

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

TUESDAY, MAY 19, 2020
6:00 P.M.

Council Chambers, City Hall
212 S. Vanderhurst Avenue, King City, CA

+1 619-327-9987 (toll)
Conference ID: 409 529 12#

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL:

Planning Commission Members: Oscar Avalos, David Mendez, Brett Saunders,
Domingo Uribe and Chairperson David Nuck

4. PUBLIC COMMENTS

Any person may comment on any item not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action may not be taken on the topic, unless deemed an urgency matter by a majority vote of the Planning Commission. Topics not considered an urgency matter might be referred to City staff and placed on a future agenda, by a majority vote of the Planning Commission.

5. PRESENTATIONS

None

6. CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and may be approved by one action of the Planning Commission unless any member of the Planning Commission wishes to remove an item for separate consideration.

A. Meeting Minutes of March 3, 2020 Planning Commission Meeting
Recommendation: Approve and file.

7. NON-PUBLIC HEARINGS

None

8. PUBLIC HEARINGS

A. Project: Cell Tower
Applicant: Complete Wireless Consulting
Location: 720 Broadway Street, King City, CA 93930

Consideration: CUP Case No. CUP-200-101 to Allow Installation of a Seventy-seven (77') Foot Telecommunications Tower, Removal and Relocation of Existing Stadium Lights to the New Steel Telecommunications Tower at 720 Broadway Street (APN: 026-061-004-000), King City, CA. 93930 (King City High School).

Recommendations: Staff recommends the Planning Commission approve Conditional Use Permit ("CUP") Case No. CUP-200-101 for the installation of the 77' monopole telecommunications at 720 Broadway Street, King City, CA. 93930, subject to the conditions of approval.

Environmental
Determination:

The project is categorically exempt, pursuant to §15301 of the California Environmental Quality Act ("**CEQA**") Guidelines: Class 3 New Small Facilities.

B. Project: Canna City Kings: Site and Floor Plan Revisions, Cultivation (CA Type 3B) CUP 2016 – 012(b)19 (Amendment)

Applicant: Jeff Vandervort, Sam Cope

Location: 135 East San Antonio, King City, CA 93930

Consideration: Amendment to a previously approved Conditional Use Permit (CUP) to allow revision to the site plan and Type 3B Cultivation (Mixed light).

Recommendations: Staff recommends the Planning Commission approve Conditional Use Permit CUP 2016-012(b)19, including Resolution 2020- 278 with a Finding of Consistency with the previous Mitigated Negative Declaration

Environmental
Determination:

King City previously prepared and certified (September 2016) a Mitigated Negative Declaration (MND) for the amendment of the City's Zoning Ordinance and the amendment of the East Ranch Business Park Specific Plan (ERBP Specific Plan) (Ordinances 2016-728, 2016-729 and 2016-730) to allow new land uses in the Manufacturing Districts (M-1, M-2, M-3) and in the ERBP Specific Plan.

In May of 2017, King City conducted an initial study of the project and in June 2017 determined the project to be fully within the scope of the prior analysis by the MND. The Planning Commission adopted a Finding of Consistency per CEQA Guidelines Section 15162.

In April of 2020 King City conducted an initial study and found the revised project to be within the scope of the previous analysis. Staff is recommending that the Planning Commission adopt a Finding of Consistency per CEQA Guidelines Section 15162.

9. PLANNING COMMISSIONER REPORTS

10. DIRECTOR'S REPORT –

- A. SB 743**
- B. LEAP Grant**
- C. Land Use Element Update**

11. WRITTEN CORRESPONDENCE

12. ADJOURN

UPCOMING REGULAR MEETINGS

MAY 2020

May 5th	6:00 p.m.	Planning Commission (Canceled)
May 11th	6:00 p.m.	Airport Advisory Committee (Canceled)
May 12th	6:00 p.m.	City Council
May 18th	6:00 p.m.	Recreation Commission (Canceled)
May 19 th	6:00 p.m.	Planning Commission
May 26th	6:00 p.m.	City Council

JUNE 2020

June 2nd	6:00 p.m.	Planning Commission
June 8th	6:00 p.m.	Airport Advisory Committee
June 9th	6:00 p.m.	City Council
June 15th	6:00 p.m.	Recreation Commission
June 16th	6:00 p.m.	Planning Commission
June 23rd	6:00 p.m.	City Council

ADT: Average daily trips made by vehicles or persons in a 24-hour period

ALUC: Airport Land Use Commission

AMBAG: The Association of Monterey Bay Area Governments. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties, and serves as both a federally designated Metropolitan Planning Organization and Council of Government. AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

APCD: Air Pollution Control District

AR: Architectural Review

BMP: Best Management Practice, Bike Master Plan

CAP: Climate Action Plan

CC&Rs: Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)

CDBG: Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)

CEQA: California Environmental Quality Act

CFD: Community Facilities District

COG: A council of government, or regional council, is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments by dealing with issues that cross political boundaries.

CUP: Conditional Use Permit

EIR: Environmental Impact Report

EIS: Environmental Impact Statement

Ex-Parte: Communication between Planning Commissioners and applicants outside of a public meeting

FEMA: Federal Emergency Management Agency

GHG: Greenhouse gas

HOME: Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)

HCP: Habitat Conservation Plan

HCD: State Department of Housing & Community Development

HUD: U.S. Department of Housing and Urban Development

LAFCO: Local Agency Formation Commission

LID: Low Impact Development (measures to reduce rainwater runoff impacts)

LLA: Landscaping and Lighting District

LOS: Level of Service (a measurement of traffic efficiency used by Caltrans)

MMTC: A multimodal transit center includes a combination of alternative modes of transportation so people do not have to only rely on vehicles.

MIMTC: Multi-modal Transit Center

MOU: Memorandum of Understanding

MIND: Mitigated Negative Declaration

MPO: A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization, such as AMBAG, that is made up of representatives from local government to help implement transportation projects and projects.

Neg Dec: Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)

NEPA: National Environmental Policy Act

SLOCOG: San Luis Obispo Council of Government

SOI: Sphere of Influence.

TAMC: The Transportation Agency for Monterey County develops and maintains a multimodal transportation system for Monterey County. TAMC consists of local officials from each Monterey city (12 cities) and five (5) county supervisorial districts, and ex-officio members from six (6) public agencies.

TOT: Transient Occupancy Tax

Variance: A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood

VMT: Vehicle Miles Traveled

1. Call to Order

Chair Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:01 p.m.

2. Pledge of Allegiance

Chair Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

Chairperson David Nuck X Oscar Avalos X
David Mendez X Brett Saunders X Domingo Uribe X

Staff present: Community Development Director, Doreen Liberto; Planner Erik Berg-Johansen; Executive Admin. Asst./Deputy City Clerk/ Planning Secretary, Erica Sonne.

4. Public Comments

None

5. Presentations

None

6. Consent Calendar

All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

A. Approval of Minutes: February 18, 2020

Action: Motion made by Commissioner Avalos to approve minutes of February 18, 2020. Seconded by Commissioner Saunders. Motion carried 5-0.

7. NON- PUBLIC HEARINGS –

None

8. PUBLIC HEARINGS

- A. Project: Downtown Addition Specific Plan Amendment and Chestnut Road/Bitterwater Avenue Employee Housing Project
- Applicant: Jerry Rava II, Fresh Foods Inc.
- Location: Downtown Addition Specific Plan Area, generally located east of the intersection of Metz Road and Bitterwater Road along Union Pacific Railroad.
- Consideration: The proposed project consists of rezoning of four (4) parcels, amendments to King City’s Downtown Addition Specific Plan (“specific plan”), and construction of a housing development on the Bitterwater/Chestnut Road site (Bitterwater Road at Metz Road). A future farmworker housing project is planned on the Jayne Street site (Jayne Street at Pearl Street) which is being removed from the Specific Plan.

The following zoning amendments would be made: Three parcels (026-301-005, 026-301-006 and 026-301-003) comprising the Jayne Street site would be rezoned from Downtown Addition Specific Plan Neighborhood Center (“NC”) and Neighborhood General 3 (“NG-3”) to Multiple Family Residential and Professional Offices (“R-4”) District and Seasonal Employee Housing Standards/Dual Land Use Designation; and

One parcel (026-301-001) adjacent to the Jayne Street site (currently developed with an auto repair shop) would be rezoned from Downtown Addition Specific Plan Neighborhood Center (“NC”) to General Commercial District (“C-2”).

Recommendations: Staff recommends the Planning Commission 1) Adopt a Resolution recommending the City Council certify the S-EIR. 2) Adopt a Resolution that the City Council approve SPA Case No. 2019-002 and Zoning Amendment Case No.2019-002. 3) Adopt a Resolution approving TPM Case No. 2019-002, CUP Case No. 190-254 and AR Case No. 2019-004.

Environmental

Determination:

Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15163, it has been determined that a Supplemental EIR (“S-EIR”), State Clearinghouse No. 2006041150, tiered from the 2011 Full Downtown Addition Environmental Impact Report (“F-EIR”), State Clearinghouse No. 2006041150, is the appropriate environmental document for the proposed Project. The Planning Commission will determine whether to recommend the City Council adopt the Final S-EIR.

Community Development Director Doreen Liberto introduced this item.

Planner Erik Berg-Johansen introduced this item further with a Powerpoint presentation. A new item is a darker roof color and a modification to the trash enclosure. There is also a proposed design modification to the fence design to a cast premade panel instead of decorative block.

Planning Commission gives staff direction that they can make the determination at staff level if there is enough window space.

Community Development Director Doreen Liberto stated that John Baucke ask about the consistency with the DTA Master Landscaping plan and it is a condition of number 30 of the 2014 conditions of approval and the applicant is aware and the project is consistent.

Chair Nuck opened the continued public hearing.

Claude Hoover stated that he doesn't have anything else to add.

Commissioner Uribe had questions about parking and more covered parking availability. Director Liberto stated that the State is not requiring it anymore and staff feels that it is sufficient. He wants to know if the applicant would consider it. Mr. Hoover stated that they could take it into consideration, but request Planning Commission approve it as is.

Commissioner Uribe asked about downsized parking spaces. Staff stated that the concession was for wider sidewalks of 7 ft.

Commissioner Uribe wanted to know what the City was going to do about traffic. City Engineer Hurtado

stated that the City has an entire traffic study. Consultant for the applicant stated that this traffic from this project is less than was proposed originally. Commissioner Saunders clarified that it will be more bus traffic than individual cars. Staff and applicant agreed

Chair Nuck closed the public hearing.

Motion by Commissioner Saunders to adopt Resolution 2020-276 recommending the City Council certify the S-EIR., Commissioner Mendez seconded. Motion carried 5-0.

Motion by Commissioner Avalos to adopt Resolution 2020-275 that the City Council approve SPA Case No. 2019-002 and Zoning Amendment Case No.2019-002, Commissioner Saunders seconded. Motion carried 5-0.

Motion by Commissioner Mendez to adopt Resolution 2020-277 approving TPM Case No. 2019-002, CUP Case No. 190-254 and AR Case No. 2019-004, Commissioner Avalos seconded. Motion carried 5-0.

9. Regular Business- None

10. Planning Commission Report –

11. Director Reports-

Planning Commission Academy has will be April 4th possibly Greenfield.

We have been talking about a dog bark and or a pickleball court.

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned by Chair Nuck at 6:22p.m.

David Nuck
Planning Commission Chairperson
City of King

Erica Sonne
Planning Commission Secretary
City of King



Item No. 8(A)

REPORT TO THE PLANNING COMMISSION

DATE: MAY 19, 2020

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

BY: MARICRUZ AGUILAR, ASSISTANT PLANNER

RE: CONSIDERATION OF CONDITIONAL USE PERMIT CASE NO. CUP-200-101 TO ALLOW INSTALLATION OF A SEVENTY-SEVEN (77') FOOT TELECOMMUNICATIONS TOWER, REMOVAL AND RELOCATION OF EXISTING STADIUM LIGHTS TO THE NEW STEEL TELECOMMUNICATIONS TOWER AT 720 BROADWAY STREET (APN: 026-061-004-000), KING CITY, CA 93930 (KING CITY HIGH SCHOOL)

RECOMMENDATION:

It is recommended the Planning Commission approve Conditional Use Permit (“CUP”) Case No. CUP-200-101 for the installation of the 77’ monopole telecommunications at 720 Broadway Street, King City, CA 93930, subject to the conditions of approval.

Figure 2



BACKGROUND:

There are two (2) existing monopole telecommunications towers with stadium lights on the property. The first monopole tower (Case CUP2005-004) was approved by Planning Commission on **August 2, 2005** for MetroPCS. The second monopole tower (Case No. CUP2014-009) was approved by the Planning Commission on **April 21, 2015** for Verizon Wireless. The proposed monopole tower will be one hundred (100) feet away from the other towers. The proposed new tower would be the third (3) tower on the property.

On **April 6, 2020**, Maria Kim, Complete Wireless Consulting, on behalf of AT&T Mobility submitted an application for a Conditional Use Permit ("**CUP**") to remove an existing stadium light structure and replace it with a new seventy-seven (77') foot monopole telecommunications tower and have the stadium lights added on top of the new tower. The proposed also includes installation of new wireless communications equipment on an existing light standard pole. AT&T is seeking to improve communications services to the area in King City. This project will expand existing network and improve the call quality, signal strength, and wireless connection services in King City. This site will serve as a backup system to the existing landline service in the area. Below is a complete list of the proposed scope of work:

- Proposed light standard pole replacement project on a 77' foot monopole, with a centerline of 74'.
- Nine (9) antennas with associated tower-mounted equipment,
- Associated ground equipment will be an 8'x8' concrete walk-in cabinet and a standby 30kw diesel generator with 190-gallon fuel tank, within a 25' x 25' lease area surrounded by an 8' tall chain link fence with a 12' wide access gate.
- Routine maintenance may occur up to once a week. The site will be self-monitored and connected electronically.
- The construction schedule is anticipated to last two or three months.

A Radio Frequency – Electromagnetic Energy ("**RF-EME**") Compliance Report prepared by EBI Consulting dated **March 28, 2020** (EBI Project No. 6220001173) states the proposed AT&T installation is in compliance with FCC regulations upon proper installation of recommended signage. The compliance report recommends that "Yellow Caution 2B sign posted at the base of the monopole near the climbing ladder as shown on Figure 2. Barriers are not recommended on this site. The report further concludes "*As presented in the preceding sections, based on worst-case predictive modeling, there are no modeled exposures on any accessible ground walking/working surface related to ATT's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.*"

Figure 2



DISCUSSION

The project site is 720 Broadway Street, King City High School ("**KCHS**") and the proposed tower would be on the KCHS Sports Stadium. The proposed tower would be to the left side of the existing tunnel on the side of the existing batting cages. **Figure 3** shows the overall site plan area including the other existing towers on the site. The proposed new tower would be the third (3) tower on the property. Occasional testing will be done for maintenance during the weekdays between 8AM – 7PM approximately twice a month to check the facility.

The R-1 District does not address radio or communication towers. However, Municipal Code §17.48.070 (Uses – Conditions and Exceptions – Uses Permitted Subject to Permit; Exceptions to Height Limits) allows the Planning Commission to approve certain uses possessing special characteristics not found in the designated district subject to obtaining a use permit. Radio, Television and other towers where permitted in a district height limitation subject to a CUP.

The Project Review Committee ("**PRC**") reviewed and provided the following comments:

Noise: The proposed project includes two noise sources 1.) an externally mounted HVAC unit of a pre-manufactured concrete walk-in cabinet and 2.) an emergency diesel generator. The HVAC unit has a reference noise level of 62 dB at five (5) feet. The generator (Generac Industrial Power Systems Model SD030 (30KW)) is to keep cellular service during emergency power outages. The Environmental Noise Assessment prepared by Bollard Acoustical Consultants, Inc., dated January 30, 2020, notes that the generator will be equipped with Level 2 Acoustic Enclosure resulting in a reference noise level of 68 dB at twenty-three (23) feet. The proposed generator will operate only during emergencies and brief daytime periods for periodic maintenance/lubrication. The applicant anticipates operating the generator for 15-30 minutes per week for maintenance purposes and during power outages and disasters. The generator will not operate at night except during power outages. The noise study shows that the distance between the leased area and the nearest home is approximately 350' with a predicted noise level of 25 dBA for the HVAC and 44 dBA for the generator which would satisfy the 55 dB Lmax noise levels per Municipal Code §17.56.030 noise level criteria. (**Reference COA No. 4.**)

Access: Access to the stadium by the applicant will be through an existing utility easement as referenced on Sheet A-1 of the site plan and also on Figure 3. Fire Department asked that fire access not be obstructed. Applicant responded that they are following a fifteen (15') wide non-exclusive access and utility easement as shown on Figure 3.

Construction: The applicant proposes the project construction schedule to last two to three months and would like to proceed with obtaining a City building permit. The applicant to submit to the Building & Safety Department for a building permit on the installation. **(Reference COA No. 9.)**

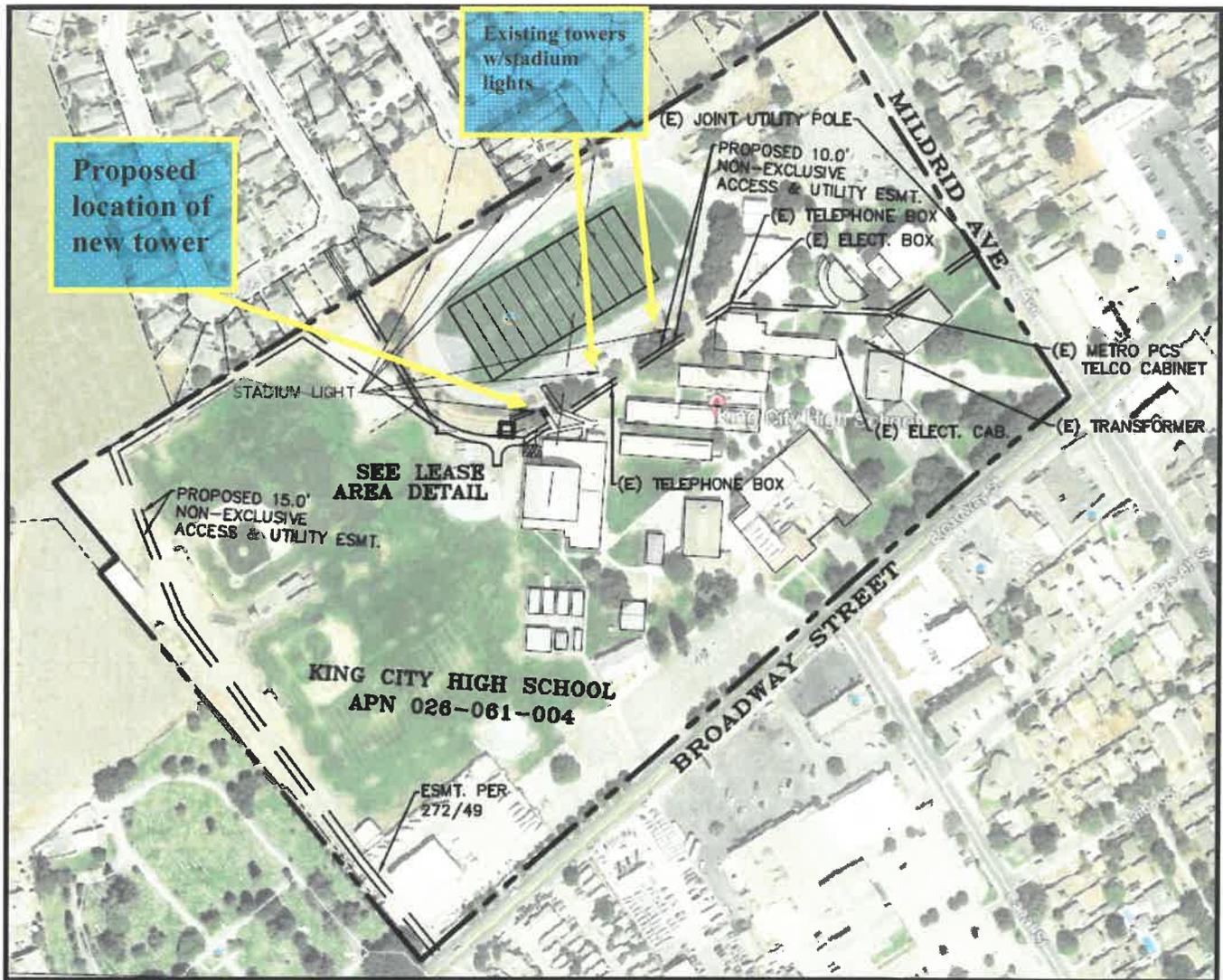
Surveillance: The City has surveillance equipment nearby the towers. The King City Police Department has reviewed for interference and does not foresee any issues. The applicant has reviewed and noted that most wireless security systems operate at 2.4 GHz or 2400 MHz. The closest AT&T band is 2300 MHz which should not cause interference. **(Reference COA No. 11.)**

Visual Screening of Ground Equipment: The proposed location of the ground equipment has existing planting to help with screening this will help reduce visual impact. The proposed does not include removal of any existing landscaping. At the time of this review it is unknown if any trees will need to be removed. At the time of building permit submittal applicant shall show existing landscaping details on the plans where the tower and equipment facility will be placed and be reviewed by the Building & Safety Department and Community Development Department. **(Reference COA No. 12.)**

Existing Wood Light Standard Pole: At the time of application submittal, the applicant did not propose to remove the existing wooden stadium light pole. However, after further review of previous CUPs on this site where the wooden poles were showing to be leaning rather than upright. The applicant has agreed to removing the wooden pole as part of this project description. **(Reference COA No. 13.)**

Proximity to Other Existing Towers: The proposed tower is approximately 152' feet away from the closest existing antennas.

Figure 3



ZONING DESIGNATION:

Single Family Residential ("R-1")

GENERAL PLAN LAND USE DESIGNATION:

Low Density Residential ("LDR")

Surrounding Uses

Table 1 provides an overview of the adjacent zoning and land use.

Table 1			
Adjacent Zoning/Land Use			
North-East:	R-1 (zoning) LDR (land use)	South-West:	R-1 (zoning) P-Q (land use)
South-East:	H-S (zoning) HSC (land use)	North-West:	R-1 (zoning) LDR (land use)

Environmental Determination

The project is categorically exempt, pursuant to §15301 of the California Environmental Quality Act ("**CEQA**") Guidelines: Class 3 New Small Facilities.

Because the applicant, as a part of the submittal, has proposed view/aesthetics mitigation to install stadium lights on the new steel pole and because the applicant has submitted a Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report dated March 28, 2020 (EBI Project No. 6220001173) indicating that the proposed will be in compliance with FCC regulations upon proper installation of recommended signage. The project site is in the R-1 Zoning District. The proposed use may be allowed with a Conditional Use Permit per Municipal Code §17.12.030 (2). Per Municipal Code §17.56.020 (Radioactivity-Electrical Disturbances), states: "*Devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted in quantities which is dangerous to humans. (Ord. 354 § 6.5.2, 1973)*". According to the applicant's RF-EME compliance report, the site would not result in exposure of the public to excessive levels of radio-frequency energy as defined in the FCC Rules and Regulations.

General Plan Land Use Element

Within the "LDR" designation in the General Land Use Element, the goal is to provide adequate areas of all necessary types of residential development that are compatible with surrounding uses of the land, and at locations and densities appropriate to the city's identified housing needs.

The proposed use is consistent with General Land Use because General Plan Objective 1.2 requires adequate services for future growth and the proposed antennas provide more accurate coverage.

Pre-emption

The Telecommunications Act of 1996 upheld guidelines issued by the Federal Communications Commission ("**FCC**") after reviewing the court appeals and citizen group complaints the result was that the court of appeals affirmed the guidelines promulgated by the FCC, finding that the agency acted within its authority in establishing RFR exposure limits, categorical exclusions from EA requirements, and preempting local regulation of personal wireless service facilities on the basis of environmental effects.

Project Review Committee ("**PRC**") Comments and Review & Review by Other Agencies

A representative from each City Department meets to discuss most community development projects. This group operates as the City's staff advisory team which is referred to as the Project Review Committee ("**PRC**"). PRC provides comments to the Applicants and COAs before a project goes to the Planning Commission. The PRC has reviewed and provided comments incorporated through the staff report.

Public Notification and Input

A public hearing notice was published on **May 6, 2020** in the South County Newspaper *The Rustler*. Notices were mailed to the property owners within three hundred feet of the property. As of writing of this report no public written comments have been received.

COST ANALYSIS:

Development review application fees are based on actual time and materials per the City Fee Scheduled. The cost of processing the application is covered by the applicant.

ALTERNATIVES:

The following alternatives are provided for Planning Commission consideration:

1. Approve CUP-200-101
2. Deny CUP2019-001 and return with findings for denial.
3. Modify CUP2019-001.
4. Provide other direction to staff.

Exhibits:

1. Exhibit 1 - Findings of Fact
2. Exhibit 2 – Resolution No.
3. Exhibit 3 – Conditions of Approval
4. Exhibit 4 – Site Plan

Submitted by: Maricruz Aguilar
Maricruz Aguilar, Assistant Planner

Approved by: DLA FOR Doreen Liberto
Doreen Liberto, AICP, MDR, ACR, Community Development Director

EXHIBIT 1

CUP CASE NO. CUP-200-101

FINDINGS OF FACTS

The Municipal Code gives the Planning Commission ("**Commission**") the authority to approve a project so long as the Commission can make certain findings. Written "findings of fact" are required in order to support the decision of the hearing body to approve or deny a project. Furthermore, a project must meet certain conditions to be categorically exempt from the California Environmental Quality Act ("**CEQA**"). Staff presents the required findings to aid the Commission in making the resolution of approval or denial.

Conditional Use Permit Findings

1. The General Land Use Designation for Low Density Residential ("**R-1**"), General Land Use Overall Goal 1.2 is to assure that adequate public services and facilities are available both to existing and new development as the community grows. The proposed antennas and equipment will provide more adequate coverage.
2. The Applicant submitted a Radio Frequency - Electromagnetic Energy (RF-EME) Compliance Report written by the applicant's consulting engineers, EBI Consulting., which states that the proposed changes comply with the FCC guidelines limiting public exposure to RF energy.
3. The Applicant submitted an Environmental Noise Assessment prepared by Bollard Acoustical Consultants, Inc. on **January 30, 2020** that concluded that the projected related equipment noise exposure will satisfy the noise level criteria identified in Municipal Code §17.56.030.
4. The Applicant will be providing wireless technology that will improve digital voice quality, with increased (encrypted) security, consistency and privacy, along with feature-rich digital service choices.
5. The proposed use is consistent with the General Plan Land Use Element to assure adequate public services and facilities to existing and new development as the community grows. This District does not specify on radio or communication towers. However, Municipal Code §17.48.070 (Uses – Conditions and Exceptions – Uses Permitted Subject to Permit; Exceptions to Height Limits) allows the Planning Commission to approve certain uses possessing special characteristics not found in the designated district subject to obtaining a conditional use permit. Radio, Television and other towers where permitted in a district height limitation subject to a conditional use permit.
6. The COA as shown on **Exhibit 3** are necessary to protect the health, safety and general welfare of the community, to ensure that the City develops in an orderly manner, and to ensure that the Project operates in a manner that does not adversely affect the surrounding areas.

California Environmental Quality Act (CEQA) Categorical Exemption Findings:

The project is Class 3 Categorical Exempt per CEQA. Class 3 categorical exemption for the "installation of small new equipment and facilities in small structures." This exemption only applies where a project has no impact on the environment. In the case of the cell tower and facilities, it is recommended that the project be found to qualify for Class 3 exemption because the project includes mitigations of visual impacts. In addition, the applicant will need to address drainage from the facility.

EXHIBIT 2
RESOLUTION NO. 2020-279

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,
APPROVING CONDITIONAL USE PERMIT CASE NO. CUP-200-101
LOCATED ON 720 BROADWAY STREET, KING CITY, CALIFORNIA.**

WHEREAS, on **April 6, 2020**, Maria Kim, Complete Wireless Consulting, on behalf of AT&T, submitted an application to install a seventy (77') foot tall monopole, nine (9) antennas, ground equipment enclosed in a new eight (8') foot x eight (8') foot concrete walk-in cabinet and a standby 30kw diesel generator with 190-gallon fuel tank, within a twenty-five (25') x twenty-five (25') lease area surrounded by an eight (8') foot tall chain link fence with a twelve (12') foot wide access gate at the football stadium on the campus of King City High School, 720 Broadway Street; and

WHEREAS, on **April 15, 2020**, the project was found complete and submittals were routed to Project Review Committee ("**PRC**"); and

WHEREAS, on **April 24, 2020**, a noise study was provided finding the proposed project-equipment noise exposure to satisfy the City's noise level criteria; and

WHEREAS, the project is a Class 3 Categorical Exemption of CEQA consisting of small facilities where the use has no significant impact on the environment; and

WHEREAS, the Planning Commission ("**Commission**") reviewed the staff report, accepted public testimony, and considered all other relevant information during the duly noticed public hearing on **May 19, 2020**; and

WHEREAS, the Commission reviewed the project as proposed and finds it Categorical Exempt, pursuant to California Environmental Quality Act ("**CEQA**"); and

WHEREAS, the Commission makes the followings findings of facts:

1. The General Land Use Designation for Low Density Residential ("**R-1**"), General Land Use Overall Goal 1.2 is to assure that adequate public services and facilities are available both to existing and new development as the community grows. The proposed antennas and equipment will provide more adequate coverage.
2. The Applicant submitted a Radio Frequency - Electromagnetic Energy (RF-EME) Compliance Report written by the applicant's consulting engineers, EBI Consulting, which states that the proposed changes comply with the FCC guidelines limiting public exposure to RF energy.
3. The Applicant submitted an Environmental Noise Assessment prepared by Bollard Acoustical Consultants, Inc. on **January 30, 2020** that concluded that the projected related equipment noise exposure

- will satisfy the noise level criteria identified in Municipal Code §17.56.030.
4. The Applicant will be providing wireless technology that will improve digital voice quality, with increased (encrypted) security, consistency and privacy, along with feature-rich digital service choices.
 5. The proposed use is consistent with the General Plan Land Use Element to assure adequate public services and facilities to existing and new development as the community grows. This District does not specify on radio or communication towers. However, Municipal Code §17.48.070 (Uses – Conditions and Exceptions – Uses Permitted Subject to Permit; Exceptions to Height Limits) allows the Planning Commission to approve certain uses possessing special characteristics not found in the designated district subject to obtaining a conditional use permit. Radio, Television and other towers where permitted in a district height limitation subject to a conditional use permit.
 6. The COA as shown on **Exhibit 3** are necessary to protect the health, safety and general welfare of the community, to ensure that the City develops in an orderly manner, and to ensure that the Project operates in a manner that does not adversely affect the surrounding areas.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission of the City of King approves CUP Case No. CUP-200-101 consistent with **Exhibit 4** as presented.

