BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
OLIVIER ADLER, Appellant(s)

vs.

SAN FRANCISCO PUBLIC WORKS
BUREAU OF STREET USE & MAPPING, Respondent

Appeal No. **26-027**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on May 7, 2026, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on April 23, 2026 to NextEdge Networks Holdings LLC, of a Wireless Box Permit (installation of Personal Wireless Service Facility) at 1627 37th Avenue.

APPLICATION NO. 25WR-00029

FOR HEARING ON July 15, 2026

Address of Appellant(s):	Address of Other Parties:
Olivier Adler, Appellant(s) c/o Stephen Williams, Attorney for Appellant(s) Law Office of Stephen M. Williams 1934 Divisadero Street San Francisco, CA 94115	NextEdge Networks Holdings LLC, Permit Holder(s) c/o Rita Diamond, Agent for Permit Holder(s) 240 Stockton Street San Francisco, CA 94108

Date Filed: May 7, 2026

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT FOR APPEAL NO. 26-027

I / We, **Olivier Adler**, hereby appeal the following departmental action: **ISSUANCE** of **Wireless Box Permit No. 25WR-00029** by the **San Francisco Public Works, Bureau of Street Use & Mapping** which was issued or became effective on: **April 23, 2026**, to: **NextEdge Networks Holdings LLC,** for the property located at: **1627 37th Avenue**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **May 21, 2026**, **(no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org, rita.diamond@nextedgenetworks.com Scott.anderson@sfdpw.org

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **June 4, 2026**, **(no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be doubled-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, corey.teague@sfgov.org, andrew.perry@sfgov.org, smw@stevewilliamslaw.com Scott.anderson@sfdpw.org

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, June 10, 2026, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place.** The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Stephen Williams attorney for appellant

SMW | LAW OFFICES OF
STEPHEN M. WILLIAMS

1934 Divisadero Street | San Francisco, CA 94115 | TEL: 415.292.3656 | FAX: 415.776.8047 | smw@stevewilliamslaw.com

May 7, 2026

PRELIMINARY STATEMENT OF APPEAL

Project Location:	1627 37th Avenue
Appellant:	Olivier Adler
Permits No.	25WR-00029 Wireless Box Permit
Project Sponsor:	AT&T / Pacific Bell Telephone Company and NextEdge Networks Holdings LLC

The proposed project is the installation of a new wireless communication site on the top of a wooden pole in the public right of way, but directly in front of the Appellant's home at 1627 37th Avenue. The project site fronts 37th Avenue and is adjacent and perpendicular to Sunset Boulevard between Lawton and Moraga Streets in the Sunset neighborhood. The project was in the planning and approval stages for many years, but the neighbors were not given any notice until the site and project were already approved by City Departments. The applicant gave no notice and held no public meetings. DPW and the Planning Dept also gave no notice and did not meet with local residents, business owners, or neighborhood groups registered with the Planning Department. The wooden pole at the site was suddenly changed from the existing 30' foot pole to the new 44.5' foot pole with no notice from the sponsors, DPW or any other agency. The permit was issued in error and in direct violation of the Planning Department Requirements and the DPW requirements for the use of wooden utility poles for such installations. The site is "disfavored" and DPW did not require the applicant to explore all other sites and options as required by DPW rules. The applicant was not required to explain to DPW (and the public) the reasons for allowing a disfavored site and the least desirable of all designs. There is nothing in the files or records to justify this installation as required.

Respectfully Submitted: Stephen M. Williams on behalf of Appellant Olivier Adler

City and County of San Francisco
San Francisco Public Works - Bureau of Street Use and Mapping
49 South Van Ness Ave, Suite 300 - San Francisco, CA 94103
sfpublicworks.org - tel (628) 271-2000

25WR-00029

Wireless Box Permit

Address : 1627 37TH AVE **Cost: $3,955.00** **Block:1906 Lot: 003 Zip: 94122**

NextEdge Networks Holdings LLC

Name: NextEdge Networks Holdings LLC

MANDATORY COORDINATION WITH CONFLICTING PERMITS IS REQUIRED. PERMIT HOLDER SHALL NOT COMMENCE WORK WITHOUT FIRST PROPERLY COORDINATING WITH EXISTING PERMIT HOLDERS AS NOTED ON THE EXCEPTION PAGE(S) OF THIS PERMIT. IF THIS PERMIT CONFLICTS WITH A CITY PROJECT OR OTHER APPROVED PERMIT, THE PERMIT HOLDER OF THIS PERMIT SHALL BE RESPONSIBLE FOR THE PROPER COORDINATION AND EVALUATION OF THE SITE PRIOR TO COMMENCING WORK.

Conditions	1. This recommendation is based on no variation from the depicted drawings and/or photo simulation; if a variation is different a re-submittal is required. Should the installation vary from said conditions, it should be resubmitted to Department(s) for further review and comment. 2. New Poles: no new poles shall be erected or placed in underground districts. 3. Down Guys: Follow all excavation codes to obtain the necessary permits for placement of down guys. Down guy shall avoid crossing conflicting areas but not limited to driveways, curb ramps. 4. Comply with ADA code requirements for Federal, State, local laws. Make sure path of minimum required clear width for accessible path of travel is four feet. 5. At the conclusion of the work, provide a set of as built photos of the installation to the Bureau Street Use & Mapping Permit Office. 6. Maintain a valid certification of insurance annually and forward a copy to the Bureau Street Use & Mapping Permit Office.
Contact247	Refer to Agent
Permit Comments	
Service Address	
Wireless Machine Type	
Wireless Tier	TierB
Permit Pole Location	
Permit Wireless Antenna	1

Permit Wireless AntMakeModel	GAMMANU-DOY9X360F16T0
Permit Planning Location	
Permit Tier Comments	
Permit Wireless DPH	Applicant is using equipment for the first time. Attached is an original verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the proposed Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the proposed Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade.
Permit Planning Approval	The proposed Personal Wireless Service Facility is in Zoning Protected Location.
Permit Utility Conditions	Applicant has a valid Utility Conditions Permit
Permit Tier3 Std	
Permit Tier3 Std1	
Permit Tier3 Std2	
Permit Wireless Documents	
Permit_Auto_StartDate_Ind	Y

The undersigned Permittee hereby agrees to comply with all requirements and conditions noted on this permit

Approved Date : 04/23/2026

Applicant/Permitee Date

Printed : 4/23/2026 1:24:51 PM Plan Checker Emily Khin

Special Conditions

25WR-00029

Conditions

1. Ensure that any equipment associated with the pole installation of this antenna does not produce a noise in excess of 45 dBA as measured at three (3) feet from the nearest residential building façade.
2. Ensure that there are no publicly occupied areas within twenty-two (22) feet from the face of the antenna.
3. Once the antenna is installed, AT&T must take RF power density measurements with the
4. antenna operating at full power to verify the level reported in the Hammett and Edison report and to ensure that the FCC public exposure level is not exceeded in any publicly accessible area. This measurement must be taken again at the time of the permit renewal.
5. AT&T should be aware that the general public may have concerns about the antenna and potential RF source near their dwellings. AT&T should have in place a procedure for taking RF power density levels in nearby dwellings when requested by the members of the general public.
6. In accordance with the San Francisco Public Works Code, Art. 25, Sec. 1527 (a)(2)(C) AT&T is responsible for paying a fee of $286.00 to the San Francisco Department of Public Health for this review.

1.Plant and maintain an appropriate street tree.
2. Antenna, and all equipment (external conduit, radio relay units, blinders used to shroud bracket bolts [if needed], and mounting mechanisms); except signage, if used for screening, shall all be painted to match the pole and repainted as needed.
3. Remove raised equipment signage (including filling in manufacturer logo indentations on radio relay units/cabinets) and equipment decals that may be visible from sidewalk and dwellings, unless required by government regulation.
4. Utilize smallest RF warning signage allowed (4 x 6 inches); and place the warning sticker facing out toward street, at a location as close to antenna as is feasible. Sticker shall face away from street, when not facing a nearby window within 15 feet. Background color of sticker shall match the pole-mounting surface; and logo and text shall be white.
5. Stack equipment enclosures (not including antenna) as close as allowed by applicable regulation and manufacturer equipment standards.
6. Seams and bolts/screws at antenna and shroud assembly area shall be fabricated and installed in a manner so as to reduce their visibility (e.g. flush mounting screws) from sidewalk level.
7. Not utilize any visible flashing indicator lights or similar.
8. New below ground enclosure excavations (vault), if utilized, shall not damage or remove granite curbs. No significant gaps shall be created between vault enclosure lid and primary sidewalk material due to installation. Any other existing historic architectural elements within the public right-of-way shall be retained and protected during installation. No carrier logo or carrier name may be placed on the vault lid.
9. Non-essential radio relay unit elements (handle and legs) shall be removed.
10. The installer shall arrange to have Planning Department staff review the initial installation, in order to ensure compliance with the aforementioned conditions (notwithstanding inspections by pole owner and Department of Public Works).
11. Ensure Wi-Fi Access Points and associated wiring, utilized by the City's Department of Technology, are not damaged during installation (if present).
12. Should the installation vary from said conditions, the application shall be resubmitted to the Planning Department for further review and comment.

Permit Addresses

25WR-00029

*RW = RockWheel, SMC = Surface Mounted Cabinets, S/W = Sidewalk Work, DB = Directional Boring,
BP= Reinforced Concrete Bus Pad, UB = Reinforced Concrete for Utility Pull Boxes and Curb Ramps
Green background: Staging Only

Number of blocks: 1 Total repair size:0 sqft Total Streetspace:0 Total Sidewalk: sqft

ID	Street Name	From St	To St	Sides	*Other	Asphalt	Concrete	Street Space Feet	Sidewalk Feet
1	37TH AVE	LAWTON ST	MORAGA ST	West	RW : False SMC : False S/W Only : False DB: False BP: False UB: False	0	0	0	
	Total					**0**	**0**	**0**	

Exceptions - Coordination

It is mandatory that you coordinate your permit with the following jobs listed. You will be required to call each contact listed and create a note including the date contact was made, agreed coordination, name of contact, or date message(s) left if unable to reach a contact.

Street Use Conflicts:

Job #	Activity	Contact	
26EXC-00239	**Ronan Construction Inc. - Conflict with existing excavation permit. It is mandatory that you coordinate all work for joint paving.**	**415-779-5262 - 415-779-5262**	☐
Your Notes:			
Streets:	37TH AVE / LAWTON ST - MORAGA ST -		
26EXC-01930	**Pacific Bell Telephone Company - Conflict with existing excavation permit. It is mandatory that you coordinate all work for joint paving.**	**415-570-0767 - 415-570-0767**	☐
Your Notes:			
Streets:	37TH AVE / LAWTON ST - MORAGA ST -		

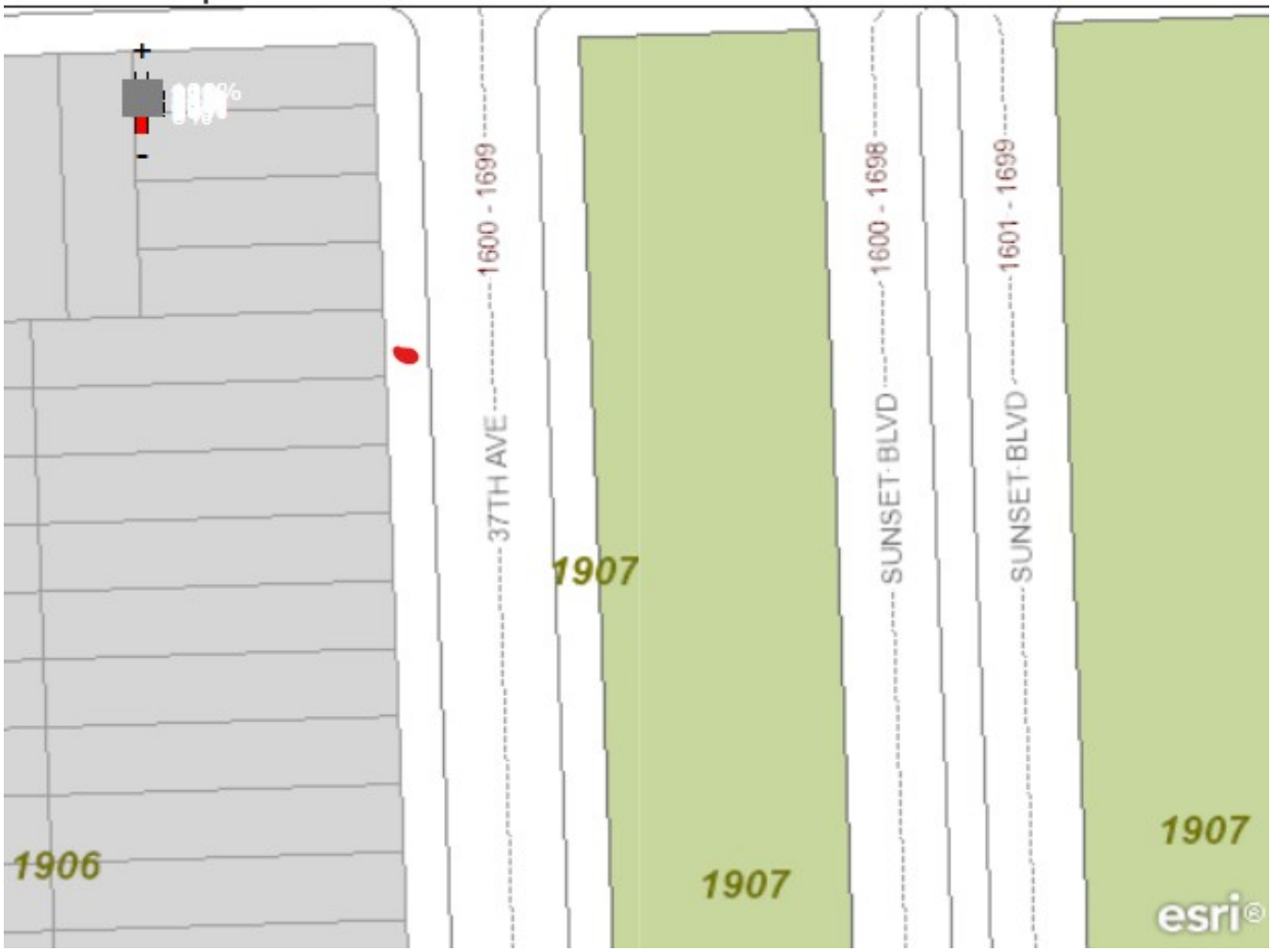
Permit Conflicts:

permit	Dates	Agency	Contact	
26EXC-01930	05/18/2026 - 06/13/2026	Pacific Bell Telephone Company	Mike Favila (209-595-6470) email:Byers-SF-Permits@BYERS.COM	
A05E3NA				
Your Notes:				
Streets:	37TH AVE: LAWTON ST to MORAGA ST (1600 - 1699),37TH AVE: LAWTON ST to MORAGA ST (1600 - 1699)			

Exceptions

25WR-00029

Street Name	From St	To St	Message	Job	Contact	Dates
37TH AVE						
	LAWTON ST	MORAGA ST -	Conflict with existing Street Use Permit.	12BW-0030	Refer to Agent - Refer to Agent	
	LAWTON ST	MORAGA ST -	Conflict with existing Street Use Permit.	14ECN-0197	Judy Jones 415-244-9799 - Judy Jones 415-244-9799	Feb 10 2014-


1600 - 1699
37TH AVE
1907
1600 - 1698
SUNSET BLVD
1601 - 1699
SUNSET BLVD
1907
1906
1907
esri

BRIEF SUBMITTED BY THE APPELLANT(S)

San Francisco Board of Appeals
Appeal No.26-027

Olivier Adler,
Appellant,
v.
San Francisco Dept. of Public Works,
Respondent.

Permit Holder,
NextEdge Networks Holdings, LLC. /AT&T/ Pacific Bell Tele. Co.

Appellant's Brief

BPA No. 26-027 **1627-37th Ave**

Date: Wednesday, July 15, 2026
Time: 5:00 PM
Location: City Hall, Room 416
#1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Stephen M. Williams SBN: 122103
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San Francisco, CA 94115
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Attorney for Appellant Olivier Adler

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EXECUTIVE SUMMARY

This appeal is not about whether wireless service should be provided in San Francisco. It is about whether the City and the Applicant followed the procedures and standards that Article 25 and the Department's own Objective Standards require before approving a wireless facility in a protected residential location. They did not. The record shows that the project was reviewed under the wrong standard, classified under the wrong tier, approved as a disfavored design without the required feasibility showing, and advanced to construction before affected residents received meaningful notice or an opportunity to participate.

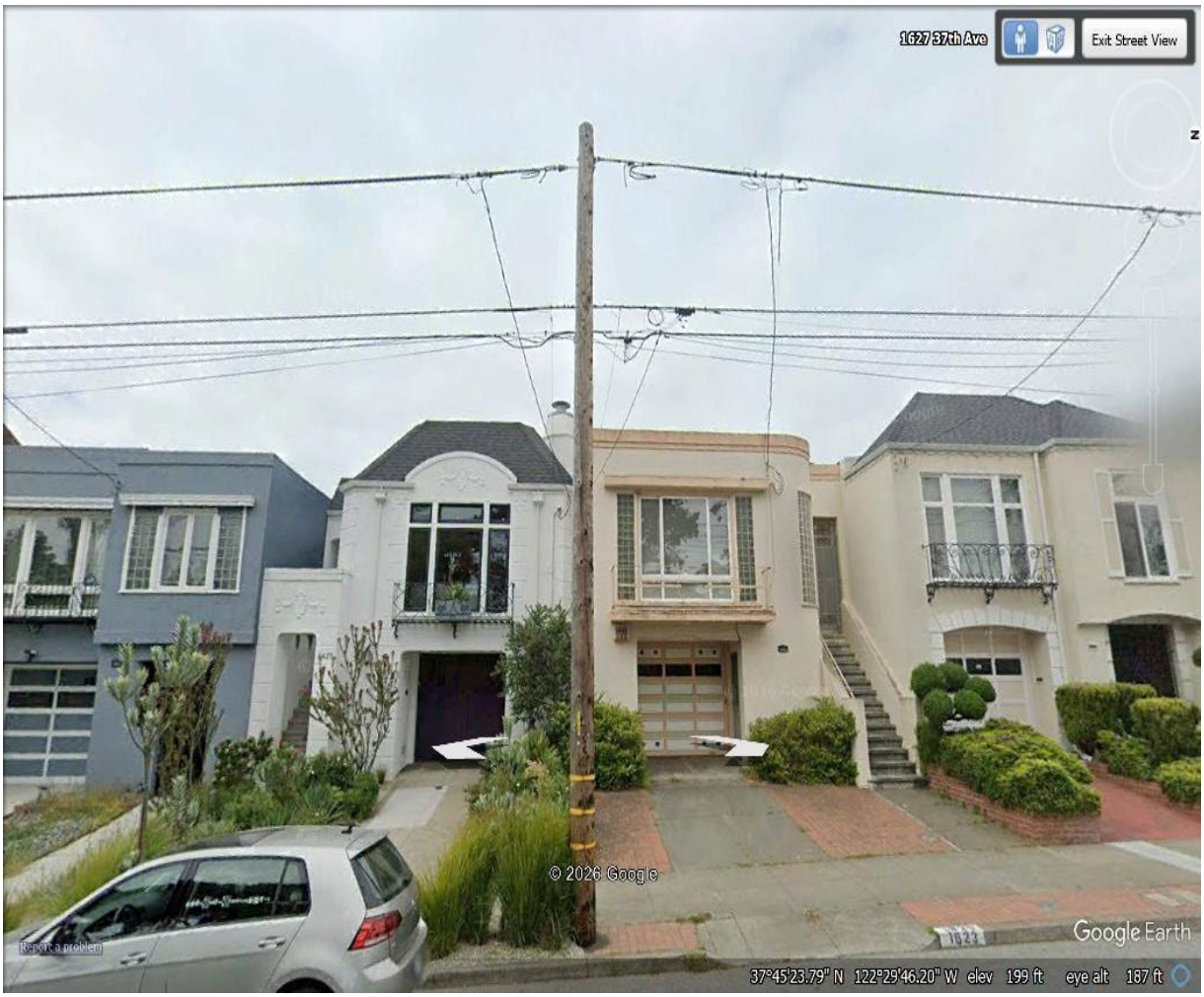
1. The Departments applied the wrong legal standard by reviewing the site as Tier B and using DPW Order No. 201970, instead of applying the currently operative Objective Standards in DPW Order No. 206502.
2. The site was misclassified. Because the proposed facility is adjacent to the Sunset Boulevard open space and green belt, it should have been reviewed as a Park Protected Location and Tier C facility.
3. The approved design is a "Disfavored Design." The replacement pole exceeds the height of the prior pole by more than ten feet, yet the record contains no evidence that the Applicant showed this was the only feasible design.
4. The Applicant and Departments failed to follow the Design Preference Ladder or provide the required explanation for moving down each rung before selecting the least preferred design.
5. Construction began and the taller pole was erected before meaningful public notice or community outreach occurred, depriving affected residents of the collaborative process described in the City's own materials.
6. These errors are material. The appeal should be granted, and the permit should be vacated or remanded for review under the correct standards.

Appellant respectfully requests that the Board grant the appeal and vacate the permit, or at minimum remand the matter to the Departments for review under the correct tier classification, the applicable Objective Standards, and the Design Preference Ladder.

I. INTRODUCTION AND FACTUAL BACKGROUND

This office represents the Appellant in this case, Olivier Adler (hereinafter "Appellant" or "Mr. Adler"). Mr. Adler and his wife are the owners of the subject property located at 1627 37th Avenue, in the Outer Sunset Neighborhood. They have lived in their home since 2020 with their two small children. The site is adjacent to and on the west side of Sunset Boulevard between Lawton and Moraga Streets. The photo below is the view looking west from 37th Avenue directly towards Appellant's home and shows the original wooden utility pole at the site. ("old pole").

On March 11, 2026, the old pole was replaced without prior notice to Appellant or his neighbors with a new pole more than fourteen feet (14') taller than what is shown below. The new pole is for a new wireless antenna facility on the top of the pole.



A. The Project Started and a New Utility Pole Was Erected Without Notice

As the new pole was installed, Appellant went out and spoke with the construction crew to try and find out what was happening in front of his house and why a new, much larger pole was being installed. He was informed by the crew that a new wireless facility was being built in front of his home, and the new pole was needed to hold it. Appellant was shocked. No one in the neighborhood knew a new wireless facility was proposed or that installation was beginning that day. The new pole (shown below) is substantially taller by fourteen and one-half feet (14.5'). than the old pole.



The construction crew could not provide information about the approval of the project or provide contact information for the person or organization which had authorized and approved the work for the placement of a new wireless facility. A quick check of the Planning Department website revealed that an initial application for the project had been made a year earlier on March 26, 2025.

(Project Application attached as Exhibit 1). Research has shown that the process for this site actually started more than eight years ago when PG&E notified the Planning Department that AT&T entered into agreements to mount equipment and antennas on this utility pole (and other sites) on March 14, 2018. (PG&E letter to Planning attached as Exhibit 2).

After finding that the project had been filed a year earlier, Appellant contacted the Planning Department to inquire about the project and whether he and his neighbors should have been given notice a year earlier. He believed preapplication outreach is normal for most projects where a vertical addition of greater than seven feet is proposed. The Planners on the project stated that the Planning Department acts only as a referral agency for such projects and that the Department requires such projects to submit a project application to Planning "only as a means of record keeping." The planners on the case told Appellant that any questions about the project should be referred to the Department of Public Works.

B. The Departments Did Not Conduct or Require AT&T to do Any Public Outreach Before or After the Application for the Project

The Appellant then contacted the Department of Public Works ("DPW") to ask about the new pole that was suddenly erected in front of his house without notice to him and his neighbors. He inquired about any restrictions on the height of the pole and the requirements for public outreach for such projects *before* the projects are approved for construction, as this one apparently had already been approved and construction was underway. The Public Works representative did not respond to the inquiry at all for two weeks. After a second inquiry was made, the Public Works representative did not answer any questions about notice or outreach to the public prior to a project starting. Instead, the DPW representative stated only that PG&E owned the pole and that the work must have been completed by PG&E. She further stated that the issuance of the wireless antenna permit itself would require mailing and posting of notices. When pressed further about community outreach and public notices, the Public Works representative informed Appellant there is no statutory requirement for outreach and that the DPW only "encourages" applicants for Wireless Facility Permits to meet

with local residents, business owners, and neighborhood groups registered with the Planning Department in affected neighborhoods in advance of filing Applications. (red emphasis in original message from DPW) Even though this installation was in the works with public agencies for more than eight years, there was no obligation to inform the public and homeowners impacted directly.

Appellant pointed out that not only had no public outreach been done before the applications were filed but that the project had been in the works for years (since 2018), and the Departments, the owner of the pole (PG&E) and the applicant (AT&T and various LLC and corporate entities) were proceeding as if the project had already been fully approved by replacing the old pole without any public notice or outreach. After all, why erect a new, expensive, much taller utility pole if you are not going to use it for the new wireless installation?

Appellant requested that DPW back up the process and follow its own policies and, as a matter of policy and public relations, require NextEdge/AT&T to hold a public meeting, and give the community notice of the proposed project. Appellant wanted the sponsors (and Departments) to explain to the community the need for this particular location and this particular method of installation since (as discussed below) both the location and the design are *disfavored* by DPW rules and regulations on numerous fronts. Appellant objected that community outreach should happen *before* the construction on the project started and the permit actually was issued since AT&T was proceeding as if approval had already been granted. Appellant also asked that the proposal be once again referred to Planning and referred to Parks and Recreation for review under the "Objective Standards" for such projects which, (as discussed below) were mistakenly not applied in this case and which the project does not satisfy. The project site is directly adjacent to a public open space and green belt which parallels Sunset Boulevard. The same requests for public outreach were made to AT&T, NextEdge and the Planning Department without results.

C. The Handouts from the Departments Envision a "Collaborative" Process

The handouts and published policies of both the Planning Department and DPW describe a process which is far different than reality. The brochures, pamphlets, and handouts on the process for

installation of wireless facilities describes a "collaborative process" whereby the Departments, the applicants and the public will sit down to discuss projects in order to select the best suited sites, designs, and locations for various differing types of wireless facilities. The Planning Department Handout entitled *Design Preferences for Personal Wireless Service Facilities* (Exhibit 3) states on page 1 as follows:

"As wireless carriers have expressed an interest in working collaboratively with the City and community members to better integrate wireless facilities in a less intrusive manner;"

A second Planning Department handout entitled "Frequently Asked Questions about Wireless Facilities on Wooden Utility and Wooden Streetlight Poles" (Exhibit 4) explains that wireless facilities on wooden poles (such as the one before the Board) are the least desirable and will be placed in communities after a collaborative process with the sponsors and the Department:

***"Does the City prefer wireless facilities on wood poles? No**. Our preference is for wireless carriers to work with the community, and Planning Department on well-designed and scale-appropriate rooftop-mounted facilities."* (Exhibit 4, page 1, numbered paragraph 2)

The Board should note that Appellant tried to start a conversation with Ms. Diamond, the AT&T representative, to consider a rooftop mounted facility on his home but was rebuffed. Further, the Handout states that the Planning Department will review and critique the design of each such installation as follows:

***"Does the City's permit review address the design of the facility?** Yes. The Planning Department works with each applicant for a wireless facility permit to consider a design that is appropriate for the proposed location. Each design has its own challenges, such as the overall height of a top-mounted antenna, or the potential for a side-mount antenna to impair views. In addition, City staff continually engages with wireless carriers and equipment manufacturers to seek designs that are less intrusive. Residents are encouraged to discuss their concerns with the Planning Department's Wireless Planner.* (Exhibit 4, page 3, numbered paragraph 7).

Similarly, Public Works guidelines for permitting and construction of wireless facilities also state the Department will work with the design and location of such facilities *before* a permit application is filed by the applicant. as follows:

"Public Works encourages applicants for Personal Wireless Service Facility Site Permits to meet with local residents, business owners, and neighborhood groups registered with the Planning Department in affected neighborhoods in advance of filing Applications."

There is no evidence in the record of any "encouragement" from DPW or any other City Department before the application for this wireless facility was filed. Indeed, by the time the community even found out a project was proposed, the project had been tacitly approved months if not years earlier, and a new pole was installed in front of Appellant's home. There is no evidence of any collaboration with the community to ensure that the design and location were appropriate and well suited to the surrounding neighborhood environment. When Appellant asked for collaboration and public outreach to find out how this location and design were selected before the permit was actually issued, he was rebuffed by the Departments and the sponsors and had no choice but to file an appeal. The Departments and sponsors ignored the written policies and simply passed the permit and project forward with no community input or notice.

As a result of shortchanging the process and ignoring the written policies for a "collaborative" approach with the community, t**he project now before the Board fails to meet even the minimum standards set forth in the DPW Guidelines for approval or installation.** The Departments ignored not only the public relations guidelines for these projects but also the regulations and "Objective Standards" for implementing the application of Public Works Code Article 25 which governs the issuance of permits for personal wireless facilities.

The absence of outreach is not merely a public-relations failure. It is part of the same procedural breakdown that led the Departments to approve a protected-location, disfavored design without the review and justification required by their own standards.

II. LEGAL AUTHORITIES AND ARGUMENT

The permit cannot stand for three independent reasons. First, the Departments failed to apply the mandatory Objective Standards now governing review of personal wireless service facilities. Second, the project was misclassified and should have been reviewed as a Tier C facility because it is adjacent to public open space. Third, the approved pole-top design is expressly disfavored, yet the record contains no evidence that the Applicant satisfied the mandatory Design Preference Ladder or demonstrated that the disfavored design was the only feasible option.

A. Article 25 of the Public Works Code Controls the Issuance of Permits for New Personal Wireless Facilities

Section 1500 of Article 25 of the Public Works Code lays out the specific requirements for the permitting of Personal Wireless Facilities. First, that Section dictates that any person seeking to construct, install, or maintain a Personal Wireless Service Facility in the Public Rights-of-Way must obtain a Personal Wireless Service Facility Site Permit. Second, the Personal Wireless Service Facility must comply with all of the requirements of Article 25. (San Francisco Public Works Code Section 1500 (a) & (b) (1)).

Section 1502 provides the definitions and categories for the various possible locations for wireless facility sites. Of relevance to this particular case are the following:

"Park Protected Location" means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is Adjacent to a City park or open space."

"Planning Protected Location" means any of the following proposed locations for a Personal Wireless Service Facility……..
(e) On a Utility Pole that is on a Public Right-of-Way that the General Plan has designated as having views that are rated "excellent" or "good."

"Zoning Protected Location" means on a Utility Pole that is on a Public Right-of-Way that is within a Residential or Neighborhood Commercial zoning district under the Planning Code.

In this instance, this particular site falls within all three of these "Protected" locations as defined by Section 1502. It is a Park Protected Location because of the adjacent open space and green belt which flanks Sunset Boulevard. It is a Planning Protected Location because it faces the open space and has views that are considered "good," and it is a Zoning Protected Location because it is within a residential zoning district.

Section 1502 also creates a three-tier system for reviewing proposed wireless facility sites.

"Tier A Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in an Unprotected Location."

"Tier B Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in a Planning Protected Location or Zoning Protected Location."

"Tier C Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in a Park Protected Location."

Under Section 1509 a referral to the Planning Department is mandatory for a review of the proposed Personal Wireless Service Facility under the applicable Tier A, Tier B or Tier C Compatibility Standard. "Compatibility Standard" means the Planning Protected, Zoning Protected, or Park Protected Compatibility Standard applicable to the proposed location for a Personal Wireless Service Facility as fully described in Public Works Code § 1502.

However, a key issue in this case is that at the time the entire code section was drafted and the review system put into place, the DPW had not yet adopted "Objective Standards" to review Wireless Service Facility Permit Applications. Accordingly, the entire code section is written in the alternative with contingency provisions in all of the review portions of the Code Section, "*Until such time as the Department has adopted Objective Standards*." Until the passage of the Objective Standards, the DPW referral to Planning was for the use of the applicable Tier A or Tier B Compatibility Standard only. The "Objective Standards" have now been adopted by the DPW and should have been applied to this case but were not used by Planning or DPW. "Objective Standards" means the standards to determine whether a Proposed Personal Wireless Service Facility meets the applicable Tier A, B, or C Compatibility Standard adopted by the Director of Public Works.

B. The Planning Department Failed to Apply the Mandatory Objective Standards; The Subject Proposal is a "Disfavored Design" on a Wooden Utility Pole at a Protected Location and Was Not Properly Reviewed by Planning or DPW

For unknown reasons, the Planning Department reviewed the site as a "Tier B Location" and used the Tier B Compatibility Standard under DPW Order No. 201970. (Planning Approval Letter dated February 5, 2026, submitted as Exhibit 5). As noted in the first line of Exhibit 5, Planning conducted its review and referral to DPW under Article 25 of the Public Works Code and used the standards specified in DPW Order No. 201970. The review by Planning is in error on many levels.

First, the project should have been considered under Tier C because it is adjacent to a public open space which runs on both sides of Sunset Boulevard. Second, as specified in the Code, Planning

was required to apply the newer "Objective Standards" found in DPW Order No. 206502 (submitted as Exhibit 6) which supersede aspects of the "compatibility standards" and mandates a completely different design procedure to wooden utility poles. The Objective Standards are now the controlling standards as referenced in the Public Works Code at Article 25, Section 1509(a)(2) which reads in relevant part as follows:

"SEC. 1509. PLANNING DEPARTMENT REVIEW OF A TIER A OR TIER B PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT APPLICATION.

(a) **Referral to Planning Department Required.**

(2) After the Department has adopted Objective Standards, the Department shall refer an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit to the Planning Department for additional review under the applicable Tier A or Tier B Compatibility Standard if: (A) the proposed Personal Wireless Service Facility does not meet the Tier A or Tier B Compatibility Standard based on the Department's application of the Objective Standards; or (B) the proposed Personal Wireless Service Facility is a Disfavored Design." (emphasis added).

Section 1502 defines a disfavored design as follows: *"Disfavored Design" means any design for a Personal Wireless Service Facility that is identified in the Objective Standards as disfavored.*" In this instance the design is specifically identified in the Objective Standards as "disfavored" because the new pole is more than ten (10') feet taller than the old pole. Under Preference Six of the Objective Standards a "*Disfavored Design*" is defined as:

"***Preference Six (disfavored designs):***

- *Pole-top shroud with a taller replacement pole or pole-top extension where the height of pole with shroud after the pole replacement or extension will exceed: (a) the height limit for the applicable zoning district by more than 10'; or (b) the height of existing pole by more than 10'. A 12' clearance is permitted if required by CPUC General Order 95. The height measurements must be taken from ground level."*

(Exhibit 6, last line on page 1 and first paragraph of page 2; Red emphasis added)

In this instance the new pole exceeds the height of the old pole by more than fourteen (14') feet and will be even taller once the wireless facility is placed on the top of the pole.

Submitted herewith as Exhibit 7 are a copy of the plans for the project showing the replacement of the existing pole and the new pole at more than fourteen feet taller than the prior pole at the site (See, elevations on pages A3-A4 of Exhibit 7). The Board should note the plans are dated December 18, 2024, approximately two years before the new pole project was erected, giving the

neighborhood its first notice of the project. The plans also provide a description of the project including the pole replacement and the placement of the new wireless facility on top of the new pole.

C. The Departments Failed to Apply the Design Preference Ladder or Show That the Disfavored Design Was the Only Feasible Design

As set forth in the Objective Standards (Exhibit 6), the Objective Standards create a "*Design Preference Ladder*" and a specific mandatory process for determining a design on wooden utility poles for ALL tiers and compatibility standards. There are six different "rungs" on the design preference ladder and applicants must justify each move down each rung on the design preference ladder. The Objective Standards establish an extremely specific methodology for determining the ultimate design that will be used as follows:

"Use of design preferences: Applicants must use Preference One whenever feasible. If infeasible, Applicant must explain to Public Works the reasons for needing to move down each rung of the design preference ladder. Applications using Preference Six (disfavored design) must be approved by the Planning Department. Approval will not be granted unless Applicant shows this design is the only feasible one." (Exhibit 6, page 2, third paragraph)

In this case, the Applicant and the Planning Department failed to use the correct standard and the applicant went straight to the least desirable of all design preferences, Preference Six (disfavored design). Appellant served Sunshine Ordinance document requests on both DPW and the Planning Department and there is no explanation in either file providing reasons to move down each rung of the design preference ladder because the Departments did not use the correct standard or the correct DPW Order to review and approve the project. Appellants have made a thorough search and there is no evidence in the Planning Department files or in the DPW files to show how each step down the design preference ladder was calculated to reach preference six. The administrative record contains no evidence that the Applicant evaluated each higher-preference design, explained why each was infeasible, or demonstrated that the Preference Six disfavored design was the only feasible design, as the Objective Standards require.

This error is material because applying the Objective Standards could have required a different design, a different location, additional Planning review, or denial of the disfavored design

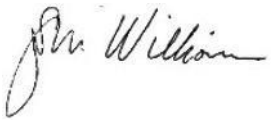
absent the required feasibility showing. For that reason alone, the permit should be vacated or remanded for review under the correct standard.

III. CONCLUSION

The record shows that the Departments did not apply the correct standards before approving this permit. The project was reviewed under the wrong framework, misclassified despite its location adjacent to public open space, and approved as a Preference Six disfavored design without the required showing that all higher-preference designs were infeasible. At the same time, the Applicant and Departments allowed construction of the replacement pole to proceed before affected residents received meaningful notice or an opportunity to participate in the collaborative process described in the City's own materials.

These errors are material. Had the Departments applied Article 25, the correct Tier classification, DPW Order No. 206502, and the Design Preference Ladder, the outcome could have been different. The Board should grant the appeal and set aside the permit, or at minimum remand the matter for proper review under the governing standards.

Respectfully Submitted,



STEPHEN M. WILLIAMS
On Behalf of Appellant Olivier Adler

San Francisco Board of Appeals
Appeal No.26-027

Olivier Adler,
Appellant,
v.
San Francisco Dept. of Public Works,
Respondent.

Permit Holder,
NextEdge Networks Holdings, LLC. /AT&T/ Pacific Bell Tele. Co.

Appellant's Exhibits 1-7

BPA No. 26-027 **1627-37th Ave**

Date: Wednesday, July 15, 2026
Time: 5:00 PM
Location: City Hall, Room 416
#1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Stephen M. Williams SBN: 122103
1934 Divisadero Street
San Francisco, CA 94115
Tel: (415) 292-3656
smw@stevewilliamslaw.com
Attorney for Appellant Olivier Adler

EXHIBIT 1

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

PROJECT APPLICATION (PRJ)

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address	Block/Lot(s)
WIRELESS: RED Polygon - 9 Locations	1381001
Record No.	**Building Permit No.**
2025-002474PRJ	

Property Owner's Information

Name:
Ford Trust

Address:
105 21ST AVE APT 5, 1381, SAN FRANCISCO, CA 94121

Applicant Information

Name:
Diamond, Rita

Company/Organization:
NextEdge Networks dba AT&T

Address:
1355 Windware Concourse, Suite 410, , , Alphareetta, GA 30005

Email:
rita.diamond@nextedgenetworks.com

Phone:
5105010848

Billing Contact

Name:
Rita Diamond

Company/Organization:
NextEdge Networks dba AT&T

Address:
1355 Windware Concourse, Suite 410, , , Alphareetta, GA 30005

Email:
rita.diamond@nextedgenetworks.com

Phone:
5105010848

Related Building Permit

Building Permit Application No:

Related Preliminary Project Assessment (PPA)

PPA Application No:

Project Information

Project Description:

RED Polygon - 9 Locations
101 21st Avenue; 215 19th Avenue; 290 26th Avenue; 595 32nd Avenue; 896 34th Avenue; 1301 Great Hwy; 1627 37th Avenue; 3635 Lawton Street; Across from 213 14tn Avenue

Project Details:

- ☐ Change of Use
- ☐ New Construction
- ☐ Demolition
- ☐ Facade Alterations
- ☐ ROW Improvements
- ☐ Additions
- ☐ Legislative/Zoning Changes
- ☐ Lot Line Adjustment-Subdivision
- ☐ Other:

Estimated Construction Cost:

0.00

Residential:

- ☐ Senior Housing
- ☐ 100% Affordable
- ☐ Student Housing
- ☐ Dwelling Unit Legalization
- ☐ Inclusionary Housing Required
- ☐ State Density Bonus
- ☐ Accessory Dwelling Unit
- ☐ Rental Units
- ☐ Ownership Units
- ☐ Unknown Units

Non-Residential:

- ☐ Formula Retail
- ☐ Cannabis
- ☐ Tobacco Paraphernalia Establishment
- ☐ Financial Service
- ☐ Massage Establishment
- ☐ Other:

General Land Use

	Existing	Proposed
Parking GSF	0	0
Residential GSF	0	0
Retail/Commercial GSF	0	0
Office GSF	0	0
Industrial-PDR	0	0
Medical GSF	0	0
Visitor GSF	0	0
CIE (Cultural, Institutional, Educational)	0	0
Usable Open Space GSF	0	0
Public Open Space GSF	0	0

Project Features

	Existing	Proposed
Dwelling Units - Affordable	0	0
Dwelling Units - Market Rate	0	0
Dwelling Units - Total	0	0
Hotel Rooms	0	0
Number of Buildings	0	0
Number of Stories	0	0
Parking Spaces	0	0
Loading Spaces	0	0
Bicycle Spaces	0	0
Car Share Spaces	0	0
Other:	0	0

Land Use - Residential

	Existing	Proposed
Studio Units	0	0
One Bedroom Units	0	0
Two Bedroom Units	0	0
Three Bedroom (or +) Units	0	0
Group Housing - Rooms	0	0
Group Housing - Beds	0	0
SRO Units	0	0
Micro Units	0	0

Environmental Evaluation Screening

1a. Estimated construction duration (months):		
1b. Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc): Foundation Design Type:	Yes ☐	No ☐
1c. Does the project involve a change of use of 10,000 sq ft or greater?	Yes ☐	No ☐
2. Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	Yes ☐	No ☐
3. Would the project result in any construction over 40 feet in height?	Yes ☐	No ☐
4a. Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	Yes ☐	No ☐
4b. Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	Yes ☐	No ☐
5. Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area? Depth:	Yes ☐	No ☐
6a. Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater? Area: Amount:	Yes ☐	No ☐
6b. Does the project involve a lot split located on a slope equal to or greater than 20 percent?	Yes ☐	No ☐
7. Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollutant Exposure Zone?	Yes ☐	No ☐
8a. Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	Yes ☐	No ☐
8b. Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an	Yes ☐	No ☐

Filed By:	File Date:
Virnaliza Byrd	03/26/2025

EXHIBIT 2

Pacific Gas and Electric Company
WE DELIVER ENERGY.

Business Development

US Mail:
Pacific Gas and Electric Company
PO Box 770000
Mail Code N10D
San Francisco, CA 94177-0001

Overnight Mail :
Pacific Gas and Electric Company
245 Market Street
Mail Code N10D
San Francisco, CA 94105

Fax: 415.973.3884

March 14, 2018

City of San Francisco
San Francisco Planning Department
1650 Mission St #400
San Francisco, CA 94103

RE: Proposed AT&T installations located at attached locations

To whom it may concern:

This letter is in regards to zoning permit applications that you should be receiving shortly from AT&T or their contractors.

PG&E entered into Master License Agreements (MLAs) with AT&T in 20__. These MLAs allows AT&T to attach their equipment and antennas to PG&E distribution and streetlight poles.

Please call me at (415) 972-7302 if you have any questions or concerns regarding this matter.

Regards,

Jwo Cheng

Jwo Cheng
Sr. Business Development Manager
Pacific Gas and Electric Company

Site ID	Address	Block/Lot	Lat	Long
CRAN_RSFR_REDP0_001	896 34th Avenue	1676/005	37.77226	-122.4938
CRAN_RSFR_REDP0_002	595 32nd Avenue	1512/021	37.7779	-122.49225
CRAN_RSFR_REDP0_004	101 21st Avenue	1381/001	37.78585	-122.48095
CRAN_RSFR_REDP0_005	215 19th Avenue	1414/001C	37.78381	-122.47865
CRAN_RSFR_REDP0_008	290 26th Avenue	1385/019A	37.78393	-122.48598
CRAN_RSFR_REDP0_016	Across from 213 14th Avenue	1419/043	37.78413	-122.47305
CRAN_RSFR_REDP1_003	3635 Lawton Street	1901/044	37.7568	-122.50209
CRAN_RSFR_REDP1_004	1627 37th Avenue	1906/003	37.75661	-122.49609
CRAN_RSFR_REDP1_006	1301 Great Highway	1804/001	37.76086	-122.50928

EXHIBIT 3

SAN FRANCISCO
PLANNING
DEPARTMENT

Design Preferences for **Personal Wireless Service Facilities**

FOR DISTRIBUTED ANTENNA SYSTEMS, "DAS"
OR SMALL CELLS ON WOODEN UTILITY POLES &
WOODEN STREET LIGHT POLES

August 2015



Purpose of the Design Preferences

"The experience of traveling along a picturesque street is different from the experience of traveling through the shadows of a WCF [personal wireless services facility], and we see nothing exceptional in the City's determination that the former is less discomforting, less troubling, less annoying and less distressing than the latter. After all, travel is often as much about the journey as it is about the destination."

- 2009 decision by the United States Court of Appeals, for the Ninth Circuit, in a case involving the ability for local communities to review the design of wireless facilities on locations in the public right-of-way. The court determined that communities have a right, under California law, to take aesthetics into account when considering an application to install a wireless facility in the public right-of-way.

The City and County of San Francisco seeks to balance the development of small personal wireless service facilities in the public right-of-way (e.g. wooden utility poles), that allow wireless carriers (or similar) to provide robust coverage and capacity; while installing (well-maintained) facilities that do not significantly detract from City streetscapes.[1] These facilities are permitted by the Department of Public Works, under Article 25 of the Public Works Code.

The City does not regulate the technologies wireless carriers use. As wireless carriers have expressed an interest in working collaboratively, with the City and community members to better integrate wireless facilities in a less intrusive manner; these preferences are intended to convey design preferences that may not apply to every facility.

These guidelines also do not address pole selection. However, the City recommends that wireless carriers avoid pole locations where equipment would be close to windows (especially residential windows), in front of historically/architecturally significant buildings, or in locations where they would disturb views of significance (e.g streets that have clear views of local landmarks or natural features such as the San Francisco Bay).

Common challenges to avoid when developing these types of facilities include:

1) noisy cooling fans;
2) large/bulky/wide equipment enclosures;
3) cluttered/messy cabling;
4) flashing lights, decals, and stickers that are repetitive, distracting, poorly placed, or non-essential;
5) excessive and/or unnecessary pole height increases; and
6) equipment in front of windows.

---

1 Given the small-scale nature of streets in San Francisco; well-designed and scale-appropriate rooftop (micro/macro) wireless facilities are generally less intrusive, and preferred over (a comparatively larger number of) wireless facilities on multiple wooden poles.

Thirteen Recommended Design Preferences

1. "LONG AND NARROW"

Consider the use of equipment enclosures that are nearly the same width as the pole, even if they need to be slightly longer as a result. Narrow enclosures are less likely to impair views of buildings and scenic resources or to detract from streetscapes. Utilize equipment mounting base plates that are no wider than the pole.

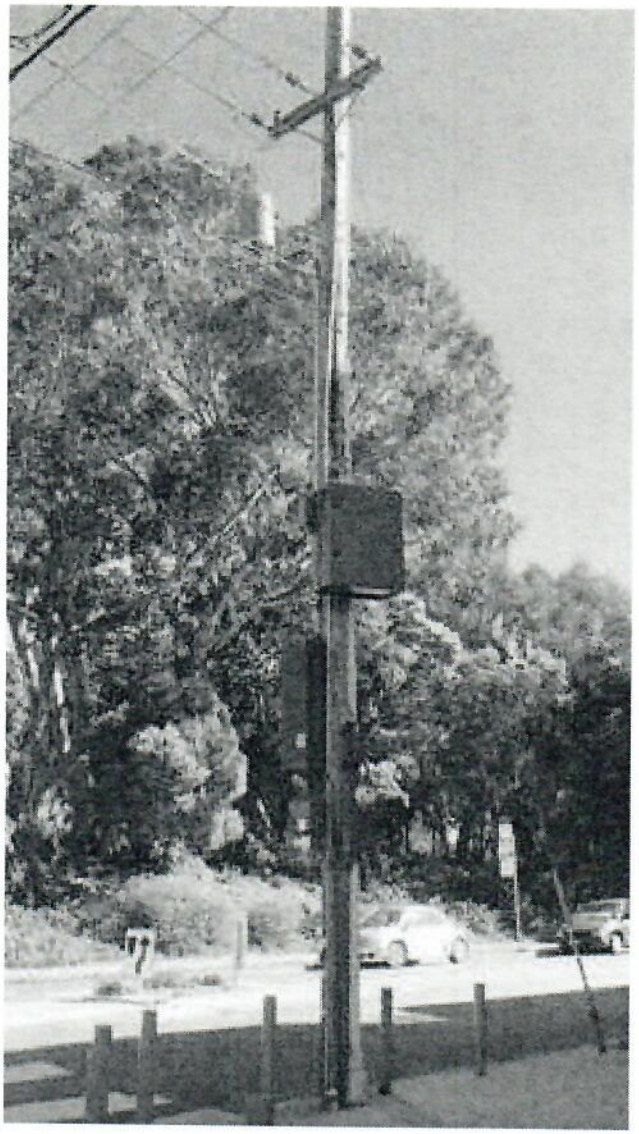
Typically, the wide variation in enclosure surface materials and sizes on a single pole can draw more attention (clutter compared to mass) to the facility than a system of enclosures that is comparatively larger, but more uniform in profile and longer instead of wider or deeper.

There are a large number of equipment vendors that offer an array of options. Take the time to design a system that works well together in terms of network needs, overall cumulative effect, cable port locations, and ease of installation and maintenance.

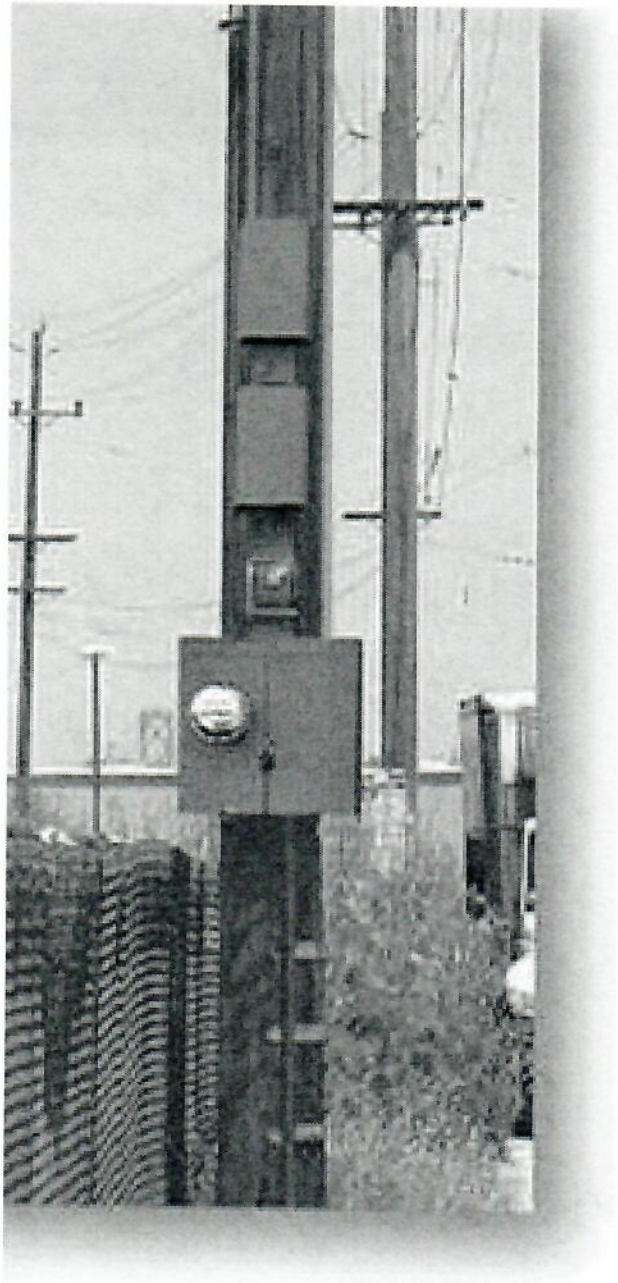
Equipment Orientation: While equipment orientation may be limited due to operating requirements, utility or State rules; depending on pole type, orienting equipment, facing away from nearby residential windows, and/or the primary travel direction, is preferred.

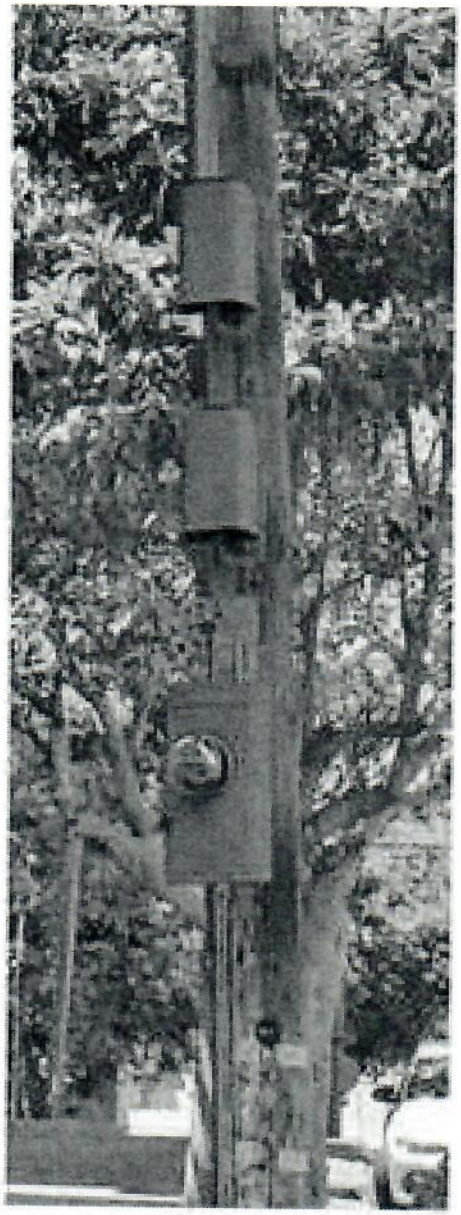
2. NO METER IF POSSIBLE

Utilize a line drop (no electric meter enclosure), if allowed by the utility company, or use the narrowest electric meter and disconnect available. Ensure meter and other enclosures are well maintained, including regular painting, and the use of a graffiti-resistant paint. Stack the disconnect switch above/below the meter, instead of attached to the side of the meter.



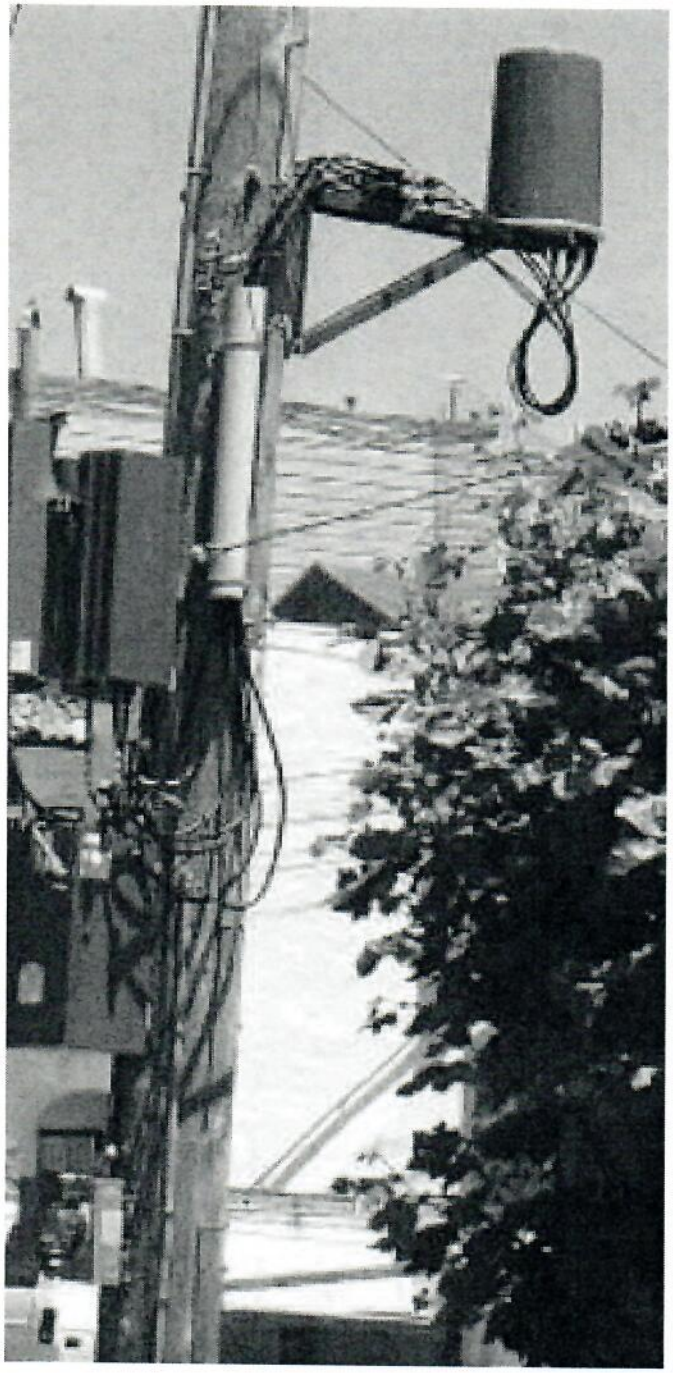
ABOVE: Disfavored use of a bulky/wide battery backup enclosure (with graffiti) and non-linear arrangement of other enclosures. Use slimmer/ longer enclosures, including those specifically made for battery backup units (which are longer but about as wide as the pole), and possible re-location of portion of equipment (battery backup enclosure) to adjacent pole.



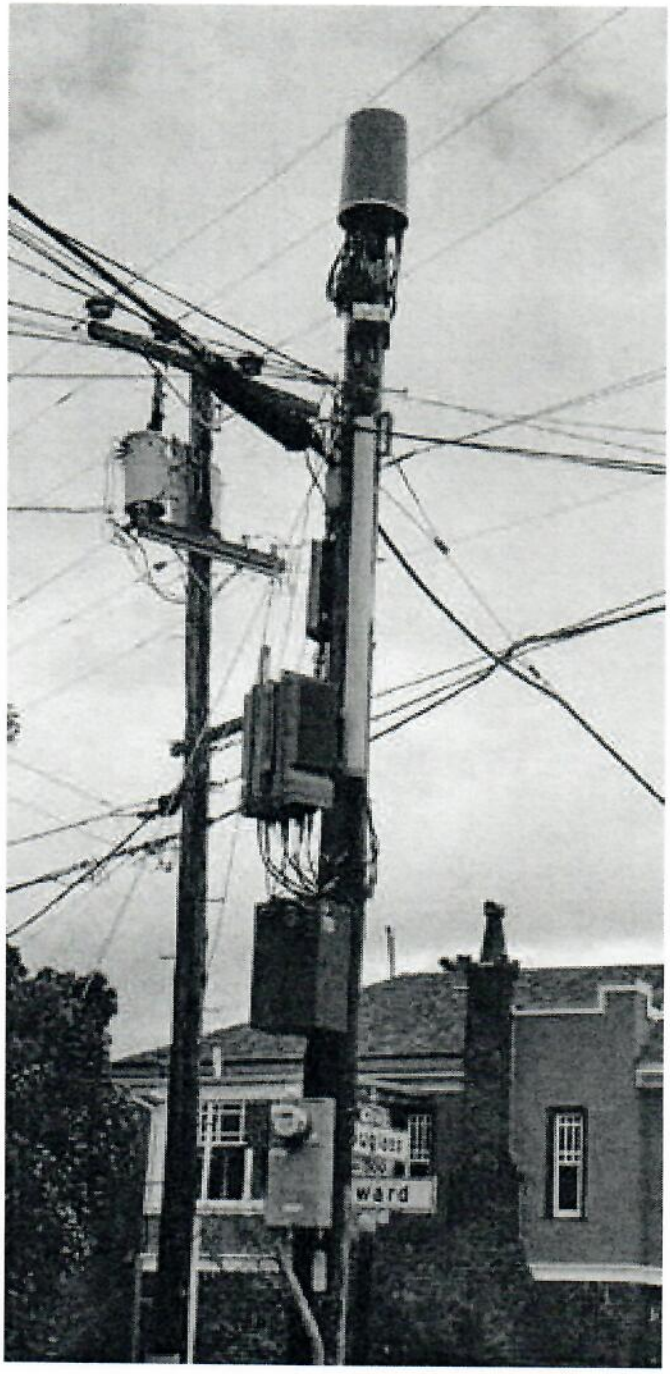


ABOVE: Disfavored Wide Electric Meter (lowest enclosure on pole) in simulation on the left. Use a meter that is roughly as wide as the pole (preferred simulation on the right), if a line drop (meterless system) is not possible. There are meter models that feature a required bypass, but without the wider size.

