Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☐ Other

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Planning Commission Motion No. XXXXX

HEARING DATE: SEPTEMBER 8, 2011

Date:	September 1, 2011
Case No.:	**2010.1084C**
Project Address:	**730 Polk Street**
Current Zoning:	NC-3 (Moderate-Scale Neighborhood Commercial) District 130-E Height and Bulk District
Block/Lot:	0740/018
Project Sponsor:	Evan Shepherd Reiff for AT&T Mobility 430 Bush Street, 5th Floor San Francisco, CA 94108
Staff Contact:	Aaron Hollister – (415) 575-9078 aaron.hollister@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTION 712.83 TO INSTALL A WIRELESS TELECOMMUNICATIONS SERVICE FACILITY CONSISTING OF UP TO NINE PANEL ANTENNAS AND RELATED EQUIPMENT ON AN EXISTING FOUR-STORY COMMERCIAL BUILDING AS PART OF AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK WITHIN THE NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 130-E HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 8, 2010, Evan Shepherd Reiff for AT&T Mobility (hereinafter "Project Sponsor"), made an application (hereinafter "application"), for Conditional Use Authorization on the property at 730 Polk Street, Lot 018 in Assessor's Block 0740, (hereinafter "project site") to install a wireless telecommunications service facility consisting of up to nine panel antennas and related equipment on an existing four-story commercial building as part of AT&T's wireless telecommunications network within the NC-3 (Moderate-Scale Neighborhood Commercial) District and the 130-E Height and Bulk District.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption (Section 15303 of the California Environmental Quality Act). The Commission has reviewed and concurs with said determination. The categorical exemption and

all pertinent documents may be found in the files of the Planning Department (hereinafter "Department"), as the custodian of records, at 1650 Mission Street, San Francisco.

On September 8, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on the application for a Conditional Use authorization.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use in Application No. 2010.1084C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use**. The project is located on the southeast corner of the intersection of Polk and Ellis Streets, Assessor's Block 0740, Lot 018. This site is within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 130-E Height and Bulk District. The project site contains a four-story commercial building, which was built in 1922 and covers the entire site. The subject building is entirely commercial and contains the offices of a non-profit organization.

3. **Surrounding Properties and Neighborhood**. The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts in the Polk Street corridor, including restaurants, bars, apparel stores, convenience stores, and other types of retailers. Buildings in the vicinity typically range from one to five stories in height, with some taller structures scattered throughout the area. Upper floors of buildings are generally occupied by offices or high-density residential units. Larger scale retail uses, tourist hotels, and residential uses are situated along the Van Ness Corridor to the west, while the Civic Center is located approximately two blocks south of the project site.

4. **Project Description.** The proposal is to remove an existing microcellular AT&T Mobility wireless telecommunications service ("WTS") installation and replace it with a macro WTS facility. The macro WTS facility would consist of a maximum of nine panel antennas located on a rooftop penthouse structure along with equipment located in an internal storage room of the subject building. The proposed antennas would measure approximately 51.5 inches high by 11.9 inches wide by 7.1 inches thick. All nine antennas

5. **Past History and Actions.** The Planning Commission established guidelines for the installation of wireless telecommunications facilities in 1996 ("Guidelines"). These Guidelines set forth the land use policies and practices that guide the installation and approval of wireless facilities throughout San Francisco. A large portion of the Guidelines was dedicated to establishing location preferences for these installations. The Board of Supervisors, in Resolution No. 635-96, provided input as to where wireless facilities should be located within San Francisco. The Guidelines were updated by the Commission in 2003, requiring community outreach, notification, and detailed information about the facilities to be installed.[1]

   Section 8.1 of the Guidelines outlines Location Preferences for wireless facilities. There are five primary areas were the installation of wireless facilities should be located:

   1. Publicly-used Structures: such facilities as fire stations, utility structures, community facilities, and other public structures;
   2. Co-Location Site: encourages installation of facilities on buildings that already have wireless installations;
   3. Industrial or Commercial Structures: buildings such as warehouses, factories, garages, service stations;
   4. Industrial or Commercial Structures: buildings such as supermarkets, retail stores, banks; and
   5. Mixed Use Buildings in High Density Districts: buildings such as housing above commercial or other non-residential space.