This resolution was passed and adopted this 19st day of May, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

DAVID NUCK, CHAIRPERSON

ATTEST:

ERICA SONNE/DEPUTY CITY CLERK
SECRETARY TO THE PLANNING COMMISSION

EXHIBIT 3

CUP CASE NO. -200-101

CONDITIONS OF APPROVAL

Community Development Department (The applicant should discuss the following conditions of approval ("**COA**") with Maricruz Aguilar, 831-386-5916, if there are any questions):

1. **Project Description:** Maria Kim, Complete Wireless Consulting on behalf of AT&T, is a request for a conditional use permit ("**CUP**") to install a seventy (77') foot tall monopole, directional cellular transmission antennas, ground equipment enclosed in a new eight (8') by eight (8') concrete walking-in cabinet and a standby 30kw diesel generator with 190 gallon fuel tank, within a 25; x 25' lease area surrounded by an eight (8') tall chain link fence with a twelve (12') wide access gate proposed at the football stadium on the campus of King City High School, 720 Broadway Street. The cell tower shall be constructed in accordance with the Site Plan approved by the Planning Commission on **May 19, 2020**, and attached as **Exhibit 4** to the staff report.
2. **Approval Period:** The approval period for this permit shall be in accordance with the approved drawings and sketches and shall be null and void if not used within one (1) year from the date of the approval. Then the approval shall immediately expire, and any building permit issued in reliance thereon shall be deemed cancelled and revoked. Municipal Code 17.64.030 prohibits any time extensions of the CUP beyond one (1) year from the date of approval. No extension shall be permitted for the CUP as required by Municipal Code 17.64.030.
3. **Lighting:** With the exception of the football stadium lighting, all new outdoor lighting associated with the use shall be hooded and directed so as not to shine on public roads or surrounding properties.
4. **City Noise Ordinance:** The Project shall comply at all times with the City of King Noise Ordinance (Municipal Code Chapter 17.56.030 Sound pressure level)
5. **Hold Harmless and Indemnification Clause:** To the furthest extent allowed by law, the applicant shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, damages and costs (including attorney's fees, litigation expenses and administrative record preparation costs) arising from, resulting from, or in connection with any Third Party Action (as hereinafter defined). The term "Third Party Action" collectively means any legal action or other proceeding instituted by (i) a third party or parties, or (ii) a governmental body, agency or official other than the City, that: (a) challenges or contests any or all of these conditions of approval or any approval associated with entitlements associated with the project

(collectively "Approvals"); or (b) claims or alleges a violation of CEQA or another law in connection with the Approvals by the City, or the grant, issuance or approval by the City of any or all approvals. The applicant's obligations under this paragraph shall apply regardless of whether City or any of its officers, officials, employees, consultants, agents or volunteers are actively or passively negligent, but shall not apply to any loss, liability, fines, penalties forfeitures, costs or damages caused solely by the active negligence or willful misconduct of the City or any of its officers, officials, employees, agents or volunteers. The provisions of this paragraph shall survive any termination, revocation, overturn, or expiration of an approval.

The nature and extent of the applicant's obligations to indemnify, defend and hold harmless the City with regard to events or circumstances not addressed in the preceding paragraph shall be governed by this paragraph. To the furthest extent allowed by law, the applicant shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by City, the applicant or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of performance authorized or required by the approvals, requirements (including any mitigation measures) related to CEQA, or the performance of any or all work to be done by the applicant or its contractors, agents, successors and assigns pursuant to the approvals (including, but not limited to any design, construction and/or ongoing operation and maintenance of off-site improvements, if any, unless and until such off-site improvements are dedicated to and officially accepted by the City). The applicant's obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, consultants or agents are passively negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused by the active or sole negligence, or the willful misconduct, of City or any of its officers, officials, employees, consultants agents or volunteers. If the applicant should subcontract all or any portion of the services to be performed pursuant to the approvals, the applicant shall require each subcontractor to indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers in accordance with the terms of this paragraph. The provisions of this paragraph shall survive any termination, revocation, overturn, or expiration of an approval.

6. **Other County, State and Federal Permits:** Before initiation of the proposed use, the applicant shall provide copies of any required County, State and Federal permits or written verification of a waiver of permit requirement.
7. **Cultural Resources:** In the event of an accidental discovery or recognition of any human remains on the project site, the City of King will ensure that the applicant includes this language in all construction and bid documents, in accordance with CEQA Guidelines §15064.5(e): *"If human remains are found during excavation or*

construction, work will be halted at a minimum of thirty (30') feet from the find and the area will be staked off. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent ("MLD") from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or it's authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or it's authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

8. **Structural and Design Changes:** Installation shall be in substantial conformance with the plans, conditions of approval presented to and approved by the Planning Commission in connection with the project. No conditions, colors, materials or architectural features shall be eliminated, added or modified without Commission review and action, amended CUP, as applicable. Minor changes, which are determined by the Community Development Director to be substantially in conformity with the plans, layout, building design, landscaping and architecture, including architectural features and colors approved by the Planning Commission, may be granted by the Community Development Director.

City of King Building and Safety Department (The applicant should discuss the following COA with the Chief Building Official, (831) 386-5915, if there are any questions.)

9. **Building Plans:** Prior to issuance of a building permit, All COA shall be imprinted on plans submitted for building permits. Building plans shall comply with the current Title 24 California Building Standards Codes.
10. **Business License:** Before issuance of a building permit, a business license shall be obtained for every person conducting or carrying on the business of general contractor or contractor constructing, altering, repairing, wrecking or salvaging buildings, highways, roads, railroads, excavations or other structures, projects, developments or improvements.

- (a) Every person conducting or carrying on the business of electrical, plumbing or painting subcontractor.
- (b) Every person conducting or carrying on the business of masonry, glazier, cement, floor, heating, plastering, roofing, sash, sheet metal, tile, lathing and any other subcontractor not specifically mentioned in this Title 5 of the Municipal Code.
- (c) Every person conducting or carrying on the business of house moving, grading, paving, wrecking, sewer construction, pipeline construction, trenching, or excavating.

11. Future Communication Interferences: Prior to issuance of a building permit, the applicant shall verify with the Monterey County Telecommunications Department of any interferences or future site radio frequency interferences from the antenna facility site, 720 Broadway Street, King City, CA affecting the Public Safety communication systems shall be corrected immediately. Any interferences on the King City Police Department surveillance system shall also be corrected immediately.

12. Visual Screening of Ground Equipment: At the time of building permit submittal the applicant shall include on the site plan a landscape detail on the existing landscaping in proximity to the tower and proposed equipment facility. Any removal of existing trees or landscape should be placed to help visually screen the ground equipment. To be reviewed and approved by the Building & Safety Department and Community Development Department.

13. Existing Wood Light Standard Pole: At the time of building permit submittal the applicant shall show the removal of the existing wooden pole as part of the scope of work.

14. On-site Personnel: Access to the tower shall be restricted to communication industry professionals, and approved contractor personnel trained in radio-frequency safety; and that the instant analysis addresses exposure levels at two meters above ground level and does not address exposure levels on the tower, or in the immediate proximity of the antennas.

15. Application Fees: All development review applications are based on times and materials per City Fee Schedule. The applicant shall contact the Finance Department for clearing the remaining balance owed for processing the original CUP.

Conditional Use Condition Agreement:

The conditional use permit is **not** valid until all Conditions of Approval ("*COA*") and mitigated measures imposed by the Planning Commission are signed for and agreed to by the applicant.

I have received a copy of the conditional use permit conditions of approval and mitigated measures and agree with them. I understand that if I do not abide by them the Planning Commission has the authority to revoke my conditional use permit, pursuant to the Municipal Code. (*Reference Municipal Code §17.64.040.*)

Applicant Signature: _____ Date: _____



April 3, 2020

Via Email & USPS First Class Mail

City of King
Community Development Department
212 S. Vanderhurst Avenue
King City, CA 93930

RE: Application for Conditional Use Permit, 720 Broadway St, King City, CA 93930 (APN:026-061-004) – AT&T Site: CCL02213 King City.

To Whom it May Concern:

This package is intended as a formal application for a Conditional Use Permit for an AT&T Mobility new freestanding tower in King City. The following list summarizes the documents and information included with this submittal.

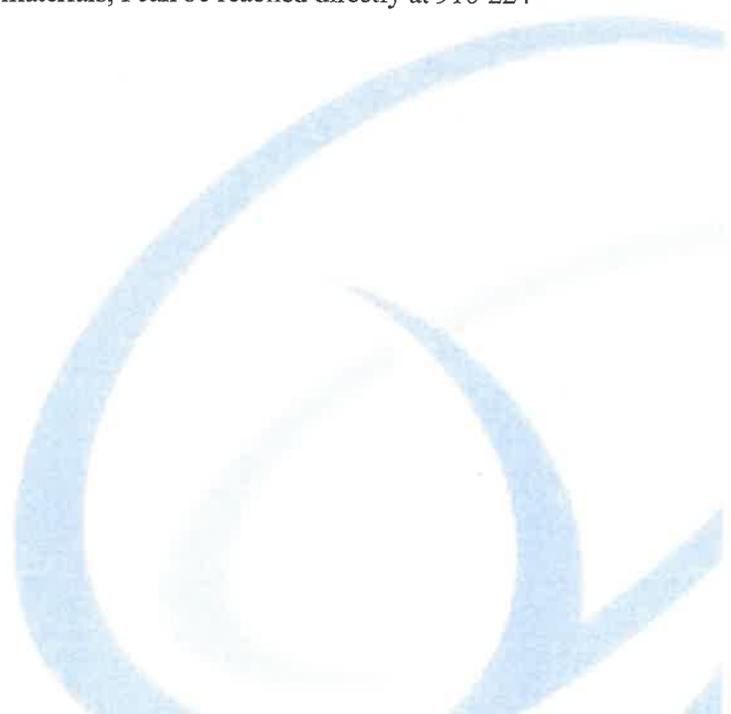
- | | |
|---|-----------------------|
| 1. Site Plan Review fee of <u>\$3,000</u> , | 6. Propagation Maps; |
| 2. General Application Form; | 7. Photo Simulations; |
| 3. Hazardous Waste Site Declaration Sheet | 8. RF Study; |
| 4. (3) Sets of Mailing Labels (Via Mail) | 9. Site Plans |
| 5. Project Support Statement; | |

I am the planning specialist and the main point of contact for this application. Should you have any questions regarding the submittal or need additional materials, I can be reached directly at 916-224-8018 or mhabibeh@completewireless.net.

Sincerely,

Macy Habibeh
Land Use Planning Specialist

Enclosures





GENERAL APPLICATION FORM

SUBMITTED WITH ALL COMMUNITY DEVELOPMENT APPLICATIONS

Type of Application: NEW AMENDMENT (PLEASE PROVIDE DATE OF PREVIOUS APPROVAL) _____

<input type="checkbox"/> Pre-Application Review (PRE-APP)	<input type="checkbox"/> General Plan Amendment (GPA)	<input type="checkbox"/> Development Agreement (DA)
<input type="checkbox"/> Sign Permit (SN) <input type="checkbox"/> Temporary Sign Permit (TSP)	<input type="checkbox"/> Zone Change (ZC) <input type="checkbox"/> Pre-Zoning (PZ)	<input type="checkbox"/> Memorandum of Understanding (MOU) <input type="checkbox"/> Sphere of Influence Amendment (SOI)
<input type="checkbox"/> Landscape Design Permit (LDP)	<input type="checkbox"/> Planned Development (PD)	<input type="checkbox"/> Annexation
<input checked="" type="checkbox"/> Conditional Use Permit (CUP) <input type="checkbox"/> Temporary Use Permit (TUP) <input type="checkbox"/> Special Event Permit (SEP)	<input type="checkbox"/> Tentative Tract Map (TM) <input type="checkbox"/> Vesting Tentative Tract Map (VTM)	<input type="checkbox"/> Specific Plan (SP) <input type="checkbox"/> Records Research (RR)
<input type="checkbox"/> Architectural Review (AR)	<input type="checkbox"/> Parcel Map (PM)	<input type="checkbox"/> Planning Commission or City Council Interpretation
<input type="checkbox"/> Variance (VAR)	<input type="checkbox"/> Lot Line Adjustment (LLA)	<input type="checkbox"/> Planning Commission Appeal <input type="checkbox"/> City Council Appeal
<input type="checkbox"/> Plot Plan Review (PPR)	<input type="checkbox"/> Home Occupation Permit (HOP)	<input type="checkbox"/> Other Application(s):

APPLICANT INFORMATION

Applicant Name: Maria Kim	Telephone No.: 916-247-6087
Business/Organization Name: Complete Wireless Consulting	Fax Number: 916-313-3730
Mailing Address: Address, City, State, Zip 2009 V Street, Sacramento, CA 95818	Email: mkim@complerewireless.net
Architect/Engineer/Representative:	Representative Phone No:

PROJECT SPECIFIC INFORMATION

Project Location/Address: 720 Broadway Street, King City, CA 93930	Assessor Parcel Number: 026-061-004-000
Request: Remove a stadium light structure to be replaced by a 77' monopole telecommunications tower and have the stadium lights added on top	Existing Use(s):

Existing Zoning:	Existing General Plan Designation:			
Adjacent General Plan Designations:	North:	South:	East:	West:
Adjacent Zoning:	North:	South:	East:	West:
Adjacent Uses:	North:	South:	East:	West:

The undersigned applicant affirms that all information contained with this application is true and accurate and that the applicant is authorized to make such application to the City of King. Additionally, the undersigned applicant understands and agrees that the application fee is a deposit and the application is processed on a time and materials basis. By signing this application, the undersigned applicant agrees to all statutory processing time periods (e.g., Permit Streamlining Act) and understands that if the deposit is depleted and an additional deposit is not made to the City Finance Department, the City will suspend processing the application until said deposit is made with the City Finance Department.

Applicant Signature: Macy Habibeh
2020.04.06 10:59:03 -07'00' _____ Date: 4/2/2020

If the applicant is not the property owner, the property owner must either sign below or provide written authorization for the applicant to act on his/her behalf.

Property Owner (Please Print): Brian Walker Date: 2/21/2020

Property Owner Signature: Brian Walker

Please refer to the *City Fee Schedule* and project specific *Checklist* for additional submittal requirements.

HAZARDOUS WASTE SITE AFFIDAVIT

I, Macy Habibeh (property owner , agent , etc.) hereby certify that I have read and understand California Government Code Section 65962.5 (reprinted on reverse side) and hereby confirm that the proposed project to be located at (is*) (is not) contained on the hazardous site lists as prepared by the State Department of Health Services, State Water Resources Board and the California Waste Management Board.

I certify, under penalty of perjury, that the foregoing is true and correct.

Signature: Macy Habibeh
2020.04.06 10:59:23 -07'00'

Name: Macy Habibeh

Address: 2009 V Street, Sacramento, CA 95818

Phone: (916) 224-8018

Email: mhabibeh@completewireless.net

Check one:

Agent **Owner** **Other**

Date: 03/24/2020

Application No.: _____

*If the project site is on one of the lists specified by California Government Code §65962.5, a statement must be submitted with your **application** indicating which list the site is on and what corrective measures will be taken to remove the site from the state list.

CAL. GOVERNMENT CODE §65962.5

65962.5. (a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

(2) All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.

(3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

(4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(5) All sites included in the Abandoned Site Assessment Program.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

(c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

(2) All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

(d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the California Integrated Waste Management Board, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The California Integrated Waste Management Board shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental Protection and shall be available to any person who requests the information.

(e) The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to

cover the cost of developing, maintaining, and reproducing and distributing the information.

(f) Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943. The statement shall read as follows:

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section **65962.5** of the **Government Code**. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of applicant: Address: Phone number: Address of site (street name and number if available, and **ZIP Code**): Local agency (city/county): Assessor's book, page, and parcel number: Specify any list pursuant to Section **65962.5** of the **Government Code**: Regulatory identification number: Date of list:

Macy Habibeh
2020.04.06 10:59:43 -07'00'

Applicant Signature and Date

(g) The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not been deemed complete on or before January 1, 1992, pursuant to Section 65943.

**PROJECT SUPPORT STATEMENT
AT&T MOBILITY**

Site Name: CCL02213 King City
Location: 720 Broadway St, King City, CA 93930
APN: 026-061-004

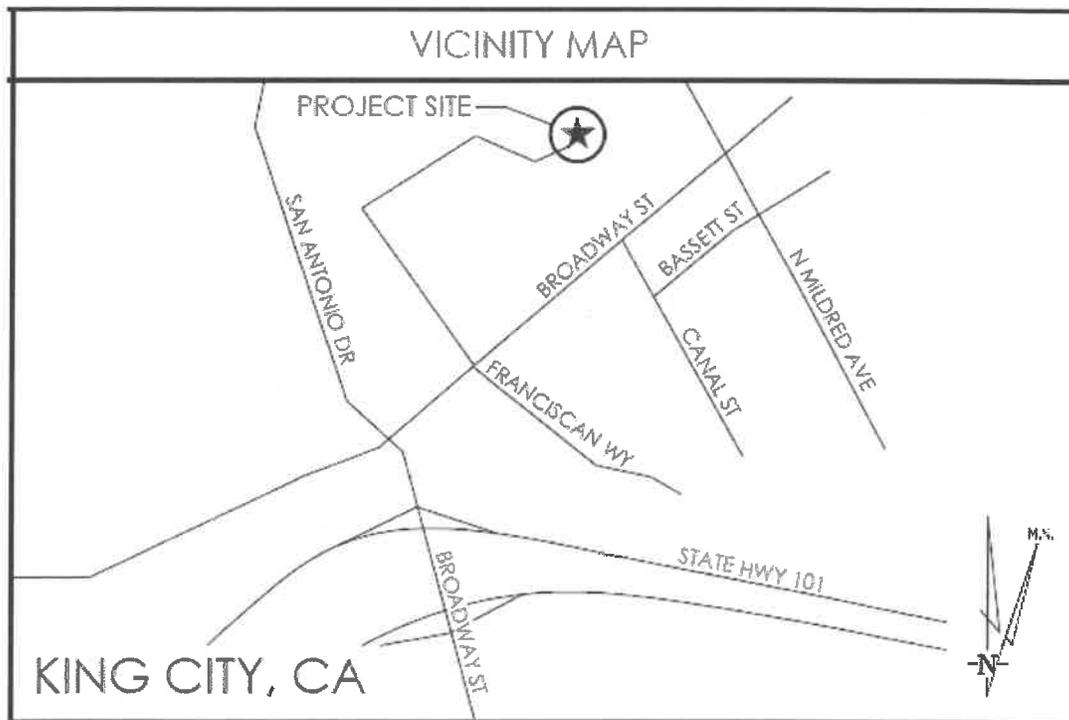
Introduction

AT&T Mobility is seeking to improve communications service to residences, businesses, public services, and area travelers in King City, 45 Miles south of Monterey, along Hwy 101. AT&T maintains a strong customer base in King City and strives to improve coverage for both existing and potential customers. The proposed facility is needed to bring improved wireless communication capacity and coverage. This project will expand AT&T's existing network and improve call quality, signal strength, and wireless connection services in King City. The improved wireless service will benefit residents, travelers, public services, and roadway safety in the area.

Public Benefits of Improved Wireless Service

Modern life has become increasingly dependent upon wireless communications. Wireless access is critical to many facets of everyday life, such as safety, recreation, and commerce. This site will allow current and future AT&T customers to have access to wireless services in the areas shown on the coverage areas identified in this application. Additionally, this site will serve as a backup to the existing landline service in the area and will provide improved wireless communication, which is essential to first responders, community safety, local businesses and area residents. As a backup system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes. As more users move away from landline service and require use within their homes, the need and demand for wireless service grows every year, which in turn, require facilities to be placed closer to residences to meet that demand.

Vicinity Map



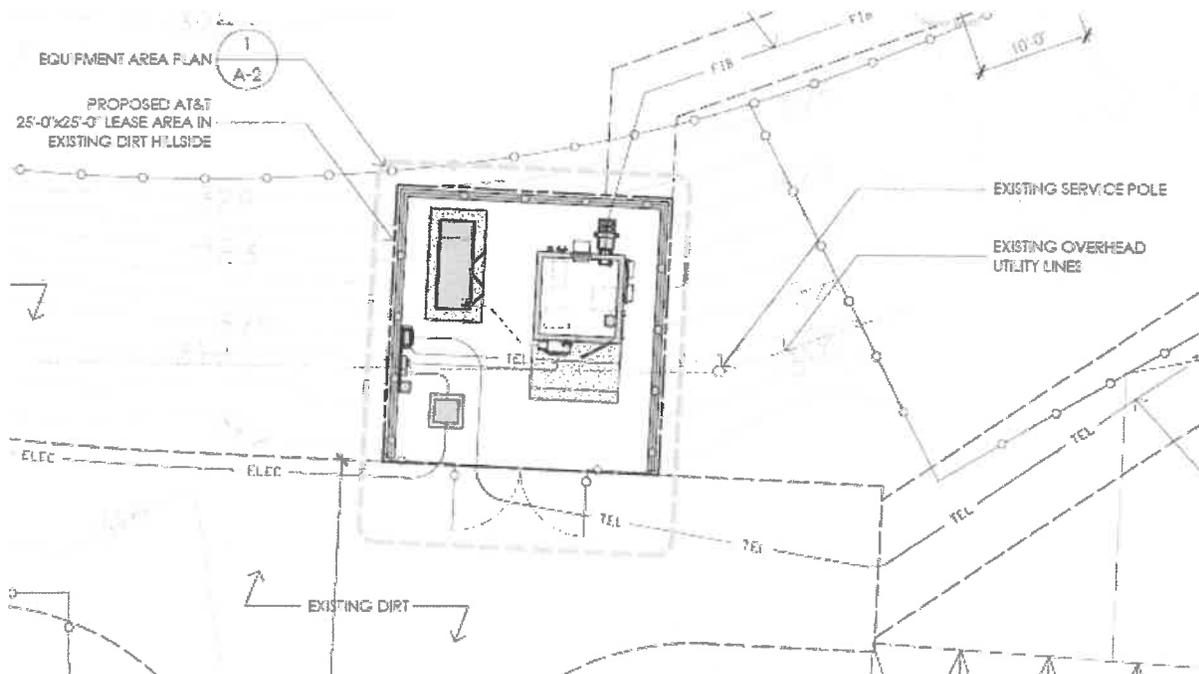
PROJECT SUPPORT STATEMENT AT&T MOBILITY

Proposed Location & Design

AT&T Mobility proposes the installation of new wireless communications equipment on an existing light standard pole, located at 720 Broadway St, King City, CA 93930. APN: 026-061-004.

The existing light standard pole is located at the football stadium for King City High School. The proposed lease area is 25' x 25' with space for AT&T's diesel generator and walk-in cabinet. The tower is located within the jurisdiction of King City at APN026-061-004. This parcel is zoned R-1 (Residential) but is designated for Public Facilities use under the General Plan. Setbacks are 20' (front), 10' (side), and 10' (rear) in the R-1 zone. The proposed facility complies with all City requirements.

The project is a proposed light standard pole replacement project on a 77' monopole, with a centerline of 74'. The project will include an unmanned telecommunications facility including, nine (9) antennas with associated tower-mounted equipment.



Associated ground equipment will be an 8' x 8' concrete walk-in cabinet and a standby 30kw diesel generator with 190-gallon fuel tank, within a 25' x 25' lease area surrounded by an 8' tall chain link fence with a 12' wide access gate.

Please see the attached Site Plans and elevations for further information regarding the layout and nature of the proposed facility.

Compliance with County Development Requirements

The proposed facility is the result of a thorough site selection process. There are several factors that contribute to the overall project design, including local zoning regulations, construction methods, topography, the AT&T Mobility network objectives, and a willing landlord. This facility is appropriately sited because it complies with the standards set forth by the King City Municipal Code as well as applicable state and federal standards.

Need for Facility

AT&T Mobility (AT&T) seeks to improve wireless communication services in King City with the addition of a new wireless telecommunications facility. Presently, this area of King City suffers from poor wireless coverage and low capacity levels, which can cause recurring lost calls and ineffective service. The need for this proposed facility is due to complaints from AT&T Mobility customers, businesses, and travelers in this area. The remedy these problems, AT&T proposed this new tower which will improve service to AT&T subscribers and emergency services

PROJECT SUPPORT STATEMENT

AT&T MOBILITY

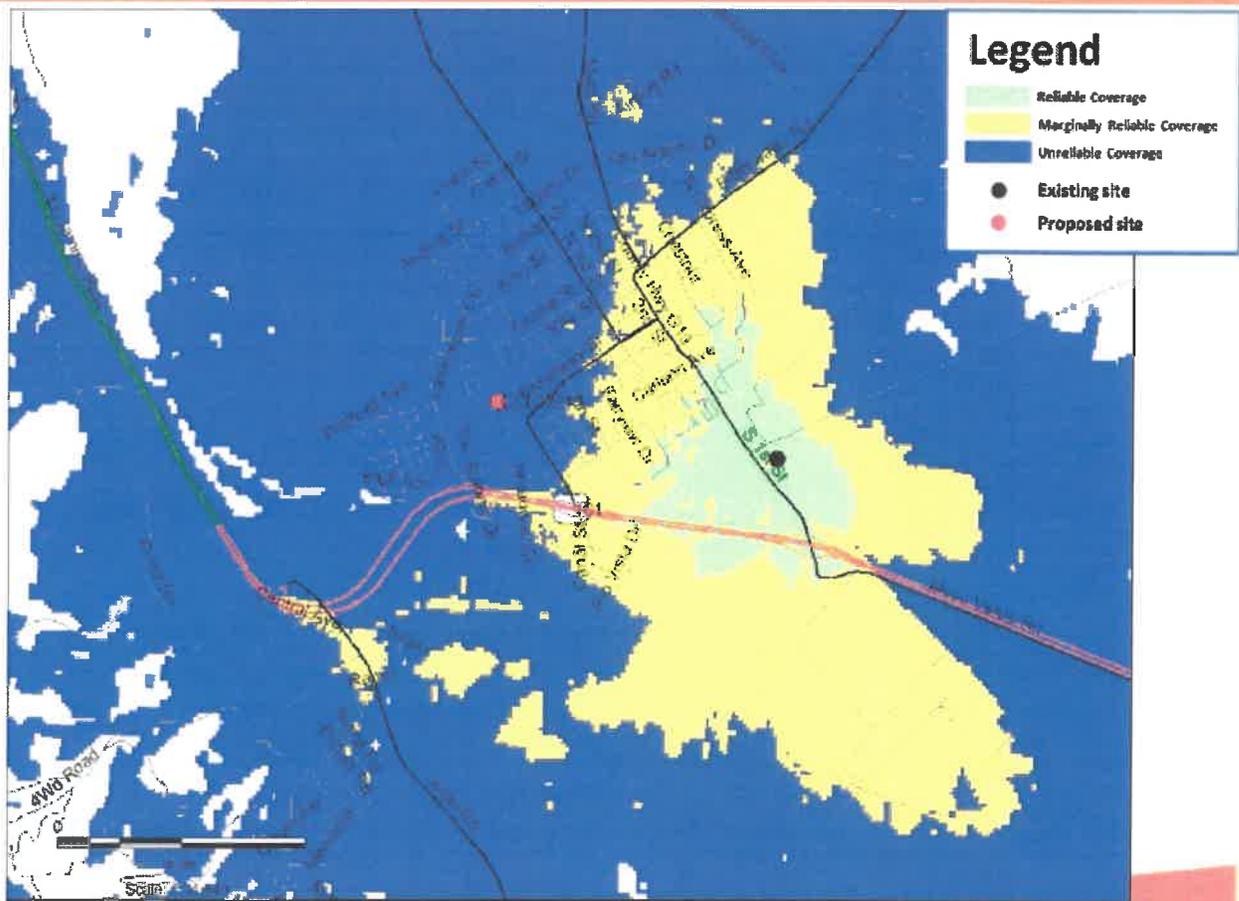
in an approximately one-mile radius around the new facility activation.

Coverage Area

Below, please see the comparison of the two coverage maps. The first map shows the target area currently lacking wireless coverage on the AT&T Wireless network. The second map shows what the coverage will be like upon activation of the proposed facility. The area in blue shows inadequate outdoor and indoor coverage, the area marked in yellow shows some indoor coverage and good outdoor coverage, and the area marked in green indicates good indoor, in-car, and outdoor coverage. Please note that much of the blue and yellow areas are replaced by green following activation of the proposed facility.