However, the equipment cabinets (two boxes above electric meter) are preferred as they are comparatively unobtrusive (as wide as the pole with a limited depth), feature no equipment decals/stickers, and use passive cooling (no noise from fans).



ABOVE: Disfavored excess loose cabling, excess decals/ stickers, and cluttered appearance of equipment cabinets.



ABOVE: Disfavored example of cabling that is cluttered & tangled. Riser not painted.

5. ANTENNAS

Consider using antenna designs that provide robust coverage without appearing more distracting than necessary. Avoid placements that may impair light, air, or views from adjacent windows.

Consider using antenna models that include a GPS antenna (if needed) integrated into the same cylindrical shape on top of the main antenna.

Consider using antennas with electronic tilt mechanisms that could reduce the need for bulky mechanical tilt brackets.

Utilize single element side-arms instead of dual parallel side-arms, Evaluate opportunities to utilize cylindrical antennas in-lieu of panel antennas. If panel antennas are utilized, consider the use of mini shrouds below each panel antenna to reduce the visibility of the cable loops. While this will make the antenna look slightly longer, it reduces the noticeability of various elements, such as multiple cable loops, that can draw more attention than the antenna itself. Avoid the use of large bracket systems for panel antennas, which create a significant offset from the pole.

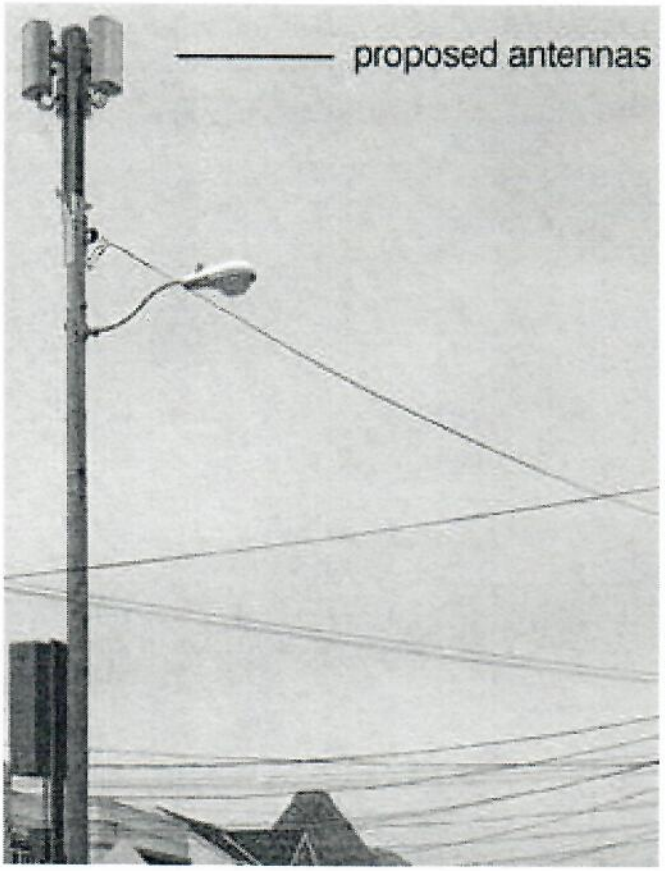
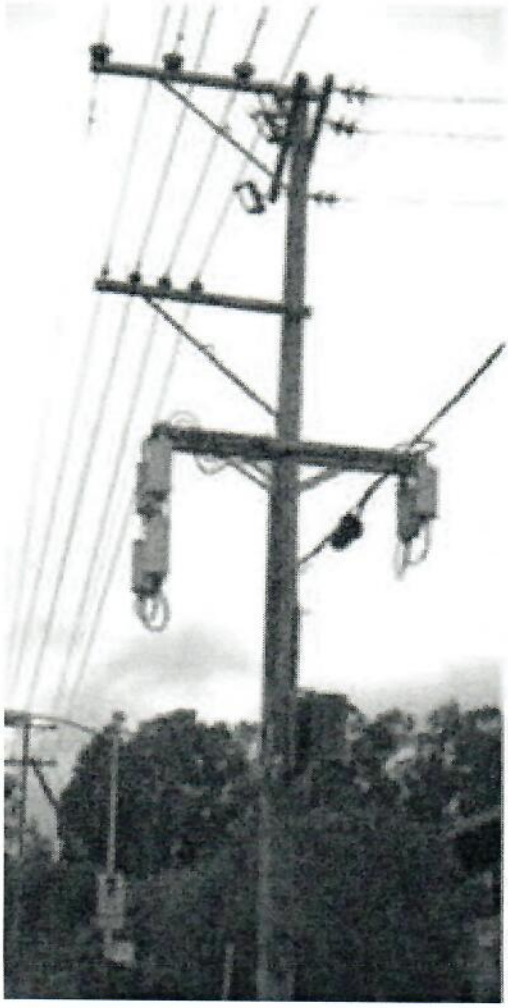


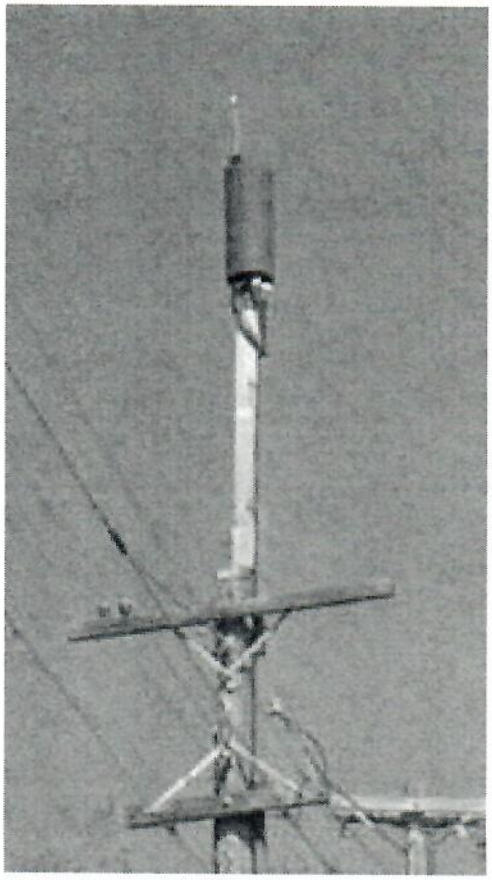
Photo Courtesy/Applied Imagination Photo Simulation

ABOVE: Non-recommended (triple panel) antenna design that is bulky/obtrusive, and rises well into view.



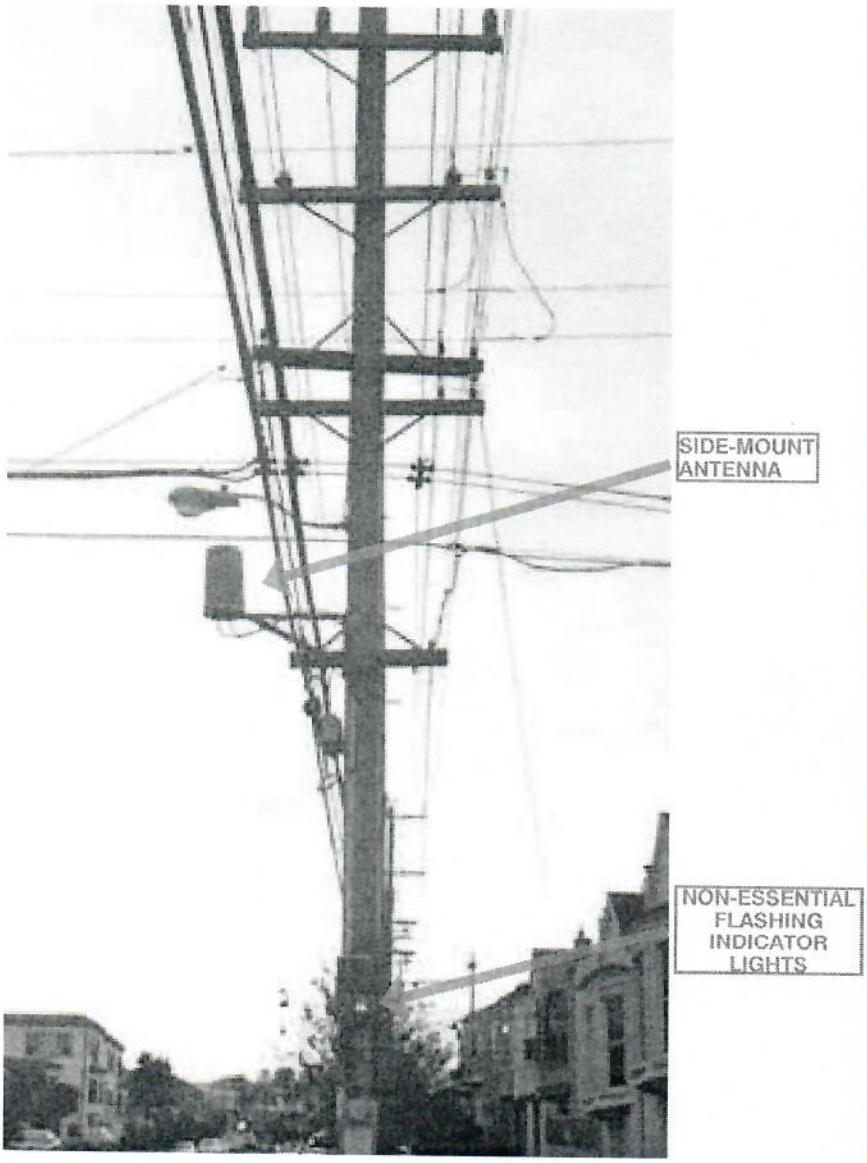
LEFT: Disfavored use of multiple panel antennas with cables loops dangling below each panel.

RIGHT: Disfavored GPS antenna (atop small stick) mounted in a manner that is highly visible above the top of the transmitting antenna. The transmitting antenna is well placed (preferred) and sized, though painted too dark, and therefore more noticeable.

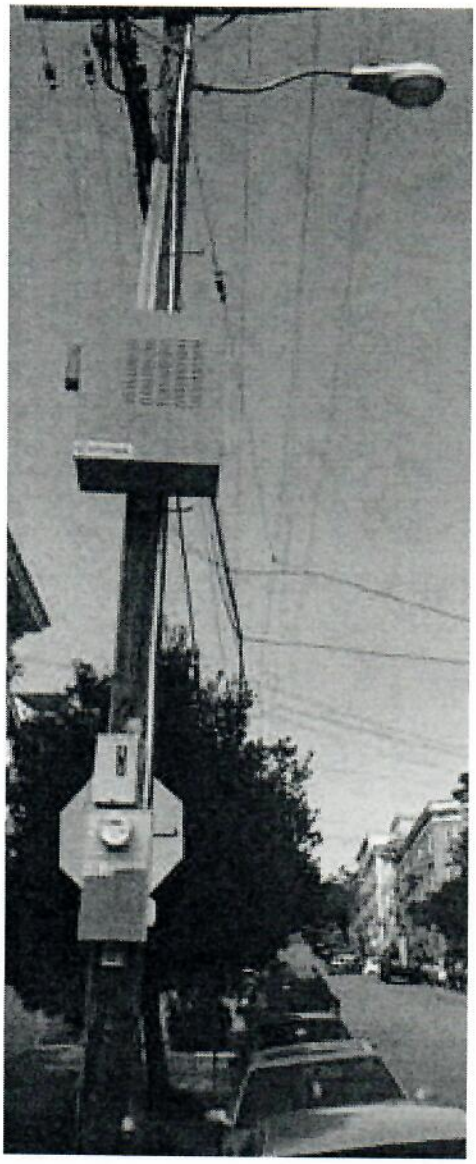


6. LOGOS/DECALS/FLASHING LIGHTS

Use equipment that does not feature flashing lights that may be visible to the public. Remove or paint over unnecessary equipment manufacturer decals and fill-in any visibly depressed manufacturer logos on equipment boxes.



ABOVE: Disfavored presence of multiple stickers and manufacturer logos, which should be removed or painted over.



ABOVE: Please note, some of the square boxes mounted on poles in San Francisco, similar to the one shown in the photo above, are also used for non-wireless providers, such as cable television. These boxes are typically used to boost power and increase signal quality for ***wired*** communications.

9. POLE HEIGHT INCREASES

Avoid the replacement of streetlight-only wooden poles with poles that are significantly taller by evaluating a different pole or attachment method. This could include evaluating opportunities to:

1) choose a nearby Joint Pole Association (JPA) pole, where a modest height increase would be less noticeable, than a streetlight-only pole;

2) working with the utility to re-route power lines serving the cobra head street light in a manner that meets height clearance requirements;

3) or running the power line, for the street light, from a JPA pole across the street in a different manner, while complying with State rules (e.g. General Order 95).



ABOVE: Non-recommended pole height increase (existing pole on left side and previously proposed design on right side) on a signature City-defining street (Lombard Street at Columbus Avenue).

Photo Courtesy AdvanceSim Photo Simulation



Disfavored wide offset (from pole) of electric meter, unpainted fiber (PBX) node box (green element) and large white RF warning sticker on non-RF emitting equipment enclosure.

San Francisco
DAS Design Preferences Checklist

Best Practices to Ensure Clarity of Plan and Simulation Submittals

		YES	NO
1	**Cover Sheet** | Correct project site location shown on cover sheet. The wrong street address is often used (for nearest building). Utilize the San Francisco Property Information Map website (link)		
2	**Cover Sheet** | Clear project description describing types and numbers of equipment. Also indicate if pole will be replaced (with existing and proposed heights) or if any existing road signage is proposed to be relocated or removed.		
3	**Cover Sheet** | Provide information in a checklist format to ensure conformance by installers, as shown further below.		
4	**Site Plan** | Show location of any new vaults proposed.		
5	**Elevation Sheet** | Show location of Node ID sticker (low contrast colors) and RF warning sticker. Show RF warning sticker facing out to street and near antenna, or away from street and near antenna if no window within 50 feet.		
6	**Elevation Sheet** | Indicate height to top of pole, antenna, top and bottom of equipment enclosures.		
7	**Elevation Sheet** | Show any existing or proposed guy wires.		
8	**Elevation Sheet** | Show equipment enclosures stacked together as close as (4 inch offset from pole) possible (including rotation of rectangular disconnect switch enclosure) while complying with GO 95 and airflow requirements.		
9	**Elevation Sheet** | Ensure other elements (e.g. NEMA, PBX or J boxes), ground bus bars, and base plate mounts are shown, if utilized.		
10	**Elevation Sheet** | Clearly show offset (distance) of equipment cabinets from pole.		
11	**Photo Simulations** | Show cabling and equipment sizes, and offsets (cabinets from pole) correctly.		
12	**Photo Simulations** | Show RF warning and node identification stickers, if visible from given perspectives.		
13	**Photo Simulations** | Use perspectives that provide a true sense of distance to nearest residential windows or primary facades of historic buildings.		
14	**Photo Simulations** | Show new (straight/upright) pole if existing (leaning) pole is to be replaced.		

*Sample Site Completion Checklist on Cover Sheet of Plans**
*This checklist can be modified to meet specific pole type applications.



FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **http://www.sfplanning.org**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
Planning staff are available by phone and at the PIC counter. No appointment is necessary.

EXHIBIT 4

SAN FRANCISCO
PLANNING DEPARTMENT

Frequently Asked Questions about Wireless Facilities on Wooden Utility and Wooden Streetlight Poles

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

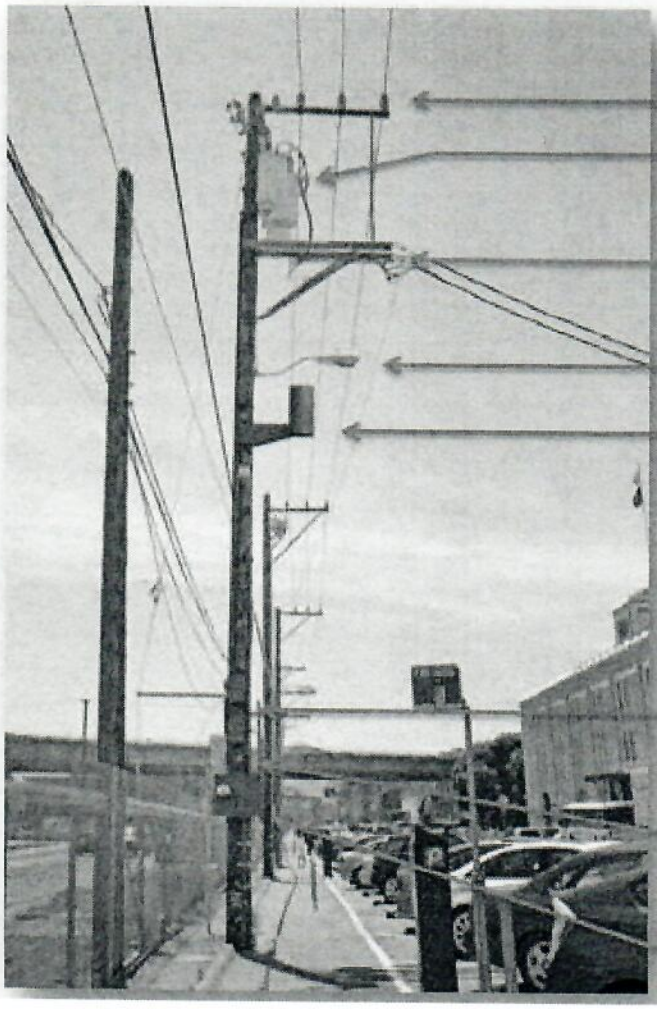
Planning
Information:
415.558.6377

1. **Can the City prohibit the installation of wireless facilities on wood poles? No.** Under State law, telecommunications carriers have a right to install wireless facilities on wood poles in the public right-of-way. The City, however, regulates the design, location, and placement of those facilities through Article 25 of the Public Works Code. The City will also conduct an environmental review under the California Environmental Quality Act (CEQA).

   - LINK: SF Government TV video of Board of Supervisors committee hearing on Article 25

2. **Does the City prefer wireless facilities on wood poles? No**. Our preference is for wireless carriers to work with the community, and Planning Department on well-designed and scale-appropriate rooftop-mounted facilities (example photo simulations on pages 37 & 38, and a second example on pages 32 & 33); which are then complemented by wireless facilities on steel poles. Wireless facilities on rooftops and steel poles are generally less intrusive than wood pole-mounted facilities.

Breakdown of one type of Personal Wireless Services Facility on a wood pole owned by the Joint Pole Association



Primary Electricity Distribution

Electrical Transformers

Secondary Electrical or Communications Zone
Also known as the "comm zone," which typically features cables used for cable TV, landline telephone, & various fiber-optic cable providers

Cobra Head Streetlight operated by PG&E

Proposed Transmitting & Receiving Antenna
Typically mounted on a sidearm extension either midway down the pole (as shown), or an extension arm directly above the top of the pole.

Equipment Enclosures
Cabinets or radio relay units which provide signal processing, akin to computers, and route power and signals through cables to the antenna(s). These enclosures do not transmit radio-frequency energy into the air around them.

Disconnect Switch
Smaller enclosure which allows line workers, wireless carrier, or emergency responders to shut down power to the antenna.

Electric Meter
Allows electric utility to monitor and bill wireless carrier for electricity usage.

3. **Does the City's permit review address health concerns?** Only in part. Under federal law (1996 Telecommunications Act), the City is prohibited from denying a permit to construct a wireless facility based on health concerns over RF emissions, provided that the emissions from the facility comply with Federal Communications Commission (FCC) standards. In order to assure compliance with FCC standards, the Department of Public Health (DPH) reviews every application for a wireless facility and generally requires an RF emissions study for each facility.

   If the facility is approved and installed, then field testing is required to ensure the facility meets the FCC's standards. Residents can ask for testing of their dwelling units at no charge (free) by contacting the City (Planning, Public Works, or Public Health). Testing is also required every time a permit is renewed, and every time the site is modified (replacing/adding antennas or equipment), when those modifications may affect the antenna(s) output.

   The City has not seen a pattern of wireless facilities on wooden poles exceeding RF emissions standards set by the FCC.

4. **The Radio-Frequency (RF) report indicates the maximum RF exposure level at ground level. Does the RF report take into account the RF exposure level on upper stories of residences closer to the antenna?**

   When an RF report is prepared it takes into account the location, orientation, and output of the antenna, relative to the nearest publicly-accessible areas, such as balconies, roof decks, and nearby dwellings (including upper stories). The RF emissions at any publicly-accessible area must also comply with the standards set by the Federal Communications Commission (FCC). Field testing can be arranged at no charge for residents, including from within their dwelling.

   Antennas are typically placed either midway up the wooden pole (side-arm configuration) or on top of a pole (top-mount). When antennas are placed in a side arm configuration and the placement is also parallel and close to a building, the antennas are typically setup in such a manner where the RF emissions are focused ("sectorized pattern") up and down streets, and not directly toward the building behind the antenna. In other words, this means that while the antenna enclosure may be round in shape, the RF emissions are not necessarily sent in all directions for antennas next to a building. Further information can be obtained from the Department of Public Health.

5. **How can I get more information about my health concerns?** A copy of the DPH report for every proposed and existing wireless facility can be obtained from Patrick Fosdahl at (415) 252-3094 or Patrick.Fosdahl@sfdph.org. In addition, general information about the safety of wireless facilities can be found on the FCC's web site (link).

   Link 1: First Sample DPH Radio-Frequency (RF) emissions, and noise review.

   Link 2: Second Sample RF Emissions Report

6. **Is a permit required from the City?** Yes. The Department of Public Works (DPW) issues permits* for wireless facilities in the public right-of-way under Article 25 of the Public Works Code, and Department of Public Works (DPW) Order No. 183440. As required by Article 25, DPW refers applications for wireless permits to the:

   - Department of Public Health (DPH) for radio frequency (RF) emissions and noise review (see item 11).
   - Planning Department staff for design, environmental (CEQA), and historic preservation review. *These facilities are **not** reviewed by the Planning Commission.*
   - Recreation and Parks Department for review, if the facility is located near a public park or plaza.

   **Permits for wireless facilities on lands under the jurisdiction of the Port of San Francisco are issued by the Port. For a map of Port jurisdiction visit http://bsm.sfdpw.org/mapviewer/, choose the Jurisdiction box on the left, and Port of San Francisco.*

7. **Does the City's permit review address the design of the facility?** Yes. The Planning Department works with each applicant for a wireless facility permit to consider a design that is appropriate for the proposed location. Each design has its own challenges, such as the overall height of a top-mounted antenna, or the potential for a side-mount antenna to impair views. In addition, City staff continually engages with wireless carriers and equipment manufacturers to seek designs that are less intrusive. Residents are encouraged to discuss their concerns with the Planning Department's Wireless Planner, Omar Masry, at (415) 575-9116 or Omar.Masry@sfgov.org.

   - LINK: Design Preferences for Wireless Facilities on Wooden Poles

8. **Who owns the wood poles?** The majority of wood utility poles in San Francisco are managed by the Joint Pole Association (JPA), which is an association of utility companies and government agencies. Other wood poles are solely owned by Pacific Gas & Electric. These are typically streetlight-only wood poles. The City and County of San Francisco is a member of the JPA.

9. **How many wireless facilities are there in San Francisco?** As of April 2015, there are 383 existing wireless facilities on wood poles and approximately 700 wireless facilities outside of the public right-of-way; primarily on building rooftops.

   Map of 1,000+ existing wireless facilities in San Francisco (map does not include all of the 383 existing facilities mounted on wooden utility poles):



New! Wireless Telecommunications Facilities N/A April 2015

Interactive map and Google Fusion Table displaying locations of wireless / cell tower telecommunications facilities (including cell phone masts) in San Francisco.

10. **Does the City receive revenue from the use of wooden utility poles the facilities?** No. But the San Francisco Public Utilities Commission has started to allow the installation of wireless facilities on its (steel) street light poles, and the San Francisco Municipal Transportation Agency is allowing the installation of wireless facilities on its (steel) support poles. Both agencies will receive license fees for use of their poles. Link to information about wireless facilities on steel light and transit poles.

11. **Who do these facilities serve and what companies operate them?** The wireless facilities installed on utility poles are primarily intended to serve customers of wireless carriers licensed by the FCC to operate in San Francisco including AT&T Mobility, Sprint, T-Mobile, and Verizon Wireless. You might see signs on the utility poles that identify companies such as Crown Castle (NextG), ExteNet Systems, and Mobilitie as the owner of the facilities. These companies are authorized by the California Public Utilities Commission (CPUC) to install and operate the wireless facilities on wooden poles on behalf of their wireless carrier customers, but they still must obtain permits from DPW. The CPUC is a distinct State agency which regulates various utilities throughout California. *The San Francisco Public Utilities Commission (SFPUC) is not a part of the CPUC.*

12. **Do the antennas generate noise?** No. However, some, but not all wireless facilities feature cooling fans within the equipment cabinets, in order to regulate the temperature for the computers inside. If an existing system seems to be generating excessive noise, please contact the Department of Public Health at (415) 252-3904. In some instances, steps can be taken to reduce noise from cooling fans.

13. **Once DPW has issued a wireless permit can other carriers install additional facilities on the same wooden pole?** Generally, there will only be one wireless facility on each pole. CPUC regulations generally prohibit installing enough equipment on a utility pole that would accommodate two separate wireless facilities. It is possible, however, that a single wireless facility on a utility pole could serve more than on carrier.

14. **Can carriers install new (wood) poles on my street to support their wireless facilities?** No. DPW will generally only allow new wood poles to replace existing poles. Pole replacements are sometimes needed to ensure the pole can handle the load of the equipment or for wider vertical separation between various utility facilities on the pole. Planning staff continues to work with carriers and PG&E to seek less intrusive pole height replacements.

15. **Is the City planning to underground the wood poles?** There are no pending proposals for new neighborhood-wide undergrounding efforts. In the event an undergrounding effort begins, the wireless carriers would be required (as a condition of their utilities permit) to remove their facilities from the wooden poles.

16. **What equipment do wireless carriers typically install on the wood poles?** A typical wireless facility on a utility pole consists of one or more antennas and one or more equipment boxes. To meet CPUC requirements, the antennas will be mounted either at the top of the pole or on side arms midway down the pole. The equipment boxes will be attached to the pole. While every system varies, the equipment boxes typically include an electric meter, a disconnect switch, and computers to control the antennas. Some wireless facilities also feature an equipment box, on the same pole or a nearby pole, that contains batteries used to provide temporary emergency power to the facility in case of a power outage.

17. **Can carriers change the equipment they installed on a permitted wireless facility?** Yes. Consistent with federal law, Article 25 of the Public Works Code generally allows modifications of permitted wireless facilities, provided those modifications are within certain limits.

18. **Can I protest the installation of a wireless facility on my block?** Yes. If you have received notice that a wireless facility has been proposed to be installed on your block it means DPW has tentatively approved the application. It also means that the Planning Department, DPH, and possibly the Recreation and Park Department have recommended that DPW grant the permit. While you may protest the issuance of the permit, you must do so in the time set forth in the notice, which will be 20 days after the notice is postmarked. DPW will not consider an untimely protest. If your protest is timely, DPW will hold a hearing to determine whether to issue the permit. DPW will notify you of the date and time for the hearing. You will be given the opportunity during the hearing to explain the reasons for your protest. Contact information for protests can be found on the DPW web site (link).

19. **Can I appeal DPW's issuance of a wireless permit?** Yes. Whether or not you protested the permit you may appeal DPW's issuance of the permit to the Board of Appeals. As with protests, you must file your appeal in the time required by City law, which is generally 15 days after the permit is issued. More information about filing an appeal can be found on the Board of Appeals web site (link). Only the environmental determination may be appealed to the Board of Supervisors (link).

20. **Why do the conditions of approval include a street tree**? The Planning Department typically requests a street tree to be provided by the wireless carrier for each facility mounted on a pole within the public right-of-way; in order to screen the equipment. In the event a tree cannot be planted due to conflicts such as existing trees, driveways or utility infrastructure (link to location requirements), the wireless carrier would be required to pay an in-lieu fee to be used by the SF Bureau of Urban Forestry.

21. **Are wireless facilities on poles banned in Europe or other California cities, including Berkeley?** No. Wireless systems can be found on poles and buildings in Europe, and on poles in other California cities, including Berkeley. Berkeley recently passed an ordinance to require that when people purchase cell phones that they are made aware that the mobile device itself generates radio-frequency (RF) emissions, and provide relevant information (link). The ordinance is currently subject to legal challenge.

22. **Do Personal Wireless Services Facilities on wooden poles also provide public Wi-Fi?** No. The term "Personal Wireless Services Facility" is the term used in Federal law. The City does provide public Wi-Fi in many locations, typically using smaller antennas, known as Access Points. City public Wi-Fi (network name: #SFWiFi) can be found on Market Street (Castro Street to Embarcadero), in many City buildings, and in over 30 City parks (link).

For more information on wireless facilities visit www.sf-planning.org/wirelessforms

Frequently Asked Questions about Wireless Facilities on Wood Streetlight and Wood Utility Poles

Common Terms:

DAS – Acronym for a Distributed Antenna System (also referred to as oDAS, with the "o" standing for outdoor installations). A network of antennas and equipment enclosures usually attached to poles in in the public right-of-way.

"Macro" Wireless Telecommunication Services (WTS) Facility - Typically three to sixteen panel antennas mounted on the roof of a building, along with multiple equipment cabinets. Permits reviewed by the Planning Department, Fire Department, DPH, and Department of Building Inspection (DBI). Also subject to the City's Wireless Guidelines, and Planning Code. Macro WTS facilities typically require Planning Commission approval in most residential, neighborhood commercial, and mixed-use zoning districts.

"Micro" Wireless Telecommunications Services (WTS) Facility - Typically one or two antennas mounted on the roof of a building. Permits reviewed by the Planning Department, Fire Department, DPH, and Department of Building Inspection (DBI); subject to the City's Wireless Guidelines, Planning Code, and review by the Zoning Administrator. Example link.

Personal Wireless Services Facility Permit – Permit for wireless facilities mounted on (typically wood or steel) poles in the public right-of-way. Permits administered by the Department of Public Works and subject to Article 25 of the Public Works Code.

Public Right of Way (PROW) – Typically streets and sidewalks, where light and utility poles are placed.

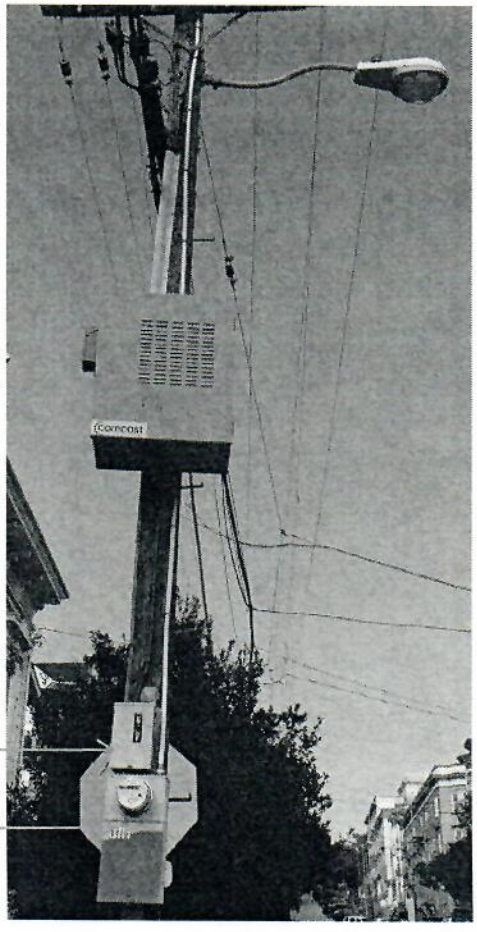
Small Cells – Similar to DAS, though a different communications network architecture.

Please note, that some of the square boxes mounted on wood poles in San Francisco, similar to the example photo to the right, are used for various purposes.

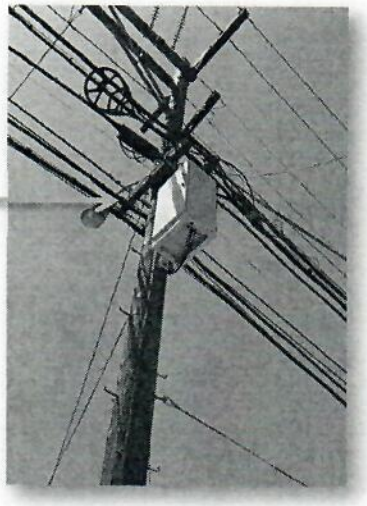
Wireless carriers sometimes use these cabinets to hold batteries to power some wireless facilities in the event of a power outage.

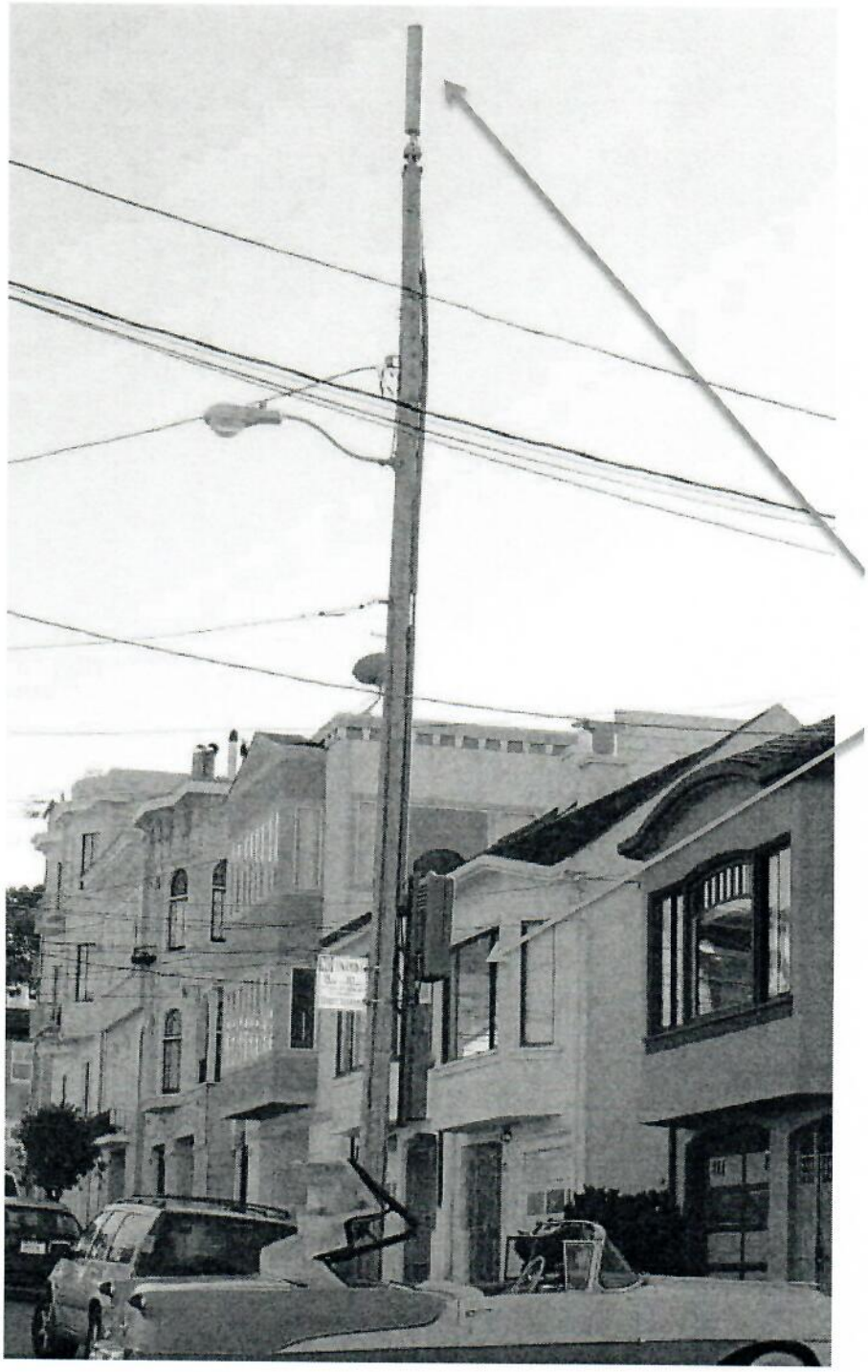
However, many of these boxes are used by "**wired**" telephone, internet, and/or cable TV providers such as Comcast, Sonic, or Wave.

The boxes are used to splice cables, or to boost power to communication wires and increase signal quality. These boxes do not create radio-frequency emissions, and generally do not generate noise.



Sonic Internet Service Provider installed fiber-optic cable splice box





Pole Top Example

Existing Personal Wireless Facility mounted on a wooden streetlight pole in the Richmond neighborhood.

The antenna is found at the top of the pole.

An electric meter and equipment enclosure (computers) are near the bottom of the pole. The computer cabinets sometimes feature cooling fans, but do not emit radio-frequency emissions; which are created by the antenna on top of the pole.



Side Arm Examples

Existing Personal Wireless Services Facilities mounted on wooden streetlight poles in the Inner Richmond and Pacific Heights neighborhoods. The antenna is found on a side arm extension below the streetlight (above), or below the communications zone (lower wires in photo below). An electric meter and equipment enclosure (computers) are near the bottom of the pole.





Side Arm Example

Existing Personal Wireless Facility mounted on a wooden streetlight pole in the Sunset neighborhood.

The two (2) panel antennas are on a side arm.

An electric meter and equipment enclosure (computers) are near the bottom of the pole.

This type of design is considered one that significantly detracts from streetscapes; and new proposals such as this would not typically be approved.

Utility Pole Diagram

Link to a report by the California Public Utilities Commission (CPUC): "A Brief Introduction to Utility Poles"

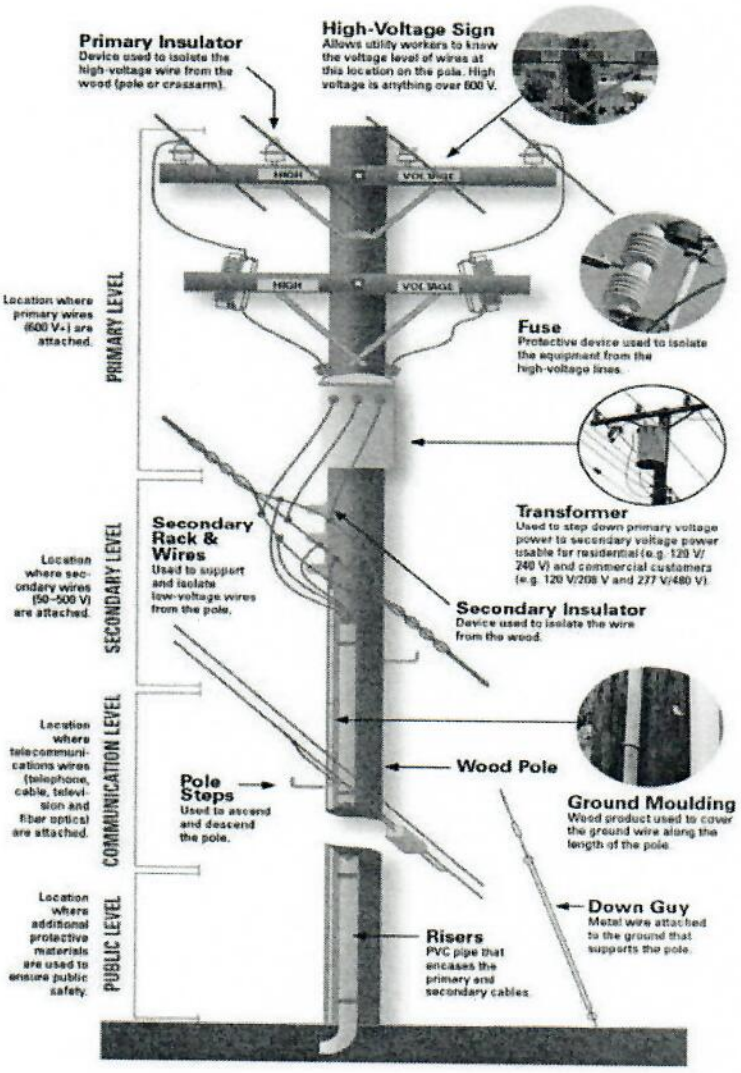


EXHIBIT 5

San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

Date:	February 5, 2026
DPW Permit No.:	25WR-00029
Planning Case No:	2025-012007MIS
Project Address:	1627 37th Avenue Wood Pole owned by Joint Pole Association
Project Sponsor:	Rita Diamond NextEdge Networks 1355 Windware Concourse, Suite 410 Alpharetta, GA 30005
Staff Contact:	Dakota Spycher – 628.652.7588 Dakota.Spycher@sfgov.org

DETERMINATION: **Approval with Conditions**

Department of Public Works Code Article 25 and Order No. 201,970 require review by the Planning Department to determine that the Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit satisfies the applicable Tier A or Tier B Compatibility Standard. An Application for a Tier B Personal Wireless Service Facility Site Permit shall satisfy the Tier B Compatibility Standard for a Zoning and/or a Planning Protected Location. A proposed Personal Wireless Service Facility shall be consistent with the public health, safety, convenience, and general welfare and will not unreasonably affect, intrude upon or diminish any identified City resource.

Determination

The Planning Department determines that the proposed Personal Wireless Service Facility **WOULD NOT** significantly detract from the character of the adjacent residential/commercial/mixed-use Districts, Scenic Vistas; or potential and or known historic Buildings; Districts. The Planning Department recommends **APPROVAL WITH CONDITIONS** in conformance with architectural plans dated February 5, 2025 and photo simulations dated February 22, 2025, and associated with DPW Wireless Application No. 25WR-00029.

Findings

The proposed Tier B Personal Wireless Service Facility is to be located in the public right-of-way in a Planning and Zoning Protected Location, adjacent to 1627 37th Avenue, and on a street with **Good Street Views**.

The proposed Personal Wireless Service Facility is, on balance, consistent with Article 25 of the Public Works Code and the Objectives and Policies of the General Plan, as follows:

Article 25 Compliance

I. The proposed Personal Wireless Service Facility would not significantly degrade the aesthetic attributes that distinguish the Street Light Pole as historic, historically significant, architecturally significant, decorative, or specially designed.

II. The proposed Personal Wireless Service Facility would not significantly degrade the aesthetic attributes that were the basis for the special designation of the district.

III. The proposed Personal Wireless Service Facility would not significantly degrade the aesthetic attributes that were the basis for the special designation of the building.

IV. The proposed Personal Wireless Service Facility would not significantly impair the views of any of the important buildings, landmarks, open spaces, or parks that were the basis for the designation of the street as a view street. This site has been designated as having good street view per the San Francisco General Plan.

V. The proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Residential or Neighborhood Commercial zoning district. This site is located within the RH-1 (Residential- House, One Family) Zoning District.

The proposed AT&T Mobility personal wireless service facility would be situated within the RH-1 (Residential- House, One Family) Zoning District. The RH-1 District have been occupied almost entirely by single-family houses on lots 25 feet in width, without side yards. Floor sizes and building styles vary, but tend to be uniform within tracts developed in distinct time periods. Though built on separate lots, the structures have the appearance of small-scale row housing, rarely exceeding 35 feet in height. Front setbacks are common, and ground level open space is generous

Planning has determined that the proposed AT&T Mobility personal wireless service facility is designed in a streamlined manner, as proposed it will be located on a replacement pole in the exact location of an existing light pole which would not significantly detract from any of the defining characteristics of the good street view RH-1 (Residential- House, One Family) Zoning District.

General Plan Compliance

I. URBAN DESIGN ELEMENT

The Urban Design Element concerns the physical character and order of the city, and the relationship between people and their environment. The Urban Design Element is concerned both with

development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1
Recognize and protect major views in the city, with particular attention to those of open space and water.

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.9
Review proposals for the giving up of street areas in terms of all the public values that streets afford.

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 has been designed to reduce, to the best extent possible, the blocking or other impairment of pleasing street views, and preserves an important characteristic of the unique setting and quality of the city.

The project has been designed to maintain, to the best extent possible, views from streets which can provide a means for orientation and preserves the ability for an observer to perceive the City and its districts clearly.

II. TRANSPORTATION ELEMENT

The Transportation Element concerns pedestrian movement in the city as to ensure the city is safe, convenient, and pleasant as pedestrian travel is an important component of the transportation system. The close-knit fabric of San Francisco, in junction with the dramatic hills and sweeping vistas, makes walking an ideal mode for exploring and moving about the city. The sidewalk is a shared space and provides a strong sense of the overall image of the city.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.5
Establish and enforce a set of sidewalk zones that provides guidance for the location of all pedestrian and streetscape elements, maintains sufficient unobstructed width for passage of people, strollers and wheelchairs, consolidates raised elements in distinct areas to activate the pedestrian environment, and allows sufficient access to buildings, vehicles, and streetscape amenities.

The project has been designed to maintain at least four (4) feet unobstructed width for pedestrian passage as outlined in the Pedestrian Network Streets and Design Guidelines of the Transportation Element.

OBJECTIVE 24
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.4
Preserve pedestrian-oriented building frontages.

The project has been designed as a minimally-visible facility to be attached to a new light/utility pole extant in the public sidewalk. The facility components are designed as an extension to the pole and equipment boxes, with requirements to be painted or shrouded to match the pole further reducing their visibility and any conflicts with the building frontages within the RH-1 Zoning District.

Conditions

1. Plant and maintain an appropriate street tree.

2. Antenna, and all equipment (external conduit, radio relay units, blinders used to shroud bracket bolts [if needed], and mounting mechanisms); except signage, if used for screening, shall all be painted to match the pole and repainted as needed.

3. Remove raised equipment signage (including filling in manufacturer logo indentations on radio relay units/cabinets) and equipment decals that may be visible from sidewalk and dwellings, unless required by government regulation.

4. Utilize smallest RF warning signage allowed (4 x 6 inches); and place the warning sticker facing out toward street, at a location as close to antenna as is feasible. Sticker shall face away from street, when not facing a nearby window within 15 feet. Background color of sticker shall match the pole-mounting surface; and logo and text shall be white.

5. Stack equipment enclosures (not including antenna) as close as allowed by applicable regulation and manufacturer equipment standards.

6. Seams and bolts/screws at antenna and shroud assembly area shall be fabricated and installed in a manner so as to reduce their visibility (e.g. flush mounting screws) from sidewalk level.

7. Not utilize any visible flashing indicator lights or similar.

8. New below ground enclosure excavations (vault), if utilized, shall not damage or remove granite curbs. No significant gaps shall be created between vault enclosure lid and primary sidewalk material due to installation. Any other existing historic architectural elements within the public right-of-way shall be retained and protected during installation. No carrier logo or carrier name may be placed on the vault lid.

9. Non-essential radio relay unit elements (handle and legs) shall be removed.

10. The installer shall arrange to have Planning Department staff review the initial installation, in order to ensure compliance with the aforementioned conditions (notwithstanding inspections by pole owner and Department of Public Works).

11. Ensure Wi-Fi Access Points and associated wiring, utilized by the City's Department of Technology, are not damaged during installation (if present).

12. Should the installation vary from said conditions, the application shall be resubmitted to the Planning Department for further review and comment.

Sincerely,

Dakota Spycher
Planner

EXHIBIT 6

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San Francisco Public Works
General – Director's Office
49 South Van Ness Ave., Suite 1600
San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 206502

WOODEN UTILITY POLES

- **General limitations:** No wireless equipment may be attached to utility poles that are within 9' of any residential windows measured on a horizontal plane.
- **Use of shrouds:**
  - **Shrouds required:** All antennas must be in shrouds. Shrouds can be used only for antennas for a combination of antennas and ancillary equipment. For the purposes herein, a covered, integrated antenna/radio unit shall be considered a single shroud.
  - **Applicability of size limitations:** The shroud size limitations set forth below apply whether the shroud is used for antennas only or for a combination of antennas and ancillary equipment, or is a covered, integrated antenna/radio unit.
- **General requirements for wooden utility poles (all Compatibility Standards):**
  - **Design preference ladder:**
    - **Preference One:** Pole-top shroud without a taller replacement pole or pole-top extension. Re-arrange electric lines to meet CPUC General Order 95 separation requirements without increasing height of pole.
    - **Preference Two:** Side-mounted shrouds located on cross-arms without a taller replacement pole. Location on pole as required by CPUC General Order 95. No more than one cross-arm per pole. No cross-arm may have more than two shrouds.
    - **Preference Three:** Pole-top shroud with a taller replacement pole. Height of shroud after pole replacement does not exceed the lesser of: (a) 10' above height limit for the applicable zoning district; or (b) 10' above the height of the existing pole. A 12' clearance is permitted if required by CPUC General Order 95. The height measurements must be taken from ground level.
    - **Preference Four:** Side-mounted shrouds located on cross-arms with a taller replacement pole. Height of pole with shroud after pole replacement does not exceed the lessor of: (a) 10' above height limit for the applicable zoning district; or (b) 10' above the height of the existing pole. A 12' clearance is permitted if required by CPUC General Order 95.
    - **Preference Five:** Pole-top shroud with a pole-top extension. Height of pole with shroud after pole extension does not exceed the lesser of: (a) 10' above height limit for the applicable zoning district; or (b) 10' above the height of the existing pole. A 12' clearance is permitted if required by CPUC General Order 95. The height measurements must be taken from ground level.
    - **Preference Six (disfavored designs):**

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- Pole-top shroud with a taller replacement pole or pole-top extension where the height of pole with shroud after the pole replacement or extension will exceed: (a) the height limit for the applicable zoning district by more than 10'; or (b) the height of existing pole by more than 10'. A 12' clearance is permitted if required by CPUC General Order 95. The height measurements must be taken from ground level.
- Side-mounted shrouds to be installed on a cross-arm on a pole located: (a) on a street with excellent views; (b) in a S.F. Planning Code Article 10 Landmark District; (c) in front of a S.F. Planning Code Article 10 designated landmark; (d) in a S.F. Planning Code Article 11 Conservation District; or (e) in front of a S.F. Planning Code Article 11 designated building.

- **Use of design preferences:** Applicants must use Preference One whenever feasible. If infeasible, Applicant must explain to Public Works the reasons for needing to move down each rung of the design preference ladder. Applications using Preference Six (disfavored design) must be approved by the Planning Department. Approval will not be granted unless Applicant shows this design is the only feasible one.
- **Skirting:** For pole-top shroud, a skirt is required to create a streamlined appearance.
- **Shroud size limitations:**
  - Pole-top cylindrical shroud shall not exceed 48" x 21" (length, diameter).
  - Side-mounted shrouds shall not exceed either three cubic feet in volume or 28" x 16" x 11" (length, width, depth) each. The volume limitation does not apply to: (a) any cross-arms or other fixtures that are necessary to attach the shrouds to the pole; and (b) any necessary cabling.
- **Ancillary equipment**
  - **Multiple boxes:**
    - Multiple boxes for ancillary equipment shall appear to be no more than five distinctive components per pole.
    - Ancillary equipment boxes shall be stacked and consolidated where feasible.
    - No single ancillary equipment box may exceed 36" x 16" x 12" (length, width, depth).
  - **Single box:**
    - Ancillary equipment may be placed within a single box provided the single box would not interfere with any authorized pole attachments.
    - The single box shall not exceed 66" x 16" x 12" (length, width, depth).
  - **General requirements:**
    - All ancillary equipment shall be put into boxes if not placed in a shroud.
    - Ancillary equipment boxes shall be flush-mounted where allowed, otherwise 6" to 8" from pole.
    - Total volume of all ancillary equipment boxes may not exceed 28 cubic feet.

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        - Location of ancillary equipment boxes shall be as required by CPUC General Order 95.
        - Any required meter and/or disconnect switch shall be placed in the size equipment box, and installed at the height, required by the applicable electric service provider.
    - **Clutter:** Existing pole clutter shall be reduced where feasible (i.e., unused cables, lines, equipment).
    - **Equipment color:** All equipment, equipment boxes, shrouds, and skirts (if necessary) shall be painted to match existing pole color.
- **Special requirements for wooden utility poles near parks (Tier C Compatibility Standard)**
    - **Shrouds:**
        - Must be side-mounted.
        - Shall maintain a maximum 2' horizontal clearance from the centerline of the pole.
    - **Ancillary equipment boxes:**
        - No ancillary equipment box may exceed 36" x 16" x 12" (length, width, depth).
        - Ancillary equipment boxes must be a minimum height of 8' above the ground.
        - Total volume of all ancillary equipment boxes may not exceed 15 cubic feet in volume.

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STEEL AND CONCRETE UTILITY POLES

- **General limitations:** No wireless equipment may be attached to utility poles that are within 9' of any residential windows measured on a horizontal plane.
- **Use of shrouds:**
  - **Shrouds required:** All antennas must be in shrouds. Shrouds can be used only for antennas for a combination of antennas and ancillary equipment. For the purposes herein, a covered, integrated 5G antenna/radio unit shall be considered a single shroud.
  - **Applicability of size limitations:** The shroud size limitations set forth below apply whether the shroud is used for antennas only or for a combination of antennas and ancillary equipment, or is a covered, integrated 5G antenna/radio unit.
- **Shroud size limitations:**
  - **Cylindrical shroud:** 48" x 21" (length, diameter).
  - **Hexagonal shroud:** 24" x 28.5" (length, diameter).
  - **Volume:** No shroud may exceed three cubic feet in volume.
- **Applicability of size limitations:** The shroud size limitations set forth below apply whether the shroud is used for antennas only or for a combination of antennas and ancillary equipment, or is a covered, integrated 5G antenna/radio unit.
- **Maximum ancillary equipment box size and location:**
  - **Multiple boxes:** If ancillary equipment will be placed in more than one box, no single box shall exceed 36" x 16" x 12" (length, width, depth) (spaced as close as possible).
  - **Single box:** Ancillary equipment may be placed within a single box provided the single box would not interfere with any authorized pole attachments. The single box shall not exceed 66" x 16" x 12" (length, width, depth).
  - **Volume:** Total volume of all ancillary equipment boxes may not exceed 28 cubic feet.
  - **Location:** Must be at a minimum height of 12'7" and a maximum height of 20'1".
- **Shroud locations and clearances:**
  - Cylindrical shroud to be at top of pole.
  - Hexagonal shroud to be as close as possible to streetlight arm without interfering with banners.
- **Meter/Disconnect switch:** Any required meter and/or disconnect switch shall be placed in the size equipment box, and installed at the height, required by the applicable electric service provider.
- **Shroud shape:**
  - Cylindrical shroud: Cone-shaped cylinder is preferred.
  - Hexagonal shroud: No preference for shape of bottom.
- **Equipment color:** All equipment, equipment boxes, shrouds, and skirts (if necessary) must match existing pole color.
- **Cabling:** No exposed cabling. Only conductors may be installed inside the street light pole.
- **Replacement pole:** Must be comparable to existing pole design but meet structural requirements.
- **Signage:**

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- Identification plate: One identification plate with a maximum dimension of 7.5" x by 6" (length, width) (to specify facility owner's name and contact information) shall be attached directly to pole.
- Warning signs: Other signage that may be required by federal law.

- **Recreation & Park Department requirements.** For streetlight poles fronting City parks or open spaces, no shroud may exceed 2.5 cubic feet in volume.

X DocuSigned by:
C0A758C115B741C...
Huff, Nicolas
Bureau Manager

X DocuSigned by:
Albert Ko
281DC30E04CF41A...
Ko, Albert J
Deputy Director and City Engineer

X DocuSigned by:
073CF73A4EA6486...
Short, Carla
Interim Director of Public Works

EXHIBIT 7

CRAN_RSFR_REDP1_004

(NEAR) 1627 37TH AVENUE
SAN FRANCISCO, CA 94121

SITE ID:	CRAN_RSFR_REDP1_004
PACE CODE:	MRSFR105912
FA CODE:	16351976
SITE TYPE:	WOODEN PG&E UTILITY POLE
POLE #:	110048857
COUNTY:	SAN FRANCISCO

PROJECT TEAM

APPLICANT:
AT&T MOBILITY
5001 EXECUTIVE PARKWAY
SAN RAMON, CA 94583
CONTACT: MARC GRABISCH
EMAIL: MG3870@ATT.COM

PROJECT MANAGER:
NEXT EDGE
1355 WINDWARD CONCOURSE, SUITE 410
ALPHARETTA, GA 30005
PHONE: (415) 989.1102
EMAIL: SEA.OMMOH@NEXTEDGENETWORKS.COM

AT&T MOBILITY PROJECT MANAGER:
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AT&T MOBILITY RF MANAGER:
5001 EXECUTIVE PARKWAY
SAN RAMON, CA 94583
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EMAIL: HP0MP@ATT.COM

CONSTRUCTION MANAGER:
NEXT EDGE
1355 WINDWARD CONCOURSE, SUITE 410
ALPHARETTA, GA 30005
PHONE: (415) 989.1102
EMAIL: ATTPROJECTTEAM@NCOUSLLC.COM

PROJECT DESCRIPTION

AT&T PROPOSES TO INSTALL A NEW WIRELESS COMMUNICATION SITE ON A WOODEN PG&E UTILITY POLE IN THE PUBLIC RIGHT-OF-WAY.

SCOPE:

- INSTALL (1) NEW 2' CANISTER ANTENNA ON TOP OF WOODEN PG&E UTILITY POLE
- INSTALL (1) NEW RADIO 4490, (1) NEW RADIO 4890 AND (1) RADIO 4467 ON WOODEN PG&E UTILITY POLE
- INSTALL (3) NEW PSU AC08 ON WOODEN PG&E UTILITY POLE
- INSTALL (1) NEW COAX CONDUIT FROM EQUIPMENT TO NEW CANISTER ANTENNA
- INSTALL (1) NEW POWER CONDUIT FROM P.O.C. TO EQUIPMENT
- INSTALL (1) NEW FIBER CONDUIT FROM P.O.C. TO EQUIPMENT
- INSTALL (1) NEW EQUIPMENT BRACKET
- INSTALL (1) NEW SMART METER / DISCONNECT
- CABLING TO BE INSTALLED IN A TIGHT NEAT MANNER WITHOUT EXCESS CABLE LOOPS
- ALL AT&T ADDED APPURTENANCES SHALL BE PAINTED TO MATCH POLE COLOR (NON-GLOSSY "SABLE" BY SHERWIN WILLIAMS, OR EQUIVALENT)

DRAWING INDEX

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
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A-2	ENLARGED SITE PLAN & PROPOSED EQUIPMENT LAYOUT PLANS
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D-1	DETAILS
D-2	DETAILS
E-1	ELECTRICAL GENERAL NOTES
E-2	ONE-LINE DIAGRAM & GROUNDING SCHEMATIC
E-3	ELECTRICAL DETAILS
TCP-1	TRAFFIC CONTROL PLAN

POLE PHOTO



VICINITY MAP



SITE INFORMATION

SITE ADDRESS:	(NEAR) 1627 37TH AVENUE SAN FRANCISCO, CA 94121
OWNER:	PG&E 1 MARKET STREET, SPEAR TOWER SAN FRANCISCO, CA 94105-1126
APPLICANT:	AT&T MOBILITY 5001 EXECUTIVE PARKWAY SAN RAMON, CA 94583
LATITUDE:	37.756599° N NAD83
LONGITUDE:	122.496076° W NAD83
COUNTY:	SAN FRANCISCO
JURISDICTION:	CITY OF SAN FRANCISCO
ASSESSORS PARCEL NUMBER:	PUBLIC RIGHT OF WAY NEAR 1906/003
ZONING:	PUBLIC ROW
ELEVATION:	178.299' AMSL

CALL 811 BEFORE YOU DIG
IT'S THE LAW

THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER/SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL THE UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO THE (E) UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- 2022 CALIFORNIA BUILDING CODE (CBC), BASED ON THE 2021 IBC
- 2022 CALIFORNIA ELECTRICAL CODE (CEC), BASED ON THE 2020 NEC
- 2022 CALIFORNIA MECHANICAL CODE (CMC), BASED ON THE 2021 UMC
- 2022 CALIFORNIA PLUMBING CODE (CPC), BASED ON THE 2021 UPC
- 2022 CALIFORNIA GREEN BUILDINGS STANDARDS CODE (CALGREEN)
- 2022 CALIFORNIA FIRE CODES WITH ALL LOCAL AMENDMENTS, BASED ON THE 2021 IFC
- ANY LOCAL BUILDING CODE AMENDMENTS TO THE ABOVE
- CALIFORNIA GENERAL ORDER 95 (G.O. 95, 2009)
- NCJPA OPERATIONS/ ROUTINE HANDBOOK (2019)
- NATIONAL ELECTRICAL CODE (NEC) (2023 EDITION)
- NATIONAL ELECTRICAL SAFETY CODE IEEE C2 2023 (NESC)
- CITY / COUNTY ORDINANCES

ACCESSIBILITY REQUIREMENTS FOR PERSONS WITH DISABILITIES:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY IS NOT REQUIRED IN ACCORDANCE WITH CALIFORNIA ADMINISTRATIVE STATE CODE PART 2, TITLE 24, CHAPTER 11B, SECTION 11338.

at&t
AT&T
5005 EXECUTIVE PARKWAY
SAN RAMON, CA
94583

NextEdge
1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/06/25	100% CD

LICENSED PROFESSIONAL ENGINEER
STEPHANIE E. WONG
No. 88117
Exp. 08/30/25
CIVIL
STATE OF CALIFORNIA

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT

CRAN_RSFR_REDP1_004

(NEAR) 1627 37TH AVENUE
SAN FRANCISCO, CA 94121

TITLE SHEET

T-1

GENERAL NOTES

GENERAL CONSTRUCTION NOTES

1. PLANS ARE INTENDED TO BE DIAGRAMMATIC ONLY, UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
2. THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
3. CONTRACTOR SHALL CONTACT USA (UNDERGROUND SERVICE ALERT) AT (800) 227-2600, FOR UTILITY LOCATIONS, 2 WORKING DAYS BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
4. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CBC'S REQUIREMENTS REGARDING EARTHQUAKE RESISTANCE, FOR, BUT NOT LIMITED TO, PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS, AND MECHANICAL EQUIPMENT. ALL WORK MUST COMPLY WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
6. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWINGS, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT / ENGINEER.
7. THE BUILDING DEPARTMENT ISSUING THE PERMITS SHALL BE NOTIFIED AT LEAST TWO WORKING DAYS PRIOR TO THE COMMENCEMENT OF WORK, OR AS OTHERWISE STIPULATED BY THE CODE ENFORCEMENT OFFICIAL HAVING JURISDICTION.
8. DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE AREA LINES, UNLESS OTHERWISE NOTED.
9. ALL EXISTING UTILITIES, FACILITIES, CONDITIONS, AND THEIR DIMENSIONS SHOWN ON THE PLAN HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ARCHITECT / ENGINEER AND THE OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR THE ACCURACY OF THE INFORMATION SHOWN ON THE PLANS, OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTORS SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
10. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHOULD BE IMMEDIATELY REPORTED TO THE ARCHITECT / ENGINEER FOR RESOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT / ENGINEER. FAILURE TO SECURE SUCH INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.
11. ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.
12. ANY EXISTING COMPONENTS DISTURBED DURING CONSTRUCTION SHALL BE RETURNED TO ITS ORIGINAL CONDITION PRIOR TO COMPLETION OF WORK. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON "AS-BUILT" DRAWINGS BY GENERAL CONTRACTOR, AND ISSUED TO THE ARCHITECT / ENGINEER AT COMPLETION OF PROJECT.
13. ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.

