



PLANNING COMMISSION

Agenda

Regular Meeting

Jan. 17, 2024, 5p.m.

Council Chamber
1200 Carlsbad Village Dr.
Carlsbad, CA 92008
carlsbadca.gov

Welcome to the Planning Commission Meeting

We welcome your interest and involvement in the city's legislative process. This agenda includes information about topics coming before the Planning Commission and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city website.

How to watch

In Person



City Council Chamber
1200 Carlsbad Village Drive

Online



Watch the livestream at
carlsbadca.gov/watch

How to participate

If you would like to provide comments to the Commission, please:

- Fill out a speaker request form, located in the foyer.
 - Submit the form to the Clerk before the item begins.
 - When it's your turn, the Clerk will call your name and invite you to the podium.
 - Speakers have three minutes, unless the presiding officer (usually the chair) changes that time.
 - You may not give your time to another person, but can create a group. A group must select a single speaker as long as three other members of your group are present. All forms must be submitted to the City Clerk before the item begins and will only be accepted for items listed on the agenda (not for general public comment at the beginning of the meeting). Group representatives have 10 minutes unless that time is changed by the presiding officer or the Commission.
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- **In writing:** Email comments to planning@carlsbadca.gov. Comments received by 2 p.m. the day prior to the meeting will be shared with the Commission prior to the meeting. When e-mailing comments, please identify in the subject line the agenda item to which your comments relate. All comments received will be included as part of the official record.

Reasonable accommodations

Reasonable Accommodations Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 442-339-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Tuesday before the meeting to make arrangements. City staff will respond to requests by noon, the day of the meeting, and will seek to resolve requests before the start of the meeting in order to maximize accessibility.

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held on Nov. 15, 2023

Minutes of the Regular Meeting held on Dec. 6, 2023

PRESENTATIONS:

PUBLIC COMMENT: *The Brown Act allows any member of the public to comment on items not on the agenda. Please treat others with courtesy, civility, and respect. Members of the public may participate in the meeting by submitting comments as provided on the front page of this agenda. The Commission will receive comments in the beginning of the meeting. In conformance with the Brown Act, no action can occur on these items.*

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed below. There will be no separate discussion on these items prior to the time the Commission votes on the motion unless members of the Commission, staff, or the public request specific items be discussed and/or removed from the Consent Calendar for separate action.*

PUBLIC HEARINGS:

This item was continued from the Planning Commission Meeting of April 19, 2023

1. **CUP 2022-2023 /CDP 2022-0070 (DEV2022-0206) POINTSETTIA PARK WCF (AT&T)** – Adoption of a resolution approving a Minor Conditional Use Permit amendment and Coastal Development Permit to allow the installation, operation and maintenance of a wireless communication facility consisting of six (6) panel antennas mounted within a 48 inch radome cylinder on a new 78-foot light pole that will replace an existing light pole and associated ground equipment within an eight-foot tall enclosure east of the southern parking lot of poinsettia community park generally located at 6600 Hidden Valley Road in the Mello II segment of the certified Local Coastal Program and in Local Facilities Management zone 20.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Kyle Van Leeuwen **ENGINEER:** Linda Ontiveros

2. **SDP 2023-0012/CDP 2023-0022 (DEV2023-0061) - LEGOLAND CALIFORNIA PROJECT 2025-- (CEQA) APPLICABILITY/PROCESS DETERMINATION** – A resolution of the Planning Commission of the city of Carlsbad, California, recommending approval of a site development plan and Coastal Development Permit to allow for the replacement of an existing “driving school” and “junior driving school” themed attractions with a new space-themed attraction located within the inner park area of the Legoland California in planning area 4 of the Carlsbad Ranch specific plan on property located at 1

Legoland Dr., assessor parcel number 211-100-09-00, within the Mello II segment of the Local Coastal Program and in Local Facilities Management zone 13.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Jason Goff **ENGINEER:** Nichole Fine

3. ELECTION OF OFFICERS – Adoption of a resolution adopting Planning Commission procedures.

ACTION TYPE: Legislative

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Eric Lardy **ENGINEER:** N/A

DEPARTMENTAL REPORTS:

None.

PUBLIC COMMENT: Continuation of the Public Comments *This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section. In conformance with the Brown Act, no Council action can occur on these items.*

PLANNER REPORT:

CITY ATTORNEY REPORT:

ADJOURNMENT:



PLANNING COMMISSION

Minutes

Nov. 15, 2023, 5 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

CALL TO ORDER: 5 p.m.

ROLL CALL: Merz, Hubinger, Kamenjarin, Lafferty, Meenes, Stine, Sabellico.

PLEDGE OF ALLEGIANCE: Commissioner Sabellico led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Minutes of the Regular Meeting held on October 18, 2023

Motion by Commissioner Stine, seconded by Commissioner Hubinger, to approve the minutes of the Regular Meeting. Motion carried, 6/0/1. (Meenes; Abstain)

PUBLIC COMMENT: None.

PUBLIC HEARING:

1. **CARLSBAD BOULEVARD RESTRIPING PROJECT** – Adoption of Resolution No. 7500 approving a Coastal Development Permit for Carlsbad Boulevard restriping project on public right-of-way generally located along Carlsbad Boulevard between Solamar Drive and Island way within the Mello II segment of the city's Local Coastal Program and within Local Facilities Management Zone 22.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Izzak Mireles **ENGINEER:** Linda Ontiveros

At the request of Commissioner Merz, each Commissioners expressed that they are all familiar with the site.

Chair Merz opened the public hearing at 5:04 p.m.

City Planner Eric Lardy introduced the item and Associate Planner Izzak Mireles who reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

In response to Commissioner Stine's inquiry, City Planner Eric Lardy clarified the Coastal Commission's interpretation regarding lane configurations by explaining that the Coastal Commission deems that any change in capacity, whether increase or decrease, as provided by this upgrade, would count as development and would need a ruling by the Planning Commission.

In response to Commissioner Meenes' inquiry, Senior Engineer Miriam Jim explained that the area discussed in this item is being reduced in capacity, and based on the observations after the project has been completed, no operational issues have been noted since its creation in March 2023.

In response to Commissioner Lafferty's inquiry, Senior Engineer Jim, noted that the length of the project is 1/3 of a mile.

In response to Commissioner Lafferty's inquiry, Transportation Director Tom Frank explained that there are other studies the city has ongoing that will include information regarding crosswalks and pedestrian safety.

Chair Merz opened the public testimony at 5:20 p.m. and asked if there were any members of the public who wished to speak on the item.

Seeing none, Chair Merz closed public testimony at 5:20 p.m.

Commissioner discussion ensued.

Motion by Commissioner Meenes, seconded by Commissioner Stine, to adopt Resolution No. 7500. Motion carried, 7/0.

Chair Merz closed the public hearing at 5:23pm.

2. **LABOUNTY RESIDENCE – 3950 GARFIELD ST. 92008** – Adoption of Resolution No. 7501 approving a Coastal Development Permit to allow for the demolition of an existing residential duplex and construction of a new 4,284 square-foot, three-story single-family residence with a 571-square-foot attached two-car garage, within the Mello II segment of the city's Local Coastal Program located at 3950 Garfield St. within Local Facilities Management Zone 1.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing and adopt the resolution.

PLANNER: Lauren Yzaguirre **ENGINEER:** David Rick

Chair Merz opened the public hearing at 5:24pm.

At the request of Commissioner Merz, each Commissioner expressed that they are all familiar with the site.

City Planner Eric Lardy introduced the item and Associate Planner Lauren Yzaguirre who reviewed a PowerPoint presentation (on file in the Office of the City Clerk).

In response to Commissioner Lafferty's inquiry, Associate Planner Lauren Yzaguirre, explained that this project conforms to the rules of the Housing Crisis Act requirements because the resident is demolishing 2 units and replacing them with two units as is required by said Act.

Chair Merz opened the public testimony at 5:33 p.m. and asked if there were any members of the public who wished to speak on the item.

Seeing none, Chair Merz closed public testimony at 5:33p.m.

Motion by Commissioner Sabellico, seconded by Commissioner Meenes, to adopt Resolution No. 7501. Motion carried, 7/0.

Chair Merz closed the public hearing at 5:41p.m.

PLANNING COMMISSION MEMBER REPORTS/COMMENTS:

Commissioner Lafferty gave updates regarding the Historic Preservation Committee Meeting, Commissioner Sabellico clarified his intention to make a motion to approve the Staff Recommendation, not staff's approval for Item 2.

CITY PLANNER REPORTS: City Planner Eric Lardy reviewed the upcoming Planning Commission meeting schedule for the next two months. Dec. 6, 2023, will be the only meeting in December and will include three items. He added the only meeting in January will be held Jan, 17, 2024, with four items on the agenda, including the election of Planning Commission Officers.

CITY ATTORNEY REPORTS: None.

ADJOURNMENT: 5:45 p.m.

Cynthia Vigeland
Administrative Secretary

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PLANNING COMMISSION

Minutes

Dec. 6, 2023, 5 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

CALL TO ORDER: 5 p.m.

ROLL CALL: Merz, Meenes, Stine and Sabellico;
Absent - Hubinger, Kamenjarin, Lafferty

PLEDGE OF ALLEGIANCE: Commissioner Meenes led the Pledge of Allegiance.

APPROVAL OF MINUTES: None.

PUBLIC COMMENT: None.

PUBLIC HEARINGS:

1. **(CDP2021-0062) 4874 PARK DR. 92008 RESIDENCE** – Adoption of Resolution No. 7502 approving a Coastal Development Permit for the demolition of an existing residence and the construction of a new 2,603-square-foot single-family home within the Mello II Segment of the city's Local Coastal Program located at 4874 Park Dr. within Local Facilities Management Zone 1.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Mike Strong **ENGINEER:** Nichole Fine

Chair Merz opened the duly noticed public hearing at 5:04 p.m.

In response to Chair Merz's request for exparte disclosures for this item, Commissioner Meenes expressed that he drove by the site and Chair Merz expressed that he visited the site.

City Planner Eric Lardy introduced the item and explained that a public hearing for this permit, is required so they are not able to go on the Consent Calendar but will treat it as an abbreviated item and Assistant Director of Community Development Mike Strong, who is the planner for this project, will be available for questions.

Chair Merz opened the public testimony at 5:06 p.m. and asked if there were any members of the public who wished to speak on the project.

Residents Scott and Karen Parent submitted a neutral comment card and did not wish to speak on the topic but indicated that they would like to see fence removal and dust containment for this project.

Hearing no one else wishing to speak, Chair Merz closed public testimony at 5:07 p.m.

Motion by Commissioner Meenes seconded by Commissioner Stine, to adopt Resolution No. 7502. Motion carried, (4/0/3) (Hubinger, Kamenjarin, Lafferty - Absent)

Chair Merz closed the duly noticed public hearing at 5:08 p.m.

2. **AMEND 2019-0005 CDP2019/0021 (DEV2019-0152) ARMY AND NAVY ACADEMY FACILITIES BUILDING** – Adoption of Resolution No. 7503 approving a Conditional Use Permit amendment and Coastal Development Permit for the development of a 9,057 square foot facilities building located on the Army and Navy Academy campus at 2476 Mountain View Dr. within the Mello II Segment of the city's Local Coastal Program and Local Facilities Management Zone 1.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Jason Goff **ENGINEER:** Allison McLaughlin

Chair Merz opened the duly noticed public hearing at 5:09 p.m.

In response to Chair Merz's request for exparte information for this item, all four commissioners replied that they were familiar with the site.

City Planner Eric Lardy introduced the item and Senior Planner Jason Goff reviewed a PowerPoint presentation regarding the project (on file in the Office of the City Clerk).

Chair Merz opened the public testimony at 5:13 p.m. and asked if there were any members of the public who wished to speak on the project.

Hearing no one wishing to speak, Chair Merz closed public testimony at 5:14 p.m.

Motion by Commissioner Stine seconded by Commissioner Meenes, to adopt Resolution No. 7503. Motion carried, (4/0/3) (Hubinger, Kamenjarin, Lafferty - Absent)

Chair Merz closed the public hearing on Item Number 2 at 5:18 p.m.

3. **CUP 2022-2023 /CDP 2022-0070 (DEV2022-0206) POINTSETTIA PARK WCF (AT&T)** – Request for adoption of a resolution approving a Minor Conditional Use Permit amendment and Coastal Development Permit to allow the installation, operation and maintenance of a wireless communication facility consisting of six (6) panel antennas mounted within a 48 inch radome cylinder on a new 78-foot light pole that will replace an existing light pole and associated ground equipment within an eight-foot tall enclosure east of the southern parking lot of poinsettia community park generally located at 6600 Hidden Valley Road in the Mello II segment of the certified Local Coastal Program and in Local Facilities Management zone 20.

ACTION TYPE: Quasi-Judicial

STAFF RECOMMENDATION: Take public input, close the public hearing, and adopt the resolution.

PLANNER: Kyle Van Leeuwen **ENGINEER:** Linda Ontiveros

Chair Merz opened the duly noticed public hearing for Item Number 3 at 5:19 p.m.

At the request of Chair Merz, Commissioners gave the following exparte information:

- Commissioners Meenes and Stine are both familiar with the site and have recently visited the site
- Vice Chair Sabellico is familiar with the site and has visited the site. Mr. Sabellico also disclosed his communications with resident Frank Sung regarding the project.
- Chair Merz visited the site

City Planner Eric Lardy introduced the item and Associate Planner Kyle Van Leeuwen who reviewed a PowerPoint presentation regarding the project (on file in the Office of the City Clerk).

In response to Commissioner Sabellico's inquiry regarding Council Policy 64, City Planner Eric Lardy explained that the state and federal regulations dictate what is allowed for wireless facilities and that the city cannot deny a community wireless coverage. Mr. Lardy added that because of this, the intent of the policy is to show that parks and community facilities in certain circumstances would be a preferred location over the discouraged locations. Mr. Lardy further explained this situation refers back to section A1 of City Council Policy 64, which lists "Parks in Residential Zones" as a preferred location.

Commissioner Sabellico responded that he understands City Planner Lardy's response; but he would like the record to show that he does not completely understand this City Council Policy and how they are expected as Planning Commissioners to apply it since it is open ended and relies more than usual on their discretion.

In response to Commissioner Sabellico's comment, Senior City Attorney Ron Kemp explained that the Planning Commission's role is regulatory; the Commission needs to determine if they agree with staff that this project meets the Land Use Regulations and Policy 64 guidelines.

In response to Chair Merz's request for clarification, Associate Planner Van Leeuwen re-reviewed the coverage map.

Associate Planner Van Leeuwen introduced Harold Thomas Jr., Land Use Technician with MD7, the Company who is representing AT&T and provided a PowerPoint presentation regarding the project.

In response to Commissioner Meenes' inquiry, Mr. Thomas explained that they picked this site because they wanted to use the least amount of usable space and they found this site would provide easy access for construction needs.

In response to Commissioner Stine's inquiry regarding improved safety, Mr. Thomas explained that AT&T will provide, at an unknown cost, state of the art emergency response technology with this update. Mr. Thomas added that better, additional coverage for users would provide a more reliable system to handle emergency calls.

In response to Commissioner Stine's inquiry, Mr. Thomas explained that per the Electro Magnetic radio frequency (RF) Emissions (Radio Frequency Report) the structure itself operates at about half of what the Federal range requires.

In response to Commissioner Stine's inquiry, Mr. Thomas said he received one or two comments in support of the project; and other than that, there was a website set up for feedback that did not receive any response from the public and no other active public outreach was conducted by his company or AT&T regarding the project.

In response to Chair Merz' question, Mr. Thomas reviewed the eight sites and the reasons they were not usable which were included in the alternative site analysis from the staff report. Mr. Thomas added that the site elevation and a willing landlord are the most frequent obstacles to site selection.

In response to Chair Merz' question regarding RF exposure, Assistant Director of Community Development, Mike Strong clarified the Commission should consider RF in so far as it complies with the FCC guidelines. In this case, Mr. strong reiterated the information in the staff report that indicates the FCC limit is substantially higher than what the applicant is proposing.

Chair Merz called for a recess at 6:21 p.m.

Chair Merz reconvened the meeting at 6:28 p.m.

Chair Merz opened the public testimony at 6:29 p.m.

The following individuals spoke in opposition to the project: Frank Sung, Scott Rubin, Brian Curstens, Giancorenzo Masini, Richard Heimlich, Kevin Fritz, Kathryn Gartland, Anne Hampton, Valerie Fisher, Robert Hampton, Nora George.

Frank Sung, reviewed a PowerPoint presentation and spoke on behalf of himself and three residents: Ellen Fritz, David George, and Susan LeClair.

Chair Merz closed the public testimony at 7:02 p.m.

In response to the public testimony, Harold Thomas Jr., Land Use Technician from MD7, explained ease of construction was only one factor in site selection; not the primary reason. Mr. Thomas also explained that MD7 did their due diligence and provided an accurate map depicting the lack of AT&T coverage in the area. Mr. Thomas added that there are various reasons landlords declined the lease terms his Company presented and that he cannot review the specifics at the moment.

Additionally, Associate Planner Kyle Van Leeuwen reiterated that consuming the least amount of usable space in the park was a priority and a major factor in this site selection.

Commissioner discussion ensued

Chair Merz called for a recess at 8:09 p.m.

Chair Merz called the meeting back to order at 8:15 p.m.

Motion made by Vice Chair Sabellico to remand to a later council meeting with a staff report that includes why this light pole was chosen over other light poles in the park, a more complete alternative site analysis with more sites, including a response to the public comments concerning the applicant site analysis, and finally evidence to support their coverage map that they presented to the commission.

Motion failed. Commissioner discussion ensued.

Minute Motion by Commissioner Vice Chair Sabellico, seconded by Chair Meenes to remand this agenda item to the Jan. 17 2024, meeting so that the applicant can better respond to the concerns presented. Specifically, why this light pole was chosen over other light poles in the park, provide a more complete, alternative site analysis with more sites, and finally provide evidence to support the coverage map that they presented to the commission demonstrating the need for this tower. The item will be continued to the next Planning Commission Meeting on Jan. 17, 2024. Motion carried, 3/1/3. (Meenes – No; Hubinger, Kamenjarin, Lafferty - Absent)

Chair Merz closed the public hearing on Item Number 3 at 8:35 p.m.

PLANNING COMMISSION MEMBER REPORTS/COMMENTS:

Commissioners Stine, Meenes, Sabellico and Chair Merz expressed their appreciation for retiring, Assistant City Attorney Ron Kemp's outstanding work and service to the City.

CITY PLANNER REPORTS: Mr. Lardy explained that the next two meetings are cancelled due to their proximity to the holidays. Mr. Lardy also provided a summary of tentative schedule of upcoming Planning Commission related projects.

CITY ATTORNEY REPORT: None.

ADJOURNMENT: 8:41pm

Cynthia Vigeland
Administrative Secretary



Staff Report

Meeting Date: Jan. 17, 2024 Item 1

To: Planning Commission

Staff Contact: Kyle Van Leeuwen, Associate Planner, 442-339-2611
kyle.vanleeuwen@carlsbadca.gov

Subject: Poinsettia Park WCF (AT&T): A request to install a new wireless communication facility (WCF) within Poinsettia Community Park

Location: 6600 Hidden Valley Road, Carlsbad, CA 92011/ 214-140-13-00/ District 3

Case Numbers: CUP 2022-0023 / CDP 2022-0070 (DEV2022-0206)

Applicant/Representative: Harold Thomas Jr., MD7, 858-750-1798, hthomasjr@md7.com

CEQA Determination: ☐ Not a Project ☒ Exempt ☐ IS/ND or IS/MND ☐ EIR

Permit Type(s): ☐ SDP ☒ CUP ☒ CDP ☐ TM/TPM ☐ GPA ☐ REZ ☐ LCPA

CEQA Status: ☐ The environmental assessment IS on the Agenda for discussion.
☒ A CEQA determination was already issued. That decision is final and IS NOT on the Agenda

Commission Action: ☒ Decision ☐ Recommendation to City Council ☐ Informational (No Action)

Recommended Actions

That the Planning Commission Resolution **ADOPT** Planning Commission Resolution (Exhibit 1 to Agenda Item No. 3 of the Dec. 6, 2023, Planning Commission staff report) **APPROVING** a Minor Conditional Use Permit CUP 2022-0023 and Coastal Development Permit CDP 2022-0070, based upon the findings and subject to the conditions contained therein.

Project Background

On Dec. 6, 2023, the Planning Commission considered a proposal to construct a Wireless Communication Facility (WCF) consisting of a baseball field light pole, with six panel antennas and nine remote radio units (RRU) at Poinsettia Community Park. The Planning Commission discussed the proposed WCF, including the proposed location of the WCF within the park and the documents provided by the applicant. Planning Commission requested more information regarding the alternative sites analysis, the coverage levels indicated on the provided coverage maps, and why the specific light pole location was chosen over other light pole locations in the park.

A detailed staff report was provided to the Planning Commission on Dec. 6, 2023 (Exhibit 1). The commission voted to continue the item from Dec. 6, 2023 to Jan. 17, 2024 to allow the applicant time to respond and provide additional information. All new public comments (letters/emails) received are

provided or referenced in Exhibit 2. As of this writing, the applicant has not provided any new information to supplement the original meeting materials.

Exhibits

1. Planning Commission Staff Report (December 6, 2023)
<https://records.carlsbadca.gov/WebLink/DocView.aspx?id=7197718&dbid=0&repo=CityofCarlsbad>
2. Public Correspondence received after December 6, 2023



Staff Report

Meeting Date: Dec. 6, 2023 Item **1**

To: Planning Commission

Staff Contact: Kyle Van Leeuwen, Associate Planner, 442-339-2611
kyle.vanleeuwen@carlsbadca.gov

Subject: Poinsettia Park WCF (AT&T): A request to install a new wireless communication facility (WCF) within Poinsettia Community Park

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Permit Type(s): ☐ SDP ☒ CUP ☒ CDP ☐ TM/TPM ☐ GPA ☐ REZ ☐ LCPA

CEQA Status: ☐ The environmental assessment IS on the Agenda for discussion.
☒ A CEQA determination was already issued. That decision is final and IS NOT on the Agenda

Commission Action: ☒ Decision ☐ Recommendation to City Council ☐ Informational (No Action)

Recommended Actions

That the Planning Commission Resolution **ADOPT** Planning Commission Resolution (Exhibit 1) **APPROVING** a Minor Conditional Use Permit CUP 2022-0023 and Coastal Development Permit CDP 2022-0070, based upon the findings and subject to the conditions contained therein.

Existing Conditions & Project Description

Existing Setting

The subject site consists of a 30-acre parcel within a 42-acre public park at 6600 Hidden Valley Road (Exhibit 2). The park contains a variety of sports facilities including tennis courts, pickleball courts, softball/baseball fields, soccer fields, a multi-sport area, and basketball courts, as well as playgrounds, restrooms, picnic areas, and dog-park. The parcel is largely flat, containing some slopes and lower elevations along the west portion of the property and some elevation changes between sports fields. Primary access to the park is provided via Hidden Valley Road to the east. The project site is within the Zone 20

Site Map



Specific Plan (SP 203) and is zoned Open Space (OS). A public park is a permitted use within the Open Space zone.

Table “A” below includes the General Plan designations, zoning and current land uses of the subject site and surrounding properties. Also refer to Exhibit 2 for a larger map.

TABLE A – SITE AND SURROUNDING LAND USE

| Location | General Plan Designation | Zoning Designation | Current Land Use |
|--------------|---------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------|
| Site | Open Space (OS) | Open Space (OS) | Public Park |
| North | Residential, 4-8 dwelling units (R-8) | One-Family Residential, Qualified Development Overlay (R-1-Q) | Single-Family Dwellings |
| South | Residential, 4-8 dwelling units (R-8) | Planned Community (P-C) | Single-Family Dwellings |
| East | Residential, 4-8 dwelling units (R-8) | Residential Density- Multiple, Qualified Development Overlay (RD-M-Q) | Single-Family Dwellings / Preschool Facility |
| West | Open Space (OS) | Open Space (OS) | Public Park Ball Field / Natural Resource Preservation |

General Plan Designation



Zoning Designation



Proposed Project

The project consists of the installation, operation, and maintenance of a wireless communication facility (WCF) consisting of a baseball field light pole, with six panel antennas, nine remote radio units (RRU), and three surge protectors installed on the pole. The light pole will be 78 feet in total height, with the panel antennas installed between 50 feet and 67 feet high on the pole, and the RRU and surge protectors installed between 37 feet and 49 feet high on the pole. The proposed WCF light pole will replace an existing baseball field light pole, which is consistent with the overall height of the existing

light pole, and the equipment installed on the new light pole will be screened from view by a four-foot-diameter, radome cylinder.

A ground level equipment enclosure is also proposed. The equipment enclosure will be located on the same footprint of an existing trash enclosure in the northwest portion of the park's southern parking lot, just east of the proposed light pole. The subject trash enclosure is no longer needed within the park. The method of maintenance of the park was shifted from in-house to a contractual service several years ago. With that shift, the maintenance contractor assumed responsibility for the daily removal of trash collected from the park. The other trash enclosure, located in the northern parking lot, will remain in place. The proposed equipment enclosure has been designed to be compatible with the adjacent and remaining park maintenance building, utilizing materials, colors, and textures that will match. The project would also include the installation of an approximately 1,600-foot-long conduit to connect the WCF to existing communication infrastructure located near the park's vehicle entrance.

The WCF is proposed to be approximately 177 feet from the nearest property line to the south, with the equipment enclosure more than 160 feet from the southern property line. The site will be accessed through the existing parking lot and driveway, taking access from Hidden Valley Road. The facility will operate 24 hours a day, seven days a week. Since the facility is unmanned, it will not generate any traffic. Maintenance of the facility by the carrier is needed no more than once a month, except in cases of emergencies. Scheduled maintenance is subject to CMC Section 8.48.010, construction hours limitations, which does not allow maintenance work: after 6:00 p.m.; before 7:00 a.m. (8:00 a.m. on Saturdays); or any work to take place on Sunday. If an emergency arises, it is expected that maintenance crews will be immediately dispatched to correct the situation. The application is proposing a backup generator, located within the equipment enclosure.

Public Outreach & Comment

The Developer has completed the Early Public Notice procedures pursuant to City Council Policy No. 84 (Development Project Public Involvement Policy). A notice of project application was mailed on Jan. 23, 2023, to property owners within 600 feet and occupants within 100 feet of the subject property. One, two-foot-tall by three-foot-wide yellow sign was posted at the project site on Jan. 4, 2023, notifying all pass-by traffic of the project, which provides project name, application numbers, description, as well as both Developer and city staff contact information. A total of 361 notifications were mailed to property owners and occupants.

Response to Public Comment & Project Issues

A total of 28 individuals sent emails to city staff with questions and concerns about the project during the months of January and February. This feedback included: a) concerns about design, height, and visual impact; b) health concerns about radio frequency emission (RF) exposure; c) concerns about potential effects to real estate value; and d) impacts to residence during construction/installation of the facility. While the vast majority of the response to the Early Public Notice was generally not in favor of the project, two emails in support of the project were received, citing inadequate cellphone reception in the adjacent neighborhoods. Correspondence received has been included as Exhibit 14.

Aesthetic impacts are typically a concern associated with this type of use due to the height of towers, which are used to support communication antennas. The visibility of a tower is a function of its height, design, and its visual exposure in the park and to surrounding properties. In response to concerns about design, height, and visual impact, the applicant worked with the city staff to improve the design of the project and increase screening/stealthing of the equipment on the light pole. The initial proposal of the project included 15 antennas and 24 RRUs placed above the ballfield lights (90-foot overall height) with no screening of the equipment. Planning Division staff shared with the applicant the requirements of City Council Policy 64 (Exhibit 5) for shielding and stealthing requirements. Over the course of six-months, the applicant twice redesigned the project to lower the overall height to be consistent with the height of the existing light poles, reduce the amount of equipment proposed on the light pole, and incorporate adequate screening/stealthing of that mounted equipment. The existing light pole, and the original, intermediate, and final design of the project, is shown in Figure A, right. The WCF is proposed to be approximately 177 feet from the nearest property line to the south.

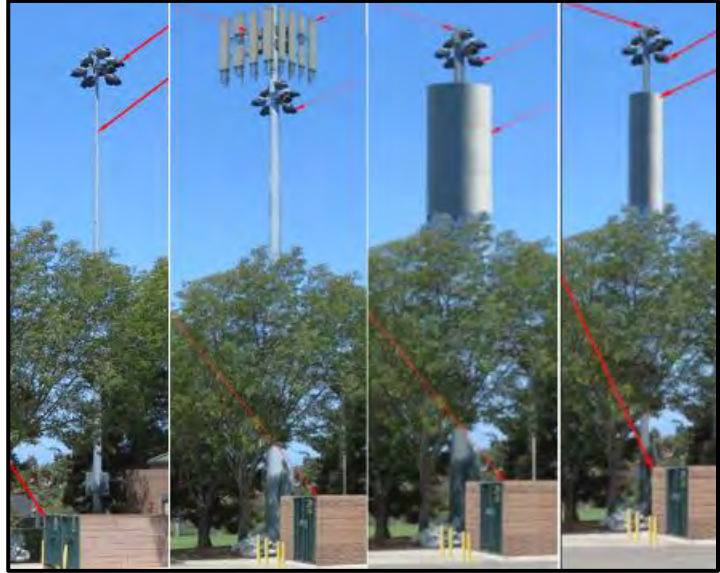


Figure A: Existing Pole & Project Design Changes

Possible health risks from exposure to the radiofrequency emissions generated by wireless communication facilities have also generated public concern. The Federal Communications Commission (FCC) requires facilities to comply with radio frequency (RF) exposure guidelines, and is the regulating authority related to radiofrequency exposure limits generated by wireless communication facilities. The city, during its permitting review process, ensures compliance with the FCC rules and regulations. Based on the 1996 Telecommunications Act, a local government city cannot evaluate or deny the project based on perceived health hazards of RF exposure, so long as the project complies with federally set exposure limits. However, Policy 64 requires a submission of a compliance report and the reduction in the number of antenna panels in the revised design also reduced the amount of RF the site would produce. Exhibit 8 contains a RF Electromagnetic Fields Exposure Study prepared by EBI Consulting (Oct. 25, 2023) demonstrating that the cumulative exposure levels from this facility will be below the FCC's Maximum Permissible Exposure (MPE) limits for the public.

Project Analysis

General Plan Consistency

The City of Carlsbad General Plan includes several goals and policies that guide development and land use within the city. A discussion of how the project is consistent with the applicable General Plan policies is summarized in Exhibit 3.

Zone 20 Specific Plan (SP 203)

The Zone 20 Specific Plan, originally approved in 1993 and last amended in 2010, has no policies, restrictions, or requirements applicable to the request for a wireless communication facility. The project is therefore consistent with the Zone 20 Specific Plan.

Municipal Code Consistency

The City of Carlsbad Municipal Code, most notably Title 21 Zoning Code, includes requirements and provisions that guide development and land use within the city, consistent with the General Plan. Specific compliance with these relevant requirements is described in Exhibit 3.

Local Coastal Program Consistency

The project site is in the Coastal Zone and requires a Coastal Development Permit. The project complies with the Local Coastal Program (Exhibit 3), including all goals and policies of the General Plan and all zoning code standards, as referenced above.

Wireless Communication Facilities Policy (City Council Policy Statement No. 64)

The project is subject to City Council Policy Statement 64 (Policy 64, Exhibit 5), which sets review and operational guidelines for wireless communication facilities. A discussion of how the project is consistent with Policy 64 is summarized in Exhibit 3.

Discretionary Actions & Findings

The proposed Project requires approval of two permit types (Minor Conditional Use Permit and Coastal Development Permit), each of which is discussed below.

Minor Conditional Use Permit (CUP 2022-0023)

The proposed project is a use which is allowed in the Open Space (OS) Zone subject to the approval of a minor conditional use permit (MCUP) or conditional use permit (CUP). Pursuant to Carlsbad Municipal Code (CMC) Section 21.42.140.B.165.b, a wireless communication facility (WCF) application that complies with both the preferred location and the stealth design guidelines of City Council Policy Statement No. 64 (Policy 64) is processed as a minor conditional use permit (MCUP). The proposed project is located in a preferred location and exhibits “stealth” design techniques. Chapter 21.42 of the Carlsbad Municipal Code requires that four findings be made in order to approve a CUP. All of these findings can be made for this project as discussed below (Exhibit 3).

The Minor Conditional Use Permit would normally be acted upon by the City Planner as the final decision-maker. However, the Coastal Development Permit requires action by the Planning Commission. Therefore, per CMC Section 21.54.040, Decision-making authority for multiple development permits, both applications require Planning Commission action.

Coastal Development Permit (CDP 2021-0031)

Approval of a Coastal Development Permit (CDP) is required because the project proposes development within the coastal zone. (CMC Section 21.06.030.) Staff finds that the required findings for this application can be met (Exhibit 3).

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Planner has determined that the project qualified for an exemption pursuant to CEQA Guidelines section 15303 – New Construction or Conversion of Small Structures. A notice of intended decision regarding the environmental determination was advertised on Oct. 13, 2023 and posted on the city’s website. No

comment letters or appeal was received and consistent with Chapter 21.54 (Procedures, Hearings, Notices, and Fees) of the Zoning Ordinance the City Planner's written decision is final. Refer to Exhibit 11 for additional support and justification.

Conclusion

Considering the information above and in the referenced attachments, staff has found that the proposed project is consistent with all applicable policies of the General Plan, Local Coastal Program, and City Council Policies, provisions of the Municipal Code and Local Facility Management Zone. All required public improvement and utilities are available to serve the proposed development. In addition, there are no environmental issues associated with the project.

The project is conditioned to ensure the proposed project's compatibility with the surrounding properties and that the public health, safety, and welfare of the community are maintained. The project would be required to comply with all applicable California Building Standards Codes and engineering standards through the standard building permit and civil improvement plan checking process. Staff recommends the Planning Commission adopt the resolutions, recommending approval of the proposed project described in this staff report.

Exhibits

1. Planning Commission Resolution
2. Location Map
3. Project Analysis
4. Disclosure Statement
5. Council Policy Statement No. 64 – Wireless Communications Facilities
6. Alternative Site Analysis
7. Photo Simulations
8. Radio Frequency Study
9. Generator Noise Assessment Letter
10. Reduced Exhibits
11. Notice of CEQA Determination
12. List of Acronyms and Abbreviations
13. Full Size Exhibits "A" – "K" dated Dec. 6, 2023 (on file in the office of the City Clerk)
14. Public Correspondence

PLANNING COMMISSION RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, APPROVING A MINOR CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT TO ALLOW THE INSTALLATION, OPERATION AND MAINTENANCE OF A WIRELESS COMMUNICATION FACILITY CONSISTING OF SIX (6) PANEL ANTENNAS MOUNTED WITHIN A 48 INCH RADOME CYLINDER ON A NEW 78-FOOT LIGHT POLE THAT WILL REPLACE AN EXISTING LIGHT POLE AND ASSOCIATED GROUND EQUIPMENT WITHIN AN EIGHT-FOOT TALL ENCLOSURE EAST OF THE SOUTHERN PARKING LOT OF POINSETTIA COMMUNITY PARK GENERALLY LOCATED AT 6600 HIDDEN VALLEY ROAD IN THE MELLO II SEGMENT OF THE CERTIFIED LOCAL COASTAL PROGRAM AND IN LOCAL FACILITIES MANAGEMENT ZONE 20

CASE NAME: POINSETTIA PARK WCF (AT&T)
CASE NO.: CUP 2022-0023/CDP 2022-0070
(DEV2022-0206)

WHEREAS, **AT&T Wireless**, “Developer”, has filed a verified application with the City of Carlsbad regarding property described as

THAT PORTION OF THE WEST HALF OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY.

(“the Property”); and

WHEREAS, said verified application constitutes a request for a Conditional Use Permit and Coastal Development Permit as shown on Exhibit(s) **“A” – “K”** dated **Dec. 6, 2023**, on file in the Planning Division, **CUP 2022-0023/ CDP 2022-0070 (DEV2022-0206) – POINSETTIA PARK WCF (AT&T)**, as provided by Chapter 21.42 and Chapter 21.201.030 of the Carlsbad Municipal Code; and

WHEREAS, the Planning Division studied the **Conditional Use Permit** and **Coastal Development Permit** application and performed the necessary investigations to determine if the

project qualified for an exemption from further environmental review under the California Environmental Quality Act, (CEQA, Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq. After consideration of all evidence presented, and studies and investigations made by the city planner and on its behalf, the city planner determined that the project was exempt from further environmental review pursuant to State CEQA Guidelines section 15303 – New Construction or Conversion of Small Structures, in that the project is consistent with the General Plan, Zoning Ordinance and Local Coastal Program; the project includes the construction and location of small facilities or structures, and the installation of small equipment and facilities in small structures. The project will not have a significant effect on the environment and all the requirements of CEQA have been met; and

WHEREAS, on Oct. 16, 2023, the city distributed a notice of intended decision to adopt the “New Construction or Conversion of Small Structures” exemption. The notice was circulated for a 10-day period, which began on Oct. 16, 2023, and ended on Oct. 26, 2023. The city did not receive any comment letters on the CEQA findings and determination. The effective date and order of the city planner CEQA determination was Oct. 26, 2023; and

WHEREAS, the Planning Commission did, on **Dec. 6, 2023**, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to the Conditional Use Permit and Coastal Development Permit.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad as follows:

- A) That the foregoing recitations are true and correct.
- B) That based on the evidence presented at the public hearing, the Commission APPROVES CUP 2022-0023/ CDP 2022-0070 (DEV2022-0206) – POINSETTIA PARK WCF (AT&T), based on the following findings and subject to the following conditions:

Findings:

Conditional Use Permit, CUP 2022-0023

1. That the requested use is necessary or desirable for the development of the community and is in harmony with the various elements and objectives of the general plan, including, if applicable, the certified local coastal program, specific plan or master plan, in that **the use is consistent with the General Plan in that the Open Space Land Use designation does not preclude the provision of WCF uses. Within the Open Space (O-S) zone, CMC Chapter 21.33; WCFs are conditionally permitted uses. The requested WCF is necessary and desirable for the development of the community because of the benefit and demand for digital communications and data transmissions for businesses, residences, individuals, public agencies and emergency service systems in this part of the city. The use is consistent with the General Plan in that the Open Space Land Use designation does not preclude the provision of WCF uses. The use is in harmony with objectives that seek to maintain and enhance Carlsbad's appearance in that the WCF is integrated into a light pole; is designed so that the antennas will be attached as close to the light pole as possible with a concealing radome; and associated equipment is located within an enclosure designed to be compatible with the adjacent maintenance building, utilizing materials, colors, and textures that will match the maintenance building.**
2. That the requested use is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located in that **the antennas are proposed to be mounted to a replacement light pole that is the same height as the existing light pole, and antennas are mounted as close to the light pole as technology will allow, thus reducing an outward noticeable appearance and minimizing visual impacts.**

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's

regulations for wireless facilities. The project complies with the FCC RF Exposure Guidelines.

Lastly, a Generator Noise Assessment Letter was prepared by EBI Consulting (Oct. 28, 2022) in accordance with the City of Carlsbad's Noise Element of the General Plan and Noise Guidelines. The analysis concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property lines.

Therefore, based on the above, the project would not result in any detriment or significant health or safety risks to the surrounding area.

3. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, setbacks, walls, fences, parking, loading facilities, buffer areas, landscaping and other development features prescribed in this code and required by the City Planner, planning commission or City Council, in order to integrate the use with other uses in the neighborhood, in that **the light pole on which the proposed antennas are to be located is the same height as the existing pole; the associated equipment is proposed to be located within an enclosure designed to be compatible with the adjacent remaining maintenance building, utilizing materials, colors, and textures that will match the maintenance building; the light pole and equipment are not within any required front, rear or side yard setbacks; and the proposed pole and equipment enclosure are located more than 160 feet from the nearest adjacent residential property.**
4. That the street system serving the proposed use is adequate to properly handle all traffic generated by the proposed use, in that **the unmanned WCF will require, on average, only monthly maintenance visits and occasional visits in response to operational issues. The existing street system is adequate to properly handle any traffic generated by the use.**
5. That the proposed WCF is consistent with City Council Policy No. 64 in that **the location, a public park, is a "preferred" location. The WCF is proposed to be installed on a structure that already exists, which will reduce its visibility and will be the least disruptive to the appearance of the park. The WCF will not be located on an exposed ridgeline and is satisfactorily screened and disguised by being located on a structure which will light an athletic field. The new antennas will be mounted as close to the light pole as technologically feasible within a four-foot diameter radome. The radome will be painted to match the color of the light pole, thereby minimizing visual impacts. The proposed ground mounted equipment will be located within an enclosure, which is designed and treated to match and compliment the adjacent maintenance building. The proposed light pole is consistent with the height requirements of the Open Space zone and will be the same height as the existing light pole to be replaced and the other existing light poles for the baseball field. The proposed installation is more than 160 feet away from the adjacent residentially zoned properties, which is more than double the 78-foot setback called for by the policy. Site selection information was provided**

that indicates other locations are not feasible. Color photo-simulations have been provided to show that the project will not substantially alter views to the site from surrounding viewpoints. A Generator Noise Assessment Letter was prepared by EBI Consulting (Oct. 28, 2022) in accordance with the City of Carlsbad's Noise Element of the General Plan and Noise Guidelines. The analysis concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property lines.

Coastal Development Permit, CDP 2021-0031

6. That the proposed development is in conformance with the Certified Local Coastal Program and all applicable policies in that **the site is designated for non-residential uses and is already developed with an athletic-fields with field lights and other park amenities. The project consists of replacing one of the existing field light poles with a new pole that is the same height as the existing, and installing an unmanned WCF on the light pole. The WCF will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the coastal zone. No agricultural activities, sensitive resources, geological instability, flood hazard or vertical coastal access opportunities exist onsite. Furthermore, the WCF facility is not in an area of known geologic instability or flood hazards.**
7. The proposal is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act in that **the project is located outside of the coastal shoreline development overlay zone. Therefore, compliance with the public access and recreation policies of Chapter 3 of the Coastal Act is not required.**
8. The project is consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) in that the project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban runoff, pollutants, and soil erosion. No steep slopes or native vegetation are located on the subject property and the site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.

General

9. The Planning Commission has reviewed each of the exactions imposed on the Developer contained in this resolution, and hereby finds, in this case, that the exactions are imposed to mitigate impacts caused by or reasonably related to the project, and the extent and the degree of the exaction is in rough proportionality to the impact caused by the project.

Conditions:

NOTE: Unless otherwise specified herein, all conditions shall be satisfied prior to **building permit, whichever occurs first.**

1. Approval is granted CUP 2022-0023/CDP 2022-0070 (DEV 2022-0206) – POINSETTIA PARK WCF (AT&T) as shown on Exhibits “A” – “K”, dated Dec. 6, 2023, on file in the Planning Division and incorporated herein by reference. Development shall occur substantially as shown unless otherwise noted in these conditions.
2. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the city shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. No vested rights are gained by Developer or a successor in interest by the city’s approval of this **Conditional Use Permit** and **Coastal Development Permit**.
3. Staff is authorized and directed to make, or require the Developer to make, all corrections and modifications to the **Conditional Use Permit** and **Coastal Development Permit** documents, as necessary to make them internally consistent and in conformity with the final action on the project. Development shall occur substantially as shown on the approved Exhibits. Any proposed development, different from this approval, shall require an amendment to this approval.
4. Developer shall comply with all applicable provisions of federal, state, and local laws and regulations in effect at the time of building permit issuance.
5. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.
6. Developer/Operator shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Carlsbad, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney’s fees incurred by the city arising, directly or indirectly, from (a) city’s approval and issuance of this **Conditional Use Permit** and **Coastal Development Permit**, (b) city’s approval or issuance of any permit or action, whether

discretionary or nondiscretionary, in connection with the use contemplated herein, and (c) Developer/Operator's installation and operation of the facility permitted hereby, including without limitation, any and all liabilities arising from the emission by the facility of electromagnetic fields or other energy waves or emissions. This obligation survives until all legal proceedings have been concluded and continues even if the city's approval is not validated.

7. Prior to the issuance of a building permit, the Developer shall provide proof to the Building Division from the **Carlsbad Unified** School District that this project has satisfied its obligation to provide school facilities.
8. This project shall comply with all conditions and mitigation measures which are required as part of the Zone **10** Local Facilities Management Plan and any amendments made to that Plan prior to the issuance of building permits.
9. This approval shall become null and void if building permits are not issued for this project within 24 months from the date of project approval.
10. Developer shall pay the Citywide Public Facilities Fee imposed by City Council Policy #17, the License Tax on new construction imposed by Carlsbad Municipal Code Section 5.09.030, and CFD #1 special tax (if applicable), subject to any credits authorized by Carlsbad Municipal Code Section 5.09.040. Developer shall also pay any applicable Local Facilities Management Plan fee for Zone **10** pursuant to Chapter 21.90. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, this approval will not be consistent with the General Plan and shall become void.
11. Prior to the issuance of the **Conditional Use Permit** and **Coastal Development Permit**, Developer shall submit to the city a Notice of Restriction executed by the owner of the real property to be developed. Said notice is to be filed in the office of the County Recorder, subject to the satisfaction of the City Planner, notifying all interested parties and successors in interest that the City of Carlsbad has issued a **Conditional Use Permit** and **Coastal Development Permit** by Resolution(s) No. 7492 on the property. Said Notice of Restriction shall note the property description, location of the file containing complete project details and all conditions of approval as well as any conditions or restrictions specified for inclusion in the Notice of Restriction. The City Planner has the authority to execute and record an amendment to the notice which modifies or terminates said notice upon a showing of good cause by the Developer or successor in interest.
12. **CUP 2022-0070** shall be reviewed by the City Planner annually to determine if all conditions of this permit have been met and that the use does not have a substantial negative effect on surrounding properties or the public health, safety and general welfare. If the City Planner determines that: 1) the Conditional Use Permit was obtained by fraud or misrepresentation; or 2) the use for which such approval was granted is not being exercised; or 3) the Conditional Use Permit is being or recently has been exercised

contrary to any of the terms or conditions of approval or the conditions of approval have not been met; or 4) the use for which such approval was granted has ceased to exist or has been suspended for one year or more; or 5) the use is in violation of any statute, ordinance, law or regulation; or 6) the use permitted by the Conditional Use Permit is being or has been so exercised as to be detrimental to the public health, safety or welfare or so as to constitute a nuisance, the City Planner shall recommend that the Planning Commission hold a public hearing and after providing the permittee the opportunity to be heard, the Planning Commission may revoke and terminate the Conditional Use Permit in whole or in part, reaffirm the Conditional Use Permit, modify the conditions or impose new conditions.

13. This Conditional Use Permit is granted for a period of **ten (10) years** from **Dec. 6, 2023**, through **Dec. 6, 2033**. This permit may be revoked at any time after a public hearing, if it is found that the use has a substantial detrimental effect on surrounding land uses and the public's health and welfare, or the conditions imposed herein have not been met. This permit may be extended for a reasonable period of time not to exceed **10 years** upon written application of the permittee made no less than 90 days prior to the expiration date. The Planning Commission may not grant such extension, unless it finds that there are no substantial negative effects on surrounding land uses or the public's health and welfare. If a substantial negative effect on surrounding land uses or the public's health and welfare is found, the extension shall be denied or granted with conditions which will eliminate or substantially reduce such effects. There is no limit to the number of extensions the Planning Commission may grant.
14. Developer shall report, in writing, to the City Planner within 30 days, any address change from that which is shown on the permit application, any change in the telecommunications provider, or any transfer in ownership of the site.
15. Developer/Operator shall comply with the Federal Communication Commission's guidelines on limits for human exposure to radio frequency (RF) electromagnetic fields. Within six (6) months after the issuance of occupancy, and with any time extension or amendment request, the Developer/Operator shall submit to the City Planner either (1) verification that the project is categorically excluded from having to determine compliance with the RF exposure guidelines per 47 CFR §1.1307(b)(1); or (2) a project implementation report which provides cumulative field measurements of RF emissions of all antennas installed at the subject site. The report shall quantify the RF emissions and compare the results with the exposure limits established by the FCC guidelines. Said report shall be subject to review and approval by the City Planner for consistency with the Project's preliminary report on RF exposure submitted with the initial project application and for consistency with the FCC guidelines. If, on review, the City finds that the Project does not meet the FCC guidelines, the City may revoke or modify this conditional use permit.

16. **Except in an emergency posing an immediate public health and safety threat, maintenance activities shall only occur between 7 AM (8 AM on Saturdays) and sunset. Maintenance shall not take place on Sundays or holidays.**
17. **Future modifications to the facility shall not be approved unless the screening proposed and approved with this application, a four-foot radius radome cylinder, will continue to adequately screen new or replacement equipment. No expansion in size of the radome is allowed unless an amendment to CUP 2022-0023 and CDP 2022-0070 is approved.**
18. **No installed antennas or equipment shall be energized or activated unless the approved screening, a four-foot radius radome cylinder, is in place and secured on the light pole. This applies to any new or replacement equipment or antennas installed at a future date.**
19. **All installation activities shall be coordinated with the Community Development Department and the Parks & Recreation Department to avoid impacts to events within the public park.**
20. **The Developer/Operator shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law (“laws”) applicable to the Developer/Operator, the subject property, the wireless communication facility or other infrastructure deployment or any use or activities in connection with the use authorized by this resolution, which includes without limitation any laws applicable to human exposure to RF emissions and any standards, specifications or other requirements identified by the city planner or engineering manager (such as, without limitation, those requirements conditioned with this resolution). If the city planner or engineering manager finds good cause to believe that the facility is not in compliance with any laws applicable to human exposure to RF emissions, the city planner or engineering manager may require the Developer/Operator to submit a written report certified by a qualified radio frequency engineer familiar with the facility that certifies that the facility is in compliance with all such laws. The city planner or engineering manager may order the facility to be powered down if, based on objective evidence, the city planner or engineering manager finds that the facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the Developer/Operator demonstrates actual compliance with such laws. The Developer/Operator expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the Developer/Operator’s obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable provision in the Carlsbad Municipal Code, this Policy, any permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen Developer/Operator’s obligation to comply in all respects with all applicable**

provisions in the Carlsbad Municipal Code, this Policy, any permit, any permit condition or any applicable law or regulation.

Code Reminders:

1. Approval of this request shall not excuse compliance with all applicable sections of the Zoning Ordinance and all other applicable City ordinances in effect at time of building permit issuance, except as otherwise specifically provided herein.

NOTICE TO APPLICANT

An appeal of this decision to the City Council must be filed with the City Clerk at 1200 Carlsbad Village Drive, Carlsbad, California, 92008, within ten (10) calendar days of the date of the Planning Commission's decision. Pursuant to Carlsbad Municipal Code Chapter 21.54, section 21.54.150, the appeal must be in writing and state the reason(s) for the appeal. The City Council must make a determination on the appeal prior to any judicial review.

NOTICE

Please take **NOTICE** that approval of your project includes the "imposition" of fees, dedications, reservations, or other exactions hereafter collectively referred to for convenience as "fees/exactions."

You have 90 days from date of final approval to protest imposition of these fees/exactions. If you protest them, you must follow the protest procedure set forth in Government Code Section 66020(a), and file the protest and any other required information with the City Manager for processing in accordance with Carlsbad Municipal Code Section 3.32.030. Failure to timely follow that procedure will bar any subsequent legal action to attack, review, set aside, void, or annul their imposition.

You are hereby FURTHER NOTIFIED that your right to protest the specified fees/exactions DOES NOT APPLY to water and sewer connection fees and capacity charges, nor planning, zoning, grading, or other similar application processing or service fees in connection with this project; NOR DOES IT APPLY to any fees/exactions of which you have previously been given a NOTICE similar to this, or as to which the statute of limitations has previously otherwise expired.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **Dec. 6, 2023**, by the following vote, to wit:

AYES:

NAYES:

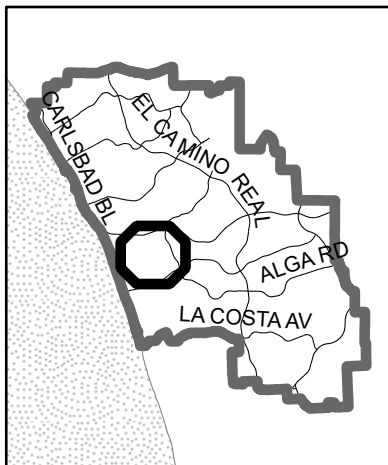
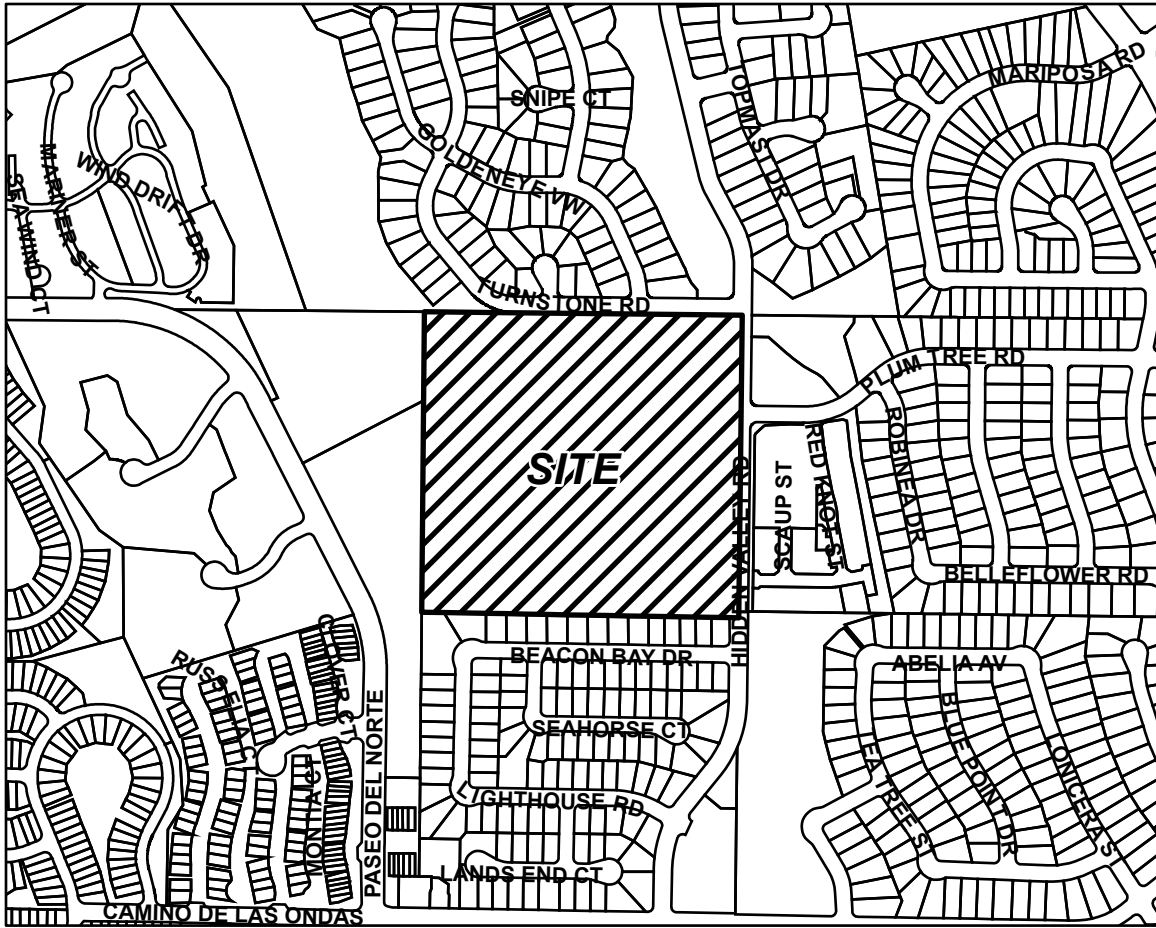
ABSENT:

ABSTAIN:

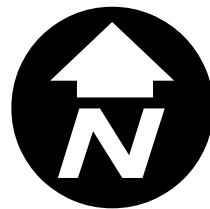
PETER MERZ, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

ERIC LARDY
City Planner



SITE MAP



NOT TO SCALE

POINSETTIA PARK WCF DEV 2022-0206

PROJECT ANALYSIS

The project is subject to the following regulations:

- A. Open Space (OS) General Plan Land Use Designation
- B. Open Space (OS) Zone (CMC Chapter 21.33) and Minor Conditional Use Permits and Conditional Use Permits (21.42)
- C. Local Coastal Program (Mello II Segment)
- D. Wireless Communication Facilities Policy (City Council Policy Statement No. 64)

The recommendation for approval of this project was developed by analyzing the project's consistency with the applicable regulations and policies. The project's compliance with each of the above regulations is discussed in detail within the sections below.

A. General Plan Open Space (VC) Land Use Designation

The project site is designated Open Space (OS) on the city's General Plan Land Use Map. The proposed WCF is consistent with the OS General Plan Land Use designation in that the OS Land Use designation does not preclude the use of WCF's. Furthermore, a Public Park is a permitted land use within the OS designation, and WCFs are allowed with permits in public parks. The proposed use will serve and benefit the residential and business community and region as a whole, including emergency service providers. Therefore, the proposed WCF use is consistent with the OS General Plan Land Use designation. The project also complies with the noise exposure limits of the Noise Element of the General Plan and Noise Guidelines Manual. Residential use areas are limited to 60 decibels (dB) of exterior exposure, and the Generator Noise Assessment Letter provided by the applicant (EBI Consulting, Oct. 28, 2022) calculates 53.8 dBs of noise will be generated as measured from the adjacent residential property line. Additionally, the study does not include any noise attenuation of the generator noise due to the equipment being located within a walled enclosure, or that the proposed generator will only run for routine cycling/testing for a duration of no more than 15 minutes one time per week during daytime hours, or in the event of a loss of power.

B. Open Space (OS) Zone (Chapter 21.20); and Minor Conditional Use Permits and Conditional Use Permits (Chapter 21.42)

The proposed WCF consisting of a 78-foot tall, baseball field light pole, with six panel antennas, nine remote radio units (RRU), and three surge protectors installed on a the light pole is located within Open Space (OS) zone, which allows for a stealth wireless communication facilities (WCFs) subject to approval of a minor conditional use permit (CUP), if consistent with the preferred location and the stealth design review and approval guidelines of city council policy statement No. 64. The project is required to comply with the development standards of the O-S zone. The

O-S zone does not specify any setbacks, lot coverage or lot size requirements. It does, however, specify that structures shall not exceed 25 feet tall unless a higher elevation is approved by a minor conditional use permit issued by the City Planner.

The proposed project is a use which is allowed in the Open Space Zone subject to the approval of a minor conditional use permit (MCUP) or conditional use permit (CUP). Chapter 21.42 of the Carlsbad Municipal Code requires that four findings be made in order to approve a CUP. All of these findings can be made for this project as discussed below.

Conditional uses such as Wireless Communications Facilities (WCF) possess unique and special characteristics that make it impractical to include them as permitted uses “by right” in any of the various zoning classifications (i.e. residential, commercial, office, industrial, and open space). The authority for the location and operation of these uses is subject to City Council Policy Statement No. 64 – Wireless Communication Facilities Policy (see discussion D below) and the issuance of a MCUP or CUP. Staff has reviewed the proposed project and found that all of the necessary findings can be made to approve the MCUP. The required findings and satisfaction of these findings are provided below.

1. That the requested use is necessary or desirable for the development of the community, and is in harmony with the various elements and objectives of the general plan, including, if applicable, the certified local coastal program, specific plan or master plan.

The use is consistent with the General Plan in that the Open Space Land Use designation does not preclude the provision of WCF uses. Within the Open Space (O-S) zone, CMC Chapter 21.33; WCFs are conditionally permitted uses.

The proposed project has been designed and conditioned to comply with all applicable zoning regulations and Federal Communications Commission (FCC) standards for radio frequency (RF) exposure. The WCF is proposed to be installed on a structure that already exists, which will reduce its visibility and will be the least disruptive to the appearance of the park. The WCF will not be located on an exposed ridgeline and is satisfactorily screened and disguised by being located on a structure, which will light an athletic field. The new antennas will be mounted as close to the light pole as technologically feasible within a four-foot diameter radome. The radome will be painted to match the color of the light pole, thereby minimizing visual impacts.

City Council Policy No. 64 – Wireless Communication Facilities Guidelines indicate that there is a need to accommodate new communication technology and must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community. According to the applicant’s response to the Wireless Communication Facility Guidelines, the applicant examined the search for co-location opportunities and did not locate any existing freestanding co-locatable wireless towers within the search area that would provide the required height. Per the applicant, the entirety of the targeted search area is located within residentially zoned parcels or open spaces; therefore,

more favorably zoned parcels, such as commercial or industrial, were infeasible. No co-location opportunities were available. All of this resulted in the subject proposal for a new telecommunication facility.

The proposed project would help alleviate an area of poor coverage and overloaded capacity within this service area, which causes reoccurring lost calls, ineffective service, and slow data speeds. The requested WCF is necessary for the development of the community because of the benefit and demand for digital communications and data transmissions for businesses, residences, individuals, public agencies and emergency service systems in this part of the city.

Federal and California law require cities provide access to telecommunications infrastructure as outlined in the restrictions contained within Policy 64. The use is consistent with the General Plan in that the Open Space Land Use designation does not preclude the provision of WCF uses. The use is in harmony with objectives that seek to maintain and enhance Carlsbad's appearance in that the WCF is integrated into a light pole; is designed so that the antennas will be attached as close to the light pole as possible with a concealing radome; and associated equipment is located within an enclosure designed to be compatible with the adjacent maintenance building, utilizing materials, colors, and textures that will match the maintenance building.

2. That the requested use is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located in.

The antennas are proposed to be mounted to a replacement light pole that is the same height as the existing light pole, and antennas are mounted as close to the light pole as technology will allow, thus reducing an outward noticeable appearance and minimizing visual impacts.

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of RF emissions to the extent that such facilities comply with the FCC standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. The project complies with the FCC RF Exposure Guidelines. The project complies with the FCC Radio Frequency (RF) Exposure Guidelines as detailed in Exhibit 8. Lastly, a Generator Noise Assessment Letter was prepared by EBI Consulting (October 28, 2022) in accordance with the City of Carlsbad's Noise Element of the General Plan and Noise Guidelines. The analysis, detailed in Exhibit 9, concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property lines. While the Noise Element does not establish a community park as a noise-sensitive land use, the provided study does indicate that the level of noise from the generator would be compliant with daytime and nighttime limits at a distance of 21 feet from the generator (65 dB). Additionally, the study does not include any noise attenuation of the generator noise due to the equipment being located within a walled enclosure, or that the proposed generator will only run for routine cycling/testing for a duration

of no more than 15 minutes one time per week during daytime hours, or in the event of a loss of power.

- 3. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, setbacks, walls, fences, parking, loading facilities, buffer areas, landscaping and other development features prescribed in this code and required by the City Planner, planning commission or City Council, in order to integrate the use with other uses in the neighborhood.**

The light pole on which the proposed antennas are to be located is the same height as the existing pole; the associated equipment is proposed to be located within an enclosure designed to be compatible with the adjacent maintenance building, utilizing materials, colors, and textures that will match the remaining maintenance building; the light pole and equipment are not within any required front, rear or side yard setbacks; and the proposed pole and equipment enclosure are located more than 160 feet from the nearest adjacent residential property.

- 4. That the street system serving the proposed use is adequate to properly handle all traffic generated by the proposed use.**

The unmanned WCF will require, on average, only monthly maintenance visits and occasional visits in response to operational issues. The existing street system is adequate to properly handle any traffic generated by the use. Construction is not expected to generate or impact the circulation network and will be coordinated to avoid impacts to any events within the park.

C. Conformance with the Coastal Development Regulations for the Mello II Segment of the Local Coastal Program (CMC Chapter 21.201) and the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203)

The project site is located within the Mello II Segment of the Local Coastal Program and is not in the appeal jurisdiction. The site is also located within and subject to the Coastal Resources Protection Overlay Zone. The project's compliance with each of these programs and ordinances is discussed below:

1. Mello II Segment of the Certified Local Coastal Program and all applicable policies

The proposed site is in the Mello II Segment of the Local Coastal Program (LCP) and is not within the appealable jurisdiction of the California Coastal Commission.

The proposed WCF use is not precluded by Local Coastal Program. Furthermore, staff finds the proposed project to be consistent with the Mello II segment of the Local Coastal Program in that the site is designated for non-residential uses and is already developed with athletic fields with field lights and other park amenities. The project consists of replacing one of the existing

field light poles with a new pole that is the same height as the existing and installing an unmanned WCF on the light pole. The WCF will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the coastal zone. No agricultural activities, sensitive resources, geological instability, flood hazard or vertical coastal access opportunities exist onsite. Furthermore, the WCF facility is not in an area of known geologic instability or flood hazards.

2. Coastal Resource Protection Overlay Zone

The development is subject to the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203). The Coastal Resource Protection Overlay Zone identifies areas of protection: a) preservation of steep slopes and vegetation; b) drainage, erosion, sedimentation, habitat; c) seismic hazards, landslides, and slope instability; and d) floodplain development. The project's compliance with each of these areas of concern is discussed below:

- a. *Preservation of Steep Slopes and Vegetation.* Slopes greater than 25% and possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities are considered "dual criteria" slopes and are protected in the Coastal Zone. The project does not support any "dual criteria" slopes.
- b. *Drainage, Erosion, Sedimentation, Habitat.* The project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban run-off, pollutants, and soil erosion.
- c. *Seismic Hazards, Landslides and Slope Instability.* The site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods or liquefaction.
- d. *Flood Plain Development.* No structures or fill are being proposed within a one-hundred-year floodplain area as identified by the FEMA Flood Map Service Center.

D. Wireless Communication Facilities Policy (City Council Policy Statement No. 64)

The City Council adopted Policy No. 64, Wireless Communication Facilities, on Dec. 14, 2021, establishing review and approval guidelines for WCFs. The project is consistent with City Council Policy No. 64 in that the proposed location, a public park in a residential area, is a "preferred" location. The WCF is proposed to be installed on a structure that already exists, which will reduce its visibility and will be the least disruptive to the appearance of the park. The WCF will not be located on an exposed ridgeline and is satisfactorily screened and disguised by being located on a structure, which will light an athletic field. The new antennas will be mounted as close to the light pole as technologically feasible within a four-foot diameter

radome. The radome will be painted to match the color of the light pole, thereby minimizing visual impacts.

The proposed ground mounted equipment will be located within an enclosure, which is designed and treated to match and compliment the adjacent maintenance building. The proposed light pole is consistent with the height requirements of the Open Space zone and will be the same height as the existing light pole to be replaced and the other existing light poles for the baseball field. The proposed installation is more than 160 feet away from the adjacent residentially zoned properties, which is more than double the 78-foot setback called for by the policy. Site selection information was provided that indicates other locations are not feasible. Color photo-simulations have been provided to show that the project will not substantially alter views to the site from surrounding viewpoints. All aspects of the proposed WCF, including the supports, antennas, screening methods, and equipment feature “stealth” design techniques so they visually blend into the background or the surface on which they are mounted.

The applicant examined the search for co-location opportunities and did not locate any existing freestanding co-locatable wireless towers within the search area that would provide the required height. Per the applicant, the entirety of the targeted search area is located within residentially zoned parcels or open spaces; therefore, more favorably zoned parcels, such as commercial or industrial, were infeasible. No co-location opportunities were available. All of this resulted in the subject proposal for a new telecommunication facility.

The FCC, which regulates the wireless communications industry, has referenced prior studies concluding that RF emission exposure levels associated with this type of facility have been determined to be safe. RF emissions generated from the proposed WCF would be below the FCC accepted guidelines/standards. Pursuant to federal law, a local government agency may not regulate the placement and modification of a WCF based on the environmental or health effects of RF emissions to the extent that such facilities comply with federal law concerning emissions. To ensure that the FCC standards are being met, a condition has been added to the permit that requires that the applicant submit a RF study to demonstrate compliance with the applicable FCC regulations. Therefore, staff does not anticipate concerns regarding RF emissions as it relates to the park or residential development in the area.

A Generator Noise Assessment Letter was prepared by EBI Consulting (October 28, 2022) in accordance with the City of Carlsbad’s Noise Element of the General Plan and Noise Guidelines. The analysis concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property lines.

E. Growth Management Plan

The proposed Wireless Communications Facility (WCF) is located in Local Facilities Management Plan Zone 20. Installation of the WCF on the existing site and monthly facility maintenance visits

will not result in increased public facilities demands; therefore, the proposal will not exceed performance standards for public facilities.



DISCLOSURE STATEMENT P- 1(A)

Development Services

Planning Division
1635 Faraday Avenue
(442) 339-2610
www.carlsbadca.gov

Applicant's statement or disclosure of certain ownership interests on all applications which will require discretionary action on the part of the City Council or any appointed Board, Commission or Committee.

The following information **MUST** be disclosed at the time of application submittal. Your project cannot be reviewed until this information is completed. Please print.

Note:

Person is defined as "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, in this and any other county, city and county, city municipality, district or other political subdivision or any other group or combination acting as a unit."

Agents may sign this document; however, the legal name and entity of the applicant and property owner must be provided below.

1. **APPLICANT** (Not the applicant's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

| | |
|---------------|-------------------------------------------------------|
| Person _____ | Corp/Part <u>AT&T Wireless</u> |
| Title _____ | Title _____ |
| Address _____ | Address <u>7337 Trade Street, San Diego, CA 92121</u> |

2. **OWNER** (Not the owner's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having any ownership interest in the property involved. Also, provide the nature of the legal ownership (i.e., partnership, tenants in common, non-profit, corporation, etc.). If the ownership includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

| | |
|------------------------------------|--------------------------------------------------------|
| Person <u>Curtis Jackson</u> | Corp/Part <u>City of Carlsbad</u> |
| Title <u>Real Estate Manager</u> | Title _____ |
| Address <u>3096 Harding Street</u> | Address <u>3096 Harding Street, Carlsbad, CA 92008</u> |

3. **NON-PROFIT ORGANIZATION OR TRUST**

If any person identified pursuant to (1) or (2) above is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the non-profit organization or as trustee or beneficiary of the.

Non Profit/Trust N/A

Non Profit/Trust _____

Title _____

Title _____

Address _____

Address _____

4. Have you had more than \$500 worth of business transacted with any member of City staff, Boards, Commissions, Committees and/or Council within the past twelve (12) months?

☐ Yes ☒ No If yes, please indicate person(s): _____

NOTE: Attach additional sheets if necessary.

I certify that all the above information is true and correct to the best of my knowledge.

Signature of owner/date

Signature of applicant/date

Print or type name of owner

Harold Thomas Jr

Print or type name of applicant

Harold Thomas Jr

Digitally signed by Harold Thomas Jr
DN: cn=Harold Thomas Jr, o=MD7, LLC, ou,
email=htthomasjr@md7.com, c=US
Date: 2022.11.02 10:16:51 -07'00'

Signature of owner/applicant's agent if applicable/date

Print or type name of owner/applicant's agent



Policy No. 64
 Date Issued: 9/26/2017
 Effective Date: 12/14/2021
 Resolution No. 2021-289
 Cancellation Date:
 Supersedes No. 64 04/10/12

Council Policy Statement

Category: WIRELESS COMMUNICATION FACILITIES
Specific Subject: Review and Operation Guidelines for Wireless Communication Facilities

PURPOSE:

Wireless communication facilities, or WCFs, refer to the many facilities with antennas and supporting equipment that receive and transmit signals and together enable mobile or other “wire-free” communication and information services. Unlike wireline communications, such as the land-based telephone system, wireless communication technologies, by their operational nature, require a network of antennas mounted at various heights and attached typically to buildings, structures and poles. A common name for a WCF is “cell site.”

WCF proposals to the city became commonplace in the mid-1990s. Since then, Carlsbad has processed dozens of new WCF applications and numerous permit renewals for existing facilities, all without benefit of specific review criteria. As the city’s population and the popularity and variety of wireless services grow, providers are expected to install more facilities to improve coverage and gain user capacity.

The following Review and Operation Guidelines (Guidelines) have been developed to supplement and clarify the requirements of Carlsbad Municipal and Zoning codes, including chapter 21.42 of the Carlsbad Zoning Code. These requirements are meant to provide a general overview of the procedures and requirements for installation of WCFs, while accommodating and supporting deployment of WCFs to provide adequate coverage and capacity throughout the city. They also outline definitions that are quantifiable and measurable and detail development standards and design requirements which the city will use to review proposed facilities. This policy’s purpose is to guide the public, applicants, boards and commissions, and staff in reviewing the placement, construction, and modification of WCFs. The goal is to assure WCFs in Carlsbad:

- Are reviewed and provided within the parameters of law.
- Protect the health, safety, and welfare of the public to the extent permitted by applicable laws.
- Are encouraged to locate away from residential and other sensitive areas, except as allowed by Sections A, B and C of this policy.
- Represent the fewest possible facilities necessary to complete a network without discriminating against providers of functionally equivalent services or prohibiting the provision of wireless services.
- Use, as much as possible, “stealth” techniques so they are not seen or easily noticed.
- Operate consistent with Carlsbad’s quality of life.

This policy applies to all commercial providers of wireless communication services. It does not apply to amateur (HAM) radio antennas, dish antennas, collocations and/or modifications covered under Federal Communications Commission (FCC) regulations at 47 C.F.R. §§ 1.6100 *et seq.* (implementing Section 6409(a) of the Spectrum Act (codified as 47 C.F.R. § 1455(a)) for non-substantial modifications to existing wireless towers and base stations)¹ and other antennas installed on a residence for an individual's private use.

The Guidelines shall not relieve a person from the responsibility of complying with all other applicable regulations of any other local, state, or federal agencies. These Guidelines supplement existing regulations and provide clear standards and guidelines for all wireless infrastructure deployments unless specifically prohibited by applicable law. The standards and procedures contained in these Guidelines are intended to, and should be applied to, protect and promote public health, safety and welfare, and balance the benefits that flow from robust, advanced wireless services with the city's local values. Except as expressly provided otherwise, these Guidelines shall be applicable to all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, replace, relocate or otherwise deploy WCFs, inclusive of applications which affect existing facilities.

These Guidelines are also intended to establish clear procedures for application intake and completeness review. Conditional use permit applications for WCFs that were denied shall follow the process in Carlsbad Municipal Code Section 21.54.130 for reapplication of a new CUP. Building permit and ROW permit applications for facilities that were denied may be submitted to the Community Development Department as new applications at any time, without prejudice. Said new application will be processed as a completely separate application, with new submittal materials and fees required, and shall demonstrate compliance with these Guidelines.

BACKGROUND:

To secure the right to provide personal wireless services to a region, companies often must obtain airwave licenses that are auctioned by the FCC, the federal agency that regulates the communications industry. For radio services that use license spectrum, the FCC mandates the licensees establish their service networks as quickly as possible.

In Carlsbad, there are three common types of WCF systems: Cellular, PCS (Personal Communications Services), and ESMR (Enhanced Specialized Mobile Radio).

POLICY:

REVIEW RESTRICTIONS:

The Federal Telecommunications Act of 1996 (TCA) preserves the city's ability to regulate the placement, construction, and modification of wireless communication facilities subject to the following restrictions.

¹ If the city determines that an application submitted for approval pursuant to Section 6409(a) is, in fact, not covered by the applicable federal regulations, the applicant may resubmit the request for approval pursuant to the applicable provisions in this policy.

- ***The city may not favor any carrier.***
Regulations may not unreasonably discriminate among functionally equivalent service providers. A “functionally equivalent provider” means a competitor.
- ***The city may not prevent completion of a network.***
Regulations may not prohibit or have the effect of prohibiting the provision of personal wireless services. According to the FCC’s recent order in 2018, the denial of a single permit application may cause an effective prohibition if it “materially inhibits or limits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment.” *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, 33 FCC Rcd. 9088 at ¶ 37 (2018) (*Small Cell Order*). In addition, local aesthetic requirements may be prohibitory unless they are reasonable and published in advance. *Small Cell Order* at ¶ 40, *rev’d in part, City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020).
- ***Applications are to be processed in a reasonable time.***
A city must act on an application for WCFs within a “reasonable” amount of time, which the FCC generally defines as either 60, 90, or 150 days from the time an application is submitted and depending on the nature and scope of the proposed wireless facility.
- ***Failure to approve or deny applications may result in automatic approvals and court orders.***
Under California Government Code 65964.1, an application for a wireless facility may be “deemed approved” if a city or county fails to act within the presumptively reasonable timeframes established by the FCC. This provision contains some exceptions but generally applies to new facilities and very large modifications to existing facilities both on private property and in the public rights-of-way. The FCC’s regulations contain a similar “deemed granted” remedy for less-than substantial collocations and modifications to existing facilities. In addition, the *Small Cell Order* establishes that a permitting agency’s failure to act within the referenced timeframes will amount to a presumptive prohibition on the provision of personal wireless services, the remedy for which may be a court injunction.
- ***The city cannot deny an application because of perceived radio frequency health hazards.***
If federal standards are met, cities may not deny permits on the grounds that radio frequency emissions (RF) are harmful to the environment or to the health of residents. However, local governments may require wireless carriers to prove compliance with the standards. The FCC has established procedures to enforce compliance with its rules.
- ***The city cannot deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station (Section 6409(a) non-substantial modifications).***
The FCC promulgated detailed regulations for this restriction, including a definition for “substantial change” and procedural rules for processing these applications, which can be found at 47 C.F.R. §§ 1.6100 *et seq.*
- ***Certain collocation facilities are not subject to discretionary permit requirements.***
Under California Government Code section 65850.6, a collocation facility (where two or more wireless operators have located their antennas at a common location) shall be a permitted use not subject to discretionary permit requirements if it satisfies the requirements of that statute.
- ***A decision to deny an application must be supported by substantial evidence.***
A decision to deny a WCF application must be in writing and supported by substantial evidence contained in a written record. The reasons for the denial must also be contained in a written record contemporaneously available with the written denial notice and must be clear enough to enable judicial review.

HEALTH CONCERNS & SAFEGUARDS:

Possible health risks from exposure to the RF electromagnetic fields generated by WCFs are a significant community concern. Accordingly, the FCC requires facilities to comply with RF exposure guidelines published in the Code of Federal Regulations (see 47 CFR § 1.1307 and 47 CFR §1.1310). The limits of exposure established by the guidelines are designed to protect the public health with a very large margin of safety as they are approximately 50 times below the levels that generally are accepted as having the potential to cause a measurable change in human physiology. Both the Environmental Protection Agency and Food and Drug Administration have endorsed the FCC's exposure limits, and courts have upheld the FCC rules requiring compliance with the limits.

Most WCFs create maximum exposures that are only a small fraction of the limits. Furthermore, because the antennas in a PCS, cellular, or other wireless network operate more efficiently when in a line of sight arrangement to effectively transmit, their power is focused on the horizon instead of toward the sky or ground. Generally, unless a person is physically next to and at the same height as an antenna, it is not possible to be exposed to RF emissions that exceed the maximum permissible exposure.

The FCC requires providers, upon license application, renewal, or modification, to demonstrate compliance with RF exposure guidelines. Where two or more wireless operators have located their antennas at a common location (called "collocation"), the total exposure from all antennas taken together must be within FCC guidelines. Many facilities are exempt from routine e compliance demonstrations under FCC guidelines, however, because their low power generation or height above ground level is highly unlikely to cause exposures that exceed the guidelines in areas accessible by people.

PERMIT PROCESS:

Wireless communication facilities (WCFs) are defined in Carlsbad Municipal Code Section 21.04.379. Carlsbad Municipal Code Section 21.42.140(B)(165) allows WCFs in all zones with the approval of a minor conditional use permit (MCUP) or a conditional use permit (CUP) and subject to this policy. New WCFs are allowed in the public right-of-way of roads (ROW) subject to the requirements of this policy and the processing requirements of Table A below.

Small wireless facilities (SWFs) are WCFs that also meet the definition in FCC regulations at 47 C.F.R. §§ 1.6002(l).

For WCFs and SWFs to be located in the public right-of-way of roads, which generally is not zoned, a right-of-way permit pursuant to Title 11 of the Carlsbad Municipal Code may be used as outlined in Table A – WCF and SWF Processing Requirements.

Table A – WCF and SWF Processing Requirements

| Category | Code reference/ definition | Application Review Process | | Coastal Zone and Coastal Development Permit (CDP) requirements | Applicable Policy 64 Guidelines |
|------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------|---------------------------------------|
| New WCFs on public or private property | Carlsbad Municipal Code (CMC) Section 21.04.379 | CUP or Minor CUP ¹ | | CDP or Minor CDP required per CMC Chap. 21.201 unless specifically exempted | A, B, D, and E |
| New WCFs in the public right-of-way of roads | CMC Section 21.04.379 | ROW permit ² , Minor CUP ³ or CUP ⁴ | | Exempt per CMC Section 21.201.B.11 ⁵ | A, B, D and E |
| Existing WCF – Section 6409(a) eligible facilities request | CMC Section 21.04.379 and 47 U.S.C. § 1455(a) | Section 6409(a) worksheets | | Exempt per CMC Section 21.201.B.11 ⁵ | N/A – Policy 64 does not apply |
| Existing WCF – Emergency Generators | CMC Section 21.04.379 and Government Code Section 65850.75 | Building Permit | | Exempt per CMC Section 21.201.B.11 ⁵ | N/A – Policy 64 does not apply |
| Small Wireless Facilities (SWF) | CMC Section 21.04.379 and the definition in FCC regulations at 47 C.F.R. § 1.6002(l) | Within the public right-of-way of roads: | Right-of-way Permit | Exempt per CMC Section 21.201.B.11 ⁵ | C, D, and E |
| | | Outside the public right-of-way of roads: | MCUP | Minor CDP required per CMC Chap. 21.201 unless specifically exempted ⁵ | B, C, D, and E |

Notes:

- These guidelines apply in the review of CUPs or Minor CUPs for new WCFs.
- A right of way permit shall be required instead of a CUP for a WCF that is (i) to be located on an existing or replacement pole, (ii) is consistent with the preferred locations in Location Guideline A.1 (or if in a discouraged location in Location Guideline A.2, has all equipment underground), and (iii) is consistent with Design Guidelines for WCFs in the Public Right-of-Way C
- A minor CUP by Process 1 shall be required for a WCF that is (i) to be located on an existing or replacement pole, (ii) is in a discouraged location in Section A with above-ground equipment, and (iii) is consistent with Design Guidelines for WCFs in the Public Right-of-Way C
- A CUP by Process 2 shall be required for all other WCFs not meeting the criteria for approval subject to a right of way permit or a minor CUP by process 1
- When located within the city's jurisdiction of the Coastal Zone.

REVIEW AND APPROVAL GUIDELINES

A. *Location Guidelines for Placement of WCFs (excluding SWFs)*

1. *Preferred Locations* – WCFs are encouraged to locate on existing buildings and structures. In addition, WCFs should be located in the following zones and areas, which are listed in order of descending preference:
 - a. Industrial zones.
 - b. Commercial zones.
 - c. Other non-residential zones, except open space.
 - d. Public right-of-way of roads adjacent to industrial and commercial zones and identified on the map attached as Exhibit A.
 - e. Public property (e.g., city facilities) not in residential areas.
 - f. Major power transmission towers in non-residential zones or areas.
 - g. Public and private utility installations (not publicly accessible) in residential and open space zones (e.g., water tanks, reservoirs, or the existing communication towers near Maerkle Reservoir).
 - h. Parks and community facilities (e.g., places of worship, community centers) in residential zones or areas.
 - i. Public right-of-way of roads adjacent to residential zones and identified on the map attached as Exhibit A.
2. *Discouraged Locations* – WCFs should not locate in any of the following zones or areas unless the applicant demonstrates that alternatives in more-preferred locations are not technically feasible or potentially available as required by Application and Review Guideline E.3.
 - a. Open space zones and lots (except as noted in Location Guideline A.1.).
 - b. Residential zones or areas (except as noted in Location Guideline A.1.).
 - c. Major power transmission towers in corridors located in/or next to a residential zone or area.
 - d. Environmentally sensitive habitat.
 - e. Public right-of-way of roads not identified on the map attached as Exhibit A.
 - f. On vacant land.
3. *Visibility to the Public* – In all areas, WCFs should be located where least visible to the public and where least disruptive to the appearance of the host property. Furthermore, no WCF should be installed on an exposed ridgeline or in a location readily visible from a public place, recreation area, scenic area or residential area unless it is satisfactorily located and/or screened so it is hidden or disguised.
4. *Collocation* – Collocating with existing or other planned wireless communication facilities is recommended whenever feasible and appropriate. Service providers are also encouraged to collocate with water tanks, major power transmission and distribution towers, and other utility structures when in compliance with these guidelines. The city must approve collocation applications unless the expansion adds significantly to the height or width of a facility.

5. *Monopoles* – No new ground-mounted WCF monopoles should be permitted unless the applicant demonstrates no existing monopole, building, or structure can accommodate the applicant’s proposed antenna as required by Application and Review Guideline E.4.

B. *Design Guidelines for WCFs and SWFs Outside the Public Right-Of-Way of Roads*

1. *Stealth Design* – All aspects of WCFs and SWFs, including the supports, antennas, screening methods, and equipment should exhibit “stealth” design techniques so they visually blend into the background or the surface on which they are mounted. Subject to city approval, developers should use false architectural elements (e.g., cupolas, bell towers, dormers, and chimneys), architectural treatments (e.g., colors, textures and materials), elements replicating natural features (e.g., trees and rocks), landscaping, and other creative means to hide or disguise the facilities. Stealth can also refer to facilities completely hidden by existing improvements, such as parapet walls.
2. *Equipment* – Equipment should be located within existing buildings to the extent feasible. If equipment must be located outside, it should be screened with walls and plants. If small outbuildings or extensions to existing structures are constructed specifically to house equipment, they should be designed and treated to match nearby architecture or the surrounding landscape.
3. *Collocation* – Whenever feasible and appropriate, design and placement should promote and enable collocation.
4. *Height* – facilities should adhere to the existing height limitations of the zone in which they are located. When installed on an existing structure, new facilities and collocations should not exceed the height of the existing/replacement structure on which they are being installed.
5. *Setbacks* – WCFs and SWFs, including all equipment and improvements, should adhere to the building setback requirements of the zone in which they are located, with the following clarifications:
 - a. If on a site next to a residential zone, a setback should be maintained from the residential zone boundary a minimum distance equal to the above-ground height of the overall support structure’s height.
 - b. If in a residential zone and in a public utility installation, park, or community facility, a setback should be maintained from the property boundaries of the utility installation, park, or community facility a minimum distance equal to the above-ground height of the overall support structure’s height.
 - c. The decision-maker for WCFs may decrease or increase these setbacks if it finds such changes would improve the overall compatibility of the WCF based on the factors contained in Application and Review Guideline E.4.
6. *Building or Structure-Mounted WCFs and SWFs* –
 - a. Antennas and their associated mountings should generally not project outward more than 24 inches from the face of the building.
 - b. Roof-mounted antennas should be located as far away as possible from the outer edge of a building or structure and should not be placed on roof peaks.

- c. If permitted, WCFs and SWFs on residential buildings should only be allowed if disguised as a typical residential feature (e.g., a chimney, a dormer) and if all equipment is located inside, not outside, the building.
- 7. *Ground-mounted Monopole WCFs –*
 - a. All antennas should be mounted as close as possible to the monopole to improve facility appearance.
 - b. The placement, screening, and disguise of the monopole should fit with the surrounding site design, architecture, and landscaping. Tree disguises, such as a “mono-palm,” may be acceptable depending on their quality and compatibility with landscaping nearby.
 - c. Landscaping should be provided as necessary to screen, complement, or add realism to a monopole. Landscaping should include mature shrubs and trees. Some of the trees should be tall enough to screen at least three-quarters of the height of the monopole at the time of planting. Sometimes, landscaping may not be needed because of the monopole’s location or vegetation already nearby.
 - d. When possible and in compliance with these guidelines, monopoles should be placed next to tall buildings, structures, or tall trees.
- 8. Pole mounted SWFs shall comply with the Design Guidelines in section C.2 of this policy as applicable, including height limits.
- 9. *Lattice Towers –* New lattice towers should not be permitted in the city. On existing lattice towers:
 - a. All antennas should be mounted as close as possible to the tower so they are less noticeable, and should match the color of the tower.
 - b. Wiring must be concealed in conduit that is flush-mounted to the tower. The conduit and mounting hardware shall match the color of the tower.
 - c. Non-antenna equipment mounted on the tower should be placed behind the antennas to conceal them from view, and should be enclosed in a cabinet that matches the color and finish of the structures on which they are mounted. Ground mounted equipment shall comply with B.2 above.
- 10. *Undergrounding –* All utilities should be placed underground.
- 11. *Regulatory Compliance –* WCFs should comply with all FCC, FAA (Federal Aviation Administration), CPUC (California Public Utilities Commission) and local zoning and building code requirements.

C. *Design Guidelines for WCFs and SWFs in the Public Right-of-Way of Roads*

The general intent of these design and development standards is to preserve the character of the city’s neighborhoods and corridors by requiring WCFs and SWFs to utilize the least intrusive design available with regard to appearance, size, and location, and to blend into the existing streetscape as much as possible. They also seek to prevent conflict with existing and planned roadway, utility, and storm drain improvements.

- 1. *Support pole installation preferences for the right-of-way of roads*

- a. The city prefers WCFs and SWFs to be installed on support poles in the public rights-of-way of roads, ordered from most preferred to least preferred, as follows:
 - (1) Existing or replacement streetlight poles.
 - (2) Existing or replacement wood utility poles.
 - (3) Existing or replacement traffic signal poles.
 - (4) New, non-replacement streetlight poles.
 - (5) New, non-replacement poles (not wood).
 - b. The city prohibits WCFs and SWFs facilities to be installed on the following support poles or structures:
 - (1) Signs.
 - (2) Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small wireless facility application.
 - (3) New, non-replacement wood poles.
 - (4) Pieces of public art, structures placed in the in the right-of-way through charitable donations, commemorative memorial structures or archways over roads and pedestrian walkways, or other similar structures as determined by the engineering manager.
 - c. The engineering manager shall determine whether an application for a WCF or SWF utilizes the least intrusive design available or if there is a more preferred support pole type within 500 feet of the proposed location. For purposes of these guidelines, least intrusive design available means the most preferred design or development standard as provided in these Guidelines that is technically feasible. For individual antennas, shrouds/radomes, accessory equipment, mounting brackets/attachments and any other physical aspect of a facility, the city strongly prefers the smallest such item that is technically feasible. If the application does not propose the least intrusive design, or if there is a more preferred support pole within 500 feet, the application shall provide written evidence of the following:
 - (1) A clearly defined technical service objective
 - (2) A technical analysis that includes the factual reasons why the least intrusive design or a more preferred support pole type within 500 feet of the proposed location is not technically feasible.
2. *Requirements applicable to all WCFs and SWFs in the public right-of-way of roads*
- a. Overall height. WCFs and SWFs mounted to existing poles shall not exceed the height of a support pole by more than five feet measured from the top of the pole, except as necessary to comply with CPUC General Order 95 relating to utility poles. Replacement poles and new non-replacement poles shall not exceed the city height standards for streetlight poles or traffic signal poles, as applicable, by more than ten percent, plus five feet for the antenna. Replacement utility poles shall not exceed ten percent of the height of the existing utility pole, plus five feet for the antenna.
 - b. Antenna stealth/concealment. The antenna(s) associated with the installation shall be stealth to the maximum extent feasible and concealed with a radome(s), shroud(s) or other cover(s) that also conceals the cable connections, antenna mount, and other hardware. The radome, shroud or other cover must be a flat, non-reflective color to match the underlying support structure.

- c. Antenna size.
 - (1) Each antenna shall not exceed 3 cubic feet in volume.
 - (2) Top-mount antennas (including the shroud) shall be no more than 16 inches wide when placed on light poles, and shall not exceed the width of any wooden utility pole on which they are mounted.
 - (3) Any top-mounted antennas which are wider than the light pole on which they are mounted shall be tapered to match the width of the pole at the point of attachment to the pole.
- d. Equipment location. Accessory equipment may be both pole mounted and non-pole mounted. Pole mounted limits are described in Section C.2.e , the balance located according to the following preference: (1) underground, (2) above ground and screened consistent with Section C.2.f. The city's preferences is for non-pole mounted equipment to be placed underground to the extent possible, unless the applicant demonstrates that it is technically infeasible or there are conflicts with other utilities, obstructions or it is otherwise not feasible, as determined by the engineering manager. If undergrounding is not feasible, the city prefers the equipment to be pole-mounted.
- e. Pole mounted equipment.
 - (1) Design and stealth/concealment. Accessory equipment must be stealth to the maximum extent feasible and/or concealed within a cabinet or shroud, and should be flush mounted and centered on the pole, except to the extent necessary to comply with CPUC General Order 95 for wood utility poles. The installation should be designed to minimize the overall visual profile, and installations that are partially or completely wrapped around the pole are encouraged. All equipment cabinets or shrouds shall be painted to match the color of the surface of the pole on which they are attached to reduce their visibility. Equipment may be installed behind street, traffic or other signs (between the pole and sign) to the extent that the installation complies with applicable regulations. All cables and conduits associated with the equipment shall be concealed from view within the same shroud or other cover and routed directly through the pole when feasible. Microwave or other wireless backhaul shall not have a separate and unconcealed antenna.
 - (2) Size limits. All non-antenna equipment mounted to the pole is included in the equipment volume limit. Electric meters and disconnect switches that are mounted on the pole are not included in the equipment volume limit. All pole mounted non-antenna equipment, including cabinets, shall not exceed:
 - (a). A width of 24 inches; and
 - (b). Nine (9) cubic feet in volume if installed within or adjacent to a residential district or within 500 feet from any structure approved for a residential use; or
 - (c). Seventeen (17) cubic feet in volume if installed within or adjacent to a non-residential district.
- f. Ground mounted equipment. If underground equipment is not feasible because there are conflicts with other utilities, obstructions or it is otherwise not technically feasible, as determined by the engineering manager per section (d) above, then all above ground equipment shall be: (1) placed in a ground-mounted

equipment shroud or cabinet that contains all equipment associated with the small wireless facility other than the antenna; and (2) set back at least 2.5 feet from the back of the curb and within the parkway or greenway or 2.5 feet back from the edge of the sidewalk when it is contiguous to the curb. All cables and conduits associated with the equipment shall be concealed from view, routed directly through the pole, and placed underground between the pole and the ground-mounted cabinet. All ground mounted equipment shall be stealth and/or screened completely, unless it is disguised to the satisfaction of the engineering manager. Volume limits for ground-mounted equipment shall be the same as applicable to pole-mounted equipment. The engineering manager may elect to waive volumetric limits for equipment that is installed or placed underground.

- g. All equipment associated with the WCF or SWF shall be located so as to avoid impacts to pedestrian access and vehicular sight distance and safety. Pole mounted equipment should be mounted a minimum of eight feet above grade.
- h. To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled, or otherwise stored on the pole unless concealed within a cabinet.
- i. If the proposed WCF or SWF would damage or displace any street trees or trees on public property, the applicant shall comply with CMC Chapter 11.12 and City Council Policy No. 4 and will be responsible for planting replacement trees to the satisfaction of the Parks & Recreation Director or designee.
- j. If an applicant proposes to replace a streetlight pole, the replacement pole should be substantially similar to the existing pole and comply with city standards and specifications for streetlight poles.

3. *Supplemental requirements for WCFs and SWFs on New Poles for the right-of-way of roads*

- a. All WCFs on new poles require a CUP by Process 2.
- b. Any new pole and/or equipment and other improvements associated with a new pole or an existing pole must be set back from intersections, alleys, and driveways and placed in locations where it will not obstruct motorists' sight lines or pedestrian access. In general, there is a presumption of no obstruction where a new pole and/or equipment is set back at least:
 - i. A minimum of 50-feet from the extension of the curb of the intersecting street at intersections. Distances of less than 50-feet may be allowed through approval of the engineering manager and the city traffic engineer;
 - ii. Six feet from any driveway cut or alley entrance or exit;
 - iii. Six feet from any permanent object or existing lawfully-permitted encroachment in the public right-of-way, including without limitation bicycle racks, traffic signs and signals, trees, open tree wells, benches or other street furniture, streetlights, door swings, gate swings, or sidewalk café enclosures.
- c. The city may, in its discretion, require an additional setback for a specific pole when the city determines that the presumptively acceptable setback would obstruct motorists' sight lines or pedestrian access.
- d. The city may require the applicant to install a stealth pole, which may include without limitation functional streetlights and/or banners when technically feasible and the city determines that such additions would enhance the overall appearance and usefulness of the new pole.

- e. The city will consider new pole designs proposed by an applicant if they meet the intent of this policy for stealth and attractive designs that adequately conceal equipment, as determined by the engineering manager. If a new pole without a streetlight is proposed, antennas and all equipment not installed underground must be concealed and integrated into the overall design of the pole, no exterior equipment boxes or shrouds attached to the pole will be permitted.
4. *Areas with decorative streetlight poles.*
- a. Replacement poles and new non-replacement poles installed within the following areas shall be substantially similar in color, style and design to the existing decorative streetlights, as determined by the engineering manager in consultation with the city planner. Poles in each area shall use a single consistent design theme to maintain the existing character established by existing streetlights:
 - (1) Carlsbad Village
 - (2) Villages of La Costa Master Plan
 - (3) Bressi Ranch Master Plan
 - (4) La Costa Master Plan (MP 149)
 - (5) Various roads including El Camino Real and Aviara Parkway that utilize the mission bell streetlight design
 - (6) Any other areas as determined by the city planner or engineering manager
5. *Supplemental requirements for WCFs and SWFs on existing wood utility poles.*
- a. All antennas must be installed within a radome, shroud or other cover mounted to the pole at the top, side, or on a stand-off bracket or extension arm that is attached to the pole. The city's preference is for side-mounted antennas located in the communications space below the electric lines.²
 - b. All cables, wires and other connectors must be concealed within the antenna shroud, stand-off bracket/extension arm and conduit that is flush-mounted to the pole to the maximum extent feasible and of the smallest diameter and shortest length necessary to serve the facility. No loose, exposed, or dangling wiring or cables shall be allowed.
 - c. All shrouds, conduit or other items stealth/concealing antennas, equipment and wires shall be painted to match the color of the pole.

D. *Performance Guidelines*

- 1. *Noise* – All equipment, such as emergency generators and air conditioners, should be designed and operated consistent with the city noise standards.
- 2. *Maintenance* – All facilities, related equipment, and landscaping should be maintained in good condition and free from trash, debris, graffiti, and any form of vandalism. All required landscaping should be automatically irrigated. Damaged equipment and

² Strand-mount antennas are also considered a preferred installation type.

damaged, dead, or decaying landscaping should be replaced promptly. Replacement of landscaping that provides facility screening should be, as much as possible, of similar size (including height), type, and screening capability at the time of planting as the plant(s) being replaced.

3. *Maintenance Hours* – Except in an emergency posing an immediate public health and safety threat, maintenance activities in or within 100 feet of a residential zone should only occur between 7 AM (8 AM on Saturdays) and sunset. Maintenance should not take place on Sundays or holidays.
4. *Lighting* – Security lighting should be kept to a minimum and should only be triggered by a motion detector where practical.
5. *Compliance with laws and FCC RF Exposure Guidelines* – The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law (“laws”) applicable to the permittee, the subject property, the WCR, SWF or other infrastructure deployment or any use or activities in connection with the use authorized by a required permit, which includes without limitation any laws applicable to human exposure to RF emissions and any standards, specifications or other requirements identified by the city planner or engineering manager (such as, without limitation, those requirements affixed to a required permit). If the city planner or engineering manager finds good cause to believe that the facility is not in compliance with any laws applicable to human exposure to RF emissions, the city planner or engineering manager may require the permittee to submit a written report certified by a qualified radio frequency engineer familiar with the facility that certifies that the facility is in compliance with all such laws. The city planner or engineering manager may order the facility to be powered down if, based on objective evidence, the city planner or engineering manager finds that the facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the permittee demonstrates actual compliance with such laws. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee’s obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable provision in the Carlsbad Municipal Code, this Policy, any permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen the permittee’s obligation to comply in all respects with all applicable provisions in the Carlsbad Municipal Code, this Policy, any permit, any permit condition or any applicable law or regulation. .
6. *Abandonment of antennas and equipment*- Any WCF or SWF that is not operated for a continuous period of 180 days will be considered abandoned. Within 90 days of receipt of notice from the city notifying the owner of such abandonment, the facility owner must remove the facility and restore the site, as much as is reasonable and practical, to its prior condition. If such facility is not removed within the 90 days, the facility will be considered a nuisance and in addition to any other available remedy, will be subject to abatement under Chapter 6.16 of the Carlsbad Municipal Code. If there are two or more users of a single WCF, then this provision will not become effective until all users stop using the

WCF. The provider or owner must give notice to the city of the intent to discontinue use of any facility before discontinuing the use.

E. *Application and Review Guidelines*

1. Application requirements for WCFs. In addition to the typical submittal requirements for a CUP or Minor CUP (see Planning Division Form P-2), right-of-way permit or building permit (including plans, landscape details, and color and material samples, as appropriate), all WCF applications shall include the following items:
 - a. A description of the site selection process undertaken for the WCF proposed. Technical service objectives and the reasons for selecting the proposed site and rejecting other sites should be provided.
 - b. A description or map of the applicant's existing and other proposed sites.
 - c. A description of the wireless system proposed (e.g., cellular, PCS, etc.) and its consumer features (e.g., voice, video, and data transmissions).
 - d. Verification that the proposed WCF will either comply with the FCC's guidelines for human exposure to RF electromagnetic fields or will be categorically excluded from having to determine compliance with the guidelines per 47 CFR §1.1307(b)(1). If WCFs are proposed for collocation, the verification must show the total exposure from all facilities taken together meets the FCC guidelines. The applicant shall submit an RF exposure compliance report that certifies that the proposed facility, both individually and cumulatively as applicable under 47 C.F.R. § 1.1307(b)(5), will comply with applicable federal RF exposure standards and exposure limits.
 - e. Color photo-simulation exhibits, prepared to scale, of the proposed WCF to show what the project would look like at its proposed location and from surrounding viewpoints. The city planner or engineering manager may waive the requirement to provide the exhibits if he/she determines they are unnecessary.
 - f. Provide confirmation that an environmental assessment, or other application determination, has been completed by or on behalf of the FCC for any facility proposed in a location identified in 47 C.F.R. 1.307 (including a floodplain) or as otherwise required by National Environmental Policy Act or the National Historic Preservation Act.
2. Application requirements for SWFs. In addition to the typical submittal requirements for a right-of-way permit or building permit (including plans, landscape details, and color and material samples, as appropriate), all SWF applications shall include the following items:
 - a. A description of the wireless system proposed (e.g., cellular, PCS, etc.) and its consumer features (e.g., voice, video, and data transmissions).
 - b. For new poles that are least preferred, a description of the site selection process undertaken for the proposed SWF. A technical service objective and the reasons for selecting the proposed site and rejecting other sites should be provided.
 - c. Verification that the proposed SWF will either comply with the FCC's guidelines for human exposure to RF electromagnetic fields or will be categorically excluded from having to determine compliance with the guidelines per 47 CFR §1.1307(b)(1). The applicant shall submit an RF exposure compliance report that certifies that the proposed facility, both individually and cumulatively as

- applicable under 47 C.F.R. § 1.1307(b)(5), will comply with applicable federal RF exposure standards and exposure limits.
- d. Color photo-simulation exhibits, prepared to scale, of the proposed WCF to show what the project would look like at its proposed location and from surrounding viewpoints. The city planner or engineering manager may waive the requirement to provide the exhibits if he/she determines they are unnecessary.
 - e. Environmental impact assessment form to determine whether the proposed project is categorically exempt under Article 19 of the CEQA Guidelines, or whether the proposed project will require a Negative Declaration, Mitigated Negative Declaration or an Environmental Impact Report. In addition, provide confirmation that an environmental assessment, or other application determination, has been completed by or on behalf of the FCC for any facility proposed in a location identified in 47 C.F.R. 1.307 (including a floodplain) or as otherwise required by National Environmental Policy Act or the National Historic Preservation Act.
3. For WCFs proposed in a zone or area that is a discouraged WCF location as listed in Location Guideline A.2., the applicant shall provide evidence that no location in a preferred zone or area as listed in Location Guideline A.1. is technically feasible or potentially available to accommodate the applicant's proposed facility. Evidence should document that preferred zone or area locations do not meet engineering, coverage, location, or height requirements, or have other unsuitable limitations.
4. For proposed new ground-mounted monopole WCFs, the applicant shall also provide evidence to the city's satisfaction that no existing monopole, building, structure, or WCF site ("existing facility") could accommodate the proposal. Evidence should demonstrate any of the following:
- a. No existing facility is located within the geographic area or provides the height or structural strength needed to meet the applicant's engineering requirements.
 - b. The applicant's proposed WCF would cause electromagnetic interference with the existing antennae array or vice versa.
 - c. The fees, costs, or contractual provisions required by the owner to locate on an existing facility or to modify the same to enable location are unreasonable. Costs exceeding new monopole development are presumed to be unreasonable.
 - d. The applicant demonstrates to the decision-maker's (Planning Commission or city planner) satisfaction that there are other limiting factors that render an existing facility unsuitable.
5. In approving a WCF or SWF, the decision-maker (Planning Commission, city planner or engineering manager) shall make the findings in Carlsbad Municipal Code Section 21.42.020 if applicable, and shall give consideration to the following factors:
- a. Compliance with these guidelines.
 - b. Height and setbacks.
 - c. Proximity to residential uses.
 - d. The nature of uses on adjacent and nearby properties.
 - e. Surrounding topography and landscaping.
 - f. Quality and compatibility of design and screening.
 - g. Impacts on public views and the visual quality of the surrounding area.

- h. Availability of other facilities and buildings for collocation.
6. Conditional Use Permits (CUPs)/Minor CUPs for WCFs shall be granted for a period not to exceed ten years unless public safety reasons and/or substantial land use reasons justify a shorter term. A WCF that is decommissioned, discontinued, or otherwise abandoned by the owner or operator for a continuous one-year period is subject to revocation under Section 21.42.120 of the Carlsbad Municipal Code. Upon a request for either an extension or an amendment of a CUP or Minor CUP, the WCF will be reevaluated to assess the impact of the facility on adjacent properties, the record of maintenance and performance with reference to the conditions of approval, and consistency with these guidelines. Additionally, the city will review the appropriateness of the existing facility's design, and that the applicant documented that the WCF maintains the design that is the smallest, most efficient, and least visible and that there are not now more appropriate and available locations for the facility, such as the opportunity to collocate or relocate to an existing building.
7. Collocation for WCFs. Pursuant to California Government Code Section 65850.6, qualifying collocation facilities for WCFs shall not be approved with a conditional use permit or conditional use permit amendment. This section does not apply to SWFs.
- a. For the purposes of collocation, the following definitions apply:
 - (1) "Collocation facility" means the placement or installation of WCFs, including antennas, and related equipment, on or immediately adjacent to, a wireless telecommunications collocation facility.
 - (2) "Wireless telecommunications facility" means equipment and network emergency power systems that are integral to providing wireless telecommunications services.
 - (3) "Wireless telecommunications collocation facility" or "WTCF" means a wireless telecommunications facility that includes Collocation facilities.
 - b. A building permit shall be required for a proposed WCF Collocation facility which will be placed on a previously approved WTCF provided that:
 - (1) The new WCF Collocation facility is consistent with requirements for the existing WTCF installation; and
 - (2) The modification of an existing wireless tower or base station does not physically change the dimensions of such tower or base station.
 - c. Approval of an application to construct or reconstruct a WCF wireless facility shall not require an escrow deposit for removal of the WCF Collocation facility or any component thereof.
 - d. Notwithstanding subsection (b) above, the city may require a performance bond or other surety or another form of security if the amount required is rationally related to the cost of removal.
8. Applications from a single provider of wireless communication services for up to 10 SWF permits may be batched and processed together. A single provider may not submit more than one batch of applications at one time. Batched applications will only be accepted prior to 4:00pm Monday through Thursday.

9. Applications must be submitted in-person and with an appointment. Application materials delivered by U.S. mail or other delivery service will not be processed and do not constitute a submitted and duly filed application. An application is not considered duly filed and submitted unless it is provided in-person to a representative of the Community Development Department and assigned a case number or permit number as appropriate.
10. SWFs that propose to use an existing pole, replacement pole or other existing structure shall be required to provide authorization from the pole or structure owner. Authorization may include signatures, letters, agreements or other similar methods acceptable to the city planner or engineering manager. Authorization from the owner in connection with joint utility poles may be evidenced by documentation that shows that authorization has been granted in accordance with the joint pole committee's rules, which may include authorization deemed granted by lapse of time.
11. Exceptions to this policy. The city may grant an exception to the requirements of this policy but only to the extent necessary to avoid conflict with applicable federal or state law. When the applicant requests an exception, the approval authority shall consider the findings in subsection (a) of this section. Each exception is specific to the facts and circumstances in connection with each application. An exception granted in one instance shall not be deemed to create a presumption or expectation that an exception will be granted in any other instance.
 - a. The decision maker may grant an exception to any provision or requirement in this policy only if the decision maker finds that:
 - (1) A denial based on the application's noncompliance with a specific provision or requirement would violate federal law, state law or both; or
 - (2) A provision in this policy, as applied to the applicant, would violate any rights or privileges conferred on the applicant by federal or state law.
 - b. If the decision maker finds that an exception should be granted, the exception shall be narrowly tailored so that the exception deviates from this policy to least extent necessary for compliance with federal or state law.
 - c. The applicant shall have the burden to prove to the decision maker that an exception should be granted pursuant to this section. The standard of evidence shall be the same as required by applicable federal or state law for the issue raised in the applicant's request for an exception.
12. Pre-Application Meetings. Federal laws and policies establish time limitations (referred to as a "shot clock") related to processing of all types of WCFs and SWFs permits. The city is required to act on a WCF or SWF permit within the established shot clock timeframes. Pre-application meetings are strongly encouraged in order to ensure that proposed facilities comply with the requirements of these Guidelines and that application materials include adequate and accurate information. A pre-application meeting is voluntary and is intended to streamline the review process through informal discussion between the potential applicant and staff that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other city

departments responsible for application review; and any foreseen application completeness issues.

13. Pre-approved designs. To expedite the review process, encourage collaborative designs among applicants and the city, and ensure cohesive and high-quality designs for new or replacement poles in areas such as those with decorative streetlights, the engineering manager in consultation with the city planner, may designate one or more pre-approved designs for small wireless facilities and other infrastructure deployments.
 - a. Any applicant may propose a design for consideration as a pre-approved design. The city may, in its discretion, establish a pre-approved design when the proposed pre-approved design exceeds the design guidelines in this policy.
 - b. The city may modify or repeal any pre-approved design by written notice to any applicants who have used the pre-approved design, and by posting the notice at the Land Use Engineering counter. The modification or repeal shall be effective immediately.
 - c. Any applicant may propose to use any pre-approved design whether the applicant initially requested that the city adopt such pre-approved design or not. The city's decision to adopt a preapproved design expresses no preference or requirement that applicants use the specific vendor or manufacturer that fabricated the design depicted in the pre-approved plans. Any other vendor or manufacturer that fabricates a facility to the standards and specifications in the pre-approved design with like materials, finishes and overall quality shall be acceptable as a pre-approved design.
14. A master license agreement or other authorization is required prior to permit submittals for WCF or SWF installations that will locate on city-owned property or facilities.
15. At the time of filing the application, the applicant shall pay all applicable fees contained in the most recent fee schedule adopted by the city council.
16. An applicant may voluntarily elect to defer submittal of any permit or agreement which is otherwise required as part of a whole application. The voluntary deferral of any such permit or agreement shall toll the shot clock on that item. Once the voluntarily deferred item is received, the city will provide comments on any deferred submittal in the same manner as if it was a new application. The city will continue to process all other permits and agreements that are not deferred.

SEVERABILITY:

If any sections, subsections, sentence, clause, or phrase of the policy is for any reason held to be invalid or unconstitutional by the decision or legislation of any court of competent jurisdiction, or by reason of preemptive legislation, such decision or legislation shall not affect the validity of the remaining portions of the policy. The City Council declares that it would have approved this policy, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses, or phrases thereof is declared invalid or unconstitutional.

These Guidelines have been adopted, and may be amended, by resolution of the City Council. Revisions to address clerical errors may be made administratively by the Director of Community Development.

May 1, 2023

To:

City of Carlsbad
Planning Development Services
Department
1635 Faraday Ave., San Diego, CA 92130 Carlsbad, CA 92008 (858) 750-1798

From:

Harold Thomas Jr, MD7,LLC
obo. AT&T Wireless
10590 W. Ocean Air Drive, Suite 250
hthomasjr@md7.com

Alternative Site Analysis Report

Development Approval for a New Wireless Telecommunication Facility

Project Description:

AT&T is seeking Development Approval to allow for the construction of a new Telecommunications facility to be located at 6600 Hidden Valley Rd., Carlsbad, CA 92011. The APN for the address is 214-140-13-00 and within an OS zone in the Hidden Valley Road Community. The proposed facility will be a 78-foot-tall light pole that will replace the (e) light pole C3. AT&T aims to establish compliance by instating entitlements for this facility following the guidelines outlined by the city. This proposed facility will also meet all guidelines and regulations that the FCC has outlined for telecommunications facilities. AT&T has also looked for viable alternatives in both design and location to ensure that the facility best supports the community. We will be installing the 78-foot-tall tower along with an 8- foot-high CMU wall equipment enclosure. As well as the installation of: (2) panel antennas per sector for a total of (6), (9) Remote Radio Units, (3) surge protectors at the antenna area, (2) surge protectors in equipment enclosure area, (1) VERTIV DC Power Cabinet, (2) Purcell Cabinets, (1) GPS Antenna, (1) Generator, (2) Fiber Cable Trunks and (9) DC power cable trunks. Along with the installation of a Telco / Fiber Service, and a 200A Electrical Power Service.