Existing Coverage

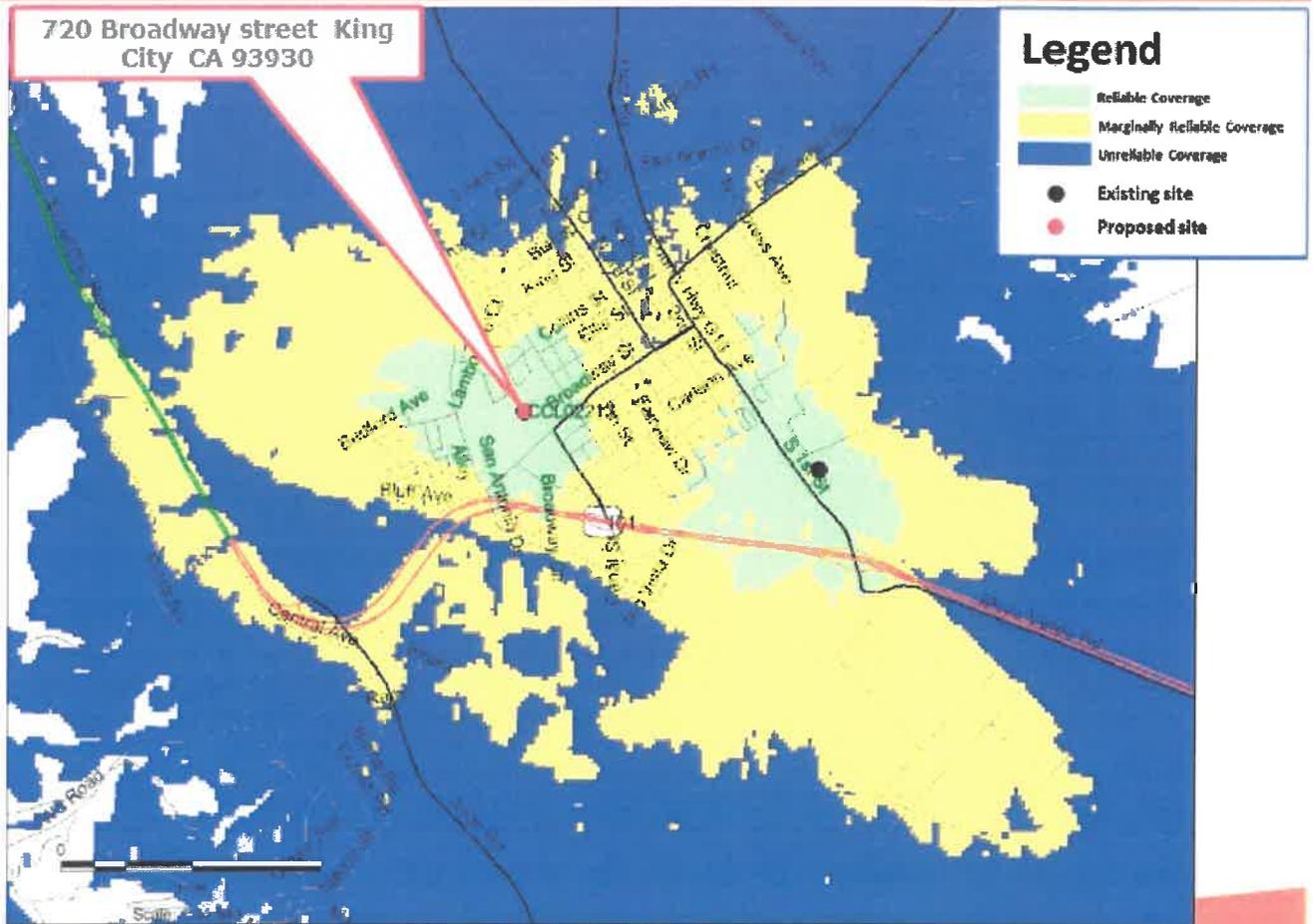
LTE 700 Existing coverage



PROJECT SUPPORT STATEMENT
AT&T MOBILITY

Proposed Coverage

LTE 700 Coverage with proposed NSB-@ (RC=74 ft)



Lighting

Unless tower lighting is required by the FAA the only lighting on the facility will be a shielded light within the lease area on a timer. The light will be used by maintenance technician for safety purposes.

Noise

The standby generator will be operated for approximately 15-30 minutes per week for maintenance purposes, and during power outages and disasters. Testing and maintenance will take place weekdays between 8:00am and 7:00pm. During construction of the facility, which typically lasts around two to three months, acceptable noise levels will not be exceeded.

Hazardous

A Hazardous Material Business Plan will also be submitted upon project completion and stored on site after construction.

Site Maintenance

A technician will visit the site approximately twice a month to check the facility and perform any necessary maintenance.

**PROJECT SUPPORT STATEMENT
AT&T MOBILITY**

Safety Benefits of Improved Wireless Service

AT&T offers its customers multiple services such as voice calls, text messaging, mobile email, picture/video messaging, mobile web, navigation, broadband access, V CAST, and E911 services. Mobile phone use has become an extremely important tool for first responders and serves as a back-up system in the event of a natural disaster.

Operations & Maintenance

The site is unmanned and requires no on-site personnel. Visitation to the site by a service technician for routine maintenance may occur up to once per week. The proposed site is entirely self-monitored and connected electronically to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility is unmanned, there are no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

Construction Schedule

The construction of the facility will be in compliance with all local rules and regulations. The typical duration is two or three months. The crew size will range from two to ten individuals.

Compliance with FCC Standards

AT&T Mobility complies with all FCC rules governing construction requirements, technical standards, interference protection, power and height limitations and radio frequency standards. In addition, AT&T complies with all FAA rules on site location and operation.

Notice of Actions Affecting This Development Permit

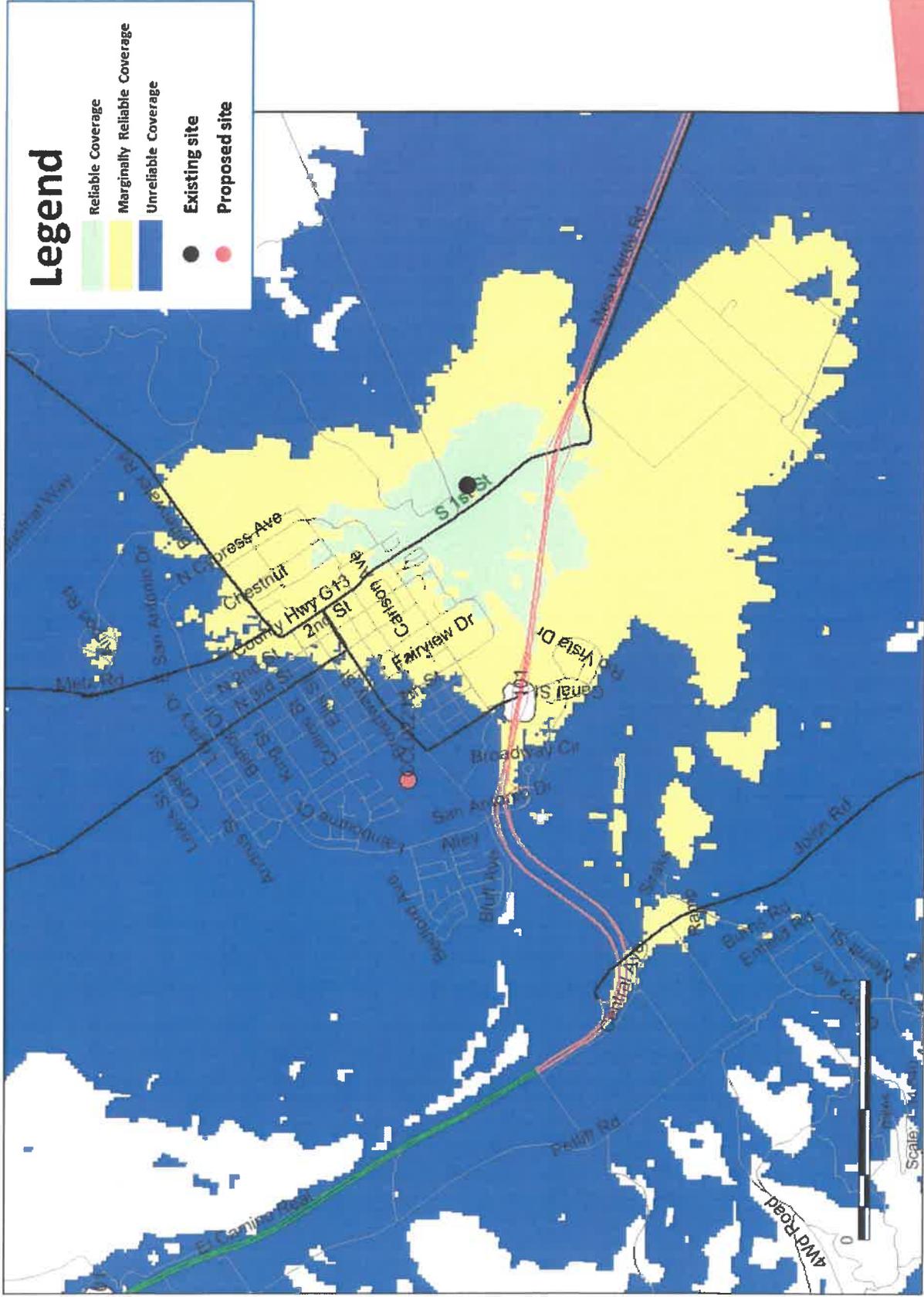
In accordance with California Government Code Section 65945(a), AT&T Mobility requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to 2009 V Street, Sacramento, CA 95818.

CCL02213 Coverage Propagation Map

February 11th , 2020



LTE 700 Existing coverage

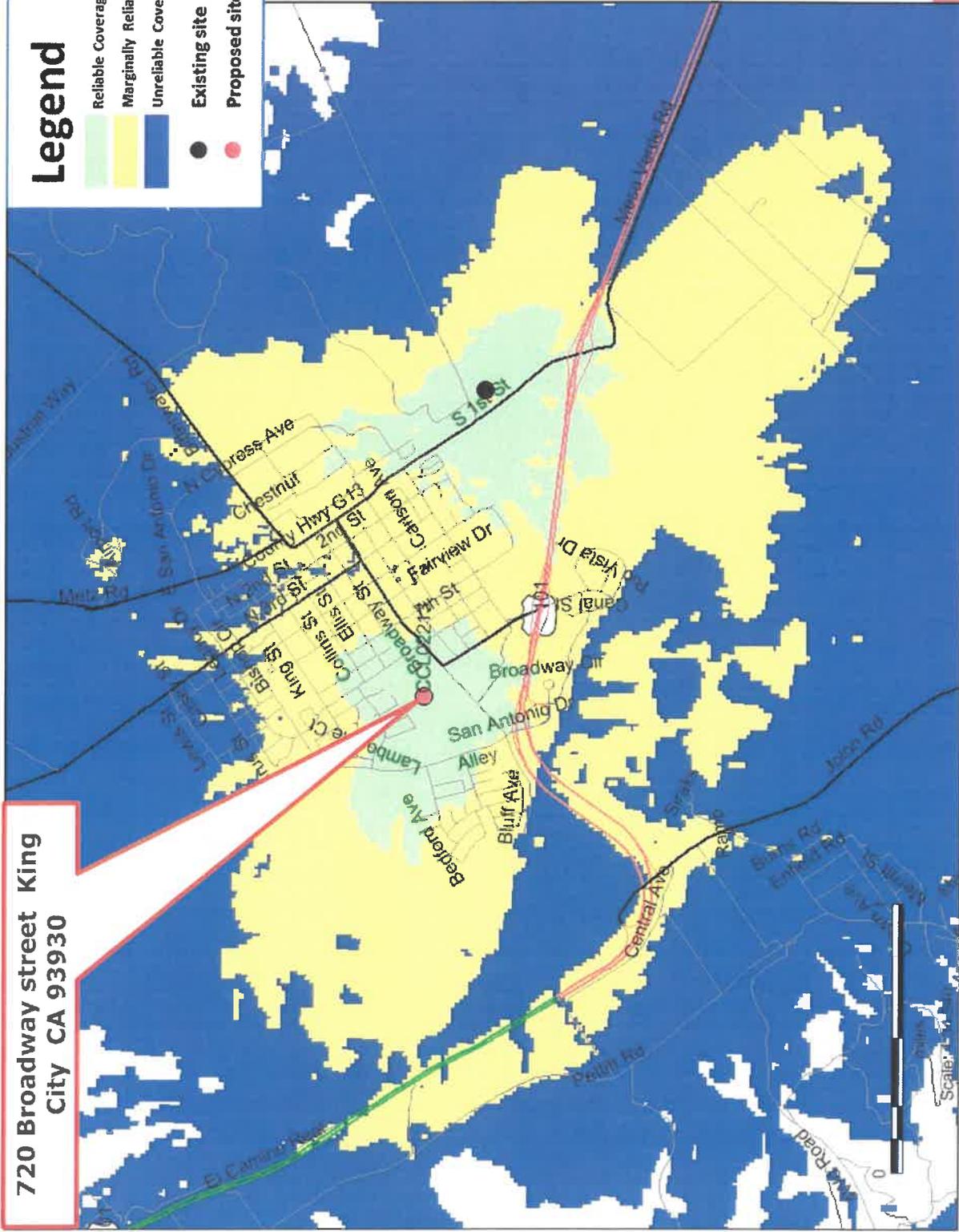


LTE 700 Coverage with proposed NSB-@ (RC=74 ft)

720 Broadway street King
City CA 93930

Legend

- Reliable Coverage
- Marginally Reliable Coverage
- Unreliable Coverage
- Existing site
- Proposed site



Existing



Proposed



Proposed AT&T
Installation

view from Spruce Drive looking southeast at site

Existing



Proposed



view from Broadway Street looking north at site

Existing



Proposed

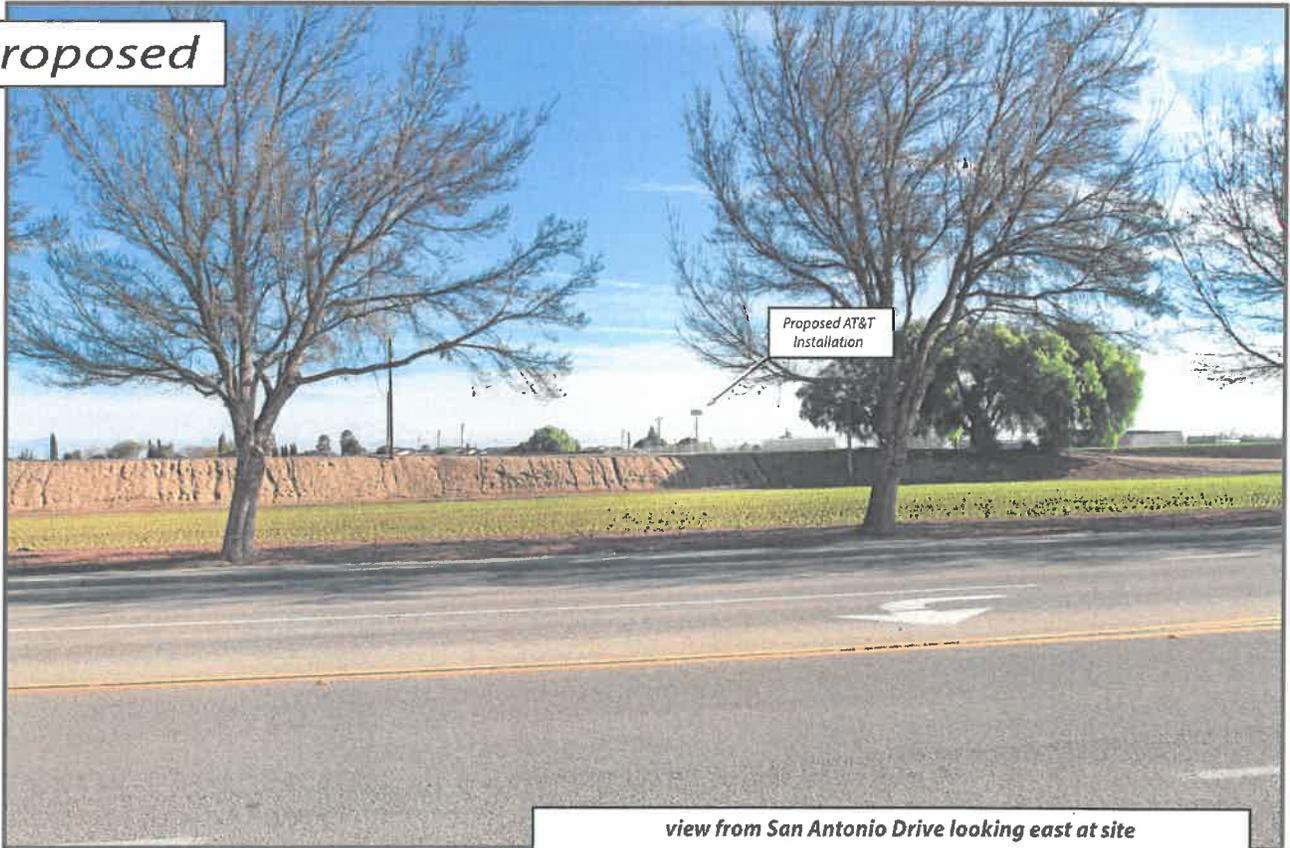


view from N. Mildred Avenue looking west at site

Existing



Proposed



view from San Antonio Drive looking east at site

CCL02213 King City Joint Union High School
720 Broadway Road, King City, CA
Photosims Produced on 3-20-2020



Contact 925.1.202.8507

Shot Point Map

Radio Frequency – Electromagnetic Energy (RF-EME) Compliance Report

Site No. CCL02213
MRSFR053948
King City Joint Union H.S.
720 BROADWAY ROAD
King City, California 93930
MONTEREY County
36.209491; -121.135452 NAD83
Monopole

The proposed AT&T installation will be in compliance with FCC regulations upon proper installation of recommended signage.

EBI Project No. 6220001173
March 28, 2020



Prepared for:

AT&T Mobility, LLC
1265 North Van Buren Street
Anaheim, CA 92807

Prepared by:

 **EBI Consulting**
environmental | engineering | due diligence

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
1.0 FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS	3
2.0 AT&T RF EXPOSURE POLICY REQUIREMENTS	5
3.0 WORST-CASE PREDICTIVE MODELING	5
4.0 RECOMMENDED SIGNAGE/COMPLIANCE PLAN	7
5.0 SUMMARY AND CONCLUSIONS	8
6.0 LIMITATIONS	8

APPENDICES

- Appendix A Personnel Certifications**
- Appendix B Compliance/Signage Plan**

EXECUTIVE SUMMARY

Purpose of Report

EnviroBusiness Inc. (dba EBI Consulting) has been contracted by AT&T Mobility, LLC to conduct radio frequency electromagnetic (RF-EME) modeling for AT&T Site CCL02213 located at 720 BROADWAY ROAD in King City, California to determine RF-EME exposure levels from proposed AT&T wireless communications equipment at this site. As described in greater detail in Section 1.0 of this report, the Federal Communications Commission (FCC) has developed Maximum Permissible Exposure (MPE) Limits for general public exposures and occupational exposures. This report summarizes the results of RF-EME modeling in relation to relevant FCC RF-EME compliance standards for limiting human exposure to RF-EME fields.

This report contains the RF EME analysis for the site, including the following:

- Site Plan with antenna locations
- Graphical representation of theoretical MPE fields based on modeling
- Graphical representation of recommended signage and/or barriers

This document addresses the compliance of AT&T's transmitting facilities independently and in relation to all collocated facilities at the site.

Statement of Compliance

A site is considered out of compliance with FCC regulations if there are areas that exceed the FCC exposure limits and there are no RF hazard mitigation measures in place. Any carrier which has an installation that contributes more than 5% of the applicable MPE must participate in mitigating these RF hazards.

As presented in the sections below, based on worst-case predictive modeling, there are no modeled exposures on any accessible ground walking/working surface related to ATT's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.

As such, the proposed AT&T installation is in compliance with FCC regulations upon proper installation of recommended signage and/or barriers.

AT&T Recommended Signage/Compliance Plan

AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, requires that:

1. All sites must be analyzed for RF exposure compliance;
2. All sites must have that analysis documented; and
3. All sites must have any necessary signage and barriers installed.

Site compliance recommendations have been developed based upon protocols presented in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, additional guidance provided by AT&T, EBI's understanding of FCC and OSHA requirements, and common industry practice. Barrier locations have been identified (when required) based on guidance presented in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014.

The following signage is recommended at this site:

- Yellow CAUTION 2B sign posted at the base of the monopole near the climbing ladder.

The signage proposed for installation at this site complies with AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document and therefore complies with FCC and OSHA requirements. Barriers are not recommended on this site. More detailed information concerning site compliance recommendations is presented in Section 4.0 and Appendix B of this report.

1.0 FEDERAL COMMUNICATIONS COMMISSION (FCC) REQUIREMENTS

The FCC has established Maximum Permissible Exposure (MPE) limits for human exposure to Radiofrequency Electromagnetic (RF-EME) energy fields, based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits developed by the Institute of Electrical and Electronics Engineers, Inc. (IEEE) and adopted by the American National Standards Institute (ANSI) to replace the 1982 ANSI guidelines. Limits for localized absorption are based on recommendations of both ANSI/IEEE and NCRP.

The FCC guidelines incorporate two separate tiers of exposure limits that are based upon occupational/controlled exposure limits (for workers) and general public/uncontrolled exposure limits for members of the general public.

Occupational/controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general public/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

General public/uncontrolled exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment-related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area.

Table I and Figure I (below), which are included within the FCC's OET Bulletin 65, summarize the MPE limits for RF emissions. These limits are designed to provide a substantial margin of safety. They vary by frequency to take into account the different types of equipment that may be in operation at a particular facility and are "time-averaged" limits to reflect different durations resulting from controlled and uncontrolled exposures.

The FCC's MPEs are measured in terms of power (mW) over a unit surface area (cm²). Known as the power density, the FCC has established an occupational MPE of 5 milliwatts per square centimeter (mW/cm²) and an uncontrolled MPE of 1 mW/cm² for equipment operating in the 1900 MHz frequency range. For the AT&T equipment operating at 850 MHz, the FCC's occupational MPE is 2.83 mW/cm² and an uncontrolled MPE of 0.57 mW/cm². For the AT&T equipment operating at 700 MHz, the FCC's occupational MPE is 2.33 mW/cm² and an uncontrolled MPE of 0.47 mW/cm². These limits are considered protective of these populations.

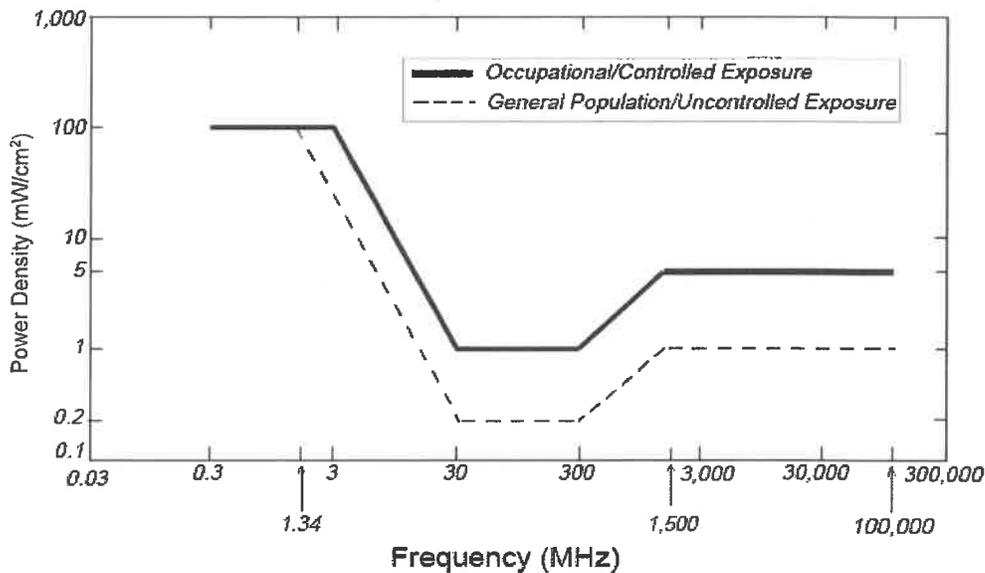
Table I: Limits for Maximum Permissible Exposure (MPE)				
(A) Limits for Occupational/Controlled Exposure				
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time [E] ² , [H] ² , or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f ²)*	6
30-300	61.4	0.163	1.0	6
300-1,500	--	--	f/300	6
1,500-100,000	--	--	5	6

(B) Limits for General Public/Uncontrolled Exposure				
Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm ²)	Averaging Time [E] ² , [H] ² , or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f ²)*	30
30-300	27.5	0.073	0.2	30
300-1,500	--	--	f/1,500	30
1,500-100,000	--	--	1.0	30

f = Frequency in (MHz)

* Plane-wave equivalent power density

Figure 1. FCC Limits for Maximum Permissible Exposure (MPE)
 Plane-wave Equivalent Power Density



Based on the above, the most restrictive thresholds for exposures of unlimited duration to RF energy for several personal wireless services are summarized below:

Personal Wireless Service	Approximate Frequency	Occupational MPE	Public MPE
Microwave (Point-to-Point)	5,000 - 80,000 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Broadband Radio (BRS)	2,600 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Wireless Communication (WCS)	2,300 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Advanced Wireless (AWS)	2,100 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Personal Communication (PCS)	1,950 MHz	5.00 mW/cm ²	1.00 mW/cm ²
Cellular Telephone	870 MHz	2.90 mW/cm ²	0.58 mW/cm ²
Specialized Mobile Radio (SMR)	855 MHz	2.85 mW/cm ²	0.57 mW/cm ²
Long Term Evolution (LTE)	700 MHz	2.33 mW/cm ²	0.47 mW/cm ²
Most Restrictive Frequency Range	30-300 MHz	1.00 mW/cm ²	0.20 mW/cm ²

MPE limits are designed to provide a substantial margin of safety. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

Personal Communication (PCS) facilities used by AT&T in this area operate within a frequency range of 700-1900 MHz. Facilities typically consist of: 1) electronic transceivers (the radios or cabinets) connected to wired telephone lines; and 2) antennas that send the wireless signals created by the transceivers to be received by individual subscriber units (PCS telephones). Transceivers are typically connected to antennas by coaxial cables.

Because of the short wavelength of PCS services, the antennas require line-of-site paths for good propagation, and are typically installed above ground level. Antennas are constructed to concentrate energy towards the horizon, with as little energy as possible scattered towards the ground or the sky. This design, combined with the low power of PCS facilities, generally results in no possibility for exposure to approach Maximum Permissible Exposure (MPE) levels, with the exception of areas directly in front of the antennas.

2.0 AT&T RF EXPOSURE POLICY REQUIREMENTS

AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, requires that:

1. All sites must be analyzed for RF exposure compliance;
2. All sites must have that analysis documented; and
3. All sites must have any necessary signage and barriers installed.

Pursuant to this guidance, worst-case predictive modeling was performed for the site. This modeling is described below in Section 3.0. Lastly, based on the modeling and survey data, EBI has produced a Compliance Plan for this site that outlines the recommended signage and barriers. The recommended Compliance Plan for this site is described in Section 4.0.

3.0 WORST-CASE PREDICTIVE MODELING

In accordance with AT&T's RF Exposure policy, EBI performed theoretical modeling using RoofMaster™ software to estimate the worst-case power density at the site ground-level and/or nearby rooftops resulting from operation of the antennas. RoofMaster™ is a widely-used predictive modeling program that has been developed to predict RF power density values for rooftop and tower telecommunications sites produced by vertical collinear antennas that are typically used in the cellular, PCS, paging and other communications services. Using the computational methods set forth in Federal Communications (FCC) Office of Engineering & Technology (OET) Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields" (OET-65), RoofMaster™ calculates predicted power density in a scalable grid based on the contributions of all RF sources characterized in the study scenario. At each grid location, the cumulative power density is expressed as a percentage of the FCC limits. Manufacturer antenna pattern data is utilized in these calculations. RoofMaster™ models consist of the Far Field model as specified in OET-65 and an implementation of the OET-65 Cylindrical Model (Sula9). The models utilize several operational specifications for different types of antennas to produce a plot of spatially-averaged power densities that can be expressed as a percentage of the applicable exposure limit.

For this report, EBI utilized antenna and power data provided by AT&T and compared the resultant worst-case MPE levels to the FCC's occupational/controlled exposure limits outlined in OET Bulletin 65.

The assumptions used in the modeling are based upon information provided by AT&T and information gathered from other sources. There are no other wireless carriers with equipment installed at this site.

Based on worst-case predictive modeling, there are no modeled exposures on any accessible ground walking/working surface related to ATT's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.

At the nearest walking/working surfaces to the AT&T antennas on the ground, the maximum power density generated by the AT&T antennas is approximately 0.25 percent of the FCC's general public limit (0.05 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately 0.25 percent of the FCC's general public limit (0.05 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna.