GENERAL NOTES FOR EXISTING CELL SITES

1. PRIOR TO THE SUBMISSION OF BIDS, THE BIDDING CONTRACTOR SHALL VISIT THE CELL SITE TO FAMILIARIZE WITH THE EXISTING CONDITIONS AND TO CONFIRM THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS. ANY DISCREPANCY FOUND SHALL BE BROUGHT TO THE ATTENTION OF CONTRACTOR.
2. CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THE DRAWINGS MUST BE VERIFIED. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
3. THE EXISTING CELL SITE IS IN FULL COMMERCIAL OPERATION. ANY CONSTRUCTION WORK BY CONTRACTOR SHALL NOT DISRUPT THE EXISTING NORMAL OPERATION. ANY WORK ON EXISTING EQUIPMENT MUST BE COORDINATED WITH CONTRACTOR. ALSO, WORK SHOULD BE SCHEDULED FOR AN APPROPRIATE MAINTENANCE WINDOW USUALLY IN LOW TRAFFIC PERIODS AFTER MIDNIGHT.
4. SINCE THE CELL SITE IS ACTIVE, ALL SAFETY PRECAUTIONS MUST BE TAKEN WHEN WORKING AROUND HIGH LEVELS OF ELECTROMAGNETIC RADIATION. EQUIPMENT SHOULD BE SHUTDOWN PRIOR TO PERFORMING ANY WORK THAT COULD EXPOSE THE WORKERS TO DANGER. PERSONAL RF EXPOSURE MONITORS ARE ADVISED TO BE WORN TO ALERT OF ANY DANGEROUS EXPOSURE LEVELS.
5. CONTRACTOR SHALL DETERMINE ACTUAL ROUTING OF CONDUIT, POWER AND T1 CABLES, GROUNDING CABLES AS SHOWN ON THE POWER, GROUNDING AND TELCO PLAN DRAWING. CONTRACTOR SHALL UTILIZE EXISTING TRAYS AND/OR SHALL ADD (N) TRAYS AS NECESSARY. CONTRACTOR SHALL CONFIRM THE ACTUAL ROUTING WITH THE CONTRACTOR.
6. CONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS COAXIAL CABLES AND OTHER ITEMS REMOVED FROM THE EXISTING FACILITY. ANTENNAS REMOVED SHALL BE RETURNED TO THE OWNER'S DESIGNATED LOCATION.

APPLICABLE CODES, REGULATIONS AND STANDARDS:

1. CONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION.
2. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE TIME OF PERMITTING AWARD SHALL GOVERN THE DESIGN.
3. CONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:
   - 3.1. – AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE
   - 3.2. – AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION
   - 3.3. – TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-F, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES
   - 3.4. – INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM-IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRICAL EQUIPMENT.
   - 3.5. -IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")
4. TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS
   - 4.1. TELCORDIA GR-63 NETWORK EQUIPMENT-BUILDING SYSTEM (NEBS): PHYSICAL PROTECTION
   - 4.2. TELCORDIA GR-947 CENTRAL OFFICE POWER WIRING
   - 4.3. TELCORDIA GR-1275 GENERAL INSTALLATION REQUIREMENTS
   - 4.4. TELCORDIA GR-1503 COAXIAL CABLE CONNECTIONS
5. ANY AND ALL OTHER LOCAL & STATE LAWS AND REGULATIONS
6. FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

GENERAL TRENCHING NOTES

1. MAINTAIN 24" MINIMUM COVER FOR ALL ELECTRICAL CONDUITS, U.O.N.
2. MAINTAIN 30" MINIMUM COVER FOR ALL TELECOMMUNICATIONS CONDUITS.
3. MINIMUM 1" SAND SHADING BELOW CONDUITS, AND 6" COVERING ON TOP OF CONDUITS REQUIRED.
4. REFER TO SHEET E-1 FOR ADDITIONAL REQUIREMENTS

GENERAL GROUNDING NOTES

1. GROUNDING SHALL BE TESTED AT 5 OHMS OR LESS.
2. WOOD MOLDING, STAPLED EVERY 3'-0" AND AT EACH END.

GENERAL CONDUIT NOTES

1. ALL CONDUITS WILL BE MANDRELED AND EQUIPPED WITH 3/8" PULL ROPE.
2. SCHEDULE 40 CONDUIT FOR UNDERGROUND USE.
3. SCHEDULE 80 CONDUIT FOR RISER USE AND ELSEWHERE AS NOTED. TRANSITION FROM SCHEDULE 40 PVC OR RIGID STEEL CONDUIT TO SCHEDULE 80 USING APPROVED FITTINGS DESIGNED TO PROVIDE A SMOOTH INTERIOR WALL TRANSITION TO THE REDUCED INTERIOR DIAMETER OF SCHEDULE 80. ADJUST CONDUIT SIZE IF NECESSARY TO MAINTAIN THE INTERIOR AREA REQUIRED FOR THE WIRING SPECIFIED.
4. GALVANIZED STEEL CONDUIT FOR ANY CONDUIT UNDER 3', STUB UP 10" THEN CONVERT TO SCHEDULE 80.
5. CONTRACTOR TO STUB UP POLE 10' w/ 3" POWER CONDUIT. POWER COMPANY TO CONVERT FROM 3" STUB SCHEDULE 80 TO 2" SCHEDULE 80 FROM TOP OF STUB UP.
6. ZRC COLD GALVANIZING COMPOUND OR EQUIVALENT IS REQUIRED ON EXPOSED THREADS IN RIGID STEEL CONDUIT AND THE CUT ENDS OF SUPPORT STRUTS, ETC. TO PREVENT RUSTING.

TYPICAL R.O.W. POLE CONSTRUCTION NOTES

1. CABLE NOT TO IMPEDE 15" CLEAR SPACE OFF POLE FACE.
2. ALL CLIMB STEPS NEXT TO CONDUIT SHALL HAVE EXTENDED STEPS.
3. NO BOLT THREADS TO PROTRUDE MORE THAN 1-1/2"
4. ALL HOLES IN POLE LEFT FROM REARRANGEMENT OF CLIMB STEPS TO BE FILLED.
5. 90° SHORT SWEEPS UNDER ANTENNA ARM. ALL CABLES MUST TRANSITION ON THE BRIDGE OR BOTTOM OF THE ARM (NO CABLE ON TOP OF ARM).
6. USE 90° CONNECTOR AT CABLE CONNECTION FOR OMNI DOWN ANTENNAS.
7. USE CABLE CLAMPS TO SECURE CABLE TO ARMS. PLACE 2" AT&T WIRELESS CABLE I.D. TAGS ON BOTH SIDES OF ARMS.
8. USE 1/2" DIA. CABLE ON ANTENNAS UNLESS OTHERWISE SPECIFIED.
9. PLACE GPS ON ARM OF SOUTHERN SKY EXPOSURE AT MINIMUM 4' FROM SEAM/ANTENNA WHICH IS 24" AWAY FROM CENTER OF POLE.
10. FILL VOID AROUND CABLES AT CONDUIT OPENING WITH FOAM SEALANT TO PREVENT WATER INTRUSION.

CONTRACTOR REQUIREMENTS

DO NOT SCALE OFF DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

ABBREVIATIONS

A.B.	ANCHOR BOLT	GLB. (GLU-LAM)	GLUE LAMINATED BEAM
ABV.	ABOVE	GPS	GLOBAL POSITIONING SYSTEM
ACCA	ANTENNA CABLE COVER ASSEMBLY	GRND.	GROUND
ADDTL	ADDITIONAL	HDR.	HEADER
A.F.F.	ABOVE FINISHED FLOOR	HGR.	HANGER
A.F.G.	ABOVE FINISHED GRADE	HT.	HEIGHT
AGL	ABOVE GROUND LEVEL	ICGB.	ISOLATED COPPER GROUND BUS
ALUM	ALUMINUM	INCHES	INCH(ES)
ALT.	ALTERNATE	INT.	INTERIOR
AMSL	ABOVE SEA LEVEL	LB.(#)	POUND(S)
ANT.	ANTENNA	LB.	LAG BOLTS
APPROX.	APPROXIMATE(LY)	L.F.	LINEAR FEET(FOOT)
ARCH.	ARCHITECTURAL	L.	LONGITUDINAL
AWG.	AMERICAN WIRE GAUGE	MAS.	MASONRY
BLDG.	BUILDING	MAX.	MAXIMUM
BLK.	BLOCK	MB.	MACHINE BOLT
BLKG	BLOCKING	MECH.	MECHANICAL
BM.	BEAM	MFR.	MANUFACTURER
B.N.	BOUNDARY NAILING	MIN.	MINIMUM
BN	BACK-UP CABINET	MISC.	MISCELLANEOUS
BTCW.	BARE TINNED COPPER WIRE	MTL.	METAL
B.O.	BOTTOM	NO.(#)	NUMBER
B.O.F.	BOTTOM OF FOOTING	N.T.S.	NOT TO SCALE
CAB.	CABINET	(N)	NEW
CANT.	CANTILEVER(ED)	O.C.	ON CENTER
C.I.P.	CAST IN PLACE	OPNG.	OPENING
CLG.	CEILING	P/C	PRE CAST CONCRETE
℄	CENTERLINE	PCS	PERSONAL COMMUNICATION SERVICES
CLR.	CLEAR	℗	PLATE
COL.	COLUMN	PLY.	PLYWOOD
CONC.	CONCRETE	PPC.	POWER PROTECTION CABINET
CONN.	CONNECTION(OR)	PRC.	PRIMARY FEEDING CABINET
CONST.	CONSTRUCTION	P.S.F.	POUNDS PER SQUARE FOOT
CONT.	CONTINUOUS	P.S.I.	POUNDS PER SQUARE INCH
∅	PENNY (NAILS)	PT.	PRESSURE TREATED
DBL.	DOUBLE	PWR.	POWER (CABINET)
DEPT.	DEPARTMENT	QTY.	QUANTITY
D.F.	DOUGLAS FIR	RAD.(R)	RADIUS
DIA.	DIAMETER	REF.	REFERENCE
DIAG.	DIAGONAL	REINF.	REINFORCING
DIM.	DIMENSION	REQ'D.	REQUIRED
DWG.	DRAWING(S)	RGS.	RIGID GALVANIZED STEEL
DWL.	DOWEL(S)	R.O.W.	RIGHT OF WAY
EA.	EACH	SCH.	SCHEDULE
EL.	ELEVATION	SHT.	SHEET
ELEC.	ELECTRICAL	SIM.	SIMILAR
ELEV.	ELEVATOR	SPEC.	SPECIFICATION(S)
EMT.	ELECTRICAL METALLIC TUBING	SQ.	SQUARE
E.N.	EDGE NAIL	S.S.	STAINLESS STEEL
ENG.	ENGINEER	STD.	STANDARD
EQ.	EQUAL	STL.	STEEL
EXP.	EXPANSION	STRUC.	STRUCTURAL
EXST.(E)	EXISTING	TEMP.	TEMPORARY
EXT.	EXTERIOR	THK.	THICKNESS
FAB.	FABRICATION(OR)	T.N.	TOE NAIL
F.F.	FINISH FLOOR	T.O.A.	TOP OF ANTENNA
F.G.	FINISH GRADE	T.O.C.	TOP OF CURB
FIN.	FINISHED(E)	T.O.F.	TOP OF FOUNDATION
FLR.	FLOOR	T.O.P.	TOP OF PLATE(PARAPET)
FDN.	FOUNDATION	T.O.S.	TOP OF STEEL
F.O.C.	FACE OF CONCRETE	T.O.W.	TOP OF WALL
F.O.M.	FACE OF MASONRY	TYP.	TYPICAL
F.O.S.	FACE OF STUD	U.G.	UNDER GROUND
F.O.W.	FACE OF WALL	U.L.	UNDERWRITERS LABORATORY
F.S.	FINISH SURFACE	U.N.O.	UNLESS NOTED OTHERWISE
FT.(')	FOOT(FEET)	V.I.F.	VERIFY IN FIELD
FTG.	FOOTING	W	WIDE(WIDTH)
G.	GROWTH(CABINET)	W/	WITH
GA.	GAUGE	WD.	WOOD
GL	GALVANIZED(D)	W.P.	WEATHERPROOF
G.F.I.	GROUND FAULT CIRCUIT INTERRUPTER	WT.	WEIGHT

LEGEND

- SPOT ELEVATION
- REVISION (X)
- GRID REFERENCE (X)
- DETAIL REFERENCE (X)
- ELEVATION REFERENCE (X)
- SECTION REFERENCE (X)
- MATCH LINE
- WORK POINT

- STEEL
- GROUT OR PLASTER
- (E) BRICK
- (E) MASONRY
- CONCRETE
- EARTH
- GRAVEL
- PLYWOOD
- SAND
- CENTERLINE
- PROPERTY/LEASE LINE
- GROUND CONDUCTOR
- T — TELEPHONE CONDUIT
- E — ELECTRICAL CONDUIT
- E/T — ELECTRICAL & TELCO CONDUITS
- A — COAXIAL CABLE
- O/H — OVERHEAD LINES
- X — CHAIN LINK FENCING
- WOOD FENCING
- OHT/OHP — OVERHEAD COMM/ OVERHEAD POWER

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NextEdge

1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/04/25	100% CD

REGISTERED PROFESSIONAL ENGINEER — CHRISTOPHER A. STOLL — No. 86117 — Exp. 09/30/25 — CIVIL — STATE OF CALIFORNIA

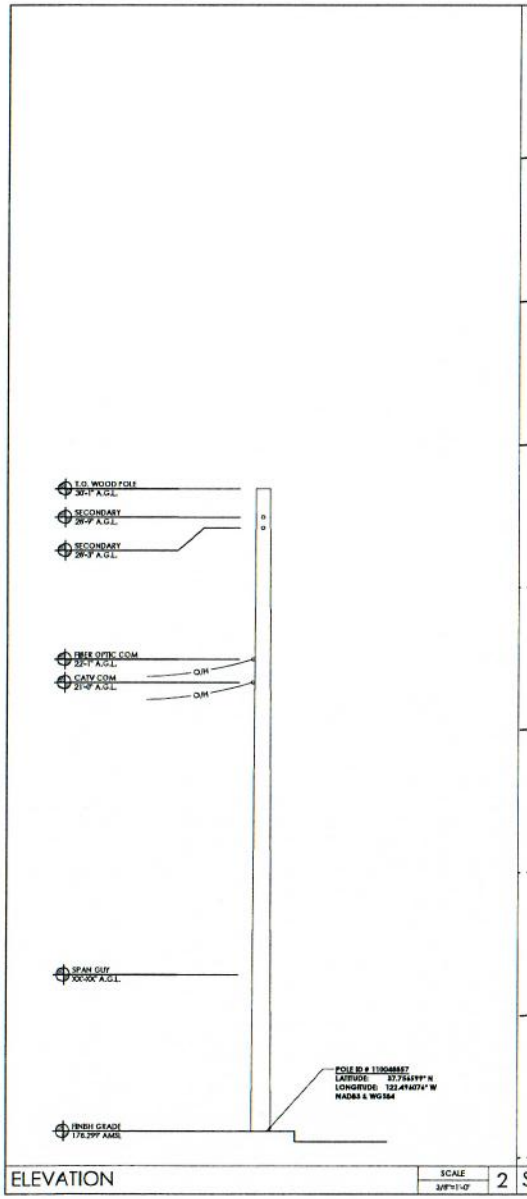
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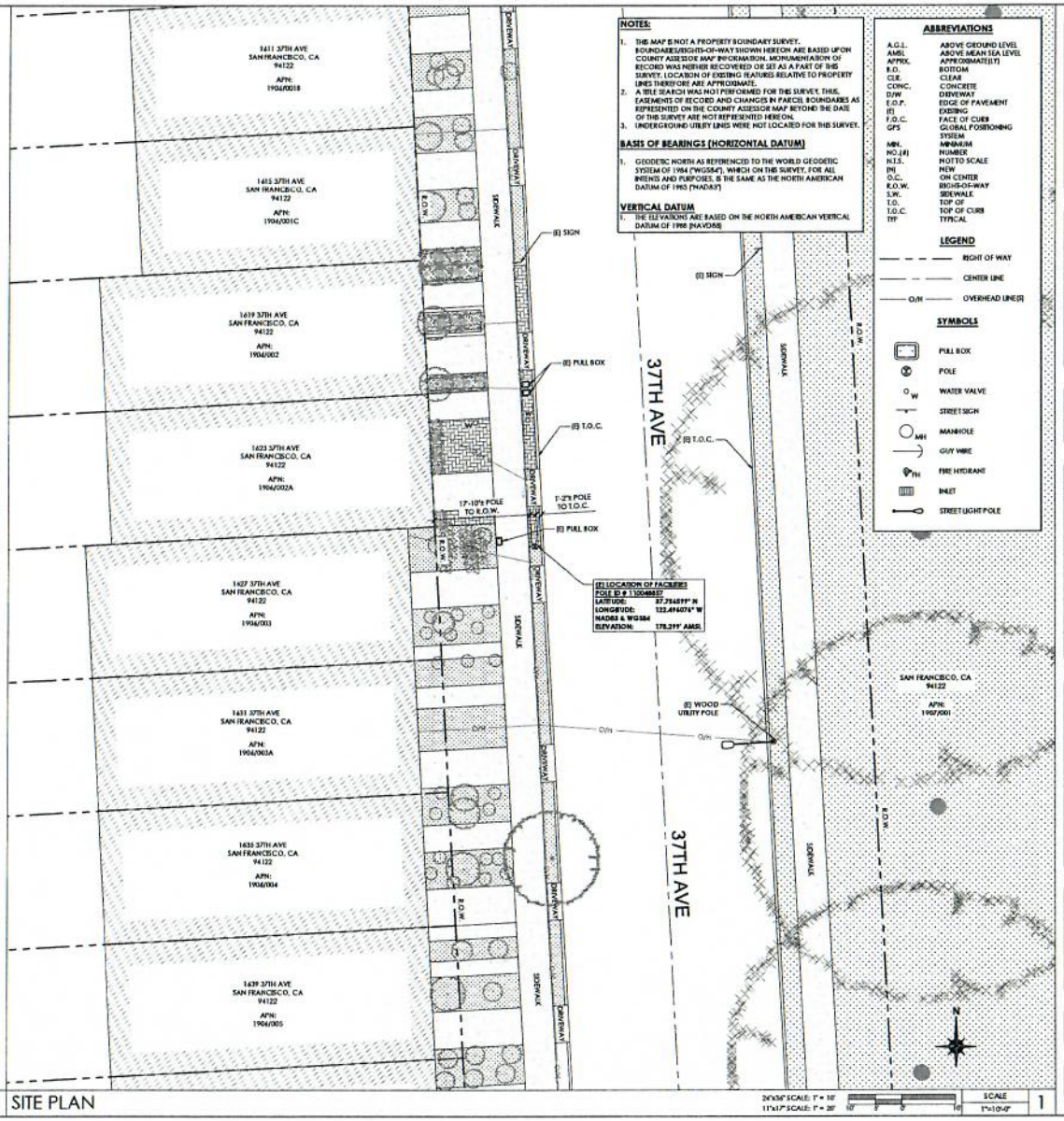
GENERAL NOTES

T-2



ELEVATION

SCALE 3/8"=1'-0" 2



SITE PLAN

NOTES:

1. THIS MAP IS NOT A PROPERTY BOUNDARY SURVEY. BOUNDARIES/RIGHTS-OF-WAY SHOWN HEREON ARE BASED UPON COUNTY ASSESSOR MAP INFORMATION. MONUMENTATION OF RECORD WAS NEITHER RECOVERED OR SET AS A PART OF THIS SURVEY. LOCATION OF EXISTING FEATURES RELATIVE TO PROPERTY LINES THEREFORE ARE APPROXIMATE.
2. A TITLE SEARCH WAS NOT PERFORMED FOR THIS SURVEY. THUS, EASEMENTS OF RECORD AND CHANGES IN PARCEL BOUNDARIES AS REPRESENTED ON THE COUNTY ASSESSOR MAP BEYOND THE DATE OF THIS SURVEY ARE NOT REPRESENTED HEREON.
3. UNDERGROUND UTILITY LINES WERE NOT LOCATED FOR THIS SURVEY.

BASIS OF BEARINGS (HORIZONTAL DATUM)

1. GEODETIC NORTH AS REFERENCED TO THE WORLD GEODETIC SYSTEM OF 1984 ("WGS84"), WHICH ON THIS SURVEY, FOR ALL INTENTS AND PURPOSES, IS THE SAME AS THE NORTH AMERICAN DATUM OF 1983 ("NAD83")

VERTICAL DATUM

1. THE ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 ("NAVD88")

ABBREVIATIONS

A.G.L.	ABOVE GROUND LEVEL
AMSL	ABOVE MEAN SEA LEVEL
APPRX.	APPROXIMATE(LY)
B.O.	BOTTOM
CLR.	CLEAR
CONC.	CONCRETE
D/W	DRIVEWAY
E.O.P.	EDGE OF PAVEMENT
(E)	EXISTING
F.O.C.	FACE OF CURB
GPS	GLOBAL POSITIONING SYSTEM
MIN.	MINIMUM
NO.(#)	NUMBER
N.T.S.	NOTTO SCALE
(N)	NEW
O.C.	ON CENTER
R.O.W.	RIGHT-OF-WAY
S.W.	SIDEWALK
T.O.	TOP OF
T.O.C.	TOP OF CURB
TYP	TYPICAL

LEGEND

- RIGHT OF WAY
- CENTER LINE
- O/H — OVERHEAD LINE(S)

SYMBOLS

- PULL BOX
- POLE
- WATER VALVE
- STREET SIGN
- MANHOLE
- GUY WIRE
- FIRE HYDRANT
- INLET
- STREET LIGHT POLE

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MODUS, LLC
240 STOCKTON ST., 3RD FLOOR
SAN FRANCISCO, CA
94108

DRAWN BY:	FZA
CHECKED BY:	RM
APPROVED BY:	CW

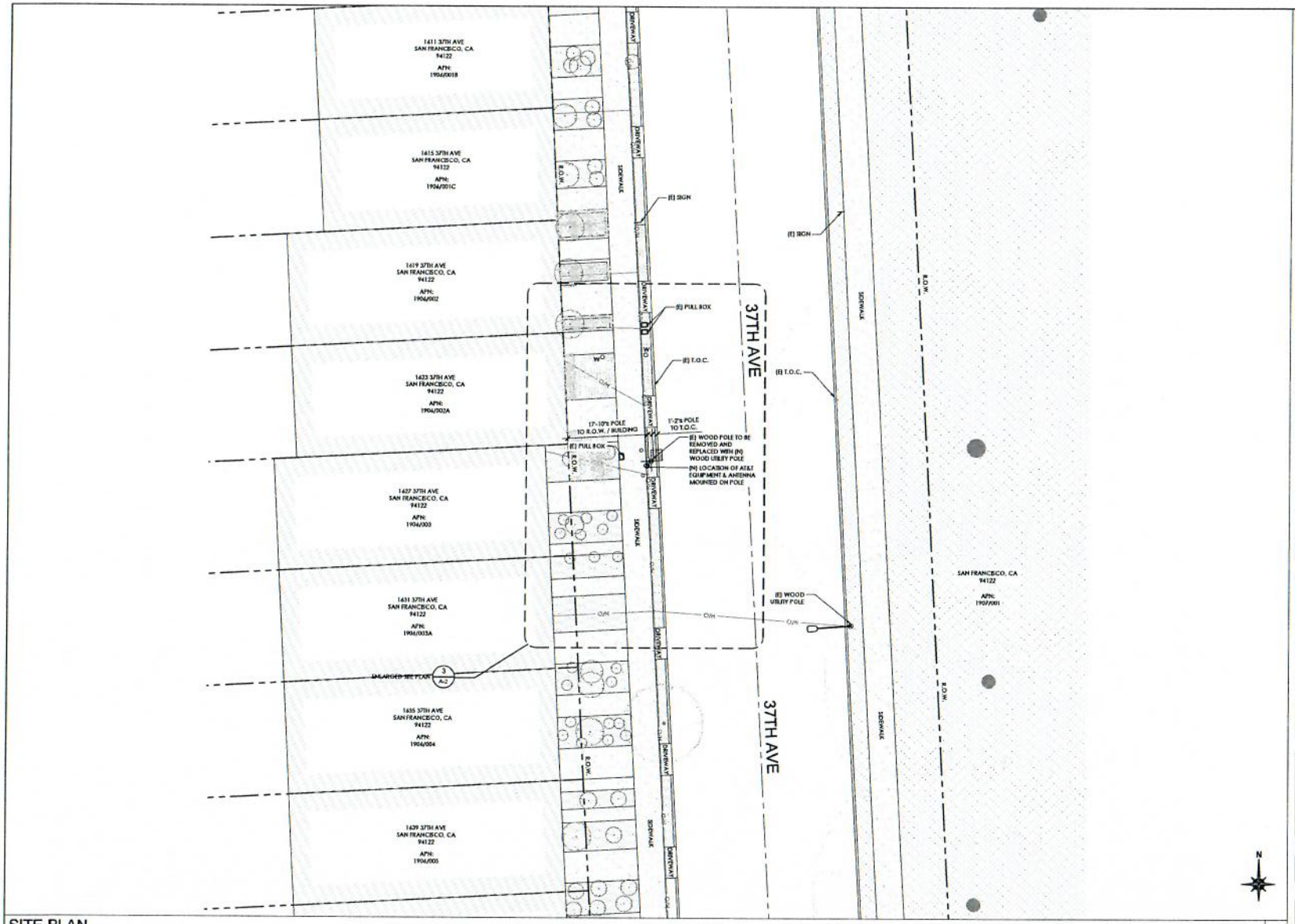
REV	DATE	DESCRIPTION
	11/01/24	100% SURVEY

REGISTERED PROFESSIONAL ENGINEER CHRISTOPHER A. WHITE No. 85115 06/30/25 CIVIL STATE OF CALIFORNIA

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1627 37TH AVE
SAN FRANCISCO, CA 94122

SURVEY

C-1



SITE PLAN

24"x36" SCALE: 1" = 10'-0"
11"x17" SCALE: 1" = 20'-0"
10' 5' 0' 10'

1

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NextEdge

1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/04/25	100% CD

REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER R. WOLF
No. 88117
Exp. 09/30/25
CIVIL
STATE OF CALIFORNIA

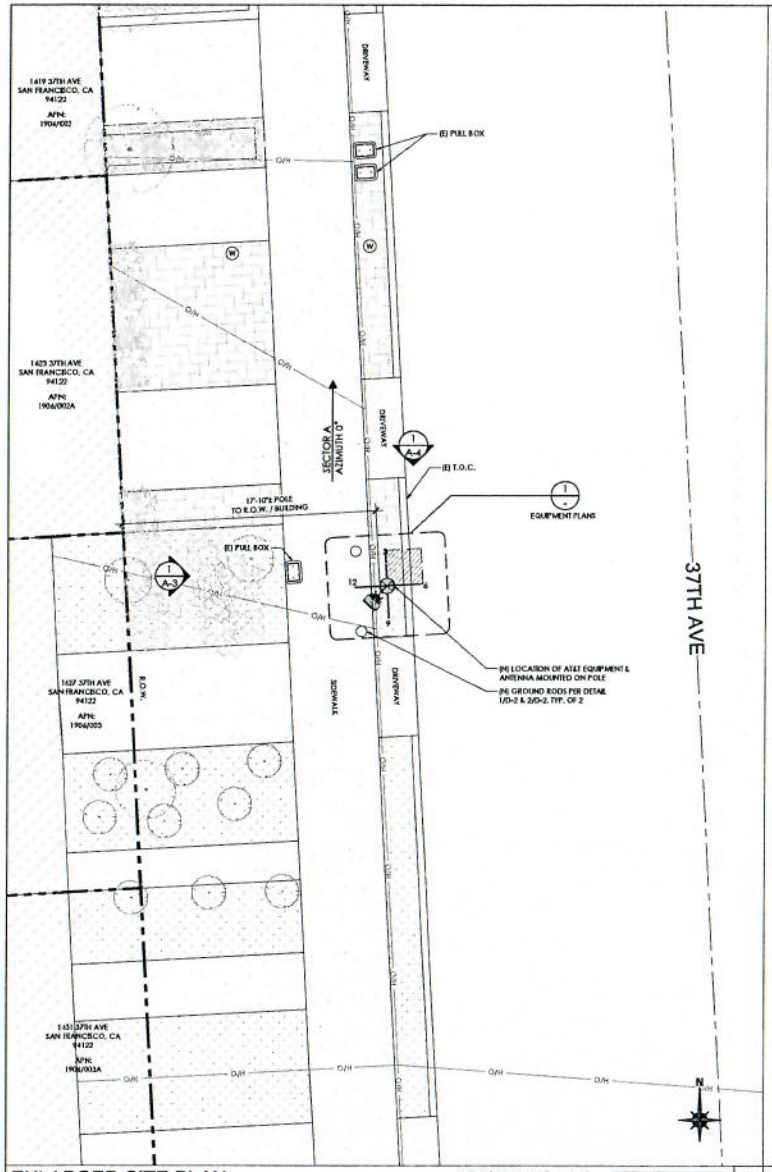
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SITE PLAN

A-1



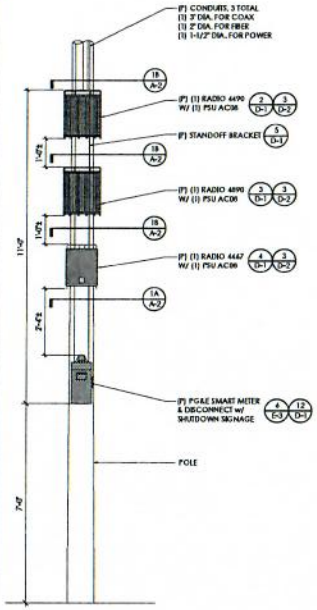
ENLARGED SITE PLAN

24"x36" SCALE: 1/4" = 1'-0"
11"x17" SCALE: 1/8" = 1'-0"

3

NOTES:

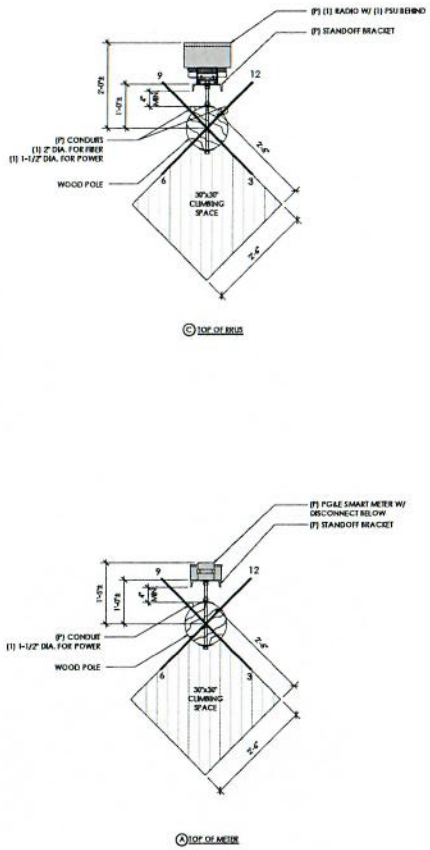
1. ALL EQUIPMENT SHALL BE PLACED (VERTICALLY) AS CLOSE AS ALLOWED BY POLE OWNER, WHILE MAINTAINING MINIMUM CLEARANCE REQUIREMENTS.
2. MAINTAIN 4" MIN. OFFSET BETWEEN THE MOUNTING BRACKET FLANGE AND THE POLE
3. ALL ANTENNAS, BRACKETS, CABLING, CONDUIT, AND OTHER EQUIPMENT WILL BE PAINTED NON-GLOSSY SABLE BY SHERWIN WILLIAMS (OR EQUIVALENT)
4. SWEEP CONDUIT RUNS AROUND (E) CROSS ARMS WHERE THEY OCCUR. SEE DETAIL 6/D-2
5. CABLING TO BE INSTALLED IN A TIGHT NEAT MANNER WITHOUT EXCESS CABLE LOOPS



(P) ELEVATION

24"x36" SCALE: NTS
11"x17" SCALE: NTS

2



(P) EQUIPMENT PLANS

24"x36" SCALE: 3/4" = 1'-0"
11"x17" SCALE: 3/8" = 1'-0"

1

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NextEdge

1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/06/25	100% CD

REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER E. [illegible]
No. 68117
Exp. 08/30/25
CIVIL
STATE OF CALIFORNIA

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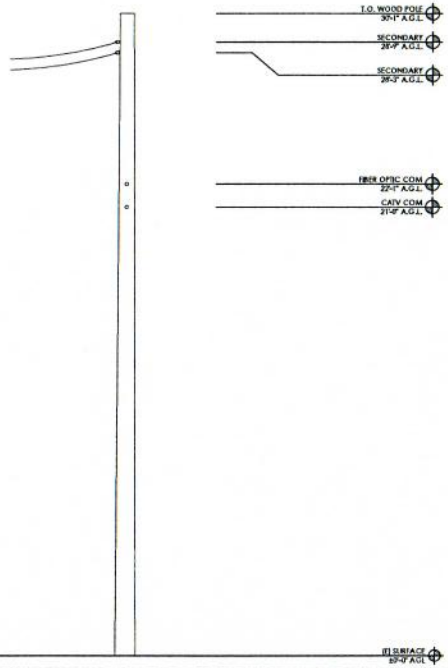
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ENLARGED SITE PLAN & PROPOSED ELEVATION / EQUIPMENT PLANS

A-2

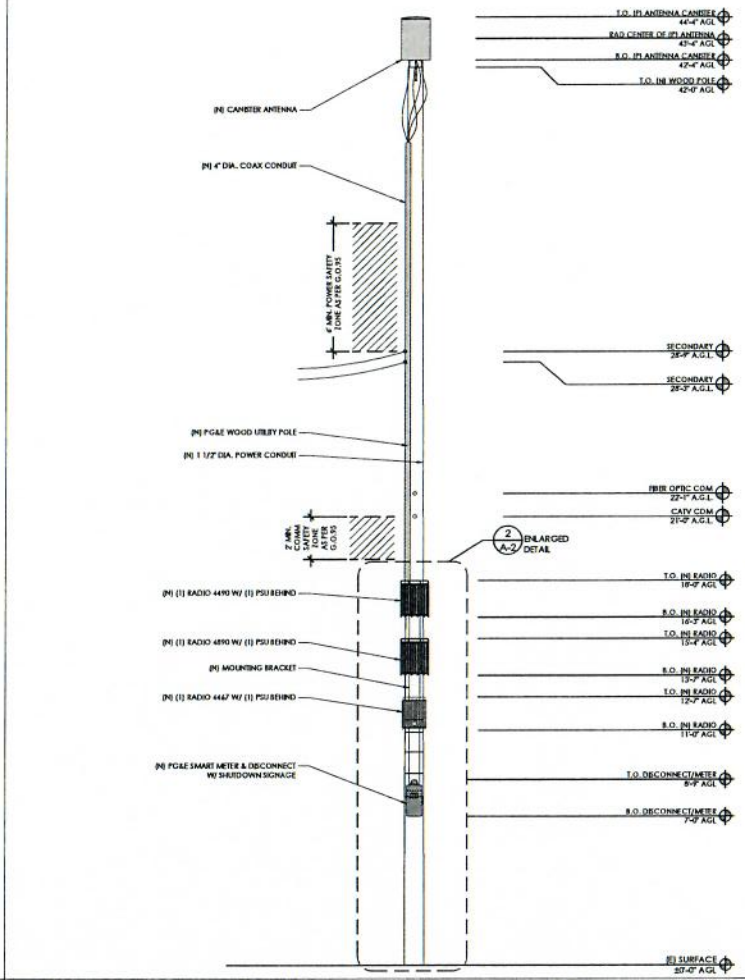
NOTES:
1. ALL EQUIPMENT SHALL BE PLACED (VERTICALLY) AS CLOSE AS ALLOWED BY POLE OWNER, WHILE MAINTAINING MINIMUM CLEARANCE REQUIREMENTS.
2. MAINTAIN 12" MIN. CLEARANCE TO GUY WIRE FROM PROPOSED EQUIPMENT.
3. MAINTAIN 4" MIN. OFFSET BETWEEN THE MOUNTING BRACKET FLANGE AND THE POLE
4. ALL ANTENNAS, BRACKETS, CABLING, CONDUIT, AND OTHER EQUIPMENT WILL BE PAINTED NON-GLOSSY SABLE BY SHERWIN WILLIAMS (OR EQUIVALENT)
5. CABLING TO BE INSTALLED IN A TIGHT NEAT MANNER WITHOUT EXCESS CABLE LOOPS
6. PG&E TO PROVIDE NEW CLIMBING PEGS.



EXISTING REAR ELEVATION

24"x36" SCALE: 3/8" = 1'-0"
11"x17" SCALE: 3/16" = 1'-0"

2



PROPOSED REAR ELEVATION

24"x36" SCALE: 3/8" = 1'-0"
11"x17" SCALE: 3/16" = 1'-0"

1

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1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/06/25	100% CD

REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER T. GOMEZ
No. 88117
Exp. 08/30/25
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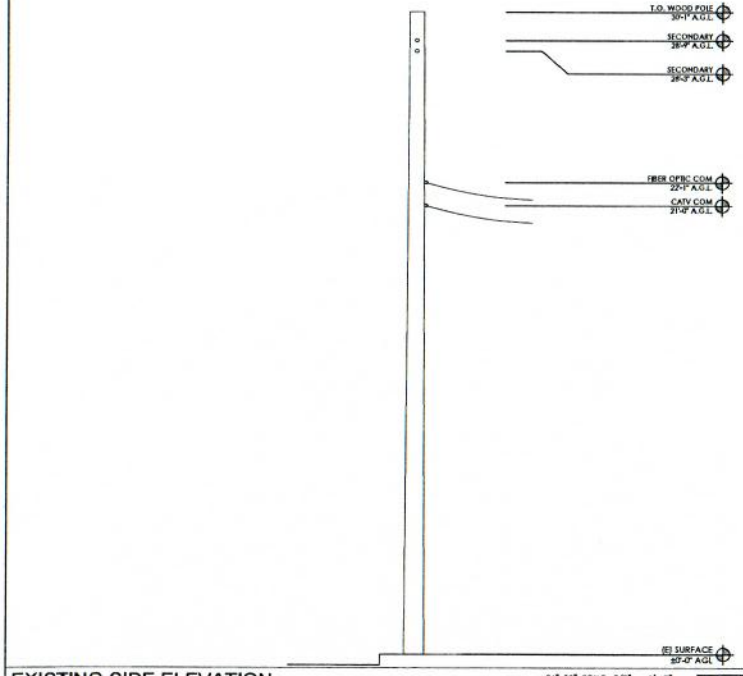
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SAN FRANCISCO, CA 94121

ELEVATIONS

A-3

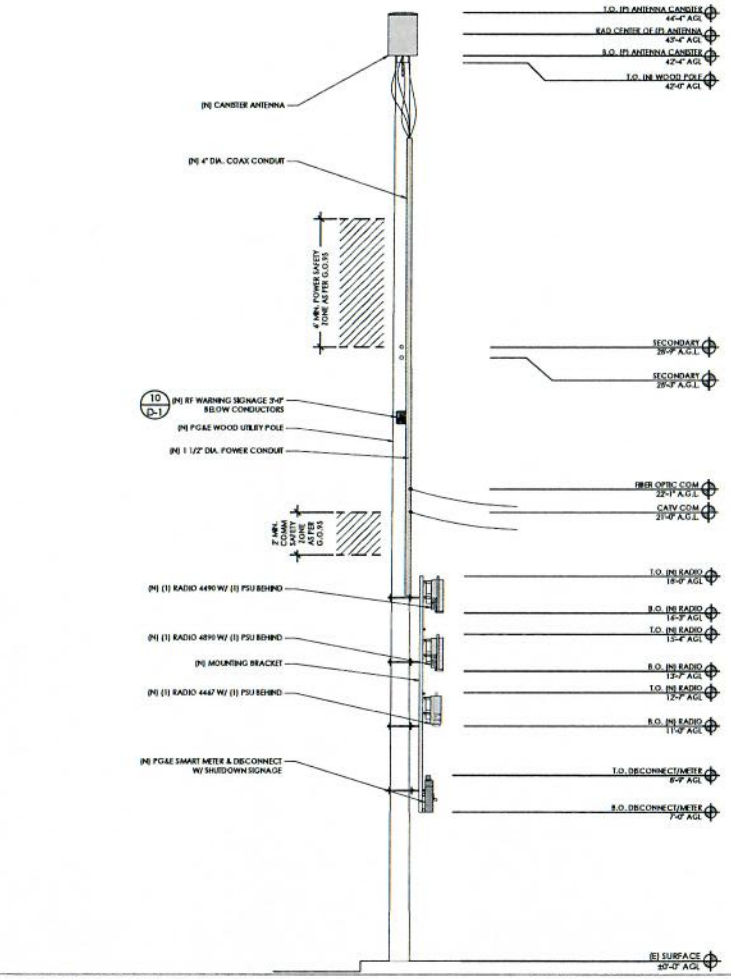
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3. MAINTAIN 4" MIN. OFFSET BETWEEN THE MOUNTING BRACKET FLANGE AND THE POLE
4. ALL ANTENNAS, BRACKETS, CABLING, CONDUIT, AND OTHER EQUIPMENT WILL BE PAINTED NON-GLOSSY SABLE BY SHERWIN WILLIAMS (OR EQUIVALENT)
5. CABLING TO BE INSTALLED IN A TIGHT NEAT MANNER WITHOUT EXCESS CABLE LOOPS
6. PG&E TO PROVIDE NEW CLIMBING PEGS.



EXISTING SIDE ELEVATION

24"x36" SCALE: 3/8" = 1'-0"
11"x17" SCALE: 3/16" = 1'-0"

2



PROPOSED SIDE ELEVATION

24"x36" SCALE: 3/8" = 1'-0"
11"x17" SCALE: 3/16" = 1'-0"

1

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NextEdge

1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

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CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/06/25	100% CD

REGISTERED PROFESSIONAL ENGINEER CHRISTOPHER K. WONG No. 88117 Exp. 09/30/25 CIVIL STATE OF CALIFORNIA

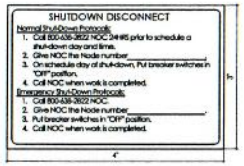
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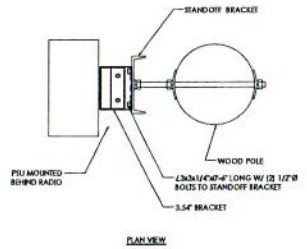
ELEVATIONS

A-4

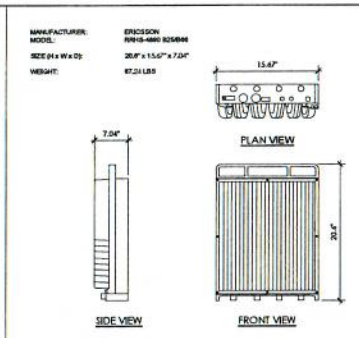


SHUTDOWN SIGNAGE | SCALE NTS | 12

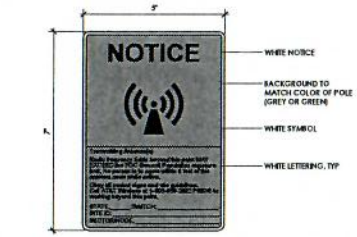
NOT USED | SCALE NTS | 9



RADIO MOUNT | SCALE NTS | 6

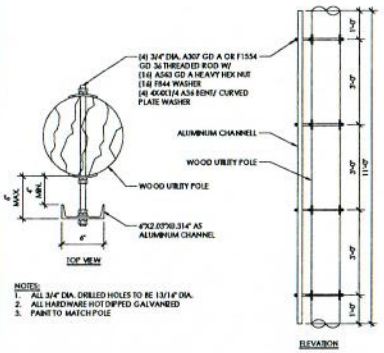


RADIO 4890 | SCALE NTS | 3

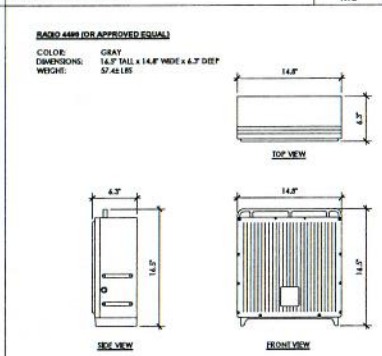


RF SIGNAGE | SCALE NTS | 11

NOT USED | SCALE NTS | 8

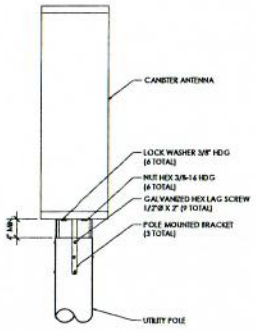


STANDOFF BRACKET | SCALE NTS | 5

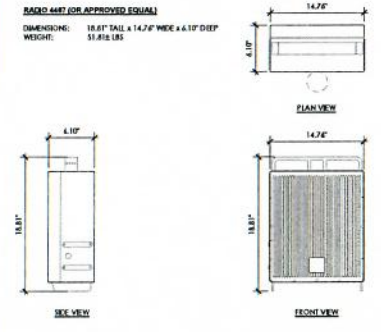


RADIO 4490 | SCALE NTS | 2

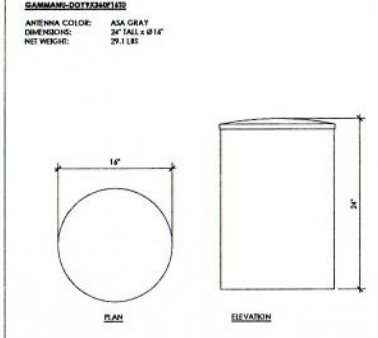
NOT USED | SCALE NTS | 10



ANTENNA BRACKET | SCALE NTS | 7



RADIO 4467 | SCALE NTS | 4



ANTENNA | SCALE NTS | 1

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NextEdge
1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/04/25	100% CD



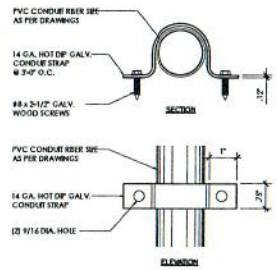
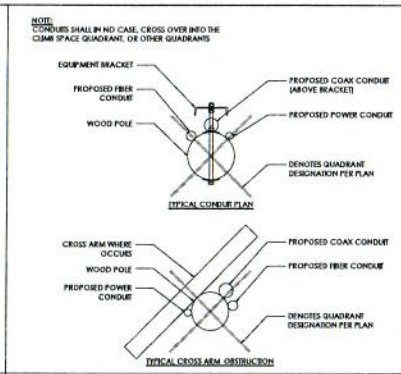
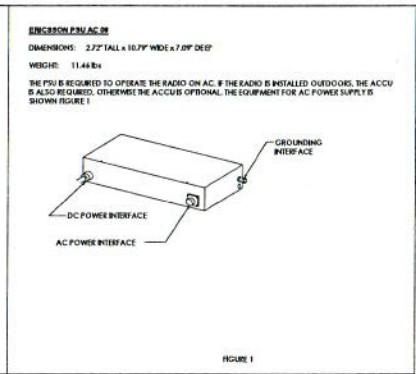
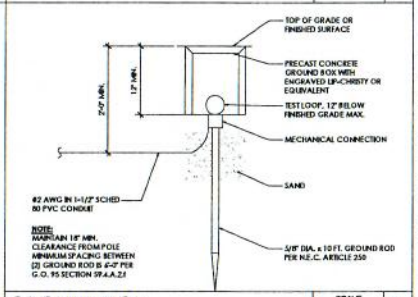
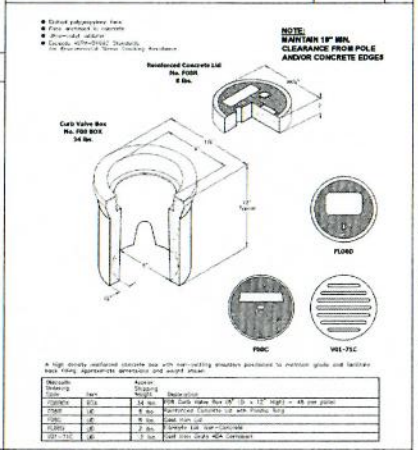
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SAN FRANCISCO, CA 94121

DETAILS

D-1

							
NOT USED	12	CONDUIT BRACKET	9	TYP CROSS ARM OBSTRUCTION	6	PSU	SCALE NTS 3
							
NOT USED	11	NOT USED	8	NOT USED	8	GROUND ROD	SCALE NTS 2
									
NOT USED	10	NOT USED	7	NOT USED	4	GROUND ROD ENCLOSURE	SCALE NTS 1

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SAN RAMON, CA
94583

NextEdge

1355 WINDWARD CONCOURSE,
SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
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0	02/04/25	100% CD

REGISTERED PROFESSIONAL ENGINEER
JEFFREY T. LOUIE
No. 88117
Exp. 08/30/25
CIVIL
STATE OF CALIFORNIA

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(NEAR) 1627 37TH AVENUE
SAN FRANCISCO, CA 94121

DETAILS

D-2

ELECTRICAL NOTES

1. GENERAL REQUIREMENTS

A. ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF THE NATIONAL ELECTRIC CODE AND ALL STATE AND LOCAL CODES. NOTHING IN THESE PLANS OR SPECIFICATIONS SHALL BE CONSTRUED AS TO PERMIT WORK NOT CONFORMING TO THE MOST STRINGENT OF THESE CODES. SHOULD CHANGES BE NECESSARY IN THE DRAWINGS OR SPECIFICATIONS TO MAKE THE WORK COMPLY WITH THESE REQUIREMENTS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING AND CEASE WORK ON PARTS OF THE CONTRACT

B. THE CONTRACTOR SHALL MAKE A SITE VISIT PRIOR TO BIDDING AND CONSTRUCTION TO VERIFY ALL EXISTING CONDITIONS AND SHALL NOTIFY THE ENGINEER IMMEDIATELY UPON DISCOVERY OF ANY DISCREPANCIES. THE CONTRACTOR ASSUMES ALL LIABILITY FOR FAILURE TO COMPLY WITH THIS PROVISION.

C. THE EXTENT OF THE WORK IS INDICATED BY THE DRAWINGS, SCHEDULES, AND SPECIFICATIONS AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT. THE WORK SHALL CONSIST OF FURNISHING ALL LABOR, EQUIPMENT, MATERIALS AND SUPPLIES NECESSARY FOR A COMPLETE AND OPERATIONAL ELECTRICAL SYSTEM. THE WORK SHALL ALSO INCLUDE THE COMPLETION OF ALL ELECTRICAL WORK NOT MENTIONED OR SHOWN WHICH ARE NECESSARY FOR SUCCESSFUL OPERATION OF ALL SYSTEMS.

D. THE CONTRACTOR SHALL PREPARE A BID FOR A COMPLETE AND OPERATIONAL SYSTEM, WHICH INCLUDES THE COST FOR MATERIAL AND LABOR.

E. WORKMANSHIP AND NEAT APPEARANCE SHALL BE AS IMPORTANT AS THE OPERATION. DEFECTIVE OR DAMAGED MATERIALS SHALL BE REPLACED OR REPAIRED PRIOR TO FINAL ACCEPTANCE IN A MANNER ACCEPTABLE TO OWNER AND ENGINEER.

F. COMPLETE THE ENTIRE INSTALLATION AS SOON AS THE PROGRESS OF THE WORK WILL PERMIT.

G. ANY ERROR, OMISSION OR DESIGN DISCREPANCY ON THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER FOR CLARIFICATION OR CORRECTION BEFORE CONSTRUCTION.

H. "PROVIDE" INDICATES THAT ALL ITEMS ARE TO BE FURNISHED, INSTALLED AND CONNECTED IN PLACE.

I. CONTRACTOR SHALL SECURE ALL NECESSARY BUILDING PERMITS AND PAY ALL REQUIRED FEES.

2. EQUIPMENT LOCATION

A. ALL DRAWINGS INDICATE DIAGRAMMATICALLY THE DESIRED LOCATIONS OR ARRANGEMENTS OF CONDUIT RUNS, OUTLETS, EQUIPMENT, ETC., AND ARE TO BE FOLLOWED AS CLOSELY AS POSSIBLE. PROPER JUDGEMENT MUST BE EXERCISED IN EXECUTING THE WORK SO AS TO SECURE THE BEST POSSIBLE INSTALLATION IN THE AVAILABLE SPACE AND TO OVERCOME LOCAL DIFFICULTIES DUE TO SPACE LIMITATIONS OR INTERFERENCE OF STRUCTURE CONDITIONS ENCOUNTERED.

B. IN THE EVENT CHANGES IN THE INDICATED LOCATIONS OR ARRANGEMENTS ARE NECESSARY, DUE TO FIELD CONDITIONS IN THE BUILDING CONSTRUCTION OR REARRANGEMENT OF EQUIPMENT, SUCH CHANGES SHALL BE MADE WITHOUT COST, PROVIDING THE CHANGE IS ORDERED BEFORE THE CONDUIT RUNS, ETC., AND WORK DIRECTLY CONNECTED TO THE SAME IS INSTALLED AND NO EXTRA MATERIALS ARE REQUIRED.

C. COORDINATE THE WORK OF THE SECTION WITH THAT OF ALL OTHER TRADES. WHERE CONFLICTS OCCUR, CONSULT WITH THE PERSPECTIVE CONTRACTOR AND COME TO AGREEMENT AS TO CHANGES NECESSARY. OBTAIN WRITTEN ACCEPTANCE FROM ENGINEER FOR THE PROPOSED CHANGES BEFORE PROCEEDING.

3. TESTS

A. BEFORE FINAL ACCEPTANCE OF WORK, THE CONTRACTOR SHALL INSURE THAT ALL EQUIPMENT, SYSTEMS, FIXTURES, ETC., ARE WORKING SATISFACTORILY AND TO THE INTENT OF THE DRAWINGS.

4. PERMITS

A. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TAKING OUT AND PAYING FOR ALL THE REQUIRED PERMITS, INSPECTION AND EXAMINATION WITHOUT ADDITIONAL EXPENSE TO THE OWNER.

5. GROUNDING

A. THE CONTRACTOR SHALL PROVIDE A COMPLETE, AND APPROVED GROUNDING SYSTEM IN CLUDING ELECTRODES, ELECTRODE CONDUCTOR, BONDING CONDUCTORS, AND EQUIPMENT CONDUCTORS AS REQUIRED BY ARTICLE 250 OF NATIONAL ELECTRICAL CODE.

B. CONDUITS CONNECTED TO EQUIPMENT AND DEVICES SHALL BE METALLICALLY JOINED TOGETHER TO PROVIDE EFFECTIVE ELECTRICAL CONTINUITY.

C. FEEDERS AND BRANCH CIRCUIT WIRING INSTALLED IN A NONMETALLIC CONDUIT SHALL INCLUDE A CODE SIZED GROUNDING CONDUCTOR HAVING GREEN INSULATION. THE GROUND CONDUCTOR SHALL BE PROPERLY CONNECTED AT BOTH ENDS TO MAINTAIN ELECTRICAL CONTINUITY.

D. REFER TO GROUND BUS DETAILS. PROVIDE NEW GROUND SYSTEM COMPLETE WITH CONDUCTORS, GROUND ROD AND DESCRIBED TERMINATIONS.

E. ALL GROUNDING CONDUCTORS SHALL BE SOLID TINNED COPPER AND ANNEALED #2 UNLESS NOTED OTHERWISE.

F. ALL NON-DIRECT BURIED TELEPHONE EQUIPMENT GROUND CONDUCTORS SHALL BE #2 STRANDED, THHN (GREEN) INSULATION.

G. ALL GROUND CONNECTIONS SHALL BE MADE WITH "HYGROUND" COMPRESSION SYSTEM BURNDY CONNECTORS EXCEPT WHERE NOTED OTHERWISE.

H. PAINT AT ALL GROUND CONNECTIONS SHALL BE REMOVED.

I. GROUNDING SYSTEM RESISTANCE SHALL NOT EXCEED 5 OHMS. IF THE RESISTANCE VALUE IS EXCEEDED, NOTIFY THE OWNER FOR FUTURE INSTRUCTION ON METHODS FOR REDUCING THE RESISTANCE VALUE. SUBMIT TEST REPORTS AND FURNISH TO ATT ONCE COMPLETE SET OF PRINTS SHOWING "INSTALLED WORK".

6. UTILITY SERVICE

A. TELEPHONE AND ELECTRICAL METERING FACILITIES SHALL CONFORM TO THE REQUIREMENTS OF THE SERVING UTILITY COMPANIES. CONTRACTOR SHALL VERIFY SERVICE LOCATIONS AND REQUIREMENTS. SERVICE INFORMATION WILL BE FURNISHED BY THE SERVING UTILITIES.

B. CONFORM TO ALL REQUIREMENTS OF THE SERVING UTILITY COMPANIES.

7. PRODUCTS

A. ALL MATERIALS SHALL BE NEW, CONFORMING WITH THE NEC, ANSI, NEMA, AND THEY SHALL BE U.L. LISTED AND LABELED.

B. CONDUIT:

B.1. RIGID CONDUIT SHALL BE U.L. LABEL GALVANIZED ZINC COATED WITH ZINC INTERIOR AND SHALL BE USED WHEN INSTALLED IN OR UNDER CONCRETE SLABS, IN CONTACT WITH THE EARTH, UNDER PUBLIC ROADWAYS, IN MASONRY WALLS OR EXPOSED ON BUILDING EXTERIOR. RIGID CONDUIT IN CONTACT WITH EARTH SHALL BE 1/2 LAPPED WRAPPED WITH HUNTS WRAP PROCESS NO. 3.

B.2. ELECTRICAL METALLIC TUBING SHALL HAVE U.L. LABEL, FITTINGS SHALL BE COMPRESSION TYPE. EMT SHALL BE USED ONLY FOR INTERIOR RUNS.