Candidate #1 - *Industrial*

When evaluating potential candidates to build a cell tower, AT&T sought to establish a tower within one of the City of Carlsbad's preferred zones. Beginning with an industrial zone, as the primary target. However, as we were researching thorough the city's, city map, we were unable to locate an industrial zone where our tower would be suitable. This is largely because, locations in industrial zones had dependable coverage. As a result, we were unable to proceed further with the establishment of a cell site.

Candidate #2 - Commercial

AT&T had considered a site located at 901 Palomar Airport Road. With the site being in a C-T-Q zone, AT&T would be within one of the cities preferred zones for wireless telecommunication facilities. The proximity of the freeway along with the local businesses were appealing, as the facility would be able to provide them with dependable coverage. However, upon further review of the site the location of the project was no longer feasible. There was no feasible location as to where we could have placed our facility due to there being no room on the site. A rooftop facility was also proposed as an option for the site, however the property owner ultimately declined. In addition, when comparing differences in elevation, this site would have been lower than the proposed site by 73 feet. This would compromise and strain the coverage even further. After much discussion, AT&T withdrew interest in proceeding forward with the site.

Candidate #3 - Other non-residential zones, except open space

AT&T had also considered, when establishing a cell site would have been at the Carlsbad Car Rental Center at 6030 Avenida Encinas Suite E. As we looked at this site, it looked promising as it was still within the top sites that the city would prefer for a cell site to be located. During our outreach we proposed our initial idea to the property owner. However, despite negotiations they property owner was not interested in having a cell site on their property. In addition to the coverage report maps, produced by our RF engineer, establishing a site at this location would not have been the best use of resources. As this location had a fair amount of existing coverage. Thereby adding a site here would have, done little to improve an already fair amount of coverage. In turn, having a cell site established for the sake of having a site.

Candidate #4 – Public right-of-way of roads adjacent to industrial and commercial zones

The next site that AT&T was considering was located at parcel number 214-010-95-00. With the site being located within a P.U. (public utility) zone, AT&T would be within one of the cities preferred zones for wireless telecommunications facilities. Similar to the previous site this location, this site would have been located near the San Diego Freeway. Unlike the previous candidate, this location provided various places to where we would be able to construct our standalone structure. As a result, we brought our proposal to the property owner. However, we were unable to proceed with the candidate. The property owner declined our proposal as they were uninterested in having a cell tower at their site.

Candidate #5 – Public Property (i.e City Facilities) not in residential areas

AT&T had also considered placing a facility at Aviara Community Park as a potential candidate for the cell tower. Like the location that we are proposing, this park is a city owned property. While this site garnered some interest, we were unable to pursue this site as a viable candidate. Upon review of our coverage maps as provided by the RF engineer, this area was already doing fairly well in coverage. Therefore, if we were to proceed to establish a site here it would not be meeting any objective in assisting the community.

Candidate #6 - Major power**transmission towers in non-resident**

AT&T had also sought to collocate onto an existing facility located at 5800 The Crossings Dr. The site would have been located within a preferred zone and would have been a city owned property as well. However, like the previous sites, the site would have been in a site that was doing well in coverage. This site would have been located outside of the Target Area that AT&T had established when determining viable candidate options. As a result we were unable to proceed with this site as a viable option.

Candidate #7 – Public and private utility installations (not publicly accessible) in residential and open spaces (i.e water tanks, reservoirs, or the existing communication towers near Maerkle River

AT&T had also sought opportunities to locate onto a private utility installation located at 705 Palomar Airport Rd. Similar to candidate 4 this site would have been located near the I-5 Freeway. The site was located towards the edges of the desired Target search area; however, it was a viable candidate for a cell tower. However, upon further review of the site, we were unable to proceed with the site as a viable candidate. Given how close the site would have been to the shoreline, there would have been an elevational disadvantage than the proposed site location. Where Poinsettia Park has an elevation of 175 feet, this location has an elevation of roughly 63-feet. With a significant elevational disadvantage of a little over half, we were unable to proceed with this site as a viable candidate.

Alternate Site #8 – Public right-of-way of roads adjacent to residential zones

AT&T had also sought opportunities to locate onto a public right-of-way road, along Paseo El Norte. This location would have been closer within the target area. However, this site would not have been a viable option as the location also presented elevational disadvantage. The proposed site has an elevation of 168 compared to the 63-foot elevation that we would have if we moved to the roadway along Paseo El Norte. Leading to a 105 foot disadvantage. Therefore we were unable to proceed with this location.

Conclusion

AT&T chose the site at 6600 Hidden Valley Road for numerous factors. The proposed site was located within an open space zone. This site also provided the possibility of a stealth design; an aspect that was not easily available with the previous sites. With every proposed site AT&T wanted to ensure that any structure they produced, would serve to its maximum potential. That whatever height was proposed, it would be to a height that would integrate to the existing landscape to avoid distraction and serve to its potential, and not for greed. As we evaluated the area, we noticed the existing light poles and sought a design that would integrate with the existing features in the area.

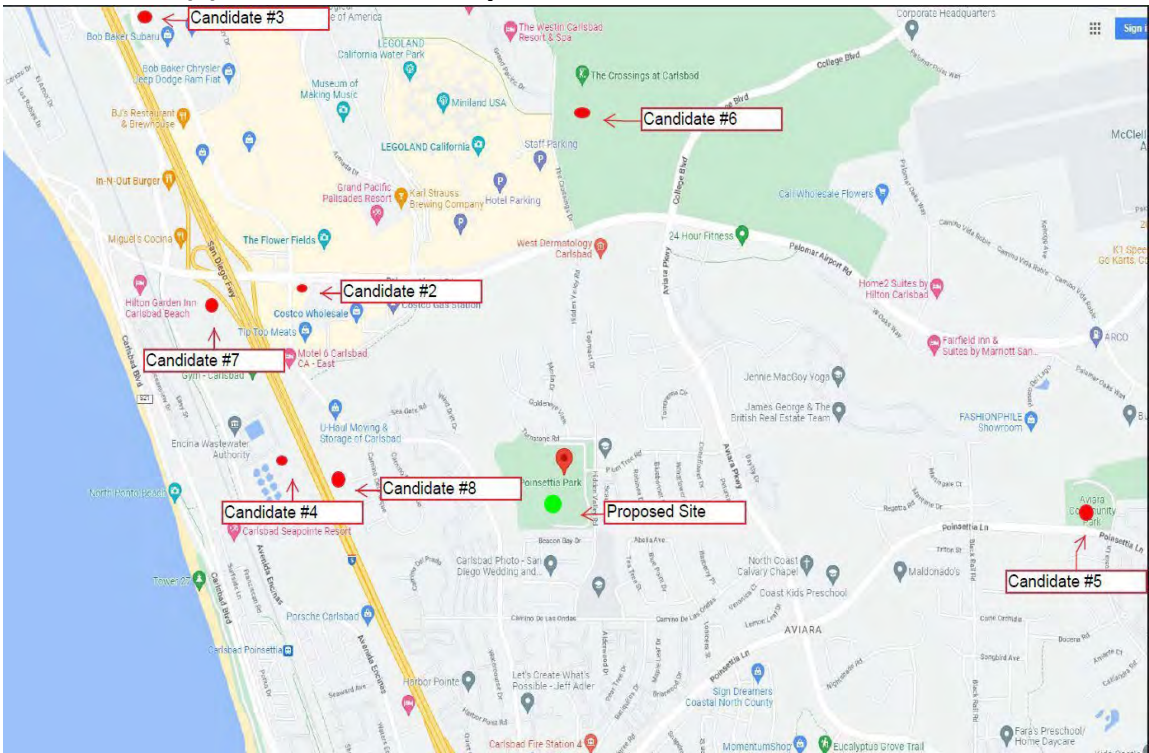
Before we decided to proceed with this candidate, we contacted City of Carlsbad to present our proposal. As we presented our proposal, and how it would be beneficial to the community. In addition, the tower would implement a stealth design. The National Institute of Health's Wireless Substitution Report for the second half of 2020 estimates that 65.3% of adults and 75.5% of children live in wireless- only homes

(<https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202108-508.pdf>), and it is estimated that in many areas of the US, 80% or more of 911 calls are made from a wireless device (<https://www.nena.org/page/911Statistics>). Enhanced wireless also allows businesses to flourish, from being able to have a media presence to person-to-person sales and banking apps that are common on smartphones. While AT&T prides itself on providing

connectivity, in a manner that respects the landscape and is beneficial for residents.

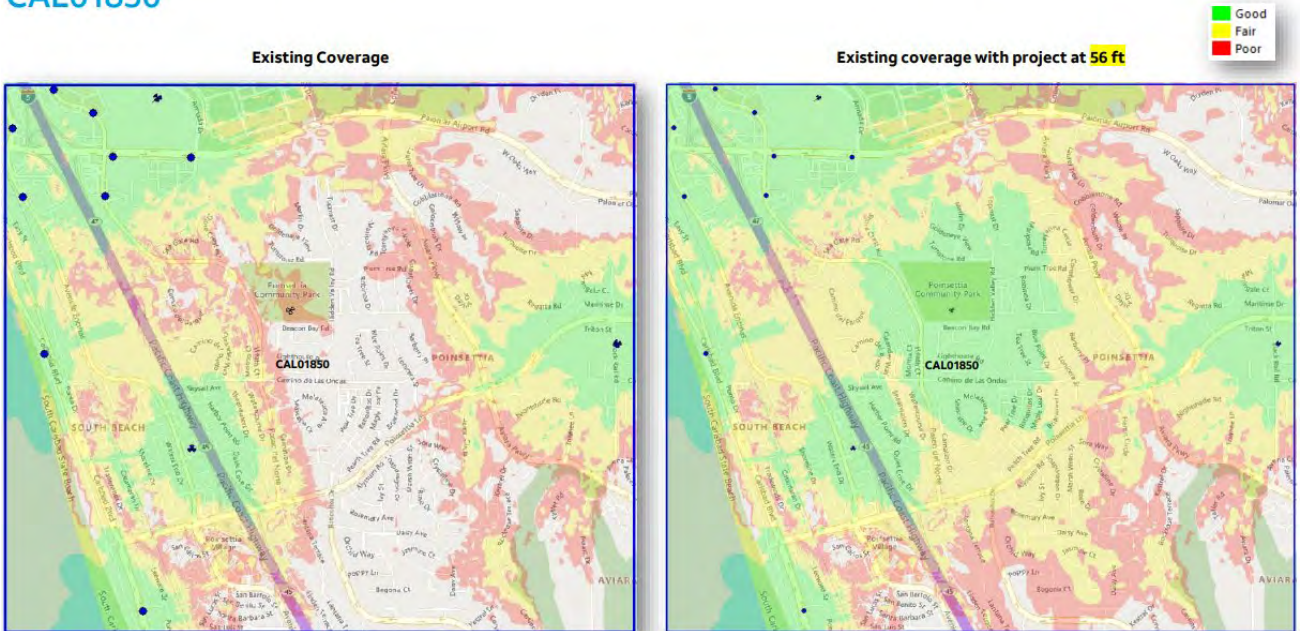
Our site will be able to best serve: the neighboring residences, Poinsettia Kinder Care and Pacific Rim Elementary School, Carlsbad Fire Station 4, and nearby local businesses. Our site will allow people to work remotely from home because it can enhance connectivity through phone hotspots if service is dependable. This is less time on the road, greater flexibility, and a consistent connective source. When we created our coverage map, our priority was to ensure that the height and location we chose, will be following the existing standards governing health safety, and welfare. The facility will be engineered and constructed in accordance the standards in effect at the time of building permit application, including current building, fire, energy, mechanical and structural codes. The city will have the opportunity to review plans and verify the correct standards are applied.

Candidate(s) Location Site Map



Coverage Map

CAL01850



CAL01850



Please let me know if you have any questions or concerns.

Best,

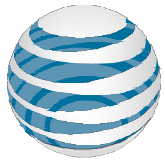
Harold Thomas Jr

Harold Thomas Jr

Land Use-I

hthomasjr@md7.com

(858) 750-1798



at&t

CAL01850
POINSETTIA PARK
6600 "A" HIDDEN VALLEY RD.,
CARLSBAD, CA 92011

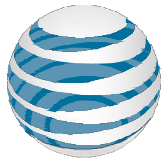
Exhibit 7

MDR AIR DRIVE, SUITE 250
SAN DIEGO, CA 92130
Exhibit 6

TELECOM
MANAGEMENT GROUP
Solutions Done Right

LOCATION





at&t

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POINSETTIA PARK
6600 "A" HIDDEN VALLEY RD.,
CARLSBAD, CA 92011

MD7 10590 WEST OCEAN
AIR DRIVE, SUITE 250
SAN DIEGO, CA 92130

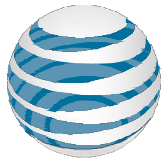
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EXISTING



PROPOSED





at&t

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6600 "A" HIDDEN VALLEY RD.,
CARLSBAD, CA 92011

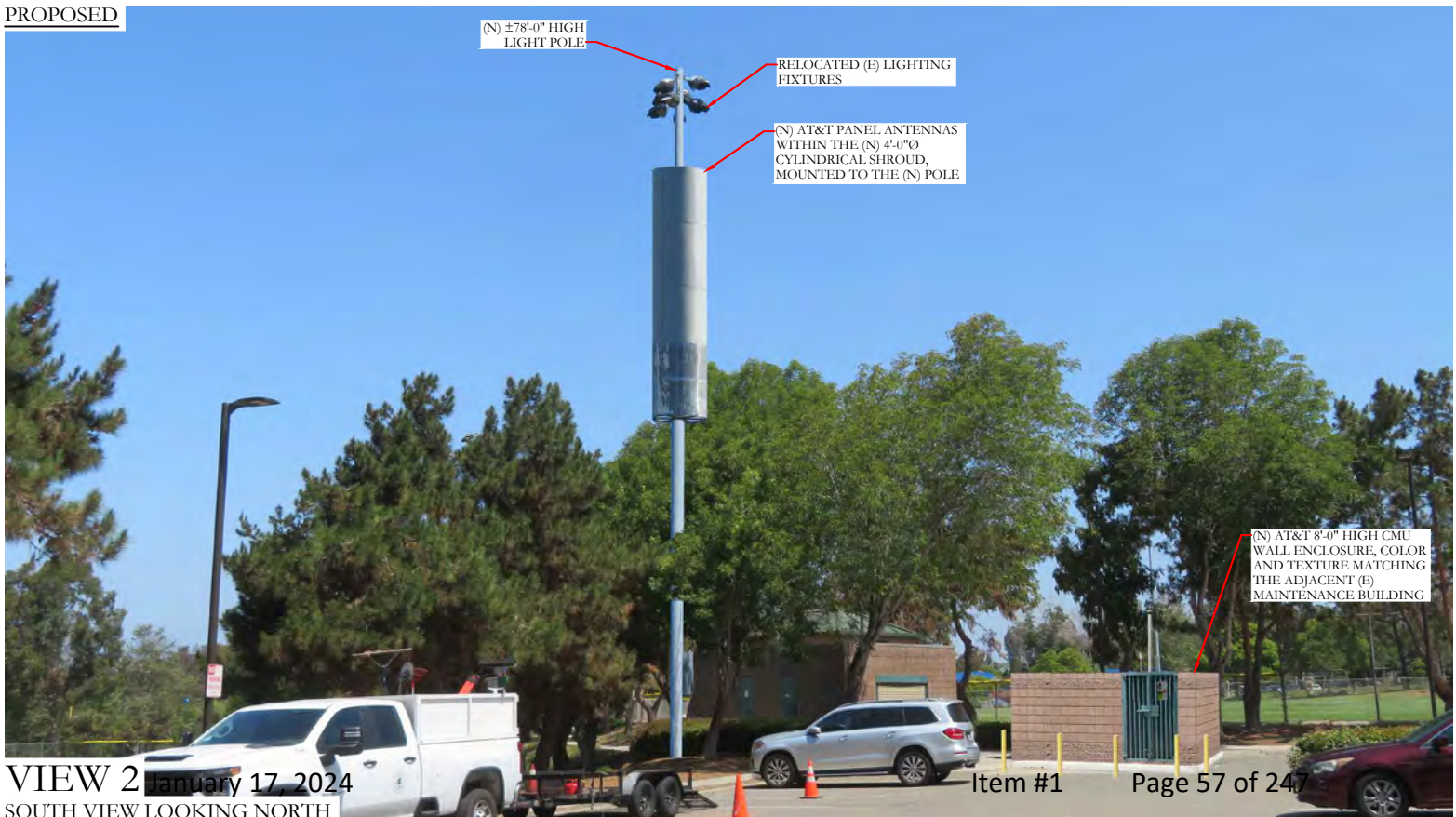
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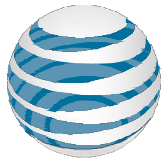
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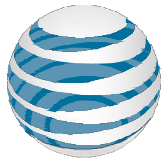
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SAN DIEGO, CA 92130

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EXISTING



PROPOSED



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

| | |
|----------------------------|----------------------------------------------------------------------------------------------------|
| Site Name: | Poinsettia Park |
| FA#: | 14292179 |
| USID: | 321857 |
| Site ID: | CAL01850 |
| Address: | 6600 "A" Hidden Valley Road Carlsbad, California 92011 San Diego County |
| Latitude: | 33.11390200 NAD83 |
| Longitude: | -117.30756700 NAD83 |
| Structure Type: | Light Pole |
| RFDS ID: | 5662803 |
| RFDS Technology: | eNode B |
| EBI Project Number: | 6222005431 |
| Report Date: | October 25, 2023 |
| Pace Job: | MRSDL022412, MRSDL028406, MRSDL028395, MRSDL022409, MRSDL018605, MRSDL040392, MRSDL040393 |



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

Prepared for:

AT&T Mobility, LLC
c/o MD7, LLC
10590 West Ocean Air Drive,
Suite 300
San Diego, CA 92130

Prepared by:



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| Appendix C | Antenna Inventory |

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 CAL01850 located at 6600 "A" Hidden Valley Road in Carlsbad, 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 light fixture level and 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 7 by 7 inch CAUTION signs on opposite sides of the light pole, 6 feet below the bottom of the antennas. Signs should denote a stay-back distance of 44 feet from the face of the antennas.

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. To reduce the risk of exposure and/or injury, EBI recommends that access to the light pole or areas associated with the active antenna installation be restricted and secured where possible. More detailed information concerning site compliance recommendations is presented in Section 4.0 and Appendix B of this report.

I.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.

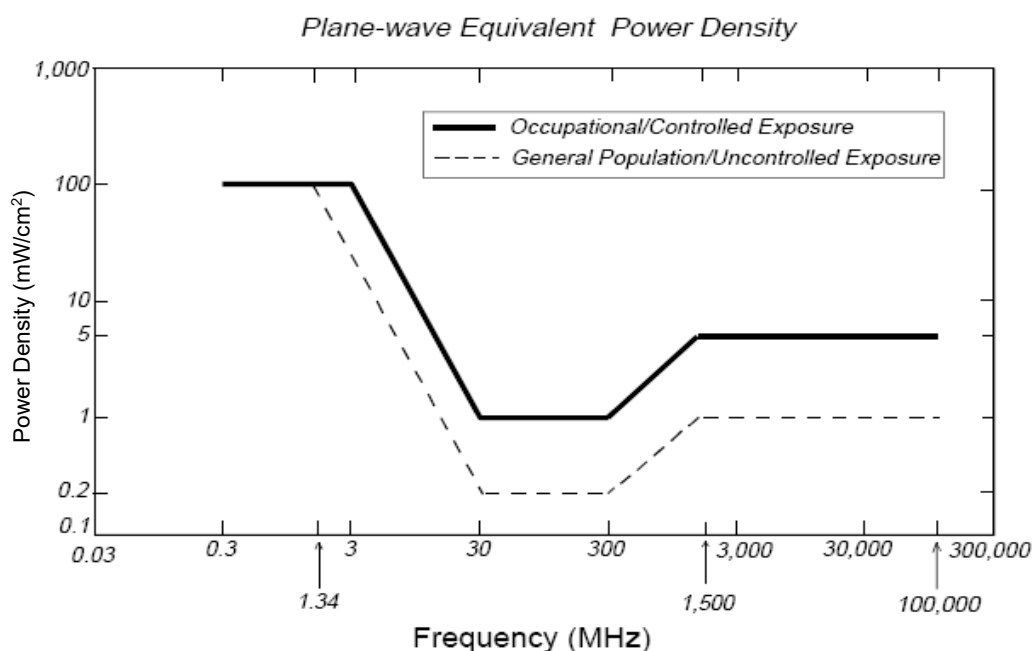
| Table I: Limits for Maximum Permissible Exposure (MPE) | | | | |
|--------------------------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------------|---------------------------------------------------------------------|
| (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/cm²) | 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)



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 light fixture level and 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. A statistical power factor may be applied to the antenna system based on guidance from the carrier and system manufacturers.

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 light fixture level and 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.

Modeling indicates that the worst-case emitted power density may exceed the FCC's general public limit within approximately 44 feet of the antenna face and the occupational limit within approximately 19 feet of the antenna face. Modeling also indicates that the worst-case emitted power density may exceed the FCC's general population limit within approximately 6 feet below the bottom of the AT&T antennas and the occupational limit within approximately 5 feet below the bottom of the AT&T antennas.

At the nearest walking/working surfaces to the AT&T antennas on the light fixture level, the maximum power density generated by the AT&T antennas is approximately 51.62 percent of the FCC's general public limit (10.32 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately 51.62 percent of the FCC's general public limit (10.32 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna. It should be noted that percentage of MPE is based on spatially-averaged power densities over a height of six feet, with the height of the light fixture being centered within that spatial range. Based on worst-case predictive modeling, there are no areas at ground/street level related to the proposed AT&T antennas that exceed the FCC's occupational or general public exposure limits at this site. At ground/street level, the maximum power density generated by the antennas is approximately 4.04 percent of the FCC's general public limit (0.808 percent of the FCC's occupational limit).

A graphical representation of the RoofMaster™ modeling results is presented in Appendix B.

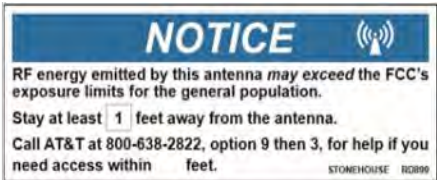

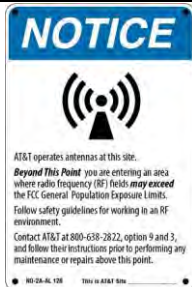
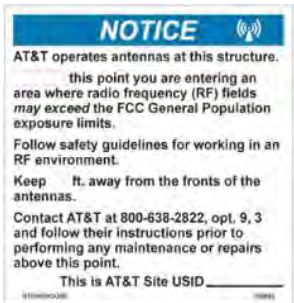


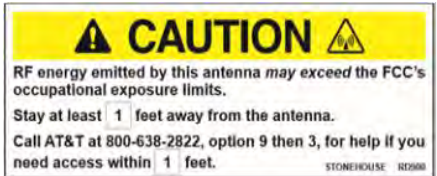



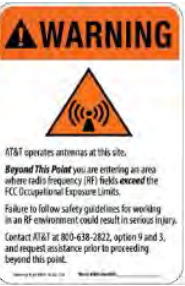
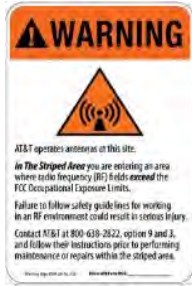
Microwave dish antennas are designed for point-to-point operations at the elevations of the installed equipment rather than ground-level coverage. Based on AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, microwave antennas are considered compliant if they 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 | |
|-------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|  | NOTICE DECAL |  |  |
|  | NOTICE SIGN |  |  |
|  | CAUTION DECAL |  |  |
|  | CAUTION SIGN |  |  |

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 7 by 7 inch CAUTION signs on opposite sides of the light pole, 6 feet below the bottom of the antennas. Signs should denote a stay-back distance of 44 feet from the face of the antennas.

No barriers are required for this site. The signage is graphically represented in the Signage Plan presented in Appendix B.

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 6600 "A" Hidden Valley Road in Carlsbad, 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 light fixture level and 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.

To reduce the risk of exposure and/or injury, EBI recommends that access to the light pole or areas associated with the active antenna installation be restricted and secured where possible. 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 and its partners are based solely on information supplied by AT&T, including modeling instructions, inputs, parameters and methods. Calculations, data, and modeling methodologies for C Band equipment include a statistical factor reducing the power to 32% of maximum theoretical power to account for spatial distribution of users, network utilization, time division duplexing, and scheduling time. AT&T recommends the use of this factor based on a combination of guidance from its antenna system manufacturers, supporting international industry standards, industry publications, and its extensive experience. 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.

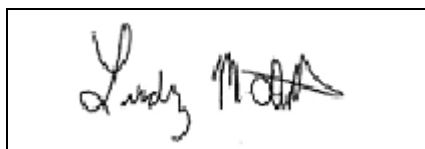
Appendix A

Personnel Certifications

Preparer Certification

I, Lindsey Dutton, state that:

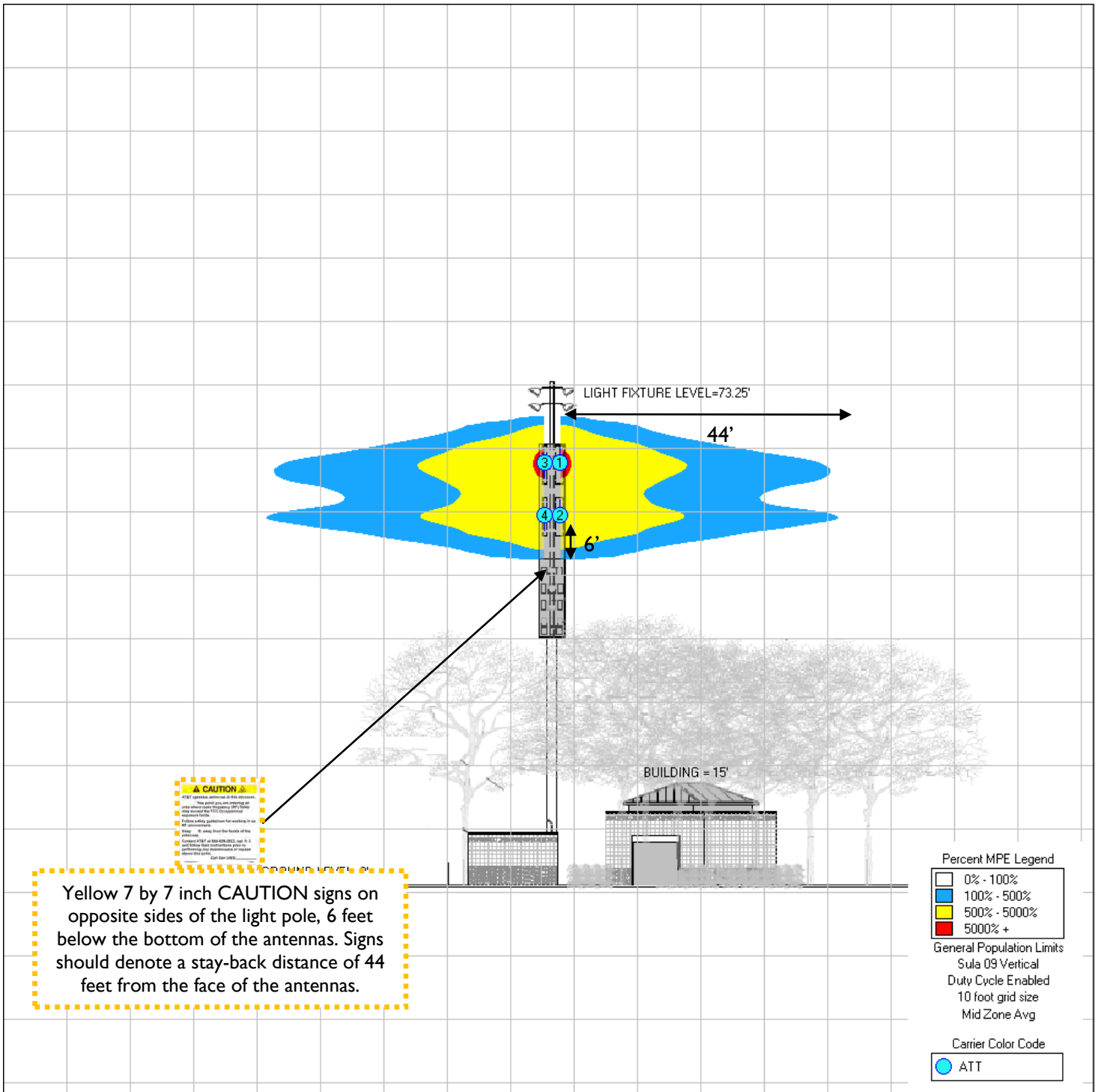
- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" 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. The signature appears to read "Lindsey Dutton" with a stylized, cursive script.

Appendix B




Compliance/Signage Plan









Elevation Simulation



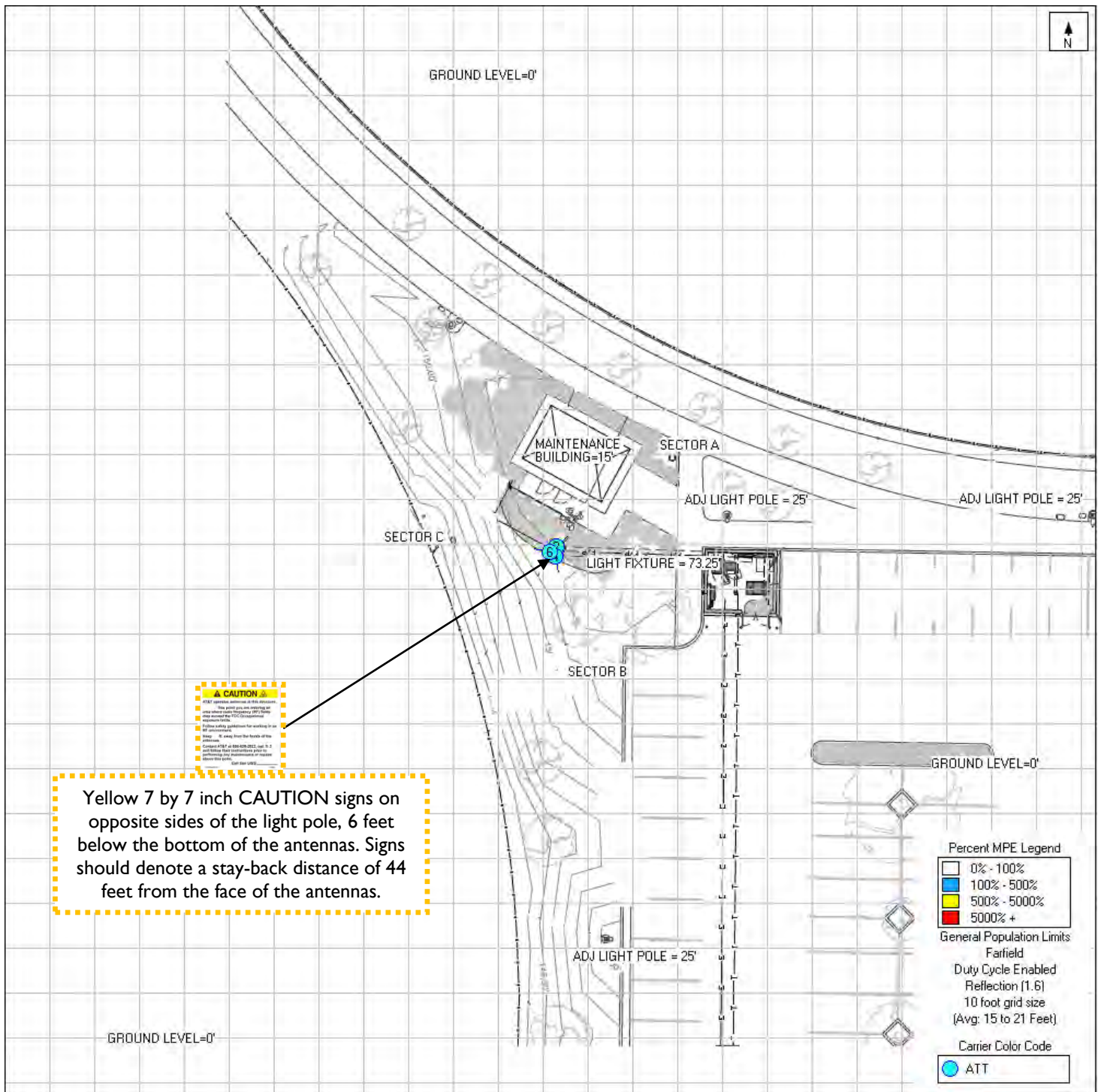
| | |
|--|----------------|
| | Existing Sign |
| | Proposed Sign |
| | Installed Sign |

| 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 |

| | |
|-------------------------------------------------------------------------------------|----------------|
|  | 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 |

Maintenance Building Level 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 |

Appendix C

Antenna Inventory

| Antenna # | Operator | Frequency (MHz) | Azimuth (Degrees) | Power Input (Watts) | Transmitter Count | Total ERP (Watts) | Total EIRP (Watts) |
|-----------|----------|-----------------|-------------------|---------------------|-------------------|-------------------|--------------------|
| 1 | ATT | 700 | 50 | 40 | 4 | 2239.34 | 3672.52 |
| 1 | ATT | 850 | 50 | 40 | 4 | 2323.38 | 3810.34 |
| 1 | ATT | 1900 | 50 | 40 | 4 | 4910.44 | 8053.11 |
| 1 | ATT | 3500 | 50 | 30 | 4 | 9530.59 | 15630.17 |
| 2 | ATT | 700 | 50 | 40 | 4 | 2239.34 | 3672.52 |
| 2 | ATT | 2100 | 50 | 40 | 4 | 5560.58 | 9119.35 |
| 2 | ATT | 3700 | 50 | 30 | 8 | 23886.36 | 39173.63 |
| 3 | ATT | 700 | 170 | 40 | 4 | 2239.34 | 3672.52 |
| 3 | ATT | 850 | 170 | 40 | 4 | 2323.38 | 3810.34 |
| 3 | ATT | 1900 | 170 | 40 | 4 | 4910.44 | 8053.11 |
| 3 | ATT | 3500 | 170 | 30 | 4 | 9530.59 | 15630.17 |
| 4 | ATT | 700 | 170 | 40 | 4 | 2239.34 | 3672.52 |
| 4 | ATT | 2100 | 170 | 40 | 4 | 5560.58 | 9119.35 |
| 4 | ATT | 3700 | 170 | 30 | 8 | 23886.36 | 39173.63 |
| 5 | ATT | 700 | 280 | 40 | 4 | 2239.34 | 3672.52 |
| 5 | ATT | 850 | 280 | 40 | 4 | 2323.38 | 3810.34 |
| 5 | ATT | 1900 | 280 | 40 | 4 | 4910.44 | 8053.11 |
| 5 | ATT | 3500 | 280 | 30 | 4 | 9530.59 | 15630.17 |
| 6 | ATT | 700 | 280 | 40 | 4 | 2239.34 | 3672.52 |
| 6 | ATT | 2100 | 280 | 40 | 4 | 5560.58 | 9119.35 |
| 6 | ATT | 3700 | 280 | 30 | 8 | 23886.36 | 39173.63 |

- Note there are 2 AT&T panel antennas per sector at this site. For clarity, the different frequencies for each antenna are entered on separate lines.
- A 75% duty cycle was applied to NR technologies.

**Generator Noise Assessment Letter
for AT&T Site Number: CAL01850
Site Name: Poinsetta Park
Address: 6600 "A" Hidden Valley Rd. Carlsbad, California
October 28, 2022**

1. Site Description:

Site CAL01850 includes a proposed Wireless Facility monopole located in Carlsbad, California. This project involves the installation of one emergency back-up generator inside a ground level equipment compound, located at 6600 "A" Hidden Valley Rd. in Carlsbad, California.

2. Purpose:

This letter provides calculated sound pressure levels from the proposed emergency back-up generator when measured at identified receiving property lines. Calculations were performed using site drawings dated September 6, 2022, information provided by MD7, and data from the equipment manufacturer, per the calculation methodology shown in Appendix A. Subsequent changes to the site design may yield changes in the projected post construction noise levels or compliance with applicable regulations and guidelines.

3. Regulatory Setting

The City of Carlsbad limits noise in residential use areas to 60 dBA CNEL (Community Noise Exposure Limit). The CNEL applies penalty factors to noise occurring during certain times of the evening and/or nighttime. A 5 dB penalty is added to noise occurring during the evening (7:00 p.m. to 10:00 p.m.) and a 10 dB penalty is added for noise occurring during nighttime hours between 10:00 p.m. and 7:00 a.m.

| Table I – Carlsbad Exterior Noise Limits* | |
|--------------------------------------------------|--------------------------------|
| Receiving Land Use Category | Exterior Noise Standard |
| Residential | 60 dBA CNEL |

*Adapted from the Carlsbad Noise Guidelines Manual, July 2013.

4. Relevant Proposed Equipment

The proposed site design includes installation of one (1) emergency back-up generator. Calculations were performed to project the noise contribution of the generator when operating at full load at the nearest receiving property line identified through review of the site drawings and aerial photographs. Noise properties of the proposed generator are described in Table 2. Receiving property line locations and calculated generator noise levels are described in Table 3.

The following generator is proposed for installation at this site:

| Table 2 – Proposed Equipment | | | | | |
|------------------------------|------------------------------------------|--------------|--------------|----------------------------|-----------------|
| Quantity | Description | Manufacturer | Model Number | Sound Pressure Level (dBA) | Distance (feet) |
| 1 | 20 kW Diesel Emergency Back-up Generator | Generac | SDC020 2.2L | 65 | 21 |

*Manufacturer acoustic data specifies an average sound pressure level per each unit when measured at a distance of seven (7) meters. See Appendix B.

Available specifications and product information were reviewed for the equipment listed in Table 2. Any other equipment that may be proposed such as equipment cabinets, air conditioners, RRUs, antennas, coaxial cables and battery cabinets, are excluded from this study. Other exclusions include ambient noise, existing equipment, fencing, walls, landscaping, topography and property line setbacks.

The proposed generator will only run for routine cycling/testing for a duration of no more than fifteen (15) minutes one (1) time per week during daytime hours, or in the event of a loss of power. For the purposes of this study, the generator was assumed to be running at full-load 24-hours per day in order to simulate a worst-case scenario.

5. Calculated Sound Levels.

Sound level propagation calculations were performed to determine the sound pressure level of the proposed generator when measured at the distances referenced below. The source and receiver were assumed to be at the same reference height in order to account for balconies, open windows and changes in elevation at adjacent properties. All calculations shown in Table 3 assume a free-field environment with no ground absorption, reflecting surfaces, barriers, or other obstructions. Actual results may vary due to field and environmental conditions.

| Table 3 – Calculated Sound Pressure Levels Generac SDC020 2.2L / 20 kW Diesel Emergency Back-up Generator | | | | |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------|------------------------------------------|
| Receiving Land Use Category | Property Line Direction from Proposed Generator | Estimated Distance to Proposed Generator (feet) | Calculated Generator Contribution at Property Line (dBA CNEL) | Lowest Applicable Noise Limit (dBA CNEL) |
| Residential* | South | 180 | 53.8 | 60 |

*All other property lines receivers are located considerably farther away from the proposed generator.

6. Statement of Compliance

Based on the results of this analysis, and as presented in Table 3, EBI concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property line locations.

7. Limitations

This report was prepared for the use of MD7 and AT&T. 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. Calculations contained in this report should be considered accurate to within one decibel. 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

Calculation Methodology

NOISE CALCULATION METHODOLOGY

All sounds originate from a source. The sound energy, produced by a source, creates variations in air pressure which travel in all directions much like a wave ripples across the water. The “loudness” or intensity of a sound is a function of the sound pressure level, defined as the ratio of two pressures: the measured sound pressure from the source divided by a reference pressure (i.e. threshold of human hearing). Sound level measurements are most commonly expressed using the decibel (dB) scale. The decibel scale is logarithmic to accommodate the wide range of sound intensities to which the human ear is capable of responding. On this scale, the threshold of human hearing is equal to 0 dB, while levels above 140 dB can cause immediate hearing damage.

One property of the decibel scale is that the combined sound pressure level of separate sound sources is not simply the sum of the contributing sources. For example, if the sound of one source of 70 dB is added to another source of 70 dB, the total is only 73 dB, not a doubling to 140 dB. In terms of human perception of sound, a 3 dB difference is the minimum perceptible change for broadband sounds (i.e. sounds that include all frequencies). A difference of 10 dB represents a perceived halving or doubling of loudness.

Environmental sound is commonly expressed in terms of the A-weighted sound level (dBA). The A-weighting is a standard filter to make measured sound levels more nearly approximate the frequency response of the human ear. Table I and Figure 1 show the adjustments made at each octave band frequency to contour un-weighted sound levels (dB) to A-weighted sound levels (dBA). This frequency response is defined in the American National Standards Institute Standard No. 5.1 and most other relevant standards related to measurement of noise levels.

Table I
A-Weighted Octave Band Adjustment (+/- dB)

| Octave Band Center Frequency (Hz) | 32 | 64 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000 | 16000 |
|-----------------------------------|-------|-------|-------|------|------|------|------|------|------|-------|
| A-weighting Adjustment (±dB) | -39.4 | -26.2 | -16.1 | -8.6 | -3.6 | 0.0 | +1.2 | +1.0 | -1.1 | -6.6 |

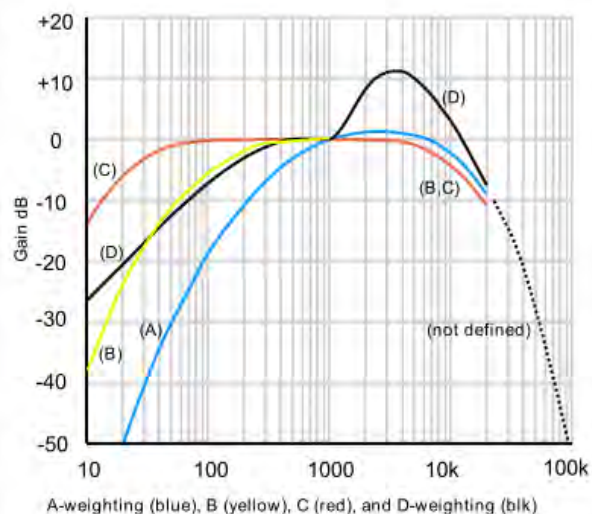


FIGURE I - WEIGHTED OCTAVE BAND ADJUSTMENTS (±dB)

Environmental sound varies depending on environmental conditions. Some sounds are sharp impulses lasting for short periods, while others rise and fall over longer periods. There are various measures (metrics) of sound pressure designed for different purposes. The Leq, or equivalent sound level, is the steady-state sound level over a period of time that has the same acoustic energy as the fluctuating sound that was measured over the same period. The Leq is commonly referred to as the average sound level and is calculated automatically by the sound level meter using methods defined in ANSI S1.4-1983¹.

Manufacturer-provided data for noise-generating equipment typically includes a measured sound pressure level (L_p), expressed in A-weighted decibels, taken at a specific distance from the equipment, known as a reference distance. For the purposes of this report, L_1 refers to the measured sound level, and r_1 refers to the reference distance from the source.

Sound varies inversely as the square of the distance from the source increases. This property of sound propagation is used to determine the sound levels at various distances from the source when L_1 and r_1 have been provided. In an unobstructed free-field environment, without any barriers or reflecting surfaces, sound pressure drops by 6 dBA with each doubling of distance. This relationship is expressed in the following equation:

$$L_2 = L_1 - |20 * \log\left(\frac{r_1}{r_2}\right)|$$

Where r_2 refers to the distance at distance 2 and L_2 refers to the sound level in dBA at distance 2.

When multiple sound sources are combined, the L_p values for each source must first be converted to sound power (L_w).

$$L_w = L_p + |10 * \log\left(\frac{Q}{4\pi * r^2}\right)|$$

In this report, EBI has assumed Q (directionality) is equal to 1 to represent full-sphere propagation.

The resultant L_w values are then added together, using logarithmic decibel addition, where L_Σ refers to the total level, and L_1 , L_2 , etc. refer to the sound power of different individual sources.

$$L_\Sigma = 10 * \log_{10} \left(10^{\frac{L_1}{10}} + 10^{\frac{L_2}{10}} + \dots 10^{\frac{L_n}{10}} \right) dB$$

¹ American National Standards Institute, ANSI S1-4-1983, American National Standard Specification for Sound Level Meters, 1983

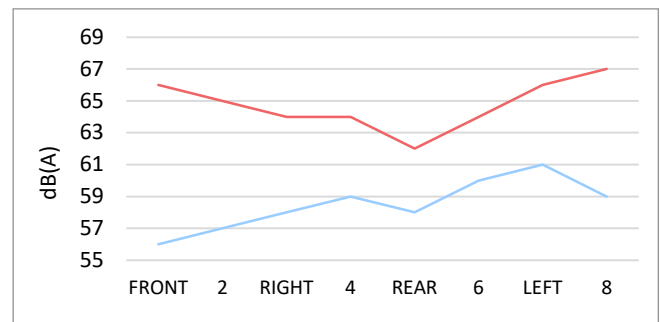
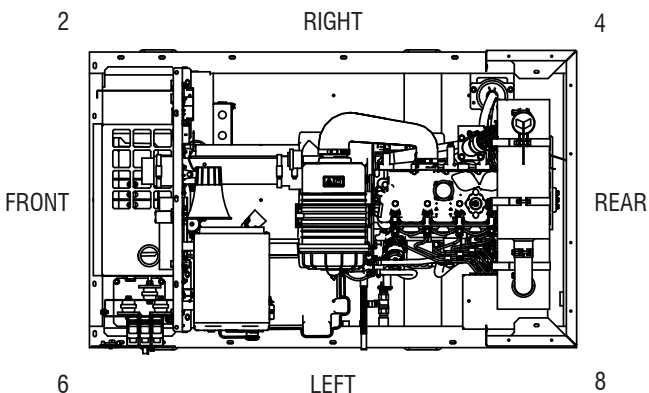
Appendix B

Equipment Specifications

SOUND ATTENUATED ENCLOSURE D2.2, Generac SDC020

| NO-LOAD, dB(A) | | | | | | | | | | DISTANCE: 7 METERS |
|---------------------|-----------------------------------|----|-----|-----|-----|-------|-------|-------|-------|--------------------|
| MICROPHONE LOCATION | OCTAVE BAND CENTER FREQUENCY (Hz) | | | | | | | | | |
| | 31.5 | 63 | 125 | 250 | 500 | 1,000 | 2,000 | 4,000 | 8,000 | dB(A) |
| FRONT | 20 | 40 | 53 | 50 | 50 | 50 | 46 | 44 | 35 | 56 |
| 2 | 19 | 43 | 50 | 50 | 55 | 51 | 48 | 44 | 38 | 57 |
| RIGHT | 18 | 50 | 47 | 51 | 56 | 50 | 48 | 46 | 37 | 58 |
| 4 | 21 | 56 | 49 | 50 | 53 | 53 | 50 | 46 | 38 | 59 |
| REAR | 21 | 56 | 51 | 51 | 50 | 50 | 46 | 44 | 35 | 58 |
| 6 | 20 | 56 | 49 | 50 | 54 | 54 | 48 | 43 | 35 | 60 |
| LEFT | 18 | 53 | 47 | 52 | 59 | 53 | 50 | 47 | 39 | 61 |
| 8 | 19 | 43 | 54 | 52 | 55 | 54 | 48 | 44 | 38 | 59 |
| AVERAGE | 20 | 50 | 50 | 51 | 54 | 52 | 48 | 45 | 37 | 59 |

| FULL-LOAD, dB(A) | | | | | | | | | | DISTANCE: 7 METERS |
|---------------------|-----------------------------------|----|-----|-----|-----|-------|-------|-------|-------|--------------------|
| MICROPHONE LOCATION | OCTAVE BAND CENTER FREQUENCY (Hz) | | | | | | | | | |
| | 31.5 | 63 | 125 | 250 | 500 | 1,000 | 2,000 | 4,000 | 8,000 | dB(A) |
| FRONT | 21 | 57 | 65 | 52 | 55 | 53 | 50 | 50 | 40 | 66 |
| 2 | 19 | 59 | 61 | 52 | 57 | 55 | 51 | 51 | 43 | 65 |
| RIGHT | 19 | 59 | 59 | 54 | 57 | 54 | 52 | 52 | 44 | 64 |
| 4 | 21 | 60 | 58 | 54 | 55 | 54 | 52 | 51 | 42 | 64 |
| REAR | 23 | 58 | 59 | 52 | 53 | 52 | 49 | 49 | 38 | 62 |
| 6 | 21 | 60 | 55 | 53 | 57 | 55 | 52 | 49 | 39 | 64 |
| LEFT | 19 | 62 | 58 | 55 | 60 | 55 | 53 | 51 | 43 | 66 |
| 8 | 19 | 60 | 64 | 55 | 57 | 56 | 52 | 51 | 44 | 67 |
| AVERAGE | 20 | 59 | 60 | 53 | 57 | 54 | 51 | 51 | 42 | 65 |



- All positions at 23 feet (7 meters) from side faces of generator set.
- Test conducted on a 100 foot diameter asphalt surface.
- Sound pressure levels are subject to instrumentation, installation and testing conditions.
- Sound levels are ± 2 dB(A).

| CODE COMPLIANCE | |
|-------------------------------------------------------------------|-------------------------------------------------------------------|
| 2022 | CALIFORNIA ADMINISTRATIVE CODE, C.C.R., TITLE 24, PART 1 |
| 2022 | CALIFORNIA BUILDING CODE, C.C.R., TITLE 24, PART 2, VOLUMES 1 & 2 |
| 2022 | CALIFORNIA ELECTRICAL CODE, C.C.R., TITLE 24, PART 3 |
| 2022 | CALIFORNIA MECHANICAL CODE, C.C.R., TITLE 24, PART 4 |
| 2022 | CALIFORNIA PLUMBING CODE, C.C.R., TITLE 24, PART 5 |
| 2022 | CALIFORNIA ENERGY CODE, C.C.R., TITLE 24, PART 6 |
| 2022 | CALIFORNIA FIRE CODE, C.C.R., TITLE 24, PART 9 |
| 2022 | CALIFORNIA REFERENCED STANDARDS CODE, C.C.R., TITLE 24, PART 12 |
| TIA--222, REVISION H | |
| IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL | |

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

PROJECT DESCRIPTION

AT&T WIRELESS PROPOSES TO BUILD A WIRELESS COMMUNICATION FACILITY. THE SCOPE CONSISTS OF THE FOLLOWING:

- CONSTRUCTION OF (E) 78'-0" TALL LIGHT POLE C3
- REMOVAL OF (E) TRASH ENCLOSURE
- CONSTRUCTION OF 78'-0" TALL LIGHT POLE AS REPLACEMENT TO THE (E) LIGHT POLE C3 TO BE REMOVED
- CONSTRUCTION OF 8'-0" HIGH CMU WALL EQUIPMENT ENCLOSURE AS REPLACEMENT TO THE (E) TRASH ENCLOSURE TO BE REMOVED
- INSTALLATION OF CYLINDRICAL FRP SHROUD FOR THE ANTENNAS AND PERFORATED CYLINDRICAL METAL SHROUD FOR THE RRUS AND SURGE PROTECTORS
- INSTALLATION OF (2) PANEL ANTENNAS PER SECTOR. TOTAL OF (6)
- INSTALLATION OF (9) REMOTE RADIO UNITS (RRU)
- INSTALLATION OF (3) SURGE PROTECTORS AT THE ANTENNA AREA
- INSTALLATION OF (2) SURGE PROTECTORS AT THE EQUIPMENT AREA
- INSTALLATION OF (1) VERTIV DC POWER PLANT
- INSTALLATION OF (2) PURCELL CABINET
- INSTALLATION OF (1) GPS ANTENNA
- INSTALLATION OF (1) GENERATOR
- INSTALLATION OF (2) FIBER CABLE TRUNKS AND (9) DC POWER CABLE TRUNKS.
- INSTALLATION OF TELCO / FIBER SERVICE
- INSTALLATION OF A NEW 200A AC ELECTRICAL SERVICE

- REMOVAL OF (E) 78'-0" TALL LIGHT POLE C3
- REMOVAL OF (E) TRASH ENCLOSURE
- CONSTRUCTION OF 78'-0" TALL LIGHT POLE AS REPLACEMENT TO THE (E) LIGHT POLE C3 TO BE REMOVED
- CONSTRUCTION OF 8'-0" HIGH CMU WALL EQUIPMENT ENCLOSURE AS REPLACEMENT TO THE (E) TRASH ENCLOSURE TO BE REMOVED
- INSTALLATION OF CYLINDRICAL FRP SHROUD FOR THE ANTENNAS AND PERFORATED CYLINDRICAL METAL SHROUD FOR THE RRU'S AND SURGE PROTECTORS
- INSTALLATION OF (2) PANEL ANTENNAS PER SECTOR. TOTAL OF (6)
- INSTALLATION OF (9) REMOTE RADIO UNITS (RRU)
- INSTALLATION OF (3) SURGE PROTECTORS AT THE ANTENNA AREA
- INSTALLATION OF (2) SURGE PROTECTORS AT THE EQUIPMENT AREA
- INSTALLATION OF (1) VERTIV DC POWER PLANT
- INSTALLATION OF (2) PURCELL CABINET
- INSTALLATION OF (1) GPS ANTENNA
- INSTALLATION OF (1) GENERATOR
- INSTALLATION OF (2) FIBER CABLE TRUNKS AND (9) DC POWER CABLE TRUNKS.
- INSTALLATION OF TELCO / FIBER SERVICE
- INSTALLATION OF A NEW 200A AC ELECTRICAL SERVICE

| SITE INFORMATION | |
|---------------------------|------------------------------------------------------------------|
| PROPERTY OWNER: | CITY OF CARLSBAD |
| APPLICANT: | AT&T WIRELESS 5855 COPLEY DR. STE 100, SAN DIEGO, CA 92111 |
| APPLICANT REPRESENTATIVE: | MD7 10590 W. OCEAN AIR DRIVE, STE. 250 SAN DIEGO, CA 92130 |
| ZONING JURISDICTION: | CITY OF CARLSBAD |
| ZONING DISTRICT: | CITY OF CARLSBAD |
| LATITUDE (NAD 83): | 33° 6' 50.0472" N |
| LONGITUDE (NAD 83): | 117° 18' 27.2412" W |
| PARCEL #: | 214-140-13-00 |
| OCCUPANCY GROUP: | U-UNMANNED |
| CONSTRUCTION TYPE: | V-B |
| POWER COMPANY: | SDG&E |
| TELEPHONE COMPANY: | AT&T |

APPLICANT REPRESENTATIVE: MD7
10590 W. OCEAN AIR DRIVE, STE. 250
SAN DIEGO, CA 92130

PROJECT TEAM

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>PROJECT MANAGER:</u> MD7 10590 W. OCEAN AIR DRIVE, STE. 250 SAN DIEGO, CA 92130 PHONE: (858) 799-7850 MD7.COM | <u>ENGINEERING:</u> TELECOM MANAGEMENT GROUP 302 WASHINGTON ST. #150-6850 SAN DIEGO, CA 92103 PHONE: (858) 248-7678 EMAIL: EDGAR.ORTIZ@TELECOMMG.COM |
| <u>ZONING / SITE ACQUISITION:</u> MD7 10590 W. OCEAN AIR DRIVE, STE. 250 SAN DIEGO, CA 92130 PHONE: (858) 799-7850 MD7.COM | <u>CONSTRUCTION:</u> BECHTEL INFRASTRUCTURE AND POWER CORPORATION 16808 ARMSTRONG AVE., STE. 225 IRVINE, CA 92606 PHONE: (949) 212-4644 EMAIL: SGKINDRE@BECHTEL.COM |
| <u>RF ENGINEER:</u> JORGE MELCHOR AT&T 5855 COPLEY DR. STE 100, SAN DIEGO, CA 92111 PHONE: (858) 762-2161 EMAIL: JMW934@ATT.COM | |

ZONING / SITE ACQUISITION:
MD7
10590 W. OCEAN AIR DRIVE,
STE. 250
SAN DIEGO, CA 92130
PHONE: (858) 799-7850
MD7.COM

CONSTRUCTION:
BECHTEL INFRASTRUCTURE AND POWER
CORPORATION
16808 ARMSTRONG AVE., STE. 225
IRVINE, CA 92606
PHONE: (949) 212-4644
EMAIL: SGKINDRE@BECHTEL.COM

CONSTRUCTION:
BECHTEL INFRASTRUCTURE AND POWER
CORPORATION
16808 ARMSTRONG AVE., STE. 225
IRVINE, CA 92606
PHONE: (949) 212-4644
EMAIL: SGKINDRE@BECHTEL.COM



CAL01850
POINSETTIA PARK
NEW SITE BUILD

**6600 "A" HIDDEN VALLEY RD.,
CARLSBAD, CA 92011**

VICINITY MAP

The vicinity map shows the location of the 'SITE' (marked with a red pin and a black star) at the intersection of Paseo Del Norte and Poinsettia Ln. The map includes surrounding streets such as Avenida Espinas, Avenida Pkwy, and Poinsettia Ln. Key landmarks and businesses are labeled, including Poinsettia KinderCare, Pacific Rim Elementary School, Carlsbad Fire Station 4, and various residential developments like MAAC Project - Laurel Tree Apartments. A compass rose indicates North is up.

DRIVING DIRECTIONS FROM AT&T OFFICE

DIRECTIONS FROM AT&T OFFICE:

GET ON I-805 N FROM COPLEY DR, HICKMAN FIELD DR AND CONVOY CT. HEAD SOUTHWEST TOWARD COPLEY DR. RESTRICTED USAGE ROAD. TURN LEFT ONTO COPLEY DR. TURN RIGHT ONTO HICKMAN FIELD DR. TURN LEFT ONTO CONVOY CT. TURN RIGHT ONTO SHAWLINE ST. USE THE RIGHT LANE TO TURN RIGHT AFTER ARBY'S (ON THE LEFT). USE THE RIGHT LANE TO TAKE THE RAMP ONTO I-805 N. TAKE I-5 N TO POINSETTIA LN IN CARLSBAD. TAKE EXIT 45 FROM I-5 N. MERGE ONTO I-805 N. MERGE ONTO I-5 N. TAKE EXIT 45 FOR POINSETTIA LN TOWARD AVIARA PKWY. TAKE PASEO DEL NORTE AND HIDDEN VALLEY RD TO YOUR DESTINATION. TURN RIGHT ONTO POINSETTIA LN. USE THE LEFT 2 LANES TO TURN LEFT ONTO PASEO DEL NORTE. TURN RIGHT ONTO CAMINO DE LAS ONDAS. TURN LEFT ONTO HIDDEN VALLEY RD. TURN LEFT ONTO PLUM TREE RD. TURN LEFT. DESTINATION WILL BE ON THE LEFT.

GET ON I-805 N FROM COPLEY DR, HICKMAN FIELD DR AND CONVOY CT. HEAD SOUTHWEST TOWARD COPLEY DR. RESTRICTED USAGE ROAD. TURN LEFT ONTO COPLEY DR. TURN RIGHT ONTO HICKMAN FIELD DR. TURN LEFT ONTO CONVOY CT. TURN RIGHT ONTO SHAWLINE ST. USE THE RIGHT LANE TO TURN RIGHT AFTER ARBY'S (ON THE LEFT). USE THE RIGHT LANE TO TAKE THE RAMP ONTO I-805 N. TAKE I-5 N TO POINTSETTIA LN IN CARLSBAD. TAKE EXIT 45 FROM I-5 N. MERGE ONTO I-805 N. MERGE ONTO I-5 N. TAKE EXIT 45 FOR POINTSETTIA LN TOWARD AVIARA PKWY. TAKE PASEO DEL NORTE AND HIDDEN VALLEY RD TO YOUR DESTINATION. TURN RIGHT ONTO POINTSETTIA LN. USE THE LEFT 2 LANES TO TURN LEFT ONTO PASEO DEL NORTE. TURN RIGHT ONTO CAMINO DE LAS ONDAS. TURN LEFT ONTO HIDDEN VALLEY RD. TURN LEFT ONTO PLUM TREE RD. TURN LEFT. DESTINATION WILL BE ON THE LEFT.

CUP 2022-0023/CDP 2022-0070

| GENERAL | Exhibit 10 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED. | |

| APPROVALS | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR SITE MODIFICATIONS. | |
| AT&T RF ENGINEER: _____ | DATE: _____ |
| AT&T CONSTRUCTION: _____ | DATE: _____ |
| AT&T PROJECT MGR.: _____ | DATE: _____ |
| CIVIL VENDOR: _____ | DATE: _____ |
| PLANNER: _____ | DATE: _____ |
| SITE ACQUISITION: _____ | DATE: _____ |
| SITE OWNER: _____ | DATE: _____ |

| APPROVALS | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p>THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR SITE MODIFICATIONS.</p> | |
| AT&T RF ENGINEER: _____ | DATE: _____ |
| AT&T CONSTRUCTION: _____ | DATE: _____ |
| AT&T PROJECT MGR.: _____ | DATE: _____ |
| CIVIL VENDOR: _____ | DATE: _____ |
| PLANNER: _____ | DATE: _____ |
| SITE ACQUISITION: _____ | DATE: _____ |
| SITE OWNER: _____ | DATE: _____ |

AT&T RF ENGINEER: _____ DATE: _____

AT&T CONSTRUCTION: _____ DATE: _____

AT&T PROJECT MGR.: _____ DATE: _____

CIVIL VENDOR: _____ DATE: _____

PLANNER: _____ DATE: _____

SITE ACQUISITION: _____ DATE: _____

SITE OWNER: _____ DATE: _____

[illegible]

| | |
|----|---------------------------------|
| T1 | TITLE SHEET |
| Z1 | SITE PLAN |
| Z2 | ENLARGED SITE PLAN |
| Z3 | EQUIPMENT PLAN |
| Z4 | ANTENNA / RRU PLAN AND SCHEDULE |
| Z5 | SITE ELEVATIONS |
| Z6 | SITE ELEVATIONS |
| Z7 | SITE ELEVATIONS |
| Z8 | SITE ELEVATIONS |
| D1 | SITE DETAILS |
| D2 | SITE DETAILS |

| | |
|--|-------------------------|
| | *** NOTHING FOLLOWS *** |
|--|-------------------------|



NOTE:
48 HOURS PRIOR TO DIGGING,
CONTRACTOR TO NOTIFY ALL
UTILITY COMPANIES TO LOCATE
ALL UNDERGROUND UTILITIES.

| | | |
|------|--------------------------|----------|
| | | |
| | | |
| | | |
| 6 | 100% ZD ENCL. TRELLIS | 10-16-23 |
| 5 | 100% ZD CITY COMMENTS | 07-31-23 |
| 4 | 100% ZD CITY COMMENTS | 03-21-23 |
| 3 | 100% ZD CITY COMMENTS | 12-15-22 |
| 2 | 100% ZD RF CHANGES | 10-31-22 |
| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |
| Rev. | Description | Date: |



5855 COPLEY DR. STE 100,
SAN DIEGO CA 92111

MD7
10590 WEST OCEAN
AIR DRIVE, SUITE 250
SAN DIEGO, CA 92130

Sheet Title:

TITLE SHEET



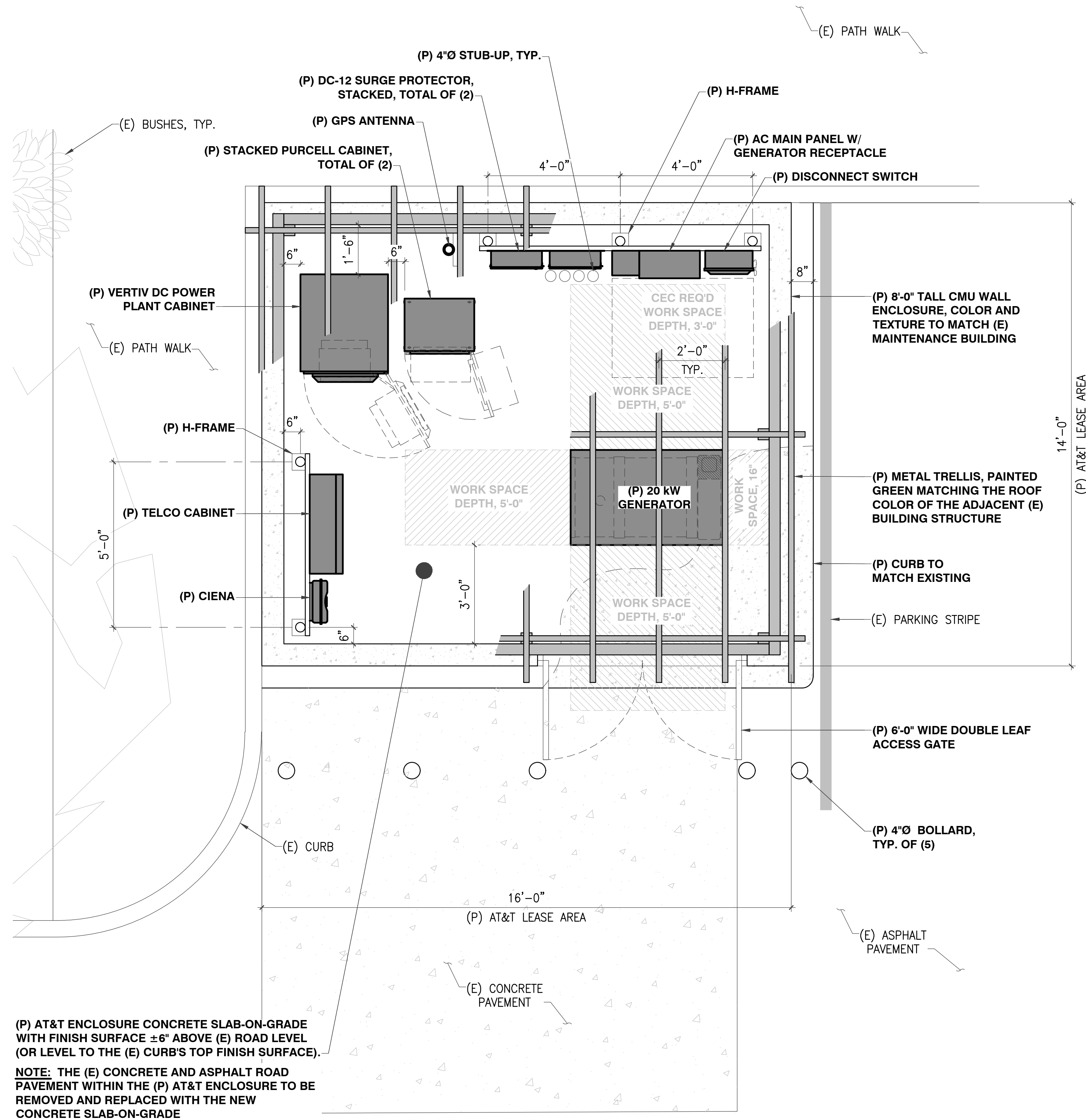
TELECOM
MANAGEMENT GROUP

NOT FOR CONSTRUCTION

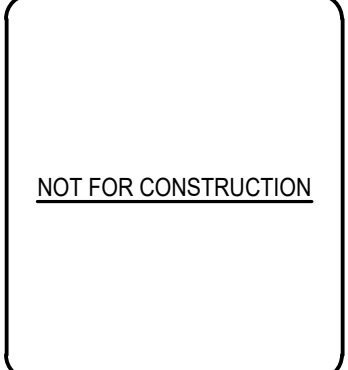
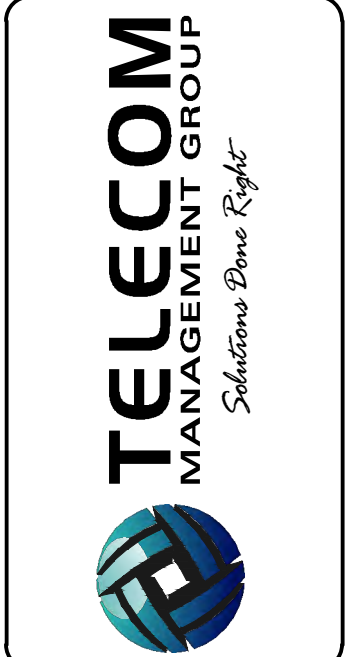
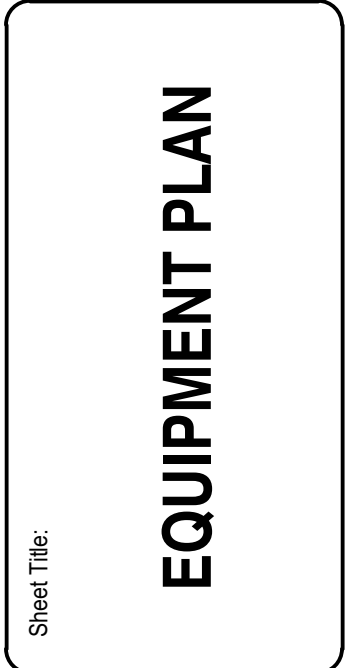
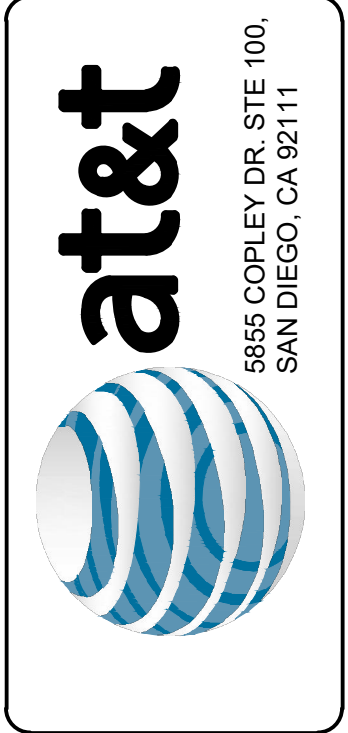
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| Checked by: | ERO |

Sheet No:

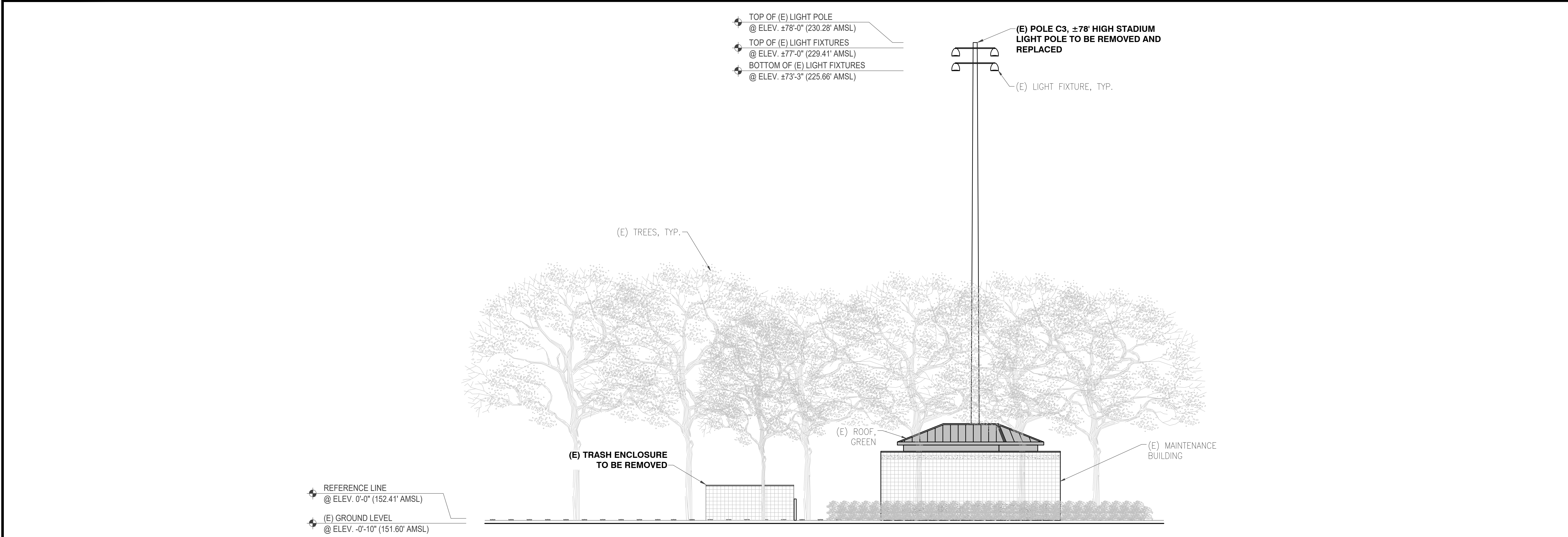
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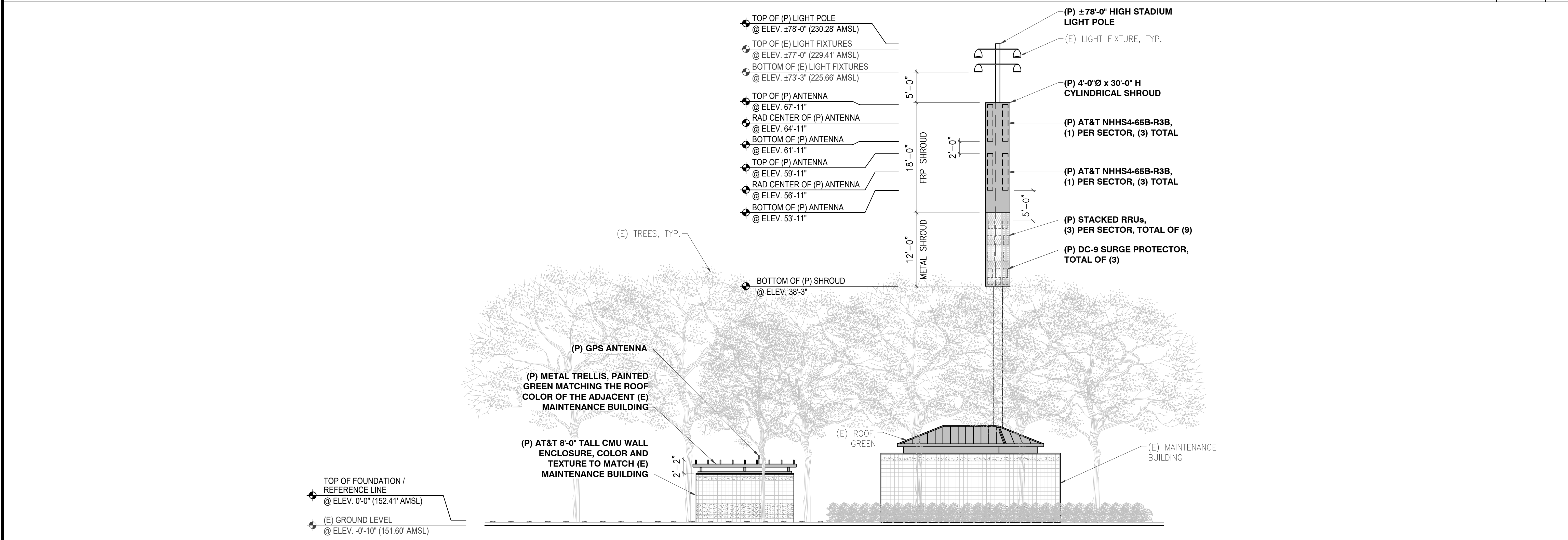
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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



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| Drawn by: | ERO/RP |
| Checked by: | ERO |
| Sheet No: | Z3 |

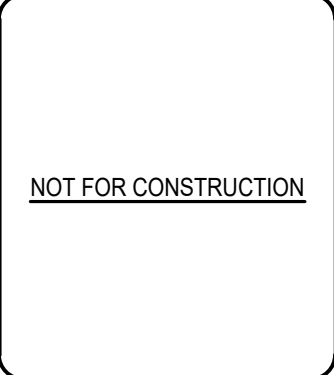


(E) NORTH ELEVATION 1/8" = 1'-0" 1



(P) NORTH ELEVATION 1/8" = 1'-0" 2

| Rev. | Description | Date: |
|------|-----------------------|----------|
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| 3 | 100% ZD CITY COMMENTS | 12-15-22 |
| 2 | 100% ZD RF CHANGES | 10-31-22 |
| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



Drawn by: ERO/RP

Checked by: ERO

Sheet No: 25

- TOP OF (E) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
@ ELEV. ±73'-3" (225.66' AMSL)

- REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)

(E) LIGHT FIXTURE,
TYP.

(E) POLE C3, ±78' HIGH STADIUM
LIGHT POLE TO BE REMOVED AND
REPLACED

(E) TREES, TYP.

(E) TRASH ENCLOSURE
TO BE REMOVED

(E) BOLLARD TO BE
REMOVED

(E) ROOF,
GREEN

(E) MAINTENANCE
BUILDING

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

0" 4' 8' 16'

(E) EAST ELEVATION 1/8" = 1'-0" 1

- TOP OF (P) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
@ ELEV. ±73'-3" (225.66' AMSL)

- TOP OF (P) ANTENNA
@ ELEV. 67'-11"
- RAD CENTER OF (P) ANTENNA
@ ELEV. 64'-11"
- BOTTOM OF (P) ANTENNA
@ ELEV. 61'-11"
- TOP OF (P) ANTENNA
@ ELEV. 59'-11"
- RAD CENTER OF (P) ANTENNA
@ ELEV. 56'-11"
- BOTTOM OF (P) ANTENNA
@ ELEV. 53'-11"

- BOTTOM OF (P) SHROUD
@ ELEV. 38'-3"

(P) ±78'-0" HIGH STADIUM
LIGHT POLE

(E) LIGHT FIXTURE, TYP.

(P) 4'-0"Ø x 30'-0" H
CYLINDRICAL SHROUD

(P) AT&T NHHS4-65B-R3B,
(1) PER SECTOR, (3) TOTAL

(P) AT&T NHHS4-65B-R3B,
(1) PER SECTOR, (3) TOTAL

(P) STACKED RRUs,
(3) PER SECTOR, TOTAL OF (9)

(P) DC-9 SURGE PROTECTOR,
TOTAL OF (3)

(E) TREES, TYP.

(P) GPS ANTENNA

(P) METAL TRELLIS, PAINTED
GREEN MATCHING THE ROOF
COLOR OF THE ADJACENT (E)
MAINTENANCE BUILDING

(P) AT&T 8'-0" TALL CMU
WALL ENCLOSURE, COLOR
AND TEXTURE TO MATCH (E)
MAINTENANCE BUILDING

(P) 4"Ø BOLLARD,
TYP. OF (5)

(E) ROOF,
GREEN

(E) MAINTENANCE
BUILDING

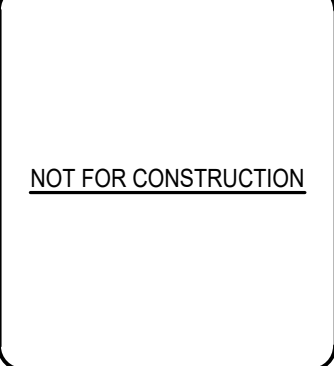
- TOP OF FOUNDATION /
REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)

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

0" 4' 8' 16'

(P) EAST ELEVATION 1/8" = 1'-0" 2

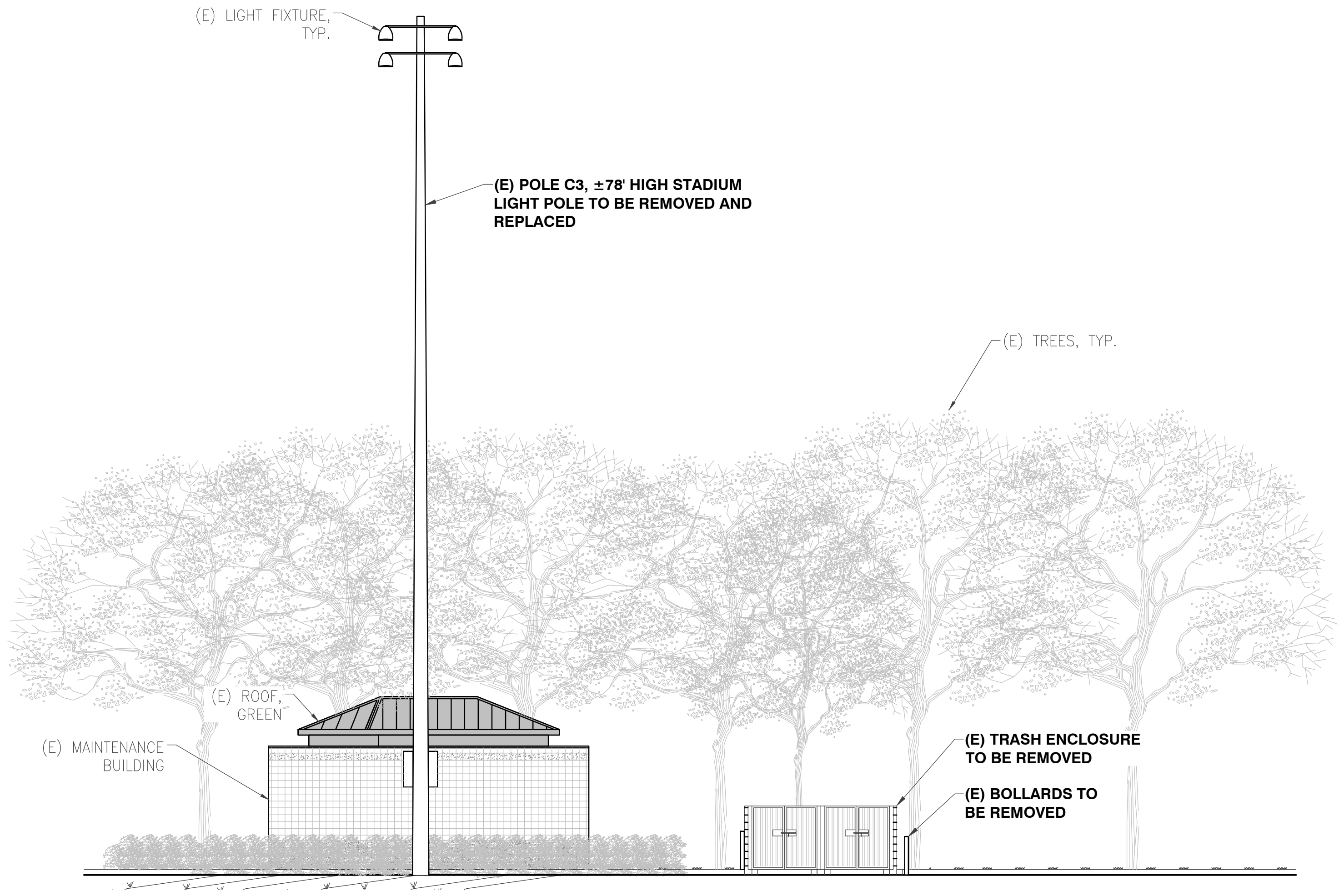
| Rev. | Description | Date: |
|------|-----------------------|----------|
| 6 | 100% ZD ENCL. TRELLIS | 10-16-23 |
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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



| | |
|-------------|-----------|
| Drawn by: | ERO/RP |
| Checked by: | ERO |
| Sheet No: | Z6 |

- TOP OF (E) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
@ ELEV. ±73'-3" (225.66' AMSL)

- REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)



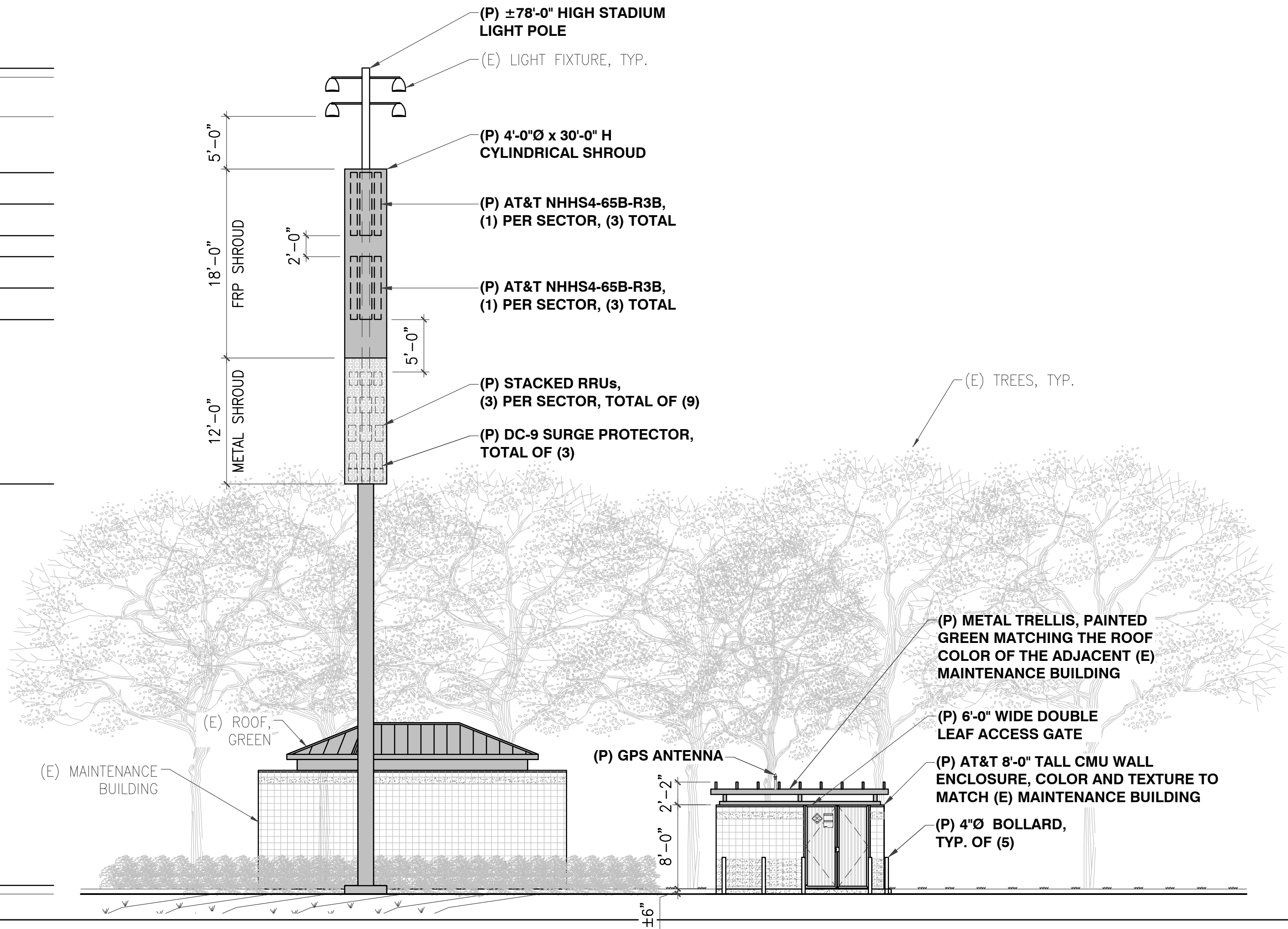
24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

(E) SOUTH ELEVATION 1/8" = 1'-0" 1

- TOP OF (P) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
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- TOP OF (P) ANTENNA
@ ELEV. 59'-11"
- RAD CENTER OF (P) ANTENNA
@ ELEV. 56'-11"
- BOTTOM OF (P) ANTENNA
@ ELEV. 53'-11"

- BOTTOM OF (P) SHROUD
@ ELEV. 38'-3"

- TOP OF FOUNDATION /
REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)



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

(P) SOUTH ELEVATION 1/8" = 1'-0" 2

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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



NOT FOR CONSTRUCTION

Drawn by: RP
Checked by: ERO/EA
Sheet No: 27

| | | |
|------|--------------------------|----------|
| | | |
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| Rev. | Description | Date: |



WDC
10590 WEST OCEAN
AIR DRIVE, SUITE 250
SAN DIEGO, CA 92130

SITE DETAILS

Sheet Title:



NOT FOR CONSTRUCTION

Drawn by: ERO/

Checked by: ERC

Sheet No:

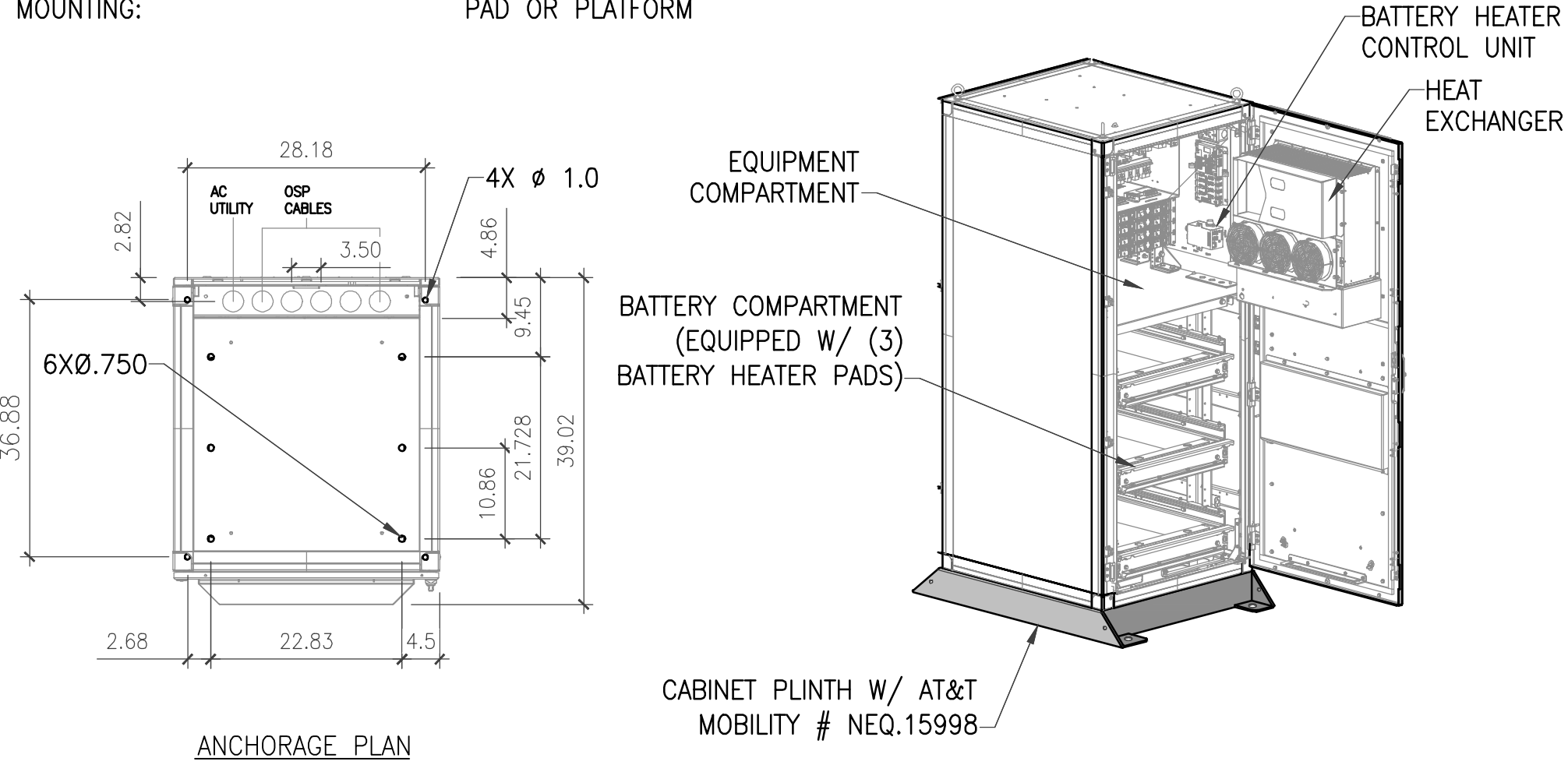
D1

Outdoor NetSure 512 DC Power System

THE NETXTEND™ FLEX SERIES –48VDC/+24VDC POWER/BATTERY ENCLOSURE

TECHNICAL SPECIFICATIONS

BATTERY: BATTERY FOR TELECOM & ELECTRIC UTILITY APPLICATIONS
72"x32"x39"
DIMENSIONS, HxWxD: 752 LB (314 KG) WITHOUT BATTERIES AND RECTIFIERS
WEIGHT: 2500 LB (1134 KG) WITH FULL COMPLEMENT OF BATTERIES
MOUNTING: PAD OR PLATFORM



Intersect™ , Inc.

PTLC-ATS-3S-12200-CL-ATT

240/120, 200A, 3–src PTLC ASCO Series 300–G ATS
NEQ.20110

DIMENSIONS, 32"H x 22"W x 10" D
TOTAL WEIGHT: 80 lbs (APPROX.)
UL 891 LISTED

CABINET WITH CAMLOK CONNECTOR PANEL,
240 VAC / 120 VAC, 200A POWER TRANSFER LOAD CENTER
WITH AUTOMATIC TRANSFER BETWEEN UTILITY AND AN ALTERNATIVE
POWER SOURCE PERMANENTLY CONNECTED OR TEMPORARILY
CONNECTED VIA CAMLOK STYLE CONNECTORS. PTLC INCLUDES ASCO
510 SERIES TVSS SURGE PROTECTION, A 30–POSITION SQUARED NQ
PANELBOARD, AND AN ALARM MONITOR FOR UTILITY POWER LOSS SPD
FAIL, AND GENERATOR. (VERTIV P/N 151840.)

NOTE:
GENERATOR INPUT SIDE MOUNT RECEPTACLE (ICL, INTERSECT CAM LOK)
MAY BE ORDERED SEPARATELY AND INSTALLED ON EITHER SIDE OF
THE PANEL OR INSTALLED ON THE PREFERRED LOCATION AT SITE.



(P) DC POWER CABINET SPECIFICATIONS

NTS

1

(P) MAIN AC PANEL SPECIFICATIONS

NTS

4

NOT USED

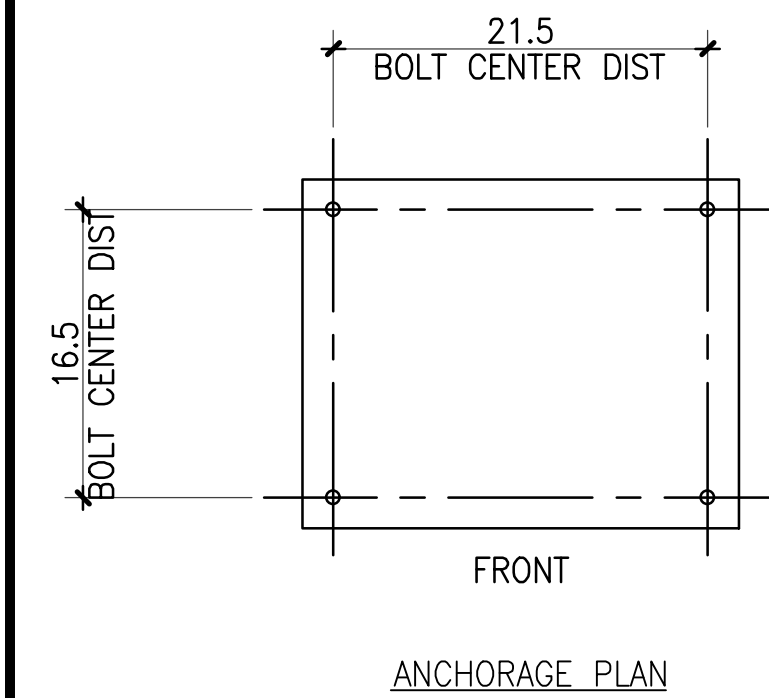
NTS

7

FLX21-2520

FlexSure® WS OUTDOOR ENCLOSURE

DIMENSIONS, WxDxH: 25.27"x29.99"x39.70"
COLOR: ULTRA LIGHT GRAY POLYESTER POWDER COAT FINISH
MAXIMUM TEMPERATURE: 46° C
WEIGHT: 140 LBS (ENCLOSURE ONLY) ±207 LBS (FULLY LOADED)
MOUNTING OPTIONS: POLE, 4" OR 12" RISER PLINTH, WALL/H–FRAME
PAD, STACKING – NO ADDITIONAL KIT REQUIRED
FLX21–2520 IS STACKABLE ON
TOP OF FLX12–2420 &
FLX16–2520 ENCLOSURES



USE HEX BOLT 1/2–13,
1.25" LONG W/ SPLIT AND
LOCK WASHERS ON 4
PLACES WHERE LIFTING
EYE BOLTS WERE LOCATED

(P) PURCELL CABINET
STACK MOUNTED

RISER PLINTH PER MFR.,
SEE MOUNTING OPTIONS

(P) PURCELL CABINET SPECIFICATIONS

NTS

2

(P) CIENA SPECIFICATIONS

NTS

5

NOT USED

NTS

8

SDC020 | 2.2L | 20 kW

STANDBY POWER RATING
20 kW, 25 kVA, 60 Hz
LEVEL 2 SOUND ATTENUATION ENCLOSURE
RUN TIME HOURS: 64.4
USABLE CAPACITY GAL (L) 103 (390)
L x W xH in (mm) 56 x 34.5 x 99.1
(1422 x 876 x 2515)
WEIGHT lbs (kg): 2090 (948)
(WET ENGINE/DRY TANK)
SOUND LEVEL: 71 dBA
FUEL SYSTEM
FUEL TYPE: ULTRA LOW SULFUR DIESEL FUEL
FUEL SPECIFICATIONS: ASTM
ENGINE TYPE: DIESEL

CONFORMS TO UL STD 2200
FUEL TANK IS UL 142 LISTED



(P) GENERATOR SPECIFICATIONS

NTS

3

NOT USED

NTS

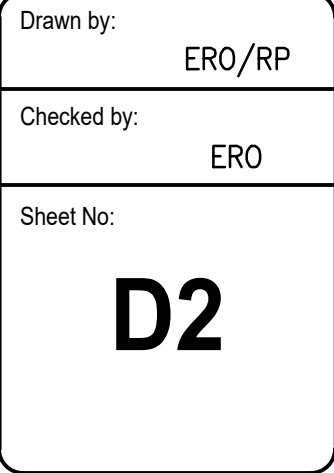
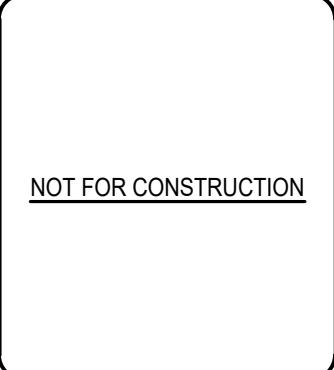
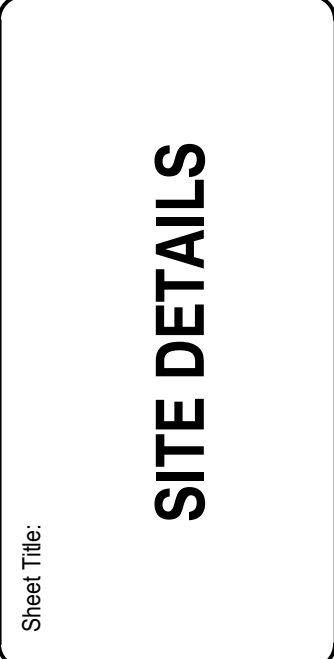
6

NOT USED

NTS

9

| Rev. | Description | Date: |
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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



CEQA DETERMINATION OF EXEMPTION

Subject: This California Environmental Quality Act (CEQA) Determination of Exemption is in compliance with Carlsbad Municipal Code Section 19.04.060. An appeal to this determination must be filed in writing with the required fee within ten (10) calendar days of the City Planner's decision consistent with Carlsbad Municipal Code Section 21.54.140.

Project Number and Title: CUP 2022-0023/CDP 2022-0070 (DEV2022-0206) – POINSETTIA PARK WCF (AT&T)

Project Location - Specific: 6600 Hidden Valley Road (APN: 214-140-13-00)

Project Location - City: Carlsbad

Project Location - County: San Diego

Description of Project: Minor Conditional Use Permit and Coastal Development Permit to install a new wireless communication facility (WCF). The project includes the demolition of an existing trash enclosure and removal of an existing, 78-foot tall, baseball field light pole, and the installation of a 78-foot light pole with six (6) wireless antennas and nine (9) remote radio units placed around the pole with a four-foot diameter cylindrical screening shroud and ground-level equipment enclosure.

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: City of Carlsbad

Name of Applicant: Harold Thomas Jr., MD7 (obo AT&T Wireless)

Applicant's Address: 7337 Trade Street, Suite 250, San Diego, CA 92121

Applicant's Telephone Number: 858-750-1789

Name of Applicant/Identity of person undertaking the project (if different from the applicant above):
NA

Exempt Status: (Check One)

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- ☒ Categorical Exemption - State type and section number: New Construction or Conversion of Small Structures – Section 15303
- ☐ Statutory Exemptions - State code number: _____
- ☐ Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt: Section 15303 exempts construction and location of small facilities or structures, and the installation of small equipment and facilities in small structures.

Lead Agency Contact Person: Kyle Van Leeuwen

Telephone: 442-339-2611

Erin Lane

10/16/23

LIST OF ACRONYMS AND ABBREVIATIONS

Exhibit 12

This is a list of acronyms and abbreviations (in alphabetical order) that are commonly used in staff reports.

| Acronym | Description | Acronym | Description |
|----------|------------------------------------------|---------|------------------------------------------|
| APA | American Planning Association | LCPA | Local Coastal Program Amendment |
| APN | Assessor Parcel Number | LOS | Level of Service |
| AQMD | Air Quality Management District | MND | Mitigated Negative Declaration |
| BMP | Best Management Practice | NCTD | North County Transit District |
| CALTRANS | California Department of Transportation | ND | Negative Declaration |
| CC | City Council | PC | Planning Commission |
| CCR | Conditions, Covenants and Restrictions | PDP | Planned Development Permit |
| CEQA | California Environmental Quality Act | PEIR | Program Environmental Impact Report |
| CFD | Community Facilities District | PUD | Planned Unit Development |
| CIP | Capital Improvement Program | ROW | Right of Way |
| COA | Conditions of Approval | RWQCB | Regional Water Quality Control Board |
| CofO | Certificate of Occupancy | SANDAG | San Diego Association of Governments |
| CT | Tentative Parcel Map | SDP | Site Development Permit |
| CUP | Conditional Use Permit | SP | Specific Plan |
| DIF | Development Impact Fee | SWPPP | Storm Water Pollution Prevention Program |
| DISTRICT | City Council Member District Number | TM | Tentative Map |
| EIR | Environmental Impact Report | ZC | Zone Change |
| EIS | Environmental Impact Statement (federal) | | |
| EPA | Environmental Protection Agency | | |
| FEMA | Federal Emergency Management Agency | | |
| GP | General Plan | | |
| GPA | General Plan Amendment | | |
| GIS | Geographic Information Systems | | |
| HCA | Housing Crisis Act 2019 | | |
| IS | Initial Study | | |

Exhibits “A” – “K” dated Dec.6, 2023 (on file in the office of the City Clerk)

Kyle Van Leeuwen

From: Michelle Backus <michwilsoncali@yahoo.com>
Sent: Saturday, February 4, 2023 8:06 AM
To: Lauren Yzaguirre
Subject: 90' Cellular Pole Replacing 78' Light Pole @ Poinsettia Park

Hi Lauren,

I have two young children and we live very close to this cellular pole. I completely disagree with replacing the 78' light pole with a 90' pole as it's unsafe. Here are the reasons why I am against this project:

Project Details: **CUP 2022-0023** (Conditional Use Permit) > 90' cellular/light pole to replace existing 78' light pole

- > 12 more feet is TOO HIGH
- > Exposed antennas will be hung near top of pole IMPAIRED LINE OF SIGHT
- > In parking lot next to the bathrooms by the field where Jazz in the Park is held TOO CLOSE TO PEOPLE
- > First cellular structure at Poinsettia Park NOT NEEDED
- > RF Radiation Dangers .. near where people live and children playing at the park DANGEROUS TO HEALTH

This cannot happen! Please let me know what I need to do to prevent this from happening!

Thanks,
Michelle Backus
321-278-1044

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Drs. G. Douglas & Rita M. Barkett
6563 Petunia Place
Carlsbad, California 92011
Phone: 619-933-1229
E-Mail: rmbarkett@gmail.com

February 18, 2023

VIA EMAIL

Kyle Van Leeuwen
kyle.vanleeuwen@carlsbadca.gov

RE: MD7 Poinsettia Park transmission tower proposal

Dear Mr. Leeuwen,

Besides the beautiful location and unparalleled good weather, one of the greatest benefits of our area is the lack of 'communication towers' and the resultant poor cell service. We are undoubtedly being exposed to a lower level of radiation than in other areas, and the poor cell service is a concrete demonstration of this.

It is well known, and there are a plethora of studies demonstrating, the deleterious effects of this cell tower radiation to both human and animal life. It is both deceitful and disingenuous to attempt to state otherwise.

There are adults and children living in close proximity to Poinsettia Park. Never mind the adults, children, and their animals who regularly spend time in the park.

Currently, the nesting ospreys are back preparing for this year's hatchlings on one of the light poles on the south side of this park. That is only one of the myriad of wildlife species enjoying and thriving in this park. The bio-

density, biodiversity, and health of all the animals in this area will rapidly decline if the radiation exposure is increased.

We are adamantly opposed to the installation of this device, and implore the City of Carlsbad to deny this request in order to continue to maintain the healthy lives of its citizens, their animals, and all animal life in this area which is the responsibility of the government to its constituents.

Thank you,

A handwritten signature in blue ink, appearing to read 'G. Douglas Barkett', with a stylized flourish at the end.

G. Douglas Barkett, D.D.S., M.S.D.

A handwritten signature in blue ink, appearing to read 'Rita M. Barkett', with a stylized flourish at the end.

Rita M. Barkett, D.D.S.

Kyle Van Leeuwen

From: rich breyer <rpbreyer@gmail.com>
Sent: Sunday, February 26, 2023 1:13 PM
To: Lauren Yzaguirre
Subject: Relocate the cellular pole at Poinsettia Park

Hello Ms Yzaguirre, I am writing this to requesting that they **RELOCATE** the proposed cellular antenna pole **AWAY FROM NEARBY RESIDENTIAL HOMES AND CHILDREN/YOUTH AT THE PARK AND PAC RIM ELEMENTARY SCHOOL** . I am sure they can find a suitable location in another area. There are know health risks with cell towers and I hope the city can stand up for our citizens.

Thanks

Richard Breyer
760-473-2489

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Kyle Van Leeuwen

From: Katherine <kc_lord@yahoo.com>
Sent: Sunday, February 5, 2023 2:04 PM
To: Lauren Yzaguirre
Subject: Project : CUP 2022-0023 (City of Carlsbad Conditional Use Permit) > 90' cellular/light pole

A 90 feet high cellular pole with exposed antennas hanging near the very top of the pole in the middle of the Poinsettia park?

Not only it is an eyesore to blemish the beautiful skyline and the park, the RF radiation danger will impact everyone who lives, works, plays or visits the area. It is also too close to Pac Rim elementary school for comfort.

Please do NOT issue such permit or our city may take on all the unknown liabilities.

Thank you,
Katherine Chang
6733 Tea Tree St.

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Kyle Van Leeuwen

From: Silvia Chang <kandmmom@yahoo.com>
Sent: Monday, February 6, 2023 3:00 PM
To: Lauren Yzaguirre
Subject: Proposed cell tower for Poinsettia Park

Dear Ms. Yzaguirre,

I am very concerned about putting a cell tower in Poinsettia Park. I live in the Greystone Cove which is one of the neighborhoods adjacent to the park. I specifically bought this house 21 years ago because it was in an area that was away from the power lines that are pervasive in the Aviara/Poinsettia region of Carlsbad. Now you are proposing to put up a cell tower that could pose significant health hazards to the residents in the area. This area is densely populated, there is a school nearby, and numerous people go to the park for recreation. Why would you put something that could emit dangerous radiation so close to so many people.

We already have to contend with the lights from the park lighting up our neighborhood until late at night, the increased traffic and parking in our neighborhood (also increased pollution as a result), planes flying overhead or taking off over our houses because there is no enforcement of the rules at the airport. This is another slap in the face to the people in this part of Carlsbad.

Please consider rejecting this proposal and putting it somewhere where there are not so many children and other people.

Thank you,
Silvia Chang

Silvia Chang 760-310-2570

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Kyle Van Leeuwen

From: Mary Crotty <marycrotty4@gmail.com>
Sent: Wednesday, February 1, 2023 9:34 PM
To: Lauren Yzaguirre
Subject: Fwd: 90' Cellular Pole Replacing 78' Light Pole @ Poinsettia Park

I wholeheartedly second all the reasons in this forwarded message to deny this application.

Mary Crotty
6713 Camphor Place
Carlsbad, CA 92011

Begin forwarded message:

From: "AT&T Inc." <cheryllinzey@sbcglobal.net>
Subject: Fw: 90' Cellular Pole Replacing 78' Light Pole @ Poinsettia Park
Date: February 1, 2023 at 9:12:43 PM PST
To: Mary Crotty <marycrotty4@gmail.com>, Dave Steffy <dsteffy@sbcglobal.net>

Please send your objection to Lauren Aguirre at the City of Carlsbad before it's too late!

----- Forwarded Message -----

From: AT&T Inc. <cheryllinzey@sbcglobal.net>
To: lauren.yzaguirre@carlsbadca.gov <lauren.yzaguirre@carlsbadca.gov>
Sent: Wednesday, February 1, 2023 at 09:08:57 PM PST
Subject: 90' Cellular Pole Replacing 78' Light Pole @ Poinsettia Park

The application for CUP2022-0023 should be denied on the basis of the following;

1. The height of the pole and tower will add to a negative view impact for all surrounding homes. We don't want anymore than what is already excessive man made view pollution in our area. The Cellular towers are not pleasant to look at and are a negative impact on home values.
2. RF Radiation Dangers are near residents and will cause children and anyone playing in the park exposed to Dangerous health hazards.

The City of Carlsbad and its elected officials must understand the above and protect the citizens of Carlsbad from the possible and these negative impacts. I realize that the City is looking for revenue flow from AT&T but should not be at the cost of making our area worst for it.

David and Cheryl Linzey
6705 Camphor Place
Carlsbad CA, 92011

Kyle Van Leeuwen

From: Scott Chadwick
Sent: Thursday, March 23, 2023 8:21 AM
To: Eric Lardy; Jeff Murphy
Cc: Geoff Patnoe; Gary Barberio
Subject: FW: Thank you for infrastructure improvements in Carlsbad

Good morning-

Forwarding the below input related to referenced project on poinsettia.

Scott Chadwick
City Manager
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008
www.carlsbadca.gov



[Facebook](#) | [Twitter](#) | [You Tube](#) | [Pinterest](#) | [Enews](#)

From: Dan <dan@dan.pm>
Sent: Thursday, March 23, 2023 12:01 AM
To: Scott Chadwick <Scott.Chadwick@carlsbadca.gov>; Priya Bhat-Patel <Priya.Bhat-Patel@carlsbadca.gov>
Subject: Thank you for infrastructure improvements in Carlsbad

Hello Scott and Priya,

Frank likes to send out mass messages where he BCCs everyone so that nobody can reply and disagree with him. Don't get me started on his opposition to *any* improvements at the airport, which would be a boon to Carlsbad residents and businesses.

Frank says "my neighbors" "are totally against" the project at the park. Well, I'm one of his neighbors and as far as I know, I don't know anyone else who is against this AT&T/Verizon equipment. That area is notoriously poor for good service and in 2023, people rely on connectivity more than ever.

I know you know this, but the science tells us pretty clearly that a) there's no health risk known at this time and b) there are a lot more risks associated with standing in the sun at the park or getting an x-ray from that park-related sports injury. Comparing non-ionizing radiation vs. ionizing radiation is like comparing drinking non-alcoholic beer to drinking Samuel Adams Utopias craft beer (28%) beer.

"Electromagnetic fields (EMFs) are invisible areas of energy caused by electromagnetic radiation being emitted. There are ionizing and nonionizing EMFs. The latter describes low-level radiation, or emission of energy through space and objects. Sources that transmit these waves include phones, computers, Bluetooth devices, power lines and even microwaves. Meanwhile, ionizing EMFs have much higher radiation, with sources including sunlight and x-rays.

The difference between the two matters greatly in terms of health and safety, notes Collins. "In human tissues, ionizing radiation at high enough doses is associated with an increase in cancer, most often skin cancer from the ultraviolet energy in sunlight."

5G operates on two frequencies, the highest of which ranges from 24.25 GHz to 52.6 GHz notes *Frontiers in Public Health*^[1]. "It is at those frequencies that the big gains in speed of data transfer are really expected," says Collins. But he adds that the frequency in which electromagnetic radiation starts to ionize and becomes dangerous is about 3 million GHz, nowhere close to 5G.

While ionizing radiation at high doses may be linked to cancer, both experts say nonionizing radiation has currently not been proven to do the same. Additionally, the Food and Drug Administration's team of medical doctors, scientists and researchers who study radiofrequency reports "the current limit on radiofrequency energy set by the [FCC] remains acceptable for protecting public health." And research published in the *Journal of Exposure Science and Environmental Epidemiology* found "no confirmed evidence that low-level RF fields above 6GHz such as those used by the 5G network are hazardous to human health^[2]." "

Dan

----- Forwarded message -----

From: **Frank Sung** <franksung01@gmail.com>

Date: Wed, Mar 22, 2023 at 10:14 PM

Subject: Why Would City Put HOT SPOTS In City Parks?

To: Scott Chadwick <scott.chadwick@carlsbadca.gov>

Cc: Priya Bhat-Patel <Priya.Bhat-Patel@carlsbadca.gov>

Hi Scott - My neighbors and I are totally against the City putting cellular transmission equipment in Poinsettia Park .. near where people live and children play. We have been working with the Planning Department once we were alerted to the AT&T WCF CUP submission .. only to find out that there's also a Verizon WCF CUP submission in the queue. (see attached picture CUP 2022-0023 & CUP 2021-0002) .. near to each other .. near homes and the children's playground and baseball fields.

