

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 28, 2010	Time: 1:30 P.M.	Agenda Item No.: 6
Project Description: Coastal Development Permit (per 20.62.030.B) and Design Approval for an existing telecom facility to allow an 8 foot increase in height for an existing panel antenna frame from 15.5 feet to 23.5 feet.		
Project Location: Red Wolf Drive, Point Lobos Ridge		APN: 416-011-007-000
Planning File Number: PLN080442 Related to PC92238, DA020282, and DA070260.		Owner: Big Sur Land Trust Agent: Verizon Wireless
Planning Area: Carmel Area Land Use Plan		Flagged and staked: Yes
Zoning Designation: WSC/80-D (CZ) [Watershed and Scenic Conservation, 80 acres per unit, with a Design Control Overlay (Coastal Zone)]		
CEQA Action: Categorically Exempt per CEQA Guidelines Section 15301(b)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Categorically exempt PLN080442 per CEQA Guidelines Section 15301(b); and
- 2) Approve PLN080442, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**).

PROJECT OVERVIEW:

The applicant proposes an 8 foot height increase to an existing panel antenna frame, from 15.5 feet to 23.5 feet. The Monterey County Zoning Ordinance (Title 20), Section 20.62.030.B, allows increases in tower height with a Coastal Development Permit. The proposed height increase is required to ensure separation between antennas in order to avoid signal interference, and to avoid tree obstruction of signal transmissions.

The existing telecommunications facility was originally approved by Coastal Commission permit number 87-33 and County planning file number PC05990. The County also completed environmental review and adopted a Negative Declaration under PC07182. Verizon Wireless co-located with the existing site under County permit action PC92238/GTE Mobilnet. The County allowed subsequent additions and/or modifications to Verizon Wireless equipment under DA020282 and DA070260.

During review of this application (PLN080442), the County discovered that the lattice tower on site was increased in height without required permits. The tower was originally approved for a height of 20 feet, but was subsequently increased to a current height of 30 feet. The Monterey County Zoning Ordinance (Title 20) prohibits an application from being deemed complete for processing while there is an outstanding violation on the property. Therefore, PLN080442 was deemed incomplete pending action by the site manager to correct the outstanding violation. The site manager submitted an application (PLN090271) to correct the outstanding violation, and PLN090271 is schedule for public hearing before the Zoning Administrator on January 28, 2010.

Visual Resource policies of the Carmel Area Land Use Plan (LUP) are designed to protect the public viewshed, which is defined as areas visible from major public use areas including Highway One and Point Lobos State Reserve (LUP Map A, General Viewshed). The project, as proposed and conditioned, is consistent with policies of the LUP dealing with visual resources and will have no significant impact on the highly sensitive viewshed, and will not result in ridgeline

development. The project site is not visible from common public viewing areas due to distance and existing tree screening.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

RMA - Public Works Department
Environmental Health Division
Water Resources Agency
Carmel Highlands Fire Protection District (FPD)
California Coastal Commission

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by the RMA – Planning Department have been incorporated into the Condition Compliance and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because it involves a Design Approval subject to review by the Zoning Administrator. The Carmel Highlands LUAC unanimously recommended approval at a public meeting held on December 15, 2008.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

Joseph Sidor, Associate Planner
(831) 755-5262, SidorJ@co.monterey.ca.us
December 23, 2009

cc: Front Counter Copy; Zoning Administrator; Carmel Highlands Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Joseph Sidor, Project Planner; Carol Allen, Senior Secretary; Big Sur Land Trust, Owner; Verizon Wireless (Attn: Ryan Johnson), Agent; Planning File PLN080442

Attachments: Exhibit A Project Data Sheet
 Exhibit B Draft Resolution, including:
 1. Conditions of Approval
 2. Site Plan and Elevations
 Exhibit C Vicinity Map
 Exhibit D Advisory Committee Minutes

This report was reviewed by Laura Lawrence, Planning Services Manager.

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

Big Sur Land Trust (PLN080442)

RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

- 1) Categorically exempting PLN090271 per CEQA Guidelines Section 15301(b); and
- 2) Approving a Coastal Development Permit (per 20.62.030.B) and Design Approval for an existing telecom facility to allow an 8 foot increase in height for an existing panel antenna frame from 15.5 feet to 23.5 feet.

(PLN080442, Big Sur Land Trust, Red Wolf Drive, Carmel Area Land Use Plan, APN: 416-011-007-000)

The Big Sur Land Trust (Verizon Wireless) application (PLN080442) came on for public hearing before the Monterey County Zoning Administrator on January 28, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the Monterey County General Plan,
 - Carmel Area Land Use Plan,
 - Carmel Area Coastal Implementation Plan (Part 4),
 - Monterey County Zoning Ordinance (Title 20)No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - b) The property is located on Red Wolf Drive, Point Lobos Ridge (Assessor's Parcel Number 416-011-007-000), Carmel Area Land Use Plan. The parcel is zoned WSC/80-D (CZ) [Watershed and Scenic Conservation, 80 acres per unit, with a Design Control Overlay (Coastal Zone)], which allows additions to existing, approved wireless communications facilities. Therefore, the project is an allowed land use for this site.
 - c) The project planner conducted a site inspection on August 21, 2009, to

verify that the project on the subject parcel conforms to the plans listed above.

