Personal Wireless Service Facilities



Division of Planning, Engineering, and Environmental Compliance City of Monterey

Introduction

Use Permits and Architectural Review are required for personal wireless service facilities. The purpose of the Use Permit is to ensure the public health, safety and welfare. Issues typically reviewed include site selection, collocation, noise compatibility, and views. Use Permits also allow the City of Monterey to approve certain land uses or structures with specific Conditions of Approval to reduce or eliminate any identified off-site impacts. Further, Use Permits may be revoked if the conditions of approval fail to effectively reduce or eliminate those impacts, if the nature of the business significantly changes, or if the use violates the terms of the Use Permit. Use Permit applications are generally either for a change in use only, or for new construction.

Architectural review is required to ensure the facility is visually well integrated into the community.

Process

An application must be determined to be complete by City staff prior to consideration by the Zoning Administrator - Incomplete applications will not be scheduled for a hearing. Once complete, the application is generally scheduled for hearing within 30 days on a first-come, first-served basis. At the hearing, the Zoning Administrator may choose to approve the project, approve it with conditions, deny the project, or continue it for redesign. If the project is denied by the Zoning Administrator, it may be appealed to the Planning Commission (PC). If denied by the PC, it may be appealed to the City Council. There is a nominal fee to appeal an application. If it is continued for redesign, the resubmittal will be reviewed by staff for completeness prior to being rescheduled for a future hearing. If not appealed, all decisions are final 10 days after the hearing.

After approval of the Use Permit, the project will be considered by the Architectural Review Committee (ARC). Additional information may be needed to as part of the ARC review including signage, site colors and landscaping plans.

Findings

The Zoning Administrator must make clear and substantive findings when approving a Use Permit. These findings are as follows:

- 1. The facility is not detrimental to the public health, safety and welfare.
- 2. The applicant considered city facilities as a high priority during site selection.
- 3. The facility is co-located with existing facilities and planned new facilities whenever feasible and when it is visually desirable.
- 4. The facility is designed, constructed and operated in such a manner to minimize the amount of noise impacts to adjacent uses and activities and shall be in conformance with the General Plan and Zoning Ordinance noise exposure standards.
- 5. The facility is designed to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight or attractive nuisances.
- 6. The facility does not impair or diminish views of and vistas from adjacent properties and designated scenic corridors.
- 7. The facility is necessary or desirable for, and compatible with, the neighborhood or community. The City may consider a number of factors, for example, the height of the facility, the proximity of the facility to residential structures, the nature of uses on adjacent and nearby properties, the surrounding topography, the surrounding tree coverage and foliage, and other valid public goals such as safety and aesthetics.

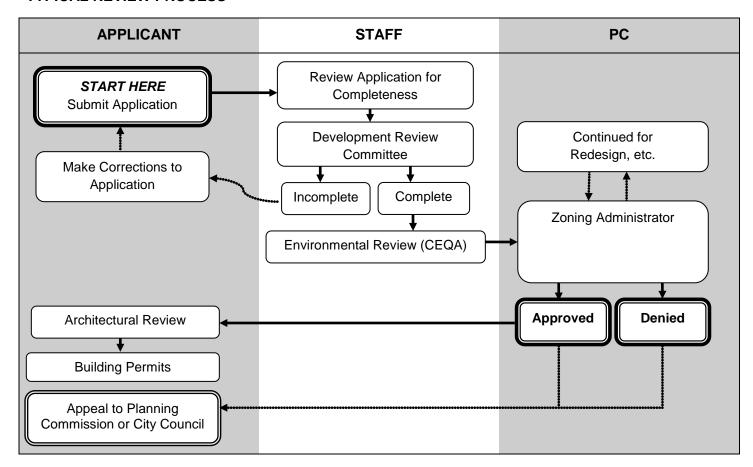
Architectural Review Findings

- 1. The facility avoids glare and minimizes illumination onto adjacent properties.
- 2. The facility is visually integrated with the surrounding environment as recommended in the mounting techniques section.
- 3. The site is appropriately landscaped to screen the facility.
- 4. The facility preserves the character of the neighborhood to the greatest extent possible.

Fees (see current fee schedule)

- Use Permit Major
- □ Architectural Review Minor

TYPICAL REVIEW PROCESS



SUBMITTAL CHECKLIST

Every application must include both <u>Application Forms</u> and <u>Plans</u>. The specific requirements are described below¹.