   Before the Planning Commission can review an application to install a wireless facility, the project sponsor must submit a five-year facilities plan, which must be updated biannually, an emissions report and approval by the Department of Public Health, Section 106 Declaration of Intent, a submittal checklist and details about the facilities to be installed.

   Under Section 704(B)(iv) of the 1996 Federal Telecommunications Act, local jurisdictions cannot deny wireless facilities based on Radio Frequency (RF) radiation emissions so long as such facilities comply with the FCC's regulations concerning such emissions.

   On September 8, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the application for a Conditional Use authorization

[1] PC Resolution 16539, passed March 13, 2003.

pursuant to Planning Code Section 712.83 to install a wireless telecommunications facility consisting of up to nine panel antennas and related equipment on an existing four-story commercial building as part of AT&T's wireless telecommunications network.

6. **Location Preference.** The *WTS Facilities Siting Guidelines* identify different types of buildings for the siting of wireless telecommunications facilities. Under the *Guidelines*, the Project is a Location Preference Number 4, as it is a preferred location for an industrial or commercial structures.

7. **Radio Waves Range.** The Project Sponsor has stated that the proposed wireless network will transmit calls by radio waves operating in the 1710 - 2170 Megahertz (MHZ) bands, which is regulated by the Federal Communications Commission (FCC) and which must comply with the FCC-adopted health and safety standards for electromagnetic radiation and radio frequency radiation.

8. **Radiofrequency (RF) Emissions:** The project sponsor retained Hammett & Edison, Inc., a radio engineering consulting firm, to prepare a report describing the expected RF emissions from the proposed facility. Pursuant to the *Guidelines*, the Department of Public Health reviewed the report and determined that the proposed facility complies with the standards set forth in the Guidelines.

9. **Department of Public Health Review and Approval.** The proposed project was referred to the Department of Public Health (DPH) for emissions exposure analysis. Existing RF levels at ground level were around 1% of the FCC public exposure limit. There were no other antennas observed within 100 feet of this site. AT&T Mobility proposes to install nine new antennas. The antennas will be mounted at a height of 70 feet above the ground. The estimated ambient RF field from the proposed AT&T Mobility transmitters at ground level is calculated to be 0.0063 mW/sq cm., which is 1.2% of the FCC public exposure limit. The three dimensional perimeter of RF levels equal to the public exposure limit extends 55 feet and does not reach any publicly accessible areas. Warning signs must be posted at the antennas and roof access points in English, Spanish, and Chinese. Workers should not have access to within five feet of the front of the antennas while in operation.

10. **Maintenance Schedule**. The proposed facility would operate without on-site staff but with a two-person maintenance crew visiting the property approximately once a month and on an as-needed basis to service and monitor the facility.

11. **Community Outreach.** Per the *Guidelines*, the project sponsor held a Community Outreach Meeting for the proposed project. The meeting was held at 7:00 p.m. on February 24, 2011 at the Tenderloin Recreation Center, located at 570 Ellis Street.

12. **Five-year plan:** Per the *Guidelines*, the project sponsor submitted its latest five-year plan, as required, in April 2011.

13. **Public Comment.** The Department has not received public comment on the project.

14. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

    A. **Use.** Per Planning Code Section 712.83, a Conditional Use authorization is required for the installation of other uses such as wireless transmission facilities.

15. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

    A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

    i Desirable: San Francisco is a leader of the technological economy; it is important and desirable to the vitality of the city to have and maintain adequate telecommunications coverage and data capacity. This includes the installation and upgrading of systems to keep up with changing technology and increases in usage. It is desirable for the City to allow wireless facilities to be installed.