- d) Viewshed and Ridgeline Development: See Finding Nos. 7 and 8.
- e) Height: The Monterey County Zoning Ordinance (Title 20), Section 20.62.030.B, allows increases in tower height to a greater height than the limit established for the district in which they are to be located, subject to securing a Coastal Development Permit in each case. The applicant proposes to increase the height by 8 feet, from the previously-approved 15.5 feet to a new height of 23.5 feet. The proposed height increase is required to ensure separation between antennas in order to avoid signal interference, and to avoid tree obstruction of signal transmissions.
- f) The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because it involves a Design Approval subject to review by the Zoning Administrator. The Carmel Highlands LUAC unanimously recommended approval, with conditions, at a public meeting held on December 15, 2008. The LUAC recommended the applicant remove all antennas no longer in use, and remove all trash and unused equipment from the site. Condition Nos. 4 and 6 require the applicant to update and/or remove equipment as technological advances occur or if the site is no longer needed. Based on the project planner's site visit on August 21, 2009, the facility is well-maintained at this time.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080442.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Highlands Fire Protection District, RMA - Public Works Department, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to visual resources. The applicant submitted photographic evidence demonstrating the site is not visible from the Highway 1 scenic corridor, and that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed this evidence and concurs with the conclusions.
 - c) Staff conducted a site inspection on August 21, 2009, to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080042.

3. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** a) The project was reviewed by the RMA - Planning Department, Carmel Highlands Fire Protection District, RMA - Public Works Department, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Preceding findings and supporting evidence for PLN080442.
4. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) There are no known violations on the subject parcel.
- c) Staff conducted a site inspection on August 21, 2009, and researched County records to assess if any violation exists on the subject property.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080042.
5. **FINDING: CEQA (Exempt)**: - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:** a) California Environmental Quality Act (CEQA) Guidelines Section 15301(b) categorically exempts the minor alteration of existing public or private structures and facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
- b) The applicant proposes an increase of frame height to an existing telecommunications facility, within an existing enclosure area. The project will not result in an increase to site coverage. Nor will the project, as proposed, result in any visual impacts. Therefore, the proposed development is consistent with Section 15301(b).
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on August 21, 2009.
- d) Exceptions to exemptions listed in Section 15300.2.a-f are inapplicable. The project does not involve: alterations to a designated historical resource, a hazardous waste site, unusual circumstances that would result in a significant effect, development that would result in a cumulatively significant impact, nor development in a particularly sensitive environment.

- e) See preceding and following findings and supporting evidence.
6. **FINDING: PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.146.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 in the Carmel Area Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080442.
 - e) The project planner conducted a site inspection on August 21, 2009.
7. **FINDING: RIDGELINE DEVELOPMENT** – The subject project, as conditioned by this permit, will not create a substantially adverse visual impact when viewed from a common public viewing area.
- EVIDENCE:**
- a) Pursuant to Section 20.66 of the Monterey County Zoning Ordinance, ridgeline development may be approved if, as conditioned or designed, the project will not create a substantially adverse visual impact when viewed from a common public viewing area.
 - b) There is no alternative location on the subject site which would allow a reasonable development without the potential for ridgeline development.
 - c) The project planner conducted a site inspection on August 21, 2009, to verify that the project on the subject parcel conforms to the ridgeline development requirement to not create a substantially adverse visual impact. The project is not visible from a common public viewing area.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080442.
8. **FINDING: VIEWSHED** – The subject project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
- EVIDENCE:**
- a) The project includes development within a highly sensitive viewshed. In accordance with the applicable policies of the Carmel Area Land Use Plan and the Monterey County Zoning Ordinance (Title 20), the project has been designed and conditioned to minimize potential impacts.
 - b) Visual Resource policies of the Carmel Area Land Use Plan (LUP) are designed to protect the public viewshed, which is defined as areas visible from major public use areas including Highway One and Point Lobos State Reserve (Map A, General Viewshed). Development visible from these areas is regulated to ensure minimum visual impact based on the visual policies. The overriding Key Policy for Visual Resources

(Policy 2.2.2) states that “all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area” and that it “must conform to the basic viewshed policy of minimum visibility.” Specific policies include avoiding ridgeline development, minimizing visibility, using appropriate materials, and landscaping to screen development. The project, as proposed and conditioned, is consistent with policies of the Carmel Area Land Use Plan dealing with visual resources and will have no significant impact on the highly sensitive viewshed.

- c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080442. The potential visual impacts of the new structure height were evaluated based on flagging, site visit, and information submitted by the applicant in a viewshed analysis of the project and project plans.
- d) The project planner conducted a site inspection on August 21, 2009, to verify that the project minimizes development within the viewshed or to identify methods to minimize the development. The project, as proposed, is not visible from a common public viewing area due to distance and existing tree screening.

