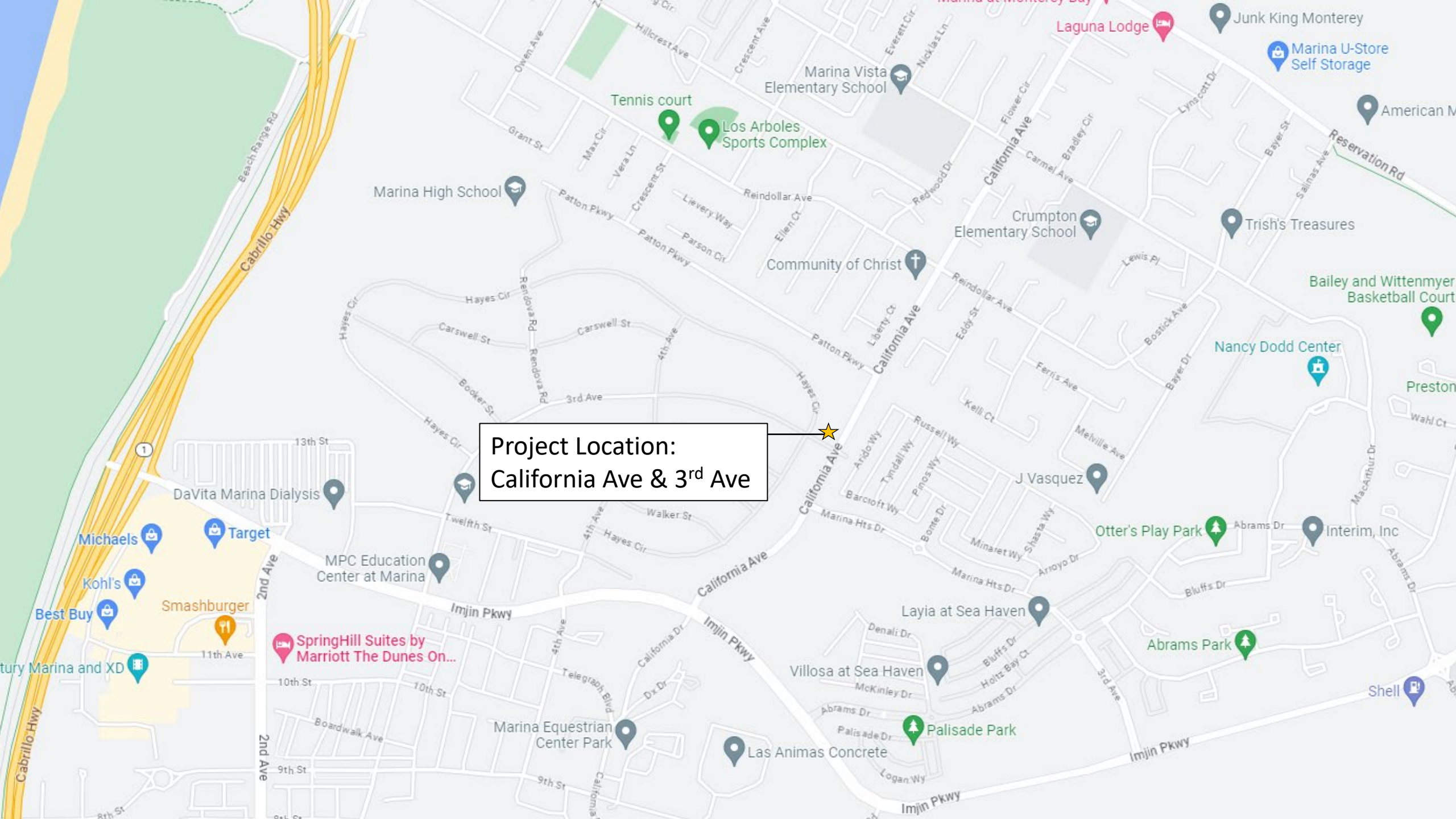


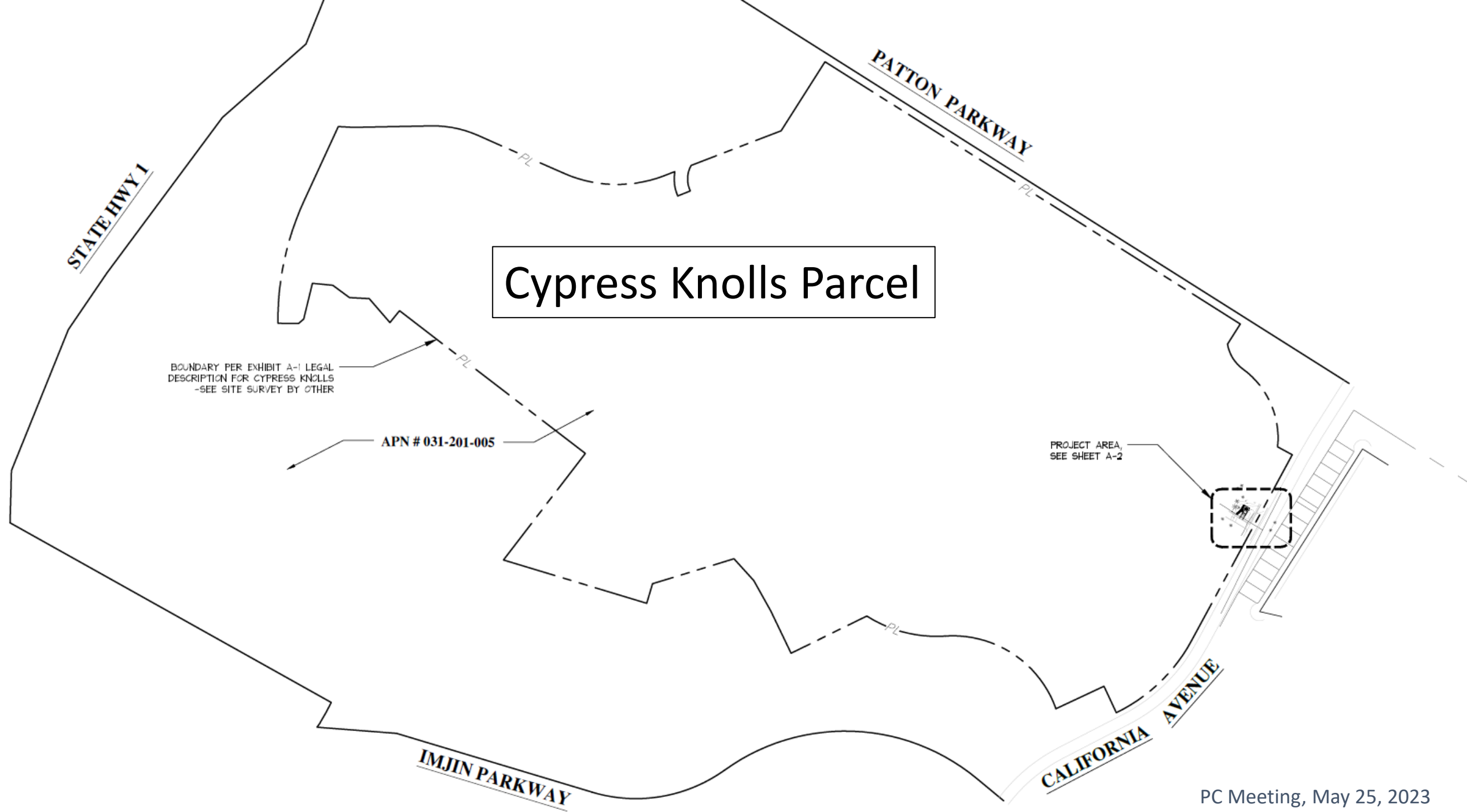


Conditional Use Permit for a Proposed AT&T Wireless Facility

Staff Planner: Nicholas McIlroy



Project Location:
California Ave & 3rd Ave



STATE HWY 1

PATTON PARKWAY

Cypress Knolls Parcel

BOUNDARY PER EXHIBIT A-1 LEGAL
DESCRIPTION FOR CYPRESS KNOLLS
-SEE SITE SURVEY BY OTHER

APN # 031-201-005

PROJECT AREA,
SEE SHEET A-2

IMJIN PARKWAY

CALIFORNIA AVENUE

Conditional Use Permit for a Proposed Wireless Facility at Cypress Knolls (CK)