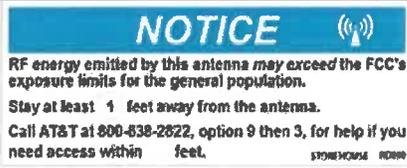
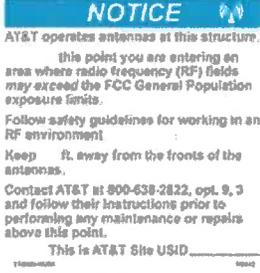
A graphical representation of the RoofMaster™ modeling results is presented in Appendix B. It should be noted that RoofMaster™ is not suitable for modeling microwave dish antennas; however, these units are designed for point-to-point operations at the elevations of the installed equipment rather than ground-level coverage. Based on AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, microwave antennas are considered compliant if they are higher than 20 feet above any accessible walking/working surface. There are no microwaves installed at this site.

4.0 RECOMMENDED SIGNAGE/COMPLIANCE PLAN

Signs are the primary means for control of access to areas where RF exposure levels may potentially exceed the MPE. As presented in the AT&T guidance document, the signs must:

- Be posted at a conspicuous point;
- Be posted at the appropriate locations;
- Be readily visible; and
- Make the reader aware of the potential risks prior to entering the affected area.

The table below presents the signs that may be used for AT&T installations.

CRAN / HETNET Small Cell Decals / Signs		Alerting Signs	
 	<p>NOTICE DECALS</p>	 <p>TRILINGUAL NOTICE</p>	 <p>NOTICE 2</p>
	<p>NOTICE SIGN</p>	 <p>CAUTION 2 - ROOFTOP</p>	 <p>CAUTION 2A</p>
	<p>CAUTION DECAL</p>	 <p>CAUTION 2B - TOWER</p>	 <p>CAUTION 2C - PARAPETS</p>
	<p>CAUTION SIGN</p>	 <p>WARNING IB</p>	 <p>WARNING 2A</p>

Based upon protocols presented in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, and additional guidance provided by AT&T, the following signage is recommended on the site:

- Yellow CAUTION 2B sign posted at the base of the monopole near the climbing ladder.

No barriers are required for this site.

5.0 SUMMARY AND CONCLUSIONS

EBI has prepared this Radiofrequency Emissions Compliance Report for the proposed AT&T telecommunications equipment at the site located at 720 BROADWAY ROAD in King City, California.

EBI has conducted theoretical modeling to estimate the worst-case power density from AT&T antennas to document potential MPE levels at this location and ensure that site control measures are adequate to meet FCC and OSHA requirements, as well as AT&T's corporate RF safety policies. As presented in the preceding sections, based on worst-case predictive modeling, there are no modeled exposures on any accessible ground walking/working surface related to AT&T's proposed antennas that exceed the FCC's occupational and/or general public exposure limits at this site.

Signage is recommended at the site as presented in Section 4.0 and Appendix B. Posting of the signage brings the site into compliance with FCC rules and regulations and AT&T's corporate RF safety policies.

6.0 LIMITATIONS

This report was prepared for the use of AT&T Mobility, LLC to meet requirements outlined in AT&T's corporate RF safety guidelines. It was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same locale under like circumstances. The conclusions provided by EBI are based solely on the information provided by the client. The observations in this report are valid on the date of the investigation. Any additional information that becomes available concerning the site should be provided to EBI so that our conclusions may be revised and modified, if necessary. This report has been prepared in accordance with Standard Conditions for Engagement and authorized proposal, both of which are integral parts of this report. No other warranty, expressed or implied, is made.

Appendix A

Personnel Certifications

Preparer Certification

I, Brad Bockstie, state that:

- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" under the FCC regulations.
- I am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation.
- I have been trained in on the procedures outlined in AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document (dated October 28, 2014) and on RF-EME modeling using RoofMaster™ modeling software.
- I have reviewed the data provided by the client and incorporated it into this Site Compliance Report such that the information contained in this report is true and accurate to the best of my knowledge.

A rectangular box containing a handwritten signature in black ink that reads "Brad Bockstie".

Reviewed and Approved by:



sealed 30mar2020

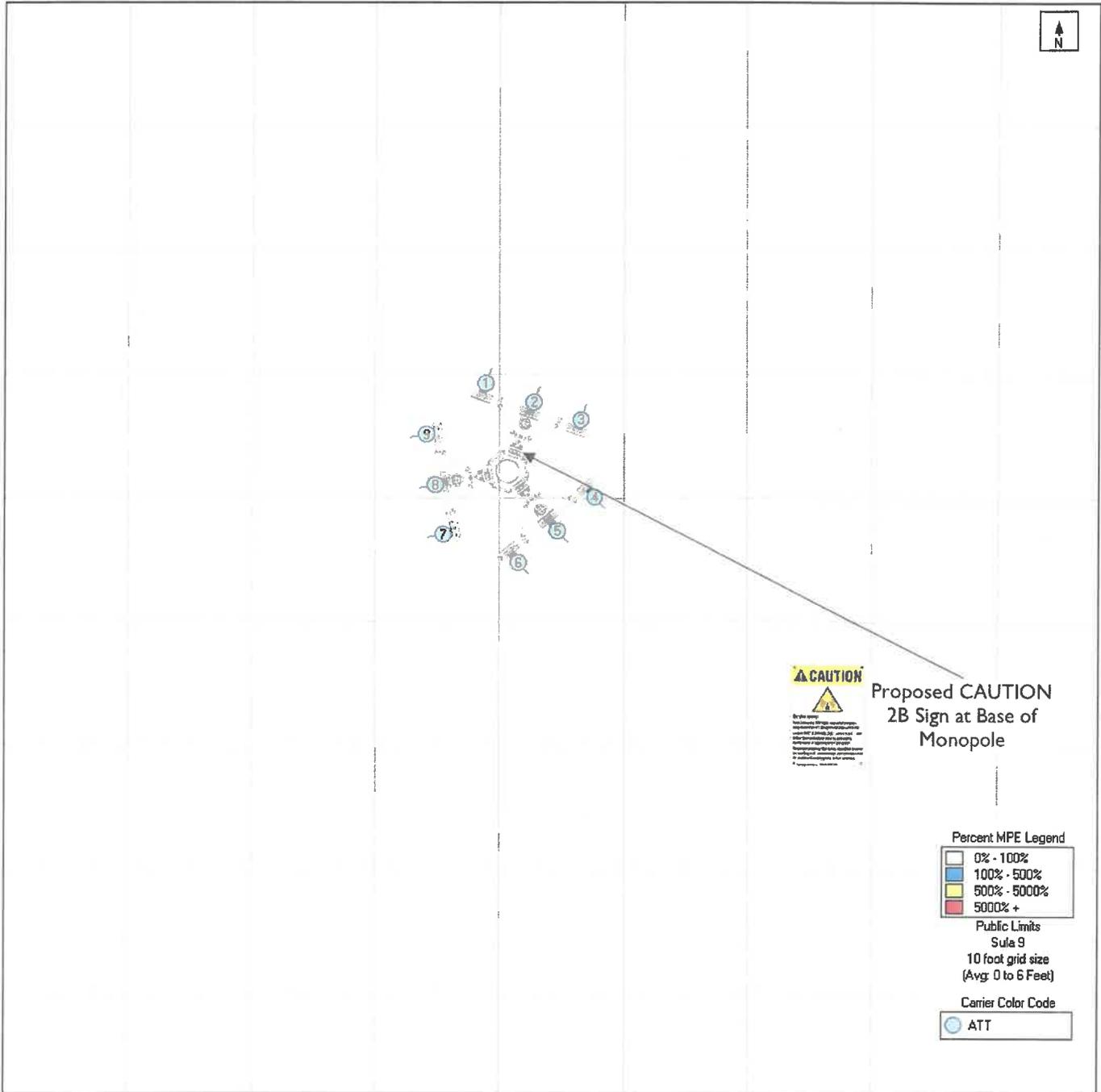
Michael McGuire
Electrical Engineer
mike@h2dc.com

Note that EBI's scope of work is limited to an evaluation of the Radio Frequency – Electromagnetic Energy (RF-EME) field generated by the antennas and broadcast equipment noted in this report. The engineering and design of the building and related structures, as well as the impact of the antennas and broadcast equipment on the structural integrity of the building, are specifically excluded from EBI's scope of work.

Appendix B

Compliance/Signage Plan

Nearest Walking Surface Simulation



	Existing Sign
	Proposed Sign
	Installed Sign

SIGN IDENTIFICATION LEGEND			
	AT&T NOTICE 2 Sign		AT&T CAUTION 2 – Rooftop Sign
	AT&T WARNING 1B and 2A Signs		AT&T CAUTION 2B – Tower Sign
	AT&T NOTICE Small Cell Signs		AT&T CAUTION 2C – Parapet Sign
	AT&T CAUTION Small Cell Signs		AT&T TRILINGUAL NOTICE Sign

Environmental Noise Assessment

CCL02213 King City Joint Union HS AT&T Cellular Facility

King City, California

BAC Job # 2020-028

Prepared For:

Complete Wireless Consulting

Attn: Steve Proo
2009 V Street
Sacramento, CA 95818

Prepared By:

Bollard Acoustical Consultants, Inc.



Dario Gotchet, Consultant

January 30, 2020



Introduction

The CCL02213 King City Joint Union HS AT&T Wireless Unmanned Telecommunications Facility Project (project) proposes the installation of cellular equipment within a lease area located at 720 Broadway Road in King City, California (APN: 026-061-004). The externally mounted HVAC unit of a pre-manufactured concrete walk-in cabinet and an emergency diesel standby generator have been identified as the primary noise sources associated with the project. Please see Figure 1 for the project site location. The studied site design is dated January 9, 2020.

Bollard Acoustical Consultants, Inc. (BAC) has been contracted by Complete Wireless Consulting, Inc. to complete an environmental noise assessment regarding the proposed project cellular equipment operations. Specifically, the following assessment addresses daily noise production and exposure associated with operation of the project emergency generator and HVAC equipment.

Please refer to Appendix A for definitions of acoustical terminology used in this report. Appendix B illustrates common noise levels associated with various sources.

Criteria for Acceptable Noise Exposure

King City Municipal Code

Chapter 17.56 of the King City Municipal Code provides exterior noise standards that would be applicable to the project equipment. Specifically, Section 17.56.030 provides exterior noise standards for residential, commercial and industrial uses. The noise level limits contained in Section 17.56.030 are summarized below in Table 1.

Table 1
Exterior Noise Level Standards

Duration of Hour		Statistical Descriptor	Noise Level Standards, dBA ¹		
Minutes	Percent		Residential	Commercial	Industrial
Any	--	L _{max}	55	65	68
12	20	L ₂₀	60	70	73
3	5	L ₅	65	75	78

¹ Standards shall be increased by 5 dB for noise sources that would operate during daytime hours only.
² Standards shall be reduced by 5 dB for noise sources of impulsive or periodic character such as hammering or screeching.
Source: King Municipal Code, Title 17-Zoning, Chapter 17.56, Code Section 17.56.030.

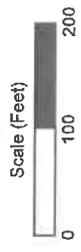
According to the City of King Zoning Map (dated March 2015), the project parcel and adjacent parcels are residentially zoned (R-1).



CCL02213 King City Joint Union HS
AT&T Cellular Facility
 King City, California

Proposed Cellular Facility Lease Area
 & Nearest Residential Use

Figure 1



Legend

- Proposed AT&T Cellular Facility Lease Area (Approximate)
- Parcel Boundaries (Approximate)

In addition, Section 7.38.070 of the Municipal Code contains criteria applicable to wireless telecommunications facilities, which is provided below.

7.38.070 Design and development standards.

15. Noise.

- a. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of seven p.m. and seven a.m.
- b. At no time shall equipment noise from any facility exceed the noise levels permitted by the King City Municipal Code.

Project Noise Generation

As discussed previously, there are two project noise sources which are considered in this evaluation; the externally mounted HVAC unit of the pre-manufactured concrete walk-in cabinet and the emergency diesel generator. The evaluation of potential noise impacts associated with the operation of each noise source is evaluated separately as follows:

HVAC Equipment Noise Source and Reference Noise Level

The project proposes the installation of a pre-manufactured concrete walk-in cabinet equipped with one (1) externally mounted HVAC unit within the equipment lease area illustrated on Figure 1. According to the project applicant, the HVAC unit proposed for the project is a Marvair Airxcel, Inc. Model ECUA18ACA. Based on reference noise level data obtained from the manufacturer (Marvair Airxcel, Inc.), this specific HVAC unit model has a reference noise level of 62 dB at a distance of 5 feet. The manufacturer's noise level data specification sheet for the proposed HVAC equipment is provided as Appendix C.

Generator Noise Source and Reference Noise Level

A Generac Industrial Power Systems Model SD030 (30 kW) is proposed for use at this facility to maintain cellular service during emergency power outages. Based on the project site plans, it is assumed that the proposed generator will be equipped with the Level 2 Acoustic Enclosure resulting in a reference noise level of 68 dB at a distance of 23 feet. The manufacturer's noise level data specification sheet for the proposed generator is provided as Appendix D.

The generator which is proposed at this site would only operate during emergencies (power outages) and brief daytime periods for periodic maintenance/lubrication. According to the project applicant, testing of the generator would occur twice per month, during daytime hours, for a duration of approximately 15 minutes. The emergency generator would not operate at night, except during power outages.

Predicted Facility Noise Levels at Nearest Residential Property Line

As indicated in Figure 1, the project equipment lease area maintains a separation of approximately 350 feet from the nearest residential property line (143 Spruce Drive). Assuming

standard spherical spreading loss (-6 dB per doubling of distance), project-equipment noise exposure at that residential property line was calculated and the results of those calculations are presented in Table 2.

Table 2
Project-Related Equipment Noise Exposure at Nearest Residential Property Line

Nearest Residential Property ¹	Distance from Cellular Facility Lease Area (feet) ²	Predicted Equipment Noise Levels (dBA)	
		HVAC	Generator
143 Spruce Drive	350	25	44

¹ Property boundaries are illustrated on Figure 1.
² Distances scaled using provided site plans dated January 9, 2020.

Assessment Relative to Code Section 17.56.030 Noise Level Limits

Because the HVAC equipment fans could run continuously during warm nighttime hours (i.e., in excess of 20% or 12 minutes of the hour), the King City Municipal Code 55 dB L_{max} noise level standard was applied to the project HVAC unit. As indicated in Table 2, the predicted HVAC equipment noise level of 25 dB L_{max} at the nearest residential property line would satisfy the Municipal Code 55 dB L_{max} noise level standard by a wide margin. As a result, no further consideration of HVAC equipment noise mitigation measures would be warranted for the project relative to the Section 17.56.030 noise level criteria.

Project representatives have indicated that the proposed generator would be in operation for routine testing and maintenance twice a month during daytime hours for no more than 15 minutes (i.e., in excess of 20% or 12 minutes of the hour). In addition, the emergency generator would not operate at night, except during power outages. Nonetheless, the King City Municipal Code 55 dB L_{max} noise level limit was conservatively applied to project generator noise exposure. As indicated in Table 2, the predicted generator noise level of 44 dB L_{max} at the nearest residential property line would satisfy the applicable Municipal Code 55 dB L_{max} noise level standard by a wide margin. As a result, no further consideration of emergency generator noise mitigation measures would be warranted for the project relative to the Section 17.56.030 noise level criteria.

Assessment Relative to Code Section 7.38.070 Wireless Telecommunications Facility Criteria

It is our understanding that the generator which is proposed at this site would only operate during emergencies (power outages) and brief daytime periods on weekdays only for periodic maintenance/lubrication. In addition, the analysis provided above indicates that the project emergency generator is predicted to satisfy the King City Municipal Code noise level standards at the nearest residential use. Based on this information, the project emergency generator would satisfy the criteria contained in Section 7.38.070 of the King City Municipal Code.

Conclusions

Based on the equipment noise level data and analyses presented above, project-related equipment noise exposure is expected to satisfy the applicable King City Municipal Code noise level criteria. As a result, no additional equipment noise mitigation measures would be warranted for this project.

This concludes our environmental noise assessment for the proposed CCL02213 King City Joint Union HS AT&T Cellular Facility in King City, California. Please contact BAC at (916) 663-0500 or darioq@bacnoise.com with any questions or requests for additional information.

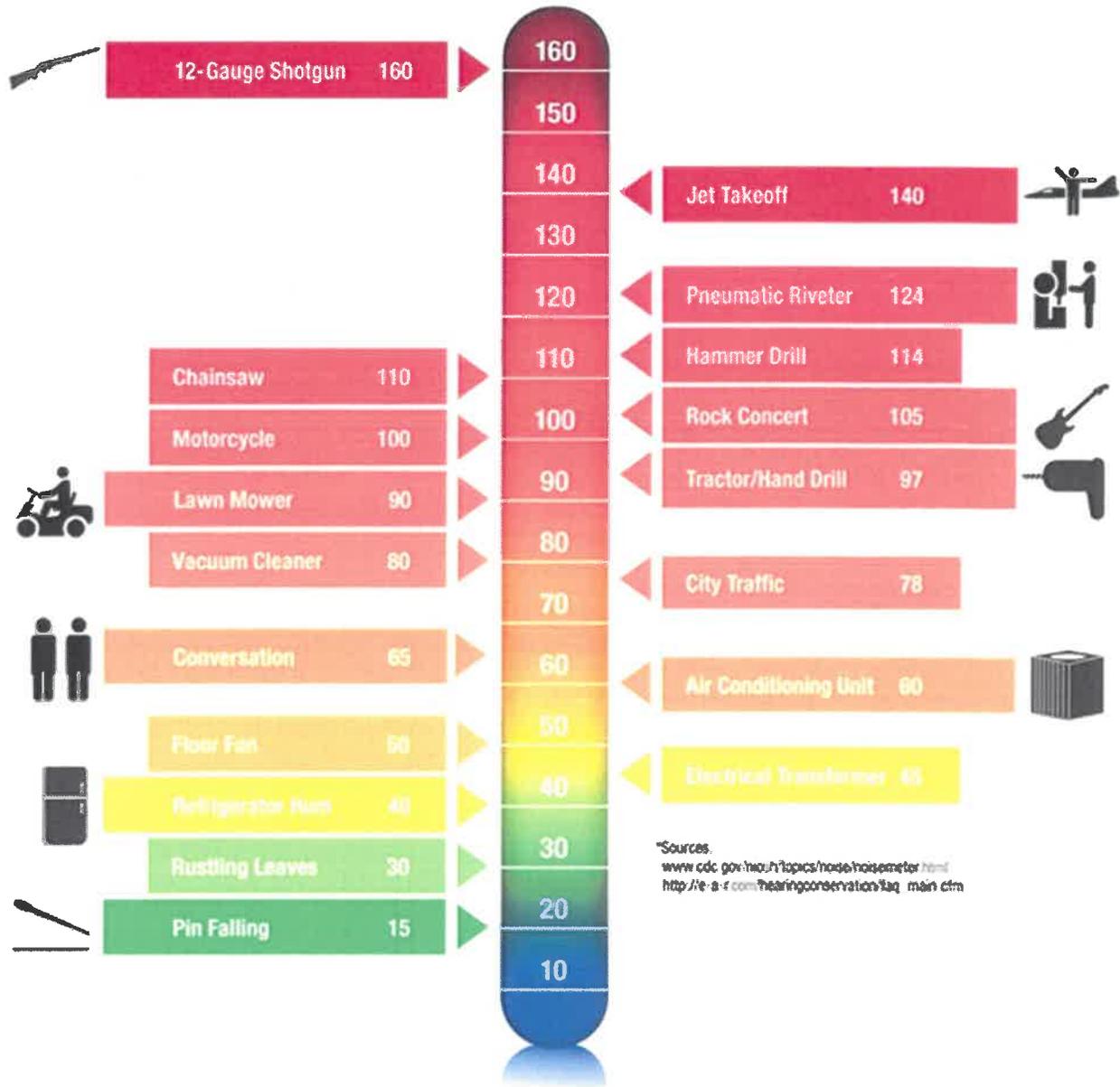
Appendix A Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
Leq	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
Loudness	A subjective term for the sensation of the magnitude of sound.
Masking	The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the Maximum level, which is the highest RMS level.
RT₆₀	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.
SEL	A rating, in decibels, of a discrete event, such as an aircraft flyover or train passby, that compresses the total sound energy of the event into a 1-s time period.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.



Appendix B

Typical A-Weighted Sound Levels of Common Noise Sources Decibel Scale (dBA)*



*Sources:
www.cdc.gov/niosh/topics/noise/noisemeter.html
http://e-a-f.com/hearingconservation/faq_main.cfm

Appendix C

Marvair

156 Seeding Drive
Cordale, Georgia 31015
229-273-0753

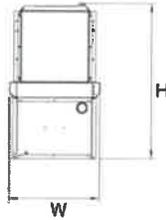
Sound Pressure Level for the Industrial Product Air Conditioners (dBA)						
Distance From Unit (Feet)	Model Number					
	ECUA06ACA	ECUA08ACA	ECUA011ACA	ECUA018ACA		
5			51.5	62		
10			50.7	58		
20			47.8	55		
30			46.5	51		
40			45.6			
50			45.6			
60						
70						
80						

- Notes: (1) Date: July 1, 2019
(2) Background Sound Pressure Level: 41 dBA
(3) Sound Level Meter 1 Meter Above Ground Directly in Line with Outdoor Coil
(4) All units - 410A Refrigerant

Appendix D

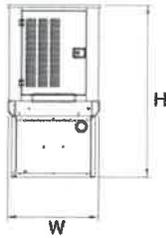
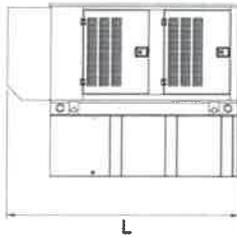
SD030

dimensions, weights and sound levels



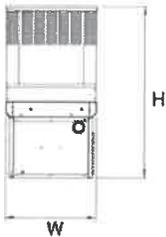
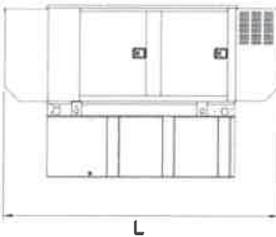
OPEN SET

RUN TIME HOURS	USABLE CAPACITY (GAL)					WT	dBA*
		L	W	H			
NO TANK	-	76	38	46	2060	82	
20	54	76	38	59	2540		
48	132	76	38	71	2770		
77	211	76	38	83	2979		
109	300	93	38	87	3042		



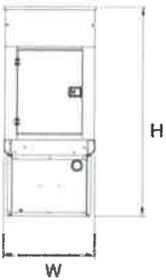
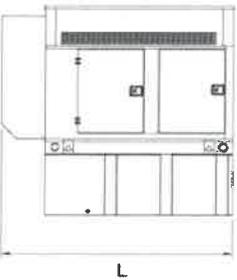
STANDARD ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)					WT	dBA*
		L	W	H			
NO TANK	-	95	38	50	2362	77	
20	54	95	38	63	2842		
48	132	95	38	75	3072		
77	211	95	38	87	3281		
109	300	95	38	91	3344		



LEVEL 1 ACOUSTIC ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)					WT	dBA*
		L	W	H			
NO TANK	-	113	38	50	2515	70	
20	54	113	38	63	2995		
48	132	113	38	75	3225		
77	211	113	38	87	3434		
109	300	113	38	91	3497		



LEVEL 2 ACOUSTIC ENCLOSURE

RUN TIME HOURS	USABLE CAPACITY (GAL)					WT	dBA*
		L	W	H			
NO TANK	-	95	38	62	2520	68	
20	54	95	38	75	3000		
48	132	95	38	87	3230		
77	211	95	38	99	3439		
109	300	95	38	103	3502		

*All measurements are approximate and for estimation purposes only. Weights are without fuel in tank. Sound levels measured at 23ft (7m) and does not account for ambient site conditions.

Tank Options

- MDEQ
- Florida DERM/DEP
- Chicago Fire Code
- IFC Certification
- ULC

- OPT
- OPT
- OPT
- CALL
- CALL

Other Custom Options Available from your Generac Industrial Power Dealer

YOUR FACTORY RECOGNIZED GENERAC INDUSTRIAL DEALER

Specification characteristics may change without notice. Dimensions and weights are for preliminary purposes only. Please consult a Generac Power Systems Industrial Dealer for detailed installation drawings.

Generac Power Systems, Inc. • S45 W29290 HWY. 59, Waukesha, WI 53189 • generac.com

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at&t

FA CODE: 14758134
USID#: 278558

SITE NUMBER: CCL02213 SITE NAME: KING CITY - KING CITY JOINT UNION HIGH SCHOOL

720 BROADWAY ROAD
KING CITY, CA 93930
JURISDICTION: KING CITY
APN: 026-061-004

PREVIOUS DSA #XX-XXXXXX
LOCATION #: XXXXXX
PROJECT #: XXXXXXXXXXXX

SITE TYPE: PREMANUFACTURED WALK-IN CABINET / LIGHT STANDARD

CCL02213
KING CITY - KING
CITY JOINT UNION
HIGH SCHOOL
720 BROADWAY ROAD
KING CITY, CA 93930



PREPARED FOR
at&t
1875 L. Wilson Ramon
San Francisco, California 94108



AT&T JOB NO.: CCL02213
PROJECT NO.: 14758134
DRAWN BY: DJL
CHECKED BY: SST

DATE	NO.
01/27/10	1056-1D
01/27/10	1056-2D
01/27/10	1056-3D
01/27/10	1056-4D
01/27/10	1056-5D
01/27/10	1056-6D
01/27/10	1056-7D
01/27/10	1056-8D
01/27/10	1056-9D
01/27/10	1056-10D

PROJECT NO.: 14758134
DRAWN BY: DJL
CHECKED BY: SST

DATE: 01/27/10
NO.: 1056-1D



SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

PROJECT DESCRIPTION	PROJECT INFORMATION	PROJECT TEAM	SHEET INDEX	REV	
<p>1. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>2. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>3. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>4. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>5. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>6. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>7. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>8. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>9. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>10. GENERAL NOTES, ABBREVIATIONS, & LEGEND</p>	<p>PROPERTY INFORMATION</p> <p>PROPERTY OWNER: KING CITY JOINT UNION HIGH SCHOOL</p> <p>PROPERTY ADDRESS: 720 BROADWAY ROAD, KING CITY, CA 93930</p> <p>APN: 026-061-004</p> <p>POWER AGENCY</p> <p>UTILITY: SOUTHERN CALIFORNIA EDISON COMPANY</p> <p>PROJECT NO.: 14758134</p> <p>SPONGE ELEVATION</p> <p>325.5 FT. A.S.L.</p>	<p>APPLICANT / LESSEE:</p> <p>AT&T</p> <p>1875 L. Wilson Ramon San Francisco, CA 94108</p> <p>FIELD COORDINATOR:</p> <p>RECHLIN INFRASTRUCTURE & POWER</p> <p>AT&T WIRELESS EXPANSION</p> <p>BRIDGEWAY DRIVE, STE 350 SAN RAMON, CA 94583</p> <p>PH: (925) 324-3030 EMAIL: twobonds@earthlink.net</p> <p>RF ENGINEER:</p> <p>AT&T</p> <p>1875 L. Wilson Ramon San Francisco, CA 94108</p> <p>CONTACT: RANDY MILNER PH: (415) 762-2624</p> <p>SURVEYOR:</p> <p>1228 HIGH STREET SAN FRANCISCO, CA 94108</p> <p>CONTACT: DAN O'NEIL PH: (415) 385-5424</p>	<p>ARCHITECT / ENGINEER:</p> <p>MST ARCHITECTS INC.</p> <p>1820 BAYVIEW BLVD SACRAMENTO, CA 95815</p> <p>EMAIL: mst@earthlink.net PH: (916) 867-9650</p> <p>SITE ACQUISITION:</p> <p>COMPLETE WIRELESS CONSULTING, INC.</p> <p>1875 L. Wilson Ramon San Francisco, CA 94108</p> <p>CONTACT: MARIA LIM PH: (415) 385-5424</p> <p>ZONING MANAGER:</p> <p>COMPLETE WIRELESS CONSULTING, INC.</p> <p>1875 L. Wilson Ramon San Francisco, CA 94108</p> <p>CONTACT: RANDY MILNER PH: (415) 762-2624</p>	<p>T-1 TITLE SHEET</p> <p>T-2 GENERAL NOTES, ABBREVIATIONS, & LEGEND</p> <p>T-3 OVERALL SITE TOPOGRAPHY</p> <p>T-4 ENLARGED SITE PLAN</p> <p>T-5 EQUIPMENT AREA PLAN</p> <p>T-6 ANTENNA PLAN, SCHEDULE, & DETAILS</p> <p>T-7 RRH DETAILS</p> <p>T-8 A-3-1 PROPOSED ELEVATIONS</p> <p>T-9 A-4-1 PROPOSED ELEVATIONS</p> <p>T-10 A-4-2 PROPOSED ELEVATIONS</p>	<p>DIRECTIONS FROM AT&T</p> <p>DIRECTIONS FROM AT&T OFFICE AT 2400 CANINO BLVD, SAN RAMON, CA</p> <p>1. USE THE MAP TO SAN JOSE</p> <p>2. HEAD NORTHEAST TOWARD DUMMETT RD</p> <p>3. TURN RIGHT</p> <p>4. TURN LEFT ON DUMMETT RD</p> <p>5. TURN RIGHT ON DUMMETT RD</p> <p>6. TURN LEFT ON DUMMETT RD</p> <p>7. USE THE MAP TO SAN JOSE</p> <p>8. USE THE MAP TO SAN JOSE</p> <p>9. TURN LEFT ON DUMMETT RD</p> <p>10. TURN RIGHT ON DUMMETT RD</p> <p>11. USE THE MAP TO SAN JOSE</p> <p>12. TURN LEFT ON DUMMETT RD</p> <p>13. TURN RIGHT ON DUMMETT RD</p> <p>14. TURN LEFT ON DUMMETT RD</p> <p>15. AT 200FT TURN LEFT AT YOUR DESTINATION</p>
<p>CODE COMPLIANCE</p> <p>1. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>2. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>3. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>4. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>5. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>6. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>7. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>8. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>9. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>10. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>11. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>12. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>13. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>14. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p> <p>15. 2010 CALIFORNIA OPEN SPACE STANDARDS CODE</p>	<p>VICINITY MAP</p> <p>KING CITY, CA</p>	<p>STATEMENT OF RESPONSIBILITY</p> <p>DRAWINGS, CALCULATIONS AND/OR SPECIFICATIONS INCLUDED IN THIS PROJECT HAVE BEEN PREPARED BY OTHER DESIGN PROFESSIONALS OR CONSULTANTS WHO ARE LICENSED AND/OR AUTHORIZED TO PREPARE SUCH DOCUMENTS IN THE STATE. THESE DOCUMENTS HAVE BEEN REVIEWED BY ME, THE REGISTERED PROFESSIONAL ENGINEER, AND I HEREBY CERTIFY THAT THEY COMPLY WITH ALL APPLICABLE CALIFORNIA CODES OF REGULATIONS AND THE PROJECT SPECIFICATIONS PREPARED BY ME. THE ITEMS LISTED BELOW HAVE BEEN COORDINATED WITH MY PLANS AND ARE THE RESPONSIBILITY OF THE INDIVIDUAL DESIGNATED TO BE IN GENERAL RESPONSIBLE CHANGE (I/E) FOR WHICH I HAVE BEEN DELEGATED RESPONSIBILITY FOR THE PORTION OF WORK.</p>	<p>GENERAL CONTRACTOR NOTES</p> <p>DO NOT SCALE DRAWINGS</p> <p>THESE DRAWINGS SHALL BE USED ONLY FOR THE PROJECT AND SITE SHOWN ON THESE DRAWINGS. THE OWNER SHALL VERIFY ALL DATA AND EXISTING CONDITIONS AND CONDITIONS ON THE GROUND AND SHALL VERIFY THAT THE PROJECT IS IN ACCORDANCE WITH THE PROJECT MATERIAL. OWNER SHALL BE RESPONSIBLE FOR THE GROUND.</p>		
<p>OCCUPANCY AND CONSTRUCTION TYPE</p> <p>1. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>2. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>3. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>4. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>5. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>6. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>7. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>8. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>9. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>10. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>11. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>12. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>13. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>14. OCCUPANCY AND CONSTRUCTION TYPE</p> <p>15. OCCUPANCY AND CONSTRUCTION TYPE</p>	<p>DESIGN CRITERIA</p> <p>1. DESIGN CRITERIA</p> <p>2. DESIGN CRITERIA</p> <p>3. DESIGN CRITERIA</p> <p>4. DESIGN CRITERIA</p> <p>5. DESIGN CRITERIA</p> <p>6. DESIGN CRITERIA</p> <p>7. DESIGN CRITERIA</p> <p>8. DESIGN CRITERIA</p> <p>9. DESIGN CRITERIA</p> <p>10. DESIGN CRITERIA</p> <p>11. DESIGN CRITERIA</p> <p>12. DESIGN CRITERIA</p> <p>13. DESIGN CRITERIA</p> <p>14. DESIGN CRITERIA</p> <p>15. DESIGN CRITERIA</p>	<p>GENERAL CONTRACTOR NOTES</p> <p>DO NOT SCALE DRAWINGS</p> <p>THESE DRAWINGS SHALL BE USED ONLY FOR THE PROJECT AND SITE SHOWN ON THESE DRAWINGS. THE OWNER SHALL VERIFY ALL DATA AND EXISTING CONDITIONS AND CONDITIONS ON THE GROUND AND SHALL VERIFY THAT THE PROJECT IS IN ACCORDANCE WITH THE PROJECT MATERIAL. OWNER SHALL BE RESPONSIBLE FOR THE GROUND.</p>	<p>DIGALERT</p> <p>800-227-2600</p>		

