

ATTACHMENT B
SUMMARY OF TITLE 12 PROPOSED INSTALLATION AND MAINTENANCE
REGULATIONS

Proposed Installation Standards:

- 1) The facility shall be designed to blend with other streetscape or surrounding features to the extent feasible;
- 2) In the event the parkway adjacent the applicant's above-ground facilities is disturbed or altered in the process of installation, the applicant shall restore the parkway to the condition in which it existed prior to installation;
- 3) No modifications to existing above-ground facilities, including those related to size, color, and shape of the housing, may be made by the applicant without first having obtained approval from the Department of Public Works;
- 4) Where feasible, and as new facility housing technology becomes available, the applicant shall place existing or proposed above-ground facilities below ground;
- 5) There shall be no more than one telecommunication equipment facility of any kind per each residential frontage;
- 6) In residential districts where a facility is proposed adjacent to a corner lot, the facility shall be located along the corner side yard and not directly in front of a residence;
- 7) To the extent feasible, the area surrounding the facility shall be maintained with landscaping or alternate screening. The landscaping shall be irrigated and of a sufficient height and density to soften the appearance of the facility from the public sidewalk and parkway.
- 8) The applicant shall comply with the provisions of the City Trees and Tree Protection Ordinance. A tree protection plan prepared by a Certified Arborist is required for the installation of any facility located within the canopy of a street tree, or a protected tree on private property, or within a minimum of a ten foot radius of the base of such a tree. Dependant on site specific criteria (e.g. location of tree, size and type of tree etc.) a radius greater than 10 feet may be required. The tree protection plan shall be approved by the Department of Public Works prior to the issuance of a permit;
- 9) The antenna array on a telecommunication facility may be approved to extend up to seven (7) feet above the height of the primary use (e.g. seven feet above the height of a street light);
- 10) A telecommunication facility shall not be located on a structure that is less than 25 feet in height;
- 11) If a facility proposes to replace a pole, poles shall match the appearance of the original pole to the extent feasible;

- 12) When feasible panel antennas shall utilize brackets that allow no more than a 4" extension from the pole. Panel antennas shall not exceed the height of the pole;
- 13) Monopoles are prohibited in the public right-of-way Citywide;
- 14) The use of chain link fencing or razor wire in the design of a facility is prohibited;
- 15) A telecommunication facility may not be illuminated unless specifically required by the Federal Aviation Administration or other governmental agencies;
- 16) No private or applicant signs may be placed on a telecommunication facility or a support structure to which a facility is attached.
- 17) Upon installation of a facility, applicants shall submit documentation demonstrating that the project will not result in levels of radio frequency emissions that exceed Federal Communications Commission standards. The City Manager or his/her designee may utilize an outside consultant to review the application and make determinations on compliance with radio frequency emission standards.
- 18) No wireless facility shall be sited or operated in such a manner that, either by itself or in combination with other such facilities, fails to comply with federal requirements related to radio frequency emissions, including, but not limited to, FCC Office of Engineering Technology (OET) Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, as amended. Absolute compliance with such federal requirements is mandatory, and failure to comply shall be grounds for the City to remediate the condition, revoke permits or approvals granted, and/or terminate operation of the offending facility.
- 19) All permit approvals for wireless telecommunication facilities shall be valid for a maximum period of ten years. The permit approvals may be administratively extended for subsequent ten year terms by the Director of Planning and Development or the Director of Public Works (for public right-of-way installations) 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 which are in effect at the time of permit renewal."

Proposed Maintenance Standards:

The following standards are applicable to all telecommunication facilities located in the public right-of-way:

- 1) The applicant is responsible for the on-going maintenance of the facility. The facility shall be reasonably free of:
 - a. General dirt and grease;
 - b. Chipped, faded, peeling, and cracked paint, or on all visible painted areas;
 - c. Rust and corrosion on all visible unpainted metal areas;
 - d. Cracks, dents, blemishes, and discoloration;
 - e. Graffiti, bills, stickers, advertisements etc.; and
 - f. Broken and misshapen structural parts.

- 2) If the facility becomes discontinued or abandoned the applicant shall (1) immediately notify the Department of Public Works; (2) remove the equipment and restore the site to the previous condition within the time period determined by the Department of Public Works;
- 3) The facilities shall be maintained such that they comply at all times with the City's Noise ordinance;
- 4) Above-ground facilities must be properly maintained in accordance with the following procedures:
 - a) All necessary repairs, including graffiti removal, must be completed within 48 hours after discovery of the need for such repairs by applicant's personnel or notification from the City Engineer or other designated representative of the City of Pasadena;
 - b) The applicant shall provide routine maintenance (e.g., painting, leveling, equipment cabinet replacement, fastening to base) within 10 working days after receiving notification from a resident or the City of Pasadena;
 - c) The applicant shall replace above-ground service boxes or vaults if routine or emergency maintenance is not sufficient to return the facility to the condition at the time of installation.

ATTACHMENT C
PROPOSED NEW REGULATIONS UNDER TITLE 17

I. Additional requirement for all facilities:

Compliance: Upon installation of a facility, applicants shall submit documentation demonstrating that the project will not result in levels of radio frequency emissions that exceed Federal Communications Commission standards. The City Manager or his/her designee may utilize an outside consultant to review the application and make determinations on compliance with radio frequency emission standards.