This is insane! Why would the City put HOT SPOTS in our beautiful parks near where people live and children play? This is not consistent with the spirit and intent of the City's guidelines on cellular equipment placement (Policy #64). The City does have some leeway in this matter. See what Encinitas just passed >

<https://www.sandiegouniontribune.com/communities/north-county/story/2019-10-31/encinitas-to-ban-5g-wireless-antennas-near-schools-daycares-residences>

Would you please look into how the residents' desires can be blended with the cellular companies goals? What exists today at Calavera Park (4 WCFs clustered) is NOT good planning and is disgraceful. You should take a drive up to the Community Center and see what happened. Please let me know your thoughts. Thx

Frank Sung
Mariners Point HOA Board Member
(m) 760-213-9036

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Kyle Van Leeuwen

From: Kimberly <kdhuston2003@yahoo.com>
Sent: Wednesday, February 1, 2023 7:23 PM
To: Lauren Yzaguirre
Subject: Cell tower planned for Poinsettia Park

Hi Lauren,

I am reaching out today in regards to a notice received from MD7 for installation of a 90 ft cell tower at Poinsettia Park by AT&T.

I do not support this at all. I live one street over from where they want to put that tower and I feel there are other parts of carlsbad they can find that is not as intrusive to the people who live near our park. Here are my reasons:

1. They really don't know what the health risks are. Depends on where you get your information. We are talking about a park with close proximity to a grade school. Just not OK. What are you thinking by considering this?
2. Property Values. Statistics will show that people are less likely to buy a home near power lines. Cell towers are no different. I prefer to not have to worry about that.
3. A 90 ft pool is an eye sore. We want to preserve our beautiful place. People who live on the hill whose homes have views of the ocean and sunsets I'm pretty sure don't want to look through cell towers. Nor do I wish for people who visit from all over the world come and see how we mucked up one of the most beautiful places in the world with towers of antennas. Have some control here. Why do we have to be that kind of city? Find a different spot less conspicuous please.
4. AT&T would just be the start of it. Once they put their up the others follow. It's a given. What are we thinking here? What monster are we really creating. Find a different spot less conspicuous please.
5. Cell towers will be obsolete in the near future. Why do we feel the park is a good place to be a temporary housing place for late technology. AT&T wants to make it easy for them to access our power and resources for energy. That's not OK. Find a different spot less conspicuous please.

I don't feel this is a good plan for our community and the city needs to come up with a different location other than our parks and near our schools.

I will recommend to my HOA board to prepare a letter on behalf of our community that this is not a good place to install a cell tower for reasons above.

Thank you so much. I appreciate your time and consideration.

Kimberly Desmarais

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Kyle Van Leeuwen

From: Kimberly <kdhuston2003@yahoo.com>
Sent: Friday, February 24, 2023 10:42 PM
To: Lauren Yzaguirre; Frank Sung
Cc: ed jago; AT&T Inc.; Michelle Backus; Richard Heimlich; Susan LeClair; Robert Hampton; sharilynschultz1111@gmail.com; Mary Crotty; Christa Ritchie; Kevin Fritz; Tom Rhatigan; Ben Martin; Katherine; Vilas Koinkar; The Hoa; Silvia Chang; Mark Frushone; Aileen Heimlich; dsteffy@sbcglobal.net
Subject: Re: Poinsettia Park Wireless Communication Facility (WCF)

Hello, Agreed. I want to also point out that cell towers this close to residential homes, the park, and school will affect the property values and deter people from buying near a cell tower by as much as 20%.

<https://www.nationalbusinesspost.com/cell-towers-impact-home-values/>

<https://www.businesswire.com/news/home/20140703005726/en/Survey-by-the-National-Institute-for-Science-Law-Public-Policy-Indicates-Cell-Towers-and-Antennas-Negatively-Impact-Interest-in-Real-Estate-Properties>

My suggestion is to find another location in a less densely populated area.

Thank you.

Kimberly Desmarais

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On Friday, February 24, 2023 at 04:11:44 PM PST, Frank Sung <franksung01@gmail.com> wrote:

Hi Lauren - Thank you for beginning to set some boundaries (height and design) on what cellular facilities are to be permitted in the City of Carlsbad. **My neighbors and I OBJECT TO THE LOCATION of this proposed facility at Poinsettia Park.** Carlsbad Council Policy #64 (see below) clearly says that locations of new cellular facilities are to be away from residential areas. This is NOT the case for this proposed facility.

Our parks are a treasure to the community. Children play and people congregate at our parks. Residential neighborhoods are adjacent to our parks. Please have the project applicant identify locations away from our parks .. ie away from where people live and play. Thank you!

Frank Sung
(m) 760-213-9036

A. Location Guidelines for Placement of WCFs (excluding SWFs)

1. Preferred Locations – WCFs are encouraged to locate on existing buildings and structures. In addition, WCFs should be located in the following zones and areas, which are listed in order of descending preference: a. Industrial zones. b. Commercial zones. c. Other non-residential zones, except open space. d. Public right-of-way of roads adjacent to industrial and commercial zones and identified on the map attached as Exhibit A. e. Public property (e.g., city facilities) not in residential areas. f. Major power transmission towers in non-residential zones or areas. g. Public and private utility installations (not publicly accessible) in residential and open space zones (e.g., water tanks, reservoirs, or the existing communication towers near Maerle Reservoir). h. Parks and community facilities (e.g., places of worship, community centers) in residential zones or areas. i. Public right-of-way of roads adjacent to residential zones and identified on the map attached as Exhibit A.

2. Discouraged Locations – WCFs should not locate in any of the following zones or areas unless the applicant demonstrates that alternatives in more-preferred locations are not technically feasible or potentially available as required by Application and Review Guideline E.3. a. Open space zones and lots (except as noted in Location Guideline A.1.). b. Residential zones or areas (except as noted in Location Guideline A.1.). c. Major power transmission towers in corridors located in/or next to a residential zone or area. d. Environmentally sensitive habitat. e. Public right-of-way of roads not identified on the map attached as Exhibit A. f. On vacant land.

3. Visibility to the Public – In all areas, WCFs should be located where least visible to the public and where least disruptive to the appearance of the host property. Furthermore, no WCF should be installed on an exposed ridgeline or in a location readily visible from a public place, recreation area, scenic area or residential area unless it is satisfactorily located and/or screened so it is hidden or disguised.

4. Collocation – Collocating with existing or other planned wireless communication facilities is recommended whenever feasible and appropriate. Service providers are also encouraged to collocate with water tanks, major power transmission and distribution towers, and other utility structures when in compliance with these guidelines. The city must approve collocation applications unless the expansion adds significantly to the height or width of a facility. Dec. 14, 2021 Item #16 Page 16 of 252

5. Monopoles – No new ground-mounted WCF monopoles should be permitted unless the applicant demonstrates no existing monopole, building, or structure can accommodate the applicant's proposed antenna as required by Application and Review Guideline E.4.

On Tue, Feb 14, 2023 at 2:22 PM Lauren Yzaguirre <Lauren.Yzaguirre@carlsbadca.gov> wrote:

Good Afternoon,

Kyle Van Leeuwen

From: Kevin Fritz <kf99@nethere.net>
Sent: Monday, February 6, 2023 1:24 PM
To: Lauren Yzaguirre
Subject: Poinsettia Park proposed cell tower / No vote

Dear Lauren,

I am strongly opposed to installing a new cell tower at Poinsettia Park for the following reasons.

1. RF transmissions create a health hazard to my family and neighbors living in close proximity.
2. No one wants to live next to a large tower. This will negatively affect the surrounding property values. Better cell coverage does not increase property value.
3. The proposed design is a very large commercial cell site. This size is too big to just improve service to the immediate neighborhoods. This is a large revenue source for ATT and the city but the surrounding neighbors receive nothing of benefit.
4. Extending the light standard and adding dozens of antennas creates an eyesore. ATT proposed no mitigation to otherwise disguise the structure.
5. The extra tall pole height will probably have a bright beacon light at night due to its close proximity to the airport. This will be a nuisance to surrounding neighbors.
6. The extra tall pole is in the landing path of Lifelight or REACH emergency helicopter when they land on the soccer field. This creates a much more dangerous landing approach for this necessary service, especially at night.
7. There is an Osprey nest less than 150' from the proposed tower. Is it fair to expose this wildlife to same RF radiation too? Who speaks for that nesting pair?
8. We were promised by city officials that when this latest park improvements (dog park, pickleball, new playground, new bathrooms) that the park was, "built out" and no further construction would occur.

Thank you for collecting our feedback.

Kevin and Ellen Fritz
1002 Beacon Bay Dr.

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Kyle Van Leeuwen

From: Mark Frushone <mjfrushone@gmail.com>
Sent: Sunday, February 5, 2023 7:25 AM
To: Lauren Yzaguirre
Subject: Proposed cell tower, Poinsettia Park

Good morning

As a father of two younger children, who o. en play sports at poinsettia park. I am not in favor of placing a cell tower so close to there a developing brains.

One of the benefits of living in Carlsbad is our wonderful public services.

In my opinion, the long term affects of RV and UV have not fully been realized.

I oppose putting the new cell tower in poinsettia park.

Mark

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Kyle Van Leeuwen

From: Nora George <norageorge7@gmail.com>
Sent: Tuesday, February 21, 2023 7:20 PM
To: Lauren Yzaguirre
Subject: Re: Proposed cell tower at Poinsettia Park

Hello Lauren,

Wow, I am very surprised the city has no power to prevent this from being installed in a highly populated area. Can the city request the proposed location to be moved to an area further away from homes, thus, minimizing RF exposure to nearby residents? As you can see, it is VERY close to our property line. In fact, all the properties on Beacon Bay Drive share a green easement with the park - THAT is how close we are. Even to the geographical center of the park would be better. Would it be possible for you to send me a copy of the RF Electromagnetic Energy Jurisdictional Report showing the applicant as compliant? It is good to hear the applicant is willing to work with the public; however, a shorter tower would bring the radiation closer to people. Safety should always take precedence over aesthetics. Thanks for all your information.

Kind regards,

Nora J George

Arts Commissioner
City of Carlsbad
California
(760)930-0065
(619)252-5136 text

On Feb 21, 2023, at 11:27 AM, Lauren Yzaguirre <Lauren.Yzaguirre@carlsbadca.gov> wrote:

Hi Ms. George,

Thank you for providing your comments. I am taking over this project until Kyle returns.

The Federal Communication Commission (FCC) regulated radio frequency (RF) emissions. By federal law, the city is prohibited from regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency (RF) emissions, if the facilities comply with the Federal Communication Commission's (FCC) regulations concerning RF emissions. The applicant has submitted a Radio Frequency - Electromagnetic Energy Jurisdictional Report to show compliance with FCC regulations.

The initial application included a total of 15 antennas (5 per sector, 3 sectors).

The city has received a number of concerns from the community regarding the initial design and height of the tower. As result, the city has encouraged the applicant to redesign the project. The applicant is currently working on a new design, so the number of antennas and the RF Electromagnetic Energy Jurisdictional Report may change with a new design.

Please see the blue marker in the aerial below for the approximate location of the proposed wireless site.

Kyle Van Leeuwen

From: Nora George <norageorge7@gmail.com>
Sent: Monday, February 20, 2023 5:50 PM
To: Kyle Van Leeuwen
Cc: Priya Bhat-Patel
Subject: Proposed cell tower at Poinsettia Park

Hello Kyle,

Our neighborhood has received correspondence on a proposed cellphone tower at Poinsettia Park and we are extremely concerned about the health issues and drop in housing values that come with such towers. In short, this is a HUGE danger to our youth, their parents and the many residents that regularly use this park. I'm sure you are familiar with the basic and minimal safety requirements for such towers and the homes on Beacon Bay Drive, nor the many ball courts at Poinsettia Park, are NOT at the standard and minimal distance of a quarter mile. Please provide me with specific information on the unit that is being proposed and of the radio frequency and EMFs that it will emit. You know the health and economic dangers of this project so I will not bother at this point to list them.

Fortunately, we live in a neighborhood full of engineers, scientists, medical doctors and teachers that each have valid and serious concerns in their respective fields and we are prepared to prevent this project from coming to fruition. I am confident in staff's ability to find alternative sites for this cell tower, such as the golf course or water tower (both on higher ground), away from so many vulnerable residents and park users.

Thank you much for your assistance.

Kind regards,

Nora J George

Arts Commissioner
City of Carlsbad
California
(760)930-0065
(619)252-5136 text

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Kyle Van Leeuwen

From: Nora George <norageorge7@gmail.com>
Sent: Friday, March 3, 2023 1:26 PM
To: Eric Lardy
Cc: Priya Bhat-Patel; Lauren Yzaguirre; Kyle Lancaster; Kyle Van Leeuwen
Subject: Proposed cell tower at Poinsettia Park

Dear Eric,

I live adjacent to Poinsettia Park so I share the plethora of concerns over the proposed cell phone tower at Poinsettia Park with my community ranging from potential health concerns to devaluation of property values. I urge you and your staff to find an alternative location for such tower that is not so close to housing and not in the middle of our busiest active park. My biggest (of many) three concerns are as follow:

1. City officials have gone through the trouble of creating and adopting City Council Policy 64 yet staff is not adhering to the policy's "preferred" and "discouraged" locations for such towers. Under "preferred", section A1(h), parks and residential zones are ranked as the penultimate choice. Under "discouraged", section A2(b), parks and residential zones are ranked as the second most discouraged. Clearly, there is a disparity.
2. The RF Electromagnetic Energy Jurisdictional Report, page 8, states that the "report was prepared for the use of AT&T Mobility, LLC to meet requirements outlined in AT&T's corporate RF safety guidelines". It further states that the modeling methodology including inputs and parameters were dictated by AT&T; moreover, a statistical reduction of "the power to 32% of maximum theoretical power" was used to achieve favorable results. I also question if the modeling took in consideration the amount of metals surrounding the proposed location - smack in the middle of multiple ball fields with lots of fencing. I realize that there are certain industry accepted standards and factors when it comes to modeling but for AT&T to dictate their own criteria seems self-serving and dangerous. It would behoove the city to exercise some due diligence.
3. I understand that the consultant is attempting to appease community concerns with a "stealth" design similar to what is present at Calaveras Park; however, that design involves using a shorter pole which brings the radiation closer to the ground. This design is counterintuitive to addressing community concerns which, essentially, revolve around the unknown long term affects of RFs which manifest as social concerns vis-à-vis visual reminders of potential health concerns leading to decreased property values.

Ms. Yzaguirre has done an excellent job of fielding community concerns and providing us with information. I am confident that you, Eric, and your staff will find an alternative location that is not so close to residents, park users, and schools that will prove satisfactory with AT&T as well as the community you serve. Many thanks!

Kind regards,

Nora J George
Arts Commissioner
City of Carlsbad
California
(760)930-0065
(619)252-5136 text

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Kyle Van Leeuwen

From: Robert Hampton <thesouthhamptons@gmail.com>
Sent: Tuesday, February 7, 2023 8:17 PM
To: Lauren Yzaguirre
Subject: Cell Tower at Poinsettia Park

Dear Lauren,

I live behind Poinsettia Park and feel very concerned about the proposed cell tower. This seems way to close to schools, playgrounds, sports fields and houses to be safe. From what I read, there is not definitive research on the long term exposure from RF waves. There can't be, since this technology is so new. So why would we want to risk having this tower installed some place where so many children spend so much time? I know that when my kids were playing sports our entire family spent hours at their practices/events every week. Multiply that by 3 kids and over 15 years of sports, that is a lot of exposure. Not to mention the houses, and school and pre school that are near by. There must be a better location with more open space around it. Thankfully, Carlsbad has so much open space. It seems an odd choice to put this right in the middle of a park.

I used to work for a chemical production company in the computer chip industry. We regularly had safety trainings and had to read MSDS sheets. One piece of safety advice I always remember was that we never want to get close to the recommended exposure limits. Because anytime the exposure limits changed, it was always because the existing limits were too high.

I look forward to hearing that a safer location has been found for this tower.

Sincerely,
Anne Hampton

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Kyle Van Leeuwen

From: Aileen Heimlich <treasuresfound1995@yahoo.com>
Sent: Wednesday, March 22, 2023 1:50 PM
To: Eric Lardy; Kyle Van Leeuwen; Curtis Jackson; Cliff Jones; Shared Building; Scott Chadwick; Kyle Lancaster
Cc: Priya Bhat-Patel
Subject: Poinsettia Park AT&T and Verizon Wireless Cell Facility (WCF) Tower CUPs

Follow Up Flag: Follow up
Flag Status: Completed

Greetings Staff:

As there are now two WCF proposals awaiting approval, we are concerned that they may be approved without intentional consideration of Policy 64 with THE purpose "to GUIDE the public, applicants, boards and commissions and staff in reviewing the placement, construction, and modifications of WCFs." We are concerned, as well, that other WCF applicants may propose installation at this park.

Poinsettia Park serves as a major recreational feature of the city with many children and adults recreating there on a daily basis. There are several neighborhoods as well as Pacific Rim Elementary School with a large playfield in close proximity to the park. Additionally, there is an osprey nest on a light post within 150 feet of the two proposed locations which has been utilized two years in a row, having produced two chicks that matured last year, and the return of the ospreys to reinforce their nest and utilize it again this year. The osprey had built a nest three years ago in the same location but it was removed.

Two of the goals of Policy 64 are to protect the health, safety and welfare of the public as well as to encourage location of such facilities away from residential and other sensitive areas. In conjunction with the goals, The Federal Telecommunications Act of 1996 preserves a city's ability to regulate the placement of wireless communication facilities as there is to be no gap in coverage and states that no entity can prevent the completion of a network. We appreciate that the City tightened up Policy 64 after the construction of four WCFs at Calavera Park in close proximity to homes and within a well-utilized park.

We have several questions for which we would appreciate responses that shed some light as to why a park location is more preferential to the applicants contrary to Policy 64's purpose and goals? Where is the City's guidance in this regard other than to ask for analysis(es) of other more preferred locations?

The permit process in Policy 64 clearly states that "new WCFs are allowed in the public right-of-way- of roads (ROW) subject to the requirements" of said Policy. Additionally, Policy 64 lists 7 more preferred locations than one adjacent to residences/sensitive areas. Have the applicants analyzed and demonstrated that alternatives in more-preferred locations have been proven not technically feasible or available?

What is the documentation AT&T has provided that the locations for CUP 2021-002 and CDP 2021-001 are not feasible? We request a copy of said documentation.

As the FCC requires environmental review for a selected site and ospreys return to the same nest year after year, how and when is the applicant held responsible to the guidelines set forth by the FCC? We now wonder if future applicants should be required to submit such an analysis as part of the application process so as not to simply pick the easiest potential location.

It is our understanding that "(FCC) rules impose enforceable duties on licensees/applicants in order to meet NEPA obligations." As the nearby environment is residential and riparian with federally threatened California Coastal Gnatcatchers and (Audubon endangered species) ospreys returning regularly to a previously utilized nest, has an analysis taken place as to potential effects on the environment and the wildlife living there? IF not, when will this analysis take place?

Have total RF emissions from the Hidden Valley Road 5G facility as well as both proposed locations at Poinsettia Park been taken into consideration in conjunction with other (possible) nearby existing locations?

Thank you for the opportunity to be involved in the decision-making process of this matter, for our community as well as for other Carlsbad communities.

Respectfully,

Aileen and Richard Heimlich

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Kyle Van Leeuwen

From: Richard Heimlich <rheimlich@icloud.com>
Sent: Wednesday, February 8, 2023 10:49 AM
To: Lauren Yzaguirre
Cc: Eric Lardy
Subject: AT&T cell tower at Poinsettia Park

Hi Lauren and Eric - as a resident of Mariner's Point I am opposed to this tower in Poinsettia park near my house.

It should be put in business zone along Paseo Del Norte to the northwest. Higher elevation there better for cell coverage.

Doesn't belong where kids play and adults gather every day with RF dangers. It is proposed next to baseball field where we host Jazz in the Park, TGIF series.

Also proposed to go 90 feet because location is in a valley. Taller than existing playing field light towers. Visual pollution as well is an issue for us whose view looks to the park.

Thanks for your consideration,

Richard Heimlich
6729 Tea Tree St
Carlsbad, Ca 92011
619-301-2433

Sent from my iPhone

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Kyle Van Leeuwen

From: Vilas Koinkar <vkoinkar@yahoo.com>
Sent: Sunday, February 5, 2023 8:50 AM
To: Lauren Yzaguirre
Cc: The Hoa
Subject: Proposed Cell Tower at Poinsettia Park

Dear Lauren,

We own a home in Poinsettia Cove, you are posing a serious health risk to our neighborhood and people in park from RF radiations by installing cell towers right in our back yard. We strongly vote against this proposed cell tower project.

Best Regards,
Vilas Koinkar, Ph. D.
Seema Koinkar

Sent from my iPhone

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Kyle Van Leeuwen

From: Susan LeClair <sleclair@wccmonitoring.com>
Sent: Monday, February 6, 2023 4:35 PM
To: Lauren Yzaguirre
Subject: ATT Cell Tower at Poinsettia Park

Hello Lauren

I am emailing to note that I and my husband, residents of mariner's Point for the last 5 years and prior to that 25 year residents at The Cove are 100 percent opposed to the proposition for a new cell tower at Poinsettia Park. Please advise if there is anyone else I should contact in regards to this matter. Thank you.

Regards,

Susan E. LeClair

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Kyle Van Leeuwen

From: AT&T Inc. <cheryllinzey@sbcglobal.net>
Sent: Wednesday, February 1, 2023 9:09 PM
To: Lauren Yzaguirre
Subject: 90' Cellular Pole Replacing 78' Light Pole @ Poinsettia Park

The application for CUP2022-0023 should be denied on the basis of the following;

1. The height of the pole and tower will add to a negative view impact for all surrounding homes. We don't want anymore than what is already excessive man made view pollution in our area. The Cellular towers are not pleasant to look at and are a negative impact on home values.

2. RF Radiation Dangers are near residents and will cause children and anyone playing in the park exposure to Dangerous health hazards.

The City of Carlsbad and its elected officials must understand the above and protect the citizens of Carlsbad from the possible and these negative impacts. I realize that the City is looking for revenue flow from AT&T but should not be at the cost of making our area worse for it.

David and Cheryl Linzey
6705 Camphor Place
Carlsbad CA, 92011

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Kyle Van Leeuwen

From: Ben Martin <benslens1@yahoo.com>
Sent: Tuesday, February 7, 2023 12:09 PM
To: Lauren Yzaguirre
Subject: Opposition to MD7 cell phone tower proposal

Attn: Lauren Yzaguirre
Associate Planner
Community Development Department
1635 Faraday Ave.
Carlsbad, CA 92008
442-339-2634 direct

Hello Lauren,

Thank you for listening and being an advocate for the people. I am writing this letter as a concerned resident owning 6713 Whitesail St. .

A recent notification letter had been sent out to anyone within a 600 foot radius of a proposed permit by "MD7" - Application number CUP2022-0023 space project name CALO1850 Poinsettia park new site build (no mention of a cell tower) regarding a cell tower to be built on the southern portion of the Poinsettia park property.

To keep this brief and clear we are opposed to this proposal. The reasons for opposing would be the fact that it's near our residence as well as the fact that it would be in a public space that is constantly occupied by hundreds of all ages and animals. Everybody's proximity to equipment like this has been proven to have negative impacts. Not only is this proposed in a public park, but in one of the most regularly and densely populated areas of the park, right in between two sports fields. Additionally, I do not understand why projects like this are even considered in areas like a large public park when there are streets like Avenida Encinas (specifically where the water treatment plant is located) or golf courses/ country clubs that would have no problem housing projects like this and have minimal impact on any surrounding areas.

A resounding and definite opposition would be our voice regarding MD7's proposal.

We trust that you will do what is needed to prevent sneaky non transparent deals like this from taking place. Please keep us updated.

Community development
not corporate! :)

Thank you,

Ben Martin & Family

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Kyle Van Leeuwen

From: Gianlorenzo Masini <gianlorenzo.masini@gmail.com>
Sent: Sunday, February 26, 2023 10:10 PM
To: Lauren Yzaguirre
Subject: concerns about new cell phone tower plan in Poinsettia Park

Dear Ms. Yzaguirre,

We are residents of the Cove HOA and we are writing to express our strong opposition to the planned installation of a new cell phone tower in the Poinsettia Park, in close proximity to the Pacific Rim Elementary school campus and in a densely developed residential area.

First, we believe the chosen location does not match the recommendation clearly expressed in CCC Policy 64, A. 1. which lists "Parks and Community facilities" as the second last preferred place (in a list of 9), and residential areas in general as a "discouraged location". If indeed this is a last resort choice, the motivation should be abundantly supported by documentation on which more preferable (in the sense of the cited document) alternative sites have been considered and discarded. We have not seen this.

In addition, the result of the technical evaluation of the level of exposure in the neighborhood of the antenna shows that at the antenna level, an area of approximately 96' around the tower is actually potentially passing the limits for general public. This is likely considered safe because of the height of the antenna but it is not clear how the significant difference in ground levels the surrounding developments have been taken into account in this assessment. Also the simulation does not seems to take into account the presence of other metal structures (light poles, metal fences of the baseball fields) in the vicinity of the antenna that could change the radiation shape by reflection and focusing. Moreover the calculation has been performed using a "32% of maximum theoretical power" factor as suggested by AT&T (pag.8). Since AT&T is the customer for this report it would be probably good to double check this de-rating value with a third party for consistency.

I know the concerns expressed above are shared by numerous members of our community, and I hope this Administration will help us to convince the interested Company to revisit their choice and found a more appropriate location.

With best regards,
Gianlorenzo Masini and Gabriella Maiello

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Kyle Van Leeuwen

From: Bryan Phillips <bryan.g.phillips@sbcglobal.net>
Sent: Saturday, February 25, 2023 4:23 PM
To: Lauren Yzaguirre
Subject: Poinsettia Park Wireless Communication Facility (WCF)
Attachments: cell tower location in Feb2023 notification mail.jpeg

Dear Ms. Yzaguirre:

This email to to express my objection to the proposed installation location of the Poinsettia Park Wireless Communication Facility (WCF) cellular tower. It is my hope that the City of Carlsbad will take measures to locate this tower elsewhere, away from concentrated, young populations.

My concerns extend beyond the three, below, but I will remain brief:

- 1) The cell tower being installed near a school (Pacific Rim Elementary) and directly in a (highly populated) park.
- 2) Old map used to notify surrounding residents: The surrounding residents were notified late Jan / early Feb 2023 via USPS mail of the application which contained a 1994 Thomas Bros map for tower location that conveniently did not show the park nor school in the proposed location (attached). In my opinion, the omission of the park and school by using a 29 year old map seems highly suspect.
- 3) Per CCC Policy 64, A.1., the applicant is resorting to nearly the last preferred location out of 9 (8th, "h. Parks and community facilities").

Thank you for your attention. Your help will be greatly appreciated.

Bryan Phillips
1035 Beacon Bay Drive
Carlsbad, CA 92011
7605858050

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Kyle Van Leeuwen

From: Scott Chadwick
Sent: Thursday, March 23, 2023 8:17 AM
To: Jeff Murphy; Eric Lardy
Cc: Gary Barberio; Geoff Patnoe
Subject: FW: Poinsettia Park AT&T and Verizon Wireless Cell Facility (WCF) Tower CUPs

Forwarding along the input that was sent to me related to this project.

Scott Chadwick
City Manager
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008
www.carlsbadca.gov



[Facebook](#) | [Twitter](#) | [You Tube](#) | [Pinterest](#) | [Enews](#)

From: josette pyper <josettepyper@hotmail.com>
Sent: Wednesday, March 22, 2023 10:14 PM
To: Scott Chadwick <Scott.Chadwick@carlsbadca.gov>
Cc: Priya Bhat-Patel <Priya.Bhat-Patel@carlsbadca.gov>
Subject: Poinsettia Park AT&T and Verizon Wireless Cell Facility (WCF) Tower CUPs

Greetings Staff:

As there are now two WCF proposals awaiting approval, we are concerned that they may be approved without intentional consideration of Policy 64 with THE purpose "to GUIDE the public, applicants, boards and commissions and staff in reviewing the placement, construction, and modifications of WCFs." We are concerned, as well, that other WCF applicants may propose installation at this park.

Poinsettia Park serves as a major recreational feature of the city with many children and adults recreating there on a daily basis. There are several neighborhoods as well as Pacific Rim Elementary School with a large playfield in close proximity to the park. Additionally, there is an osprey nest on a light post within 150 feet of the two proposed locations which has been utilized two years in a row, having produced two chicks that matured last year, and the return of the ospreys to reinforce their nest and utilize it again this year. The osprey had built a nest three years ago in the same location but it was removed.

Two of the goals of Policy 64 are to protect the health, safety and welfare of the public as well as to encourage location of such facilities away from residential and other sensitive areas. In conjunction with the goals, The Federal Telecommunications Act of 1996 preserves a city's ability to regulate the placement of wireless communication facilities as there is to be no gap in coverage and states that no entity can prevent the completion of a network. We appreciate that the City tightened up Policy 64 after the construction of four WCFs at Calavera Park in close proximity to homes and within a well-utilized park.

We have several questions for which we would appreciate responses that shed some light as to why a park location is more preferential to the applicants contrary to Policy 64's purpose and goals? Where is the City's guidance in this regard other than to ask for analysis(es) of other more preferred locations?

The permit process in Policy 64 clearly states that "new WCFs are allowed in the public right-of-way- of roads (ROW) subject to the requirements" of said Policy. Additionally, Policy 64 lists 7 more preferred locations than one adjacent to residences/sensitive areas. Have the applicants analyzed and demonstrated that alternatives in more-preferred locations have been proven not technically feasible or available?

What is the documentation AT&T has provided that the locations for CUP 2021-002 and CDP 2021-001 are not feasible? We request a copy of said documentation.

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It is our understanding that "(FCC) rules impose enforceable duties on licensees/applicants in order to meet NEPA obligations." As the nearby environment is residential and riparian with federally threatened California Coastal Gnatcatchers and (Audubon endangered species) ospreys returning regularly to a previously utilized nest, has an analysis taken place as to potential effects on the environment and the wildlife living there? IF not, when will this analysis take place?

Have total RF emissions from the Hidden Valley Road 5G facility as well as both proposed locations at Poinsettia Park been taken into consideration in conjunction with other (possible) nearby existing locations?

Thank you for the opportunity to be involved in the decision-making process of this matter, for our community as well as for other Carlsbad communities.

Respectfully,

Josette Pyper
josettepyper@hotmail.com

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Kyle Van Leeuwen

From: Tom Rhatigan <rhatigantom62@gmail.com>
Sent: Sunday, February 5, 2023 3:29 PM
To: Lauren Yzaguirre
Subject: Poinsettia Park cell tower

Hello, I live on Beacon Bay Drive and want to let you know that my wife and I are in favor of the new cell tower in the park We've never had any decent reception on our phones and are hopeful that will improve with the new tower. We have been getting emails and texts from people who do NOT live in our neighborhood to vote down the tower. They obviously have never had cellphone reception problems but still want to have a say in what is happening in OUR neighborhood.

Thank you for trying to help our community. I hope this email in the affirmative is more of the majority than the minority.

Tom Rhatigan

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Kyle Van Leeuwen

From: Christa Ritchie <christamritchie@gmail.com>
Sent: Sunday, February 5, 2023 9:06 PM
To: Lauren Yzaguirre
Subject: I oppose the cell tower in Poinsettia Park

To whom this may concern,

I am a homeowner here in Carlsbad. I live in the Cove neighborhood at 6709 Whitesail St. . I live with my husband and small baby. I strongly oppose the proposed cell tower to our neighboring park, Poinse. a park. I am extremely uncomfortable knowing something that can harm the health of me and my growing family could be right next to us. We moved here because of the park, elementary school and family lifestyle. Please for the sake of the families in this area, do not build something so horrid to our health. Especially the young who will be most greatly impacted. Please read more studies about the effect these cell towers have on communities. It is not worth it. It will greatly devalue our area. Consider the impact it will have on YOUR community. Health is far greater than money and convenience.

Thank you,

Christa Ritchie
858-472-4583

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Kyle Van Leeuwen

From: Christa Ritchie <christamritchie@gmail.com>
Sent: Sunday, February 26, 2023 7:28 AM
To: Lauren Yzaguirre
Subject: Relocate the Cell Tower

Hi Lauren,

My plead was not taken into account when I emailed. It is important for you to listen to the taxpayers who LIVE in the area where this cell tower is proposed to go.

As I'm sure you have been made very aware, our children live, play, and attend school in the very area this proposed cell tower would go. Is there no other location? Is the city really "selling out" at the cost of our youth? There are several provisions we, the taxpayers, have been made aware of regarding the placements of these poles. It is very clear this shouldn't even have been entertained as an option for its proposed location. Now the people are having to fight back in order to protect the youth. The LAST place should NOT be in a residential location.

Shame on the city for going against its own provisions. Those provisions were made for a reason. I find it hard to believe that there would be no better place for this pole. I ask that the city do its due diligence and do what's morally right. I ask that the city **relocate the proposed cellular antenna pole away from nearby residential homes and children at the park and pac rim elementary.**

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Kyle Van Leeuwen

From: Sharilyn Schultz <sharilyschultz1111@gmail.com>
Sent: Monday, January 30, 2023 2:14 PM
To: HThomasJr@md7.com; Kyle Van Leeuwen
Subject: Proposed cell tower at Poinsettia Park

Good afternoon,

I am a Carlsbad resident who lives directly across the street from Poinsettia Park, and I am writing you to express my emphatic DISAPPROVAL of the installation of this cell tower.

The specific reason for my disapproval is my extreme concern over EMF exposure. As you are aware, these cell towers emit a large amount of EMF radiation, which has direct negative effects on our bodies. I do not want myself, my family, or anyone else exposed to such radiation 24/7.

Thank you for taking the health risks into account as you move forward. I am hopeful that you will make the decision that is best for everyone's well being, rather than profit.

Sincerely,

Sharilyn Schultz

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Kyle Van Leeuwen

From: Sharilyn Schultz <sharilyschultz1111@gmail.com>
Sent: Friday, February 24, 2023 9:45 PM
To: Susan LeClair
Cc: AT&T Inc.; Aileen Heimlich; Ben Martin; Christa Ritchie; Frank Sung; Katherine; Kevin Fritz; Kimberly; Lauren Yzaguirre; Mark Frushone; Mary Crotty; Michelle Backus; Richard Heimlich; Robert Hampton; Silvia Chang; The Hoa; Tom Rhatigan; Vilas Koinkar; dsteffy@sbcglobal.net; ed jago
Subject: Re: Poinsettia Park Wireless Communication Facility (WCF)

I agree as well!!

On Fri, Feb 24, 2023 at 7:38 PM Susan LeClair <sleclair@wccmonitoring.com> wrote:
Absolutely agree!!!!

Susan LeClair

Sent from my iPhone

On Feb 24, 2023, at 4:11 PM, Frank Sung <franksung01@gmail.com> wrote:

Hi Lauren - Thank you for beginning to set some boundaries (height and design) on what cellular facilities are to be permitted in the City of Carlsbad. My neighbors and I **OBJECT TO THE LOCATION** of this proposed facility at Poinsettia Park. Carlsbad Council Policy #64 (see below) clearly says that locations of new cellular facilities are to be away from residential areas. This is NOT the case for this proposed facility.

Our parks are a treasure to the community. Children play and people congregate at our parks. Residential neighborhoods are adjacent to our parks. Please have the project applicant identify locations away from our parks .. ie away from where people live and play. Thank you!

Frank Sung
(m) 760-213-9036

A. Location Guidelines for Placement of WCFs (excluding SWFs)

1. Preferred Locations – WCFs are encouraged to locate on existing buildings and structures. In addition, WCFs should be located in the following zones and areas, which are listed in order of descending preference: a. Industrial zones. b. Commercial zones. c. Other non-residential zones, except open space. d. Public right-of-way of roads adjacent to industrial and commercial zones and identified on the map attached as Exhibit A. e. Public property (e.g., city facilities) not in residential areas. f. Major power transmission towers in non-residential zones

or areas. g. Public and private utility installations (not publicly accessible) in residential and open space zones (e.g., water tanks, reservoirs, or the existing communication towers near Maerkle Reservoir). h. Parks and community facilities (e.g., places of worship, community centers) in residential zones or areas. i. Public right-of-way of roads adjacent to residential zones and identified on the map attached as Exhibit A.

2. Discouraged Locations – WCFs should not locate in any of the following zones or areas unless the applicant demonstrates that alternatives in more-preferred locations are not technically feasible or potentially available as required by Application and Review Guideline E.3. a. Open space zones and lots (except as noted in Location Guideline A.1.). b. Residential zones or areas (except as noted in Location Guideline A.1). c. Major power transmission towers in corridors located in/or next to a residential zone or area. d. Environmentally sensitive habitat. e. Public right-of-way of roads not identified on the map attached as Exhibit A. f. On vacant land.

3. Visibility to the Public – In all areas, WCFs should be located where least visible to the public and where least disruptive to the appearance of the host property. Furthermore, no WCF should be installed on an exposed ridgeline or in a location readily visible from a public place, recreation area, scenic area or residential area unless it is satisfactorily located and/or screened so it is hidden or disguised.

4. Collocation – Collocating with existing or other planned wireless communication facilities is recommended whenever feasible and appropriate. Service providers are also encouraged to collocate with water tanks, major power transmission and distribution towers, and other utility structures when in compliance with these guidelines. The city must approve collocation applications unless the expansion adds significantly to the height or width of a facility. Dec. 14, 2021 Item #16 Page 16 of 252

5. Monopoles – No new ground-mounted WCF monopoles should be permitted unless the applicant demonstrates no existing monopole, building, or structure can accommodate the applicant's proposed antenna as required by Application and Review Guideline E.4.

On Tue, Feb 14, 2023 at 2:22 PM Lauren Yzaguirre <Lauren.Yzaguirre@carlsbadca.gov> wrote:

Good Afternoon,

Kyle Van Leeuwen

From: Kyle Van Leeuwen
Sent: Monday, November 20, 2023 11:23 AM
To: Kyle Van Leeuwen
Subject: FW:

From: Cameron St.Clair <cstclair@rincongrp.com>
Sent: Wednesday, November 1, 2023 12:36 PM
To: Planning <Planning@CarlsbadCA.gov>
Subject:

Planning Commissioners,

With the lack of evidence on 5G cell towers I strongly urge the planning commission to deny the application to allow a 5G cell tower on the New Song Church property. These towers should not be put in our neighborhoods or near schools. It is the responsibility of the commissioners to keep our neighborhoods safe.

Thank you,

Cameron St.Clair
Owner of a property on Adams Street

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Kyle Van Leeuwen

From: Frank Sung <franksung01@gmail.com>
Sent: Friday, February 24, 2023 4:11 PM
To: Lauren Yzaguirre
Cc: ed jago; AT&T Inc.; Michelle Backus; Richard Heimlich; Susan LeClair; Robert Hampton; Kimberly; sharilynschultz1111@gmail.com; Mary Crotty; Christa Ritchie; Kevin Fritz; Tom Rhatigan; Ben Martin; Katherine; Vilas Koinkar; The Hoa; Silvia Chang; Mark Frushone; Aileen Heimlich; dsteffy@sbcglobal.net
Subject: Re: Poinsettia Park Wireless Communication Facility (WCF)

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(m) 760-213-9036

A. Location Guidelines for Placement of WCFs (excluding SWFs)

1. Preferred Locations – WCFs are encouraged to locate on existing buildings and structures. In addition, WCFs should be located in the following zones and areas, which are listed in order of descending preference: a. Industrial zones. b. Commercial zones. c. Other non-residential zones, except open space. d. Public right-of-way of roads adjacent to industrial and commercial zones and identified on the map attached as Exhibit A. e. Public property (e.g., city facilities) not in residential areas. f. Major power transmission towers in non-residential zones or areas. g. Public and private utility installations (not publicly accessible) in residential and open space zones (e.g., water tanks, reservoirs, or the existing communication towers near Maerkle Reservoir). h. Parks and community facilities (e.g., places of worship, community centers) in residential zones or areas. i. Public right-of-way of roads adjacent to residential zones and identified on the map attached as Exhibit A.

2. Discouraged Locations – WCFs should not locate in any of the following zones or areas unless the applicant demonstrates that alternatives in more-preferred locations are not technically feasible or potentially available as required by Application and Review Guideline E.3. a. Open space zones and lots (except as noted in Location Guideline A.1.). b. Residential zones or areas (except as noted in Location Guideline A.1). c. Major power transmission towers in corridors located in/or next to a residential

zone or area. d. Environmentally sensitive habitat. e. Public right-of-way of roads not identified on the map attached as Exhibit A. f. On vacant land.

3. Visibility to the Public – In all areas, WCFs should be located where least visible to the public and where least disruptive to the appearance of the host property. Furthermore, no WCF should be installed on an exposed ridgeline or in a location readily visible from a public place, recreation area, scenic area or residential area unless it is satisfactorily located and/or screened so it is hidden or disguised.

4. Collocation – Collocating with existing or other planned wireless communication facilities is recommended whenever feasible and appropriate. Service providers are also encouraged to collocate with water tanks, major power transmission and distribution towers, and other utility structures when in compliance with these guidelines. The city must approve collocation applications unless the expansion adds significantly to the height or width of a facility. Dec. 14, 2021 Item #16 Page 16 of 252

5. Monopoles – No new ground-mounted WCF monopoles should be permitted unless the applicant demonstrates no existing monopole, building, or structure can accommodate the applicant's proposed antenna as required by Application and Review Guideline E.4.

On Tue, Feb 14, 2023 at 2:22 PM Lauren Yzaguirre <Lauren.Yzaguirre@carlsbadca.gov> wrote:

Good Afternoon,

I am reaching out to you in response to your expressed concerns about the proposed Poinsettia Wireless Communication Facility (CUP2022-0023) located in Poinsettia Park at 6600 Hidden Valley Road. I would like to draw your attention to the attached second review letter for this project.

The concerns expressed by the community have been taken into consideration by staff. As a result, the applicant has been presented with the following two options:

1. Withdraw the project and resubmit a new application featuring a redesigned structure that incorporates a stealth design, with the replacement pole being limited in height to that of the existing pole.
2. Proceed with the current application as proposed, providing additional documentation to support the request. The applicant has been advised that although a decision has not been determined, in this scenario the city could recommend denial to the decision-making body (Planning Commission) at the public hearing.

Please review the attached documentation and contact me directly should you have any questions or concerns.

Kyle Van Leeuwen

From: Laura Leigh Wantz <lauraleighwantz2021@gmail.com>
Sent: Sunday, February 26, 2023 6:38 PM
To: Lauren Yzaguirre
Cc: Priya Bhat-Patel
Subject: Re: Proposed cell phone tower

Dear Ms. Yzaguirre:

We want to thank you for telling MD7/AT&T to lower the cell pole height and to add a stealth design at Poinsettia Park.

Please have them relocate the proposed cell pole far away from where people live and where our child play and out of the visual line of the upslope neighborhood.

It is inappropriate to locate these facilities so close to homes and youth sports fields and our local elementary school.

Please keep in mind that, since there has been no new developments in this neighborhood, there is no real need for additional cell service.

Thank you.

Jim and Laura Wantz
6713 Tea Tree Street
Carlsbad

Email: LauraLeighWantz2021@gmail.com
Cell: 949/322-4673
Landline: 760/448-5243

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CORRESPONDENCE FOR CUP 2022-0023 / CDP 2022-0070 Exhibit 2
(DEV2022-0206) Poinsettia Park WCF (AT&T):

From: [Planning](#)
To: [Cynthia Vigeland](#)
Subject: FW: Carlsbad Village Square/State St. & Carlsbad Village Drive
Date: Monday, January 8, 2024 8:10:51 AM

From: Joan Lynn <joanrl@roadrunner.com>
Sent: Saturday, January 6, 2024 2:21 PM
To: Planning <Planning@CarlsbadCA.gov>
Subject: Carlsbad Village Square/State St. & Carlsbad Village Drive

To: Carlsbad Planning Commission

Re: Carlsbad Village Square

During a recent walk through the Village, I saw a Notice of Project Application regarding the Shipping Container Buildings. Why would anyone want to demolish Choice Juicery where families and children meet and have outdoor fun. Crackheads is always busy with customers enjoying breakfast, lunch and happy hour. We don't need another 4-story building in the Village, enough of them were built in the last few years. When we moved here in 2002 it was easy to go out to dinner and find a parking place, now it is almost always impossible. The Village is enjoyed by residents and tourist who like walking through the area, visiting the shops, enjoying a coffee, lunch or dinner. If we keep demolishing what represents the Village, Carlsbad Village will be renamed Carlsbad City.
My husband and I are against this project.

Joan Lynn and John Lynn
2535 Jefferson St. Unit 1
Carlsbad, CA 92008

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From: [Council Internet Email](#)
Cc: [Eric Lardy](#)
Subject: FW: Towers
Date: Monday, January 8, 2024 8:04:31 AM

-----Original Message-----

From: Roxanne Rusing <rrusing1@gmail.com>
Sent: Saturday, January 6, 2024 2:05 PM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: Towers

No no no at Poinsettia

Sent from my iPhone

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [Council Internet Email](#)
Cc: [Eric Lardy](#)
Subject: FW: ATT cell tower at Poinsettia Park
Date: Monday, January 8, 2024 8:04:43 AM

From: Tom Rhatigan <rhatigantom62@gmail.com>
Sent: Saturday, January 6, 2024 7:24 AM
To: Council Internet Email <CityCouncil@carlsbadca.gov>
Subject: ATT cell tower at Poinsettia Park

Hello. I live on Beacon Bay Drive and have ATT cell service, that is ,when it works.I would love to have a new cell tower installed at Poinsettia Park so I can receive phone calls like the rest of the county please.

Thank you.

CAUTION: *Do not open attachments or click on links unless you recognize the sender and know the content is safe.*

From: [Brooke Woolf](#) ✓
To: [Planning](#)
Subject: Cell towers
Date: Sunday, January 7, 2024 3:56:40 PM

Please, please do not allow this in our poinsettia park. We truly don't know the long term effect of exposure - ironic to put it where people go to exercise, be outdoors and get healthy. Please do not allow.

Brooke Woolf
2801 Carrillo Way
Carlsbad

Sent from my iPhone

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [Roxanne Rusing](#)
To: [Planning](#)
Subject: Towers
Date: Saturday, January 6, 2024 2:05:18 PM

No no no at Poinsettia

Sent from my iPhone

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [Frank Sung](#) ✓
To: [Planning](#)
Subject: Fwd: STOP Poinsettia Park Cell Poles at Jan 17 5 pm Meeting
Date: Saturday, January 6, 2024 12:58:15 PM

Hello City Planning Department - Please put this email in the January 17th Planning Commission Meeting package .. AGAINST CUP 2022-0023. Council Policy #64 provides what the City Planning Department and City Planning Commissioners need to DENY this CUP application. I've bcc'ed our City Council. Thank you!

Frank Sung
Mariners Point HOA Board Member
(m) 760-213-9036

----- Forwarded message -----

From: Poinsettia WCF <nowcfpoinsettia@gmail.com>
Date: Sat, Jan 6, 2024 at 12:40 PM
Subject: STOP Poinsettia Park Cell Poles at Jan 17 5 pm Meeting
To:

PLEASE JOIN IN SUPPORTING A GROUP OF NEIGHBORS WHO WANT TO PROTECT OUR CITY PARKS FROM BECOMING CELLULAR ANTENNA FARMS. SEE BELOW.

CALL TO ACTION ..

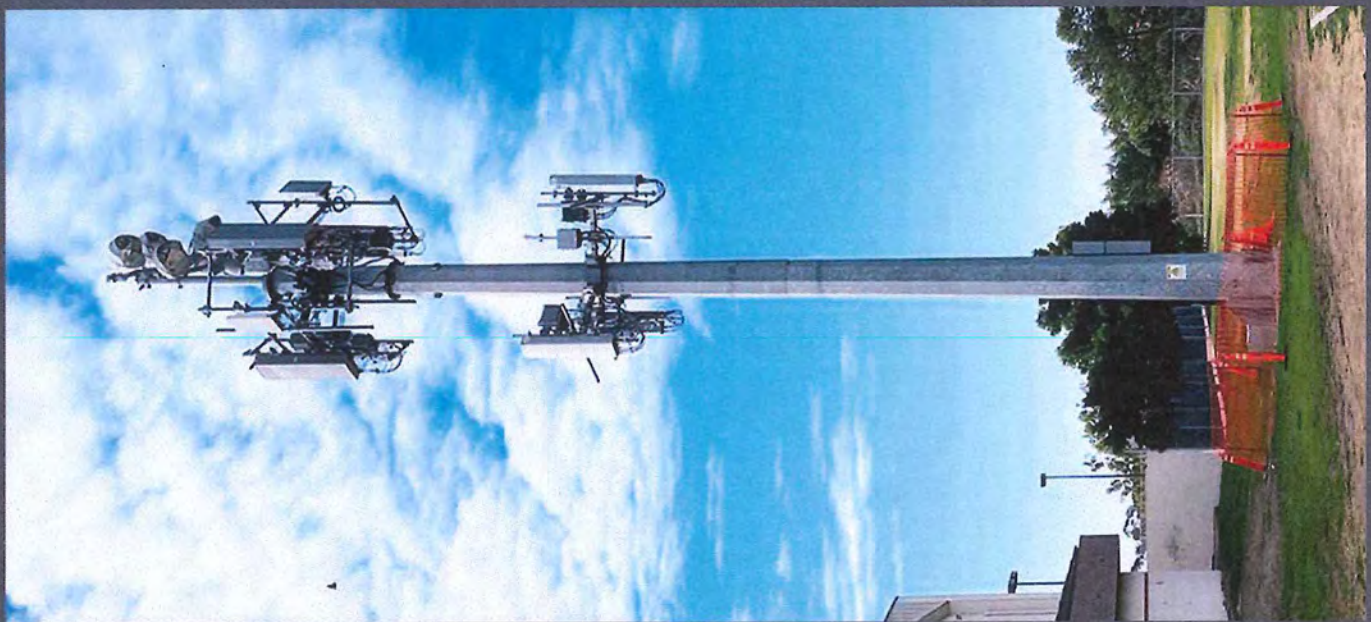
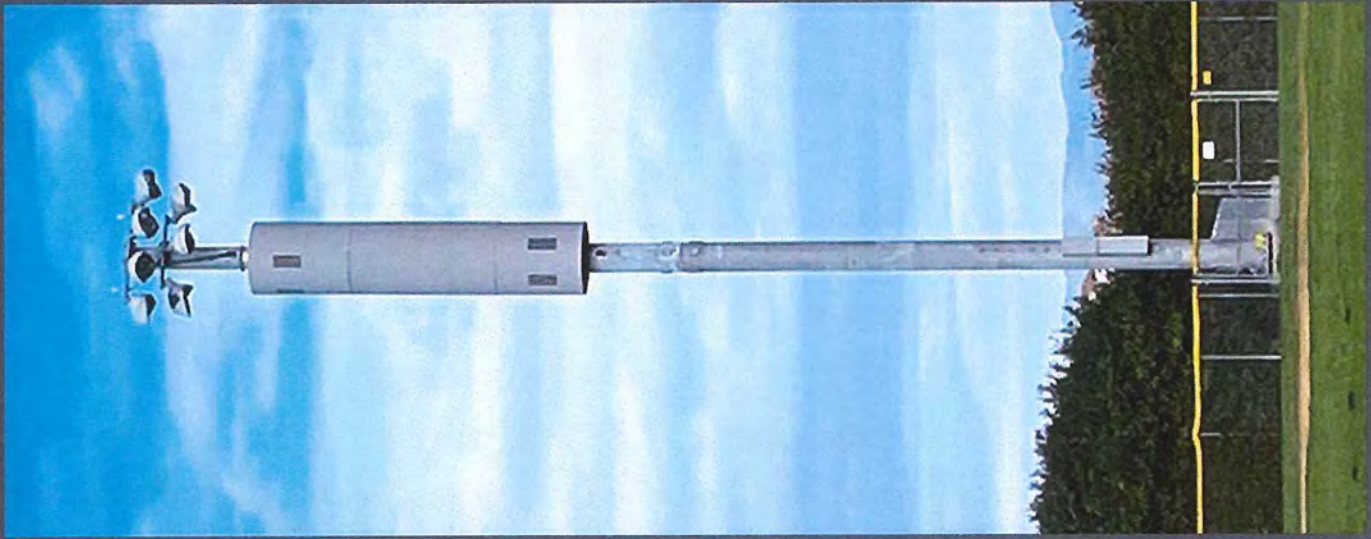
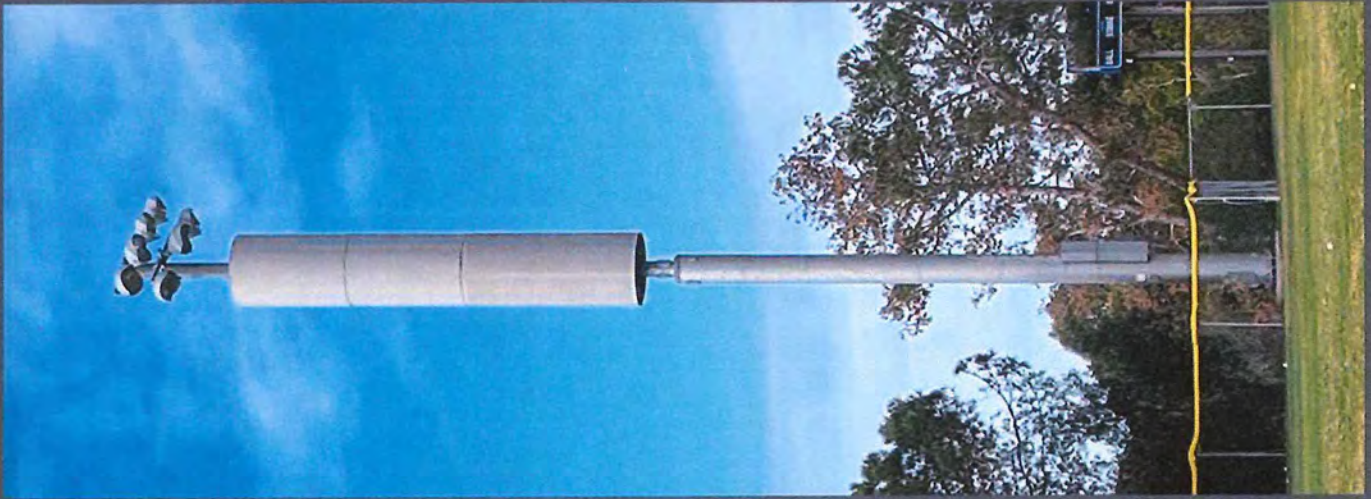
As a result of all of our efforts the Planning Commission remanded (ie deferred only because they didn't have the votes for approval that night) it's vote to WEDNESDAY, JANUARY 17, 2024. They have asked ATT to provide more data as to WHY THERE IS A NEED .. and have asked ATT to evaluate DIFFERENT ALTERNATIVE LOCATIONS .. AWAY FROM HOMES AND OUT OF THE PARK. This is good news as per City Council Policy #64 .. residential homes/city parks are among the LEAST favorable locations permitted.

Remember, if the city approves this new antenna at Poinsettia Park the city CANNOT deny any other cell carriers from adding their own antennas in the park in the future. We are trying to prevent Poinsettia Park from turning into Calavera Hills Park with **4 large cell phone antenna arrays .. an antennae farm in a city park**. See attached photo of 3 of 4 cell poles

We NEED YOUR HELP. EMAIL the city planners and elected officials one more time before this next meeting. Send in your comments by January 10th!

Here are our strongest arguments.

- Neighbors do not want the BLIGHT of multiple cell antennas in Poinsettia Park.
- Urge Planning Commissioners to listen and respond to its residents' concerns .. BOTH VISUAL .. AND EXPOSURE TO RF RADIATION FROM BEING SO CLOSE TO HOMES AND USERS OF THE PARK. We have collected a petition with over 300 signatures OPPOSING the antenna in Poinsettia Park .. both online and in person over a couple of days in late November. In addition, many individual emails have already been sent. EVEN IF YOU HAVE SENT IN YOUR COMMENTS PREVIOUSLY .. DO IT AGAIN!
- Moving the antenna to a different light pole within Poinsettia Park is NOT a solution. We don't want an ugly cell installation in the park. Period.
- While the city may not consider the potential radiation hazards, people are indeed very much concerned about living so near OR spending an afternoon or evening next to such a large antenna.
- Letting in 1 cellular pole will definitely lead to more cellular poles. The City will have no bases to deny subsequent applicants. Drive up to Calavera Hills Park and see what will take place.
- Ask the Planning Commission to follow the guidelines set forth in City Council Policy 64 which ranks acceptable cell tower locations. Parks are ranked 8 out of 9 possible locations. This means there are 7 other higher priority locations that must be considered first. There are currently 14 new sites identified and presented to ATT for review prior to the January 17 vote. **Please urge the Commissioners to apply the ranking order of Policy 64 requiring ATT to make alternative sites work.** Fyi, the ATT representative stated during his presentation to the Planning Commission on December 6th that Poinsettia Park was originally selected due to ease of access and low construction cost.
- Urge the Planning Commission to **DENY** this current ATT application based on other acceptable alternative locations outside of Poinsettia Park. A denial will force ATT to work up a new application for a new location
-
- **ATTEND the next Planning Commission meeting in person. Speak up and have your voice heard.**
- **Meeting date: January 17, 2024 at 5pm at 1200 Carlsbad Village Drive**



Existing Cell Towers at Calavera Hills Park

Please send your email comments to all of this list:

planning@carlsbadca.gov

council@carlsbadca.gov

manager@carlsbadca.gov

Eric.Lardy@carlsbadca.gov

Kyle.VanLeeuwen@carlsbadca.gov

keith.blackburn@carlsbadca.gov

melanie.burkholder@carlsbadca.gov

carolyn.luna@carlsbadca.gov

priya.bhat-patel@carlsbadca.gov

teresa.acosta@carlsbadca.gov

Calavera Cell Towers.jpg



CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

From: [Admin](#) ✓
To: [Jeff Murphy](#); [Kyle Van Leeuwen](#); [Eric Lardy](#); [Planning](#); [Council Internet Email](#); [Manager Internet Email](#)
Subject: Poinsettia Park AT&T
Date: Saturday, January 6, 2024 8:21:12 AM

At the public comment period at the January 6, 2023 Planning Commission meeting, several people expressed dissatisfaction with AT&T for not including other viable alternate site locations for a new cell antenna. Testimony from the applicant stated, " Poinsettia Park was chosen due to its easy access for construction and maintenance."

Our goal is to support the installation of a new cell facility, but not in our beautiful parks.

During this remand period, we have collaborated with several of our neighbors who are electrical engineers familiar with cellular transmission networks to develop a new list of alternative site locations outside of Poinsettia Park. Policy 64 provides the Review and Approval Guidelines and we have included the appropriate reference for each location listing.

We have shared this list with AT&T's representative, Mr. Harold Thomas Jr. from MD7. Mr. Thomas has assured us that AT&T engineers will review of these possible sites and present their findings in the updated Alternative Site Analysis as requested by the planning commissioners.

We respectfully urge you to deny the current application based on the availability of other viable sites that would work to complete AT&T's network without utilizing Poinsettia Park.

Thank you.
Board of Directors
the Cove Hoa

Alternative Sites for New Wireless Cell Facility
December 20, 2023

1.
Water Tank, West side - East of Black Rail Rd. and Triton Ave. (A.1.g. Utility Installations)
2.
Transmission Tower (1) 400 feet northeast of North Coast Calvary Chapel - 1330 Poinsettia Ln.
(A.1.g. Utility Installations)
3.
Transmission Tower (2) 400 feet southeast of North Coast Calvary Chapel - 1330 Poinsettia Ln. Just east of Poinsettia Lane roadway. This transmission line extends southeast and has several more towers that may also be viable. (A.1.g. Utility Installations)
- 4.

North Coast Calvary Chapel -1330 Poinsettia Ln. This is a large property with multiple possible antenna locations. (A.1.h. Community Facilities)

5. Grand Pacific Palisades Resort - 5805 Armada Dr. Collocate with existing cell carriers. (A.1.b. Commercial Zones)

6. AltaMira RV lot - 6672 Paseo del Norte. This is a private facility. (A.1.b. Commercial Zones)

7. Transmission Tower (3), wood telephone pole - This pole is 50' north of the AltaMira RV lot with wires extending east across the open area into Poinsettia Park. (A.1.g. Utility Installations)

8. Carlsbad Fire Station #4 - 6885 Batiquitos Dr. A tower would be easily disguised with your eucalyptus stealth design to blend in with the abundant eucalyptus trees located next to the station. (A.1.e. City Facilities)

9. CalTrans Maintenance Facility - 6050 Paseo Del Norte. (A.1.e. City Facilities)

10. Transmission Tower (4) - 400' east of the intersection of Goldenbush Dr. and Daylily Dr. (A.1.g. Utility Installations)

11. Transmission Tower (5) - on the Crossings Golf Course at these coordinates: 33.12687927504221, -117.3035647233823 (A.1.g. Utility Installations)

12. Legoland - collocate with existing cell carrier currently on this site. (A.1.b. Commercial Zones)

13. Inside Windmill, Windmill Food Hall - 890 Palomar Airport Rd. Collocation with existing carriers. (A.1.b. Commercial Zones)

--
Board of Directors
Poinsettia Cove Maintenance Corporation

From: [Admin](#)
To: [Jeff Murphy](#); [Kyle Van Leeuwen](#); [Eric Lardy](#); [Planning](#); [Council Internet Email](#); [Manager Internet Email](#)
Subject: Poinsettia Park AT&T
Date: Saturday, January 6, 2024 8:21:10 AM

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Inside Windmill, Windmill Food Hall - 890 Palomar Airport Rd. Collocation with existing carriers. (A.1.b. Commercial Zones)

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Board of Directors
Poinsettia Cove Maintenance Corporation

From: [Tom Rhatigan](#) ✓
To: [Planning](#) ,
Subject: ATT cell tower
Date: Saturday, January 6, 2024 7:23:43 AM

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Thank you.

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Cynthia Vigeland

Subject: FW: Comments for Planning Commissioners - Proposed A.T.&T. Wireless Communications Tower CAL01850 Poinsettia Park

Attachments: Concerns, Comments and Questions CAL01850 - Ashton.docx; Exhibit_3__Project_Analysis.V3.pdf; Exhibit_5_-_Council_Policy_No._64_-_Wireless_Communication_Facilities (2).pdf; 14292179_321857_CAL01850_EME Jx_RS100_102523.EBI.pdf; 14292179_288901_CAL01850_EME Jx_RS100_090922.EBI.pdf; Exhibit_6_-_Alternative_Site_Analysis.pdf; Exhibit_9_-_Generator_Noise_Assessment_Letter (1).pdf; CUP2022-0023_Final_Plan_Set.pdf

From: Gretchen.M. Ashton <gretchen.m.ashton@gmail.com>

Sent: Monday, January 1, 2024 1:56 PM

To: City Clerk <Clerk@carlsbadca.gov>

Subject: Comments for Planning Commissioners - Proposed A.T.&T. Wireless Communications Tower CAL01850 Poinsettia Park

Dear City Clerk,

Attached are my comments regarding the above-referenced subject. Please provide these comments with attachments to each of the Planning Commissioners at soon as possible to give them the opportunity to review well in advance of the January 17th meeting. I understand this matter is first on the agenda for the meeting.

Also, additionally, please include this email and all attachments in the agenda packet.

Thank you for your assistance with my records request. This is my resulting review comments, concerns and questions.

Best Regards,
Gretchen M. Ashton
760 271 6069

CAUTION: Do not open attachments or click on links unless you recognize the sender and know the content is safe.

**Public Records Request: #R003872-120523
Document Review and Comments
for AT&T Site Number: CAL01850
Site Name: Poinsettia Park at
6600 "A" Hidden Valley Road. Carlsbad, California
by Gretchen M. Ashton
12/29/2023**

Introduction and Purpose:

The purpose of my inquiry is to learn more about the A.T.&T. Wireless Telecommunication Tower proposed for Poinsettia Park, to assist my neighbors that have expressed concerns directly to me, and to voice my own concerns and comments.

I own two homes in the area. The first is one door outside the 100-foot radius on Dowitcher Court near the main entrance to Poinsettia Park. The second is two doors outside the 600-foot radius on Abelia Avenue. I have lived here since 1998 (in Carlsbad since 1996), have observed development in the area, engaged in city matters from time-to-time, regularly visit the park, and know the neighborhood well. I am a small business owner and have been licensed in Carlsbad for more than 20 years.

We see the skyline of and hear the activities at Poinsettia Park from our homes (even inside), patios, gardens, balconies, sidewalks, and streets. For example, we will definitely notice the cell tower shroud which will add a 30-foot high, 4-foot-wide obstruction above the tree line and in sightline from our homes. The tower is unsightly between our homes and the ocean and sunset views. We will definitely hear and smell the generator operating. Please read the discoveries and comments below. There are real and grave concerns about this project, discrepancies in reporting and analysis which affect public safety, use of the park, our neighborhood, and the City of Carlsbad. A.T.&T. is NOT in compliance with regard to noise and RF-EME, with the FCC nor our city Policy 64. The community has overwhelmingly rejected this cell tower at Poinsettia Park. Please do not permit the project or any cell tower to be placed in our neighborhood, especially at the park.

On December 5, 2023, I requested the following in a public records request. I was pleased to receive more than 200 files about 10 days later. I have reviewed all documents. I also reviewed FCC regulations and other pertinent information online.

"All information related to and from all cellular and wireless companies wanting to do business in or place cell phone towers in the city of Carlsbad. Please include correspondence, consultant studies, financial evaluation including how much money the city will be paid and any information related to expenses, environmental reviews, permits, meeting minutes, agendas, contracts, and all ordinances related to."

The documents that I received which seem to be the most relevant at this time are listed here and attached:

- 1) City of Carlsbad Policy 64 – 12/14/2021
- 2) Project Analysis – Exhibit 3 – No Date – No Author
- 3) Alternative Site Analysis Report – 5/1/2023
- 4) Radio Frequency – Electromagnetic Energy (RF-EME) Jurisdictional Report – 10/25/2023
- 5) Radio Frequency – Electromagnetic Energy (RF-EME) Jurisdictional Report – 9/9/2022
- 6) Generator Noise Assessment Letter- 10/28/2022
- 7) CUP Final Plan Set 2022-2023

Concerns, Comments and Questions:

- A) Based on this Generator Noise Assessment study it is quite possible that A.T.&T. is NOT in compliance with noise limits and regulations for the following reasons.**

The Generator Noise Assessment Letter states the Land Use Designation is “Residential,” and the Carlsbad Community Noise Exposure Limit (CNEL) is shown as “Exterior Noise Standard 60 dBA”. In fact, the City of Carlsbad CNEL is 55 dBA daytime and 45 dBA nighttime for residential. Decibels increase rapidly and exponentially. Every 10 decibels loudness doubles. According to OSHA, for every increase of 5 dBA to certain sound, the amount of exposure time is cut in half. The analysis in Table 2 – Proposed Equipment states the dBA of the proposed generator is “65 dBA at 21 feet”. Specifications for the Generac generator in the CUP Final Plan Set 2022-2023 indicate 71 dBA operating.

The results of the analysis report indicate dBA scenarios at seven meters (approximately 23 feet – not 21) with a results range between 56 and 67 dBA with sound levels +/-2dBA. All of which are above the residential CNEL of 55 and 45 dBA. This is sound levels as much as 20 times louder than nighttime limits. Which means the loudness would double and double again. The results are from various sides of the generator. The analysis studies only the closest property line to the south. Imagine how loud this will be for these residents. How will the generator be positioned? Real correlations should be made. Which side of the generator is facing the south property line?

There seems to be no consideration of the effect of these noise levels above CNEL on people using the park, especially within the 7 meters. Are folks just supposed to “clear out,” i.e., move to a different bench, walk along a different sidewalk, use a different restroom while the generator is operating, not go to the park at all?

It seems the methodology used by EBI in the noise study is also without regard or explanation for atmospheric conditions. Sound changes in pitch and speed depending on dry or humid conditions, i.e., the speed of sound in air increases with the increased humidity. In Carlsbad, our average annual humidity is 69%, 75% in July and 64% in January. There is no evaluation of our terraced neighborhood. We can hear traffic on the freeway as far away as Aviara Parkway. We would certainly hear this generator running.

Consultant EBI is hired by A.T.&T. and all information for the analysis is provided by A.T.&T. Does the city have a truly independent consultant?

- B) DIESEL FUMES:** The generator operates using diesel fuel (103 gallons stored onsite) which will create exhaust exposure for the public. It is quickly found in many sources that "Diesel exhaust contains carbon monoxide, formaldehyde, nitric oxide, benzene, and many other chemicals that many scientists believe cause cancer... Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea." How will this exhaust travel through the air? How much and what concentrations will be created during weekly maintenance operation of the generator? If tests are often performed "no-load" which allows carbon to build up in the generator's engine which increases harmful emissions. What is the exposure during full-time use in case of a power outage? For both people in the park passive or active, and in the surrounding homes. Noise and fumes are also an exposure for pets at the dog park and walking nearby.

Further, certain agency standards such as National Fire Protection Association (NFPA) for testing emergency generators involve 30 and 90-minute tests at cold start and varying loads. Will these tests be done annually or more frequently? Do the surrounding trees meet the San Diego County defensible space guidelines for generators? What fire agency is responsible for monitoring the generator and fuel storage at Poinsettia Park? Was there a fire safety analysis, or confirmation that all fire safety requirements are met and will be managed?

- C) Based on the RF-EME Jurisdictional report it appears A.T.&T. is likely NOT in compliance with all FCC Regulations and City of Carlsbad Policy 64. A.T.&T. is apparently mitigating this by posting a sign.** The sign is 7" x 7" and to be located on the monopole six feet below the antennas which seems like it would be under the shroud with other equipment. According to two separate reports, the sign for the CUP 90-foot monopole would read "Stay back 96 feet from face of antennas." The sign for the Minor

CUP 78-foot would read “Stay back 44 feet from face of antennas. Please explain what the benefit of the sign is for the public, why it is a mitigation, and why the difference in the stay back distance. The exposure will have already taken place before someone can read the sign.

According to the study

“Modeling indicates that the worst-case emitted power density exceeds the FCC’s general public limit within approximately 44 feet of the antenna face and the occupational limit within approximately 19 feet of the antenna face. Modeling also indicates that the worst-case emitted power density may exceed the FCC’s general population limit within approximately 6 feet below the bottom of the AT&T antennas and the occupational limit within approximately 5 feet below the bottom of the AT&T antennas.”

This verifies that RF-EME does occur along the length of the pole and down toward the base of the pole. The base of the pole is outside of the equipment enclosure. Anyone sitting nearby is exposed to some level which increases over minutes becoming more harmful. Since RF-EME doesn’t remain at exactly 44 feet, but arcs, deflects, and travels in different directions, what for example, would be the exposure of a child climbing on top of playground equipment at the tot lot, or children playing a baseball game nearby for two hours, or spectators at the soccer fields? What might the exposure be for homes to the east that sit at a higher elevation than those to the south?

IMPORTANT NOTE: FCC regulations indicate the city cannot reject a Wireless Telecommunication Tower based on “perceived” RF – EME emissions/exposures. Interestingly, this study tells us what the exposures actually are through modeling and that some exposures related to the installation exceed FCC limits. The city can now refuse the project based on “actual” emissions exposures of any level. The examples in this RF- EME Jurisdictional Report are at levels of 700 MHZ and 850 HMZ. According to the report, A.T.&T. will actually be operating at between 700 MHZ and 1900 MHZ.

- D) According to the Alternative Site Analysis Report, A.T.&T. states that at least several individual owners **refused** an A.T.&T. Wireless Communication Tower on their site, building, etc. **If just one property owner was enough to dissuade at other locations, then why wouldn’t many property owners at the proposed site be enough to dissuade the project?** The city planning commission has received at a minimum more than 25 property owners rejecting the tower in writing and even more public comments against the A.T.&T. Wireless Communication Tower or any tower in Poinsettia Park.**

A.T.&T. states that since adequate cellular coverage already existed at various other locations, there was no need for a tower. This indicates A.T.&T. is motivated to create new business. This is illustrated in the coverage plots current and projected. They say it brings benefits to surrounding businesses, schools, and residents. It is obvious the risks and public dissatisfaction far outweigh any “perceived” benefits. Most of us already have services with carriers that have much better coverage than A.T.&T. everywhere (not just in Carlsbad) and have better customer service and products.

A.T.&T. invested millions of dollars lobbying the federal government and FCC to create a law restricting local authorities’ decisions regarding RF-EME exposure. A.T.&T. is required to conduct a study about RF-EME exposure. A.T.&T. has its own set of rules called “AT&T’s RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014.”

If RF-EME exposure isn’t anything to be concerned with as we are constantly being told, why has A.T.&T. and other telecommunications companies gone to such great lengths to manipulate?

- E) The existing light pole is being removed and a new monopole is being installed. The specifications for the monopole, other than height, are not provided, i.e., diameter, which is needed to determine compliance based on the formula provided to calculate equipment volume requirements. It is important for the public to know that the replacement monopole, while still only 78 feet tall, might have a significantly larger diameter. Please provide the complete monopole dimensions and specifications. A four foot-wide, 30-foot-high shroud is much different than a slender pole with four feet of field lights on top.
- F) It seems that the existing trees near the new monopole are not of sufficient height as required in project documents to help conceal the monopole.
- G) Consideration should be given that the nearby ball field and many benches and trees in this park are designated memorials.
- H) It is my understanding that a lease cannot or isn’t drawn up for the Wireless Telecommunications Tower until after the project is approved/completed. Are there guarantees of future leases included? As a reference, the Verizon lease at Calavera Hills Park was approximately \$50,000 a year for 10 years between 2013 and 2023. All of these payments went into the city’s general fund. Is there an estimated income projection for the proposed Wireless Telecommunications Tower at Poinsettia Park? Is it correct that

the cost to install the tower is \$250,000.00? Who pays for this? If costs are different, please advise.

- I) In Exhibit 3, Project Analysis mentioning a Minor Conditional Use Permit, the project land use is notated as "Open Space". Open Space is public land without public access. According to Policy 64, this project CAL01850 is in the category of Parks located in residential areas where the public has access. Please explain why a different land use is mentioned in Exhibit 3.

PROJECT ANALYSIS

The project is subject to the following regulations:

- A. Open Space (OS) General Plan Land Use Designation
- B. Open Space (OS) Zone (CMC Chapter 21.33) and Minor Conditional Use Permits and Conditional Use Permits (21.42)
- C. Local Coastal Program (Mello II Segment)
- D. Wireless Communication Facilities Policy (City Council Policy Statement No. 64)

The recommendation for approval of this project was developed by analyzing the project's consistency with the applicable regulations and policies. The project's compliance with each of the above regulations is discussed in detail within the sections below.

A. General Plan Open Space (VC) Land Use Designation

The project site is designated Open Space (OS) on the city's General Plan Land Use Map. The proposed WCF is consistent with the OS General Plan Land Use designation in that the OS Land Use designation does not preclude the use of WCF's. Furthermore, a Public Park is a permitted land use within the OS designation, and WCFs are allowed with permits in public parks. The proposed use will serve and benefit the residential and business community and region as a whole, including emergency service providers. Therefore, the proposed WCF use is consistent with the OS General Plan Land Use designation. The project also complies with the noise exposure limits of the Noise Element of the General Plan and Noise Guidelines Manual. Residential use areas are limited to 60 decibels (dB) of exterior exposure, and the Generator Noise Assessment Letter provided by the applicant (EBI Consulting, Oct. 28, 2022) calculates 53.8 dBs of noise will be generated as measured from the adjacent residential property line. Additionally, the study does not include any noise attenuation of the generator noise due to the equipment being located within a walled enclosure, or that the proposed generator will only run for routine cycling/testing for a duration of no more than 15 minutes one time per week during daytime hours, or in the event of a loss of power.

B. Open Space (OS) Zone (Chapter 21.20); and Minor Conditional Use Permits and Conditional Use Permits (Chapter 21.42)

The proposed WCF consisting of a 78-foot tall, baseball field light pole, with six panel antennas, nine remote radio units (RRU), and three surge protectors installed on a the light pole is located within Open Space (OS) zone, which allows for a stealth wireless communication facilities (WCFs) subject to approval of a minor conditional use permit (CUP), if consistent with the preferred location and the stealth design review and approval guidelines of city council policy statement No. 64. The project is required to comply with the development standards of the O-S zone. The

O-S zone does not specify any setbacks, lot coverage or lot size requirements. It does, however, specify that structures shall not exceed 25 feet tall unless a higher elevation is approved by a minor conditional use permit issued by the City Planner.

The proposed project is a use which is allowed in the Open Space Zone subject to the approval of a minor conditional use permit (MCUP) or conditional use permit (CUP). Chapter 21.42 of the Carlsbad Municipal Code requires that four findings be made in order to approve a CUP. All of these findings can be made for this project as discussed below.

Conditional uses such as Wireless Communications Facilities (WCF) possess unique and special characteristics that make it impractical to include them as permitted uses “by right” in any of the various zoning classifications (i.e. residential, commercial, office, industrial, and open space). The authority for the location and operation of these uses is subject to City Council Policy Statement No. 64 – Wireless Communication Facilities Policy (see discussion D below) and the issuance of a MCUP or CUP. Staff has reviewed the proposed project and found that all of the necessary findings can be made to approve the MCUP. The required findings and satisfaction of these findings are provided below.

1. That the requested use is necessary or desirable for the development of the community, and is in harmony with the various elements and objectives of the general plan, including, if applicable, the certified local coastal program, specific plan or master plan.

The use is consistent with the General Plan in that the Open Space Land Use designation does not preclude the provision of WCF uses. Within the Open Space (O-S) zone, CMC Chapter 21.33; WCFs are conditionally permitted uses.

The proposed project has been designed and conditioned to comply with all applicable zoning regulations and Federal Communications Commission (FCC) standards for radio frequency (RF) exposure. The WCF is proposed to be installed on a structure that already exists, which will reduce its visibility and will be the least disruptive to the appearance of the park. The WCF will not be located on an exposed ridgeline and is satisfactorily screened and disguised by being located on a structure, which will light an athletic field. The new antennas will be mounted as close to the light pole as technologically feasible within a four-foot diameter radome. The radome will be painted to match the color of the light pole, thereby minimizing visual impacts.

City Council Policy No. 64 – Wireless Communication Facilities Guidelines indicate that there is a need to accommodate new communication technology and must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community. According to the applicant’s response to the Wireless Communication Facility Guidelines, the applicant examined the search for co-location opportunities and did not locate any existing freestanding co-locatable wireless towers within the search area that would provide the required height. Per the applicant, the entirety of the targeted search area is located within residentially zoned parcels or open spaces; therefore,

more favorably zoned parcels, such as commercial or industrial, were infeasible. No co-location opportunities were available. All of this resulted in the subject proposal for a new telecommunication facility.

The proposed project would help alleviate an area of poor coverage and overloaded capacity within this service area, which causes reoccurring lost calls, ineffective service, and slow data speeds. The requested WCF is necessary for the development of the community because of the benefit and demand for digital communications and data transmissions for businesses, residences, individuals, public agencies and emergency service systems in this part of the city.

Federal and California law require cities provide access to telecommunications infrastructure as outlined in the restrictions contained within Policy 64. The use is consistent with the General Plan in that the Open Space Land Use designation does not preclude the provision of WCF uses. The use is in harmony with objectives that seek to maintain and enhance Carlsbad's appearance in that the WCF is integrated into a light pole; is designed so that the antennas will be attached as close to the light pole as possible with a concealing radome; and associated equipment is located within an enclosure designed to be compatible with the adjacent maintenance building, utilizing materials, colors, and textures that will match the maintenance building.

2. That the requested use is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located in.

The antennas are proposed to be mounted to a replacement light pole that is the same height as the existing light pole, and antennas are mounted as close to the light pole as technology will allow, thus reducing an outward noticeable appearance and minimizing visual impacts.

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of RF emissions to the extent that such facilities comply with the FCC standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. The project complies with the FCC RF Exposure Guidelines. The project complies with the FCC Radio Frequency (RF) Exposure Guidelines as detailed in Exhibit 8. Lastly, a Generator Noise Assessment Letter was prepared by EBI Consulting (October 28, 2022) in accordance with the City of Carlsbad's Noise Element of the General Plan and Noise Guidelines. The analysis, detailed in Exhibit 9, concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property lines. While the Noise Element does not establish a community park as a noise-sensitive land use, the provided study does indicate that the level of noise from the generator would be compliant with daytime and nighttime limits at a distance of 21 feet from the generator (65 dB). Additionally, the study does not include any noise attenuation of the generator noise due to the equipment being located within a walled enclosure, or that the proposed generator will only run for routine cycling/testing for a duration

of no more than 15 minutes one time per week during daytime hours, or in the event of a loss of power.

- 3. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, setbacks, walls, fences, parking, loading facilities, buffer areas, landscaping and other development features prescribed in this code and required by the City Planner, planning commission or City Council, in order to integrate the use with other uses in the neighborhood.**

The light pole on which the proposed antennas are to be located is the same height as the existing pole; the associated equipment is proposed to be located within an enclosure designed to be compatible with the adjacent maintenance building, utilizing materials, colors, and textures that will match the remaining maintenance building; the light pole and equipment are not within any required front, rear or side yard setbacks; and the proposed pole and equipment enclosure are located more than 160 feet from the nearest adjacent residential property.

- 4. That the street system serving the proposed use is adequate to properly handle all traffic generated by the proposed use.**

The unmanned WCF will require, on average, only monthly maintenance visits and occasional visits in response to operational issues. The existing street system is adequate to properly handle any traffic generated by the use. Construction is not expected to generate or impact the circulation network and will be coordinated to avoid impacts to any events within the park.

C. Conformance with the Coastal Development Regulations for the Mello II Segment of the Local Coastal Program (CMC Chapter 21.201) and the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203)

The project site is located within the Mello II Segment of the Local Coastal Program and is not in the appeal jurisdiction. The site is also located within and subject to the Coastal Resources Protection Overlay Zone. The project's compliance with each of these programs and ordinances is discussed below:

- 1. Mello II Segment of the Certified Local Coastal Program and all applicable policies**

The proposed site is in the Mello II Segment of the Local Coastal Program (LCP) and is not within the appealable jurisdiction of the California Coastal Commission.

The proposed WCF use is not precluded by Local Coastal Program. Furthermore, staff finds the proposed project to be consistent with the Mello II segment of the Local Coastal Program in that the site is designated for non-residential uses and is already developed with athletic fields with field lights and other park amenities. The project consists of replacing one of the existing

field light poles with a new pole that is the same height as the existing and installing an unmanned WCF on the light pole. The WCF will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the coastal zone. No agricultural activities, sensitive resources, geological instability, flood hazard or vertical coastal access opportunities exist onsite. Furthermore, the WCF facility is not in an area of known geologic instability or flood hazards.

2. Coastal Resource Protection Overlay Zone

The development is subject to the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203). The Coastal Resource Protection Overlay Zone identifies areas of protection: a) preservation of steep slopes and vegetation; b) drainage, erosion, sedimentation, habitat; c) seismic hazards, landslides, and slope instability; and d) floodplain development. The project's compliance with each of these areas of concern is discussed below:

- a. *Preservation of Steep Slopes and Vegetation.* Slopes greater than 25% and possessing endangered plant/animal species and/or coastal sage scrub and chaparral plant communities are considered "dual criteria" slopes and are protected in the Coastal Zone. The project does not support any "dual criteria" slopes.
- b. *Drainage, Erosion, Sedimentation, Habitat.* The project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban run-off, pollutants, and soil erosion.
- c. *Seismic Hazards, Landslides and Slope Instability.* The site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods or liquefaction.
- d. *Flood Plain Development.* No structures or fill are being proposed within a one-hundred-year floodplain area as identified by the FEMA Flood Map Service Center.

D. Wireless Communication Facilities Policy (City Council Policy Statement No. 64)

The City Council adopted Policy No. 64, Wireless Communication Facilities, on Dec. 14, 2021, establishing review and approval guidelines for WCFs. The project is consistent with City Council Policy No. 64 in that the proposed location, a public park in a residential area, is a "preferred" location. The WCF is proposed to be installed on a structure that already exists, which will reduce its visibility and will be the least disruptive to the appearance of the park. The WCF will not be located on an exposed ridgeline and is satisfactorily screened and disguised by being located on a structure, which will light an athletic field. The new antennas will be mounted as close to the light pole as technologically feasible within a four-foot diameter

radome. The radome will be painted to match the color of the light pole, thereby minimizing visual impacts.

The proposed ground mounted equipment will be located within an enclosure, which is designed and treated to match and compliment the adjacent maintenance building. The proposed light pole is consistent with the height requirements of the Open Space zone and will be the same height as the existing light pole to be replaced and the other existing light poles for the baseball field. The proposed installation is more than 160 feet away from the adjacent residentially zoned properties, which is more than double the 78-foot setback called for by the policy. Site selection information was provided that indicates other locations are not feasible. Color photo-simulations have been provided to show that the project will not substantially alter views to the site from surrounding viewpoints. All aspects of the proposed WCF, including the supports, antennas, screening methods, and equipment feature “stealth” design techniques so they visually blend into the background or the surface on which they are mounted.

The applicant examined the search for co-location opportunities and did not locate any existing freestanding co-locatable wireless towers within the search area that would provide the required height. Per the applicant, the entirety of the targeted search area is located within residentially zoned parcels or open spaces; therefore, more favorably zoned parcels, such as commercial or industrial, were infeasible. No co-location opportunities were available. All of this resulted in the subject proposal for a new telecommunication facility.

The FCC, which regulates the wireless communications industry, has referenced prior studies concluding that RF emission exposure levels associated with this type of facility have been determined to be safe. RF emissions generated from the proposed WCF would be below the FCC accepted guidelines/standards. Pursuant to federal law, a local government agency may not regulate the placement and modification of a WCF based on the environmental or health effects of RF emissions to the extent that such facilities comply with federal law concerning emissions. To ensure that the FCC standards are being met, a condition has been added to the permit that requires that the applicant submit a RF study to demonstrate compliance with the applicable FCC regulations. Therefore, staff does not anticipate concerns regarding RF emissions as it relates to the park or residential development in the area.

A Generator Noise Assessment Letter was prepared by EBI Consulting (October 28, 2022) in accordance with the City of Carlsbad’s Noise Element of the General Plan and Noise Guidelines. The analysis concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property lines.

E. Growth Management Plan

The proposed Wireless Communications Facility (WCF) is located in Local Facilities Management Plan Zone 20. Installation of the WCF on the existing site and monthly facility maintenance visits

will not result in increased public facilities demands; therefore, the proposal will not exceed performance standards for public facilities.



Policy No. 64
 Date Issued: 9/26/2017
 Effective Date: 12/14/2021
 Resolution No. 2021-289
 Cancellation Date:
 Supersedes No. 64 04/10/12

Council Policy Statement

Category: WIRELESS COMMUNICATION FACILITIES
Specific Subject: Review and Operation Guidelines for Wireless Communication Facilities

PURPOSE:

Wireless communication facilities, or WCFs, refer to the many facilities with antennas and supporting equipment that receive and transmit signals and together enable mobile or other “wire-free” communication and information services. Unlike wireline communications, such as the land-based telephone system, wireless communication technologies, by their operational nature, require a network of antennas mounted at various heights and attached typically to buildings, structures and poles. A common name for a WCF is “cell site.”

WCF proposals to the city became commonplace in the mid-1990s. Since then, Carlsbad has processed dozens of new WCF applications and numerous permit renewals for existing facilities, all without benefit of specific review criteria. As the city’s population and the popularity and variety of wireless services grow, providers are expected to install more facilities to improve coverage and gain user capacity.

The following Review and Operation Guidelines (Guidelines) have been developed to supplement and clarify the requirements of Carlsbad Municipal and Zoning codes, including chapter 21.42 of the Carlsbad Zoning Code. These requirements are meant to provide a general overview of the procedures and requirements for installation of WCFs, while accommodating and supporting deployment of WCFs to provide adequate coverage and capacity throughout the city. They also outline definitions that are quantifiable and measurable and detail development standards and design requirements which the city will use to review proposed facilities. This policy’s purpose is to guide the public, applicants, boards and commissions, and staff in reviewing the placement, construction, and modification of WCFs. The goal is to assure WCFs in Carlsbad:

- Are reviewed and provided within the parameters of law.
- Protect the health, safety, and welfare of the public to the extent permitted by applicable laws.
- Are encouraged to locate away from residential and other sensitive areas, except as allowed by Sections A, B and C of this policy.
- Represent the fewest possible facilities necessary to complete a network without discriminating against providers of functionally equivalent services or prohibiting the provision of wireless services.
- Use, as much as possible, “stealth” techniques so they are not seen or easily noticed.
- Operate consistent with Carlsbad’s quality of life.

This policy applies to all commercial providers of wireless communication services. It does not apply to amateur (HAM) radio antennas, dish antennas, collocations and/or modifications covered under Federal Communications Commission (FCC) regulations at 47 C.F.R. §§ 1.6100 *et seq.* (implementing Section 6409(a) of the Spectrum Act (codified as 47 C.F.R. § 1455(a)) for non-substantial modifications to existing wireless towers and base stations)¹ and other antennas installed on a residence for an individual's private use.

The Guidelines shall not relieve a person from the responsibility of complying with all other applicable regulations of any other local, state, or federal agencies. These Guidelines supplement existing regulations and provide clear standards and guidelines for all wireless infrastructure deployments unless specifically prohibited by applicable law. The standards and procedures contained in these Guidelines are intended to, and should be applied to, protect and promote public health, safety and welfare, and balance the benefits that flow from robust, advanced wireless services with the city's local values. Except as expressly provided otherwise, these Guidelines shall be applicable to all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, replace, relocate or otherwise deploy WCFs, inclusive of applications which affect existing facilities.

These Guidelines are also intended to establish clear procedures for application intake and completeness review. Conditional use permit applications for WCFs that were denied shall follow the process in Carlsbad Municipal Code Section 21.54.130 for reapplication of a new CUP. Building permit and ROW permit applications for facilities that were denied may be submitted to the Community Development Department as new applications at any time, without prejudice. Said new application will be processed as a completely separate application, with new submittal materials and fees required, and shall demonstrate compliance with these Guidelines.

BACKGROUND:

To secure the right to provide personal wireless services to a region, companies often must obtain airwave licenses that are auctioned by the FCC, the federal agency that regulates the communications industry. For radio services that use license spectrum, the FCC mandates the licensees establish their service networks as quickly as possible.

In Carlsbad, there are three common types of WCF systems: Cellular, PCS (Personal Communications Services), and ESMR (Enhanced Specialized Mobile Radio).

POLICY:

REVIEW RESTRICTIONS:

The Federal Telecommunications Act of 1996 (TCA) preserves the city's ability to regulate the placement, construction, and modification of wireless communication facilities subject to the following restrictions.

¹ If the city determines that an application submitted for approval pursuant to Section 6409(a) is, in fact, not covered by the applicable federal regulations, the applicant may resubmit the request for approval pursuant to the applicable provisions in this policy.

- ***The city may not favor any carrier.***
Regulations may not unreasonably discriminate among functionally equivalent service providers. A “functionally equivalent provider” means a competitor.
- ***The city may not prevent completion of a network.***
Regulations may not prohibit or have the effect of prohibiting the provision of personal wireless services. According to the FCC’s recent order in 2018, the denial of a single permit application may cause an effective prohibition if it “materially inhibits or limits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment.” *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, 33 FCC Rcd. 9088 at ¶ 37 (2018) (*Small Cell Order*). In addition, local aesthetic requirements may be prohibitory unless they are reasonable and published in advance. *Small Cell Order* at ¶ 40, *rev’d in part, City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020).
- ***Applications are to be processed in a reasonable time.***
A city must act on an application for WCFs within a “reasonable” amount of time, which the FCC generally defines as either 60, 90, or 150 days from the time an application is submitted and depending on the nature and scope of the proposed wireless facility.
- ***Failure to approve or deny applications may result in automatic approvals and court orders.***
Under California Government Code 65964.1, an application for a wireless facility may be “deemed approved” if a city or county fails to act within the presumptively reasonable timeframes established by the FCC. This provision contains some exceptions but generally applies to new facilities and very large modifications to existing facilities both on private property and in the public rights-of-way. The FCC’s regulations contain a similar “deemed granted” remedy for less-than substantial collocations and modifications to existing facilities. In addition, the *Small Cell Order* establishes that a permitting agency’s failure to act within the referenced timeframes will amount to a presumptive prohibition on the provision of personal wireless services, the remedy for which may be a court injunction.
- ***The city cannot deny an application because of perceived radio frequency health hazards.***
If federal standards are met, cities may not deny permits on the grounds that radio frequency emissions (RF) are harmful to the environment or to the health of residents. However, local governments may require wireless carriers to prove compliance with the standards. The FCC has established procedures to enforce compliance with its rules.
- ***The city cannot deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station (Section 6409(a) non-substantial modifications).***
The FCC promulgated detailed regulations for this restriction, including a definition for “substantial change” and procedural rules for processing these applications, which can be found at 47 C.F.R. §§ 1.6100 *et seq.*
- ***Certain collocation facilities are not subject to discretionary permit requirements.***
Under California Government Code section 65850.6, a collocation facility (where two or more wireless operators have located their antennas at a common location) shall be a permitted use not subject to discretionary permit requirements if it satisfies the requirements of that statute.
- ***A decision to deny an application must be supported by substantial evidence.***
A decision to deny a WCF application must be in writing and supported by substantial evidence contained in a written record. The reasons for the denial must also be contained in a written record contemporaneously available with the written denial notice and must be clear enough to enable judicial review.

HEALTH CONCERNS & SAFEGUARDS:

Possible health risks from exposure to the RF electromagnetic fields generated by WCFs are a significant community concern. Accordingly, the FCC requires facilities to comply with RF exposure guidelines published in the Code of Federal Regulations (see 47 CFR § 1.1307 and 47 CFR §1.1310). The limits of exposure established by the guidelines are designed to protect the public health with a very large margin of safety as they are approximately 50 times below the levels that generally are accepted as having the potential to cause a measurable change in human physiology. Both the Environmental Protection Agency and Food and Drug Administration have endorsed the FCC's exposure limits, and courts have upheld the FCC rules requiring compliance with the limits.

Most WCFs create maximum exposures that are only a small fraction of the limits. Furthermore, because the antennas in a PCS, cellular, or other wireless network operate more efficiently when in a line of sight arrangement to effectively transmit, their power is focused on the horizon instead of toward the sky or ground. Generally, unless a person is physically next to and at the same height as an antenna, it is not possible to be exposed to RF emissions that exceed the maximum permissible exposure.

The FCC requires providers, upon license application, renewal, or modification, to demonstrate compliance with RF exposure guidelines. Where two or more wireless operators have located their antennas at a common location (called "collocation"), the total exposure from all antennas taken together must be within FCC guidelines. Many facilities are exempt from routine compliance demonstrations under FCC guidelines, however, because their low power generation or height above ground level is highly unlikely to cause exposures that exceed the guidelines in areas accessible by people.

PERMIT PROCESS:

Wireless communication facilities (WCFs) are defined in Carlsbad Municipal Code Section 21.04.379. Carlsbad Municipal Code Section 21.42.140(B)(165) allows WCFs in all zones with the approval of a minor conditional use permit (MCUP) or a conditional use permit (CUP) and subject to this policy. New WCFs are allowed in the public right-of-way of roads (ROW) subject to the requirements of this policy and the processing requirements of Table A below.

Small wireless facilities (SWFs) are WCFs that also meet the definition in FCC regulations at 47 C.F.R. §§ 1.6002(l).

For WCFs and SWFs to be located in the public right-of-way of roads, which generally is not zoned, a right-of-way permit pursuant to Title 11 of the Carlsbad Municipal Code may be used as outlined in Table A – WCF and SWF Processing Requirements.

Table A – WCF and SWF Processing Requirements

| Category | Code reference/ definition | Application Review Process | | Coastal Zone and Coastal Development Permit (CDP) requirements | Applicable Policy 64 Guidelines |
|------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------|---------------------------------------|
| New WCFs on public or private property | Carlsbad Municipal Code (CMC) Section 21.04.379 | CUP or Minor CUP ¹ | | CDP or Minor CDP required per CMC Chap. 21.201 unless specifically exempted | A, B, D, and E |
| New WCFs in the public right-of-way of roads | CMC Section 21.04.379 | ROW permit ² , Minor CUP ³ or CUP ⁴ | | Exempt per CMC Section 21.201.B.11 ⁵ | A, B, D and E |
| Existing WCF – Section 6409(a) eligible facilities request | CMC Section 21.04.379 and 47 U.S.C. § 1455(a) | Section 6409(a) worksheets | | Exempt per CMC Section 21.201.B.11 ⁵ | N/A – Policy 64 does not apply |
| Existing WCF – Emergency Generators | CMC Section 21.04.379 and Government Code Section 65850.75 | Building Permit | | Exempt per CMC Section 21.201.B.11 ⁵ | N/A – Policy 64 does not apply |
| Small Wireless Facilities (SWF) | CMC Section 21.04.379 and the definition in FCC regulations at 47 C.F.R. § 1.6002(l) | Within the public right-of-way of roads: | Right-of-way Permit | Exempt per CMC Section 21.201.B.11 ⁵ | C, D, and E |
| | | Outside the public right-of-way of roads: | MCUP | Minor CDP required per CMC Chap. 21.201 unless specifically exempted ⁵ | B, C, D, and E |

Notes:

- These guidelines apply in the review of CUPs or Minor CUPs for new WCFs.
- A right of way permit shall be required instead of a CUP for a WCF that is (i) to be located on an existing or replacement pole, (ii) is consistent with the preferred locations in Location Guideline A.1 (or if in a discouraged location in Location Guideline A.2, has all equipment underground), and (iii) is consistent with Design Guidelines for WCFs in the Public Right-of-Way C
- A minor CUP by Process 1 shall be required for a WCF that is (i) to be located on an existing or replacement pole, (ii) is in a discouraged location in Section A with above-ground equipment, and (iii) is consistent with Design Guidelines for WCFs in the Public Right-of-Way C
- A CUP by Process 2 shall be required for all other WCFs not meeting the criteria for approval subject to a right of way permit or a minor CUP by process 1
- When located within the city's jurisdiction of the Coastal Zone.

REVIEW AND APPROVAL GUIDELINES

A. *Location Guidelines for Placement of WCFs (excluding SWFs)*

1. *Preferred Locations* – WCFs are encouraged to locate on existing buildings and structures. In addition, WCFs should be located in the following zones and areas, which are listed in order of descending preference:
 - a. Industrial zones.
 - b. Commercial zones.
 - c. Other non-residential zones, except open space.
 - d. Public right-of-way of roads adjacent to industrial and commercial zones and identified on the map attached as Exhibit A.
 - e. Public property (e.g., city facilities) not in residential areas.
 - f. Major power transmission towers in non-residential zones or areas.
 - g. Public and private utility installations (not publicly accessible) in residential and open space zones (e.g., water tanks, reservoirs, or the existing communication towers near Maerkle Reservoir).
 - h. Parks and community facilities (e.g., places of worship, community centers) in residential zones or areas.
 - i. Public right-of-way of roads adjacent to residential zones and identified on the map attached as Exhibit A.
2. *Discouraged Locations* – WCFs should not locate in any of the following zones or areas unless the applicant demonstrates that alternatives in more-preferred locations are not technically feasible or potentially available as required by Application and Review Guideline E.3.
 - a. Open space zones and lots (except as noted in Location Guideline A.1.).
 - b. Residential zones or areas (except as noted in Location Guideline A.1.).
 - c. Major power transmission towers in corridors located in/or next to a residential zone or area.
 - d. Environmentally sensitive habitat.
 - e. Public right-of-way of roads not identified on the map attached as Exhibit A.
 - f. On vacant land.
3. *Visibility to the Public* – In all areas, WCFs should be located where least visible to the public and where least disruptive to the appearance of the host property. Furthermore, no WCF should be installed on an exposed ridgeline or in a location readily visible from a public place, recreation area, scenic area or residential area unless it is satisfactorily located and/or screened so it is hidden or disguised.
4. *Collocation* – Collocating with existing or other planned wireless communication facilities is recommended whenever feasible and appropriate. Service providers are also encouraged to collocate with water tanks, major power transmission and distribution towers, and other utility structures when in compliance with these guidelines. The city must approve collocation applications unless the expansion adds significantly to the height or width of a facility.

5. *Monopoles* – No new ground-mounted WCF monopoles should be permitted unless the applicant demonstrates no existing monopole, building, or structure can accommodate the applicant’s proposed antenna as required by Application and Review Guideline E.4.

B. *Design Guidelines for WCFs and SWFs Outside the Public Right-Of-Way of Roads*

1. *Stealth Design* – All aspects of WCFs and SWFs, including the supports, antennas, screening methods, and equipment should exhibit “stealth” design techniques so they visually blend into the background or the surface on which they are mounted. Subject to city approval, developers should use false architectural elements (e.g., cupolas, bell towers, dormers, and chimneys), architectural treatments (e.g., colors, textures and materials), elements replicating natural features (e.g., trees and rocks), landscaping, and other creative means to hide or disguise the facilities. Stealth can also refer to facilities completely hidden by existing improvements, such as parapet walls.
2. *Equipment* – Equipment should be located within existing buildings to the extent feasible. If equipment must be located outside, it should be screened with walls and plants. If small outbuildings or extensions to existing structures are constructed specifically to house equipment, they should be designed and treated to match nearby architecture or the surrounding landscape.
3. *Collocation* – Whenever feasible and appropriate, design and placement should promote and enable collocation.
4. *Height* – facilities should adhere to the existing height limitations of the zone in which they are located. When installed on an existing structure, new facilities and collocations should not exceed the height of the existing/replacement structure on which they are being installed.
5. *Setbacks* – WCFs and SWFs, including all equipment and improvements, should adhere to the building setback requirements of the zone in which they are located, with the following clarifications:
 - a. If on a site next to a residential zone, a setback should be maintained from the residential zone boundary a minimum distance equal to the above-ground height of the overall support structure’s height.
 - b. If in a residential zone and in a public utility installation, park, or community facility, a setback should be maintained from the property boundaries of the utility installation, park, or community facility a minimum distance equal to the above-ground height of the overall support structure’s height.
 - c. The decision-maker for WCFs may decrease or increase these setbacks if it finds such changes would improve the overall compatibility of the WCF based on the factors contained in Application and Review Guideline E.4.
6. *Building or Structure-Mounted WCFs and SWFs* –
 - a. Antennas and their associated mountings should generally not project outward more than 24 inches from the face of the building.
 - b. Roof-mounted antennas should be located as far away as possible from the outer edge of a building or structure and should not be placed on roof peaks.

- c. If permitted, WCFs and SWFs on residential buildings should only be allowed if disguised as a typical residential feature (e.g., a chimney, a dormer) and if all equipment is located inside, not outside, the building.
- 7. *Ground-mounted Monopole WCFs –*
 - a. All antennas should be mounted as close as possible to the monopole to improve facility appearance.
 - b. The placement, screening, and disguise of the monopole should fit with the surrounding site design, architecture, and landscaping. Tree disguises, such as a “mono-palm,” may be acceptable depending on their quality and compatibility with landscaping nearby.
 - c. Landscaping should be provided as necessary to screen, complement, or add realism to a monopole. Landscaping should include mature shrubs and trees. Some of the trees should be tall enough to screen at least three-quarters of the height of the monopole at the time of planting. Sometimes, landscaping may not be needed because of the monopole’s location or vegetation already nearby.
 - d. When possible and in compliance with these guidelines, monopoles should be placed next to tall buildings, structures, or tall trees.
- 8. Pole mounted SWFs shall comply with the Design Guidelines in section C.2 of this policy as applicable, including height limits.
- 9. *Lattice Towers –* New lattice towers should not be permitted in the city. On existing lattice towers:
 - a. All antennas should be mounted as close as possible to the tower so they are less noticeable, and should match the color of the tower.
 - b. Wiring must be concealed in conduit that is flush-mounted to the tower. The conduit and mounting hardware shall match the color of the tower.
 - c. Non-antenna equipment mounted on the tower should be placed behind the antennas to conceal them from view, and should be enclosed in a cabinet that matches the color and finish of the structures on which they are mounted. Ground mounted equipment shall comply with B.2 above.
- 10. *Undergrounding –* All utilities should be placed underground.
- 11. *Regulatory Compliance –* WCFs should comply with all FCC, FAA (Federal Aviation Administration), CPUC (California Public Utilities Commission) and local zoning and building code requirements.

C. *Design Guidelines for WCFs and SWFs in the Public Right-of-Way of Roads*

The general intent of these design and development standards is to preserve the character of the city’s neighborhoods and corridors by requiring WCFs and SWFs to utilize the least intrusive design available with regard to appearance, size, and location, and to blend into the existing streetscape as much as possible. They also seek to prevent conflict with existing and planned roadway, utility, and storm drain improvements.

- 1. *Support pole installation preferences for the right-of-way of roads*

- a. The city prefers WCFs and SWFs to be installed on support poles in the public rights-of-way of roads, ordered from most preferred to least preferred, as follows:
 - (1) Existing or replacement streetlight poles.
 - (2) Existing or replacement wood utility poles.
 - (3) Existing or replacement traffic signal poles.
 - (4) New, non-replacement streetlight poles.
 - (5) New, non-replacement poles (not wood).
 - b. The city prohibits WCFs and SWFs facilities to be installed on the following support poles or structures:
 - (1) Signs.
 - (2) Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small wireless facility application.
 - (3) New, non-replacement wood poles.
 - (4) Pieces of public art, structures placed in the in the right-of-way through charitable donations, commemorative memorial structures or archways over roads and pedestrian walkways, or other similar structures as determined by the engineering manager.
 - c. The engineering manager shall determine whether an application for a WCF or SWF utilizes the least intrusive design available or if there is a more preferred support pole type within 500 feet of the proposed location. For purposes of these guidelines, least intrusive design available means the most preferred design or development standard as provided in these Guidelines that is technically feasible. For individual antennas, shrouds/radomes, accessory equipment, mounting brackets/attachments and any other physical aspect of a facility, the city strongly prefers the smallest such item that is technically feasible. If the application does not propose the least intrusive design, or if there is a more preferred support pole within 500 feet, the application shall provide written evidence of the following:
 - (1) A clearly defined technical service objective
 - (2) A technical analysis that includes the factual reasons why the least intrusive design or a more preferred support pole type within 500 feet of the proposed location is not technically feasible.
2. *Requirements applicable to all WCFs and SWFs in the public right-of-way of roads*
- a. Overall height. WCFs and SWFs mounted to existing poles shall not exceed the height of a support pole by more than five feet measured from the top of the pole, except as necessary to comply with CPUC General Order 95 relating to utility poles. Replacement poles and new non-replacement poles shall not exceed the city height standards for streetlight poles or traffic signal poles, as applicable, by more than ten percent, plus five feet for the antenna. Replacement utility poles shall not exceed ten percent of the height of the existing utility pole, plus five feet for the antenna.
 - b. Antenna stealth/concealment. The antenna(s) associated with the installation shall be stealth to the maximum extent feasible and concealed with a radome(s), shroud(s) or other cover(s) that also conceals the cable connections, antenna mount, and other hardware. The radome, shroud or other cover must be a flat, non-reflective color to match the underlying support structure.

- c. Antenna size.
 - (1) Each antenna shall not exceed 3 cubic feet in volume.
 - (2) Top-mount antennas (including the shroud) shall be no more than 16 inches wide when placed on light poles, and shall not exceed the width of any wooden utility pole on which they are mounted.
 - (3) Any top-mounted antennas which are wider than the light pole on which they are mounted shall be tapered to match the width of the pole at the point of attachment to the pole.
- d. Equipment location. Accessory equipment may be both pole mounted and non-pole mounted. Pole mounted limits are described in Section C.2.e , the balance located according to the following preference: (1) underground, (2) above ground and screened consistent with Section C.2.f. The city's preferences is for non-pole mounted equipment to be placed underground to the extent possible, unless the applicant demonstrates that it is technically infeasible or there are conflicts with other utilities, obstructions or it is otherwise not feasible, as determined by the engineering manager. If undergrounding is not feasible, the city prefers the equipment to be pole-mounted.
- e. Pole mounted equipment.
 - (1) Design and stealth/concealment. Accessory equipment must be stealth to the maximum extent feasible and/or concealed within a cabinet or shroud, and should be flush mounted and centered on the pole, except to the extent necessary to comply with CPUC General Order 95 for wood utility poles. The installation should be designed to minimize the overall visual profile, and installations that are partially or completely wrapped around the pole are encouraged. All equipment cabinets or shrouds shall be painted to match the color of the surface of the pole on which they are attached to reduce their visibility. Equipment may be installed behind street, traffic or other signs (between the pole and sign) to the extent that the installation complies with applicable regulations. All cables and conduits associated with the equipment shall be concealed from view within the same shroud or other cover and routed directly through the pole when feasible. Microwave or other wireless backhaul shall not have a separate and unconcealed antenna.
 - (2) Size limits. All non-antenna equipment mounted to the pole is included in the equipment volume limit. Electric meters and disconnect switches that are mounted on the pole are not included in the equipment volume limit. All pole mounted non-antenna equipment, including cabinets, shall not exceed:
 - (a). A width of 24 inches; and
 - (b). Nine (9) cubic feet in volume if installed within or adjacent to a residential district or within 500 feet from any structure approved for a residential use; or
 - (c). Seventeen (17) cubic feet in volume if installed within or adjacent to a non-residential district.
- f. Ground mounted equipment. If underground equipment is not feasible because there are conflicts with other utilities, obstructions or it is otherwise not technically feasible, as determined by the engineering manager per section (d) above, then all above ground equipment shall be: (1) placed in a ground-mounted

equipment shroud or cabinet that contains all equipment associated with the small wireless facility other than the antenna; and (2) set back at least 2.5 feet from the back of the curb and within the parkway or greenway or 2.5 feet back from the edge of the sidewalk when it is contiguous to the curb. All cables and conduits associated with the equipment shall be concealed from view, routed directly through the pole, and placed underground between the pole and the ground-mounted cabinet. All ground mounted equipment shall be stealth and/or screened completely, unless it is disguised to the satisfaction of the engineering manager. Volume limits for ground-mounted equipment shall be the same as applicable to pole-mounted equipment. The engineering manager may elect to waive volumetric limits for equipment that is installed or placed underground.

- g. All equipment associated with the WCF or SWF shall be located so as to avoid impacts to pedestrian access and vehicular site distance and safety. Pole mounted equipment should be mounted a minimum of eight feet above grade.
- h. To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled, or otherwise stored on the pole unless concealed within a cabinet.
- i. If the proposed WCF or SWF would damage or displace any street trees or trees on public property, the applicant shall comply with CMC Chapter 11.12 and City Council Policy No. 4 and will be responsible for planting replacement trees to the satisfaction of the Parks & Recreation Director or designee.
- j. If an applicant proposes to replace a streetlight pole, the replacement pole should be substantially similar to the existing pole and comply with city standards and specifications for streetlight poles.

3. *Supplemental requirements for WCFs and SWFs on New Poles for the right-of-way of roads*

- a. All WCFs on new poles require a CUP by Process 2.
- b. Any new pole and/or equipment and other improvements associated with a new pole or an existing pole must be set back from intersections, alleys, and driveways and placed in locations where it will not obstruct motorists' sight lines or pedestrian access. In general, there is a presumption of no obstruction where a new pole and/or equipment is set back at least:
 - i. A minimum of 50-feet from the extension of the curb of the intersecting street at intersections. Distances of less than 50-feet may be allowed through approval of the engineering manager and the city traffic engineer;
 - ii. Six feet from any driveway cut or alley entrance or exit;
 - iii. Six feet from any permanent object or existing lawfully-permitted encroachment in the public right-of-way, including without limitation bicycle racks, traffic signs and signals, trees, open tree wells, benches or other street furniture, streetlights, door swings, gate swings, or sidewalk café enclosures.
- c. The city may, in its discretion, require an additional setback for a specific pole when the city determines that the presumptively acceptable setback would obstruct motorists' sight lines or pedestrian access.
- d. The city may require the applicant to install a stealth pole, which may include without limitation functional streetlights and/or banners when technically feasible and the city determines that such additions would enhance the overall appearance and usefulness of the new pole.

- e. The city will consider new pole designs proposed by an applicant if they meet the intent of this policy for stealth and attractive designs that adequately conceal equipment, as determined by the engineering manager. If a new pole without a streetlight is proposed, antennas and all equipment not installed underground must be concealed and integrated into the overall design of the pole, no exterior equipment boxes or shrouds attached to the pole will be permitted.
4. *Areas with decorative streetlight poles.*
- a. Replacement poles and new non-replacement poles installed within the following areas shall be substantially similar in color, style and design to the existing decorative streetlights, as determined by the engineering manager in consultation with the city planner. Poles in each area shall use a single consistent design theme to maintain the existing character established by existing streetlights:
 - (1) Carlsbad Village
 - (2) Villages of La Costa Master Plan
 - (3) Bressi Ranch Master Plan
 - (4) La Costa Master Plan (MP 149)
 - (5) Various roads including El Camino Real and Aviara Parkway that utilize the mission bell streetlight design
 - (6) Any other areas as determined by the city planner or engineering manager
5. *Supplemental requirements for WCFs and SWFs on existing wood utility poles.*
- a. All antennas must be installed within a radome, shroud or other cover mounted to the pole at the top, side, or on a stand-off bracket or extension arm that is attached to the pole. The city's preference is for side-mounted antennas located in the communications space below the electric lines.²
 - b. All cables, wires and other connectors must be concealed within the antenna shroud, stand-off bracket/extension arm and conduit that is flush-mounted to the pole to the maximum extent feasible and of the smallest diameter and shortest length necessary to serve the facility. No loose, exposed, or dangling wiring or cables shall be allowed.
 - c. All shrouds, conduit or other items stealth/concealing antennas, equipment and wires shall be painted to match the color of the pole.

D. *Performance Guidelines*

- 1. *Noise* – All equipment, such as emergency generators and air conditioners, should be designed and operated consistent with the city noise standards.
- 2. *Maintenance* – All facilities, related equipment, and landscaping should be maintained in good condition and free from trash, debris, graffiti, and any form of vandalism. All required landscaping should be automatically irrigated. Damaged equipment and

² Strand-mount antennas are also considered a preferred installation type.

damaged, dead, or decaying landscaping should be replaced promptly. Replacement of landscaping that provides facility screening should be, as much as possible, of similar size (including height), type, and screening capability at the time of planting as the plant(s) being replaced.