A new 89' tall "monopine" wireless facility within the CK property located at California Ave. and 3rd Ave. Project includes a 900 sq. ft. lease area with an 8' tall solid wall surrounding to shield ground equipment and utility easements.

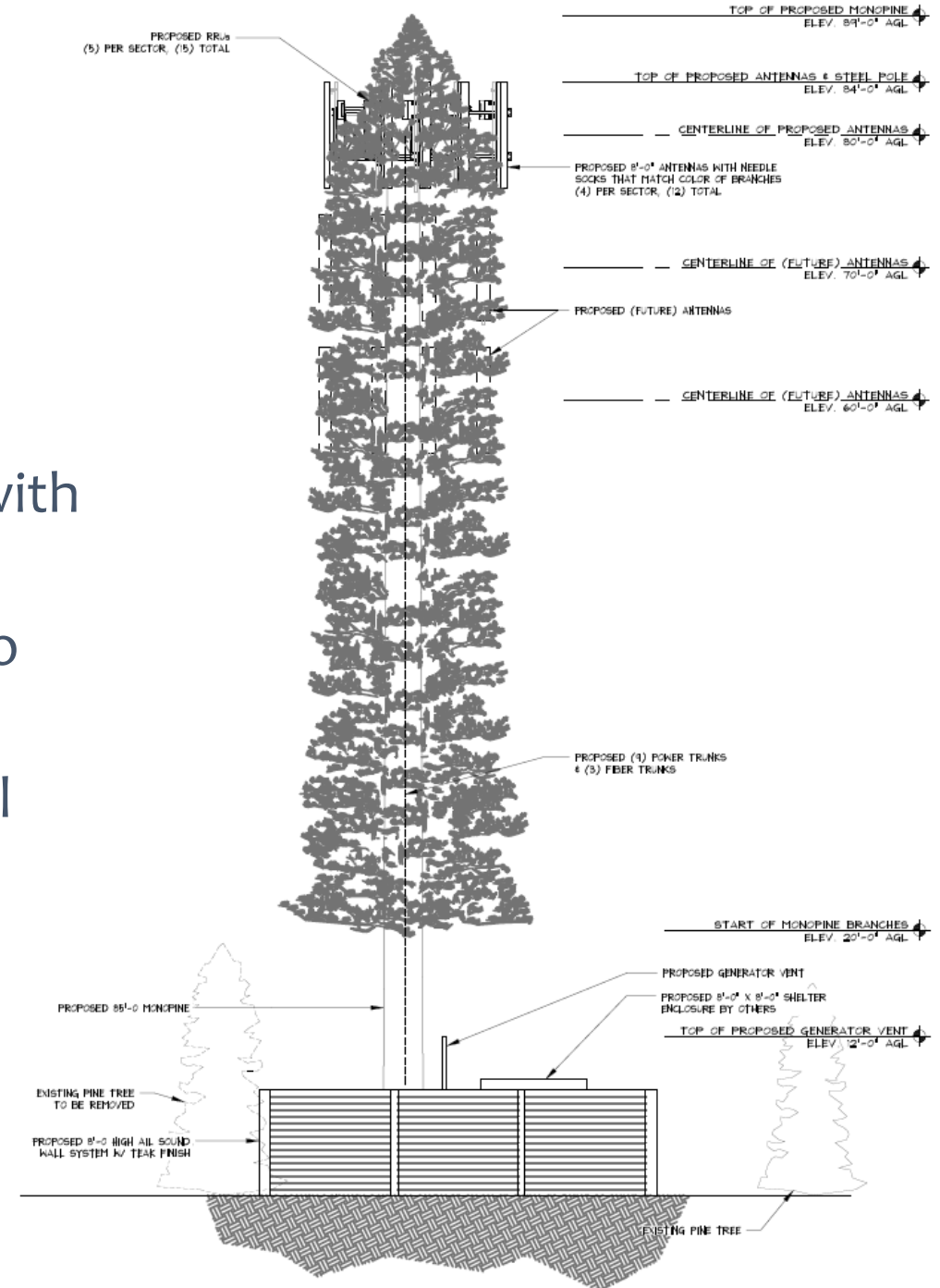
Towers, poles, water tanks, and similar structures may be erected to a greater height than the R-1 District standard of thirty-feet subject to securing a use permit (per MMC 17.42.060(B)).