B.3. FLEXIBLE METALLIC CONDUIT SHALL HAVE U.L. LISTED LABEL AND MAY BE USED WHERE PERMITTED BY CODE. FITTINGS SHALL BE "LAKE" OR "SQUEEZE" TYPE. SEAL TIGHT FLEXIBLE CONDUIT. ALL CONDUIT IN EXCESS OF SIX FEET IN LENGTH SHALL HAVE FULL SIZE GROUND WIRE.

B.4. ALL UNDERGROUND CONDUITS SHALL BE PVC SCHEDULE 40 (UNLESS NOTED OTHERWISE) AT A MINIMUM DEPTH OF 24" BELOW GRADE.

B.5. ALL CONDUIT ONLY (C.O.) SHALL HAVE PULL ROPE.

C. ALL WIRE AND CABLE SHALL BE COPPER, 600 VOLT, #12 AWG MINIMUM UNLESS SPECIFICALLY NOTED OTHERWISE ON THE DRAWINGS. CONDUCTORS #10 AWG AND SMALLER SHALL BE SOLID. CONDUCTORS #8 AWG AND LARGER SHALL BE STRANDED. TYPE THHN INSULATION USED UNLESS CONDUCTORS INSTALLED IN CONDUIT EXPOSED TO WEATHER, IN WHICH CASE TYPE THWN INSULATION SHALL BE USED.

D. PROVIDE GALVANIZED COATED STEEL BOXES AND ACCESSORIES SIZED PER CODE TO ACCOMMODATE ALL DEVICES AND WIRING.

E. TOGGLE SWITCHES SHALL BE 20 AMP, 120 VOLT AC, SPECIFICATION GRADE WHITE (UNLESS NOTED OTHERWISE) FINISH. MOUNT SWITCHES AT +48" ABOVE FINISHED FLOOR.

F. PANELBOARD SHALL BE DEAD FRONT SAFETY TYPE WITH ANTI-BURN SOLDERLESS COMPRESSION APPROVED FOR COPPER CONDUCTORS, COPPER BUS BARS, FULL SIZED NEUTRAL BUS, GROUND BUS AND EQUIPPED WITH QUICK-MAZE QUICK-BREAK BOLT-IN TYPE THERMAL MAGNETIC CIRCUIT BREAKERS. MOUNT TOP OF THE PANELBOARD AT 6'-0" ABOVE FINISHED FLOOR. PROVIDE TYPEWRITTEN CIRCUIT DIRECTORY.

G. ALL CIRCUIT BREAKERS, MAGNETIC STARTERS AND OTHER ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING RATING NOT LESS THAN MAXIMUM SHORT CIRCUIT CURRENT TO WHICH THEY MAY BE SUBJECTED.

H. GROUND RODS SHALL BE COPPER CLAD STEEL, 5/8" ROUND AND 10' LONG. COPPERWELD OR APPROVED EQUAL.

I. CONDUIT REQUIREMENTS (TYP., U.N.O.): UNDERGROUND: PVC (SCHED 40 OR 80), INDOOR: EMT (RGS IN TRAFFIC AREAS, OUTDOOR (ABOVE GRADE): RGS.

J. PLACE "TRUE TAPE" AND PULL ROPE IN THE CONDUITS AS REQUIRED.

8. INSTALLATION

A. PROVIDE SUPPORTING DEVICES FOR ALL ELECTRICAL EQUIPMENT, FIXTURES, BOXES, PANEL, ETC., EQUIPMENT SHALL BE BRACED TO WITHSTAND HORIZONTAL FORCES IN ACCORDANCE WITH STATE AND LOCAL CODE REQUIREMENTS. PROVIDE PRIOR ALIGNMENT AND LEVELING OF ALL DEVICES AND FIXTURES.

9. PROJECT CLOSEOUT

A. UPON COMPLETION OF WORK, CONDUCT CONTINUITY, SHORT CIRCUIT, AND FALL POTENTIAL GROUNDING TESTS FOR APPROVAL. SUBMIT TEST REPORTS TO PROJECT MANAGER. CLEAN PREMISES OF ALL DEBRIS RESULTING FROM WORK AND LEAVE WORK IN A COMPLETE AND UNDAMAGED CONDITION.

B. PROVIDE PROJECT MANAGER WITH ONE SET OF COMPLETE "AS INSTALLED" DRAWINGS AT THE COMPLETION OF THE JOB, SHOWING ACTUAL DIMENSIONS, ROUTINGS AND CIRCUITS.

GENERAL ABBREVIATIONS

A	AMPERE	MFR	MANUFACTURER
ACCA	ANTENNA CABLE COVER ASSEMBLY	MIN	MINIMUM
AIC	AMPERE INTERRUPTING CAPACITY	MLO	MAIN LUGS ONLY
APPROX	APPROXIMATELY	MTD	MOUNTED
AT	AMPERE TRIP	MTG	MOUNTING
AWG	AMERICAN WIRE GAGE	MTS	MANUAL TRANSFER SWITCH
BATT	BATTERY	N	NEUTRAL
BD	BOARD	(N)	NEW
BR	BRANCH	NEMA	NATIONAL ELECTRICAL MANUFACTURERS ASSOC.
BRKR	BREAKER	OH	OVERHEAD
BCW	BARE TINNED COPPER WIRE	P	POLE
C	CONDUIT	PH	PHASE
CAB	CABINET	PNLBD	PANELBOARD
CB	CIRCUIT BREAKER	PRI	PRIMARY
CKT	CIRCUIT	PWR	POWER
CONT	CONTINUOUS	RCPT	RECEPTACLE
DEM	DEMAND	RGS	RIGID GALVANIZED STEEL
(E)	EXISTING	SAF	SAFETY
EGR	EMERGENCY GEN. RECEPTACLE	SDBC	SOFT DRAWN BARE COPPER
ELEC	ELECTRICAL	SEC	SECONDARY
EMT	ELECTRICAL METALLIC TUBING	SLN	SOLID NEUTRAL
ENCL	ENCLOSURE	SURF	SURFACE
EXIST	EXISTING	SW	SWITCH
FAC	FACTOR	TEL	TELEPHONE
F/A	FIRE ALARM	TYP	TYPICAL
FLUOR	FLUORESCENT	U/G	UNDERGROUND
FT	FOOT/FEET	U.L.	UNDERWRITER'S LABORATORY INC.
FU	FUSE	U.N.O.	UNLESS NOTED OTHERWISE
G	GROUND	V	VOLT
GND	GROUNDING	VAC	VOLT ALTERNATING CURRENT
GPS	GLOBAL POSITIONING SYSTEM	W	WATT OR WIRE
HDBC	HARD DRAWN COPPER WIRE	W/	WITH
HPS	HIGH PRESSURE SODIUM	W/O	WITHOUT
LG	LENGTH	XFER	TRANSFER
LPS	LOW PRESSURE SODIUM	XFMR	TRANSFORMER
MAX	MAXIMUM	XLPE	CROSS-LINK POLYETHYLENE
MECH	MECHANICAL		

ELECTRICAL LEGEND

—OHT/OHP—	OVERHEAD COMM/OVERHEAD POWER
— E —	POWER RUN
— T —	TELCO RUN
— E/T —	POWER/TELCO RUN
— G —	GROUND LINE
	FUSE, SIZE AND TYPE AS INDICATED.
HQ	LIGHTING FIXTURE
	5/8" X 10'-0" J.CU. GND ROD 24" MIN. BELOW GRADE.
	MECHANICAL CONNECTION
	CIRCUIT BREAKER

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SUITES 410
ALPHARETTA, GA
30005

DRAWN BY:	JLV
CHECKED BY:	TDL
APPROVED BY:	CW

REV	DATE	DESCRIPTION
	12/18/24	90% CD
0	02/04/25	100% CD

REGISTERED PROFESSIONAL ENGINEER CHRISTOPHER P. WONG No. 88117 Exp. 08/30/25 CIVIL STATE OF CALIFORNIA

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ELECTRICAL GENERAL NOTES

E-1

NOTES:
1. GROUND ROD: UL LISTED COPPER CLAD STEEL, MINIMUM 5/8" DIAMETER x 10'-0" LONG. ALL GROUND RODS MAY BE INSTALLED WITH INSPECTION SLEEVES. GROUND RODS SHALL BE DRIVEN TO THE DEPTH OF GROUND CONDUCTOR.

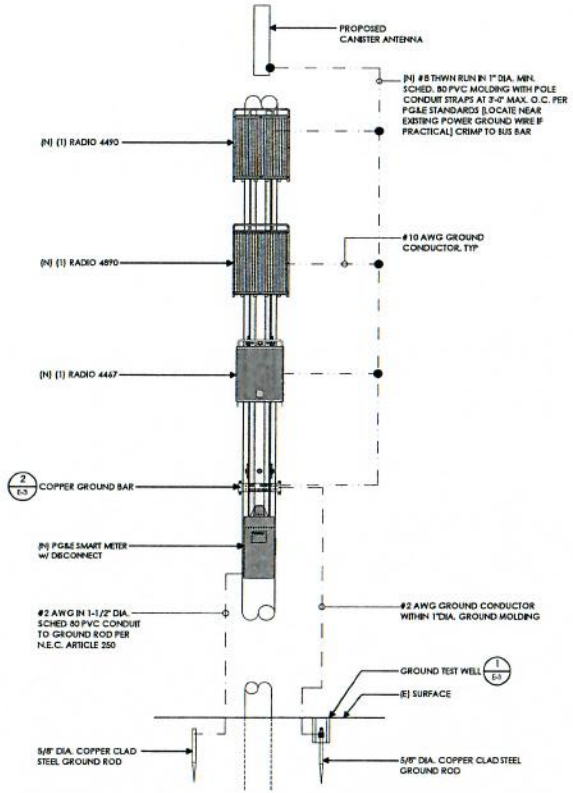
2. CELL REFERENCE GROUND BAR: POINT OF GROUND REFERENCE FOR ALL COMMUNICATIONS EQUIPMENT FRAMES. ALL BONDS ARE MADE WITH STRANDED GREEN INSULATED COPPER CONDUCTORS SIZED AS SHOWN. BOND TO GROUND ROD AS SHOWN IN THE GROUNDING SCHEMATIC.

3. EXTERIOR UNIT BONDS: METALLIC OBJECTS SHALL BE BONDED TO THE EXTERIOR GROUND ROD.

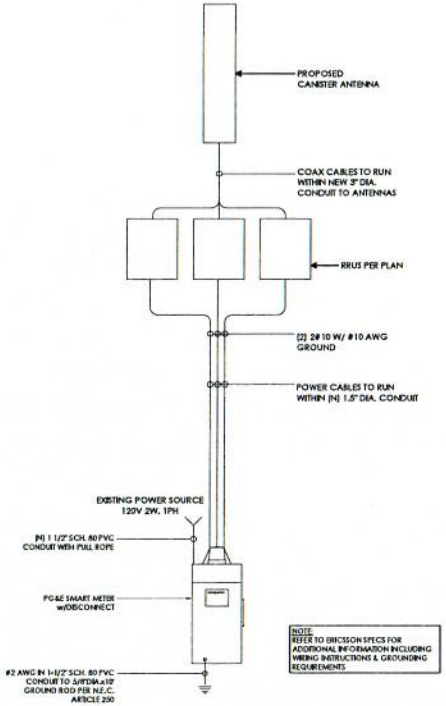
4. PROVIDE ALL ELECTRICAL WORK & MATERIALS AS SHOWN ON THE DWGS, AS CALLED FOR HEREIN, & AS IS NECESSARY TO FURNISH A COMPLETE INSTALLATION.

5. OUTDOOR EQUIPMENT SHALL BE RATED NEMA 3R AND/OR UL LISTED FOR WET ENVIRONMENT.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TESTING THE GROUNDING SYSTEM AND ENSURING A 5 OHM OR LESS GROUNDING PATH. ADDITIONAL GROUND RODS AND/OR CHEMICAL ROD SYSTEM SHALL BE USED TO ACHIEVE THIS REQUIREMENT IF THE GIVEN DESIGN CANNOT BE MADE TO ACHIEVE THIS REQUIREMENT.



GROUNDING SCHEMATIC | 2



ONE-LINE DIAGRAM | 1

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ONE-LINE DIAGRAM &
GROUNDING SCHEMATIC

E-2

NOT USED 12

NOT USED 11

NOT USED 10

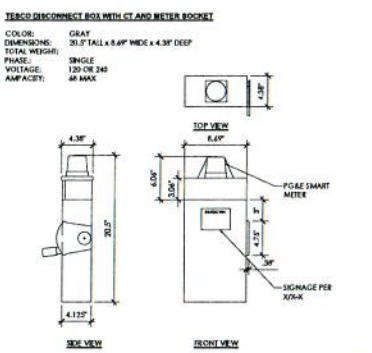
NOT USED 9

NOT USED 8

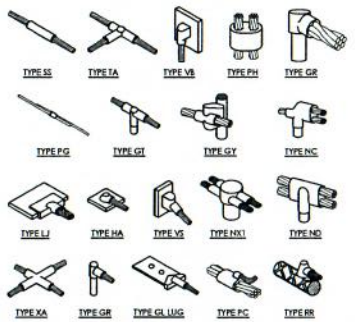
ELECTRICAL LOAD CALCULATIONS 7

Electrical Load Calculations @ 120V			
Radio	Wattage	1.25*VA	Amps
4490	480	600.0	5.0
4890	1109	1386.3	11.6
4467	320	400.0	3.3
		0.0	0.0
		0.0	0.0
Totals		2386.3	19.9
Disconnect / Meter: 68 Amps			
Total Load: 29.2%			

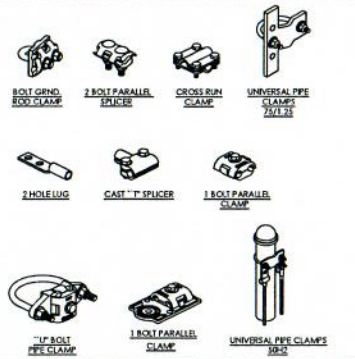
SMART METER / DISCONNECT 6



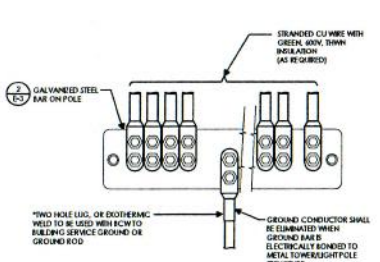
EXOTHERMIC WELD CONNECTION 5



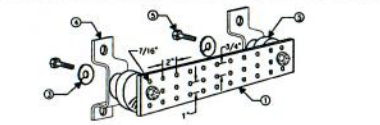
MECHANICAL CONNECTION 4



GROUND WIRE TO BAR 3



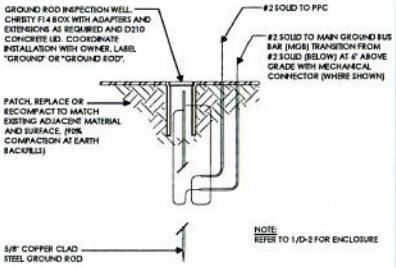
GROUND BAR 2



NOTES:

1. COPPER GROUND BAR, HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION. (ACTUAL GROUND BAR SIZE WILL VARY BASED ON NUMBER OF GROUND CONNECTIONS)
2. INSULATORS, NEWTON INSTRUMENT CAT. NO. 3061-4 OR APPROVED EQUAL
3. 5/8" LOCK WASHERS, NEWTON INSTRUMENT CO., CAT. NO. 3015-8 OR APPROVED EQUAL
4. WALL MOUNTING BRACKET, NEWTON INSTRUMENT CO., CAT NO. A-6056 OR APPROVED EQUAL
5. 5/8-11 X 1" HHCS BOLTS, NEWTON INSTRUMENT CO., CAT NO. 3012-1 OR APPROVED EQUAL
6. INSULATORS SHALL BE ELIMINATED WHEN BONDING DIRECTLY TO TOWER/MONOPINE STRUCTURE. CONNECTION TO TOWER/MONOPINE STRUCTURE SHALL BE PER MANUFACTURERS RECOMMENDATIONS.
7. VALMONT TINMG212U-K (OR EQUIVALENT) 1/4"X2"X12"

GROUND TEST WELL 1



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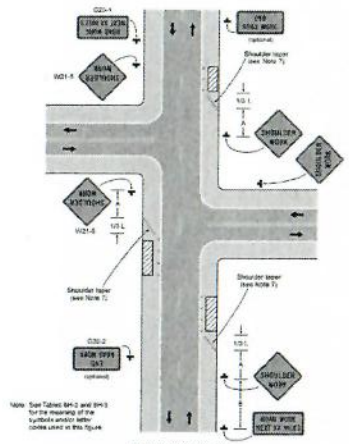
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ELECTRICAL DETAILS

E-3

PEDESTRIANS SHALL BE ESCORTED THROUGH OR AROUND THE WORK AREA, PER CAMUTCD TA-28 OR TA-29 AS APPLICABLE, THROUGHOUT THE COURSE OF WORK.



Typical Application 3

TA-3 FOR REFERENCE ONLY

SJ MUTCD TABLE					
POSTED SPEED (MPH)	DISTANCE BETWEEN SIGNS			TAPER	BUFFER
	A	B	C	L (SEE NOTE)	
15	200'	200'	200'	45'	55'
20	200'	200'	200'	80'	55'
25	200'	200'	200'	125'	55'
30	350'	350'	350'	180'	85'
35	350'	350'	350'	245'	120'
40	350'	350'	350'	320'	220'
45	350'	350'	350'	540'	360'
50	500'	500'	500'	600'	425'
55	500'	500'	500'	660'	495'
60	500'	500'	500'	720'	570'
65	500'	500'	500'	780'	645'

NOTES:
A. DISTANCE IN FEET UNLESS OTHERWISE NOTED.
B. CONTRACTOR TO VERIFY EXISTING SPEED LIMIT.
C. DISTANCE SHOWN ARE NOT VALID FOR LIMITED ACCESS HIGHWAYS, CONSULT STATE DOT MANUAL FOR DISTANCES.
D. ADJUST DISTANCES TO COMPLY WITH REQUIREMENT OF THE STATE OR LOCAL HIGHWAY AUTHORITY HAVING JURISDICTION.
E. TAPER LENGTHS SHOWN ON 12' LANE WIDTH.

TRAFFIC CONTROL TABLE | 2

SPEED LIMIT = 25 MPH



TRAFFIC CONTROL PLAN

24"x36" SCALE: 1" = 50'-0"
11"x17" SCALE: 1" = 100'-0"
50' 25' 0' 50'

SCALE 1"=50'-0" | 1

TRAFFIC CONTROL NOTES

1. ALL DELINEATORS SHALL BE EQUIPPED WITH REFLECTORS AT NIGHT TIME.

2. ALL TRAFFIC CONTROL DEVICES, STRIPES, MARKINGS, LEGENDS AND RAISED PAVEMENT MARKERS SHALL CONFORM TO THE LATEST EDITIONS OF THE FOLLOWING: A) CA MUTCD, B) STATE OF CALIFORNIA STANDARD SPECIFICATIONS, C) SPECIAL PROVISIONS, AND D) STANDARD PLANS.

3. THE CONTRACTOR PERFORMING THE WORK ON A PUBLIC STREET SHALL ASSUME RESPONSIBILITY AS FOLLOWS: A) INSTALL AND MAINTAIN THE TRAFFIC CONTROL DEVICES AS SHOWN HEREIN, B) ANY ADDITIONAL TRAFFIC CONTROL DEVICES THAT MAY BE REQUIRED TO INSURE THE SAFE MOVEMENT OF TRAFFIC AND PEDESTRIANS THROUGH OR AROUND THE WORK AREA, AND C) PROVIDE MAXIMUM PROTECTION AND SAFETY TO CONSTRUCTION WORKERS.

4. THE CITY OR COUNTY OF RECORD AS WELL AS CALTRANS RESERVE THE RIGHT TO OBSERVE THESE TRAFFIC CONTROL PLANS IN USE. THEY HAVE THE AUTHORITY TO MAKE ANY NECESSARY CHANGES AS FIELD CONDITIONS WARRANT. ANY CHANGES SHALL SUPERSEDE THESE PLANS. THE EXACT LOCATION OF ALL EQUIPMENT AND TRAFFIC CONTROL DEVICES SHALL BE DETERMINED BY THE ENGINEER.

5. ALL SIGNS, DELINEATORS, BARRICADES, ETC. AND THEIR INSTALLATION SHALL CONFORM TO THE LATEST EDITIONS OF THE: A) CA. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, B) THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS, C) SPECIAL PROVISIONS, AND D) STANDARD PLANS.

6. IN ORDER TO PRESERVE THEIR APPEARANCE AND CONTINUITY, ALL TRAFFIC CONTROL DEVICES SHALL BE KEPT IN THEIR PROPER POSITION AT ALL TIMES AND SHALL BE REPAIRED, REPLACED OR CLEANED AS NECESSARY, AND AS DIRECTED BY THE ENGINEER

7. ALL TRAFFIC LANES SHALL HAVE A MINIMUM OF 9 FEET CLEARANCE FROM OPEN EXCAVATIONS AND MINIMUM OF 2 FEET FROM VERTICAL OBSTRUCTIONS.

8. THE CONTRACTOR SHALL PROVIDE FLAGGERS AS DEEMED NECESSARY BY THE ENGINEER, COUNTY INSPECTOR, OR CALTRANS PERMIT INSPECTOR.

9. ALL ADVANCED WARNING SIGNS SHALL BE EQUIPPED WITH FLAGS.

10. ALL TRAFFIC CONTROL DEVICES SHALL BE IN PLACE AT ALL TIMES DURING ANY WORK ON SITE.

11. PLACE ADDITIONAL SIGNS AS FOLLOWS: A) "LANE CLOSED", (C30) ON THE TYPE II BARRICADES AT 100 FOOT INTERVALS THROUGHOUT EXTENDED WORK AREAS IN EACH LANE THAT IS CLOSED AND B) "OPEN TRENCH" (C27) WHENEVER AN OPEN EXCAVATION AREA EXISTS ADJACENT TO THE TRAVELED WAY.

12. ALL TEMPORARY TRAFFIC CONTROL DEVICES SHALL BE REMOVED FOLLOWING COMPLETION OF EACH CONSTRUCTION STAGE AND THE PERMANENT TRAFFIC CONTROL DEVICES SHALL BE RESTORED BY THE CONTRACTOR UPON COMPLETION OF WORK.

13. THE CONTRACTOR SHALL REPLACE AND/OR REPAIR ALL DAMAGED STRIPING AT THE END OF EACH WORKING DAY.

14. THE CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF THE AMERICAN DISABILITY ACT AS RELATED TO PEDESTRIAN ACCESS AND SHALL MAINTAIN PEDESTRIAN ACCESS AT ALL TIMES PER ADA REQUIREMENTS. ANY SIDEWALK CLOSURE AND/OR DETOUR SHALL COMPLY WITH THE WATCH STANDARDS AND MUST OBTAIN APPROVAL FROM THE CITY OR COUNTY OF RECORD.

15. THE CONTRACTOR SHALL COVER OR REMOVE ALL CONFLICTING SIGNS.

16. THE CONTRACTOR SHALL POST "SYMBOLS" UNEVEN LANES, "STEEL PLATES AHEAD" OR "BUMP" SIGNS FOR PAVEMENT SURFACE DISRUPTIONS OF $\frac{1}{2}$" OR GREATER. PAVEMENT DISRUPTIONS FOR 1" OR GREATER SHALL HAVE A BEVELED EDGE OF FOUR (4) HORIZONTAL TO ONE (1) VERTICAL.

17. BEFORE PLATE BRIDGING, THE CONTRACTOR SHALL INSTALL "CAUTION STEEL PLATES ADHEAD" AND/OR "ROUGH ROAD SIGNS.

18. THE RESIDENTS AND BUSINESSES SHALL BE NOTIFIED OF THE DATES & TIMES OF CONSTRUCTION TWO (2) WEEKS PRIOR TO THE WORK START DATE.

TRAFFIC SYMBOL LEGEND

- TRAFFIC CONE (10' MAX SPACING)
- TRAFFIC SIGN
- LANE DIRECTION
- STAGING AREA
- FLAGGER

at&t
AT&T
5001 EXECUTIVE PARKWAY
SAN RAMON, CA
94583

PlannENG
4746 Clayton Rd,
Concord, CA, 94521
(925) 408-2159
splanneng@gmail.com
www.planneng.com

DRAWN BY:
CHECKED BY:
APPROVED BY:

REV	DATE	DESCRIPTION
0	14/04/23	100% CD

LICENSED PROFESSIONAL ENGINEER
MANOUCHEHR HAKHAMANESH
C 88083
EXP: 03/31/2026
CIVIL
STATE OF CALIFORNIA

CRAN_RSFR_REDP1_004
1627 37TH AVENUE
SAN FRANCISCO, CA 94121

TRAFFIC CONTROL PLAN

TCP-1

PlannENG
4746 Clayton Rd, Concord, CA, 94521
(925) 408-2159 splanneng@gmail.com www.planneng.com

Date:
Scale: SEE DRAWING
Designed: TDL
Drawn: BBB
Checked:
Proj. Engr:
File:

REVISIONS	DESIGN BY	DESIGN DATE	CITY APPR.	APPR. DATE

PLAN FOR THE IMPROVEMENT OF
CRAN_RSFR_REDP1_004
1627 37TH AVENUE
SAN FRANCISCO, CA 94121
SAN FRANCISCO CALIFORNIA

PERMIT #
PROJECT #

PROJECT ENGINEER — NAME — DATE
PROJECT INSPECTOR:
VOICE MAIL:
DEPARTMENT OF TRANSPORTATION — N/A — NAME — DATE
MUNICIPAL WATER — N/A — NAME — DATE
DEPARTMENT OF TRANSPORTATION - DPS — N/A — NAME — DATE
STREETLIGHT LAYOUT — N/A — NAME — DATE
ELECTRICAL CIRCUITS — NAME — DATE — MARLON DE LEON

DEPARTMENT OF PUBLIC WORKS
SAN FRANCISCO, CALIFORNIA

APPROVED BY MATTHEW CANO
DIRECTOR OF PUBLIC WORKS
N/A

REV. DATE MAY 08, 2018

BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

Before the San Francisco Board of Appeals

Appeal of Approval of Permit No. 25WR-00029

AT&T Small Wireless Facility Application

Public Right-of-Way near 1627 37th Avenue

Brief of Applicant AT&T

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T), respectfully requests the Board of Appeals to uphold the City of San Francisco's (City) approval of AT&T's application to install a small cell wireless telecommunications facility on a replacement wood joint use pole in the public right-of-way near 1627 37th Avenue (Proposed Small Cell). AT&T's proposed plan for this low-profile, low-power wireless facility presents a win-win for the City by improving AT&T's wireless services without disturbing the area's aesthetics.

AT&T's application was approved with conditions by the Planning Department on February 5, 2026. The Planning Department found that AT&T's Proposed Small Cell "would not significantly impair the views of any of the important buildings, landmarks, open spaces, or parks that were the basis for the designation of the street as a view street" and "would not significantly detract from any of the defining characteristics" of the district of the good street view. The department further found that the proposed facility "is designed in a streamlined manner" and "has been designed to maintain, to the best extent possible, views from streets which can provide a means for orientation and preserves the ability for an observer to perceive the City and its districts clearly."

AT&T's Proposed Small Cell Facility

AT&T is deploying small cell facilities in carefully selected locations where they are needed to address wireless service issues in the City. Specifically, AT&T seeks to provide vital

wireless services via small cells. Small cell facilities improve service quality for the City's residents with streamlined facilities that will be installed with minimal impact to the City.

The Proposed Small Cell is needed to bring more robust and competitive services to the City, and it is needed to densify AT&T's wireless network and improve wireless service capabilities throughout this community. The Proposed Small Cell will augment service coverage in this neighborhood. It will also help improve AT&T's wireless services by offloading network traffic carried by AT&T's existing macro facilities in the broader area. Faster data rates also allow customers to get on and off the network quickly, which produces more efficient use of AT&T's limited spectrum.

The Proposed Small Cell facility will consist of one antenna concealed within a short pole-top shroud, two pole-mounted radio units, and cabling concealed along the pole. The antenna shroud and equipment will be painted to match the pole. (See Exhibit A – photosimulations). As you can see from the photosimulations in the record, AT&T's Proposed Small Cell has been designed to be minimally visible. It will not impair views, nor will it detract significantly from the district characteristics. In fact, it will hardly be noticeable at all.

On February 5, 2026, the Planning Department issued its Approval with Conditions for the Proposed Small Cell. The Planning Department identified this proposal as requiring a Tier B Personal Wireless Service Facility Site Permit. In approving AT&T's application, the Planning Department explained that AT&T's proposed facility satisfies Tier B compatibility standards, complies with DPW Code Article 25, and is consistent with the General Plan. More specifically, the Planning Department concluded that AT&T's Proposed Small Cell "would not significantly impair the views of any of the important buildings, landmarks, open spaces, or parks that were the basis for the designation of the street as a view street" and "would not significantly detract

from any of the defining characteristics" of the district. The Planning Department approval also explains that "[t]he project has been designed to reduce, to the best extent possible, the blocking or other impairment of pleasing street views, and preserves an important characteristic of the unique setting and quality of the city" and "[t]he project has been designed as a minimally-visible facility…." (*See* Planning Dept. Approval Feb. 5, 2026.)

Just as the Planning Department did, the Board of Appeals can easily make specific findings that AT&T's Proposed Small Cell will meet applicable City regulations. AT&T's Proposed Small Cell is a stealth installation that minimally expands the size of the subject pole. This wireless facility has been designed to be minimally visible, it will not impair views, and it will not detract from the defining characteristics of the area. The Proposed Small Cell clearly meets the relevant criteria for approval as a Tier B personal wireless facility.

Need for Small Cells

Small cells give residents and businesses access to the latest wireless technologies without cluttering the public rights-of-way. Small cells are critical to meet ever-increasing demand for wireless services. Small cells are needed in residential areas, where they can be installed in the public rights-of-way, so that customers are presented with a dominant signal that results in faster data speeds.

This is especially important in today's world where so many people rely on wireless services to do more in their homes. According to the Center for Disease Control and Prevention ("CDC"), which tracks the rates at which American households have shifted from landlines to wireless telecommunications, more than 91% of California adults, and more than 98% of Californians under age 18, rely exclusively or primarily on wireless communications in their

homes.[1] In addition, the State of California reported to the Federal Communications Commission that there were more than 22.2 million wireless calls and 108,839 texts to 911 in 2024 (the most recent year for state level data).[2] And with AT&T's selection by FirstNet as the wireless service provider to build and manage the nationwide first responder wireless network, each new facility will help strengthen first responder communications.

AT&T estimates that in the decade following introduction of the iPhone in 2007, mobile data usage increased 470,000% on its network. AT&T forecasts its customers' growing demand for mobile data services to continue. In 2022, wireless data traffic increased to 73.7 trillion megabytes, a 38% increase from 2021, and is expected to increase 58 gigabytes per smartphone per month on average (4x current usage) by 2028.

AT&T's existing facilities that serve the area are experiencing very high and increasing mobile data traffic on AT&T's network. The resulting capacity constraints reduce mobile data speeds to the point where AT&T cannot meet its service objectives in the area. By placing small cells in these areas, with antennas at adequate height for signals to clear nearby rooflines and trees, they will serve a significant amount of traffic now served by the overloaded facilities. In addition, the Proposed Small Cell is needed to replace coverage that will be lost once other nearby AT&T wireless facilities are decommissioned and taken off air very soon. Once on air, the Proposed Small Cell will help offload network traffic from the affected facilities and retain critical service coverage that would otherwise be lost, which will improve signal quality and data speeds, allowing customers nearby and in the broader network area to receive reliable service.

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[1] *See CDC National Health Interview Survey Early Release Program* (Released June 2025), available at CDC Wireless Substitution: State-Level Estimates.

[2] *See FCC Seventeenth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges* (Released February 13, 2026), at p.13, Table 3, available at Seventeenth Annual 911 Fee Report.

AT&T's Search for Alternative Sites

The Location of the Proposed Small Cell is critical. Unlike macro cell towers, small cells are low-power wireless facilities that need to be precisely placed to allow the service provider to meet service objectives. To capture a significant amount of traffic served by the overloaded facilities and alleviate these network constraints, the Proposed Small Cell needs to be placed in an area with poor signal quality, high network traffic, and within line-of-sight of customer devices being offloaded to provide a dominant signal. Moving a small cell just a few hundred feet will in most instances prevent the provider from meeting these network needs.

To be certain it is proposing the best available and least intrusive means to address its service needs in this portion of the City, AT&T evaluated several different options in the area. AT&T's Alternative Sites Analysis for the Proposed Small Cell (Exhibit B) shows that AT&T undertook a good-faith and meaningful comparison of alternatives, and it selected the site that best meets the City's preferences. Specifically, AT&T considered eight poles in this area, including the Proposed Small Cell and seven alternatives. Four of these alternatives are existing PG&E wood utility poles and are not viable because they do not meet PG&E standards or California Public Utilities Commission General Order 95 (GO-95) requirements. One alternative is a PG&E wood utility pole with a streetlight. This pole can be made viable from a PG&E perspective with a pole replacement to a taller pole to meet GO-95 requirements, but it is less preferred because it is adjacent to the green belt along Sunset Boulevard and therefore a Park Protected Location (Tier C). An additional alternative is a wood pole directly south of the proposed location along 37th Avenue. This pole is the same height as the proposed facility and in front of residential homes. A pole replacement would be required at this location and be no less intrusive as a Preference 6 and a Tier B location. A final alternative is a traffic signal pole on

Lawton Street & Sunset Boulvard. The City does not allow small cell wireless facilities to be located on traffic signal poles. Additionally, this location is adjacent to the green belt and, therefore, a Park Protected Location (Tier C). Thus, AT&T selected the Proposed Small Cell as the most-preferred and least intrusive means to provide and improve wireless service in this area.

AT&T's Proposal Is Consistent with State Law

AT&T has a statewide franchise right to access and construct telecommunications facilities in the public rights-of-way. And AT&T's small cell applications seek to place these facilities consistent with state policy and law. Under California Public Utilities Code Section 7901, AT&T has the right to access and construct facilities in public rights-of-way in order to furnish wireless telecommunications services, so long as it does not "incommode" the public use of the public right-of-way. Under Section 7901.1, AT&T's right is subject only to the City's reasonable and equivalent time, place, and manner regulations as to how AT&T constructs in the public rights-of-way.

The Proposed Small Cell will not incommode the right-of-way. AT&T designed and sited the Proposed Small Cell to comply with applicable City regulations. Indeed, it will be an amenity to the community, improving critical wireless services in the City.

Approval of AT&T's Proposal is Required Under Federal Law

The federal Telecommunications Act of 1996, 47 U.S.C. § 332 ("Act") provides rights to wireless service providers and establishes limitations upon state and local zoning authorities with respect to applications for permits to construct personal wireless service facilities. The United States Supreme Court has explained that the Act was enacted in part to prioritize and streamline

deployment of wireless technologies on a national basis.[3] The Act defines the scope and parameters of the City's overall review of AT&T's Application. Under the Act, the City's review must consider the application based on substantial evidence.[4] Local governments are specifically precluded from considering any alleged effects of radio frequency emissions in making decisions as to the siting of wireless telecommunications facilities "to the extent such facilities comply with the FCC's regulations concerning such emissions."[5]

Here, it is beyond dispute that the proposed equipment will operate within applicable FCC limits. For the Proposed Small Cell, an RF engineering analysis was performed by MobileComm Professionals, Inc.[6] The report confirms that the Proposed Small Cell will operate well within (and actually far below) applicable FCC exposure limits. In addition, in approving AT&T's proposal the San Francisco Department of Public Health confirmed that the Proposed Small Cell will comply with FCC radio frequency standards. (*See* Public Health Dept. Approval December 24, 2025.) Further, pursuant to the City Code, AT&T will measure radio frequency emissions once the facility is operational to verify compliance. Given compliance with the FCC standards, the Application cannot be rejected based on concerns about radio frequency emissions.

The Act also prohibits a local government from denying an application for a wireless telecommunications facility where doing so would "prohibit or have the effect of prohibiting the

---

[3] *City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115-16 (2005) ("Congress enacted the Telecommunications Act of 1996 (TCA), 110 Stat. 56, to promote competition and higher quality in American telecommunications services and to 'encourage the rapid deployment of new telecommunications technologies.' *Ibid.* One of the means by which it sought to accomplish these goals was reduction of the impediments imposed by local governments upon the installation of facilities for wireless communications, such as antenna towers.")

[4] 47 U.S.C. § 332(c)(7)(B)(iii).

[5] *See* 47 U.S.C. §332(c)(7)(B)(iv).

[6] *See* Statement of MobileComm Professionals, Inc. (September 9, 2025), submitted with AT&T's Application.

provision of personal wireless services."[7] To avoid effectively prohibiting wireless service in violation of federal law, the City needs to approve a wireless facility siting application that is intended to close a significant coverage gap by the least intrusive means based on the applicable local land use regulations.[8]

In addition, the FCC has ruled that an effective prohibition occurs when the decision of a local government materially inhibits wireless services.[9] The FCC explained that the "effective prohibition analysis focuses on the service the provider wishes to provide, incorporating the capabilities and performance characteristics it wishes to employ, including facilities deployment to provide existing services more robustly, or at a better level of quality, all to offer a more robust and competitive wireless service for the benefit of the public."[10] Thus, a local government "could materially inhibit service in numerous way – not only by rendering a service provider unable to provide existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services. Thus, an effective prohibition includes materially inhibiting additional services or improving existing services."[11]

Here, AT&T plans to install the Proposed Small Cell to provide and improve its wireless services. Specifically, by placing the Proposed Small Cell as proposed, AT&T can offload

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[7] 47 U.S.C. §332(c)(7)(B)(i)(II).

[8] *See e.g., Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715 (9th Cir. 2005); *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987 (9th Cir. 2009).

[9] *See Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, FCC 18-133 (September 27, 2018) ("Infrastructure Order") (effective date Jan. 14, 2019); *see also, In the Matter of California Payphone Association Petition for Preemption, Etc*., Opinion and Order, FCC 97-251, 12 FCC Rcd 14191 (July 17, 1997).

[10] *Infrastructure Order*, at n. 95.

[11] *Id*., at ¶ 37.

network traffic from other constrained facilities in order to ensure reliable signals to the larger service area. And AT&T carefully followed the City's siting regulations to be sure the Proposed Small Cell is the least intrusive means by which AT&T can address these significant coverage needs. Denial of the Proposed Small Cell would effectively prohibit AT&T's ability to provide and improve wireless service in this portion of the City.

Issues Raised By Appellant

The appellant's grounds for appeal lack merit as explained below and should be rejected. The concerns raised on appeal do not present issues of substantial evidence on which a denial may lawfully rest. We do, however, hope that these explanations will assist the City in handling the appeal and help its residents appreciate that the Proposed Small Cell will provide necessary wireless services without negatively impacting the community.

Whether or not the Board of Appeals finds a code-based reason to disfavor the Proposed Small Cell, the Board of Appeals is preempted by the Act from taking action that would prohibit or have the effect of prohibiting AT&T from providing or improving personal wireless services, and the City cannot unreasonably burden AT&T's right to use the public rights-of-way.

<u>Tier B Classification</u>

The appellant's primary argument in opposition to the Proposed Small Cell is his contention it will be located in a Tier C location rather than a Tier B location. Specifically, the appellant asserts that the subject pole is a Tier C location because it is adjacent to a park or open space. But the subject pole is located on the side of 37th Avenue *across* from open space that flanks either side of Sunset Boulevard between 36th Avenue and 37th Avenue. As it is across the street from the open space, it is adjacent to houses along 37th Avenue but not adjacent to a park or open space.

Notice

The appellant also contends the pole replacement was not properly noticed. The pole replacement, however, is not part of the scope of the application for the Proposed Small Cell. AT&T believes that the City gave proper notice of the project. In any event, the appellant was not harmed as his concerns are now before this Board.

Preference Ladder

AT&T did indeed analyze other potential locations and poles in selecting the least intrusive means for the Proposed Small Cell. Specifically, AT&T examined 8 potential sites (the proposed site plus 7 alternatives) in the area where the Proposed Small Cell is needed. While the subject pole is a Preference Six design, it is the best available and least intrusive site and is consistent with many other small cells that have been installed throughout the City.

The height of the pole is dictated by many factors and here it needs to be slightly more than ten feet taller than the original pole, which eliminates higher preference designs. AT&T's antenna needs to reach a height that will clear obstacles to allow AT&T to propagate effective signals. Here, that means extending above the height of nearby houses and trees. The height also ensures the Proposed Small Cell will offload the constrained network and provide service coverage. Further, PG&E poles come in incremental heights of every five feet. The subject pole is the minimum height that meets all these criteria while preserving compliance with the CPUC's GO-95 restrictions.

Board of Appeals Should Uphold Approval

Just as the Planning Department explained in approving the application, the Board of Appeals should find that AT&T's Proposed Small Cell (a) satisfies Tier B criteria, (b) complies with DPW Code Article 25, and (c) is consistent with the General Plan. And the Board can easily

find that AT&Ts Proposed Small Cell (d) will not significantly impair the views of any of the important buildings, landmarks, open spaces, or parks that were the basis for the designation of the street as a view street, (e) will not significantly detract from any of the defining characteristics of the district, (f) has been designed to reduce, to the best extent possible, the blocking or other impairment of pleasing street views, and (g) preserves an important characteristic of the unique setting and quality of the City. In addition, AT&T has shown that both federal and state law strongly support (indeed, mandate) approval of this application, and there has been no substantial evidence proffered on which the Board of Appeals could grant this appeal. Thus, the Board should deny the appeal and uphold the City's approval of AT&T's application.

Exhibit A: Photosimulations

Exhibit B: Alternative Sites Analysis

Applicant Exhibits

Before the San Francisco Board of Appeals

Appeal of Approval of Permit No. 25WR-00029

AT&T Small Wireless Facility Application

Public Right-of-Way near 1627 37th Avenue

EXHIBIT A

view from 37th Avenue looking southwest at site

AT&T Wireless

CRAN_RSFR_REDP1_004
Near 1627 37th Avenue, San Francisco, CA
Photosims Produced on 2-22-2025

Existing



Proposed



AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

view from 37th Avenue looking northwest at site

AT&T Wireless

CRAN_RSFR_REDP1_004
Near 1627 37th Avenue, San Francisco, CA
Photosims Produced on 2-22-2025

Existing



Proposed



AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

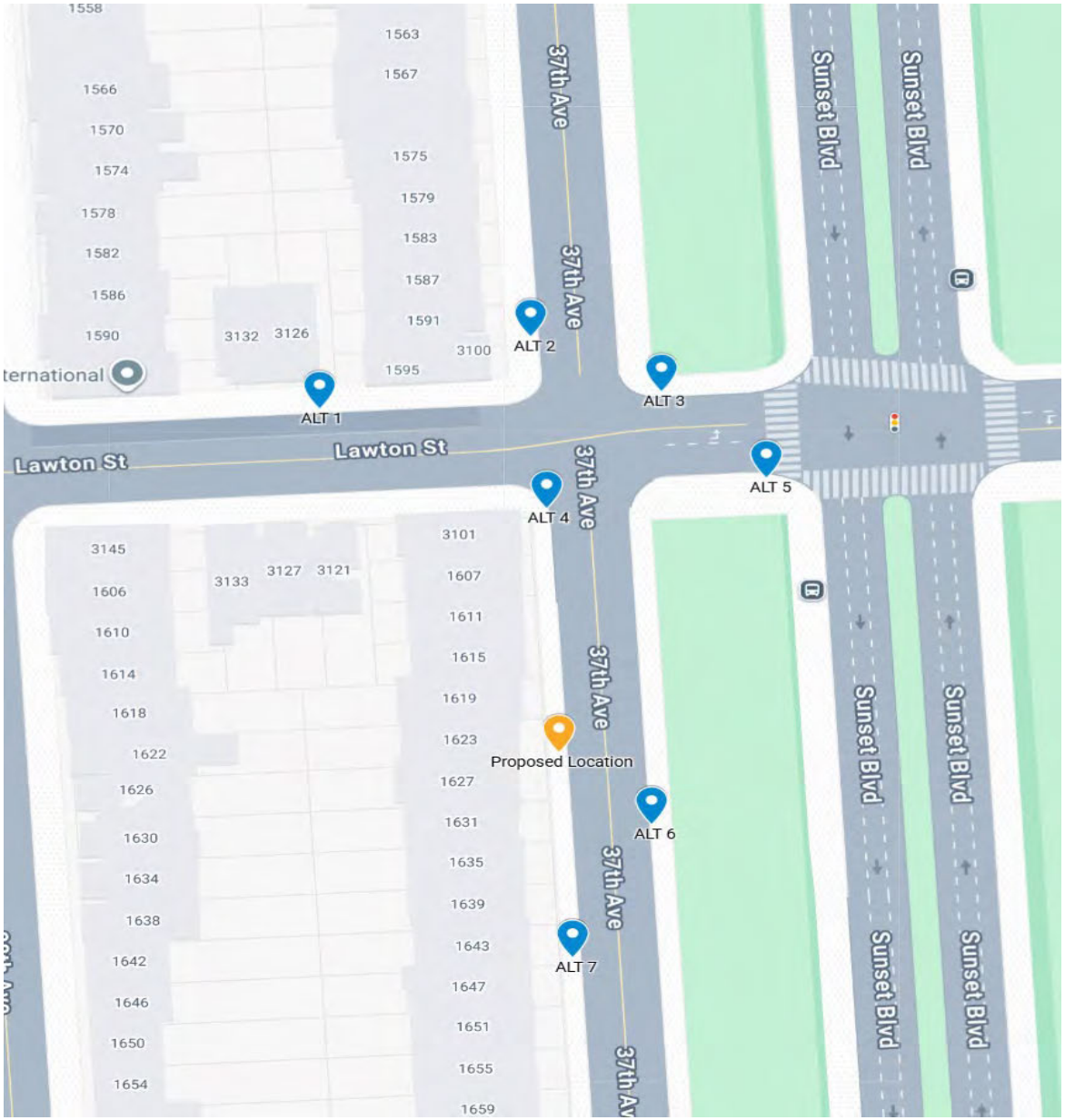
EXHIBIT B

Rethink Possible®

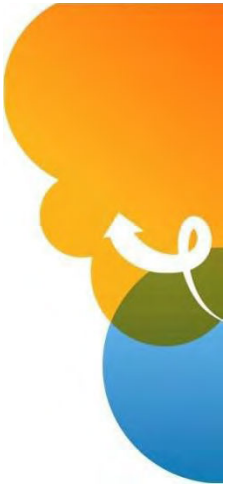
AT&T Small Cell
Site ID: REDP1_004
Public Right-of-Way near 1627 37th Ave, San Francisco, CA 94121
Alternative Site Analysis

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Map of Small Cell Node REDP1_004 and Alternative Sites



Proposed Small Cell – REDP1_004



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REDP1_004 – Proposed Location

Public right-of-way near 1627 37th Ave



- [redacted]
- [redacted]
- [redacted]
- [redacted]

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REDP1_004 – Proposed Location



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REDP1_004 – Alternative Site 1

Public right-of-way near 3126 Lawton St

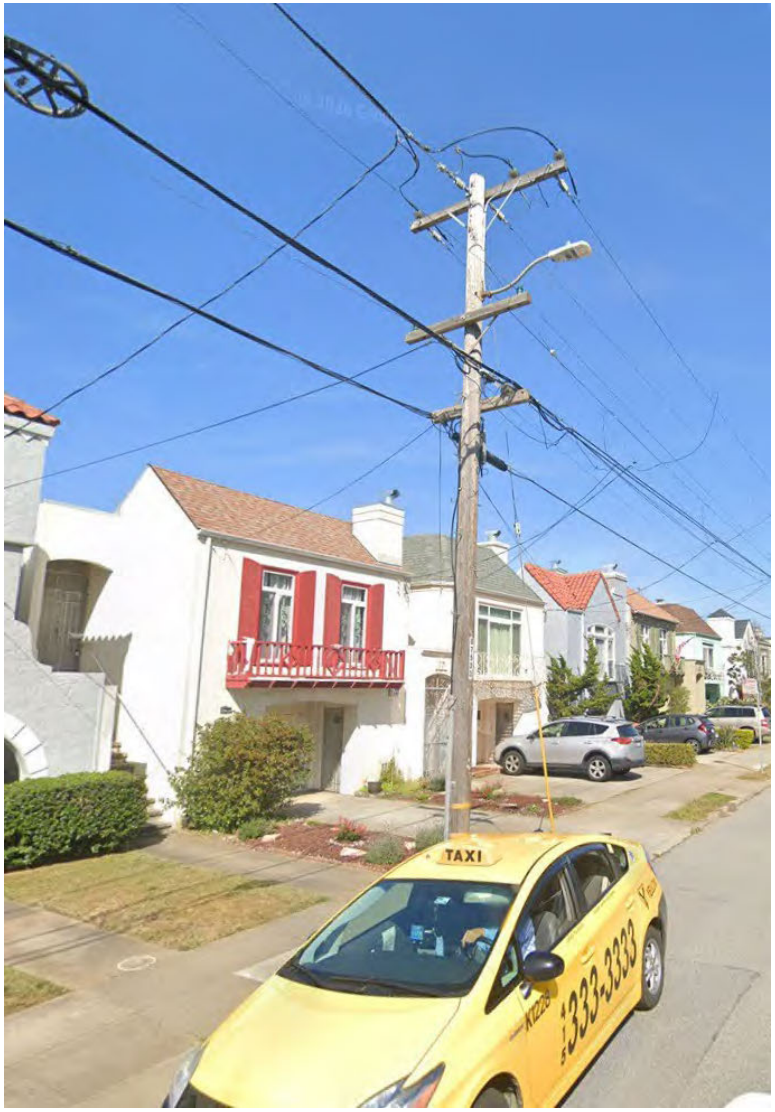


[redacted]

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REDP1_004– Alternative Site 2

Public right-of-way near 1591 37th Ave



[redacted]

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REDP1_004 – Alternative Site 3

Public right of way across from 1593 37th Ave



[redacted]

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REDP1_004 – Alternative Site 4

Public right of way near 3101 37th Ave

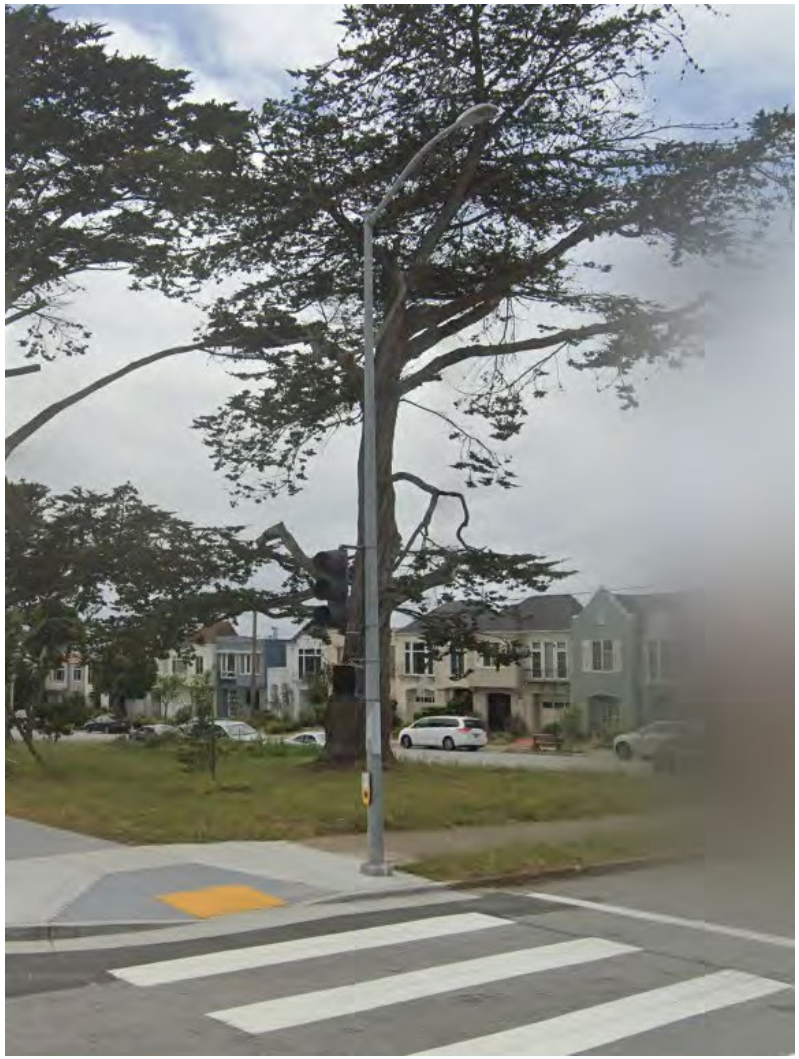


[redacted]

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REDP1_004 – Alternative Site 5

Public right of way near the SW corner of Sunset Blvd & Lawton St



[redacted]

[redacted]

[redacted]

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PLEA2_143 – Alternative Site 6

Public right-of-way across from 1631 37th Ave

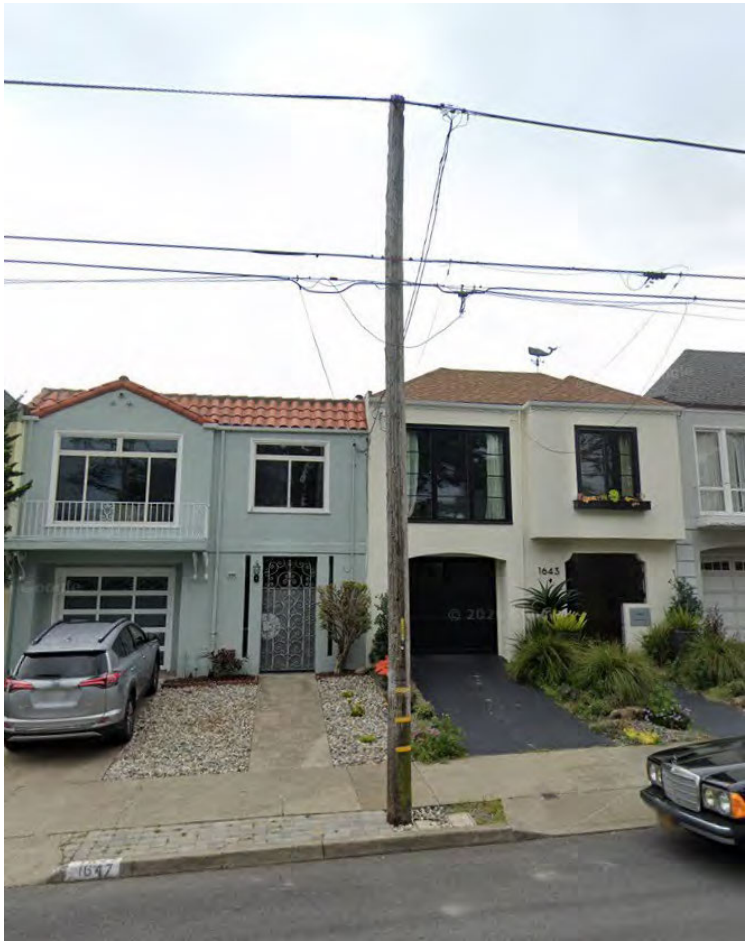


[redacted]

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REDP1_004 – Alternative Site 7

Public right-of-way near 1647 37th Ave



- [redacted]

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Proposed Small Cell REDP1_004 – Conclusion



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BRIEF SUBMITTED BY DPW

July 9, 2026

President John Trasviña
Vice President Rebecca Saroyan
Commissioner Jose Lopez
Commissioner Robin Abad Ocubillo

City and County of San Francisco
Board of Appeals
49 South Van Ness, Suite 1475
San Francisco, CA 94103

Subject: Adler v. S.F. Public Works (Appeal No. 26-027)

Dear President Trasviña, Vice President Saroyan, Commissioner Lopez, and Commissioner Abad Ocubillo:

Respondent Department of Public Works ("Public Works") submits this brief for Appeal No. 26-027. While Public Works disputes three of appellant's allegations, Public Works acknowledges that Public Works' issuance of Personal Service Facility Site Permit Number 25WR-00029 (the "Permit") was in error. Following the filing of this appeal, Public Works received and evaluated an alternative site analysis ("Alternative Site Analysis") provided by New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (AT&T) (the "Applicant") to supplement Public Works' analysis of the application ("Application"). The Alternative Site Analysis is attached as Exhibit B to the Applicant's brief in Appeal No. 26-027. Public Works has reviewed the feasibility analysis in the Alternative Site Analysis, and Public Works has reached the conclusion that the feasibility analysis sufficiently demonstrates that the design proposed in the Application is the only feasible design for the Wireless Site, as defined below.

Public Works requests that the Board of Appeals ("Board") reach the conclusion that the feasibility analysis sufficiently demonstrates that the design proposed in the Application is the only feasible design for the Wireless Site and modify the Permit accordingly.

Alternatively, on the narrow grounds described herein, the Board could grant the appeal of the Permit and remand the Application back to the City for further review and consideration. Public Works would be prepared to recirculate the Application for a Personal Wireless Service Facility Site Permit to the Department of Public Health and the Planning Department (collectively with Public Works, the "City") to ensure that the City's Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit includes the conclusion that the design proposed in the Application is the only feasible design for the Wireless Site.

Background

The City reviews and considers Personal Wireless Services Facilities permit applications according to Article 25 of the Public Works Code (attached as Exhibit 1), Public Works Order No: 201,970 ("REGULATIONS IMPLEMENTING THE REQUIREMENTS OF SAN FRANCISCO PUBLIC WORKS CODE ARTICLE 25 AND REVISING AND SUPERSEDING DEPARTMENT OF PUBLIC WORKS ORDER NO. 184,504") (attached as Exhibit 2), and Public Works Order No: 206,502 ("Wooden Utility Poles" and "Steel and Concrete Utility Poles") (attached as Exhibit 3).

On September 30, 2025, NextEdge Networks ("NextEdge") submitted the Application for the pole located in the sidewalk frontage ("Wireless Site") of 1623 37th Avenue (the "Property") on behalf of the Applicant. (Application for Personal Wireless Service Facility Permit, Exhibit 4 at 1.) Since there was an existing pole, the application checked "pole replacement" and included a photo of the existing pole and a "photographic simulation" of the proposed Personal Wireless Service Facility at the proposed location. (*Id.*)

On 12/19/2025, Public Works issued a determination that the permit application was complete and notified the applicant that Public Works would add conditions to the permit. (Order No. 201970.) Public Works referred the application to the Department of Public Health. On December 24, 2025, the Department of Public Health issued a letter finding that the Application would comply with the Public Health Compliance Standard, as defined in Article 25.

After determining that the permit application did not meet the Objective Standards, meaning the Application did not satisfy the Tier B Compatibility Standards "based on factors that are quantifiable, measurable, and verifiable," as defined in Public Works Code Section 1502, Public Works referred the application to the Planning Department. On February 5, 2026, the Planning Department issued a determination recommending the approval of the Application subject to the specified conditions (the "Planning Letter," attached as Exhibit 5). The Planning Department found that "[t]he proposed Tier B Personal Wireless Service Facility is to be located in the public right-of-way in a Planning and Zoning Protected Location, adjacent to 1627 37th Avenue, and on a street with Good Street Views." (Planning Letter at 1.) In addition, the Planning Department determined that the proposed Personal Wireless Service Facility "WOULD NOT significantly detract from the character of the adjacent residential/commercial/mixed-use Districts, Scenic Vistas; or potential and or known historic Buildings; Districts." (*Id*.)

The Department of Public Works posted the Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit on April 22, 2026 (attached as Exhibit 6), which indicated that the permit ("Wireless Permit") had been approved and included conditions provided by the Planning Department and the Department of Public Health. ("Posting Affidavit" attached as Exhibit 8)

Related to the Wireless Permit, Pacific Gas and Electric obtained an excavation permit, issued according to Article 2.4 of the Public Works Code, to authorize the removal of the prior wooden utility pole and the installation of the replacement wooden utility pole referenced in the Application.

City's Responses to Appellant's Allegations

The City responds to appellant's six allegations (italicized below) in turn.

1. *Appellant Alleges: "The Departments applied the wrong legal standard by reviewing the site as Tier B and using DPW Order No. 201970, instead of applying the currently operative Objective Standards in DPW Order No. 206502."*

Appellant is incorrect. First, Public Works Order Nos: 201970 and 206502 both remain active and operative. The two orders are complementary and are not in conflict.