3. *Maintenance Hours* – Except in an emergency posing an immediate public health and safety threat, maintenance activities in or within 100 feet of a residential zone should only occur between 7 AM (8 AM on Saturdays) and sunset. Maintenance should not take place on Sundays or holidays.
4. *Lighting* – Security lighting should be kept to a minimum and should only be triggered by a motion detector where practical.
5. *Compliance with laws and FCC RF Exposure Guidelines* – The permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law (“laws”) applicable to the permittee, the subject property, the WCR, SWF or other infrastructure deployment or any use or activities in connection with the use authorized by a required permit, which includes without limitation any laws applicable to human exposure to RF emissions and any standards, specifications or other requirements identified by the city planner or engineering manager (such as, without limitation, those requirements affixed to a required permit). If the city planner or engineering manager finds good cause to believe that the facility is not in compliance with any laws applicable to human exposure to RF emissions, the city planner or engineering manager may require the permittee to submit a written report certified by a qualified radio frequency engineer familiar with the facility that certifies that the facility is in compliance with all such laws. The city planner or engineering manager may order the facility to be powered down if, based on objective evidence, the city planner or engineering manager finds that the facility is in fact not in compliance with any laws applicable to human exposure to RF emissions until such time that the permittee demonstrates actual compliance with such laws. The permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen the permittee’s obligations to maintain compliance with all laws. No failure or omission by the City to timely notice, prompt or enforce compliance with any applicable provision in the Carlsbad Municipal Code, this Policy, any permit, any permit condition or any applicable law or regulation, shall be deemed to relieve, waive or lessen the permittee’s obligation to comply in all respects with all applicable provisions in the Carlsbad Municipal Code, this Policy, any permit, any permit condition or any applicable law or regulation. .
6. *Abandonment of antennas and equipment*- Any WCF or SWF that is not operated for a continuous period of 180 days will be considered abandoned. Within 90 days of receipt of notice from the city notifying the owner of such abandonment, the facility owner must remove the facility and restore the site, as much as is reasonable and practical, to its prior condition. If such facility is not removed within the 90 days, the facility will be considered a nuisance and in addition to any other available remedy, will be subject to abatement under Chapter 6.16 of the Carlsbad Municipal Code. If there are two or more users of a single WCF, then this provision will not become effective until all users stop using the

WCF. The provider or owner must give notice to the city of the intent to discontinue use of any facility before discontinuing the use.

E. *Application and Review Guidelines*

1. Application requirements for WCFs. In addition to the typical submittal requirements for a CUP or Minor CUP (see Planning Division Form P-2), right-of-way permit or building permit (including plans, landscape details, and color and material samples, as appropriate), all WCF applications shall include the following items:
 - a. A description of the site selection process undertaken for the WCF proposed. Technical service objectives and the reasons for selecting the proposed site and rejecting other sites should be provided.
 - b. A description or map of the applicant's existing and other proposed sites.
 - c. A description of the wireless system proposed (e.g., cellular, PCS, etc.) and its consumer features (e.g., voice, video, and data transmissions).
 - d. Verification that the proposed WCF will either comply with the FCC's guidelines for human exposure to RF electromagnetic fields or will be categorically excluded from having to determine compliance with the guidelines per 47 CFR §1.1307(b)(1). If WCFs are proposed for collocation, the verification must show the total exposure from all facilities taken together meets the FCC guidelines. The applicant shall submit an RF exposure compliance report that certifies that the proposed facility, both individually and cumulatively as applicable under 47 C.F.R. § 1.1307(b)(5), will comply with applicable federal RF exposure standards and exposure limits.
 - e. Color photo-simulation exhibits, prepared to scale, of the proposed WCF to show what the project would look like at its proposed location and from surrounding viewpoints. The city planner or engineering manager may waive the requirement to provide the exhibits if he/she determines they are unnecessary.
 - f. Provide confirmation that an environmental assessment, or other application determination, has been completed by or on behalf of the FCC for any facility proposed in a location identified in 47 C.F.R. 1.307 (including a floodplain) or as otherwise required by National Environmental Policy Act or the National Historic Preservation Act.
2. Application requirements for SWFs. In addition to the typical submittal requirements for a right-of-way permit or building permit (including plans, landscape details, and color and material samples, as appropriate), all SWF applications shall include the following items:
 - a. A description of the wireless system proposed (e.g., cellular, PCS, etc.) and its consumer features (e.g., voice, video, and data transmissions).
 - b. For new poles that are least preferred, a description of the site selection process undertaken for the proposed SWF. A technical service objective and the reasons for selecting the proposed site and rejecting other sites should be provided.
 - c. Verification that the proposed SWF will either comply with the FCC's guidelines for human exposure to RF electromagnetic fields or will be categorically excluded from having to determine compliance with the guidelines per 47 CFR §1.1307(b)(1). The applicant shall submit an RF exposure compliance report that certifies that the proposed facility, both individually and cumulatively as

- applicable under 47 C.F.R. § 1.1307(b)(5), will comply with applicable federal RF exposure standards and exposure limits.
- d. Color photo-simulation exhibits, prepared to scale, of the proposed WCF to show what the project would look like at its proposed location and from surrounding viewpoints. The city planner or engineering manager may waive the requirement to provide the exhibits if he/she determines they are unnecessary.
 - e. Environmental impact assessment form to determine whether the proposed project is categorically exempt under Article 19 of the CEQA Guidelines, or whether the proposed project will require a Negative Declaration, Mitigated Negative Declaration or an Environmental Impact Report. In addition, provide confirmation that an environmental assessment, or other application determination, has been completed by or on behalf of the FCC for any facility proposed in a location identified in 47 C.F.R. 1.307 (including a floodplain) or as otherwise required by National Environmental Policy Act or the National Historic Preservation Act.
3. For WCFs proposed in a zone or area that is a discouraged WCF location as listed in Location Guideline A.2., the applicant shall provide evidence that no location in a preferred zone or area as listed in Location Guideline A.1. is technically feasible or potentially available to accommodate the applicant's proposed facility. Evidence should document that preferred zone or area locations do not meet engineering, coverage, location, or height requirements, or have other unsuitable limitations.
4. For proposed new ground-mounted monopole WCFs, the applicant shall also provide evidence to the city's satisfaction that no existing monopole, building, structure, or WCF site ("existing facility") could accommodate the proposal. Evidence should demonstrate any of the following:
- a. No existing facility is located within the geographic area or provides the height or structural strength needed to meet the applicant's engineering requirements.
 - b. The applicant's proposed WCF would cause electromagnetic interference with the existing antennae array or vice versa.
 - c. The fees, costs, or contractual provisions required by the owner to locate on an existing facility or to modify the same to enable location are unreasonable. Costs exceeding new monopole development are presumed to be unreasonable.
 - d. The applicant demonstrates to the decision-maker's (Planning Commission or city planner) satisfaction that there are other limiting factors that render an existing facility unsuitable.
5. In approving a WCF or SWF, the decision-maker (Planning Commission, city planner or engineering manager) shall make the findings in Carlsbad Municipal Code Section 21.42.020 if applicable, and shall give consideration to the following factors:
- a. Compliance with these guidelines.
 - b. Height and setbacks.
 - c. Proximity to residential uses.
 - d. The nature of uses on adjacent and nearby properties.
 - e. Surrounding topography and landscaping.
 - f. Quality and compatibility of design and screening.
 - g. Impacts on public views and the visual quality of the surrounding area.

- h. Availability of other facilities and buildings for collocation.
6. Conditional Use Permits (CUPs)/Minor CUPs for WCFs shall be granted for a period not to exceed ten years unless public safety reasons and/or substantial land use reasons justify a shorter term. A WCF that is decommissioned, discontinued, or otherwise abandoned by the owner or operator for a continuous one-year period is subject to revocation under Section 21.42.120 of the Carlsbad Municipal Code. Upon a request for either an extension or an amendment of a CUP or Minor CUP, the WCF will be reevaluated to assess the impact of the facility on adjacent properties, the record of maintenance and performance with reference to the conditions of approval, and consistency with these guidelines. Additionally, the city will review the appropriateness of the existing facility's design, and that the applicant documented that the WCF maintains the design that is the smallest, most efficient, and least visible and that there are not now more appropriate and available locations for the facility, such as the opportunity to collocate or relocate to an existing building.
7. Collocation for WCFs. Pursuant to California Government Code Section 65850.6, qualifying collocation facilities for WCFs shall not be approved with a conditional use permit or conditional use permit amendment. This section does not apply to SWFs.
- a. For the purposes of collocation, the following definitions apply:
 - (1) "Collocation facility" means the placement or installation of WCFs, including antennas, and related equipment, on or immediately adjacent to, a wireless telecommunications collocation facility.
 - (2) "Wireless telecommunications facility" means equipment and network emergency power systems that are integral to providing wireless telecommunications services.
 - (3) "Wireless telecommunications collocation facility" or "WTCF" means a wireless telecommunications facility that includes Collocation facilities.
 - b. A building permit shall be required for a proposed WCF Collocation facility which will be placed on a previously approved WTCF provided that:
 - (1) The new WCF Collocation facility is consistent with requirements for the existing WTCF installation; and
 - (2) The modification of an existing wireless tower or base station does not physically change the dimensions of such tower or base station.
 - c. Approval of an application to construct or reconstruct a WCF wireless facility shall not require an escrow deposit for removal of the WCF Collocation facility or any component thereof.
 - d. Notwithstanding subsection (b) above, the city may require a performance bond or other surety or another form of security if the amount required is rationally related to the cost of removal.
8. Applications from a single provider of wireless communication services for up to 10 SWF permits may be batched and processed together. A single provider may not submit more than one batch of applications at one time. Batched applications will only be accepted prior to 4:00pm Monday through Thursday.

9. Applications must be submitted in-person and with an appointment. Application materials delivered by U.S. mail or other delivery service will not be processed and do not constitute a submitted and duly filed application. An application is not considered duly filed and submitted unless it is provided in-person to a representative of the Community Development Department and assigned a case number or permit number as appropriate.
10. SWFs that propose to use an existing pole, replacement pole or other existing structure shall be required to provide authorization from the pole or structure owner. Authorization may include signatures, letters, agreements or other similar methods acceptable to the city planner or engineering manager. Authorization from the owner in connection with joint utility poles may be evidenced by documentation that shows that authorization has been granted in accordance with the joint pole committee's rules, which may include authorization deemed granted by lapse of time.
11. Exceptions to this policy. The city may grant an exception to the requirements of this policy but only to the extent necessary to avoid conflict with applicable federal or state law. When the applicant requests an exception, the approval authority shall consider the findings in subsection (a) of this section. Each exception is specific to the facts and circumstances in connection with each application. An exception granted in one instance shall not be deemed to create a presumption or expectation that an exception will be granted in any other instance.
 - a. The decision maker may grant an exception to any provision or requirement in this policy only if the decision maker finds that:
 - (1) A denial based on the application's noncompliance with a specific provision or requirement would violate federal law, state law or both; or
 - (2) A provision in this policy, as applied to the applicant, would violate any rights or privileges conferred on the applicant by federal or state law.
 - b. If the decision maker finds that an exception should be granted, the exception shall be narrowly tailored so that the exception deviates from this policy to least extent necessary for compliance with federal or state law.
 - c. The applicant shall have the burden to prove to the decision maker that an exception should be granted pursuant to this section. The standard of evidence shall be the same as required by applicable federal or state law for the issue raised in the applicant's request for an exception.
12. Pre-Application Meetings. Federal laws and policies establish time limitations (referred to as a "shot clock") related to processing of all types of WCFs and SWFs permits. The city is required to act on a WCF or SWF permit within the established shot clock timeframes. Pre-application meetings are strongly encouraged in order to ensure that proposed facilities comply with the requirements of these Guidelines and that application materials include adequate and accurate information. A pre-application meeting is voluntary and is intended to streamline the review process through informal discussion between the potential applicant and staff that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other city

departments responsible for application review; and any foreseen application completeness issues.

13. Pre-approved designs. To expedite the review process, encourage collaborative designs among applicants and the city, and ensure cohesive and high-quality designs for new or replacement poles in areas such as those with decorative streetlights, the engineering manager in consultation with the city planner, may designate one or more pre-approved designs for small wireless facilities and other infrastructure deployments.
 - a. Any applicant may propose a design for consideration as a pre-approved design. The city may, in its discretion, establish a pre-approved design when the proposed pre-approved design exceeds the design guidelines in this policy.
 - b. The city may modify or repeal any pre-approved design by written notice to any applicants who have used the pre-approved design, and by posting the notice at the Land Use Engineering counter. The modification or repeal shall be effective immediately.
 - c. Any applicant may propose to use any pre-approved design whether the applicant initially requested that the city adopt such pre-approved design or not. The city's decision to adopt a preapproved design expresses no preference or requirement that applicants use the specific vendor or manufacturer that fabricated the design depicted in the pre-approved plans. Any other vendor or manufacturer that fabricates a facility to the standards and specifications in the pre-approved design with like materials, finishes and overall quality shall be acceptable as a pre-approved design.
14. A master license agreement or other authorization is required prior to permit submittals for WCF or SWF installations that will locate on city-owned property or facilities.
15. At the time of filing the application, the applicant shall pay all applicable fees contained in the most recent fee schedule adopted by the city council.
16. An applicant may voluntarily elect to defer submittal of any permit or agreement which is otherwise required as part of a whole application. The voluntary deferral of any such permit or agreement shall toll the shot clock on that item. Once the voluntarily deferred item is received, the city will provide comments on any deferred submittal in the same manner as if it was a new application. The city will continue to process all other permits and agreements that are not deferred.

SEVERABILITY:

If any sections, subsections, sentence, clause, or phrase of the policy is for any reason held to be invalid or unconstitutional by the decision or legislation of any court of competent jurisdiction, or by reason of preemptive legislation, such decision or legislation shall not affect the validity of the remaining portions of the policy. The City Council declares that it would have approved this policy, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses, or phrases thereof is declared invalid or unconstitutional.

These Guidelines have been adopted, and may be amended, by resolution of the City Council. Revisions to address clerical errors may be made administratively by the Director of Community Development.

May 1, 2023

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To: City of Carlsbad Planning Development Services Department 1635 Faraday Ave., San Diego, CA 92130 Carlsbad, CA 92008 (858) 750-1798 | From: Harold Thomas Jr, MD7,LLC obo. AT&T Wireless 10590 W. Ocean Air Drive, Suite 250 Carlsbad, CA 92008 (858) 750-1798 hthomasjr@md7.com |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Alternative Site Analysis Report

Development Approval for a New Wireless Telecommunication Facility

Project Description:

AT&T is seeking Development Approval to allow for the construction of a new Telecommunications facility to be located at 6600 Hidden Valley Rd., Carlsbad, CA 92011. The APN for the address is 214-140-13-00 and within an OS zone in the Hidden Valley Road Community. The proposed facility will be a 78-foot-tall light pole that will replace the (e) light pole C3. AT&T aims to establish compliance by instating entitlements for this facility following the guidelines outlined by the city. This proposed facility will also meet all guidelines and regulations that the FCC has outlined for telecommunications facilities. AT&T has also looked for viable alternatives in both design and location to ensure that the facility best supports the community. We will be installing the 78-foot-tall tower along with an 8- foot-high CMU wall equipment enclosure. As well as the installation of: (2) panel antennas per sector for a total of (6), (9) Remote Radio Units, (3) surge protectors at the antenna area, (2) surge protectors in equipment enclosure area, (1) VERTIV DC Power Cabinet, (2) Purcell Cabinets, (1) GPS Antenna, (1) Generator, (2) Fiber Cable Trunks and (9) DC power cable trunks. Along with the installation of a Telco / Fiber Service, and a 200A Electrical Power Service.

Candidate #1 - *Industrial*

When evaluating potential candidates to build a cell tower, AT&T sought to establish a tower within one of the City of Carlsbad's preferred zones. Beginning with an industrial zone, as the primary target. However, as we were researching thorough the city's, city map, we were unable to locate an industrial zone where our tower would be suitable. This is largely because, locations in industrial zones had dependable coverage. As a result, we were unable to proceed further with the establishment of a cell site.

Candidate #2 - Commercial

AT&T had considered a site located at 901 Palomar Airport Road. With the site being in a C-T-Q zone, AT&T would be within one of the cities preferred zones for wireless telecommunication facilities. The proximity of the freeway along with the local businesses were appealing, as the facility would be able to provide them with dependable coverage. However, upon further review of the site the location of the project was no longer feasible. There was no feasible location as to where we could have placed our facility due to there being no room on the site. A rooftop facility was also proposed as an option for the site, however the property owner ultimately declined. In addition, when comparing differences in elevation, this site would have been lower than the proposed site by 73 feet. This would compromise and strain the coverage even further. After much discussion, AT&T withdrew interest in proceeding forward with the site.

Candidate #3 - Other non-residential zones, except open space

AT&T had also considered, when establishing a cell site would have been at the Carlsbad Car Rental Center at 6030 Avenida Encinas Suite E. As we looked at this site, it looked promising as it was still within the top sites that the city would prefer for a cell site to be located. During our outreach we proposed our initial idea to the property owner. However, despite negotiations they property owner was not interested in having a cell site on their property. In addition to the coverage report maps, produced by our RF engineer, establishing a site at this location would not have been the best use of resources. As this location had a fair amount of existing coverage. Thereby adding a site here would have, done little to improve an already fair amount of coverage. In turn, having a cell site established for the sake of having a site.

Candidate #4 – Public right-of-way of roads adjacent to industrial and commercial zones

The next site that AT&T was considering was located at parcel number 214-010-95-00. With the site being located within a P.U. (public utility) zone, AT&T would be within one of the cities preferred zones for wireless telecommunications facilities. Similar to the previous site this location, this site would have been located near the San Diego Freeway. Unlike the previous candidate, this location provided various places to where we would be able to construct our standalone structure. As a result, we brought our proposal to the property owner. However, we were unable to proceed with the candidate. The property owner declined our proposal as they were uninterested in having a cell tower at their site.

Candidate #5 – Public Property (i.e City Facilities) not in residential areas

AT&T had also considered placing a facility at Aviara Community Park as a potential candidate for the cell tower. Like the location that we are proposing, this park is a city owned property. While this site garnered some interest, we were unable to pursue this site as a viable candidate. Upon review of our coverage maps as provided by the RF engineer, this area was already doing fairly well in coverage. Therefore, if we were to proceed to establish a site here it would not be meeting any objective in assisting the community.

Candidate #6 - Major power**transmission towers in non-resident**

AT&T had also sought to collocate onto an existing facility located at 5800 The Crossings Dr. The site would have been located within a preferred zone and would have been a city owned property as well. However, like the previous sites, the site would have been in a site that was doing well in coverage. This site would have been located outside of the Target Area that AT&T had established when determining viable candidate options. As a result we were unable to proceed with this site as a viable option.

Candidate #7 – Public and private utility installations (not publicly accessible) in residential and open spaces (i.e water tanks, reservoirs, or the existing communication towers near Maerkle River

AT&T had also sought opportunities to locate onto a private utility installation located at 705 Palomar Airport Rd. Similar to candidate 4 this site would have been located near the I-5 Freeway. The site was located towards the edges of the desired Target search area; however, it was a viable candidate for a cell tower. However, upon further review of the site, we were unable to proceed with the site as a viable candidate. Given how close the site would have been to the shoreline, there would have been an elevational disadvantage than the proposed site location. Where Poinsettia Park has an elevation of 175 feet, this location has an elevation of roughly 63-feet. With a significant elevational disadvantage of a little over half, we were unable to proceed with this site as a viable candidate.

Alternate Site #8 – Public right-of-way of roads adjacent to residential zones

AT&T had also sought opportunities to locate onto a public right-of-way road, along Paseo El Norte. This location would have been closer within the target area. However, this site would not have been a viable option as the location also presented elevational disadvantage. The proposed site has an elevation of 168 compared to the 63-foot elevation that we would have if we moved to the roadway along Paseo El Norte. Leading to a 105 foot disadvantage. Therefore we were unable to proceed with this location.

Conclusion

AT&T chose the site at 6600 Hidden Valley Road for numerous factors. The proposed site was located within an open space zone. This site also provided the possibility of a stealth design; an aspect that was not easily available with the previous sites. With every proposed site AT&T wanted to ensure that any structure they produced, would serve to its maximum potential. That whatever height was proposed, it would be to a height that would integrate to the existing landscape to avoid distraction and serve to its potential, and not for greed. As we evaluated the area, we noticed the existing light poles and sought a design that would integrate with the existing features in the area.

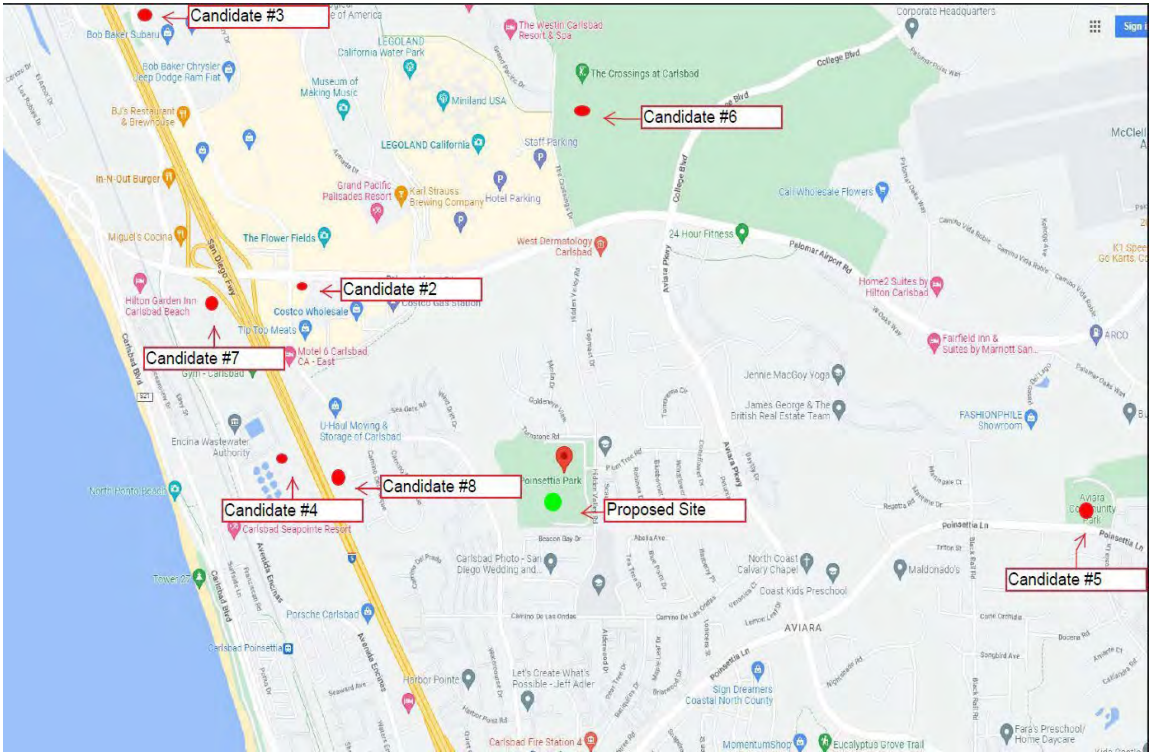
Before we decided to proceed with this candidate, we contacted City of Carlsbad to present our proposal. As we presented our proposal, and how it would be beneficial to the community. In addition, the tower would implement a stealth design. The National Institute of Health's Wireless Substitution Report for the second half of 2020 estimates that 65.3% of adults and 75.5% of children live in wireless- only homes

(<https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202108-508.pdf>), and it is estimated that in many areas of the US, 80% or more of 911 calls are made from a wireless device (<https://www.nena.org/page/911Statistics>). Enhanced wireless also allows businesses to flourish, from being able to have a media presence to person-to-person sales and banking apps that are common on smartphones. While AT&T prides itself on providing

connectivity, in a manner that respects the landscape and is beneficial for residents.

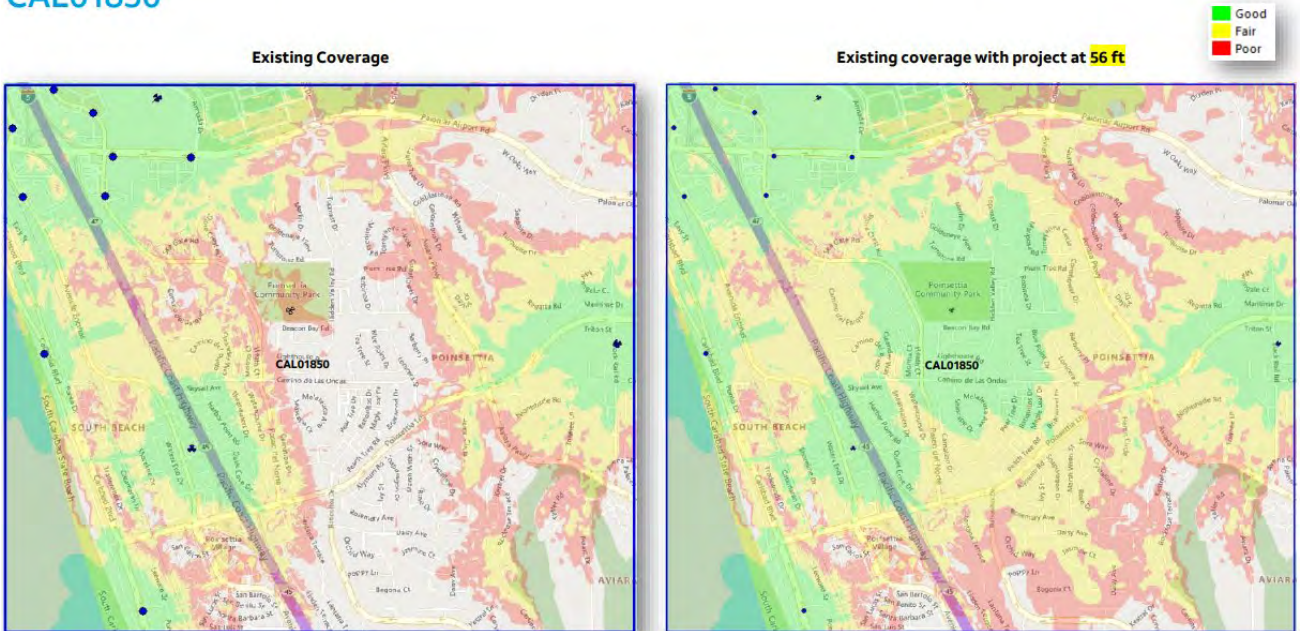
Our site will be able to best serve: the neighboring residences, Poinsettia Kinder Care and Pacific Rim Elementary School, Carlsbad Fire Station 4, and nearby local businesses. Our site will allow people to work remotely from home because it can enhance connectivity through phone hotspots if service is dependable. This is less time on the road, greater flexibility, and a consistent connective source. When we created our coverage map, our priority was to ensure that the height and location we chose, will be following the existing standards governing health safety, and welfare. The facility will be engineered and constructed in accordance the standards in effect at the time of building permit application, including current building, fire, energy, mechanical and structural codes. The city will have the opportunity to review plans and verify the correct standards are applied.

Candidate(s) Location Site Map



Coverage Map

CAL01850



CAL01850



Please let me know if you have any questions or concerns.

Best,

Harold Thomas Jr

Harold Thomas Jr

Land Use-I

hthomasjr@md7.com

(858) 750-1798

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

| | |
|----------------------------|----------------------------------------------------------------------------------------------------|
| Site Name: | Poinsettia Park |
| FA#: | 14292179 |
| USID: | 288901 |
| Site ID: | CAL01850 |
| Address: | 6600 Hidden Valley Road Carlsbad, California 92011 San Diego County |
| Latitude: | 33.11388000 NAD83 |
| Longitude: | -117.30528000 NAD83 |
| Structure Type: | Light Pole |
| RFDS ID: | 4292308 |
| RFDS Technology: | eNode B |
| EBI Project Number: | 6222005431 |
| Report Date: | September 9, 2022 |
| Pace Job: | MRSDL022412, MRSDL028406, MRSDL028395, MRSDL022409, MRSDL018605, MRSDL040392, MRSDL040393 |



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

Prepared for:

AT&T Mobility, LLC
c/o MD7, LLC
10590 West Ocean Air Drive,
Suite 300
San Diego, CA 92130

Prepared by:



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APPENDICES

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| Appendix B | Compliance/Signage Plan |
| Appendix C | Antenna Inventory |

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 CAL01850 located at 6600 Hidden Valley Road in Carlsbad, 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, the worst-case emitted power density may exceed the FCC's general public limit within approximately 93 feet of ATT's proposed antennas at the light fixture level. Modeling also indicates that the worst-case emitted power density will not exceed the FCC's occupational limit at the light fixture level.

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 7 by 7 inch CAUTION signs on opposite sides of the light pole, 21 feet below the bottom of the antennas. Signs should denote a stay-back distance of 96 feet from the face of the antennas.

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. To reduce the risk of exposure and/or injury, EBI recommends that access to the light pole or areas associated with the active antenna installation be restricted and secured where possible. More detailed information concerning site compliance recommendations is presented in Section 4.0 and Appendix B of this report.

I.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.

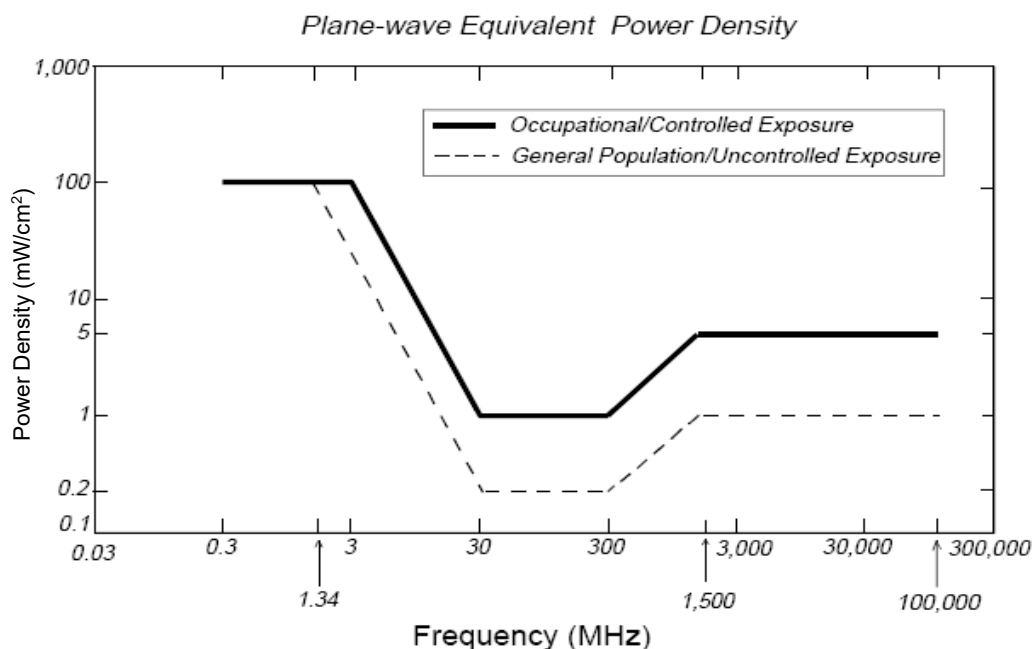
| Table I: Limits for Maximum Permissible Exposure (MPE) | | | | |
|--------------------------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------------|---------------------------------------------------------------------|
| (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/cm²) | 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)



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 light fixture level and 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. A statistical power factor may be applied to the antenna system based on guidance from the carrier and system manufacturers.

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, the worst-case emitted power density may exceed the FCC's general public limit within approximately 93 feet of AT&T's Sector A, B, and C antennas on the light fixture level.

Modeling indicates that the worst-case emitted power density may exceed the FCC's general public limit within approximately 96 feet of the antenna face and the occupational limit within approximately 45 feet of the antenna face. Modeling also indicates that the worst-case emitted power density may exceed the FCC's general population limit within approximately 21 feet below the bottom of the AT&T antennas and the occupational limit within approximately 10 feet below the bottom of the AT&T antennas.

At the nearest walking/working surfaces to the AT&T antennas on the light fixture level, the maximum power density generated by the AT&T antennas is approximately 454.09 percent of the FCC's general public limit (90.82 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately 454.09 percent of the FCC's general public limit (90.82 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna. It should be noted that percentage of MPE is based on spatially-averaged power densities over a height of six feet, with the height of the light fixture being centered within that spatial range. Based on worst-case predictive modeling, there are no areas at ground/street level related to the proposed AT&T antennas that exceed the FCC's occupational or general public exposure limits at this site. At ground/street level, the maximum power density generated by the antennas is approximately 5.3 percent of the FCC's general public limit (1.06 percent of the FCC's occupational limit).

A graphical representation of the RoofMaster™ modeling results is presented in Appendix B.

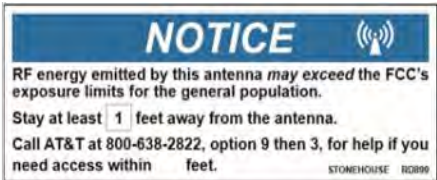

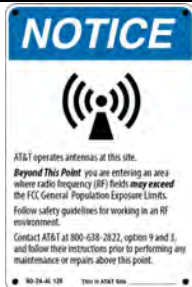
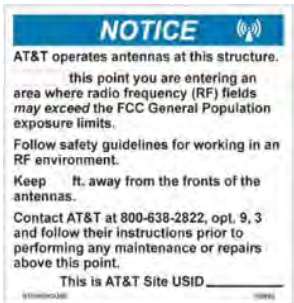


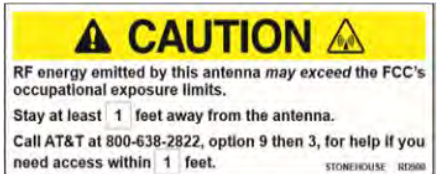




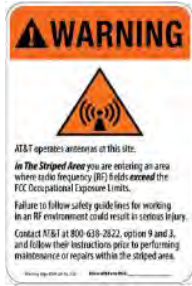
Microwave dish antennas are designed for point-to-point operations at the elevations of the installed equipment rather than ground-level coverage. Based on AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, microwave antennas are considered compliant if they 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 | |
|-------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|  | NOTICE DECAL |  |  |
|  | NOTICE SIGN |  |  |
|  | CAUTION DECAL |  |  |
|  | CAUTION SIGN |  |  |

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 7 by 7 inch CAUTION signs on opposite sides of the light pole, 21 feet below the bottom of the antennas. Signs should denote a stay-back distance of 96 feet from the face of the antennas.

No barriers are required for this site. Barriers should be constructed of weather-resistant plastic or wood fencing. Barriers may consist of railing, rope, chain, or weather-resistant plastic if no other types are permitted or are feasible. Painted stripes should only be used as a last resort and only in regions where there is little chance of snowfall. If painted stripes are selected as barriers, it is recommended that the stripes and signage be illuminated. The signage and any barriers are graphically represented in the Signage Plan presented in Appendix B.

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 6600 Hidden Valley Road in Carlsbad, 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, the worst-case emitted power density may exceed the FCC's general public limit within approximately 93 feet of ATT's proposed antennas at the light fixture level. Modeling also indicates that the worst-case emitted power density will not exceed the FCC's occupational limit at the light fixture level.

To reduce the risk of exposure and/or injury, EBI recommends that access to the light pole or areas associated with the active antenna installation be restricted and secured where possible. 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 and its partners are based solely on information supplied by AT&T, including modeling instructions, inputs, parameters and methods. Calculations, data, and modeling methodologies for C Band equipment include a statistical factor reducing the power to 32% of maximum theoretical power to account for spatial distribution of users, network utilization, time division duplexing, and scheduling time. AT&T recommends the use of this factor based on a combination of guidance from its antenna system manufacturers, supporting international industry standards, industry publications, and its extensive experience. 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.

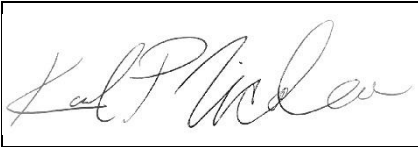
Appendix A

Personnel Certifications

Preparer Certification

I, Karl Nicoleau, state that:

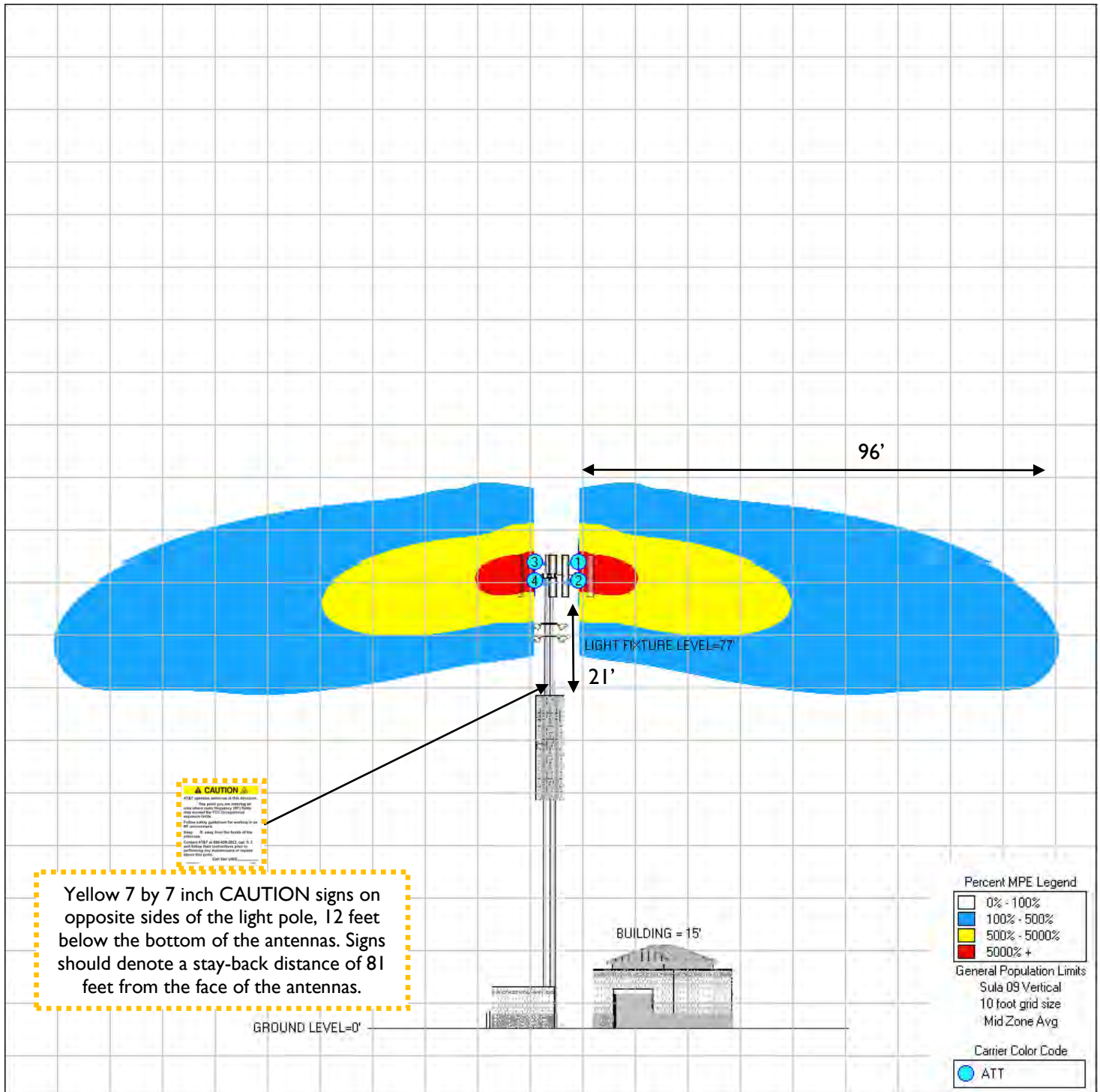
- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified “occupational” 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.



Appendix B

Compliance/Signage Plan

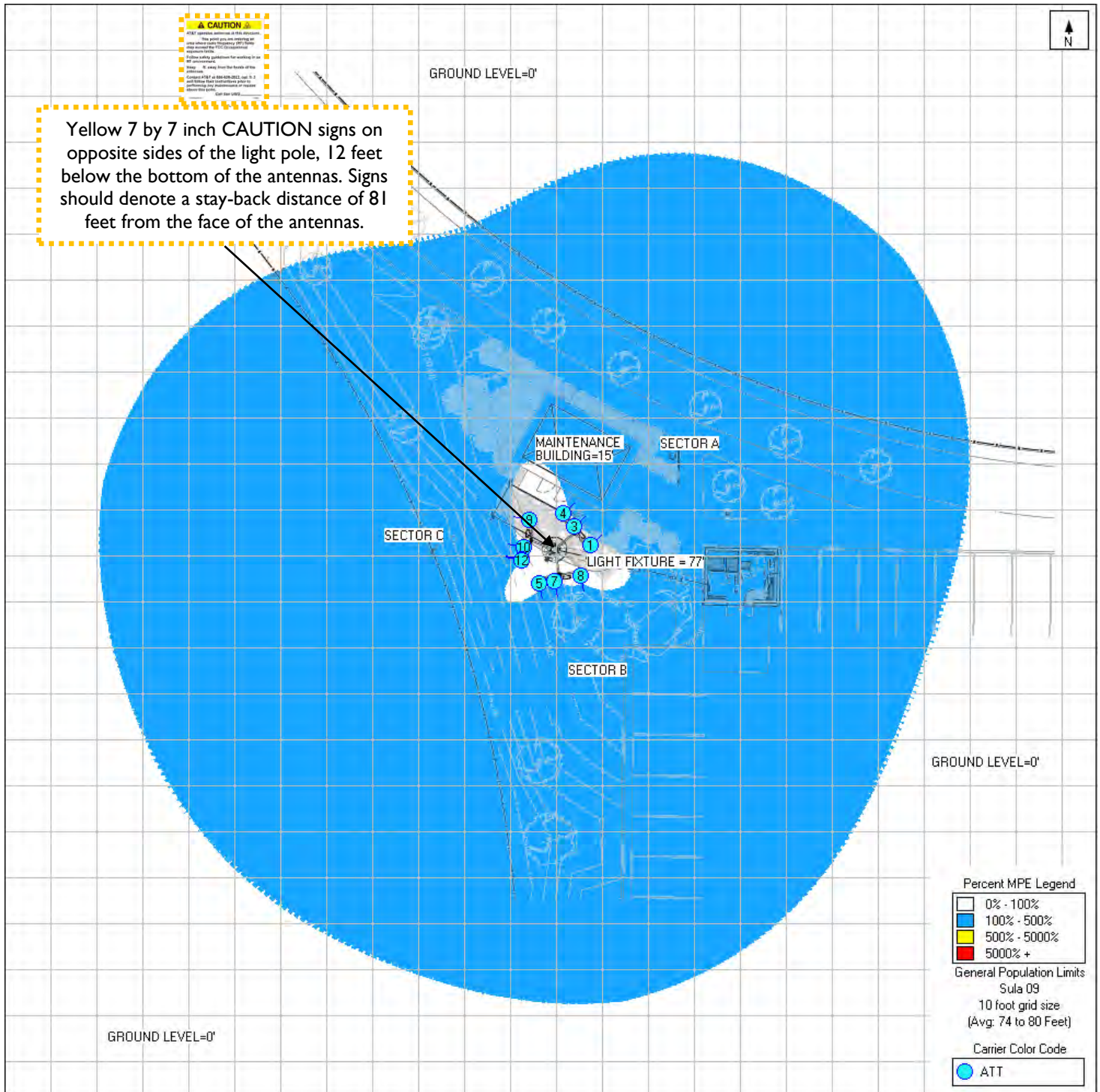
Elevation Simulation



| | |
|--|----------------|
| | 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 |

Light Fixture Level 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 |

Appendix C

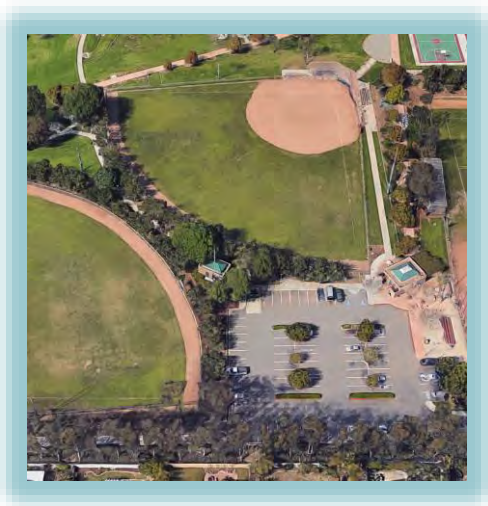
Antenna Inventory

| Antenna # | Operator | Frequency (MHz) | Azimuth (Degrees) | Power Input (Watts) | Transmitter Count | Total ERP (Watts) | Total EIRP (Watts) |
|-----------|----------|-----------------|-------------------|---------------------|-------------------|-------------------|--------------------|
| 1 | ATT | 700 | 50 | 120 | 1 | 1545.90 | 2535.28 |
| 1 | ATT | 850 | 50 | 120 | 1 | 2094.99 | 3435.78 |
| 1 | ATT | 1900 | 50 | 120 | 1 | 2692.66 | 4415.96 |
| 1 | ATT | 2100 | 50 | 120 | 1 | 3682.83 | 6039.84 |
| 2 | ATT | 3700 | 50 | 108.435 | 1 | 23997.69 | 39356.22 |
| 3 | ATT | 3500 | 50 | 108.435 | 1 | 23997.69 | 39356.22 |
| 4 | ATT | 700 | 50 | 120 | 1 | 1545.90 | 2535.28 |
| 5 | ATT | 700 | 170 | 120 | 1 | 1545.90 | 2535.28 |
| 6 | ATT | 3700 | 170 | 108.435 | 1 | 23997.69 | 39356.22 |
| 7 | ATT | 3500 | 170 | 108.435 | 1 | 23997.69 | 39356.22 |
| 8 | ATT | 700 | 170 | 120 | 1 | 1545.90 | 2535.28 |
| 8 | ATT | 850 | 170 | 120 | 1 | 2094.99 | 3435.78 |
| 8 | ATT | 1900 | 170 | 120 | 1 | 2692.66 | 4415.96 |
| 8 | ATT | 2100 | 170 | 120 | 1 | 3682.83 | 6039.84 |
| 9 | ATT | 700 | 280 | 120 | 1 | 1545.90 | 2535.28 |
| 10 | ATT | 700 | 280 | 120 | 1 | 1545.90 | 2535.28 |
| 10 | ATT | 850 | 280 | 120 | 1 | 2094.99 | 3435.78 |
| 10 | ATT | 1900 | 280 | 120 | 1 | 2692.66 | 4415.96 |
| 10 | ATT | 2100 | 280 | 120 | 1 | 3682.83 | 6039.84 |
| 11 | ATT | 3700 | 280 | 108.435 | 1 | 23997.69 | 39356.22 |
| 12 | ATT | 3500 | 280 | 108.435 | 1 | 23997.69 | 39356.22 |

- Note there are 4 AT&T panel antennas per sector at this site. For clarity, the different frequencies for each antenna are entered on separate lines.
- A 75% duty cycle was applied to NR and LTE technologies.

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

| | |
|----------------------------|----------------------------------------------------------------------------------------------------|
| Site Name: | Poinsettia Park |
| FA#: | 14292179 |
| USID: | 321857 |
| Site ID: | CAL01850 |
| Address: | 6600 "A" Hidden Valley Road Carlsbad, California 92011 San Diego County |
| Latitude: | 33.11390200 NAD83 |
| Longitude: | -117.30756700 NAD83 |
| Structure Type: | Light Pole |
| RFDS ID: | 5662803 |
| RFDS Technology: | eNode B |
| EBI Project Number: | 6222005431 |
| Report Date: | October 25, 2023 |
| Pace Job: | MRSDL022412, MRSDL028406, MRSDL028395, MRSDL022409, MRSDL018605, MRSDL040392, MRSDL040393 |



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

Prepared for:

AT&T Mobility, LLC
c/o MD7, LLC
10590 West Ocean Air Drive,
Suite 300
San Diego, CA 92130

Prepared by:



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APPENDICES

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| Appendix B | Compliance/Signage Plan |
| Appendix C | Antenna Inventory |

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 CAL01850 located at 6600 "A" Hidden Valley Road in Carlsbad, 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 light fixture level and 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 7 by 7 inch CAUTION signs on opposite sides of the light pole, 6 feet below the bottom of the antennas. Signs should denote a stay-back distance of 44 feet from the face of the antennas.

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. To reduce the risk of exposure and/or injury, EBI recommends that access to the light pole or areas associated with the active antenna installation be restricted and secured where possible. More detailed information concerning site compliance recommendations is presented in Section 4.0 and Appendix B of this report.

I.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.

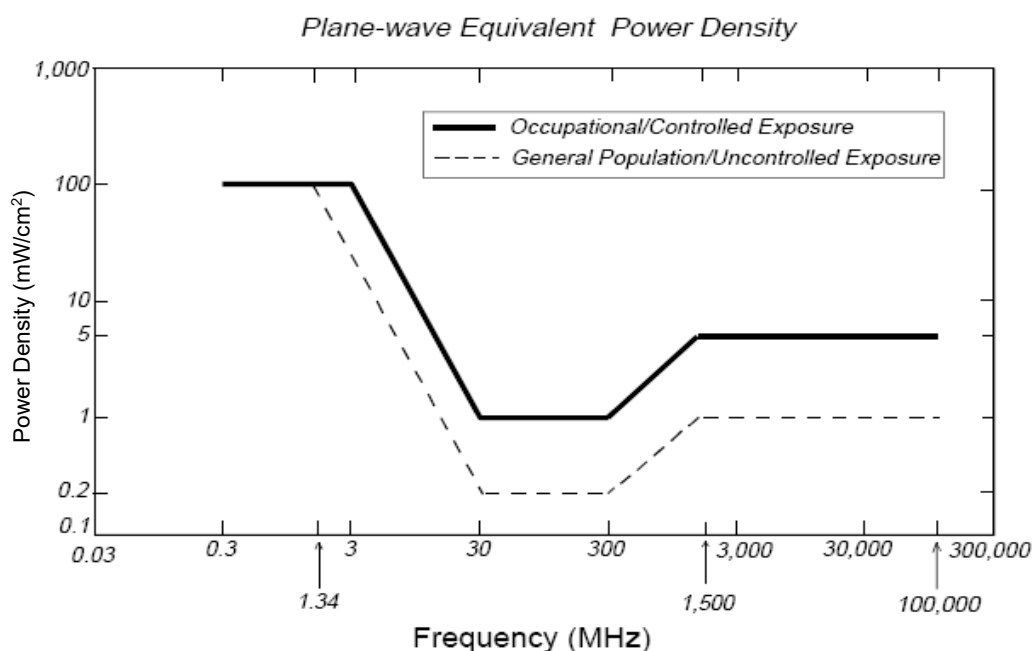
| Table I: Limits for Maximum Permissible Exposure (MPE) | | | | |
|--------------------------------------------------------|-----------------------------------|-----------------------------------|-----------------------------------------|---------------------------------------------------------------------|
| (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/cm²) | 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)



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 light fixture level and 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. A statistical power factor may be applied to the antenna system based on guidance from the carrier and system manufacturers.

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 light fixture level and 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.

Modeling indicates that the worst-case emitted power density may exceed the FCC's general public limit within approximately 44 feet of the antenna face and the occupational limit within approximately 19 feet of the antenna face. Modeling also indicates that the worst-case emitted power density may exceed the FCC's general population limit within approximately 6 feet below the bottom of the AT&T antennas and the occupational limit within approximately 5 feet below the bottom of the AT&T antennas.

At the nearest walking/working surfaces to the AT&T antennas on the light fixture level, the maximum power density generated by the AT&T antennas is approximately 51.62 percent of the FCC's general public limit (10.32 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately 51.62 percent of the FCC's general public limit (10.32 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna. It should be noted that percentage of MPE is based on spatially-averaged power densities over a height of six feet, with the height of the light fixture being centered within that spatial range. Based on worst-case predictive modeling, there are no areas at ground/street level related to the proposed AT&T antennas that exceed the FCC's occupational or general public exposure limits at this site. At ground/street level, the maximum power density generated by the antennas is approximately 4.04 percent of the FCC's general public limit (0.808 percent of the FCC's occupational limit).

A graphical representation of the RoofMaster™ modeling results is presented in Appendix B.

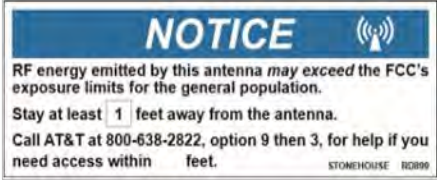

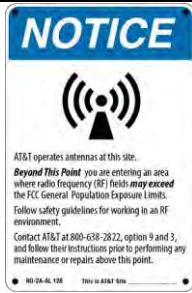
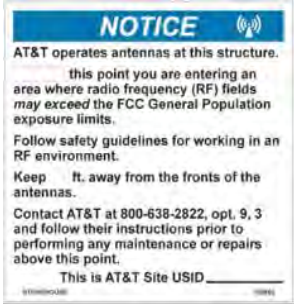


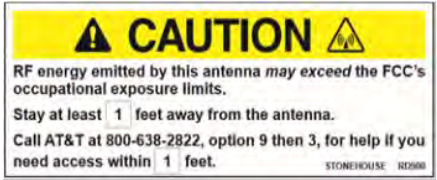





Microwave dish antennas are designed for point-to-point operations at the elevations of the installed equipment rather than ground-level coverage. Based on AT&T's RF Exposure: Responsibilities, Procedures & Guidelines document, dated October 28, 2014, microwave antennas are considered compliant if they 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 | |
|-------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|  | NOTICE DECAL |  |  |
|  | NOTICE SIGN |  |  |
|  | CAUTION DECAL |  |  |
|  | CAUTION SIGN |  |  |

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 7 by 7 inch CAUTION signs on opposite sides of the light pole, 6 feet below the bottom of the antennas. Signs should denote a stay-back distance of 44 feet from the face of the antennas.

No barriers are required for this site. The signage is graphically represented in the Signage Plan presented in Appendix B.

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 6600 "A" Hidden Valley Road in Carlsbad, 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 light fixture level and 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.

To reduce the risk of exposure and/or injury, EBI recommends that access to the light pole or areas associated with the active antenna installation be restricted and secured where possible. 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 and its partners are based solely on information supplied by AT&T, including modeling instructions, inputs, parameters and methods. Calculations, data, and modeling methodologies for C Band equipment include a statistical factor reducing the power to 32% of maximum theoretical power to account for spatial distribution of users, network utilization, time division duplexing, and scheduling time. AT&T recommends the use of this factor based on a combination of guidance from its antenna system manufacturers, supporting international industry standards, industry publications, and its extensive experience. 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.

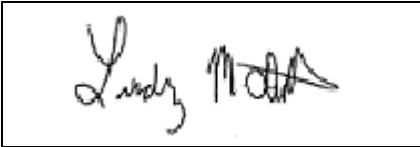
Appendix A

Personnel Certifications

Preparer Certification

I, Lindsey Dutton, state that:

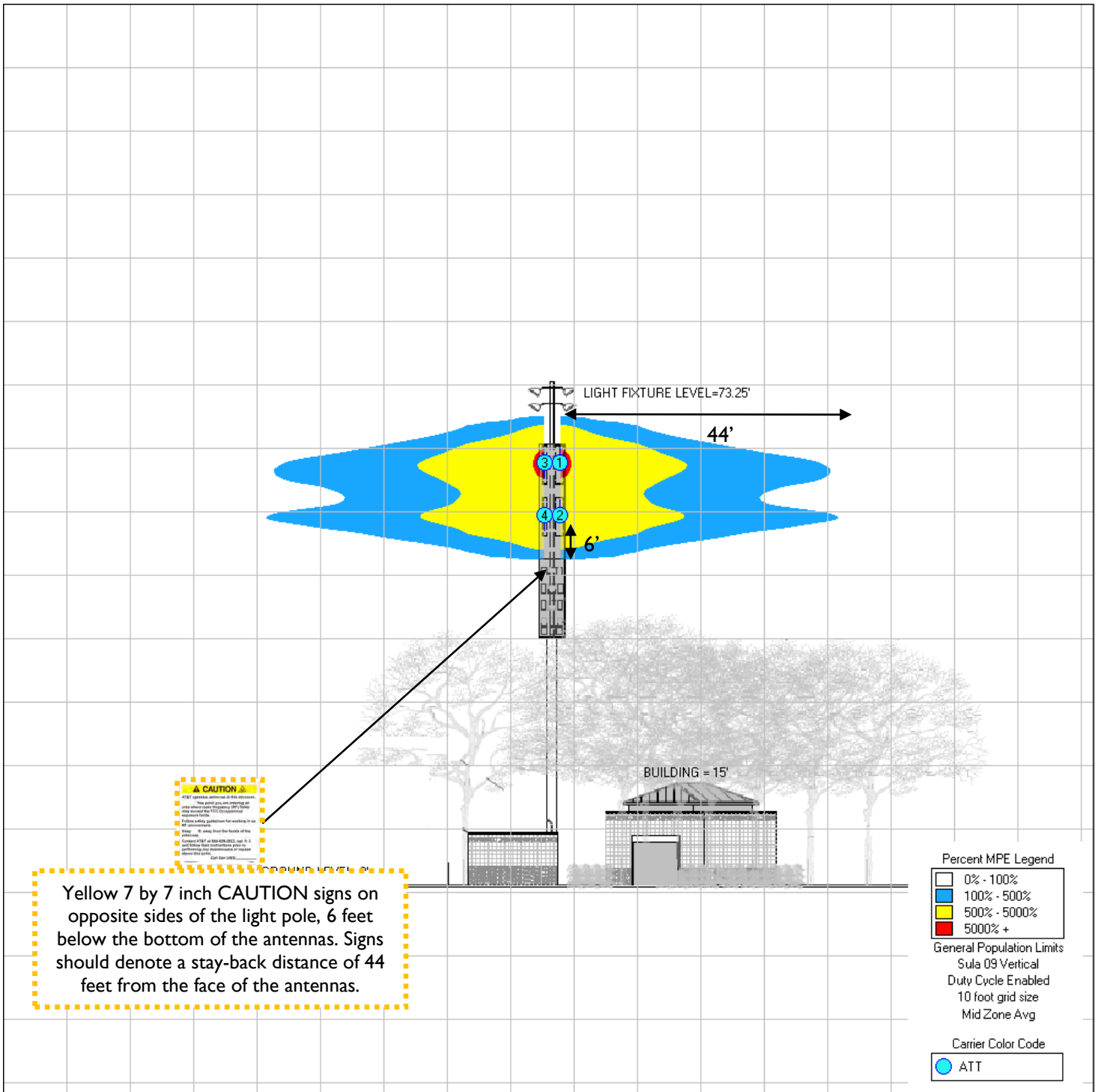
- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" 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. The signature appears to read "Lindsey Dutton" with a stylized, cursive script.

Appendix B

Compliance/Signage Plan

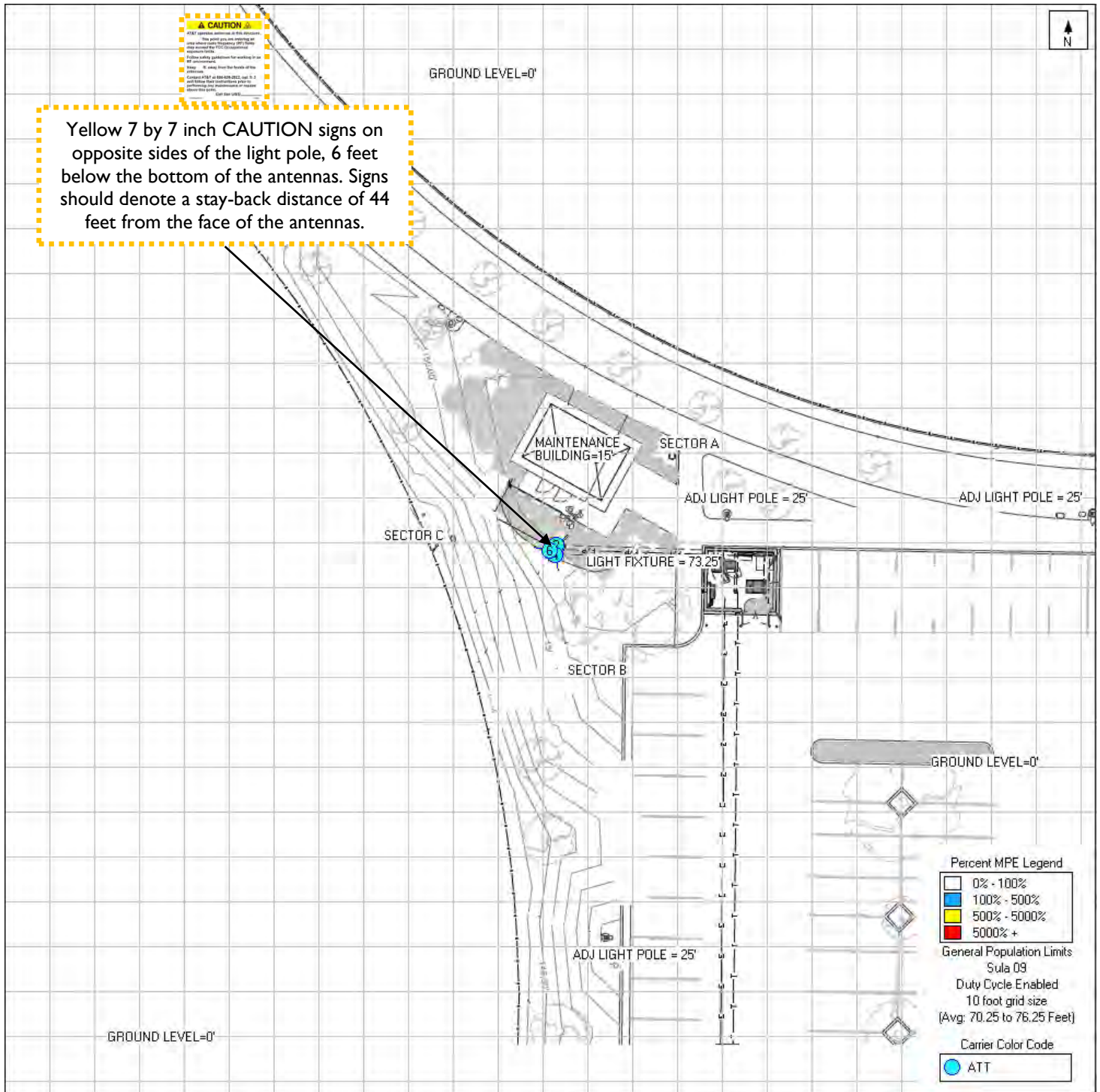
Elevation Simulation



| | |
|--|----------------|
| | 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 |

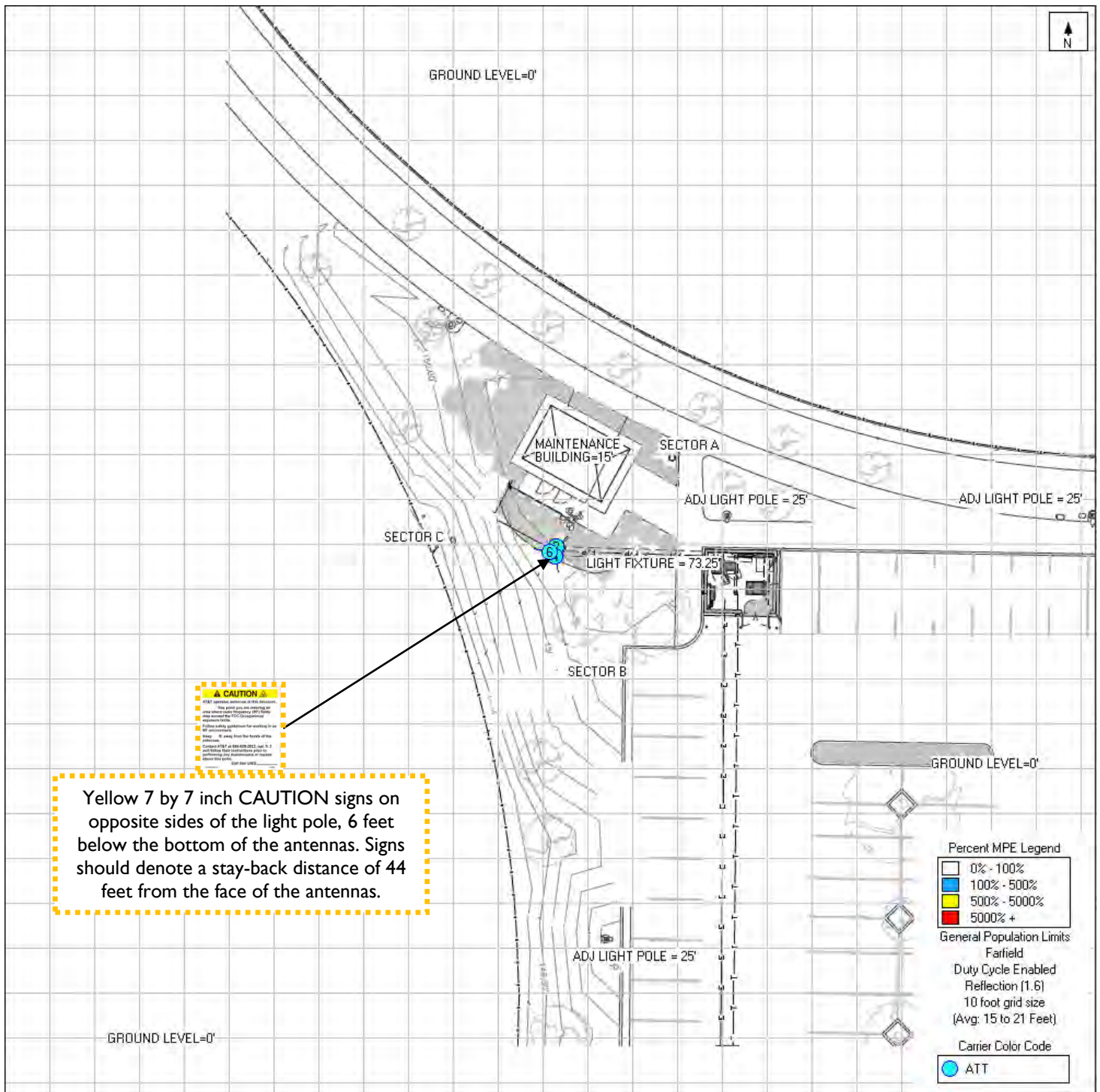
Light Fixture Level Simulation



| | |
|--|----------------|
| | 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 |

Maintenance Building Level 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 |

Appendix C

Antenna Inventory

| Antenna # | Operator | Frequency (MHz) | Azimuth (Degrees) | Power Input (Watts) | Transmitter Count | Total ERP (Watts) | Total EIRP (Watts) |
|-----------|----------|-----------------|-------------------|---------------------|-------------------|-------------------|--------------------|
| 1 | ATT | 700 | 50 | 40 | 4 | 2239.34 | 3672.52 |
| 1 | ATT | 850 | 50 | 40 | 4 | 2323.38 | 3810.34 |
| 1 | ATT | 1900 | 50 | 40 | 4 | 4910.44 | 8053.11 |
| 1 | ATT | 3500 | 50 | 30 | 4 | 9530.59 | 15630.17 |
| 2 | ATT | 700 | 50 | 40 | 4 | 2239.34 | 3672.52 |
| 2 | ATT | 2100 | 50 | 40 | 4 | 5560.58 | 9119.35 |
| 2 | ATT | 3700 | 50 | 30 | 8 | 23886.36 | 39173.63 |
| 3 | ATT | 700 | 170 | 40 | 4 | 2239.34 | 3672.52 |
| 3 | ATT | 850 | 170 | 40 | 4 | 2323.38 | 3810.34 |
| 3 | ATT | 1900 | 170 | 40 | 4 | 4910.44 | 8053.11 |
| 3 | ATT | 3500 | 170 | 30 | 4 | 9530.59 | 15630.17 |
| 4 | ATT | 700 | 170 | 40 | 4 | 2239.34 | 3672.52 |
| 4 | ATT | 2100 | 170 | 40 | 4 | 5560.58 | 9119.35 |
| 4 | ATT | 3700 | 170 | 30 | 8 | 23886.36 | 39173.63 |
| 5 | ATT | 700 | 280 | 40 | 4 | 2239.34 | 3672.52 |
| 5 | ATT | 850 | 280 | 40 | 4 | 2323.38 | 3810.34 |
| 5 | ATT | 1900 | 280 | 40 | 4 | 4910.44 | 8053.11 |
| 5 | ATT | 3500 | 280 | 30 | 4 | 9530.59 | 15630.17 |
| 6 | ATT | 700 | 280 | 40 | 4 | 2239.34 | 3672.52 |
| 6 | ATT | 2100 | 280 | 40 | 4 | 5560.58 | 9119.35 |
| 6 | ATT | 3700 | 280 | 30 | 8 | 23886.36 | 39173.63 |

- Note there are 2 AT&T panel antennas per sector at this site. For clarity, the different frequencies for each antenna are entered on separate lines.
- A 75% duty cycle was applied to NR technologies.

**Generator Noise Assessment Letter
for AT&T Site Number: CAL01850
Site Name: Poinsetta Park
Address: 6600 "A" Hidden Valley Rd. Carlsbad, California
October 28, 2022**

1. Site Description:

Site CAL01850 includes a proposed Wireless Facility monopole located in Carlsbad, California. This project involves the installation of one emergency back-up generator inside a ground level equipment compound, located at 6600 "A" Hidden Valley Rd. in Carlsbad, California.

2. Purpose:

This letter provides calculated sound pressure levels from the proposed emergency back-up generator when measured at identified receiving property lines. Calculations were performed using site drawings dated September 6, 2022, information provided by MD7, and data from the equipment manufacturer, per the calculation methodology shown in Appendix A. Subsequent changes to the site design may yield changes in the projected post construction noise levels or compliance with applicable regulations and guidelines.

3. Regulatory Setting

The City of Carlsbad limits noise in residential use areas to 60 dBA CNEL (Community Noise Exposure Limit). The CNEL applies penalty factors to noise occurring during certain times of the evening and/or nighttime. A 5 dB penalty is added to noise occurring during the evening (7:00 p.m. to 10:00 p.m.) and a 10 dB penalty is added for noise occurring during nighttime hours between 10:00 p.m. and 7:00 a.m.

| Table I – Carlsbad Exterior Noise Limits* | |
|--------------------------------------------------|--------------------------------|
| Receiving Land Use Category | Exterior Noise Standard |
| Residential | 60 dBA CNEL |

*Adapted from the Carlsbad Noise Guidelines Manual, July 2013.

4. Relevant Proposed Equipment

The proposed site design includes installation of one (1) emergency back-up generator. Calculations were performed to project the noise contribution of the generator when operating at full load at the nearest receiving property line identified through review of the site drawings and aerial photographs. Noise properties of the proposed generator are described in Table 2. Receiving property line locations and calculated generator noise levels are described in Table 3.

The following generator is proposed for installation at this site:

| Table 2 – Proposed Equipment | | | | | |
|------------------------------|------------------------------------------|--------------|--------------|----------------------------|-----------------|
| Quantity | Description | Manufacturer | Model Number | Sound Pressure Level (dBA) | Distance (feet) |
| 1 | 20 kW Diesel Emergency Back-up Generator | Generac | SDC020 2.2L | 65 | 21 |

*Manufacturer acoustic data specifies an average sound pressure level per each unit when measured at a distance of seven (7) meters. See Appendix B.

Available specifications and product information were reviewed for the equipment listed in Table 2. Any other equipment that may be proposed such as equipment cabinets, air conditioners, RRUs, antennas, coaxial cables and battery cabinets, are excluded from this study. Other exclusions include ambient noise, existing equipment, fencing, walls, landscaping, topography and property line setbacks.

The proposed generator will only run for routine cycling/testing for a duration of no more than fifteen (15) minutes one (1) time per week during daytime hours, or in the event of a loss of power. For the purposes of this study, the generator was assumed to be running at full-load 24-hours per day in order to simulate a worst-case scenario.

5. Calculated Sound Levels.

Sound level propagation calculations were performed to determine the sound pressure level of the proposed generator when measured at the distances referenced below. The source and receiver were assumed to be at the same reference height in order to account for balconies, open windows and changes in elevation at adjacent properties. All calculations shown in Table 3 assume a free-field environment with no ground absorption, reflecting surfaces, barriers, or other obstructions. Actual results may vary due to field and environmental conditions.

| Table 3 – Calculated Sound Pressure Levels Generac SDC020 2.2L / 20 kW Diesel Emergency Back-up Generator | | | | |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------|------------------------------------------|
| Receiving Land Use Category | Property Line Direction from Proposed Generator | Estimated Distance to Proposed Generator (feet) | Calculated Generator Contribution at Property Line (dBA CNEL) | Lowest Applicable Noise Limit (dBA CNEL) |
| Residential* | South | 180 | 53.8 | 60 |

*All other property lines receivers are located considerably farther away from the proposed generator.

6. Statement of Compliance

Based on the results of this analysis, and as presented in Table 3, EBI concludes that the noise produced from operation of the proposed emergency back-up generator will comply with the Carlsbad Exterior Noise Limits at all receiving property line locations.

7. Limitations

This report was prepared for the use of MD7 and AT&T. 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. Calculations contained in this report should be considered accurate to within one decibel. 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

Calculation Methodology

NOISE CALCULATION METHODOLOGY

All sounds originate from a source. The sound energy, produced by a source, creates variations in air pressure which travel in all directions much like a wave ripples across the water. The “loudness” or intensity of a sound is a function of the sound pressure level, defined as the ratio of two pressures: the measured sound pressure from the source divided by a reference pressure (i.e. threshold of human hearing). Sound level measurements are most commonly expressed using the decibel (dB) scale. The decibel scale is logarithmic to accommodate the wide range of sound intensities to which the human ear is capable of responding. On this scale, the threshold of human hearing is equal to 0 dB, while levels above 140 dB can cause immediate hearing damage.

One property of the decibel scale is that the combined sound pressure level of separate sound sources is not simply the sum of the contributing sources. For example, if the sound of one source of 70 dB is added to another source of 70 dB, the total is only 73 dB, not a doubling to 140 dB. In terms of human perception of sound, a 3 dB difference is the minimum perceptible change for broadband sounds (i.e. sounds that include all frequencies). A difference of 10 dB represents a perceived halving or doubling of loudness.

Environmental sound is commonly expressed in terms of the A-weighted sound level (dBA). The A-weighting is a standard filter to make measured sound levels more nearly approximate the frequency response of the human ear. Table I and Figure 1 show the adjustments made at each octave band frequency to contour un-weighted sound levels (dB) to A-weighted sound levels (dBA). This frequency response is defined in the American National Standards Institute Standard No. 5.1 and most other relevant standards related to measurement of noise levels.

Table I
A-Weighted Octave Band Adjustment (+/- dB)

| Octave Band Center Frequency (Hz) | 32 | 64 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000 | 16000 |
|-----------------------------------|-------|-------|-------|------|------|------|------|------|------|-------|
| A-weighting Adjustment (±dB) | -39.4 | -26.2 | -16.1 | -8.6 | -3.6 | 0.0 | +1.2 | +1.0 | -1.1 | -6.6 |

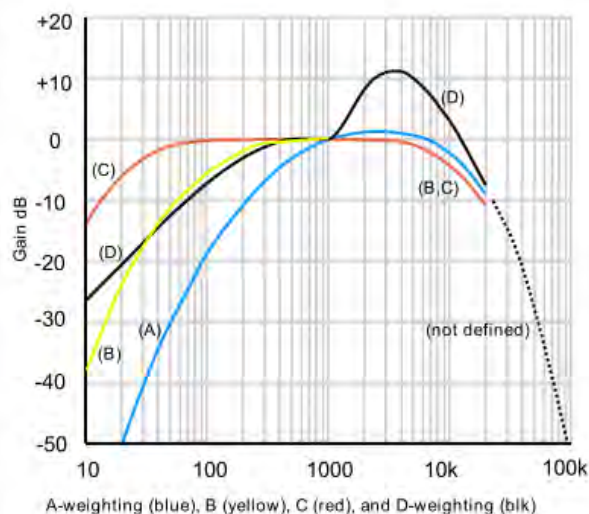


FIGURE I - WEIGHTED OCTAVE BAND ADJUSTMENTS (±dB)

Environmental sound varies depending on environmental conditions. Some sounds are sharp impulses lasting for short periods, while others rise and fall over longer periods. There are various measures (metrics) of sound pressure designed for different purposes. The Leq, or equivalent sound level, is the steady-state sound level over a period of time that has the same acoustic energy as the fluctuating sound that was measured over the same period. The Leq is commonly referred to as the average sound level and is calculated automatically by the sound level meter using methods defined in ANSI S1.4-1983¹.

Manufacturer-provided data for noise-generating equipment typically includes a measured sound pressure level (L_p), expressed in A-weighted decibels, taken at a specific distance from the equipment, known as a reference distance. For the purposes of this report, L_1 refers to the measured sound level, and r_1 refers to the reference distance from the source.

Sound varies inversely as the square of the distance from the source increases. This property of sound propagation is used to determine the sound levels at various distances from the source when L_1 and r_1 have been provided. In an unobstructed free-field environment, without any barriers or reflecting surfaces, sound pressure drops by 6 dBA with each doubling of distance. This relationship is expressed in the following equation:

$$L_2 = L_1 - |20 * \log\left(\frac{r_1}{r_2}\right)|$$

Where r_2 refers to the distance at distance 2 and L_2 refers to the sound level in dBA at distance 2.

When multiple sound sources are combined, the L_p values for each source must first be converted to sound power (L_w).

$$L_w = L_p + |10 * \log\left(\frac{Q}{4\pi * r^2}\right)|$$

In this report, EBI has assumed Q (directionality) is equal to 1 to represent full-sphere propagation.

The resultant L_w values are then added together, using logarithmic decibel addition, where L_Σ refers to the total level, and L_1 , L_2 , etc. refer to the sound power of different individual sources.

$$L_\Sigma = 10 * \log_{10} \left(10^{\frac{L_1}{10}} + 10^{\frac{L_2}{10}} + \dots 10^{\frac{L_n}{10}} \right) dB$$

¹ American National Standards Institute, ANSI S1-4-1983, American National Standard Specification for Sound Level Meters, 1983

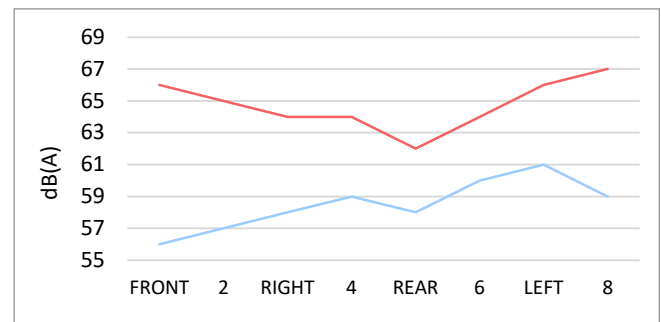
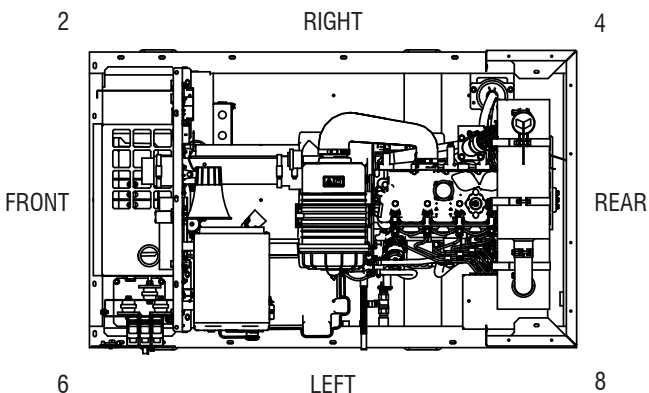
Appendix B

Equipment Specifications

SOUND ATTENUATED ENCLOSURE D2.2, Generac SDC020

| NO-LOAD, dB(A) | | | | | | | | | | DISTANCE: 7 METERS |
|---------------------|-----------------------------------|----|-----|-----|-----|-------|-------|-------|-------|--------------------|
| MICROPHONE LOCATION | OCTAVE BAND CENTER FREQUENCY (Hz) | | | | | | | | | |
| | 31.5 | 63 | 125 | 250 | 500 | 1,000 | 2,000 | 4,000 | 8,000 | dB(A) |
| FRONT | 20 | 40 | 53 | 50 | 50 | 50 | 46 | 44 | 35 | 56 |
| 2 | 19 | 43 | 50 | 50 | 55 | 51 | 48 | 44 | 38 | 57 |
| RIGHT | 18 | 50 | 47 | 51 | 56 | 50 | 48 | 46 | 37 | 58 |
| 4 | 21 | 56 | 49 | 50 | 53 | 53 | 50 | 46 | 38 | 59 |
| REAR | 21 | 56 | 51 | 51 | 50 | 50 | 46 | 44 | 35 | 58 |
| 6 | 20 | 56 | 49 | 50 | 54 | 54 | 48 | 43 | 35 | 60 |
| LEFT | 18 | 53 | 47 | 52 | 59 | 53 | 50 | 47 | 39 | 61 |
| 8 | 19 | 43 | 54 | 52 | 55 | 54 | 48 | 44 | 38 | 59 |
| AVERAGE | 20 | 50 | 50 | 51 | 54 | 52 | 48 | 45 | 37 | 59 |

| FULL-LOAD, dB(A) | | | | | | | | | | DISTANCE: 7 METERS |
|---------------------|-----------------------------------|----|-----|-----|-----|-------|-------|-------|-------|--------------------|
| MICROPHONE LOCATION | OCTAVE BAND CENTER FREQUENCY (Hz) | | | | | | | | | |
| | 31.5 | 63 | 125 | 250 | 500 | 1,000 | 2,000 | 4,000 | 8,000 | dB(A) |
| FRONT | 21 | 57 | 65 | 52 | 55 | 53 | 50 | 50 | 40 | 66 |
| 2 | 19 | 59 | 61 | 52 | 57 | 55 | 51 | 51 | 43 | 65 |
| RIGHT | 19 | 59 | 59 | 54 | 57 | 54 | 52 | 52 | 44 | 64 |
| 4 | 21 | 60 | 58 | 54 | 55 | 54 | 52 | 51 | 42 | 64 |
| REAR | 23 | 58 | 59 | 52 | 53 | 52 | 49 | 49 | 38 | 62 |
| 6 | 21 | 60 | 55 | 53 | 57 | 55 | 52 | 49 | 39 | 64 |
| LEFT | 19 | 62 | 58 | 55 | 60 | 55 | 53 | 51 | 43 | 66 |
| 8 | 19 | 60 | 64 | 55 | 57 | 56 | 52 | 51 | 44 | 67 |
| AVERAGE | 20 | 59 | 60 | 53 | 57 | 54 | 51 | 51 | 42 | 65 |



- All positions at 23 feet (7 meters) from side faces of generator set.
- Test conducted on a 100 foot diameter asphalt surface.
- Sound pressure levels are subject to instrumentation, installation and testing conditions.
- Sound levels are ± 2 dB(A).

| CODE COMPLIANCE | |
|-------------------------------------------------------------------|-------------------------------------------------------------------|
| 2022 | CALIFORNIA ADMINISTRATIVE CODE, C.C.R., TITLE 24, PART 1 |
| 2022 | CALIFORNIA BUILDING CODE, C.C.R., TITLE 24, PART 2, VOLUMES 1 & 2 |
| 2022 | CALIFORNIA ELECTRICAL CODE, C.C.R., TITLE 24, PART 3 |
| 2022 | CALIFORNIA MECHANICAL CODE, C.C.R., TITLE 24, PART 4 |
| 2022 | CALIFORNIA PLUMBING CODE, C.C.R., TITLE 24, PART 5 |
| 2022 | CALIFORNIA ENERGY CODE, C.C.R., TITLE 24, PART 6 |
| 2022 | CALIFORNIA FIRE CODE, C.C.R., TITLE 24, PART 9 |
| 2022 | CALIFORNIA REFERENCED STANDARDS CODE, C.C.R., TITLE 24, PART 12 |
| TIA-222, REVISION H | |
| IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL | |

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

PROJECT DESCRIPTION

AT&T WIRELESS PROPOSES TO BUILD A WIRELESS COMMUNICATION FACILITY. THE SCOPE CONSISTS OF THE FOLLOWING:

- REMOVAL OF (E) 78'-0" TALL LIGHT POLE C3
- REMOVAL OF (E) TRASH ENCLOSURE
- CONSTRUCTION OF 78'-0" TALL LIGHT POLE AS REPLACEMENT TO THE (E) LIGHT POLE C3 TO BE REMOVED
- CONSTRUCTION OF 8'-0" HIGH CMU WALL EQUIPMENT ENCLOSURE AS REPLACEMENT TO THE (E) TRASH ENCLOSURE TO BE REMOVED
- INSTALLATION OF CYLINDRICAL FRP SHROUD FOR THE ANTENNAS AND PERFORATED CYLINDRICAL METAL SHROUD FOR THE RRUS AND SURGE PROTECTORS
- INSTALLATION OF (2) PANEL ANTENNAS PER SECTOR. TOTAL OF (6)
- INSTALLATION OF (9) REMOTE RADIO UNITS (RRU)
- INSTALLATION OF (3) SURGE PROTECTORS AT THE ANTENNA AREA
- INSTALLATION OF (2) SURGE PROTECTORS AT THE EQUIPMENT AREA
- INSTALLATION OF (1) VERTIV DC POWER PLANT
- INSTALLATION OF (2) PURCELL CABINET
- INSTALLATION OF (1) GPS ANTENNA
- INSTALLATION OF (1) GENERATOR
- INSTALLATION OF (2) FIBER CABLE TRUNKS AND (9) DC POWER CABLE TRUNKS.
- INSTALLATION OF TELCO / FIBER SERVICE
- INSTALLATION OF 2000 AC ELECTRICAL SERVICE

- REMOVAL OF (E) 78'-0" TALL LIGHT POLE C3
- REMOVAL OF (E) TRASH ENCLOSURE
- CONSTRUCTION OF 78'-0" TALL LIGHT POLE AS REPLACEMENT TO THE (E) LIGHT POLE C3 TO BE REMOVED
- CONSTRUCTION OF 8'-0" HIGH CMU WALL EQUIPMENT ENCLOSURE AS REPLACEMENT TO THE (E) TRASH ENCLOSURE TO BE REMOVED
- INSTALLATION OF CYLINDRICAL FRP SHROUD FOR THE ANTENNAS AND PERFORATED CYLINDRICAL METAL SHROUD FOR THE RRU's AND SURGE PROTECTORS
- INSTALLATION OF (2) PANEL ANTENNAS PER SECTOR. TOTAL OF (6)
- INSTALLATION OF (9) REMOTE RADIO UNITS (RRU)
- INSTALLATION OF (3) SURGE PROTECTORS AT THE ANTENNA AREA
- INSTALLATION OF (2) SURGE PROTECTORS AT THE EQUIPMENT AREA
- INSTALLATION OF (1) VERTIV DC POWER PLANT
- INSTALLATION OF (2) PURCELL CABINET
- INSTALLATION OF (1) GPS ANTENNA
- INSTALLATION OF (1) GENERATOR
- INSTALLATION OF (2) FIBER CABLE TRUNKS AND (9) DC POWER CABLE TRUNKS.
- INSTALLATION OF TELCO / FIBER SERVICE
- INSTALLATION OF A NEW 200A AC ELECTRICAL SERVICE

| SITE INFORMATION | |
|---------------------------|------------------------------------------------------------------|
| PROPERTY OWNER: | CITY OF CARLSBAD |
| APPLICANT: | AT&T WIRELESS 5855 COPLEY DR. STE 100, SAN DIEGO, CA 92111 |
| APPLICANT REPRESENTATIVE: | MD7 10590 W. OCEAN AIR DRIVE, STE. 250 SAN DIEGO, CA 92130 |
| ZONING JURISDICTION: | CITY OF CARLSBAD |
| ZONING DISTRICT: | CITY OF CARLSBAD |
| LATITUDE (NAD 83): | 33° 6' 50.0472" N |
| LONGITUDE (NAD 83): | 117° 18' 27.2412" W |
| PARCEL #: | 214-140-13-00 |
| OCCUPANCY GROUP: | U-UNMANNED |
| CONSTRUCTION TYPE: | V-B |
| POWER COMPANY: | SDG&E |
| TELEPHONE COMPANY: | AT&T |

RF ENGINEER:
JORGE MELCHOR
AT&T
5855 COPLEY DR. STE 100,
SAN DIEGO, CA 92111
PHONE: (858) 762-2161
EMAIL: JM934@ATT.COM



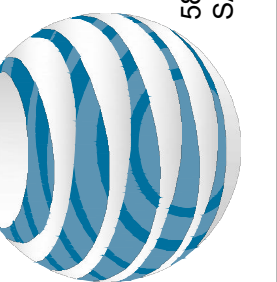
**6600 "A" HIDDEN VALLEY RD.,
CARLSBAD, CA 92011**

The map displays the Carlsbad area with a focus on the Poinsettia neighborhood. A red pin labeled 'SITE' is located near Poinsettia Park, with an arrow pointing to it from the label 'SITE'. The map shows major roads including Avenida Pkwy, Poinsettia Ln, and Avenida Pkwy. Key landmarks and businesses are marked, such as Poinsettia KinderCare, Pacific Rim Elementary School, Carlsbad Fire Station 4, and various local businesses like Alexander & Sons and Custom Floor Designs. The map also shows the coastline and the location of the Poinsettia Park area.

GET ON I-805 N FROM COPLEY DR, HICKMAN FIELD DR AND CONVOY CT. HEAD SOUTHWEST TOWARD COPLEY DR. RESTRICTED USAGE ROAD. TURN LEFT ONTO COPLEY DR. TURN RIGHT ONTO HICKMAN FIELD DR. TURN LEFT ONTO CONVOY CT. TURN RIGHT ONTO SHAWLINE ST. USE THE RIGHT LANE TO TURN RIGHT AROUND ARBY'S (ON THE LEFT). USE THE RIGHT LANE TO TAKE THE RAMP ONTO I-805 N. TAKE I-5 N TO POINSETTIA LN IN CARLSBAD. TAKE EXIT 45 FROM I-5 N. MERGE ONTO I-805 N. MERGE ONTO I-5 N. TAKE EXIT 45 FOR POINSETTIA LN TOWARD AVIARA PKWY. TAKE PASEO DEL NORTE AND HIDDEN VALLEY RD TO YOUR DESTINATION. TURN RIGHT ONTO POINSETTIA LN. USE THE LEFT 2 LANES TO TURN LEFT ONTO PASEO DEL NORTE. TURN RIGHT ONTO CAMINO DE LAS ONDAS. TURN LEFT ONTO HIDDEN VALLEY RD. TURN LEFT ONTO PLUM TREE RD. TURN LEFT. DESTINATION WILL BE ON THE LEFT.

[illegible]

| | | |
|------|--------------------------|----------|
| | | |
| | | |
| 6 | 100% ZD ENCL TRELLIS | 10-16-23 |
| 5 | 100% ZD CITY COMMENTS | 07-31-23 |
| 4 | 100% ZD CITY COMMENTS | 03-21-23 |
| 3 | 100% ZD CITY COMMENTS | 12-15-22 |
| 2 | 100% ZD RF CHANGES | 10-31-22 |
| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |
| Rev. | Description | Date: |



SAN DIEGO, CA 92111

AIR DRIVE, SUITE 250
SAN DIEGO, CA 92130

MDI

TITLE SHEET



TELECOM
MANAGEMENT GROUP
Solutions Done Right

NOT FOR CONSTRUCTION

RO/RP

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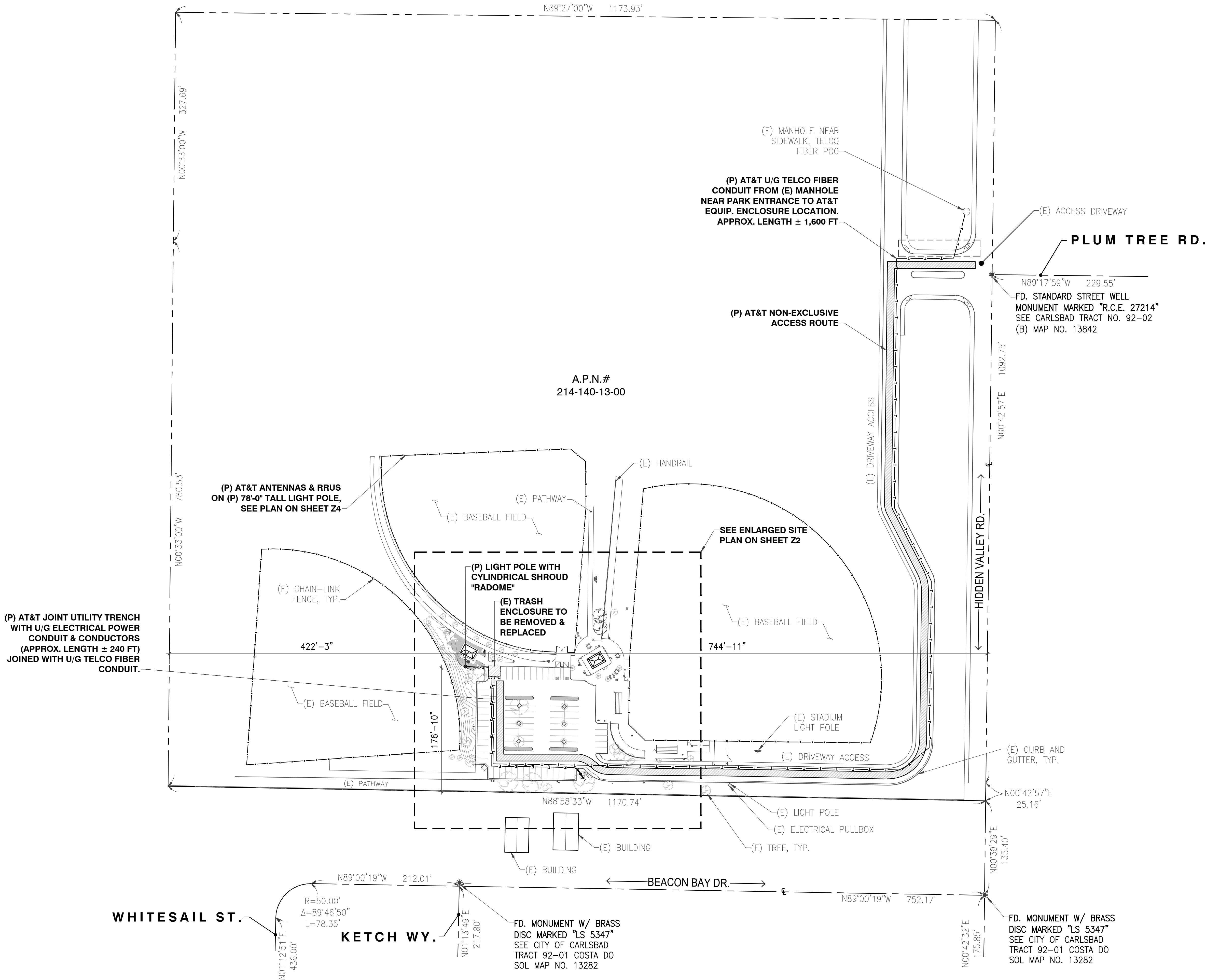
Г1

LEGEND

- — — — — CENTER LINE
- - - - - PROPERTY LINE
- - - - - EASEMENT LINE
- x - - - CHAIN-LINK FENCE

MONUMENTS

- FD. MONUMENT



A.P.N.#
214-140-13-00

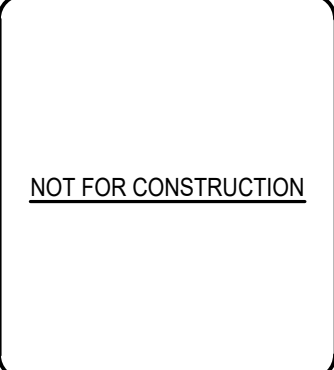
24"x36" SCALE: 1" = 70'-0" 0" 35' 70' 140'
11"x17" SCALE: 1" = 140'-0"

SITE PLAN

1" = 70'-0"

1

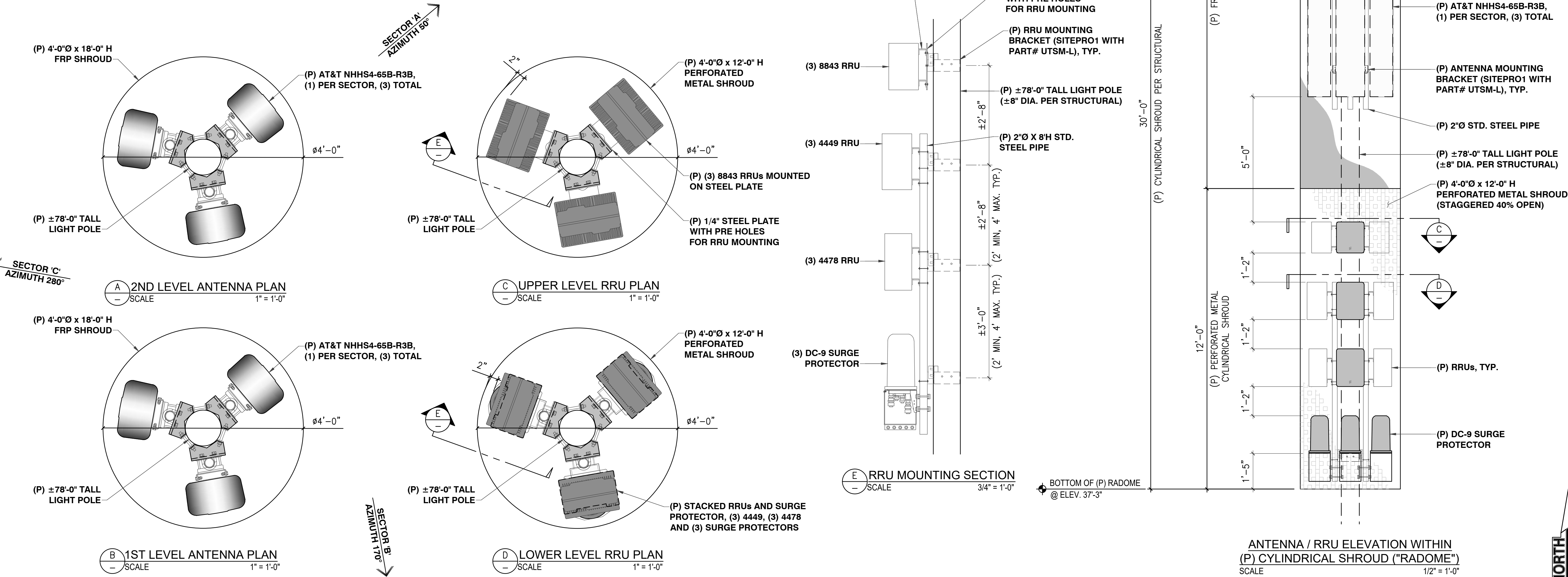
| Rev. | Description | Date: |
|------|-----------------------|----------|
| 6 | 100% ZD ENCL. TRELLIS | 10-16-23 |
| 5 | 100% ZD CITY COMMENTS | 07-31-23 |
| 4 | 100% ZD CITY COMMENTS | 03-21-23 |
| 3 | 100% ZD CITY COMMENTS | 12-15-22 |
| 2 | 100% ZD RF CHANGES | 10-31-22 |
| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



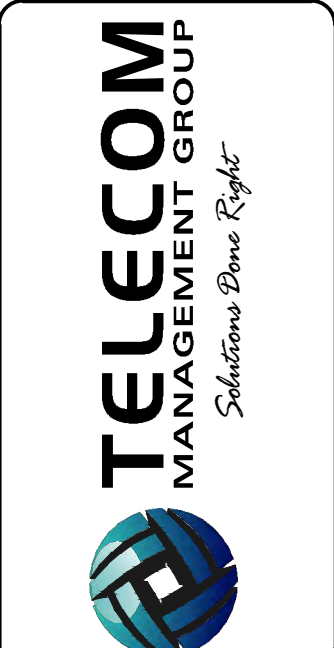
| | |
|-------------|--------|
| Drawn by: | ERO/RP |
| Checked by: | ERO |
| Sheet No: | Z1 |

| PROPOSED ANTENNA / RRU SCHEDULE | | | | | | | | | |
|---------------------------------|---------------|---------------|------------|------------|------------|----------------------------------|------------------------------------|----------------------------|----------------|
| SECTOR | ANTENNA MODEL | AZ | TIP HEIGHT | RAD CENTER | TECHNOLOGY | RRU's / QTY. | TMA / MULTIPLEXER / FILTER | TRANSMISSION TYPE / LENGTH | |
| Alpha | A1 | NHHS4-65B-R3B | 50° | 67'-11" | 64'-11" | LTE 700/1900/AWS 5G 850/1900/AWS | 4449 B5/B12 (1) 8843 B2/B66A (1) | - | FIBER / ± 100' |
| | A2 | NHHS4-65B-R3B | 50° | 59'-11" | 56'-11" | FIRSTNET | 4449 B5/B12 (1) | - | FIBER / ± 100' |
| | A3 | - | - | - | - | - | - | - | - |
| | A4 | - | - | - | - | - | - | - | - |
| Beta | B1 | NHHS4-65B-R3B | 170° | 67'-11" | 64'-11" | LTE 700/1900/AWS 5G 850/1900/AWS | 4449 B5/B12 (1) 8843 B2/B66A (1) | - | FIBER / ± 100' |
| | B2 | NHHS4-65B-R3B | 170° | 59'-11" | 56'-11" | FIRSTNET | 4478 B14 (1) | - | FIBER / ± 100' |
| | B3 | - | - | - | - | - | - | - | - |
| | B4 | - | - | - | - | - | - | - | - |
| Gamma | C1 | NHHS4-65B-R3B | 280° | 67'-11" | 64'-11" | LTE 700/1900/AWS 5G 850/1900/AWS | 4449 B5/B12 (1) 8843 B2/B66A (1) | - | FIBER / ± 100' |
| | C2 | NHHS4-65B-R3B | 280° | 59'-11" | 56'-11" | FIRSTNET | 4478 B14 (1) | - | FIBER / ± 100' |
| | C3 | - | - | - | - | - | - | - | - |
| | C4 | - | - | - | - | - | - | - | - |

- NOTES:
- CONTRACTOR TO CONFIRM AND VERIFY THE REQUIRED RRUS, EQUIPMENT MODELS, COAX SIZE, RF WIRING CONNECTION AND DETAILS WITH THE FINAL RFDS FROM SAQ MANAGER OR AT&T RF ENGR
 - EXISTING LIGHT FIXTURE NOT SHOWN FOR CLARITY.



| Rev. | Description | Date |
|------|-----------------------|----------|
| 6 | 100% ZD ENCL. TRELIS | 10-16-23 |
| 5 | 100% ZD CITY COMMENTS | 07-31-23 |
| 4 | 100% ZD CITY COMMENTS | 03-21-23 |
| 3 | 100% ZD CITY COMMENTS | 12-15-22 |
| 2 | 100% ZD RF CHANGES | 10-31-22 |
| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



Drawn by: ERO/RP

Checked by: ERO

Sheet No: Z4

- TOP OF (E) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
@ ELEV. ±73'-3" (225.66' AMSL)

- REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)

(E) LIGHT FIXTURE,
TYP.

(E) POLE C3, ±78' HIGH STADIUM
LIGHT POLE TO BE REMOVED AND
REPLACED

(E) TREES, TYP.

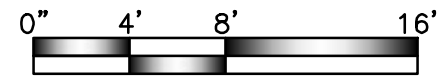
(E) TRASH ENCLOSURE
TO BE REMOVED

(E) BOLLARD TO BE
REMOVED

(E) ROOF,
GREEN

(E) MAINTENANCE
BUILDING

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



(E) EAST ELEVATION 1/8" = 1'-0" 1

- TOP OF (P) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
@ ELEV. ±73'-3" (225.66' AMSL)

- TOP OF (P) ANTENNA
@ ELEV. 67'-11"
- RAD CENTER OF (P) ANTENNA
@ ELEV. 64'-11"
- BOTTOM OF (P) ANTENNA
@ ELEV. 61'-11"
- TOP OF (P) ANTENNA
@ ELEV. 59'-11"
- RAD CENTER OF (P) ANTENNA
@ ELEV. 56'-11"
- BOTTOM OF (P) ANTENNA
@ ELEV. 53'-11"

- BOTTOM OF (P) SHROUD
@ ELEV. 38'-3"

- TOP OF FOUNDATION /
REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)

(P) ±78'-0" HIGH STADIUM
LIGHT POLE

(E) LIGHT FIXTURE, TYP.

(P) 4'-0"Ø x 30'-0" H
CYLINDRICAL SHROUD

(P) AT&T NHHS4-65B-R3B,
(1) PER SECTOR, (3) TOTAL

(P) AT&T NHHS4-65B-R3B,
(1) PER SECTOR, (3) TOTAL

(P) STACKED RRUs,
(3) PER SECTOR, TOTAL OF (9)

(P) DC-9 SURGE PROTECTOR,
TOTAL OF (3)

(E) TREES, TYP.