DATE OF SURVEY	11-19-19
SURVEYED BY OR UNDER DIRECTION OF	KENNETH Z. GEL, SEE 14903
LOCATED IN THE COUNTY OF	MONTEREY, STATE OF CALIFORNIA
ALL MEASUREMENTS ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.	
ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.C.S. M.A.S.D. 88 DATUM, ABOVE MEAN SEA LEVEL, UNLESS OTHERWISE NOTED.	
VERTICAL CURVATURE CORRECTION: SUBTRACT 2.98" FROM ELEVATIONS SHOWN.	
FEMA FIRM FLOOD ZONE X PER FIRM 0605700302E. DATED 05-16-2012.	
COMPUTER INTERVAL	1:1
ASSESSOR'S PARCEL NUMBER	026-061-004
LANDLORD(S):	KING CITY UNION HIGH SCHOOL DISTRICT, KING CITY, CA 94020
PROJECT NAME:	CL02213 King City
PROJECT SITE LOCATION:	720 Broadway Road
ASSASSIN'S PARCEL NO.:	026-061-004
DATE OF OBSERVATION:	11-19-19
EQUIPMENT/PROCEDURE USED TO OBTAIN COORDINATES:	Trimble Pathfinder Geo XT with precast with Topcon Office software.
TYPE OF ANTI-MOTION:	Proprietary Light Standard
COORDINATES:	
Latitude	N 38°57'54.67" (N40263)
Longitude	W 121°07'07.85" (W40263)
Latitude	N 38°58'04.89" (N40263)
Longitude	W 121°07'04.00" (W40267)
ELEVATION of Center of Station	(N40268) 558.5 ABL
Height of Structure (Student Light Pole)	37.3 ABL



KING CITY, CA

VICINITY MAP

THESE PLANS AND/OR THE ACCOMPANYING SPECIFICATIONS AS INSTRUMENTS OF SERVICE SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CHARGER FOR WHICH THEY WERE PREPARED. ANY REUSE OF THESE PLANS AND/OR SPECIFICATIONS IN ANY PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM GEL ENGINEERING. TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH GEL ENGINEERING WITHOUT ANY OBLIGATION OR LIABILITY WHATSOEVER. THESE PLANS AND/OR SPECIFICATIONS SHALL CONSTITUTE FINAL EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS BOUNDARY IS NOT A BOUNDARY SURVEY. THE BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THE BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.



OVERALL PROJECT AREA

SCALE 1" = 200'

al&t

MOBILITY

720 Broadway Road
King City, CA 94030

CL02213 King City

PLOT PLAN AND
SITE TOPOGRAPHY

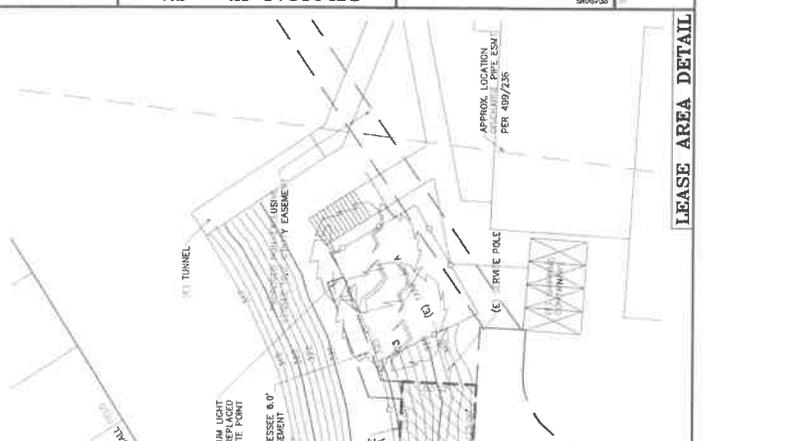


LEASE AREA DETAIL

SCALE 1" = 20'

LEASE AREA DETAIL

DATE OF SURVEY	11-19-19
SURVEYED BY OR UNDER DIRECTION OF	KENNETH Z. GEL, SEE 14903
LOCATED IN THE COUNTY OF	MONTEREY, STATE OF CALIFORNIA
ALL MEASUREMENTS ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.	
ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.C.S. M.A.S.D. 88 DATUM, ABOVE MEAN SEA LEVEL, UNLESS OTHERWISE NOTED.	
VERTICAL CURVATURE CORRECTION: SUBTRACT 2.98" FROM ELEVATIONS SHOWN.	
FEMA FIRM FLOOD ZONE X PER FIRM 0605700302E. DATED 05-16-2012.	
COMPUTER INTERVAL	1:1
ASSESSOR'S PARCEL NUMBER	026-061-004
LANDLORD(S):	KING CITY UNION HIGH SCHOOL DISTRICT, KING CITY, CA 94020
PROJECT NAME:	CL02213 King City
PROJECT SITE LOCATION:	720 Broadway Road
ASSASSIN'S PARCEL NO.:	026-061-004
DATE OF OBSERVATION:	11-19-19
EQUIPMENT/PROCEDURE USED TO OBTAIN COORDINATES:	Trimble Pathfinder Geo XT with precast with Topcon Office software.
TYPE OF ANTI-MOTION:	Proprietary Light Standard
COORDINATES:	
Latitude	N 38°57'54.67" (N40263)
Longitude	W 121°07'07.85" (W40263)
Latitude	N 38°58'04.89" (N40263)
Longitude	W 121°07'04.00" (W40267)
ELEVATION of Center of Station	(N40268) 558.5 ABL
Height of Structure (Student Light Pole)	37.3 ABL

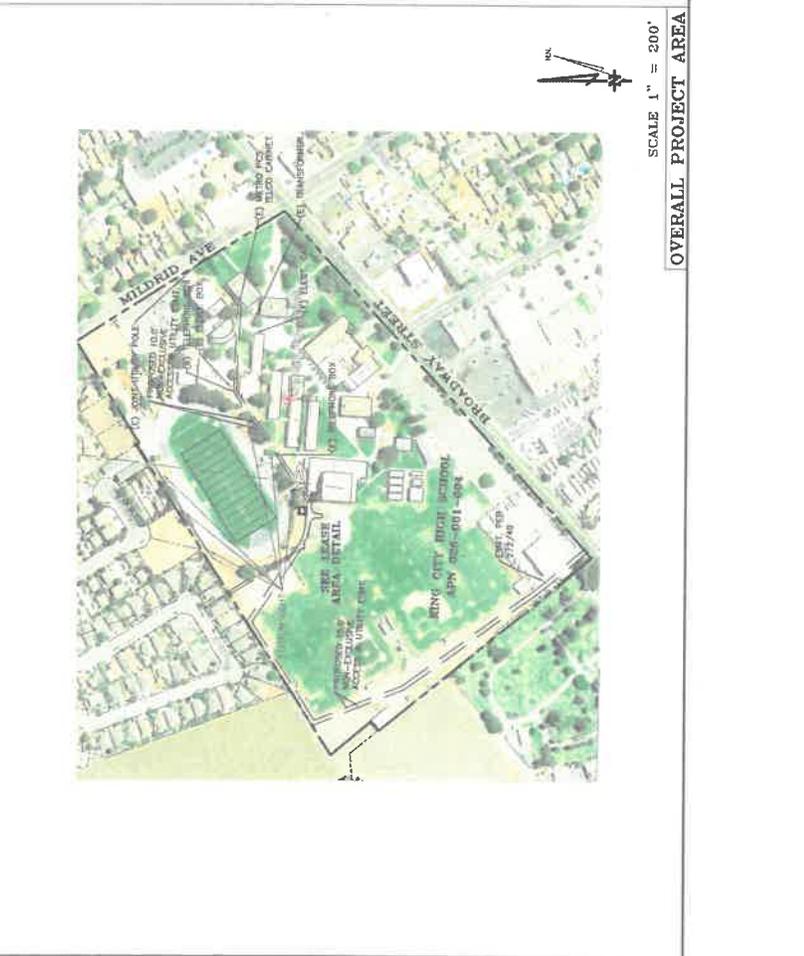


KING CITY, CA

VICINITY MAP

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BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS BOUNDARY IS NOT A BOUNDARY SURVEY. THE BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.



LEASE AREA DETAIL

THIS IS NOT A SITE SURVEY

THIS PLAN IS FOR INFORMATION ONLY. IT IS NOT A CONTRACT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

NOTES:

1. ANY CHANGES TO THE PLAN MUST BE APPROVED BY THE ARCHITECT. ANY CHANGES TO THE PLAN MUST BE APPROVED BY THE ARCHITECT.
2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

PROJECT NO: CCL02213
 KING CITY - KING CITY JOINT UNION HIGH SCHOOL
 730 BROADWAY ROAD
 KING CITY, CA 95300



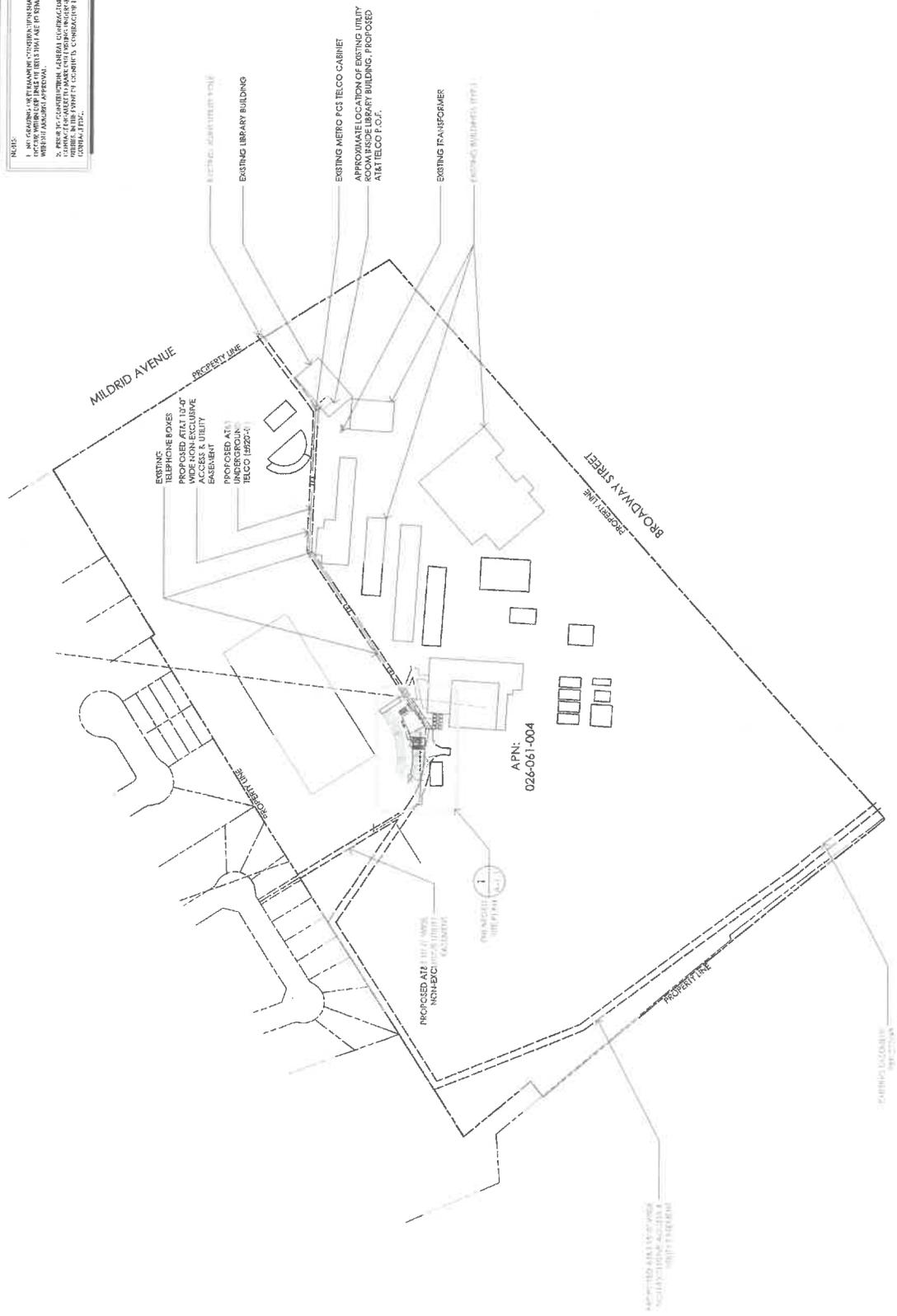
AT&T ME IN: CCL02213
 DRAWN BY: TJS
 CHECKED BY: []

DATE	DESCRIPTION
10/11/10	100% TD
01/27/11	90% TD
02/11/11	90% TD



OVERALL SITE PLAN

SHEET NUMBER: A-1



THIS IS NOT A SITE SURVEY

THIS PLAN IS NOT A SURVEY. IT IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE DESIGNER'S VISUAL INSPECTION OF THE SITE. THE DESIGNER HAS NOT CONDUCTED A SURVEY OF THE SITE AND HAS NOT VERIFIED THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE DESIGNER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.

FOR INFORMATION OF THE CLIENT, THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS OBSERVED THE EXISTING CONDITIONS. THE DESIGNER HAS NOT CONDUCTED A SURVEY OF THE SITE AND HAS NOT VERIFIED THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE DESIGNER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.

PROJECT NO: CC102213
 KING CITY - KING CITY JOINT UNION HIGH SCHOOL

739 BRC AERWAY ROAD
 KING CITY, CA 95220



AT&T BUREAU: CC102213
 PROJECT NO: 16-2643
 DRAWN BY: TJD
 CHECKED BY: TJD

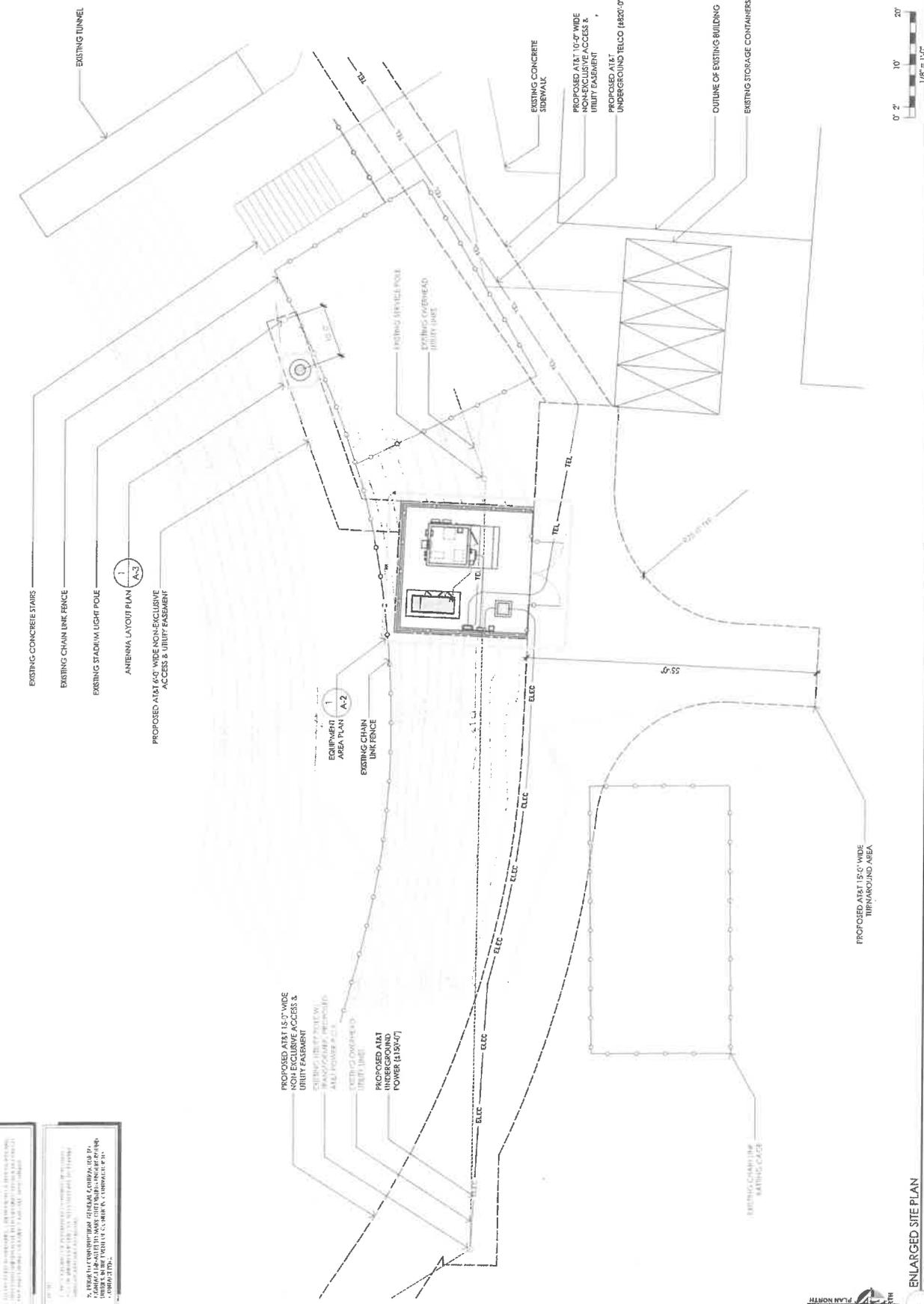
DATE	DESCRIPTION
01/11/20	100% TD
01/29/20	90% TD

REVISIONS:



SHEET TITLE:
 ENLARGED SITE PLAN

A-1.1



1 ENLARGED SITE PLAN





Project No: CC102213
 KING CITY - KING CITY JOINT UNION HIGH SCHOOL
 739 BROADWAY ROAD
 KING CITY, CA 95130



FILE NUMBER: CC102213
DATE: 08/13/13
DATE: 08/13/13
DATE: 08/13/13
CHECKED BY: TJS

DATE: 08/13/13	DATE: 08/13/13

DATE: 08/13/13
 DATE: 08/13/13
 DATE: 08/13/13
 DATE: 08/13/13



SHEET TITLE:
 ANTENNA PLAN, SCHEDULE, & DETAILS

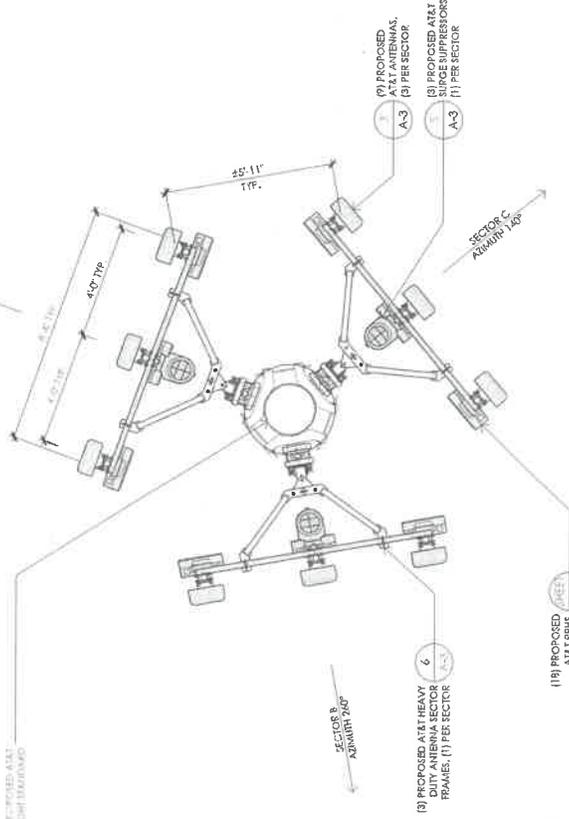
SHEET NUMBER:
A-3

SECTOR	ANTENNA MODEL NO.	HEIGHT	CENTRELINE	FEED	REF. ELEVATION	OFF. LENGTH	HEIGHT	REF. ELEV.
A1	COMARCOPE-10H4485846H	20'	± 74'-0"	(1) 449' B5/R12 / (1) 8643 B2/B6A	± 100'-0"	-	LDH4	(2)
A2	COMARCOPE-10H4485846H	20'	± 74'-0"	(1) 4478 B14 / (1) 4415 B25	± 100'-0"	-	LDH4	(2)
A3	COMARCOPE-10H4485846H	20'	± 74'-0"	(1) PROPOSED AT AT ANTENNA SECTOR	± 100'-0"	-	LDH4	(2)
A4	COMARCOPE-10H4485846H	20'	± 74'-0"	-	± 100'-0"	-	LDH4	(2)
B1	COMARCOPE-10H4485846H	20'	± 74'-0"	(1) 449' B5/R12 / (1) 8643 B2/B6A	± 100'-0"	-	LDH4	(2)
B2	COMARCOPE-10H4485846H	20'	± 74'-0"	(1) 4478 B14 / (1) 4415 B25	± 100'-0"	-	LDH4	(2)
B3	COMARCOPE-10H4485846H	20'	± 74'-0"	(1) PROPOSED AT AT ANTENNA SECTOR	± 100'-0"	-	LDH4	(2)
B4	COMARCOPE-10H4485846H	20'	± 74'-0"	-	± 100'-0"	-	LDH4	(2)
C1	COMARCOPE-10H4485846H	16'	± 74'-0"	(1) 449' B5/R12 / (1) 8643 B2/B6A	± 100'-0"	-	LDH4	(2)
C2	COMARCOPE-10H4485846H	16'	± 74'-0"	(1) 4478 B14 / (1) 4415 B25	± 100'-0"	-	LDH4	(2)
C3	COMARCOPE-10H4485846H	16'	± 74'-0"	(1) PROPOSED AT AT ANTENNA SECTOR	± 100'-0"	-	LDH4	(2)
CA	CA	-	-	-	-	-	-	-

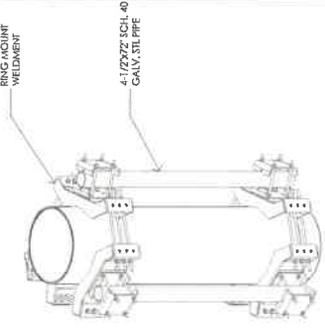
RF DATA SHEET V1.000 DATED 11/27/2014 NOTE: ANTENNA POSITIONS ARE LEFT TO RIGHT FRONT OF ANTENNA EQUIPMENT IS PRELIMINARY AND SUBJECT TO CHANGE

2 RF SCHEDULE
 NO SCALE

NOTE: EXISTING LIGHTS TO BE RELOCATED TO NEW LIGHT STANDARDS & SAME HEIGHT & ORIENTATION. (NOT SHOWN FOR CLARITY)



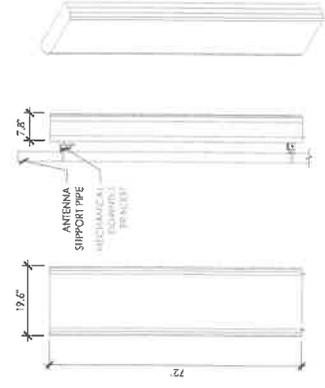
1 ANTENNA LAYOUT PLAN
 1/2" = 1'-0"



MODEL NO. SIERPRO (MSFAA)
 WEIGHT 786.53 LBS
 HEIGHT 12'-4 1/2"

4 PROPOSED MONOPOLE SECTOR FRAME ATTACHMENT
 3/4" = 1'-0"

EQUIPMENT SUBJECT TO CHANGE



FRONT PERSPECTIVE

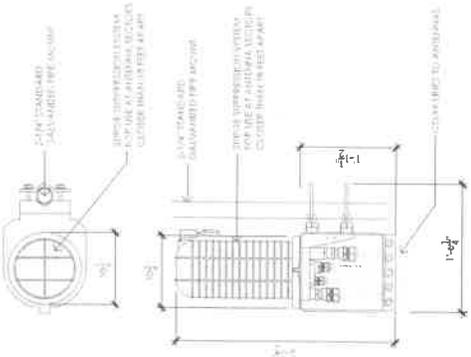
3 PROPOSED ANTENNA SPEC
 3/4" = 1'-0"

ANTENNA WEIGHT 812.10 LBS
 DIMENSIONS 19'-6" (H) x 14'-6" (W) x 7'-0" (D)



6 SITEPRO SECTOR FRAME VFA8-HD
 1/2" = 1'-0"

ANTENNA WEIGHT 812.10 LBS
 DIMENSIONS 19'-6" (H) x 14'-6" (W) x 7'-0" (D)



5 DC SURGE SUPPRESSION (SQUD)
 1/2" = 1'-0"



Prepared for:
CC102213
KING CITY - KING CITY JOINT UNION HIGH SCHOOL
 750 REDWOOD ROAD
 MILPITAS, CA 95030



AT&T FILE NO: CC102213
 PROJECT NO: 10-23-01
 DRAWN BY: TLE
 CHECKED BY: TBT

DATE	DESCRIPTION
10/23/01	ISSUE NO.