No wireless facility shall be sited or operated in such a manner that, either by itself or in combination with other such facilities, fails to comply with federal requirements related to radio frequency emissions, including, but not limited to, FCC Office of Engineering Technology (OET) Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, as amended. Absolute compliance with such federal requirements is mandatory, and failure to comply shall be grounds for the City to remediate the condition, revoke permits or approvals granted, and/or terminate operation of the offending facility.

Length of Permit/Discontinuance of Use: All permit approvals for wireless telecommunication facilities shall be valid for a maximum period of ten years. The permit approvals may be administratively extended for subsequent ten year terms by the Director of Planning and Development or the Director of Public Works (for public right-of-way installations) 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 which are in effect at the time of permit renewal.

II. Additional requirements for monopoles (Major Facilities):

Camouflage Facilities: A new freestanding support structure that is designed to look like a faux tree or flag pole shall comply with the following requirements:

- a. **Flag Poles:** A flag must flown and properly maintained at all times, and the base of the pole shall be appropriately tapered to maintain the appearance of an actual flag pole.
- b. **Faux Trees:** If a faux tree is proposed it shall be of a type of tree compatible with those existing in the immediate area of the installation. If no trees exist, the applicant must create a landscape setting that integrates the faux tree with added species of a similar height and type.

Height: Maximum height is 50 feet (reduced from 60 feet)

Location:

- A support structure and any related ground mounted equipment shall not be located within a parking space, vehicle maneuvering area or vehicle/pedestrian circulation area in such a manner that it interferes with or impairs the utility of intended function of such area;
- Proposed new facilities that are not co-located shall submit a justification statement explaining why the location is not a candidate for co-location and the coverage gap the proposed facility is anticipated to serve;
- Where feasible, unutilized space should be made available for co-location of other wireless communication facilities, including space for entities providing competing services;
- Shall not be located within any Landmark district.

Distance Requirement: Excluding co-location applications and Opportunities Map locations, there shall be a 500-foot distance requirement between any sites containing a freestanding support structure.

III. Additional requirements for co-located facilities (Minor)

- All screening used in connection with a building-mounted facility shall be compatible with the architecture, color, texture and materials of the building or other structure to which it is mounted.
- All sides of a building mounted co-location shall be concealed from view. There shall be no visible transition between existing and new surfaces, no exposed cables, mounting apparatus or pipes permitted and no interruption of horizontal or vertical reveals.
- If co-locating on a private light pole, the replacement pole shall match the color, height and design of existing light poles on the site.

IV. New Requirements for Co-Locations on an existing Major Wireless Facility (monopole)

If an applicant proposes to co-locate an antenna on a previously approved major wireless facility (monopole) the following regulations apply:

- 1) Application will be reviewed following the same application and procedures as the Opportunities Map.
- 2) The co-location shall not increase the height of the existing major wireless facility (monopole).
- 3) The existing monopole must comply with all applicable Major Wireless Facility requirements (monopole or other freestanding structure).

If the co-location is proposed on a monopole that was installed prior to the City's permitting requirements and is therefore not legally, permitted a Minor Conditional Use Permit and all requirements for co-located facilities shall be required.

V. Proposed Opportunities Map Requirements. The City shall make available to applicants the "Opportunities Map" (the map). The map identifies preferred locations for siting minor telecommunication facilities and their associated ground mounted equipment cabinets. The locations are preferred due to the ability to screen the facility and cabinets on City owned property and remove them from the public right of way. Should an applicant choose a location from the Opportunities Map, the requirements shall be as follows:

- 1) Minor Wireless Telecommunications Facilities and their associated equipment cabinets are permitted through an Administrative Opportunities Site Application;
- 2) The application fee is 50% less than the current adopted fee for the Minor Conditional Use Permit;
- 3) Expedited permit processing (30 days from date of complete application);
- 4) The applicant shall submit a completed Opportunities Site Application for any proposed telecommunications facility or equipment located on a site from the map. The application shall be reviewed and approved by the Director of Planning and Development. The application shall include the following:

- a). The name, address and telephone number of the owner of the wireless facility and related equipment cabinet;
- b). The name, address and telephone number of the responsible person whom the City may notify or contact at any time concerning the facility and equipment cabinet;
- c). The exact proposed location of the wireless facility and equipment cabinet by block and, if desired, by specific geographic indicators, such as street address (supplied in a GIS compatible format);
- d). A photo simulation of the proposed wireless facility and equipment cabinet;
- e). A site plan clearly depicting the location of the proposed wireless facility, cabinet and the surrounding uses and improvements as well as scaled elevation drawings of the antenna and cabinets;
- f). A Hold Harmless agreement;
- g). A Certificate of Insurance

5) Required Findings For Approval. No new Opportunities Site Application will be approved unless the review authority makes the following findings:

- a). The proposed use is allowed with an Opportunities Site application within the zoning district and complies with all applicable provisions of this zoning code (Section 17.10 of the City's zoning code and the zoning district purposes at the introduction to each zoning district regulation);
- b). The proposed use will be located on a site that is designated as a preferred location on the Opportunities Map;
- c). The location of the proposed use complies with the special purposes of this zoning code and the applicable zoning district, and is in conformance with the goals, policies and objectives of the General Plan;
- d). The proposed use will not be detrimental to the health or general welfare of persons residing or working in the neighborhood of the proposed use;
- e). The proposed use will be compatible with the existing uses on the site and uses in the vicinity in terms of aesthetic values, character, scale and view protection and will not interfere with the existing activities at the site.