(P) GPS ANTENNA

(P) METAL TRELLIS, PAINTED
GREEN MATCHING THE ROOF
COLOR OF THE ADJACENT (E)
MAINTENANCE BUILDING

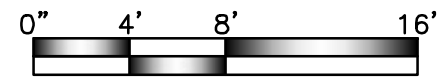
(P) AT&T 8'-0" TALL CMU
WALL ENCLOSURE, COLOR
AND TEXTURE TO MATCH (E)
MAINTENANCE BUILDING

(P) 4"Ø BOLLARD,
TYP. OF (5)

(E) ROOF,
GREEN

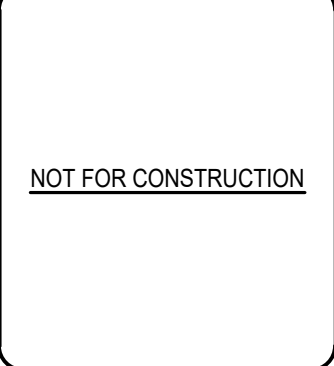
(E) MAINTENANCE
BUILDING

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



(P) EAST ELEVATION 1/8" = 1'-0" 2

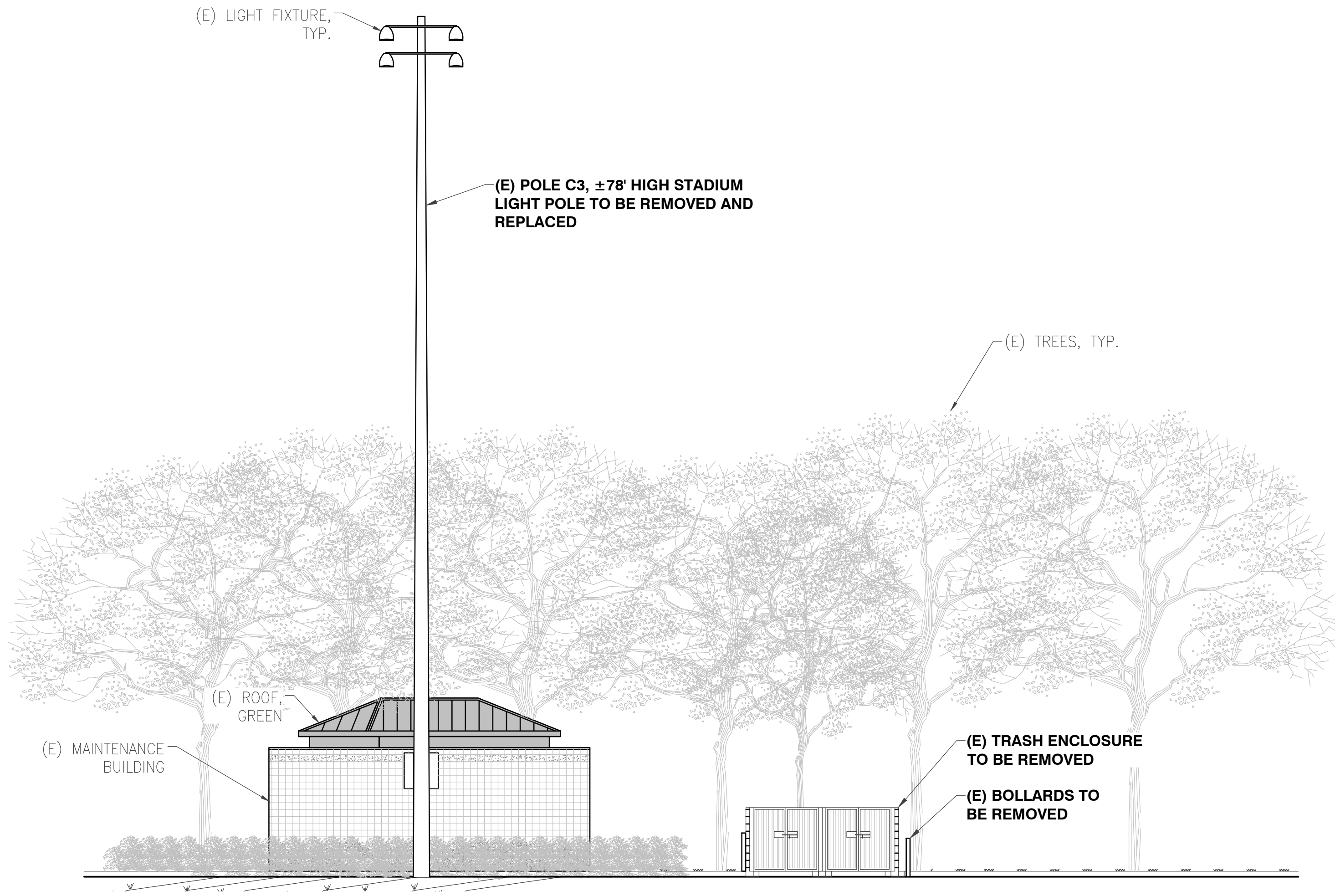
| Rev. | Description | Date: |
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| 6 | 100% ZD ENCL. TRELLIS | 10-16-23 |
| 5 | 100% ZD CITY COMMENTS | 07-31-23 |
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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



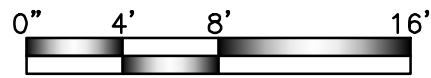
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| Drawn by: | ERO/RP |
| Checked by: | ERO |
| Sheet No: | Z6 |

- TOP OF (E) LIGHT POLE
@ ELEV. ±78'-0" (230.28' AMSL)
- TOP OF (E) LIGHT FIXTURES
@ ELEV. ±77'-0" (229.41' AMSL)
- BOTTOM OF (E) LIGHT FIXTURES
@ ELEV. ±73'-3" (225.66' AMSL)

- REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)



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

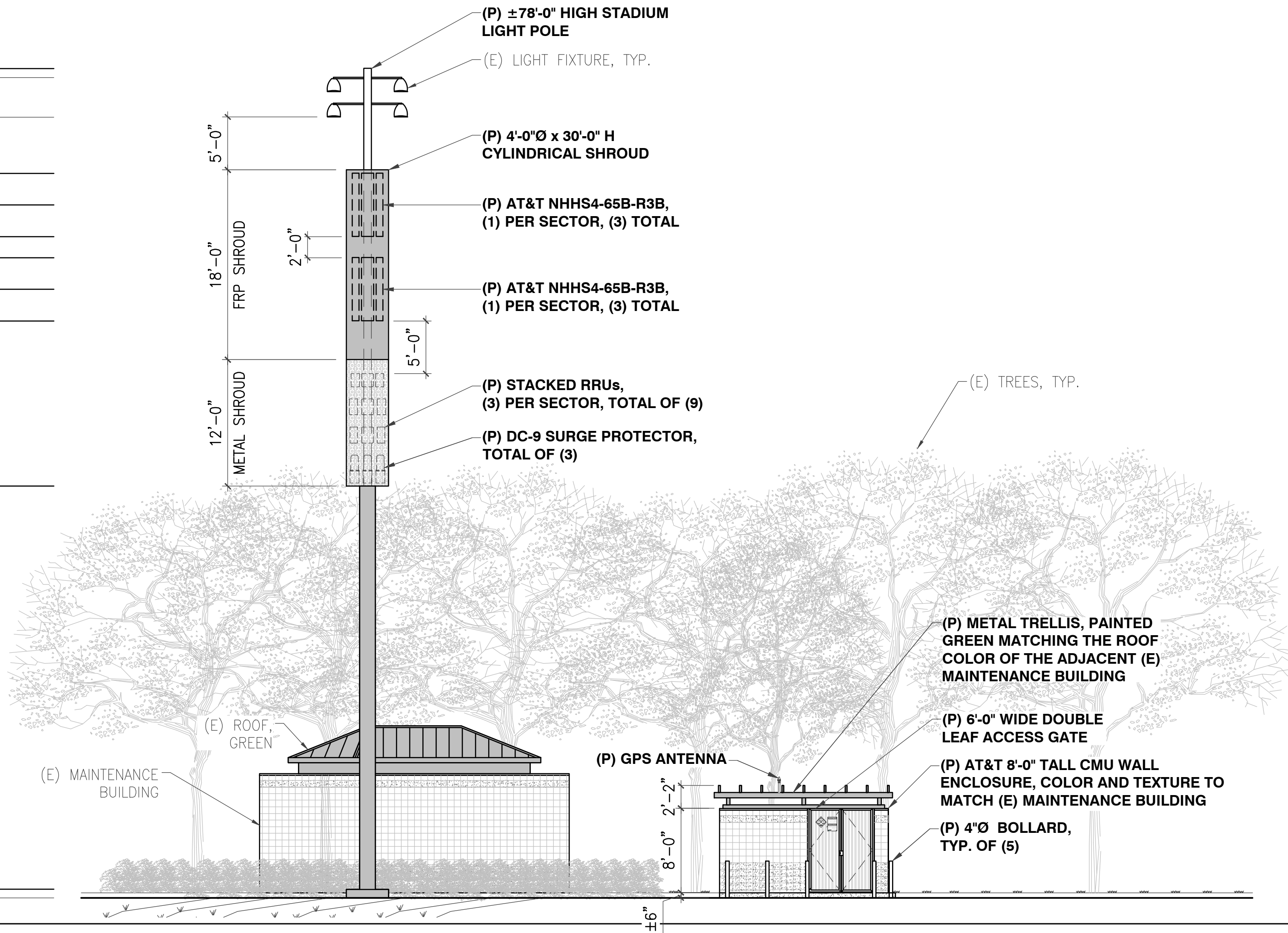


(E) SOUTH ELEVATION 1/8" = 1'-0" 1

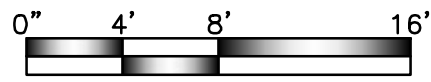
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- TOP OF (E) LIGHT FIXTURES
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- RAD CENTER OF (P) ANTENNA
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- RAD CENTER OF (P) ANTENNA
@ ELEV. 56'-11"
- BOTTOM OF (P) ANTENNA
@ ELEV. 53'-11"

- BOTTOM OF (P) SHROUD
@ ELEV. 38'-3"

- TOP OF FOUNDATION /
REFERENCE LINE
@ ELEV. 0'-0" (152.41' AMSL)
- (E) GROUND LEVEL
@ ELEV. -0'-10" (151.60' AMSL)



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



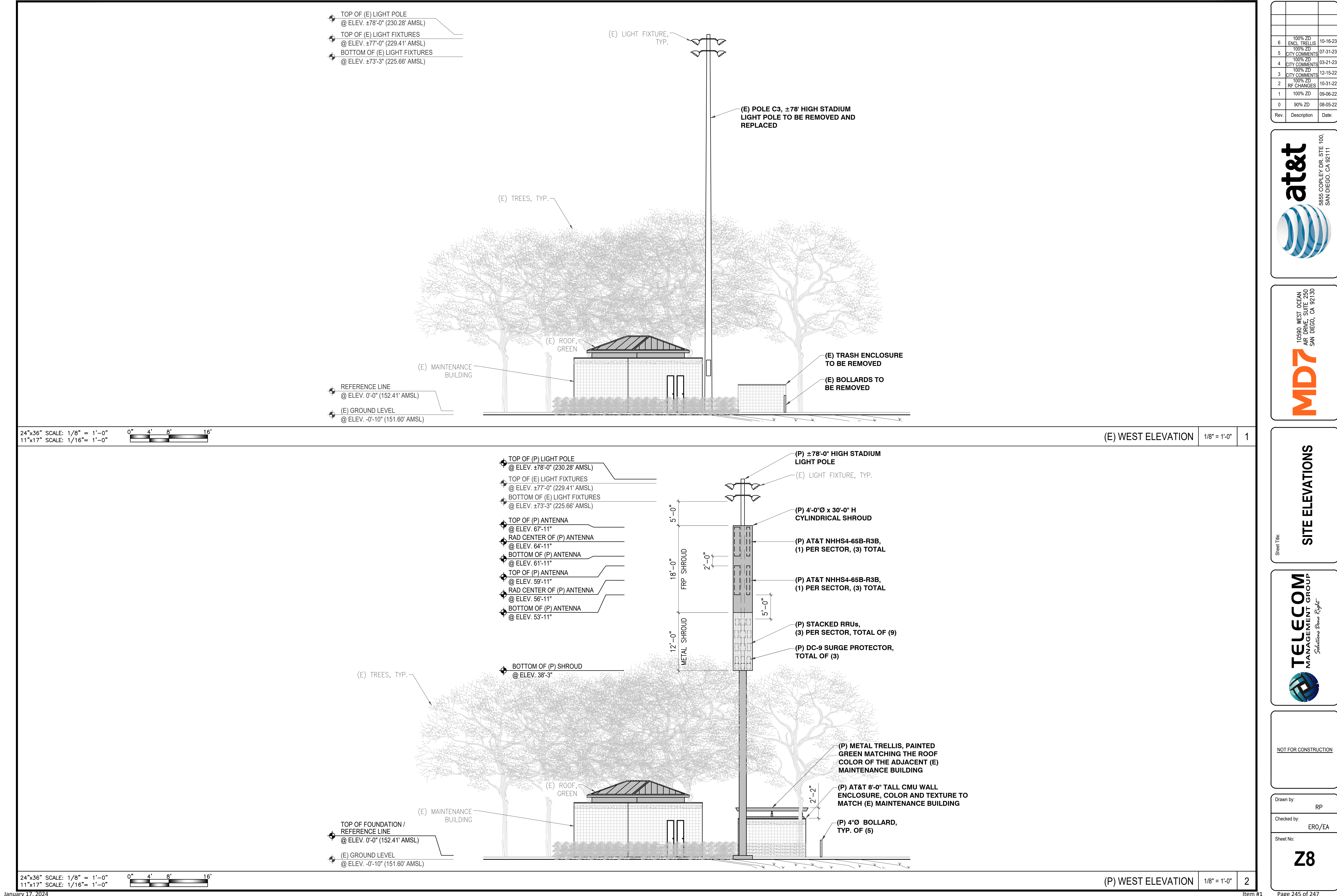
(P) SOUTH ELEVATION 1/8" = 1'-0" 2

| Rev. | Description | Date: |
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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |



NOT FOR CONSTRUCTION

| | |
|-------------|--------|
| Drawn by: | RP |
| Checked by: | ERO/EA |
| Sheet No: | 27 |



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

0"4"8"16"

(E) WEST ELEVATION

1/8" = 1'-0"

1

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

0"4"8"16"

(P) WEST ELEVATION

1/8" = 1'-0"

2

| Rev. | Description | Date: |
|------|-----------------------|----------|
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| 1 | 100% ZD | 09-06-22 |
| 0 | 90% ZD | 08-05-22 |

at&t

5855 CORLEY DR., STE 100,
SAN DIEGO, CA 92111

MD7

10590 WEST OCEAN
AIR DRIVE, SUITE 250
SAN DIEGO, CA 92130

SITE ELEVATIONS

TELECOM
MANAGEMENT GROUP
Solutions Drive Right

NOT FOR CONSTRUCTION

Drawn by: RP

Checked by: ERO/EA

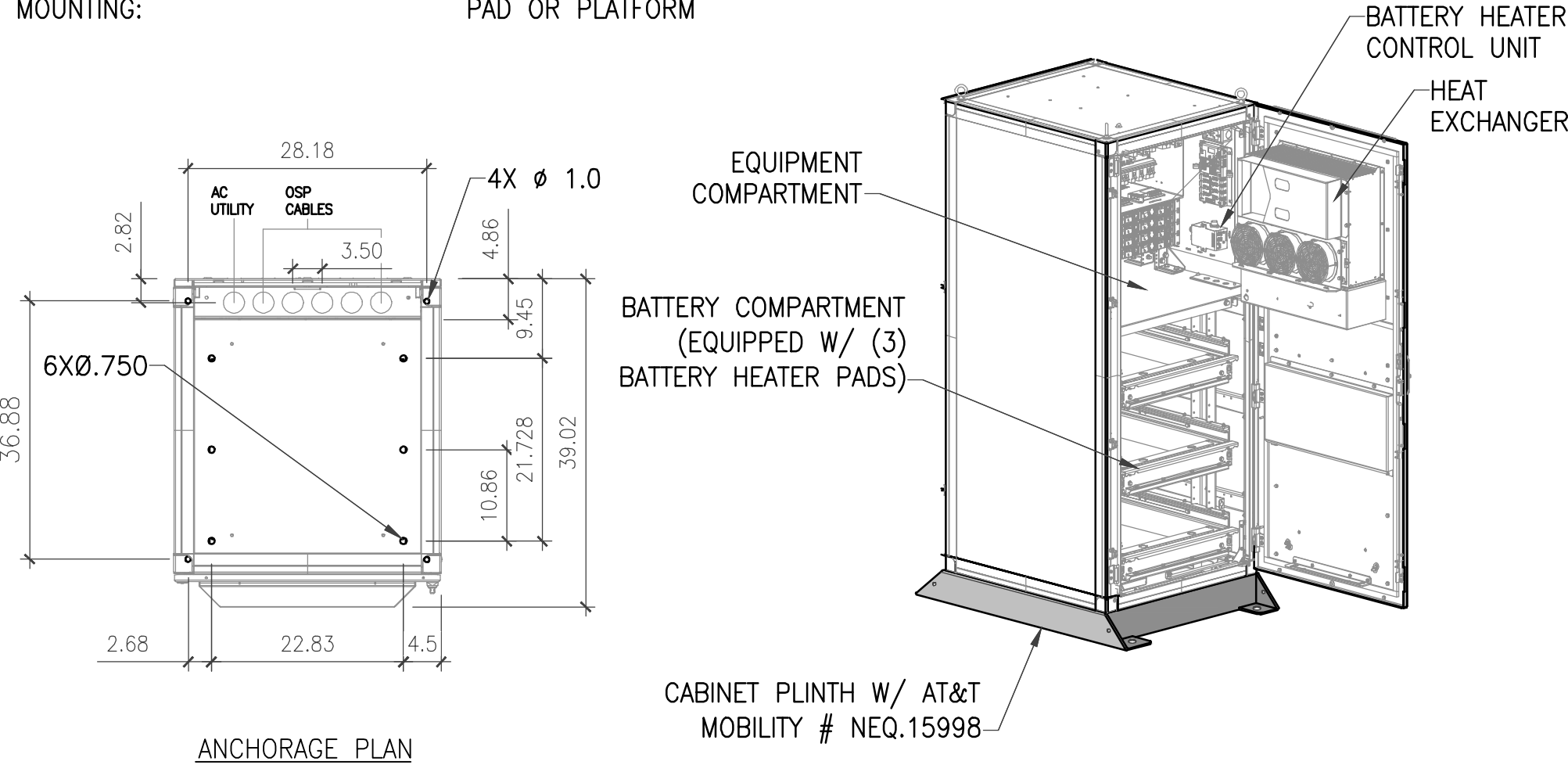
Sheet No:
Z8

Outdoor NetSure 512 DC Power System

THE NETXTEND™ FLEX SERIES –48VDC/+24VDC POWER/BATTERY ENCLOSURE

TECHNICAL SPECIFICATIONS

BATTERY: BATTERY FOR TELECOM & ELECTRIC UTILITY APPLICATIONS
72"x32"x39"
DIMENSIONS, HxWxD: 752 LB (314 KG) WITHOUT BATTERIES AND RECTIFIERS
WEIGHT: 2500 LB (1134 KG) WITH FULL COMPLEMENT OF BATTERIES
MOUNTING: PAD OR PLATFORM



Intersect™ , Inc.

PTLC-ATS-3S-12200-CL-ATT

240/120, 200A, 3–src PTLC ASCO Series 300–G ATS
NEQ.20110

DIMENSIONS, 32"H x 22"W x 10" D
TOTAL WEIGHT: 80 lbs (APPROX.)
UL 891 LISTED

CABINET WITH CAMLOK CONNECTOR PANEL,
240 VAC / 120 VAC, 200A POWER TRANSFER LOAD CENTER
WITH AUTOMATIC TRANSFER BETWEEN UTILITY AND AN ALTERNATIVE
POWER SOURCE PERMANENTLY CONNECTED OR TEMPORARILY
CONNECTED VIA CAMLOK STYLE CONNECTORS. PTLC INCLUDES ASCO
510 SERIES TVSS SURGE PROTECTION, A 30–POSITION SQUARED NQ
PANELBOARD, AND AN ALARM MONITOR FOR UTILITY POWER LOSS SPD
FAIL, AND GENERATOR. (VERTIV P/N 151840.)

NOTE:
GENERATOR INPUT SIDE MOUNT RECEPTACLE (ICL, INTERSECT CAM LOK)
MAY BE ORDERED SEPARATELY AND INSTALLED ON EITHER SIDE OF
THE PANEL OR INSTALLED ON THE PREFERRED LOCATION AT SITE.



(P) DC POWER CABINET SPECIFICATIONS

NTS

1

(P) MAIN AC PANEL SPECIFICATIONS

NTS

4

NOT USED

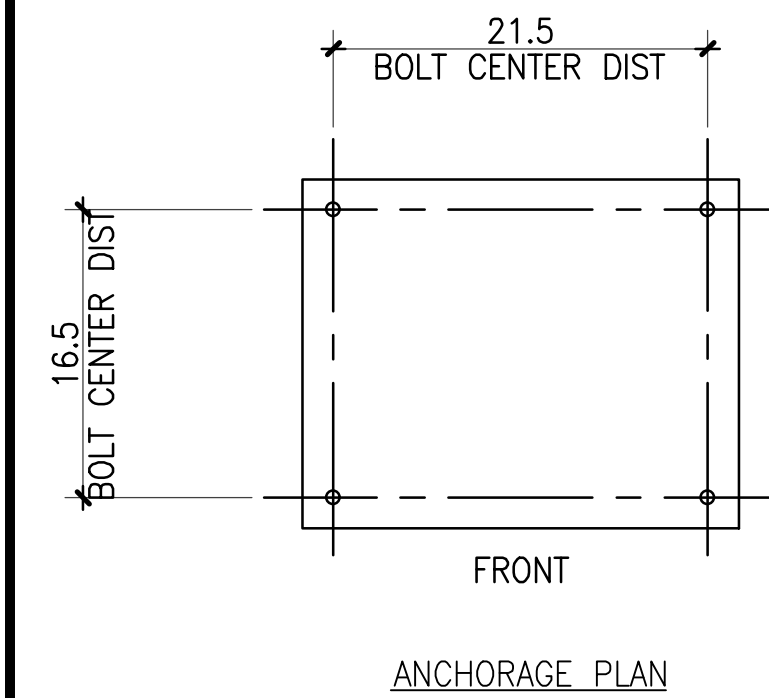
NTS

7

FLX21-2520

FlexSure® WS OUTDOOR ENCLOSURE

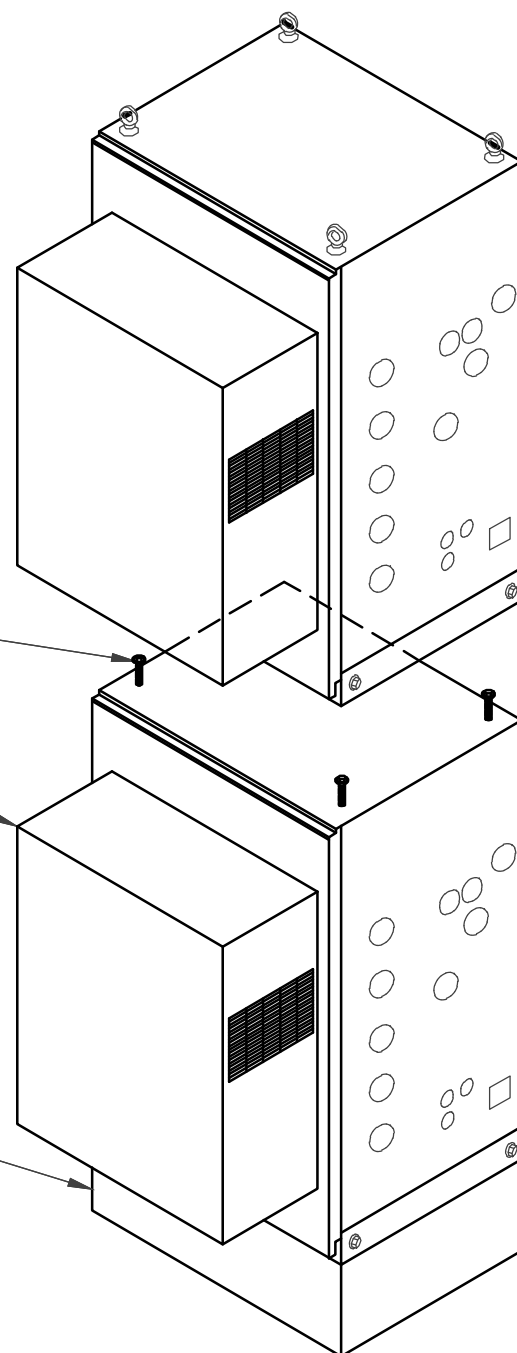
DIMENSIONS, WxDxH: 25.27"x29.99"x39.70"
COLOR: ULTRA LIGHT GRAY POLYESTER POWDER COAT FINISH
MAXIMUM TEMPERATURE: 46° C
WEIGHT: 140 LBS (ENCLOSURE ONLY) ±207 LBS (FULLY LOADED)
MOUNTING OPTIONS: POLE, 4" OR 12" RISER PLINTH, WALL/H–FRAME
PAD, STACKING – NO ADDITIONAL KIT REQUIRED
FLX21–2520 IS STACKABLE ON
TOP OF FLX12–2420 &
FLX16–2520 ENCLOSURES



USE HEX BOLT 1/2–13,
1.25" LONG W/ SPLIT AND
LOCK WASHERS ON 4
PLACES WHERE LIFTING
EYE BOLTS WERE LOCATED

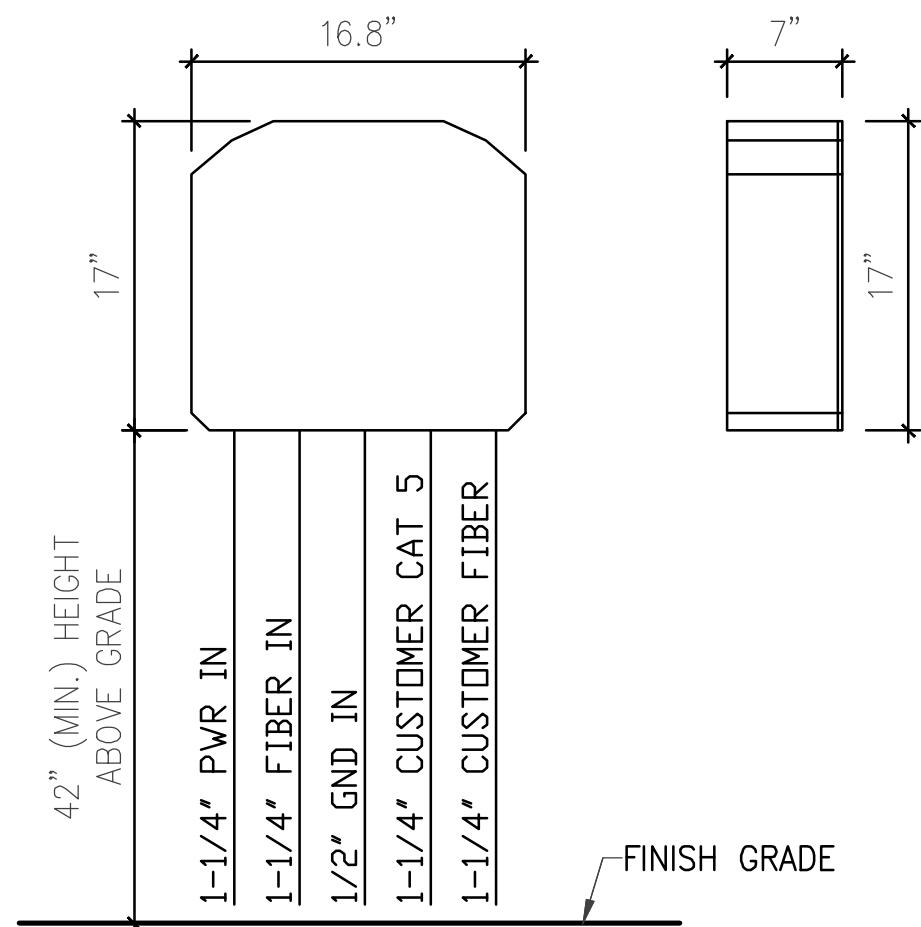
(P) PURCELL CABINET
STACK MOUNTED

RISER PLINTH PER MFR.,
SEE MOUNTING OPTIONS



CIENA 3931

DIMENSIONS, HxWxD: 17"x16.8"x7"
WEIGHT: 28.6 LBS



(P) PURCELL CABINET SPECIFICATIONS

NTS

2

(P) CIENA SPECIFICATIONS

NTS

5

NOT USED

NTS

8

SDC020 | 2.2L | 20 kW

STANDBY POWER RATING
20 kW, 25 kVA, 60 Hz
LEVEL 2 SOUND ATTENUATION ENCLOSURE
RUN TIME HOURS: 64.4
USABLE CAPACITY GAL (L) 103 (390)
L x W xH in (mm) 56 x 34.5 x 99.1
(1422 x 876 x 2515)
WEIGHT lbs (kg): 2090 (948)
(WET ENGINE/DRY TANK)
SOUND LEVEL: 71 dBA
FUEL SYSTEM
FUEL TYPE: ULTRA LOW SULFUR DIESEL FUEL
FUEL SPECIFICATIONS: ASTM
ENGINE TYPE: DIESEL
CONFORMS TO UL STD 2200
FUEL TANK IS UL 142 LISTED



(P) GENERATOR SPECIFICATIONS

NTS

3

NOT USED

NTS

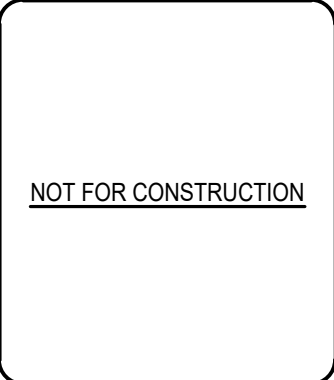
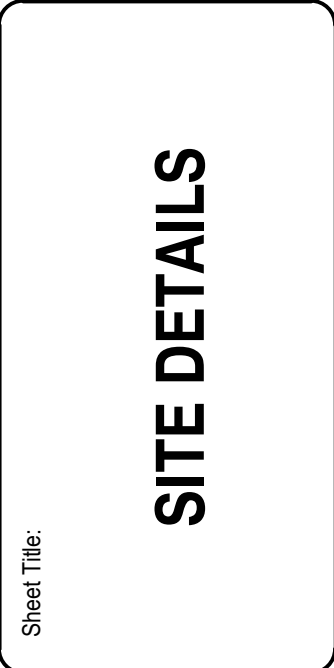
6

NOT USED

NTS

9

| Rev. | Description | Date: |
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| 6 | 100% ZD ENCL TRELLIS | 10-16-23 |
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| 0 | 90% ZD | 08-05-22 |



Drawn by: ERO/RP
Checked by: ERO
Sheet No: D2



Staff Report

Meeting Date: Jan. 17, 2024

Item No. **2**

To: Planning Commission

Staff Contact: Jason Goff, Senior Planner, 442-339-2643,
jason.goff@carlsbadca.gov

Subject: Legoland California Project 2025; Request for recommendation to approve demolition and replacement of an existing "Driving School" and "Junior Driving School" themed attractions with a new "LEGO Galaxy" themed attraction on a 2.38-acre project site located within the Inner Park area of the LEGOLAND California theme park.

Location: One Legoland Drive / APN: 211-100-09-00 / District 1

Case Numbers: SDP 2023-0012, CDP 2023-0022 (DEV 2023-0061)

Applicant/Representative: Tom Storer, Applicant; 858-334-8938; tom.storer@legoland.com
Richard Apel, Representative; 760-943-0760; richard.apel@rwapel.com

CEQA Determination: ☐ Not a Project ☒ Exempt ☐ IS/ND or IS/MND ☐ EIR
☐ Other:

Permit Type(s): ☒ SDP ☐ CUP ☒ CDP ☐ TM/TPM ☐ GPA ☐ REZ ☐ LCPA

CEQA Status: ☐ The environmental assessment IS on the Agenda for discussion.
☒ A CEQA determination was already issued and IS NOT on the Agenda.

Commission Action: ☐ Decision ☒ Recommendation to City Council ☐ Informational (No Action)

Recommended Actions

That the Planning Commission **ADOPT** the Planning Commission Resolution (Exhibit 1) **RECOMMENDING APPROVAL** of Site Development Plan, SDP 2023-0012, and Coastal Development Permit, CDP 2023-0022, based upon the findings and subject to the conditions contained therein.

Existing Conditions & Project Description

Existing Setting

The project area is located within the Inner Park area of the Legoland California theme park; a 132-acre parcel within the Carlsbad Ranch Specific Plan, Planning Area 4. The area of proposed redevelopment is 2.38 acres. The specific project area contains an existing “Driving School” and “Junior Driving School” themed attraction. The theme park is bordered by hotel/resort and open space to the north, a public street, open space and office development to the south, a business park, public street, and open space (flower fields) to the west, and a public street and golf course to the east.

Site Map

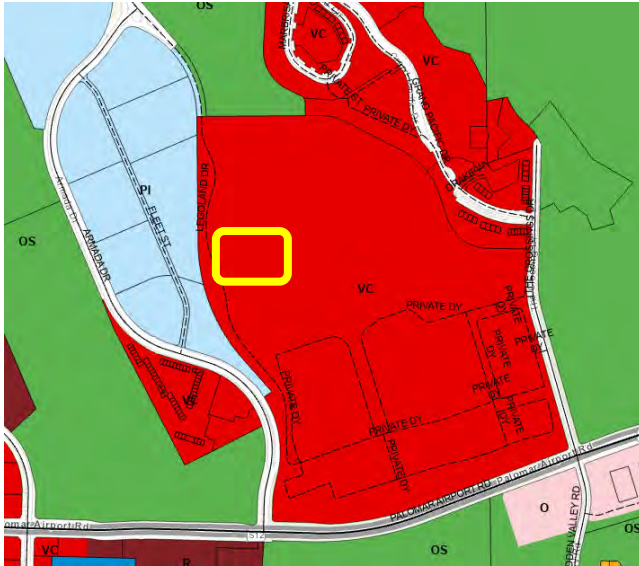


Table “A” below includes the General Plan designations, zoning and current land uses of the subject site and surrounding properties. Also refer to Exhibit 2 for larger site map.

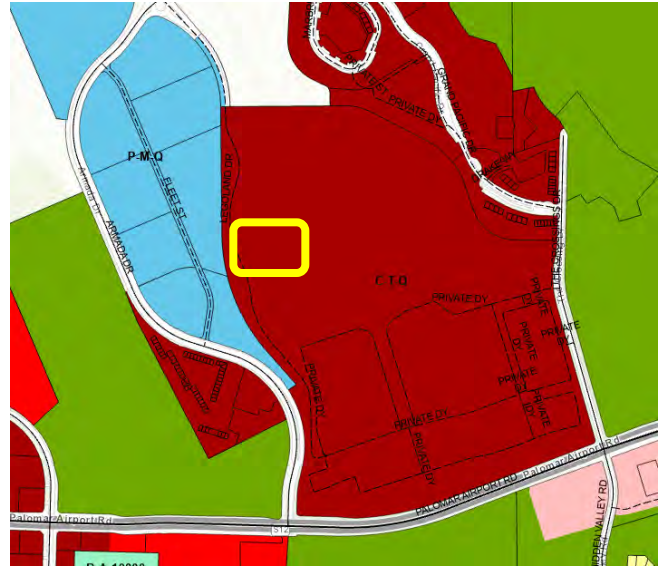
TABLE A – SITE AND SURROUNDING LAND USE

| Location | General Plan Designation | Zoning Designation | Current Land Uses |
|--------------|-----------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Site | Visitor Commercial (VC) | Commercial Tourist, Qualified Development Overlay (C-T-Q) | “Driving School” and “Junior Driving School” themed attraction. |
| North | Open Space (OS) / VC | Open Space (OS) /C-T-Q | Open space preserve, and timeshare/hotel resort. |
| South | OS / Office (O) | OS/ Office (O) | Open space preserve and an office building. |
| East | OS | OS | The Crossings Golf Course |
| West | Planned Industrial (PI) / VC / OS | Planned Industrial, Qualified Development Overlay (P-M-Q) / C-T-Q / OS | Business park, timeshare/hotel resort, and open space (Flower Fields) |

General Plan Designation



Zoning Designation



Proposed Project

The proposed project is a new “LEGO Galaxy” space-themed cluster located within the Inner Park area of the existing LEGOLAND California theme park. More specifically, the project will be located at the site of the existing “Driving School” and “Junior Driving School” attractions, which will be removed. The site is approximately 103,470 square feet, or 2.38 acres in size with a generally flat topography. Existing site development to be removed includes the driving school road courses, queues, shade covers, a small retail facility, and landscaping.

The major components of the proposed project are as follows:

- Headline Ride – An indoor roller coaster. The roller coaster will be housed inside a new single story, 32,319 square feet, 43-foot-high pre-manufactured steel building enhanced with exterior LEGO “space port” theming. Ancillary uses within the building include a ride queue, a LEGO brick building attraction, retail, maintenance, mechanical and storage spaces. There will be a 1,316-square-foot covered, unconditioned outdoor queue.
- Secondary Ride – The secondary ride has three cantilever arms which are each lifted by hydraulic actuators and carry a counter rotating gyro element holding four gondolas at each end. The gondolas are designed to accommodate two riders for a total capacity of 24 passengers. The site area is approximately 4,122 square feet and includes a shaded outdoor queue and a 66-square-foot operator building. The ride height will extend up to approximately 24 feet.
- Playscape – This is a static display featuring a children’s play structure with an alien spaceship theme. The site area is approximately 1,755 square feet and the maximum height of the play structure is 30 feet.
- Toddlers play area – Approximately 1,234 square feet exterior area designed for toddlers, with LEGO DUPLO play features, shade cover and seating area.

Request for approval of increased building height. With this application, the applicant is requesting approval of increased building height. The proposed headline coaster ride building is a single-story structure with a building height of 43 feet being proposed.

Per the Carlsbad Ranch Specific Plan, all buildings within LEGOLAND shall not exceed the height of 35 feet or three levels. Additional building height may be permitted to a maximum of 45 feet through a Site Development Plan approved by City Council provided that:

- The building does not contain more than three levels;
- All required setbacks are increased at a ratio of one horizontal foot for every one foot of vertical construction beyond thirty-five feet; and
- The additional setback area is maintained as landscaped open space.

None of the other architectural structures or features under consideration are proposed to extend to or beyond the 43-foot-tall building height being proposed. If the project were not proposing an increase in building height from 35 feet to 43 feet (8-foot increase), a minor Site Development Plan would instead be required, and the decision would be made by the city planner.

The proposed project includes grading, utility improvements, new hardscape, planting and retrofitting of existing recycled water irrigation systems.

Public Outreach & Comment

Public notice of the proposed Project was mailed on June 15, 2023, to property owners located within 600 feet of the subject property and occupants of property located within 100 feet of the subject property. A notice of project application sign was also posted at the site on June 14, 2023. No public comments were generated from the notice of project application or posted sign.

A CEQA Determination of Exemption was posted on the city's website and an email was distributed to interested individuals on Nov. 30, 2023, for a period of 10-days, and on Dec. 11, 2023, no comments were received.

Response to Public Comment & Project Issues

No comments either in support or opposition to the project were received.

Project Analysis

General Plan Consistency

The City of Carlsbad General Plan includes several goals and policies that guide development and land use within the city. A discussion of how the project is consistent with the applicable General Plan policies is summarized in Exhibit 3.

Carlsbad Ranch Specific Plan Consistency

The subject site is located within Planning Area 4 (Legoland) of the Carlsbad Ranch Specific Plan (SP 207(K)). The proposed project complies with the development standards and design guidelines contained in the Specific Plan, as summarized in Exhibit 3.

Local Coastal Program Consistency

The project site is in the Coastal Zone and requires a Coastal Development Permit. The project complies with the Local Coastal Program, including all goals and policies of the General Plan and all specific plan standards, as referenced above, and summarized in Exhibit 3.

McClellan-Palomar Airport Land Use Compatibility Plan

The project site is located approximately one mile west of the airport. The proposed project complies with the McClellan-Palomar Airport Land Use Compatibility Plan, as described in Exhibit 3.

Discretionary Actions & Findings

The proposed Project requires approval of certain permit types, each of which is discussed below:

Site Development Plan (SDP 2021-0012)

All properties within Planning Area 4 of the Carlsbad Ranch Specific Plan are zoned Commercial Tourist with a Qualified Development Overlay (C-T-Q). The Q zone requires approval of an SDP for new development. For increased building height, the Planning Commission is a recommending body, and the City Council is the final decision maker. Staff recommends finding that the project meets the required findings for approval of a SDP, as described in Exhibit 3.

Coastal Development Permit (CDP 2023-0022)

The project site is located within the Mello II Segment of the Local Coastal Program (LCP) but is not within the appealable jurisdiction of the California Coastal Commission. The site is also located within and subject to the Coastal Resources Protection Overlay Zone. The LCP and Coastal Resource Protection Overlay Zone require approval of a Coastal Development Permit (CDP) for new development. Staff recommends finding that the project is consistent with the relevant policies of the Mello II Segment of the LCP and the Coastal Resource Protection Overlay Zone and meets the required findings for approval of a CDP, as described in Exhibit 3.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, the City Planner has determined that the project qualified for an exemption pursuant to CEQA Guidelines Section 15332, In-fill Development Projects. On Nov. 30, 2023, a notice of intended decision regarding the environmental determination was advertised and posted on the city's website. No comment letters or appeals were received and consistent with Chapter 21.54 (Procedures, Hearings, Notices, and Fees) of the Zoning Ordinance the City Planner's written decision is final. Refer to Exhibit 3 for additional support and justification.

Conclusion

Considering the information above and in the referenced attachments, staff has found that the proposed Project is consistent with all applicable policies of the General Plan, Carlsbad Ranch Specific Plan, Local Coastal Program, and the provisions of the Municipal Code and Local Facility Management Zone 13. All required public improvement and utilities are available to serve the proposed development. In addition, there are no environmental issues associated with the Project.

The Project is conditioned to ensure the proposed Project's compatibility with the surrounding properties and that the public health, safety, and welfare of the community are maintained. The Project would be required to comply with all applicable California Building Standards Codes and engineering standards through the standard building permit and civil improvement plan checking process. Staff recommends the Planning Commission adopt the resolution recommending approval of the proposed Project to the City Council as described in this staff report.

Exhibits

1. Planning Commission Resolution
2. Location Map
3. Project Analysis
4. Disclosure Form
5. CEQA Determination of Exemption
6. Reduced Project Exhibits
7. Full Size Project Exhibits "A" – "TT" dated Jan. 17, 2024 (on file in the office of the City Clerk).
8. List of Acronyms and Abbreviations

PLANNING COMMISSION RESOLUTION

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, RECOMMENDING APPROVAL OF A SITE DEVELOPMENT PLAN AND COASTAL DEVELOPMENT PERMIT TO ALLOW FOR THE REPLACEMENT OF AN EXISTING “DRIVING SCHOOL” AND “JUNIOR DRIVING SCHOOL” THEMED ATTRACTIONS WITH A NEW SPACE-THEMED ATTRACTION LOCATED WITHIN THE INNER PARK AREA OF THE LEGOLAND CALIFORNIA IN PLANNING AREA 4 OF THE CARLSBAD RANCH SPECIFIC PLAN ON PROPERTY LOCATED AT 1 LEGOLAND DRIVE, ASSESSOR PARCEL NUMBER 211-100-09-00, WITHIN THE MELLO II SEGMENT OF THE LOCAL COASTAL PROGRAM AND IN LOCAL FACILITIES MANAGEMENT ZONE 13

CASE NAME: LEGOLAND CALIFORNIA PROJECT 2025

CASE NO.: SDP 2023-0012 / CDP 2023-0022 (DEV2023-0061)

WHEREAS, **Merlin Entertainments Group U.S. Holdings, Inc.**, “Developer/Owner,” has filed a verified application with the City of Carlsbad regarding property described as

Lots 18 and 19 of Carlsbad Tract Map 94-09, Carlsbad Ranch - Units 2 and 3, in the City of Carlsbad, County of San Diego, State of California, according to map thereof no. 13408, filed in the Office of the County Recorder of San Diego, April 1, 1997 as file number 1997-147754

(“the Property”); and

WHEREAS, said verified application constitutes a request for a Site Development Plan and Coastal Development Permit as shown on Exhibit(s) “A” – “TT” dated **Jan. 17, 2024**, on file in the Planning Division, **SDP 2023-0012/CDP 2023-0022 (DEV2023-0061) – LEGOLAND CALIFORNIA PROJECT 2025** as provided by Chapter 21.06, 21.201 and 21.203 of the Carlsbad Municipal Code and the Carlsbad Ranch Specific Plan SP 207(K); and

WHEREAS, the Planning Division studied the Site Development Plan and Coastal Development Permit applications and performed the necessary investigations to determine if the project qualified for an exemption from further environmental review under the California

Environmental Quality Act, (CEQA, Public Resources Code section 21000 et. seq.), and its implementing regulations (the State CEQA Guidelines), Article 14 of the California Code of Regulations section 15000 et. seq. After consideration of all evidence presented, and studies and investigations made by the City Planner and on its behalf, the City Planner determined that the project was exempt from further environmental review pursuant to State CEQA Guidelines section 15332 – In-Fill Development Projects, in that project is consistent with the General Plan and Zoning Ordinance; the project site is located within the City limits, on a development area of less than five acres in size, and substantially surrounded by urban uses; there is no evidence that the project site has value as habitat for endangered, rare, or threatened species; approval of the project will not result in significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The project will not have a significant effect on the environment and all the requirements of CEQA have been met; and

WHEREAS, on Nov. 30, 2023, the city distributed a notice of intended decision to adopt the “In-Fill Development Projects” exemptions. The notice was circulated for a 10-day period, which began on Nov. 30, 2023 and ended on Dec. 11, 2023. The city did not receive any comment letters on the CEQA findings and determination. The effective date and order of the City Planner CEQA determination was Dec. 11, 2023; and

WHEREAS, the Planning Commission did, on **Jan. 17, 2024**, hold a duly noticed public hearing as prescribed by law to consider said request; and

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all persons desiring to be heard, said Commission considered all factors relating to the Site Development Plan and Coastal Development Permit.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Carlsbad as follows:

- A) That the foregoing recitations are true and correct.
- B) That based on the evidence presented at the public hearing, the Planning Commission **RECOMMENDS APPROVAL** of **SDP 2023-0012/CDP 2023-0022 (DEV2023-0061) – LEGOLAND CALIFORNIA PROJECT 2025**, based on the following findings and subject to the following conditions:

Findings:

Site Development Plan, SDP 2023-0012

1. That the proposed development or use is consistent with the General Plan **and Carlsbad Ranch Specific Plan**, complies with all applicable provisions of Chapter 21.06 of the Carlsbad Municipal Code, and all other applicable provisions of this code, in that **the proposed project aligns with the purpose of VC land use by updating and enhancing an existing theme park, LEGOLAND California, which contributes to the travel, retail, shopping, entertainment, and recreational needs of visitors, tourists, and residents. Additionally, the Carlsbad Ranch Specific Plan is found to be consistent with the various elements of the General Plan, and the project design complies with the requirements of the Specific Plan. Removal of the existing attractions and replacement with a new space-themed attraction within the Inner Park is consistent with the goals and vision of the Specific Plan for the LEGOLAND California Inner Park, and the project design complies with all applicable Specific Plan development standards, including increased landscape setbacks to offset increased building height. Where a 35-foot landscape setback is required, 55-feet is already provided.**
2. That the requested development or use is properly related to the site, surroundings and environmental settings, will not be detrimental to existing development or uses or to development or uses specifically permitted in the area in which the proposed development or use is to be located, and will not adversely impact the site, surroundings or traffic circulation, in that **removal of the existing attractions and replacement with a new space-themed attraction within the Inner Park will not be detrimental to existing uses since the area immediately surrounding the project site is also within the theme park, increased landscape setbacks are provided to offset the increase in building**

height, and there is significant distance between the proposed project and existing development to the west of Legoland Drive. The proposed new space-themed attraction will not generate any additional traffic and will not adversely impact the site or surroundings because it is part of the developed theme park.

3. That the site for the intended development or use is adequate in size and shape to accommodate the use, in that **the subject site is already developed with an existing theme park attraction, and its replacement with a new space-themed attraction fits within this existing area of the theme park and meets all applicable codes and standards, including increased landscape setbacks to offset the increase in building height. Where a 35-foot landscape setback is required, 55-feet is already provided.**
4. That all yards, setbacks, walls, fences, landscaping, and other features necessary to adjust the requested development or use to existing or permitted future development or use in the neighborhood will be provided and maintained, in that **the proposed new space-themed attraction is located within the interior of the theme park and will not have any impact on existing or permitted future developments or uses in the neighborhood. All features, structures and landscaping associated with the project will be maintained as part of the theme park.**
5. That the street systems serving the proposed development or use is adequate to properly handle all traffic generated by the proposed use, in that **there is no traffic increase associated with the proposed project as the project will introduce two new attractions (a Headline and Secondary ride) with the replacement of two existing attractions ("Driving School" and "Junior Driving School"). The existing ride area is approximately 2.38 acres. The new ride area is approximately 2.38 acres. Therefore, there is no net change in major attractions, and there will be no impact on the existing street systems.**

Coastal Development Permit, CDP 2021-0066

6. That the proposed development is in conformance with the Certified Local Coastal Program and all applicable policies in that **no impacts to any physical features, such as scenic resources, environmentally sensitive areas, or geologic features, will occur as none exist on the essentially flat and previously developed parking lot. No distant or coastal views would be obstructed from public roadways.**
7. The proposal is in conformity with the public access and recreation policies of Chapter Three of the Coastal Act in that **the property is not near the shore and there are no public access or public recreation requirements for the property.**
8. The project is consistent with the provisions of the Coastal Resource Protection Overlay Zone (Chapter 21.203 of the Zoning Ordinance) in that the project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban runoff,

pollutants, and soil erosion. No steep slopes or native vegetation is located on the subject property and the site is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.

McClellan Palomar Airport Land Use Compatibility Plan

9. The project is consistent with the adopted Airport Land Use Compatibility Plan for the McClellan-Palomar Airport (ALUCP), dated Dec. 1, 2011. The project is compatible with the projected noise levels of the ALUCP in that **all areas of the site are within the 60 and 65 CNEL noise contours and the park was considered a compatible land use at these noise levels.** Based on the land use compatibility matrix of the ALUCP, the proposed land use is compatible with the airport, in that **it is located within Safety Zone 6 and considered a conditionally compatible use.**

California Environmental Quality Act

10. The City Planner has determined that the project belongs to a class of projects that the State Secretary for Resources has found do not have a significant impact on the environment, and it is therefore categorically exempt from the requirement for preparation of environmental documents pursuant to **section 15332 – In-Fill Development Projects** of the State CEQA Guidelines. In making this determination, the City Planner has found that the exceptions listed in Section 15300.2 of the State CEQA Guidelines do not apply to this project.

General

11. The **Planning Commission** finds that the project, as conditioned herein, is in conformance with the Elements of the City's General Plan **and the Carlsbad Ranch Specific Plan**, in that **Planning Area 4 of the Specific Plan (LEGOLAND California) has a General Plan Land Use designation of Visitor Commercial (VC).** The VC land use designation is intended to provide sites for commercial uses that serve the travel, retail, shopping, entertainment, and recreation needs of visitors, tourists, and residents, with the primary use of the property being visitor-serving. The proposed project aligns with the purpose of VC land use by updating and enhancing an existing theme park, LEGOLAND California, which contributes to the travel, retail, shopping, entertainment, and recreational needs of visitors, tourists, and residents. The primary use of LEGOLAND California is directed towards serving the needs of visitors. Additionally, the project is an infill project to replace an attraction and enhance an existing theme park which generates revenue, enhances the economy, provides, and creates employment opportunities, supports businesses, and influences tourism year-round.
12. That the project is consistent with the City-Wide Facilities and Improvements Plan, the Local Facilities Management Plan for **Zone 13** and all city public facility policies and ordinances. The project includes elements or has been conditioned to construct or

provide funding to ensure that all facilities and improvements regarding: sewer collection and treatment; water; drainage; circulation; fire; schools; parks and other recreational facilities; libraries; government administrative facilities; and open space, related to the project will be installed to serve new development prior to or concurrent with need. Specifically,

- a. The Public Facility fee is required to be paid by Council Policy No. 17 and will be collected prior to the issuance of building permit.
 - b. The Local Facilities Management fee for **Zone 13** is required by Carlsbad Municipal Code Section 21.90.050 and will be collected prior to issuance of building permit.
13. That the project is consistent with the City's Landscape Manual and Water Efficient Landscape Ordinance (Carlsbad Municipal Code Chapter 18.50).
 14. The Planning Commission has reviewed each of the exactions imposed on the Developer contained in this resolution, and hereby finds, in this case, that the exactions are imposed to mitigate impacts caused by or reasonably related to the project, and the extent and the degree of the exaction is in rough proportionality to the impact caused by the project.

Conditions:

NOTE: Unless otherwise specified herein, all conditions shall be satisfied prior to **approval of a building or grading permit, whichever occurs first.**

1. If any of the following conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the city shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; record a notice of violation on the property title; institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. No vested rights are gained by Developer or a successor in interest by the city's approval of this **Site Development Plan and Coastal Development Plan.**
2. Staff is authorized and directed to make, or require the Developer to make, all corrections and modifications to the **Site Development Plan and Coastal Development Plan** documents, as necessary to make them internally consistent and in conformity with the final action on the project. Development shall occur substantially as shown on the approved Exhibits. Any proposed development, different from this approval, shall require an amendment to this approval.

3. Developer shall comply with all applicable provisions of federal, state, and local laws and regulations in effect at the time of building permit issuance.
4. If any condition for construction of any public improvements or facilities, or the payment of any fees in-lieu thereof, imposed by this approval or imposed by law on this Project are challenged, this approval shall be suspended as provided in Government Code Section 66020. If any such condition is determined to be invalid, this approval shall be invalid unless the City Council determines that the project without the condition complies with all requirements of law.
5. Developer/Operator shall and does hereby agree to indemnify, protect, defend, and hold harmless the City of Carlsbad, its Council members, officers, employees, agents, and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees incurred by the city arising, directly or indirectly, from (a) city's approval and issuance of this **Site Development Plan and Coastal Development Plan**, (b) city's approval or issuance of any permit or action, whether discretionary or nondiscretionary, in connection with the use contemplated herein, and (c) Developer/Operator's installation and operation of the facility permitted hereby, including without limitation, any and all liabilities arising from the emission by the facility of electromagnetic fields or other energy waves or emissions. This obligation survives until all legal proceedings have been concluded and continues even if the city's approval is not validated.
6. Prior to submittal of the building plans, improvement plans, grading plans, or final map, whichever occurs first, developer shall submit to the City Planner, a 24" x 36" copy of the **Site Plan**, conceptual grading plan and preliminary utility plan reflecting the conditions approved by the final decision making body. The copy shall be submitted to the City Planner, reviewed and, if found acceptable, signed by the city's project planner and project engineer. If no changes were required, the approved exhibits shall fulfill this condition.
7. Prior to the issuance of a building permit, the Developer shall provide proof to the Building Division from the **Carlsbad Unified** School District that this project has satisfied its obligation to provide school facilities.
8. This project shall comply with all conditions and mitigation measures which are required as part of the Zone **13** Local Facilities Management Plan and any amendments made to that Plan prior to the issuance of building permits.
9. This approval shall become null and void if building permits are not issued for this project within 24 months from the date of project approval.
10. Building permits will not be issued for this project unless the local agency providing water and sewer services to the project provides written certification to the city that adequate

water service and sewer facilities, respectively, are available to the project at the time of the application for the building permit, and that water and sewer capacity and facilities will continue to be available until the time of occupancy.

11. Developer shall pay the Citywide Public Facilities Fee imposed by City Council Policy #17, the License Tax on new construction imposed by Carlsbad Municipal Code Section 5.09.030, and CFD #1 special tax (if applicable), subject to any credits authorized by Carlsbad Municipal Code Section 5.09.040. Developer shall also pay any applicable Local Facilities Management Plan fee for Zone **13**, pursuant to Chapter 21.90. All such taxes/fees shall be paid at issuance of building permit. If the taxes/fees are not paid, this approval will not be consistent with the General Plan and shall become void.
12. Prior to the issuance of the **Grading Permit**, Developer shall submit to the city a Notice of Restriction executed by the owner of the real property to be developed. Said notice is to be filed in the office of the County Recorder, subject to the satisfaction of the City Planner, notifying all interested parties and successors in interest that the City of Carlsbad has issued a(n) **Site Development Plan and Coastal Development Plan** by Resolution(s) No. 7495 on the property. Said Notice of Restriction shall note the property description, location of the file containing complete project details and all conditions of approval as well as any conditions or restrictions specified for inclusion in the Notice of Restriction. The City Planner has the authority to execute and record an amendment to the notice which modifies or terminates said notice upon a showing of good cause by the Developer or successor in interest.
13. Developer shall make a separate formal landscape construction drawing plan check submittal to the Planning Division and obtain City Planner approval of a Final Landscape and Irrigation Plan showing conformance with the approved Preliminary Landscape Plan and the city's Landscape Manual. Developer shall construct and install all landscaping and irrigation as shown on the approved Final Plans. All landscaping shall be maintained in a healthy and thriving condition, free from weeds, trash, and debris. All irrigation systems shall be maintained to provide the optimum amount of water to the landscape for plant growth without causing soil erosion and runoff.
14. The first submittal of Final Landscape and Irrigation Plans shall be pursuant to the landscape plan check process on file in the Planning Division and accompanied by the project's building, improvement, and grading plans.
 -
15. **Prior to the commencement of any ground disturbing activities that may impact native soil, the project developer shall enter into a Pre-Excavation Agreement, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement, with**

a Luiseño tribe. This agreement will address provision of a Luiseño Native American monitor and contain provisions to address the proper treatment of any tribal cultural resources and/or Luiseño Native American human remains inadvertently discovered during the course of the project. The agreement will outline the roles and powers of the Luiseño Native American monitors and the archaeologist.

Engineering

General

16. Prior to hauling dirt or construction materials to or from any proposed construction site within this project, developer shall apply for and obtain approval from, the City Engineer for the proposed haul route.
17. This project is approved upon the express condition that building permits will not be issued for the development of the subject property, unless the District Engineer has determined that adequate water and sewer facilities are available at the time of permit issuance and will continue to be available until time of occupancy.

Fees/Agreements

18. Developer shall cause property owner to execute and submit to the City Engineer for recordation, the city's standard form Geologic Failure Hold Harmless Agreement.
19. Developer shall cause property owner to execute and submit to the City Engineer for recordation the city's standard form Drainage Hold Harmless Agreement.

Grading

20. Based upon a review of the proposed grading and the grading quantities shown on the site plan a grading permit for this project is required. Developer shall prepare and submit plans and technical studies/reports as required by City Engineer, post security and pay all applicable grading plan review and permit fees per the city's latest fee schedule.

Storm Water Quality

21. Developer shall comply with the city's Stormwater Regulations, latest version, and shall implement best management practices at all times. Best management practices include but are not limited to pollution control practices or devices, erosion control to prevent silt runoff during construction, general housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants to stormwater, receiving water or stormwater conveyance system to the maximum extent practicable. Developer shall notify prospective owners and tenants of the above requirements.

22. Developer shall submit for city approval a Tier 3 Storm Water Pollution Prevention Plan (TIER 3 SWPPP). The TIER 3 SWPPP shall comply with current requirements and provisions established by the San Diego Regional Water Quality Control Board and City of Carlsbad Requirements. The TIER 3 SWPPP shall identify and incorporate measures to reduce storm water pollutant runoff during construction of the project to the maximum extent practicable. Developer shall pay all applicable SWPPP plan review and inspection fees per the city's latest fee schedule.
23. This project is subject to 'Priority Development Project' requirements and **trash capture requirements**. Developer shall prepare and process **an addendum to the Regional Storm Water Quality Management Plan (SWQMP), SDP 15-26 for Legoland**, subject to city engineer approval, to comply with the Carlsbad BMP Design Manual latest version. **The addendum shall incorporate the revisions together with trash capture measures that shall be implemented for the regional basin located at the south side of the Legoland parking lot to comply with the Carlsbad BMP Design Manual latest version.** The final SWQMP **addendum** required by this condition shall be reviewed and approved by the city engineer with final grading plans. Developer shall pay all applicable SWQMP plan review and inspection fees per the city's latest fee schedule.
24. Developer is responsible to ensure that all final design plans (grading plans, improvement plans, landscape plans, building plans, etc.) incorporate all source control, site design, pollutant control BMP and applicable hydromodification measures.
25. **Developer shall prepare a plan amendment to the appropriate as-built drawings to incorporate trash capture requirements, to the satisfaction of the City Engineer.**

Dedications/Improvements

26. Developer shall design the private drainage systems, as shown on the site plan to the satisfaction of the City Engineer. All private drainage systems (12-inch diameter storm drain and larger) shall be inspected by the city. Developer shall pay the standard improvement plan check and inspection fees for private drainage systems.
27. Prior to any work in city right-of-way or public easements, Developer shall apply for and obtain a right-of-way permit to the satisfaction of the city engineer.
28. Developer is responsible to ensure utility transformers or raised water backflow preventers that serve this development are located outside the right-of-way as shown on the site plan and to the satisfaction of the city engineer. These facilities shall be constructed within the property.

Utilities

29. Developer shall meet with the Fire Marshal to determine if fire protection measures (fire flows, fire hydrant locations, building sprinklers) are required to serve the project.
30. Developer shall design and agree to construct public facilities within public right-of-way or within minimum 20-foot-wide easements granted to the district or the City of Carlsbad. At the discretion of the District or City Engineer, wider easements may be required for adequate maintenance, access and/or joint utility purposes.
31. Developer shall agree to design landscape and irrigation plans utilizing recycled water as a source and prepare and submit a colored recycled water use map to the Planning Division for processing and approval by the District Engineer.
32. Developer shall install potable water and/or recycled water services and meters at locations approved by the district engineer. The locations of said services shall be reflected on public improvement plans.
33. Developer shall agree to install sewer laterals and clean-outs at locations approved by the City Engineer. The locations of sewer laterals shall be reflected on public improvement plans.

Code Reminders

The project is subject to all applicable provisions of local ordinances, including but not limited to the following:

34. Developer shall pay traffic impact and sewer impact fees based on Section 18.42 and Section 13.10 of the City of Carlsbad Municipal Code, respectively. The Average Daily Trips (ADT) and floor area contained in the staff report and shown on the site plan are for planning purposes only.

NOTICE TO APPLICANT

An appeal of this decision to the City Council must be filed with the City Clerk at 1200 Carlsbad Village Drive, Carlsbad, California, 92008, within ten (10) calendar days of the date of the Planning Commission's decision. Pursuant to Carlsbad Municipal Code Chapter 21.54, section 21.54.150, the appeal must be in writing and state the reason(s) for the appeal. The City Council must make a determination on the appeal prior to any judicial review.

NOTICE

Please take **NOTICE** that approval of your project includes the "imposition" of fees, dedications, reservations, or other exactions hereafter collectively referred to for convenience as "fees/exactions."

You have 90 days from date of final approval to protest imposition of these fees/exactions. If you protest them, you must follow the protest procedure set forth in Government Code Section 66020(a) and file the protest and any other required information with the City Manager for processing in accordance with Carlsbad Municipal Code Section 3.32.030. Failure to timely follow that procedure will bar any subsequent legal action to attack, review, set aside, void, or annul their imposition.

You are hereby FURTHER NOTIFIED that your right to protest the specified fees/exactions DOES NOT APPLY to water and sewer connection fees and capacity charges, nor planning, zoning, grading, or other similar application processing or service fees in connection with this project; NOR DOES IT APPLY to any fees/exactions of which you have previously been given a NOTICE similar to this, or as to which the statute of limitations has previously otherwise expired.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Carlsbad, California, held on **Jan. 17, 2024**, by the following vote, to wit:

AYES:

NAYES:

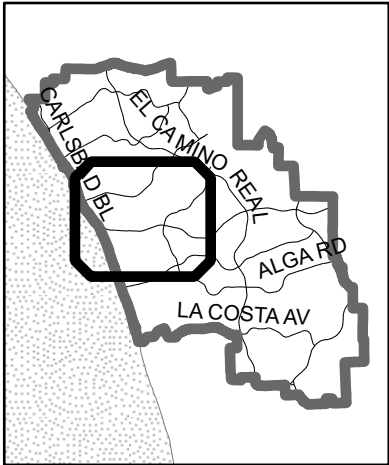
ABSENT:

ABSTAIN:

PETER MERZ, Chairperson
CARLSBAD PLANNING COMMISSION

ATTEST:

ERIC LARDY
City Planner



SITE MAP



NOT TO SCALE

LEGOLAND CALIFORNIA PROJECT 2025

SDP 2023-0012 / CDP 2023-0022

PROJECT ANALYSIS

The project is subject to the following regulations:

- A. General Plan Land Use Designation, Visitor Commercial (VC)
- B. Commercial Tourist Zone (C-T) Zone (CMC Chapter 21.06); Qualified Development Overlay (Q) Zone (CMC Chapter 21.29); and Coastal Resource Protection Overlay Zone (CMC Chapter 21.203)
- C. Carlsbad Ranch Specific Plan (SP 207(K))
- D. Coastal Development Procedures for the Mello II Segment of the Local Coastal Program (CMC Chapter 21.201); and Coastal Resource Protection Overlay Zone (CMC Chapter 21.203).
- E. McClellan-Palomar Airport Land Use Compatibility Plan
- F. Growth Management Ordinance (CMC Chapter 21.90) and Local Facilities Management Plan Zone 13

The recommendation for approval of this project was developed by analyzing the project's consistency with the applicable regulations and policies. The project's compliance with each of the above regulations is discussed in detail within the sections below.

A. General Plan Land Use Designation, Visitor Commercial (VC)

Planning Area 4 of the Carlsbad Ranch Specific Plan (LEGOLAND California) has a General Plan Land Use designation of Visitor Commercial (VC). The VC land use designation is intended to provide sites for commercial uses that serve the travel, retail, shopping, entertainment, and recreation needs of visitors, tourists, and residents. The primary use of the property must be visitor-serving. The proposed project aligns with the purpose of VC land use by updating and enhancing an existing theme park, LEGOLAND California, which contributes to the travel, retail, shopping, entertainment, and recreational needs of visitors, tourists, and residents. The primary use of LEGOLAND California is directed towards serving the needs of visitors. This project also supports the general plan goals as outlined below in Table A:

TABLE A – GENERAL PLAN COMPLIANCE

| ELEMENT | USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM | PROPOSED USES & IMPROVEMENTS | COMPLY |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| Land Use & Community Design | <u>Goal 2-G.3</u> : Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development | The project is in support of these general plan goals and policies because it is an infill project to replace an attraction and enhance an existing theme park which generates revenue, enhances the economy, provides, and creates | Yes |

PROJECT ANALYSIS

(GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

| ELEMENT | USE, CLASSIFICATION, GOAL, OBJECTIVE, OR PROGRAM | PROPOSED USES & IMPROVEMENTS | COMPLY |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------|
| Economy, Business Diversity, & Tourism | <p>intensities supporting a cohesive development pattern.</p> <p><u>Goal 2-G.8:</u> Provide opportunities for continued economic growth and vitality that enhance Carlsbad's position as a premier regional employment center.</p> <p><u>Goal 2-G.10:</u> Promote continued growth of visitor-oriented land uses and provide enhanced opportunities for new hotels and visitor-services in desirable locations.</p> <p><u>Goal 8-G.2:</u> Facilitate retention, expansion, attraction, and incubation of businesses that meet the city's economic development objectives.</p> <p><u>Policy 8-P.5:</u> Encourage increased year-round tourism through such means as working with the Carlsbad Tourism Business Improvement District to help market Carlsbad as a complete multi-day, year-round destination, and by working with other organizations to promote and develop Carlsbad as an ecotourism destination.</p> | employment opportunities, supports businesses, and influences tourism year-round. | |

B. Commercial Tourist Zone (CMC Chapter 21.06); Qualified Development Overlay Zone (CMC Chapter 21.29); Site Development Plan (Chapters 21.06); and Coastal Resource Protection Overlay Zone (CMC Chapter 21.203)

All properties within Planning Area 4 of the Carlsbad Ranch Specific Plan (LEGOLAND California) are zoned Commercial Tourist with the Qualified Development Overlay (C-T-Q). The Q overlay

PROJECT ANALYSIS

(GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

requires approval of an SDP for new development. The intent of the Q overlay is to ensure that projects will be compatible with surrounding development; and as designed, no special considerations or conditions other than compliance with city codes and regulations are necessary to ensure that the project will be compatible with the existing development on adjacent properties.

The C-T zone establishes land uses that are appropriate for serving the tourist community and their needs while visiting Carlsbad. The intent and purpose of the C-T zone is to provide for the development of tourist-oriented attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business and industrial centers. Also, to provide regulations and development standards to ensure such uses are compatible with and designed to protect surrounding properties, ensure safe traffic circulation, and promote economically viable tourist-oriented areas of the city. In addition, it is intended that the C-T zone be placed on properties located near major transportation corridors or recreation areas as designated by the general plan and any applicable specific plans.

The goal of the proposed project is to update and enhance the existing theme park, LEGOLAND California, which directly contributes to development of tourist-oriented attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business. This also goes along with the general plan goal to promote continued growth of visitor-oriented land uses and provide enhanced opportunities for new hotels and visitor-services in desirable locations.

LEGOLAND California is a fully functioning theme park that meets all requirements to remain open, safe, and operating to the public. This means it is designed and successful at protecting surrounding properties, ensuring safe traffic circulation, and promoting economically viable tourist-oriented areas of the city. Furthermore, LEGOLAND California is a recreation area that is located near major transportation corridors including Cannon Road, Palomar Airport Road, and the San Diego Freeway (Interstate-5).

LEGOLAND California is a popular theme park that attracts many visitors, including locals and tourists, and influences travel of people from all over. LEGOLAND California employs many and continues to provide and create job opportunities. Not only do these factors benefit LEGOLAND California, but they also stimulate other commercial uses and businesses within Carlsbad which directly supports the intent and purpose of the VC land use designation and C-T zone.

As discussed above, the Q overlay part of the C-T zone requires approval of a Site Development Plan (SDP). The required findings for SDP 2023-0012, with justification for each, are summarized below and contained in the Planning Commission Resolution (Exhibit 1).

- 1. That the proposed development or use is consistent with the General Plan and any applicable master plan or specific plan, complies with all applicable provisions of**

PROJECT ANALYSIS

(GENERAL PLAN, MUNICIPAL CODE, AND OTHER REGULATIONS)

Chapter 21.06 of the Carlsbad Municipal Code, and all other applicable provisions of this code.

The project is consistent with the Visitor Commercial (VC) General Plan Land Use designation as discussed above and is subject to the development standards of the Carlsbad Ranch Specific Plan. The Specific Plan is found to be consistent with the various elements of the General Plan, and the project design complies with the requirements of the Carlsbad Ranch Specific Plan. Removal of an existing attraction and replacement with a new space-themed attraction within the Inner Park is consistent with the goals and vision of the Specific Plan for the LEGOLAND California Inner Park, and the project design complies with all applicable Specific Plan development standards.

- 2. That the requested development or use is properly related to the site, surroundings, and environmental settings, will not be detrimental to existing development or uses or to development or uses specifically permitted in the area in which the proposed development or use is to be located, and will not adversely impact the site, surroundings, or traffic circulation.**

Removal of an existing attraction and replacement with a new space-themed attraction within the Inner Park will not be detrimental to existing uses since the area immediately surrounding the project site is also within the theme park, increased landscape setbacks are being provided, and there is significant distance between the proposed project and existing development to the west of Legoland Drive. The proposed new space-themed attraction will not generate any additional traffic and will not adversely impact the site or surroundings because it is part of the developed theme park.

- 3. That the site for the intended development or use is adequate in size and shape to accommodate the use.**

The subject site is already developed with an existing theme park attraction, and its replacement with a new space-themed attraction fits within this existing area of the theme park and meets all applicable codes and standards, including increased landscaped setbacks.

- 4. That all yards, setbacks, walls, fences, landscaping, and other features necessary to adjust the requested development or use to existing or permitted future development or use in the neighborhood will be provided and maintained.**

The proposed new space-themed attraction is located within the interior of the theme park and will not have any impact on existing or permitted future developments or uses in the neighborhood. All features, structures and landscaping associated with the project will be maintained as part of the theme park.

PROJECT ANALYSIS

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5. That the street systems serving the proposed development or use is adequate to properly handle all traffic generated by the proposed use.

There is no traffic increase associated with the proposed project as the project will introduce two new attractions (a Headline and Secondary ride) with the replacement of two existing attractions (“Driving School” and “Junior Driving School”). The existing ride area is approximately 2.38 acres. The new ride area is approximately 2.38 acres. Therefore, there is no net change in major attractions, and there will be no impact on the existing street systems.

C. Carlsbad Ranch Specific Plan (207(K))

The subject site is located within Planning Area 4 (LEGOLAND California) of the Carlsbad Ranch Specific Plan (SP207(K)). As demonstrated in Table B below, the proposed project complies with the development standards contained in the Specific Plan.

TABLE B: SPECIFIC PLAN COMPLIANCE

| STANDARDS | REQUIRED/ALLOWED | PROPOSED/PROVIDED | COMPLY |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------|
| Building Height | 35 feet (3 levels); or 45 feet w/ increased landscaped setbacks (1 horizontal foot per 1-foot of vertical construction) | 44 ft. / 1 level | Yes |
| Landscaped Setbacks Legoland Drive (eastern curb line) | 35 ft. | 55 ft. | Yes |
| Building Setbacks Legoland Drive (eastern curb line) | 50 ft. min. | 115 ft. | Yes |

D. Coastal Development Procedures for the Mello II Segment of the Local Coastal Program (CMC Chapter 21.201); and Coastal Resource Protection Overlay Zone (CMC Chapter 21.203).

The project site is located within the non-appealable area of the Coastal Zone and within the Mello II Segment of the Local Coastal Program (LCP). The site is also located within and subject to the Coastal Resources Protection Overlay Zone (Chapter 21.203). The project’s compliance with each of these programs and ordinances is discussed below:

1. Mello II Segment of the Certified Local Coastal Program and all applicable policies

The Specific Plan implements the intent of the Visitor Commercial (VC) General Plan Land Use designation and LCP Land Use designation. The Carlsbad Ranch Specific Plan is the

PROJECT ANALYSIS

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implementing ordinance for, and is consistent with, the LCP. The proposed replacement of an existing attraction with a new space-themed attraction will not result in any conflicts with the provisions of the LCP. The proposed one-level structure and other secondary space-themed attractions are compatible with existing surrounding development in the inner park. The proposed structure and other space-themed attractions will not obstruct views of the coastline as seen from public lands or the public right-of-way, nor otherwise damage the visual beauty of the coastal zone. No agricultural uses or sensitive resources exist on this previously graded and developed site. The proposed structure is not located in an area of known geologic instability or flood hazard. The site is near the coast, but no public opportunities for coastal shoreline access or water-oriented recreational activities are available from the site.

2. Coastal Resource Protection Overlay Zone

The project is consistent with the provisions of the Coastal Resource Protection Overlay Zone (CMC Chapter 21.203 of the Zoning Ordinance) in that the project will adhere to the city's Master Drainage Plan, Grading Ordinance, Storm Water Ordinance, BMP Design Manual and Jurisdictional Runoff Management Program (JRMP) to avoid increased urban run-off, pollutants, and soil erosion. The project site does not include steep slopes (equal to or greater than 25% gradient) or native vegetation; and, is not located in an area prone to landslides, or susceptible to accelerated erosion, floods, or liquefaction.

E. **McClellan-Palomar Airport Land Use Compatibility Plan**

The project site is located approximately 1.3 miles west of the McClellan-Palomar Airport. All areas of the site are located within the Airport Influence Area Review Area 1, and the 60-65 dBA CNEL noise contour. The inner park was considered a compatible land use at these noise levels.

Legoland is also within the Airport Overflight Notification Area, which requires recordation of an overflight notification only for new residential uses. However, previous project approvals required, and the developer recorded, a "Notice Concerning Aircraft Environmental Impacts" for the theme park. Finally, the proposed structure's maximum height of 44 ft. does not exceed the threshold for any notification to the Federal Aviation Administration (FAA). Per the FAA's Part 77, Subpart C, height standards shown in Exhibit 111-3 of the ALUCP, the project's proposed height would need to exceed 481 ft. above mean sea level (MSL) before notification to the FAA is required. The project proposes a height of no more than 206 ft. above MSL, well below the 481 ft. MSL threshold. Therefore, FAA notification is not required.

G. **Growth Management Ordinance (CMC Chapter 21.90) and Local Facilities Management Plan Zone 13**

The proposed project is located within Local Facilities Management Zone 13. The Carlsbad Ranch Specific Plan was found to be in compliance with the Zone 13 Local Facilities Management Plan when adopted and amended. The proposed replacement of an existing

PROJECT ANALYSIS

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attraction with a new space-themed attraction is consistent with the Carlsbad Ranch Specific Plan and does not change the growth projections analyzed in the Zone 13 Local Facilities Management Plan. No new facilities analysis is required and no amendment to the facilities plan is necessary.



DISCLOSURE STATEMENT P- 1(A)

Development Services

Planning Division
1635 Faraday Avenue
(442) 339-2610
www.carlsbadca.gov

Applicant's statement or disclosure of certain ownership interests on all applications which will require discretionary action on the part of the City Council or any appointed Board, Commission or Committee.

The following information **MUST** be disclosed at the time of application submittal. Your project cannot be reviewed until this information is completed. Please print.

Note:

Person is defined as "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, in this and any other county, city and county, city municipality, district or other political subdivision or any other group or combination acting as a unit."

Agents may sign this document; however, the legal name and entity of the applicant and property owner must be provided below.

1. **APPLICANT** (Not the applicant's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

| | |
|--------------------------------------------------|--------------------------------------------------|
| Person <u>Thomas Storer</u> | Merlin Entertainments Group U.S. |
| | Corp/Part <u>Holdings Inc.</u> |
| Title <u>Project Manager</u> | Title _____ |
| Address <u>1 Legoland Dr., Carlsbad CA 92008</u> | Address <u>1 Legoland Dr., Carlsbad CA 92008</u> |

2. **OWNER** (Not the owner's agent)

Provide the **COMPLETE, LEGAL** names and addresses of **ALL** persons having any ownership interest in the property involved. Also, provide the nature of the legal ownership (i.e., partnership, tenants in common, non-profit, corporation, etc.). If the ownership includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. IF NO INDIVIDUALS OWN MORE THAN 10% OF THE SHARES, PLEASE INDICATE NON-APPLICABLE (N/A) IN THE SPACE BELOW. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.)

| | |
|--------------------------------------------------|--------------------------------------------------|
| Person <u>Kurt Stocks</u> | Merlin Entertainments Group U.S. |
| | Corp/Part <u>Holdings Inc.</u> |
| Title <u>Director & Vice President</u> | Title _____ |
| Address <u>1 Legoland Dr., Carlsbad CA 92008</u> | Address <u>1 Legoland Dr., Carlsbad CA 92008</u> |

3. **NON-PROFIT ORGANIZATION OR TRUST**

If any person identified pursuant to (1) or (2) above is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the non-profit organization or as trustee or beneficiary of the.

Non Profit/Trust _____

Non Profit/Trust _____

Title _____

Title _____

Address _____

Address _____

4. Have you had more than \$500 worth of business transacted with any member of City staff, Boards, Commissions, Committees and/or Council within the past twelve (12) months?

☐ Yes ☒ No If yes, please indicate person(s): _____

NOTE: Attach additional sheets if necessary.

I certify that all the above information is true and correct to the best of my knowledge.

X DocuSigned by:
Kurt Stocks 3/29/2023
Signature of owner/date

X DocuSigned by:
Thomas Storer 3/29/2023
Signature of applicant/date

Kurt Stocks
Print or type name of owner

Thomas Storer
Print or type name of applicant

X DocuSigned by:
Richard Apel 3/29/2023
Signature of owner/applicant's agent if applicable/date

Richard Apel
Print or type name of owner/applicant's agent

CEQA DETERMINATION OF EXEMPTION

Subject: This California Environmental Quality Act (CEQA) Determination of Exemption is in compliance with Carlsbad Municipal Code Section 19.04.060. An appeal to this determination must be filed in writing with the required fee within ten (10) calendar days of the City Planner's decision consistent with Carlsbad Municipal Code Section 21.54.140.

Project Number and Title: SDP 2023-0012 / CDP 2023-0022; Legoland California Project 2025

Project Location - Specific: The project is located at 1 Legoland Drive, APN: 211-100-09-00, on a 2.38-acre project site within LEGOLAND California along the western side of the inner park at the site of the existing "Driving School" and "Junior Driving School" attractions.

Project Location - City: Carlsbad

Project Location - County: San Diego

Description of Project: The project includes a Major Site Development Plan, SDP 2023-0012, and Minor Coastal Development Permit, CDP 2023-0022 for the demolition and replacement of existing "Driving School" and "Junior Driving School" themed attractions with a new "LEGO Galaxy" themed attraction on a 2.38-acre project site. The major components of the new attraction include an indoor roller coaster, an exterior secondary ride, an exterior area featuring a children's play structure, and an exterior toddler play area (greater description is provided below).

Name of Public Agency Approving Project: City of Carlsbad

Name of Person or Agency Carrying Out Project: City of Carlsbad

Name of Applicant: Tom Storer on behalf of Merlin Entertainments Group U.S. Holdings, Inc.

Applicant's Address: 1 Legoland Drive, Carlsbad, CA 92008

Applicant's Telephone Number/Email: Tel: (858) 334-8938 e: tom.storer@legoland.com

Name of Applicant/Identity of person undertaking the project: Richard Apel

Exempt Status: *(Check One)*

- ☐ Ministerial (Section 21080(b)(1); 15268);
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☐ Emergency Project (Section 21080(b)(4); 15269 (b)(c));
- ☒ Categorical Exemption - State type and section number: Class 32, Section 15332 (In-fill Dev. Projects)
- ☐ Statutory Exemptions - State code number: _____
- ☐ Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt: See below.

Lead Agency Contact Person: Jason Goff, Senior Planner **Telephone:** (442) 339-2643

Eric Lardy

ERIC LARDY, City Planner

11/30/2023

Date

Reasons why project is exempt:

Sections 15300 to 15333 of the California Environmental Quality Act ("CEQA") Guidelines provide classes of projects that have been determined not to have a significant effect on the environment and are exempt from further CEQA review. As provided below, the Project is consistent with CEQA Guidelines Section 15332, In-Fill Development Projects, and would therefore be exempt from CEQA.

Location and Project Site

The 2.38-acre project site is located within the Legoland Theme Park in Carlsbad, San Diego County, California. The project site is surrounded by a business park to the west across Legoland Drive and the existing theme park immediately to the north, east, and south. The project is at the site of the existing "Driving School" and "Junior Driving School" attractions, which will be removed. The site is approximately 103,470 square feet (s.f.) [2.38 acres] in size with a generally flat topography. Local access to the project site is provided by Legoland Drive and Crossings Drive. Please reference the attached exhibits for the location map (Exhibit 1) and site plan (Exhibit 2).

Project Description:

Proposed is the new "LEGO Galaxy" cluster within the existing LEGOLAND theme park. The new attraction area will have a "space" theme where park guests will train for space exploration, meet other intergalactic travelers, and blast off on missions into the LEGO Galaxy!*

The project will be located at the site of the existing "Driving School" and "Junior Driving School" attractions, which will be removed. The site is approximately 103,470 s.f. (2.38 acres) in size with a generally flat topography. Existing site development to be removed includes the driving school courses, queues, shade covers, a small retail facility, and landscaping.

The major components of the proposed project are as follows:

Headline ride – an indoor roller coaster, where guests are launched out in an exploration mission into the uncharted LEGO Galaxy in their own customized LEGO spacecraft. The ride will be housed inside a new single story, 32,319 s.f., forty-four (44) foot high pre-manufactured steel building enhanced with exterior LEGO "space port" theming. Ancillary uses within the building include the ride queue, a LEGO brick building attraction, retail, maintenance, mechanical and storage spaces. There will be a 1,316 s.f. covered, unconditioned outdoor queue.

Secondary ride – approximately 4,122 s.f. site area including shaded outdoor queue and 66 s.f. operator building. The proposed ride has three cantilever arms which are lifted by hydraulic actuators and carry a counter rotating gyro element holding four gondolas at its end. The gondolas are designed to accommodate two riders to provide a capacity of up to 24 passengers.

Playscape – approximately 1,755 s.f. exterior area featuring a children's play structure with an alien spaceship theme.

Toddler play area – (“Tot Spot”), approximately 1,234 s.f. exterior area designed for the smallest guests, with LEGO DUPLO play features, shade cover and seating.

Proposed site development will include grading, utilities, new hardscape, planting and retrofitting of existing recycled water irrigation systems.

Request for approval of increased building height. With this application, the applicant requests approval of increased building height to forty-five (45) feet maximum with allowed architectural protrusions to a maximum height of fifty-five (55) feet. The proposed coaster ride building is a single-story structure with a building height of forty-four (44) feet. Allowed architectural height protrusions are proposed not to exceed forty-five (45) feet in height. Per the Carlsbad Ranch Specific Plan, all buildings within LEGOLAND shall not exceed the height of thirty-five feet or three levels, and allowed height protrusions, as described in Section 21.46.020 of the Carlsbad Municipal Code, shall not exceed forty-five feet. Per the Specific Plan, *“Additional building height may be permitted to a maximum of forty-five feet through a Site Development Plan approved by City Council provided that: ... all required setbacks are increased at a ratio of one horizontal foot for every one foot of vertical construction beyond thirty-five feet...”* (other requirements also apply).

**Note: All thematic descriptions are preliminary concepts subject to change. A change in thematic descriptions will not have an environmental impact.*

Qualifications for a Categorical Exemption. CEQA Guidelines, Section 15300, includes a list of project classes that have been determined not to have a significant effect on the environment and are exempt from the provisions of CEQA. Project actions on the project site are applicable to CEQA Guidelines, Section 15332, In-Fill Development Projects (Class 32).

Per CEQA Guidelines, Section 15332, Class 32 consists of projects characterized as infill development meeting the conditions described below:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

Justification for why the proposed project meets the infill exemption requirements described previously is provided below.

Findings in Support of a Categorical Exemption

The project will qualify for a categorical exemption under the CEQA Guidelines, Section 15332 (Class 32, In-Fill Development Projects), for the following reasons.

- a. **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

This project site is designated as the land use of Visitor Commercial (VC) within the general plan. The project is consistent with the intent of the VC designation due to the following.

This designation is intended to provide sites for commercial uses that serve the travel, retail, shopping, entertainment, and recreation needs of visitors, tourists, and residents. The primary use of the property must be visitor-serving. The proposed project aligns with the purpose of VC land use by updating and enhancing an existing theme park, LEGOLAND California, which contributes to travel, retail, shopping, entertainment, and recreation needs of visitors, tourists, and residents. The primary use of LEGOLAND California is directed towards serving the needs of visitors.

This project also supports the general plan goals outlined below.

Land Use and Community Design Element General Plan Goals:

- Goal 2-G.3: Promote infill development that makes efficient use of limited land supply, while ensuring compatibility and integration with existing uses. Ensure that infill properties develop with uses and development intensities supporting a cohesive development pattern.
- Goal 2-G.8: Provide opportunities for continued economic growth and vitality that enhance Carlsbad's position as a premier regional employment center.
- Goal 2-G.10: Promote continued growth of visitor-oriented land uses and provide enhanced opportunities for new hotels and visitor-services in desirable locations.

Economy, Business Diversity, & Tourism Element General Plan Policies:

- Goal 8-G.2: Facilitate retention, expansion, attraction, and incubation of businesses that meet the city's economic development objectives.
- Policy 8-P.5: Encourage increased year-round tourism through such means as working with the Carlsbad Tourism Business Improvement District to help market Carlsbad as a complete multi-day, year-round destination, and by working with other organizations to promote and develop Carlsbad as an ecotourism destination.

The project is in support of these general plan goals because it is an infill project to replace an attraction and enhance an existing theme park which generates revenue, enhances the economy, provides and creates employment opportunities, supports businesses, and influences tourism year-round.

The project site is located within the C-T commercial tourist zone. The project is consistent with the intent of the C-T Zone due to the following.

The intent and purpose of the C-T commercial tourist zone is to provide for the development of tourist-oriented attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business and industrial centers. Also, to provide

regulations and development standards to ensure such uses are compatible with and designed to protect surrounding properties, ensure safe traffic circulation, and promote economically viable tourist-oriented areas of the city (Ord. NS-769 § 2, 2005). In addition, it is intended that the C-T Zone be placed on properties located near major transportation corridors or recreation areas as designated by the general plan and any applicable specific plans (Ord. NS-769 § 2, 2005).

The goal of the proposed project is to update and enhance the existing theme park, LEGOLAND California, which directly contributes to development of tourist-oriented attractions and commercial uses that serve the travel and recreational needs of tourists, residents, as well as employees of business. This also goes along with the general plan goal to promote continued growth of visitor-oriented land uses, and provide enhanced opportunities for new hotels and visitor-services in desirable locations.

LEGOLAND is a fully functioning theme park that meets all requirements to remain open, safe, and operating to the public. This means it is designed and successful at protecting surrounding properties, ensuring safe traffic circulation, and promoting economically viable tourist-oriented areas of the city. Furthermore, LEGOLAND is a recreation area that is located near major transportation corridors including Cannon Road, Palomar Airport Road, and the San Diego Freeway (Interstate-5).

LEGOLAND California is a popular theme park that attracts many visitors, including locals and tourists, and influences travel of people from all over. LEGOLAND California employs many and continues to provide and create job opportunities. Not only do these factors benefit LEGOLAND, but also stimulate other commercial uses and businesses within Carlsbad which directly supports the intent and purpose of the VC land use designation and C-T zone.

The proposed project is consistent with the Carlsbad Ranch Specific Plan (CRSP) as well. Many of the goals, objectives, and policies within the CRSP are directly related to the development of LEGOLAND California.

This project supports the goals, objectives, and policies of the CRSP outlined below:

- Goal 4: Create a business center and community destination at this significant location within the City of Carlsbad.
- Goal 8: To establish a family-oriented theme park and destination resort that will benefit both the citizens of and visitors to the City of Carlsbad.
- Objective 5: Develop LEGOLAND Carlsbad to focus on providing fun and creative educational experiences for children in the 2-13 age group and their families.
- Policy 5-A: Establish the child as the focal point.
- Policy 5-B: Provide for family interaction and fun.
- Policy 5-C: Create a "park within a park".
- Policy 5-D: Create a world of learning.
- Policy 5-E: Develop theme areas corresponding to LEGO brands.

The project is consistent with these goals, objectives, and policies because it supports the development and improvement of LEGOLAND California, a family friendly focal point within the community, using Objective 5 and Policies 5-A through 5-E as a guide.

b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed development occurs within city limits within an existing theme park, LEGOLAND California. The project site is no more than five acres, it is approximately 2.38 acres. This represents approximately 1.9% of the total existing theme park size (128 acres).

As previously mentioned, this site is located within LEGOLAND. Therefore, the site is surrounded by urban uses and meets CEQA criteria of an In-Fill Development Project. This proposed project is to replace an already existing theme park attraction, meaning no expansion of the existing LEGOLAND theme park footprint is proposed for this project. Also, there is no net change in major attractions due to the project introducing two (2) new attractions (a Headline and Secondary ride) with the replacement of two (2) existing attractions ("Driving School" and "Junior Driving School").

c. The project site has no value as habitat for endangered, rare or threatened species.

This project site has no value as habitat for endangered, rare or threatened species. This project site is located within a theme park and is surrounded by an already developed area which harbors an uninhabitable environment for endangered, rare or threatened species. In addition, this project is to replace an existing theme park attraction. Thus, not only are the project site surroundings uninhabitable, the site itself holds no value of providing livable conditions for endangered, rare or threatened species.

d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

No significant effects relating to traffic, noise, air quality, or water quality would be a result of the approval of the proposed project. The following sections will explain the findings of traffic, noise, air quality, and water quality which all result in less than significant impacts for the proposed project.

i. Traffic

The following information is gathered from a transportation review conducted by The Consulting Collective (C2) for the LEGOLAND Galaxy project in the City of Carlsbad. The Traffic Study is attached (Exhibit 3) for reference.

For the case of the *LEGOLAND California Project 2025*, the project does meet the "Small Project" criteria given the trip generation is not expected to change. Therefore, the project may assume a less than significant transportation impact as supported by the explanation below.

The following project context was considered to assist in evaluating the travel behavior metrics. While each consideration on its own does not necessarily indicate a change in VMT, they provide important insights in evaluating each metric and collectively determining any change in VMT.

- Project Size Relative to the Existing Theme Park - the project site is approximately 2.38 acres. This represents approximately 1.9% of the total existing theme park size (128 acres).
- Increase in Existing Theme Park Size - no expansion of the existing LEGOLAND theme park footprint is proposed.
- Net Change in Major Attractions - the project will introduce two (2) new attractions (a Headline and Secondary ride) with the replacement of two (2) existing attractions ("Driving School" and "Junior Driving School"). The existing ride area is approximately 2.38 acres. The new ride area is approximately 2.38 acres. Therefore, there is no net change in major attractions.

Travel Mode Choice, Trip Length, and Vehicle Occupancy are influenced by development density, land use diversity, destination accessibility, and demand management. Given that the project is effectively a replacement/re-theming of existing attractions of substantially the same purpose and consists of a nominal size relative to the theme park, travel behavior for these metrics is not expected to change materially or permanently.

Trip Generation is influenced by the underlying land use type and the defined independent variable. Given the discussion above, there is no measurable change to the land use type. LEGOLAND will continue to operate as a theme park pre- and post-project. An independent variable is a physical, measurable, or predictable unit describing the project site or generator that can be used to predict the value of the dependent variable (i.e., trip generation). Some examples of independent variables used include Acreage, Gross Floor Area (GFA), Employees, and Dwelling Units, etc. For a theme park, the typical independent variable is Acreage. Given no expansion of the existing LEGOLAND theme park footprint is proposed and no measurable change to the land use type, trip generation is not expected to change materially or permanently.

Given the travel behavior metrics are not expected to change materially or permanently, overall VMT is not expected to change due to the project.

Given the following conditions, the project qualifies for the Class 32 – In-Fill Development Project CEQA exemption from a transportation perspective. 1) The overall VMT is not expected to materially or permanently change due to the project; and 2) Per City of Carlsbad guidelines, no significant effect relating to traffic/transportation would result due to the project. Therefore, the project is assumed to have a less-than-significant transportation impact.

ii. **Noise**

The following information is gathered from a noise and vibration impact analysis conducted by LSA to evaluate the potential noise and vibration impacts and reduction measures associated with the LEGOLAND Galaxy project in the City of Carlsbad. The Noise Study is attached (Exhibit 4) for reference.

The impact analysis found that there are no short term or long term noise/vibration impacts and no noise/vibration reduction measures are required. These findings will be supported by the information provided below.

The project site is surrounded by a business park to the west across Legoland Drive and the existing theme park immediately to the north, east, and south. Noise-sensitive land uses closest to the project site include residences located approximately 2,900 feet to the south and a resort hotel approximately 780 feet to the south. The noise generated by the project will not increase overall park noise, therefore, the residences closest to the project site will not be impacted by the noise generated from the proposed ride.

The primary existing noise sources in the project area are transportation facilities. Traffic on Legoland Drive and other local streets contributes to the ambient noise levels in the project vicinity. Noise from motor vehicles is generated by engines, interaction between tires and the road, and vehicle exhaust systems. In addition, business park industrial activities and McClellan-Palomar airport operations contribute to the background ambient noise in the project vicinity.

The McClellan-Palomar Airport is 1.3 miles east of the project site. The future airport noise contour map contained in the McClellan-Palomar Airport Land Use Compatibility Plan (SDCALUC 2011) shows that the project site is located within the 60 to 65 dBA CNEL noise contour. Also, there are no private airstrips within 2 miles of the project site. The project site is a theme park, and the land use would be similar to recreational and commercial use, which would be considered compatible uses based on the McClellan-Palomar Airport noise compatibility criteria and the allowable noise exposure levels from the City's Noise Element of the General Plan. In addition, the project would not change the noise exposure levels for people working in the project area. Therefore, the project would not expose people working in the project area to excessive noise levels, and this topic is not further discussed.

The closest residence and resort hotel property lines are approximately 3,065 feet and 925 feet, respectively, from the center of the project site and may be subject to short-term construction noise reaching 51.4 and 61.8 dBA Leq, generated by construction activities in the project area. Construction noise is temporary and would stop once project construction is completed. Compliance with the City's hours of construction pursuant to Section 8.48.010 of the City's Municipal Code listed below would ensure construction-related noise would not be generated during the more sensitive nighttime hours. Furthermore, construction-related noise levels would be below the FTA noise level standards of 80 and 85 dBA Leq for residential and commercial uses, respectively. Therefore, no construction noise impacts would occur, and no noise reduction measures are required.

The greatest vibration levels are anticipated to occur during the site preparation and grading phases. All other phases are expected to result in lower vibration levels. This vibration level would not have the potential to result in community annoyance because vibration levels would not exceed the FTA community annoyance threshold of 84 VdB for offices and buildings not as sensitive to vibration. These vibration levels would not result in building damage because business park buildings would be constructed equivalent to or better than non-engineered timber and masonry and vibration levels would not exceed the FTA vibration damage threshold of 0.20 PPV (in/sec). Therefore, no construction vibration impacts during project construction would occur. No vibration reduction measures are required.

The trip generation of the project is not expected to change because there is no expansion of the existing LEGOLAND theme park footprint and there is no measurable change to the land use type. Given the above, traffic noise along roadways leading to the project site would remain the same under with project condition. Therefore, no traffic noise impacts from project-related traffic on off-site sensitive receptors would occur. No noise reduction measures are required.

The noise generated from the proposed project is not expected to exceed the City's daytime performance standards of 55 dBA Leq and 75 dBA Lmax for non-transportation sources (stationary sources). The City's nighttime performance standards for stationary sources would not be exceeded because the proposed project and the theme park would not operate during nighttime hours. Also, traffic noise on roadways closest to the nearest residences and the resort hotel south of the project site would be the primary noise source, and noise generated by the proposed project would not contribute to any perceptible increase in ambient noise level. Therefore, noise impacts from project operations would not occur. No noise reduction measures are required.

The proposed project would not generate vibration. In addition, vibration levels generated from project-related traffic on roadways leading to the project site are unusual for on-road vehicles because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. Vibration generated from operations of the project would not exceed the FTA's vibration perception threshold of 65 VdB. Therefore, vibration impacts from project-related operations would be less than significant. No mitigation measures are required.

Overall, due to the predisposition of the project location and current use of the project site and its surroundings, the project will not generate any short term or long-term noise or vibration impacts.

iii. Air Quality

The following information is gathered from an air quality study conducted by LSA to evaluate the potential impacts associated with construction and operation associated with the LEGOLAND Galaxy project in the City of Carlsbad. The analysis found that the proposed project's construction

and operation emissions would be less than significant. These findings will be supported by the information provided below. The Air Quality Study is attached (Exhibit 5) for reference.

The proposed project would replace the two existing attractions with a new indoor rollercoaster. As such, the proposed project would not result in development in excess of that anticipated in the General Plan or increases in population/housing growth beyond those contemplated by SANDAG. As such, the proposed project would not increase the population, vehicle trips, or vehicle miles traveled beyond that anticipated in the RAQS and SIP. Because the proposed project activities and associated vehicle trips are anticipated in local air quality plans, the proposed project would be consistent at a regional level with the underlying growth forecasts in the RAQS and SIP.

It has been found that the proposed project would not exceed the significance criteria for daily VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} emissions. Therefore, construction and operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State AAQS.

The proposed project is not expected to generate any net new vehicle trips during operation. Therefore, CO concentrations are not expected to significantly increase as a result of the proposed project. Therefore, given the extremely low level of CO concentrations in the project area and the lack of traffic impacts at any intersections, project-related vehicles are not expected to result in CO concentrations exceeding the State or federal CO standards. No CO hot spots would occur, and the project would not result in any project-related impacts on CO concentrations.

Construction activities associated with the proposed project would generate airborne particulates and fugitive dust, as well as a small quantity of pollutants associated with the use of construction equipment (e.g., diesel-fueled vehicles and equipment) on a short-term basis. However, construction contractors would be required to implement measures to reduce or eliminate emissions by following SDAPCD Rule 55, Fugitive Dust Control, which would require the applicant to implement measures that would reduce the amount of particulate matter generated during the construction period. In addition, project construction emissions would be well below SDAPCD significance thresholds. Once the project is constructed, the project would not be a source of substantial pollutant emissions. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction and operation.

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. In addition, the proposed project would be required to comply with SDAPCD nuisance and odor rules. The proposed project would not include any activities or operations that would generate objectionable odors and once operational, the project would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

In conclusion, based on the analysis, construction and operation of the proposed project would not result in the generation of criteria air pollutants that would exceed SDAPCD thresholds and mitigation measures are not required. Compliance with SDAPCD Rule 55: Fugitive Dust Control would further reduce construction dust impacts. The project would also be consistent with the applicable air quality plans. The proposed project is not expected to produce significant emissions that would affect nearby sensitive receptors. The project would also not result in objectionable odors affecting a substantial number of people. Therefore, the proposed project's emissions would be less than significant.

iv. Water Quality

The following information is gathered from a water quality review conducted by Chang Consultants for the LEGOLAND Galaxy project in the City of Carlsbad. The analysis found that the proposed project's water quality impact would be less than significant. These findings will be supported by the information provided below. The Water Quality Study is attached (Exhibit 6) for reference.

Since the project will disturb over an acre and redevelop over 10,000 s.f. of impervious surface it is a Priority Development Project and subject to pollutant and flow control requirements. It is also required to develop and implement a Construction Storm Water Pollution Prevention Plan.

The SWPPP will incorporate construction best management practices during grading and associated construction activities. The BMPs will reduce potential wind and water erosion during grading activities to prevent the potential discharge of pollutants into receiving waters. All development is subject to design review by the City of Carlsbad to ensure that the project would comply with performance standards and design guidelines.

The project includes a storm water drainage system to prevent post-construction water quality impacts to downstream receiving waters. Storm water runoff from LEGOLAND California is currently conveyed to an existing regional BMP along the southerly edge of the LEGOLAND parking lot. The regional BMP has excess pollutant and flow control capacity. REC Consultants, Inc. performed analyses demonstrating adequacy of the regional BMP to treat the project's runoff.

The project's storm water drainage system and water quality BMPs will be designed in accordance with all applicable requirements including those set forth in the Storm Water Quality Management Plan prepared for the project. The city will review and approve the Storm Water Quality Management Plan prior to the issuance of grading and building permits to ensure that the drainage system and BMPs comply with the Multiple Separate Storm Sewer System permit requirements. As a result, the project's water quality impact would be less than significant.

e. The site can be adequately served by all required utilities and public services.

LEGOLAND, California is a fully functioning theme park that meets all required utilities and public services to remain open, safe, and operating to the public. These utilities and services include adequate water, sewer, power, and emergency services.

Due to this site being within a fully operating theme park and taking the place of an existing and functional attraction, this site has the proper infrastructure and layout to continue to adequately serve all required utilities and public services as mentioned above.

Exceptions to Exemptions

CEQA Section 15300.2 – Exceptions

- a. Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Response – The project location is not considered to be a particularly sensitive environment due to the following reasons:

The site is located within a theme park and is surrounded by an already developed area. In addition, this project is to replace an existing theme park attraction. Thus, the project site surroundings nor the site itself hold any potential to be considered as a particularly sensitive environment. Therefore, the project impacts remain insignificant.

- b. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

Response – Due to LEGOLAND California being the only amusement park within the area and the project replacing an existing theme park attraction (no net change of what is existing), cumulative impact does not apply to this project.

- c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Response – The proposed project will not pose reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances because the project (amusement park attraction) is replacing an existing amusement park attraction. Therefore, there are no unusual circumstances associated with the proposed project because it is similar to what is existing.

- d. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

Response – Due to the proposed project being located within LEGOLAND California, no scenic resources will be disrupted by an amusement park attraction replacing an existing amusement park attraction within an amusement park.

- e. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Response – LEGOLAND California, located at 1 Legoland Drive, is not listed as a hazardous waste site.

- f. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Response – The amusement park attraction to be replaced is not considered to be a historical resource, therefore, no historical resources will be impacted by this project.

Municipal Code Section 19.04.070(B) - Exceptions

Exceptions. Even though a project may otherwise be eligible for an exemption, no exemption shall apply in the following circumstances:

1. Grading and clearing activities affecting sensitive plant or animal habitats, which disturb, fragment or remove such areas as defined by either the California Endangered Species Act (Fish and Game Code Sections 2050 et seq.), or the Federal Endangered Species Act (16 U.S.C. Section 15131 et seq.); sensitive, rare, candidate species of special concern; endangered or threatened biological species or their habitat (specifically including sage scrub habitat for the California Gnatcatcher); or archaeological or cultural resources from either historic or prehistoric periods;

Or

2. Parcel maps, plot plans and all discretionary development projects otherwise exempt but which affect sensitive, threatened, or endangered biological species or their habitat (as defined above), archaeological or cultural resources from either historic or prehistoric periods, wetlands, stream courses designated on U.S. Geological Survey maps, hazardous materials, unstable soils, or other factors requiring special review, on all or a portion of the site. (Ord. NS-593, 2001)

Response – Sensitive plant or animal habitats will not be impacted because the project site and surrounding area offers no value to plant or animal habitats due to this project being located within LEGOLAND, surrounded by developed area, and replacing an existing amusement park attraction.

Archaeological or cultural resources from either historic or prehistoric periods will not be impacted due to the project replacing an existing amusement park attraction that holds no cultural value.

Wetlands, stream courses designated on U.S. Geological Survey maps are not located within the project area.

Hazardous materials, unstable soils or other factors requiring special review do not apply or are not found within this project location due to the project replacing an existing amusement park attraction within a fully functioning amusement park.

Attachments:

Exhibit 1: Project Location

Exhibit 2: Site Plan

Exhibit 3: Traffic Study

Exhibit 4: Noise Study

Exhibit 5: Air Quality Study

Exhibit 6: Water Quality Study

LEGOLAND CALIFORNIA

PROJECT 2025

SDP2023-0012/ CDP2023-0022



120 n orange ave
orlando, fl 32801
407.644.2656 t
www.owp.com

HHCP

of orcutt winslow company

SDP/CDP
SUMITTAL

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R.W. APEL LANDSCAPE ARCHITECTS

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P. 760-943-0760

C. Richard Apel
E. richard.apel@rwapel.com

MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT
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OWP PROJECT NO. DATE OF ISSUE
4139.00 09.26.2023

| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |

REVIEW BY DRAWN BY
EH, LMS OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
COVER

SHEET NO.

G-001

PROJECT INFORMATION

| | | |
|--------------------------------------------------------------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OWNER | : | MERLIN ENTERTAINMENTS GROUP U.S. HOLDINGS INC. ONE LEGOLAND DRIVE CARLSBAD, CA. 92008 TEL: (760) 918-5300 |
| APPLICANT | : | LEGOLAND CALIFORNIA RESORT ONE LEGOLAND DRIVE CARLSBAD, CA. 92008 TEL: 858-334-8938 CONTACT: TOM STORER, SR. PROJECT MANAGER |
| STREET ADDRESS | : | ONE LEGOLAND DRIVE CARLSBAD, CA 92008 |
| APN (S) | : | 211-100-09 (LOT 18) |
| LEGAL DESC. | : | LOTS 18 & 19 OF CITY OF CARLSBAD TRACT #94-09, CARLSBAD RANCH UNITS 2 & 3, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 13408, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 1, 1997. |
| SITE ACREAGE | : | 132.11 AC. (GROSS LOT 18) |
| INNERPARK | : | 55.8 ACRES |
| OUTER PARK | : | 72.5 ACRES |
| TOTAL | : | 128.32 ACRES (NET LOT 18) |
| EXISTING ZONING | : | C-T-Q, TOURIST COMMERCIAL WITH QUALIFIED DEVELOPMENT OVERLAY |
| GENERAL PLAN | : | VC, VISITOR COMMERCIAL |
| EXISTING LAND USE | : | AMUSEMENT PARK |
| PROPOSED LAND USE | : | NO CHANGE |
| CLASSIFICATION OF LOTS | : | VISITOR COMMERCIAL (NO CHANGE) |
| APPLICATION TYPES SUBMITTED | : | MINOR COASTAL DEVELOPMENT PERMIT, SITE DEVELOPMENT PLAN. |
| ARCHITECT | : | HHCP 120 NORTH ORANGE AVE. ORLANDO, FL 32801 (407) 644-2656 |
| CIVIL ENGINEER & LAND SURVEYOR | : | COMMERCIAL DEVELOPMENT RESOURCES 695 TOWN CENTER DR., SUITE 110 COSTA MESA, CA 92626 (949) 610-8997 |
| LANDSCAPE ARCHITECT | : | R. W. APEL LANDSCAPE ARCHITECTS, INC. 571 HYGEIA AVE., UNIT B ENCINITAS, CA 92024 (760) 943-0760 |
| PROJECT SITE AREA | : | 103,470 S.F. (2.38 ACRES) |
| PROJECT BUILDING COVERAGE | : | 33% OF PROJECT SITE AREA |
| PROJECT BUILDING SQUARE FOOTAGE | : | 33,702 S.F. |
| PROJECT AREA LANDSCAPED | : | 20 % OF SCOPE OF WORK SITE AREA (20,721 S.F.) |
| NUMBER OF PARKING SPACES REQUIRED / PROVIDED | : | 86 / 86 |
| REQUIRED EMPLOYEE EATING AREAS (S.F.) | : | N/A |
| AREA OF SITE THAT IS UNDEVELOPABLE PER ZONING ORD. 21.53.230 | : | NONE |
| STORAGE SPACE | : | 2,120 S.F. |
| AVERAGE DAILY TRAFFIC GENERATED BY PROJECT | : | N/A |
| SEWER DISTRICT | : | ENCINA WASTE WATER AUTHORITY |
| WATER DISTRICT | : | CARLSBAD MUNICIPAL WATER DISTRICT |
| SCHOOL DISTRICT | : | CARLSBAD UNIFIED SCHOOL DISTRICT |
| PROPOSED WATER DEMAND BY PROJECT | : | 3 WSFU |
| PROPOSED SEWER GENERATION BY PROJECT | : | 2 DFU |
| PROPOSED DRAINAGE DISCHARGE (CSF) | : | 8.96 CFS |

CLIMATE ACTION PLAN COMPLIANCE RESULTS:

| | |
|---------------------------------------------------------------|-----|
| A. CONSISTENT WITH EXISTING GENERAL PLAN LAND USE AND ZONING: | YES |
| B. ENERGY EFFICIENCY REQUIREMENT: | YES |
| C. PHOTOVOLTAIC REQUIREMENT: | YES |
| D. ELECTRIC VEHICLE CHARGING REQUIREMENT: | YES |
| E. HOT WATER HEATING REQUIREMENT: | YES |
| F. TRAFFIC DEMAND MANAGEMENT REQUIRED: | NO |

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SHEET LIST



of
Orcutt
company



120 n orange ave
orlando, fl 32801
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75%
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DOCUMENTS
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MERLIN ENTERTAINMENTS GROUP , U.S. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT
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| | |
|-----------------|---------------|
| OWP PROJECT NO. | DATE OF ISSUE |
| 4139.00 | 09.26.2023 |

| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |

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|-----------|----------|
| REVIEW BY | DRAWN BY |
| EH, LMS | OA |

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUBMITTAL

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PROJECT INFORMATION

SHEET NO.

G-002

MATERIALS LEGEND

| | |
|--|-----------------------------------------------|
| | SPRAY ON FIRE PROOFING |
| | WOOD FINISH |
| | WOOD BLOCKING OR SHIM |
| | WOOD FRAMING |
| | SAND, MORTAR, GROUT, PLASTER OR CONCRETE FILL |
| | CONCRETE, CAST IN PLACE |
| | CONCRETE, PRE-CAST PANEL |
| | BRICK |
| | STONE |
| | STEEL |
| | ALUMINUM |
| | BASE COURSE, GRAVEL, CRUSHED ROCK |
| | EARTH |
| | PLYWOOD |
| | RIGID INSULATION |
| | BATT INSULATION |
| | FIRE SAFING INSULATION |
| | GYPSUM BOARD |
| | CEMENT PLASTER |
| | CONCRETE MASONRY UNITS |
| | SOLID SURFACE |

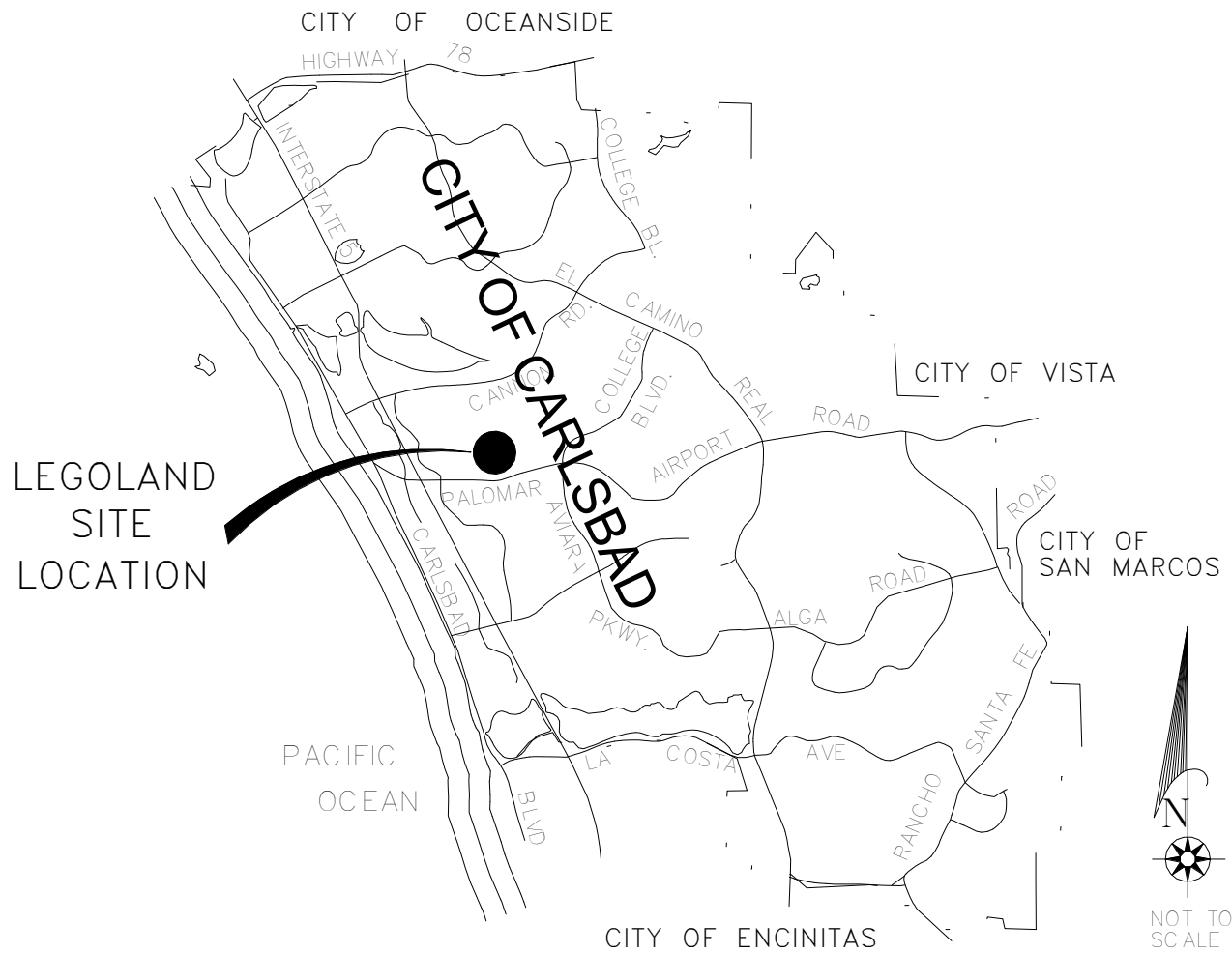
SHEET NUMBERING FORMAT

| | | |
|-----------------------------------|---------------------------------------------------------|-----------------------|
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| BUILDING MODIFIER (IF APPLICABLE) | | |
| DISCIPLINE | | |
| | AD-231 | |
| DISCIPLINE | SHEET TYPE DESIGNATOR | |
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| D PROCESS | SUB-CATEGORY | |
| E ELECTRICAL | 1 ARCHITECTURAL PLANS | |
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| G GENERAL | 3 DIMENSIONED PLAN | |
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| P PLUMBING | 3 REFLECTED CEILING PLANS | |
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| T TELECOMMUNICATIONS | 5 EXTERIOR ELEVATIONS | |
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| | 7 EXTERIOR / INTERIOR DETAILS | |
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| | 9 3D VIEWS | |
| DEMOLITION MODIFIER | | |
| D DEMOLITION DRAWINGS | | |

SYMBOL LEGEND

| | | | |
|---------------------------------------|--|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NORTH ARROWS | | PLAN NORTH | TRUE NORTH |
| DRAWING IDENTIFICATION | | 12 | View Name 1/8" = 1'-0" |
| DRAWING IDENTIFICATION WITH REFERENCE | | 1 | View Name 1/8" = 1'-0" REF.: 2/A101 |
| SPACE IDENTIFICATION | | Room name 101 150 SF | SPACE NAME SPACE NUMBER SPACE AREA |
| DETAIL / CALLOUT REFERENCE | | 1 A101 | DETAIL NUMBER DRAWING ON WHICH DETAIL OCCURS |
| BUILDING / WALL SECTION REFERENCE | | 1 A101 | DETAIL NUMBER DRAWING ON WHICH SECTION OCCURS |
| INTERIOR ELEVATION SYMBOL | | 1 A5.01 2 3 | DRAWING NUMBER SHEET NUMBER |
| EXTERIOR ELEVATION SYMBOL | | 1 A5.02 | DRAWING NUMBER SHEET NUMBER |
| SPOT ELEVATION REFERENCE | | 3' - 0" | RELATIVE OR ABSOLUTE ELEVATION LOCATION OF SPOT ELEVATION |
| DETAIL / SECTION / ELEVATION TARGET | | Name Elevation | TARGET NAME TARGET ELEVATION |
| OPENING TAGS | | 101B 101C W2 L2 WD-2 | OPENING NUMBER REFERS TO THE OPENING SCHEDULE OPENING NUMBER REFERS TO THE SPACE WHICH THE OPENING SERVES WINDOW OPENING BY TYPE LOUVER OPENING BY TYPE DOOR OPENING BY TYPE |
| PARTITION TYPE IDENTIFICATION | | 2B3 2B6 | PARTITION TYPE(REFER TO PARTITION TYPE DETAILS) |
| REVISION TAG | | 1 | REVISION NUMBER |
| TOILET ACCESSORY TAG | | 11 | TOILET ACCESSORY ID |
| EQUIPMENT TAG | | 11 | EQUIPMENT ID |
| BOLLARD TYPE | | B (4") | BOLLARD TYPE BOLLARD DIAMETER |

VICINITY PLAN



- GENERAL NOTES**
- A. THE DRAWINGS AND SPECIFICATIONS, AND ALL COPIES ARE LEGAL INSTRUMENTS OF SERVICE FOR THE USE OF THE OWNER AND AUTHORIZED REPRESENTATIVES ON THE DESIGNATED PROPERTY ONLY. OTHER USE, WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE ARCHITECT, IS PROHIBITED.
- B. SPECIFICATIONS, DETAILS AND SCHEDULES WHICH MAY BE BOUND SEPARATELY, ARE PART OF THESE CONTRACT DOCUMENTS. DRAWINGS BY CONSULTING PROFESSIONALS, SUCH AS STRUCTURAL, MECHANICAL, ETC., ARE SUPPLEMENTARY TO THE ARCHITECTURAL DRAWINGS AND ARE PART OF THESE CONTRACT DOCUMENTS.
- C. ALL SYMBOLS AND ABBREVIATIONS USED ON THE DRAWINGS ARE CONSIDERED TO BE CONSTRUCTION STANDARDS. QUESTIONS REGARDING SYMBOLS AND ABBREVIATIONS OR THEIR EXACT MEANING, SHALL BE DIRECTED TO THE ARCHITECT.
- D. NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES ON THE DRAWINGS, SPECIFICATIONS OR EXISTING CONDITIONS. SHOULD THERE BE A DISCREPANCY BETWEEN SAID DRAWINGS AND SPECIFICATIONS, IT SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION IN WRITING FOR CLARIFICATION PRIOR TO INSTALLATION OF SAID WORK.
- E. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY IF INFORMATION IS NOT SHOWN ON THE DRAWINGS, OR IS UNCLEAR.
- F. VERIFY ALL DIMENSIONS, ELEVATIONS AND EXISTING CONDITIONS PRIOR TO STARTING WORK AND REPORT ANY DISCREPANCIES IN WRITING TO THE ARCHITECT. ANY WORK INSTALLED IN CONFLICT WITH THE ARCHITECTURAL DRAWINGS SHALL BE CORRECTED BY THE CONTRACTOR AT HIS EXPENSE.
- G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURATE PLACEMENT AND CONFIGURATION OF THE BUILDING ON THE SITE.
- H. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FOR ALL WORK.
- I. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING AND COORDINATING THE WORK FOR ALL UTILITIES AND SERVICES.
- J. ALL TRADES TO COMPLY WITH ALL APPLICABLE LOCAL, STATE, HEALTH, SAFETY CODES, ORDINANCES, REQUIREMENTS, ETC. AND PROVIDE ACCEPTABLE MATERIALS AND WORKMANSHIP TO CURRENT INDUSTRY STANDARDS.
- K. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE. DO NOT SCALE DRAWING. DIMENSIONS GOVERN, LARGE SCALE DETAILS GOVERN OVER SMALLER SCALE DRAWINGS.
- L. STRUCTURAL DIMENSIONS ARE TAKEN FROM COLUMN CENTER LINES TO FACE OF STRUCTURE OR CONCRETE. ARCHITECTURAL DIMENSIONS ARE TAKEN FROM FACE OF STUD TO FACE OF STUD OR TO FACE OF MASONRY, UNLESS OTHERWISE NOTED.
- M. FINISH FLOOR ELEVATIONS ARE TO TOP OF CONCRETE SLAB, UNLESS OTHERWISE NOTED.
- N. CEILING HEIGHT DIMENSIONS ARE TO FINISHED SURFACES, UNLESS OTHERWISE NOTED.
- O. 'TYPICAL' (TYP) MEANS FOR ALL SIMILAR CONDITIONS, UNLESS OTHERWISE NOTED.
- P. ALL DOOR SIZES SHOWN ON THE DOOR SCHEDULE ARE OPENING SIZES. ALLOWANCE FOR THRESHOLDS, ETC. SHALL BE DEDUCTED. FRAMES SHALL BE REINFORCED WHERE REQUIRED FOR CLOSERS, STOPS, AND HARDWARE.
- Q. CONTRACTOR SHALL PROVIDE AND INSTALL ALL STIFFENERS, BRACINGS, BLOCKING, BACKING, HANGERS, BACK-UP PLATES, AND SUPPORTING BRACKETS REQUIRED FOR THE INSTALLATION OF ALL CASEWORK, TOILET ACCESSORIES, FIXTURES, PARTITIONS, AND ALL WALL-MOUNTED OR SUSPENDED MECHANICAL, KITCHEN, ELECTRICAL OR MISC. EQUIPMENT, FURNISHINGS AND ART WORK.
- R. CONTRACTOR SHALL VERIFY EXACT SIZES AND LOCATIONS OF ALL MECHANICAL EQUIPMENT PADS, BASE STRUCTURES, ROOF OPENINGS, AS WELL AS POWER, WATER, DRAIN INSTALLATIONS AND STRUCTURAL STEEL SUPPORT LOCATIONS WITH EQUIPMENT MANUFACTURERS BEFORE PROCEEDING WITH THE WORK. CHANGES TO ACCOMMODATE FIELD CONDITIONS OR APPROVED SUBSTITUTIONS SHALL BE MADE WITHOUT ADDITIONAL CHARGE TO THE OWNER.
- S. LOCATE CONTROL JOINTS IN MASONRY WHERE NOTED (CJ); REPORT ANY CONFLICTS TO ENGINEER PRIOR TO INSTALLATION.
- T. FINISHED FLOOR ELEV. = 0'-0" (XX.X' ACTUAL) UNLESS NOTED OTHERWISE.
- U. REFER TO CIVIL, MECHANICAL AND ELECTRICAL DRAWINGS TO VERIFY AND COORDINATE ALL PENETRATIONS.