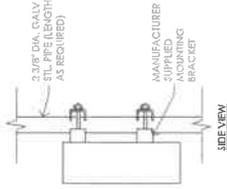
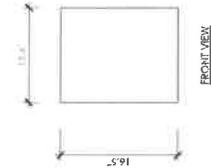
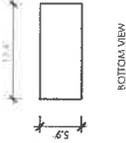
PROJECT NO: 10-23-01
 DRAWN BY: TLE
 CHECKED BY: TBT



MST ARCHITECTS
 1200 Howe Ave. Ste. 100
 Sacramento, California 95825

SHEET TITLE:
RRH DETAILS

PROJECT NO: 10-23-01
A-3.1



PASSIVE CONNECTION
 FAULTLESS ENCLOSURE
 UNIT WEIGHT: +/- 46.0 LBS

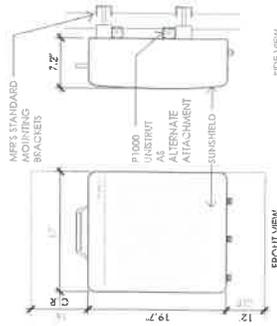
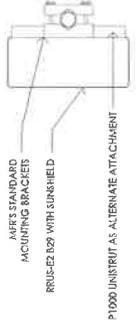
2 ERICSSON RADIO 4415 REMOTE RADIO UNIT
 1/1/02-1/02

ERICSSON RRUS-E2 B29 REMOTE RADIO UNIT

COLOR: WHITE

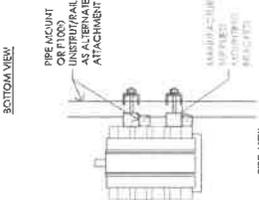
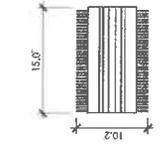
DIMENSIONS: 19.7" TALL X 17" WIDE X 7.2" DEEP (INCLUDING SUNSHIELD)

WEIGHT: +/- 56 LBS. (INCLUDING MOUNTING HARDWARE)



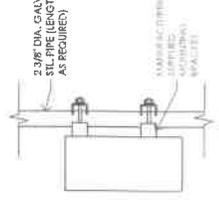
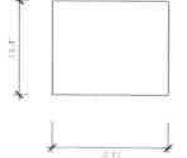
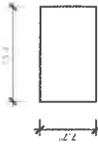
SIDE VIEW

1 ERICSSON RRUS-E2 B29 REMOTE RADIO UNIT
 1/1/02-1/02



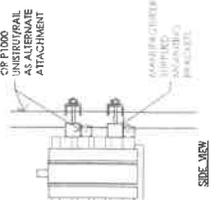
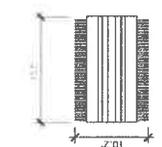
PASSIVE CONNECTION
 FAULTLESS ENCLOSURE
 UNIT WEIGHT: +/- 75.0 LBS

4 ERICSSON RRH-B843 REMOTE RADIO UNIT
 1/1/02-1/02



PASSIVE CONNECTION
 FAULTLESS ENCLOSURE
 UNIT WEIGHT: +/- 75.0 LBS

3 RRH 4478 MOUNTING DETAIL
 1/1/02-1/02



PASSIVE CONNECTION
 FAULTLESS ENCLOSURE
 UNIT WEIGHT: +/- 75.0 LBS

5 ERICSSON RRH-4449 REMOTE RADIO UNIT
 1/1/02-1/02



PROJECT NO.: CC102213
 KING CITY - KING CITY JOINT UNION HIGH SCHOOL



AT&T REF NO.: C102213
 PROJECT NO.: 102213
 DRAWN BY: ELS
 CHECKED BY: TST

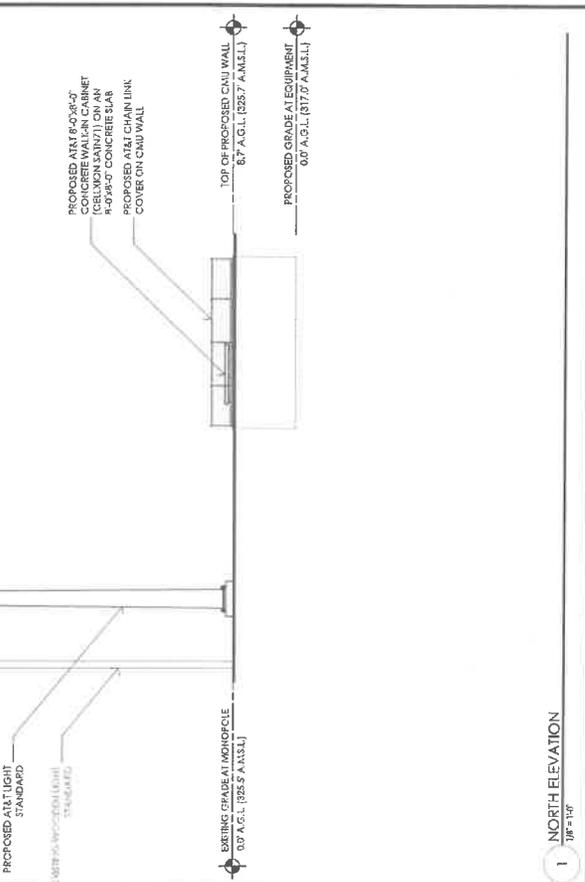
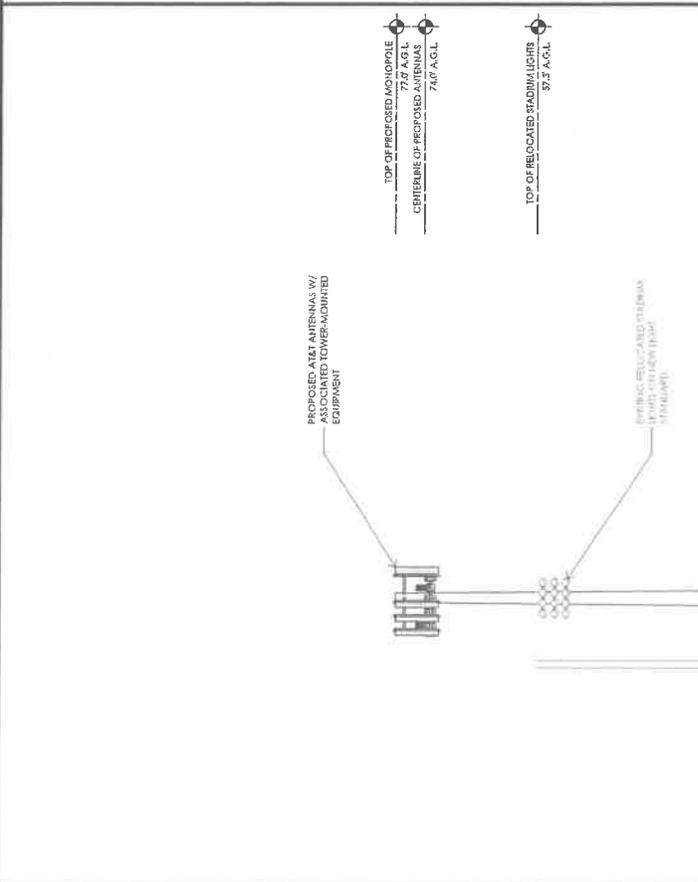
DATE	BY	DESCRIPTION
10/24/10	ELN	ISSUE 1D
10/20/10	ELN	ISSUE 1D
04/1	D-4	ISSUE 1D



MST ARCHITECTS
 1509 River Park Drive
 Sacramento, California 95815

PROJECT TITLE:
 PROPOSED ELEVATIONS

PROJECT FILE REF:
A-4.2



1 NORTH ELEVATION
 1/8" = 1'-0"

2 EAST ELEVATION
 1/8" = 1'-0"



Item No. 8(B)

REPORT TO THE PLANNING COMMISSION

DATE: MAY 19, 2020

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

**FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR;
SHANNON L. CHAFFIN, CITY ATTORNEY**

BY: SCOTT BRUCE, PRINCIPAL PLANNER

**RE: CUP 2016-012(b)2019: SITE AND FLOOR PLAN AMENDMENT;
ADDITIONAL USES - COMMERCIAL CANNABIS CULTIVATION (CA TYPE
3B); NURSERY (CA TYPE 4), 135 EAST SAN ANTONIO DRIVE, CITY OF
KING; APN 026-521-008**

RECOMMENDATION:

Staff recommends the Planning Commission: 1) review Conditional Use Permit Application, 2) receive public comment; and 3) adopt the attached Resolution approving Conditional Use Permit 2016-012(b)19.

BACKGROUND:

In September 2016, the City Council approved amendment to the City's Zoning Code and to the East Ranch Business Park Specific Plan (ERBP-SP), authorizing expansion of land uses related to Medical Cannabis. As a result of that action, Indoor Cultivation under artificial or mixed light, Medical Cannabis Nurseries, Manufacturing and Testing are allowed in the M-1, M-2 and M-3 Districts and in the ERBP-SP. Since that time, the Code has been amended several times, 14 Conditional Use Permits (CUP) have been approved (some have been amended) and approximately 75 Conditioned Permits have been approved. Three facilities are in operation. The CUP for this site was approved on June 17, 2017.

On **December 18, 2018** (2016-012(a)18), the CUP was amended to include Manufacturing (CA 7), Distribution (CA 11) and, Non-Storefront Delivery (CA 10). The Applicant indicated that the site plan would change but a revised design was not included.

In 2017, the City required the project to be designed so that, if necessary, it could readily subdivide the two parcels into 10 parcels without changes to the layout of the project as proposed by the CUP.

The potential for such subdivision was included in the environmental assessment as part of the project. Using this approach, a site plan approved by the Planning Commission would not have to be amended if the State regulations eventually require one parcel per Permit.

Since the June 2017 approval the State has more fully defined "premise". A premise is not required to be a lot of record. This is a factor in the redesign - two large structures on the parcel.

The original CUP included two parcels. The larger parcel (6.0 acres) is bounded by East San Antonio Drive on the south and the smaller one (1.6 acres) is bounded by Metz Road on the west. Both parcels were to be accessed off of East San Antonio Drive with one system of infrastructure (sewer, water, storm drain) serving both. This Amendment removes the smaller parcel (APN 026-521-040) from this CUP. A new CUP will be submitted at the time that the smaller parcel is being considered for development.

The primary purpose for this Amendment (CUP 2016-012(b)20 is to reconfigure the original site plan, to allow Nursery and to include indoor mixed light cultivation use. In the revised design, one building is to be located on the western portion of the site and one building will be located on the eastern portion of the site.

The western building will be built first, the eastern building will be built at some time in the future. Nursery, Cultivation, Manufacturing, Non-Storefront Delivery and Distribution will be included in each structure.



DISCUSSION:

The proposed structures are to be located on a 6-acre site. The site and the surrounding area are located in the East Ranch Business Park Specific Plan which has underlying zoning of Light Industrial

- The parcel to the north is the site of CalPine.
- The parcel to the east is vacant
- To the south is San Antonio Drive with L.A. Hearne beyond
- The parcel to the west is vacant with the CA Dept of Motor Vehicles beyond. Metz Road abuts a portion of the site.

The site is vacant, generally flat and was over-excavated and recompact, in summer 2017 per the soils report. Site access is from San Antonio Drive.

As noted above, CUP 2016-012 conceptually approved eight (8) two story buildings on this parcel. The buildings were to house Medical Cannabis Cultivation, compliant with State License 3A (indoor, artificial light). While total allowed plant canopy space under a 3A license is limited to 22,000 sf, additional approved activities can include: harvesting, drying, curing and trimming of cannabis.

The Original CUP Plan Set Package indicated that seven (7) of the Cultivation structures would have a footprint of 14,768 sf in size, with one (1) being 13,968 sf in size. The two (2) Nursery facilities were to have footprints of 12,640sf and 12,160 sf, respectively. The total floor area for each building was to be two times (2X) the footprint. Total impervious area was to be approximately 68%.

Buildings were to be set back from San Antonio Drive and Metz Road a minimum of forty feet (40'). Setback from San Antonio Drive was forty feet (40') at minimum and sixty-one feet (61') at maximum.

CUP 2016-012(b)19 proposes, in concept, to locate two structures on the parcel. At this time, one structure on the western portion of the parcel is proposed for construction. The structure proposed in this first phase is approximately 106,000 sf in size.

CUP Information:

Site Plan and Architecture:

The concept is to enter the site from one gate guarded location off of East San Antonio Drive. One two-way travel way will extend to the north between the two proposed structures. Near the northern property line the travel way will split in two - one to the east and one to the west. A fire lane will be provided between the east structure and the property line and one will be provided between the west structure and the property line.

A large detention area will be provided in the southeast corner of the site near San Antonio Road.

The bulk of the proposed structure is to be constructed as a “manufactured translucent structure” (MTS) with a metal skeleton and semi-opaque poly carbonite panels. Roof material will be the same.

As noted above, this use type is “mixed light” – natural light will be used to the amount feasible. Height to the ridgeline will be 18 feet Setback from the side property line will be 20’ and setback from the rear will be 30’.

A “stick built” metal building will be located near the entry, screening a large part of the (MTS) from view from the street. Windows and entry doors will be in conformance with the Specific Plan for appearance and energy conservation, per the Specific Plan. The primary colors will be in the “earth tones” range – colors from the previous approval were Straw Gold with Cool Sierra Tan trim and Cool Parchment accent. Final colors, specific materials and landscape plan must be brought before the Commission for ARC review at a later date.

Floor Plan and Interior Uses:

As noted above, the structure will be a combination of MTS and stick built with the MTS running south to north through most of the lot. Proposed uses in the MTS include Manufacturing (CA Type 7), Nursery (immature plants to be used on site), two (2) cultivation “bays” Type 3, each holding a maximum of 22,000 sf of canopy.

Proposed uses in the metal structure to the west include Cultivation Processing, Non-Storefront Delivery (CA Type 10) and Distribution (CA Type 11). **See Exhibit 4**

Landscape:

The site will be landscaped per landscape concept as submitted. The primary landscaped areas will be adjacent to San Antonio Drive Road. Planter areas will be included in the parking area. Planter areas will be included along a large portion of the property lines to east and west.

Detention basin for the entire site (calved for buildout) will be included along San Antonio Road as provided in the concept plan set. site bio-retention basins between buildings will also be landscaped. Landscaped area is approximately 34,971sf or 13% of the site.

Previously proposed plant types included Common Yarrow, Red Yucca, Deer Grass, Euryops Daisy, Copper Canyon Daisy, Australian Fuschia, Spreading Lantana, Purple Leaf Plum, Weeping Bottle Brush, Catalina Ironwood, Purple Robe Locust.

See Exhibit 5

Grading:

As noted above, over excavation and re-compaction was completed previously. It is anticipated that, due to the length of time since completion and the differences in the site plan the site will need to be recompacted. A drainage plan has been completed and a Storm Water Pollution Prevention Plan will be prepared and approved in compliance with the requirements of the Central Coast Water Quality Control Board. The applicant estimates that grading work will be balanced on site. Impervious area in Phase 1 is approximately 150,000 sf. Impervious area at build-out is approximately 220,000 sf.

Access, Parking, Paving:

Gate guarded, access to the site is from San Antonio Drive. A turn-around area has been provided for those not granted access. A paved travel way (30' in width) will be constructed to the north property line where it breaks into two, turning to west and east, providing one-way travel back to San Antonio Drive. This configuration has been approved in concept by the Fire Department. **See Exhibit 3.**

Twenty-eight parking spaces are provided in the first phase. Parking exceeds minimum requirements (2 per 3 employees on largest shift but not less than 1 per 3,000 sf of floor area). The maximum number of employees anticipated for any shift is twenty-five (25). Based on the number of spaces, the maximum number of employees allowed to occupy the premises at any one time is thirty-seven (37).

Signage:

A monument sign is proposed for the San Antonio Drive Entry. Text must be limited to company names / occupants of each building. The logo will be for the project in general and not Cannabis related. Design and size for the sign will be in conformance with the King City Municipal Code and the standards of the East Ranch Business Park Specific Plan.

Building signage will be limited to addresses, on-site signage will be limited to directional signage for deliveries and emergency response personnel.

Security:

Fencing: The facility will be surrounded on the north, east and west sides by a non-climbing six (6) foot chain link fence slats. A maximum of two feet of barbed wire will be above it. Fencing facing San Antonio Drive will consist of eight (8) foot high wrought iron.

Exterior Lighting: The parking area and building exterior will be illuminated with LED powered lighting placed to eliminate shadows and / or dark areas. Lights will be included building mounted and poles. Lighting will be designed to present spread beyond the property boundaries and / or into the night sky. Poles will not exceed thirty (30) feet in height.

Cameras: Security cameras with motion sensors and night vision will be mounted on all exterior doors, perimeter fencing and entry gates. Interior motion / night vision cameras will be placed per the Application Package concept. The 24/7 surveillance will be accessible by the City of King Police Department through real time live access feed. A City of King camera will be placed by applicant at the San Antonio Drive entrance.

Solid Waste:

Daily plant waste will be approximately 1,000 lbs per week or approximately 2 cubic yards. A six-yard dumpster is approximately 6'8"W, 6'6"L, 5'4" H. Therefore, cannabis waste removal requirements will be 1 or 2 times per month.

The entire plant is used and approximately 99% of cannabinoids are removed. Plant wastes are rendered unusable by grinding the remaining plant material and combining it with non-marijuana material to a 50% mix.

Solid waste locations and design will be in accordance with the requirements of Waste Management and Monterey County Health Department.

Water:

The Mitigated Negative Declaration (MND) that resulted from the Initial Study prepared during evaluation of the Zone Change estimated water use for Cultivation at 2,640 gallons per day (gpd) per 22,000 sf of cultivation canopy. Water use for Nurseries was estimated at 6,314 gpd. Although total water use is estimated to be 445,000 gal per month, reuse of water will allow the project to fit within the estimate from the MND.

On-site plumbing to access future recycled water (purple pipe) in San Antonio Drive will be required. Future recycled water use will be in conformance with the City's Municipal Code.

Water (Landscaped Area):

The Applicant will provide a detailed water analysis for the landscaping concept, in conformance with Section 15.50 of the City's Municipal Code

A number of water conservation measures will be employed including drip irrigation, weather or moisture-based controllers, non-invasive/ climate appropriate species and similar.

Power:

The Applicant estimates 2,000 Amps daily with the maximum available being 3,500 Amps. 459 lights are proposed, using between 500 and 1000 Watts each. (High Pressure Sodium.

Because Each building allows sunlight, lights will be used a maximum of 12 to 16 hours per day, depending on the season of the year. Air conditioning will be provided in the “stick built” metal structure to the south. Cooling will be provided in the MTS through the use of “wet walls” which pull the moisture from the air which cools as it circulates.

Regulatory Permit Related Information:

The item before the Commission is the consideration of an Amendment to a previously approved Conditional Use Permit that allows Cultivation (and Cultivation Processing) Manufacturing (CA Type 7), Distribution (CA Type 11) and Non-Storefront Delivery (CA Type 10). No new uses are proposed, the changes are related to Site Plan and Floor Plan).

The two Cultivators on site propose to grow cannabis on site which will then be walked to the drying and processing areas in the southern portion of the structure. Cannabis Manufacturing (located in the northern portion of the structure) will include Isolates and Distillates, Concentrates, Pre-Rolls, Derivates such as Supplements, Ointments, Patches and Pet Health Products and Edibles.

Plant breeding rooms will provide plants for on-site Cultivators and Manufacturers only.

Employee Traffic:

The proposed facility relies heavily on efficiency and automation. Rolling tables are a part of this effort.

The applicant has indicated that maximum employee count will run between 6 and 12 per shift. Note that Standard employee generation rates for an Industrial Use are approximately 61 employees per acre. Business Park rates are higher. The project site is 6 acres in size. Therefore, the site under standard Industrial Use could generate 366 employees.

Shipping and Transport:

Two types of out-bound shipments will occur, wholesale distribution of manufactured products to retailers and non-storefront retail deliveries. Cannabis will be transported from the facility in unmarked vehicles. Transactions will be recorded on a manifest with details regarding the driver, vehicle, weight and / or count of all products. Delivery vehicles will be loaded inside the structure with roll up doors closed and security personnel present. Cameras will be placed to record shipping from the facility. One shipment per week is expected delivering providing fertilizers and cultivation materials. Other deliveries will include boxes and packing material and similar.

Odor Control:

The Odor Control Program will operate in conformance with the requirements of Municipal Code Section 17.03.210 (i). It will include air traps, negative air pressure, air treatment exhaust and high-pressure fogging systems in the interior and exterior building area. The Applicant has provided a System Maintenance Schedule.

Security, Interior:

An armed guard will be located at the San Antonio Road entry at all times that the facility is in operation. Access to enter the facility and various portions of the facility will be controlled by key-card. At least one-armed guard will be located on site at all times. All visitors will be required to fill out a questionnaire and sign in at the administrative office. Persons under the age of 21 will not be allowed on site. Employee and guest access will be recorded as will all visits and access to secure areas by identity.

Employee Vetting:

No person under 21 years of age will be employed on this site. Work Authorization by the City will be accomplished by the City's third-party verification process.

Employee Training:

Initial and on-going training related to best practices for cultivation, manufacturing and distribution will occur. Training examples include preventing contamination, grow techniques (including approved pesticide application) and inventory security / control. OSHA and personal protective equipment requirements, documentation, testing, hazard response, chemical handling, labeling documentation and emergency procedures will be included.

Quality Control:

The Applicant's Operating Procedures provide direction to ensure that each batch meets the specifications of the regulatory agency. All material will be batch tested by a local laboratory for pesticides, fungus, pests, molds and contaminants. If a product were to be called into question the remaining inventory will be quarantined and all customers notified. All material will be returned.

ENVIRONMENTAL COMPLIANCE:

In 2016, King City prepared and certified (September 2016) a Mitigated Negative Declaration (MND) for the amendment of the City's Zoning Ordinance and the amendment of the East Ranch Business Park Specific Plan (ERBP Specific Plan) (Ordinances 2016-728, 2016-729 and 2016-730) to allow new land uses in the Manufacturing Districts (M-1, M-2, M-3) and in the ERBP Specific Plan.

Staff conducted an Initial Study related to CUP 2016-012 and has determined the project to be fully within the scope of the prior analysis by the MND. As a result, Staff recommend that the Planning Commission adopt a Finding of Consistency and provided public notice consistent with CEQA Guidelines Section 15162.

In December 2018 an Amendment to the CUP was proposed and approved. Given the nature of the Amendment (changes to uses) the Planning Commission found that the project was exempt from additional CEQA review per CEQA Guidelines Section 15332 (infill development).

For this amendment, Staff has prepared an Initial Study given the physical change to the site plan. Staff recommends that the Planning Commission adopt a Finding of Consistency per CEQA guidelines Section 15162. Public Notice in accord with that Section has been provided.

ALTERNATIVES:

1. Hear the item, invite public comment and approve the item as presented.
2. Deny the item. If the Planning Commission wishes to deny the Amendment, the item needs to be continued, directing Staff to return with a Resolution of Denial.
3. Provide alternative direction to Staff.

EXHIBITS:

1. Photos of Existing Site
2. Elevations
3. Site Plan
4. Floor Plan
5. Landscape Plan
6. Conditions of Approval
7. Resolution 2020 – 278.
8. Initial Study

Exhibits are available for public review at front counter, City of King City Hall, 212, South Vanderhurst, King City, CA

Submitted by: 
SCOTT BRUCE, PRINCIPAL PLANNER

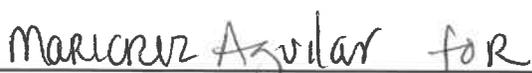
Approved by: 
DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBIT 1
SITE PHOTOS