Second, the City properly categorized the Application as an application for a Tier B Wireless Service Facility. "Tier B Wireless Service Facility" means "a Personal Wireless Service Facility where the proposed location for the facility is in a Planning Protected Location or Zoning Protected Location." (Public Works Code Sec. 1502; Public Works Order No. 201970.) A "Planning Protected Location" refers to enumerated locations for a Personal Wireless Service Facility including: "[o]n a Utility Pole that is on a Public Right-of-Way that the General Plan has designated as having views that are rated 'excellent' or 'good.'" (Public Works Code Sec. 1502.)

Concerning the Application, the Planning Department made the express finding that "[t]he proposed Tier B Personal Wireless Service Facility is to be located in the public right-of-way in a Planning and Zoning Protected Location, adjacent to 1627 37th Avenue, and on a street with Good Street Views." (Planning Letter at 1.) Notably, the Planning Department found that

the Property was "adjacent" to the Wireless Site. On this basis, the City appropriately reviewed whether the Application satisfied the applicable "Planning Protected Location Compatibility Standard or the Zoning Protected Location Compatibility Standard" as required under Public Works Code Section 1502.

The "Zoning Protected Location Compatibility Standard" means that "an Applicant for a Personal Wireless Service Facility Site Permit on a Public Right-of-Way that is within a Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Residential or Neighborhood Commercial zoning district." (Public Works Code Sec. 1502.) The Planning Department found that "the proposed Personal Wireless Service Facility WOULD NOT significantly detract from the character of the adjacent residential/commercial/mixed-use Districts, Scenic Vistas; or potential and or known historic Buildings; Districts" (Planning Letter at 1) and that "[t]he Proposed Personal Wireless Service Facility is, on balance, consistent with Article 25 of the Public Works Code and the Objectives and Policies of the General Plan…." (Planning Letter at 1-2.)

2. *Appellant alleges: "The site was misclassified. Because the proposed facility is adjacent to the Sunset Boulevard open space and green belt, it should have been reviewed as a Park Protected Location and Tier C facility."*

Appellant is incorrect. A "Tier C Personal Wireless Service Facility" means a "Personal Wireless Service Facility where the proposed location for the facility is in a Park Protected Location." (Public Works Code Sec. 1502.) Moreover, a Park Protected Location means "a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is

Adjacent to a City park or open space." (*Id*.) Since "Adjacent" means "[i]n front of and on the same side of the street, when used in connection with a City park or open space," by definition, the Wireless Site is not Adjacent to open space. Therefore, the Application was properly reviewed and processed as a Tier B Wireless Service Facility and not treated as a Tier C Wireless Service Facility.

3. *Appellant alleges: "The approved design is a 'Disfavored Design.' The replacement pole exceeds the height of the prior pole by more than ten feet, yet the record contains no evidence that the Applicant showed this was the only feasible design."*

According to the Public Works Code, where a proposed Personal Wireless Service Facility is a "Disfavored Design," Public Works is required to refer the application to the Planning Department for further review. (Public Works Code Sections 1508(c), 1509(a)(2).) "Applications using Preference Six (disfavored design) must be approved by the Planning Department" and "[a]pproval will not be granted unless Applicant shows this design is the only feasible one." (Public Works Order No: 206502.)

Following the filing of this appeal, Public Works reviewed the Application and determined that Applicant had not provided the feasibility determination. After receiving the Alternative Site Analysis on July 9, 2026, Public Works reviewed the feasibility analysis and reached the conclusion that it sufficiently demonstrates that the design proposed in the Application is the only feasible design for the Wireless Site.

The Board may make this finding and modify the Permit. Alternatively, on remand, Public Works is prepared to issue a new Notice of Final Determination to Approve a Personal

Wireless Service Facility Site Permit that states that the design proposed in the Application is the "only feasible design" for the Wireless Site.

4. *Appellant alleges: "The Applicant and Departments failed to follow the Design Preference Ladder or provide the required explanation for moving down each rung before selecting the least preferred design."*

According to Public Works Order No: 206,502, when it is infeasible for an applicant to use "Preference One" – which does not include a taller replacement pole or pole-top extension and which involves rearranging electrical lines to meet CPUC General Order 95 separation requirements without increasing the pole height – the applicant must "explain to Public Works the reasons for needing to move down each rung of the design preference ladder." (Public Works Order No: 206502.) Public Works acknowledges that the Applicant did not provide the Alternative Site Analysis to Public Works at the time that it submitted the Application.

Following its receipt and review of the Alternative Site Analysis, Public Works has concluded that it contains a sufficient explanation of the "reasons for needing to move down each rung of the design preference ladder." (*Id*.) The Board may make this finding and modify the Permit. Alternatively, on remand, Public Works is prepared to include in a new Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit a statement that Public Works has concluded that the Alternative Site Analysis contains a sufficient explanation of the "reasons for needing to move down each rung of the design preference ladder."

5. *Appellant alleges: "Construction began and the taller pole was erected before meaningful public notice or community outreach occurred, depriving affected residents of the collaborative process described in the City's own materials."*

The pole was removed and replaced according to the Excavation Permit. Although the Excavation Permit has not been appealed, during the pendency of this appeal, Public Works has suspended the Excavation Permit.

6. *Appellant alleges: "These errors are material. The appeal should be granted, and the permit should be vacated or remanded for review under the correct standards."*

Public Works acknowledges that the Permit should be modified solely to incorporate and address the Applicant's Alternative Site Analysis and to memorialize Public Works' conclusion that the design proposed in the Application is the "only feasible design" for the Wireless Site. With the exception of the City's failure to timely receive and review the Alternative Site Analysis and to include the City's feasibility determination in the originally issued Notice of Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit, Public Works disputes any other errors in the City's review and approval of the Application.

Conclusion

Public Works requests that the Board reach the conclusion that the feasibility analysis sufficiently demonstrates that the design proposed in the Application is the only feasible design for the Wireless Site and modify the Permit accordingly. Alternatively, on the narrow grounds described herein, the Board may grant the appeal of the Permit and remand the Application back to the City for further review and consideration.

EXHIBIT 1

Public Works Code, Article 25

ARTICLE 25:

PERSONAL WIRELESS SERVICE FACILITIES

Sec. 1500.	Personal Wireless Service Facility Site Permit.
Sec. 1501.	Department Orders and Regulations.
Sec. 1502.	Definitions.
Sec. 1504.	Initial Review of a Personal Wireless Facility Site Permit Application.
Sec. 1505.	Conditions of Approval.
Sec. 1506.	Street Tree.
Sec. 1507.	Department of Public Health Review.
Sec. 1508.	Department Review of a Personal Wireless Service Facility Site Permit Application.
Sec. 1509.	Planning Department Review of a Tier A or Tier B Personal Wireless Service Facility Site Permit Application.
Sec. 1510.	Recreation and Park Department Review of a Tier C Personal Wireless Service Facility Site Permit Application.
Sec. 1511.	Final Determination.
Sec. 1514.	Notice of Final Determination.
Sec. 1515.	Appeals.
Sec. 1516.	Notice of Completion and Inspection.
Sec. 1517.	Compliance.
Sec. 1518.	Abandonment.
Sec. 1519.	Term of Permit.
Sec. 1520.	Renewal and New Applications.
Sec. 1521.	Replacement or Removal of Equipment.
Sec. 1522.	Modification Permit.
Sec. 1523.	Deposit.
Sec. 1524.	Liability.
Sec. 1525.	Indemnification and Defense of City.
Sec. 1526.	Insurance.
Sec. 1527.	Fees and Costs.
Sec. 1528.	Severability.
Sec. 1529.	Base Station Determination.

SEC. 1500. PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT.

(a) **Personal Wireless Service Facility Site Permit Required.** The Department shall require any Person seeking to construct, install, or maintain a Personal Wireless Service Facility in the Public Rights-of-Way to obtain a Personal Wireless Service Facility Site Permit.

(b) **Minimum Permit Requirements.**

(1) The Department shall not issue a Personal Wireless Service Facility Site Permit if the Application for a Personal Wireless Service Facility Site Permit does not comply with all of the requirements of this Article 25.

(2) The Department shall require an Applicant for a Personal Wireless Service Facility Site Permit to demonstrate to the satisfaction of the Department that:

(A) The Department has issued the Applicant a Utility Conditions Permit as required by San Francisco Administrative Code Section 11.9;

(B) The pole owner has authorized the Applicant to use or replace the Utility Pole identified in the Application; and

(C) The Applicant has obtained any approvals that may be required under the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*) to construct, install, and maintain the proposed Personal Wireless Service Facility.

(c) **Permit Prohibited.** The Department shall not issue a Personal Wireless Service Facility Site Permit if the Applicant seeks to:

(1) Install a new Utility Pole on a Public Right-of-Way where there presently are no overhead utility facilities; or

(2) Add a Personal Wireless Service Facility on a Utility Pole for which a Personal Wireless Service Facility Site Permit has already been approved.

(d) **Permit Conditions.** The Department may include in a Personal Wireless Service Facility Site Permit such conditions, in addition to those already set forth in this Article 25 and other Applicable Law, as may be required to govern the construction, installation, or maintenance of Personal Wireless Service Facilities in the Public Rights-of-Way, and to protect and benefit the public health, safety, welfare, and convenience, provided that no such conditions may concern the particular technology used for a Personal Wireless Service Facility.

(e) **Installation of Cabinets or Vaults in the Public Rights-of-Way.** The Department shall not include in a Personal Wireless Service Facility Site Permit an authorization for the Permittee to install a surface-mounted equipment cabinet or underground equipment vault in the Public Rights-of-Way. In order to install such an equipment cabinet or vault in the Public Rights-of-Way for use with a Personal Wireless Service Facility, a Permittee must fully comply with any other City permitting requirements related to the installation of such facilities.

(f) **Other Provisions Inapplicable.** Notwithstanding the requirements of San Francisco Business and Tax Code Sections 5, 6, and 26(a), the provisions of this Article 25 shall govern all actions taken by the City with respect to the approval or denial of an Application for a Personal Wireless Service Facility Site Permit under this Article 25.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1501. DEPARTMENT ORDERS AND REGULATIONS.

(a) The Department may adopt such orders or regulations as it deems necessary to implement the requirements of this Article 25, or to otherwise preserve and maintain the public health, safety, welfare, and convenience, as are consistent with this requirements of this Article 25 and Applicable Law.

(b) The Department shall work with the Planning Department and Recreation and Park Department to adopt regulations or orders establishing initial Objective Standards for the Department to use to determine whether a proposed Personal Wireless Service Facility satisfies the applicable Tier A, B, or C Compatibility Standard. The Department may by order or regulation modify the initial Objective Standards when necessary to, among other things, approve additional or different equipment, designs, or configurations that the Department determines also satisfy the applicable Tier A, B, or C Compatibility Standards.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1502. DEFINITIONS.

For purposes of this Article 25, the following terms, phrases, words, abbreviations, their derivations, and other similar terms, when capitalized, shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number; and words in the singular number include the plural number.

"Adjacent" means:

(a) On the same side of the street and in front of the building or the next building on either side, when used in connection with a national historic landmark, California landmark, San Francisco landmark, structure of merit, architecturally significant building, or locally significant building; and

(b) In front of and on the same side of the street, when used in connection with a City park or open space.

“Applicable Law” means all applicable federal, state, and City laws, ordinances, codes, rules, regulations, and orders, as the same may be amended or adopted from time to time.

"Applicant" means any Person submitting an Application for a Personal Wireless Service Facility Site Permit or Modification Permit under this Article 25.

"Application" means an application for a Personal Wireless Service Facility Site Permit or Modification Permit under this Article 25.

"Base Station" shall have the meaning determined by the Department in an order or regulation, provided that the Department's definition shall be consistent with the definition of that term: (a) as it is used in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified at 47 U.S.C. § 1455(a) as may be amended from time to time; and (b) as it is defined by the FCC in any decision addressing that section or any regulation implementing that section.

"City" means the City and County of San Francisco.

"Conditions" means any additional requirements that a City department reviewing an Application for a Personal Wireless Service Facility Site Permit has determined are necessary for the Application to comply with those requirements of this Article 25 that are within that department's purview, provided that no such Conditions may include a requirement that an Applicant use a particular technology for a Personal Wireless Service Facility.

"Department" means the Department of Public Works.

"Director" means the Director of Public Works.

“Disfavored Design” means any design for a Personal Wireless Service Facility that is identified in the Objective Standards as disfavored.

"Eligible Facilities Request" shall have the meaning determined by the Department in an order or regulation, provided that the Department's definition shall be consistent with the definition of that term: (a) as it is used in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified at 47 U.S.C. § 1455(a) as may be amended from time to time; and (b) as it is defined by the FCC in any decision addressing that section or any regulation implementing that section.

"FCC" means the Federal Communications Commission.

"Modification Permit" means a Permit issued by the Department pursuant to Section 1522 below, authorizing a Permittee to modify equipment installed on a Utility Pole by the Permittee pursuant to a Personal Wireless Service Facility Site Permit.

“Objective Standards” means standards to determine whether a proposed Personal Wireless Service Facility satisfies the applicable Tier A, B, or C Compatibility Standard based on factors that are quantifiable, measurable, and verifiable.

"Park Protected Location" means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is Adjacent to a City park or open space.

“Park Protected Location Compatibility Standard” means whether a Personal Wireless Service Facility that is proposed to be located in a Park Protected Location would significantly impair the views of a City park or open space or significantly degrade or detract from the aesthetic or natural attributes that define the City park or open space.

"Permittee" means a Person issued a Personal Wireless Service Facility Site Permit.

"Person" means any individual, group, company, partnership, association, joint stock company, trust, corporation, society, syndicate, club, business, or governmental entity. "Person" shall not include the City.

"Personal Wireless Service" means commercial mobile services provided under a license issued by the FCC.

"Personal Wireless Service Facility" or "Facility" means antennas and related facilities used to provide or facilitate the provision of Personal Wireless Service.

"Personal Wireless Service Facility Site Permit" or "Permit" means a permit issued by the Department pursuant to this Article 25 authorizing a Permittee to construct, install, and maintain a Personal Wireless Service Facility.

“Planning Protected Location” means any of the following proposed locations for a Personal Wireless Service Facility:

(a) On an historic, historically or architecturally significant, decorative, or specially designed Utility Pole located in the Public Rights-of-Way;

(b) On a Utility Pole that is on a Public Right-of-Way that is within a national historic landmark district, listed or eligible national register historic district, listed or eligible California register historic district, San Francisco landmark district, local historic or conservation district, or locally significant district, as more specifically described and cataloged in materials prepared and maintained by the Planning Department;

(c) On a Utility Pole that is on a Public Right-of-Way that is Adjacent to a national historic landmark, California landmark, San Francisco landmark, structure of merit, architecturally significant building, or locally significant building, as more specifically described and cataloged in materials prepared and maintained by the Planning Department;

(d) On a Utility Pole that is on a Public Right-of-Way that the General Plan has designated as being most significant to City pattern, defining City form, or having an important street view for orientation; or

(e) On a Utility Pole that is on a Public Right-of-Way that the General Plan has designated as having views that are rated “excellent” or “good.”

“Planning Protected Location Compatibility Standard” means whether an Applicant for a Personal Wireless Service Facility Site Permit demonstrates that a proposed Personal Wireless Service Facility would be compatible with any of the Planning Protected Locations as follows:

(a) For a historic, historically or architecturally significant, decorative, or specially designed Utility Pole, the applicable standard is whether a proposed Personal Wireless Service Facility would significantly degrade or detract from the aesthetic attributes that distinguish the Utility Pole as historic, historically significant, architecturally significant, decorative, or specially designed.

(b) For a Public Right-of-Way that is within a national historic landmark district, listed or eligible national register historic district, listed or eligible California register historic district, San Francisco landmark district, local historic or conservation district, or locally significant district, the applicable standard is whether a proposed Personal Wireless Service Facility would significantly degrade or detract from the aesthetic attributes that were the basis for the special designation of the district.

(c) For a Utility Pole that is Adjacent to a national historic landmark, California landmark, San Francisco landmark, structure of merit, architecturally significant building, or locally significant building, the applicable standard is whether a proposed Personal Wireless Service Facility would significantly degrade or detract from the aesthetic attributes that were the basis for the special designation of the building.

(d) For a Public Right-of-Way that the General Plan has designated as being most significant to City pattern, defining City form, or having an important street view for orientation, the applicable standard is whether a proposed Personal Wireless Service Facility would significantly degrade or detract from the aesthetic attributes that were the basis for the designation of the street for special protection under the General Plan.

(e) For a Public Right-of-Way that the General Plan has designated as having views that are rated “excellent” or “good,” the applicable standard is whether a proposed Personal Wireless Service Facility would significantly impair the views of any of the important buildings, landmarks, open spaces, or parks that were the basis for the designation of the street as a view street.

“Public Health Compliance Standard” means whether: (a) any potential human exposure to radio frequency emissions from a proposed Personal Wireless Service Facility described in an Application is within the FCC guidelines; and (b) noise at any time of the day or night from the proposed Personal Wireless Service Facility described in an Application is not greater than 45 dBA as measured at a distance three feet from any residential building facade.

“Public Rights-of-Way” means the area in, on, upon, above, beneath, within, along, across, under, and over the public streets, sidewalks, roads, lanes, courts, ways, alleys, spaces, and boulevards within the geographic area of the City in which the City now or hereafter holds any property interest, which is dedicated to public use and which, consistent with the purposes for which it was dedicated, may be used for the purpose of installing and maintaining Personal Wireless Service Facility to provide Personal Wireless Service to customers.

“Replace” means to remove previously permitted equipment and install new equipment at a permitted Personal Wireless Service Facility that is identical in size or smaller than the previously permitted equipment.

“Substantially Change the Physical Dimensions” shall have the meaning determined by the Department in an order or regulation, provided that the Department’s definition shall be consistent with the definition of that term: (a) as it is used in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified at 47 U.S.C. § 1455(a) as may be amended from time to time; and (b) as it is defined by the FCC in any decision addressing that section or any regulation implementing that section.

“Tier A Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is within an Unprotected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the neighborhood.

“Tier A Personal Wireless Service Facility” means a Personal Wireless Service Facility where the proposed location for the facility is in an Unprotected Location.

“Tier B Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is either within or Adjacent to a Planning Protected Location or Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility satisfies the applicable Planning Protected Location Compatibility Standard or Zoning Protected Location Compatibility Standard.

“Tier B Personal Wireless Service Facility” means a Personal Wireless Service Facility where the proposed location for the facility is in a Planning Protected Location or Zoning Protected Location.

“Tier C Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is either within or Adjacent to a Park Protected Location has demonstrated that the proposed Personal Wireless Service Facility satisfies the applicable Park Protected Location Compatibility Standard.

“Tier C Personal Wireless Service Facility” means a Personal Wireless Service Facility where the proposed location for the facility is in a Park Protected Location.

“Transmission Equipment” shall have the meaning determined by the Department in an order or regulation, provided that the Department’s definition shall be consistent with the definition of that term: (a) as it is used in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified at 47 U.S.C. § 1455(a) as may be amended from time to time; and (b) as it is defined by the FCC in any decision addressing that section or any regulation implementing that section.

“Unprotected Location” means a proposed location for a Personal Wireless Service Facility that is neither a Planning Protected, Zoning Protected,, Zoning Protected Location,[1] nor Park Protected Location.

“Utility Pole” means a power pole, telephone pole, or other similar pole subject to California Public Utilities Commission General Order 95, and located within the Public Rights-of-Way.

“Zoning Protected Location” means on a Utility Pole that is on a Public Right-of-Way that is within a Residential or Neighborhood Commercial zoning district under the Planning Code.

“Zoning Protected Location Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility Site Permit on a Public Right-of-Way that is within a Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Residential or Neighborhood Commercial zoning district.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

CODIFICATION NOTE

1. So in Ord. 190-19.

SEC. 1503. [REPEALED.]

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; repealed by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015)

SEC. 1504. INITIAL REVIEW OF A PERSONAL WIRELESS FACILITY SITE PERMIT APPLICATION.

(a) **Completeness Review.**

(1) **Initial Determination.** Following receipt of an Application for a Personal Wireless Service Facility Site Permit, the Department shall make an initial determination whether the Application is complete.

(2) **Notice of Completeness Determination.** The Department shall promptly notify an Applicant for a Personal Wireless Service Facility whether the Application is complete.

(b) **Tier Review.**

(1) **Initial Determination.** Following a Department determination that an Application for a Personal Wireless Service Facility Site Permit is complete, the Department shall make an initial determination whether the proposed Personal Wireless Service Facility is a Tier A, Tier B, or Tier C Personal Wireless Service Facility.

(2) **Notice of Tier Determination.** The Department shall promptly notify an Applicant for a Personal Wireless Service Facility of the Department's tier determination.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015)

SEC. 1505. CONDITIONS OF APPROVAL.

(a) **Conditions of Approval.** Any City department reviewing an Application for a Personal Wireless Service Facility Site Permit, as required by this Article 25, may add Conditions to its approval, tentative approval, or determination.

(b) **Conditions in Writing.** Any Conditions that a City department includes in its approval, tentative approval, or determination with respect to an Application for a Personal Wireless Service Facility Site Permit shall be in writing.

(c) **Notice of Conditions.** The Department shall promptly notify the Applicant of any such Conditions and shall give the Applicant a reasonable time to accept or reject the Conditions.

(d) **Acceptance of Conditions Required.** The Department shall not approve an Application for a Personal Wireless Service Facility Site Permit unless the Applicant accepts all of the Conditions added to an approval, tentative approval, or determination by any City department that reviewed the Application.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1506. STREET TREE.

(a) **Condition of Approval.** When reviewing an application for a Personal Wireless Service Facility Site Permit, the Department, the Planning Department, and/or Recreation and Park Department (as appropriate) may require as a Condition of approval that the Permittee plant and maintain an appropriate street tree adjacent to the Utility Pole so as to provide a screen for a permitted Personal Wireless Service Facility Site Permit.

(b) **Implementation of Street Tree Requirement.** When installation of a street tree is required by the Department, the Planning Department, and/or Recreation and Park Department, the Department shall implement the requirement as follows:

(1) The Department shall require the Permittee to install a street tree that is a minimum of twenty-four (24)-inch box size. The Department's Bureau of Urban Forestry shall work with the Permittee to select the appropriate species and location for the required tree.

(2) In any instance in which the Department cannot require the Permittee to install a street tree, on the basis of inadequate sidewalk width, interference with utilities, or other reasons regarding the public health, safety, or welfare, the Department shall instead require the Permittee to make an "in-lieu" payment into the Department's "Adopt-A-Tree" fund. This payment shall be in the amount specified in Public Works Code Section 807(f), and shall be payable prior to the Department's issuance of the Personal Wireless Service Facility Site Permit.

(c) **Care and Maintenance of Street Trees.** The Permittee shall be responsible for the care and maintenance of any street tree required to be installed in the Public Rights-of-Way under this Section 1506. In this regard, the Permittee shall assume the duty of a "property owner" as set forth in Public Works Code Section 805.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1507. DEPARTMENT OF PUBLIC HEALTH REVIEW.

(a) **Department of Public Health Referral.** The Department shall refer every Application for a Personal Wireless Service Facility Site Permit to the Department of Public Health for review of the proposed Personal Wireless Service Facility under the Public Health Compliance Standard.

(b) **Department of Public Health Determination.** The Department of Public Health shall make a determination whether the Application satisfies the Public Health Compliance Standard. The determination of the Department of Public Health shall be in writing and shall set forth the reasons therefor. The Department of Public Health shall transmit its determination to the Department within 10 business days of receipt of the Application from the Department. With the concurrence of the Applicant, the Department of Public Health may extend this review period beyond 10 business days.

(c) **Affirmative Determination Required.** The Department shall not approve an Application for a Personal Wireless Service Facility Site Permit unless the Department of Public Health makes a determination that the Application satisfies the Public Health Compliance Standard.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1508. DEPARTMENT REVIEW OF A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT APPLICATION.

The Department shall review an Application for a Personal Wireless Service Facility Site Per- mit to determine whether the Application:

(a) Receives an affirmative determination from the Department of Public Health under the Public Health Compliance Standard; and

(b) Meets the applicable Tier A, Tier B, or Tier C Compatibility Standard based on the Department’s application of the Objective Standard; or

(c) Must be referred to the Planning Department and/or the Recreation and Park Department for additional review because: (1) the Objective Standards have not been adopted; (2) the proposed Personal Wireless Service Facility is a Disfavored Design; or (3) the Application did not meet the applicable Tier A, Tier B, or Tier C Compatibility Standard based on the Department’s application of the Objective Standards, but the Application may still comply with the

applicable Tier A, Tier B, or Tier C Compatibility Standard..[1]

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

CODIFICATION NOTE

1. So in Ord. 190-19.

SEC. 1509. PLANNING DEPARTMENT REVIEW OF A TIER A OR TIER B PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT APPLICATION.

(a) **Referral to Planning Department Required.**

(1) Until such time as the Department has adopted Objective Standards, the Department shall refer an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit to the Planning Department for a review of the proposed Personal Wireless Service Facility under the applicable Tier A or Tier B Compatibility Standard.

(2) After the Department has adopted Objective Standards, the Department shall refer an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit to the Planning Department for additional review under the applicable Tier A or Tier B Compatibility Standard if: (A) the proposed Personal Wireless Service Facility does not meet the Tier A or Tier B Compatibility Standard based on the Department's application of the Objective Standards; or (B) the proposed Personal Wireless Service Facility is a Disfavored Design.

(b) **Planning Department Determination.** If the Department has referred an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit to the Planning Department, the Planning Department shall make a determination whether the Application satisfies the applicable Tier A or Tier B Compatibility Standard. The Planning Department's determination shall be in writing and shall set forth the reasons therefor. The Planning Department shall transmit its determination to the Department within 10 business days of receipt of the Application from the Department. With the concurrence of the Applicant, the Planning Department may extend this review period beyond 10 business days.

(c) **Affirmative Determination Required.** The Department shall not approve an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit that has been referred to the Planning Department unless the Planning Department makes a determination that the Application satisfies the applicable Tier A or Tier Tier[1] B Compatibility Standard.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

CODIFICATION NOTE

1. So in Ord. 190-19.

SEC. 1510. RECREATION AND PARK DEPARTMENT REVIEW OF A TIER C PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT APPLICATION.

(a) **Referral to Recreation and Park Department Required.**

(1) Until such time as the Department has adopted Objective Standards, the Department shall refer an Application for a Tier C Personal Wireless Service Facility Site Permit to the Recreation and Park Department for a review of the proposed Personal Wireless Service Facility under the Tier C Compatibility Standard.

(2) After the Department has adopted Objective Standards, the Department shall refer an Application for a Tier C Personal Wireless Service Facility Site Permit to the Recreation and Park Department for additional review under the Tier C Compatibility Standard if: (A) the proposed Personal Wireless Service Facility does not meet the Tier C Compatibility Standard based on the Department's application of the Objective Standards; or (B) the proposed Personal Wireless Service Facility is a Disfavored Design.

(b) **Recreation and Park Department Determination.** If the Department has referred an Application for a Tier C Personal Wireless Service Facility Site Permit to the Recreation and Park Department, the Recreation and Park Department shall make a determination whether the Application satisfies the Tier C Compatibility Standard. The Recreation and Park Department's determination shall be in writing and shall set forth the reasons therefor. The Recreation and Park Department shall transmit its determination to the Department within 10 business days of receipt of the Application from the Department. With the concurrence of the Applicant, the Recreation and Park Department may extend this review period beyond 10 business days.

(c) **Affirmative Determination Required.** The Department shall not approve an Application for a Tier C Personal Wireless Service Facility Site Permit that has been referred to the Recreation and Park Department unless the Recreation and Park Department makes a determination that the Application satisfies the Tier C Compatibility Standard.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; section title amended by Ord. 6-17, File No. 161081, App. 1/20/2017, Eff. 2/19/2017; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1511. FINAL DETERMINATION.

(a) **Determination in Writing.** The Department's final determination to approve or deny an Application for a Personal Wireless Service Facility Site Permit shall be in writing and shall set forth the reasons therefor. If the Department's final determination to approve an Application contains any Conditions imposed by any City department that reviewed the Application, the Conditions shall also be in writing.

(b) **Denial.** The Department shall issue a final determination denying an Application for a Personal Wireless Service Facility Site Permit within three business days of any of the following events:

(1) The Department's receipt of a determination from the Department of Public Health that the Application does not satisfy the Public Health Compliance Standard;

(2) (A) The Department's determination that the Application does not meet the applicable Tier A, B, or C Compatibility Standard based on the Department's application of the Objective Standards; or (B) where applicable, the Department's receipt of a determination from the Planning Department or the Recreation and Park Department that the Application does not meet the applicable Tier A, B, or C Compatibility Standard; or

(3) If any City department reviewing the Application adds any Conditions to its approval of the Application, the Department's receipt of a notice from the Applicant that it rejects any of those Conditions.

(c) **Approval.** The Department shall issue a final approval of an Application within three business days of the occurrence of the last of the following events:

(1) The Department's receipt of a determination from the Department of Public Health that the Application complies with the Public Health Compliance Standard;

(2) (A) The Department's determination that the Application meets the applicable Tier A, B, or C Compatibility Standard based on the Department's application of the Objective Standards; or (B) where applicable, the Department's receipt of a determination from the Planning Department or the Recreation and Park Department that the Application meets the applicable Tier A, B, or C Compatibility Standard; and

(3) If applicable, the Department's receipt of a notice from the Applicant that it accepts any Conditions imposed by any City department that reviewed the Application.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1512. [REPEALED.]

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; repealed by Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1513. [REPEALED.]

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; repealed by Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1514. NOTICE OF FINAL DETERMINATION.

(a) **Notice of Approval.** The Applicant shall provide notice to the general public of a final determination to approve an Application for a Personal Wireless Service Facility Site Permit.

(1) **Types of Notice Required.**

(A) The Applicant shall promptly mail a copy of the Department's final determination to approve an Application for a Personal Wireless Service Facility Site Permit to: (i) any Person who owns property that is within 300 feet of the approved location for the Personal Wireless Service Facility; (ii) any Person who is a tenant in any residential property that is within 300 feet of the approved location for the Personal Wireless Service Facility; (iii) any neighborhood association identified by the Planning Department for any neighborhood that is within 600 feet of the approved location for the Personal Wireless Service Facility; and (iv) the member of the Board of Supervisors who represents the district in which the approved Personal Wireless Service Facility would be located.

(B) The Applicant shall promptly post notice of the Department's final determination to approve an Application for a Personal Wireless Service Facility Site Permit on the Utility Pole to be used for the proposed Personal Wireless Service Facility and on a minimum of four other Utility Poles, other poles, or other conspicuous places located within 300 feet of the approved location for the Personal Wireless Service Facility. The Applicant shall provide the Department with such evidence of compliance with this requirement.

(2) **Contents and Form of Notice.** A notice of final determination to approve an Application for a Personal Wireless Service Facility Site Permit shall contain such information, and be in such form, as the Department reasonably requires in order to inform the general public of the approved Application. At a minimum, the notice of final determination shall:

(A) Provide a description and a photo-simulation of the approved Personal Wireless Service Facility;

(B) Summarize the determinations of the City departments that were necessary for the approval of the Application, including any Conditions added by any City departments that were accepted by the Applicant;

(C) State that any Person may file an appeal of the approval of the Application with the Board of Appeals within 15 days after the date that all notices required by Section 1514(a) above have been provided;

(D) Describe the procedure for submitting a timely appeal;

(E) Specify the applicable grounds for appealing the approval of the Application set forth in Section 1530 [1] below; and

(F) Explain how any interested Person may obtain additional information and documents related to the Permit.

(b) **Notice of Denial.** The Department shall provide notice of a final determination to deny an Application for a Personal Wireless Service Facilities Site Permit.

(1) **Type of Notice Required.** The Department shall promptly mail a notice of final determination to deny an Application for a Personal Wireless Service Facility Site Permit to the Applicant.

(2) **Contents of Notice.** A notice of final determination to deny an Application for a Personal Wireless Service Facility Site Permit shall at a minimum:

(A) Summarize the determinations of any City departments that were necessary for the denial of the Application, including any Conditions added by any City departments that were rejected by the Applicant.

(B) State that the Applicant may file an appeal of the denial of the Application with the Board of Appeals within 15 days of the Department's mailing of the notice.

(C) Describe the procedure for submitting a timely appeal; and

(D) Specify the applicable grounds for appealing the denial of the Application set forth in Section 1530 [1] below.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

CODIFICATION NOTE

1. So in Ord. 190-19.

SEC. 1515. APPEALS.

(a) **Appeal Permitted.** Any Person may appeal a Department final determination with respect to an Application for a Personal Wireless Service Facility Site Permit to the Board of Appeals.

(b) **Final Determination.**

(1) **Approval or Denial.** The Department's approval or denial of an Application for a Personal Wireless Service Facility Site Permit shall be an appealable final determination under this Section.

(2) **Refusal To Accept Conditions.** The Department's denial of an Application for a Personal Wireless Service Facility Site Permit based on the Applicant's refusal to accept any Conditions imposed by a City department shall be an appealable final determination under this Section.

(c) **Board of Appeals Review.** Upon such appeal, the Board of Appeals shall determine whether the final determination was correct under the provisions of this Article 25.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1516. NOTICE OF COMPLETION AND INSPECTION.

(a) **Notice of Completion.** A Permittee shall notify the Department immediately upon completion of the installation of a Personal Wireless Service Facility. The notice of completion must include a written statement from a certified engineer confirming that the permitted Personal Wireless Service Facility complies with the Public Health Compliance Standard.

(b) **Inspection.**

(1) **Required After Installation.** The Department shall inspect a Personal Wireless Service Facility installed in the Public Rights-of-Way within a reasonable time after a Permittee provides the Department with a notice of completion required under Section 1516(a) above. The Department shall determine during the inspection whether:

(A) The installation is in accordance with the requirements of the Personal Wireless Service Facility Site Permit; and

(B) The permitted Personal Wireless Service Facility complies with the Public Health Compliance Standard.

(2) **Subsequent Inspection.** If at any time the Department has a valid reason to believe that a permitted Personal Wireless Service Facility does not comply with the Public Health Compliance Standard, the Department shall require the Permittee to provide additional proof of compliance with the Public Health Compliance Standard. The Department may also request that the Department of Public Health inspect the facility.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1517. COMPLIANCE.

(a) **Compliance Required.** Any Personal Wireless Service Facility installed in the Public Rights-of-Way pursuant to a Personal Wireless Service Facility Site Permit issued under this Article 25 must comply with the terms and conditions of the Permit and this Article 25.

(b) **Notice of Deficiency.**

(1) **Non-Compliance with Permit.** If the Department determines, either after an inspection required under Section 1516(b) above or at any other time, that a Personal Wireless Service Facility is not in compliance with the Personal Wireless Service Facility Site Permit or this Article 25, the Department shall issue a notice of deficiency and require the Permittee to take corrective action to bring the Personal Wireless Service Facility into compliance.

(2) **Radio Frequency Emissions.** If the Department determines, either after an inspection required under 1515(b) above or at any other time, that potential human exposure to radio frequency emissions from a permitted Personal Wireless Service Facility exceeds FCC guidelines, the Department shall issue a notice of deficiency and require the Permittee to take corrective action to bring the Personal Wireless Service Facility into compliance with FCC guidelines.

(3) **Noise.** If the Department determines, either after an inspection required under 1516(b) above or at any other time, that noise from a permitted Personal Wireless Service Facility at any time of the day or night exceeds forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade, the Department shall issue a notice of deficiency and require the Permittee to take corrective action to bring the Personal Wireless Service Facility into compliance with the noise limit.

(c) **Department Remedies.**

(1) **Required Action.** If a Permittee fails to take corrective action with respect to a Personal Wireless Service Facility within a reasonable time after receiving a notice of deficiency the Department shall:

(A) Take all reasonable, necessary, and appropriate action to remedy a Permittee's non-compliance; or

(B) Require a Permittee to remove the non-compliant Personal Wireless Service Facility from the Public Rights-of-Way; and

(C) Charge to a Permittee the reasonable costs that the City has actually incurred including, but not limited to, administrative costs.

(2) **Discretionary Action.** In addition to the foregoing, if a Permittee fails to take corrective action with respect to a Personal Wireless Service Facility within a reasonable time after receiving a notice of deficiency the Department may deny any pending Application for a Personal Wireless Service Facility Site Permit.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1518. ABANDONMENT.

(a) **Permittee Must Maintain Facilities.** Any Personal Wireless Service Facility installed in the Public Rights-of-Way pursuant to a Personal Wireless Service Facility Site Permit issued under this Article 25 must be properly maintained and used to provide Personal Wireless Services.

(b) **Notice of Abandonment.** A Permittee shall notify the Department, or the Department may determine and notify a Permittee, that a Personal Wireless Service Facility installed in the Public Rights-of-Way has been abandoned either because it has not been properly maintained or because it is no longer being used to provide Personal Wireless Services. In such event, a Permittee shall promptly remove the abandoned Personal Wireless Service Facility as required by the Department and at Permittee's expense.

(c) **Remedy for Non-Compliance.** If a Permittee fails to remove an abandoned Personal Wireless Service Facility within a reasonable period of time after receiving a notice of abandonment, the Department shall take all reasonable, necessary, and appropriate action to remedy the Permittee's failure to comply with the notice (including removing the Personal Wireless Service Facility) and may charge to the Permittee the reasonable costs the City has actually incurred including, but not limited to, administrative costs.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1519. TERM OF PERMIT.

A Personal Wireless Service Facility Site Permit shall have a term of ten (10) years. The term shall commence upon the completion of the inspection required under Section 1516(b)(1) above.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015)

SEC. 1520. RENEWAL AND NEW APPLICATIONS.

(a) **When Permitted.**

(1) **Renewal Permitted.** At the end of the term set forth in Section 1519 above, the Department may renew a Personal Wireless Service Facility Site Permit for an additional ten (10) year term, provided that the Department did not issue a Modification Permit for the permitted Personal Wireless Service Facility during the term of the Permit.

(2) **Renewal Not Permitted.**

(A) A Personal Wireless Service Facility that has been issued a Modification Permit may not be renewed. Instead, the Permittee may file a new Application for a Personal Wireless Service Facility Site Permit for the permitted and modified Personal Wireless Service Facility at the same location.

(B) A Personal Wireless Service Facility Site Permit that has been renewed once under Section 1520(a)(1) above may not be renewed for a second time. Instead, the Permittee may file a new Application for a Personal Wireless Service Facility Site Permit for the permitted Personal Wireless Service Facility at the same location.

(b) **Renewal Application Required.** A Permittee seeking to renew a Personal Wireless Service Facility Site Permit that may be renewed under Section 1520(a) above must file a renewal Application with the Department no later than six (6) months prior to the exiration date of the existing Permit. The renewal Application shall include a written report from a certified engineer confirming that the permitted Personal Wireless Service Facility complies with the Public Health Compliance Standard.

(c) **Approval of Renewal Application.**

(1) **Department of Public Health Approval Required.** The Department shall refer every Application to renew a Personal Wireless Service Facility Site Permit to the Department of Public Health for review under the Public Health Compliance Standard. The Department shall approve a timely-filed renewal Application unless the Department of Public Health determines that the permitted Personal Wireless Service Facility does not comply with the Public Health Compliance Standard.

(2) **Applicability of Other Provisions of this Article.** The other provisions of this Article 25 related to approval of an Application for a Personal Wireless Service Facility Site Permit shall not apply to the Department's review of a renewal Application . These provisions shall include, but are not limited to, Notice of Final Determination (Section 1514 above) and Appeals (Section 1515 above).

(d) **New Application.**

(1) **Required When Renewal Not Permitted.** If, in accordance with Section 1520(a)(2) above, a Personal Wireless Service Facility cannot be renewed, the Permittee must submit a new Application for a Personal Wireless Service Facility Site Permit in order to continue to maintain the permitted Personal Wireless Service Facility in the Public Rights-of-Way.

(2) **Removal Not Required.** Notwithstanding any other Applicable Law, if the Permittee submits an Application for a Personal Wireless Service Facility Site Permit no later than six (6) months prior to the expiration date of a previously issued Personal Wireless Facility Site Permit, the Department shall not require the Applicant to remove the permitted Personal Wireless Service Facility unless and until there is a final determination denying the Application. For purposes of this subsection (d)(2), a determination shall not be final until the Board of Appeals issues a final ruling on any appeal.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015)

SEC. 1521. REPLACEMENT OR REMOVAL OF EQUIPMENT.

(a) **Replacement.** During the term of a Personal Wireless Service Facility Site Permit, a Permittee may Replace equipment that is part of a permitted Personal Wireless Service Facility without obtaining a Modification Permit.

(b) **Removal.** During the term of a Personal Wireless Service Facility Site Permit, a Permittee may remove equipment that is part of a permitted Personal Wireless Service Facility without obtaining a Modification Permit.

(c) **Department Procedures.**

(1) **Permittee's Notification.** A Permittee shall notify the Department in writing that it intends to Replace or remove equipment at a permitted Personal Wireless Service Facility as permitted by this Section 1521. In the notice, the Permittee shall at a minimum:

(A) Identify the use and size of each piece of equipment that the Permittee is seeking to remove from the Utility Pole;

(B) Identify the use and size of the equipment that the Permittee is seeking to install on the Utility Pole to Replace existing equipment; and

(C) If any new equipment will Replace existing equipment, provide drawings and photo-simulations of the existing and new equipment the Permittee is seeking to install on the Utility Pole.

(2) **Department Notification.** Within five (5) business days of receipt of the Permittee's request to Replace or remove equipment as described above, the Department shall notify the Permittee in writing whether the Department has determined that the request complies with the requirements of this Section 1521.

(3) **Permittee Replacement or Removal.** Upon receipt of a Department notice that the request complies with this Section 1521, the Permittee may Replace or remove the equipment identified in the request.

(4) **Compliance with Other Requirements.** Nothing in this Section 1521 shall be construed to relieve the Permittee of its duty to comply with any City regulations or permitting requirements when removing equipment from or Replacing Equipment on a Utility Pole.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

SEC. 1522. MODIFICATION PERMIT.

(a) **Modification Permit Required.** A Permittee seeking to add equipment to a permitted Personal Wireless Service Facility that does not comply with the requirements of Section 1521 above, because the replacement equipment is not is[1] identical in size or smaller than the previously permitted equipment, must obtain a Modification Permit.

(b) **Department Procedures.**

(1) **Application.** In an Application for a Modification Permit, the Applicant shall at a minimum:

(A) State whether the permitted Personal Wireless Service Facility is a Base Station;

(B) Identify the use and size of any piece of equipment that the Applicant is seeking to remove from the Utility Pole;

(C) Identify the use and size of any equipment that the Applicant is seeking to add to the Utility Pole;

(D) State whether any piece of equipment the Applicant is seeking to add to the Utility Pole is Transmission Equipment and, if so, explain why it meets the definition of Transmission Equipment;

(E) Provide drawings and photo-simulations of the existing and new equipment the Permittee is seeking to install on the Utility Pole; and

(F) State whether the proposed modification will result in a Substantial Change to the Physical Dimensions of the Utility Pole.

(2) **Time for Department Determination.** The Department shall by order or regulation establish the appropriate time frame for the Department to review an Application for a Modification Permit that is consistent with the requirements of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified at 47 U.S.C. § 1455(a), as may be amended from time to time, and with any FCC decision addressing that section or any FCC regulation implementing that section.

(c) **Approval of Modification Permits at Base Stations.**

(1) **No Substantial Change to the Physical Dimension.** The Department shall approve an Eligible Facilities Request for a Modification Permit if the installation of the modified Transmission Equipment would not Substantially Change the Physical Dimensions of the Utility Pole where the permitted Base Station equipment has been installed.

(2) **Substantial Change to the Physical Dimensions.** The Department may approve an Eligible Facilities Request for a Modification Permit if the installation of the modified Transmission Equipment would Substantially Change the Physical Dimensions of the Utility Pole where the permitted Base Station equipment has been installed, provided the Application complies with the requirements of Section 1522(e)(2) below.

(3) **Equipment Other than Transmission Equipment.** The Department may approve an Application for a Modification Permit at a Personal Wireless Service Facility that is a Base Station if the Application seeks to modify equipment other than Transmission Equipment, provided the Application complies with the requirements of Section 1522(e)(2) below.

(d) **Approval of Modification Permits at Other Types of Facilities.** The Department may approve an Application for a Modification Permit at a Personal Wireless Service Facility that is not a Base Station, provided the Application complies with the requirements of Section 1522(e)(2) below.

(e) **Applicability of Other Provisions of this Article.**

(1) **No Substantial Change to the Physical Dimension.** The other provisions of this Article 25 related to approval of an Application for a Personal Wireless Service Facility Site Permit shall not apply to the Department's review of an Application for a Modification Permit that complies with the requirements of Section 1522(c)(1) above. These provisions include, but are not limited to, Notice of Final Determination (Section 1514 above) and Appeals (Section 1515 above).

(2) **Other Types of Modifications.** Before approving an Application for a Modification Permit under Sections 1522(c)(2), (c)(3), and (d) above, the Department shall refer the Application to: (A) the Department of Public Health to determine compliance with the Public Health Compliance Standard; and (B) the Planning Department and/or Recreation and Park Department to determine compliance with any applicable Compatibility Standards. The Department may not approve the Modification Permit if any City department determines the Application does not comply with the appropriate standard. In addition, the Department may determine that compliance with other provisions of this Article 25, including Notice of Final Determination (Section 1514 above) and Appeals (Section 1515 above), shall be required.

(f) **Generally Applicable Laws.** Nothing in this Section 1522 shall prohibit the Department from denying an Application for a Modification Permit (even where the Application consists of an Eligible Facilities Request) where the Department determines that the proposed modified Personal Wireless Service Facility would violate any generally applicable building, structural, electrical, or safety code provision, or any Applicable Law codifying objective standards reasonably related to health and safety.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019)

CODIFICATION NOTE

1. So in Ord. 18-15.

SEC. 1523. DEPOSIT.

Each Permittee shall submit and maintain with the Department a bond, cash deposit, or other security acceptable to the Department securing the faithful performance of the obligations of the Permittee and its agents under any and all Personal Wireless Service Facility Site Permits issued to the Permittee under this Article 25. The deposit shall be in the sum of twenty-five thousand dollars ($25,000) in favor of the "Department of Public Works, City and County of San Francisco." If, in accordance with this Article 25, the Director deducts any amounts from such a deposit, the Permittee must restore the full amount of the deposit prior to the Department's issuance of a subsequent Permit. The Department shall return the deposit to the Permittee should Permittee cease to operate any Personal Wireless Service Facilities in the Public Rights-of-Way.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1524. LIABILITY.

As a condition of a Personal Wireless Service Site Facility Site Permit, each Permittee agrees on its behalf and on behalf of any agents, successors, or assigns to be wholly responsible for the construction, installation, and maintenance of any permitted Personal Wireless Service Facility. Each Permittee and its agents are jointly and severally liable for all consequences of such construction, installation, and maintenance of a Personal Wireless Service Facility. The issuance of any Personal Wireless Service Facility Site Permit, inspection, repair suggestion, approval, or acquiescence of any person affiliated with the City shall not excuse any Permittee or its agents from such responsibility or liability.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1525. INDEMNIFICATION AND DEFENSE OF CITY.

(a) **Indemnification of City.** As a condition of a Personal Wireless Service Site Facility Site Permit, each Permittee agrees on its behalf and on behalf of its agents, successors, or assigns, to indemnify, defend, protect, and hold harmless the City from and against any and all claims of any kind arising against the City as a result of the issuance of a Personal Wireless Service Facility Site Permit including, but not limited to, a claim allegedly arising directly or indirectly from the following:

(1) Any act, omission, or negligence of a Permittee or its any agents, successors, or assigns while engaged in the permitting, construction, installation, or maintenance of any Personal Wireless Service Facility authorized by a Personal Wireless Service Facility Site Permit, or while in or about the Public Rights-of-Way that are subject to the Permit for any reason connected in any way whatsoever with the performance of the work authorized by the Permit, or allegedly resulting directly or indirectly from the permitting, construction, installation, or maintenance of any Personal Wireless Service Facility authorized under the Permit;

(2) Any accident, damage, death, or injury to any of a Permittee's contractors or subcontractors, or any officers, agents, or employees of either of them, while engaged in the performance of the construction, installation, or maintenance of any Personal Wireless Service Facility authorized by a Personal Wireless Service Facility Site Permit, or while in or about the Public Rights-of-Way that are subject to the Permit, for any reason connected with the performance of the work authorized by the Permit, including from exposure to radio frequency emissions;

(3) Any accident, damage, death, or injury to any Person or accident, damage, or injury to any real or personal property in, upon, or in any way allegedly connected with the construction, installation, or maintenance of any Personal Wireless Service Facility authorized by a Personal Wireless Service Facility Site Permit, or while in or about the Public Rights-of-Way that are subject to the Permit, from any causes or claims arising at any time, including any causes or claims arising from exposure to radio frequency emissions; and

(4) Any release or discharge, or threatened release or discharge, of any hazardous material caused or allowed by a Permittee or its agents about, in, on, or under the Public Rights-of-Way.

(b) **Defense of the City.** Each Permittee agrees that, upon the request of the City, the Permittee, at no cost or expense to the City, shall indemnify, defend, and hold harmless the City against any claims as set forth in Sections 1525(a) above, regardless of the alleged negligence of City or any other party, except only for claims resulting directly from the sole negligence or willful misconduct of the City. Each Permittee specifically acknowledges and agrees that it has an immediate and independent obligation to defend the City from any claims that actually or potentially fall within the indemnity provision, even if the allegations are or may be groundless, false, or fraudulent, which obligation arises at the time such claim is tendered to the Permittee or its agent by the City and continues at all times thereafter. Each Permittee further agrees that the City shall have a cause of action for indemnity against the Permittee for any costs the City may be required to pay as a result of defending or satisfying any claims that arise from or in connection with a Personal Wireless Service Facility Site Permit, except only for claims resulting directly from the sole negligence or willful misconduct of the City. Each Permittee further agrees that the indemnification obligations assumed under a Personal Wireless Service Facility Site Permit shall survive expiration of the Permit or completion of installation of any Personal Wireless Service Facility authorized by the Permit.

(c) **Additional Requirements.** The Department may specify in a Personal Wireless Service Facility Site Permit such additional indemnification requirements as are necessary to protect the City from risks of liability associated with the Permittee's construction, installation, and maintenance of a Personal Wireless Service Facility.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1526. INSURANCE.

(a) **Minimum Coverages.** The Department shall require that each Permittee maintain in full force and effect, throughout the term of a Personal Wireless Service Facility Site Permit, an insurance policy or policies issued by an insurance company or companies satisfactory to the City's Risk Manager. Such policy or policies shall, at a minimum, afford insurance covering all of the Permittee's operations, vehicles, and employees, as follows:

(1) Workers' compensation, in statutory amounts, with employers' liability limits not less than one million dollars ($1,000,000) each accident, injury, or illness.

(2) Commercial general liability insurance with limits not less than one million dollars ($1,000,000) each occurrence combined single limit for bodily injury and property damage, including contractual liability, personal injury, products and completed operations.

(3) Commercial automobile liability insurance with limits not less than one million dollars ($1,000,000) each occurrence combined single limit for bodily injury and property damage, including owned, non-owned and hired auto coverage, as applicable.

(4) Contractors' pollution liability insurance, on an occurrence form, with limits not less than one million dollars ($1,000,000) each occurrence combined single limit for bodily injury and property damage and any deductible not to exceed twenty five thousand dollars ($25,000) each occurrence.

(b) **Other Insurance Requirements.**

(1) Said policy or policies shall include the City and its officers and employees jointly and severally as additional insureds, shall apply as primary insurance, shall stipulate that no other insurance effected by the City will be called on to contribute to a loss covered thereunder, and shall provide for severability of interests.

(2) Said policy or policies shall provide that an act or omission of one insured, which would void or otherwise reduce coverage, shall not reduce or void the coverage as to any other insured. Said policy or policies shall afford full coverage for any claims based on acts, omissions, injury, or damage which occurred or arose, or the onset of which occurred or arose, in whole or in part, during the policy period.

(3) Said policy or policies shall be endorsed to provide thirty (30) days advance written notice of cancellation or any material change to the Department.

(4) Should any of the required insurance be provided under a claims-made form, a Permittee shall maintain such coverage continuously throughout the term of a Personal Wireless Service Facility Site Permit, and, without lapse, for a period of three (3) years beyond the expiration or termination of the Permit, to the effect that, should occurrences during the term of the Permit give rise to claims made after expiration or termination of the Permit, such claims shall be covered by such claims-made policies.

(5) Should any of the required insurance be provided under a form of coverage that includes a general annual aggregate limit or provides that claims investigation or legal defense costs be included in such general annual aggregate limit, such general aggregate limit shall be double the occurrence or claims limits specified in Section 1526(a) above.

(c) **Indemnity Obligation.** Such insurance shall in no way relieve or decrease a Permittee's or its agent's obligation to indemnify the City under Section 1525 above.

(d) **Proof of Insurance.** Before the Department will issue a Personal Wireless Service Facility Site Permit, a Permittee shall furnish to the Department certificates of insurance and additional insured policy endorsements with insurers that are authorized to do business in the State of California and that are satisfactory to the City evidencing all coverages set forth in Section 1526 (a) above.

(e) **Self-Insurance.** Where a Permittee is self-insured, and such insurance is no less broad and affords no less protection to the City than the requirements specified in Section 1526(a) above, the Department, in consultation with the City's Risk Manager, may accept such insurance as satisfying the requirements of Section 1526(a) above. Evidence of such self-insurance shall be provided in the manner required by the City's Risk Manager.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1527. FEES AND COSTS.

(a) **Application Fees.** City departments shall impose fees for review of an Application for a Personal Wireless Service Facility Site Permit. The purpose of these fees is to enable City departments to recover their costs related to reviewing an Application for a Personal Wireless Service Facility Site Permit.

(1) **Department Application Fee.** Each Applicant for a Personal Wireless Service Facility Site Permit shall pay to the Department a non-refundable fee of $450 for each application for a Personal Wireless Service Facility Site Permit.

(2) **Other City Department Application Fees.** Where, as required under this Article 25, the Department has referred an Application for a Personal Wireless Service Facility Site Permit to the Planning Department, the Recreation and Park Department, or the Department of Public Health, an Applicant shall pay the following additional fees for each Personal Wireless Service Facility contained in an Application for a Personal Wireless Service Facility Site Permit.

(A) A Planning Department non-refundable Application fee of $190 plus time and materials for any review that takes more than 30 minutes.

(B) A Recreation and Park Department non-refundable Application fee of $125 plus time and materials for any review that takes more than 30 minutes.

(C) A Department of Public Health non-refundable Application fee of $181 plus time and materials for any review that takes more than 60 minutes.

(b) **Renewal Fees.** A Permittee seeking to renew a Personal Wireless Service Facility Site Permit shall pay to: (1) the Department a non-refundable fee of $225; and (2) the Department of Public Health feess[1] set forth in Section 1527(a)(2)(C) above.

(c) **Modification Permit Fees.** Each Applicant for a Modification Permit shall pay to: (1) the Department a non-refundable fee of $338; and (2) the Department of Public Health fees set forth in Section 1527(a)(2) above.

(d) **Inspection Fees.** The Department and the Department of Public Health shall impose fees for the inspection of a permitted Personal Wireless Service Facility. The purpose of these fees is to enable these City departments to recover their costs related to inspecting a permitted Personal Wireless Service Facility.

(1) **Department Inspection Fee.** Each Permittee shall pay the Department a non-refundable time and materials inspection fee not to exceed $150 to inspect a permitted Personal Wireless Service Facility as required under Section 1516(b) above.

(2) Department of Public Health Inspection Fee. Each Permittee shall pay the Department of Public Health a non-refundable time and materials inspection fee not to exceed the amount listed in Section 35(f) of Article 1 of the Business and Tax Regulations Code, as amended from time to time, to inspect a permitted Personal Wireless Service Facility where such inspection is required or requested under Section 1516(b) above.

(e) **Adjustment of Fees.**

Controller Adjustments. Beginning with Fiscal Year 2020-2021, the fees established herein may be adjusted each year on July 1 without further action by the Board of Supervisors, to reflect changes in City department costs to provide the services required herein. No later than April 1st of each year, the director of each City department responsible for review of an Application for a Personal Wireless Service Facility Site Permit shall submit their current fee schedule to the Controller, who shall apply the Consumer Price Index (CPI) adjustment to produce a new fee schedule for the following year. Not later than April 15 of each year the Controller will determine whether the current fees have produced or are projected to produce revenues sufficient to enable City departments to recover the costs of the permitting services required by this Article 25, and that the fees will not produce revenue that is significantly more than the costs of providing such services. If necessary, the Controller will adjust the fees upward or downward for the upcoming fiscal year as appropriate to ensure that City departments recover their costs without producing revenue that is significantly more than such costs. The adjusted fees shall become operative on July 1.

(f) **Discretion to Require Additional Fees.** In instances where the review of an Application for a Personal Wireless Service Facility Site Permit is or will be unusually costly to the Department or to other City departments, the Director, in the Director's discretion, may, after consulting with other applicable City departments, agencies, boards, or commissions, require an Applicant for a Personal Wireless Service Facility Site Permit to pay a sum in excess of the amounts charged pursuant to this Section 1527. This additional sum shall be sufficient to recover actual costs incurred by the Department and/or other City departments, agencies, boards, or commissions, in connection with an Application for a Personal Wireless Service Facility Site Permit and shall be charged on a time and materials basis. Whenever additional fees are charged, the Director, upon request, shall provide in writing the basis for the additional fees and an estimate of the additional fees.

(g) **Deposit of Fees.** All fees paid to the Department for Personal Wireless Service Facility Site Permits shall be deposited in the Public Works Excavation Fund established by Administrative Code Section 10.100-230. All other fees shall go directly to the appropriate City department.

(h) **Reimbursement of City Costs.** A City department may determine that it requires the services of an expert in order to evaluate an Application for a Personal Wireless Service Facility. In such case, the Department shall not approve the Application unless the Applicant agrees to reimburse the applicable City department for the reasonable costs incurred by that department for the services of a technical expert.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011; amended by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015; Ord. 190-19, File No. 190598, App. 8/9/2019, Eff. 9/9/2019; Ord. 140-25, File No. 250606, App. 8/1/2025, Eff. 9/1/2025)

CODIFICATION NOTE

1. So in Ord. 190-19.

SEC. 1528. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Article 25 or any part thereof, is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article 25 or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivision paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid or ineffective.

(Added by Ord. 12-11, File No. 100041, Eff. 2/13/2011)

SEC. 1529. BASE STATION DETERMINATION.

(a) **Request for Determination.**

(1) **New Facilities.** An Applicant for a Personal Wireless Service Facility may seek a determination from the Department that a proposed Personal Wireless Service Facility is a Base Station.

(2) **Permitted Facilities.** A Permittee may seek a determination from the Department that a permitted Personal Wireless Service Facility is a Base Station.

(b) **Single Determination Permitted.** Once the Department has determined that an Applicant's new Personal Wireless Service Facility or a Permittee's permitted Personal Wireless Service Facility is a Base Station, the Department may apply that determination to the Applicant's or Permittee's other Personal Wireless Service Facilities that use the identical equipment.

(c) **Department Order.** In lieu of a case-by-case determination, the Department may determine by order or regulation those types of Personal Wireless Facilities that meet the definition of the term Base Station.

(Added by Ord. 18-15 , File No. 141297, App. 2/13/2015, Eff. 3/15/2015)

EXHIBIT 2

Public Works Order No: 201970

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City and County of San Francisco

San Francisco Public Works

GENERAL - DIRECTOR'S OFFICE
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.SFPublicWorks.org

London N. Breed, Mayor
Mohammed Nuru, Director

Public Works Order No: 201970

REGULATIONS IMPLEMENTING THE REQUIREMENTS OF SAN FRANCISCO PUBLIC WORKS CODE ARTICLE 25 AND REVISING AND SUPERSEDING DEPARTMENT OF PUBLIC WORKS ORDER NO. 184,504

Section 1. PURPOSE

A. Public Works adopted Department of Public Works Order No. 179,406 on June 29, 2011 to implement the requirements of San Francisco Public Works Code Article 25, approved by the Board of Supervisors on January 4, 2011 in Ordinance No. 12-11.

B. Public Works adopted Department of Public Works Order No. 180,222 on May 1, 2012 to correct, amend, and clarify various aspects of Department of Public Works Order No. 179,406.

C. On February 3, 2015, the Board of Supervisors adopted Ordinance No.18-15 amending Article 25. Ordinance No. 18-15 became effective on March 16, 2015.

D. Public Works adopted Department of Public Works Order No. 183,440 on March 30, 2015 to implement the requirements of Article 25 as amended by Ordinance No. 18-15.

E. Public Works adopted Department of Public Works Order No. 184,504 on January 29, 2016 to correct, amend, and clarify various aspects of Department of Public Works Order No. 183,440.

F. On July 30, 2019, the Board of Supervisors adopted Ordinance No. 190-

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19 amending Article 25. Ordinance No. 190-19 became effective on September 9, 2019.