    The proposed project at 730 Polk Street will be generally desirable and compatible with the surrounding neighborhood because the project will not conflict with the existing uses of the property and will be of such size and nature to be compatible with the surrounding nature of the vicinity. The approval of this authorization has been found, first and foremost, to insure public safety, and insure that the placement of antennas and related support and protection features are so located, designed, and treated architecturally to minimize their visibility from public places, to avoid intrusion into public vistas, avoid disruption of the architectural design integrity of building and insure harmony with neighborhood character. The project has been reviewed and determined to not cause the removal or alteration of any significant architectural features on the subject building.

    ii Necessary: In the case of wireless installations, there are two criteria that the Commission reviews: coverage and capacity.

    Coverage: San Francisco does have sufficient overall wireless coverage (note that this is separate from carrier service). It is necessary for San Francisco to have as much coverage as possible in terms of wireless facilities. Due to the topography and tall buildings in San Francisco, unique coverage issues arise because the hills and building break up coverage. Thus, telecommunication carriers often install additional installations to make sure coverage is sufficient.

    Capacity: While a carrier may have adequate coverage in a certain area, the capacity may not be sufficient. With the continuous innovations in wireless data technology and

demand placed on existing infrastructure, individual telecommunications carriers must upgrade and in some instances expand their facilities network to be able to have proper data distribution. It is necessary for San Francisco, as a leader in technology, to have adequate capacity.

The proposed project at 730 Polk Street is necessary in order to achieve sufficient street and in-building mobile phone coverage. Recent drive tests in the subject area conducted by the AT&T Mobility Radio Frequency Engineering Team provide conclusive evidence that the subject property is the most viable location, based on factors including quality of coverage, population density, land use compatibility, zoning and aesthetics. The proposed coverage area will serve the vicinity bounded by Van Ness Avenue, O'Farrell Street, Larkin Street and Turk Street, as indicated in the coverage maps. This facility will fill in the gaps to improve coverage in the project area, as well as to provide necessary facilities for emergency transmission and improved communication for the neighborhood, community and the region.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposed project must comply with all applicable Federal and State regulations to safeguard the health, safety and to ensure that persons residing or working in the vicinity will not be affected, and prevent harm to other personal property.

The Department of Public Health conducted an evaluation of potential health effects from Radio Frequency radiation, and has concluded that the proposed wireless transmission facilities will have no adverse health effects if operated in compliance with the FCC-adopted health and safety standards. The Department has received information that the proposed wireless system must be operated so as not to interfere with radio or television reception in order to comply with the provisions of its license under the FCC.

The Department is developing a database of all such wireless communications facilities operating or proposed for operation in the City and County of San Francisco. All applicants are now required to submit information on the location and nature of all existing and approved wireless transmission facilities operated by the Project Sponsor. The goal of this effort is to foster public information as to the location of these facilities.

ii The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

No increase in traffic volume is anticipated with the facilities operating unmanned, with a single maintenance crew visiting the site once a month or on an as-needed basis.

iii The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

While some noise and dust may result from the erection of the antennas and transceiver equipment, noise or noxious emissions from continued use are not likely to be significantly greater than ambient conditions due to the operation of the wireless communication network.

iv Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed antennas are proposed to be installed on the existing penthouse and screened with a screen wall. The proposal, located over 70 feet above grade, is small in size and is minimally visible at the pedestrian level. The project will not affect the existing landscaping.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is consistent with the stated purpose of the NC-3 District in that the intended use is located in an existing building approximately 70 feet tall and set back from the street frontage.

16. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan

HOUSING ELEMENT

BALANCE HOUSING CONSTRUCTION AND COMMUNITY INFRASTRUCTURE

OBJECTIVE 12 – BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

POLICY 12.2 – Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

POLICY 12.3 – Ensure new housing is sustainable supported by the City's public infrastructure systems.

The project will improve AT&T Mobility coverage in residential, commercial and recreational areas along primary transportation routes in San Francisco.

URBAN DESIGN

HUMAN NEEDS

OBJECTIVE 4 - IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.14 - Remove and obscure distracting and cluttering elements.

The Project adequately "stealths" the proposed antennas with installation of a screen wall on the penthouse elevations where the antennas will be installed, while related equipment would be located within the building. The antennas are minimally visible from the street.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:
MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1:
Encourage development, which provides substantial net benefits and minimizes undesirable consequences. Discourage development, which has substantial undesirable consequences that cannot be mitigated.

