conditions, including all existing pole features and attachments and all proposed pole features and attachments. Elevations shall include all sides of the wireless facility; all existing and proposed signage and lighting; notation of grade elevation from where the maximum height is measured; notations of the type, colors, materials, and finish for all project elements; notations of the height and dimensions for all project elements; and notations of the point of service for power, fiber, and similar. Facility height is to be measured from adjacent finished grade to the top of the proposed facility. Height for pole-mounted facilities that are located on a pedestal is to be measured from finished grade adjacent to the pedestal to the top of the proposed facility. For building- and roof-mounted facilities, the height of the wireless telecommunication facility is to be measured from finished grade adjacent to the building to the top of the facility.
 - (2) Illustrative vertical section including foundation to maximum height in context with surrounding site features, such as curb lines, sidewalks, electrical lines, communication lines, landscaping features, trees, and underground structures.
 - (3) Illustrative horizontal section(s) showing the attachments and clearances for equipment and conduit mounted to pole(s).
 - (4) Schematic details demonstrating the quality and nature of the wireless facility design and code compliance of the design, including details of structural connections and attachments and the aesthetic details of how

adjacent, dissimilar materials connect. Examples include mounting of the equipment to poles and wires and cabling behind shrouds or internal to the pole.

- (5) Power output and operating frequency.
- (6) Total anticipated antenna and equipment capacity.
- (7) Model number and manufacturer dimensioned diagrams of proposed equipment, mounting brackets, shrouding, underground vaults, and associated equipment.
- (8) Manufacturer's pole specifications, decorative features (if any) and details.
- (9) Equipment volume information summary with dimensioned front and side elevations that can be used to confirm equipment volume.

c. For proposed co-locations or modifications to wireless towers, the plans shall include scaled plan views and all four elevations that depict the physical dimensions of the wireless facility. For proposed co-locations or modifications to base stations, the plans shall include scaled plan views and all four elevations that depict the physical dimensions of the existing base station.

- 5.5 **Structural Certification.** Provide a detailed structural engineering analysis supported by quantified analysis, signed and stamped by a professional civil or structural engineer appropriately licensed to practice in California certifying that the existing and/or proposed pole, tower, or building (as applicable) has been evaluated by the engineer and that, based on the engineer's evaluation, (1) the existing and/or proposed pole, tower, or building is structurally capable of safely supporting the proposed wireless facility; (2) the proposed facility will be mounted in such a manner as to withstand heavy wind loads and anticipated seismic groundshaking; and (3) the proposed facility will comply with applicable building codes.
- 5.6 **Soils Engineering Certification.** Provide a detailed soils engineering analysis signed and stamped by a professional engineer appropriately licensed to practice in California certifying that the soil suitability for the existing and/or proposed pole, tower, or building (as applicable) has been evaluated by the engineer and that based on the engineer's evaluation soils at the site of the pole or tower would meet applicable building code standards to bear the maximum anticipated load of the project as proposed. The soils analysis shall be less than one (1) year old.
- 5.7 **Fire Safety Certification.** Provide a written statement supported by quantified analysis, signed and stamped by an engineer and/or architect appropriately licensed to practice in California certifying that the electrical circuitry for the proposed wireless facility has been designed to accommodate anticipated electrical loads in a safe manner.
- 5.8 **Americans with Disabilities Act (ADA) Certification.** Provide a written statement signed by an engineer and/or architect licensed to practice in California certifying that the proposed wireless facility will comply with applicable ADA requirements.
- 5.9 **Compliance with Wireless Telecommunications Facilities Design Guidelines.** Provide a written statement signed by an engineer and/or architect licensed to practice in California demonstrating (1) that the proposed facility has been designed to the minimum height, overall size, and diameter required from a technological standpoint; (2) that the facility is being screened from public view to the extent feasible; and (3) compliance with the applicable provisions of the City of Los Altos Wireless Telecommunications Facilities Design Guidelines (Resolution No. 2022-28).