G. Public Works is adopting this Order for purpose of implementing the requirements of Article 25 as amended by Ordinance No. 190-19. This Order, therefore, supersedes and replaces Order No. 184,504 in its entirety.

Section 2. DEFINITIONS

A. Use of Defined Terms. Unless the context otherwise specifies or requires, when capitalized the terms defined in this Section shall, for all purposes of this Order, have the meanings specified herein. The defined terms are to be equally applied to both the singular and plural forms of any of the terms defined herein.

B. Defined Terms.

1. "Adjacent" means:

(a) On the same side of the street and in front of the building or the next building on either side, when used in connection with a national historic landmark, California landmark, San Francisco Landmark, structure of merit, architecturally significant building, or locally significant building;

(b) In front of and on the same side of the street, when used in connection with a City park or open space; and

(c) The Utility Pole on the same side of the street and in front of the address used in the Application, or the next property on either side of the address used in the Application, when used in connection with the street tree requirement contained in Public Works Code § 1506.

2. "Applicable Law" means all applicable federal, state, and City laws, ordinances, codes, rules, regulations, orders, standard plans and specifications, as the same may be amended or adopted from time to time. "Applicable Law" also means the

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requirements contained in a Utility Conditions Permit previously issued to an Applicant.

3. "Applicant" means a Person that has applied for a Personal Wireless Service Facility Site Permit or a Modification Permit. Where the Applicant is an agent for a Person that will be a Permittee, the term Applicant shall include Permittee.

4. "Application" means an application for a Personal Wireless Service Facility Site Permit or a Modification Permit.

5. "Base Station" means a Utility Pole or Transmission Equipment enabling the provision of FCC–licensed or authorized wireless communications between user equipment and a communications network that has been installed at a fixed location.

6. "Block Face" means the sidewalk between and including two (2) contiguous curb corners without any intervening street or other roadway, not including alleys.

7. "Business Day" means any Monday through Friday that is not observed as an official holiday by the City.

8. "CEQA" means the California Environmental Quality Act (California Public Resources Code § 21000, et seq.).

9. "City" means the City and County of San Francisco.

10. "Compatibility Standard" means the Planning Protected, Zoning Protected, or Park Protected Compatibility Standard applicable to the proposed location for a Personal Wireless Service Facility as fully described in Public Works Code § 1502.

11. "Complete" when referring to an Application for a Personal Wireless Service Facility Site Permit or a Modification Permit means that the Applicant has provided Public Works with: (a) all of the information required in Section 5 below; and (b) a correct address for each Utility Pole to be used in connection with the proposed Personal Wireless Service Facility.

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12. “Conditions” means any additional requirements that a City department reviewing an Application for a Personal Wireless Service Facility Site Permit has determined are necessary for the Application to meet those requirements of Public Works Code Article 25 that are within that department’s purview, provided that no such Conditions may include a requirement that an Applicant use a particular technology for a Personal Wireless Service Facility.

13. “Day” means any calendar day. For the purposes hereof, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. For the purposes hereof, if the time in which an act is to be performed falls on Day that is not a Business Day the time for performance shall be extended to the following Business Day.

14. “Director” means the Director of Public Works or his or her designee.

15. “Disfavored Design” means a design for a Personal Wireless Service Facility that is identified in the Objective Standards as disfavored.

16. “Eligible Facilities Request” means a request to modify an Existing Base Station that involves either the: (a) collocation of new Transmission Equipment; (b) removal of Transmission Equipment; or (c) replacement of Transmission Equipment.

17. “Existing Base Station” means a Base Station that contains Transmission Equipment that has been approved by Public Works in a Personal Wireless Service Facility Site Permit. An Existing Base Station shall not include Transmission Equipment consisting of fiber-optic or other communications lines installed on a Utility Pole.

18. “Emergency” means an unforeseen combination of circumstances or the resulting state that calls for immediate action in order to prevent injury to persons or property or to ensure the continuous provision of Personal Wireless Services.

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19. “FCC” means the Federal Communications Commission.

20. “Graffiti” means any inscription, word, figure, marking or design that is affixed, marked, scratched, drawn or painted on a Personal Wireless Service Facility, whether permanent or temporary, without the consent of Permittee.

21. “Installation Period” means a time set forth in a Personal Wireless Service Facility Site Permit for Permittee to Substantially Complete Installation of the permitted Personal Wireless Service Facility. Unless a longer period is otherwise stated in the Permit, the Installation Period shall be one (1) year after the issuance of the Permit.

22. “Modification Permit” means a Permit issued by Public Works authorizing the modification of Personal Wireless Service Facility equipment installed on an Existing Base Station or a Utility Pole pursuant to a Personal Wireless Service Facility Site Permit.

23. “Objective Standards” means the standards to determine whether a Proposed Personal Wireless Service Facility meets the applicable Tier A, B, or C Compatibility Standard adopted by the Director of Public Works.

24. “Order” means these Department of Public Works Regulations Implementing the Requirements of San Francisco Public Works Code Article 25 and Revising and Superseding Department of Public Works Order No. 180,222.

25. “Park Protected Location” means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is Adjacent to a City park or open space.

26. “Permittee” means a Person issued a Personal Wireless Service Facility Site Permit by Public Works under Public Works Code Article 25 and this Order.

27. “Person” means any natural person, corporation, or partnership
.

28. “Personal Wireless Service” means commercial mobile services

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provided under a license issued by the FCC.

29. "Personal Wireless Service Facility" means antennas and related facilities and equipment used to provide or facilitate the provision of Personal Wireless Service.

30. "Personal Wireless Service Facility Site Permit" or "Permit" means a permit issued under Public Works Code Article 25 and this Order as it has been approved, amended, or renewed by Public Works authorizing the Permittee to install and maintain the equipment included in the Application for a Personal Wireless Service Facility on the Utility Pole(s) identified in the Application.

31. "Planning Protected Location" means any of the proposed locations for a Personal Wireless Service Facility described in Public Works Code § 1502.

32. "Public Health Compliance Standard" means whether: (a) any potential human exposure to radio frequency emissions from a proposed Personal Wireless Service Facility described in an Application is within the FCC guidelines; and (b) noise at any time of the day or night from the proposed Personal Wireless Service Facility described in an Application is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade.

33. "Public Rights-of-Way" means the area in, on, upon, above, beneath, within, along, across, under, and over the public streets, sidewalks, roads, lanes, courts, ways, alleys, spaces, and boulevards within the geographic area of the City in which the City now or hereafter holds any property interest, which is dedicated to public use.

34. "Public Works" means City and County of San Francisco Public Works.

35. "Public Works Code" means the S.F. Public Works Code.

36. "Replace" means to remove previously permitted equipment and install new equipment at a permitted Personal Wireless

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Service Facility that is identical in size or smaller than the previously permitted equipment.

37. "Start Installation" or "Starting Installation" means the date when Permittee first installs any of the equipment approved in a Permit.

38. "Substantially Change the Physical Dimensions" means to: (a) increase the height of an Existing Base Station by more than ten percent (10%) or more than ten feet (10'), whichever is greater; (b) add an appurtenance to the body of an Existing Base Station that would protrude from the edge of the Existing Base Station by more than six feet (6'); (c) install on an Existing Base Station more than the standard number of new equipment cabinets for the technology involved, or more than four (4) cabinets; (d) install equipment cabinets on the ground if there are no ground cabinets associated with an Existing Base Station; (e) install new ground cabinets that are more than ten percent (10%) larger in height or volume than any ground cabinets associated with an Existing Base Station; (f) excavate or deploy Transmission Equipment outside of the location of an Existing Base Station; or (g) defeat any elements that conceal the Transmission Equipment installed on an Existing Base Station.

39. "Substantially Complete Installation" or "Substantial Completion of Installation" means the earlier of the date when either: (a) Permittee has installed all of the Permittee's equipment approved in a Permit; or (b) a permitted Personal Wireless Service Facility is being used to provide or facilitate the provision of Personal Wireless Service.

40. "Tier A Compatibility Standard" means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the neighborhood.

41. "Tier A Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in an Unprotected Location.

42. "Tier B Compatibility Standard" means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that

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is either within or Adjacent to a Planning Protected Location or Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Planning Protected Location or Zoning Protected Location.

43. "Tier B Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in a Planning Protected Location or Zoning Protected Location.

44. "Tier C Compatibility Standard" means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is either within or Adjacent to a Park Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of Park Protected Location.

45. "Tier C Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in a Park Protected Location.

46. "Transmission Equipment" means equipment that facilitates transmission of FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supply.

47. "UCP" means a Utility Conditions Permit issued by Public Works under S.F. Administrative Code § 11.9(a).

48. "Unprotected Location" means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is not a Planning Protected Location, a Zoning Protected Location, or a Park Protected Location.

49. "Utility Pole" means a power pole or telephone pole or other similar pole subject to California Public Utilities Code General Order 95, and located within the Public Rights-of-Way.

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50. "Verified Statement" means a statement that is signed by a Person with knowledge of the contents thereof.

51. "Zoning Protected Location" means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is within a Residential or Neighborhood Commercial zoning district under the San Francisco Planning Code.

Section 3. GENERAL REQUIREMENTS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Application Processing.

1. Public Works will process each Application for a Personal Wireless Service Facility Permit separately.

2. In accordance with S.F. Campaign and Governmental Conduct Code § 3.400, Public Works shall process all Applications for Personal Wireless Service Facility Site Permits in the order in which they are received.

3. There is no limit to the number of Applications for Personal Wireless Service Facility Site Permits that an Applicant may file at any given time. Public Works, however, is not required to begin processing more than ten (10) Applications filed by any single Applicant in any period of five (5) consecutive Business Days. Public Works may include in this limit Applications that have been returned to Public Works following notice that the Application was not Complete.

4. Public Works will make a final determination to approve or deny an Application for a Personal Wireless Service Facility Site Permit within 60 (sixty) Days of the Application was submitted; taking into account any applicable tolling periods set forth in Section 6.B below.

B. Completion of CEQA Review Required.

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Public Works shall not issue a Personal Wireless Service Facility Site Permit until the Planning Department has completed its review of the Application under CEQA.

Section 4. COMMUNITY MEETINGS

Public Works encourages Applicants for Personal Wireless Service Facility Site Permits to meet with local residents, business owners, and neighborhood groups registered with the Planning Department in affected neighborhoods in advance of filing Applications.

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Section 5. APPLICATION REQUIREMENTS

An Application for a Personal Wireless Service Facility Site Permit shall not be Complete unless it contains all of the following information.

A. Application Form.

Each Applicant for a Personal Wireless Service Facility Site Permit shall submit a completed Application form.

B. Identification of Equipment.

1. An Application shall identify all equipment the Applicant intends to install on a Utility Pole.

2. The Application shall not include fiber-optic or coaxial cables attached to Utility Poles other than on the pole the Applicant intends to use for its antenna and equipment cabinets.

C. Proof of Permission.

An Application shall contain proof that the Applicant has obtained permission from the Utility Pole owner(s) to install the proposed Personal Wireless Service Facility on any existing Utility Pole, or to replace an existing Utility Pole to accommodate the proposed Personal Wireless Service Facility. Proof that the Applicant is a member in good standing of the Northern California Joint Pole Association will be sufficient for joint Utility Poles.

D. Proof of Authority to Use the Public Rights-of-Way

An Application shall contain proof the Applicant has a valid and existing Utility Conditions Permit.

E. Proof of Compliance with the Public Health Compliance Standard.

An Application shall contain proof of compliance with the Public Health Compliance Standard as follows:

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1. A Verified Statement from a registered engineer to the effect that the Applicant complies with the Public Health Compliance Standard.

2. An Applicant may choose to file only one (1) Verified Statement of compliance with the Public Health Compliance Standard for every type of equipment that the Applicant intends to use with two (2) or more Applications for Personal Wireless Service Facility Site Permits. After Public Works has approved one (1) Application for a Personal Wireless Service Facility Site Permit using a particular type of equipment, when filing any subsequent Applications using the identical equipment the Applicant may file a copy of both the previously filed Verified Statement and the Department of Public Health's approval of that Verified Statement.

3. Notwithstanding the foregoing, if the Department of Public Health has ever imposed any Conditions on the Applicant's use of a particular type of equipment the Applicant shall include such information in the Application.

F. Location Drawing.

An Application shall contain a location drawing of the proposed Personal Wireless Service Facility in a twenty feet (20') to one inch (1") scale (20:1 scale) showing each of the following:

1. Street name;

2. Names of cross streets;

3. Utility Pole to be used;

4. All existing facilities on the Utility Pole; and

5. All proposed facilities on the Utility, Pole;

6. All proposed signage to be placed on the equipment or on the Utility Pole.

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G. Photographic Simulations and Photographs.

1. A photographic simulation of the proposed Personal Wireless Service Facility at the proposed location showing views from across and down the street; and

2. A photograph or site drawing in a twenty feet (20') to one inch (1") scale (20:1 scale) showing the location of any existing Personal Wireless Service Facilities in the Public Rights-of-Way that are within a one hundred and fifty foot (150') radius of the proposed Personal Wireless Service Facility.

H. Proof of Meeting Objective Standards

If applicable, an Application shall contain proof that the proposed Personal Wireless Service Facility meets the Objective Standards.

I. Proof of Compliance with Insurance Requirements.

An Application shall contain a certificate of insurance in a form acceptable to the City's Risk Manager showing that the Applicant complies with the requirements of Public Works Code § 1526.

J. Application Fees.

An Application shall include checks for any fees that are payable to each City department that must review the Application. If a City department is entitled to additional fees under Public Work Code § 1527(d), the department shall notify the Applicant at a later date.

K. Historic Preservation Approval.

An Application for a Personal Wireless Service Facility to be installed in any of the following locations: (1) in a S.F. Planning Code Article 10 Landmark District; (2) in front of S.F. Planning Code Article 10 designated landmark; (3) in a S.F. Planning Code Article 11 Conservation District; or (4) in front of a S.F. Planning Code Article 11 designated building, shall include proof that the Applicant obtained design approval from a Historic Preservation Planner at the San Francisco Planning Department.

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L. Proper Use of Utility Pole.

An Application shall contain a Verified Statement from a registered engineer stating that the installation of the proposed Personal Wireless Service Facility: (1) would not compromise the structural integrity of the Utility Pole and will be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (2) would comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

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Section 6. INITIAL REVIEW OF APPLICATIONS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Completeness Review.

1. Public Works shall first determine whether an Application for a Personal Wireless Service Facility is Complete.

2. Public Works shall endeavor to notify the Applicant within three (3) Business Days of its receipt of an Application whether the Application is Complete, but shall have up to ten (10) Days to issue the notice.

3. If the Application is Complete, Public Works shall process the Application as set forth in this Section.

4. If the Application is not Compete, Public Works shall return the Application along with the statement of what additional information Public Works requires to make the Application Complete. Public Works will not process an Application until the Applicant has returned the Application to Public Works with all of the required information.

5. Public Works may issue additional notices that an Application is not Complete if resubmitted Application does not contain all of the information requested by Public Works. Any additional notices shall be issued within ten (10) Days of receipt of the information required from the Applicant in the prior notice.

B. Tolling Period.

1. Incomplete Application.

(a) The timely issuance by Public Works of a notice that an initial Application is not Complete will toll any deadline for issuing a final determination required by federal or State law.

(b) The time-period to issue a final determination will restart on the date that Applicant submits all of the missing

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information.

(c) If, after the Applicant has submitted the missing information, Public Works issues any additional notices that the Application is still not Complete, the notice will toll any deadline for issuing a final determination required by federal or State law. Upon receipt of the missing information, the time to issue a final determination will resume from the restart date described in subsection (a) above.

2. Applicant's Agreement. Applicant and Public Works may enter into an agreement to toll any deadline for issuing a final determination that is required by federal or State law.

C. Suspension or Denial of Application for Lack of Compliance.

Public Works may suspend review of or deny a Complete Application for a Personal Wireless Facility Site Permit if Public Works has issued to Applicant a notice of deficiency related to any existing Personal Wireless Service Facility Site Permit, and Applicant has not corrected the deficiency within a reasonable time as required by Public Works under Section 23 below.

D. Department Conditions.

At the same time that Public Works issues a determination that an Application for a Personal Wireless Service Facility Site Permit is Complete, Public Works shall notify Applicant whether it will add any Public Works Conditions to Permit.

E. Referral to Other City Departments.

Immediately following a Public Works determination that the Application is Complete, Public Works shall:

1. Refer the Application to the Department of Public Health for review under the Department of Public Health Compliance Standard.

2. If design of the proposed Personal Wireless Service Facility does not meet the Objective Standards, or is identified as a

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Disfavored Design, refer the Application to the Planning and/or Recreation and Park Department for review under the appropriate Compliance Standard.

Section 7. PLANNING AND RECREATION AND DEPARTMENT REVIEWS

A. Planning Department.

1. Public Works shall refer a Complete Application for a Tier A or B Personal Wireless Service Facility Site Permit to the Planning Department for review under the applicable Compatibility Standard only if the proposed Personal Wireless Service Facility Site does not meet the applicable Objective Standards, or is a Disfavored Design.

2. Public Works shall not approve an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit that has been referred to the Planning Department unless the Planning Department determines that the Application satisfies the applicable Compatibility Standard.

B. Recreation and Park Department.

1. Public Works shall refer a Complete Application for a Tier C Personal Wireless Service Facility Site Permit to the Recreation and Park Department only if the proposed Personal Wireless Service Facility Site does not meet the applicable Objective Standards.

2. Public Works shall not approve an Application for a Tier C Personal Wireless Service Facility Site Permit that has been referred to the Recreation and Park Department unless the Recreation and Park Department determines that the Application satisfies the Tier C Compatibility Standard.

Section 9. DEPARTMENT OF PUBLIC HEALTH REVIEW

A. Referral Required.

After Public Works determines that an Application for a Personal Wireless Service Facility Site Permit is Complete, Public Works shall refer Applicant's Verified Statement concerning compliance with the Public Health Compliance Standard to the

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Department of Public Health for review under the Public Health Compliance Standard.

B. Review and Approval Required.

1. The Department of Public Health shall review the Application in the time set forth in Public Works Code § 1507(b).

2. Public Works shall not approve an Application for a Personal Wireless Service Facility unless the Department of Public Health determines that the Application complies with the Public Health Compliance Standard.

C. Conditions.

The Department of Public Health's determination that an Application for a Personal Wireless Service Facility Site Permit complies with the Public Health Compliance Standard may include such Conditions as the Department of Public Health deems appropriate to insure such compliance.

Section 10. PROCEDURE FOR IMPOSING CONDITIONS OF APPROVAL

A. Notice of City Department Conditions.

If Public Works or any City department reviewing an Application for a Personal Wireless Service Facility Site Permit imposes any Conditions on its approval of the Application, Public Works shall notify Applicant in writing of the Conditions.

B. Contents of Notice of City Department Conditions.

The notice of City department Conditions shall:

1. State in detail all of the Conditions required for Public Works to approve the Application for a Personal Wireless Service Facility Site Permit;

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2. Identify the City department that imposed the Conditions; and

3. State that the Applicant has five (5) Business Days to notify Public Works whether it accepts the Conditions.

C. Acceptance or Rejection of Conditions.

1. If the Applicant timely accepts the Conditions, Public Works may approve the Application.

2. If the Applicant fails to timely object or propose modifications to any City department Conditions, Public Works shall treat the Conditions as rejected and deny the Application.

D. Objections to Conditions.

1. Within five (5) Business Days of receipt of notice that a City department has imposed any Conditions in its approval of an Application for a Personal Wireless Service Facility Site Permit Applicant may send the applicable City department written objections to the Conditions and request that the department modify one or more of those Conditions.

2. At the request of Applicant in writing, Public Works may extend the time for Applicant to determine whether to object to any Conditions and/or propose modifications to its Application.

3. If Public Works accepts the modified Conditions, Public Works will issue a final approval of the Application. Otherwise, Public Works will deny the Application.

Section 11. FINAL DETERMINATIONS

A. Time to Issue.

Public Works will notify Applicant of a final determination to approve or deny the Application within sixty (60) Days of the date that an Application for a Personal Wireless Service Facility Site Permit to Public Works is filed; taking into account any applicable tolling periods set forth in Section 6.B above.

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B. Applicant's Notice that Application Should be Deemed Approved.

1. If Public Works has not issued a final determination on its Application for a Personal Wireless Service Facility Site Permit within ninety (90) Days (taking into account any applicable tolling periods set forth in Section 6.B above) as required by Government Code § 65964.1, Applicant may notify Public Works in writing that Applicant has determined that the Application should be "deemed approved" as required by State law. In the notice, Applicant shall demonstrate that it has completed all of the tasks required of Applicant up through to the day of the notice.

2. Within five (5) Business Days of receipt of the notice, Public Works will notify Applicant whether or not Public Works agrees that the Application should be deemed approved.

3. Applicant's failure to notify Public Works as set forth above shall mean that its Application will not be "deemed approved" regardless of whether Public Works has issued a final determination within ninety (90) Days after the Application was submitted (taking into account any applicable tolling periods set forth in Section 6.B above) as required by Government Code § 65964.1.

4. Notwithstanding the foregoing, Applicant and Public Works may agree in writing to extend the deadline for issuing a final determination approving or denying an Application for a Personal Wireless Service Facility Site Permit.

Section 12. PUBLIC NOTICE

A. Public Notice of Approval of Permit by Permittee.

Upon receipt from Public Works of a notice that an Application for a Personal Wireless Service Facility Site Permit has been approved, Permittee shall:

1. Mail notice of the Public Works final determination to approve an Application for a Personal Wireless Service Facility Site Permit and a copy of the Permit to: (a) any Person owning property within three hundred (300) feet of the proposed location of the Personal Wireless Service Facility; (b) any Person who is a tenant in any residential property within three hundred (300) feet of the proposed location of the Personal Wireless Service Facility; and (c) any neighborhood association identified by the Planning

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Department for any neighborhood within six hundred (600) feet of the proposed Personal Wireless Service Facility.

2. Post notice of the Public Works final determination to approve an Application for a Personal Wireless Service Facility Site Permit and a copy of the Permit on the Utility Pole to be used for the proposed Personal Wireless Service Facility and on a minimum of four (4) other Utility Poles in conspicuous places within three hundred (300) feet of the approved location for the Personal Wireless Service Facility or, if four (4) Utility Poles are not available with 300 feet, in such other conspicuous places located within 300 feet of the approved Personal Wireless Service Facility.

3. Applicant shall complete such mailing and posting within five (5) Business Days of Applicant's receipt the Public Works final determination to approve the Application for a Personal Wireless Service Facility Site Permit and issue the Permit.

4. After completing the mailing and posting, Applicant shall provide Public Works with: (a) a list of Persons and groups to whom Applicant mailed a copy of final determination and Permit and the date of the mailing; and (b) all locations where Applicant posted a copy of final determination and Permit and the date of the posting.

B. Contents of Notice.

1. Applicant's notice shall contain all of the information specified in Public Works Code § 1514(a)(2).

2. Applicant's notice shall include a copy of the approved Personal Wireless Service Facility Site Permit.

C. Language Requirement.

1. Applicant shall translate those portions of the notice of final approval required by Public Works into such language(s) that are relevant in the immediate vicinity of Applicant's proposed Personal Wireless Service Facility.

2. A language is relevant if at least twenty (20) percent of the residents in the immediate vicinity of Applicant's Personal Wireless Service Facility speak that language at home. Applicant

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can make this determination by reviewing the San Francisco Planning Department's Neighborhoods Socio-Economic Profiles, which can be found at http://www.sf-planning.org/modules/showdocument.aspx?documentid=8779

3. If Applicant is unable to make a determination what languages, if any, are applicable, Applicant shall consult with Public Works before issuing the notice of the final determination. Applicant shall translate the notice into any of the languages required by Public Works.

D. Failure to Issue Proper Notice.

Public Works may revoke a Personal Wireless Service Facility Site Permit if Public Works determines that Applicant failed to comply the notice requirements of this Section.

Section 13. INSTALLATION OF STREET TREES

A. Installation Procedure.

1. Public Works shall notify the Bureau of Urban Forestry ("Bureau") of the proposed location for the Personal Wireless Service Facility immediately making a determination that the Permit will include a Condition that the Applicant install a street tree.

2. Within five (5) Days after receipt of such notice, the Bureau will work with Permittee and the adjacent property owners to determine whether the proposed location for the Personal Wireless Service Facility is appropriate for a street tree. The Bureau will base its determination on the standards set forth in Department Order No. 178,631, Regulating the Planting, Maintenance, or Removal of Trees and Landscape Material on Public Sidewalk Areas. If so, the Bureau will select the appropriate species and locations for such street trees and landscaping for each of the Preferred Locations.

3. If the Bureau, Permittee, and the adjacent property owners determine that the proposed location for the Personal Wireless Service Facility is appropriate for a street tree, Public Works will include the required tree and location in Personal Wireless

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Service Facility Site Permit.

4. Permittee shall complete the installation of any street tree required in a Personal Wireless Service Facility Site Permit within six (6) months of the Applicant's issuance of a notice of Substantial Completion of Installation.

5. Permittee shall notify the Bureau at least seventy-two (72) hours prior to installation of the required street tree and when Permittee has completed the installation of any required street tree.

B. "In-Lieu" Payment into Adopt-A-Tree Fund.

1. If the Bureau, Permittee, and adjacent property owner determine that a street tree is inappropriate at the proposed location for the Applicant's Personal Wireless Service Facility, Public Works shall instead require the Applicant to make an "in-lieu" payment into the "Adopt- A-Tree" fund.

2. An Applicant may elect to forego the collaboration process set forth above and agree to make an "in-lieu" payment into the "Adopt- A-Tree" fund instead.

3. As specified in Public Works Code §§ 802(h) and 807(f), the amount of the "in-lieu" fee shall be $1,641 per tree, or such adjusted amount authorized under those sections. The "in-lieu" fee shall be payable prior to the issuance of the Personal Wireless Service Facility Site Permit.

C. Bureau of Urban Forestry Fee.

1. In order to process an Application for a Personal Wireless Service Facility Site Permit in those instances where the Planning or Recreation and Park Department has required the installation of a street tree under Public Works Code § 1506, the Bureau must make a number of visits to the proposed location of the Personal Wireless Service Facility to determine: (a) whether the site is appropriate for a street tree; and, (b) if so, to further determine the appropriate species and location for the street tree.

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2. Pursuant to Public Works Code § 1527(d), the Director of Public Works has determined it is unusually costly for Public Works to process such Application.

3. For every Application that requires a street tree, the Director of Public Works hereby imposes a processing fee of $345.

4. Such fee shall be due and payable to the Bureau within 10 (ten) days of Public Works notifying the Applicant that the Planning or Recreation and Park Department has required a street tree.

Section 14. INSTALLATION

A. Installation Period and Extension.

1. Permittee must Start Installation of a Personal Wireless Service Facility authorized by a Personal Wireless Service Facility Site Permit within the Installation Period unless Public Works, on the written request of Permittee, extends the Installation Period.

2. Public Works shall grant a request to extend the Installation Period only if Permittee shows that additional time is needed for reasons directly related to construction requirements. Public Works shall inform Permittee of its decision to grant or deny a request for an extension within five (5) Business Days of the request.

3. Any extension of the Installation Period granted by Public Works may be subject to additional special conditions, including, but not limited to conditions that ensure the timely Start and Substantial Completion of Installation during the extended Installation Period.

4. In no event will Public Works extend the Installation Period for more than one (1) year.

B. Starting Installation.

Permittee shall provide Public Works with a notice of Starting Installation within

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five (5) Business Days of Starting Installation of a Personal Wireless Service Facility.

C. Substantial Completion of Installation.

1. Permittee shall Substantially Complete Installation of a Personal Wireless Service Facility within sixty (60) Days of Starting Installation.

2. Permittee shall file with Public Works a notice of Substantial Completion of Installation within five (5) Business Days after Substantial Completion of Installation of a Personal Wireless Service Facility.

3. Permittee shall file with Public Works a Verified Statement from a registered engineer that the permitted and installed Personal Wireless Service Facility complies with the Public Health Compliance Standard within thirty (30) Business Days after Substantial Completion of Installation of a Personal Wireless Service Facility.

4. Prior to the Substantial Completion of Installation of a Personal Wireless Service Facility, Public Works may request that a Permittee provide photographs of the nearly completed Personal Wireless Service Facility in order enable the City to determine in advance of the inspection whether the Permittee has complied with the requirements of the Personal Wireless Service Facility Site Permit.

D. Failure to Timely Start and/or Substantially Complete Installation.

If Permittee fails to timely Start Installation within the Installation Period, or Substantially Complete Installation as required by this Section, Public Works may revoke the previously issued Personal Wireless Service Facility Site Permit.

Section 15. CONSTRUCTION REQUIREMENTS

A. Compliance with Permit.

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Permittee's construction of a Personal Wireless Service Facility shall fully comply with Permittee's Personal Wireless Service Facility Site Permit, including any Conditions contained therein.

B. Other Permits and Authorizations.

Permittee shall obtain all other permits and authorizations from Public Works or third parties that may be required prior to any construction, maintenance, repair, replacement, or modification of any Personal Wireless Service Facility. This shall include a temporary occupancy permit.

C. Department of Parking and Traffic.

Permittee shall contact the Department of Parking and Traffic for traffic requirements prior to beginning construction/installation.

D. Traffic Regulations.

Permittee shall conduct its construction/installation operations in accordance with the requirements of Article 11 of the S.F. Traffic Code.

E. Damage to Existing Facilities.

Permittee shall be solely responsible for any damage to existing facilities caused by Permittee's construction/installation activities.

F. Damage to the Public Rights-of-Way.

Permittee shall be solely responsible for any damage to the Public Rights-of-Way caused by Permittee's construction/installation activities.

G. City Signage.

Permittee shall be solely responsible for ensuring that any City signage removed from a Utility Pole during installation of a Personal Wireless Service Facility is replaced in the same location, unless Permittee obtains permission in writing from

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the City department responsible for installing and maintaining the sign to remove or relocate the sign.

H. Permit Posting.

Permittee shall post a copy of the first page of the issued Personal Wireless Service Facility Site Permit on the pole during construction and inspection. Permittee shall remove the Permit after final inspection has been completed.

Section 16. INSPECTION

A. Time for Inspection.

1. Public Works shall inspect a permitted and installed Personal Wireless Service Facility within five (5) Business Days after receipt of notice of Substantial Completion of Installation required under Section 16 above.

2. Along with the notice, Permittee shall include photographs of the installed Personal Wireless Service Facility.

B. Requirements of Inspection.

Public Works shall inspect an installed Personal Wireless Service Facility to determine whether:

1. The installation is in accordance with the requirements of the Personal Wireless Service Facility Site Permit, including any Conditions imposed by any City department and accepted by Permittee.

2. The permitted Personal Wireless Service Facility complies with the Public Health Compliance Standard.

3. The Permittee has replaced any City signage that was removed from a Utility Pole during installation of a Personal Wireless Service Facility.

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C. Notice of Deficiency.

Public Works shall issue a notice of deficiency if Public Works determines after an inspection that an installed Personal Wireless Service Facility is not in compliance with a Personal Wireless Service Facility Site Permit, including any Conditions imposed by any City department and accepted by Permittee, the Public Health Compliance Standard, or any of the requirements of this Order.

Section 17. TERM, EXPIRATION, AND RENEWAL

A. Applicability of Term Provisions.

The term provisions contained in Public Works Code § 1519 and this Section shall apply to all Personal Wireless Service Facility Site Permits issued by Public Works including those issued under Section 11.9(b) of the Administrative Code (now repealed).

B. Applicability of Renewal Provisions.

The renewal provisions contained in Public Works Code § 1520 and this Section shall apply to all Personal Wireless Service Facility Site Permits issued by Public Works, including those issued under Section 11.9(b) of the Administrative Code (now repealed).

C. Notice of Expiration of Permit.

Public Works may notify a Permittee one (1) year prior to the expiration date that the Permittee's Personal Wireless Service Facility Site Permit will expire. The failure to issue the timely notice shall not affect or extend the expiration date.

Section 18. RENEWAL PROCEDURE

A. Renewal.

1. Permittee may renew a Personal Wireless Service Facility Site Permit for a Personal Wireless Service Facility that was not issued a Modification Permit for one (1) additional term of ten (10) years.

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2. Permittee seeking to renew a Personal Wireless Service Facility Site Permit shall submit a renewal Application under this section. The Permittee shall submit the renewal Application no later than six (6) months prior to the expiration of the term of the Permit.

B. Renewal Application.

An Application to renew a Personal Wireless Service Facility Site Permit shall contain the following:

1. A completed renewal Application form.

2. A Verified Statement from a registered engineer that the operation of the permitted and installed Personal Wireless Service Facility complies with the Public Health Compliance Standard.

3. A statement that the Permit may be renewed because the Permit had not been previously renewed.

C. Completeness and Eligibility Review.

1. Public Works shall first determine whether a renewal Application is Complete and eligible for renewal.

2. Public Works shall notify the Applicant within three (3) Business Days whether the renewal Application is both Complete and eligible for renewal.

3. If the renewal Application is Complete and eligible for renewal, Public Works shall process the Application as set forth below.

4. If the renewal Application is not Compete, Public Works shall return the Application along with a statement of what additional information Public Works requires to make the Application

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Complete.

5. If the renewal Application is not eligible for renewal, Public Works shall deny the Application.

D. Effect of Renewal Application.

A timely filed renewal Application will extend the term of a Permit until Public Works either denies or approves the renewal Application.

E. Approval or Denial of Renewal Application.

Public Works shall refer a renewal Application that is eligible for renewal to the Department of Public Health. Public Works shall issue a final determination approving or denying a renewal Application within three (3) Business Days of receipt of a determination from the Department of Public Health that the installed Personal Wireless Service Facility complies or does not comply with the Public Health Compliance Standard and Applicable Law related to human exposure to radio frequency emissions.

F. Suspension or Denial for Lack of Compliance.

Public Works may suspend review of or deny a renewal Application if Public Works has issued a notice of deficiency to the Applicant related to any existing Personal Wireless Service Facility Site Permit, and the Applicant has not corrected the deficiency within a reasonable time as required by Public Works under Section 26 below.

G. No Public Notice of Approval.

Public notice of a Public Works determination to approve a renewal Application is not required.

H. Effect of Approval.

Public Works' approval of a renewal Application shall extend the term of a Personal Wireless Service Facility for ten (10) years from the date of the expiration of

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the original Permit term.

I. Denial or Failure to Renew Application.

1. If Public Works denies a renewal Application, Permittee shall promptly remove the formerly permitted Personal Wireless Service Facility from the Public Rights-of-Way unless the Applicant files an appeal of the denial with the Board of Appeals. In which case, Public Works will stay enforcement of any removal requirement until the Board of Appeals issues a determination on the Applicant's appeal.

2. If Permittee fails to timely file a renewal Application, Public Works will notify Permittee that the Permit has expired and shall require Permittee to remove the formerly permitted Personal Wireless Service Facility from the Public Rights-of-Way within thirty (30) Days from the date of the notice.

J. Permits Not Eligible for Renewal.

1. If a Personal Wireless Service Facility Site Permit is not eligible for renewal, a Permittee must file a new Application for a Personal Wireless Service Facility Site Permit.

2. If the new Application is filed within six (6) months prior to the expiration of the Permit term, the Applicant may continue to maintain the permitted Personal Wireless Service Facility under the existing Permit unless or until there is a final determination denying Permittee's application for a new Personal Wireless Service Facility Site Permit at this location.

Section 19. REMOVAL OF FACILITIES UPON EXPIRATION OF PERMIT

A. Removal Required.

Upon the expiration or termination of a Personal Wireless Service Facility Site Permit, Permittee shall at its own expense permanently remove from all permitted Personal Wireless Service Facilities including removing from the Utility Poles all

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antennas, cabling, conduits, mounting brackets, wireline or fiber-optic enclosures, informational warning stickers, and decals.

B. Failure to Remove Permitted Equipment.

If Permittee fails to timely remove a Personal Wireless Service Facility after the expiration or termination of a Personal Wireless Service Facility Site Permit Public Works shall take all reasonable, necessary, and appropriate action in accordance with Applicable Law to remedy Permittee's failure to comply and may charge the reasonable costs actually incurred, including but not limited to administrative costs, to Permittee.

Section 20. REPLACEMENT AND REMOVAL OF EQUIPMENT

A. When Allowed.

Permittee may Replace or remove equipment used at a permitted Personal Wireless Service Facility without obtaining a Modification Permit.

B. Equipment Replacement and Removal Procedure.

1. A Permittee seeking to Replace or remove equipment installed on a Utility Pole pursuant to a Personal Wireless Service Facility Site Permit where there is no Emergency shall provide Public Works with the information required under this Section at least five (5) Business Days prior to replacing the equipment.

2. A Permittee seeking to Replace or remove equipment installed on a Utility Pole pursuant to a Personal Wireless Service Facility Site Permit on an Emergency basis shall provide Public Works with the information required under this Section within two (2) Business Days of replacing the equipment.

C. Information Required for Replacement Equipment.

When Replacing equipment installed on a permitted Personal Wireless Service Facility a Permittee shall provide Public Works with the following information:

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1. The use and size of each piece of equipment the Permittee is seeking to remove from the Utility Pole; and

2. The use and size of each piece of equipment the Permittee is seeking to install on the Utility Pole to Replace existing equipment.

D. Public Works Notification.

1. Public Works shall notify a Permittee within five (5) Business Days of receipt of a request to Replace equipment installed on a Utility Pole whether the request complies with the requirements of Public Works Code § 1521.

2. If Public Works notifies the Permittee that the request does not comply, the Permittee may not Replace the Equipment. In the case of an Emergency replacement, the Permittee must remove the replacement equipment and install new replacement equipment that complies with Public Works Code § 1521.

3. Any Permittee that is denied a request to Replace equipment at a permitted Personal Wireless Service Facility may instead file an Application for a Modification Permit under Public Works Code § 1522.

Section 21. MODIFICATION PERMITS

A. Modification Permit Required.

A Modification Permit is required to replace equipment at a permitted Personal Wireless Service Facility that is not identical in size or smaller than the permitted equipment being removed or to collocate or add new equipment to a permitted Personal Wireless Service Facility.

B. Modification Permit Application.

1. If an Application for a Modification Permit is submitted under Public Works Code § 1522(c)(1), the Applicant shall submit an Eligible Facilities Request.

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2. If an Application for a Modification Permit is submitted under Public Works Code §§ 1522(c)(2), 1522(c)(3) or 1522(d) the Applicant shall submit an Application for a Modification Permit.

C. Completeness Review.

1. Public Works shall first determine whether an Application for a Modification Permit is Complete.

2. Public Works shall notify the Applicant within ten (10) Business Days whether the Application for a Modification Permit is Complete.

3. If the Application for a Modification Permit is Complete, Public Works shall process the Application as set forth below.

4. If the Application for a Modification Permit is not Complete, Public Works shall return the Application along with a statement of what additional information Public Works requires to make the Application Complete. Public Works will not process an Application until the Applicant has returned the Application to Public Works with all of the required information.

5. Public Works may issue additional notices that an Application is not Complete if any resubmitted Application does not contain all of the information requested by Public Works. Any additional notices shall be issued within ten (10) Days of receipt of the information required from the Applicant in the prior notice.

D. Tolling.

1. The timely issuance by Public Works of a notice that an Application for a Modification Permit is not Complete shall toll any deadline for issuing a final determination that is required by federal or State law.

2. The time-period shall not restart until after the Applicant has provided Public Works with all of the information required for a Complete Application.

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3. This same rule shall apply to an additional notice that an Application for a Modification Permit is not Complete issued by Public Works after an Application has been resubmitted.

E. Referral to Department of Public Health Review.

Public Works may refer an Application for a Modification Permit to the Department of Public Health if Public Works has reason to believe that the proposed modifications to a permitted Personal Wireless Service Facility identified in the Application would result in the modified Personal Wireless Service Facility being out of compliance with the Public Health Compliance Standard.

F. Public Works Approval.

1. Public Works shall approve an Application for a Modification Permit that is an Eligible Facilities Request provided the Applicant has shown that the installation of the modified Transmission Equipment would not Substantially Change the Physical Dimensions of an Existing Base Station.

2. Public Works may approve any of the following types of Applications for Modification Permits if the Permittee complies with the requirements of Public Works Code § 1522(e)(2):

(a) The Permittee is seeking to install new Transmission Equipment that would Substantially Change the Physical Dimensions of an Existing Base Station.

(b) The Permittee is seeking to modify equipment other than Transmission Equipment.

(c) The Permittee is seeking to modify a Personal Wireless Service Facility that is not a Base Station.

G. Time for Public Works Approval.

1. Public Works shall make a final determination whether to approve

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or deny an Application for a Modification Permit within ten (10) Business Days of Public Works' determination that the Application is Complete.

2. If the Application for a Modification Permit is an Eligible Facilities Request, and Public Works has not issued a final determination approving or denying an Application for a Modification Permit within sixty (60) Days after the Application was submitted (taking into account any applicable tolling periods set forth in Section 6.B above), Permittee may notify Public Works after the reviewing period has expired that Permittee has deemed the Application granted. Absent such a notice, Permittee may not claim that the Application has been deemed granted.

3. If the Application for a Modification Permit is not an Eligible Facilities Request, Public Works shall issue a final determination approving or denying the Application for a Modification Permit within ninety (90) Days (taking into account any applicable tolling periods set forth in Section 6.B above). If the Applicant determines that Public Works has not issued a final determination within ninety (90) Days after the Modification Permit Application was submitted (taking into account any applicable tolling periods set forth in Section 6.B above), as required by Government Code § 65964.1, Permittee may notify Public Works in writing that the Applicant has determined that the Modification Permit Application should be "deemed approved" as required by State law. Permittee's failure to notify Public Works as set forth above shall mean that its Modification Permit Application will not be "deemed approved" regardless of whether Public Works has issued a final determination within ninety (90) Days after the Modification Permit Application was submitted (taking into account any applicable tolling periods set forth in Section 6.B above) as required by Government Code § 65964.1.

4. Notwithstanding the foregoing, Permittee and Public Works may agree in writing to extend the deadline for issuing a final determination approving or denying a Modification Permit Application.

H. Suspension or Denial for Lack of Compliance.

Public Works may suspend review of or deny an Application for a Modification Permit if Public Works has issued a notice of deficiency to Permittee related to any

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existing Personal Wireless Service Facility Site Permit, and Permittee has not corrected the deficiency within a reasonable time as required by Public Works under Section 26 below.

I. Effect of Modification Permit on Permit Term.

1. The issuance of a Modification Permit will not start a new term. The Modification Permit will expire on the same date the Personal Wireless Service Facility Site Permit previously issued to the Permittee for that location expires.

2. Notwithstanding the foregoing, Permittee may submit a renewal Application at the same time as an Application for a Modification Permit.

J. Appeal of Public Works Determination.

A Public Works determination to deny an Application for a Modification Permit may be appealed to the Board of Appeals.

Section 22. INACTIVE OR ABANDONED PERSONAL WIRELESS SERVICE FACILITIES

A. Removal of Inactive Facilities

Permittee shall remove from the Public Rights-of-Way any Personal Wireless Services Facilities that have not been used to provide Personal Wireless Service for six (6) continuous months, unless Permittee demonstrates to Public Works that: (i) Permittee's non-use of the permitted Personal Wireless Service Facilities for six (6) months was reasonable under the circumstances; and (ii) Permittee intends to re-activate the permitted Personal Wireless Service Facilities within the next six (6) months.

B. Notice of Abandonment.

1. Public Works shall notify Permittee whenever Public Works has reason to believe that a Personal Wireless Service Facility has been abandoned because it has not been properly maintained or because it has not been used to provide Personal Wireless

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Service for six (6) continuous months. A Personal Wireless Service Facility that has been marked with Graffiti has not been properly maintained.

2. The notice shall state that Permittee has sixty (60) Days to remove either the entire abandoned Personal Wireless Service Facility from the Public Rights-of-Way.

C. Response to a Notice of Abandonment.

1. If Permittee disagrees with the notice of abandonment, within sixty (60) Days of receipt of the notice Permittee shall notify Public Works in writing that:

(a) The Personal Wireless Service Facility is in good working order;
(b) Permittee intends to repair or replace any equipment used for a Personal Wireless Service Facility that has not been properly maintained within thirty (30) Days; or

(c) Permittee will remove any Graffiti from the Personal Wireless Service Facility within thirty (30) Days.

2. At the request of Permittee in writing, Public Works may grant Permittee an extension of time to repair or replace the abandoned Personal Wireless Service Facility.

D. Failure to Remove Abandoned Facility.

1. If Permittee fails to remove the abandoned Personal Wireless Service Facility, as required by Public Works, Public Works may remove the facility.

2. Public Works will endeavor to remove the Personal Wireless Service Facility and to return the equipment to Permittee in the same condition as it was at the time of removal. Public Works, however, does not assume any responsibility for any damage to the equipment resulting from Public Works' removal and storage of any abandoned equipment.

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3. Public Works may deduct the cost of removing the abandoned Personal Wireless Service Facility from Permittee's deposit required under Public Works Code § 1523 and Section 24 below.

E. Removal of a Personal Wireless Service Facility

In removing an inactive or abandoned Personal Wireless Service Facility from the Public Rights-of-Way, Permittee shall remove from the Utility Pole all antennas, cabling, conduits, mounting brackets, wireline or fiber-optic enclosures, informational warning stickers, decals, and any other related equipment.

Section 23. NOTICE OF DEFICIENCY

A. Contents of Notice.

A notice of deficiency issued pursuant to Public Works Code § 1517(b) shall:

1. State the basis for Public Works' determination that a permitted Personal Wireless Service Facility is not in compliance with a Personal Wireless Service Facility Site Permit, Public Works Code Article 25, or this Order;

2. Give Permittee reasonable time to correct the deficiency. If the notice of deficiency concerns a violation of the Public Health Compliance Standard, Public Works may require immediate compliance;

3. State Public Works' remedies if Permittee fails to take corrective action, which may include revocation of the Permit; and

4. Notify Permittee whether Public Works intends to suspend review of or deny other pending Applications for a Personal Wireless Service Facility Site Permits should Permittee fail to timely correct the deficiency.

B. Compliance with Notice of Deficiency.

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1. Permittee shall timely comply with a notice of deficiency.

2. If Permittee should fail to timely comply with a notice of deficiency Public Works:

   (a) Shall take the corrective action set forth in the notice; and

   (b) May suspend review of or deny Permittee's pending Applications for Personal Wireless Service Facility Site Permits.

Section 24. DEPOSIT

Permittee's deposit required under Public Works Code § 1523 shall be available to Public Works to secure the faithful performance of the obligations of Permittee under any Personal Wireless Service Facility Site Permit. If Permittee has not made such a deposit, Permittee shall submit and maintain with Public Works a bond, cash deposit, or other security acceptable to Public Works securing the faithful performance of the obligations of Contractor and its agent under any Permit issued under this Order. The deposit shall be in the sum of $25,000 in favor of the "Public Works, City and County of San Francisco." If the Director has deducted any amounts from such a deposit pursuant to this Order, Permittee must restore the full amount of the deposit prior to Public Works' issuance of a subsequent Permit. Public Works shall return the deposit to Permittee should Permittee cease to operate any Personal Wireless Service Facilities in the Public Rights-of-Way.

Section 25. ADDITIONAL FEES

A. Director May Require Additional Permit Fees.

1. Pursuant to Public Works Code § 1527(d), the Director may require an Applicant for a Personal Wireless Service Facility Site Permit to pay a sum in excess of the normal Permit fees.

2. Public Works shall not approve an Application for a Personal Wireless Service Facility Site Permit unless Applicant agrees to pay these additional Permit fees when required.

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B. Imposition of Additional Permit Fees for Individual Applications.

1. Any City department reviewing an Application for a Personal Wireless Service Facility Site Permit shall determine whether its review of an individual Application will be unusually costly. A City department other than Public Works shall provide Public Works with an estimate of its additional costs along with an explanation of the reasons these additional costs must be incurred.

2. Prior to requiring additional Permit fees, the Director shall notify an Applicant that it will be unusually costly for either Public Works or another City department to review an Application for a Personal Wireless Service Facility Site Permit. The notice shall include an estimate of its additional costs along with an explanation of the reasons these additional costs must be incurred, and shall offer the Applicant the opportunity to withdraw or modify the Application in order to avoid any additional Permit fees.

3. With the consent of the Applicant, the applicable City department may incur these costs and recover them as additional Permit fees.

C. Imposition of Additional Permit Fees for a Class of Permit Applications.

1. The Director may impose additional fees for a class of Applications for Personal Wireless Service Facility Site Permits where the Director has determined that processing such Applications will be unusually costly to process.

2. To impose such additional fees, the Director must issue a Director's order stating the reasons such fees are required and necessary.

3. Once the Director establishes such fees, Public Works shall not approve an Application for a Personal Wireless Service Facility Site Permit unless and until the fee is paid, if applicable.

Section 26. COSTS FOR TECHNICAL EXPERTS

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A. Pursuant to Public Works Code § 1527(f), any City department may retain the services of an expert in order to evaluate an Application for a Personal Wireless Service Facility Site Permit, and seek reimbursement for the cost of those services from an Applicant.

B. Prior to incurring any reimbursable costs, a City department shall notify Applicant that it requires the services of a technical expert. The notice shall explain in detail the expert services required and offer the Applicant the opportunity to withdraw or modify the Application in order to avoid those costs.

C. If Applicant intends to pursue the Application, the applicable City department shall then work with Applicant to identify Persons with the necessary expertise to provide the required services and to establish a budget for the expert's services.

D. With the consent of Applicant, the applicable City department shall retain the expert to perform the required services.

Section 27. PENDING APPLICATIONS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Applications for Permits on Utility Poles.

1. Any Application for a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Utility Pole that was submitted before the effective date of Ordinance No. 190-19 (September 9, 2019), shall be processed pursuant to the procedures approved in Ordinance No. 190-19.

2. Public Works shall issue a Personal Wireless Service Facility Site Permit for any Application for a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Utility Pole for which Public Works has issued a Tentative Approval. Public Works will notify the Applicant and any Person that submitted a protest that the Tentative Approval has been vacated and the Permit will be issued.

3. Any Public Works order scheduling a protest hearing for a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Utility Pole for any date after September 9, 2019 shall be vacated and the item shall be taken off the calendar.

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Public Works will notify the Applicant and all protesters that the hearing has been cancelled and the Permit will be issued.

4. Any Permittee that has been issued a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Utility Pole for any Application that was submitted before September 9, 2019 shall follow the final determination noticing procedures set forth in Ordinance No. 190-19 and this Order.

B. Applications for Permits on Streetlight and Transit Poles.

1. Ordinance No. 190-19 repealed the requirement that a telecommunications provider obtain a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Streetlight or Transit Pole.

2. Any Application for a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Streetlight or Transit Pole that was submitted before the effective date of Ordinance No. 190-19 (September 9, 2019), shall not be processed. Public Works will return the Application to the Applicant.

3. Any Tentative Approval of a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Streetlight or Transit Pole that is pending as of September 9, 2019 shall be vacated. Public Works will notify the Applicant and any Person that submitted a protest that the Tentative Approval has been vacated because a Permit is no longer required to install a Personal Wireless Service Facility on a Streetlight or Transit Pole.

4. Any Public Works order scheduling a protest hearing for a Personal Wireless Service Facility Site Permit to install a Personal Wireless Service Facility on a Streetlight or Transit Pole for any date after September 9, 2019 shall be vacated and the item shall be taken off the calendar. Public Works will notify the Applicant and all protesters that the hearing has been cancelled because a Permit is no longer required to install a Personal Wireless Service Facility on a Streetlight or Transit Pole.

SECTION 28. PUBLIC WORKS FORMS

A. Authorized Forms.

Public Works, Applicants for Personal Wireless Service Facility Site Permits or

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Modification Permits, and Permittees shall use the following forms authorized by this Order and attached hereto as Exhibits:

1. Application for a Personal Wireless Service Facility Site Permit
2. Notice of Completeness/Deficiency of Application
3. Notice of City Department Conditions
4. Notice of Final Determination to Deny Application
5. Notice of Final Determination to Approve Application
6. Notice of Starting Installation
7. Notice of Substantial Completion of Installation
8. Notice of Removal or Replacement of Equipment
9. Renewal Application
10. Eligible Facilities Request
11. Application for a Modification Permit
12. Notice of Completeness/Deficiency Eligible Facilities Request
13. Notice of Completeness/Deficiency of Modification Application
14. Notice of Final Determination to Approve or Deny Renewal Application
15. Notice of Final Determination to Approve or Deny Modification Application (Eligible Facilities Request)
16. Notice of Final Determination to Approve or Deny Modification Application
17. Notice of Suspension of Review of Application
18. Notice of Expiration
19. Agreement to Extend Deadline for Final Determination
20. Public Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit

B. Amendments to or New Authorized Forms.

Public Works may amend the authorized forms or prepare and issue new authorized forms as Public Works in its discretion deems necessary.

Approved

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X DocuSigned by:
538EA14480EB46D...

Tse, Bernie
Acting Bureau Manager

X DocuSigned by:
B3944D53BAFD487...

Thomas, John
Deputy Director and City Engineer

X DocuSigned by:
81145AB17F474FA...

Nuru, Mohammed
Director

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EXHIBIT 1

APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

Applicant: _____

Agent: _____

Mailing Address*:* _____

Telephone No.: _____

Fax No.: _____

E-Mail:_____

Date: _____

1. Pole Location (Street Segment/Pole Number [if applicable])

_____

2. Utility Conditions Permit (check one)

☐ Applicant has a valid Utility Conditions Permit

☐ Applicant does not have a valid Utility Conditions Permit

3. Tier (check one)

☐ Tier A

☐ Tier B

☐ Tier C

4. Antenna(s)

Number of antenna(s) _____

Dimensions of antenna(s) _____

Make, model and technical specifications:_____

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5. Equipment

A. Primary Equipment Enclosure Location and Dimensions (if applicable):

_____

Make, model and technical specifications for each piece of equipment:

1:_____

2:_____

B. Secondary Equipment Enclosure Location and Dimensions (if applicable):

_____

Make, model and technical specifications for each piece of equipment:

1:_____

2:_____

C. Other Equipment Location and Dimensions (if applicable):

_____

Make, model and technical specifications for each piece of equipment:

1:_____

2:_____

6. Compliance with Objective Standards

☐ The proposed Personal Wireless Service Facility meets the Objective Standards.

☐ The proposed Personal Wireless Service Facility does not meet the Objective for the reasons set forth below and should be referred to the Planning Department and or Recreation and Park Department.

_____

_____

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7. Use of Utility Pole (check one)

☐ The Applicant is using a utility pole that is a joint pole and is a member in good standing of the Northern California Joint Pole Association.

☐ The pole is solely owned by PG&E and PG&E has approved use of the pole. Proof of P&E' permission is attached.

8. Public Health Compliance Standard (check one)

☐ Applicant is using equipment for the first time. Attached is an original verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the proposed Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the proposed Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade.

☐ Applicant is using previously approved equipment. Attached is a copy of both a verified statement from a registered engineer and the Department of Public Health's review of that verified statement that: (i) potential human exposure to radio frequency emissions from the proposed Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the proposed Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building façade.

9. Security Deposit (check one)

☐ Applicant has made the deposit required under Public Works Code § 2.4.40 and DPW Order No._____.

☐ Applicant has not made the deposit required under Public Works Code § 2.4.40 and DPW Order No._____.

10. Required Documents (check as appropriate)

☐ Attached is a location drawing of the proposed Personal Wireless Service Facility in twenty feet (20') to one inch (1") scale (20:1 scale) showing each of the following:

(a) Street name;
(b) Names of cross streets;
(c) The utility, transit, or street light pole to be used;
(d) All existing facilities on the utility, transit, or street light pole (if applicable); and
(e) All proposed facilities on the utility or street light pole.

☐ Attached are the following documents (check (1) and either (2) or (3)):

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☐ (1) A photographic simulation of the proposed Personal Wireless Service Facility at the proposed location; and

☐ (2) A photograph of any existing Personal Wireless Service Facilities located in the public rights-of-way that are within a one hundred and fifty foot (150') radius of the proposed Personal Wireless Service Facility; or

☐ (3) A site drawing in a twenty feet (20') to one inch (1") scale (20:1 scale) showing the location of any existing Personal Wireless Service Facilities located in the public rights-of-way that are within a one hundred and fifty foot (150') radius of the proposed Personal Wireless Service Facility.

☐ Attached is a certificate of insurance in a form acceptable to the City's Risk Manager showing that the Applicant complies with the requirements of Public Works Code § 1526.

☐ Attached is a verified statement from a registered engineer stating that the installation of the proposed Personal Wireless Service Facility: (1) would not compromise the structural integrity of the utility pole and will be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (2) would comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

11. Certificate of Appropriateness (check one)

☐ A Certificate of Appropriateness is not required because the proposed Personal Wireless Service Facility is not located in a historic district designated by the Board of Supervisors under Article 10 of the Planning Code.

☐ A Certificate of Appropriateness is required because the proposed Personal Wireless Service Facility is located in a historic district designated by the Board of Supervisors under Article 10 of the Planning Code and has been obtained. A copy of the Certificate of Appropriateness is attached.

☐ A Certificate of Appropriateness is required because the proposed Personal Wireless Service Facility is located in a historic district designated by the Board of Supervisors under Article 10 of the Planning Code Facility and is expected to be obtained by _____ (date). A copy of the Certificate of Appropriateness will be provided at that time.

12. Application Fees (check required fees and include appropriate checks)

☐ Department of Public Works application fee ($450)
☐ Department of Public Health application fee ($181)
☐ Planning Department application fee ($190)
☐ Recreation and Park Department application fee ($125)

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13. In-lieu Tree Payment (optional)

☐ Applicant will elect to make an "in-lieu" payment into the Adopt-A-Tree fund if there's no objection from the Departments.

I certify that the information contained in the application is correct.

_____ _____

(**Type Name of Applicant's Authorized Agent)** **Date (MM/DD/YY)**

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EXHIBIT 2

NOTICE OF COMPLETENESS/DEFICIENCY OF APPLICATION FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Applicant Name]**
[Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Application No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

Public Works has reviewed the above-referenced Application for a Personal Wireless Service Facility Site Permit submitted by [Applicant Name] and has made the following determination:

☐ The Application is **Complete**. Public Works will continue to process the Application.

☐ The Application is **Incomplete**. Applicant must resubmit the Application to Public Works containing the missing information or documentation identified below:

☐ 1. Utility Conditions Permit is missing

☐ 2. Applicant is incorrect that application meets Objective Standards.

☐ 3. The description of antenna(s) and/or equipment is missing or incomplete

☐ 4. Permission to use utility pole is missing

☐ 5. Compliance with Public Health Compliance Standard is missing or incomplete

☐ 6. Location drawings are missing or incomplete

☐ 7. Photo simulations are missing or incomplete

☐ 8. Photographs or site drawings are missing or incomplete

☐ 9. Security deposit is missing

☐ 10. Certificate of insurance is missing or incomplete

☐ 11. Certificate of Appropriateness is missing or incomplete.

☐ 12. Application fees are missing.

Include below a description of any of the missing or incomplete materials:

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_____

_____

_____

Application reviewed by:_____
(NAME/TITLE)

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EXHIBIT 3

NOTICE OF CITY DEPARTMENT CONDITIONS FOR GRANTING APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Applicant Name]**
[Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Application No: **[XXWR-XXXXX]**
Applicant: **[Name of Company]**
Location: **[Number and Street Address]**

The above-referenced Application for a Personal Wireless Service Facility Site Permit is subject to the conditions of approval set forth below ("Conditions"). Applicant has five (5) business days from the date of this notice to accept the Conditions, object to the Conditions, and/or propose modifications to the Application. Public Works will deny the Application if Applicant does not timely accept or object to the Conditions, or propose modifications to the Application.

☐ Public Works Conditions:_____

_____

☐ Department of Public Health Conditions:_____

_____

☐ Planning Department Conditions:_____

_____

☐ Recreation and Park Department Conditions:_____

_____

Document reviewed by:_____
(NAME/TITLE)

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EXHIBIT 4

NOTICE OF FINAL DETERMINATION TO DENY APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Applicant Name]**
[Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Application No: [XXWR-XXXXX]
Location: [Number and Street Address]

Public Works **DENIES** the above-referenced Application for a Personal Wireless Service Facility Site Permit for the following reason(s):

☐ The Application incorrectly states that it meets the Objective Standards.

☐ The proposed location is a Disfavored Location and the Planning Department has recommended denial.

☐ The Application does not meet the Objective Standards Planning Department has recommended denial.

☐ The Application does not meet the Objective Standards Recreation and Park Department has recommended denial.