Policy 2:
Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

The project would enhance the total city living and working environment by providing communication services for residents and workers within the City. Additionally, the project would comply with Federal, State and Local performance standards.

OBJECTIVE 2:
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 1:
Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

Policy 3:
Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The site is an integral part of a new wireless communications network that will enhance the City's diverse economic base.

OBJECTIVE 4:
IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 1:
Maintain and enhance a favorable business climate in the City.

Policy 2:
Promote and attract those economic activities with potential benefit to the City.

The project would benefit the City by enhancing the business climate through improved communication services for residents and workers.

VISITOR TRADE

OBJECTIVE 8 - ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

POLICY 8.3 - Assure that areas of particular visitor attraction are provided with adequate public services for both residents and visitors.

The Project will ensure that residents and visitors have adequate public service in the form of AT&T Mobility mobile telecommunications.

COMMUNITY SAFETY ELEMENT

Objectives and Policies

OBJECTIVE 3:
ENSURE THE PROTECTION OF LIFE AND PROPERTY FROM THE EFFECTS OF FIRE OR NATURAL DISASTER THROUGH ADEQUATE EMERGENCY OPERATIONS PREPARATION.

Policy 1:

Maintain a local agency for the provision of emergency services to meet the needs of San Francisco.

Policy 2:
Develop and maintain viable, up-to-date in-house emergency operations plans, with necessary equipment, for operational capability of all emergency service agencies and departments.

Policy 3:
Maintain and expand agreements for emergency assistance from other jurisdictions to ensure adequate aid in time of need.

Policy 4:
Establish and maintain an adequate Emergency Operations Center.

Policy 5:
Maintain and expand the city's fire prevention and fire-fighting capability.

Policy 6:
Establish a system of emergency access routes for both emergency operations and evacuation.

The project would enhance the ability of the City to protect both life and property from the effects of a fire or natural disaster by providing communication services.

17. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

    A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

    No neighborhood-serving retail use would be displaced and the wireless communications network will enhance personal communication services.

    B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

    No residential uses would be displaced or altered in any way by the granting of this authorization.

    C. That the City's supply of affordable housing be preserved and enhanced.

    The project would have no adverse impact on housing in the vicinity.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Due to the nature of the project and minimal maintenance or repair, municipal transit service would not be impeded and neighborhood parking would not be overburdened.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would cause no displacement of industrial and service sector activity.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Compliance with applicable structural safety and seismic safety requirements would be considered during the building permit application review process.

G. That landmarks and historic buildings be preserved.

The proposed screen wall enclosure that will be installed to conceal the proposed antennas is anticipated to minimize the visibility of the antennas from nearby public rights-of-way. Additionally, mounting the antennas on a rooftop feature would not affect any character-defining features of the building. By minimizing the visibility of the proposed antennas and mounting the antennas on a secondary rooftop structure, the project would not significantly alter the subject building, which is considered to be a historic resource.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will have no adverse impact on parks or open space, or their access to sunlight or vistas.

18. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

19. The Commission hereby finds that approval of the Determination of Compliance authorization would promote the health, safety and welfare of the City.

DECISION

The Commission, after carefully balancing the competing public and private interests, and based upon the Recitals and Findings set forth above, in accordance with the standards specified in the Code, hereby approves the Conditional Use authorization under Planning Code Sections 712.83 and 303 to install up to nine panel antennas and associated equipment cabinets at the Project Site and as part of a wireless transmission network operated by AT&T Mobility on a Location Preference Four (Preferred Location – Industrial or Commercial Structures) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, within a NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 130-E Height and Bulk District and subject to the conditions of approval attached hereto as **Exhibit A**.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this conditional use authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the foregoing Motion was adopted by the Planning Commission on **September 8, 2011**.