PROJECT NOTES

| | | |
|---------------------------------------------------------------------------------------------------|---------------|------|
| CLIENT CONTACT | | |
| Tom Storer One Legoland Drive Carlsbad, CA 92008 tom.storer@legoland.com 858.334.8938 | | |
| OWP PROJECT NO. | DATE OF ISSUE | |
| 4139.00 | 09.26.2023 | |
| REVISIONS | | |
| DELTA | DESCRIPTION | DATE |
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G-003

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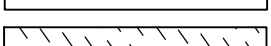
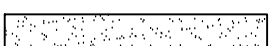



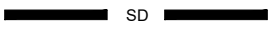






















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MERLIN ENTERTAINMENTS GROUP, US, HOLDINGS INC.

LEGOLAND CALIFORNIA

PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

| DESCRIPTION | DWG.NO. | SYMBOL |
|---------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EXISTING CONTOUR | --- |  |
| PROPOSED CONTOUR | --- |  |
| CONCRETE PAVEMENT | SHEET C-003 |  |
| ASPHALT PAVEMENT | SHEET C-003 |  |
| LANDSCAPING | PER SEPARATE LANDSCAPE PLAN |  |
| SAFETY PLAY SURFACE MATERIAL | SHEET C-003 |  |
| PROPOSED GRAVEL | SHEET C-003 |  |
| FIRE TRUCK ACCESS | SHEET C-009 |  |
| EXISTING RETAINING WALL | SHEET C-002 |  |
| PROPOSED RETAINING WALL | SHEET C-003 |  |
| EXISTING STORM DRAIN | SHEET C-002 |  |
| 4"-24" HDPE PRIVATE STORM DRAIN | SHEET C-006 |  |
| EXISTING WATER LINE | SHEET C-002 |  |
| EXISTING IRRIGATION WATER LINE | SHEET C-002 |  |
| IRRIGATION WATER LATERAL | SHEET C-008 |  |
| EXISTING WASHDOWN WATER LINE | SHEET C-002 |  |
| PVC WASHDOWN WATER LINE | SHEET C-008 |  |
| EXISTING SEWER LINE | SHEET C-002 |  |
| PVC SEWER LATERAL | SHEET C-008 |  |
| PROP. FIRE WATER LINE | SHEET C-008 |  |
| CATCH BASIN | SHEET C-006 |  |
| WET STANDPIPE | SHEET C-009 |  |
| FDC PER SEPARATE FIRE PLAN | SHEET C-009 |  |
| PIV | SHEET C-009 |  |
| BACKFLOW PREVENTER | SHEET C-009 |  |
| PROJECT SITE AREA | --- |  |
| EXISTING MANHOLE | --- |  |
| EXISTING UTILITY BOX | --- |  |
| EXISTING TREE | --- |  |
| 8" CONCRETE CURB | SHEET C-003 |  |
| STORM DRAIN JUNCTION STRUCTURE | SHEET C-006 |  |
| 4"-24" HDPE STORM DRAIN | SHEET C-006 |  |

| ABBREVIATIONS |
|---------------------|
| BC BACK OF CURB |
| BLDG BUILDING |
| BW BACK OF WALL |
| EX EXISTING |
| FF FINISHED FLOOR |
| FG FINISHED GRADE |
| FS FINISHED SURFACE |
| FL FLOWLINE |
| GB GRADE BREAK |
| HP HIGH POINT |
| INV INVERT OF PIPE |
| LP LOW POINT |
| R RIDGE |
| SD STORM DRAIN |
| TC TOP OF CURB |
| TF TOP OF FOOTING |
| TC TOP OF GRATE |
| TS TOP OF STEP |
| TW TOP OF WALL |

PROJECT ADDRESS
1 LEGOLAND DRIVE
CARLSBAD, CA 92008

BENCHMARK
THE BENCHMARK FOR THIS SURVEY IS THE CITY OF CARLSBAD VERTICAL CONTROL MONUMENT DESIGNATION CLSB-053, A 2 1/2 INCH DISC, SET IN THE NORTHWEST CORNER OF VAULT ON THE WEST SIDE OF HIDDEN VALLEY RD. 0.1 MILES SOUTH OF PALOMAR AIRPORT RD.
ELEVATION : 82.744 FEET (NGVD 29)

LEGAL DESCRIPTION
LOTS 18 AND 19 OF CARLSBAD TRACT 94-09, CARLSBAD RANCH
UNITS 2 & 3, MAP NO. 13408

PROJECT LOCATION
ASSESSOR'S PARCEL NO. 211-100-09 AND 211-100-11
THE CALIFORNIA COORDINATE INDEX OF THIS PROJECT IS N 250 E 1677

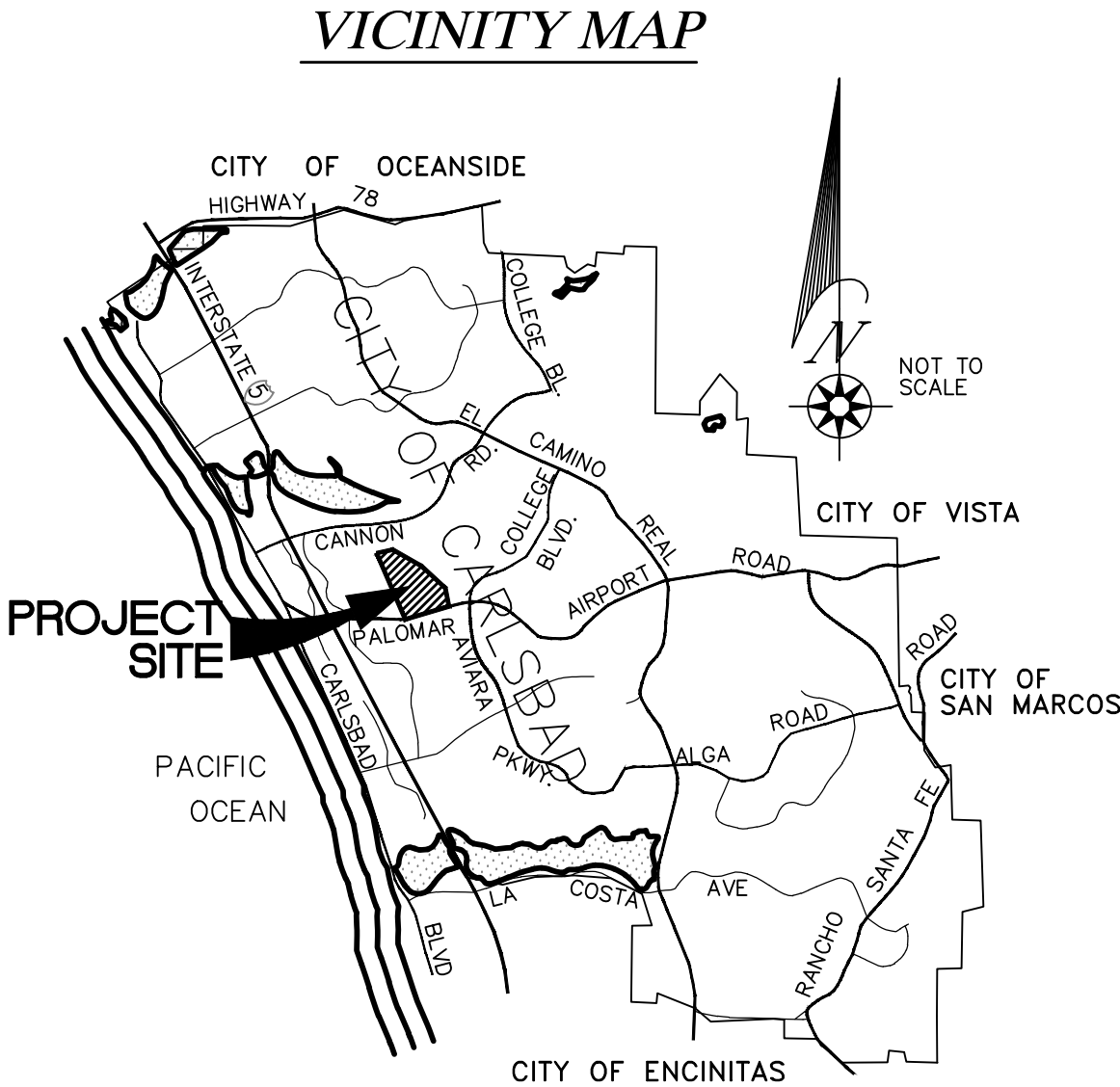
SOURCE OF TOPOGRAPHY
TOPOGRAPHY SHOWN ON THESE PLANS WAS GENERATED BY FIELD SURVEYING METHODS FROM INFORMATION GATHERED ON AUGUST 10TH, 2021.

REFERENCE DRAWINGS
DWG 498-2C-GR2017-0025 LEGOLAND CALIFORNIA
REGIONAL BIOFILTRATION FACILITY
DWG 333-2RA PROJECT NO. CT 94-09-03
DWG 333-2Y

EARTHWORK QUANTITIES
RAW CUT: 4,476 CY
RAW FILL: 1,236 CY
IMPORT: XXXX CY
EXPORT: 3,240 CY
REMEDIAL: 3,055 CY

PROJECT AREA BREAKDOWN
TOTAL SITE AREA = 2.38 ACRES (103,470 SF)
TOTAL DISTURBED AREA = 1.774 ACRES (75,968 SF)
(THIS AREA INCLUDES BUT IS NOT LIMITED TO OFF-SITE WORK INCLUDING PUBLIC IMPROVEMENTS AND TEMPORARY DISTURBANCE SUCH AS VEHICLE AND EQUIPMENT STAGING AREAS, CONSTRUCTION WORKER FOOT TRAFFIC, SOIL/GRAVEL PILES, UTILITY TRENCHES, BACKFILL CUTS AND SLOPE KEYWAYS)
TOTAL REPLACED IMPERVIOUS AREA = 49,964 SF
TOTAL PROPOSED IMPERVIOUS AREA = 59,460 SF

| INDEX OF SHEETS | |
|-----------------|---------------------------------------|
| SHEET NO. | DESCRIPTION |
| C-001 | GRADING TITLE SHEET |
| C-002 | EXISTING TOPOGRAPHY & DEMOLITION PLAN |
| C-003 | GRADING PLAN |
| C-004 | GRADING DETAILS |
| C-005 | SITE SECTIONS |
| C-006 | STORM DRAIN PLAN |
| C-007 | STORM DRAIN PLAN & PROFILE |
| C-008 | PRIVATE UTILITY PLAN |
| C-009 | FIRE MASTER PLAN |



OWNER/DEVELOPER
MERLIN ENTERTAINMENTS GROUP
U.S. HOLDINGS, A DELAWARE CORPORATION
1 LEGOLAND DRIVE
CARLSBAD, CA 92008
CONTACT: TOM STORER
CONSTRUCTION MANAGER
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TEL: (858) 334-8938
EMAIL: TOM.STORER@LEGOLAND.COM

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COMMERCIAL DEVELOPMENT RESOURCES
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COSTA MESA, CA 92626
CONTACT: AARON ALBERTSON
PRINCIPAL
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ENCINITAS, CA 92024
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MERLIN ENTERTAINMENTS GROUP, U.S. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan SDP 2023-0012
Coastal Development Permit CDP 2023-0022

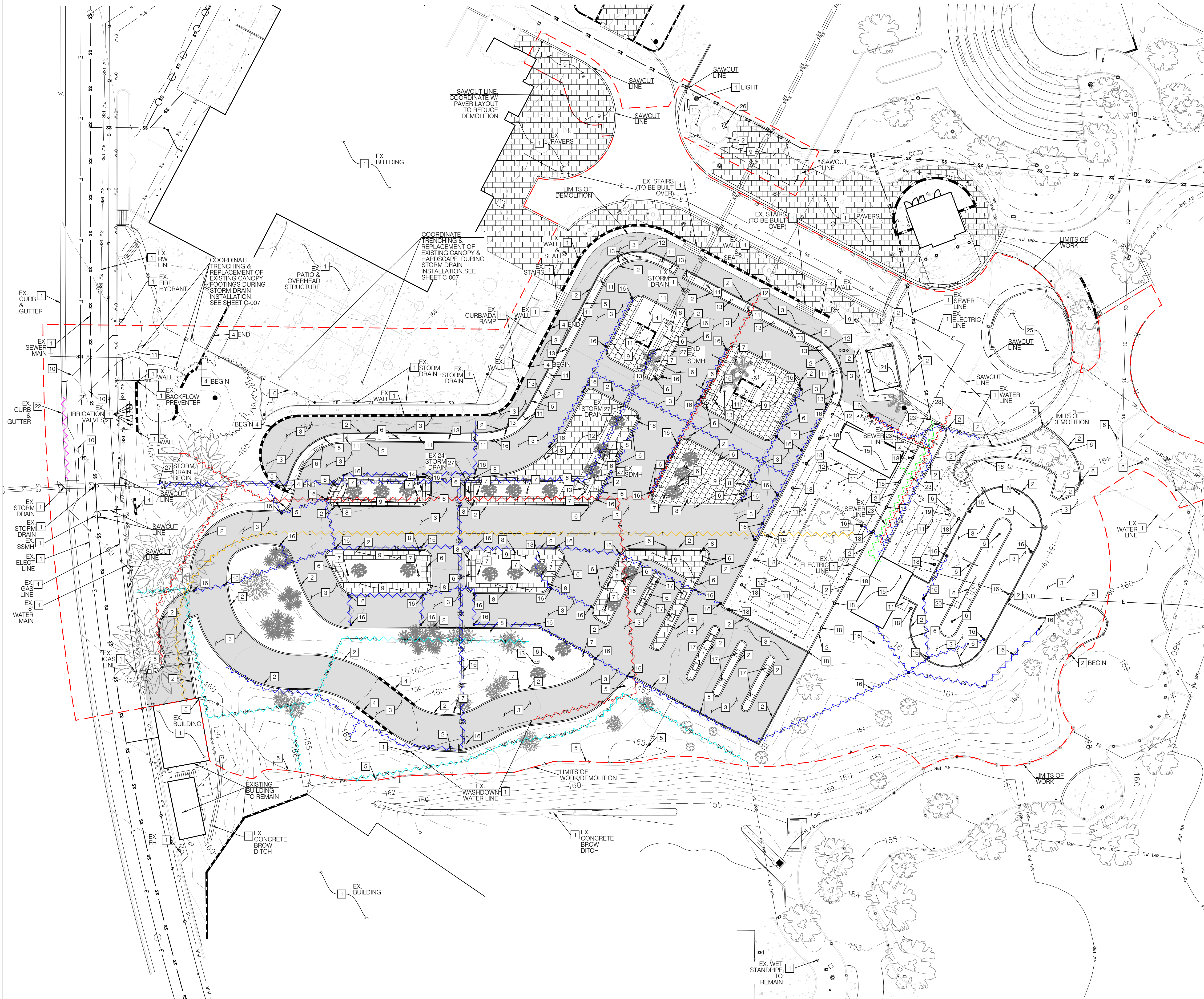
CLIENT CONTACT
Tom Storer
One Legoland Drive
Carlsbad, CA 92008
tom.storer@legoland.com
858.334.8938

OWP PROJECT NO. 4139.00
DATE OF ISSUE 09.26.2023

| REVISIONS | DELTA | DESCRIPTION | DATE |
|-----------|-------|-------------|------|
|-----------|-------|-------------|------|

REVIEW BY RE/AA
DRAWN BY BS/AM

PROJECT TEAM:
COMMERCIAL DEVELOPMENT
RESOURCES (CDR)
PROJECT PHASE
SDP/CDP SUBMITTAL
SHEET CONTENTS



DEMOLITION NOTES:

- 1 PROTECT IN PLACE ITEM NOTED
- 2 REMOVE EXISTING CONCRETE CURB
- 3 REMOVE EXISTING 4\"/>
- 4 REMOVE EXISTING WALL
- 5 REMOVE EXISTING FENCE
- 6 REMOVE EXISTING SITE LIGHT AND RETURN FIXTURE TO OWNER
- 7 REMOVE EXISTING SPEAKER
- 8 REMOVE EXISTING SIGN AND RETURN FIXTURE TO OWNER
- 9 REMOVE EXISTING DECORATIVE PAVERS
- 10 SAWCUT EXISTING A.C. PAVEMENT
- 11 REMOVE EXISTING CONCRETE HARDSCAPE
- 12 REMOVE EXISTING METAL RAILING AND RETURN TO OWNER
- 13 REMOVE EXISTING ELECTRICAL BOX
- 14 REMOVE EXISTING ELECTRICAL PANEL
- 15 REMOVE EXISTING BUILDING
- 16 REMOVE EXISTING STORM DRAIN
- 17 REMOVE EXISTING CHARGING STATION
- 18 REMOVE EXISTING BUILDING COLUMN
- 19 REMOVE EXISTING SEWER CLEANOUT
- 20 REMOVE EXISTING PUMP
- 21 REMOVE EXISTING KIOSK AND RETURN TO OWNER
- 22 REMOVE AND REPLAVE EXISTING CURB & GUTTER
- 23 ABANDON EXISTING SEWER. CAP END.
- 24 REMOVE EXISTING STAIRS
- 25 REMOVE HARDSCAPE/CURB AS NEED FOR THEMING ELEMENT
- 26 ADJUST EXISTING UTILITY RIM TO GRADE
- 27 ABANDON EXISTING CMP STORM DRAIN. FILL IN WITH SLURRY (CLSM).
- 28 REMOVE EXISTING WATER LINE. CAP END & ADD THRUST BLOCK AT DEAD END.

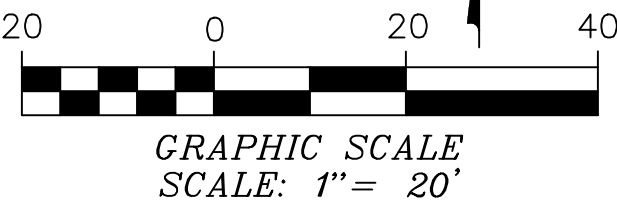
GENERAL NOTE: ALL EXISTING LEGO MODELS TO BE RETURNED TO OWNER

LEGEND:

- EXISTING PAVERS
- EXISTING ASPHALT
- LIMITS OF WORK
- RECYCLED WATER IRRIGATION MAINLINE TO BE REMOVED & RELOCATED
- ELECTRICAL LINE TO BE REMOVED & RELOCATED
- POTABLE OR DOMESTIC WATER WASH DOWN TO BE REMOVED & OR RELOCATED
- STORM DRAIN TO BE REMOVED
- SEWER LINE TO BE REMOVED
- REMOVE CURB & GUTTER
- SAWCUT LINE

CONTRACTOR NOTES:

1. REFER TO LANDSCAPE DEMOLITION IMPROVEMENT PLAN FOR REMOVAL OF EXISTING TREES AND LANDSCAPE.
2. LOCATION OF EXISTING UTILITIES SHOWN IS DIAGRAMMATIC. NOT AS BUILT. CONTRACTOR TO LOCATE, POT-HOLE, AND CONFIRM SIZE, MATERIAL AND DEPTH OF EXISTING UTILITIES.
3. EXISTING STORM DRAIN SYSTEM TO BE KEPT UNPLUGGED AS LONG AS POSSIBLE. PLUG EXISTING STORM DRAIN PER DEMO PLAN.
4. IF DEMOLITION OR DAMAGES OCCUR TO THE SITE OUTSIDE THE LIMITS OF DEMOLITION SHOWN ON THIS PLAN, THE CONTRACTOR IS TO REPLACE TO MATCH EXISTING CONDITION AND BACKFILL PER THE FINAL SOILS REPORT.





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MERLIN ENTERTAINMENTS GROUP, US, HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan SDP 2023-0012
Coastal Development Permit CDP 2023-0022

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OWP PROJECT NO. 4139.00
DATE OF ISSUE 09.26.2023

| REVISIONS | DELTA | DESCRIPTION | DATE |
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DRAWN BY BS/AM

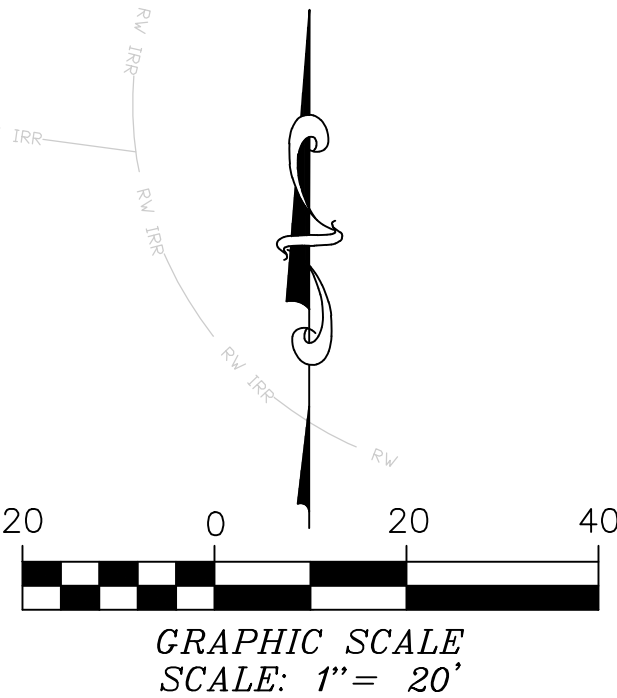
PROJECT TEAM:
COMMERCIAL DEVELOPMENT
RESOURCES (CDR)
PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS

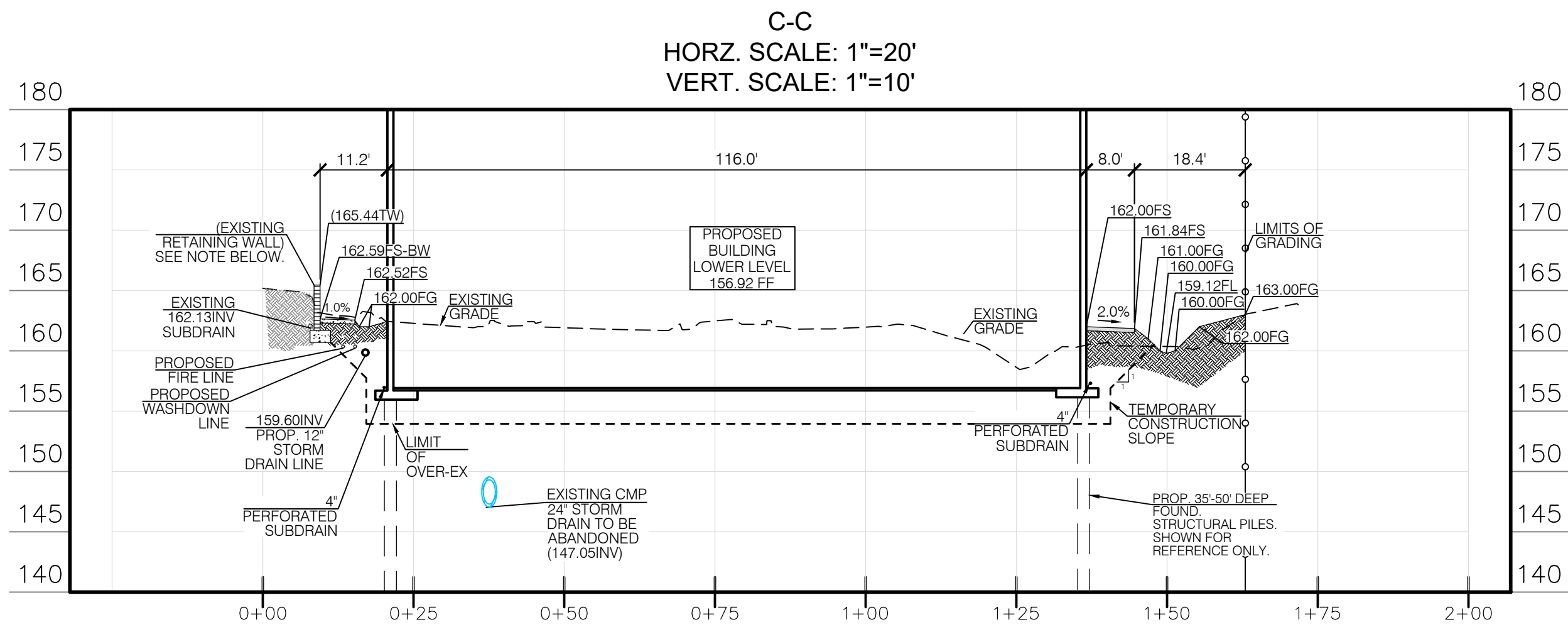
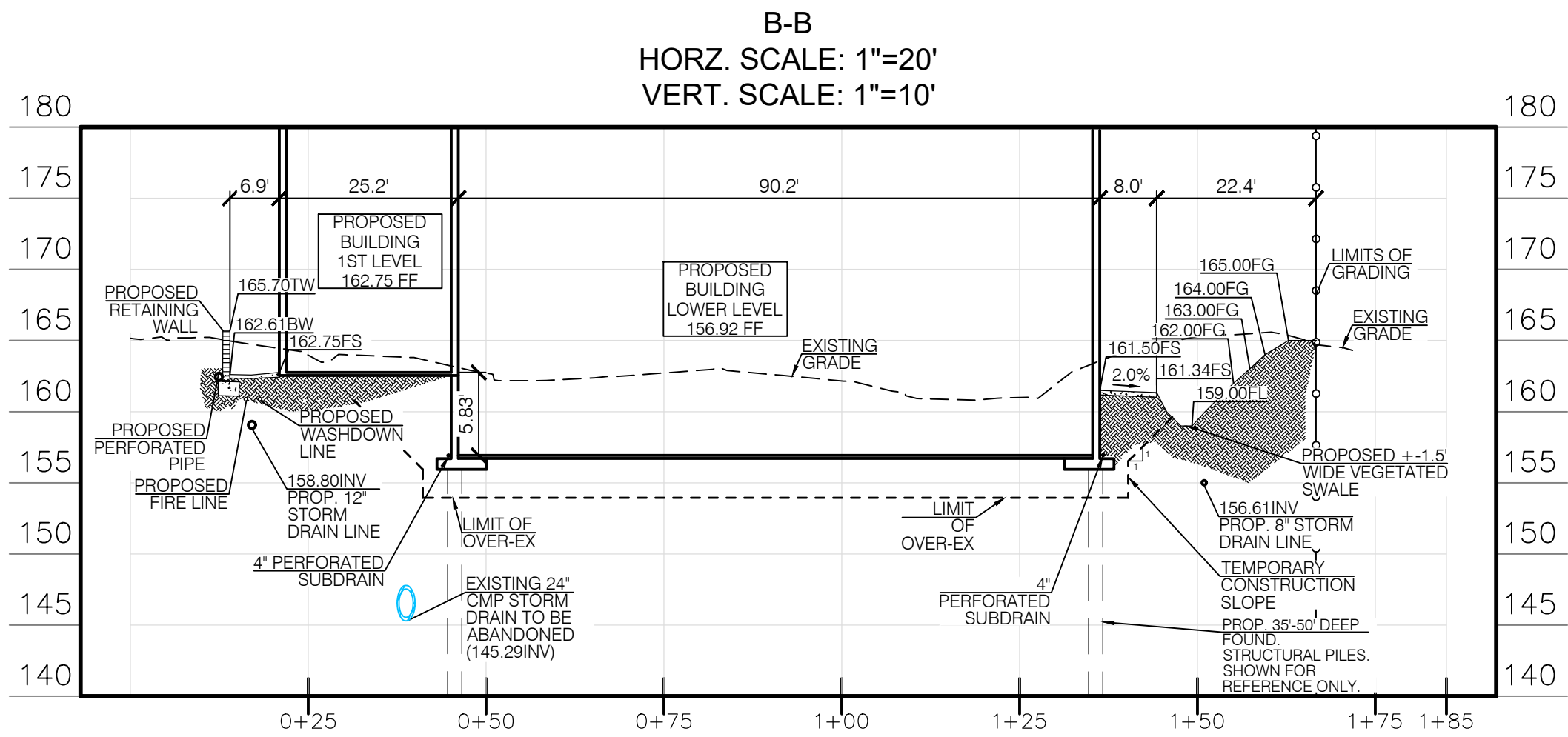
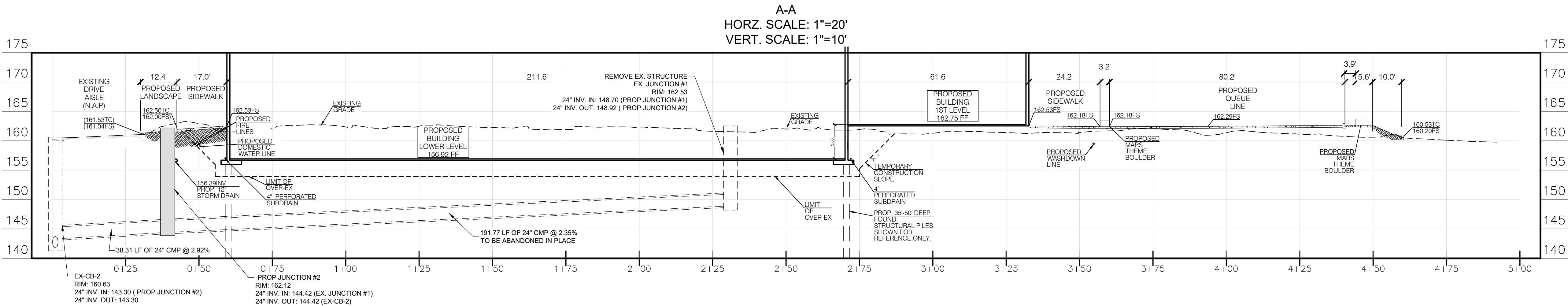
TOPOGRAPHIC SURVEY &
DEMOLITION PLAN

SHEET NO.

C-002
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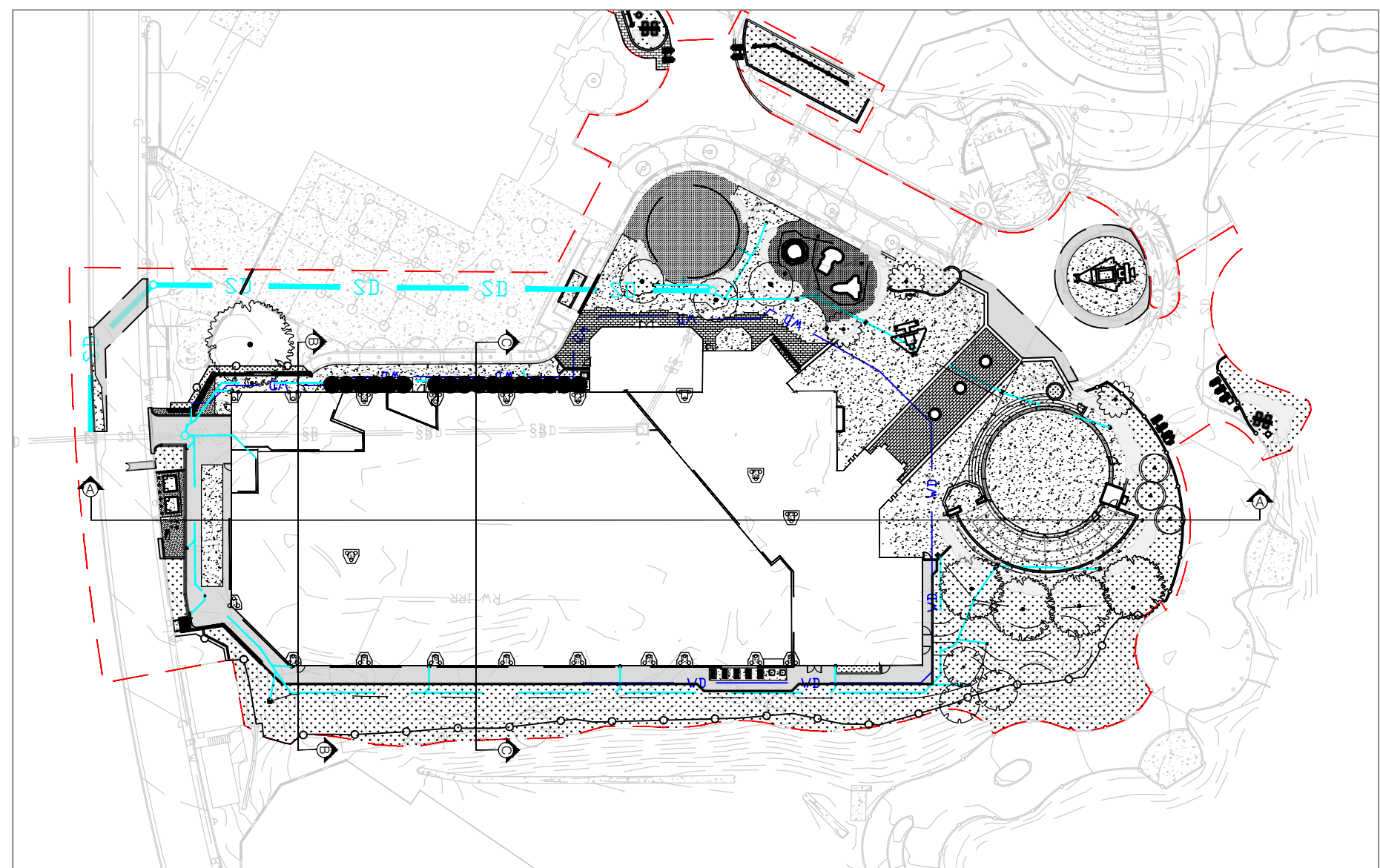


1. SEE SEPARATE PLAN AND PERMIT FOR BASEMENT WALLS.
2. AN ARCHEOLOGIST AND NATIVE AMERICAN REPRESENTATIVE MONITOR WILL BE REQUIRED AT THE TIME OF GRADING IF THE PROJECT REQUIRES EXCAVATION BEYOND EXISTING FILL.
3. SEE SHEET 05 FOR SITE SECTIONS AND PROPOSED RETAINING WALL PROFILE.



EXISTING RETAINING WALL NOTE

1. WHERE GRADING IS TAKING PLACE ADJACENT TO EXISTING RETAINING WALLS, THE EXISTING FOOTING DEPTH IS TO BE POTHOLED AND FIELD VERIFIED PRIOR TO CONSTRUCTION. IF 6" MINIMUM COVER FROM FG TO TF IS NOT MAINTAINED, PORTION OF FOOTING AND/OR WALL SHALL BE RECONSTRUCTED TO MEET MIN. REQUIREMENT PER SDRSD C-3 (TYP.)



KEY MAP
SCALE: 1"=60'



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REVIEW BY DRAWN BY
RE/AA BS/AM

PROJECT TEAM:
COMMERCIAL DEVELOPMENT
RESOURCES (CDR)

PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS

SITE SECTIONS

SHEET NO.

C-005



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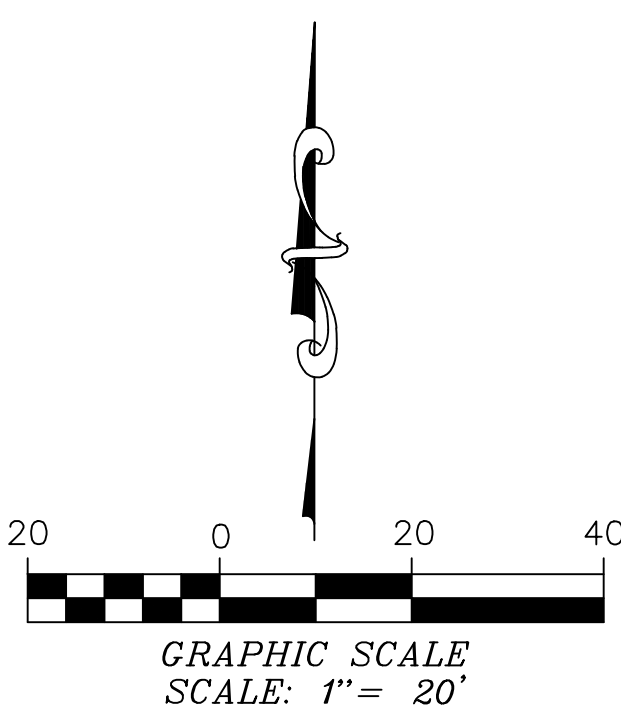
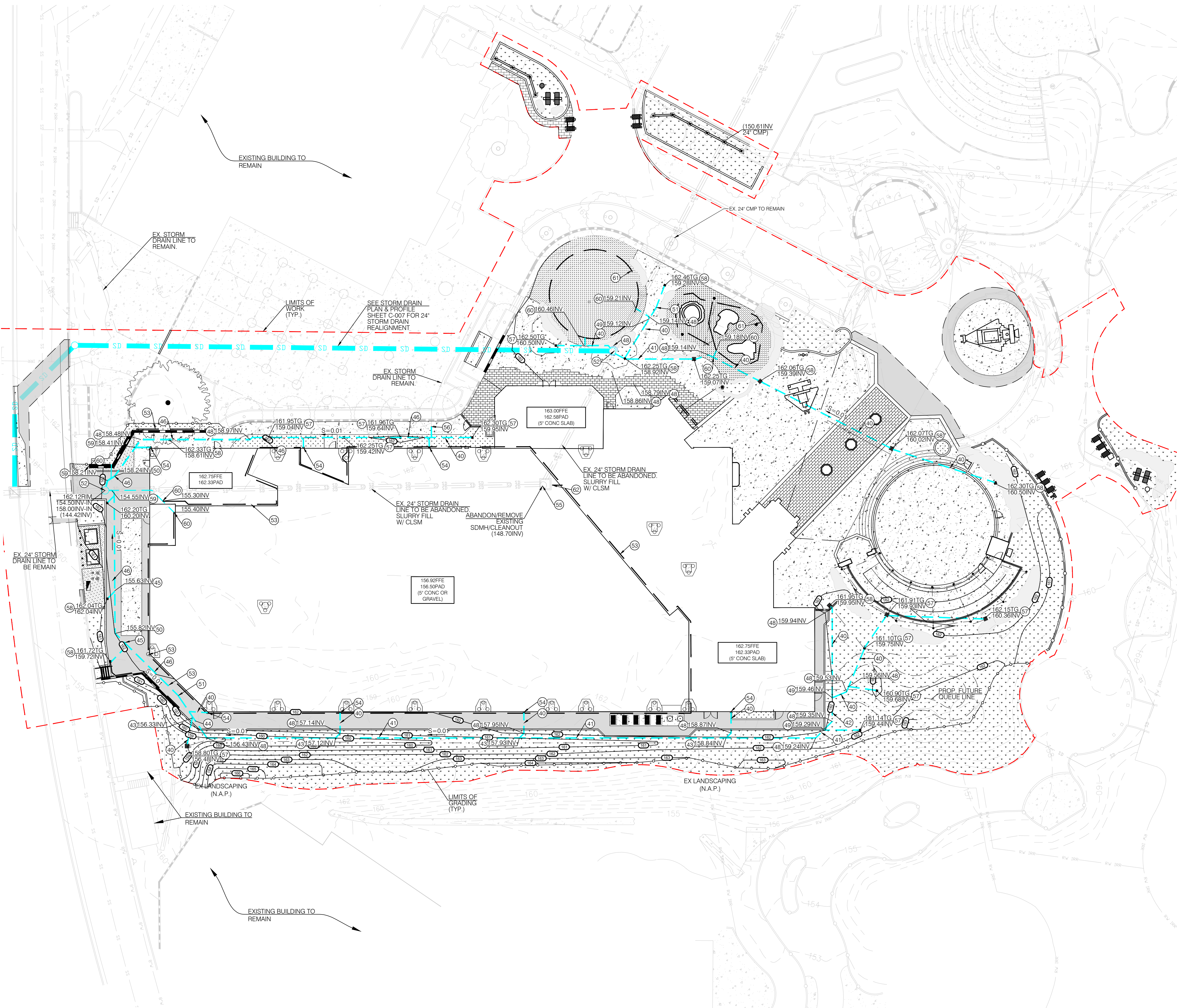
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PRIVATE STORM DRAIN CONSTRUCTION NOTES:

40. INSTALL 6" ADS N-12 HDPE STORM DRAIN PIPE
41. INSTALL 8" ADS N-12 HDPE STORM DRAIN PIPE
42. INSTALL 6"X8" REDUCER
43. INSTALL 6"X8" WYE CONNECTION
44. INSTALL 8"X12" REDUCER
45. INSTALL 6"X12" WYE CONNECTION
46. INSTALL 12" ADS N-12 HDPE STORM DRAIN PIPE
47. INSTALL 8"X6"X8" TEE CONNECTION
48. INSTALL ADS N-12 HDPE 45° BEND
49. INSTALL 6"X6" WYE CONNECTION
50. INSTALL ADS N-12 HDPE 22.5° BEND
51. INSTALL ADS N-12 HDPE 11.25° BEND
52. INSTALL ADS NYOPLAST 36" DRAIN BASIN W/ TRAFFIC RATED GRATE
53. INSTALL 4" PERFORATED DRAIN PIPE FOR RETAINING WALL DRAINAGE
54. ROOF DOWNSPOUT DIRECT CONNECTION TO STORM DRAIN SYSTEM
55. NOT USED ON THIS SHEET
56. CONNECT EXISTING STORM DRAIN LINE TO PROPOSED STORM DRAIN
57. INSTALL LANDSCAPE AREA DRAIN
58. INSTALL HARDSCAPE AREA DRAIN
59. INSTALL 12"X6"X12" TEE CONNECTION
60. CONNECT SUBDRAIN TO PROPOSED STORM DRAIN LINE
61. INSTALL 4" PERFORATED PVC SUBDRAIN BELOW SAFETY SURFACE
62. INSTALL 24" ADS N-12 HDPE STORM PIPE
63. CONNECT PROPOSED 24" HDPE PIPE TO EXISTING CONCRETE CATCH BASIN

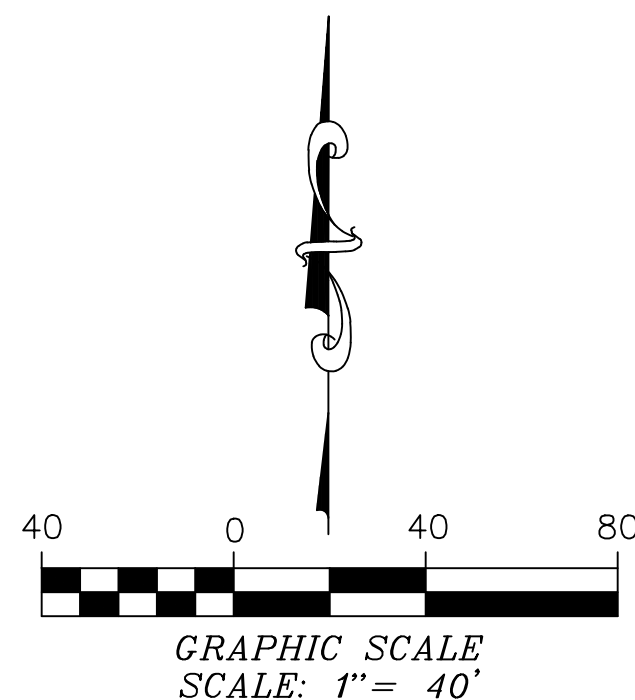
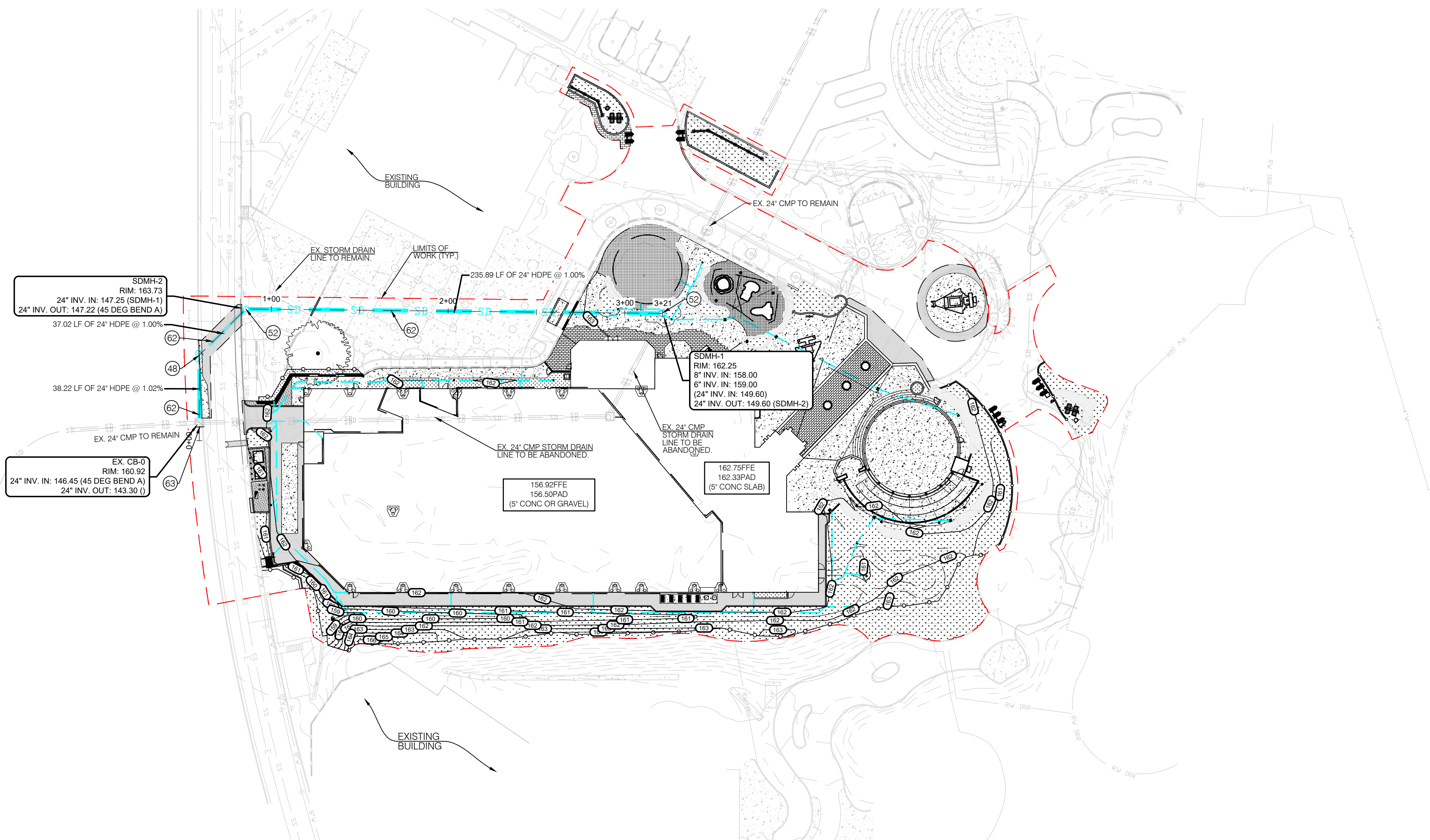
GENERAL STORM DRAIN NOTES

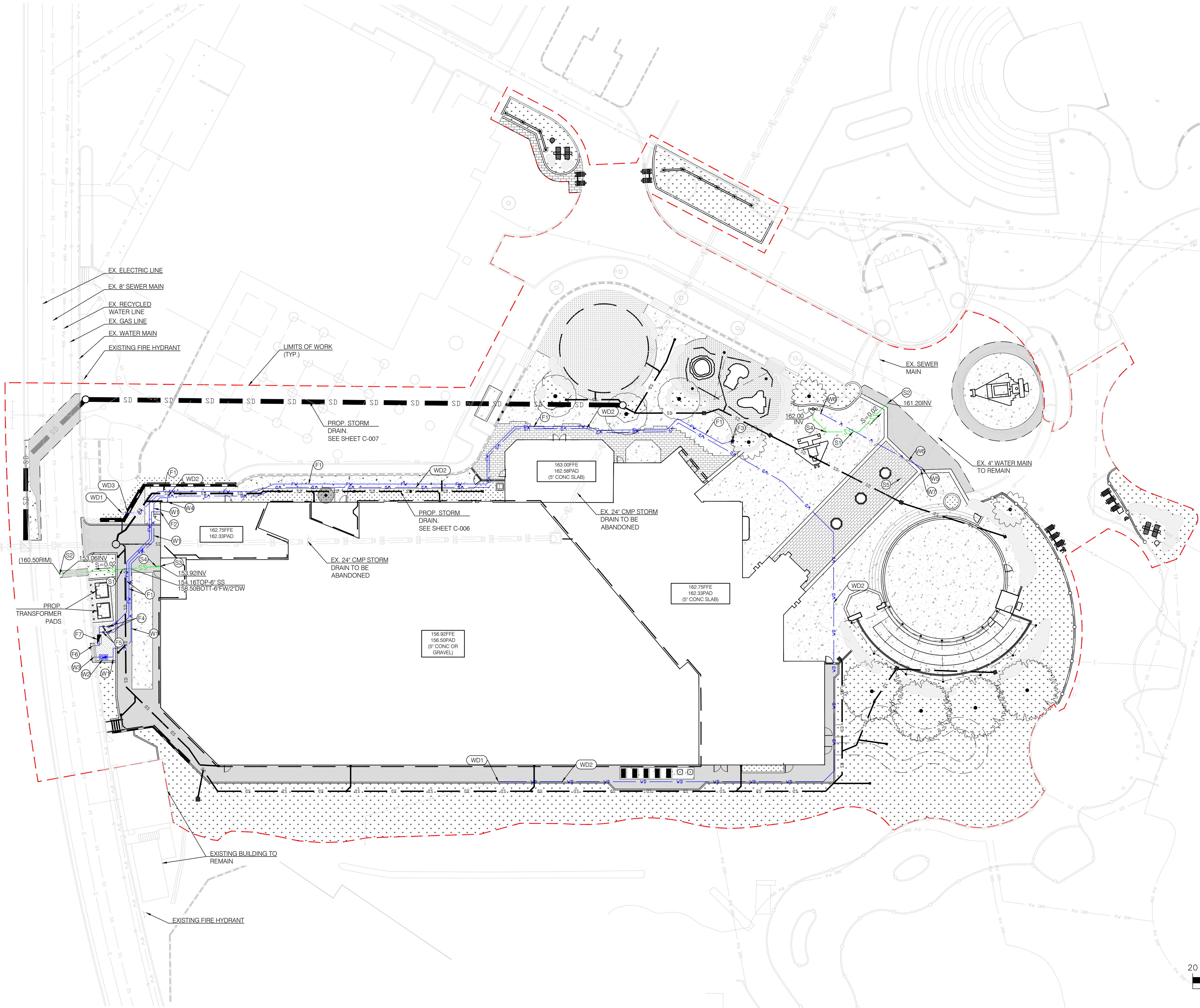
1. CONTRACTOR TO VERIFY ALL EXISTING UTILITIES AND AND GRADES. CONTRACTOR TO NOTIFY THE ENGINEER IF THERE IS A DISCREPANCY BETWEEN THE FIELD AND THE ITEMS SHOWN ON THE PLAN.
2. STORM DRAIN IS TO BE INSTALLED AT A 1% MINIMUM SLOPE.
3. EXISTING UNDERGROUND UTILITIES SHOWN ARE SHOWN FOR REFERENCE ONLY AND ARE NOT AN 'AS-BUILT'. LAYOUT AND ELEVATIONS ARE FROM CITY OF CARLSBAD DWG NO. 333-2Y AND A COMPILED UTILITY FILE OF DESIGNED UTILITIES FROM LEGOLAND (NOT AN 'AS-BUILT'). SURFACE MANHOLES AND UTILITY BOXES WERE SURVEYED AND CONFIRMED IN THE FIELD.
4. EXISTING STORM DRAIN SYSTEM TO BE KEPT UNPLUGGED AS LONG AS POSSIBLE. PLUG EXISTING STORM DRAIN LINE PER PLAN.



Item #2 Page 53 of 91

1. CONTRACTOR TO VERIFY ALL EXISTING UTILITIES AND LAND GRADES. CONTRACTOR TO NOTIFY THE ENGINEER IF THERE IS A DISCREPANCY BETWEEN THE FIELD AND THE ITEMS SHOWN ON THE PLAN.
2. STORM DRAIN IS TO BE INSTALLED AT A 1% MINIMUM SLOPE.
3. EXISTING UNDERGROUND UTILITIES SHOWN ARE SHOWN FOR REFERENCE ONLY AND ARE NOT AN AS-BUILT. LAYOUT AND ELEVATIONS ARE FROM CITY OF CARLSBAD DWG NO. 333-27 AND A COMPILED UTILITY FILE OF DESIGNED UTILITIES FROM LEGALZAND (NOT AN AS-BUILT). SURFACE MANHOLES AND UTILITY BOXES WERE SURVEYED AND CONFIRMED IN THE FIELD.
4. EXISTING STORM DRAIN SYSTEM TO BE KEPT UNPLUGGED AS LONG AS POSSIBLE. PLUG EXISTING STORM DRAIN LINE PER PLAN.
5. SEE DEMOLITION PLAN FOR LIMITS OF DEMOLITION FOR STORM DRAIN TRENCHING. LIMITS OF DEMOLITION IS SHOWN FOR REFERENCE ONLY FOR THE STORM DRAIN REALIGNMENT. IF DEMOLITION OR DAMAGES OCCUR TO THE SITE OUTSIDE THE LIMIT THE OF DEMOLITION SHOWN, THE CONTRACTOR IS TO REPORT TO WATER EXISTING CONDITION AND BACKFILL, PER THE FINAL SOILS REPORT.





PRIVATE FIRE WATER NOTES:

- F1 INSTALL 6\"/>

PRIVATE SEWER NOTES:

- S1 INSTALL 4\"/>

PRIVATE POTABLE WATER
WASH DOWN SYSTEM NOTES:

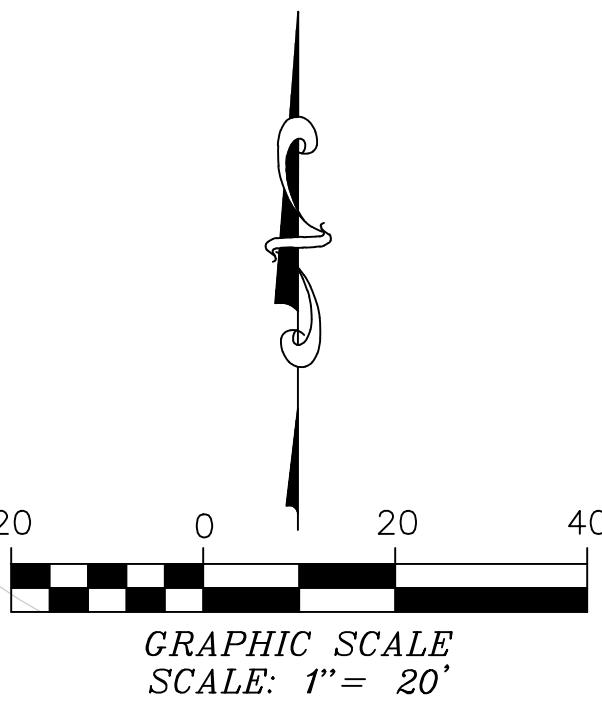
- WD1 CONNECT RE-ALIGNED POTABLE WASH-DOWN MAINLINE TO EXISTING MAIN LINE
- WD2 INSTALL RE-ALIGNED POTABLE WATER WASHDOWN MAINLINE PER SEPARATE LANDSCAPE PLANS
- WD3 INSTALL PVC SLEEVE THROUGH WALL FOOTING (2\"/>

DOMESTIC WATER NOTES:

- W1 INSTALL 1-1/2\"/>

GENERAL PRIVATE UTILITY NOTES:

- ALL COMMUNICATION, ELECTRICAL, GAS, WASHDOWN, AND IRRIGATION CONSTRUCTION NOTES ON THIS PLAN ARE FOR REFERENCE ONLY. FINAL DESIGN ARE PER SEPARATE PLANS AND SEPARATE PERMIT. RELOCATION OF DRY UTILITIES AND LANDSCAPE IRRIGATION LINES ARE PER SEPARATE PLANS.
- UTILITY PIPE TRENCHING TO BE CONSTRUCTED PER CITY OF CARLSBAD STD GS-25
- ALL SEWER LINE IS TO BE LAID AT A MIN. 2% SLOPE.
- CONTRACTOR TO VERIFY THE SIZE, DEPTH, AND MATERIAL OF EXISTING UTILITIES IN THE FIELD. CONTRACTOR TO NOTIFY THE ENGINEER IF THERE IS A DISCREPANCY BETWEEN THE FIELD AND THE ITEMS SHOWN ON THE PLAN.
- EXISTING UNDERGROUND UTILITIES SHOWN ARE SHOWN FOR REFERENCE ONLY AND ARE NOT AN "AS-BUILT". THEY ARE FROM A COMPILED UTILITY FILE OF "DESIGNED" UTILITIES FROM LEGOLAND (NOT "AS-BUILT"). SURFACE MANHOLES AND UTILITY BOXES WERE SURVEYED AND CONFIRMED IN THE FIELD.
- DOMESTIC WATER LINES TO BE INSTALLED WITH MIN. 12\"/>



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DRAWN BY BS/AM

PROJECT TEAM:
COMMERCIAL DEVELOPMENT
RESOURCES (CDR)
PROJECT PHASE
SDP/CDP SUBMITTAL
SHEET CONTENTS

PRIVATE UTILITY PLAN

SHEET NO.

Item #2 **C-008**



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|-----------|----------|
| RE/AA | BS/AM |

PROJECT TEAM:
COMMERCIAL DEVELOPMENT
RESOURCES (CDR)

PROJECT PHASE
SDP/CDP SUBMITTAL

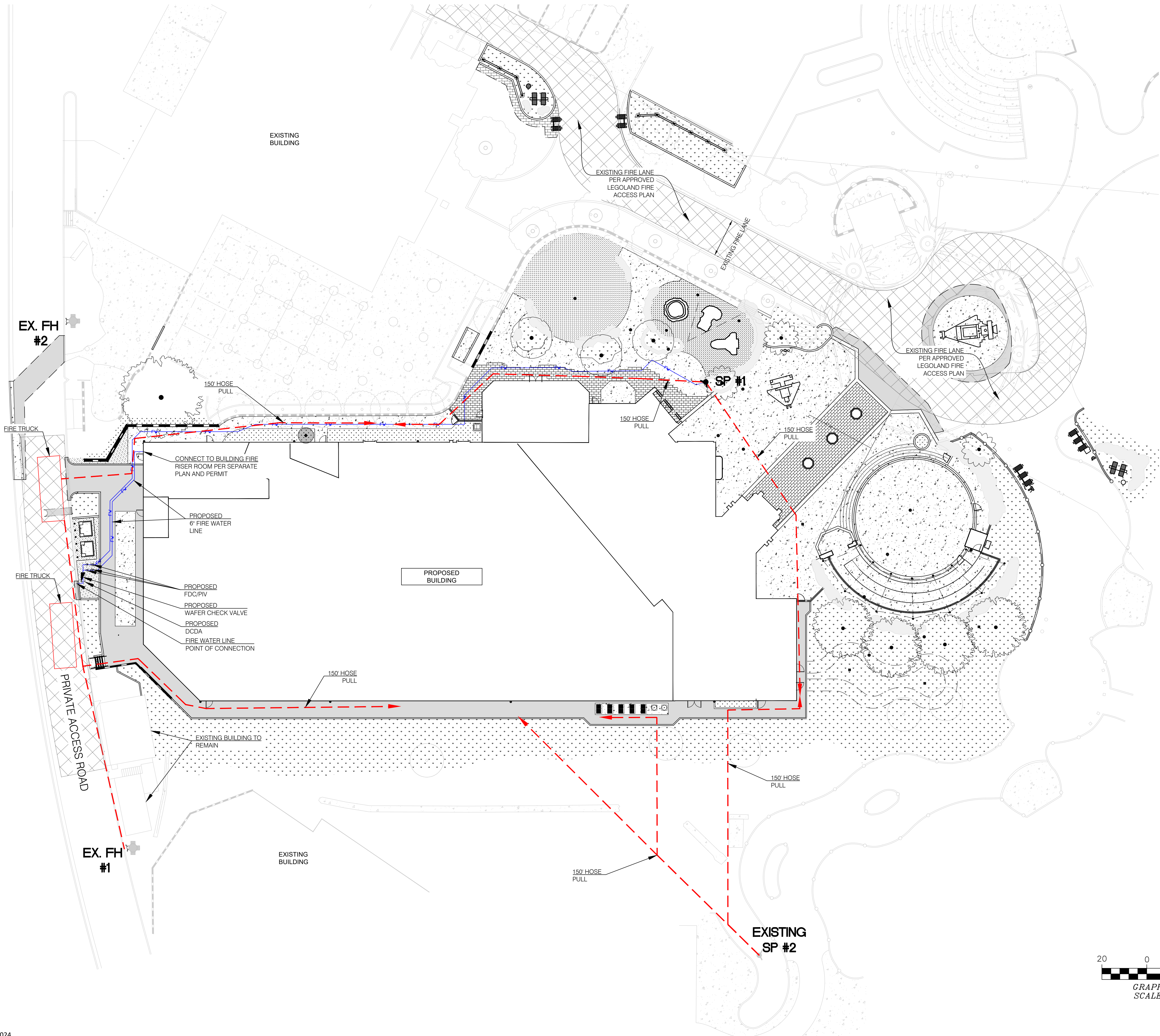
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FIRE MASTER PLAN

SHEET NO.

C-009

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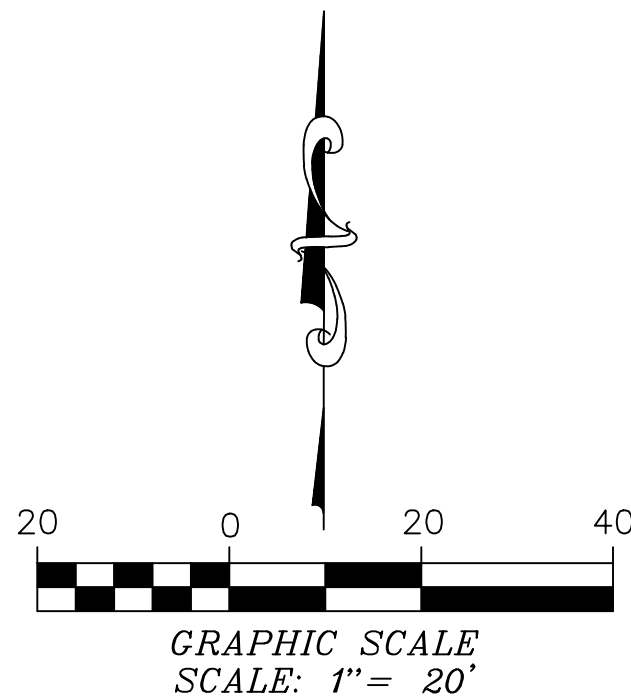


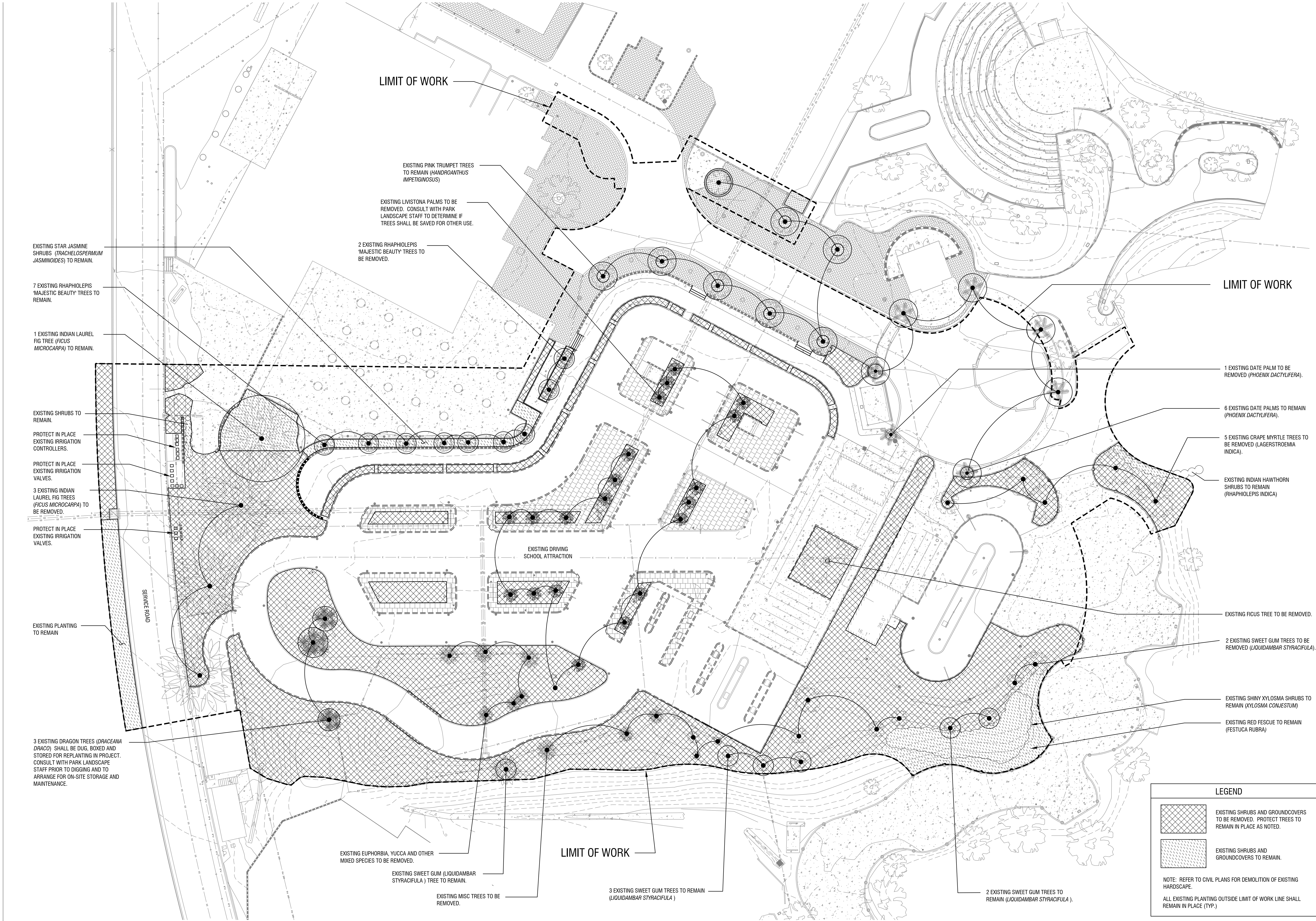
LEGEND

- PROPOSED PAVEMENT
- FIRE TRUCK ACCESS
- FIRE HOSE PULL
- EX. FH #1 EXISTING FIRE HYDRANT
- SP #1 PROPOSED DUAL WET STANDPIPES
- PROPOSED FDC
- PROPOSED PIV
- PROPOSED DCDA
- PROPOSED FIRE LINE

FIRE NOTE

MAINTAIN FIRE ACCESS TO ALL STRUCTURES





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r.w.Apel
landscape architects
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|-----------|----------|
| RWA | RWA |

PROJECT TEAM:
R. W. Apel Landscape Architects, Inc.
PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS
CONCEPTUAL LANDSCAPE
DEMOLITION PLAN



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| RWA | RWA |

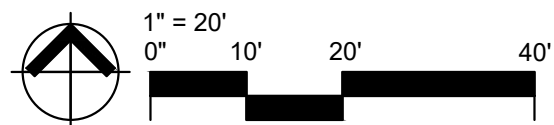
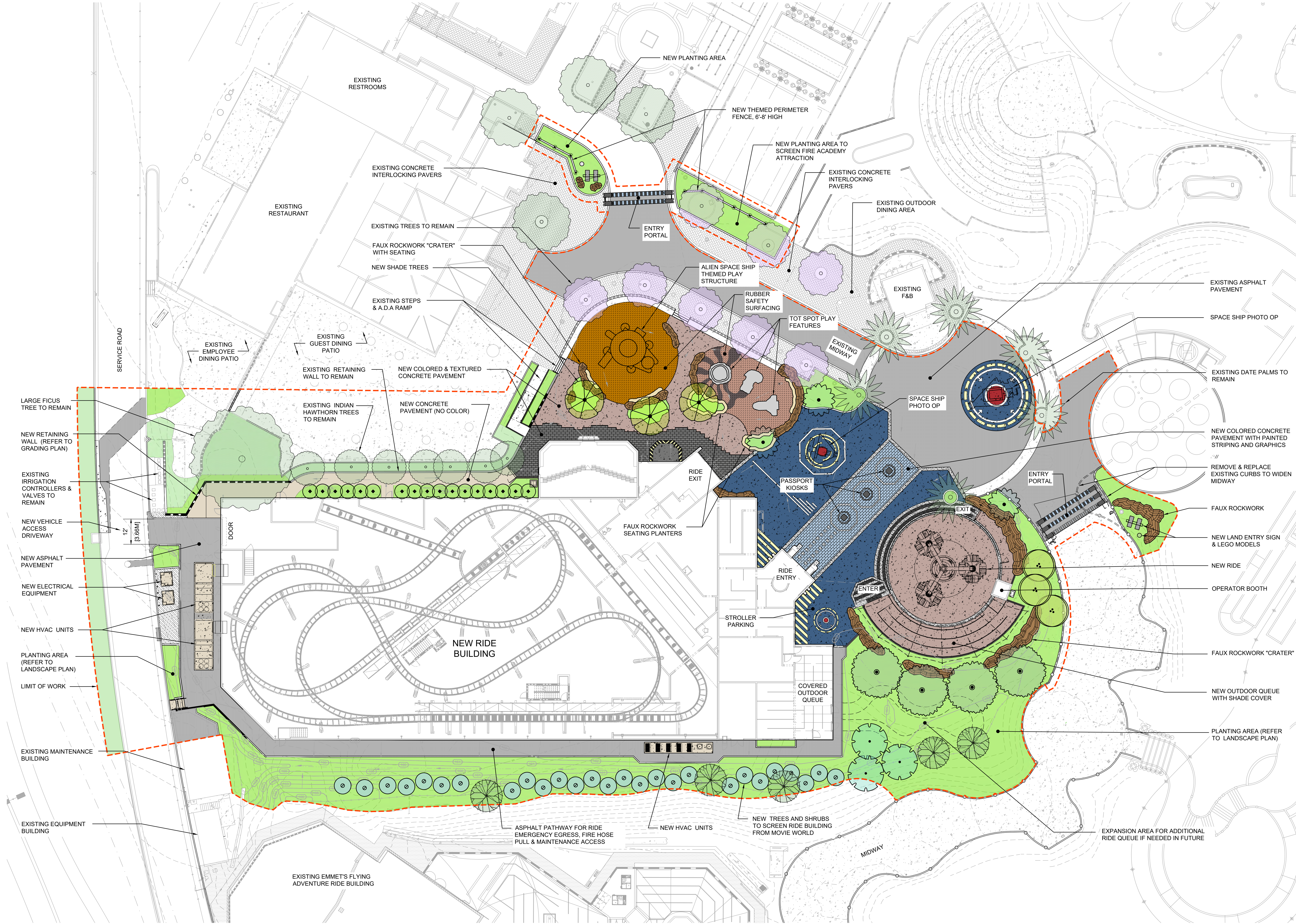
PROJECT TEAM:
R. W. Apel Landscape Architects, Inc.

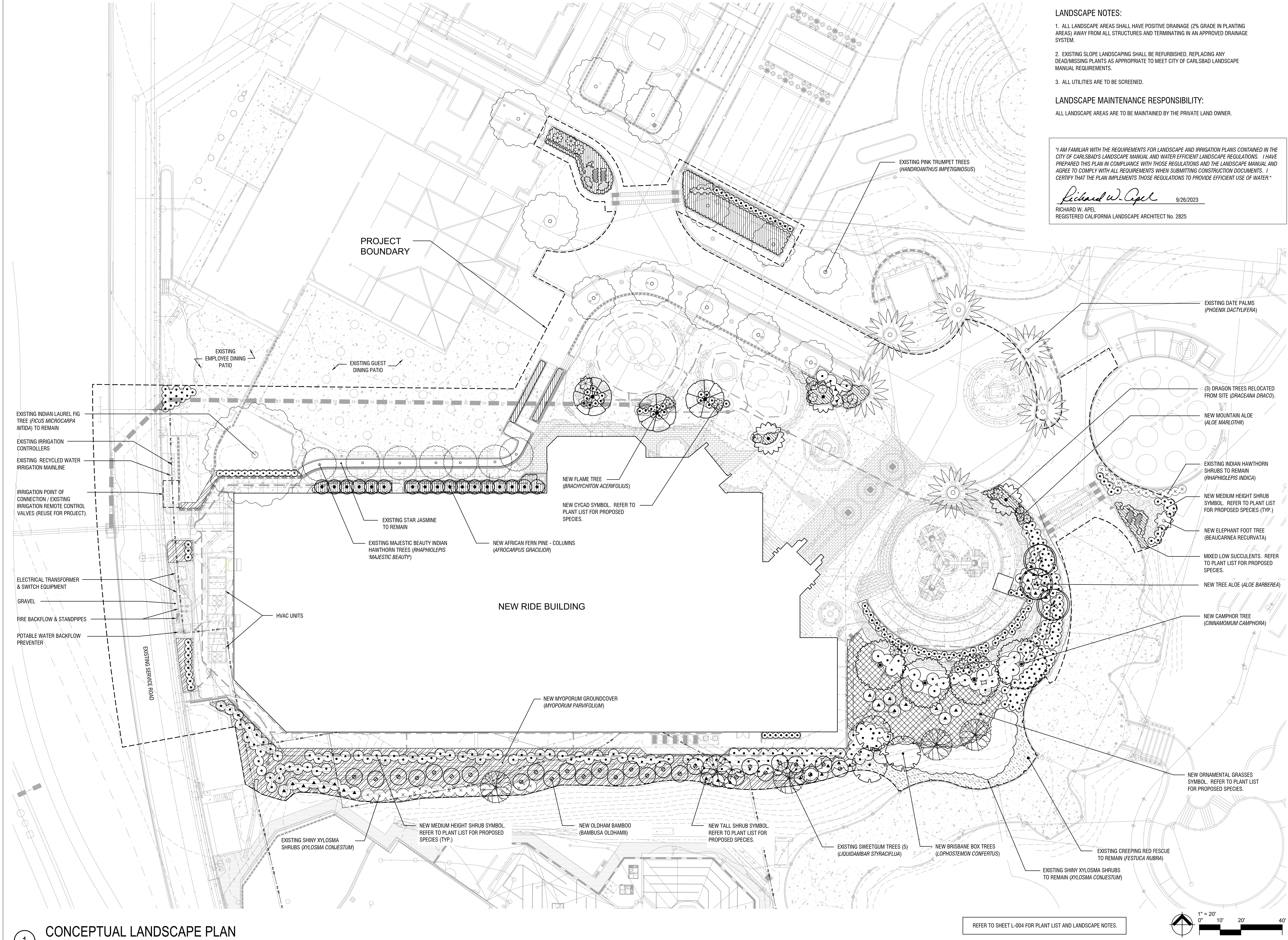
PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS
CONCEPTUAL AREA
DEVELOPMENT PLAN

SHEET NO.

L-002





LANDSCAPE NOTES:

1. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE (2% GRADE IN PLANTING AREAS) AWAY FROM ALL STRUCTURES AND TERMINATING IN AN APPROVED DRAINAGE SYSTEM.

2. EXISTING SLOPE LANDSCAPING SHALL BE REFURBISHED, REPLACING ANY DEAD/MISSING PLANTS AS APPROPRIATE TO MEET CITY OF CARLSBAD LANDSCAPE MANUAL REQUIREMENTS.

3. ALL UTILITIES ARE TO BE SCREENED.

LANDSCAPE MAINTENANCE RESPONSIBILITY:

ALL LANDSCAPE AREAS ARE TO BE MAINTAINED BY THE PRIVATE LAND OWNER.

"I AM FAMILIAR WITH THE REQUIREMENTS FOR LANDSCAPE AND IRRIGATION PLANS CONTAINED IN THE CITY OF CARLSBAD'S LANDSCAPE MANUAL AND WATER EFFICIENT LANDSCAPE REGULATIONS. I HAVE PREPARED THIS PLAN IN COMPLIANCE WITH THOSE REGULATIONS AND THE LANDSCAPE MANUAL AND AGREE TO COMPLY WITH ALL REQUIREMENTS WHEN SUBMITTING CONSTRUCTION DOCUMENTS. I CERTIFY THAT THE PLAN IMPLEMENTS THOSE REGULATIONS TO PROVIDE EFFICIENT USE OF WATER."

Richard W. Apel 9/26/2023
RICHARD W. APEL
REGISTERED CALIFORNIA LANDSCAPE ARCHITECT No. 2825

SDP2023-0012/CDP2023-0022



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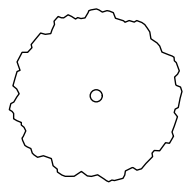
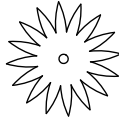
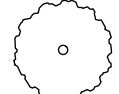



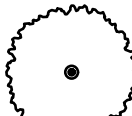






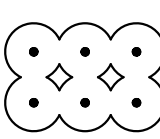
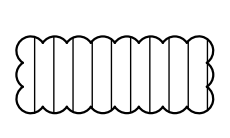

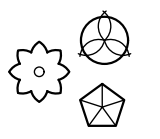
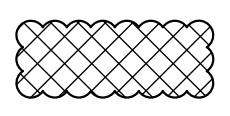
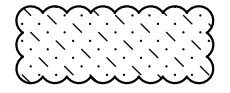

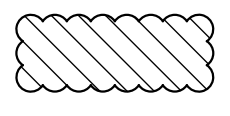
REVIEW BY RWA
DRAWN BY RWA

PROJECT TEAM:
R. W. Apel Landscape Architects, Inc.

PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS
CONCEPTUAL LANDSCAPE
PLAN

SHEET NO.
L-003

| PLANT LEGEND | | | | | | | |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|---------------------------------|----------------------|
| SYMBOL & ABBREVIATION | BOTANICAL NAME | COMMON NAME | SIZE (B) | SPACING | APPROX. QUANTITY | WATER NEED (A) | NOTES |
| EXISTING TREES TO REMAIN: | | | | | | | |
|  | FIC MIC | FICUS MICROCARPA | INDIAN LAUREL FIG | | 1 | M | REMAIN IN PLACE |
|  | PHO DAG | PHOENIX DACTYLIFERA | DATE PALM | | 6 | L | REMAIN IN PLACE |
|  | HAN IMP | HANDROANTHUS IMPETIGINOSUS | PINK TRUMPET TREE | | 8 | M | REMAIN IN PLACE |
|  | LIQ STY | LIQUIDAMBAR STYRACIFLUA | SWEETGUM | | 5 | M | REMAIN IN PLACE |
|  | DRA DRA | DRACAENA DRACO | DRAGON TREE | | 3 | VL | RELOCATE PER PLAN |
|  | RHA MAJ | RHAPHIOLEPIS 'MAJESTIC BEAUTY' - STANDARDS | MAJESTIC BEAUTY INDIAN HAWTHORN | | 7 | M | REMAIN IN PLACE |
| NEW TREES: | | | | | | | |
|  | CIN CAM * MAG GRA | CINNAMOMUM CAMPHORA - STANDARDS MAGNOLIA GRANDIFLORA - STANDARDS | CAMPHOR TREE SOUTHERN MAGNOLIA | 36" BOX 36" BOX | PER PLAN PER PLAN | 4 M | M |
|  | BRA ACE | BRACHYCHITON ACERIFOLIUS | FLAME TREE | 36" BOX | PER PLAN | 3 | L |
|  | LOP CON | LOPHOSTEMON CONFERTUS (TRISTANIA CONFERTA) | BRISBANE BOX | 24" BOX | PER PLAN | 3 | M |
|  | ALO BAR | ALOE BARBERAE - SPECIMEN SIZE | TREE ALOE | 24"-36" BOX | PER PLAN | 3 | L |
|  | AFR GRA | AFROCARPUS GRACILIOR - COLUMNS (PODOCARPUS GRACILIOR) | AFRICAN FERN PINE | 24" BOX | PER PLAN | 16 | M |
|  | BAM OLD | BAMBUSA OLDHAMII | OLDHAM BAMBOO | 15 GAL | PER PLAN | 27 | M |
| TALL SHRUBS (OVER 6' HEIGHT): | | | | | | | |
|  | ELA GIL PIT TOB POD ELO XYL CON | ELAEAGNUS x EBBINGEI 'GILT EDGE' PITTOSPORUM TOBIRA 'VARIEGATA' PODOCARPUS ELONGATUS 'ICEE BLUE' XYLOSMA CONGESTUM | GILT EDGE SILVERBERRY VARIGATED MOCK ORANGE ICEE BLUE YELLOW-WOOD SHINY XYLOSMA | 5 GAL 5 GAL 15 GAL 5 GAL | 5' + 5' + 5' + 5' + | (M) M M L | |
| MEDIUM HEIGHT SHRUBS (3' - 6' HEIGHT): | | | | | | | |
|  | ACA COG BOU TOR CAL LIT DIE GRA NAN DOM PHI XAN RHA UMB | ACACIA COGNATA 'COUSIN ITT' BOUGAINVILLEA 'TORCH GLOW' CALLISTEMON 'LITTLE JOHN' DIETES GRANDIFLORA 'VARIEGATA' NANDINA DOMESTICA 'GULF STREAM' PHILODENRON 'XANADU' RHAPHIOLEPIS UMBELLATA MINOR | COUSIN ITT ACACIA TORCH GLOW BOUGAINVILLEA LITTLE JOHN BOTTLEBRUSH STRIPED FORTNIGHT LILY GULF STREAM HEAVENLY BAMBOO XANADU PHILODENRON YEDDO HAWTHORN | 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL | 3'-5' 4'-6' 3'-5' 3'-4' 3'-4' 3'-4' 3'-4' | M L L L L M L | |
| LOW SHRUBS (UNDER 3' HEIGHT): | | | | | | | |
|  | TBD ASP DEN CHL COM CLI MIN TRA JAS | MIXED BROMELIAD SPECIES & HYBRIDS ASPARAGUS DENSIFLORUS 'MYERSII' CHLOROPHYTUM COMOSUM 'VARIEGATA' CLIVIA MINIATA TRACHELOSPERMUM JASMINOIDES | FOXTAIL FERN VARIEGATED SPIDER PLANT CLIVIA STAR JASMINE | 1 GAL 1 GAL 6" P-1 GAL 1 GAL-5 GAL 1 GAL | 1'-3" O.C. 2" O.C. 2" O.C. 2" O.C. 2" O.C. | (M) M L L M | |
| CYCADS: | | | | | | | |
|  | CYA REV DIO SPI ZAM FJR | CYCAS REVOLUTA DIOON SPINULOSUM ZAMIA FURFURACEA | SAGO PALM GIANT DIOON CARDBOARD SAGO | 15GAL 15GAL 15GAL | PER PLAN PER PLAN PER PLAN | M M M | |
| SUCCULENTS: | | | | | | | |
|  | ALO MAR BEA REC KUM PLI | ALOE MARLOTHII BEAUCARNEA RECURVATA KUMARA PLICATILIS (ALOE PLICATILIS) | MOUNTAIN ALOE ELEPHANT FOOT TREE FAN ALOE | 5 GAL + 15 GAL + 5 GAL | PER PLAN PER PLAN PER PLAN | L L L | |
| ORNAMENTAL GRASSES: | | | | | | | |
|  | LOM BAB CAR PAN | LOMANDRA x 'BABY BREEZE' CAREX PANSA | EVERGREEN BABY MAT RUSH CALIFORNIA MEADOW SEDGE | 1 GAL 1 GAL | 18"-24" O.C. 12"-18" O.C. | L L | |
| GROUNDCOVERS: | | | | | | | |
|  | FES RUB | FESTUCA RUBRA (EXISTING) | CREEPING RED FESCUE | | | 646 S.F. | H EXISTING TO REMAIN |
|  | MYO PAR | MYOPORUM PARVIFOLIUM 'PINK' | GROUNDCOVER MYOPORUM | FLATS | 12" O.C. | 6,644 S.F. | L |
|  | TBD | MISC LOW GROWING/SPREADING SUCCULENTS: AEONIUM SP., COTYLEDON SP., CRASSULA SP., ECHEVERIA SP., KALANCHOE SP., SENACIO SP., SEDUM SP. | | 1 GAL-5 GAL | 12"-36" O.C. | 537 S.F. | L |

LEGEND NOTES:
* ALTERNATES
(A) WATER NEED PER WUCOLS IV, REGION 3 - SOUTHERN COASTAL:
VL = VERY LOW
L = LOW
M = MODERATE/MEDIUM
H = HIGH
(-) = NO VALUE GIVEN. ESTIMATED BY LANDSCAPE ARCHITECT
(B) PER CITY STANDARDS, A MINIMUM OF 50% OF SHRUBS SHALL BE 5 GALLON SIZE EXCEPT ON SLOPES 3:1 OR STEEPER.

LANDSCAPE NOTES

REQUIRED MINIMUM SLOPE PLANTING STANDARDS PER CITY OF CARLSBAD LANDSCAPE MANUAL:

- A. SLOPES 6:1 OR STEEPER REQUIRING EROSION CONTROL MEASURES AS SPECIFIED HEREIN SHALL BE TREATED WITH ONE OR MORE OF THE FOLLOWING PLANTING STANDARDS:
1. STANDARD #1 -- COVER CROP AND EROSION CONTROL MATTING:
COVER CROP SHALL BE A SEED MIX TYPICALLY COMPOSED OF QUICK GERMINATING AND FAST COVERING GRASSES, CLOVERS AND/OR WILD FLOWERS. SUBMIT THE SPECIFIC SEED MIX FOR CITY APPROVAL PRIOR TO APPLICATION. THE COVER CROP SHALL BE APPLIED AT A RATE AND MANNER SUFFICIENT TO PROVIDE NINETY (90%) PERCENT COVERAGE WITHIN THIRTY (30) DAYS. EROSION CONTROL MATTING SHALL BE STRAW TYPE. JUTE MATTING IS NOT ALLOWED. INSTALL THE MATTING WITH STAPLES AND ALL OTHER MANUFACTURER'S INSTRUCTIONS.
- o ON SLOPES 3 FEET OR LESS IN VERTICAL HEIGHT WHERE ADJACENT TO PUBLIC WALKS OR STREETS:
- WHEN PLANTING OCCURS BETWEEN AUGUST 15 AND APRIL 15, EROSION CONTROL MATTING SHALL BE REQUIRED.
- DURING THE REMAINDER OF THE YEAR, THE COVER CROP AND/OR EROSION CONTROL MATTING MAY BE USED.
- o ON SLOPES GREATER THAN 3 FEET IN HEIGHT, EROSION CONTROL MATTING SHALL BE REQUIRED AND A COVER CROP SHALL NOT BE USED, UNLESS OTHERWISE APPROVED BY THE CITY.
2. STANDARD #2 -- GROUND COVER:
ONE HUNDRED (100%) PERCENT OF THE AREA SHALL BE PLANTED WITH A GROUND COVER KNOWN TO HAVE EXCELLENT SOIL BINDING CHARACTERISTICS, PLANTED FROM A MINIMUM SIZE OF FLATTED MATERIAL AND SPACED TO PROVIDE FULL COVERAGE WITHIN ONE (1) YEAR.
3. STANDARD #3 -- LOW SHRUBS:
LOW SPREADING WOODY SHRUBS PLANTED FROM A MINIMUM OF 1-GALLON SIZE CONTAINERS SHALL COVER A MINIMUM OF SEVENTY (70%) PERCENT OF THE SLOPE FACE (AT MATURE SIZE).
4. STANDARD #4 -- TREES AND/OR LARGE SHRUBS:
TREES AND/OR LARGE SHRUBS, PLANTED FROM A MINIMUM OF 1-GALLON SIXE CONTAINERS SHALL BE INSTALLED AT A MINIMUM RATE OF ONE (1) PLANT PER TWO HUNDRED (200) SQUARE FEET.
- B. AREAS OF APPLICATION - SLOPES 6:1 OR STEEPER ONLY:
1. SLOPES 3' OR LESS IN VERTICAL HEIGHT AND ARE ADJACENT TO PUBLIC WALKS OR STREETS REQUIRE AT MINIMUM STANDARD #1 (COVER CROP OR EROSION CONTROL MATTING).
2. SLOPES 3 TO 8' IN VERTICAL HEIGHT REQUIRE STANDARDS #1 (EROSION CONTROL MATTING SHALL BE INSTALLED IN LIEU OF A COVER CROP), # 2 & #3.
3. SLOPES IN EXCESS OF 8' IN VERTICAL HEIGHT REQUIRE STANDARDS #1 (EROSION CONTROL MATTING SHALL BE INSTALLED IN LIEU OF A COVER CROP), # 2, #3 AND #4.
- C. AREAS GRADED FLATTER THAN 6:1 REQUIRE A COVER CROP PER STANDARD #1 WITH TEMPORARY IRRIGATION WHEN THEY HAVE ONE OR MORE OF THE FOLLOWING CONDITIONS:
1. SHEET GRADED PADS NOT SCHEDULED FOR IMPROVEMENTS WITHIN 6 MONTHS OF COMPLETION OF ROUGH GRADING.
2. A POTENTIAL EROSION PROBLEM AS DETERMINED BY THE CITY.
3. IDENTIFIED BY THE CITY AS HIGHLY VISIBLE AREAS TO THE PUBLIC OR HAVE SPECIAL CONDITIONS THAT WARRANT IMMEDIATE TREATMENT.

REQUIRED MINIMUM PLANTING REQUIREMENTS PER CITY OF CARLSBAD LANDSCAPE MANUAL:

ALL TREES (EXCEPT ON SLOPES 3:1 OR STEEPER) SHALL BE A MINIMUM OF FIFTEEN (15) GALLON SIZE.

50% OF THE SHRUBS (EXCEPT ON SLOPES 3:1 OR STEEPER) SHALL BE A MINIMUM FIVE (5) GALLON SIZE.

WOODY SHRUBS SHALL BE PLANTED OVER HERBACEOUS GROUND COVER AREAS TO COVER 60% OF THE GROUND COVER AREA (AT MATURE SIZE).

SPACING OF PLANTS SHALL ALLOW FOR THEIR SIZE AT MATURITY.

EROSION CONTROL MATTING:

INSTALL EROSION CONTROL MATTING ON ALL SLOPES 6:1 OR STEEPER. MATTING SHALL BE SHALL BE STRAW TYPE. JUTE MATTING IS NOT ALLOWED. INSTALL THE MATTING WITH STAPLES AND ALL OTHER MANUFACTURER'S INSTRUCTIONS. HYDROSEEDING IS NOT REQUIRED FOR THIS PROJECT.

ROOT BARRIERS:

ROOT BARRIERS SHALL BE INSTALLED AT ALL TREES THAT ARE WITHIN FIVE (5) FEET OF PAVEMENT. ROOT BARRIERS SHALL BE A MINIMUM OF FIFTEEN (15) FEET IN LINEAR DIMENSION ALONG EDGE OF PAVEMENT. BARRIERS MAY BE OMITTED FOR TREES IN CONCRETE RAISED PLANTERS.

SOIL PREPARATION:

PRIOR TO PLANTING OF ANY MATERIALS, COMPACTED SOILS SHALL BE TRANSFORMED TO A FRIABLE CONDITION. ON ENGINEERED SLOPES, ONLY AMENDED PLANTING HOLES NEED MEET THE REQUIREMENT OF THIS SECTION (MWEO 492.6).

COMPOST AT A MINIMUM RATE OF FOUR (4) CUBIC YARDS PER ONE THOUSAND (1,000) SQUARE FEET OF PERMEABLE AREA SHALL BE INCORPORATED TO A DEPTH OF SIX INCHES INTO THE SOIL. SOILS WITH GREATER THAN 6% ORGANIC MATTER IN THE TOP 6 INCHES OF SOIL ARE EXEMPT FROM ADDING COMPOST AND TILLING. (MWEO 492.6).

THE APPLICATION OF ORGANIC MULCH MATERIALS MADE FROM RECYCLED OR POST-CONSUMER MATERIALS SHALL TAKE PRECEDENCE OVER INORGANIC MATERIALS OR VIRGIN FOREST PRODUCTS UNLESS THE RECYCLED OR POST-CONSUMER ORGANIC PRODUCTS ARE NOT LOCALLY AVAILABLE (MWEO 492.6).

A MINIMUM THREE (3) INCH DEEP LAYER OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACES OF PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUNDCOVERS, OR DIRECT SEEDING APPLICATIONS WHERE MULCH IS CONTRAINDICATED. (MWEO 496.6).

COORDINATION WITH UTILITIES:

DUE TO THE RELOCATION OF UTILITIES AFTER PLAN APPROVAL, THE CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT PRIOR TO THE BEGINNING OF LANDSCAPE WORK SO THAT THE LANDSCAPE ARCHITECT CAN REVIEW THE PROJECT UTILITY LOCATIONS AND REVISE PLANS ACCORDINGLY TO FULLY SCREEN UTILITIES FROM VIEW.

PROVIDE THE LANDSCAPE ARCHITECT WITH AS-BUILT LOCATIONS AND/OR PROPOSED CHANGES TO THE LOCATION OF UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF LANDSCAPING SO THAT POTENTIAL CONFLICTS WITH TREES, PLANTS AND IRRIGATION SYSTEMS CAN BE IDENTIFIED AND RESOLVED.

SALVAGE AND RELOCATION OF EXISTING TREES:

CERTAIN EXISTING TREES AND PLANT MATERIAL SHALL BE DUG AND REPLANTED ON THE PROJECT SITE PER THE PLANTING PLANS, OR BOXED AND RETURNED TO LEGOLAND FOR STORAGE AND FUTURE USE. ALL TREES TO BE RELOCATED SHALL BE TAGGED IN THE FIELD BY THE LANDSCAPE ARCHITECT PRIOR TO SITE DEMOLITION.

SOIL ANALYSIS REPORT AND RECOMMENDATIONS:

A HORTICULTURAL SOIL ANALYSIS REPORT AND RECOMMENDATIONS SHALL BE SUBMITTED TO AND APPROVED BY THE CITY. IF GRADING IS NOT REQUIRED FOR THE PROJECT, THE REPORT SHALL BE SUBMITTED WITH THE LANDSCAPE DOCUMENTATION PACKAGE. IF THE PROJECT INVOLVED MASS GRADING OF THE SITE, THE SOIL REPORT AND RECOMMENDATIONS SHALL BE SUBMITTED WITH THE CERTIFICATE OF COMPLETION.

AFTER COMPLETION OF GRADING, BUT PRIOR TO PLANTING, THE LANDSCAPE CONTRACTOR SHALL OBTAIN THE SOIL REPORT AND RECOMMENDATIONS AT HIS EXPENSE AND SUBMIT TO THE LANDSCAPE ARCHITECT FOR REVIEW. THE LANDSCAPE ARCHITECT MAY THEN REVISE THE CONTRACT DOCUMENTS AND/OR SPECIFICATIONS IN ORDER TO IMPLEMENT THE RECOMMENDATIONS OF THE SOIL REPORT.

THE SOIL ANALYSIS SHALL INCLUDE INFORMATION ABOUT THE SOIL TEXTURE, SOIL INFILTRATION RATE, PH, TOTAL SOLUBLE SALTS, SODIUM, AND PERCENT ORGANIC MATTER. SOIL SAMPLES SHALL BE TAKEN FROM ENOUGH LOCATIONS ON SITE TO REPRESENT AN ADEQUATE CROSS SECTION OF CONDITIONS. IN PROJECTS WITH MULTIPLE LANDSCAPE INSTALLATIONS OR A LARGE LANDSCAPE PROJECT OF MORE THAN 10,000 SQUARE FEET, A SOIL SAMPLING RATE OF 1 IN 7 LOTS OR 15% IS AN ADEQUATE CROSS SECTION.

THE REPORT SHALL IDENTIFY ANY RECOMMENDED SOIL AMENDMENTS, TYPE, AND QUANTITY THAT MAY BE NECESSARY TO FOSTER PLANT GROWTH AND PLANT SURVIVAL IN THE LANDSCAPED AREAS. THE APPROVED RECOMMENDATIONS FOR AMENDMENTS AND BACKFILL SHALL BE INCORPORATED INTO THE LANDSCAPE PLANS PRIOR TO THE START OF CONSTRUCTION AND SHALL BECOME PART OF THE APPROVED PLANS.

IRRIGATION:

SUBSURFACE IRRIGATION SHALL BE USED TO IRRIGATE VEGETATION WITHIN TWENTY-FOUR INCHES OF AN IMPERMEABLE SURFACE UNLESS THE ADJACENT IMPERMEABLE SURFACE IS DESIGNED AND CONSTRUCTED TO CAUSE WATER TO DRAIN ENTIRELY INTO A LANDSCAPE AREA.

| |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE (2% GRADE IN PLANTING AREAS) AWAY FROM ALL STRUCTURES AND TERMINATING IN AN APPROVED DRAINAGE SYSTEM. |
| ALL UTILITIES ARE TO BE SCREENED. |
| ALL LANDSCAPE AREAS ARE TO BE MAINTAINED BY THE PRIVATE LAND OWNER. |
| ALL EXISTING PLANTING AND/OR IRRIGATION DESIGNATED TO REMAIN ON SITE SHALL BE PROTECTED IN PLACE. ANY EXISTING PLANTING OR IRRIGATION DAMAGED DURING THE COURSE OF THE PROJECT SHALL BE REPLACED IN KIND TO THE SATISFACTION OF THE CITY AND PER LANDSCAPE MANUAL REQUIREMENTS. |



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LEGOLAND CALIFORNIA
PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan SDP2023-0012
Coastal Development Permit CDP2023-0022

MERLIN ENTERTAINMENTS GROUP, U.S. HOLDINGS INC.

LEGOLAND CALIFORNIA

PROJECT 2025

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Site Development Plan SDP2023-0012

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OWP PROJECT NO. DATE OF ISSUE
4139.00 09.26.2023

| REVISIONS | | |
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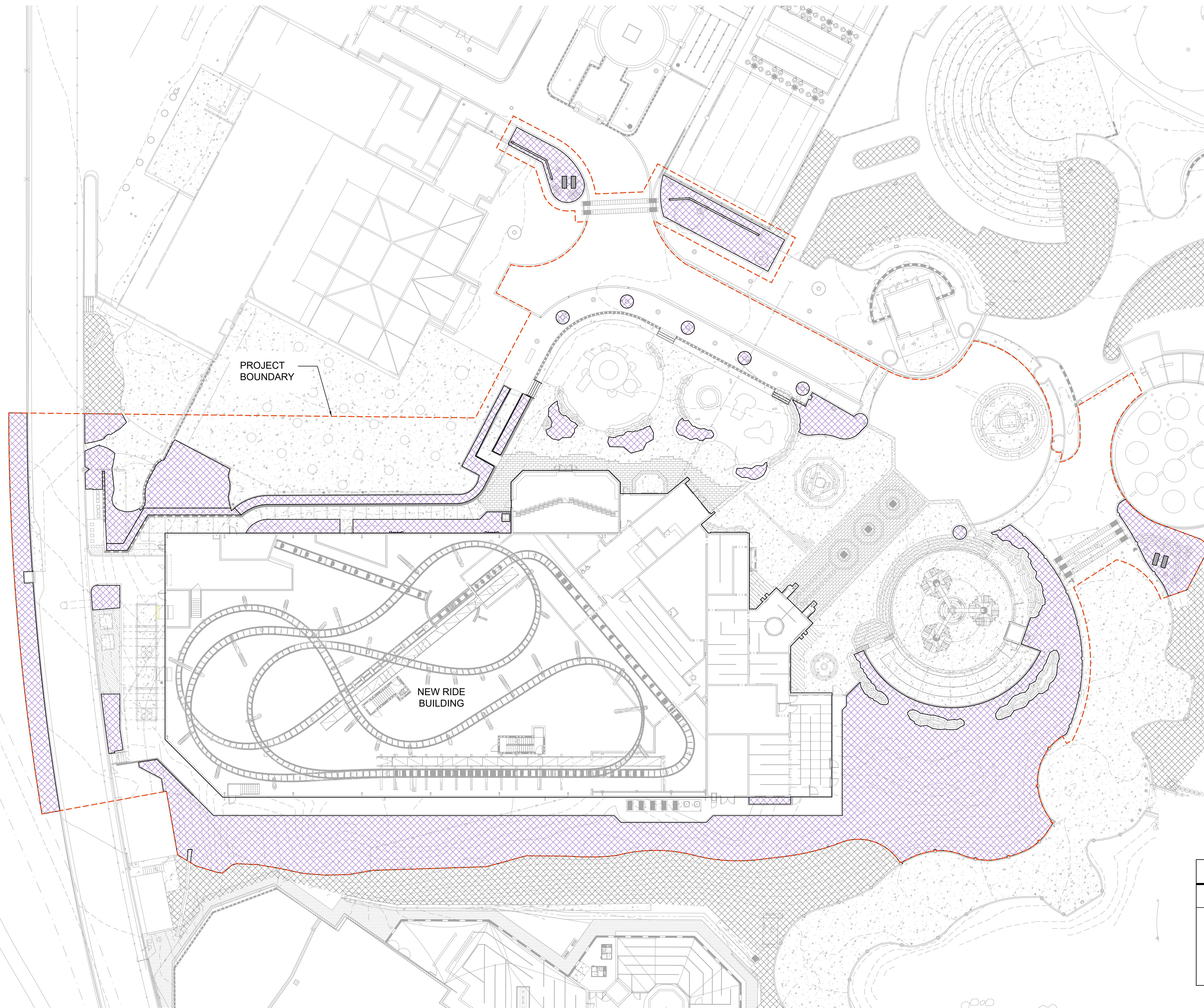
REVIEW BY DRAWN BY
RWA RWA

PROJECT TEAM:
R. W. Apel Landscape Architects, Inc.

PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS
PLANT LEGEND &
LANDSCAPE NOTES

SHEET NO.
L-004



LANDSCAPE WATER CONSERVATION NOTES

THE PROJECT HAS BEEN DESIGNED TO INCORPORATE THE FOLLOWING
WATER CONSERVATION MEASURES:

1. PLANNING AND DESIGN:

THE LANDSCAPE PLAN IS DESIGNED TO INCORPORATE PLANT SPECIES THAT ARE COMPATIBLE WITH THE ESTABLISHED LANDSCAPE PLANT PALETTE AT THE LEGOLAND PARK AND EXCLUDES THE USE OF HIGH WATER USE PLANTS.

POTABLE WATER RESOURCES ARE CONSERVED BY THE EXCLUSIVE USE OF RECYCLED WATER FOR LANDSCAPE IRRIGATION.

THE PROPOSED PLANTING AND IRRIGATION SYSTEM DESIGN WILL BE IN COMPLIANCE WITH THE CITY OF CARLSBAD'S LANDSCAPE MANUAL AND WATER EFFICIENT LANDSCAPE ORDINANCE. PLANTS WITH SIMILAR WATER REQUIREMENTS ARE GROUPED TOGETHER THEREBY PROMOTING EFFICIENT USE OF IRRIGATION WATER. ALL PROPOSED PLANTS ARE IN THE MODERATE TO LOW WATER USE CATEGORIES AS LISTED IN WUCOLS V. BESIDES WATER NEEDS, PLANTS ARE GROUPED BY SIMILAR SUN AND WIND EXPOSURE, SOIL TYPE, MAINTENANCE NEEDS AND AESTHETIC CHARACTERISTICS. HIGH WATER USING LAWNS ARE NOT PROPOSED FOR THIS PROJECT.

2. SOIL PREPARATION:

SOIL TESTS WILL BE PERFORMED THROUGHOUT THE SITE AND SOILS AMENDED ACCORDING TO THE SOIL REPORT RECOMMENDATIONS. ORGANIC COMPOST WILL BE INCORPORATED INTO THE SOIL TO IMPROVE MOISTURE HOLDING CAPACITY AND IMPROVE SOIL TEXTURE AND FERTILITY.

3. EFFECTIVE AND EFFICIENT IRRIGATION METHODS:

THE PROJECT WILL BE IRRIGATED WITH A PERMANENT COMPUTER CONTROLLED IRRIGATION SYSTEM. WATERING SCHEDULES ARE AUTOMATICALLY ADJUSTED WITH DATA FROM AN ON-SITE WEATHER STATION. THE WEATHER STATION SENSORS MEASURE REAL-TIME ENVIRONMENTAL CONDITIONS SUCH AS PRECIPITATION, HUMIDITY AND WIND VELOCITY AND MODIFIES THE IRRIGATION SCHEDULES AS NEEDED TO REDUCE WATER WASTE. WATER EFFICIENT DRIP AND LOW PRECIPITATION RATE OVERHEAD SPRINKLERS WILL BE USED.

4. MULCHED PLANTING BEDS:



A MINIMUM 3 INCH DEEP LAYER OF ORGANIC MULCH WILL BE APPLIED TO LANDSCAPE PLANTING AREAS TO PROMOTE RETENTION OF SOIL MOISTURE.

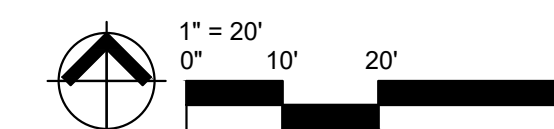
5. PROFESSIONAL LANDSCAPE MAINTENANCE AND MANAGEMENT:

THE PROJECT WILL BE MAINTAINED BY TRAINED IN-HOUSE HORTICULTURAL STAFF AND/OR CAREFULLY SUPERVISED OUTSIDE PARTNERS. THE LANDSCAPE MAINTENANCE STAFF AT LEGOLAND HAVE LONG-TERM EXPERIENCE WITH THE SPECIFIC CONDITIONS AND CHALLENGES OF THE SITE AND HAVE EXCELLENT KNOWLEDGE OF HOW TO MANAGE HORTICULTURAL PROBLEMS THAT MAY OCCUR. THE LANDSCAPE WILL RECEIVE MAINTENANCE ON A CONTINUAL BASIS ALLOWING FOR QUICK RESOLUTION OF IRRIGATION SYSTEM PROBLEMS, FURTHER REDUCING WATER WASTE.

6. STORM WATER MANAGEMENT:

FOR PURPOSES OF LOW IMPACT DESIGN OBJECTIVES AND STORM WATER MANAGEMENT, ALL IMPERMEABLE PAVED SURFACES DRAIN TO LANDSCAPE AND/OR ARE CONVEYED BY UNDERGROUND DRAINAGE SYSTEMS TO THE EXISTING ON-SITE STORM WATER BIORETENTION BASIN LOCATED ALONG THE SOUTHERLY BOUNDARY OF THE LEGOLAND SITE.

| IRRIGATION WATER USE AREAS | | | |
|---------------------------------------------------------------------------------------|-------------------------|-------------|------------|
| SYMBOL | DESCRIPTION | AREA (S.F) | PERCENTAGE |
|  | RECYCLED WATER USE AREA | 20,721 S.F. | 100% |
|  | POTABLE WATER USE AREA | 0 | 0 |



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PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan SDP2023-0012
Coastal Development Permit CDP2023-0022

CLIENT CONTACT
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| | |
|-----------------|---------------|
| OWP PROJECT NO. | DATE OF ISSUE |
| 4139.00 | 09.26.2023 |

| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |

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| REVIEW BY | DRAWN BY |
| RWA | RWA |

PROJECT TEAM:
R. W. Apel Landscape Architects, Inc.

PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS

CONCEPTUAL LANDSCAPE

WATER CONSERVATION
PLAN
SHEET NO.

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MERLIN ENTERTAINMENTS GROUP, U.S. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025
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Site Development Plan SDP2023-0012
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SHEET CONTENTS
LANDSCAPE HYDROZONE
DIAGRAM & WATER USE
CALCULATIONS
SHEET NO.