9. **FINDING: WIRELESS COMMUNICATION FACILITIES** – The development of the proposed wireless communications facility will not significantly affect any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resources. The site is adequate for the proposed development of the wireless communication facility and the applicant has demonstrated that it is the most adequate for the provision of services as required by the Federal Communications Commission. The proposed wireless communication facility complies with all the applicable requirements of Monterey County Code Section 20.64.310. The subject property on which the wireless communication facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other provisions of Title 20 and that all zoning violation abatement costs, if any, have been paid. The proposed telecommunication facility will not create a hazard for aircraft in flight.

- EVIDENCE:**
- a) The project consists of an 8 foot increase in antenna frame height, within an existing enclosure area, at an existing wireless communications facility. As proposed, the project will not result in an increase of site coverage, will not result in visual impacts or ridgeline development, and will not result in impacts to environmentally sensitive resources. See Finding Nos. 5, 7, and 8.
 - b) The proposed height increase is required to ensure separation between antennas in order to avoid signal interference, and to avoid tree obstruction of signal transmissions.
 - c) Conditions have been incorporated that would require modifications in the event of technological advances or abandonment of the site (Condition Nos. 4 and 5).
 - d) The project is consistent with Section 20.64.310.I (Airport Approaches Zoning) and does not require review by the Monterey County Airport Land Use Commission. This project does not affect any aircraft zones

identified and the proposed height is within limitations. The site is approximately seven miles from the Monterey Peninsula Airport, the nearest airport. Therefore, the project does not penetrate a FAR Part 77 Imaginary Surface since it is not located within five (5) miles of an airport (Monterey Peninsula, Salinas Municipal, Mesa Del Rey/King City, Carmel Valley, or Fritzsche Army/Fort Ord).

- e) Staff site visit on August 21, 2009, and project photos in Project File PLN080442.

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Board of Supervisors: Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Coastal Commission: Section 20.86.080.A.3 of the Monterey County Zoning Ordinance (Title 20). The project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted in the underlying zone as a conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically exempt PLN080442 per CEQA Guidelines Section 15301(b); and
- B. Approve a Coastal Development Permit (per 20.62.030.B) and Design Approval for an existing telecom facility to allow an 8 foot increase in height for an existing panel antenna frame from 15.5 feet to 23.5 feet, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 28th day of January, 2010:

MIKE NOVO, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM

MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Big Sur Land Trust
File No: PLN080442 **APNs: 416-011-007-000**
Approved by: Zoning Administrator **Date: January 28, 2010**

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Coastal Development Permit and Design Approval (PLN080442) for an existing telecom facility allows an 8 foot increase in height for an existing panel antenna frame from 15.5 feet to 23.5 feet. The property is located on Red Wolf Drive, Point Lobos Ridge (Assessor’s Parcel Number 416-011-007-000), Carmel Area Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	<p>Owner / Applicant</p> <p>RMA - Planning</p> <p>WRA RMA - Planning</p>	Ongoing unless otherwise stated.	
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p>	<p>Owner / Applicant</p>	<p>Prior to the issuance of grading</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		Administrator for Assessor's Parcel Number 416-011-007-000 on January 28, 2010. The permit was granted subject to seven (7) conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	RMA-Planning	and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on January 28, 2013, unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner / Applicant	As stated in the conditions of approval.	
4.		PD039(B) – WIRELESS COMMUNICATION FACILITIES The applicant shall agree in writing that if future technological advances allow for reducing the visual impacts of the telecommunication facility, the applicant shall make modifications to the facility accordingly to reduce the visual impact as part of the facility's normal replacement schedule. (RMA – Planning Department)	Submit, in writing, a declaration agreeing to comply with the terms of this condition the RMA - Planning Department for review and approval.	Owner / Applicant	Prior to the issuance of grading or building permits.	
5.		PD039(D) – WIRELESS COMMUNICATION FACILITIES (NON-STANDARD) If the applicant abandons the facility or terminates the use, the applicant shall remove the antenna frame tower, panel antennas, and equipment shelter. (RMA – Planning Department)	If the applicant abandons the facility or terminates the use, the applicant shall remove the tower, monopole, panel antennas, and equipment shelter.	Owner / Applicant	Ongoing	
6.		PD039(E) – WIRELESS COMMUNICATION FACILITIES The facility must comply with Federal Communications Commission (FCC) emission standards. If the facility is in violation of FCC emission standards, the Director of the RMA – Planning Department shall set a public	Submit documentation demonstrating compliance with the FCC emission standards.	Owner / Applicant	Prior to the commencement of use / Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		hearing before the Appropriate Authority whereupon the Appropriate Authority may, upon a finding based on substantial evidence that the facility is in violation of the then existing FCC emission standards, revoke the permit or modify the conditions of the permit. (RMA – Planning Department)	If the facility is in violation of FCC emission standards, a public hearing shall be set before the Appropriate Authority to consider revocation or modification of the permit.	Director of the RMA – Planning Department	Ongoing	
7.		PD041 – HEIGHT VERIFICATION (NON-STANDARD) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of the structure(s) is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of the structure(s) is consistent with what was approved on the building permit.	Owner / Applicant / Engineer	Prior to final inspection.	

END OF CONDITIONS