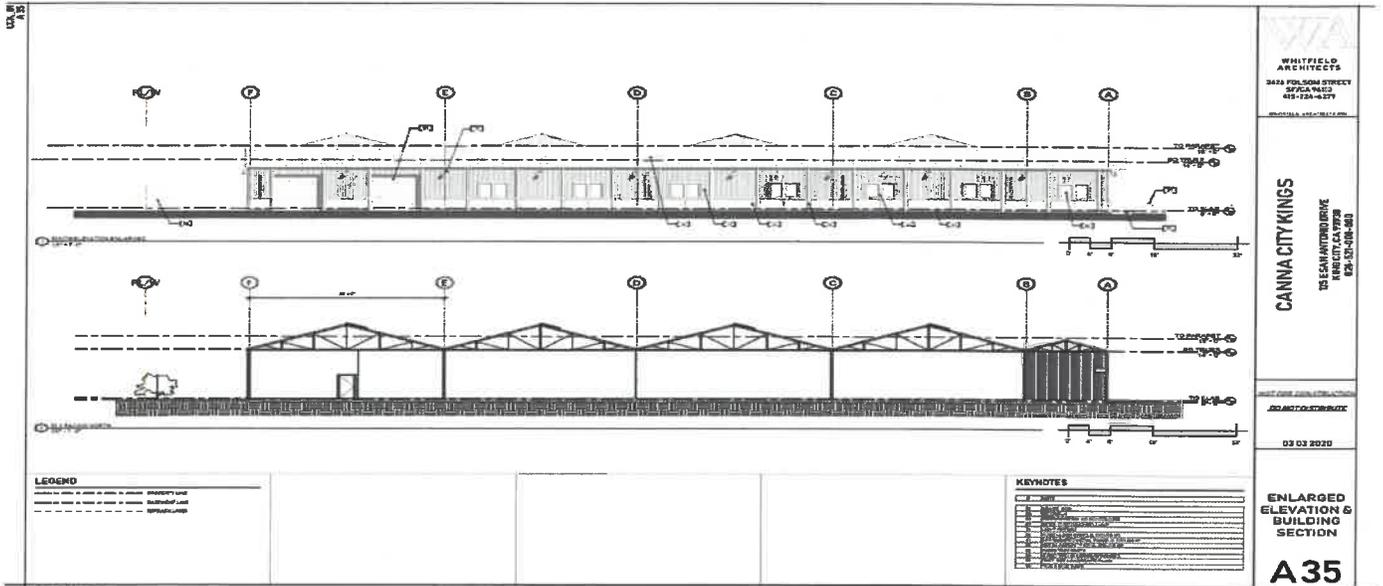


FROM ENTRY POINT



FROM SOUTH EAST CORNER

EXHIBIT 2 ELEVATIONS



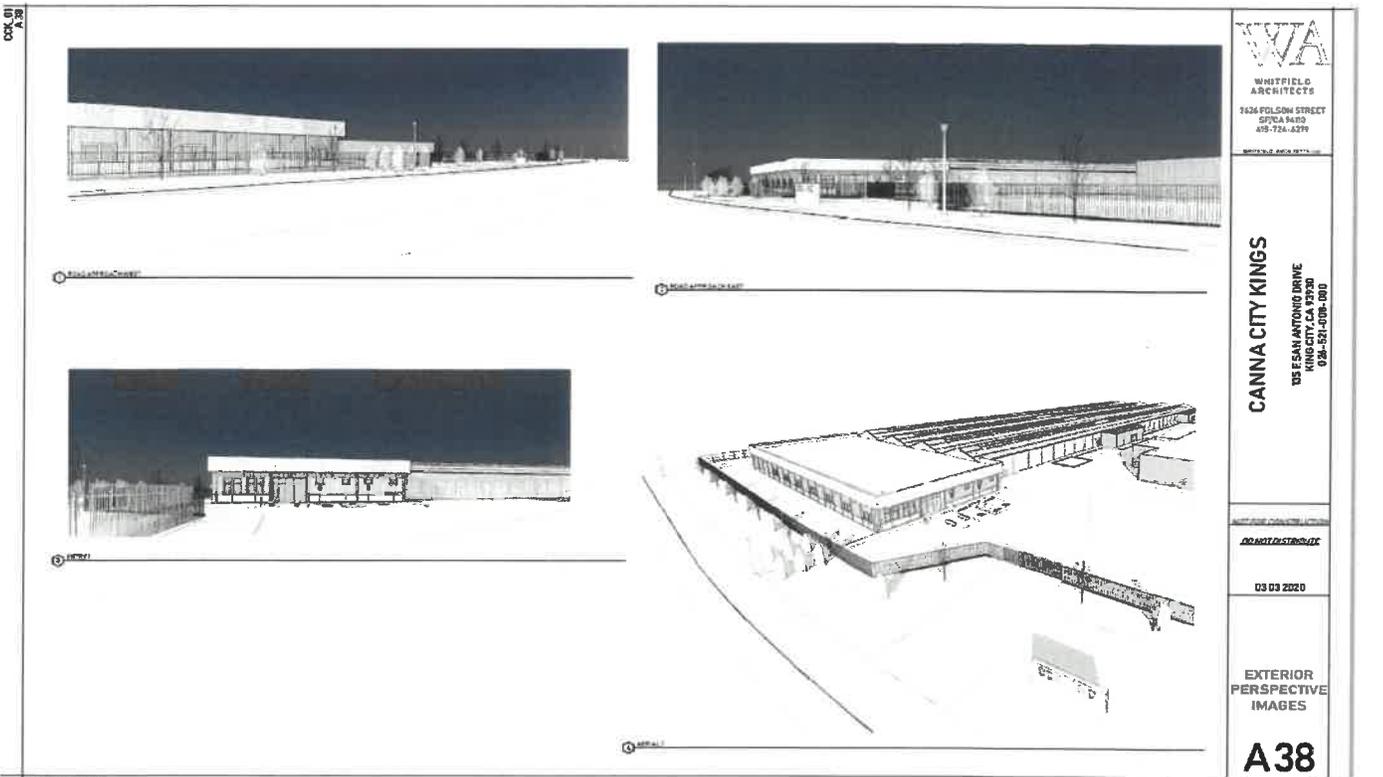
WHITFIELD ARCHITECTS
3435 FOLSOM STREET
SUITE 9400
SAN FRANCISCO, CA 94117

CANNA CITY KINGS
12345 ANTONIO DRIVE
SAN ANTONIO, TX 78204
954-521-0000

DATE: 03/03/2020

ENLARGED ELEVATION & BUILDING SECTION

A35



WHITFIELD ARCHITECTS
3435 FOLSOM STREET
SUITE 9400
SAN FRANCISCO, CA 94117

CANNA CITY KINGS
12345 ANTONIO DRIVE
SAN ANTONIO, TX 78204
954-521-0000

DATE: 03/03/2020

EXTERIOR PERSPECTIVE IMAGES

A38

EXHIBIT 3

SITE PLAN

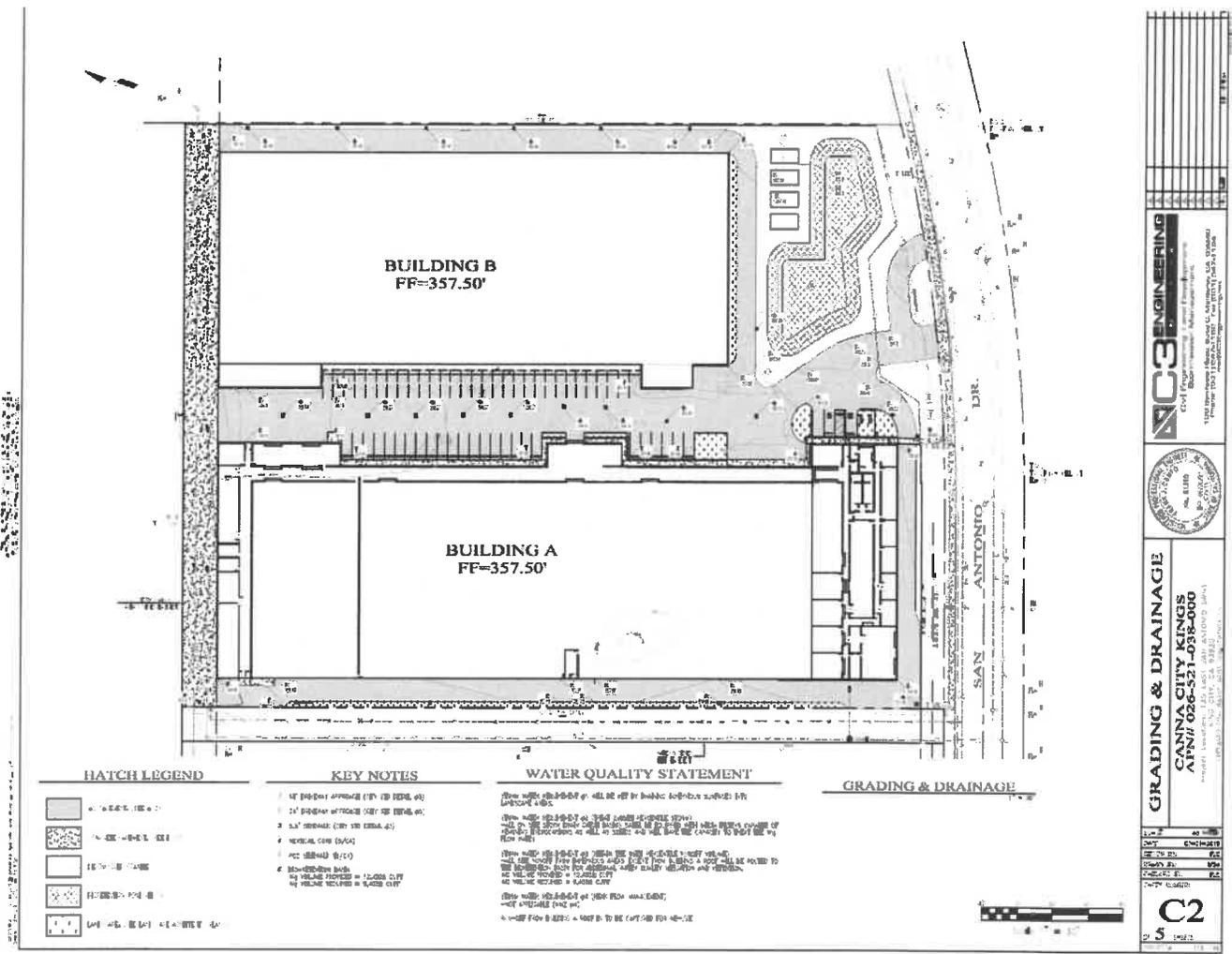
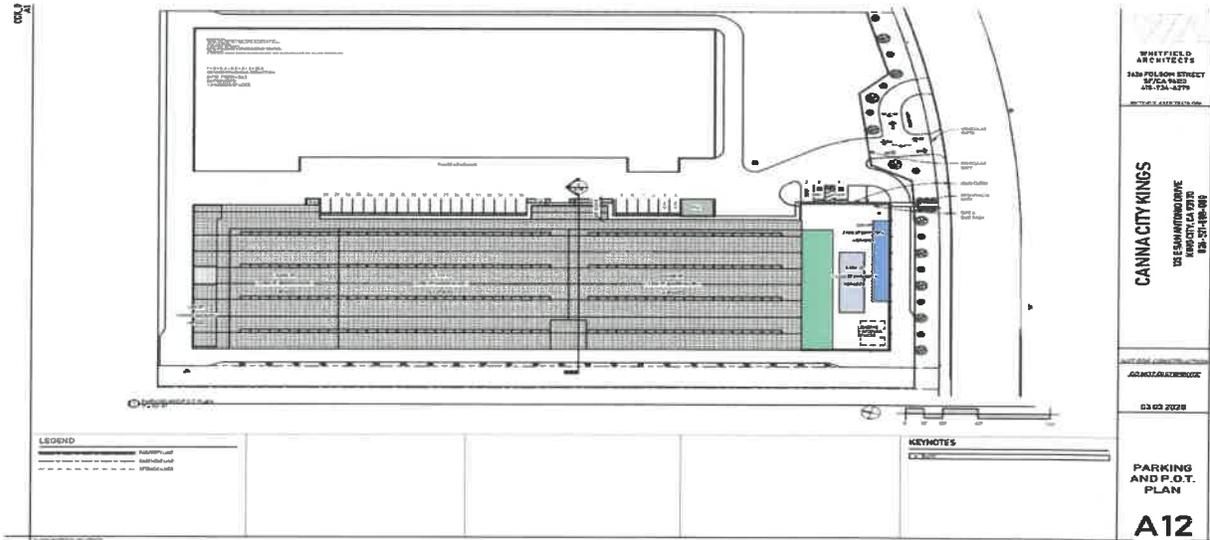
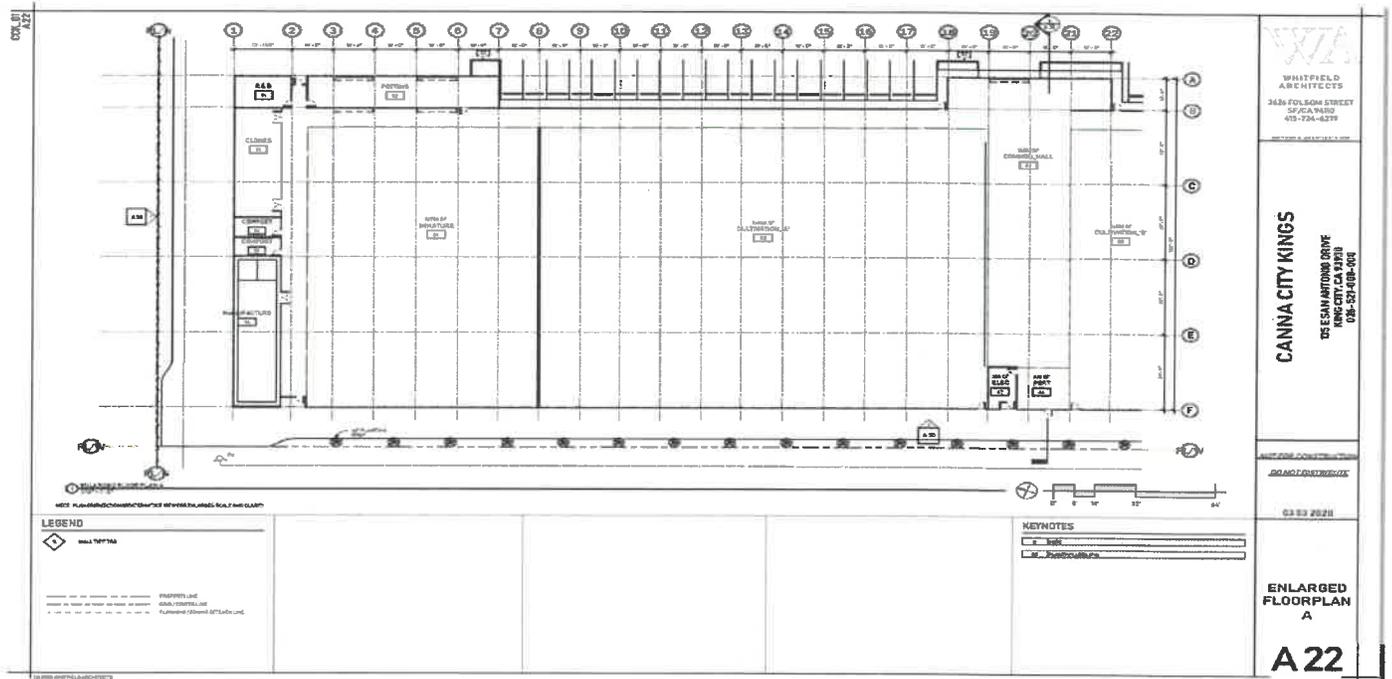


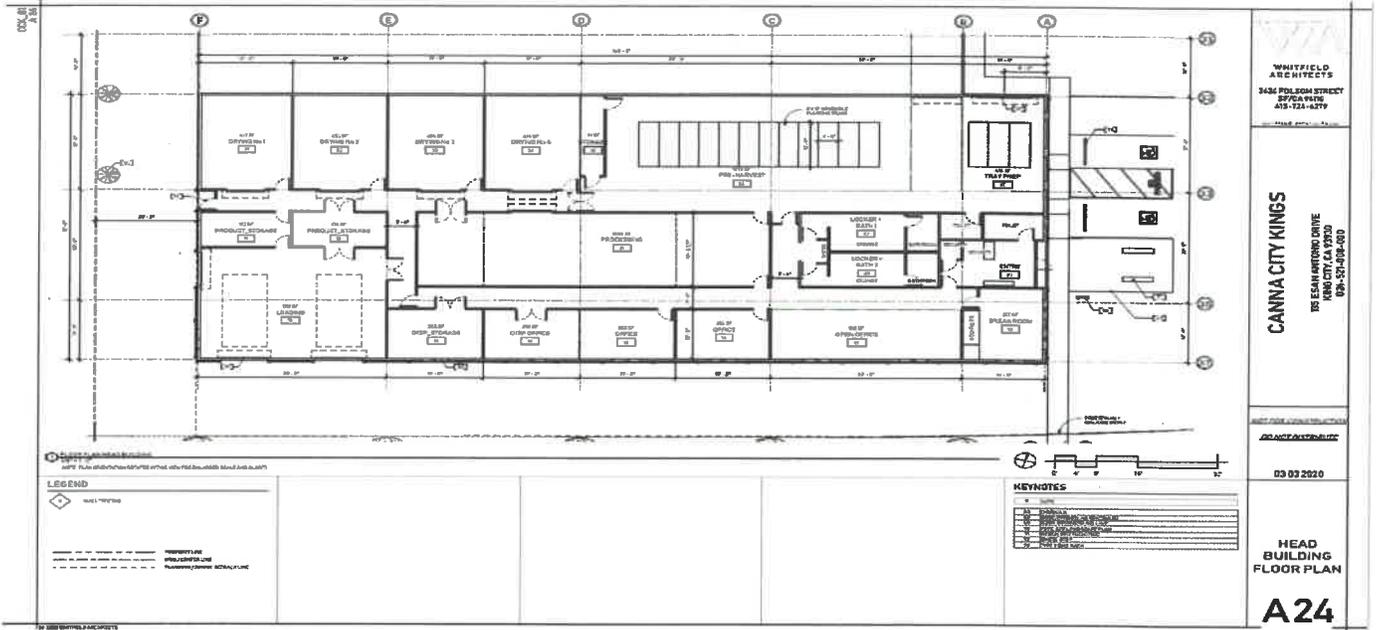
EXHIBIT 4 FLOOR PLAN



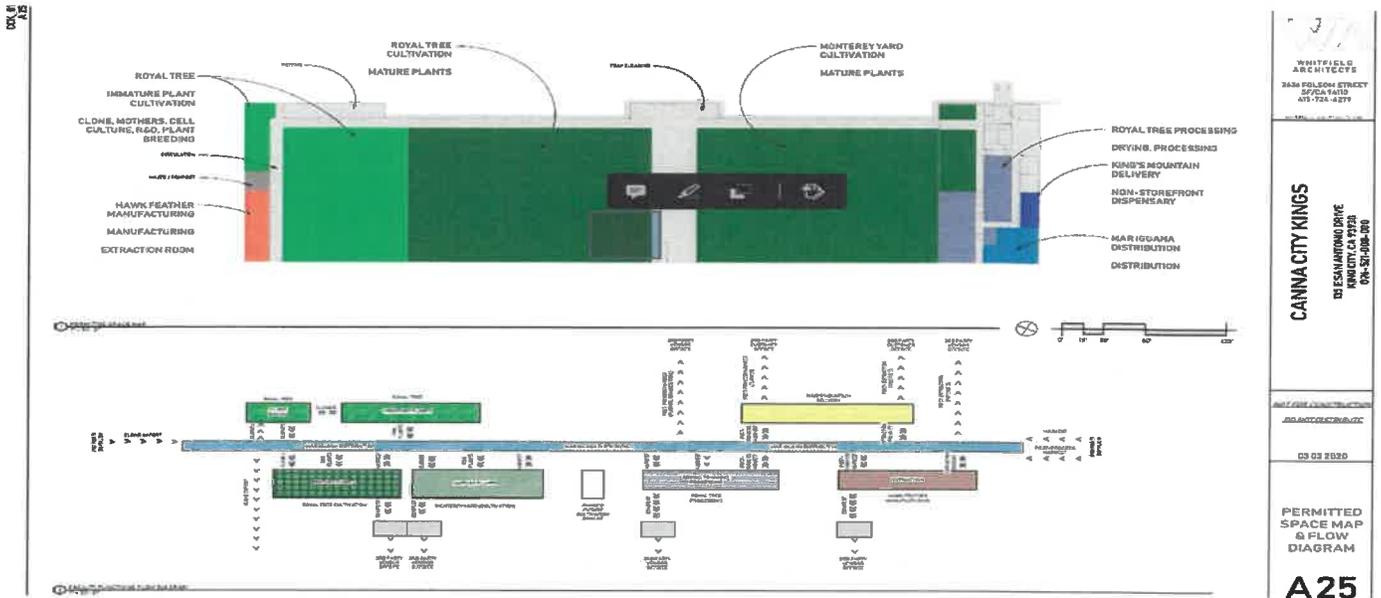
FUTURE BUILDING (TOP) and CURRENTLY PROPOSED (BOTTOM)



CURRENTLY PROPOSED

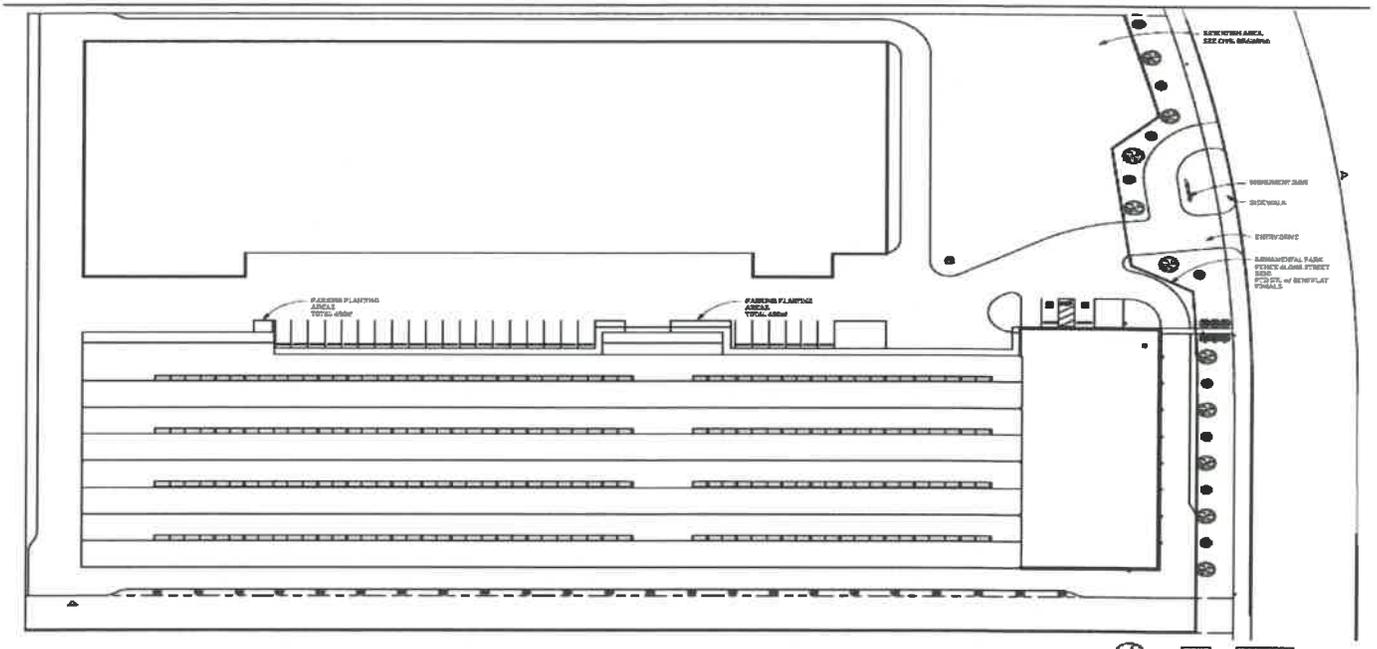


HEADHOUSE



PATH OF TRAVEL AND PERMITTED SPACE

EXHIBIT 5 LANDSCAPE CONCEPT



CURRENT SITE: NOTE SAN ANTONIO FRONTAGE



PREVIOUS CONCEPT: NOTE FRONTAGE. CURRENT CONCEPT TO LARGELY REPLICATE



GROUND COVER - LIMNOCARPA MONTEVIDEENSIS (SPREADING LIMPAN)



ORNAMENTAL GRASS - MILLEBERGIA REGIS (CEER GRASS)



PERENNIAL - HESPERULCE PARVIFLORA (RED YUFOCAL)



SHRUB - BURKHYS PETTIVILUS (BUSHY DAISY)



SHRUB - FACELIAS LIMONIA (CUTTERBOMBARDIST)



TREE - CALLISTEMON VANDUS (WEEWING BOTTLEBRUSH)



TREE - LYDIAHARRISII - ROSTKOLMIA CALINA (ROCKWOOD)



TREE - PRUNUS CERASIFERA 'PRAETED VES' (MUT. DUFFLELEAF PLUM)



TREE - PRUNUS PRINCEPS (BLACK CHERRY)



SHRUB - CORREA WITTENBERGII (AUSTRALIAN BELL)



PERENNIAL - ADONIS AEMULUM (CANDID ANEMONE)



PLANT PHOTO PALETTE
 Project: KING CITY CULTIVATION
 Date: 4 FEB 10
 Sheet: L-7 of 7

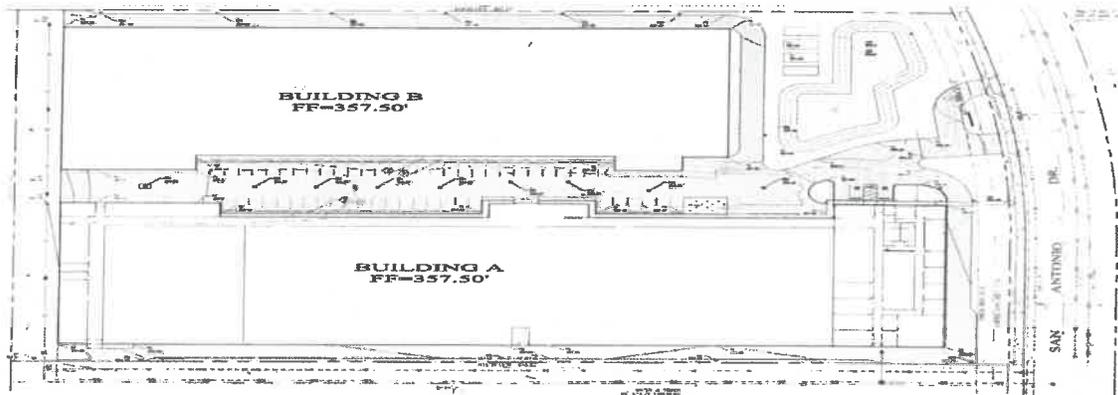
PREVIOUSLY PROPOSED PLANT MATERIAL: CURENT CONCEPT TO LARGELY REPLICATE



EXHIBIT No. 06

**Case Number: COA 2016 – 012(b)19
CONDITIONS OF APPROVAL**

NOTICE TO PROJECT APPLICANT



In accordance with the provisions of Government Code Section 66020(d)(1), the imposition of fees, dedication, reservations or exactions for this project are subject to protest by the project applicant at the time of approval or conditional approval of the development or within 90 days after the date of imposition of fees, dedications, reservation, or exactions imposed on the development project.

This notice does not apply to those fees, dedications, reservations, or exactions which were previously imposed and duly noticed; or, where no notice was previously required under the provisions of Government Code Section 66020(d)(1) in effect before January 1, 1997.

PART A - PROJECT INFORMATION

1. Assessor's Parcel No(s): 026-521-008
2. Job Address: 135 East San Antonio Road
3. Street Location: 135 East San Antonio Road
4. Existing Zoning: PD / SP (Planned Development / Specific Plan)
5. Planned Land Use: General Plan: LI (Light Industrial); East Ranch Business Park Specific Plan: M-(1)
6. Plan Area: East Ranch Business Park Specific Plan ("ERBP SP")
7. Project Description: The primary purpose for this Amendment (CUP 2016-012(b)19 is to reconfigure the original site plan, to allow Nursery and to include indoor mixed light cultivation use. In the revised design, one building is to be located on the western portion of the site and one building will be located on the eastern portion of the site.



PART B – GENERAL CONDITIONS AND REQUIREMENTS

An environmental assessment/initial study was conducted and resulted in a Finding of Consistency to the previously prepared Mitigated Negative Declaration for the amendment of the City's Zoning Ordinance and the amendment of East Ranch Business Park Specific Plan (Ordinances 2016-728, 2016-729 and 2016-730) adopted by the City on September 27, 2016. The Notice of Intent to adopt a Finding of Consistency was published in the King City Rustler commencing a 20-day public review and comment period on ending on May 19, 2020. This project is required to comply with all applicable mitigation from the Mitigated Negative Declaration and the City of King Municipal Code (including Chapter 17.03 (Commercial Cannabis Activity), Title 17 (Zoning), and ordinances regulating noise).

IMPORTANT: PLEASE READ CAREFULLY

Please note that this project may be subject to a variety of discretionary conditions of approval. These include conditions based on adopted City plans and policies, those determined through site plan review and environmental assessment essential to mitigate adverse effects on the environment including the health, safety, and welfare of the community, and recommended conditions for development that are not essential to health, safety, and welfare, but would on the whole enhance the project and its relationship to the neighborhood and environment.

In the event you wish to appeal the Planning Commission's decision or discretionary conditions of approval, you may do so by filing a written appeal with the Clerk. The appeal shall include a statement of your interest in or relationship to the subject property, the decision or action appealed and specific reasons why you believe the decision or action appealed should not be upheld. Your appeal must be filed within 15 days of the Planning Commission's decision. Please refer to City of King Municipal Code Chapter 2.12.050

Approval of this use permit shall be considered null and void in the event of failure by the applicant and/or the authorized representative, architect, engineer, or designer to disclose and delineate all facts and information relating to the subject property and the proposed development including, but not limited to, the following:

1. All existing and proposed improvements including but not limited to buildings and structures, signs and their uses, trees, walls, driveways, outdoor storage, and open land use areas on the subject property and all of the preceding which are located on adjoining property and may encroach on the subject property;
2. All public and private easements, rights-of-way and any actual or potential prescriptive easements or uses of the subject property; and,
3. Existing and proposed grade differentials between the subject property and adjoining property zoned or planned for residential use.

Approval of this use permit may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this use permit and the Zoning Ordinance. This use permit is granted, and the conditions imposed, based upon the Applicant Package provided by the applicant. The Applicant Package is material to the issuance of this use permit. Unless the conditions of approval specifically require operation inconsistent with the Applicant Package, a new or revised use permit is required if the operation of this establishment changes or becomes inconsistent with the Applicant Package. Failure to operate in accordance with the conditions and requirements imposed may result in revocation of the use permit or any other enforcement remedy available under the law.



The City shall not assume responsibility for any deletions or omissions resulting from the use permit review process or for additions or alterations to construction plans not specifically submitted and reviewed and approved pursuant to this use permit or subsequent amendments or revisions. (Include this note on the site plan.)

No uses of land, buildings, or structures other than those specifically approved pursuant to the approved site plan shall be permitted. (Include this note on the site plan.)

Please contact Scott Bruce at 805.439.0617 or via email at scottbruce11@gmail.com if you have any questions regarding the conditions of approval (COA).

PART C – SPECIFIC CONDITIONS AND REQUIREMENTS

COMMUNITY DEVELOPMENT DEPARTMENT:

1. **Allowed Use:** Medical Cannabis (CA Type 3A and 3B), Nursery (CA Type 4), Manufacturing (CA Type 7), Non-Storefront Delivery (CA Type 10) and Distribution, (CA Type 11) uses are allowed.
2. **Site Development:** The existing site is vacant. The project concept as presented includes two new structures, one now and one in the future. These structures will run north to south, one on the west side of the property and one on the east. The western structure will be built first. The site will be fully graded in phase one with area for storm water detention. Structure size in this Phase will be approximately 106,000 square feet. Maximum impervious area will be approximately 150,000 sf. Colors will be earth tones and must be approved by ARC. Future painting and exterior maintenance will conform to Design Standards of the East Ranch Business Park Specific Plan. Setbacks and structure height shall be as presented in the Application Package. Height and setbacks to be in accordance with plans as submitted. Minor changes to the approved site plan and / or interior changes, which are determined by the Community Development Director to be substantially in conformity with the plans and Application Package as presented, may be granted by the Community Development Director.
3. **Parking:** Parking will conform to the Plan and Application Package as submitted. Travel way / fire lane along east and west property lines shall be paved.
4. **Landscaping:** Landscaping is required to conform Landscape Concept plans and Application Package as submitted. ARC is required to approve Landscape Plans in conformance with Municipal Code Section 15.50. Irrigation Plans shall be presented to and approved by Building Official prior to Landscape Installation. The landscaping and water retention areas shall be maintained in a healthy condition in perpetuity.
5. **Lighting:** Security lighting is required to be mounted on the structures and on poles in the parking area not to exceed 30 feet in height. A lighting plan must be approved by the Director before installation. All new outdoor lighting associated with the use shall be hooded and directed so as not to shine on public roads, onto surrounding properties or into the night sky.
6. **Signage:** One sign at the project entry has been requested. Signage design shall be reviewed and approved by ARC. Final design shall conform to the requirements of Section 17.03 of the City of King Municipal Code, the requirements of the ERBP SP and the description in the Staff Report. . Additional signage may be approved by the Community Development Department and may be submitted to the Planning Commission at the Director's discretion.



7. **Fencing:** Fencing abutting San Antonio Road shall be wrought iron and eight (8) in height. All other fences shall be "no climb" chain link, six (6') foot in height with a maximum two foot of barbed wire, to a maximum of eight seven (8) feet with screening slats
8. **Security:** Cameras, site access and security personnel shall be as presented in the Application Package and described in Staff Report . One camera compatible with the City of King Surveillance System will be placed at the San Antonio Drive gates.
9. **Power:** Applicant indicates that PG&E acknowledges sufficient power for use as presented. Power availability will be verified prior to issuance of Building Permits / to satisfaction of Building Official.
10. **Water:** Water use shall be verified with / approval of CalWater prior to issuance of Building Permits / to satisfaction of Building Official

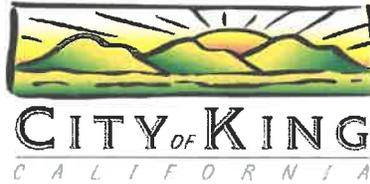
BUILDING AND SAFETY DEPARTMENT: (No application for Building Permit has been submitted. An application must be submitted after CUP approval and prior to any interior renovations).

Building Plans: All Planning Commission COA shall be imprinted on plans submitted for building permits.

- 1 **Scope of Work Description:** Scope of work shall conform with that found in the CUP / Application Package.
- 2 **Sprinklers:** Buildings shall be sprinkled.

PUBLIC WORKS DEPARTMENT: (The Applicant should contact Octavio Hurtado, Hanna & Brunetti 408-842-2173, ohurtado@hannabrunetti.com.) to discuss the following COAs as needed).

- 1 **Scope of Work Description:** Grading, utilities, parking, drainage and water detention are subject to City Engineer review and approval. Grading and drainage shall conform to the Storm Water Pollution Prevention Plan (SWPPP) as presented.
- 2 **Right of Way Improvements:** Curb, gutter and sidewalks must be installed along San Antonio Drive frontages with 2% maximum cross-fall per ADA requirements (including areas of Driveway Approaches.)
- 3 **Recycled Water Connection:** During Phase 1 construction a connection shall be available at the sidewalk, sufficient to access and utilize the City's recycled "Purple Pipe" system at such time as it made available. "Purple Pipe" will be located in the San Antonio Drive Right-of-Way. A lateral line to the subject property will be installed by the City. Future use of recycled water will be in conformance with requirements of City Municipal Code.
- 4 **Recycled Water, Water Quality Assessment:** The City may require a future water quality assessment to evaluate mass loading / nutrient balance, based upon the results of regular, ongoing analysis.
- 5 **Private Drive Structural Section:** The structural section of the private drive shall conform to the recommendation of a Registered Soils Engineer, licensed in the State of California.