L-006

| HYDROZONE INFORMATION TABLE | | | | | | |
|-----------------------------|---------------|---------------|---------------------|----------------------------|-----------------------|-----------------|
| PLAN SYMBOL | HYDROZONE * # | ZONE OR VALVE | IRRIGATION METHOD** | PLANT TYPE/ FACTOR*** (PF) | HYDROZONE AREA (S.F.) | % OF TOTAL AREA |
| | HW-RY/ SLA | SHRUBS | RY | 0.8 | 859 SF | 4% |
| | MW-RY/ SLA | SHRUBS | RY | 0.5 | 16,429 SF | 79% |
| | LW-D / SLA | SHRUBS | D | 0.3 | 1,164 SF | 6% |
| | MW-D / SLA | SHRUBS | D | 0.5 | 2,139 SF | 10% |
| | MW-B/ SLA | BUBBLERS | B | 0.5 | 130 SF | 1% |
| TOTAL ALL HYDROZONES: | | | | | 20,721 SF | 100% |
| TOTAL SLA: | | | | | 20,721 SF | 100% |

* Hydrozones:
VLW = Very low water use plants
LW = Low water use plants
MW = Moderate water use plants
HW = High water use plants
SLA = Special Landscape Area
(for recycled water use)

** Irrigation Method:
MS = Micro-spray
S = Spray
R = Rotor
B = Bubbler
D = Drip
RY = Rotary

*** Plant Factor from WUCOLS IV
(Region 3 - South Coastal)

All hydrozones are Special Landscape Areas (SLA) for recycled water use.

| MAXIMUM APPLIED WATER ALLOWANCE (MAWA) CALCULATION | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| The MAMA shall be determined by the following equations: Residential: MAWA = (Eto)(0.62)[(0.55 x LA) + (0.45 x SLA)] Non-Residential: MAWA = (Eto)(0.62)[(0.45 x LA) + (0.55 x SLA)] | |
| Abbreviations used in the equations: MAWA Maximum Applied Water Allowance in gallons per year. Eto Evapotranspiration in inches per year. 0.62 Conversion factor to gallons per square foot. 0.55 or 0.45 ET adjustment factor (ETAF) for plant factors and irrigation efficiency. LA Landscaped area includes special landscape area in square feet. 0.45 or 0.55 The additional ET adjustment factor for a special landscaped area (1.0-0.55=0.45, or 1.0-0.45=0.55) SLA Special landscaped area in square feet. | |
| MAWA calculation: $MAWA = (44.0)(0.62)[(0.45 \times 20,721) + (0.55 \times 20,721)]$ $(27.28)(9,324) + (11,397)]$ $(27.28)(20,721)$ $565,269$ * Eto used is per Carlsbad Landscape Manual. East of I-5 and West of El Camino Real = 44.0 Maximum Applied Water Allowance = 565,269 gallons per year. | |

| ESTIMATED TOTAL WATER USE (ETWU) | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| The following equation shall be used to calculate the ETWU for each landscaped area and the entire project: $ETWU = (Eto)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$ | |
| Abbreviations used in the equations: ETWU Estimated total water use in gallons per year. Eto Evapotranspiration in inches per year. 0.62 Conversion factor to gallons per square foot. PF Plant factor from WUCOLS. HA Hydrozone area in square feet. Each HA shall be classified based upon the data included in the landscape and irrigation plan as high, moderate, low, or very low water use. IE Irrigation Efficiency of the irrigation method used in the hydrozone. SLA Special landscaped area in square feet. | |

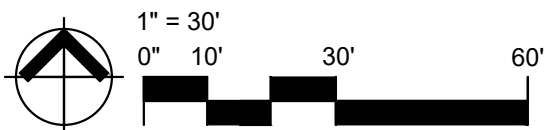
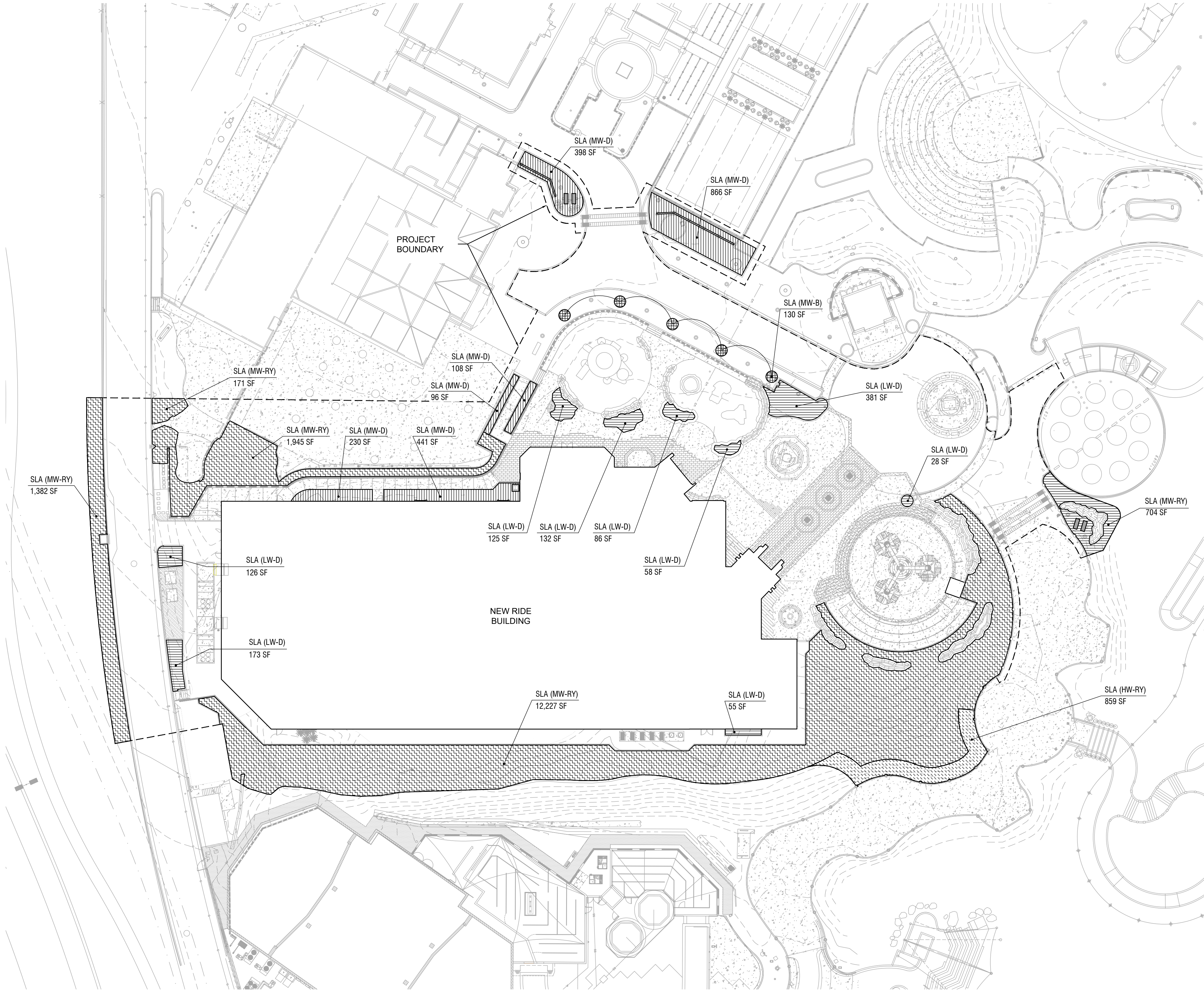
| HYDROZONE TABLE FOR CALCULATING THE ETWU | | | | | | | |
|---------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------------|-----------|----------|----------|----------|--------|
| CITY OF CARLSBAD ESTIMATED TOTAL WATER USE (ETWU) | | | | | | | |
| | | Hydrozone Number (1-5 with SLA Zone Below) | | | | | |
| | Process Step No. (Below) | HW-RY/SLA | MW-RY/SLA | LW-D/SLA | MW-D/SLA | MW-B/SLA | SLA |
| Evapotranspiration Rate (ETo)* | 1 | 44.0 | | | | | |
| Conversion Factor | 2 | 0.62 | | | | | |
| (Step 1 x Step 2) | 3 | 27.28 | | | | | |
| Plant Factor (PF)**(From WUCOLS)(VLW-HW) (0.1-0.8) | 4 | 0.8 | 0.5 | 0.3 | 0.5 | 0.5 | |
| Area of Hydrozone (s.f.) (HA) | 5 | 859 | 16,429 | 1,164 | 2,139 | 130 | 20,721 |
| (Step 4 x Step 5) | 6 | 687 | 8,215 | 349 | 1,070 | 65 | |
| Irrigation Efficiency (IE)*** | 7 | 0.75 | 0.75 | 0.80 | 0.80 | 0.75 | |
| (Step 6 / Step 7) | 8 | 916* | 10,953* | 436* | 1,338* | 87* | |
| (Total All Step 8 + Total SLA s.f. in Step 5) | 9 | 20,721* | | | | | |
| * Step 8 values not included in step 9 calculation since all zones are SLAs. | | | | | | | |
| (Step 3 x Step 9) Estimated Total Water Use in gallons per year (ETWU) - Total shall not exceed MAWA | 10 | 565,269 gallons per year ✓ (does not exceed MAWA) | | | | | |

* Eto:
West of I-5 = 44.0
East of I-5 and West of El Camino Real = 44.0
East of El Camino Real = 47.0
Applicant may provide a different Eto if supported by documentation subject to approval by the City Planning Division.

** Plant Factor & Water Use:
0.1 = VLW - Very low water use plants
0.3 = LW - Low water use plants
0.5 = MW - Moderate water use plants
0.8 = HW - High water use plants

*** IE:
Micro-spray = 0.80
Spray = 0.72
Rotor = 0.72
Rotary = 0.75
Bubbler = 0.75
Drip = 0.80

ESTIMATED MAXIMUM IRRIGATION FLOW DEMAND: 52 G.P.M.



BUILDING DATA (BUILDING CODE)

| OCCUPANCY TYPE | | | | CONSTRUCTION TYPE | | ALLOWABLE BUILDING HEIGHTS AND AREAS | | | PROJECT DESIGN | | | CORRIDORS: MINIMUM WIDTH (INCHES) | | CORRIDORS: MAX. DEAD END (FEET) | | CORRIDORS (N/A): MIN. FIRE-RESISTANCE RATINGS | | MAX. EXIT ACCESS (DISTANCE TO EXIT) IN FEET | | MAX. COMMON PATH OF TRAVEL (CPET) IN FEET | | MAX. DISTANCE TO FIRE EXTINGUISHER IN FEET | | |
|--------------------------------------------------|--|--------------------------------------------------|--|-------------------|----------|------------------------------------------------|--|-------------------------------------------------------|----------------|--------------------------------|----------------|-----------------------------------|--------------|---------------------------------|--------------|-----------------------------------------------|----------------------------|---------------------------------------------|--------------|-------------------------------------------|--------------|-------------------------------------------------------------|-----|------|
| CBC CHAPTER 3 - USE AND OCCUPANCY CLASSIFICATION | | NFPA - CHAPTER 6 - CLASSIFICATION OF OCCUPANCIES | | CBC | NFPA | CBC TABLE 503 - (II-B) FULLY SPRINKLERED | | NFPA 5000 TABLE 7.4.1 - (II) (222) FULLY SPRINKLERED | | ACTUAL HEIGHT | ACTUAL STORIES | ACTUAL BUILDING AREA | CBC (1020.3) | NFPA (12.2.3.8) | CBC (1018.4) | NFPA (12.2.5.3) | CBC (TABLE 1018.1) | NFPA (7.1.3.1& 8.3.3.2.2) | CBC (1017.2) | NFPA (12.2.6.2) | CBC (1014.3) | NFPA | CBC | NFPA |
| ASSEMBLY - GROUP A-3 | | ASSEMBLY OCCUPANCY: > 300 | | II-B | II (222) | GROUP A-3..... 75 FEET - 3 SOTRIES - 38,000 SF | | ASSEMBLY > 300 : 180 FEET - 12 STORIES - UNLIMITED SF | | 45 FEET TALL (TO ROOF PARAPET) | 1 - STORY | 30,805 SF (GROSS) | 44 | 44 | 20 FT | 20 | * NONE (IF AUTO-SPRINKLER) | * NONE (IF AUTO-SPRINKLER) | A-3- 250 FT | A - 250 FT | A-3- 75 FT | A - * 20 IF > 50 OCCS * 75 IF < OR = 50 OCCS * 50 AT AISLES | 75 | 75 |

* BUILDING IS DESIGNED TO COMPLY WITH THE MOST STRINGENT REQUIREMENT

APPLICABLE CODES & REGULATIONS

CALIFORNIA BUILDING STANDARD CODES, W/ CITY OF CARLSBAD AMMENDMENTS

BUILDING 2022 CALIFORNIA BUILDING CODE, VOLUME 1 & 2
ACCESSIBILITY 2022 CALIFORNIA BUILDING CODE, CHAPTER 118
FIRE/LIFE SAFETY FIRE CODE OF CITY OF CARLSBAD
2022 CALIFORNIA FIRE CODE, INCLUDING APPENDIX CHAPTER 4, B, BB, C, CC, D, E, F, G, HAND O, AND THE CALIFORNIA STANDARDS CHAPTER 17 (A)
FIRE PROTECTION ORDINANCE (TITLE 17)
NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES & STANDARDS

ELECTRICAL 2022 CALIFORNIA ELECTRICAL CODE
MECHANICAL 2022 CALIFORNIA MECHANICAL CODE
PLUMBING 2022 CALIFORNIA PLUMBING CODE
ENERGY 2022 CALIFORNIA ENERGY CODE, TITLE 24, PART 6

GREEN BUILDING CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN)

* NFPA 101: THE LIFE SAFETY CODE - 2021 EDITION

- a. NFPA 10, 2022 edition, Standard for Portable Fire Extinguishers.
b. NFPA 12, 2022 edition, Standard on Carbon Dioxide Extinguishing Systems.
c. NFPA 13, 2022 edition, Standard for the Installation of Sprinkler Systems.
d. NFPA 14, 2022 edition, Standard for the Installation of Standpipe and Hose Systems.
e. NFPA 20, 2022 edition, Standard for the Installation of Stationary Pumps for Fire Protection.
f. NFPA 25, 2022 edition, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems.
g. NFPA 70, 2023 edition, National Electrical Code®.
h. NFPA 72, 2022 edition, National Fire Alarm and Signaling Code.
i. NFPA 80, 2022 edition, Standard for Fire Doors and Other Opening Protectives.
j. NFPA 90A, 2022 edition, Standard for the Installation of Air-Conditioning and Ventilating Systems.
k. NFPA 90B, 2022 edition, Standard for the Installation of Warm Air Heating and Air-Conditioning Systems.
l. NFPA 110, 2022 edition, Standard for Emergency and Standby Power Systems.
m. NFPA 112, 2022 edition, Standard for Fire Safety and Emergency Symbols.
n. NFPA 220, 2021 edition, Standard on Types of Building Construction.
o. NFPA 221, 2022 edition, Standard for High Challenge Fire Walls, Fire Walls, and Fire Barrier Walls.
p. NFPA 241, 2013 edition, Standard for Safeguarding Construction, Alteration and Demolition Operations.
q. NFPA 251, 2006 edition, Standard Methods of Tests of Fire Resistance of Building Construction and Materials.
r. NFPA 252, 2017 edition, Standard Methods of Fire Tests of Door Assemblies.
s. NFPA 255, 2006 edition, Standard Method of Test of Surface Burning Characteristics of Building Materials.
t. NFPA 256, 2003 edition, Standard Methods of Fire Tests of Roof Coverings.
u. NFPA 257, 2011 edition, Standard on Fire Test for Window and Glass Block Assemblies.
v. NFPA 258, 2017 edition, Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems.
x. NFPA 703, 2022 edition, Standard for Fire Retardant-Treated Wood and Fire-Retardant Coatings for Building Materials.
y. NFPA 704, 2017 edition, Standard System for the Identification of the Hazards of Materials for Emergency Response.
z. NFPA 720, 2022 edition, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment.
aa. NFPA 1963, 2022 edition, Standard for Fire Hose Connections.
bb. NFPA 500, 2021 edition, Building Construction and Safety Code

WHERE THE LOCAL CODES AND STANDARDS LISTED ARE IN CONFLICT OR DIFFER WITH THE STATE-APPROVED CODES FOR LICENSURE, THE MOST STRINGENT SHALL APPLY.

(SEE MPI/EFP SPECIFICATIONS DIVISIONS FOR ADDITIONAL CODE REFERENCES.)

FIRE RESISTANCE RATING REQUIREMENTS
CONSTRUCTION TYPE: NFPA 220: V (000) / CBC: V-B

| THE MORE STRINGENT REQUIREMENTS GOVERN | NFPA 220 TABLE 4.1.1 TYPE V (000) NO - SPRINKLERED | IBC TABLE 601 TYPE I-B NO - SPRINKLERED |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------|
| EXTERIOR BEARING WALLS - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 0 (N/A) 0 (N/A) 0 | 0 |
| INTERIOR BEARING WALLS - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 0 (N/A) 0 (N/A) 0 | 0 |
| COLUMNS (STRUCTURAL FRAME) - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 0 (N/A) 0 0 | 0 |
| BEAMS, GIRDERS, TRUSSES & ARCHES (STRUCTURAL FRAME) - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 0 (N/A) 0 0 | 0 |
| FLOOR CONSTRUCTION..... | 0 | 0 |
| ROOF CONSTRUCTION..... | 0 | 0 |
| INTERIOR NONBEARING WALLS..... | 0 | 0 |
| EXTERIOR NONBEARING WALLS..... Fire Separation Distance = X (feet) X < 5..... 5 < X < 10..... 10 < X < 30..... 30 < X..... | 0 0 0 0 | 1 1 0 0 |

NOTES:

A. ROOF SUPPORTS - FIRE RESISTANCE RATING OF PRIMARY STRUCTURAL FRAME AND BEARING WALLS ARE PERMITTED TO BE REDUCED BY ONE HOUR WHERE SUPPORTING A ROOF ONLY

B. EXCEPT IN GROUP F-1, H, M, AND S-1 OCCUPANCIES, FIRE PROTECTION OF STRUCTURAL MEMBERS SHALL NOT BE REQUIRED, INCLUDING PROTECTION OF ROOF FRAMING AND DECKING WHERE EVERY PART OF THE ROOF CONSTRUCTION IS 20 FEET OR MORE ABOVE ANY FLOOR IMMEDIATELY BELOW. FIRE-RETARDANT-TREATED WOOD MEMBERS SHALL BE ALLOWED TO BE USED FOR SUCH UNPROTECTED MEMBERS.

C. NFPA 220 - 4.3.2.8 - ROOFS 20 FEET OR MORE ABOVE ANY FLOOR - FIRE RESISTIVE PROTECTION OF THE ROOF/CEILING ASSEMBLY SHALL NOT BE REQUIRED WHERE EVERY PART OF THE ROOF / CEILING ASSEMBLY IS 20 FT OR MORE ABOVE ANY FLOOR IMMEDIATELY BELOW.

PLUMBING FIXTURE COUNT - TABLE 403.1 - CALIFORNIA PLUMBING CODE

| OCCUPANCY | DESCRIPTION | OCCUPANTS | OCCUPANTS BY GENDER | | WATER CLOSETS OR URINALS | | | | | | LAVATORIES | | | | | | DRINKING FOUNTAINS | | SERVICE SINK | | | |
|-----------|-----------------------------------|-----------|---------------------|--------|--------------------------|------|-----|----------|-------------|-----|------------|---------------|-----|----------|---------------|-----|--------------------|-------------------------------|--------------|-----------|-----|---|
| | | | | | REQUIRED | | | PROVIDED | | | REQUIRED | | | PROVIDED | | | REQUIRED | PROVIDED | REQUIRED | PROVIDED | | |
| | | | MALE | FEMALE | MALE | WCUR | WC | UR | FEMALE | WC | WC | MALE | LAV | FEMALE | LAV | LAV | | | | | | |
| A-3 | ASSEMBLY (INDOOR W/O FIX SEATING) | 1,443 | 721.5 | 721.5 | 4 PER >400 | 4 | 6 | 7 | 9 PER >400 | 8.2 | 13 | 3 PER 401-600 | 4 | 6 | 6 PER 501-750 | 6 | 7 | 5 PER 501-750 + 1 PER AOT 500 | 4.3 | 2 | 1 | 1 |
| M | MERCANTILE | 9 | 4.5 | 4.5 | 1 PER 1-100 | 1 | | | 1 PER 1-100 | 1 | | 1 PER 200 | 1 | | 1 PER 200 | 1 | | 1 PER 200 | 1 | 1 PER 250 | .36 | 1 |
| TOTAL | | 1,452 | | | | 5 | 13* | | 10 | 13* | | 6 | 6* | | 7 | 7* | | 4.66 ± 5 | 2* | 1 | 1 | |

(*) RESTROOMS ARE PROVIDED IN EXISTING TOILET FACILITIES. REQUIRED WATER FOUNTAINS ARE PROVIDED AT EXISTING PARK AREAS. NEW OCCUPANCY LOAD IS LESS THAN OCCUPANCY ON EXISTING AMUSEMENT RIDE THAT NEW PROJECT REPLACES. PER CBC SECTION 202.3.3, THE MAXIMUM PATH OF TRAVEL TO TOILET FACILITIES SHALL NOT EXCEED 500'.

LIFE SAFETY PROJECT DATA

CALIFORNIA BUILDING CODE: BUILDING, PART 1

BUILDING EQUIPPED THROUGHOUT WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM

CBC CHAPTER 6 - CONSTRUCTION TYPE II-B FULLY SPRINKLERED (TABLE 601)
(SEE FIRE RESISTANCE RATING TABLE - THIS SHEET)

CBC CHAPTER 7 - FIRE AND SMOKE PROTECTION FEATURES

- 703.7 FIRE WALLS, FIRE BARRIERS, FIRE PARTITIONS, SMOKE BARRIERS AND SMOKE PARTITIONS OR ANY OTHER WALL REQUIRED TO HAVE PROTECTED OPENINGS OR PENETRATIONS SHALL BE EFFECTIVELY AND PERMANENTLY IDENTIFIED WITH SIGNS OR STENCILING. SUCH IDENTIFICATION SHALL:
1. BE LOCATED IN ACCESSIBLE CONCEALED FLOOR, FLOOR-CEILING OR AT CORNICES.
 2. BE LOCATED WITHIN 15 FEET OF THE END OF EACH WALL AND AT INTERVALS NOT EXCEEDING 30 FEET MEASURED HORIZONTALLY ALONG THE WALL OR PARTITION.
 3. INCLUDE LETTERING NOT LESS THAN 3 INCHES IN HEIGHT AND A MINIMUM OF 3/8 INCH STROKE IN A CONTRASTING COLOR INCORPORATING THE SUGGESTED WORDING: "FIRE AND/OR SMOKE BARRIER - PROTECT ALL OPENINGS" OR OTHER WORDING.

CBC CHAPTER 10 - MEANS OF EGRESS

1001.4 FIRE SAFETY AND EVACUATION PLANS
FIRE SAFETY AND EVACUATION PLANS SHALL BE PROVIDED FOR ALL OCCUPANCIES AND BUILDINGS WHERE REQUIRED BY THE CALIFORNIA FIRE CODE. SUCH FIRE SAFETY AND EVACUATION PLANS SHALL COMPLY WITH THE APPLICABLE PROVISIONS OF SECTIONS 401.2 AND 404 OF THE CALIFORNIA FIRE CODE.

CBC CHAPTER 10 - TABLE 1004.1.2, MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT
REFER TO OCCUPANT LOAD TABLE (SHEET A-011)

1003.3.2 OCCUPANT CAPACITY BASED ON OCCUPANT LOAD

1003.3.1 STAIRWAYS
THE REQUIRED, IN INCHES OF MEANS OF EGRESS STAIRWAYS SHALL BE CALCULATED BY MULTIPLYING THE OCCUPANT LOAD SERVED BY SUCH STAIRWAY BY A MEANS OF EGRESS CAPACITY FACTOR OF 0.3 INCH PER OCCUPANT, WHERE STAIRWAYS SERVE MORE THAN ONE STORY. ONLY THE OCCUPANT LOAD OF EACH STORY CONSIDERED INDIVIDUALLY SHALL BE USED IN CALCULATING THE REQUIRED CAPACITY OF THE STAIRWAY SERVING THAT STORY.

EXCEPTION:
FOR OTHER THAN GROUP H AND I-2 OCCUPANCIES, THE CAPACITY, IN INCHES OF MEANS OF EGRESS STAIRWAYS SHALL BE CALCULATED BY MULTIPLYING THE OCCUPANT LOAD SERVED BY SUCH STAIRWAY BY A MEANS OF EGRESS CAPACITY FACTOR OF 0.2 INCH PER OCCUPANT IN BUILDINGS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM AND AN EMERGENCY VOICE/ALARM COMMUNICATION SYSTEM.

1005.3.2 OTHER EGRESS COMPONENTS
THE CAPACITY IN INCHES OF MEANS OF EGRESS COMPONENTS OTHER THAN STAIRWAYS SHALL BE CALCULATED BY MULTIPLYING THE OCCUPANT LOAD SERVED BY SUCH COMPONENT BY A MEANS OF EGRESS CAPACITY FACTOR OF 0.2 INCH PER OCCUPANT

EXCEPTION:
FOR OTHER THAN GROUP H AND I-2 OCCUPANCIES, THE CAPACITY, IN INCHES OF MEANS OF EGRESS COMPONENTS OTHER THAN STAIRWAYS SHALL BE CALCULATED BY MULTIPLYING THE OCCUPANT LOAD SERVED BY SUCH COMPONENT BY A MEANS OF EGRESS CAPACITY FACTOR OF 0.15 INCH PER OCCUPANT IN BUILDINGS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM AND AN EMERGENCY VOICE/ALARM COMMUNICATION SYSTEM.

BUILDING FIRE ALARM SYSTEM TO INCLUDE VOICE / ALARM COMMUNICATION SYSTEM.

TABLE 1006.3.3 - OCCUPANT LOAD PER STORY BETWEEN 501-1,000 OCCUPANT REQUIRES A MINIMUM OF 3 EXITS FROM STORY. REFER TO LIFE SAFETY PLAN FOR EGRESS LOCATION. A TOTAL OF 3 EXITS ARE PROVIDED.

CALIFORNIA BUILDING CODE: PART 2, (TITLE 24, CALGREEN)

CBC CHAPTER 5: POLLUTANT CONTROL REQUIREMENTS:

TABLE 5.504.4.1
Less Water and Less Exempt Compounds in Grams Per Liter

| ARCHITECTURAL APPLICATIONS | CURRENT VOC LIMIT |
|----------------------------------------|-------------------|
| Indoor carpet adhesives | 50 |
| Carpet pad adhesives | 50 |
| Outdoor carpet adhesives | 150 |
| Wood flooring adhesive | 100 |
| Rubber floor adhesives | 60 |
| Self-floor adhesives | 50 |
| Ceramic tile adhesives | 65 |
| VCT and asphalt tile adhesives | 50 |
| Drywall and panel adhesives | 50 |
| Carve base adhesives | 50 |
| Multipurpose construction adhesives | 70 |
| Structural glazing adhesives | 100 |
| Single-ply roof membrane adhesives | 250 |
| Other adhesive not specifically listed | 50 |
| SPECIALTY APPLICATIONS | |
| PVC welding | 510 |
| CPVC welding | 490 |
| ABS welding | 325 |
| Plastic cement welding | 250 |
| Adhesive primer for plastic | 550 |
| Contact adhesive | 80 |
| Special purpose contact adhesive | 250 |
| Structural wood member adhesive | 140 |
| Top and trim adhesive | 250 |
| SUBSTRATE SPECIFIC APPLICATIONS | |
| Metal to metal | 30 |
| Plastic forms | 50 |
| Porous material (except wood) | 30 |
| Wood | 80 |
| Fiberglass | 80 |

1. If an adhesive is used to bond dissimilar substrates together the adhesive with the highest VOC content shall be allowed.
2. For additional information regarding methods to measure the VOC content specified in this table, see South Coast Air Quality Management District Rule 1168, <http://www.arb.ca.gov/DQDD/SCC/CURH/TMLR1168.PDF>.

TABLE 5.504.4.2
Less Water and Less Exempt Compounds in Grams per Liter

| SEALANTS | CURRENT VOC LIMIT |
|--------------------------|-------------------|
| Architectural | 250 |
| Marine deck | 760 |
| Nonmembrane roof | 360 |
| Roofing | 250 |
| Single-ply roof membrane | 450 |
| Other | 420 |
| SEALANT PRIMERS | |
| Architectural | 250 |
| Nonporous | 775 |
| Porous | 500 |
| Marine deck | 760 |
| Other | 750 |

Note: For additional information regarding methods to measure the VOC content specified in these tables, see South Coast Air Quality Management District Rule 1168.

NOTE:

REFER TO SPECIFICATIONS FOR ADDITIONAL PRODUCT REQUIREMENTS

TABLE 5.504.4.3
VOC CONTENT LIMITS FOR ARCHITECTURAL COATINGS¹

| COATING CATEGORY | CURRENT LIMIT |
|-------------------------------------------|---------------|
| Flat coatings | 50 |
| Nonflat coatings | 100 |
| Nonflat-high gloss coatings | 150 |
| SPECIALTY COATINGS | |
| Aluminum roof coatings | 400 |
| Basement specialty coatings | 400 |
| Bituminous roof coatings | 50 |
| Bituminous roof primers | 350 |
| Bond breakers | 350 |
| Concrete curing compounds | 350 |
| Concrete/masonry sealers | 100 |
| Dewaxing solers | 50 |
| Dry-fog coatings | 150 |
| Faux finishing coatings | 350 |
| Fire restorative coatings | 350 |
| Floor coatings | 100 |
| Form-release compounds | 250 |
| Graphic arts coatings (sign points) | 500 |
| High temperature coatings | 420 |
| Industrial maintenance coatings | 250 |
| Low solids coatings ² | 120 |
| Magnesium cement coatings | 450 |
| Mastic texture coatings | 100 |
| Metallized pigmented coatings | 500 |
| Multicolor coatings | 250 |
| Pretreatment wash primers | 420 |
| Primers, sealers, and undercoats | 100 |
| Reactive penetrating sealers | 350 |
| Recycled coatings | 250 |
| Roof coatings | 50 |
| Rust preventative coatings | 250 |
| Shells | 730 |
| Clear | 550 |
| Opaque | 100 |
| Specialty primers, sealers and undercoats | 250 |
| Stains | 450 |
| Stone consolidants | 340 |
| Swimming pool coatings | 100 |
| Traffic marking coatings | 420 |
| Tib and tile refinsh coatings | 420 |
| Waterproofing membranes | 250 |
| Wood coatings | 275 |
| Wood preservatives | 350 |
| Zinc-rich primers | 340 |

1. Grams of VOC, per liter of coating, including water and including exempt compounds.
2. The specified limits remain in effect unless revised limits are listed in subsequent columns in the table.
3. Values in this table are derived from those specified by the California Air Resources Board, Architectural Coatings Suggested Control Measure, February 1, 2008. More information is available from the Air Resources Board.

TABLE 5.504.4.5
FORMALDEHYDE LIMITS¹

| PRODUCT | CURRENT LIMIT |
|---------------------------------------------|---------------|
| Hardwood plywood veneer core | 0.05 |
| Hardwood plywood composite core | 0.05 |
| Particleboard | 0.09 |
| Medium density fiberboard | 0.11 |
| Thin medium density fiberboard ² | 0.13 |

1. Values in this table are derived from those specified by the California Air Resources Board, Air Toxics Control Measure for Composite Wood as tested in accordance with ASTM E1333. For additional information, see California Code of Regulations, Title 17, Sections 93120 through 93120.12.
2. Thin medium density fiberboard has a maximum thickness of 1/8 inch (0 mm).

CALIFORNIA ENERGY CODE

BUILDING ENERGY EFFICIENCY (TITLE 24, PART 6, CHAPTER 5, SECTION 140.3)

| ENVELOPE REQUIREMENTS (TABLE 140.3.B) | ENVELOPE PROVIDED |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BUILDING CLIMATE ZONE: MAX U-FACTORS ROOF / CEILINGS: WALLS ROOFING PRODUCTS: * LOW-SLOPED * AGED SOLAR REFLECTANCE * THERMAL EMITTANCE AIR BARRIER EXTERIOR DOORS, MAXIMUM U-FACTOR * NON-SWINGING * SWINGING FENESTRATION: * VERTICAL FIX WINDOW: * MAX U-FACTOR * MAX RSHGC * MIN VT * VERTICAL CURTAIN WALL: * MAX U-FACTOR * MAX RSHGC * MIN VT * VERTICAL OPERABLE WINDOWS (N/A) * VERTICAL GLAZED DOORS * MAX U-FACTOR * MAX RSHGC * MIN VT * MAX WWR% * SKYLIGHTS (N/A) | 7 METAL BUILDING: 0.041 WOOD/OTHER: 0.0149 METAL BUILDING: 0.113 METAL FRAMED: 0.060 0.25 SRI 0.80 REQUIRED 1.45 0.70 0.36 0.25 0.42 0.38 0.25 0.46 - 0.45 0.23 0.17 40% 40% |

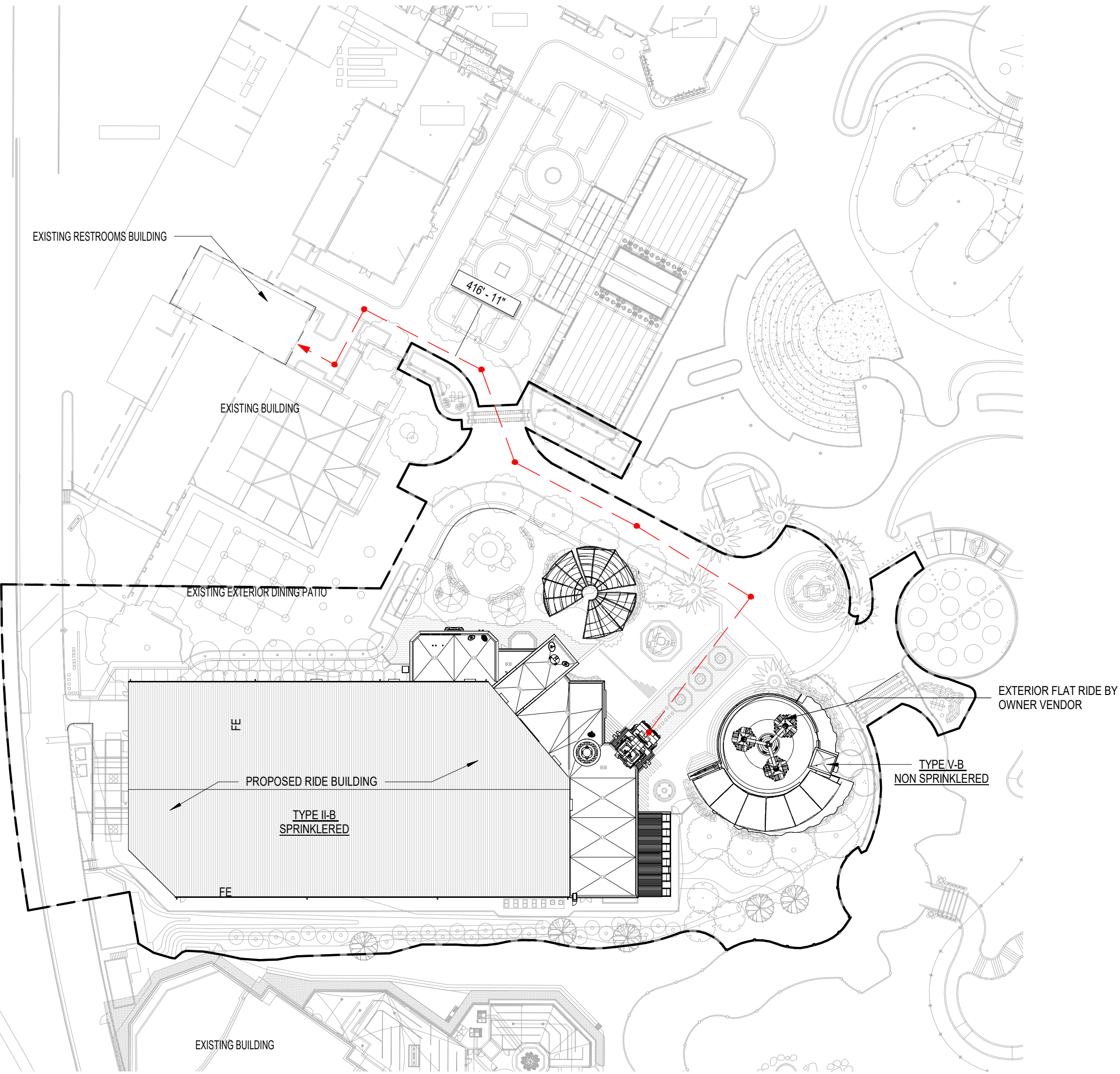
1. INSTALLATION OF FIRE EXTINGUISHERS SHALL COMPLY WITH FLORIDA FIRE PREVENTION CODE 1 SECTION 13.6.
2. PROVIDE WALL MOUNTED, PORTABLE FIRE EXTINGUISHERS AS INDICATED ON THE PLAN

FIRE EXTINGUISHER SHALL BE INSTALLED SUCH THAT THE TOP IS NOT MORE THAN 5'-0" AFF.

BOTTOM OF FIRE EXTINGUISHER SHALL BE INSTALLED SUCH THAT THE BOTTOM IS NOT LESS THAN 4" AFF.

FINISHED FLOOR

FIRE EXTINGUISHER-NOTES



1 SITE PLAN ADJACENCY PLAN

1" = 50'-0"

GENERAL NOTES

1. REFER TO LIFE SAFETY PLANS FOR EGRESS LOAD TAGS, TRAVEL DISTANCE AND EXIT LOAD CAPACITIES.
2. REFER TO LIFE SAFETY PLANS FOR OCCUPANCY LOAD TABLE.
3. THE GRAPHIC SIGNAGE DESIGN PACKAGE BY THE OWNER'S SIGNAGE VENDOR SHALL BE A SEPARATE PACKAGE AND IS NOT PART OF THE CONSTRUCTION DOCUMENTS. FOR THIS BUILDING, THE GRAPHIC SIGNAGE PACKAGE IS ANTICIPATED TO BE ISSUED DURING CONSTRUCTION AS A SEPARATE PACKAGE BY OTHERS. EXIT DOOR TACTILE SIGNAGE WILL BE PART OF THE GRAPHIC SIGNAGE PACKAGE.
- 4.

FIRE RESISTANCE RATING REQUIREMENTS

CONSTRUCTION TYPE: NFPA-5000: II (222) / CBC: II-B

| THE MORE STRINGENT REQUIREMENTS GOVERN | NFPA 5000 TABLE 4.1.1 TYPE I (222) SPRINKLERED | IBC TABLE 601 TYPE I-B SPRINKLERED | U.L. DESIGN NUMBER |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|---------------------------------------|
| EXTERIOR BEARING WALLS - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 2 (N/A) 2 (N/A) 1 | 0 | N/A |
| INTERIOR BEARING WALLS - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 2 (N/A) 2 (N/A) 1 | 0 | U905 |
| COLUMNS (STRUCTURAL FRAME) - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 2 (N/A) 2 1 | 0 | X771, X772 |
| BEAMS, GIRDERS, TRUSSES & ARCHES (STRUCTURAL FRAME) - Supporting more than one floor, columns, or other bearing walls..... Supporting one floor only..... Supporting a roof only..... | 2 (N/A) 2 1 | 0 | N series (Floors) S series (Roofs) |
| FLOOR CONSTRUCTION..... | 2 | 0 | N708 |
| ROOF CONSTRUCTION..... | 1 - NOTE C | 0 | S717 |
| INTERIOR NONBEARING WALLS..... | 0 | 0 | SEE PARTITION TYPES |
| EXTERIOR NONBEARING WALLS (CBD Table 705.5)..... Fire Separation Distance = X (feet) X < 5..... 5 < X < 10..... 10 < X < 30..... X > 30..... | 0 1 1 1 0 | | N/A |

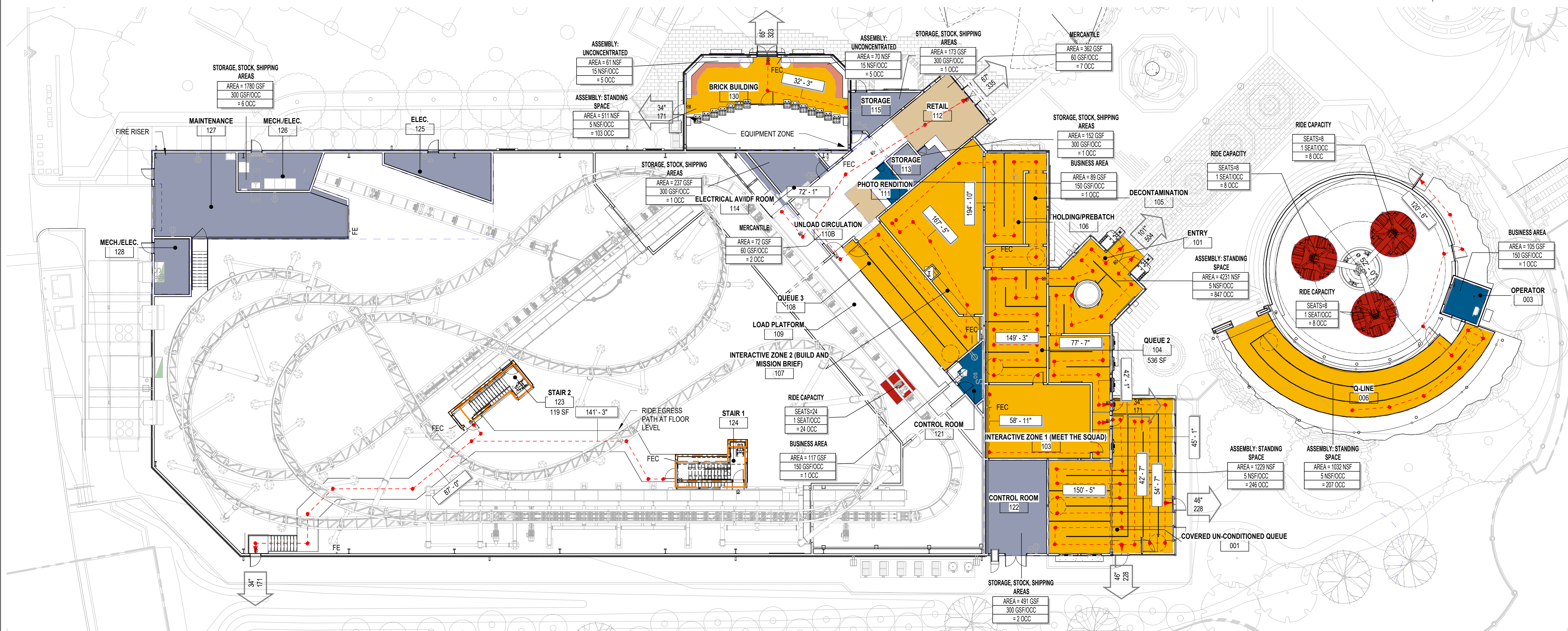
NOTES:
A. ROOF SUPPORTS - FIRE RESISTANCE RATING OF PRIMARY STRUCTURAL FRAME AND BEARING WALLS ARE PERMITTED TO BE REDUCED BY ONE HOUR WHERE SUPPORTING A ROOF ONLY.
B. EXCEPT IN GROUP F-1, H, M, AND S-1 OCCUPANCIES, FIRE PROTECTION OF STRUCTURAL MEMBERS SHALL NOT BE REQUIRED INCLUDING PROTECTION OF ROOF FRAMING AND DECKING WHERE EVERY PART OF THE ROOF CONSTRUCTION IS 20 FT OR MORE ABOVE ANY FLOOR IMMEDIATELY BELOW.
C. NFPA 220 - 4.3.2.8 - ROOFS 20 FT OR MORE ABOVE ANY FLOOR - FIRE RESISTIVE PROTECTION OF THE ROOF / CEILING ASSEMBLY SHALL NOT BE REQUIRED WHERE EVERY PART OF THE ROOF / CEILING ASSEMBLY IS 20 FT OR MORE ABOVE ANY FLOOR IMMEDIATELY BELOW.

SDP2023-0012 / CDP2023-0022



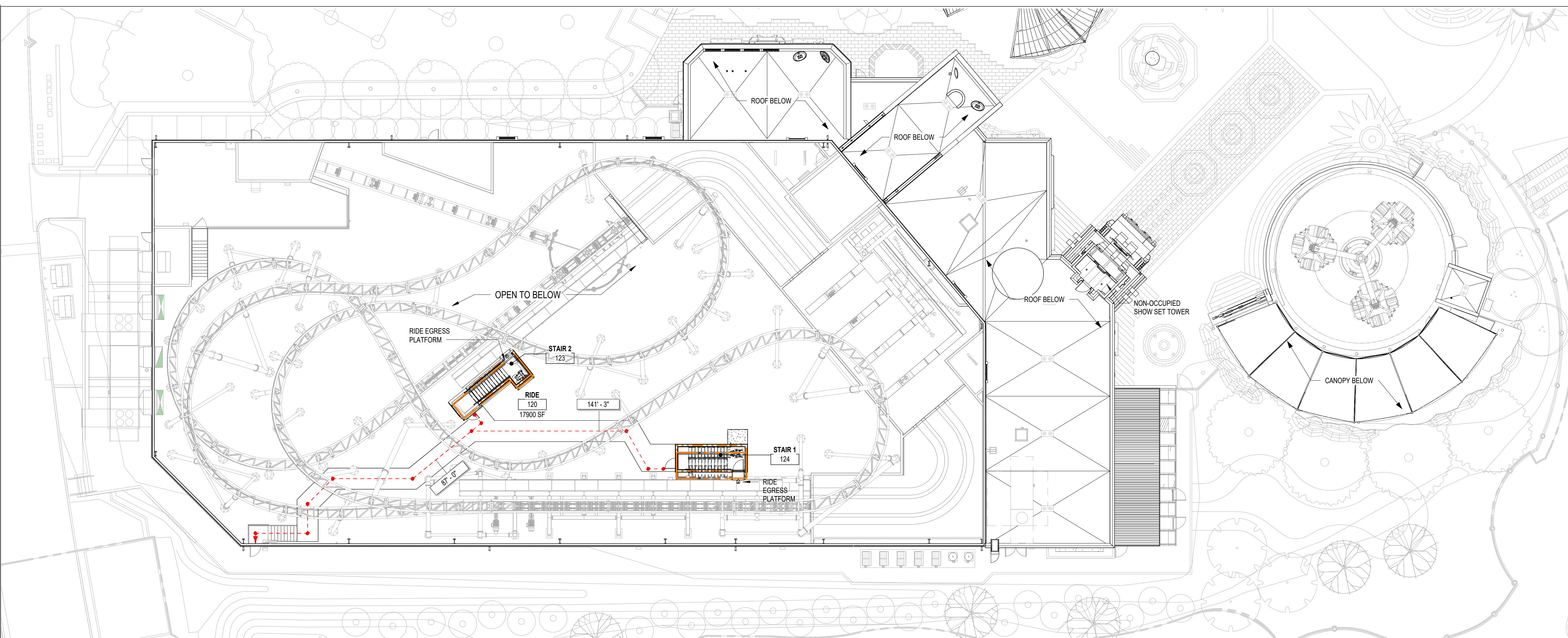
LIFE SAFETY PLAN - LEVEL 1

1/16" = 1'-0"



LIFE SAFETY PLAN - EGRESS PLATFORM LEVEL

1/16" = 1'-0"



SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- PROVIDE ALL NECESSARY FIREPROOFING / SAFING TO MAINTAIN REQUIRED RATINGS.
- ALL EXIT SIGNS AND VISUAL NOTIFICATION APPLIANCES ARE TO BE MOUNTED TO MAXIMIZE VISIBILITY.
- SEE FIRE PROTECTION DRAWINGS FOR FIRE SPRINKLER / FIRE PROTECTION INFORMATION.

LIFE SAFETY LEGEND

- F.E.C. TO F.E.C. DISTANCE 75' MAX
- FEC
- FE
- PORTABLE FIRE EXTINGUISHER
- OCCUPANCY TYPE
- ACCESSORY STORAGE MECHANICAL EQUIPMENT
- AREA = 1500 GSF
- 300 GSF/OCC
- = 999 OCC
- AREA
- AREA PER OCCUPANT
- TOTAL OCCUPANT LOAD
- 2 HOUR RATED FIRE ASSEMBLY
- 1 HOUR RATED FIRE ASSEMBLY
- XX
- EGRESS PATH AND DISTANCE
- WALL MOUNTED
- CEILING MOUNTED
- ILLUMINATED EXIT SIGN
- FIRE ALARM
- FIRE ALARM - AUDIO/VISUAL DEVICE - WALL MOUNTED
- FIRE ALARM - AUDIO DEVICE - WALL MOUNTED
- FIRE ALARM - VISUAL DEVICE - WALL MOUNTED
- FIRE ALARM - AUDIO/VISUAL DEVICE - CEILING MOUNTED
- FIRE ALARM - AUDIO DEVICE - CEILING MOUNTED
- FIRE ALARM - VISUAL DEVICE - CEILING MOUNTED
- FACP
- FIRE ALARM CONTROL PANEL
- FAA
- FIRE ALARM REMOTE ANNUCIATOR PANEL
- FIRE ALARM - MANUAL PULL STATION
- SMOKE DETECTOR

BUILDING OCCUPANT LOAD

| CBC TABLE 1004.1.2 | # OF OCC |
|--------------------------------|----------|
| ASSEMBLY: STANDING SPACE | 1196 |
| ASSEMBLY: UNCONCENTRATED | 10 |
| BUSINESS AREA | 3 |
| MERCANTILE | 9 |
| STORAGE, STOCK, SHIPPING AREAS | 11 |
| RIDE CAPACITY | 24 |
| TOTAL | 1253 |

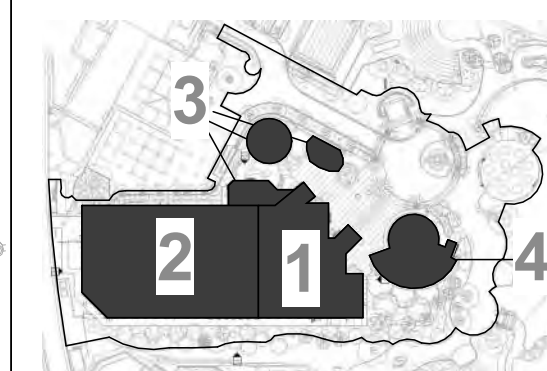
SITE OCCUPANT LOAD

| CBC TABLE 1004.1.2 | # OF OCC |
|--------------------------|----------|
| ASSEMBLY: STANDING SPACE | 207 |
| RIDE CAPACITY | 24 |
| TOTAL | 231 |

LIFE SAFETY AREA TYPES

- ASSEMBLY: STANDING SPACE
- ASSEMBLY: UNCONCENTRATED
- BUSINESS AREA
- MERCANTILE
- RIDE CAPACITY
- STORAGE, STOCK, SHIPPING AREAS

KEY PLAN



SDP2023-0012 / CDP2023-0022

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HHCP
Orcutt Winslow
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LEGOLAND CALIFORNIA PROJECT 2025

MERLIN ENTERTAINMENTS GROUP, U.S. HOLDINGS INC.

One Legoland Drive, Carlsbad, California 92008 USA

Site Development Plan, SDP2023-0012

Coastal Development Permit, CDP2023-0022

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OWP PROJECT NO. 4139.00
DATE OF ISSUE 12.20.2023

REVISIONS
DELTA DESCRIPTION DATE

REVIEW BY EH, LMS
DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS
LIFE SAFETY PLANS

SHEET NO.

A-011

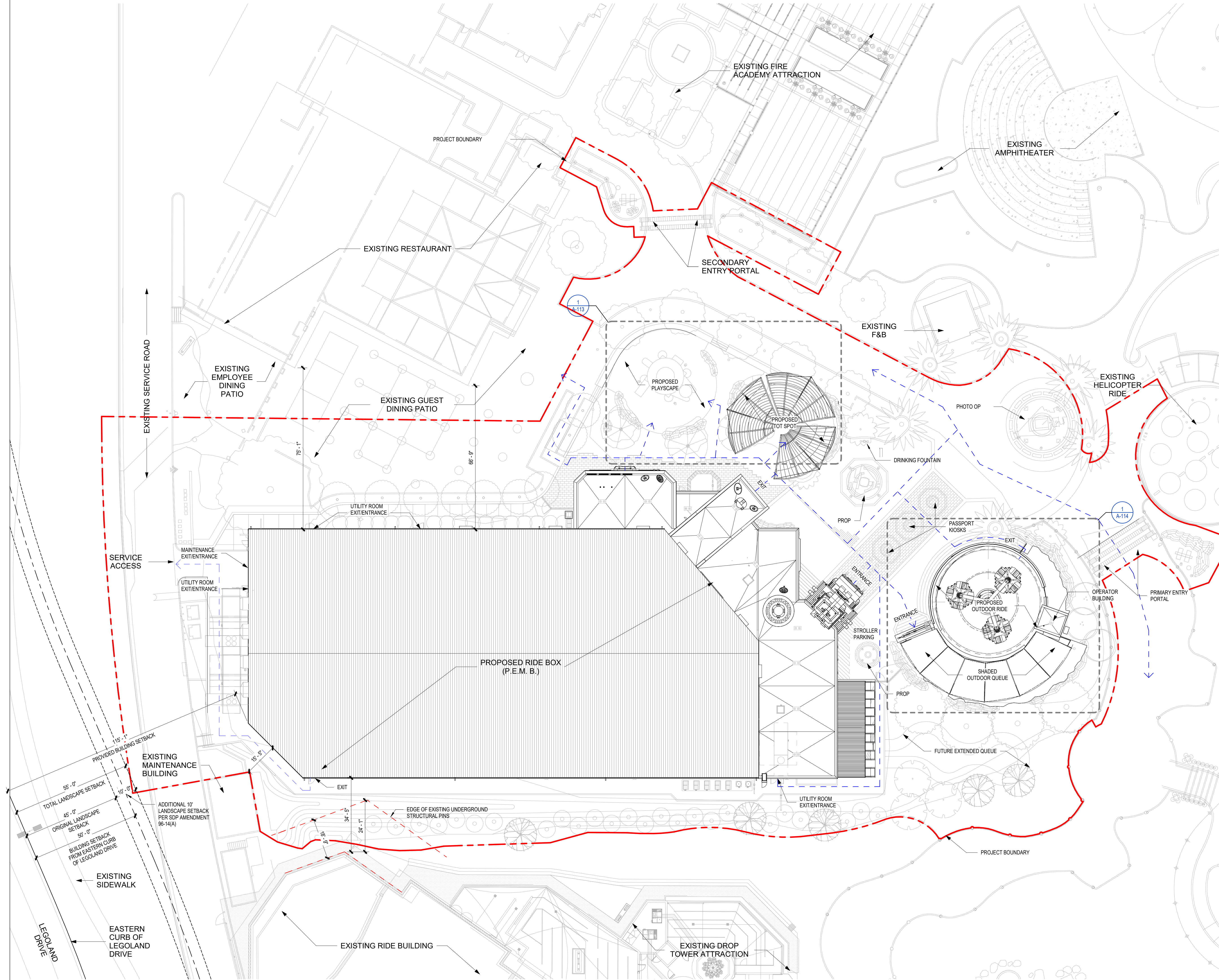
Item #2 Page 64 of 91

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Autodesk Docs://4139.00 Lego Land/4139-A.LLC.rvt

January 17, 2024

SITE PLAN

1" = 20'-0"



SHEET NOTES

- A. SEE SHEET G0.003. FOR GENERAL ABBREVIATIONS AND ARCHITECTURAL SYMBOLS.
- B. REFER TO CIVIL ENGINEER DRAWINGS FOR UTILITY CONNECTION, SITE IMPROVEMENT DRAWINGS, AND PROJECT LOT INFORMATION.
- C. REFER TO LANDSCAPE PLANS FOR HARDSCAPE, PLANTING AND IRRIGATION INFORMATION.

LEGEND

- ACCESSIBLE PATH OF TRAVEL
- PROJECT BOUNDARY

AREA SCHEDULE - GROSS SF

| | |
|------------------------------|-----------|
| Exterior Area | |
| COVERED UN-CONDITIONED QUEUE | 2,783 SF |
| LANDSCAPE | 15,886 SF |
| OUTDOOR RIDE | 2,413 SF |
| PLAY SCAPE | 1,755 SF |
| PLAZA & OTHER PAVED | 20,197 SF |
| TOT SPOT | 1,861 SF |
| | 44,905 SF |

| | |
|-----------------------------|-----------|
| Gross Building Area | |
| BRICK BUILDING | 1,303 SF |
| INTERIOR FOH QUEUE & RETAIL | 5,175 SF |
| OUTDOOR RIDE OPERATOR BOOTH | 135 SF |
| PEMB | 25,884 SF |
| | 32,497 SF |
| TOTAL PROJECT AREA | 77,402 SF |



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DATE OF ISSUE 09.26.2023

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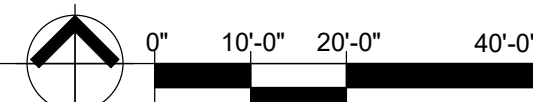
PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
ARCHITECTURAL SITE PLAN

SHEET NO.

A-100

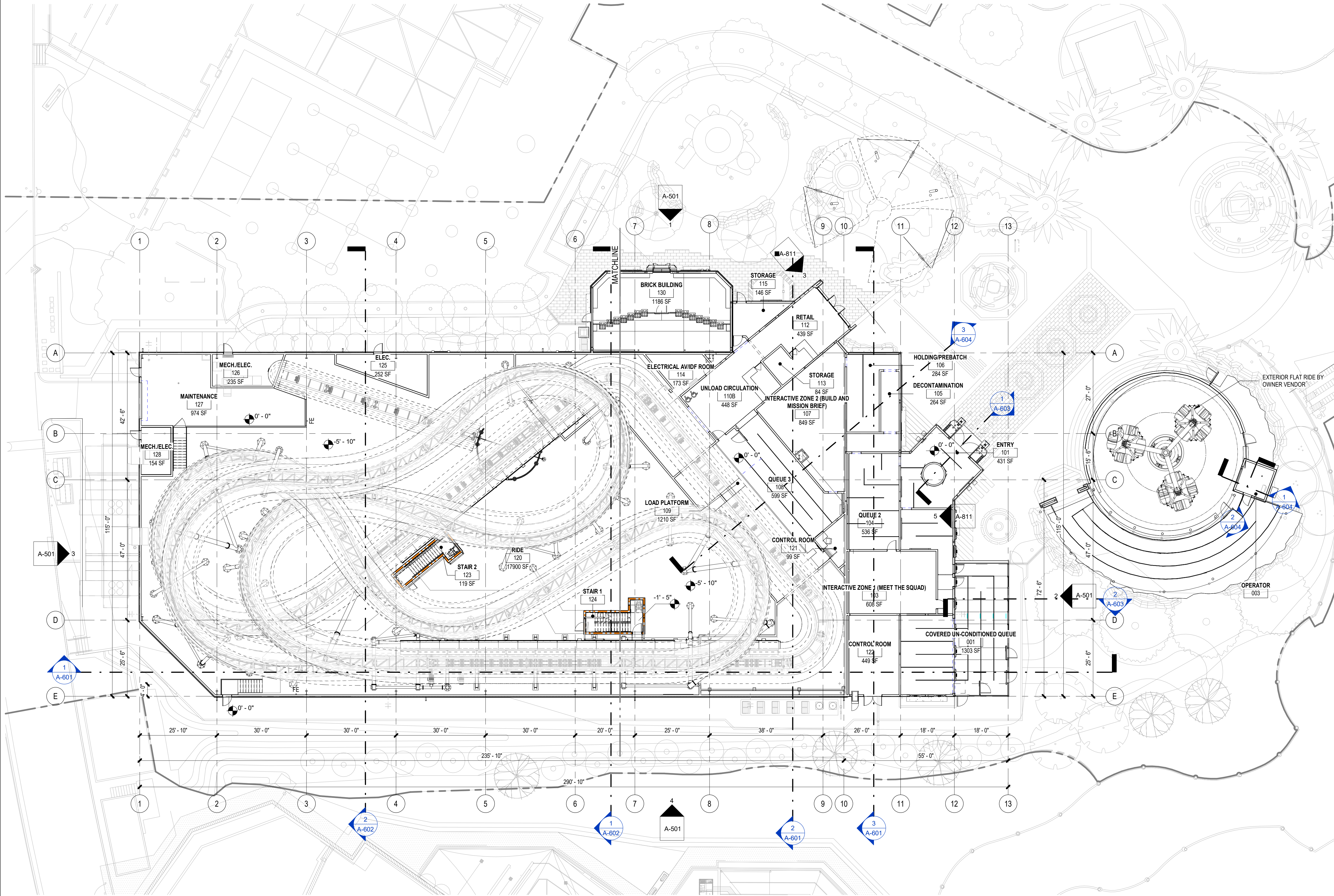


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Autodesk Docs://4139.00 Lego Land/4139-A-110.rvt

January 17, 2024

LEVEL 1 - ARCHITECTURAL FLOOR PLAN - OVERALL

1/16" = 1'-0"



SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- REFER TO LIFE SAFETY FOR RATED WALL INFORMATION.
- REFER TO ZONE PLANS FOR BUILDING & ENLARGED ELEVATIONS AND WALL SECTION MARKS.
- REFER TO ZONE PLANS FOR BUILDING & ENLARGED ELEVATIONS AND WALL SECTION MARKS.
- RIDE INFORMATION PROVIDED FOR REFERENCE. REFER TO RIDE VENDOR FOR COMPLETE RIDE INFORMATION.



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|-----------|----------|
| EH, LMS | OA |

PROJECT TEAM:
Orcutt HHCP LLC

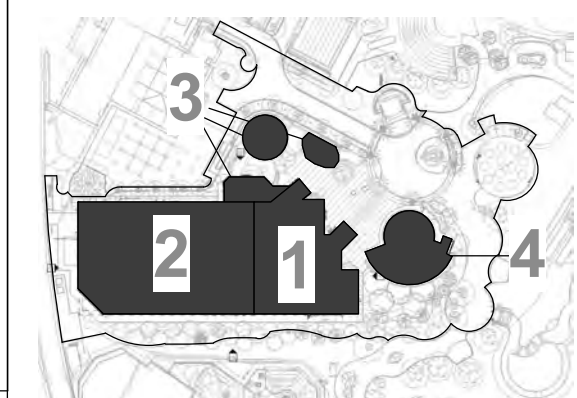
PROJECT PHASE
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SHEET CONTENTS
LEVEL 1 - REFERENCE FLOOR
PLAN - OVERALL

SHEET NO.

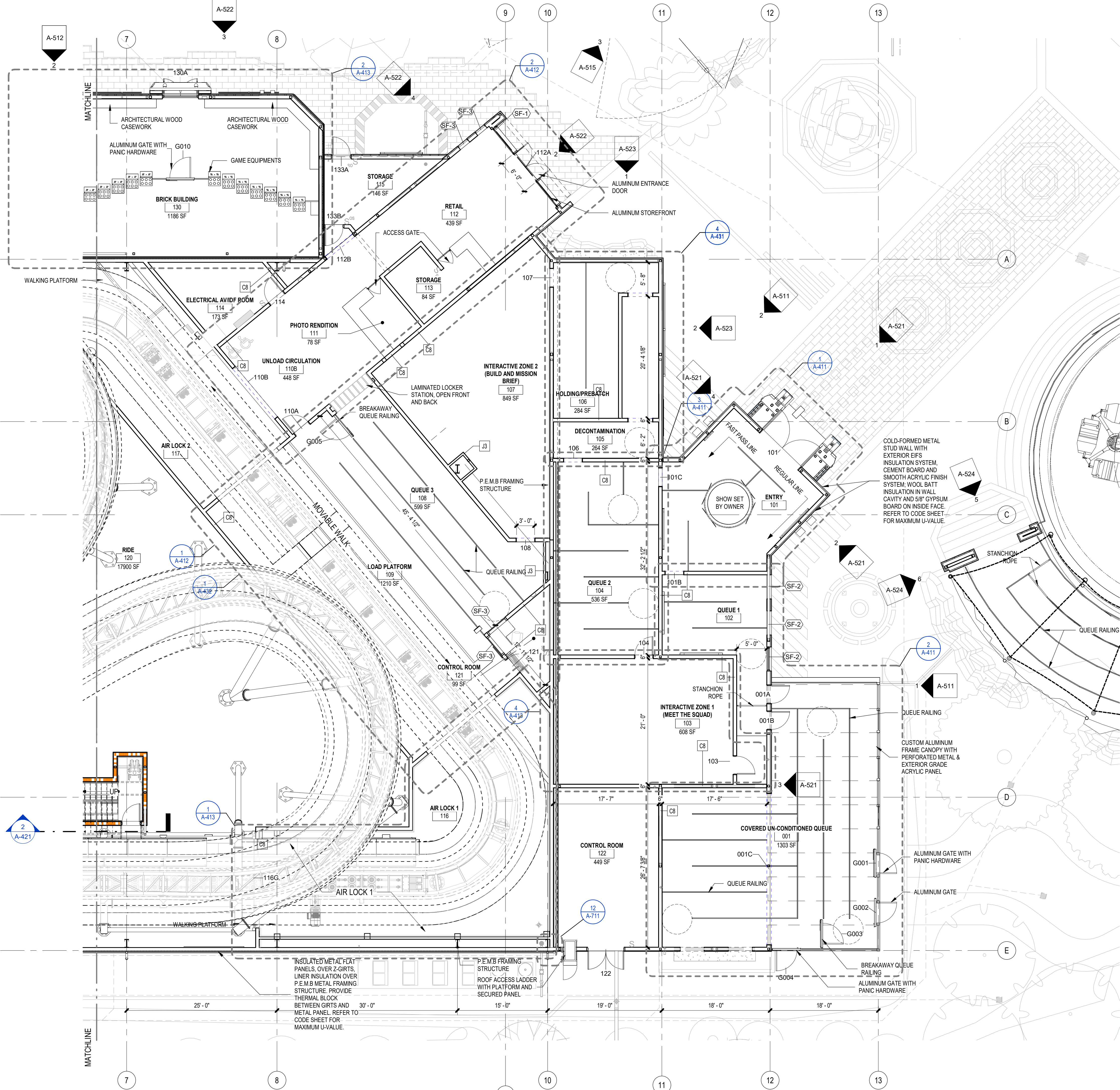
A-110

KEY PLAN



LEVEL 1 - ARCHITECTURAL FLOOR PLAN - ZONE 1

1/8" = 1'-0"



SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO A-010 SHEET FOR CODE SUMMARY.
- C. REFER TO A-011 SHEET FOR LIFE SAFETY PLANS, FIRE RATINGS, AND EGRESS INFORMATION.
- D. REFER TO OVERALL REFERENCE PLANS FOR OVERALL ELEVATION AND BUILDING SECTION MARKS.

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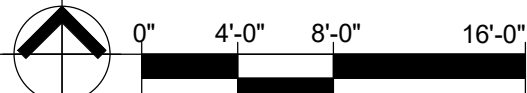
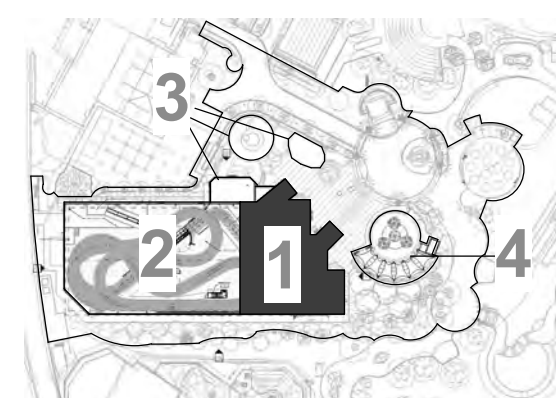
PROJECT PHASE
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SHEET CONTENTS
LEVEL 1 - FLOOR PLAN - ZONE 1

SHEET NO.

A-111

KEY PLAN

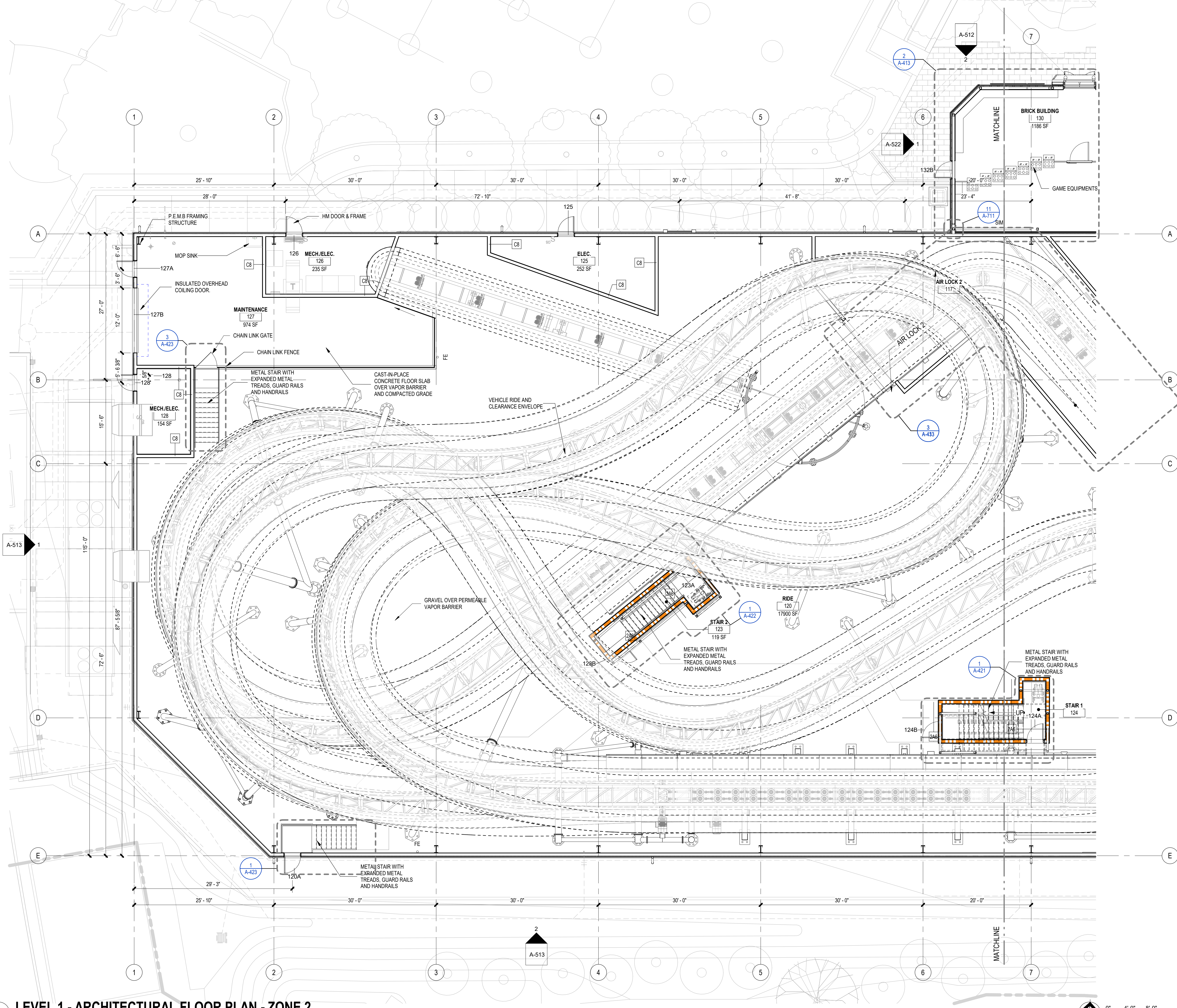


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January 17, 2024

LEVEL 1 - ARCHITECTURAL FLOOR PLAN - ZONE 2

1/8" = 1'-0"



SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO A-010 SHEET FOR CODE SUMMARY.
- C. REFER TO A-011 SHEET FOR LIFE SAFETY PLANS, FIRE RATINGS, AND EGRESS INFORMATION.
- D. REFER TO OVERALL REFERENCE PLANS FOR OVERALL ELEVATION AND BUILDING SECTION MARKS.



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PROJECT TEAM:
Orcutt HHCP LLC

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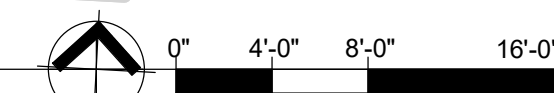
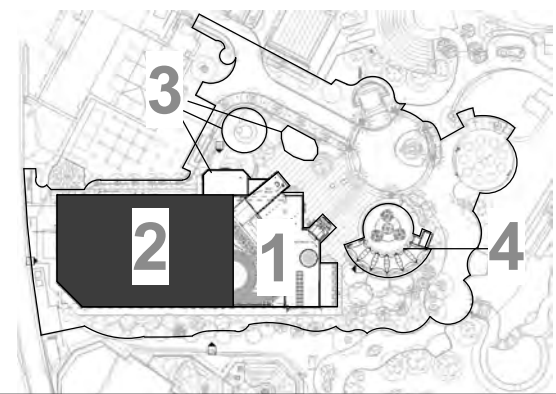
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LEVEL 1 - FLOOR PLAN -
ZONE 2

SHEET NO.

A-112

Item #2 Page 68 of 91

KEY PLAN

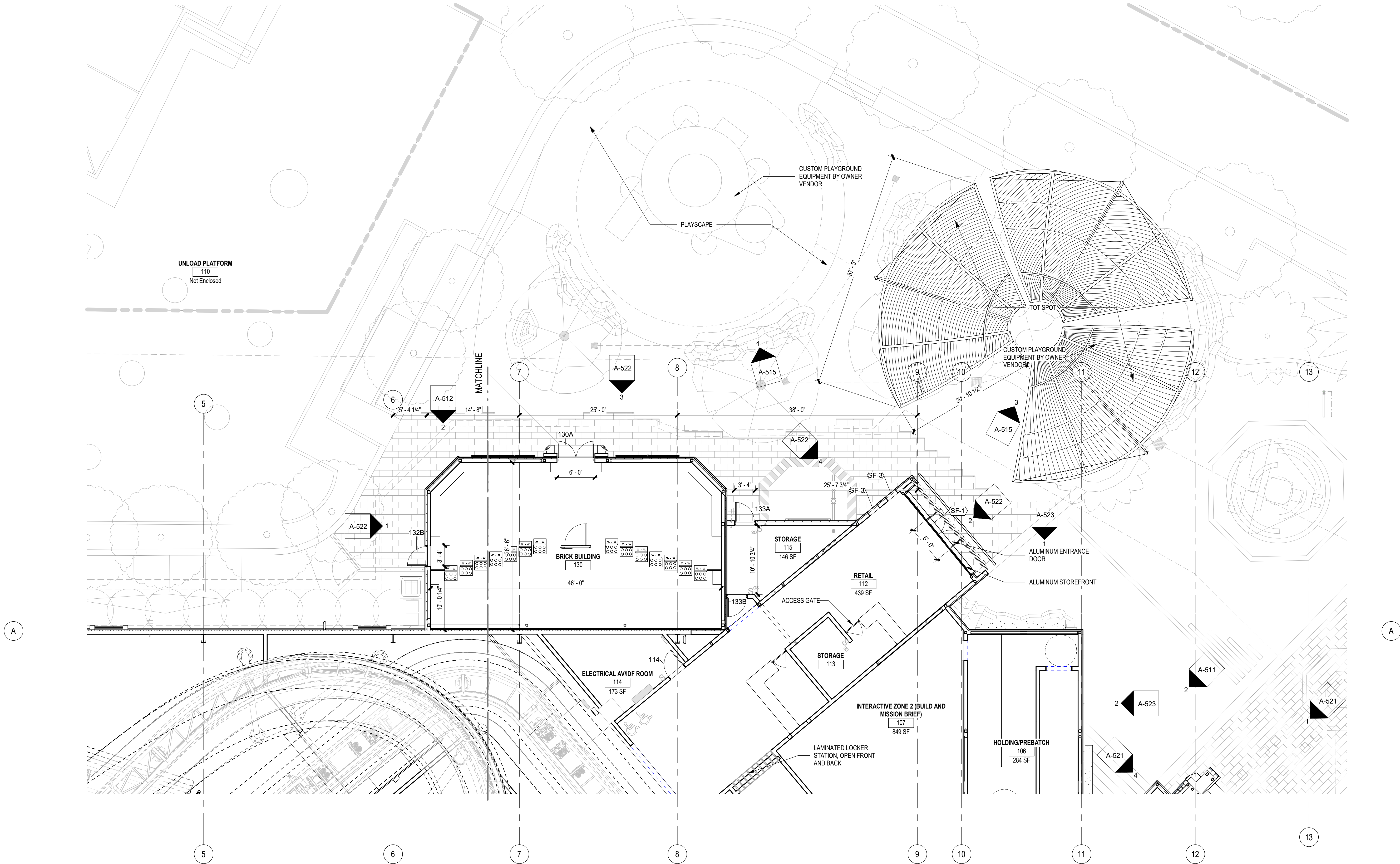


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January 17, 2024

LEVEL 1 - ARCHITECTURAL FLOOR PLAN - ZONE 3

1/8" = 1'-0"



SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO A-010 SHEET FOR CODE SUMMARY.
- C. REFER TO A-011 SHEET FOR LIFE SAFETY PLANS, FIRE RATINGS, AND EGRESS INFORMATION.
- D. REFER TO OVERALL REFERENCE PLANS FOR OVERALL ELEVATION AND BUILDING SECTION MARKS.



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DATE OF ISSUE 09.26.2023

| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |

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DRAWN BY OA

PROJECT TEAM:
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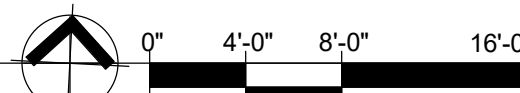
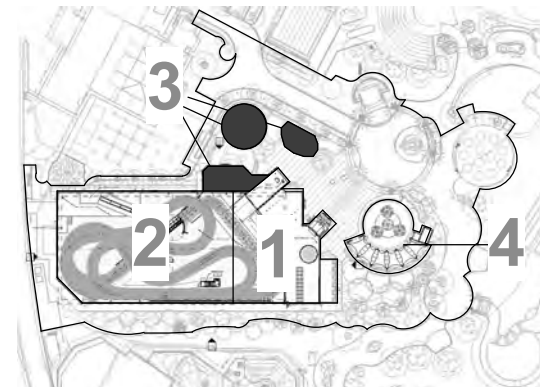
PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
LEVEL 1 - FLOOR PLAN -
ZONE 3

SHEET NO.

A-113

KEY PLAN



- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO A-010 SHEET FOR CODE SUMMARY.
- C. REFER TO A-011 SHEET FOR LIFE SAFETY PLANS, FIRE RATINGS, AND EGRESS INFORMATION.
- D. REFER TO OVERALL REFERENCE PLANS FOR OVERALL ELEVATION AND BUILDING SECTION MARKS.



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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
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PROJECT 2025
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| | |
|------------------------|----------------------|
| <u>DWP PROJECT NO.</u> | <u>DATE OF ISSUE</u> |
| 4139.00 | 09.26.2023 |

| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |
| | | |

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| REVIEW BY | DRAWN BY |
| EH, LMS | OA |

PROJECT TEAM:
Orcutt HHCP LLC

SDP/CDP SUMITTAL

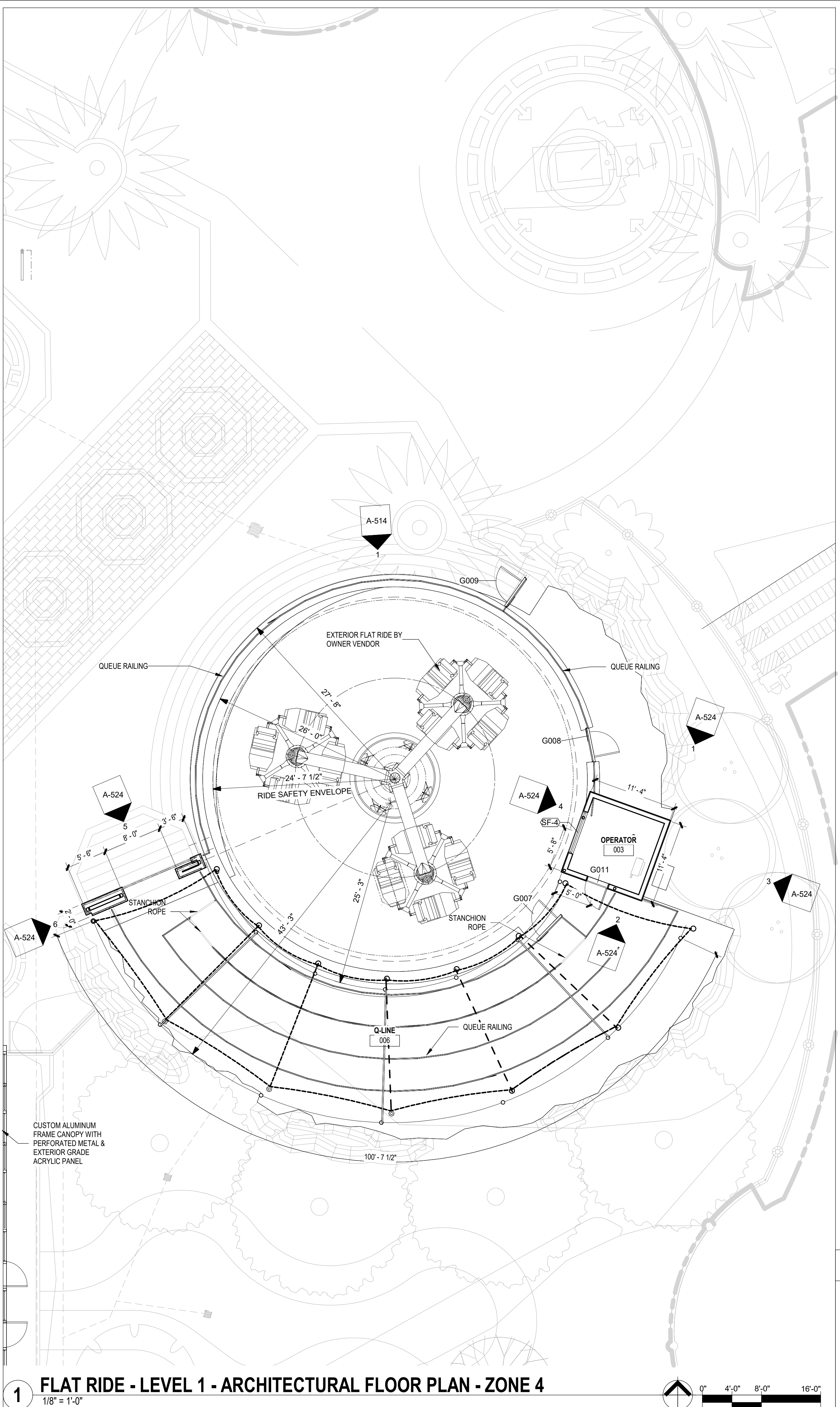
SHEET CONTENTS

LEVEL 1 - FLOOR PLAN -
ZONE 4

SHEET NO.

A-114

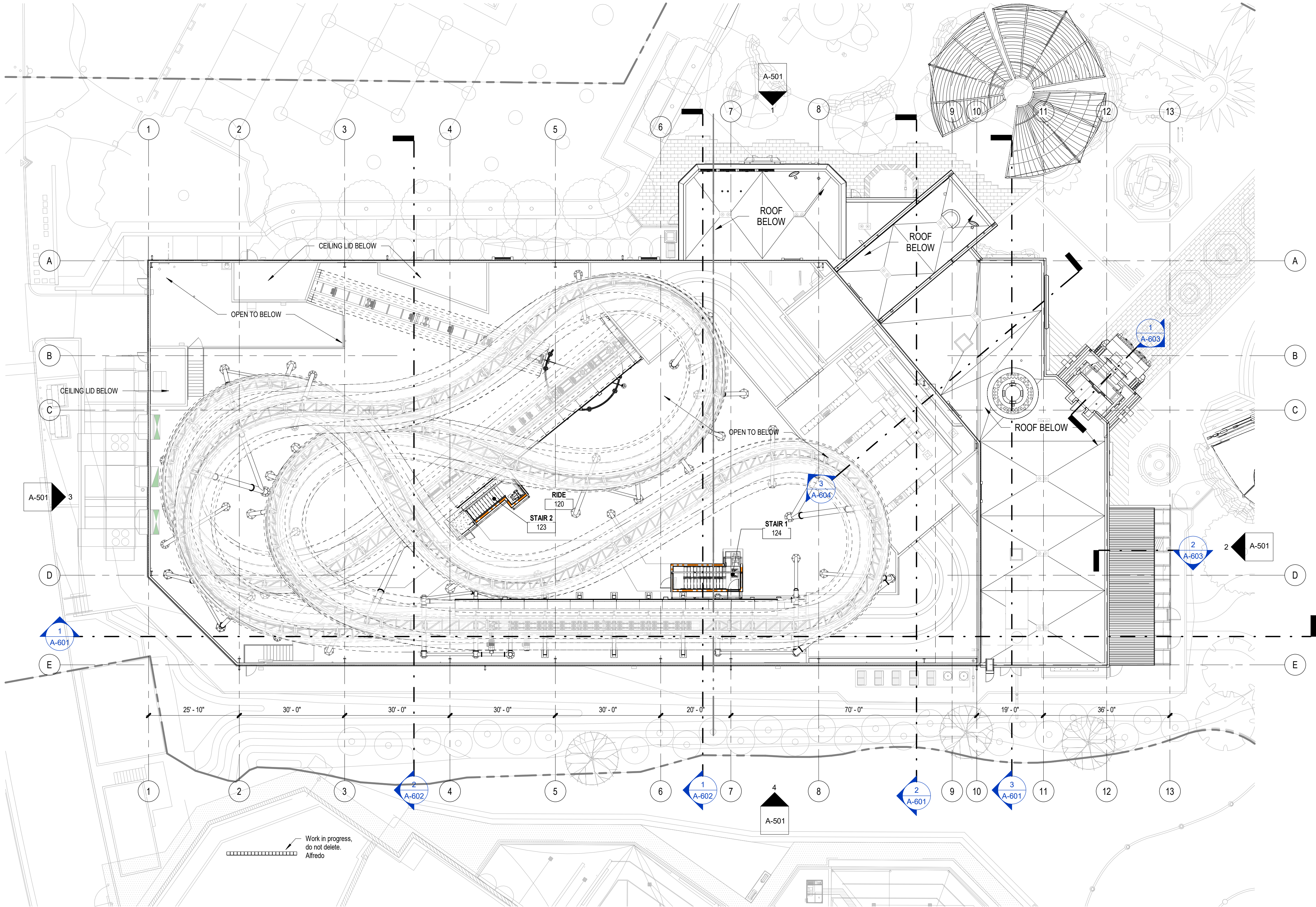
tem #2 Page 70 of 91



9/26/2023 12:25:20 PM orcutt\j winslow / 4139.00 / LEGOLAND CALIFORNIA PROJECT 2025 - 75% CONSTRUCTION DOCUMENTS / A-120-ARCHITECTURAL PLANS - EGRESS PLATFORM LEVEL - OVERALL / OA
Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt

January 17, 2024 1/16" = 1'-0"

ARCHITECTURAL PLANS - EGRESS PLATFORM LEVEL - OVERALL



SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO LIFE SAFETY FOR RATED WALL INFORMATION.
- C. REFER TO ZONE PLANS FOR BUILDING & ENLARGED ELEVATIONS AND WALL SECTION MARKS.
- D. REFER TO ZONE PLANS FOR BUILDING & ENLARGED ELEVATIONS AND WALL SECTION MARKS.
- E. RIDE INFORMATION PROVIDED FOR REFERENCE. REFER TO RIDE VENDOR FOR COMPLETE RIDE INFORMATION.



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OWP PROJECT NO. 4139.00
DATE OF ISSUE 09.26.2023

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|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |

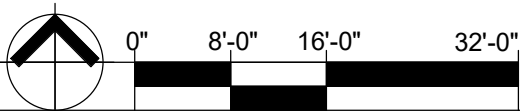
REVIEW BY EH, LMS
DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
ARCHITECTURAL PLANS -
EGRESS PLATFORM LEVEL -
OVERALL
SHEET NO.

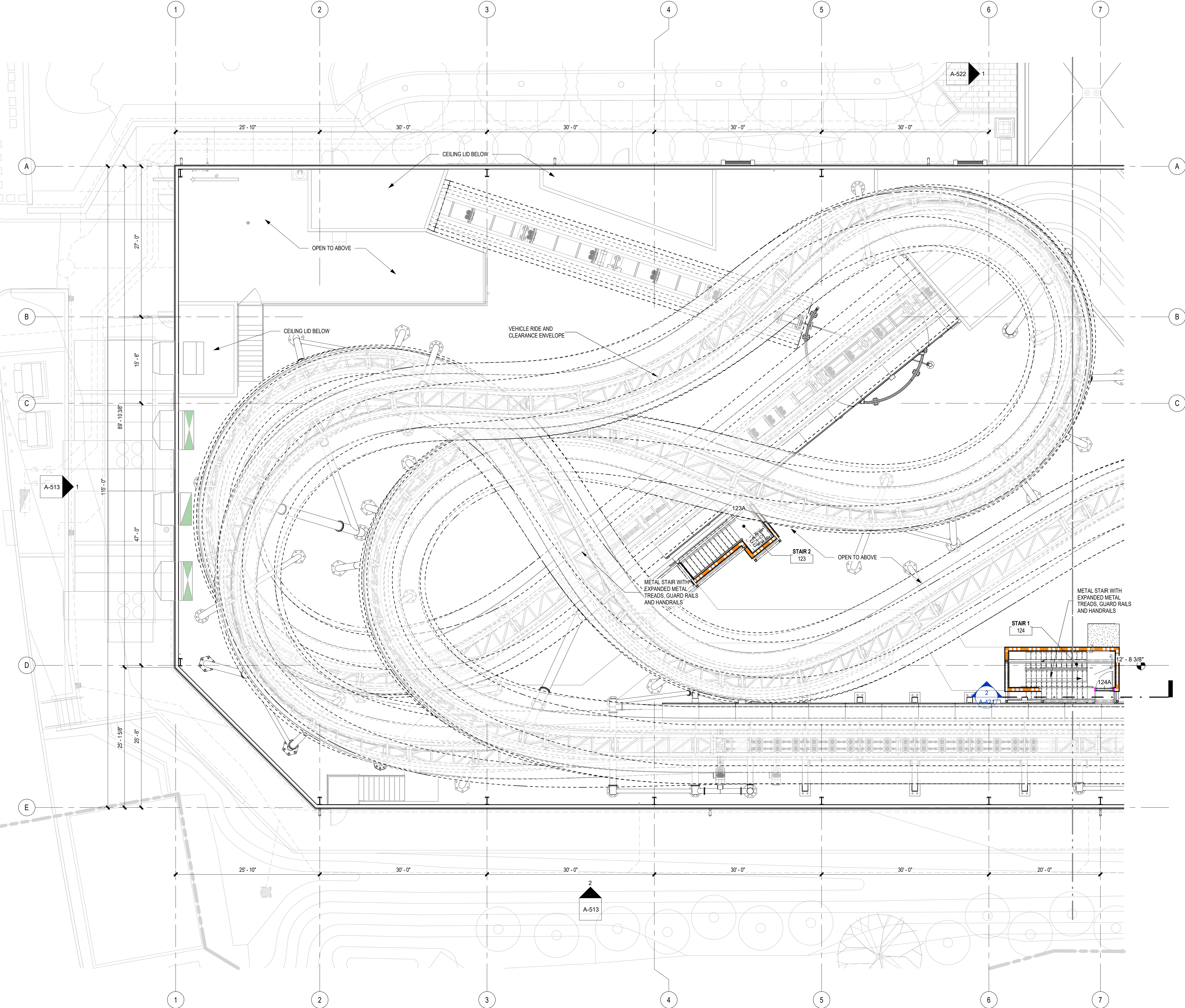
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January 17, 2024

ARCHITECTURAL PLANS - EGRESS PLATFORM LEVEL - ZONE B



SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- REFER TO A-010 SHEET FOR CODE SUMMARY.
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- REFER TO OVERALL REFERENCE PLANS FOR OVERALL ELEVATION AND BUILDING SECTION MARKS.



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DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
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SHEET CONTENTS
ARCHITECTURAL PLANS -
EGRESS PLATFORM LEVEL -
ZONE B
SHEET NO.

A-121

9/26/2023 12:42:29 PM orcuttl\winlow\4139.00\LEGOLAND CALIFORNIA PROJECT 2025 - 75% CONSTRUCTION DOCUMENTS\A-200-ROOF PLAN - OVERALL\OA
Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt

January 17, 2024

ROOF PLAN-OVERALL

1/16" = 1'-0"

| ROOF GUTTER & HORIZONTAL FLOW CALCULATIONS | | | | | | | | |
|--------------------------------------------|-----------|-------------------------------------------|------------------------------|---------------------------------------|----------------------------|---------------------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|
| MARK | ROOF AREA | ADDITIONAL ROOF & TOP OF COPING AREA (SF) | VERTICAL WALL HALF AREA (SF) | TOTAL ROOFS & VERTICAL WALL AREA (SF) | NUMBER OF VERTICAL LEADERS | TOTAL SURFACE AREA PER VERTICAL LEADER (SF) | ROOF AREA FLOW RATE (GPM) FOR 4.5"/H RAINFALL RATE | FBC-2017 PLUMBING TABLE 1106.6 HORIZONTAL GUTTER SIZING SLOPE CAPACITY (GPM) |
| RA1 | 25913 SF | 0 SF | 0 SF | 25913 SF | 8 | 3239 SF | 152 1/4" | 163 |

| ROOF VERTICAL LEADER FLOW CALCULATIONS | | | | | | | | |
|----------------------------------------|-----------|-------------------------------------------|------------------------------|--------------------------------------|----------------------------|---------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| MARK | ROOF AREA | ADDITIONAL ROOF & TOP OF COPING AREA (SF) | VERTICAL WALL HALF AREA (SF) | TOTAL ROOF & VERTICAL WALL AREA (SF) | NUMBER OF VERTICAL LEADERS | TOTAL SURFACE AREA PER VERTICAL LEADER (SF) | ROOF AREA FLOW RATE (GPM) FOR 4.5"/H RAINFALL RATE | FBC-2017 PLUMBING TABLE 1106.2 & 1106.3 VERTICAL LEADER SIZING SIZE OF VERTICAL LEADER CAPACITY (GPM) |
| RA1 | 25913 SF | 0 SF | 0 SF | 25913 SF | 8 | 3239 SF | 152 4" | 192 |

| ROOF AREA SCHEDULE | | |
|--------------------|----------|------------------------------------------------------|
| MARK | AREA | COMMENT |
| RA1 | 25913 SF | P.E.M.B. METAL ROOF PANEL WITH GUTTER AND DOWNSPOUTS |
| RA2 | 4970 SF | LOW SLOPE ROOF W/ INTERNAL ROOF DRAIN |
| RA3.1 | 1203 SF | LOW SLOPE ROOF W/ INTERNAL ROOF DRAIN |
| RA3.2 | 169 SF | LOW SLOPE ROOF W/ INTERNAL ROOF DRAIN |
| ROOF TOTAL AREA | 32255 SF | |

SDP2023-0012 / CDP2023-0022

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SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST

ARROWS INDICATE ROOF SLOPE. MINIMUM SLOPE OF ALL ROOF SURFACES, INCLUDING VALLEYS AND CRICKETS SHALL BE 1/4" PER FOOT. (MIN.) UNLESS OTHERWISE SPECIFIED.

SLOPE/TAPER RIGID INSULATION FROM ROOF EDGES/PARAPETS TO DRAINS AS REQUIRED TO ACHIEVE POSITIVE SLOPE. (MIN. 1/4"-FT). ALL ROOF AREAS SHALL BE RIGID INSULATION SLOPED/TAPERED FROM +2" AT DRAINS/SCUPPERS AS REQUIRED.

NOT ALL REQUIRED CRICKETS ARE SHOWN ON ROOF PLAN. PROVIDE CRICKETS W/1/4"-FT (MIN) SLOPE ON THE HIGH SIDE OF ALL CURBS & EQUIPMENT PENETRATIONS THRU THE ROOF.

PROVIDE ROOF MANUFACTURER'S STANDARD WALKWAY PADS LEADING TO AND AROUND ALL AIR HANDLERS, CHILLERS AND EXHAUST FANS FOR MAINTENANCE ACCESS.

COORDINATE AND PROVIDE LIGHTNING PROTECTION PER ELECTRICAL DRAWINGS AND SPECIFICATIONS. COORDINATE REQUIRED LIGHTNING PROTECTION SYSTEM WITH ATTACHMENT TO PARAPET COPING AND ROOF MEMBRANE SYSTEM.

ALL WOOD BLOCKING REQUIRED BY ROOF SYSTEM TO BE PRESSURE TREATED. ROOF WOOD BLOCKING REQUIREMENTS ARE TO BE FIELD VERIFIED TO MEET ROOF MANUFACTURER AND INSTALLER REQUIREMENTS RELATING TO SIZES, QUANTITIES AND METHODS OF ATTACHMENT AT NO ADDITIONAL COST TO THE OWNER.

COORDINATE AND PROVIDE EQUIPMENT CURBS AND CANTS AS REQUIRED FOR ALL ROOF MOUNTED HVAC, MECH, ELECT, AND FIRE PROTECTION EQUIPMENT.

SCREEN WALL DIMENSIONS SHOWN ARE APPROXIMATE OVERALL DIMENSIONS. COORDINATE SCREEN WALLS AROUND MECHANICAL EQUIPMENT. FIELD COORDINATE SCREEN WALL LOCATIONS WITH STRUCTURAL DRAWINGS AND WITH MECH EQUIPMENT LOCATIONS.

ALL ROOF PENETRATIONS, CANTS, FLASHING, ROOF DRAINS, SCUPPERS, AND CURBS ARE TO BE COORDINATED AND INSTALLED TO MEET ROOF MANUFACTURER'S WARRANTY DETAILS AND REQUIREMENTS AND TO BE REVIEWED AND APPROVED BY THE OWNER AND THE ARCHITECT DURING PRODUCT/DETAIL SUBMITTAL STAGE.

P.E.M.B. ROOF PANEL SHOWS TO MEET MINIMUM INSULATION AS REQUIRED TO MEET BUILDING CODE REQUIRED U VALUES. REFER TO SHEET A-001 FOR MAXIMUM U-FACTORS.

LEGOLAND CALIFORNIA PROJECT 2025

MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

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REVIEW BY EH, LMS
DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
ROOF PLAN - OVERALL

SHEET NO.

A-200

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| ROOF LEGEND | |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION | |
| RD | ROOF DRAIN |
| OD | OVERFLOW DRAIN |
| AHU | AIR HANDLING UNIT |
| G | GUTTER |
| DS | DOWNSPOUT |
| RA1.7 | ROOF MARK TAG |
| | SINGLE PLY MEMBRANE ROOF SYSTEM ON TAPERED INSULATION ON METAL DECK |
| | CRICKET - SLOPE TO DRAIN AT MINIMUM OF 1/2" - 1'-0" |
| RD-RO | COMBO MAIN ROOF DRAIN AND DRAIN OVERFLOW |
| | INDICATES SLOPE TO DRAIN/SCUPPER DIRECTION |
| | ROOF WALKING PAD |
| | P.E.M.B. METAL ROOF PANEL OVER UNFACED INSULATION OVER PURLINS. PROVIDE THERMAL SPACERS AND FACE LINER INSULATION PER REQUIRED U-VALUE |

SHEET NOTES

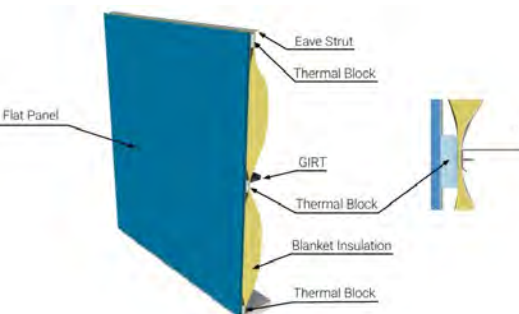
- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- C. REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- D. FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH SYSTEMS

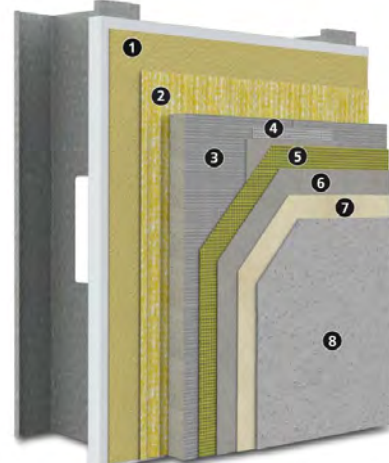
EXTERIOR FINISH SYSTEM:

1 - CEMENT PLASTER (ALTERNATE): 7/8" CEMENT PLASTER, SAND FINISH, OVER METAL LATH, FLUID APPLIED WEATHER BARRIER, 5/8" FIBER CEMENT EXTERIOR SHEATHING & COLD FORM METAL STUDS. WALL CAVITY FILLED WITH BATT INSULATION. PROVIDE RIGID INSULATION ON EXTERIOR SIDE OF STUD, ADD 2.5" METAL STUDS AND 5/8" GYPSUM BOARD

2B - INSULATED METAL PANEL, P.E.M.P. FLAT VERTICAL, 16" WIDE PANEL
FLAT INSULATED METAL PANEL OVER Z-GIRTS, OVER P.E.M.B. STRUCTURE. PROVIDE BLANKET INSULATION AND THERMAL BLOCKS.

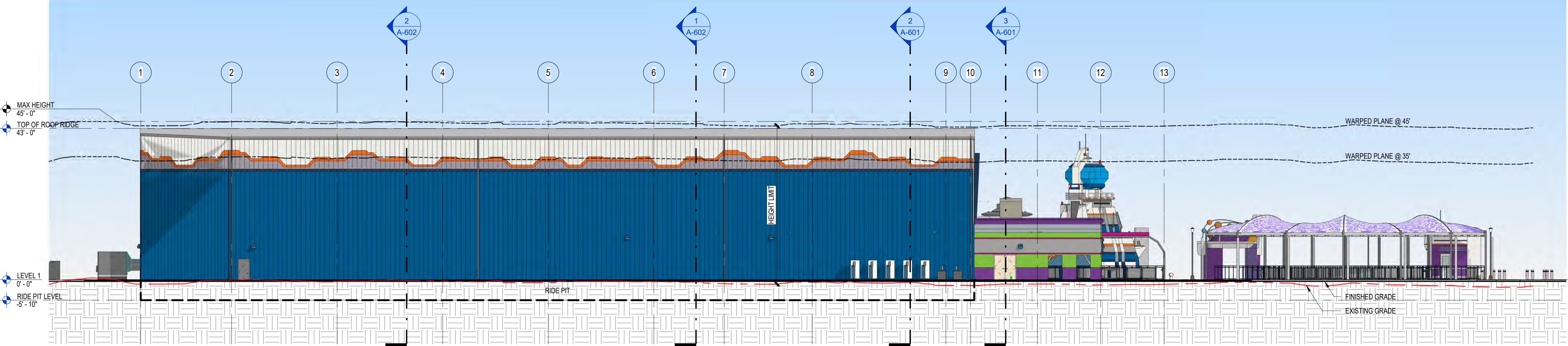


4 - ACRYLIC FINISH OVER CEMENT BOARD:
SMOOTH ACRYLIC FINISH SYSTEM OVER 5/8" CEMENT BOARD OVER DRAINAGE MAT, WEATHER BARRIER, RIGID INSULATION, OVER COLD FORM METAL STUDS WITH BATT INSULATION, AND 5/8" GYPSUM BOARD



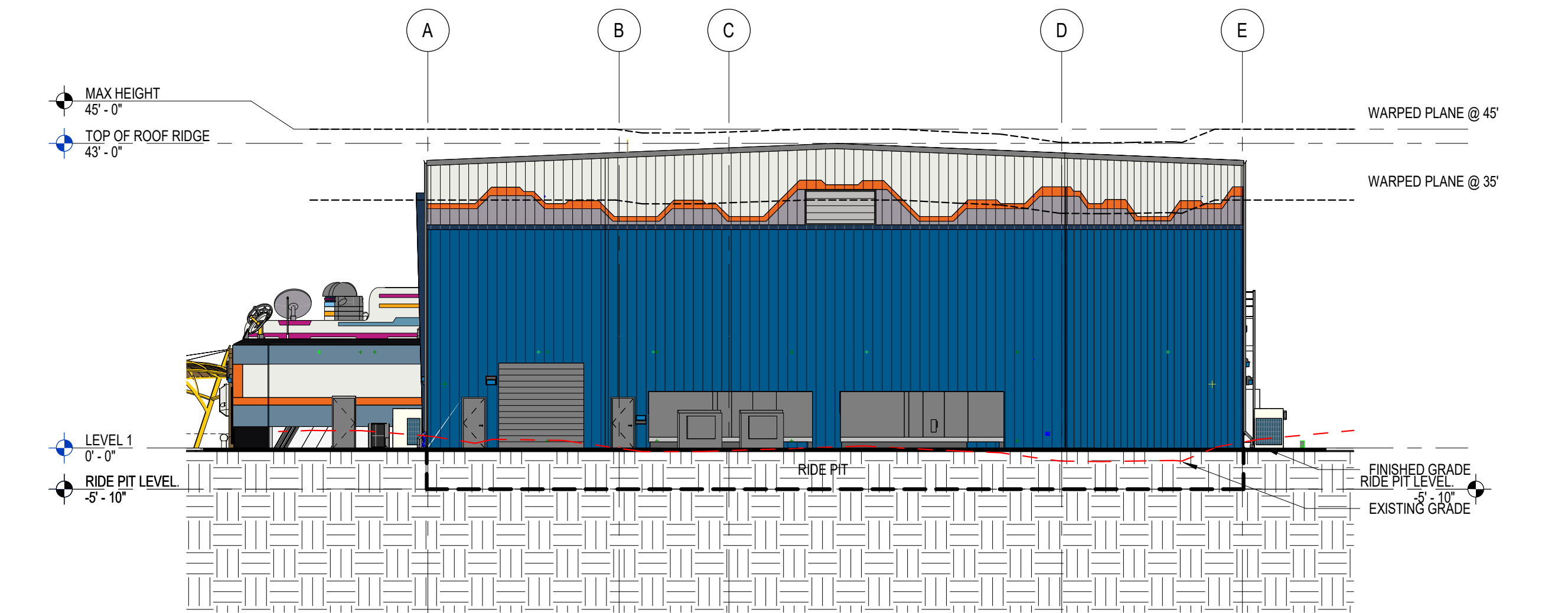
4 OVERALL BUILDING ELEVATION - SOUTH

1/16" = 1'-0"



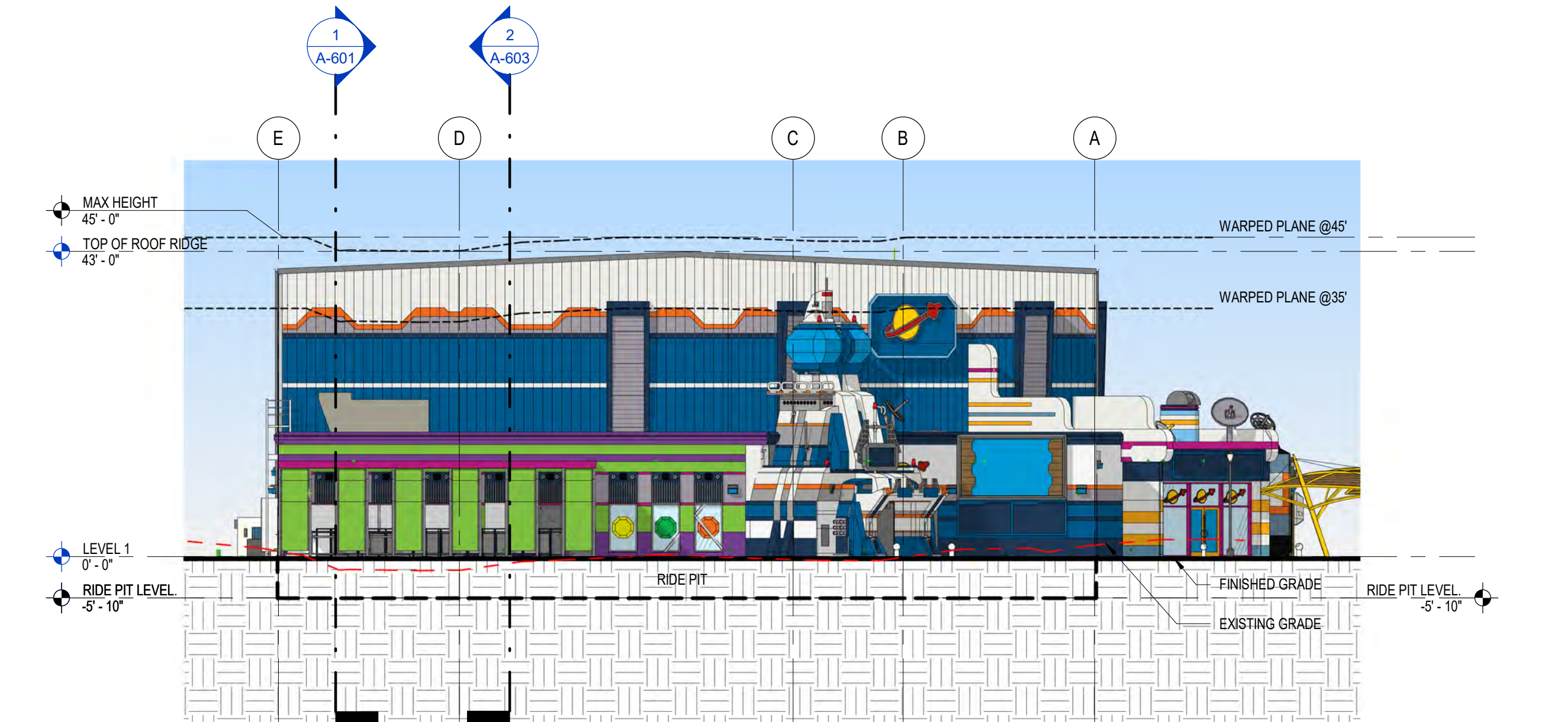
3 OVERALL BUILDING ELEVATION - WEST

1/16" = 1'-0"



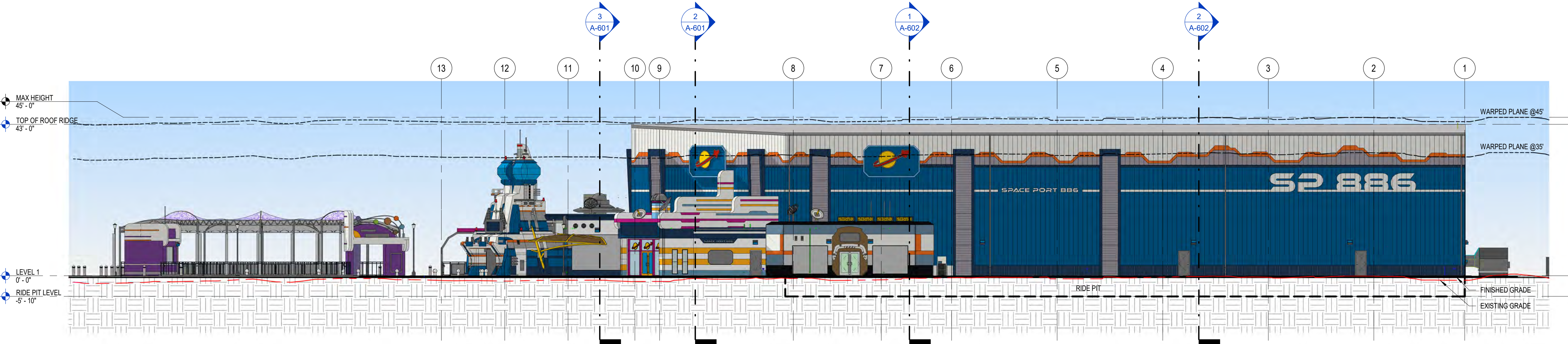
2 OVERALL BUILDING ELEVATION - EAST

1/16" = 1'-0"



OVERALL BUILDING ELEVATION - NORTH

1/16" = 1'-0"



**LEGOLAND CALIFORNIA
PROJECT 2025**

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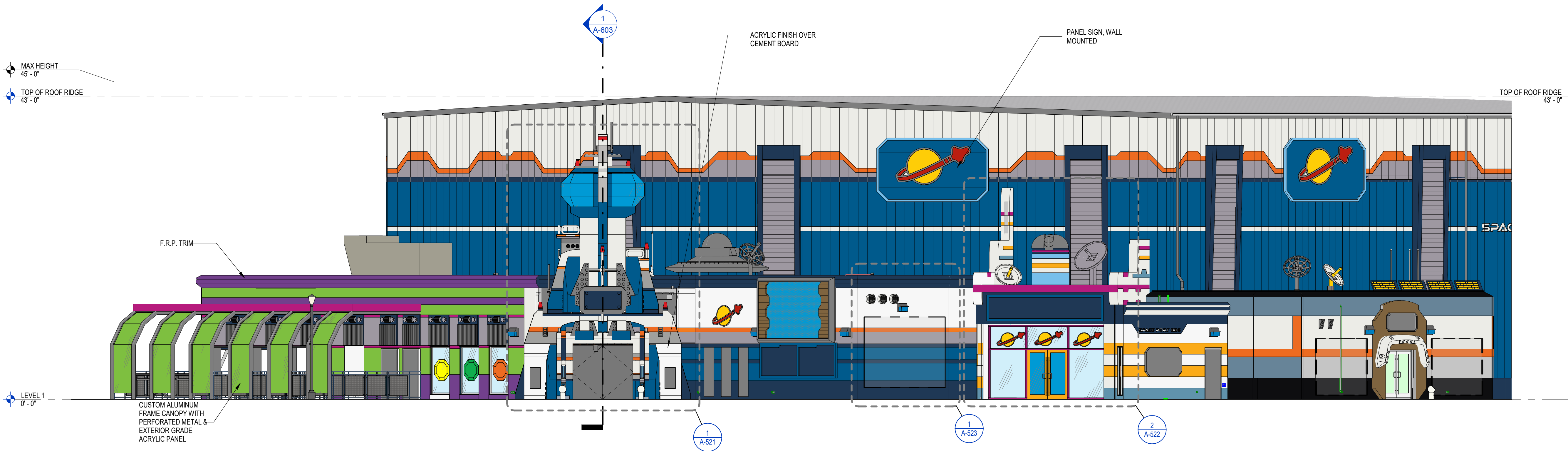
SHEET CONTENTS
EXTERIOR ELEVATIONS -
OVERALL

SHEET NO.