Linda Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 8, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization under Planning Code Sections 712.83 and 303 to install a wireless telecommunications service facility consisting of up to nine panel antennas with related equipment, a Location Preference 4 (Preferred Location – Industrial or Commercial Structures) according to the Wireless Telecommunications Services (WTS) Siting Guidelines, as part of AT&T's wireless telecommunications network within a NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 130-E Height and Bulk District.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **September 8, 2011** under Motion No.XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .

DESIGN – COMPLIANCE AT PLAN STAGE

3. **Plan Drawings - WTS**. Prior to the issuance of any building or electrical permits for the installation of the facilities, the Project Sponsor shall submit final scaled drawings for review and approval by the Planning Department ("Plan Drawings"). The Plan Drawings shall describe:
   a. Structure and Siting. Identify all facility related support and protection measures to be installed. This includes, but is not limited to, the location(s) and method(s) of placement, support, protection, screening, paint and/or other treatments of the antennas and other appurtenances to insure public safety, insure compatibility with urban design, architectural and historic preservation principles, and harmony with neighborhood character.
   b. For the Project Site, regardless of the ownership of the existing facilities. Identify the location of all existing antennas and facilities; and identify the location of all approved (but not installed) antennas and facilities.
   c. Emissions. Provide a report, subject to approval of the Zoning Administrator, that operation of the facilities in addition to ambient RF emission levels will not exceed adopted FCC standards with regard to human exposure in uncontrolled areas.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, www.sf-planning.org .

4. **Screening - WTS.** To the extent necessary For information about compliance with adopted FCC regulations regarding human exposure to RF emissions, and upon the recommendation of the Zoning Administrator, the Project Sponsor shall:
   a. Modify the placement of the facilities;
   b. Install fencing, barriers or other appropriate structures or devices to restrict access to the facilities;
   c. Install multi-lingual signage, including the RF radiation hazard warning symbol identified in ANSI C95.2 1982, to notify persons that the facility could cause exposure to RF emissions;
   d. Implement any other practice reasonably necessary to ensure that the facility is operated in compliance with adopted FCC RF emission standards.
   e. To the extent necessary to minimize visual obtrusion and clutter, installations shall conform to the following standards:
   f. Antennas and back up equipment shall be painted, fenced, landscaped or otherwise treated architecturally so as to minimize visual effects;
   g. Rooftop installations shall be setback such that back up facilities are not viewed from the street;
   h. Antennae attached to building facades shall be so placed, screened or otherwise treated to minimize any negative visual impact; and
   i. Although co location of various companies' facilities may be desirable, a maximum number of antennas and back up facilities on the Project Site shall be established, on a case by case basis, such that "antennae farms" or similar visual intrusions for the site and area is not created.

   For information about compliance, contact the Case Planner, Planning Department at 415-558-6613, www.sf-planning.org .

MONITORING - AFTER ENTITLEMENT

5. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific Conditions of Approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

8. **Implementation Costs - WTS**.
   a. The Project Sponsor, on an equitable basis with other WTS providers, shall pay the cost of preparing and adopting appropriate General Plan policies related to the placement of WTS facilities. Should future legislation be enacted to provide for cost recovery for planning, the Project Sponsor shall be bound by such legislation.
   b. The Project Sponsor or its successors shall be responsible for the payment of all reasonable costs associated with implementation of the conditions of approval contained in this authorization, including costs incurred by this Department, the Department of Public Health, the Department of Technology, Office of the City Attorney, or any other appropriate City Department or agency. The Planning Department shall collect such costs on behalf of the City.
   c. The Project Sponsor shall be responsible for the payment of all fees associated with the installation of the subject facility, which are assessed by the City pursuant to all applicable law.
   For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,
   www.sf-planning.org

9. **Implementation and Monitoring - WTS**. In the event that the Project implementation report includes a finding that RF emissions for the site exceed FCC Standards in any uncontrolled location, the Zoning Administrator may require the Applicant to immediately cease and desist operation of the facility until such time that the violation is corrected to the satisfaction of the Zoning Administrator.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

