

AT&T Telecommunication Facilities Proposed Findings and Conditions
1400 Highland Avenue – City Hall (LAC476//TCP18-15)
June 18, 2019

Pursuant to Manhattan Beach Municipal Code Section 13.02.100, the proposed facility is approved by the City Council as the following findings can be made:

- A. That installation of the facilities will not have significant negative impacts to the extent that they substantially interfere with the use of other properties, because the modifications to the existing roof-mounted macro-site include the relocation of one existing antenna array and the installation of one new antenna array which will not impact adjacent properties;
- B. That feasible alternative non-residential sites are not available for the proposed facilities, because in order for the applicant to provide the desired level of coverage, the only alternative location is on the Police/Fire Building with which the City does not desire to relocate the existing macro-site to, and which would not provide an adequate level of coverage, and the City Hall site is a non-residential (Public and Semi-Public) site;
- C. That denial of the proposed facilities will result in a competitive disadvantage to the applicant, as it will not enable them to meet their level of coverage;
- D. That the denial does discriminate against the applicant in favor of similarly situated competitors;
- E. That the denial would preclude the applicant from proposing an alternate location for the facility, as such locations do not exist.

The proposed facility is approved by the City Council subject to the following conditions:

1. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the Applicant, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the APPLICANT shall record a covenant indicating its consent to the conditions of approval of these conditions with the Office of the County Clerk/Recorder of Los Angeles. The covenant is subject to review and approval by the City Attorney. APPLICANT shall deliver the executed covenant, and all required recording fees, to the Department of Community Development within 30 days of this approval. If APPLICANT fails to deliver the executed covenant within 30 days, this approval shall be null and void and of no further effect. Notwithstanding the foregoing, the Director may, upon a request by APPLICANT, grant an extension to the 30-day time limit
2. The applicant shall be required to camouflage and make inconspicuous this facility permitted hereunder by having the size, location of facilities and selection of colors and finishes specified to match and blend the facility with the existing building façade including colors and materials in accordance with plans to be reviewed and approved by the Director of Community Development.
3. Provide verification that the proposed facility complies with all applicable rules, regulations and licensing requirements of the FCC including a report prepared by an engineer, prepared at the applicant's expense, which quantifies the facilities radio frequency (RF) exposures and compares them to FCC adopted standards. Following installation of the proposed facilities, a subsequent field report shall be submitted detailing the facilities cumulative field measurements of RF power densities and RF exposures, confirming that the facilities complies with accepted FCC standards, if applicable.

4. A Construction Management and Parking Plan (CMPP) including but not limited to a construction schedule showing start and end dates, project milestones, and emergency contact information shall be submitted by the applicant and reviewed and approved to the satisfaction of the Director of Community Development, prior to issuance of a permit.
5. The Director reserves the right to require phasing of construction projects or limit the hours of construction to reduce the adverse impacts on the public health, safety and welfare. The City Traffic Engineer and City Engineer has the authority to approve or reject a method of excavation or other construction methodology.
6. The applicant shall obtain all necessary construction permits and shall comply with all applicable building and safety code requirements.
7. The applicant shall comply with all terms and conditions of the City Council approved Structure Lease Agreement.
8. The applicant agrees to maintain and improve all portions of said facility, including but not limited to antennas, radios, and equipment cabinets with new updated technology as it becomes available and used by the applicant for other distributed antenna system or small cell facilities in the City, and that upon cessation of use or abandonment of the facility it shall be promptly removed at the expense of the applicant.
9. The facilities shall be in substantial conformance with the plans dated February 8, 2019, and Project descriptions submitted to, and approved by, the City of Manhattan Beach City Council on _____, 2019. Applicant shall submit a final plan incorporating all of the refinements, modifications, and conditions approved within 90 days of the date of approval. Final plans, including but not limited to the precise location of all facilities, will be reviewed during the plan check process and will be subject to field inspection prior to permit issuance. The Director of Community Development ("Director" hereinafter) shall determine whether any deviation from the approved facilities is substantial which requires an amendment to the approval. Any substantial deviation from the approved plans or facilities descriptions shall require approval from The Director of Community Development.