Height

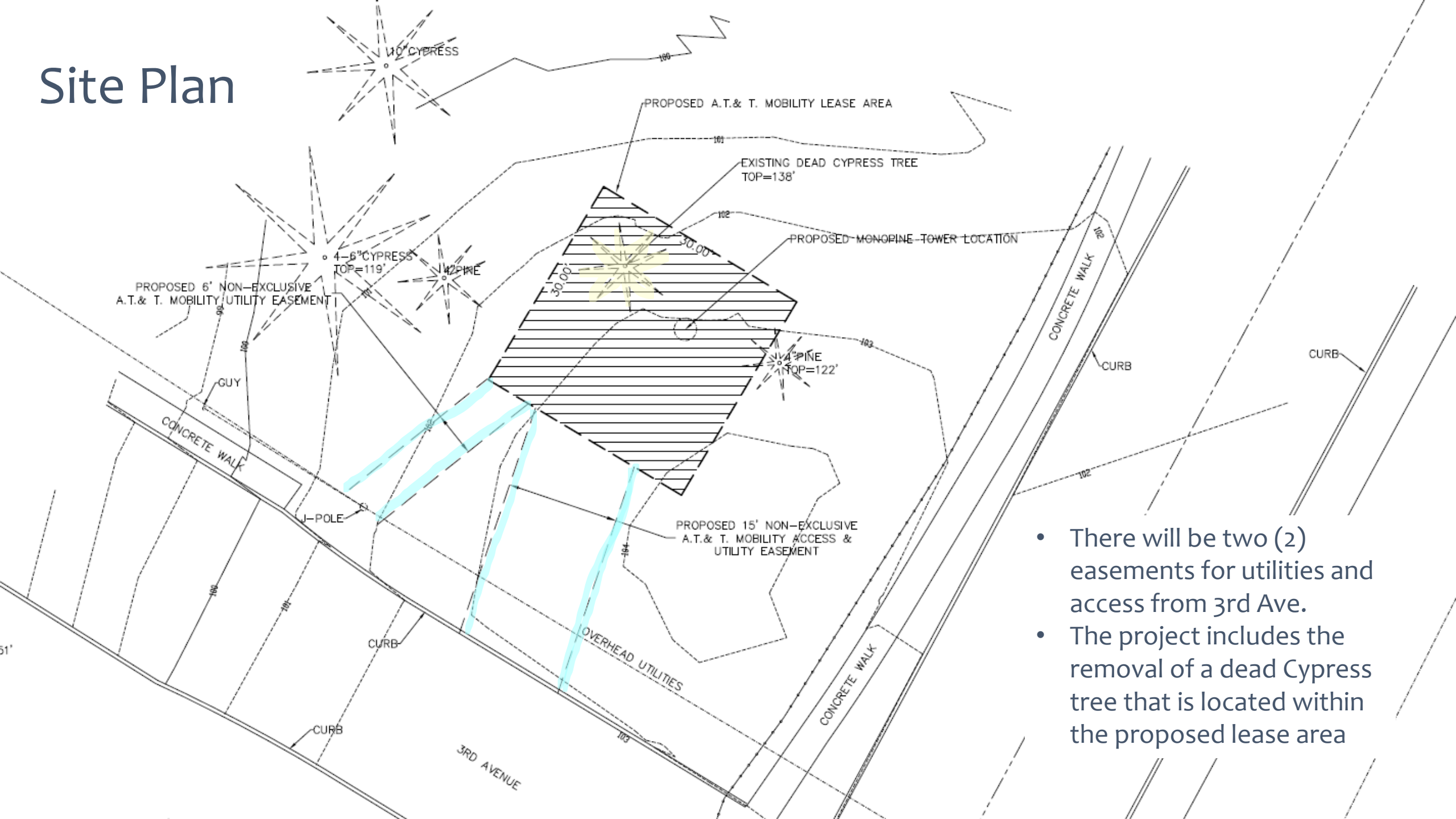
The proposed height of the monopine is 84' with the pine branches on top reaching 89'.

The height of the will accommodate up to two additional wireless carriers.

Reducing the height would result in additional towers from other providers and inadequate coverage.