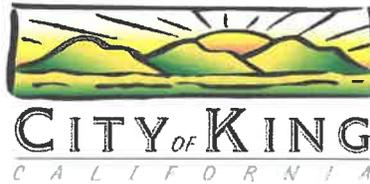
- 6 **Private Drive Geometry:** Gate locations, queuing space and turning dimensions (at entry and at right angle turn at northern limits of private drive) shall be submitted to the City Engineer and Police and Fire and receive approval from the same.
- 7 **Grant of Avigation Easement and Release:** Before issuance of a building permit, a Grant of Avigation Easement and Release shall be recorded by the Applicant against the property within the boundary of the project, substantially in the form provided by the Deputy City Clerk, if found needed by City Attorney. Revisions to the Grant of Avigation Easement and Release must be approved by the City Attorney. A reference to the Grant of Avigation Easement and Release shall be placed in on the final construction plans.

COMMERCIAL CANNABIS PERMIT: New Construction shall comply with and Operations be subject to full compliance with Section 17.03 of the City of King Municipal Code as amended and with the Application Package as approved.

- A. **Regulatory Permit:** The project must obtain and maintain commercial cannabis permits for each permitted space, from the City Manager. Each commercial cannabis permit is in force for the period of one year. It shall be renewed annually. No operations shall occur without a current permit.
- B. **Security Cameras:** Security cameras shall be installed in quantity and location per the Application. Package City of King Police personnel shall have access to the system for real time review. One camera that is part of the City's City wide system shall be installed at each driveway access from or exit to the street.
- C. **Internal Runoff:** All interior runoff from recycled irrigation water from the project site shall drain into holding tanks to gather solids. Tank design and disposal shall be to satisfaction of City Engineer. .
- D. **Solid Waste:** Solid waste disposal from the project site shall be in compliance with County of Monterey Health Department and Waste Management, Inc. requirements, as applicable.
- E. **Odor Control:** Odor shall be controlled per the Regulatory Application Section I and Section 17.03.210 (i) of the City of King Municipal Code. At the beginning of operations, applicant shall obtain two quarterly inspections from the City for odor. Non-conformance will be addressed as per the Municipal Code.
- F. **Air Quality:** Venting shall be in compliance with Monterey County Air Resources Board Standards as applicable.
- G. **Employee Background Checks:** Employees shall be vetted (background checks) to the satisfaction of the City of King Chief of Police and in compliance with the Regulatory Application Package and Section 17.03.210 (k) of the City's Municipal Code. A third party acceptable to the City shall perform the check.
- H. **Hours of Operation and Employees:** The Applicant has indicated that the facility will potentially be in operation 24 hours a day 7 days a week. A maximum of 25 persons per shift may be employed.in peak harvest season. A standard employee count will be six to 12 per shift. n-site parking will be sufficient to cover overlap periods.



- I. **Work Permits and Fees:** Work Permits shall be required in conformance with Section 17.03.070 (a) of the Municipal Code as may be amended. Fees shall be as set by the City Council as updated from time to time.
- J. **Indemnification Agreement:** A signed Indemnification Agreement shall be in place prior to Issuance of the commercial cannabis permit. Such agreement shall be approved by the City Attorney and conform to the requirements of Section 17.03.160. Said agreement shall supersede the Hold Harmless and Indemnification Clause attached hereto.
- K. **Record Keeping:** Financial and Product Record for the project shall comply with the Regulatory Application Package and the requirements of Section 17.03.180.



HOLD HARMLESS AND INDEMNIFICATION CLAUSE:

The applicant agrees, as part of and in connection with each and all the applications and approvals, to defend, indemnify, and hold harmless the City of King ("**City**") and its elected officials, officers, contractors, consultants (including Earth Design International., Aleshire & Wynder, LLP attorneys; Hanna & Brunetti, Aleshire & Wynder, LLP attorneys), employees and agents (including Earth Design, International, and Hanna & Brunetti) from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "*proceeding*") brought against City or its officers, contractors, consultants, attorneys, employees, or agents (including Earth Design, Inc, Aleshire & Wynder, LLP, and Hanna & Brunetti) to challenge, attack, set aside, void, or annul:

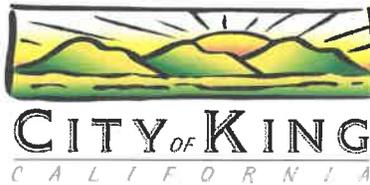
- a. *Any approvals issued in connection with all approvals, actions and applications by City covered by the conditions of approval and/or mitigation measures; and/or*
- b. *Any action and approvals taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("**CEQA**") by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council. The applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and/or parties initiating or involved in such proceeding.*

The applicant agrees to indemnify City and its elected officials, officers, contractors, consultants, attorneys, employees and agents (including Earth Design, Inc., Aleshire & Wynder, LLP, Hanna & Brunetti,) for all of City's costs, fees, and damages incurred in enforcing the **indemnification** provisions of this Agreement.

The applicant agrees to defend, indemnify and **hold harmless** City, its elected officials, officers, contractors, consultants (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, LLP attorneys), attorneys, employees and agents (including Earth Design, Inc., and Hanna & Brunetti) from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (including, but not limited to, an environmental impact report, sphere of influence amendment, annexation, pre-zoning, general plan amendment, specific plan, vesting tentative tracts, sign applications, variances, conditional use permits, architectural review, etc.), if made necessary by said proceeding, and if the applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

In the event that the applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve which approval shall not be unreasonably withheld, conditioned or delayed:

- a. *The counsel selected by applicant to so defend City, which approval shall not be unreasonably withheld, delayed or conditioned;*
- b. *All significant decisions concerning the manner in which the defense is conducted, which approval shall not be unreasonably withheld, delayed or conditioned; and*
- c. *Any and all settlements.*
- d. *Any motions or court documents filed on behalf of the city.*



City shall have and retain the right to have the City attorney defend the City and its staff in connection with such proceeding. City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with the applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, any and all City Attorney, Staff and consultants' actual and reasonable fees and costs arising from their support of the defense shall be paid by the applicant.

The applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding. Notwithstanding the preceding, this obligation to indemnify shall not apply to any claim to the extent arising from the gross negligence or willful misconduct of the indemnified party or of any agent, employee or licensee of the indemnified party.

Conditional Use Condition Agreement:

The conditional use permit is **not** valid until all Conditions of Approval ("**COA**") and mitigated measures imposed by the Planning Commission are signed for and agreed to by the applicant.

I have received a copy of the conditional use permit conditions of approval and mitigated measures and agree with them. I understand that if I do not abide by them the Planning Commission has the authority to revoke my conditional use permit, pursuant to the Municipal Code. (**Reference Municipal Code §17.64.040.**)

Applicant Signature: _____ Date: _____

RESOLUTION NO. 2020-278**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,
APPROVING CONDITIONAL USE PERMIT CASE NO. CUP 2016-012(b)2019**

WHEREAS, on **June 03, 2019** Canna Kings submitted an application to allow Mixed Light Cultivation, Nursery and Site / Floor Plan revisions to a previously approved and amended Conditional Use Permit. One structure is proposed at the site (135 E. San Antonio Drive), located in the East Ranch Business Park Specific Plan (ERBPSP);

WHEREAS, on **July 2, 2019** a Letter of Incompleteness was provided with multiple information memos and phone conversations provided during the period since that date;

WHEREAS, on **April 20, 2020** a memo was provide indicating a Tentative May 19, 2020 Hearing Date. Confirmations of that date have been provided in phone conversation and email in the intervening period;

WHEREAS, the proposed use is consistent with the General Plan and is allowed in the ERBPSP with the approval of a Conditional Use Permit (Ordinance 2016-729 September 27, 2016);

WHEREAS, the proposed project conforms to the requirements of Section 17.03 of the City of King Zoning Code;

WHEREAS, an Initial Study was prepared and a Public Notice filed indicating Intent to Find Consistency with the certified Mitigated Negative Declaration (MND) that was prepared to address potential cumulative impacts of the **September 27, 2016** changes to the Zoning Code;

WHEREAS, the project has been evaluated in relation to the previously prepared MND. No potentially significant impacts have been identified; no endangered, rare or threatened species are present; approval of the proposed use will not result in significant impacts to traffic, noise, air quality or water; the site can be adequately served by all required utilities and services; a Finding of Consistency can be adopted per CEQA Guidelines Section 15162

WHEREAS, the Commission has reviewed the staff report, accepted public testimony, and considered all other relevant information during the duly noticed public hearing on **May 19, 2020**;

WHEREAS, the Commission makes the followings Findings of Facts:

1. The purpose of the proposed uses (Cannabis Cultivation, Manufacturing, Distribution and Non-Storefront Delivery) are in accordance with the description, process and standards provided in the Application Package as reviewed by Staff and presented at the Public Hearing.
2. The establishment, operation and maintenance of the uses as presented will not be detrimental to the property, improvements, health, safety, morals and general welfare of persons in the surrounding area (ERBPSP / neighborhood) and / or the City;
3. The proposed uses are consistent with the General Plan Land Use Designation (LI) Light Industrial and the Uses and Standards of the ERBP and the underlying (M-1) Zoning District.
4. The proposed uses will be contained within one (1) new one story structures that includes approximately 106,000 sf of floor area. Permitted spaces for each use will be as presented in the Application Package
5. The entire lot will be fenced as described in the Staff Report and Conditions of Approval
6. The existing lot is accessed (gated) from one point of entry at Antonio Drive.
7. Landscaping will be installed per the Staff Report and Conditions of Approval.
8. Structures height and location are allowed as presented in the Application Package. Height in the ERBP is a maximum 35' in height . No significant visual impacts are created

9. All processes and interior construction / building improvements, security / operating procedures will be in conformance with the CUP / Regulatory Permit Application Package, as submitted and / or as conditioned (See Conditions of Approval, Exhibit 6 of the Staff Report) and with City of King Zoning Code section 17.03.

10. Power and Water are available and will be provided prior to / concurrent with building construction

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission of the City of King adopts a Finding of Consistency per CEQA Guidelines Section 15162 and approves Conditional Use Permit Case No. CUP 2016-012(b) 2019.

This resolution was passed and adopted this **19th day of June 2020** by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

DAVID NUCK, CHAIRPERSON

ATTEST: _____

ERICA SONNE DEPUTY CITY CLERK / PLANNING COMMISSION SECRETARY

**INITIAL STUDY CHECK LIST (APRIL 15, 2020)
CUP 2016-012**

A. BACKGROUND INFORMATION

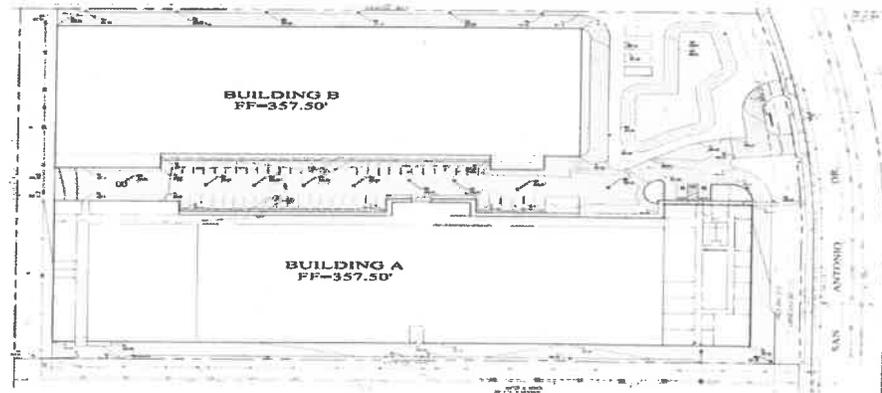
1. **Lead Agency:** City of King
2. **Project Representative / Owner:** Canna City Kings – Jeff Vandervort and Sam Cope
3. **Project Location:** 135 East San An

4. **Project, Project History and Approved Mitigated Negative Declaration Description:**

Project

The primary purpose for this Amendment (CUP 2016-012(b)19) is to reconfigure the original site plan, to allow Nursery and to include indoor mixed light cultivation use. In the revised design, one building is to be located on the western portion of the site and one building will be located on the eastern portion of the site. Eight buildings were proposed by the original site plan.

The majority of the structure will be a Manufactured Translucent Structure.



History

In 2016, the City of King amended the Zoning Code and the East Ranch Business Park Specific Plan to allow Medical Cannabis Uses including Cultivation (CA Types 2A,2B, 3A,3B) Nursery (CA Type 4), Manufacturing (CA Type 6) and Testing (CA Type 8).

The potential impacts of these uses, their proposed land use and zoning designations, development densities and potential locations were evaluated. As a result of the analysis a Mitigated Negative Declaration was prepared. It was certified on September 26, 2017.

5. Certified MND Project Description:	The Certified MND Project Description is attached as Exhibit 1.
6. Public Review Period:	20 Days
7. Other Public Agencies Requiring Approval:	N/A
8. Address Where Written Comments May be Sent:	City of King Community Development Department 212 South Vandenhurst Avenue King City, CA 93930
9. Purpose For Initial Study:	The purpose for the initial study is to determine whether the findings needing to be made pursuant to CEQA Guidelines §15162 (Subsequent EIR and Negative Declaration) can be made in the affirmative.
10. Proposed Findings:	<p>The City of King is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based. There was a Mitigated Negative Declaration ("MND") certified by the City Council on September 26, 2017.</p> <p>As noted above, the purpose for the initial study is to determine whether the findings needing to be made pursuant to CEQA Guidelines §15162 (Subsequent EIRs / ND's) can be made in the affirmative. The City must determine that on the basis of substantial evidence in the record, one or more of the following <i>paraphrased</i> findings does not exist:</p> <ol style="list-style-type: none"> 1. There are no substantial changes to the proposed project that will require major revisions to the certified MND or increase the severity of previously identified significant effects; 2. There are no substantial changes due to circumstances under which the proposed project is undertaken that require modifications to the certified MND, due to new significant environmental effects or increase in severity of previous impacts; or 3. There is no new information that was not analyzed in the certified MND. <p><i>Based on the initial study, the above findings of fact can be made and the Proposed Project will not have the potential to result in significant adverse environmental impacts. All the mitigation measures adopted in 2016 will apply. Therefore, the issues associated with the Proposed Project are adequately addressed in the 2016 certified MND.</i></p>

Table 1 Environmental Impacts	
1. Aesthetics	9. Land Use/Planning
2. Agricultural Resources	10. Noise
3. Air Quality	11. Population/Housing
4. Biological Resources	12. Public Services
5. Cultural Resources	13. Recreation
6. Geology/Soils	14. Transportation/Circulation
7. Hazards/Hazardous Materials	15. Utility/Service Systems
8. Hydrology/Water Quality	16. Mandatory Findings of Significance

III. ENVIRONMENTAL SETTING

The Proposed Project is located North of San Antonio Drive (135 East San Antonio Drive) in the East Ranch Business Park (ERBP). The ERBP is partially developed with industrial and business uses. The Proposed Project site is currently vacant. Over excavation and compaction have occurred previously,

Table 2 Surrounding Land Use (All ERBP SP with underlying L-1 GP Land Use)			
North:	Light Industrial (CalPine)	East:	Vacant
South:	San Antonio Drive with Light Industrial (L.A. Hearne) Beyond	West:	Vacant with DMV beyond

C. ENVIRONMENTAL CHECKLIST

The following checklist indicates the potential level of impact and is abbreviated as follows:

Known Significant:	Known significant environmental impacts.
Unknown Potentially Significant:	Unknown potentially significant impacts, which need further review to determine significance level.
Potentially Significant and Mitigable:	Potentially significant impacts which can be mitigated to less than significant levels.
Not Significant:	Impacts that are not considered significant.
Impact Reviewed in Previous Document:	Adequate previous analysis exists regarding the issue; further analysis is not required (§15162 of the State CEQA Guidelines). The following Table includes reference to the Certified MND and identifies potential impacts as noted in that Document.

1. AESTHETICS:	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a. Have a substantial adverse effect on a scenic vista?				X	X
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?				X	X

1. AESTHETICS:	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		X
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X		X

Aesthetics Discussion:

The Project Proposes an increase to building height from 30' to 35'. Buildings are set back from San Antonio Drive by approximately 60 feet and from Metz Road by approximately 40 feet. A screening fence will be placed at the property line.

2. AGRICULTURAL RESOURCES:	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a. Convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	X
c. Involve other changes in the existing environment, which, due to their location or nature could result in conversion of farmland, to non-agricultural use?				X	X

Agricultural Resources Discussion: Impacts as discussed in the 2016 certified MND analysis.

3. AIR QUALITY	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?				X	X
b. Exposure of sensitive receptors to substantial pollution concentrations (emissions from direct, indirect, mobile and stationary sources)?				X	X
c. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X	X

3. AIR QUALITY		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
d.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X	X
e.	Create objectionable smoke, ash, dust or odors affecting a substantial number of people?			X		X
f.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment ?				X	X
g.	Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.				X	X

Air Quality Discussion: Impacts as discussed in the 2016 certified MND analysis.

4. BIOLOGICAL RESOURCES		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California department of Fish and Game or U.S. Fish and Wildlife Service?				X	X
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of fish and Game or U.S. Fish and Wildlife service?				X	X
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc) through direct removal, filling, hydrological interruption, or other means?				X	X
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	X
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	X
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X	X

Biological Resources Discussion: Impacts as discussed in the 2016 certified MND analysis.

5. CULTURAL RESOURCES						
Would the project:		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
a.	Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?			X		X
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?			X		X
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		X
d.	Disturb any human remains, including those interred outside of formal cemeteries?			X		X

Cultural Resources Discussion: Impacts as discussed in the 2016 certified MND analysis.

6. GEOLOGY /SOILS						
Would the project:		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant or Not Applicable	Impact Reviewed in Previous Document
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X		X
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the are or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42)				X	X
ii)	Strong Seismic ground shaking?			X		X
iii)	Seismic-related ground failure, including liquefaction?				X	X
iv)	Landslides?				X	X
b.	Result in substantial erosion or the loss of topsoil?				X	X
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X	X
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X	X
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	X

Geology/Soils Discussion: Impacts as discussed in the 2016 certified MND analysis.

7. HAZARDS/HAZARDOUS MATERIALS		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	X
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	X
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	X
d.	Be located on a site that is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?			X		X
e.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	X
f.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	X

Hazards/Hazardous Materials Discussion: Impacts as discussed in the 2016 certified MND analysis.

8. HYDROLOGY/WATER QUALITY		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Violate any water quality standards or waste discharge requirements?				X	X
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	X
c.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off-site?				X	X

8. HYDROLOGY/WATER QUALITY					
	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
d.			X		X
e.			X		X
f.				X	X
g.				X	X
h.				X	X
i.				X	X

Hydrology/Water Discussion: Proposed building coverage and impervious area conform to ERBP SP standards. A SWPPP has been prepared. Impacts as discussed in the 2016 certified MND analysis.

9. LAND USE AND PLANNING					
	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a.				X	X
b.				X	X
c.				X	X

Land Use and Planning Discussion: Impacts as discussed in the 2016 certified MND analysis.

10. NOISE					
	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a.			X		X

10. NOISE	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
b. Expose persons to or generate excessive groundborne vibration or groundborne noise levels?			X		X
c. Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X	X
d. Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X	X

Noise Discussion: Impacts as discussed in the 2016 certified MND analysis.

11. POPULATION AND HOUSING	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	X
c. Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?				X	X

Populations and Housing Discussion: Impacts as discussed in the 2016 certified MND analysis.

12. PUBLIC SERVICES	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project result in a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
a. Fire protection?			X		X
b. Police protection?				X	X
c. Schools?				X	X
d. Parks or other recreational facilities?				X	X
e. Water Service System?				X	X
f. Sewer System?				X	X
g. Other governmental services? (poser)			X		X

Public Services Discussion:

Impacts as discussed in the 2016 certified MND analysis.

13. TRANSPORTATION/CIRCULATION	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ration on roads, or congestion at intersections)?				X	X
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X	X
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X		X
d. Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X	X
e. Result in inadequate emergency access?			X		X
f. Result in inadequate parking capacity?			X		X
g. Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				X	X

Transportation/Circulation Discussion:

Impacts as discussed in the 2016 certified MND analysis.

14. UTILITIES & SERVICE SYSTEMS	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	X

d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		X
e.	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	X
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X	X
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				X	X

Utilities & Service Systems Impact Discussion:

Impacts as discussed in the 2016 certified MND analysis.

D. INFORMATION SOURCES:

A. County/City/Federal Departments Consulted:			
<input checked="" type="checkbox"/>	✓ PRC		
B. General Plan			
Land Use Elements			
	Housing Element		Conservation Element
	Circulation Element		Noise Element
	Seismic Safety/Safety Element		Land Use
	Economic Development		
C. Zoning Ordinance & Specific Plan			
<input checked="" type="checkbox"/>	Specific Plan and Zoning		
✓	East Ranch Business Park Specific Plan	✓	Title 17, Section 17.03
D. Project Plans			
✓	Site Plans and CUP Submittal		
E. Other Sources of Information			
	Field Work/Site Visit		Ag. Preserve Maps
✓	Calculations		Flood Control Maps
		<input checked="" type="checkbox"/>	Other studies, reports (e.g., environmental documents) ✓ Certified MND September 2016
✓	Traffic Study	✓	Topographic maps
	Records		Soils Maps/Reports
	Grading Plans		Plant maps
✓	Elevations/architectural renderings		Archaeological maps and reports
	Published geological maps		(Others)

EXHIBIT 1

III. PROJECT DESCRIPTION

In January, 2016, the City of King (or “City”) approved several modifications to : 1) the General Industrial (“M-1” and “M-2”) zoning designations; 2) the East Ranch Business Park Specific Plan (“ERBP-SP”), and 3) changed the M-1 zoning in the ERBP-SP to Planned Development District (“PD”). These zoning changes allowed, through the approval and issuance of Conditional Use Permits (“CUP’s”), the cultivation of medical cannabis. At that time, the City also prepared an Initial Study (“IS”) and Mitigated Negative Declaration (“MND”) which examined the potential environmental impacts of these proposed actions. The areas zoned M-1 and the ERBP-SP are located in the northeast corner of the City near the Mesa del Rey Airport. The areas zoned M-2 are located east of the airport and near the corner of First Street and Lonoak Road.

Table 1, Zoning Breakdowns, provides a listing of the various zoned parcels noted above.

TABLE 1
ZONING BREAKDOWNS

<u>Parcel</u>	<u>Zoning</u>	<u>Acres</u>	<u>Location</u>
East Ranch Business Park Specific Plan (ERBP-SP)	Specific Plan	107	Northeast corner of the City
Areas Adjacent to ERBP	M-1	20	Adjacent to and northeast Of ERBP
Adjacent to Mesa del Rey Airport	M-2	40	Adjacent to Mesa del Rey Airport
First Street and Lonoak Road	M-2	20	Northeast of the Intersection of First Street And Lonoak Road

These approved zoning modifications establish a mechanism for local level regulation allowing the cultivation of medical cannabis within buildings and/or greenhouse structures at locations approved by the City with a Conditional Use Permit. These approved zoning modifications, which became effective in February 2016, allow the commercial cultivation of medical cannabis on a large scale basis. All other commercial cannabis activity, including but not limited to cultivation (other than cultivation allowed by these zoning regulations) delivery, dispensaries, distribution, manufacturing or transporting (other than to transport cultivated product outside of the jurisdictional boundaries of the City) are strictly prohibited. These approved zoning regulations do not apply to nor allow the personal cultivation and/or use of cannabis nor the sale of such products within the City.

B. Project Characteristics

1. Zoning Code Amendments

Since the approval of the zoning modifications noted above, the City has proposed amendments to various zoning ordinances, including City Ordinance Section 17.03 (general cannabis discussions), Sections 17.30.020 and 17.31.020 governing the M-1 and M-2 zoning designations and the ordinance governing the East Ranch Business Park. These additional zoning code amendments are intended to more specifically design and regulate any proposed facilities associated with medical cannabis cultivation, manufacturing and testing. Listed below are the various categories (or types) of facilities that will require permits from the City.

- Type 2A All Artificial Light Structures, maximum 10,000 s.f.
- Type 2B Mixed Light Structure, maximum 10,000 s.f.
- Type 3A All Artificial Light Structure, maximum 22,000 s.f.
- Type 3B Mixed Light Structure, maximum 22,000 s.f.
- Type 4 Nursery
- Type 6 Manufacturing
- Type 8 Testing

2. Future Development of Medical Cannabis Growing Facilities

The City has not received any development applications at this time for medical cannabis growing facilities. In order to fully assess the potential environmental impacts associated with the proposed zoning code additions/amendments, the City has estimated the nature and extent of additional medical cannabis growing facilities. This estimate of future medical cannabis growing facilities within the City, as listed below, is intended to provide the

basis for the maximum probable (“worst-case”) assessments of potential impacts of the cumulative development of these facilities within this document.

- 4 Type 2A (all artificial light) greenhouse buildings (10,000 square foot plant canopy within a 13,000 square foot structure)
- 13 Type 2B (mixed light) greenhouse buildings (10,000 square foot plant canopy within a 13,000 square foot structure)
- 8 Type 3A (all artificial light) greenhouse buildings (22,000 square foot plant canopy within a 28,000 to 30,000 square foot structure)
- 34 Type 3B (mixed light) greenhouse buildings (22,000 square foot plant canopy within a 28,000 to 30,000 square foot structure)
- 6 Manufacturing Facilities
- 4 Nurseries (25,000 s.f.)
- 4 Security Offices
- 6 Plantonics Stores and Storage Facilities
- 4 Executive and Administrative Offices

(Note: The Type 2A and 3A greenhouse buildings are allowed pursuant to the previously approved (January, 2016) zoning modifications discussed above but are included in order to provide the maximum probable (“worst-case”) assessments of potential project impacts).

Type 2 greenhouse structures will cover a total of 13,000 square feet. Of this total, 10,000 square feet will be devoted to cannabis growing areas. Type 3 greenhouse structures will cover a total of 28,000 to 30,000 square feet. Of this total, 22,000 square feet will be devoted to cannabis growing areas. An additional 3,000 square feet in Type 2 greenhouses and an additional 6,000 to 8,000 square feet in Type 3 structures which will be devoted to the following functions: 1) trimming room, 2) drying room, 3) watering and mixing station, and 4) office space, bathrooms and employee break area. In addition, Type 2 greenhouses will have approximately 9,000 square feet devoted to exterior landscaping and parking while Type 3 greenhouses will have approximately 12,000 to 15,000 square feet devoted to exterior landscaping and parking. The greenhouse buildings will have glass roofs and side walls consisting of solid materials (i.e. brick, metal, wood, etc.) in order to provide security and eliminate a potential attractive nuisance.

Lighting will be provided by natural sunlight and/or artificial lighting. Artificial lighting will utilize energy efficient lighting systems with a finely tuned light spectrum which promotes the highest possible plant production rates. Type 2 greenhouses will have approximately 400 lights while Type 3 greenhouses will have 880 lights and Type 4 nurseries will have 1,000 lights.

Power use is primarily associated with lighting and cooling of the greenhouse structures. It is estimated that the total maximum electrical load for lighting the entire proposed future development of medical cannabis facilities is 53,760 amperes. The total maximum electrical load for air conditioning the entire proposed future development of medical cannabis facilities is 81,468 amperes. This results in a total maximum electrical load for the entire proposed future development of medical cannabis facilities of 135,228 amperes.

It is estimated that future project development will require a total of 193,890 gallons of water per day or 70,769,920 gallons (or 217 acre-feet) per year. This water will be used for cultivation in greenhouses and propagation in nursery facilities. Water demand is estimated to total approximately 20 million gallons (or 62 acre-feet) per year within the first year (2017) of operations and approximately 44 million gallons (or 135.5 acre-feet) by the year 2020. It is estimated that future project development will generate a total of 16,393 gallons (or 16.4 MGD) of wastewater per day or 5,983,528 gallons (or 5.98 MGD) of wastewater per year. This wastewater will contain a variety of nutrients typically found in commercial nursery facilities. Wastewater generation is estimated to total approximately 1.80 million gallons per year within the first year (2017) of operations and approximately 3.78 million gallons per year by the year 2020.

It is estimated that the development of all future medical cannabis growing facilities will generate a total 3,720 vehicle trips per day. Vehicle trip generation is estimated to total 1,114 vehicle trips per day within the first year (2017) of operations and 2,316 vehicle trips per day the year 2020.

This Initial Study/Mitigated Negative Declaration has been prepared in a manner which provides complete and adequate California Environmental Quality Act (CEQA) coverage for all actions and approvals associated with the proposed project as currently described herein. However, this Initial Study/Mitigated Negative Declaration may not be the final environmental document for the proposed project. In the event that future development applications for the commercial cultivation of medical cannabis contain specific design or operational elements not addressed by this Initial Study, additional, more detailed environmental documentation may be necessary at that time. When applications for individual projects are submitted, they will be subject to additional environmental review by the City in order to 1) determine the nature and extent of any potentially significant impacts not addressed in this document and 2) insure that the individual project does not exceed the maximum development levels and cumulative impacts identified in this analysis. These individual projects will be approved by the City through the approval and issuance of Conditional Use Permits ("CUP's").