6. ACOUSTIC STUDY

- 6.1 Except as provided in Sections 6.2 and 6.3 below, the applicant shall provide a report prepared and signed by an acoustic engineer (or other qualified personnel acceptable to the City) demonstrating compliance with Los Altos Municipal Code Chapter 6.16 noise standards. The acoustic study shall include all noise-emitting equipment related to the wireless facility that would operate at the site. Such equipment includes without limitation all environmental control units, sump pumps, temporary backup power generators, and permanent backup power generators. The acoustic analysis shall 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.
- 6.2 In lieu of a certified report, the applicant may submit evidence from the equipment manufacturer that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable ambient noise limits. In addition, the applicant shall describe whether the equipment will be passively or actively cooled if any equipment will be enclosed in a shroud, cabinet, pedestal, or other enclosure. If the equipment will be actively cooled, the applicant shall include the manufacturer's specifications for all active cooling mechanisms. This analysis shall be labeled "Attachment 8 – Acoustic Analysis" and attached to the application.
- 6.3 Facilities for which no temporary backup power generator is proposed and that are to be passively cooled (i.e., no fans) are exempt from the requirement for preparation and submittal of an acoustic report.

7. LANDSCAPE PLAN, IF REQUIRED

- 7.1 Submittal of a landscape plan is required if existing landscaping is proposed to be modified or if new landscaping is proposed to mitigate the visual impact of a proposed facility or modification. The landscape plan shall include:
 - a. Plant legend including the botanical and common names, ultimate mature height and width, and proposed maintenance height and width.
 - b. Container size at installation. Minimum tree size is 15 gallons.
 - c. Plants shown at mature size with a scaled symbol.
 - d. The type of irrigation and type of control (automatic or manual). All new controllers must have weather sensitivity capability.
 - e. Landscape maintenance information, including a keynote indicating that the facility operator will maintain all landscaping elements associated with the project in good condition at all times, and shall maintain responsibility for replacing any damaged, dead, or decayed landscaping throughout the life of the permit.

8. SITE PHOTOGRAPHS AND VISUAL SIMULATIONS

- 8.1 Before and after colored photo-simulations of the proposed wireless telecommunications facility shall be submitted, including a visual analysis that includes:
 - a. Scaled visual simulations that show unobstructed before-and-after construction daytime and clear-weather views from at least four angles, together with a map that shows the location of each view angle;
 - b. A color and finished material palate for proposed screening materials; and
 - c. A photograph of a completed facility of the same design and in roughly the same setting as the proposed wireless facility.
- 8.2 Photo-simulations shall be submitted digitally in any of the following formats: JPEG, BMP, or TIF. The submittal shall include a list indicating the date each baseline (before-installation) photo was taken.

9. RADIOFREQUENCY HUMAN EXPOSURE COMPLIANCE CERTIFICATION

9.1 The applicant shall submit a Radiofrequency Human Exposure Report, prepared by a professional engineer that discusses and confirms that the proposed wireless telecommunications facility has been designed and will be maintained in compliance with the Federal Communications Commission (FCC) regulations. The report shall include a list of the proposed radio and antenna equipment including manufacturer and model, frequency bands, power, azimuths, minimum and maximum downtilts, along with distances to ground and any adjacent single- and multiple-story buildings; an indication of whether there are any other nearby wireless facilities considered as part of the analysis of cumulative conditions; a description of the standards, equations, and other methodology used; color maps and/or statements of distances and zones for public and occupational exclusion and/or exposure limits; and a description of required signage and any other measures necessary for the facility to operate in compliance with FCC standards.

10. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

10.1 For facilities located within the public right-of-way, the applicant shall provide certification that the facility is for the use of a telephone corporation or state the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.

SECTION 7: APPLICATION NOTIFICATION REQUIREMENTS

No later than seven (7) days after the Public Works Department informs the applicant that this application has been accepted as complete, notice of the proposed wireless telecommunications facility shall be physically posted on the project site in accordance with the standards set by the Community Development Director for project site signs providing notification of use permit applications pursuant to Municipal Code Section 14.80.030. A photograph shall be submitted to the Public Works Department verifying that the sign has been installed within the required time frame.

The on-site notification sign shall include the photo-simulation required as part of this application with a minimum dimension of 24 inches in height. A note shall be provided below the image reading “This image represents the applicant’s proposal and may change. For current project information and plans, contact the project applicant [name] at [phone number] or [email address].”

The onsite notification sign shall be removed within 10 (ten) calendar days after the expiration of the final appeal period or the date on which a final appeal decision is effective. You must provide the Public Works Department a completed, signed certificate attesting that the sign has been removed in the time period allowed.