Site Plan



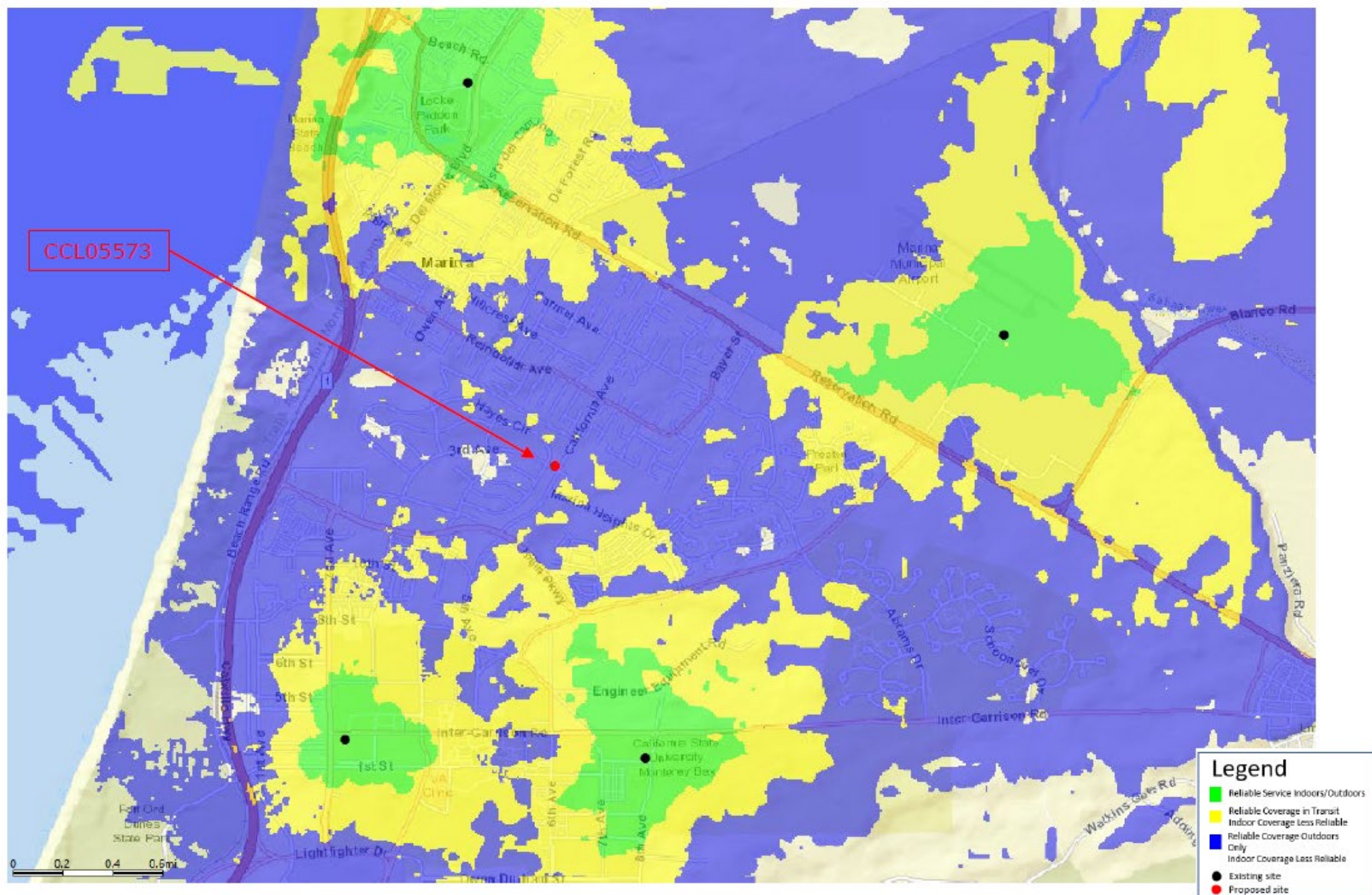
- There will be two (2) easements for utilities and access from 3rd Ave.
- The project includes the removal of a dead Cypress tree that is located within the proposed lease area

Service Coverage & Location

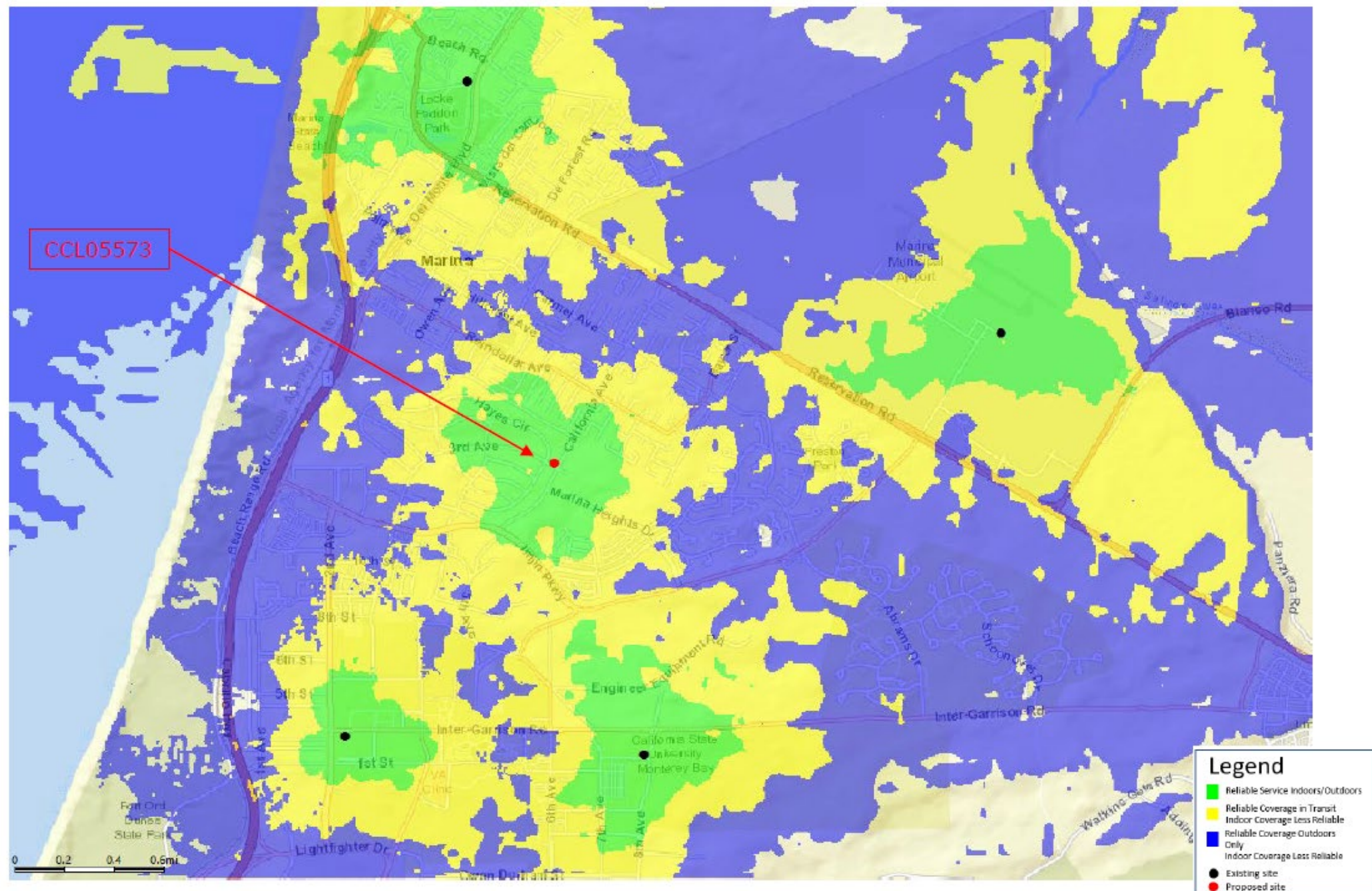
The proposed location on California Ave. is preferred due to:

- Coverage gaps in this area that includes Sea Haven, Central Marina, the Dunes development, and part of the CSUMB campus.
- Access to utilities, and access to a road for maintenance and repairs.
- The site is a natural high spot that maximizes the height of the tower.
- The area West of the site is lower elevation, and further away from areas with poor coverage.
- A wireless facility approximately a half mile to the south of the proposed location that is scheduled to be decommissioned within five years

Existing LTE 700 Coverage



Proposed LTE 700 Coverage 80'



Radio Frequency (RF) Report

A Radio Frequency (RF) report from January 3, 2023, prepared by a qualified individual licensed in the State of California, is part of the application materials. It finds that the proposed wireless facility will not expose members of the General Public to hazardous levels of RF energy at ground level or in adjacent buildings. The application complies with the Federal Communication Commission's regulations on RF exposure.