USE PERMIT REVIE	W
APPLICATION FORI	MS

1.	Project Application Form − ☐ The wet signature of the owner is required. ☐ This form is two-sided. ☐ Also available at http://www.monterey.org/
2.	Green Building Program Schedule - Please contact the Permits and Inspection Services Division at (831) 646-3891 if you have any questions.
	☐ The project may be exempt from this requirement depending on its size/scale.
3.	Project Summary – Provide Existing and Proposed o Project description (type of facility and number and type of antennas)
2.	General Information ☐ Two full-sized sets (24" x 36"); One reduced-size set (8 ½" x 11" or 11"x17"). ☐ Use a Minimum 1/8" = 1' scale for Site Plans and 1/4" = 1' scale for all others. ☐ Include a North Arrow on Each Plan Sheet. ☐ Title Block with Applicant's Name, Owner's Name, Contact Information, and Accurate Date ○ Lot Area and Lot Coverage ○ Floor Area Ratio (FAR) – Measure to outside of exterior walls, count stairs twice (if applicable) ○ Tree Removal ○ Grading Schedule
3.	 Site Plans − Provide Existing and Proposed Property lines & required yard setbacks. Show the following site features and indicate their status (to be added, removed, relocated, or unchanged): All existing structures , Impervious surfaces (driveways, parking areas, walkways, or patios). Adjacent off-site improvements (sidewalk, curb, gutter, or street trees). All landscape areas, fences, retaining walls, and manufactured slopes. On-site trees and large shrubs (over 6" in diameter as measured 4.5' above the ground) and indicate their status (to be preserved, removed, or relocated). If property is vacant, show all trees over 2" in diameter as measured 4.5' above the ground. Existing and/or proposed floor elevation of the first floor. A Topographic Survey prepared by a licensed surveyor is required for all projects that involve new work within 3' of a required front, rear, or side yard setback, or within 3' of the maximum height. Include spot elevations at property corners, at building corners, and at driveway corners and include slope

5. Elevations – Existing and Proposed

Elevations of all proposed personal wireless service structures and appurtenances, and composite elevations from the street(s) showing the proposed project and all buildings on the site.

contours, as appropriate. Shade areas of slope greater than 25%.

^{4.} Floor Plans - Existing and Proposed

¹ At the discretion of the Chief of Planning, Engineering and Environmental Compliance, submittal of any submittal items may be waived if the project can be sufficiently described and considered without such information. Please inquire prior to submittal of an application.

6. Photo Simulations – Existing and Proposed

Photo simulations, photomontages, story poles, elevations and/or other visual or graphic illustrations necessary to determine potential visual impact of the proposed project. Visual impact demonstrations shall include accurate scale and color of the proposed facility. The visual simulation shall show the proposed structure as it would be seen from surrounding properties from perspective points to be determined in consultation with planning staff prior to preparation. The City may also require simulation analyzing camouflage designs, and on-site demonstration mock-ups.

7. Other Information

Inventory of Existing Sites. Each application shall provide an inventory of its existing WSF that are within the jurisdiction of the City, including specific information about the location, height, and design of each facility.

Service Area. Identify the geographic service area for the proposed WSF by using coverage maps; describe the distance(s) between the proposed and existing WSF sites; describe how the proposed service area fits into and is necessary for the PWS provider's network; and identify any potential site consolidation opportunities.

Five year facilities plan. Provide a map with information about the PWS provider's plans for future WSF in the City.

Indicate the dominate purpose of the proposed WSF, for example, whether the proposed WSF is to add network capacity without adding new coverage area; to provide new coverage in an area not already served; to increasing the existing signal level in an area with existing coverage; or some other purpose. If the project is intended to close a significant gap in coverage, provide a map showing the geographic boundary of the claimed significant gap and identify the size of the area, in units of square miles or a fraction thereof, of the claimed significant coverage gap. The PWS provider must show how the proposed site would close the gap, supported by data showing the coverage afforded by other sites. The City may thereafter investigate and determine whether the PWS providers' representations are accurate. The PES provider must also submit a statement explaining why the proposed WSF is the least intrusive means to close the significant coverage gap.

Site Selection Process. Provide a report indicating whether, and why, the proposed WSF site is essential for completion of the PWS provider's coverage objective and need. This report should describe the site selection process including information about other sites which were considered that could service the same or similar coverage area and the reasons for their rejection. If the proposal does not include colocation, written documentation of all efforts made to co-locate at another site, and a justification for the decision not to co-locate.

FCC Compliance. Provide evidence that confirms the proposed WSF will fall within the FCC's emissions guidelines.

Documentation that the proposed location has sufficient power for the proposed WSF.

Documentation that the proposed location is able to hold the necessary equipment for the facility. For example, if the facility will be added onto an existing structure.

Any environmental assessment that the PWS provider files with the federal government.

Structure, Placement, and Cumulative Impact. Evidence of how the proposed WSF compares to the existing sites of similarly situated WSF in the area in terms of structure, placement, or cumulative impact.