☐ Other reasons:

1. _____
2. _____
3. _____

☐ The Applicant refused to accept the following City department conditions:

1. _____
2. _____
3. _____

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☐ Public Works has issued to the Applicant certain notices of deficiency related to the following Personal Wireless Service Facility Site Permits, and the Applicant has not corrected the deficiencies in a reasonable time after receiving notice:

1. _____
2. _____
3. _____

Application reviewed by:_____
(NAME/TITLE)

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EXHIBIT 5

NOTICE OF FINAL DETERMINATION TO APPROVE A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Applicant Name]**
[Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No.: **[XXWR-XXXXX]**

Location: **[Number and Street Address]**

Public Works **Approves** the above-referenced application for a Personal Wireless Services Facility Site Permit.

The permit contains the following conditions (**check if applicable**):

☐ Public Works Conditions:_____

_____

☐ Department of Public Health Conditions:_____

_____

☐ Planning Department Conditions:_____

_____

☐ Recreation and Park Department Conditions:_____

_____

By:_____
(NAME/TITLE)

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EXHIBIT 6

PERMITTEE LETTERHEAD

NOTICE OF STARTING INSTALLATION OF PERSONAL WIRELESS SERVICE FACILITY

[MM/DD/YYYY]

To: **[Contact Person]**
Bureau of Street Use and Mapping
San Francisco Public Works
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Permit No: [XXWR-XXXXX]
Permittee: [Name of Company]
Location: [Number and Street Address]

[Permittee Name] certifies that on **[MM/DD/YYYY]** it started installation of the above-referenced Personal Wireless Service Facility.

[Permittee Name] expects to complete installation of the Personal Wireless Service Facility Site on **[MM/DD/YYYY]**.

Submitted by:_____
(NAME/TITLE)

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EXHIBIT 7

PERMITTEE LETTERHEAD

NOTICE OF SUBSTANTIAL COMPLETION OF INSTALLATION OF PERSONAL WIRELESS SERVICE FACILITY

[MM/DD/YYYY]

To: **[Contact Person]**
Bureau of Street-Use and Mapping
San Francisco Public Works
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Permit No: **[XXWR-XXXXX]**
Permittee Name: [**Name of Company]**
Location: **[Number and Street Address]**

[Permittee Name] certifies that on **[MM/DD/YYYY]** Permittee has substantially completed installation of the above-referenced Personal Wireless Service Facility because (check all that apply):

☐ Permittee has installed all of the Permittee's equipment approved in the Permit.

☐ The permitted Personal Wireless Service Facility is being used to provide or facilitate the provision of Personal Wireless Service.

☐ All City department conditions for obtaining the applicable Personal Wireless Service Facility Site Permit have been satisfied.

☐ Attached are as-built drawings and photographs of the substantially completed Personal Wireless Service Facility.

Submitted by:_____
(NAME/TITLE)

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EXHIBIT 8

PERMITTEE LETTERHEAD

REQUEST TO REPLACE ANTENNA/EQUIPMENT INSTALLED AT A PERSONAL WIRELESS SERVICE FACILITY

[MM/DD/YYYY]

To: **[Contact Person]**
Bureau of Street Use and Mapping
San Francisco Public Works
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Permit No: [XXWR-XXXXX]
Permittee: [Name of Company]
Location: [Number and Street Address]

[**Permittee Name**] requests permission to replace the antenna and/or equipment described below that Permittee has installed pursuant to the above-referenced Personal Wireless Service Facility Site Permit.

☐ ANTENNA

DESCRIBE ANTENNA(S) TO BE REPLACED: _____

_____

DESCRIBE REPLACEMENT ANTENNA(S): _____

_____

☐ EQUIPMENT

DESCRIBE EQUIPMENT TO BE REPLACED: _____

_____

DESCRIBE REPLACEMENT EQUIPMENT: _____

_____

Permittee verifies that the replacement equipment is of substantially the same size, appearance, and power as the permitted equipment being replaced.

Attached hereto is a verified statement from a certified engineer that the replacement equipment complies with the Public Health Compliance Standard.

Submitted by:_____
(NAME/TITLE)

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PUBLIC WORKS RESPONSE

☐ The request is approved. Public Works has determined that Permittee's request of to replace the antenna(s) and/or equipment described above and installed under the above-referenced Personal Wireless Service Facility Site Permit complies with Public Works Code § 1521.

☐ The request is denied. Public Works has determined that Permittee's request to replace the antenna(s) and/or equipment described above and installed under the above-referenced Personal Wireless Service Facility Site Permit does not comply with Public Works Code § 1521 for the reason(s) set forth below:

_____

_____

By:_____
(NAME/TITLE)

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EXHIBIT 9

APPLICATION TO RENEW A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

Applicant/Permittee: _____

Agent: _____

Mailing Address*:* _____

Telephone No.: _____

E-Mail:_____

Date: _____

Permit No.: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**
Expiration Date: **[MM/DD/YYYY]**

1. Pole Location (Street Segment /Pole Number [if applicable])

_____

2. Eligibility for Renewal (check all that apply)

☐ Applicant has not obtained a permit to modify the permitted Personal Wireless Service Facility

☐ Applicant has not previously renewed the Personal Wireless Service Facility Site Permit

☐ Applicant is submitting this application at least six months before the Personal Wireless Service Facility Site Permit will expire

3. Required Documents

☐ Attached is a verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the permitted Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the permitted Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building façade.

4. Application Fees (check required fees and include appropriate checks)

☐ Department of Public Works renewal application fee ($225)
☐ Department of Public Health renewal application fee ($181)

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I certify that the information contained in the application is correct.

_____ _____

Signature of Applicant's Authorized Agent **Date**

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EXHIBIT 10

ELIGIBLE FACILITIES REQUEST

[MM/DD/YYYY]

Permit No: **[XXWR-XXXXX]**
Permittee: **[Name of Company]**
Location: **[Number and Street Address]**

1. Base Station: (Check One)

☐ Public Works has already determined that Permittee's Personal Wireless Service Facility is a Base Station.

☐ Permittee's Personal Wireless Service Facility is a Base Station because Permittee was a plaintiff in the matter entitled *T-Mobile West LLC v. City and County of San Francisco* and (circle one): (a) the Personal Wireless Service Facility was permitted before November 27, 2014; or (b) the equipment used for the Personal Wireless Service Facility contains equipment that is identical to the equipment used by the Permittee on its Personal Wireless Service Facilities that were permitted on or before November 27, 2014.

☐ Permittee's Personal Wireless Service Facility is a Base Station for the following reason(s):

_____

_____

2. Transmission Equipment

☐ The equipment to be modified on Permittee's Personal Wireless Service Facility consists of Transmission Equipment.

3. No Substantial Change to the Physical Dimensions

☐ The proposed modification of Permittee's Personal Wireless Service Facility will not result in a Substantial Change of the Physical Dimensions of the utility pole where the Personal Wireless Service Facility for the following reason(s).

_____

_____

4. Equipment to be Removed and/or Replaced (Check All that Apply)

☐ **ANTENNA(S)**

DESCRIBE THE ANTENNA(S) TO BE REMOVED:

_____

_____

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DESCRIBE THE REPLACEMENT ANTENNA(S):

_____

_____

☐ **OTHER EQUIPMENT**

DESCRIBE THE SIZE AND USE OF ANY OTHER EQUIPMENT TO BE REMOVED:

_____

_____

DESCRIBE THE SIZE AND USE OF THE REPLACEMENT EQUIPMENT:

_____

_____

DESCRIBE THE SIZE AND USE OF ANY NEW EQUIPMENT TO BE ADDED:

_____

_____

☐ **MODIFICATIONS TO UTILITY POLE**

DESCRIBE ANY REQUIRED MODIFICATIONS TO THE UTILITY POLE:

_____

_____

5. Required Documents (Check and Provide Documents)

☐ Attached is a photograph of the existing Personal Wireless Service Facility

☐ Attached is a location drawing of the proposed modified Personal Wireless Service Facility in twenty feet (20') to one inch (1") scale (20:1 scale) showing each of the following:

(a) Street name;
(b) Names of cross streets;
(c) The utility pole to be used;
(d) All existing facilities on the utility pole (if applicable); and
(e) All proposed facilities on the utility pole.

☐ Attached is photographic simulation of the proposed modified Personal Wireless Service Facility at the proposed location.

☐ Attached is a verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the permitted Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the permitted Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building façade.

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☐ Attached is a verified statement from a registered engineer stating that the proposed modification of the existing Personal Wireless Service Facility: (1) would not compromise the structural integrity of the utility pole and will be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (2) would comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

6. Application Fees (Check Required Fees and Include Appropriate Checks)

☐ Public Works application fee ($338)
☐ Department of Public Health application fee ($181) (if required)

I certify that the information contained in the application is correct.

_____ _____

Signature of Permittee's Authorized Agent **Date**

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 11

APPLICATION FOR A PERMIT TO MODIFY A PERMITTED PERSONAL WIRELESS SERVICE FACILITY

[MM/DD/YYYY]

To: **[Contact Person]**
Bureau of Street Use and Mapping
San Francisco Public Works
1155 Market Street, 3rd Floor
San Francisco, CA 94103

Permit No: **[XXWR-XXXXX]**
Permittee: **[Name of Company]**
Location: **[Number and Street Address]**

1. Equipment to be Removed and/or Replaced (Check All that Apply)

☐ **ANTENNA(S)**

DESCRIBE THE ANTENNA(S) TO BE REMOVED:

_____

_____

DESCRIBE THE REPLACEMENT ANTENNA(S):

_____

_____

☐ **OTHER EQUIPMENT**

DESCRIBE THE SIZE AND USE OF ANY OTHER EQUIPMENT TO BE REMOVED:

_____

_____

DESCRIBE THE SIZE AND USE OF THE REPLACEMENT EQUIPMENT:

_____

_____

DESCRIBE THE SIZE AND USE OF ANY NEW EQUIPMENT TO BE ADDED:

_____

_____

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

☐ **MODIFICATIONS TO UTILITY POLE**

DESCRIBE ANY REQUIRED MODIFICATIONS TO THE UTILITY POLE:

_____

_____

2. Required Documents (Check and Provide Required Documents)

☐ Attached is a photograph of the existing Personal Wireless Service Facility

☐ Attached is a location drawing of the proposed modified Personal Wireless Service Facility in twenty feet (20') to one inch (1") scale (20:1 scale) showing each of the following:

(a) Street name;
(b) Names of cross streets;
(c) The utility pole to be used;
(d) All existing facilities on the utility light pole (if applicable); and
(e) All proposed facilities on the utility light pole.

☐ Attached is photographic simulation of the proposed modified Personal Wireless Service Facility at the proposed location.

☐ Attached is a verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the modified Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the permitted Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building façade.

☐ Attached is a verified statement from a registered engineer stating that the installation of the proposed Personal Wireless Service Facility: (1) would not compromise the structural integrity of the utility pole and will be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (2) would comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

3. Objective Standards (Check One)

☐ The modified Personal Wireless Service Facility meets the Objective Standards.
☐ The modified Personal Wireless Service Facility does not meet the Objective Standards.

4. Application Fees (Check Required Fees and Include Appropriate Checks)

☐ Department of Public Works application fee ($338)
☐ Department of Public Health application fee ($181) (if required)

I certify that the information contained in the application is correct.

_____ _____

Signature of Permittee's Authorized Agent **Date**

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 12

NOTICE OF COMPLETENESS/DEFICIENCY FOR AN ELIGIBLE FACILITIES REQUEST

[MM/DD/YYYY]

To: **[Applicant/Permittee Name]**
[Applicant/Permittee Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

Public Works has reviewed the Eligible Facilities Request for the above-referenced Personal Wireless Service Facility Site Permit and has made the following determination:

☐ The Eligible Facilities Request is **Complete**. Public Works will continue to process the request.

☐ The Eligible Facilities Request is **Incomplete** for the following reasons.

- ☐ Proof that the permitted Personal Wireless Service Facility is a Base Station is missing or incomplete (circle one).
- ☐ Proof that the equipment to be replaced is Transmission Equipment is missing or incomplete (circle one).
- ☐ Proof that the proposed modifications would not result in a Substantial Change of the Physical Dimensions of the utility pole where the Personal Wireless Service Facility is missing or incomplete (circle one).
- ☐ Proof that the proposed modified Personal Wireless Service Facility would comply with the Public Health Compliance Standard is missing or incomplete (circle one).
- ☐ Description of replacement or new antenna(s) and/or equipment is missing or incomplete (circle one).
- ☐ Description of modification to utility, transit, or street light pole is missing or incomplete (circle one).
- ☐ Location drawings are missing or incomplete (circle one).
- ☐ Photo simulations are missing or incomplete (circle one).
- ☐ The following Application fees are missing:_____

Application reviewed by:_____
(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 13

NOTICE OF COMPLETENESS/DEFICIENCY FOR AN APPLICATION TO MODIFY A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Applicant/Permittee Name]**
[Applicant/Permittee Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

Public Works has reviewed the Application for a Permit to Modify the above-referenced Personal Wireless Service Facility Site Permit and has made the following determination:

☐ The Application is **Complete**. Public Works will continue to process the Application.

☐ The Application is **Incomplete** for the following reasons.

- ☐ Proof that the proposed modified Personal Wireless Service Facility would comply with the Public Health Compliance Standard is missing or incomplete (circle one).
- ☐ Description of replacement or new antenna(s) and/or equipment is missing or incomplete (circle one).
- ☐ Description of modification to utility pole is missing or incomplete (circle one).
- ☐ Location drawings are missing or incomplete (circle one).
- ☐ Photo simulations are missing or incomplete (circle one).
- ☐ The following Application fees are missing:_____

Application reviewed by:_____
(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 14

NOTICE OF FINAL DETERMINATION TO APPROVE OR DENY APPLICATION TO RENEW A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Permittee/Applicant Name]**
[Permittee/Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

Public Works has reviewed the above-referenced Application to Renew a Personal Wireless Service Facility Site Permit and has made the following determination:

☐ The Application is **APPROVED.**

☐ The Application is **DENIED** for the following reason(s) **(check applicable boxes)**:

☐ Public Works has determined that the applicable Personal Wireless Service Facility Site Permit is not eligible for renewal because (circle applicable reason): (a) the permitted Personal Wireless Service Facility was previously modified pursuant to a Modification Permit; and/or (b) the Personal Wireless Service Facility Site Permit was previously renewed.

☐ The Department of Public Health has determined that the proposed Personal Wireless Service Facility does not comply with the Public Health Compliance Standard for the following reason(s):_____

_____

☐ Public Works has issued to the Permittee the following notices of deficiency related to the following Personal Wireless Service Facility Site Permits, and the Permittee has not corrected the deficiencies within a reasonable time after receiving notice:

1. _____
2. _____
3. _____

By:_____
(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 15

NOTICE OF FINAL DETERMINATION TO APPROVE OR DENY APPLICATION AN ELIGIBLE FACILITIES REQUEST

[MM/DD/YYYY]

To: **[Permittee/Applicant Name]**
[Permittee/Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

Public Works has reviewed the Eligible Facilities Request submitted for the above-referenced Personal Wireless Service Facility Site Permit has made the following determination:

☐ Public Works **APPROVES** the Eligible Facilities Request.

☐ Public Works **DENIES** the Eligible Facilities Request for the following reason(s) (check all applicable boxes):

☐ The permitted Personal Wireless Service Facility is not a Base Station for the following reason(s):

_____

_____

☐ The equipment to be replaced is not Transmission Equipment for the following reason(s):

_____

_____

☐ The proposed modification would result in a Substantial Change to the Physical Dimensions of the Utility, Transit, or Street Light Pole where the Personal Wireless Service Facility has been installed for the following reason(s):

_____

_____

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☐ The proposed modified Personal Wireless Service Facility would not comply with the Public Health Compliance Standard for the following reason(s):

_____

_____

Application reviewed by:_____

(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 16

NOTICE OF FINAL DETERMINATION TO APPROVE OR DENY APPLICATION TO MODIFY A PERSONAL WIRELESS SERVICE FACILITY

[MM/DD/YYYY]

To: **[Permittee/Applicant Name]**
[Permittee/Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

Public Works has reviewed the Application to Modify the above-referenced Personal Wireless Service Facility Site and makes the following determination:

☐ Public Works **DENIES** the Application for the following reasons:

_____

_____

☐ Public Works **APPROVES** the Application without conditions.

☐ Public Works **APPROVES** the Application subject to the conditions of approval set forth below (check all that apply). Permittee/Applicant has five (5) business days from the date of this notice to accept the conditions or Public Works will deny the Application.

☐ Public Works:_____

☐ Department of Public Health:_____

☐ Planning Department:_____

☐ Recreation and Park Department:_____

Application reviewed by:_____
(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 17

NOTICE OF SUSPENSION OF DEPARTMENT REVIEW OF APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT OR APPLICATION TO RENEW OR MODIFY A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Applicant Name]**
[Applicant Company]
[Number and Street Address]
[City, State, Zip Code]

Location: **[Number and Street Address]**
Permit No: **[XXWR-XXXXX] (Renewal/Modification Application Only)**

Public Works is suspending its review of the above-referenced **[circle one]**: (1) Application for a Personal Wireless Service Facility Site Permit; or (2) Application to Renew a Personal Wireless Service Facility Site Permit; or (3) Application to Modify a Personal Wireless Service Facility for the following reasons:

☐ Public Works has issued to the Applicant notices of deficiency related to the following Personal Wireless Service Facility Site Permits, and the Applicant has not corrected the deficiencies within a reasonable time after receiving notice:

_____

_____

_____

By:_____
(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 18

NOTICE EXPIRATION OF PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[MM/DD/YYYY]

To: **[Permittee Name]**
[Permittee Company]
[Number and Street Address]
[City, State, Zip Code]

Permit No: **[XXWR-XXXXX]**
Location: **[Number and Street Address]**

The above-referenced Application for a Personal Wireless Service Facility Site Permit will expire on **[MM/DD/YYYY]**. Public Works has determined the Permittee may renew the Personal Wireless Service Facility Site Permit. A renewal application must be submitted no later than six (6) months prior to the expiration date. If Permittee timely submits an application for a new Personal Wireless Service Facility Site Permit Permittee may maintain the permitted Personal Wireless Service Facility unless or until there is a final determination denying Permittee's application for a new Personal Wireless Service Facility Site Permit at this location.

Application reviewed by:_____
(NAME/TITLE)

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 19

AGREEMENT TO EXTEND DEADLINE FOR CITY AND COUNTY OF SAN FRANCISCO PUBLIC WORKS TO ACT ON AN APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

[Applicant Name] ("Applicant") has filed with the City and County of San Francisco ("City") Public Works ("Public Works") Application # _____ for a Personal Wireless Service Facility Site Permit ("Application").

Provided that: (i) Public Works issues a final determination to grant or deny the Application within 60 days from [**today's date**]; and (ii) the Board of Appeals rules on any timely appeal filed of the Application within 60 days from the Public Works determination, then Applicant and City mutually agree that City will have acted within a "reasonable period of time" under 47 U.S.C. § 332(c)(7)(b)(ii), as that term has been construed by the Federal Communications Commission.

City and County of San Francisco Public Works	**[Applicant Name]**
By:_____	By:_____
Name:_____	Name:_____
Title:_____	Title:_____
Date:_____	Date:_____

DocuSign Envelope ID: 25CE587F-1F2A-43D3-86C0-24743AB193C6

EXHIBIT 20

PUBLIC NOTICE OF FINAL DETERMINATION TO APPROVE A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

Date:

Application No.:
Applicant Name:
Location:

San Francisco Public Works has finally approved the above-referenced Application for a Personal Wireless Service Facility Site Permit in the vicinity of _____ submitted by _____.

The antenna and other equipment to be installed at this location include: _____. A photo-simulation of the approved Personal Wireless Service Facility is attached hereto. A copy of the approved Permit is attached.

Public Works has made a determination that the Application satisfied the applicable requirements of the Public Works Code: The final approval includes the following condition(s):

1.
2.
3.

Within fifteen (15) calendar days of the issuance of this notice, any person may appeal the issuance of this permit to the Board of Appeals. Appeals must be filed in person by either the appellant or the appellant's agent. Generally, the Board of Appeals requires that an appointment be made to file an appeal. For further information regarding the appeal process, or to schedule an appointment, please contact the Board of Appeals in person at 1650 Mission Street, Suite 304 or call 415-575-6880.

An appeal must be based on one or more of the following grounds:

1. The Department of Public Health incorrectly determined that the Application complies with the Public Health Compliance Standard (Public Works Code § 1507(b)).
2. The Application does not meet the applicable Compatibility Standard for the following reason(s) (delete those that do not apply):
    a. Public Works improperly determined that the Application meet the Objective Standards adopted by Public Works in Public Works Order No. _____.
    b. The Planning Department incorrectly determined that the Application meets the applicable Tier A and/or B Compatibility Standard (Public Works Code § 1509(b)).
    c. The Department of Recreation & Parks incorrectly determined that the Application meets the Tier C Compatibility Standard (Public Works Code § 1510(b)).

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3. The Application does not comply with any other requirement for obtaining a Personal Wireless Service Facility Site Permit.

To obtain additional information concerning the Application and final approval you may contact _____. You may also contact San Francisco Public Works at _____.

Public Works Wireless Program

Certificate Of Completion

Envelope Id: 25CE587F1F2A43D386C024743AB193C6
Status: Completed
Subject: Order 201970 - Order No. 201,970: Revised and Superseding Public Works Order 184,504
Source Envelope:
Document Pages: 78
Signatures: 3
Certificate Pages: 5
Initials: 0
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Envelope Originator:
DPW DocuSign
30 Van Ness Ave. Suite 4400
San Francisco, CA 94102
dpw-docusign.service@sfdpw.org
IP Address: 208.121.64.4

Record Tracking

Status: Original
10/1/2019 11:40:37 AM
Holder: DPW DocuSign
dpw-docusign.service@sfdpw.org
Location: DocuSign

Signer Events	Signature	Timestamp
Bernard Tse Bernie.Tse@sfdpw.org Public Works Security Level: Email, Account Authentication (None)	DocuSigned by: 538EA14480EB46D... Signature Adoption: Drawn on Device Using IP Address: 208.121.64.7	Sent: 10/1/2019 11:40:41 AM Viewed: 10/3/2019 8:13:23 AM Signed: 10/8/2019 10:05:00 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
John Thomas John.Thomas@sfdpw.org Deputy Director Public Works Security Level: Email, Account Authentication (None)	DocuSigned by: B3944D53BAFD487... Signature Adoption: Pre-selected Style Using IP Address: 208.121.64.7	Sent: 10/8/2019 10:05:03 AM Viewed: 10/8/2019 10:12:38 AM Signed: 10/9/2019 4:10:59 PM
Electronic Record and Signature Disclosure: Accepted: 9/25/2017 8:51:22 AM ID: 4e0d5871-b73d-4fc1-9628-bc63968c2df6		
Nuru, Mohammed Mohammed.Nuru@sfdpw.org Director Public Works Security Level: Email, Account Authentication (None)	DocuSigned by: 81145AB17F474FA... Signature Adoption: Pre-selected Style Using IP Address: 208.121.64.7	Sent: 10/9/2019 4:11:02 PM Viewed: 10/10/2019 1:01:56 PM Signed: 10/10/2019 1:02:13 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Palacios, Leoncio Leoncio.Palacios@sfdpw.org Public Works Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 10/1/2019 11:40:41 AM Viewed: 10/1/2019 11:41:05 AM
Brien, Luwalhati Luwalhati.Brien@sfdpw.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 10/8/2019 10:05:04 AM
Slocum, Gregory Gregory.Slocum@sfdpw.org City and County of San Francisco Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 10/9/2019 4:11:02 PM

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/9/2019 4:11:02 PM
Certified Delivered	Security Checked	10/10/2019 1:01:57 PM
Signing Complete	Security Checked	10/10/2019 1:02:13 PM
Completed	Security Checked	10/10/2019 1:02:13 PM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Public Works (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Public Works:
You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: dannie.tse@sfdpw.org

To advise Public Works of your new e-mail address
To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at dannie.tse@sfdpw.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..
In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Public Works
To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to dannie.tse@sfdpw.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Public Works
To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
ii. send us an e-mail to dannie.tse@sfdpw.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically
To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.
By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and

- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and

- Until or unless I notify Public Works as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Public Works during the course of my relationship with you.

EXHIBIT 3

Public Works Order No: 184,504

City and County of San Francisco

San Francisco Public Works
Office of the Deputy Director & City Engineer, Fuad Sweiss
Bureau of Street-Use & Mapping
1155 Market Street, 3rd Floor
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DPW Order No: 184504

REGULATIONS IMPLEMENTING THE REQUIREMENTS OF SAN FRANCISCO PUBLIC WORKS CODE ARTICLE 25 AND REVISING AND SUPERSEDING DEPARTMENT OF PUBLIC WORKS ORDER NO. 183,440

Section 1. PURPOSES AND APPLICABILITY OF ORDER

A. Purposes.

1. Public Works adopted Department of Public Works Order No. 179,406 on June 29, 2011 for the purpose of implementing the requirements of San Francisco Public Works Code Article 25, approved by the Board of Supervisors on January 4, 2011 in Ordinance No. 12-11.

2. Public Works adopted Department of Public Works Order No. 180,222 on May 1, 2012 for the purpose of correcting, amending, and clarifying various aspects of Department of Public Works Order No. 179,406.

3. On February 3, 2015, the Board of Supervisors adopted Ordinance No. 18-15 amending Article 25. Ordinance No. 18-15 became effective on March 16, 2015.

4. Public Works adopted Department of Public Works Order No. 183,440 on March 30, 2015 for the purpose of implementing the requirements of Article 25 as amended by Ordinance No. 18-15.

5. Public Works is adopting this Order for the purpose of correcting, amending, and clarifying various aspects of Department of Public Works Order No. 183,440. This Order, therefore, supersedes and replaces Order No. 183,440 in its entirety.

Section 2. DEFINITIONS

A. Use of Defined Terms. Unless the context otherwise specifies or requires, when capitalized the terms defined in this Section shall, for all purposes of this Order, have the meanings specified herein.

B. Defined Terms. The following definitions are to be equally applied to both the singular and plural forms of any of the terms defined herein.

1. "Adjacent" means:

(a) On the same side of the street and in front of the building or the next building on either side, when used in connection with a national historic landmark, California landmark, San Francisco Landmark, structure of merit, architecturally significant building, or locally significant building;

(b) In front of and on the same side of the street, when used in connection with a City park or open space; and

(c) The Utility, Transit, or Street Light Pole on the same side of the street and in front of the address used in the Application, or the next property on either side of the address used in the Application, when used in connection with the street tree requirement contained in Public Works Code § 1506.

2. "Applicable Law" means all applicable federal, state, and City laws, ordinances, codes, rules, regulations, orders, standard plans and specifications, as the same may be amended or adopted from time to time. "Applicable Law" also means the requirements contained in a Utility Conditions Permit previously issued to an Applicant.

3. "Applicant" means a Person that has applied for a Personal Wireless Service Facility Site Permit or a Modification Permit. Where the Applicant is an agent for a Person that will be a Permittee, the term Applicant shall include Permittee.

4. "Application" means an application for a Personal Wireless Service Facility Site Permit or a Modification Permit.

5. "Base Station" means a Utility, Transit, or Street Light Pole or Transmission Equipment enabling the provision of FCC–licensed or authorized wireless communications between user equipment and a communications network that has been installed at a fixed location.

6. "Block Face" means the sidewalk between and including two (2) contiguous curb corners without any intervening street or other roadway, not including alleys.

7. "Business Day" means any Monday through Friday that is not observed as an official holiday by the City.

8. “CEQA” means the California Environmental Quality Act (California Public Resources Code § 21000, et seq.).

9. “City” means the City and County of San Francisco.

10. “Compatibility Standard” means the Planning Protected, Zoning Protected, or Park Protected Compatibility Standard applicable to the proposed location for a Personal Wireless Service Facility as fully described in Public Works Code § 1502.

11. “Complete” when referring to an Application for a Personal Wireless Service Facility Site Permit or a Modification Permit means that the Applicant has provided Public Works with: (a) all of the information required in Section 5 below; and (b) a correct address for each Utility, Transit, or Street Light Pole to be used in connection with the proposed Personal Wireless Service Facility.

12. “Conditions” means any additional requirements that a City department reviewing an Application for a Personal Wireless Service Facility Site Permit has determined are necessary for the Application to meet those requirements of Public Works Code Article 25 that are within that department’s purview, provided that no such Conditions may include a requirement that an Applicant use a particular technology for a Personal Wireless Service Facility.

13. “Day” means any calendar day. For the purposes hereof, the time in which an act is to be performed shall be computed by excluding the first Day and including the last. For the purposes hereof, if the time in which an act is to be performed falls on Day that is not a Business Day the time for performance shall be extended to the following Business Day.

14. “Director” means the Director of Public Works or his or her designee.

15. “Eligible Facilities Request” means a request to modify an Existing Base Station that involves either the: (a) collocation of new Transmission Equipment; (b) removal of Transmission Equipment; or (c) replacement of Transmission Equipment.

16. “Existing Base Station” means a Base Station that contains Transmission Equipment that has been reviewed and approved by Public Works in a Personal Wireless Service Facility Site Permit. An Existing Base Station shall not include Transmission Equipment consisting of fiber-optic or other communications lines installed on a Utility Pole where such installation was neither reviewed nor approved by Public Works in a Personal Wireless Service Facility Site Permit.

17. “Emergency” means an unforeseen combination of circumstances or the resulting state that calls for immediate action in order to prevent injury to

persons or property or to ensure the continuous provision of Personal Wireless Services.

18. “FCC” means the Federal Communications Commission.

19. "Graffiti" means any inscription, word, figure, marking or design that is affixed, marked, scratched, drawn or painted on a Personal Wireless Service Facility, whether permanent or temporary, without the consent of Permittee.

20. “Installation Period” means a time set forth in a Personal Wireless Service Facility Site Permit for Permittee to Substantially Complete Installation of the permitted Personal Wireless Service Facility. Unless a longer period is otherwise stated in the Permit, the Installation Period shall be one (1) year after the issuance of the Permit.

21. “Modification Permit” means a Permit issued by Public Works authorizing the modification of Personal Wireless Service Facility equipment installed on an Existing Base Station or a Utility, Transit, or Street Light Pole pursuant to a Personal Wireless Service Facility Site Permit.

22. “Order” means these Department of Public Works Regulations Implementing the Requirements of San Francisco Public Works Code Article 25 and Revising and Superseding Department of Public Works Order No. 180,222.

23. “Park Protected Location” means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is Adjacent to a City park or open space.

24. “Permittee” means a Person issued a Personal Wireless Service Facility Site Permit by Public Works under Public Works Code Article 25 and this Order.

25. “Person” means any natural person, corporation, or partnership
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26. “Personal Wireless Service” means commercial mobile services provided under a license issued by the FCC.

27. “Personal Wireless Service Facility” means antennas and related facilities and equipment used to provide or facilitate the provision of Personal Wireless Service.

28. “Personal Wireless Service Facility Site Permit” or “Permit” means a permit issued under Public Works Code Article 25 and this Order as it has been approved, amended, or renewed by Public Works authorizing the Permittee to install and maintain the equipment included in the Application for a Personal Wireless Service Facility on the Utility, Transit, or Street Light Pole(s) identified in the Application.

29. “Planning Protected Location” means any of the proposed locations for a Personal Wireless Service Facility described in Public Works Code § 1502.

30. “Public Health Compliance Standard” means whether:

    (a) Any potential human exposure to radio frequency emissions from a proposed Personal Wireless Service Facility described in an Application is within the FCC guidelines; and

    (b) Noise at any time of the day or night from the proposed Personal Wireless Service Facility described in an Application is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade.

31. “Public Rights-of-Way” means the area in, on, upon, above, beneath, within, along, across, under, and over the public streets, sidewalks, roads, lanes, courts, ways, alleys, spaces, and boulevards within the geographic area of the City in which the City now or hereafter holds any property interest, which is dedicated to public use.

32. “Public Works” means City and County of San Francisco Public Works.

33. “Public Works Code” means the S.F. Public Works Code.

34. “Replace” means to remove previously permitted equipment and install new equipment at a permitted Personal Wireless Service Facility that is identical in size or smaller than the previously permitted equipment.

35. “Start Installation” or “Starting Installation” means the date when Permittee first installs any of the equipment approved in a Permit.

36. “Street Light Pole” means a pole used solely for street lighting and which is located in the Public Rights-of-Way.

37. “Substantially Change the Physical Dimensions” means to: (a) increase the height of an Existing Base Station by more than ten percent (10%) or more than ten feet (10’), whichever is greater; (b) add an appurtenance to the body of an Existing Base Station that would protrude from the edge of the Existing Base Station by more than six feet (6’); (c) install on an Existing Base Station more than the standard number of new equipment cabinets for the technology involved, or more than four (4) cabinets; (d) install equipment cabinets on the ground if there are no ground cabinets associated with an Existing Base Station; (e) install new ground cabinets that are more than ten percent (10%) larger in height or volume than any ground cabinets associated with an Existing Base Station; (f) excavate or deploy Transmission Equipment outside of the location of an Existing

Base Station; or (g) defeat any elements that conceal the Transmission Equipment installed on an Existing Base Station.

38. "Substantially Complete Installation" or "Substantial Completion of Installation" means the earlier of the date when either: (a) Permittee has installed all of the Permittee's equipment approved in a Permit; or (b) a permitted Personal Wireless Service Facility is being used to provide or facilitate the provision of Personal Wireless Service.

39. "Substantially Obstruct Views from or Block Light into Residential Windows" means the placement of any part of a proposed Personal Wireless Service Facility in a manner that would substantially obstruct the views from or block the light into a set of windows serving a living space in a private residence. The mounting of low-profile equipment enclosures (fourteen inches (14") wide or less and eight inches (8") deep or less) flush with the Utility, Transit or Street Light Pole would not typically be expected to result in substantial impairment unless the Utility, Transit or Street Light Pole is less than six feet (6') from a residential window. The mounting of equipment enclosures either eight feet (8') away from a window (if attached to the top of the pole), or six feet (6) away from a window (if attached to a side arm mount), as measured from the nearest portion of the equipment enclosure, would not typically be expected to result in substantial impairment; provided that the diameter of the equipment is not more than twenty inches (20'').

40. "Tentative Approval" means the tentative approval of an Application for a Personal Wireless Facility Site Permit by Public Works prior to the issuance of public notice of that approval.

41. "Tier A Compatibility Standard" means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the neighborhood.

42. "Tier A Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in an Unprotected Location.

43. "Tier B Compatibility Standard" means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is either within or Adjacent to a Planning Protected Location or Zoning Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Planning Protected Location or Zoning Protected Location.

44. "Tier B Personal Wireless Service Facility" means a Personal Wireless Service Facility where the proposed location for the facility is in a Planning Protected Location or Zoning Protected Location.

45. “Tier C Compatibility Standard” means that an Applicant for a Personal Wireless Service Facility on a Public Right-of-Way that is either within or Adjacent to a Park Protected Location has demonstrated that the proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of Park Protected Location.

46. “Tier C Personal Wireless Service Facility” means a Personal Wireless Service Facility where the proposed location for the facility is in a Park Protected Location.

47. “Transit Pole” means a pole used solely to support Municipal Transportation Agency transit overhead traction power cables and which is located in the Public Rights-of-Way.

48. “Transmission Equipment” means equipment that facilitates transmission of FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supply.

49. “UCP” means a Utility Conditions Permit issued by Public Works under S.F. Administrative Code § 11.9(a).

50. “Unprotected Location” means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is not a Planning Protected Location, a Zoning Protected Location, or a Park Protected Location.

51. “Utility Pole” means a power pole or telephone pole or other similar pole located within the Public Rights-of-Way.

52. “Verified Statement” means a statement that is signed by a Person with knowledge of the contents thereof.

53. “Zoning Protected Location” means a proposed location for a Personal Wireless Service Facility in the Public Rights-of-Way that is within a Residential or Neighborhood Commercial zoning district under the San Francisco Planning Code.

Section 3. GENERAL REQUIREMENTS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Permit Required.

1. A Personal Wireless Service Facility Site Permit is required for each and every Personal Wireless Service Facility to be installed in the Public Rights-of-Way.

2. A Personal Wireless Service Facility Site Permit shall be in a form approved by Public Works and shall contain such information as Public Works deems appropriate.

3. A Personal Wireless Service Facility Site Permit shall contain such Conditions that are required by any City department that reviewed the Application and that are accepted by the Permittee.

4. Public Works may include in a Personal Wireless Service Facility Site Permit Conditions that are new or different from those contained in the Tentative Approval, provided Public Works has determined that those new or different Conditions are necessary to ensure that the permitted Personal Wireless Service Facility will be in compliance with the terms and conditions of Article 25 and this Order.

B. Application Processing.

1. Public Works will process each Application for a Personal Wireless Service Facility Permit separately.

2. In accordance with S.F. Campaign and Governmental Conduct Code § 3.400, Public Works shall process all Applications for Personal Wireless Service Facility Site Permits in the order in which they are received.

3. There is no limit to the number of Applications for Personal Wireless Service Facility Site Permits that an Applicant may file at any given time. Public Works, however, is not required to begin processing more than ten (10) Applications filed by any single Applicant in any period of five (5) consecutive Business Days. Public Works may include in this limit Applications that have been returned to Public Works following notice that the Application was not Complete.

C. Completion of CEQA Review Required.

Public Works shall not issue a Personal Wireless Service Facility Site Permit until the Planning Department has completed its review of the Application under CEQA.

Section 4. COMMUNITY MEETINGS

Public Works encourages Applicants for Personal Wireless Service Facility Site Permits to meet with local residents, business owners, and neighborhood groups registered with the Planning Department in affected neighborhoods in advance of filing Applications.

Section 5. APPLICATION REQUIREMENTS

An Application for a Personal Wireless Service Facility Site Permit shall not be Complete unless it contains all of the following information.

A. Application Form.

Each Applicant for a Personal Wireless Service Facility Site Permit shall submit a completed Application form.

B. Identification of Equipment.

1. An Application shall identify all equipment the Applicant intends to install on a Utility, Transit, or Street Light Pole.

2. The Application shall not include fiber-optic or coaxial cables attached to Utility, Transit, or Street Light Poles other than on the pole the Applicant intends to use for its antenna and equipment cabinets.

C. Proof of Permission.

An Application shall contain proof that the Applicant has obtained permission from the Utility, Transit, or Street Light Pole owner(s) to install the proposed Personal Wireless Service Facility on any existing Utility, Transit, or Street Light Pole, or to replace an existing Utility, Transit, or Street Light Pole to accommodate the proposed Personal Wireless Service Facility. Proof that the Applicant is a member in good standing of the Northern California Joint Pole Association will be sufficient for joint Utility Poles.

D. Proof of Authority to Use the Public Rights-of-Way

An Application shall contain proof the Applicant has a valid and existing Utility Conditions Permit.

E. Proof of CEQA Compliance.

An Application shall contain proof that the Planning Department has completed its review of the Application under CEQA.

F. Proof of Compliance with the Public Health Compliance Standard.

An Application shall contain proof of compliance with the Public Health Compliance Standard as follows:

1. A Verified Statement from a registered engineer to the effect that the Applicant complies with the Public Health Compliance Standard.

2. An Applicant may choose to file only one (1) Verified Statement of compliance with the Public Health Compliance Standard for every type of equipment that the Applicant intends to use with two (2) or more Applications for Personal Wireless Service Facility Site Permits. After Public Works has approved one (1) Application for a Personal Wireless Service Facility Site Permit using a particular type of equipment, when

filing any subsequent Applications using the identical equipment the Applicant may file a copy of both the previously filed Verified Statement and the Department of Public Health's approval of that Verified Statement.

3. Notwithstanding the foregoing, if the Department of Public Health has ever imposed any Conditions on the Applicant's use of a particular type of equipment the Applicant shall include such information in the Application.

G. Location Drawing.

An Application shall contain a location drawing of the proposed Personal Wireless Service Facility in a twenty feet (20') to one inch (1") scale (20:1 scale) showing each of the following:

1. Street name;

2. Names of cross streets;

3. Utility, Transit, or Street Light Pole to be used;

4. All existing facilities on the Utility, Transit, or Street Light Pole; and

5. All proposed facilities on the Utility, Transit, or Street Light Pole;

6. All proposed signage to be placed on the equipment or on the Utility, Transit, or Street Light Pole.

H. Photographic Simulations and Photographs.

1. A photographic simulation of the proposed Personal Wireless Service Facility at the proposed location showing views from across and down the street; and

2. A photograph or site drawing in a twenty feet (20') to one inch (1") scale (20:1 scale) showing the location of any existing Personal Wireless Service Facilities in the Public Rights-of-Way that are within a one hundred and fifty foot (150') radius of the proposed Personal Wireless Service Facility.

I. Proof of Compliance with Insurance Requirements.

An Application shall contain a certificate of insurance in a form acceptable to the City's Risk Manager showing that the Applicant complies with the requirements of Public Works Code § 1526.

J. Application Fees.

An Application shall include checks for any fees that are payable to each City department that must review the Application. If a City department is entitled to

additional fees under Public Work Code § 1527(d), the department shall notify the Applicant at a later date.

K. Certificate of Appropriateness.

An Application shall contain a Certificate of Appropriateness from the Planning Department if the proposed location for the Personal Wireless Service Facility is within a historic district designated by the Board of Supervisors under Article 10 of the Planning Code.

L. Proper Use of Utility, Transit, or Street Light Pole.

An Application shall contain a Verified Statement from a registered engineer stating that the installation of the proposed Personal Wireless Service Facility: (1) would not compromise the structural integrity of the Utility, Transit, or Street Light Pole and will be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (2) would comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

M. Existing Personal Wireless Service Facilities.

A list of all permitted and installed Personal Wireless Service Facilities.

Section 6. APPLICATIONS FOR PERSONAL WIRELESS SERVICE FACILITY SITE PERMITS

A. Completeness Review.

1. Public Works shall first determine whether an Application for a Personal Wireless Service Facility is Complete.

2. Public Works shall endeavor to notify the Applicant within three (3) Business Days of its receipt of an Application whether the Application is Complete, but shall have up to thirty (30) Days to issue the notice.

3. If the Application is Complete, Public Works shall process the Application as set forth in this Section.

4. If the Application is not Compete, Public Works shall return the Application along with the statement of what additional information Public Works requires to make the Application Complete. Public Works will not process an Application until the Applicant has returned the Application to Public Works with all of the required information.

5. Public Works may issue additional notices that an Application is not Complete if any resubmitted Application does not contain all of the information requested by Public Works. Any additional notices shall be

issued within ten (10) Days of receipt of the information required from the Applicant in the prior notice.

B. Tolling.

1. The timely issuance by Public Works of a notice that the Application is not Complete shall toll any deadline for issuing a final determination that is required by federal or State law.

2. The time period shall restart on the date that the Applicant has provided Public Works with all of the information required for a Complete Application.

3. This same rule shall apply to an additional notices that an Application is not Complete issued by Public Works after an Application has been resubmitted.

C. Suspension or Denial of Application for Lack of Compliance.

Public Works may suspend review of or deny a Complete Application for a Personal Wireless Facility Site Permit if Public Works has issued to the Applicant a notice of deficiency related to any existing Personal Wireless Service Facility Site Permit, and the Applicant has not corrected the deficiency within a reasonable time as required by Public Works under Section 26 below.

D. Department Conditions.

Within (5) Business Days of Public Works' determination that an Application for a Personal Wireless Service Facility Site Permit is Complete, Public Works shall notify the Applicant whether it will add any Public Works Conditions to the Tentative Approval.

E. Referral to Other City Departments.

Immediately following Public Works' determination that the Application is Complete, Public Works shall:

1. Refer the Application to the Department of Public Health for review under the Department of Public Health Compliance Standard.

2. Refer the Application to the Planning and/or Recreation and Park Department for review under the appropriate Compliance Standard.

F. Tentative Approvals.

Public Works shall issue a Tentative Approval of an Application for a Personal Wireless Service Facility Site Permit within five (5) Business Days of the occurrence of the last of the following events:

1. Public Works' receipt of a determination from the Department of Public Health that the Application complies with the Public Health Compliance Standard;

2. Public Works' receipt of a determination from the Planning and/or the Recreation and Park Department that the Application satisfies the applicable Compatibility Standard; or

3. If any City department adds any Conditions to its approval of the Application, Public Works' receipt of a notice from the Applicant that it accepts all of those Conditions.

G. Final Determinations.

1. Public Works shall issue a final determination denying an Application for a Personal Wireless Service Facility Site Permit that is subject to a protest within three (3) Business Days after the Director issues a decision upholding the protest and denying the Application.

2. Public Works shall issue a final determination approving an Application for a Personal Wireless Service Facility Site Permit with as follows:

   (a) If no protest is timely submitted, Public Works shall issue a final determination approving the Application within five (5) Business Days after the time to file a protest has expired; or

   (b) If a protest is timely submitted, Public Works shall issue a final determination approving the Application within three (3) Business Days after the Director issues a decision denying the protest and approving the Application.

H. Notice that Application Should be Deemed Approved.

1. If an Applicant for a Personal Wireless Service Facility Site Permit determines that Public Works has not issued a final determination within one hundred and fifty (150) Days after the Application was submitted (subject to applicable tolling), as required by Government Code § 65964.1, the Applicant shall notify Public Works in writing that the Applicant has determined that the Application should be "deemed approved" as required by State law. In the notice, the Applicant shall demonstrate that it has completed all of the tasks required of the Applicant up through to the day of the notice.

2. Within five (5) Business Days of receipt of the notice, Public Works will notify the Applicant whether or not Public Works agrees that the Application should be deemed approved.

3. An Applicant's failure to notify Public Works as set forth above shall mean that its Application will not be "deemed approved" regardless of whether Public Works has issued a final determination within one hundred and fifty (150) Days after the Application was submitted (subject to applicable tolling) as required by Government Code § 65964.1.

4. Notwithstanding the foregoing, the Permittee and Department may agree in writing to extend the deadline for issuing a final determination approving or denying an Application for a Personal Wireless Service Facility Site Permit.

Section 7. PLANNING DEPARTMENT REVIEW

A. Referral Required.

Prior to approving an Application for a Tier A or B Personal Wireless Service Facility Site Permit, Public Works shall refer the Application to the Planning Department for review under the applicable Compatibility Standard.

B. Review and Approval Required.

1. The Planning Department shall review the Application in the time set forth in Public Works Code § 1509(b).

2. Public Works shall not approve an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit unless the Planning Department determines that the Application satisfies the applicable Compatibility Standard.

C. Conditions.

1. The Planning Department's determination that an Application for a Tier A or B Personal Wireless Service Facility Site Permit satisfies the applicable Compatibility Standard may include such Conditions as the Planning Department deems appropriate to insure that the Application satisfies the applicable Compatibility Standard.

2. The Planning Department's determination that an Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit satisfies the applicable Compatibility Standard may include a Condition that Permittee plant and maintain an appropriate street tree Adjacent to the Utility, Transit, or Street Light Pole so as to provide a screen for the permitted Personal Wireless Service Facility.

D. View Streets.

As required by the San Francisco General Plan, when making a determination whether a proposed Personal Wireless Service Facility would significantly impair the views of any important buildings, landmarks, open spaces, natural vistas, or parks, the

Planning Department shall only consider views of buildings, open spaces, natural vistas, or parks from the Public Rights-of-Way. The Planning Department shall not take into account views from private properties.

Section 8. RECREATION AND PARK DEPARTMENT REVIEW

A. Referral Required.

Prior to approving an Application for a Tier C Personal Wireless Service Facility Site Permit, Public Works shall refer the Application to the Recreation and Park Department for review under the Park Protected Location Compatibility Standard.

B. Review and Approval Required.

1. The Recreation and Park Department shall review the Application in the time set forth in Public Works Code § 1510(b).

2. Public Works shall not approve an Application for a Tier C Personal Wireless Service Facility Site Permit unless the Recreation and Park Department determines that the Application satisfies the Park Protected Location Compatibility Standard.

C. Conditions.

1. The Recreation and Park Department's determination that an Application for a Tier C Personal Wireless Service Facility Site Permit satisfies the Park Protected Location Compatibility Standard may include such Conditions as the Recreation and Park Department deems appropriate to insure that the Application satisfies the Park Protected Location Compatibility Standard.

2. The Recreation and Park Department's determination that an Application for a Tier C Personal Wireless Service Facility Site Permit satisfies the Park Protected Location Compatibility Standard may include a Condition that Permittee plant and maintain an appropriate street tree Adjacent to the Utility, Transit, or Street Light Pole so as to provide a screen for the permitted Personal Wireless Service Facility.

Section 9. DEPARTMENT OF PUBLIC HEALTH REVIEW

A. Referral Required.

Prior to approving an Application for a Personal Wireless Service Facility Site Permit, Public Works shall refer the Applicant's Verified Statement concerning compliance with the Public Health Compliance Standard to the Department of Public Health for review under the Public Health Compliance Standard.

B. Review and Approval Required.

1. Public Works of Public Health shall review the Application in the time set forth in Public Works Code § 1507(b).

2. Public Works shall not approve an Application for a Personal Wireless Service Facility unless the Department of Public Health determines that the Application complies with the Public Health Compliance Standard.

C. Conditions.

The Department of Public Health's determination that an Application for a Personal Wireless Service Facility Site Permit complies with the Public Health Compliance Standard may include such Conditions as the Department of Public Health deems appropriate to insure such compliance.

Section 10. PROCEDURE FOR IMPOSING CONDITIONS OF APPROVAL

A. Time for Notice of City Department Conditions.

If any City department imposes any Conditions on its approval or Tentative Approval of an Application for a Personal Wireless Service Facility Site Permit, Public Works shall notify the Applicant in writing of the Conditions within two (2) Business Days of receipt of the determination from the applicable City department.

B. Contents of Notice of City Department Conditions

Public Works' notice of City department Conditions shall:

1. State in detail all of the Conditions required for Public Works to approve the Application for a Personal Wireless Service Facility Site Permit;

2. Identify the City department that imposed the Conditions; and

3. State that the Applicant has five (5) Business Days to notify Public Works whether it accepts the Conditions.

C. Initial Acceptance or Rejection of Conditions.

1. If the Applicant fails to timely accept, object, or propose modifications to any City department Conditions, Public Works shall treat the Conditions as rejected and deny the Application.

2. At the request of the Applicant in writing, Public Works may extend the time for the Applicant to determine whether to accept or reject the Conditions.

D. Objections to Conditions.

1. Within five (5) Business Days of receipt of notice that a City department has imposed any Conditions in its approval of an Application for a Personal Wireless Service Facility Site Permit the Applicant may send the

applicable City department written objections to the Conditions and request that the department modify one or more of those Conditions.

2. In addition to or instead of submitting objections to any City department Conditions, the Applicant may propose certain modifications to its Application for a Personal Wireless Service Facility Site Permit as an alternate means of satisfying the department's Conditions.

3. At the request of the Applicant in writing, Public Works may extend the time for the Applicant to determine whether to object to any Conditions and/or propose modifications to its Application.

4. Within five (5) Business Days of receipt of the Applicant's objections and/or request for modification to its Application, the applicable City department will notify the Applicant whether the department will modify any of the Conditions based on the objections and proposed modifications.

5. Within five (5) Business Days of receipt of the notice from a City department, the Applicant shall notify the applicable City department and Public Works whether it: (a) accepts the original Conditions if the department rejects the Applicant's objections; (b) accepts the Conditions as modified by any City department based on the Applicant's objections and proposed modifications. In no event may the Applicant make any further objections to the Conditions or request any new or different modifications to the Application.

6. If any proposed City department Conditions or modifications to the Application are stated in the alternative, the Applicant's acceptance of those Conditions or modifications to the Application must specifically identify which of those Conditions or modifications to the Application the Applicant accepts. If any proposed City department Conditions or modifications to the Application requires further information from the Applicant, the Applicant must provide the City department with any information or documentation that is necessary to determine whether the Applicant's acceptance complies with the Conditions or modification to the Application.

7. The applicable City department will notify the Applicant within two (2) Business Days whether the Applicant's acceptance complies with the Conditions.

8. If the acceptance is in compliance, Public Works will issue a Tentative Approval of the Application.

9. If the acceptance is not in compliance, Public Works will deny the Application.

Section 11. NOTICE OF TENTATIVE APPROVAL OF A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

A. Public Works' Notice to Applicant.

Public Works shall notify the Applicant of a Tentative Approval of an Application for a Personal Wireless Service Facility Site Permit as follows:

1. Within three (3) Business Days of the receipt of the required determinations from all City departments that must review the Application if no City department has included any Conditions of approval.

2. Within three (3) Business Days of the receipt of notice that the Applicant has accepted any and all Condition imposed by any City department.

B. Applicant's Notice to the Public.

1. The Applicant shall notify the public of a Tentative Approval of an Application for a Personal Wireless Service Facility Site Permit by mailing and posting the notice required by Public Works Code § 1512(b) within five (5) Business Days of receipt of the Tentative Approval from Public Works. The Applicant shall include Public Works on the mailing list to enable Public Works to verify the mailing date. The Applicant shall use an envelope containing the corporate name used in the Application and shall include on the front of the envelope the following language: "Notice of Tentative Approval of Personal Wireless Services Facility Site Permit" and "Dated Material – Please Open Immediately."

2. The Applicant shall use best efforts to ensure that the dates on the posted and mailed notices are the same dates in which the notices are actually posted and mailed. The Department may find that the Applicant failed to provide proper notice if the dates on the posted and mailed notices are more than three (3) Days before the dates that the Applicant actually posted or mailed the notices.

3. If the Application shows that the Applicant intends to use more than one (1) Utility, Transit, or Street Light Pole for its proposed Personal Wireless Service Facility, the mailing and posting requirements shall be based on the location of each pole identified in the Application as a proposed site for Applicant's equipment.

4. The Applicant shall promptly notify Public Works of its compliance with the requirements of Public Works Code § 1512(b). The Applicant shall provide Public Works with a copy of the notices mailed and posted along with the following information:

   (a) A list of all Persons to whom the Applicant sent the notice, and a statement that the list complies with Public Works Code § 1512(b)(1);

(b) A list of all locations where the Applicant posted the notice, and a statement that the locations comply with Public Works Code § 1512(b)(2); and

(c) The date the notices were mailed and posted.

5. Notwithstanding the foregoing, at the request of the Applicant in writing Public Works may grant the Applicant additional time to comply with the notice requirements of Public Works Code § 1512.

C. Contents of Notice.

1. The Applicant's notice shall contain all of the information specified in Public Works Code § 1512(c).

2. The Applicant's notice shall state that the deadline for filing a protest will start to run on the later of the date of the notice or the date of the postmark (if different).

3. The Applicant's notice shall also state that any Person requesting that the Planning Department impose a Condition to mitigate any obstructions of views from or blocking of light into any adjacent residential window shall include with such protest photographs or other documentation depicting the potential obstruction of views or blocking of light so that the Planning Department can review the claim and make a determination whether appropriate Conditions should be added to its approval the Personal Wireless Service Facility Site Permit.

D. Language Requirement.

1. The Applicant shall translate those portions of the notice of Tentative Approval required by Public Works into such language(s) that are relevant in the immediate vicinity of Applicant's proposed Personal Wireless Service Facility.

2. A language is relevant if at least twenty (20) percent of the residents in the immediate vicinity of Applicant's Personal Wireless Service Facility speak that language at home. The Applicant can make this determination by reviewing the San Francisco Planning Department's Neighborhoods Socio-Economic Profiles, which can be found at http://www.sf-planning.org/modules/showdocument.aspx?documentid=8779

3. If the Applicant is unable to make a determination what languages are relevant, the Applicant shall consult with Public Works before issuing the notice of Tentative Approval. The Applicant shall translate the notice into any of the languages required by Public Works.

E. Failure to Issue Proper Notice.

Public Works shall not complete processing of an Application for a Personal Wireless Service Facility Site Permit until Public Works determines that the Applicant fully complied with the requirements of Public Works Code § 1512.

Section 12. PROCEDURE FOLLOWING A PROTEST

A. Notice of Protest.

1. Public Works shall promptly give notice of any protest to the Applicant and any City department that reviewed the Application.

2. The notice shall include a copy of the protest.

B. Responses to Protest.

1. The Applicant shall submit a written response to the protest within seven (7) Business Days of receiving the protest from Public Works. The Applicant shall serve a copy of its response on the protester and any City department that reviewed the Application.

2. Public Works may submit a written response to the protest within seven (7) Business Days of sending the protest to the Applicant. Public Works shall serve a copy of its response on the protester, the Applicant, and any other City department that reviewed the Application.

3. Any other City department that reviewed the Application may submit a response to the protest within seven (7) Business Days of receiving the protest from Public Works. Such City department shall serve a copy of its response on the protester, the Applicant, and any other City department that reviewed the Application.

4. Public Works may agree in writing to extend the Applicant's time for filing a response. The Applicant shall promptly notify the protester and any other City department of the extension in writing. The Applicant's extension will have the effect of extending the time for City departments to file their responses.

5. If the Applicant fails to serve a copy of its response as required, a protester may request a continuance of the hearing, which shall be granted by the hearing officer upon a showing that the protester was prejudiced by the Applicant's failure.

C. Manner of Service.

Service of any notice or response required under this Section shall be by e-mail, unless a protester has not provided Public Works with an e-mail address, in which case service to the protester shall be by U.S. Mail.

D. Notice of Hearing Date.

In addition to the written notice required by Public Works Code § 1512(c), Public Works shall notify the general public of the hearing by:

1. Placing a notice in the official newspaper of the City and County of San Francisco;

2. Posting a notice on Public Works' website; and

3. Sending the notice to any Person requesting notice of any Tentative Approval of a Personal Wireless Service Facility Site Permit.

E. Conduct of Hearing.

This Section sets forth minimum requirements for the conduct of a hearing following a protest of a Tentative Approval. Based on the circumstances of the particular protest hearing, the hearing officer may establish additional rules, not inconsistent with Public Works Code Article 25 and this Order, for the conduct of the hearing.

1. Unless the hearing officer orders otherwise, the evidentiary portion of the hearing shall be conducted in the following manner:

   (a) The hearing officer shall make part of the record all the documentation set forth in Public Works Code § 1513(e).

   (b) The hearing officer shall make part of the record any documents submitted to Public Works prior to the hearing.

   (c) The hearing officer will take testimony. Any Person attending the hearing may testify and introduce documents into the record. The hearing officer shall determine in advance of the hearing how much time shall be allotted to each Person seeking to testify. The hearing officer may allot more time for the protester and the Applicant than for other Persons participating in the hearing; provided, however, that each protester will be given at least 5 (five) minutes to present his or her case. If there is more than one protester, the Applicant shall be allotted at least as much time as that allotted to all of the protestors.

   (d) The hearing officer shall hear testimony in the following order: (i) Public Works; (ii) any other City department; (iii) any protester; (iv) any Person supporting the protest; (v) the Applicant; (vi) any Person supporting the Application. The hearing officer shall also allow for a rebuttal from each protester.

   (e) Only the hearing officer may ask questions of a witness. Any Person attending the hearing may propose questions for the hearing officer to ask of a witness. The hearing officer may allot additional time to a witness when the hearing officer poses questions.

2. The hearing officer is not bound by formal rules of evidence. All relevant evidence may be admitted if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule that would render the admission of such evidence improper in a civil action.

3. With the agreement of the parties, the hearing officer may continue the hearing in order to receive additional evidence.

F. Hearing Officer's Report.

The hearing officer shall issue a written report and recommendation within ten (10) Business Days of the close of evidence. The report shall include a summary of the evidence and a recommendation to the Director to either uphold or deny the protest of an Application.

G. Director's Decision.

The Director shall issue a written decision adopting, modifying, or rejecting the hearing officer's report and recommendation within seven (7) Business Days of receipt of the hearing officer's report.

Section 13. POST PROTEST MODIFICATION OF APPLICATION

A. Modification Encouraged to Resolve Protest.

Public Works encourages an Applicant for a Personal Wireless Service Facility Site Permit that is the subject of a protest to meet with protester at any time after a protest is filed to determine whether the Application can be modified so as to obviate the need for the protest.

B. Hearing May Be Postponed or Suspended.

1. To facilitate cooperation between the Applicant and any protestors, the Applicant may request one or more of the following, in writing:

(a) That Public Works postpone the deadline for filing a response to a protest;

(b) That Public Works postpone issuing a notice of hearing date;

(c) That Public Works postpone the hearing date; and/or

(d) That the hearing officer suspend the hearing.

2. Public Works shall notify any protester that the hearing has been postponed or suspended as a result of a request by the Applicant.

C. Limited Modification.

Any modification allowed under this Section must concern the Personal Wireless Service Facility to be installed on the Utility, Transit, or Street Light Pole identified in the Application. Moving the proposed Personal Wireless Service Facility to another Utility, Transit, or Street Light Pole is not the type of modification that can be allowed following a protest.

D. Procedure Following Agreement.

If the Applicant and every protester agree to modify the Application, the following shall occur:

1. The hearing officer shall discontinue the hearing.

2. The Applicant shall submit a revised Application that contains the agreed upon modifications. The Applicant will provide the protesters with a copy of the revised Application.