1996 Telecommunications Act - 47 U.S.C. Section 332(7)(B)

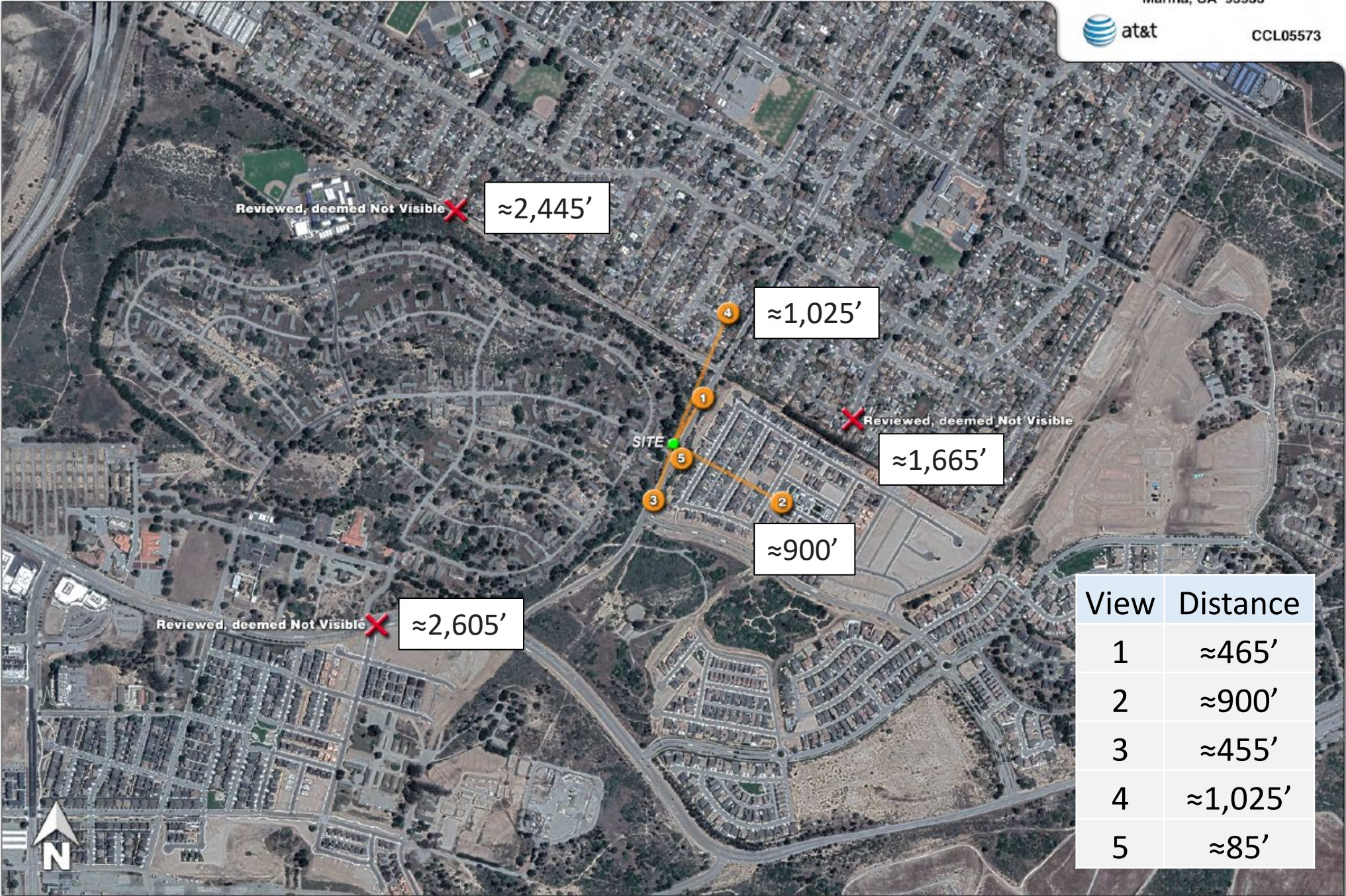
(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

Aerial photograph showing the viewpoints for the photosimulations.

Imjin Pkwy
California Ave & Imjin Pkwy
Marina, CA 93933



CCL05573



View	Distance
1	≈465'
2	≈900'
3	≈455'
4	≈1,025'
5	≈85'

1

Stationary drone for height and placement

Existing

Photosimulation of the view looking southwest along California Ave.

Proposed monopine, 84 ft to top of antennas

Proposed

2



Stationary drone for height and placement

Existing

Photomontage of the view looking west-northwest along Bidwell Way, approaching Pinos Way.