10. **Project Implementation Report - WTS**. The Project Sponsor shall prepare and submit to the Zoning Administrator a Project Implementation Report. The Project Implementation Report shall:
    a. Identify the three dimensional perimeter closest to the facility at which adopted FCC standards for human exposure to RF emissions in uncontrolled areas are satisfied;

b. Document testing that demonstrates that the facility will not cause any potential exposure to RF emissions that exceed adopted FCC emission standards for human exposure in uncontrolled areas.
c. The Project Implementation Report shall compare test results for each test point with applicable FCC standards. Testing shall be conducted in compliance with FCC regulations governing the measurement of RF emissions and shall be conducted during normal business hours on a non holiday weekday with the subject equipment measured while operating at maximum power.
d. Testing, Monitoring, and Preparation. The Project Implementation Report shall be prepared by a certified professional engineer or other technical expert approved by the Department. At the sole option of the Department, the Department (or its agents) may monitor the performance of testing required for preparation of the Project Implementation Report. The cost of such monitoring shall be borne by the Project Sponsor pursuant to the condition related to the payment of the City's reasonable costs.
    i. Notification and Testing. The Project Implementation Report shall set forth the testing and measurements undertaken pursuant to Conditions 2 and 4.
    ii. Approval. The Zoning Administrator shall request that the Certification of Final Completion for operation of the facility not be issued by the Department of Building Inspection until such time that the Project Implementation Report is approved by the Department for compliance with these conditions.

For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

11. **Notification prior to Project Implementation Report - WTS.** The Project Sponsor shall undertake to inform and perform appropriate tests for residents of any dwelling units located within 25 feet of the transmitting antenna at the time of testing for the Project Implementation Report.
    a. At least twenty calendar days prior to conducting the testing required for preparation of the Project Implementation Report, the Project Sponsor shall mail notice to the Department, as well as to the resident of any legal dwelling unit within 25 feet of a transmitting antenna of the date on which testing will be conducted. The Applicant will submit a written affidavit attesting to this mail notice along with the mailing list.
    b. When requested in advance by a resident notified of testing pursuant to subsection (a), the Project Sponsor shall conduct testing of total power density of RF emissions within the residence of that resident on the date on which the testing is conducted for the Project Implementation Report.

    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

12. **Installation - WTS.** Within 10 days of the installation and operation of the facilities, the Project Sponsor shall confirm in writing to the Zoning Administrator that the facilities are being maintained and operated in compliance with applicable Building, Electrical and other Code requirements, as well as applicable FCC emissions standards.

    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **Periodic Safety Monitoring - WTS.** The Project Sponsor shall submit to the Zoning Administrator 10 days after installation of the facilities, and every two years thereafter, a certification attested to by a licensed engineer expert in the field of EMR/RF emissions, that the facilities are and have been operated within the then current applicable FCC standards for RF/EMF emissions.
    For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

OPERATION

14. **Community Liaison.** Prior to issuance of a building permit application to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

15. **Out of Service – WTS**. The Project Sponsor or Property Owner shall remove antennae and equipment that has been out of service or otherwise abandoned for a continuous period of six months.
    For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Emissions Conditions – WTS**. It is a continuing condition of this authorization that the facilities be operated in such a manner so as not to contribute to ambient RF/EMF emissions in excess of then current FCC adopted RF/EMF emission standards; violation of this condition shall be grounds for revocation.
    For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

17. **Noise and Heat – WTS**. The WTS facility, including power source and cooling facility, shall be operated at all times within the limits of the San Francisco Noise Control Ordinance. The WTS facility, including power source and any heating/cooling facility, shall not be operated so as to cause the generation of heat that adversely affects a building occupant.
    For information about compliance, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.

18. **Transfer of Operation – WTS**. Any carrier/provider authorized by the Zoning Administrator or by the Planning Commission to operate a specific WTS installation may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency

provided that such transfer is made known to the Zoning Administrator in advance of such operation, and all conditions of approval for the subject installation are carried out by the new carrier/provider.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

19. **Compatibility with City Emergency Services – WTS**. The facility shall not be operated or caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference, unless prior approval for such has been granted in writing by the City.
For information about compliance, contact the Department of Technology, 415-581-4000, http://sfgov3.org/index.aspx?page=1421

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