3. The protesters shall withdraw the protest, provided the Permit contains the agreed upon modifications and the Application is otherwise the same as the original Application.

4. Public Works shall issue a final determination approving the Application as modified within five (5) Business Days of receipt of the revised Application, provided that Public Works determines that the revised Application contains the agreed upon modifications and is otherwise the same as the original Application.

Section 14. NOTICE OF FINAL DETERMINATION

A. Public Works' Notice.

1. Public Works shall notify the Applicant of a final determination to deny an Application for a Personal Wireless Service Facility Site Permit.

2. Public Works shall provide notice of a final determination to approve an Application for a Personal Wireless Service Facility Site Permit as follows:

   (a) To the Applicant and to any person or group identified in the neighborhood mailing list maintained by the Planning Department for any neighborhood that is within three hundred (300) feet of the permitted Personal Wireless Service Facility.

   (b) If a hearing was held following a protest of an Application for a Personal Wireless Service Facility Site Permit, to any Person who either filed a protest, submitted evidence, or appeared at the hearing, and whose name and address is known to Public Works.

(c) To any Person requesting notice of a final determination to approve an Application for a Personal Wireless Service Facility Site Permit.

3. Public Works shall send the notices of final determination required by this Section within five (5) Business Days of making the final determination.

4. Service of any notice required under this Section shall be by e-mail, unless an e-mail address is not available for any Person entitled to notice, in which case the notice to that Person shall be by U.S. Mail.

B. Applicant's Notice to the Public.

1. Immediately upon receipt of a notice of final determination from Public Works approving an Application for a Personal Wireless Service Facility Site Permit the Applicant shall post the notice in conspicuous places throughout the Block Face where the permitted Personal Wireless Service Facility is to be located.

2. After posting the notice, the Applicant shall provide Public Works with a list of all locations where the Applicant posted the notice and the date when posted.

C. Form of Notice of Final Determination.

1. A notice of final determination approving an Application for a Personal Wireless Service Facility Site Permit shall contain the information required in Public Works Code § 1514(a)(2).

2. The notice shall be translated into the same language(s) as was the notice of Tentative Approval as required by Section 9.D

Section 15. INSTALLATION OF STREET TREES

A. Installation Procedure.

1. Public Works shall notify the Bureau of Urban Forestry of the proposed location for the Personal Wireless Service Facility immediately upon receipt of a determination from the Planning and/or Recreation and Park Department that said City department has imposed a Condition on a Personal Wireless Service Facility Site Permit, pursuant to Public Works Code § 1506, that the Applicant install a street tree.

2. Within ten (10) Days after receipt of such notice, the Bureau of Urban Forestry ("Bureau") shall work with Permittee and the adjacent property owners to determine whether the proposed location for the Personal Wireless Service Facility is appropriate for a street tree. The Bureau will base its determination on the standards set forth in Department Order No. 178,631, Regulating the Planting, Maintenance, or Removal of Trees and

Landscape Material on Public Sidewalk Areas. If so, the Bureau will select the appropriate species and locations for such street trees and landscaping for each of the Preferred Locations.

3. If the Bureau of Urban Forestry, Permittee, and the adjacent property owners determine that the proposed location for the Personal Wireless Service Facility is appropriate for a street tree, Public Works shall include the required tree and location in Personal Wireless Service Facility Site Permit.

4. At the time the location is selected, the Bureau and Permittee shall ensure that the fronting property owners sign a Tree Planting Application, which shall require the fronting property owner to assume responsibility for maintenance of the tree after the Permit has expired.

5. Permittee shall complete the installation of any street tree required in a Personal Wireless Service Facility Site Permit within six (6) months of the Applicant's issuance of a notice of Substantial Completion of Installation.

6. Permittee shall notify the Bureau of Urban Forestry at least seventy-two (72) hours prior to installation of the required street tree and when Permittee has completed the installation of any required street tree.

B. "In-Lieu" Payment into Adopt-A-Tree Fund.

1. If the Bureau of Urban Forestry, Permittee, and adjacent property owner determine that a street tree is inappropriate at the proposed location for the Applicant's Personal Wireless Service Facility, Public Works shall instead require the Applicant to make an "in-lieu" payment into the "Adopt-A-Tree" fund.

2. As specified in Public Works Code §§ 802(h) and 807(f), the amount of the "in-lieu" fee shall be $1,641 per tree, or such adjusted amount authorized under those sections. The "in-lieu" fee shall be payable prior to the issuance of the Personal Wireless Service Facility Site Permit.

C. Care and Maintenance of Street Trees.

1. Permittee shall be responsible for the care and maintenance of any street tree required to be installed by Permittee in the Public Rights-of-Way under Public Works Code § 1506 during the term of the Personal Wireless Service Facility Site Permit. In this regard, Permittee shall assume the duty of a "property owner" as set forth in Public Works Code § 805.

2. For a fee to be determined by Public Works, Permittee may elect to have Public Works be responsible for the care and maintenance of any street tree required to be installed in the Public Rights-of-Way under Public Works Code § 1506. The terms and conditions of Public Works' duties

and responsibilities shall be contained in a separate agreement between Permittee and Public Works.

3. Upon the expiration of a Personal Wireless Service Facility Site Permit, the fronting property owner shall assume responsibility for maintenance of any street tree installed by a Permittee in the Public Rights-of-Way pursuant Public Works Code § 1506.

D. Bureau of Urban Forestry Fee.

1. In order to process an Application for a Personal Wireless Service Facility Site Permit in those instances where the Planning or Recreation and Park Department has required the installation of a street tree under Public Works Code § 1506, the Bureau of Urban Forestry must make a number of visits to the proposed location of the Personal Wireless Service Facility to determine: (a) whether the site is appropriate for a street tree; and, (b) if so, to further determine the appropriate species and location for the street tree.

2. Pursuant to Public Works Code § 1527(d), the Director of Public Works has determined it is unusually costly for Public Works to process such Application.

3. For every Application that requires a street tree, the Director of Public Works hereby imposes a processing fee of $345.

4. Such fee shall be due and payable to the Bureau of Urban Forestry within 10 (ten) days of Public Works notifying the Applicant that the Planning or Recreation and Park Department has required a street tree.

Section 16. INSTALLATION

A. Installation Period and Extension.

1. Permittee must Start Installation of a Personal Wireless Service Facility authorized by a Personal Wireless Service Facility Site Permit within the Installation Period unless Public Works, on the written request of Permittee, extends the Installation Period.

2. Public Works shall grant a request to extend the Installation Period if Permittee shows that additional time is needed for reasons directly related to construction requirements. Public Works may deny a request to extend the Installation Period if the request is made for any other reason. Public Works shall inform Permittee of its decision to grant or deny a request for an extension within five (5) Business Days of the request.

3. Any extension of the Installation Period granted by Public Works may be subject to additional special conditions, including, but not limited to,

conditions that ensure the timely Start and Substantial Completion of Installation during the extended Installation Period.

4. In no event will Public Works extend the Installation Period for more than one (1) year.

B. Starting Installation.

Permittee shall provide Public Works with a notice of Starting Installation within five (5) Business Days of Starting Installation of a Personal Wireless Service Facility.

C. Substantial Completion of Installation.

1. Permittee shall Substantially Complete Installation of a Personal Wireless Service Facility within sixty (60) Days of Starting Installation.

2. Permittee shall file with Public Works a notice of Substantial Completion of Installation within five (5) Business Days of Substantial Completion of Installation of a Personal Wireless Service Facility.

3. Permittee shall file with Public Works a Verified Statement from a registered engineer that the permitted and installed Personal Wireless Service Facility complies with the Public Health Compliance Standard within thirty (30) Business Days of Substantial Completion of Installation of a Personal Wireless Service Facility.

4. Prior to the Substantial Completion of Installation of a Personal Wireless Service Facility, any City department that reviewed the Application may request that a Permittee provide such department with photographs of the nearly completed Personal Wireless Service Facility. Providing such photographs will enable the City to determine in advance of the inspection whether the Permittee has complied with the requirements of the Personal Wireless Service Facility Site Permit.

D. Failure to Timely Start and/or Substantially Complete Installation.

If Permittee fails to timely Start Installation within the Installation Period, or Substantially Complete Installation as required by this Section, Public Works may revoke the previously issued Personal Wireless Service Facility Site Permit.

Section 17. CONSTRUCTION REQUIREMENTS

A. Compliance with Permit.

Permittee's construction of a Personal Wireless Service Facility shall fully comply with Permittee's Personal Wireless Service Facility Site Permit, including any Conditions contained therein.

B. Other Permits and Authorizations.

Permittee shall obtain all other permits and authorizations from Public Works or third parties that may be required prior to any construction, maintenance, repair, replacement, or modification of any Personal Wireless Service Facility. This shall include a temporary occupancy permit.

C. Department of Parking and Traffic.

Permittee shall contact the Department of Parking and Traffic for traffic requirements prior to beginning construction/installation.

D. Traffic Regulations.

Permittee shall conduct its construction/installation operations in accordance with the requirements of Article 11 of the S.F. Traffic Code.

E. Damage to Existing Facilities.

Permittee shall be solely responsible for any damage to existing facilities caused by Permittee's construction/installation activities.

F. Damage to the Public Rights-of-Way.

Permittee shall be solely responsible for any damage to the Public Rights-of-Way caused by Permittee's construction/installation activities.

G. City Signage.

Permittee shall be solely responsible for ensuring that any City signage removed from a Utility, Transit, or Street Light Pole during installation of a Personal Wireless Service Facility is replaced in the same location, unless Permittee obtains permission in writing from the City department responsible for installing and maintaining the sign to remove or relocate the sign.

H. Permit Posting.

Permittee shall post a copy of the first page of the issued Personal Wireless Service Facility Site on the pole during construction and inspection. Permit shall be removed after final inspection has been completed.

Section 18. INSPECTION

A. Time for Inspection.

1. Public Works shall inspect a permitted and installed Personal Wireless Service Facility as required under Public Works Code § 1516(b) within five (5) Business Days after receipt of notice of Substantial Completion of Installation required under Section 16 above.

2. Along with the notice, Permittee shall include photographs of the installed Personal Wireless Service Facility.

B. Requirements of Inspection.

Public Works shall inspect an installed Personal Wireless Service Facility to determine whether:

1. The installation is in accordance with the requirements of the Personal Wireless Service Facility Site Permit, including any Conditions imposed by any City department and accepted by Permittee.

2. The permitted Personal Wireless Service Facility complies with the Public Health Compliance Standard.

3. The Permittee has replaced any City signage that was removed from a Utility, Transit, or Street Light Pole during installation of a Personal Wireless Service Facility.

C. Notice of Deficiency.

Public Works shall issue a notice of deficiency under Public Works Code § 1517(b) and Section 26 below if Public Works determines after an inspection that an installed Personal Wireless Service Facility is not in compliance with a Personal Wireless Service Facility Site Permit, including any Conditions imposed by any City department and accepted by Permittee, the Public Health Compliance Standard, or any of the requirements of this Order.

Section 19. TERM AND EXPIRATION AND RENEWAL

A. Applicability of Term Provisions.

The term provisions contained in Public Works Code § 1519 and this Section shall apply to all Personal Wireless Service Facility Site Permits issued by Public Works including those issued under Section 11.9(b) of the Administrative Code (now repealed).

B. Applicability of Renewal Provisions.

The renewal provisions contained in Public Works Code § 1520 and this Section shall apply to all Personal Wireless Service Facility Site Permits issued by Public Works, including those issued under Section 11.9(b) of the Administrative Code (now repealed).

Section 20. Notice of Expiration of Permit.

Public Works may notify a Permittee one (1) year prior to the expiration date that the Permittee's Personal Wireless Service Facility Site Permit will expire. The failure to issue the timely notice shall not affect or extend the expiration date.

Section 21. RENEWAL PROCEDURE

A. Renewal.

1. Under Public Works Code § 1520, Permittee may renew a Personal Wireless Service Facility Site Permit for a Personal Wireless Service Facility that was not issued a Modification Permit for one (1) additional term of ten (10) years.

2. Permittee seeking to renew a Personal Wireless Service Facility Site Permit shall submit a renewal Application under this section. The Permittee shall submit the renewal Application no later than six (6) months prior to the expiration of the term of the Permit.

B. Renewal Application.

An Application to renew a Personal Wireless Service Facility Site Permit shall contain the following:

1. A completed renewal Application form.

2. A Verified Statement from a registered engineer that the operation of the permitted and installed Personal Wireless Service Facility complies with the Public Health Compliance Standard.

3. A statement that the Permit may be renewed because: (a) the permitted Personal Wireless Service Facility had not been issued a Modification Permit; and (b) the Permit had not been previously renewed.

C. Completeness and Eligibility Review.

1. Public Works shall first determine whether a renewal Application is Complete and eligible for renewal.

2. Public Works shall notify the Applicant within three (3) Business Days whether the renewal Application is both Complete and eligible for renewal.

3. If the renewal Application is Complete and eligible for renewal, Public Works shall process the Application as set forth below.

4. If the renewal Application is not Compete, Public Works shall return the Application along with a statement of what additional information Public Works requires to make the Application Complete.

5. If the renewal Application is not eligible for renewal, Public Works shall deny the Application.

D. Effect of Renewal Application.

A timely filed renewal Application will extend the term of a Permit until Public Works either denies or approves the renewal Application.

E. Approval or Denial of Renewal Application.

Public Works shall refer a renewal Application that is eligible for renewal to the Department of Public Health. Public Works shall issue a final determination approving or denying a renewal Application within three (3) Business Days of receipt of a determination from the Department of Public Health that the installed Personal Wireless Service Facility complies or does not comply with the Public Health Compliance Standard and Applicable Law related to human exposure to radio frequency emissions.

F. Suspension or Denial for Lack of Compliance.

Public Works may suspend review of or deny a renewal Application if Public Works has issued a notice of deficiency to the Applicant related to any existing Personal Wireless Service Facility Site Permit, and the Applicant has not corrected the deficiency within a reasonable time as required by Public Works under Section 26 below.

G. No Public Notice of Approval.

Public notice of a Public Works determination to approve a renewal Application is not required.

H. Effect of Approval.

Public Works' approval of a renewal Application shall extend the term of a Personal Wireless Service Facility for ten (10) years from the date of the expiration of the original Permit term.

I. Denial or Failure to Renew Application.

1. If Public Works denies a renewal Application, Permittee shall promptly remove the formerly permitted Personal Wireless Service Facility from the Public Rights-of-Way unless the Applicant files an appeal of the denial with the Board of Appeals. In which case, Public Works will stay enforcement of any removal requirement until the Board of Appeals issues a determination on the Applicant's appeal.

2. If Permittee fails to timely file a renewal Application, Public Works will notify Permittee that the Permit has expired and shall require Permittee to remove the formerly permitted Personal Wireless Service Facility from the Public Rights-of-Way within thirty (30) Days from the date of the notice.

3. Notwithstanding the requirements of this Section, for good cause shown Public Works may allow a Permittee that has failed to timely file a renewal Application to file an Application for a new Personal Wireless Service Facility Site Permit. In no event, however, shall Public Works allow a

Permittee to file a renewal Application after the date Public Works has required Permittee to remove the permitted Personal Wireless Service Facility from the Public Rights-of-Way.

J. Permits Not Eligible for Renewal.

1. If a Personal Wireless Service Facility Site Permit is not eligible for renewal, a Permittee must file a new Application for a Personal Wireless Service Facility Site Permit.

2. If the new Application is filed within six (6) months prior to the expiration of the Permit term, the Applicant may continue to maintain the permitted Personal Wireless Service Facility under the existing Permit unless or until there is a final determination denying Permittee's application for a new Personal Wireless Service Facility Site Permit at this location.

Section 22. REMOVAL OF FACILITIES UPON EXPIRATION OF PERMIT

A. Removal Required.

Upon the expiration or termination of a Personal Wireless Service Facility Site Permit, Permittee shall at its own expense permanently remove from the Public Rights-of-Way all permitted Personal Wireless Service Facilities including removing from the Utility, Transit, or Street Light Poles all antennas, cabling, conduits, mounting brackets, wireline or fiber-optic enclosures, informational warning stickers, and decals.

B. Failure to Remove Permitted Equipment.

If Permittee fails to timely remove a Personal Wireless Service Facility after expiration or termination of a Personal Wireless Service Facility Site Permit Public Works shall take all reasonable, necessary, and appropriate action in accordance with Applicable Law to remedy Permittee's failure to comply and may charge the reasonable costs actually incurred, including but not limited to administrative costs, to Permittee.

Section 23. REPLACEMENT AND REMOVAL OF EQUIPMENT

A. When Allowed.

A Permittee may Replace or remove equipment used at a permitted Personal Wireless Service Facility without obtaining a Modification Permit.

B. Equipment Replacement and Removal Procedure.

1. A Permittee seeking to Replace or remove equipment installed on a Utility, Transit, or Street Light Pole pursuant to a Personal Wireless Service Facility Site Permit where there is no Emergency shall provide Public Works with the information required under this Section at least five (5) Business Days prior to replacing the equipment.

2. A Permittee seeking to Replace or remove equipment installed on a Utility, Transit, or Street Light Pole pursuant to a Personal Wireless Service Facility Site Permit on an Emergency basis shall provide Public Works with the information required under this Section within two (2) Business Days of replacing the equipment.

C. Information Required for Replacement Equipment.

When Replacing equipment installed on a permitted Personal Wireless Service Facility a Permittee shall provide Public Works with the following information:

1. The use and size of each piece of equipment the Permittee is seeking to remove from the Utility, Transit, or Street Light Pole;

2. The use and size of each piece of equipment the Permittee is seeking to install on the Utility, Transit, or Street Light Pole to Replace existing equipment; and

D. Public Works Notification.

1. Public Works shall notify a Permittee within five (5) Business Days of receipt of a request to Replace equipment installed on a Utility, Transit, or Street Light Pole whether the request complies with the requirements of Public Works Code § 1521.

2. If Public Works notifies the Permittee that the request does not comply, the Permittee may not Replace the Equipment. In the case of an Emergency replacement, the Permittee must remove the replacement equipment and install new replacement equipment that complies with Public Works Code § 1521.

3. Any Permittee that is denied a request to Replace equipment at a permitted Personal Wireless Service Facility may instead file an Application for a Modification Permit under Public Works Code § 1522.

Section 24. MODIFICATION PERMITS

A. Modification Permit Required.

A Modification Permit is required to replace equipment at a permitted Personal Wireless Service Facility that is not identical in size or smaller than the permitted equipment being removed or to collocate or add new equipment to a permitted Personal Wireless Service Facility.

B. Modification Permit Application.

1. In an Application for a Modification Permit submitted under Public Works Code § 1522(c)(1), the Applicant shall:

(a) State the basis for Applicant's claim that the permitted Personal Wireless Service Facility is a Base Station;

(b) State whether the Application consists of an Eligible Facilities Request;

(c) State whether each piece of equipment the Applicant is seeking to add to an Existing Base Station is Transmission Equipment;

(d) State whether the proposed modification would result in a Substantial Change to the Physical Dimensions of an Existing Base Station;

(e) Identify the use and size of any equipment that the Applicant seeks to remove from an Existing Base Station;

(f) Identify the use and size of any equipment that the Applicant seeks to add to an Existing Base Station;

(g) Provide recent photographs of the Existing Base Station;

(h) Provide drawings or photo-simulations of the existing and new equipment the Permittee is seeking to install on an Existing Base Station;

(i) Verify that the modified Base Station would comply with the Public Health Compliance Standard; and

(j) Verify that the modified Base Station would not compromise the integrity of the Utility, Transit, or Street Light Pole where the Personal Wireless Service Facility has been installed.

2. In an Application for a Modification Permit submitted under Public Works Code §§ 1522(c)(2), 1522(c)(3) or 1522(d) the Applicant shall:

(a) Identify the use and size of any equipment that the Applicant seeks to remove from a Utility, Transit, or Street Light Pole;

(b) Identify the use and size of any equipment that the Applicant seeks to add to a Utility, Transit, or Street Light Pole;

(c) Provide drawings and photo-simulations of the existing and new equipment the Permittee is seeking to install on a Utility, Transit, or Street Light Pole; and

(d) Verify that the modified Personal Wireless Service Facility would comply with the Public Health Compliance Standard.

C. Completeness Review.

1. Public Works shall first determine whether an Application for a Modification Permit is Complete.

2. Public Works shall endeavor to notify the Applicant within three (3) Business Days whether the Application for a Modification Permit is Complete, but shall have up to thirty (30) Days to issue the notice.

3. If the Application for a Modification Permit is Complete, Public Works shall process the Application as set forth below.

4. If the Application for a Modification Permit is not Complete, Public Works shall return the Application along with a statement of what additional information Public Works requires to make the Application Complete. Public Works will not process an Application until the Applicant has returned the Application to Public Works with all of the required information.

5. Public Works may issue additional notices that an Application is not Complete if any resubmitted Application does not contain all of the information requested by Public Works. Any additional notices shall be issued within ten (10) Days of receipt of the information required from the Applicant in the prior notice.

D. Tolling.

1. The timely issuance by Public Works of a notice that an Application for a Modification Permit is not Complete shall toll any deadline for issuing a final determination that is required by federal or State law.

2. The time period shall not restart until after the Applicant has provided Public Works with all of the information required for a Complete Application.

3. This same rule shall apply to an additional notice that an Application for a Modification Permit is not Complete issued by Public Works after an Application has been resubmitted.

E. Referral to Department of Public Health Review.

Public Works may refer an Application for a Modification Permit to the Department of Public Health if Public Works has reason to believe that the proposed modifications to a permitted Personal Wireless Service Facility identified in the Application would result in the modified Personal Wireless Service Facility being out of compliance with the Public Health Compliance Standard.

F. Public Works Approval.

1. Public Works shall approve an Application for a Modification Permit under Public Works Code § 1522(c)(1) if the Application consists of an Eligible Facilities Request, provided that the installation of the modified Transmission Equipment would not Substantially Change the Physical Dimensions of an Existing Base Station.

2. Public Works may approve any of the following types of Applications for Modification Permits if the Permittee complies with the requirements of Public Works Code § 1522(e)(2):

(a) The Application is under Public Works Code § 1522(c)(2) because the Permittee is seeking to install new Transmission Equipment that would Substantially Change the Physical Dimensions of an Existing Base Station.

(b) The Application is under Public Works Code § 1522(c)(3) because the Permittee is seeking to modify equipment other than Transmission Equipment.

(c) The Application is under Public Works Code § 1522(d) because the Permittee is seeking to modify a Personal Wireless Service Facility that is not a Base Station.

G. Time for Public Works Approval.

1. Public Works shall make a final determination whether to approve or deny an Application for a Modification Permit within ten (10) Business Days of Public Works' determination that the Application is Complete.

2. If the Application for a Modification Permit falls under the requirements of Public Works Code § 1522(c)(1), and Public Works has not issued a final determination approving or denying an Application for a Modification Permit within sixty (60) Days after the Application was submitted (subject to any application tolling), the Permittee shall notify Public Works after the reviewing period has expired that the Permittee has deemed the Application granted. Absent such a notice, the Permittee may not claim that the Application has been deemed granted.

5. In all other instances, Public Works shall issue a final determination approving or denying an Application for a Modification Permit within ninety (90) Days (subject to any application tolling). If an Applicant for a Modification Permit determines that Public Works has not issued a final determination within ninety (90) Days after the Modification Permit Application was submitted (subject to applicable tolling), as required by Government Code § 65964.1, the Applicant shall notify Public Works in writing that the Applicant has determined that the Modification Permit Application should be "deemed approved" as required by State law. An Applicant's failure to notify Public Works as set forth above shall mean that its Modification Permit Application will not be "deemed approved" regardless of whether Public Works has issued a final determination within ninety (90) Days after the Modification Permit Application was submitted (subject to applicable tolling) as required by Government Code § 65964.1.

4. Notwithstanding the foregoing, the Permittee and Department may agree in writing to extend the deadline for issuing a final determination approving or denying a Modification Permit Application.

H. Suspension or Denial for Lack of Compliance.

Public Works may suspend review of or deny an Application for a Modification Permit if Public Works has issued a notice of deficiency to the Applicant related to any existing Personal Wireless Service Facility Site Permit, and the Applicant has not corrected the deficiency within a reasonable time as required by Public Works under Section 26 below.

I. Effect of Modification Permit on Permit Term.

The issuance of a Modification Permit will not start a new term. The Modification Permit will expire on the same date the Personal Wireless Service Facility Site Permit previously issued to the Permittee for that location will expire.

J. Appeal of Public Works Determination.

A Public Works determination to deny any Application for a Modification Permit, including an Application submitted under Public Works Code § 1522(c)(1), may be appealed to the Board of Appeals.

Section 25. INACTIVE OR ABANDONED PERSONAL WIRELESS SERVICE FACILITIES

A. Removal of Inactive Facilities

Permittee shall remove from the Public Rights-of-Way any Personal Wireless Services Facilities that have not been used to provide Personal Wireless Service for six (6) continuous months, unless Permittee demonstrates to Public Works that: (i) Permittee's non-use of the permitted Personal Wireless Service Facilities for six (6) months was reasonable under the circumstances; and (ii) Permittee intends to re-activate the permitted Personal Wireless Service Facilities within the next six (6) months.

B. Notice of Abandonment.

1. Public Works shall notify Permittee whenever Public Works has reason to believe that a Personal Wireless Service Facility, including any of the component parts thereof, has been abandoned because it has not been properly maintained or because it has not been used to provide Personal Wireless Service for six (6) continuous months. A Personal Wireless Service Facility that has been marked with Graffiti has not been properly maintained.

2. The notice shall state that Permittee has sixty (60) Days to remove either the entire abandoned Personal Wireless Service Facility, or any of the component parts thereof that have been abandoned, from the Public Rights-of-Way.

C. Response to a Notice of Abandonment.

1. If Permittee disagrees with the notice of abandonment, within sixty (60) Days of receipt of the notice Permittee shall notify Public Works in writing that:

   (a) The Personal Wireless Service Facility is in good working order;

   (b) Permittee intends to repair or replace any equipment used for a Personal Wireless Service Facility that has not been properly maintained within thirty (30) Days; or

   (c) Permittee will remove any Graffiti from the Personal Wireless Service Facility within thirty (30) Days.

2. At the request of Permittee in writing, Public Works may grant Permittee an extension of time to repair or replace the abandoned Personal Wireless Service Facility.

3. If Public Works agrees with Permittee, Public Works shall withdraw the notice.

C. Failure to Remove Abandoned Facility.

1. If Permittee fails to remove the abandoned Personal Wireless Service Facility, as required by Public Works, Public Works may remove the facility.

2. Public Works will endeavor to remove the Personal Wireless Service Facility and to return the equipment to Permittee in the same condition as it was at the time of removal. Public Works, however, does not assume any responsibility for any damage to the equipment resulting from Public Works' removal and storage of any abandoned equipment.

3. Public Works may deduct the cost of removing the abandoned Personal Wireless Service Facility from Permittee's deposit required under Public Works Code § 1523 and Section 27 below.

D. Removal of a Personal Wireless Service Facility

In removing an inactive or abandoned Personal Wireless Service Facility from the Public Rights-of-Way, the Permittee shall remove from the Utility, Transit, or Street Light Pole all antennas, cabling, conduits, mounting brackets, wireline or fiber-optic enclosures, informational warning stickers, and decals.

Section 26. NOTICE OF DEFICIENCY

A. Contents of Notice.

A notice of deficiency issued pursuant to Public Works Code § 1517(b) shall:

1. State the basis for Public Works' determination that a permitted Personal Wireless Service Facility is not in compliance with a Personal Wireless Service Facility Site Permit, Public Works Code Article 25, or this Order;

2. Give Permittee reasonable time to correct the deficiency. If the notice of deficiency concerns a violation of the Public Health Compliance Standard, Public Works may require immediate compliance;

3. State Public Works' remedies if Permittee fails to take corrective action, which can include revocation of the Permit; and

4. Notify Permittee whether Public Works intends to suspend review of or deny other pending Applications for a Personal Wireless Service Facility Site Permits should Permittee fail to timely correct the deficiency.

B. Compliance with Notice of Deficiency.

1. Permittee shall timely comply with a notice of deficiency.

2. If Permittee should fail to timely comply with a notice of deficiency Public Works:

(a) Shall take the corrective action set forth in the notice; and

(b) May suspend review of or deny Permittee's pending Applications for Personal Wireless Service Facility Site Permits.

Section 27. DEPOSIT

Permittee's deposit required under Public Works Code § 1523 shall be available to Public Works to secure the faithful performance of the obligations of Permittee under any Personal Wireless Service Facility Site Permit. If Permittee has not made such a deposit, Permittee shall submit and maintain with Public Works one (1) bond, cash deposit, or other security acceptable to Public Works securing the faithful performance of the obligations of Contractor and its agent under any Permit issued under this Order. The deposit shall be in the sum of $25,000 in favor of the "Public Works, City and County of San Francisco." If the Director has deducted any amounts from such a deposit pursuant to this Order, Permittee must restore the full amount of the deposit prior to Public Works' issuance of a subsequent Permit. Public Works shall return the deposit to Permittee should Permittee cease to operate any Personal Wireless Service Facilities in the Public Rights-of-Way.

Section 28. ADDITIONAL FEES

A. Director May Require Additional Permit Fees.

1. Pursuant to Public Works Code § 1527(d), the Director may require an Applicant for a Personal Wireless Service Facility Site Permit to pay a sum in excess of the normal Permit fees.

2. Public Works shall not approve an Application for a Personal Wireless Service Facility Site Permit unless Applicant agrees to pay these additional Permit fees when required.

B. Imposition of Additional Permit Fees for Individual Applications.

1. Any City department reviewing an Application for a Personal Wireless Service Facility Site Permit shall determine whether its review of an individual Application will be unusually costly. A City department other than Public Works shall provide Public Works with an estimate of its additional costs along with an explanation of the reasons these additional costs must be incurred.

2. Prior to requiring additional Permit fees, the Director shall notify an Applicant that it will be unusually costly for either Public Works or another City department to review an Application for a Personal Wireless Service Facility Site Permit. The notice shall include an estimate of its additional costs along with an explanation of the reasons these additional costs must be incurred, and shall offer the Applicant the opportunity to withdraw or modify the Application in order to avoid any additional Permit fees.

3. With the consent of the Applicant, the applicable City department may incur these costs and recover them as additional Permit fees.

C. Imposition of Additional Permit Fees for a Class of Permit Applications.

1. The Director may impose additional fees for a class of Applications for Personal Wireless Service Facility Site Permits where the Director has determined that processing such Applications will be unusually costly to process.

2. To impose such additional fees, the Director must issue a Director's order stating the reasons such fees are required and necessary.

3. Once the Director establishes such fees, Public Works shall not approve an Application for a Personal Wireless Service Facility Site Permit unless and until the fee is paid, if applicable.

Section 29. RECOVERY OF CITY DEPARTMENT COSTS

A. Costs of Technical Experts.

1. Pursuant to Public Works Code § 1527(f), any City department may retain the services of an expert in order to evaluate an Application for a Personal

Wireless Service Facility Site Permit, and seek reimbursement for the cost of those services from an Applicant.

2. Prior to incurring any reimbursable costs, a City department shall notify an Applicant that it requires the services of a technical expert. The notice shall explain in detail the expert services required and offer the Applicant the opportunity to withdraw or modify the Application in order to avoid those costs.

3. If the Applicant intends to pursue the Application, the applicable City department shall then work with the Applicant to identify Persons with the necessary expertise to provide the required services and to establish a budget for the expert's services.

4. With the consent of the Applicant, the applicable City department shall retain the expert to perform the required services.

B. Publication Cost for Notice of Hearing.

1. Public Works shall require an Applicant for a Personal Wireless Service Facility that is the subject of a protest to reimburse Public Works for the cost of publishing notice of the hearing in the official newspaper of the City and County of San Francisco.

2. After placing the advertisement, Public Works shall bill the Applicant for such costs, which bill shall be due and payable within thirty (30) Days.

3. In the event the Applicant fails to pay as required, Public Works may deduct the cost of the advertisement from Permittee's deposit required under Public Works Code § 2.4.40 and Section 27 above.

Section 30. BASE STATION DETERMINATION

A. Request for Base Station Determination.

1. An Applicant for a Personal Wireless Service Facility Site may submit a request to Public Works for a determination that its proposed Personal Wireless Service Facility is a Base Station along with its Application.

2. A Permittee may submit a request to Public Works for a determination that a permitted Personal Wireless Service Facility is a Base Station at any time.

3. An Application for a Modification Permit may state in the Application that a permitted Personal Wireless Service Facility is a Base Station.

B. Time for Public Works Determination.

1. Public Works shall issue a determination on a request for a Base Station determination submitted by an Applicant for a Personal Wireless Service Facility Site Permit when Public Works issues a final determination approving or denying the Application for the applicable Permit.

2. Public Works shall issue a determination on a request for a Base Station determination submitted by Permittee within ten (10) Business Days of receipt of the request.

3. Public Works shall issue a determination whether a permitted Personal Wireless Service Facility identified in an Application for a Modification Permit is a Base Station along with the determination granting or denying the Application.

C. Treatment of Certain Personal Wireless Service Facilities.

1. If a Permittee was a plaintiff in the lawsuit filed in the San Francisco Superior Court entitled *T-Mobile West LLC v. City and County of San Francisco* (Case No, CGC-11-510703) all of the Permittee's Personal Wireless Service Facilities that were permitted on or before November 27, 2014 shall be treated as Base Stations.

2. If a Permittee was a plaintiff in the lawsuit filed in the San Francisco Superior Court entitled *T-Mobile West LLC v. City and County of San Francisco* (Case No, CGC-11-510703) Public Works shall treat any of the Permittee's Personal Wireless Service Facilities permitted after November 27, 2014 as Base Stations provided the Permittee demonstrates to Public Works that the equipment used by Permittee on those Personal Wireless Service Facilities is similar to the equipment used by the Permittee on the Personal Wireless Service Facilities that were permitted on or before November 27, 2014.

D. Effect of Base Station Determination.

Once Public Works has made a determination that a permitted Personal Wireless Service Facility is a Base Station, Public Works shall rely on that determination to determine whether to approve or deny an Application for a Modification Permit for that particular Personal Wireless Service Facility.

Section 31. PLANNING DEPARTMENT REVIEW UNDER PUBLIC WORKS CODE § 1509(b)(2).

A. Review upon Receipt of Application.

1. If the Planning Department can determine from the Application that a proposed Personal Wireless Service Facility Site Permit would Substantially Obstruct Views from or Block Light into a Residential Window, the Planning Department may Condition its approval of the Application on the Applicant agreeing to modify the design of the proposed

Personal Wireless Service Facility Site in order to mitigate these effects by, among other things, relocating or reorienting the equipment to be installed on the Utility, Transit, or Street Light Pole.

2. Public Works may deny the Application if the Applicant refuses to accept these Conditions.

B. Review Following a Protest.

1. If a protest of Tentative Approval of an Application for a Personal Wireless Service Facility Site Permit includes a claim that the proposed Personal Wireless Service Facility would Substantially Obstruct Views from or Block Light into a Residential Window, the Planning Department will review the photographs and other documentation submitted by the protester to determine the validity of the claim. If necessary, the Planning Department will request that the protester provide the Planning Department and Applicant with access to the premises.

2. Within five (5) Business Days of receipt of the protest, the Planning Department will notify Public Works, the protester, and the Applicant in writing whether the Planning Department agrees with the protester that the proposed Personal Wireless Service Facility would Substantially Obstruct Views from or Block Light into a Residential Window and, if so, what Conditions the Planning Department will add to its approval of the Application to ameliorate the obstruction/blocking.

3. Within two (2) Business Days of receipt of these Conditions, the Applicant will notify Public Works, the Planning Department, and the protester in writing whether the Applicant accepts or objects to the proposed Conditions.

4. Public Works may deny the Application if the Applicant refuses to accept these Conditions.

C. Review Following a Hearing.

If any Person attending a hearing on a protest of Tentative Approval of an Application for a Personal Wireless Service Facility Site Permit claims that the proposed Personal Wireless Service Facility would Substantially Obstruct Views from or Block Light into a Residential Window, and the hearing officer determines based on the record during the hearing that such claims are legitimate, then the following process shall take place:

1. The hearing officer shall continue the hearing so that the Applicant and the Planning Department may further investigate those claims, including by visiting the premises with the permission of the property owner or resident.

2. The Applicant and the Planning Department shall report back to the hearing officer and the protester in writing within five (5) Business Days.

3. The Planning Department may recommend that the hearing officer Conditions its approval of the Application on the Applicant agreeing to modify the design of the proposed Personal Wireless Service Facility to mitigate these effects by, among other things, relocating or reorienting the equipment on the Utility, Transit, or Street Light Pole.

3. If either the protester or the Applicant disagrees with the Planning Department's report and/or recommendations, the hearing officer shall determine whether the proposed Personal Wireless Service Facility would Substantially Obstruct Views from or Block Light into a Residential Window and, if so, what Conditions should be added to the Permit to mitigate these effects.

4. If the hearing officer determines that the proposed Personal Wireless Service Facility would Substantially Obstruct Views from or Block Light into a Residential Window the hearing officer may recommend that the Director disapprove the Application unless the Applicant accepts any additional Conditions that the hearing officer determines are necessary to mitigate these effects.

D. Basis for Determination.

1. In making a determination that a proposed Personal Wireless Facility would Substantially Obstruct Views from or Block Light into a Residential Window, the Planning Department or hearing officer will consider the following:

(a) If there is existing utility infrastructure in front of any windows on a residential property, the extent to which the proposed Personal Wireless Service Facility would substantially increase any existing obstructions of views from or blocking of light into such residential windows.

(b) If there is no existing utility infrastructure in front of any windows on a residential property, the extent to which the proposed Personal Wireless Service Facility would substantially obstruct views from or block light into such windows.

2. In making these determinations, the Planning Department or hearing officer shall take into account such factors as the use of the windowed room, the nature of the views from the room, the direction the room is facing, and any existing shadowing from other sources.

Section 32. DEPARTMENT FORMS

A. Authorized Forms.

Public Works, Applicants for Personal Wireless Service Facility Site Permits or Modification Permits, and Permittees shall use the following forms authorized by this Order and attached hereto as Exhibits:

1. Application for a Personal Wireless Service Facility Site Permit
2. Notice of Completeness/Deficiency of Application
3. Notice of City Department Conditions
4. Public Works Notice of Tentative Approval to Applicant
5. Notice of Tentative Approval of Application for a Personal Wireless Service Facility Site Permit (Mail)
6. Public Notice of Tentative Approval (Posting)
7. Notice of Final Determination to Deny Application
8. Notice of Final Determination to Approve Application
9. Personal Wireless Service Facility Site Permit
10. Notice of Starting Installation
11. Notice of Substantial Completion of Installation
12. Notice of Removal or Replacement of Equipment
13. Renewal Application
14. Application for a Modification Permit
15. Notice of Completeness/Deficiency of Modification Application
16. Notice of Final Determination to Approve or Deny Renewal Application
17. Notice of Final Determination to Approve or Deny Modification Application Under Public Works Code § 1522(c)(1)
18. Notice of Final Determination to Approve Modification Application Under Public Works Code §§ 1522(c)(2), 1522(c)(3), or 1522(d)
19. Notice of Final Determination to Deny Modification Application Under Public Works Code §§ 1522(c)(2), 1522(c)(3), or 1522(d)
20. Notice of Suspension of Review of Application
21. Notice of Applicant's Initial Response to City Department Conditions
22. Notice of City Departments' Response to Applicant's Initial Response to City Department Conditions
23. Personal Wireless Service Facility Modification Permit
24. Request for Base Station Determination and Public Works Response
25. Notice of Expiration
26. Agreement to Extend Deadline for Final Determination

B. Amendments to or New Authorized Forms.

Public Works may amend the authorized forms or prepare and issue new authorized forms as Public Works in its discretion deems necessary.

Approved:

1/27/2016

X 

Sanguinetti, Jerry
Bureau Manager
Signed by: Sanguinetti, Jerry

1/29/2016

X 

Sweiss, Fuad
Deputy Director and City Engineer
Signed by: Sweiss, Fuad

1/29/2016

X Mohammed Nuru

Nuru, Mohammed
Director, DPW
Signed by: Nuru, Mohammed

EXHIBIT 4

Application

EXHIBIT 1

APPLICATION FOR A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

SAN FRANCISCO PUBLIC WORKS

Street Use and Mapping
1155 Market St., 3rd floor
San Francisco, CA 94103
tel 415-554-5810

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

Date: 9/30/25 Applicant: Rita Diamond (NextEdge Networks) on behalf of New Cingular Wireless PCS, LLC dba AT&T

Mailing Address: 1355 Windware Concourse, Suite 410 Alpharetta, GA 30005

Agent: NextEdgeNetworks Email: rita.diamond@nextedgenetworks.com

Phone: (510)501-0848 Fax:

1. Pole Location (Street Segment/Pole Number if applicable)

1627 37th Avenue

Pole replacement? ☑ Yes ☐ No

2. Utility Conditions Permit (check one)

☑ Applicant has a valid Utility Conditions Permit

☐ Applicant does not have a valid Utility Conditions Permit

3. Tier (check one)

☐ Tier A ☑ Tier B ☐ Tier C

4. Antenna(s)

Number of antenna(s): 1 (4G) Dimensions of antenna(s): 24" x Ø9.45"

Make, model, technical specifications and wireless technology: GAMMANU-DOY9X360F16T0

5. Equipment

A. Primary Equipment Enclosure Location and Dimensions (if applicable):

3x radios mounted between 11' - 18'-0" on side of pole w/ PSUs behind

Make, model and technical specifications for each piece of equipment:

1: RADIO 4490 (16.5"x 14.8"x 6.3") / 4890 (20.6" x 15.67" x 7.04") w/ PSU behind

2: RADIO 4467(18.81"x 14.76"x 6.10") w/ PSU behind

B. Secondary Equipment Enclosure Location and Dimensions (if applicable):

TESCO DISCONNECT BOX WITH CT AND METER SOCKET bottom @ 7'

Make, model and technical specifications for each piece of equipment:

1: TESCO - 20.5" TALL x 8.69" WIDE x 4.38" DEEP

2:

C. Other Equipment Location and Dimensions (if applicable):

Make, model and technical specifications for each piece of equipment:

1:

2:

6. Compliance with Objective Standards

☑ The proposed Personal Wireless Service Facility meets the Objective Standards.

☐ The proposed Personal Wireless Service Facility does not meet the Objective for the reasons set forth below and should be referred to the Planning Department and or Recreation and Park Department.

_____

_____

7. Use of Utility Pole (check one)

☑ The Applicant is using a utility pole that is a joint pole and is a member in good standing of the Northern California Joint Pole Association.

☐ The pole is solely owned by PG&E and PG&E has approved use of the pole. Proof of PG&E's permission is attached.

8. Public Health Compliance Standard (check one)

☑ Applicant is using equipment for the first time. Attached is an original verified statement from a registered engineer that: (i) potential human exposure to radio frequency emissions from the proposed Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the proposed Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building facade.

☐ Applicant is using previously approved equipment. Attached is a copy of both a verified statement from a registered engineer and the Department of Public Health's review of that verified statement that: (i) potential human exposure to radio frequency emissions from the proposed Personal Wireless Service Facility is within the FCC guidelines; and (ii) noise at any time of the day or night from the proposed Personal Wireless Service Facility is not greater than forty-five (45) dBA as measured at a distance three (3) feet from any residential building façade.

9. Security Deposit (check one)

☑ Applicant has made the deposit required under Public Works Code Section 2.4.40 and Public Works Order No. 201970.

☐ Applicant has not made the deposit required under Public Works Code Section 2.4.40 and Public Works Order No._____.

10. Required Documents (check as appropriate)

☑ Attached is a location drawing of the proposed Personal Wireless Service Facility in twenty feet (20') to one inch (1") scale (20:1 scale) showing each of the following:

(a) Street name
(b) Names of cross streets
(c) The utility, transit, or street light pole to be used
(d) All existing facilities on the utility, transit or street light pole (if applicable) and
(e) All proposed facilities on the utility or street light pole

☑ Attached are the following documents (check 1 and either 2 or 3)

☑ (1) A photographic simulation of the proposed Personal Wireless Service Facility at the proposed location and

☐ (2) A photograph of any existing Personal Wireless Service Facilities located in the public rights of way that are within a one hundred and fifty foot (150') radius of the proposed Personal Wireless Service Facility or

☑ (3) A site drawing in a twenty feet (20') to one inch (1") scale (20:1 scale) showing the location of any existing Personal Wireless Service Facilities located in the public rights of way that are within a one hundred and fifty foot (150') radius of the proposed Personal Wireless Service Facility.

☑ Attached is a certificate of insurance in a form acceptable to the City's Risk Manager showing that the Applicant complies with the requirements of Public Works Code Section 1526.

☑ Attached is a verified statement from a registered engineer stating that the installation of the proposed Personal Wireless Service Facility: (1) would not compromise the structural integrity of the utility pole and will be in compliance with any standards imposed by the Northern California Joint Pole Association in its Operations/ Routine Handbook, or the pole owner if other than the Northern California Joint Pole Association; and (2) would comply with the California Public Utilities Commission General Order 95 and/or the National Electric Safety Code.

11. Certificate of Appropriateness (check one)

☑ A Certificate of Appropriateness is not required because the proposed Personal Wireless Service Facility is not located in a historic district designated by the Board of Supervisors under Article 10 of the Planning Code. A

☐ Certificate of Appropriateness is required because the proposed Personal Wireless Service Facility is located in a historic district designated by the Board of Supervisors under Article 10 of the Planning Code and has been obtained. A copy of the Certificate of Appropriateness is attached.

☐ A Certificate of Appropriateness is required because the proposed Personal Wireless Service Facility is located in a historic district designated by the Board of Supervisors under Article 10 of the Planning Code Facility and is expected to be obtained by _____ (date). A copy of the Certificate of Appropriateness will be provided at that time.

12. Application Fees (check required fees and include appropriate checks)

☑ Public Works application fee ($532)

☑ Department of Public Health application fee ($234) https://www.sfdph.org/dph/EH/Fees.asp

☑ Planning Department application fee ($246) https://sfplanning.org/resource/fee-schedule-applications

☐ Recreation and Park Department application fee ($125) https://sfrecpark.org/about/contact-us/

■ *Please check the corresponding agency's website for current fees.*

13. In-lieu Tree Payment (optional)

☑ Applicant will elect to make an "in-lieu" payment into the Adopt-A-Tree fund if there's no objection from the Departments.

I certify that the information contained in the application is correct.

Rita Diamond

Name of Applicant/Authorized Agent

9/30/25

Date

Exhibit 5

Planning Letter

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

Date:	February 5, 2026
DPW Permit No.:	25WR-00029
Planning Case No:	2025-012007MIS
Project Address:	1627 37th Avenue Wood Pole owned by Joint Pole Association
Project Sponsor:	Rita Diamond NextEdge Networks 1355 Windware Concourse, Suite 410 Alpharetta, GA 30005
Staff Contact:	Dakota Spycher – 628.652.7588 Dakota.Spycher@sfgov.org

DETERMINATION: **Approval with Conditions**

Department of Public Works Code Article 25 and Order No. 201,970 require review by the Planning Department to determine that the Application for a Tier A or Tier B Personal Wireless Service Facility Site Permit satisfies the applicable Tier A or Tier B Compatibility Standard. An Application for a Tier B Personal Wireless Service Facility Site Permit shall satisfy the Tier B Compatibility Standard for a Zoning and/or a Planning Protected Location. A proposed Personal Wireless Service Facility shall be consistent with the public health, safety, convenience, and general welfare and will not unreasonably affect, intrude upon or diminish any identified City resource.

Determination

The Planning Department determines that the proposed Personal Wireless Service Facility **WOULD NOT** significantly detract from the character of the adjacent residential/commercial/mixed-use Districts, Scenic Vistas; or potential and or known historic Buildings; Districts. The Planning Department recommends **APPROVAL WITH CONDITIONS** in conformance with architectural plans dated February 5, 2025 and photo simulations dated February 22, 2025, and associated with DPW Wireless Application No. 25WR-00029.

Findings

The proposed Tier B Personal Wireless Service Facility is to be located in the public right-of-way in a Planning and Zoning Protected Location, adjacent to 1627 37th Avenue, and on a street with **Good Street Views**.

The proposed Personal Wireless Service Facility is, on balance, consistent with Article 25 of the Public Works Code and the Objectives and Policies of the General Plan, as follows:

Article 25 Compliance

I. The proposed Personal Wireless Service Facility would not significantly degrade the aesthetic attributes that distinguish the Street Light Pole as historic, historically significant, architecturally significant, decorative, or specially designed.

II. The proposed Personal Wireless Service Facility would not significantly degrade the aesthetic attributes that were the basis for the special designation of the district.

III. The proposed Personal Wireless Service Facility would not significantly degrade the aesthetic attributes that were the basis for the special designation of the building.

IV. The proposed Personal Wireless Service Facility would not significantly impair the views of any of the important buildings, landmarks, open spaces, or parks that were the basis for the designation of the street as a view street. This site has been designated as having good street view per the San Francisco General Plan.

V. The proposed Personal Wireless Service Facility would not significantly detract from any of the defining characteristics of the Residential or Neighborhood Commercial zoning district. This site is located within the RH-1 (Residential- House, One Family) Zoning District.

The proposed AT&T Mobility personal wireless service facility would be situated within the RH-1 (Residential- House, One Family) Zoning District. The RH-1 District have been occupied almost entirely by single-family houses on lots 25 feet in width, without side yards. Floor sizes and building styles vary, but tend to be uniform within tracts developed in distinct time periods. Though built on separate lots, the structures have the appearance of small-scale row housing, rarely exceeding 35 feet in height. Front setbacks are common, and ground level open space is generous

Planning has determined that the proposed AT&T Mobility personal wireless service facility is designed in a streamlined manner, as proposed it will be located on a replacement pole in the exact location of an existing light pole which would not significantly detract from any of the defining characteristics of the good street view RH-1 (Residential- House, One Family) Zoning District.

General Plan Compliance

I. URBAN DESIGN ELEMENT

The Urban Design Element concerns the physical character and order of the city, and the relationship between people and their environment. The Urban Design Element is concerned both with

development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1
Recognize and protect major views in the city, with particular attention to those of open space and water.

OBJECTIVE 2
CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.9
Review proposals for the giving up of street areas in terms of all the public values that streets afford.

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 has been designed to reduce, to the best extent possible, the blocking or other impairment of pleasing street views, and preserves an important characteristic of the unique setting and quality of the city.

The project has been designed to maintain, to the best extent possible, views from streets which can provide a means for orientation and preserves the ability for an observer to perceive the City and its districts clearly.

II. TRANSPORTATION ELEMENT

The Transportation Element concerns pedestrian movement in the city as to ensure the city is safe, convenient, and pleasant as pedestrian travel is an important component of the transportation system. The close-knit fabric of San Francisco, in junction with the dramatic hills and sweeping vistas, makes walking an ideal mode for exploring and moving about the city. The sidewalk is a shared space and provides a strong sense of the overall image of the city.

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

Policy 23.5
Establish and enforce a set of sidewalk zones that provides guidance for the location of all pedestrian and streetscape elements, maintains sufficient unobstructed width for passage of people, strollers and wheelchairs, consolidates raised elements in distinct areas to activate the pedestrian environment, and allows sufficient access to buildings, vehicles, and streetscape amenities.

The project has been designed to maintain at least four (4) feet unobstructed width for pedestrian passage as outlined in the Pedestrian Network Streets and Design Guidelines of the Transportation Element.

OBJECTIVE 24
IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 24.4
Preserve pedestrian-oriented building frontages.

The project has been designed as a minimally-visible facility to be attached to a new light/utility pole extant in the public sidewalk. The facility components are designed as an extension to the pole and equipment boxes, with requirements to be painted or shrouded to match the pole further reducing their visibility and any conflicts with the building frontages within the RH-1 Zoning District.

Conditions

1. Plant and maintain an appropriate street tree.

2. Antenna, and all equipment (external conduit, radio relay units, blinders used to shroud bracket bolts [if needed], and mounting mechanisms); except signage, if used for screening, shall all be painted to match the pole and repainted as needed.

3. Remove raised equipment signage (including filling in manufacturer logo indentations on radio relay units/cabinets) and equipment decals that may be visible from sidewalk and dwellings, unless required by government regulation.

4. Utilize smallest RF warning signage allowed (4 x 6 inches); and place the warning sticker facing out toward street, at a location as close to antenna as is feasible. Sticker shall face away from street, when not facing a nearby window within 15 feet. Background color of sticker shall match the pole-mounting surface; and logo and text shall be white.

5. Stack equipment enclosures (not including antenna) as close as allowed by applicable regulation and manufacturer equipment standards.

6. Seams and bolts/screws at antenna and shroud assembly area shall be fabricated and installed in a manner so as to reduce their visibility (e.g. flush mounting screws) from sidewalk level.

7. Not utilize any visible flashing indicator lights or similar.

8. New below ground enclosure excavations (vault), if utilized, shall not damage or remove granite curbs. No significant gaps shall be created between vault enclosure lid and primary sidewalk material due to installation. Any other existing historic architectural elements within the public right-of-way shall be retained and protected during installation. No carrier logo or carrier name may be placed on the vault lid.

9. Non-essential radio relay unit elements (handle and legs) shall be removed.

10. The installer shall arrange to have Planning Department staff review the initial installation, in order to ensure compliance with the aforementioned conditions (notwithstanding inspections by pole owner and Department of Public Works).

11. Ensure Wi-Fi Access Points and associated wiring, utilized by the City's Department of Technology, are not damaged during installation (if present).

12. Should the installation vary from said conditions, the application shall be resubmitted to the Planning Department for further review and comment.

Sincerely,

Dakota Spycher
Planner

Exhibit 6

Notice of Final Determination to Approve a Personal Wireless Service Facility Site Permit

Private Permits
T. 628.271.2000 | 49 South Van Ness Ave. 3rd Floor, San Francisco, CA 94103

NOTICE OF FINAL DETERMINATION TO APPROVE A PERSONAL WIRELESS SERVICE FACILITY SITE PERMIT

Date:
Applicant Name: **Rita Diamond**
Applicant Company: **NextEdge Networks / AT&T**
Permit Number: **25WR-00029**
Site Address: **1627 37th Ave San Francisco, CA, 94121**

San Francisco Public Works has finally approved the above-referenced Application submitted by NextEdge Networks. for a Personal Wireless Service Facility Site Permit in the vicinity of 1627 37th Ave San Francisco, CA, 94122.

The Applicant does not know at this time whether it will file an application for a permit to modify the proposed Personal Wireless Service Facility at any time during the term of the Personal Wireless Service Facility Site Permit.

The antenna and other equipment to be installed at this location include: One (1) antenna and equipment enclosures (radios, meter, and disconnect switch). A photo-simulation of the approved Personal Wireless Service Facility is attached hereto.

Each of the following City departments have determined that the Application satisfied the applicable requirements of the Public Works Code:

1. San Francisco Public Works/ Bureau of Street Use and Mapping has approved the following permit with conditions.
2. San Francisco Department of Public Health has approved the following permit with conditions.
3. San Francisco Planning Department has approved the following permit with conditions.

Within fifteen (15) calendar days of this notice, any person may appeal the issuance of this permit to the Board of Appeals. Appeals must be filed by either the appellant or the appellant's agent. For further information regarding the appeal process, please contact the Board of Appeals at 628-652-1150 or boardofappeals@sfgov.org. **You may also visit sfgov.org/bdappeal for instructions concerning filing an appeal and for general information concerning the appeals process.**

An appeal must be based on one or more of the following grounds:

1. The Department of Public Health incorrectly determined that the Application complies with the Public Health Compliance Standard (Public Works Code § 1507(b)).
2. The Planning Department incorrectly determined that the Application meets the applicable Tier Compatibility Standard (Public Works Code § (1509(b)).
3. The Application does not comply with any other requirement for obtaining a Personal Wireless Service Facility Site Permit.
4. The Applicant intends to modify the Personal Wireless Service Facility after the permit is issued in a manner that would not comply with the applicable Compatibility Standard.

To obtain additional information concerning the Application and final approval you may contact NextEdge Networks at NCA_ATT_CX@nextedgenetworks.com or voicemail box at (415) 487-8001. You may also contact San Francisco Public Works at (628) 271-2000.

Attachment A

San Francisco Public Works has the following conditions.

1. This recommendation is based on no variation from the depicted drawings and/or photo simulation; if a variation is different a re-submittal is required. Should the installation vary from said conditions, it should be resubmitted to Department(s) for further review and comment.
2. New Poles: no new poles shall be erected or placed in underground districts.
3. Down Guys: Follow all excavation codes to obtain the necessary permits for placement of down guys. Down guy shall avoid crossing conflicting areas but not limited to driveways, curb ramps.
4. Comply with ADA code requirements for Federal, State, local laws. Make sure path of minimum required clear width for accessible path of travel is four feet.
5. At the conclusion of the work, provide a set of as built photos of the installation to the Bureau Street Use & Mapping Permit Office.
6. Maintain a valid certification of insurance annually and forward a copy to the Bureau Street Use & Mapping Permit Office.

San Francisco Department of Public Health has the following conditions.

1. Ensure that any equipment associated with the pole installation of this antenna does not produce a noise in excess of 45 dBA as measured at three (3) feet from the nearest residential building façade.
2. Ensure that there are no publicly occupied areas within twenty-two (22) feet from the face of the antenna.
3. Once the antenna is installed, AT&T must take RF power density measurements with the
4. antenna operating at full power to verify the level reported in the Hammett and Edison report and to ensure that the FCC public exposure level is not exceeded in any publicly accessible area. This measurement must be taken again at the time of the permit renewal.
5. AT&T should be aware that the general public may have concerns about the antenna and potential RF source near their dwellings. AT&T should have in place a procedure for taking RF power density levels in nearby dwellings when requested by the members of the general public.
6. In accordance with the San Francisco Public Works Code, Art. 25, Sec. 1527 (a)(2)(C) AT&T is responsible for paying a fee of $286.00 to the San Francisco Department of Public Health for this review.

San Francisco Planning Department has the following conditions.

1. Plant and maintain an appropriate street tree.
2. Antenna, and all equipment (external conduit, radio relay units, blinders used to shroud bracket bolts [if needed], and mounting mechanisms); except signage, if used for screening, shall all be painted to match the pole and repainted as needed.
3. Remove raised equipment signage (including filling in manufacturer logo indentations on radio relay units/cabinets) and equipment decals that may be visible from sidewalk and dwellings, unless required by government regulation.
4. Utilize smallest RF warning signage allowed (4 x 6 inches); and place the warning sticker facing out toward street, at a location as close to antenna as is feasible. Sticker shall face away from street, when not facing a nearby window within 15 feet. Background color of sticker shall match the pole-mounting surface; and logo and text shall be white.
5. Stack equipment enclosures (not including antenna) as close as allowed by applicable regulation and manufacturer equipment standards.
6. Seams and bolts/screws at antenna and shroud assembly area shall be fabricated and installed in a manner so as to reduce their visibility (e.g. flush mounting screws) from sidewalk level.

7. Not utilize any visible flashing indicator lights or similar.
8. New below ground enclosure excavations (vault), if utilized, shall not damage or remove granite curbs. No significant gaps shall be created between vault enclosure lid and primary sidewalk material due to installation. Any other existing historic architectural elements within the public right-of-way shall be retained and protected during installation. No carrier logo or carrier name may be placed on the vault lid.
9. Non-essential radio relay unit elements (handle and legs) shall be removed.
10. The installer shall arrange to have Planning Department staff review the initial installation, in order to ensure compliance with the aforementioned conditions (notwithstanding inspections by pole owner and Department of Public Works).
11. Ensure Wi-Fi Access Points and associated wiring, utilized by the City's Department of Technology, are not damaged during installation (if present).
12. Should the installation vary from said conditions, the application shall be resubmitted to the Planning Department for further review and comment.

Exhibit 7

Alternative Site Analysis (1627 37th Avenue)

PUBLIC COMMENT

From: Jordan Jiang
To: BoardofAppeals (PAB)
Subject: Appeal No. 26-027
Date: Thursday, June 11, 2026 7:47:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Appeals,

My name is Jordan Jiang and I am writing on behalf of my family household at 1619 37th Ave.

I am writing to formally express my disapproval regarding the proposed installation of an antenna on my block at 1627 37th Ave (Permit No. 25WR-00029).

My family and I have a concern regarding this unit, specifically regarding the location. Infrastructure like this would be better suited for a major street like Sunset Boulevard, but its current proposed location is too close in proximity to residential buildings and windows. Additionally, infrastructure like this would permanently change our streetscape detrimentally. We would appreciate it if the board reconsider this approval.

Thank you for your time and for considering my feedback on this matter.

Best regards,

Jordan Jiang and family
1619 37th Ave
Jordanjiang5@gmail.com