Imjin Pkwy

California Ave & Imjin Pkwy
Marina, CA 93933



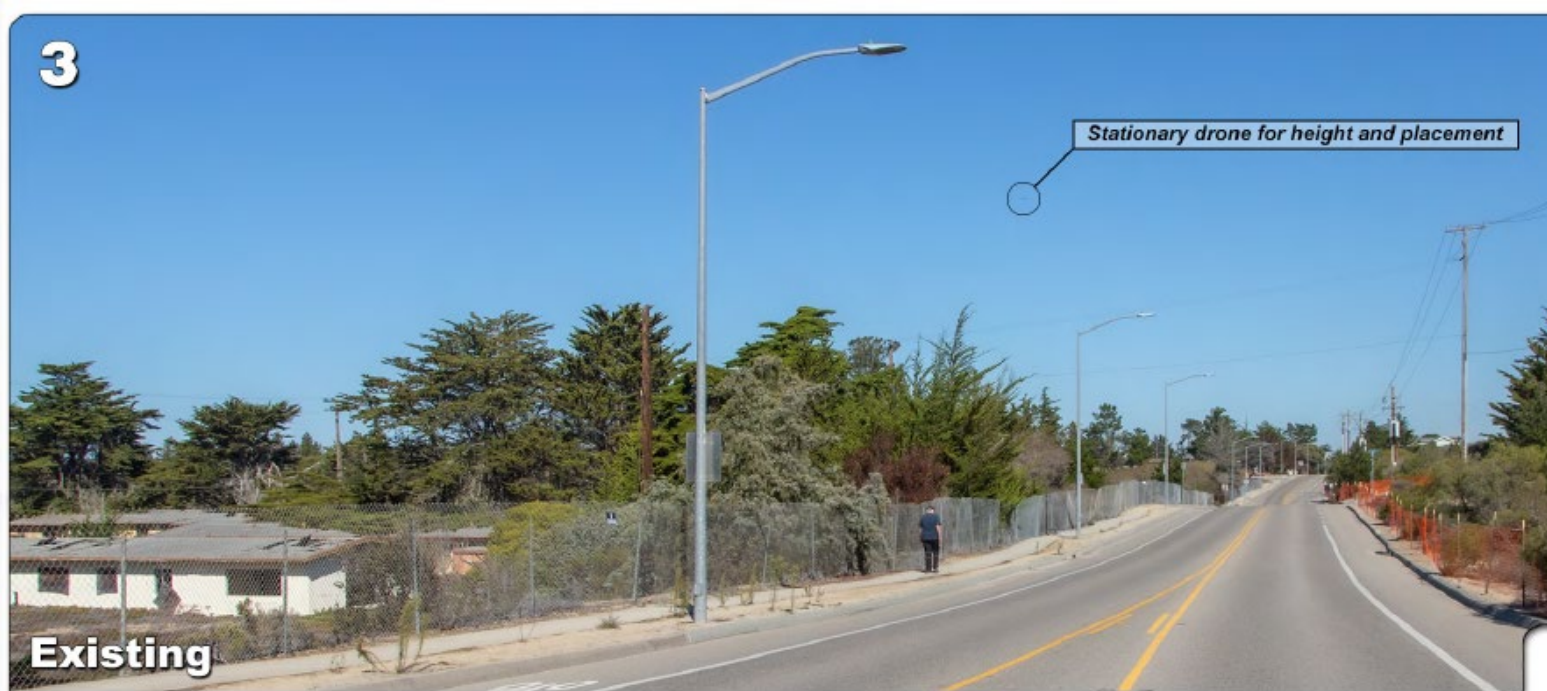
CCL05573



Proposed monopine, 84 ft to top of antennas

Proposed

3



Existing

Photosimulation of the view looking north along California Ave, just north of Marina Heights Drive.



Proposed

Proposed monopine, 84 ft to top of antennas

4



Existing

Photosimulation of the view looking south from Liberty Court.



Proposed

5

Stationary drone for height and placement

Proposed monopine

Existing

Imjin Pkwy

California Ave & Imjin Pkwy
Marina, CA 93933



CCL05573

Proposed

FORTAG Trail



FORTAG alignment and approx. location of wireless lease area

The distance from the FORTAG trail to the proposed wireless facility's fence is approximately 27', and the distance to the base of the monopine is approximately 40' from the trail.

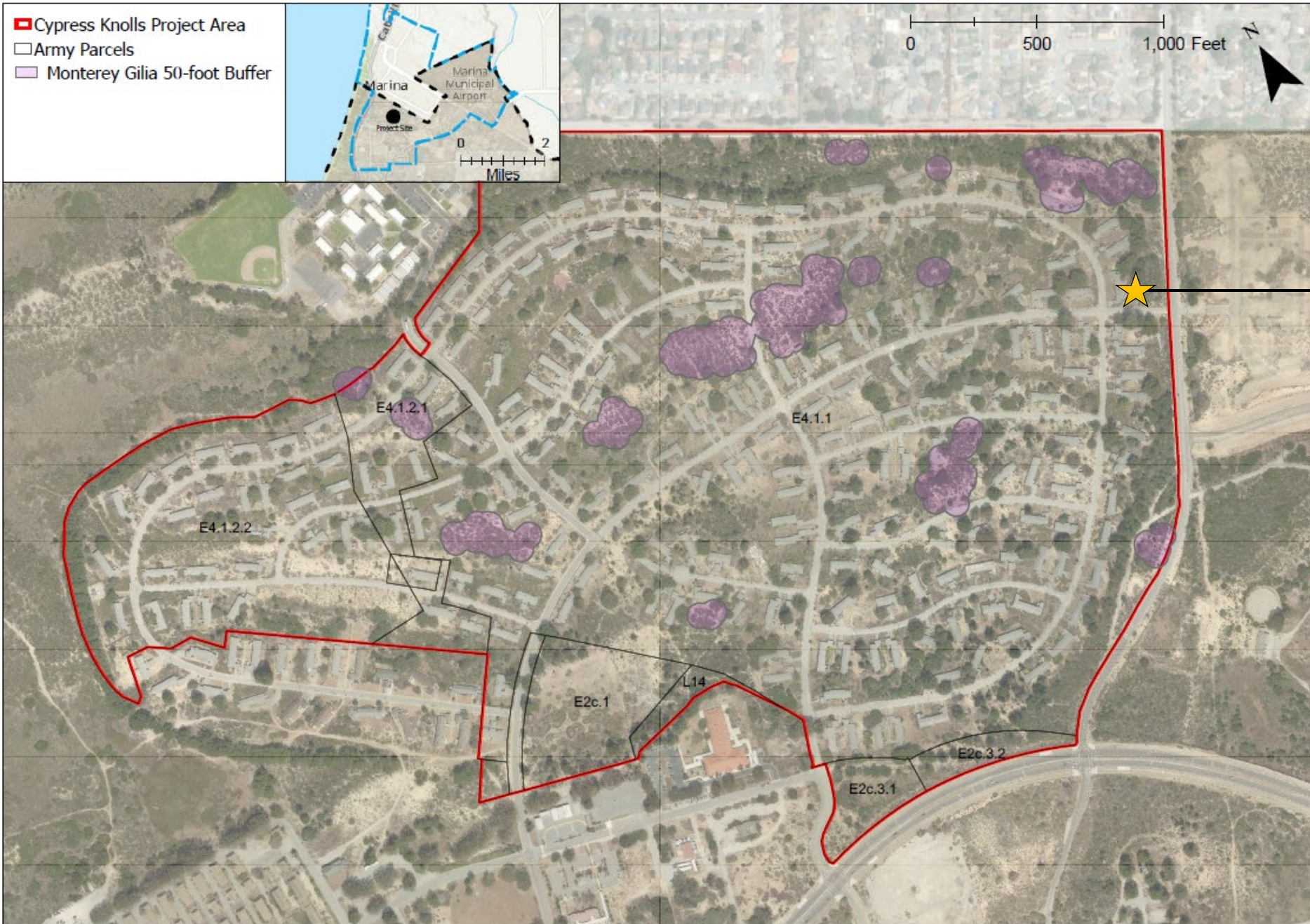
Safety

The proposed wireless facility will increase coverage in this area, which will:

- Improve communication during natural disasters since the facility will have a standby diesel generator installed.
- Improve communication for Police, Fire and public safety personnel.
- Improve communication for residents who rely on cell phones as a means for contacting emergency services and motorists contacting emergency roadside assistance.

Biological Study

On October 12, 2022, Denise Duffy and Associates, Inc. conducted a biological survey of Cypress Knolls and found no Monterey Gilia occurrences at the proposed project site at California Ave. and 3rd Ave. The results of the biological survey are consistent with prior surveys done in this area over the past twenty years.



Project Location

Next Step

If the proposed project is approved by the Planning Commission, then the wireless facility ground lease between the City of Marina and the applicant will go before the City Council for approval.

Environmental Determination

The City of Marina Planning Division determined that this project is exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) under the Class 3, Section 15303 categorical exemption for New Construction and Conversion of Small Structures. Planning reviewed CEQA Guidelines Section 15300.2 – Exceptions to the Categorical Exemptions with responses in the Findings and found that no additional environmental analysis is required for the approval of the project.

Findings

For Conditional Use Permits, the Planning Commission must make specific findings pursuant to Zoning Ordinance Section 17.58 (Use Permits).

1. That the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use.
2. That the establishment, maintenance, or operation of the use or building applied for will not under the circumstance of the particular use be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.
3. The proposal will promote the orderly growth of the community; facilitate the continual upgrading of the community; preserve the natural beauty of Marina while simultaneously protecting the rights of property, and the right of individuals to live, work, and visit a city that is free from the blight.

Recommended Motion

“I move to adopt Resolution 2023- approving the Conditional Use Permit No. CUP22-02 to construct a new eighty-nine foot tall “monopine” wireless facility located in the Cypress Knolls property at California Ave and 3rd Ave (APN 031-201-005) as proposed subject to findings, conditions of approval, and find that the project is exempt under Class 3, Section 15303 of the CEQA Exemptions for New Construction and Conversion of Small Structures.”

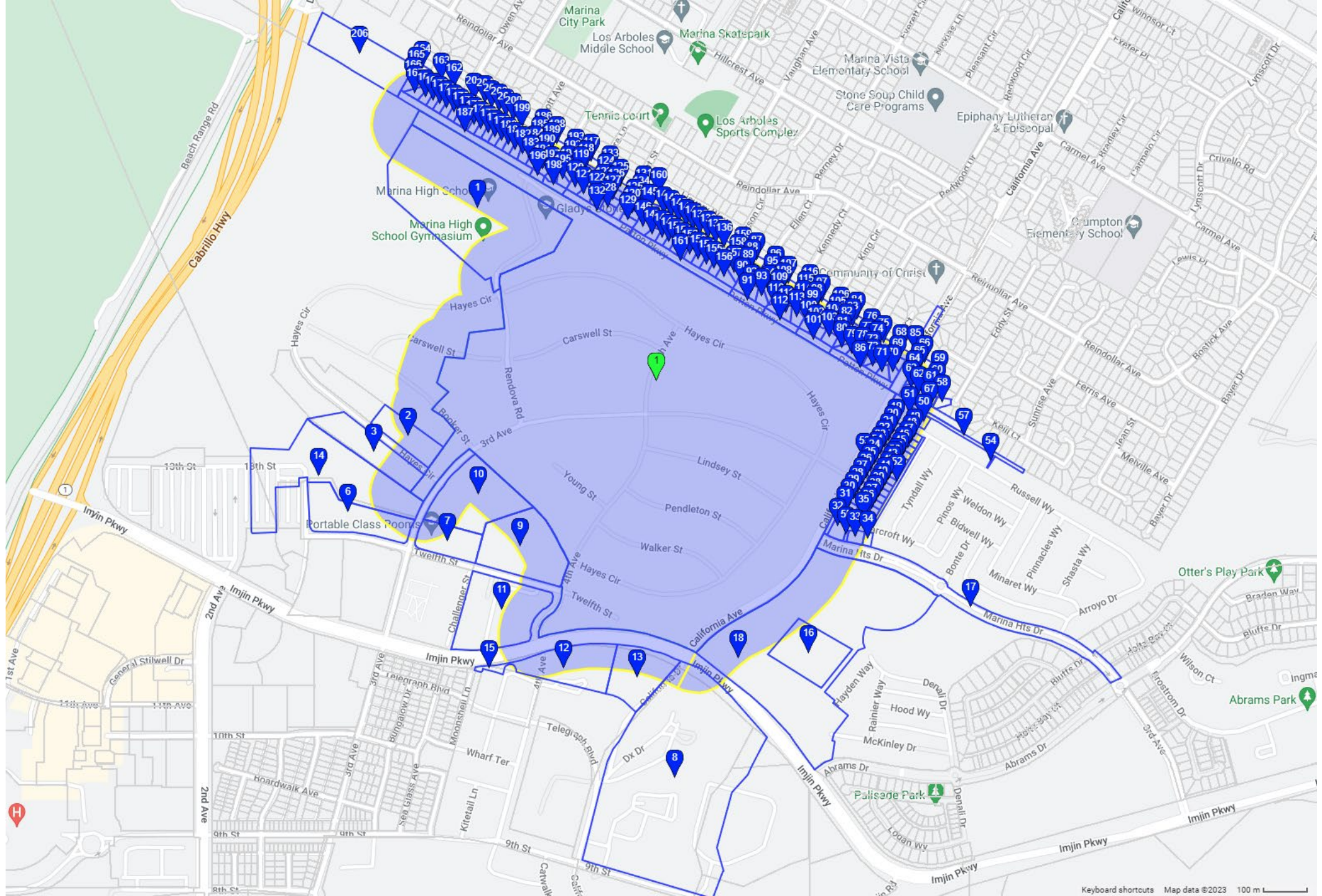


Questions?

FCC for Radio Frequency Safety

FCC Maintains Current RF Safety Rules: On November 27, 2019, the FCC voted to take a number of steps in its ongoing review of various rules pertaining to the implementation of the National Environmental Policy Act (NEPA) requirements related to radiofrequency (RF) emissions from radio transmitters. The FCC's multipronged effort is divided into four parts: *Resolution of Notice of Inquiry* and closure of ET Docket No. 13-84, a *Report and Order* and a *Memorandum Opinion and Order* and closure of ET Docket No. 03-137, a *Notice of Proposed Rulemaking* opening a new docket, ET Docket No. 19-226. **In the *Resolution of Notice of Inquiry* the FCC concludes that the best available scientific evidence, including our consideration of the opinions provided by expert U.S. federal health agencies, supports maintaining the existing RF exposure limits.**

- Source: <https://www.fcc.gov/general/radio-frequency-safety-0>

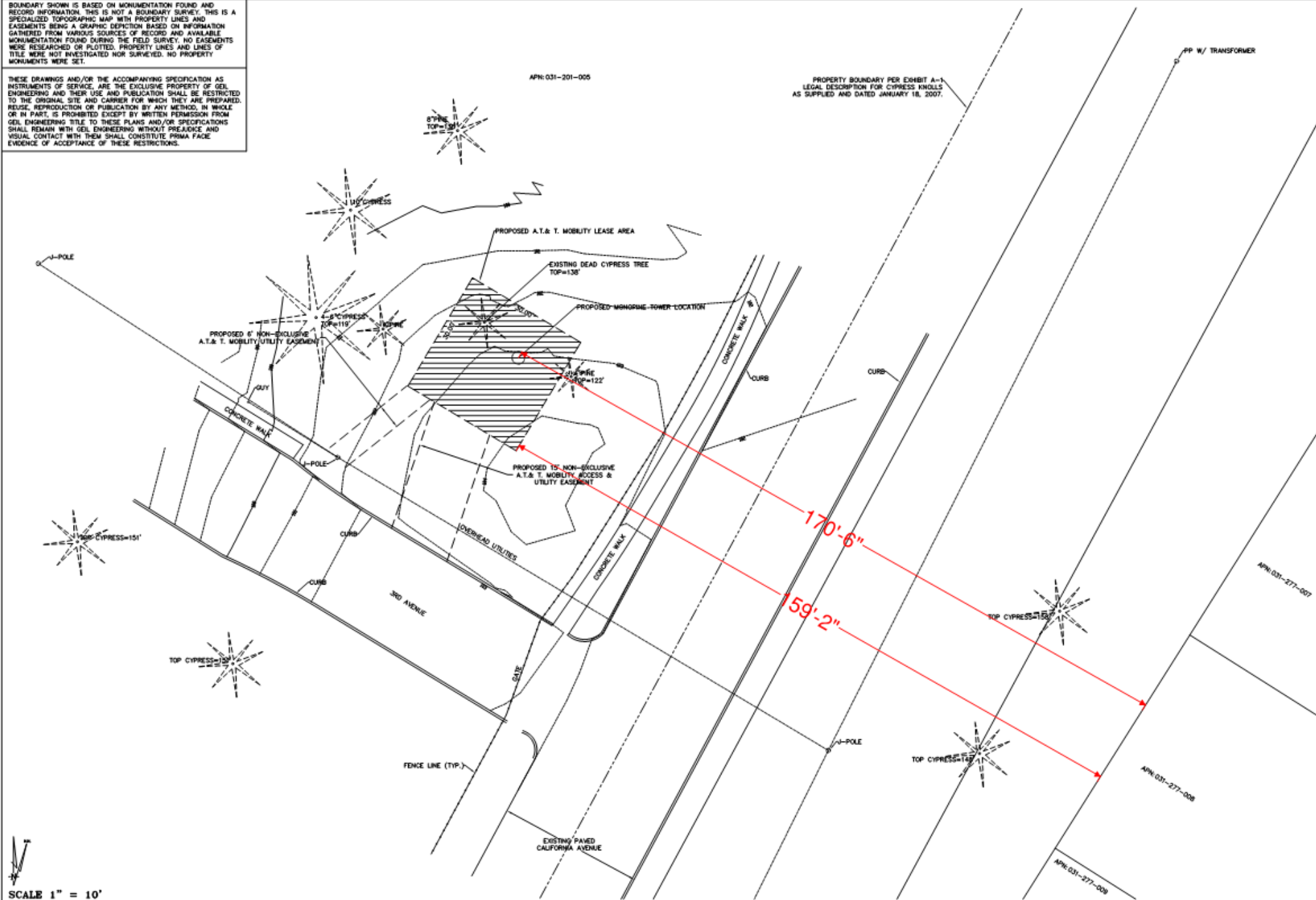


BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. NO EASEMENTS WERE RESEARCHED OR PLOTTED. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED. NO PROPERTY MONUMENTS WERE SET.

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF GEL ENGINEERING AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CARRIER FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEL ENGINEERING. TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEL ENGINEERING WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

APN: 031-201-005

PROPERTY BOUNDARY PER EXHIBIT A-1
LEGAL DESCRIPTION FOR CYPRESS KNOLLS
AS SUPPLIED AND DATED JANUARY 18, 2007.



DEPT	APPROVED	DATE
AAC		
RE		
INT		
CE/M		
OPS		
EE/OUT		

Surveyor
GEL ENGINEERING
10000 15TH AVE
SUITE 200
SAN DIEGO, CA 92131
TEL: 619-594-1200
FAX: 619-594-1201



CCL05573
IMJIM PARKWAY
INTERSECTION OF CALIFORNIA
AVENUE & 3RD AVENUE
MARINA, CA 93833
PLOT PLAN AND
SITE TOPOGRAPHY

Sheet
C-2

LEASE AREA ENLARGEMENT