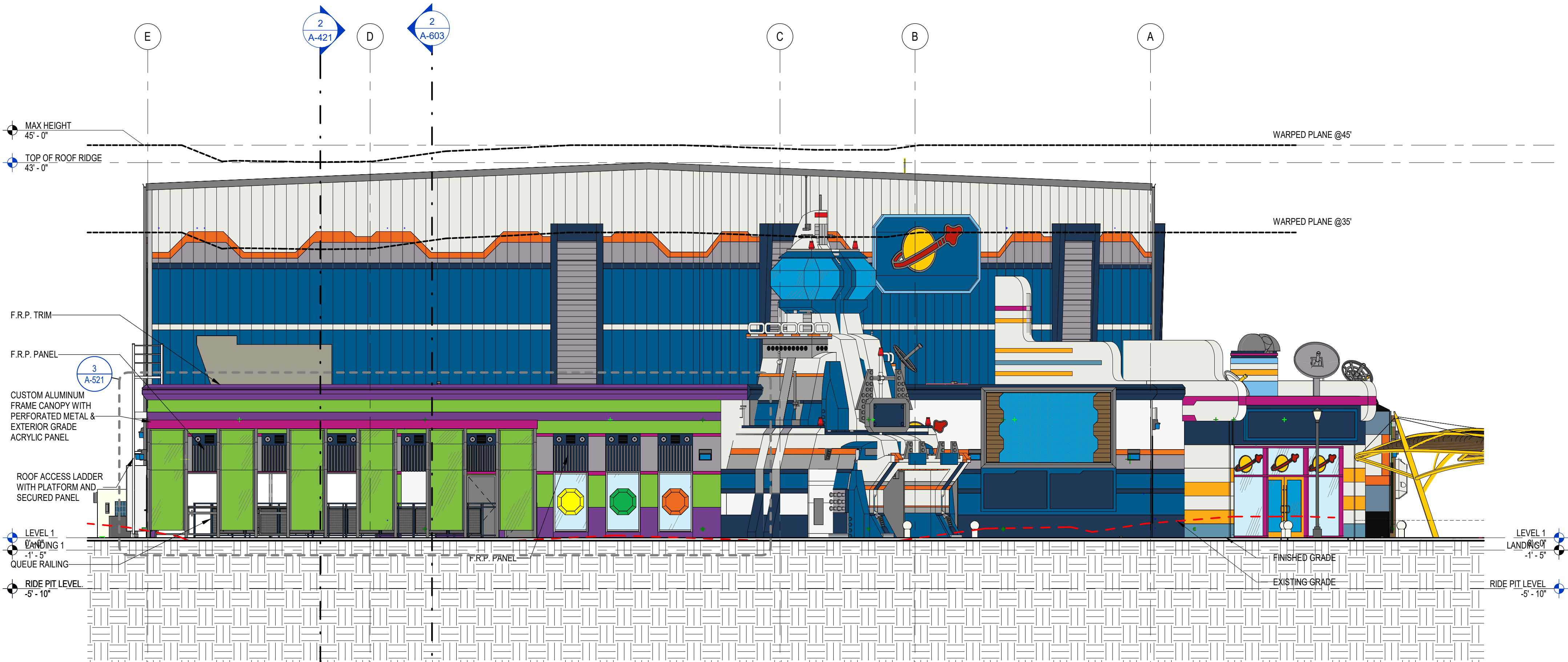
A-501

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2 EXTERIOR BUILDING ELEVATION - NORTH WEST
1/8" = 1'-0" SEE DRAWING #: 1 ON SHEET: A-111

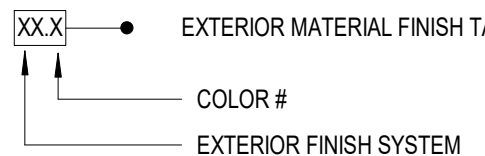


17 EXTERIOR BUILDING ELEVATION - EAST
1/8" = 1'-0" SEE DRAWING #: 1 ON SHEET: A-111

SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND



EXTERIOR FINISH SYSTEM:

CEMENT PLASTER (NOT USED):
1.X - CEMENT PLASTER, SAND FINISH

INSULATED METAL PANELS SYSTEM:
2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16" WIDE PANEL

FIBER CEMENT CLADDING SYSTEM:
3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH

ACRYLIC FINISH OVER CEMENT BOARD:
4.X - SMOOTH ACRYLIC FINISH SYSTEM

SINGLE SKIN METAL PANEL:
5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

CUSTOM VINYL DECAL:
6A.X - CUSTOM VINYL DECAL

COLOR SCHEDULE:

- WHITE; R.G.B. #: 236, 236, 231
- BRIGHT RED; R.G.B. #: 187, 30, 16
- BRIGHT BLUE; R.G.B. #: 0, 90, 140
- BRIGHT YELLOW; R.G.B. #: 254, 205, 7
- BLACK; R.G.B. #: 14, 14, 16
- BRIGHT GREEN; R.G.B. #: 16, 174, 77
- GLASS - TRASP. BLUE; R.G.B. #: 0, 153, 213
- GLASS - TRASP. YELLOW; R.G.B. #: 247, 211, 16
- BRIGHT ORANGE; R.G.B. #: 237, 107, 33
- BRIGHT YELLOW GREEN; R.G.B. #: 127, 191, 64
- BRIGHT RED VIOLET; R.G.B. #: 182, 27, 126
- SAND BLUE; R.G.B. #: 99, 125, 150
- FLAME YELLOW ORANGE; R.G.B. #: 251, 171, 24
- MED. STONE GREY; R.G.B. #: 158, 152, 161
- LIGHT ROYAL BLUE; R.G.B. #: 96, 147, 172
- MEDIUM LILAC; R.G.B. #: 115, 64, 140
- WARM GOLD; R.G.B. #: 128, 100, 63
- MEDIUM NOUGAT; R.G.B. #: 175, 118, 72
- LAVENDER; R.G.B. #: 118, 104, 154
- MEDIUM AZURE; R.G.B. #: 0, 160, 195
- REDDISH BROWN; R.G.B. #: 121, 77, 62
- DARK STONE GRAY; R.G.B. #: 87, 93, 94

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REVIEW BY DRAWN BY

EH, LMS OA

PROJECT TEAM:

Orcutt HHCP LLC

PROJECT PHASE

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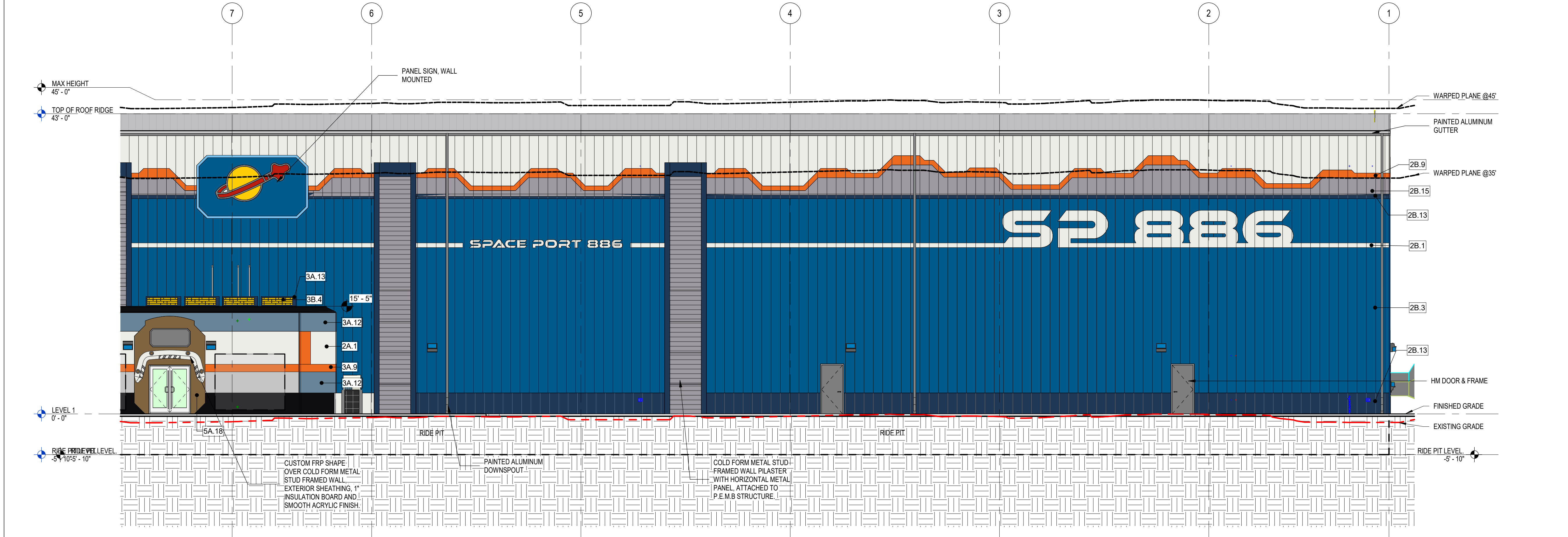
SHEET CONTENTS

EXTERIOR ELEVATIONS - BUILDING

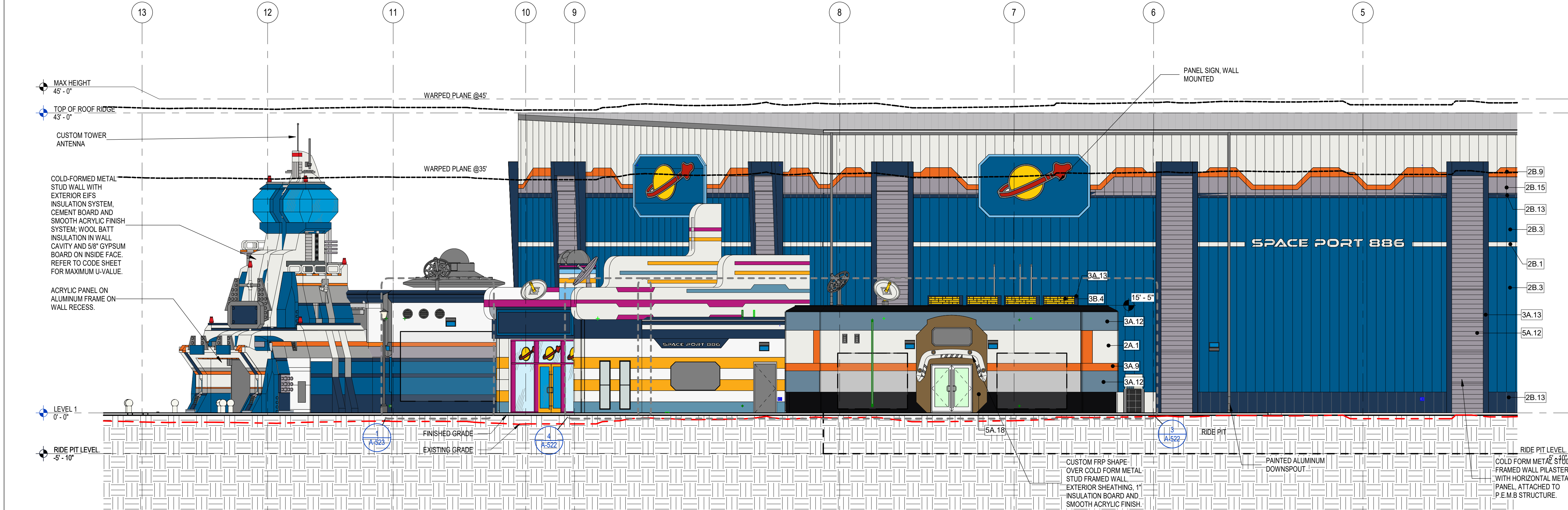
SHEET NO.

A-511

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2 EXTERIOR BUILDING ELEVATION - NORTH - WEST
1/8" = 1'-0" | SEE DRAWING #: 1 ON SHEET: A-111



EXTERIOR BUILDING ELEVATION - NORTH - EAST
1/8" = 1'-0" | SEE DRAWING #: 1 ON SHEET: A-111

- SHEET NOTES**
- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
 - B. REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
 - C. REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
 - D. FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND

| | |
|---------|------------------------------|
| XX.X | EXTERIOR MATERIAL FINISH TAG |
| COLOR # | EXTERIOR FINISH SYSTEM |

- EXTERIOR FINISH SYSTEM:**
- CEMENT PLASTER (NOT USED):**
 - 1.X - CEMENT PLASTER, SAND FINISH
 - INSULATED METAL PANELS SYSTEM:**
 - 2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
 - 2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16" WIDE PANEL
 - FIBER CEMENT CLADDING SYSTEM:**
 - 3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
 - 3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH
 - ACRYLIC FINISH OVER CEMENT BOARD:**
 - 4.X - SMOOTH ACRYLIC FINISH SYSTEM
 - SINGLE SKIN METAL PANEL:**
 - 5A.X - METAL PANEL, HORIZONTAL RIBBED
 - 5B.X - METAL PANEL, FLAT
 - CUSTOM VINYL DECAL:**
 - 6A.X - CUSTOM VINYL DECAL

- COLOR SCHEDULE:**
- 1. WHITE; R.G.B. #: 236, 236, 231
 - 2. BRIGHT RED; R.G.B. #: 187, 30, 16
 - 3. BRIGHT BLUE; R.G.B. #: 0, 90, 140
 - 4. BRIGHT YELLOW; R.G.B. #: 254, 205, 7
 - 5. BLACK; R.G.B. #: 14, 14, 16
 - 6. BRIGHT GREEN; R.G.B. #: 16, 174, 77
 - 7. GLASS - TRASP. BLUE; R.G.B. #: 0, 153, 213
 - 8. GLASS - TRASP. YELLOW; R.G.B. #: 247, 211, 16
 - 9. BRIGHT ORANGE; R.G.B. #: 237, 107, 33
 - 10. BRIGHT YELLOW GREEN; R.G.B. #: 127, 191, 64
 - 11. BRIGHT RED VIOLET; R.G.B. #: 182, 27, 126
 - 12. SAND BLUE; R.G.B. #: 99, 125, 150
 - 13. EARTH BLUE; R.G.B. #: 31, 56, 95
 - 14. FLAME YELLOW ORANGE; R.G.B. #: 251, 171, 24
 - 15. MED. STONE GREY; R.G.B. #: 158, 152, 161
 - 16. LIGHT ROYAL BLUE; R.G.B. #: 96, 147, 172
 - 17. MEDIUM LILAC; R.G.B. #: 115, 64, 140
 - 18. WARM GOLD; R.G.B. #: 128, 100, 63
 - 19. MEDIUM NOUGAT; R.G.B. #: 175, 118, 72
 - 20. LAVENDER; R.G.B. #: 118, 104, 154
 - 21. MEDIUM AZURE; R.G.B. #: 0, 160, 195
 - 22. REDDISH BROWN; R.G.B. #: 121, 77, 62
 - 23. DARK STONE GRAY; R.G.B. #: 87, 93, 94

LEGOLAND CALIFORNIA

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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.

LEGOLAND CALIFORNIA

PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT
Tom Storer
One Legoland Drive
Carlsbad, CA 92008
tom.storer@legoland.com
858.334.8938

OWP PROJECT NO. 4139.00
DATE OF ISSUE 09.26.2023

REVISIONS

| DELTA | DESCRIPTION | DATE |
|-------|-------------|------|
|-------|-------------|------|

REVIEW BY EH, LMS
DRAWN BY OA

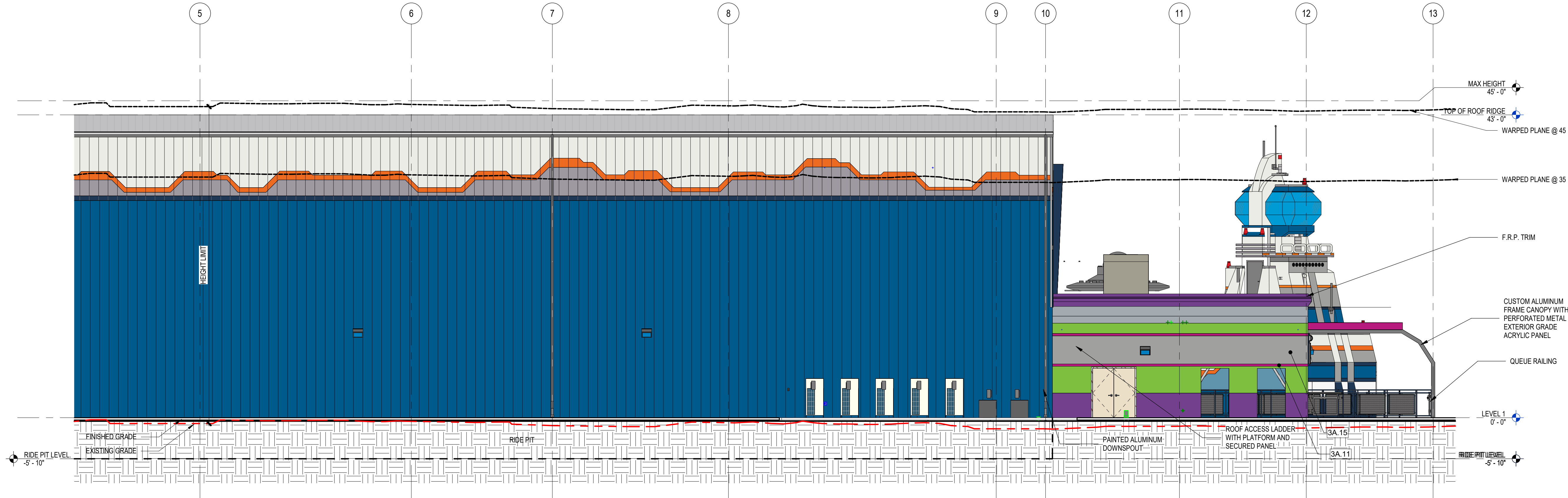
PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMMITAL

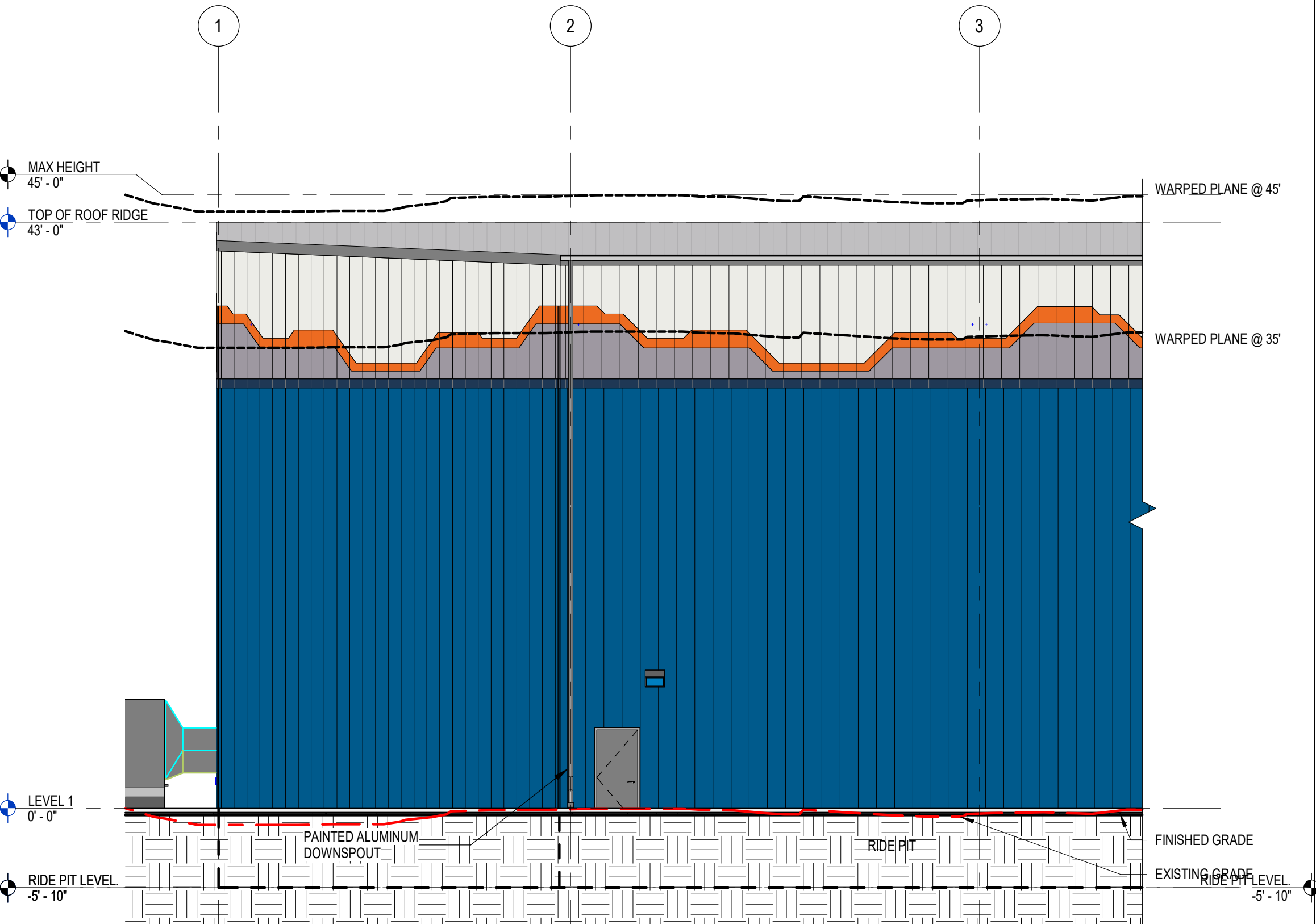
SHEET CONTENTS
EXTERIOR ELEVATIONS - BUILDING

SHEET NO.
A-512

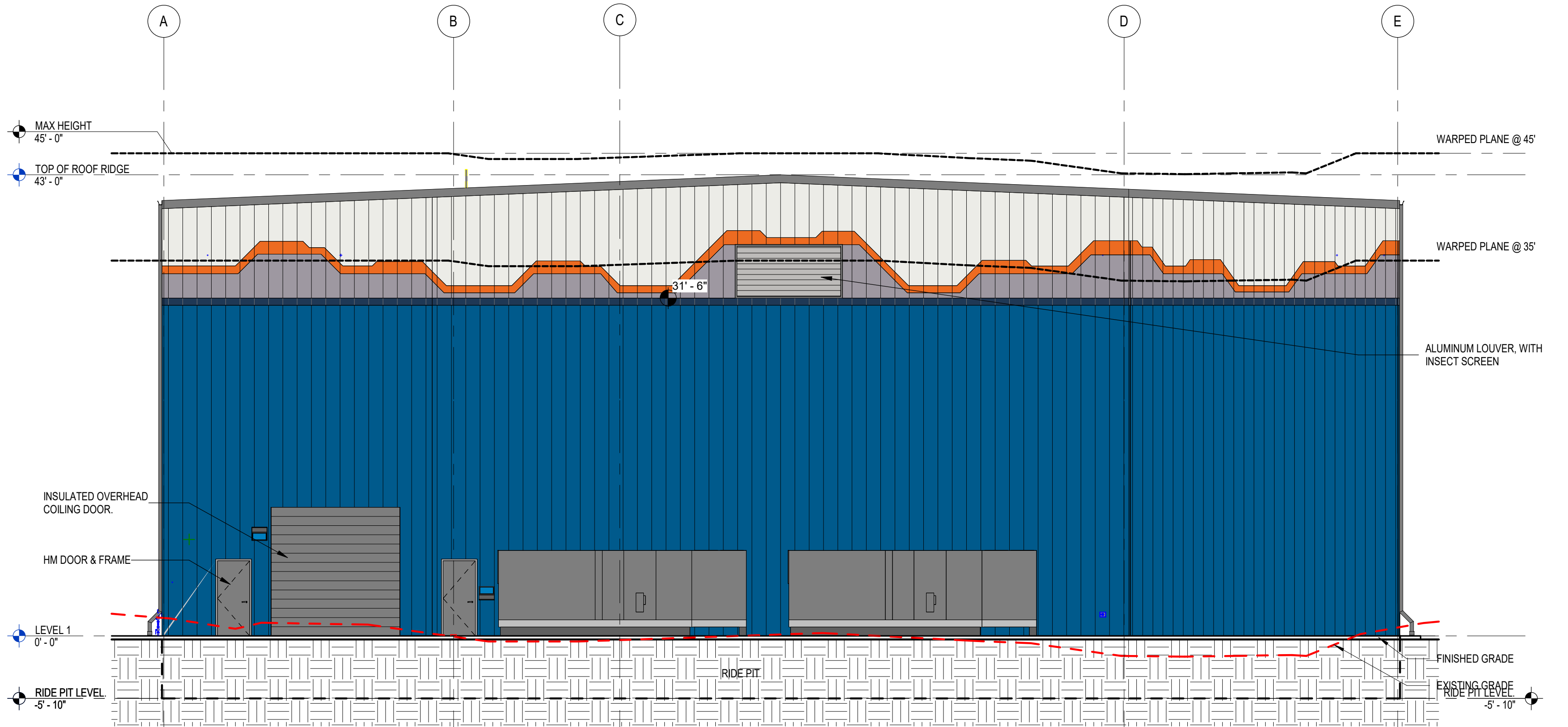
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Autodesk Docs/4139.00 Lego Land/4139-A-LLC.rvt



3 EXTERIOR BUILDING ELEVATION - SOUTH EAST
1/8" = 1'-0" SEE DRAWING # 1 ON SHEET: A-112



2 EXTERIOR BUILDING ELEVATION - SOUTH WEST
1/8" = 1'-0" SEE DRAWING # 1 ON SHEET: A-112

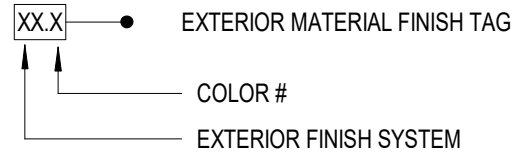


1 EXTERIOR BUILDING ELEVATION - WEST
1/8" = 1'-0" SEE DRAWING # 1 ON SHEET: A-112

SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND



EXTERIOR FINISH SYSTEM:

CEMENT PLASTER (NOT USED):
1.X - CEMENT PLASTER, SAND FINISH

INSULATED METAL PANELS SYSTEM:
2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16" WIDE PANEL

FIBER CEMENT CLADDING SYSTEM:
3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH

ACRYLIC FINISH OVER CEMENT BOARD:
4.X - SMOOTH ACRYLIC FINISH SYSTEM

SINGLE SKIN METAL PANEL:
5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

CUSTOM VINYL DECAL:
6A.X - CUSTOM VINYL DECAL

COLOR SCHEDULE:

- WHITE; R.G.B. # 236, 236, 231
- BRIGHT RED; R.G.B. # 187, 30, 16
- BRIGHT BLUE; R.G.B. # 0, 90, 140
- BRIGHT YELLOW; R.G.B. # 254, 205, 7
- BLACK; R.G.B. # 14, 14, 16
- BRIGHT GREEN; R.G.B. # 16, 174, 77
- GLASS - TRASP. BLUE; R.G.B. # 0, 153, 213
- GLASS - TRASP. YELLOW; R.G.B. # 247, 211, 16
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- BRIGHT YELLOW GREEN; R.G.B. # 127, 191, 64
- BRIGHT RED VIOLET; R.G.B. # 182, 27, 126
- SAND BLUE; R.G.B. # 99, 125, 150
- EARTH BLUE; R.G.B. # 31, 56, 85
- FLAME YELLOW ORANGE; R.G.B. # 251, 171, 24
- MED. STONE GREY; R.G.B. # 158, 152, 161
- LIGHT ROYAL BLUE; R.G.B. # 96, 147, 172
- MEDIUM LILAC; R.G.B. # 115, 64, 140
- WARM GOLD; R.G.B. # 128, 100, 83
- MEDIUM NOUGAT; R.G.B. # 175, 116, 72
- LAVENDER; R.G.B. # 118, 104, 154
- MEDIUM AZURE; R.G.B. # 0, 160, 195
- REDDISH BROWN; R.G.B. # 121, 77, 62
- DARK STONE GRAY; R.G.B. 87, 93, 94

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HHCP
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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT

Tom Storer
One Legoland Drive
Carlsbad, CA 92008
tom.storer@legoland.com
858.334.8938

OWP PROJECT NO. DATE OF ISSUE

4139.00 09.26.2023

REVISIONS

| DELTA | DESCRIPTION | DATE |
|-------|-------------|------|
|-------|-------------|------|

REVIEW BY DRAWN BY

EH, LMS OA

PROJECT TEAM:

Orcutt HHCP LLC

PROJECT PHASE

SDP/CDP SUMITTAL

SHEET CONTENTS

EXTERIOR ELEVATIONS -
BUILDING

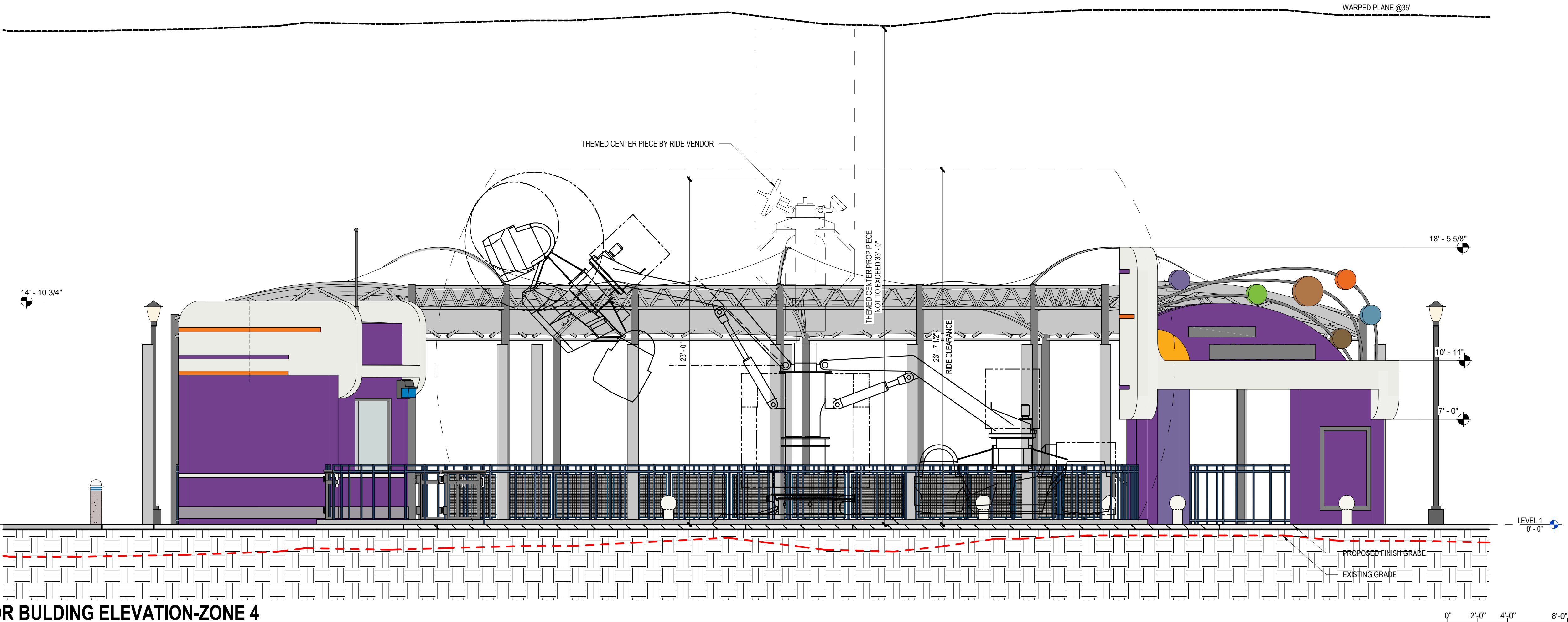
SHEET NO.

A-513

Item #2 Page 77 of 91

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Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt

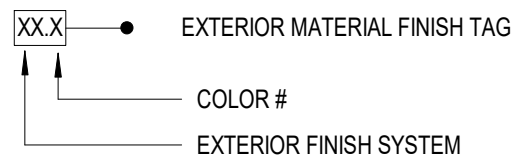
EXTERIOR BUILDING ELEVATION-ZONE 4



SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- C. REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- D. FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND



EXTERIOR FINISH SYSTEM:

CEMENT PLASTER (NOT USED):
1.X - CEMENT PLASTER, SAND FINISH

INSULATED METAL PANELS SYSTEM:
2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16" WIDE PANEL

FIBER CEMENT CLADDING SYSTEM:
3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH

ACRYLIC FINISH OVER CEMENT BOARD:
4.X - SMOOTH ACRYLIC FINISH SYSTEM

SINGLE SKIN METAL PANEL:
5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

CUSTOM VYNIL DECAL :
6A.X - CUSTOM VINYL DECAL

- COLOR SCHEDULE:
- WHITE; R.G.B. # 236, 236, 231
 - BRIGHT RED; R.G.B. # 187,30, 16
 - BRIGHT BLUE; R.G.B. # 0, 90, 140
 - BRIGHT YELLOW; R.G.B. # 254, 205, 7
 - BLACK; R.G.B. # 14, 14, 16
 - BRIGHT GREEN; R.G.B. # 16, 174, 77
 - GLASS - TRASP. BLUE; R.G.B. # 0, 153, 213
 - GLASS - TRASP. YELLOW; R.G.B. # 247, 211,16
 - BRIGHT ORANGE; R.G.B. # 237, 107, 33
 - BRIGHT YELLOW GREEN; R.G.B. # 127, 191, 64
 - BRIGHT RED VIOLET; R.G.B. # 182, 27, 126
 - SAND BLUE; R.G.B. # 99, 125, 150
 - EARTH BLUE; R.G.B. # 31, 56, 65
 - FLAME YELLOW ORANGE; R.G.B. # 251, 171, 24
 - MED. STONE GREY; R.G.B. # 158, 152, 161
 - LIGHT ROYAL BLUE; R.G.B. # 96, 147, 172
 - MEDIUM LILAC; R.G.B. # 115, 64, 140
 - WARM GOLD; R.G.B. # 128, 100, 63
 - MEDIUM NOUGAT; R.G.B. # 175, 118, 72
 - LAVENDER; R.G.B. # 118, 104, 154
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 - REDDISH BROWN; R.G.B. # 121,77,62
 - DARK STONE GRAY; R.G.B. 87,93,94

SDP2023-0012/ CDP2023-0022

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MERLIN ENTERTAINMENTS GROUP , US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT

Tom Storer
One Legoland Drive
Carlsbad, CA 92008
tom.storer@legoland.com
858.334.8938

| OWP PROJECT NO. | DATE OF ISSUE |
|-----------------|---------------|
| 4139.00 | 09.26.2023 |

| REVISIONS | DELTA | DESCRIPTION | DATE |
|-----------|-------|-------------|------|
|-----------|-------|-------------|------|

| REVIEW BY | DRAWN BY |
|-----------|----------|
| EH, LMS | OA |

PROJECT TEAM:
Orcutt HHCP LLC

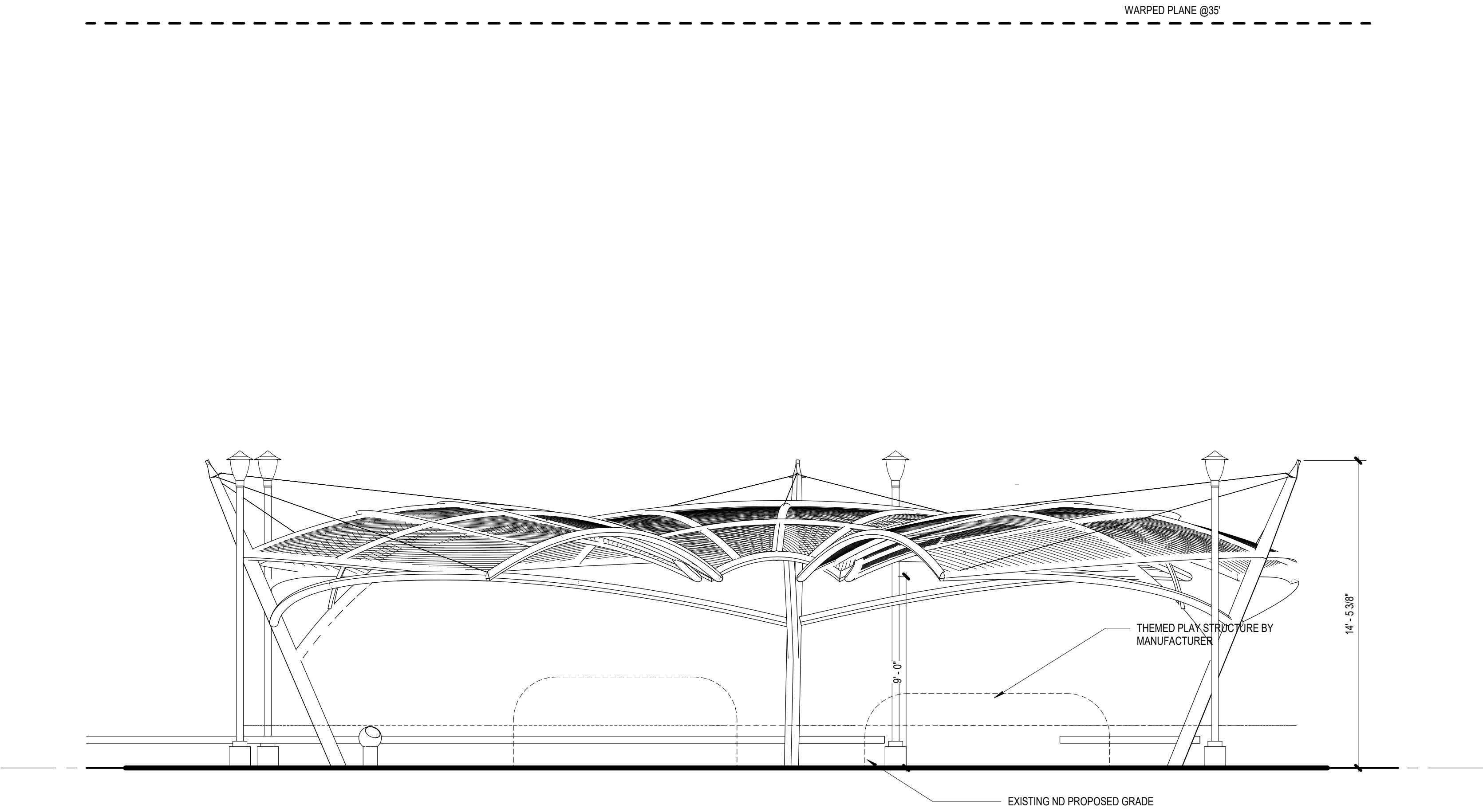
PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
EXTERIOR
ELEVATIONS-BUILDING - FLAT
RIDE
SHEET NO.

A-514

EXTERIOR ENLARGED ELEVATION- TOT SPOT

1/4" = 1'-0" | SEE DRAWING #: 1 ON SHEET: A-111

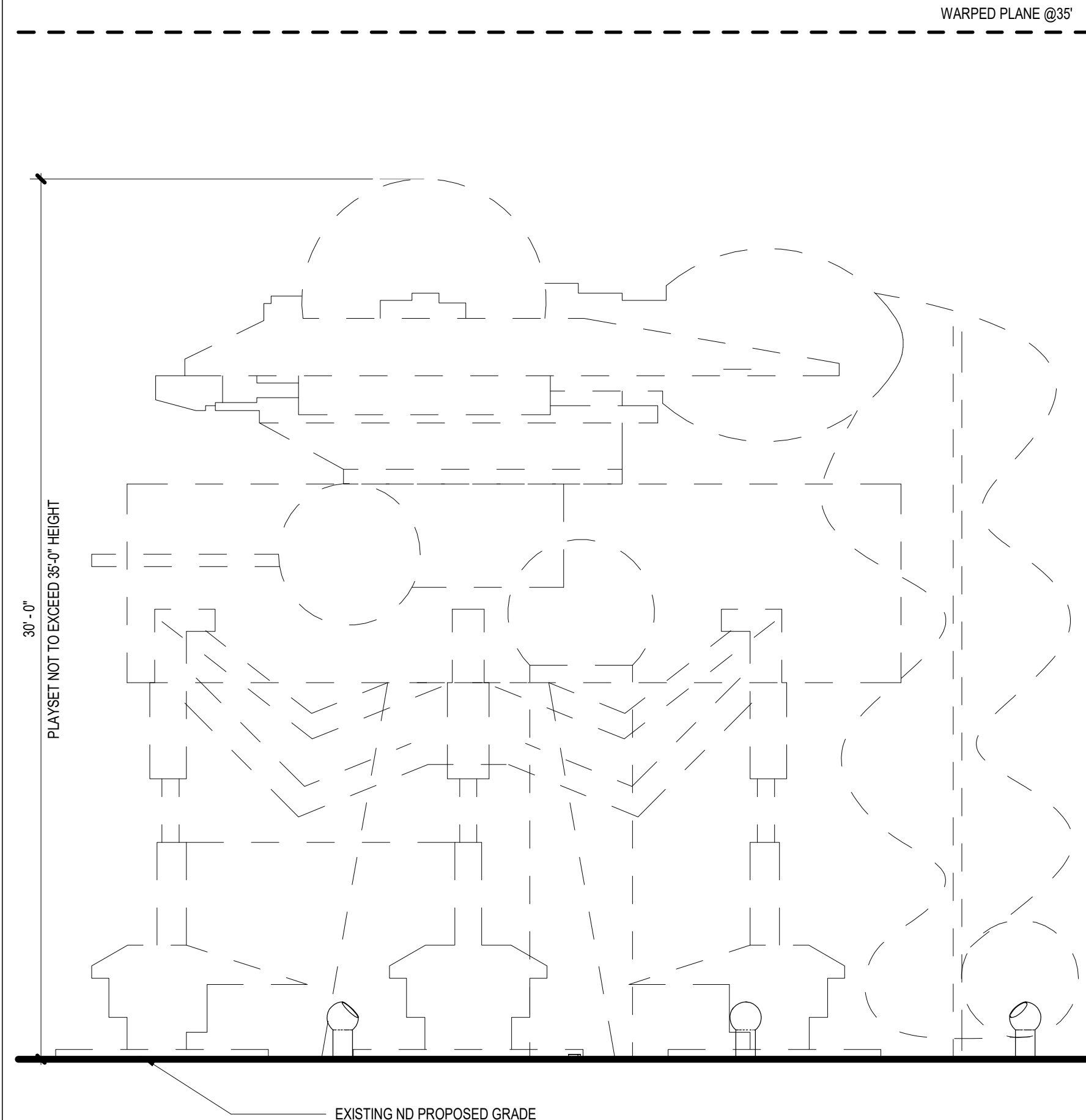


0" 2'-0" 4'-0" 8'-0"

1

EXTERIOR ENLARGED ELEVATION-PLAYSCAPE

1/4" = 1'-0" | SEE DRAWING #: 1 ON SHEET: A-112

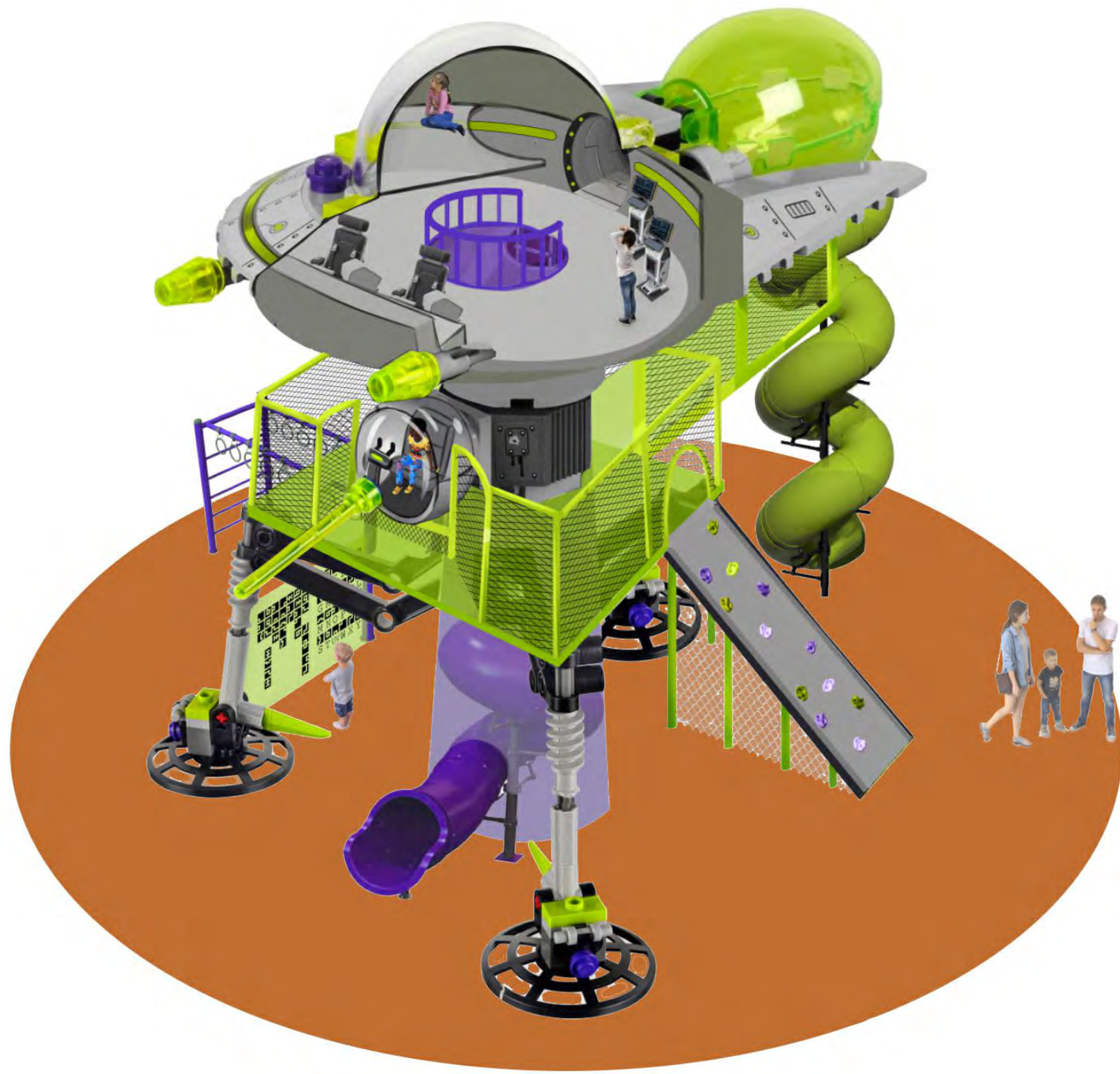


0" 2'-0" 4'-0" 8'-0"

2

N.T.S

0" 2'-0" 4'-0" 8'-0"

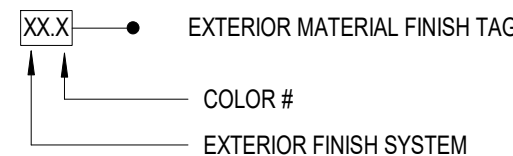


PLAYSCAPE STRUCTURE -
ARTIST'S CONCEPTION

SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- C. REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- D. FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND



EXTERIOR FINISH SYSTEM:

CEMENT PLASTER (NOT USED):
1.X - CEMENT PLASTER, SAND FINISH

INSULATED METAL PANELS SYSTEM:
2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16" WIDE PANEL

FIBER CEMENT CLADDING SYSTEM:
3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH

ACRYLIC FINISH OVER CEMENT BOARD:
4.X - SMOOTH ACRYLIC FINISH SYSTEM

SINGLE SKIN METAL PANEL:
5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

CUSTOM VYNIL DECAL :
6A.X - CUSTOM VINYL DECAL

COLOR SCHEDULE:

1. WHITE; R.G.B. #: 236, 236, 231
2. BRIGHT RED; R.G.B. #: 187, 30, 16
3. BRIGHT BLUE; R.G.B. #: 0, 90, 140
4. BRIGHT YELLOW; R.G.B. #: 254, 205, 7
5. BLACK; R.G.B. #: 14, 14, 16
6. BRIGHT GREEN; R.G.B. #: 16, 174, 77
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11. BRIGHT RED VIOLET; R.G.B. #: 182, 27, 126
12. SAND BLUE; R.G.B. #: 99, 125, 150
13. EARTH BLUE; R.G.B. #: 31, 56, 66
14. FLAME YELLOW ORANGE; R.G.B. #: 251, 171, 24
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16. LIGHT ROYAL BLUE; R.G.B. #: 96, 147, 172
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18. WARM GOLD; R.G.B. #: 128, 100, 63
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21. MEDIUM AZURE; R.G.B. #: 0, 160, 195
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23. DARK STONE GRAY; R.G.B. 87, 93, 94



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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA

CLIENT CONTACT

Tom Storer
One Legoland Drive
Carlsbad, CA 92008
tom.storer@legoland.com
858.334.8938

OWP PROJECT NO. DATE OF ISSUE

4139.00 09.26.2023

REVISIONS

| DELTA | DESCRIPTION | DATE |
|-------|-------------|------|
|-------|-------------|------|

REVIEW BY DRAWN BY

EH, LMS OA

PROJECT TEAM:

Orcutt HHCP LLC

PROJECT PHASE

SDP/CDP SUMITTAL

SHEET CONTENTS

EXTERIOR ELEVATIONS - TOT
SPOT & PLAYSCAPE

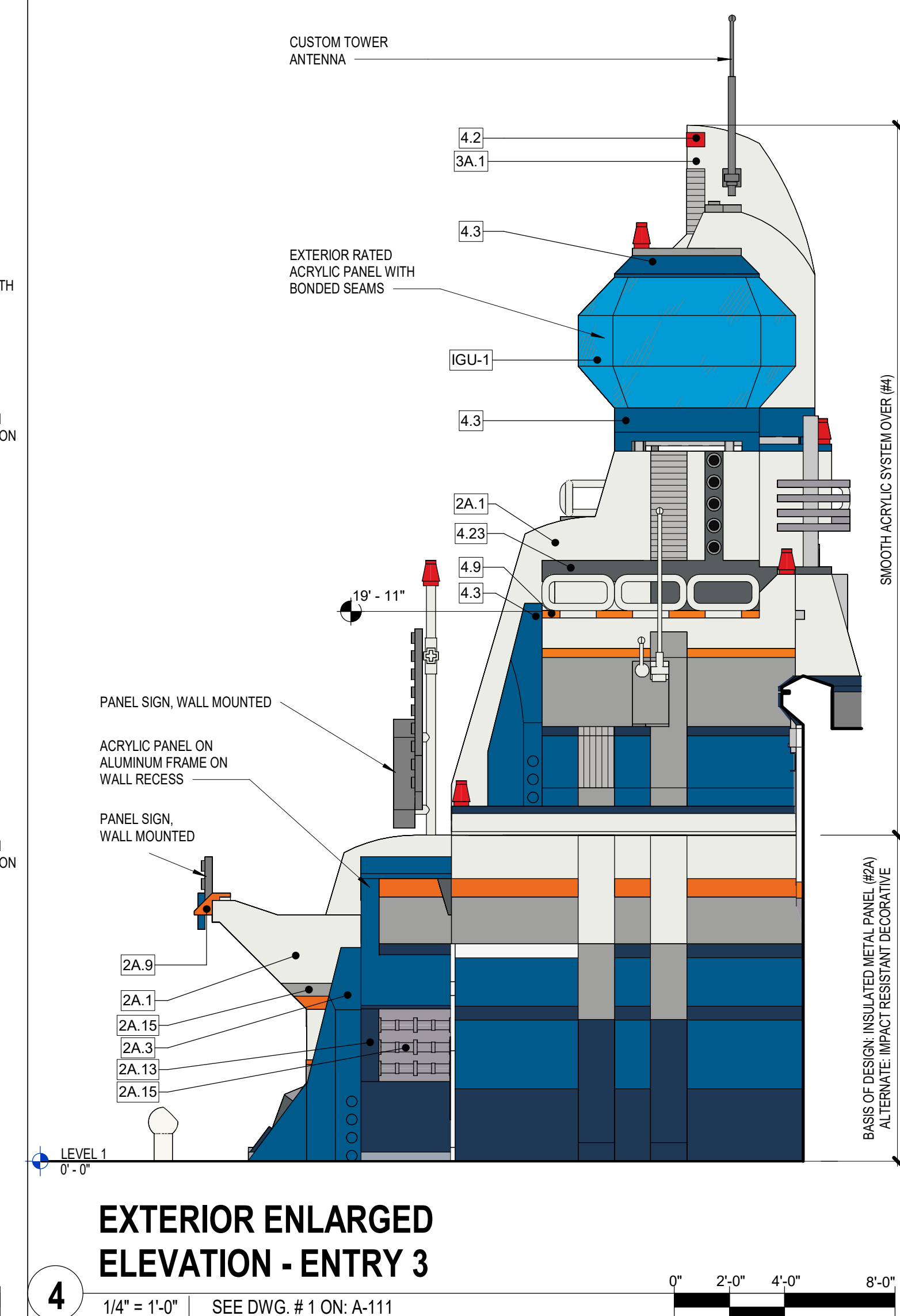
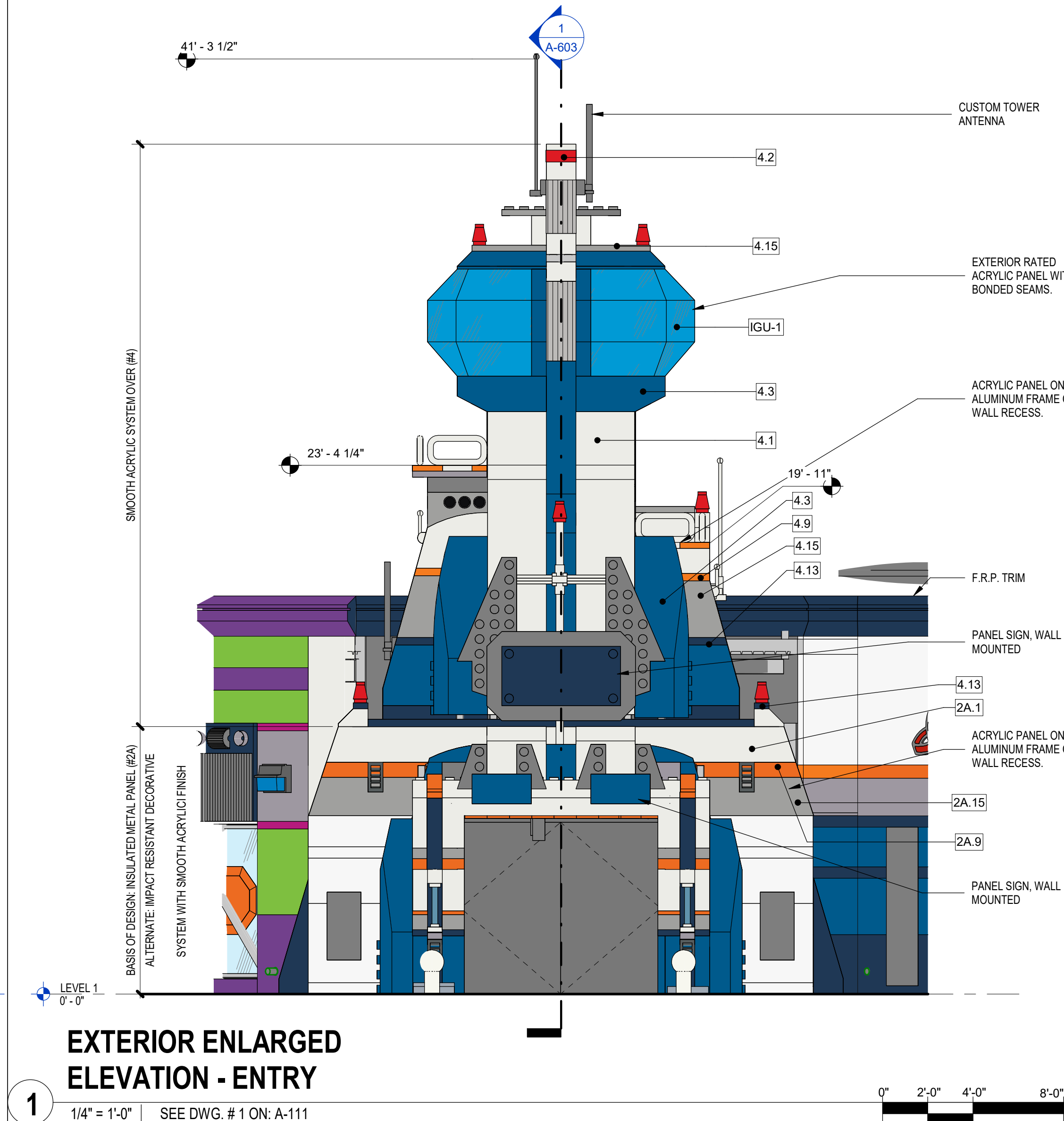
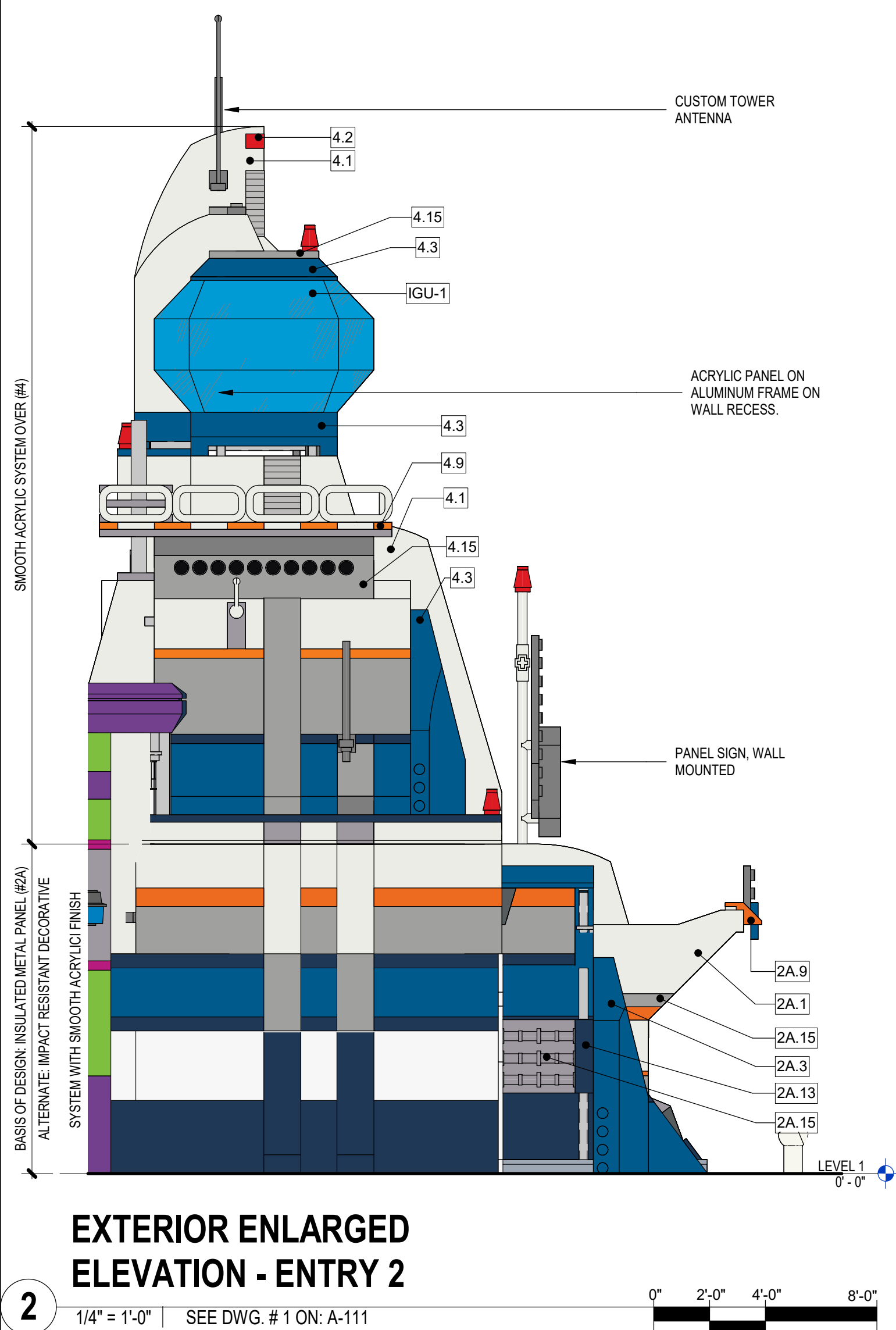
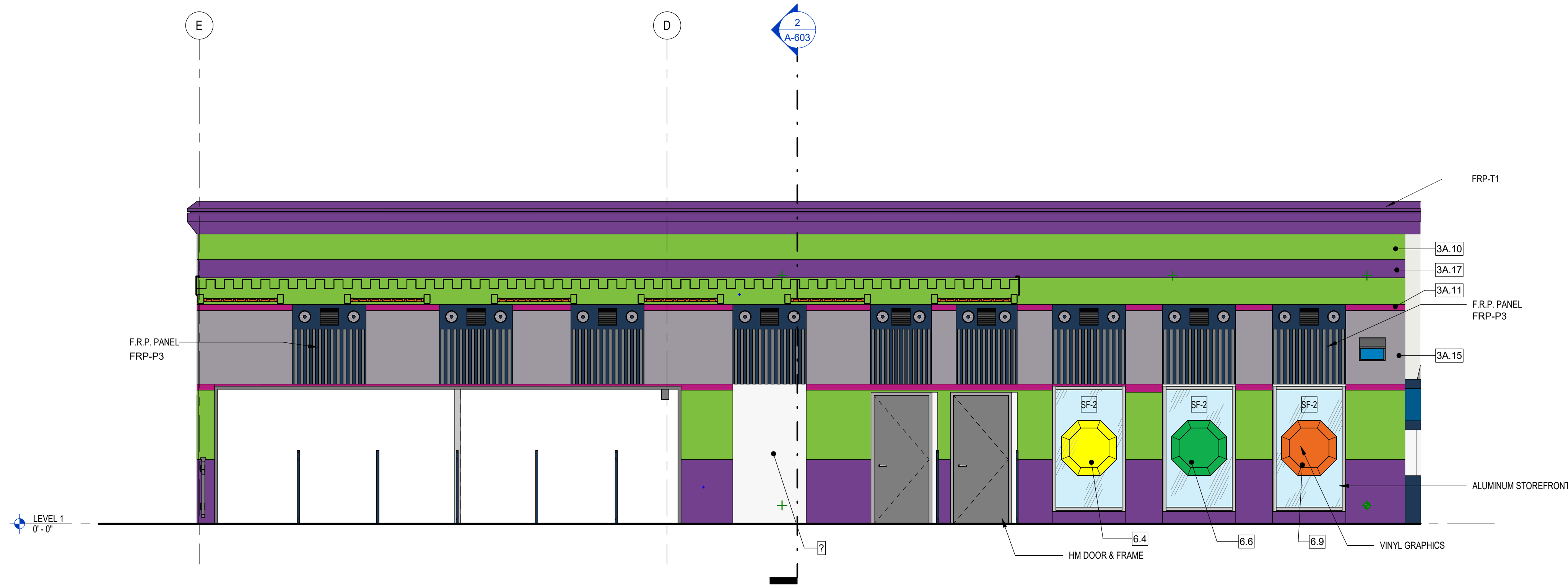
SHEET NO.

A-515

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Autodesk Docs//4139.00 Lego Land/A-LLC.rvt

January 17, 2024

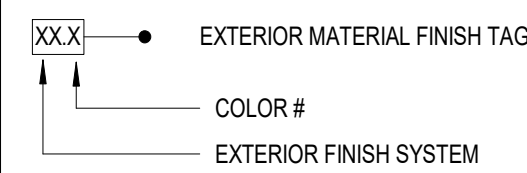
3 EXTERIOR ENLARGED ELEVATION - EXTERIOR QUEUE AREA
1/4" = 1'-0" | SEE DRAWING # 1 ON SHEET: A-111



SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
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EXTERIOR FINISH SYSTEM:

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5B.X - METAL PANEL, FLAT

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6A.X - CUSTOM VINYL DECAL

COLOR SCHEDULE:

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- BRIGHT BLUE; R.G.B. #: 0, 90, 140
- BRIGHT YELLOW; R.G.B. #: 254, 205, 7
- BLACK; R.G.B. #: 14, 14, 16
- BRIGHT GREEN; R.G.B. #: 16, 174, 77
- GLASS - TRANSP. BLUE; R.G.B. #: 0, 153, 213
- GLASS - TRANSP. YELLOW; R.G.B. #: 247, 211, 16
- BRIGHT ORANGE; R.G.B. #: 237, 107, 33
- BRIGHT YELLOW GREEN; R.G.B. #: 182, 191, 64
- BRIGHT RED VIOLET; R.G.B. #: 182, 27, 126
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- EARTH BLUE; R.G.B. #: 31, 56, 85
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- LIGHT ROYAL BLUE; R.G.B. #: 96, 147, 172
- MEDIUM LILAC; R.G.B. #: 115, 64, 140
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- LAVENDER; R.G.B. #: 118, 104, 154
- MEDIUM AZURE; R.G.B. #: 0, 160, 195
- REDDISH BROWN; R.G.B. #: 121, 77, 62
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DATE OF ISSUE 09.26.2023

REVISIONS
DELTA DESCRIPTION DATE

REVIEW BY EH, LMS
DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMMITAL

SHEET CONTENTS
EXTERIOR ELEVATIONS - ENLARGED

SHEET NO.

A-521

9/26/2023 12:46:49 PM orcutt\j winslow / 4139.00 / LEGOLAND CALIFORNIA PROJECT 2025 - 75% CONSTRUCTION DOCUMENTS / A-522- EXTERIOR ELEVATIONS - ENLARGED / OA
Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt

January 17, 2024

EXTERIOR ENLARGED ELEVATION - RETAIL EXIT

1/4" = 1'-0"

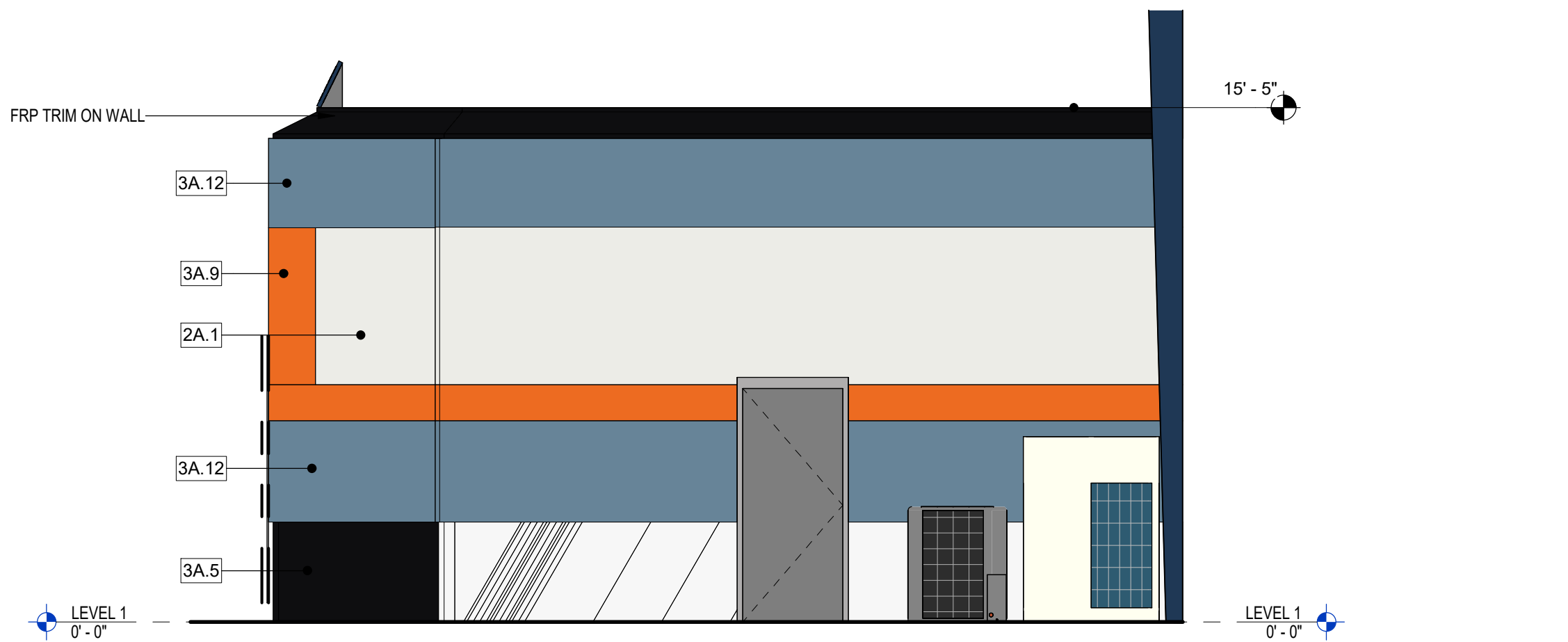


0" 2'-0" 4'-0" 8'-0"

1

EXTERIOR ENLARGED ELEVATION - BRICK BUILDING 2

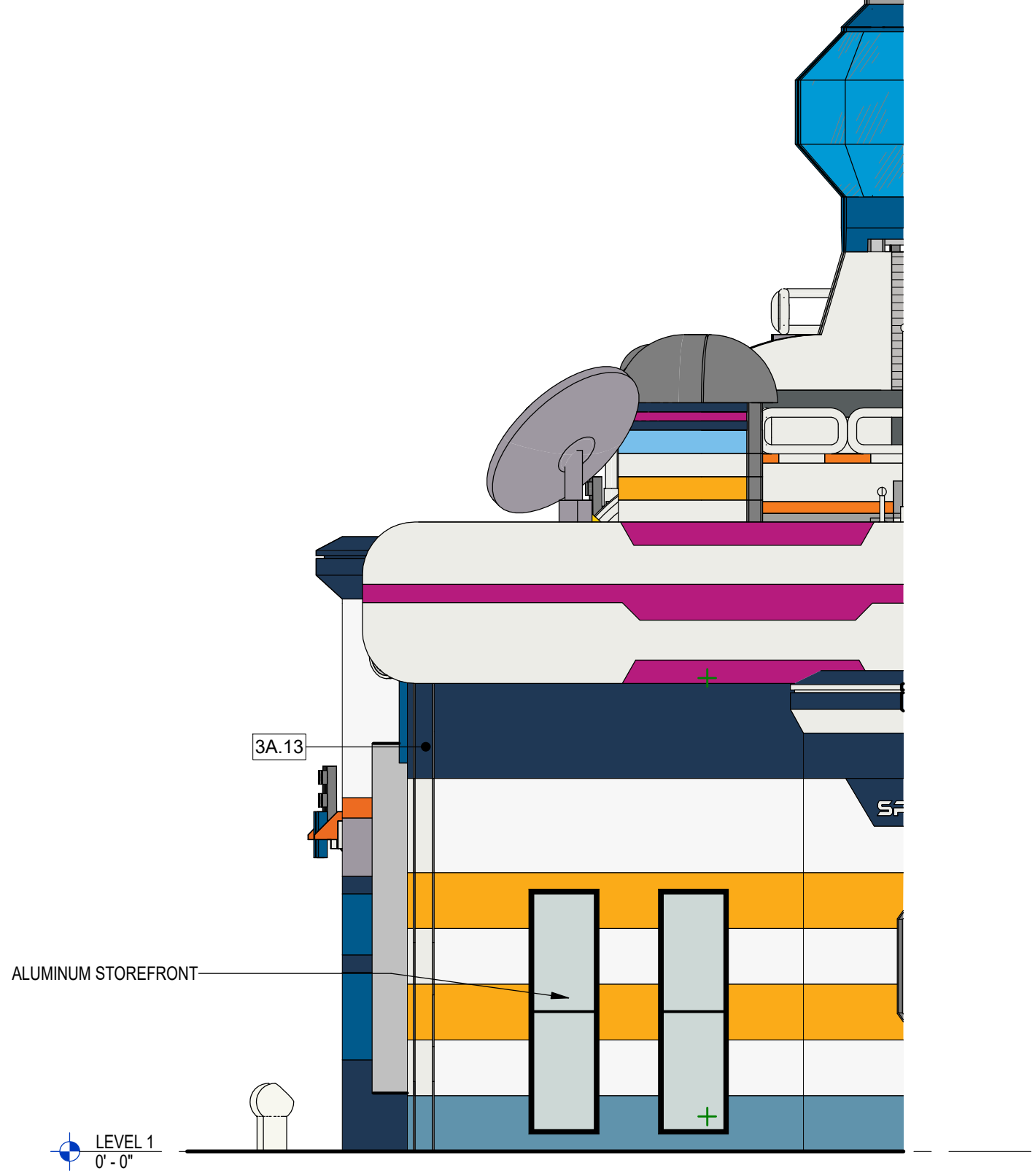
1/4" = 1'-0"



0" 2'-0" 4'-0" 8'-0"

EXTERIOR ENLARGED ELEVATION - NORTH WEST - RETAIL

1/4" = 1'-0"

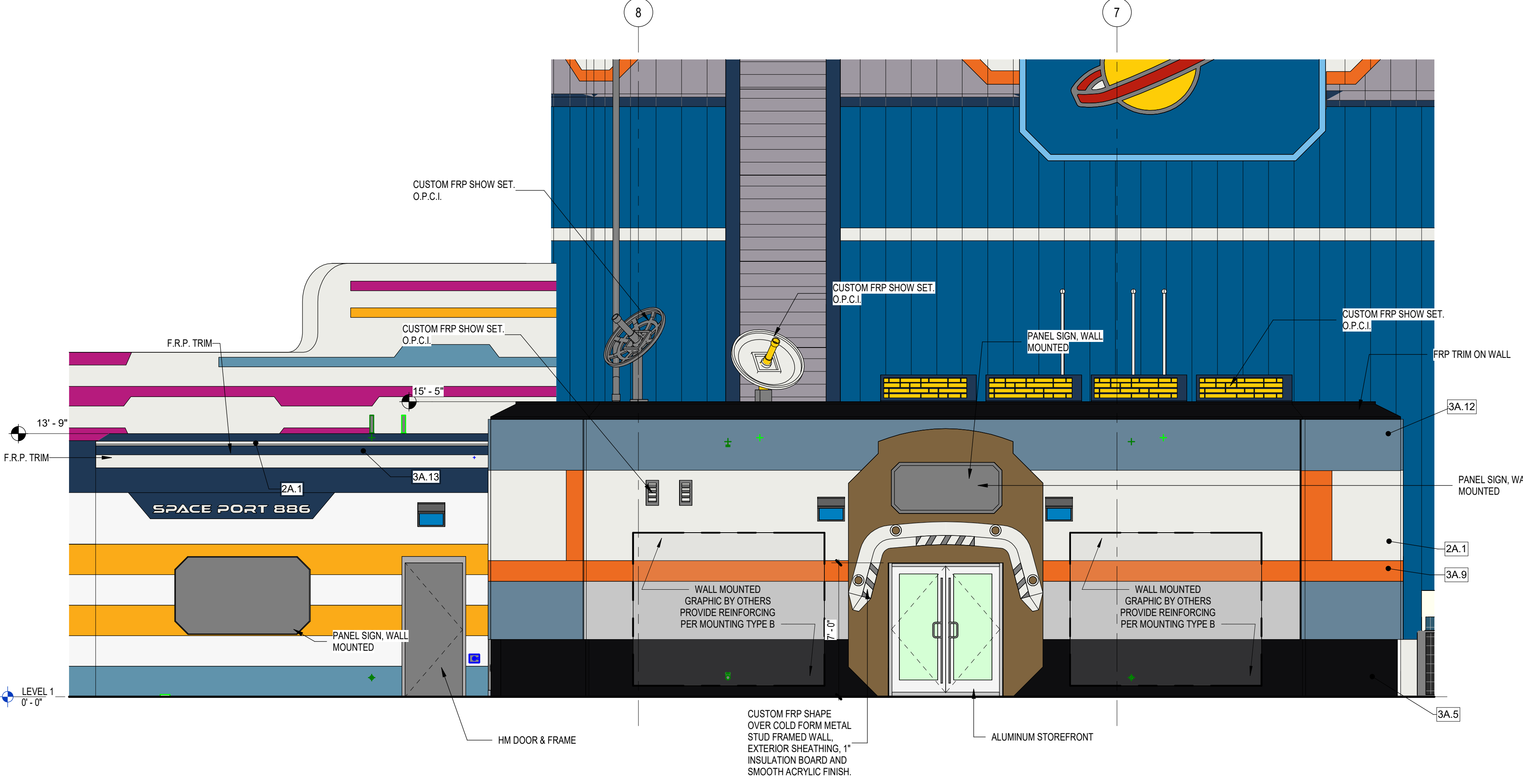


0" 2'-0" 4'-0" 8'-0"

3

EXTERIOR ENLARGED ELEVATION - BRICK BUILDING

1/4" = 1'-0"

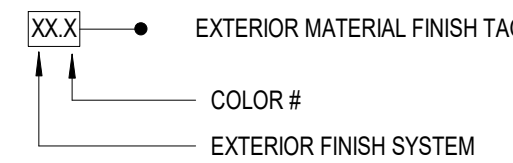


0" 2'-0" 4'-0" 8'-0"

SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND



EXTERIOR FINISH SYSTEM:

CEMENT PLASTER (NOT USED):

- 1.X - CEMENT PLASTER, SAND FINISH

INSULATED METAL PANELS SYSTEM:

- 2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16\"/>

FIBER CEMENT CLADDING SYSTEM:

- 3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH

ACRYLIC FINISH OVER CEMENT BOARD:

- 4.X - SMOOTH ACRYLIC FINISH SYSTEM

SINGLE SKIN METAL PANEL:

- 5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

CUSTOM VINYL DECAL:

- 6A.X - CUSTOM VINYL DECAL

COLOR SCHEDULE:

- WHITE; R.G.B. # 236, 236, 231
- BRIGHT RED; R.G.B. # 187,30, 16
- BRIGHT BLUE; R.G.B. # 0, 90, 140
- BRIGHT YELLOW; R.G.B. # 254, 205, 7
- BLACK; R.G.B. # 14, 14, 16
- BRIGHT GREEN; R.G.B. # 16, 174, 77
- GLASS - TRASP. BLUE; R.G.B. # 0, 153, 213
- GLASS - TRASP. YELLOW; R.G.B. # 247, 211,16
- BRIGHT ORANGE; R.G.B. # 237, 107, 33
- BRIGHT YELLOW GREEN; R.G.B. # 127, 191, 64
- BRIGHT RED VIOLET; R.G.B. # 182, 27, 126
- SAND BLUE; R.G.B. # 99, 125, 150
- EARTH BLUE; R.G.B. # 31, 56, 85
- FLAME YELLOW ORANGE; R.G.B. # 251, 171, 24
- MED. STONE GREY; R.G.B. # 158, 152, 161
- LIGHT ROYAL BLUE; R.G.B. # 96, 147, 172
- MEDIUM LILAC; R.G.B. # 115, 64, 140
- WARM GOLD; R.G.B. # 128, 100, 63
- MEDIUM NOUGAT; R.G.B. # 175, 116, 72
- LAVENDER; R.G.B. # 116, 104, 154
- MEDIUM AZURE; R.G.B. # 0, 160, 165
- REDDISH BROWN; R.G.B. # 121,77,62
- DARK STONE GRAY; R.G.B. 87,93,94

SDP2023-0012/ CDP2023-0022



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LEGOLAND CALIFORNIA PROJECT 2025

MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT

Tom Storer
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tom.storer@legoland.com
858.334.8938

OWP PROJECT NO. 4139.00 DATE OF ISSUE 09.26.2023

REVISIONS
DELTA DESCRIPTION DATE

REVIEW BY EH, LMS DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMMITAL

SHEET CONTENTS
EXTERIOR ELEVATIONS - ENLARGED

SHEET NO.

A-522

Item #2 Page 81 of 91

XX.X —● EXTERIOR MATERIAL FINISH TAG

↑ COLOR #

↑ EXTERIOR FINISH SYSTEM

INSULATED METAL PANELS SYSTEM:
2A.X - INSULATED METAL PANEL, SMOOTH FACE,
CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT
VERTICAL, 16" WIDE PANEL

3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS
FINISH

4.X - SMOOTH ACRYLIC FINISH SYSTEM

5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

6A.X - CUSTOM VINYL DECAL

1. WHITE, R.G.B. #: 236, 236, 231
2. BRIGHT RED, R.G.B. #: 187, 30, 10
3. BRIGHT BLUE, R.G.B. #: 0, 90, 140
4. BRIGHT YELLOW, R.G.B. #: 254, 205, 7
5. BLACK, R.G.B. #: 14, 14, 14
6. BRIGHT GREEN, R.G.B. #: 16, 174, 77
7. GLASS - TRASP. BLUE, R.G.B. #: 0, 153, 213
8. GLASS - TRASP. YELLOW, R.G.B. #: 247, 211, 16
9. BRIGHT ORANGE, R.G.B. #: 237, 107, 31
10. BRIGHT YELLOW GREEN: R.G.B. #: 127, 191, 64
11. BRIGHT RED VIOLET, R.G.B. #: 182, 27, 129
12. BRIGHT PURPLE, R.G.B. #: 155, 42, 95
13. EARTH BLUE, R.G.B. #: 31, 56, 85
14. FLAME YELLOW ORANGE: R.G.B. #: 251, 171, 21
15. MED. STONE GREY: R.G.B. #: 158, 152, 161
16. LIGHT ROYAL BLUE: R.G.B. #: 96, 147, 172
17. MEDIUM LILAC, R.G.B. #: 115, 54, 140
18. WARM GOLD, R.G.B. #: 126, 100, 63
19. MEDIUM MUSTARD, R.G.B. #: 175, 116, 72
20. LAVENDER, R.G.B. #: 160, 150, 225
21. MEDIUM AZURE, R.G.B. #: 0, 104, 195
22. REDDISH BROWN, R.G.B. #: 127, 77, 62
23. DARK STONE GRAY, R.G.B. #: 87, 93, 94

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

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| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |
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| | |
|-----------|----------|
| REVIEW BY | DRAWN BY |
| EH, LMS | OA |

PROJECT TEAM:
Orcutt HHCP LLC

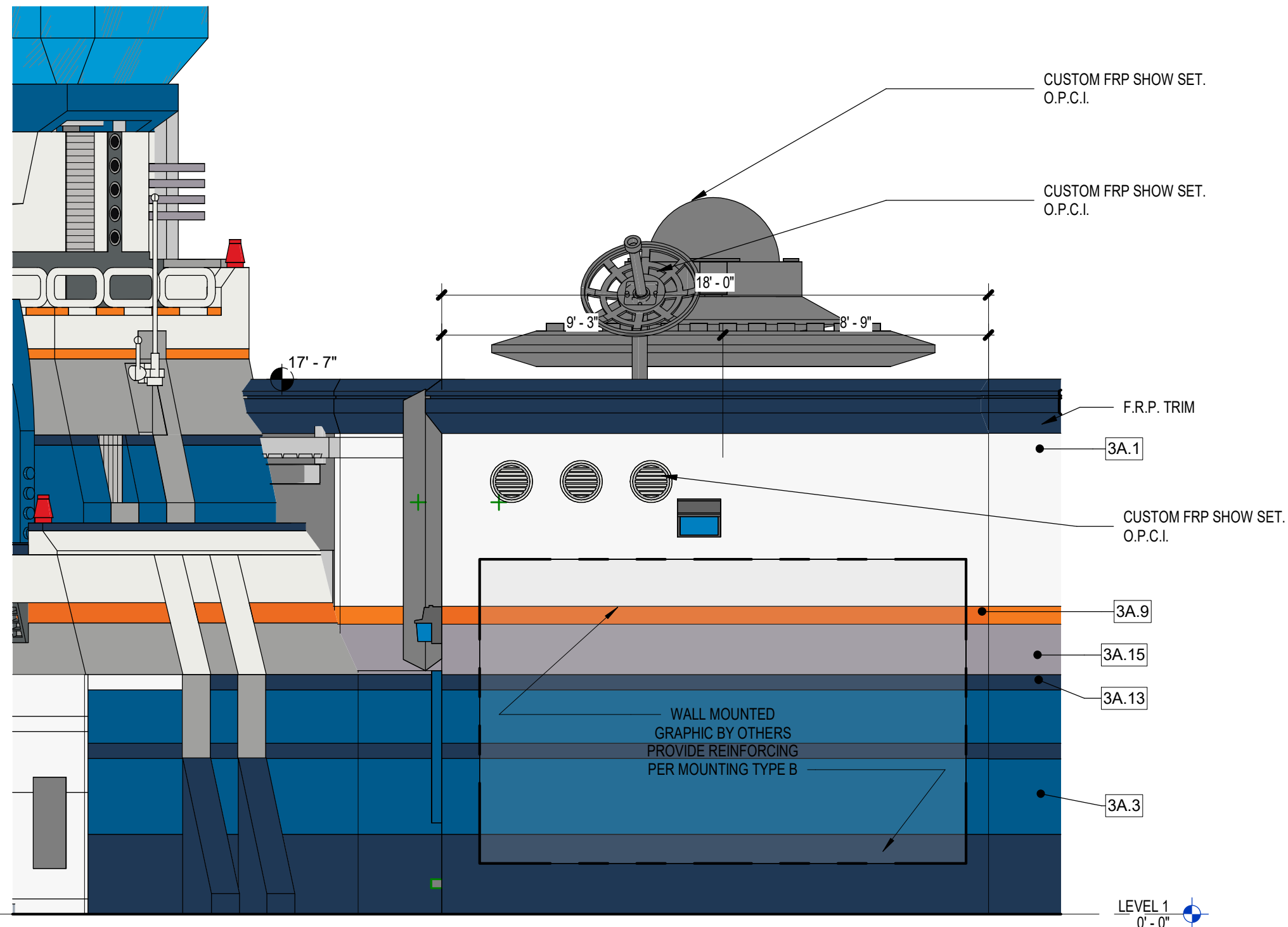
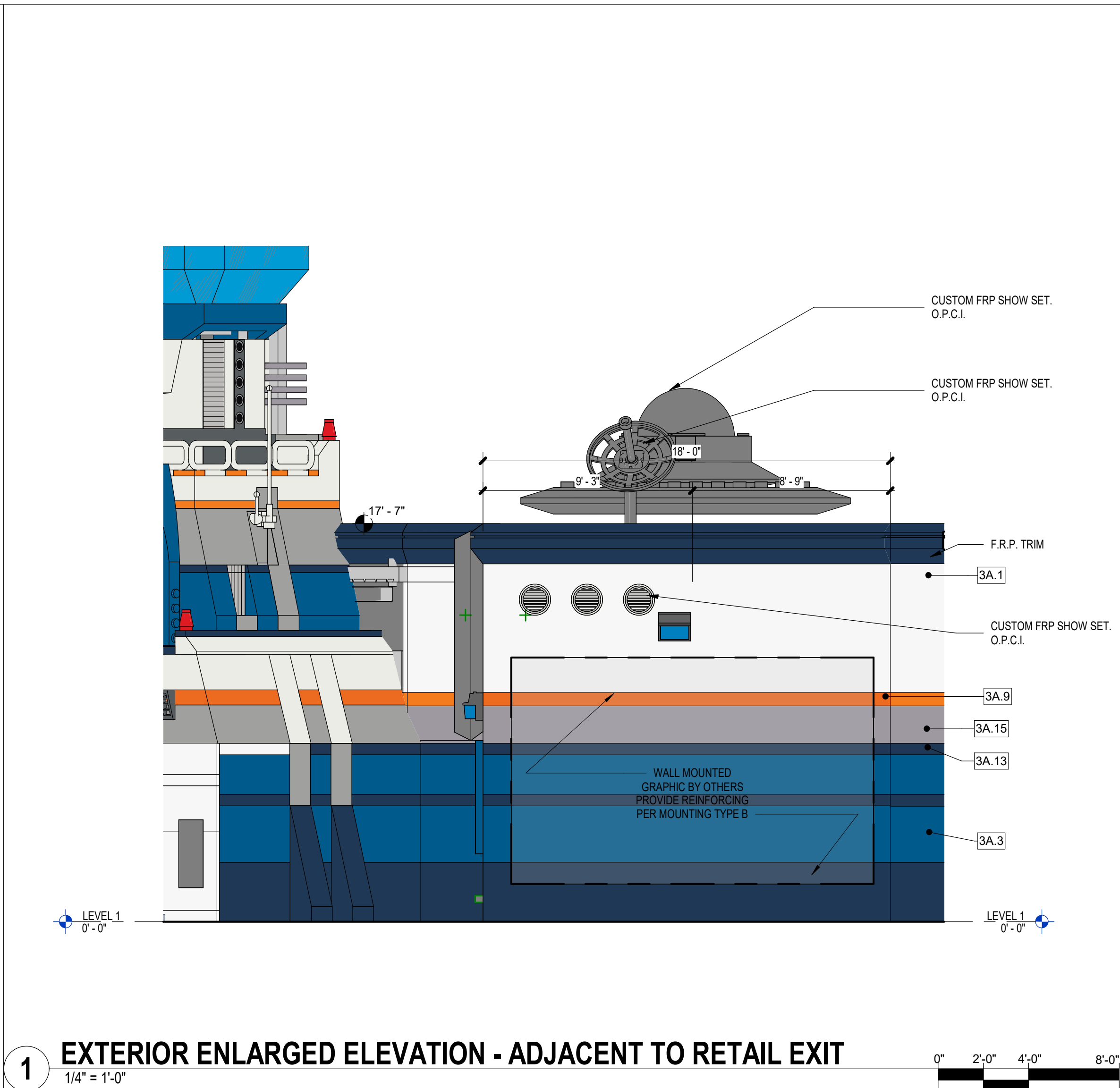
PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS

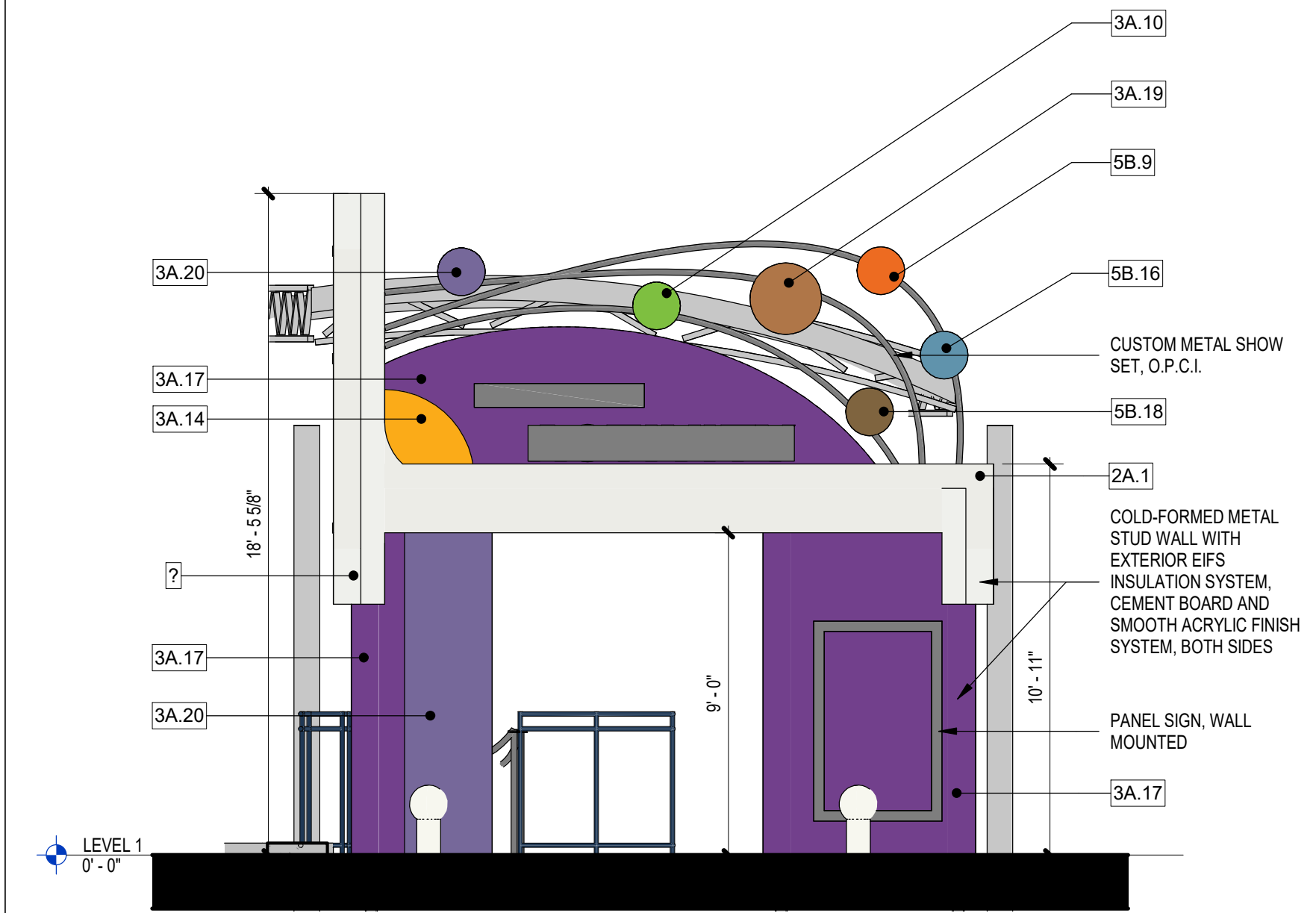
EXTERIOR ELEVATIONS -
ENLARGED

SHEET NO.

A-523

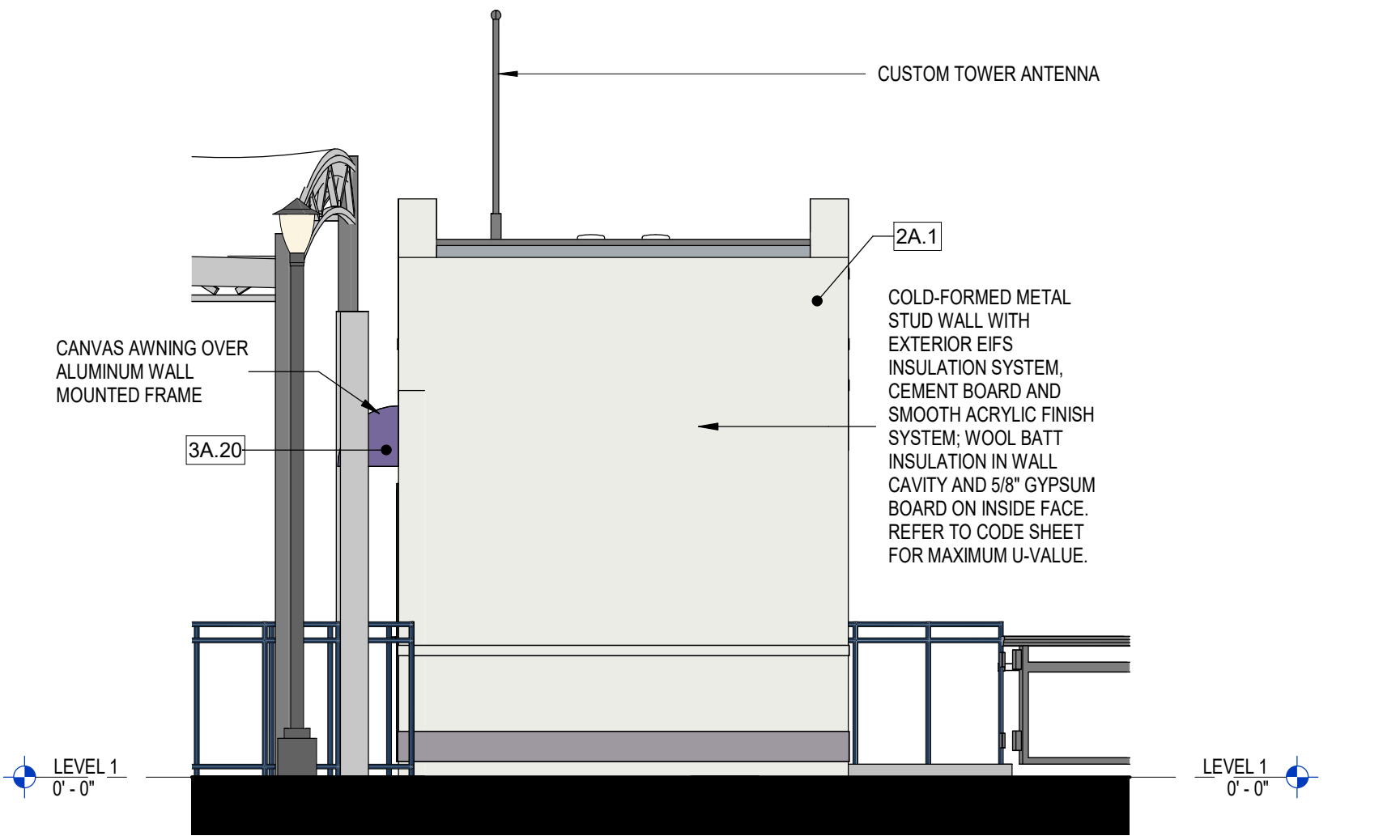


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Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt



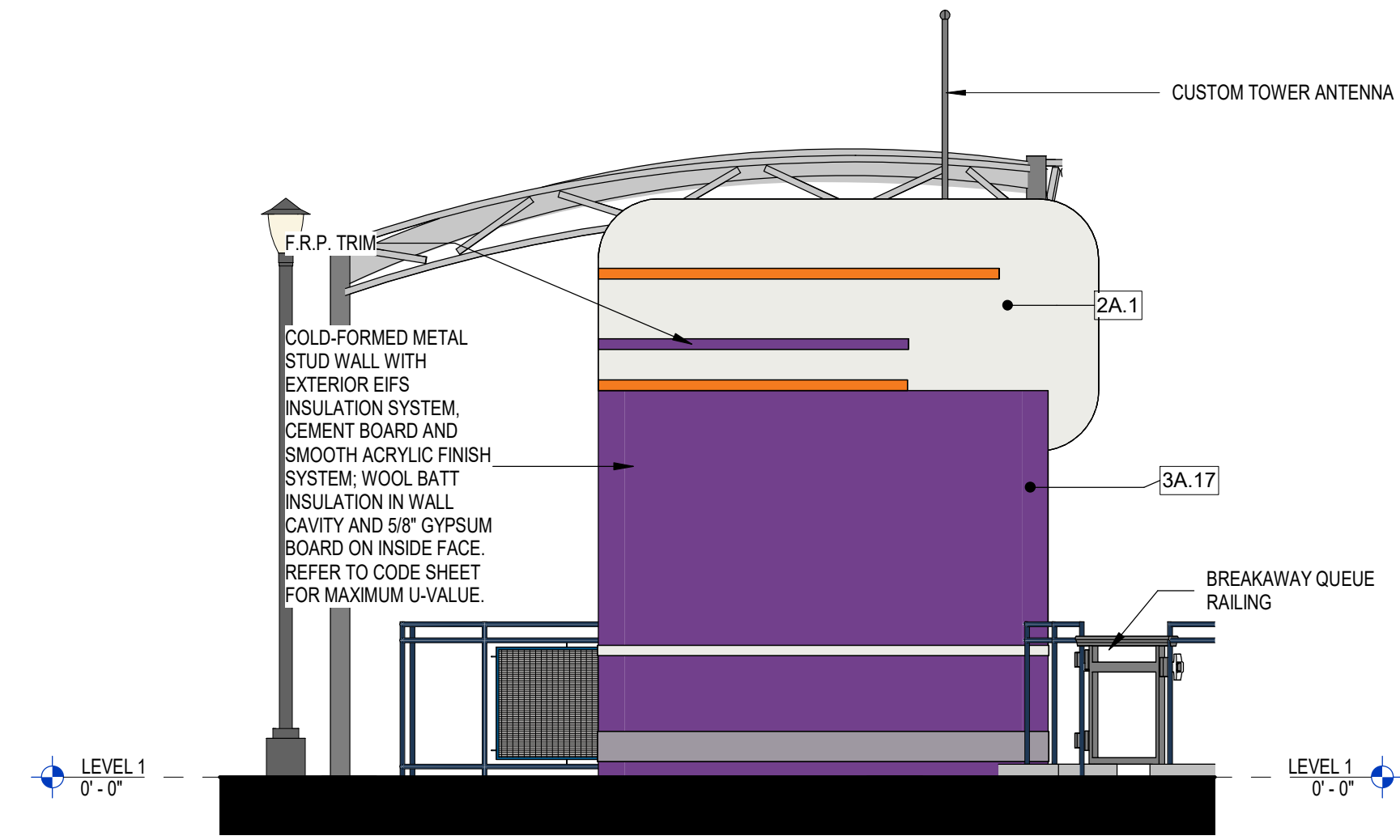
EXTERIOR RIDE ENTRANCE
ELEVATION - NORTH

5 1/4" = 1'-0" 0" 2'-0" 4'-0" 8'-0"



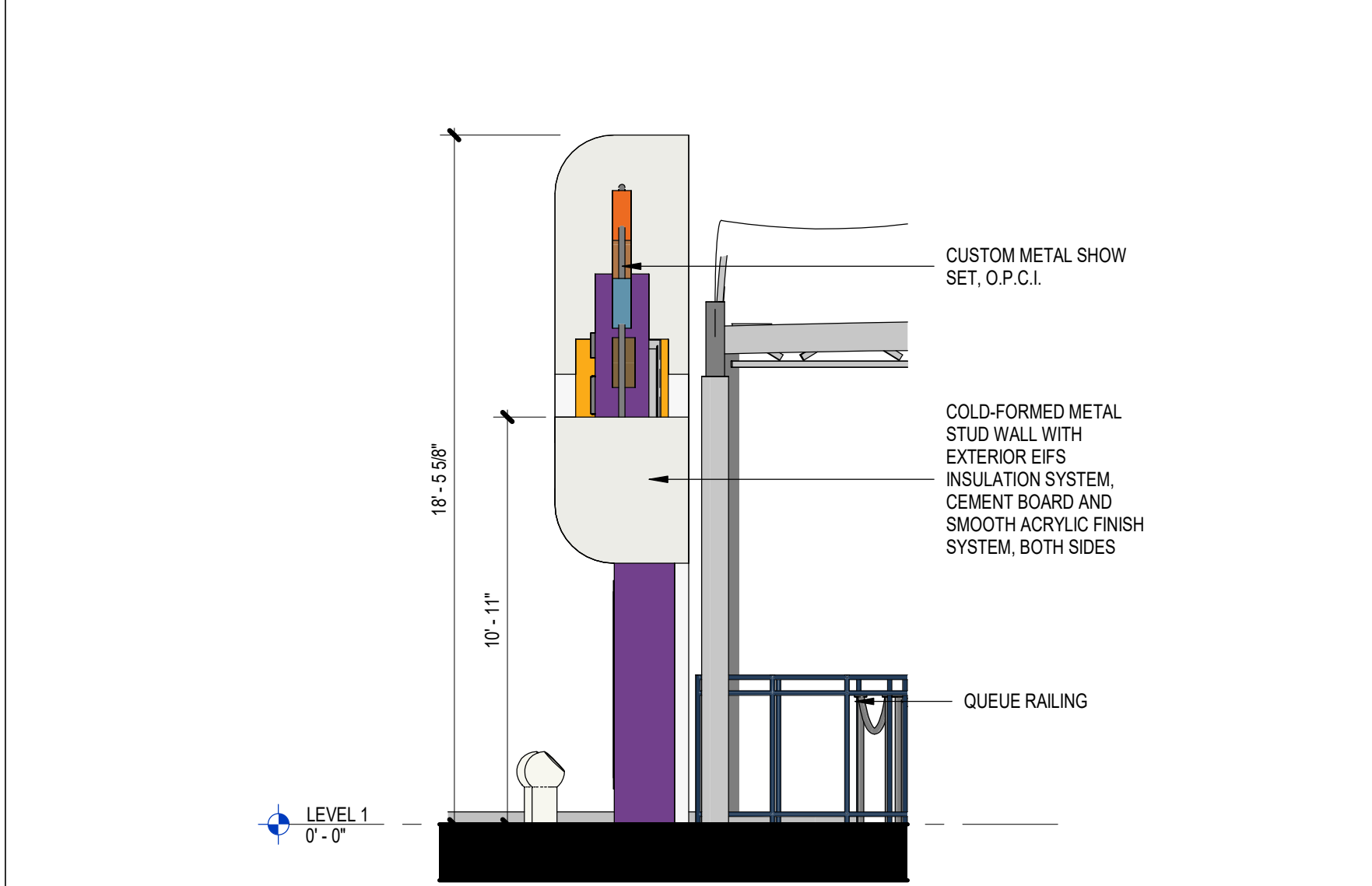
EXTERIOR RIDE O.
BUILDING ELEVATION -
EAST

3 1/4" = 1'-0" 0" 2'-0" 4'-0" 8'-0"



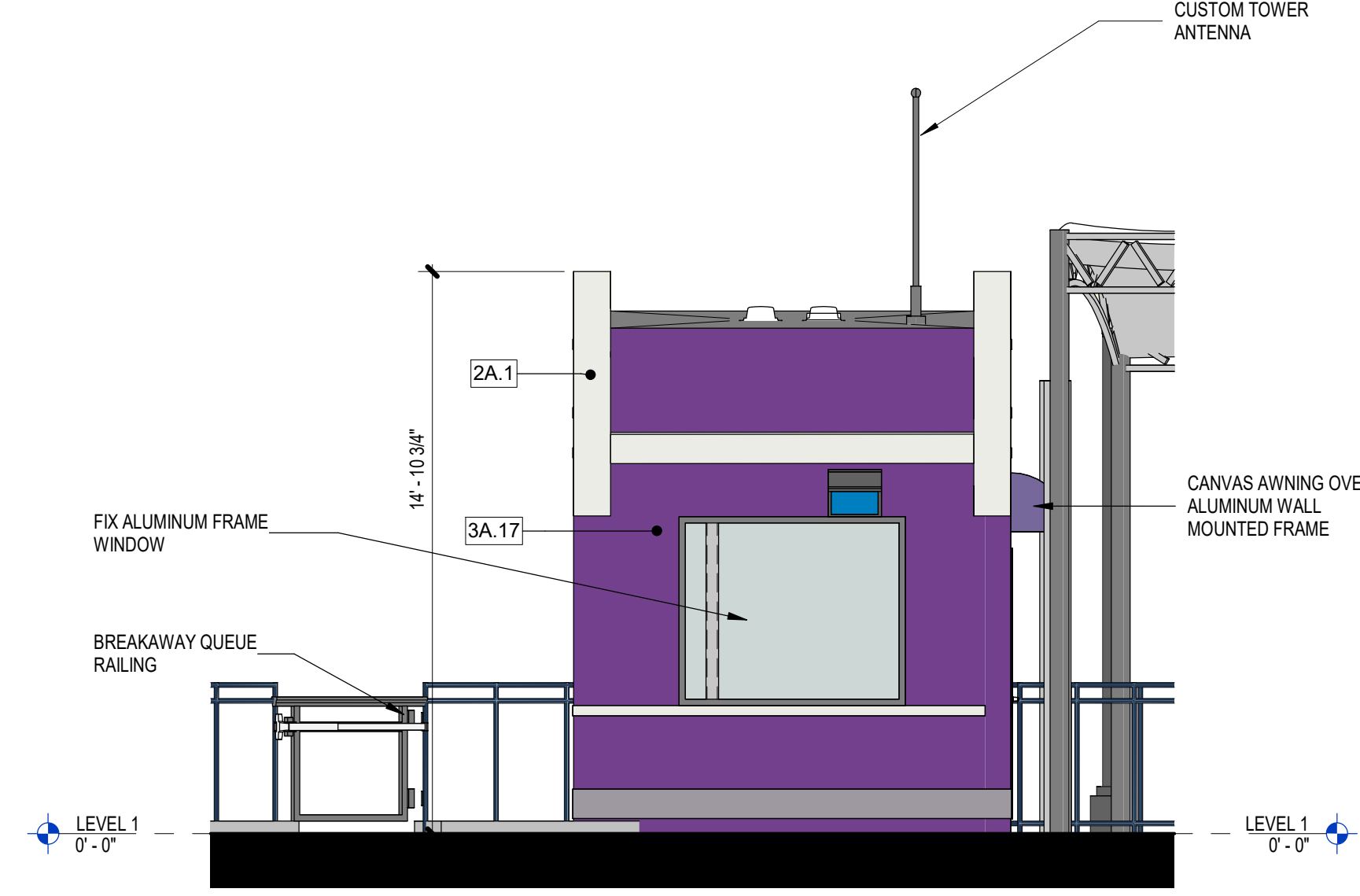
EXTERIOR RIDE O.
BUILDING ELEVATION -
NORTH

1 1/4" = 1'-0" 0" 2'-0" 4'-0" 8'-0"



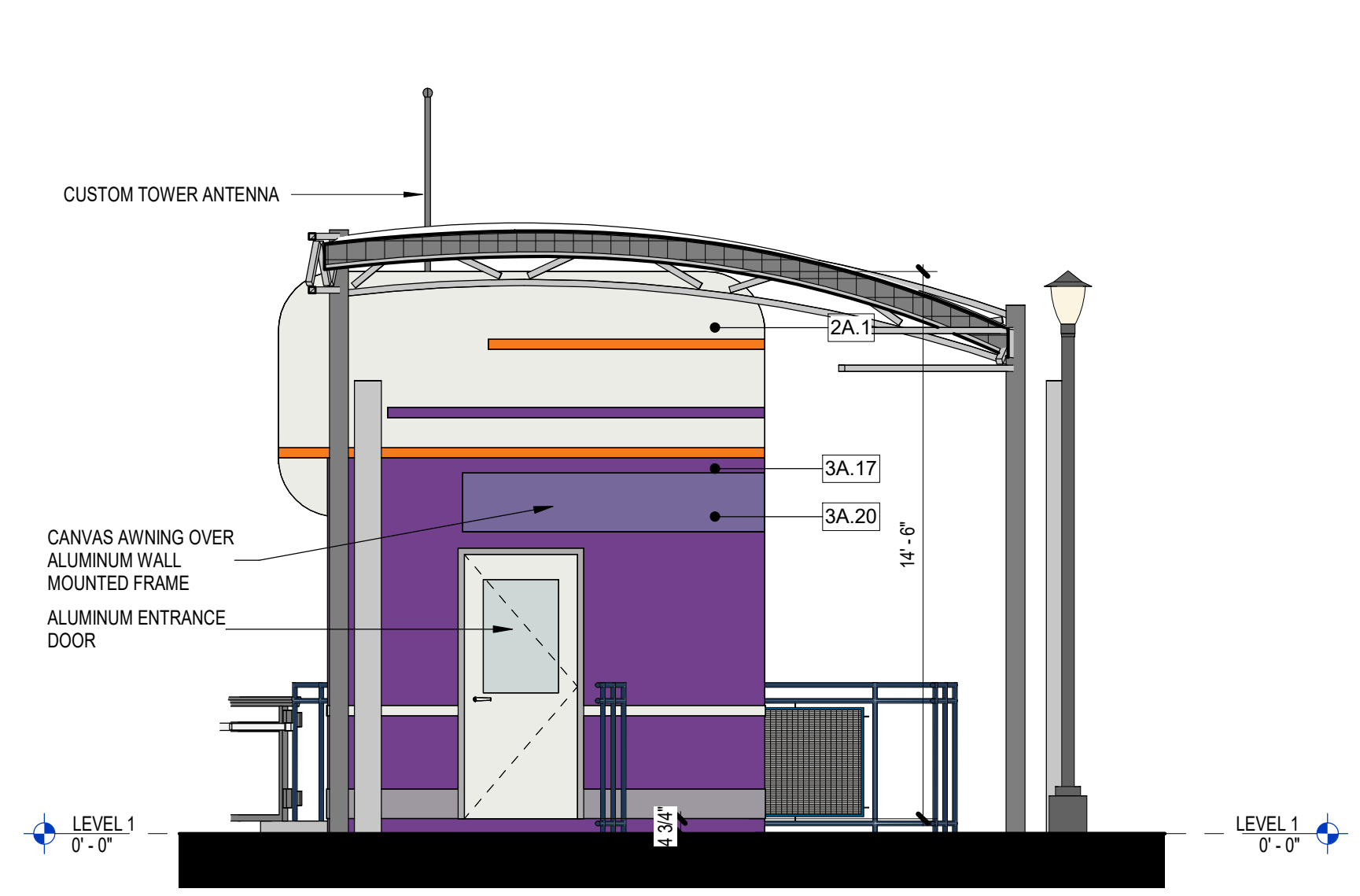
EXTERIOR RIDE ENTRANCE
ELEVATION - WEST

6 1/4" = 1'-0" 0" 2'-0" 4'-0" 8'-0"



EXTERIOR RIDE O.
BUILDING ELEVATION -
WEST

4 1/4" = 1'-0" 0" 2'-0" 4'-0" 8'-0"



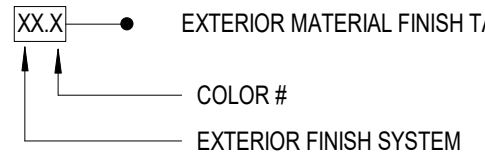
EXTERIOR RIDE O.
BUILDING ELEVATION -
SOUTH

2 1/4" = 1'-0" 0" 2'-0" 4'-0" 8'-0"

SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO OVERALL PLANS FOR OVERALL ELEVATION TAGS.
- C. REFER TO A-001 FOR WALL U-FACTOR REQUIREMENTS.
- D. FINAL COLOR SELECTIONS TO BE APPROVED BY OWNER.

EXTERIOR FINISH LEGEND



EXTERIOR FINISH SYSTEM:

CEMENT PLASTER (NOT USED):
1.X - CEMENT PLASTER, SAND FINISH

INSULATED METAL PANELS SYSTEM:
2A.X - INSULATED METAL PANEL, SMOOTH FACE, CUSTOM SHAPE
2B.X - INSULATED METAL PANEL, P.E.M.B., FLAT VERTICAL, 16" WIDE PANEL

FIBER CEMENT CLADDING SYSTEM:
3A.X - FIBER CEMENT SIDING, SMOOTH, SATIN FINISH
3B.X - FIBER CEMENT SIDING, SMOOTH, HIGH GLOSS FINISH

ACRYLIC FINISH OVER CEMENT BOARD:
4.X - SMOOTH ACRYLIC FINISH SYSTEM

SINGLE SKIN METAL PANEL:
5A.X - METAL PANEL, HORIZONTAL RIBBED
5B.X - METAL PANEL, FLAT

CUSTOM VYNIL DECAL :
6A.X - CUSTOM VINYL DECAL

COLOR SCHEDULE:

1. WHITE; R.G.B. # 236, 236, 231
2. BRIGHT RED; R.G.B. # 187, 30, 16
3. BRIGHT BLUE; R.G.B. # 0, 90, 140
4. BRIGHT YELLOW; R.G.B. # 254, 205, 7
5. BLACK; R.G.B. # 14, 14, 16
6. BRIGHT GREEN; R.G.B. # 16, 174, 77
7. GLASS - TRASP. BLUE; R.G.B. # 0, 153, 213
8. GLASS - TRASP. YELLOW; R.G.B. # 247, 211, 16
9. BRIGHT ORANGE; R.G.B. # 237, 107, 33
10. BRIGHT YELLOW GREEN; R.G.B. # 127, 191, 64
11. BRIGHT RED VIOLET; R.G.B. # 182, 27, 126
12. SAND BLUE; R.G.B. # 99, 125, 150
13. EARTH BLUE; R.G.B. # 31, 56, 95
14. FLAME YELLOW ORANGE; R.G.B. # 251, 171, 24
15. MED. STONE GREY; R.G.B. # 158, 152, 161
16. LIGHT ROYAL BLUE; R.G.B. # 96, 147, 172
17. MEDIUM LILAC; R.G.B. # 115, 64, 140
18. WARM GOLD; R.G.B. # 126, 100, 63
19. MEDIUM NOUGAT; R.G.B. # 175, 116, 72
20. LAVENDER; R.G.B. # 118, 104, 154
21. MEDIUM AZURE; R.G.B. # 0, 160, 195
22. REDDISH BROWN; R.G.B. # 121, 77, 62
23. DARK STONE GRAY; R.G.B. 87, 93, 94

SDP2023-0012/ CDP2023-0022

120 n orange ave
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HHCP

SDP/CDP
SUMITTAL

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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT

Tom Storer
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858.334.8938

OWP PROJECT NO. DATE OF ISSUE

4139.00 09.26.2023

REVISIONS

| DELTA | DESCRIPTION | DATE |
|-------|-------------|------|
|-------|-------------|------|

REVIEW BY DRAWN BY

EH, LMS OA

PROJECT TEAM:

Orcutt HHCP LLC

PROJECT PHASE

SDP/CDP SUMITTAL

SHEET CONTENTS

EXTERIOR ELEVATIONS -
ENLARGED

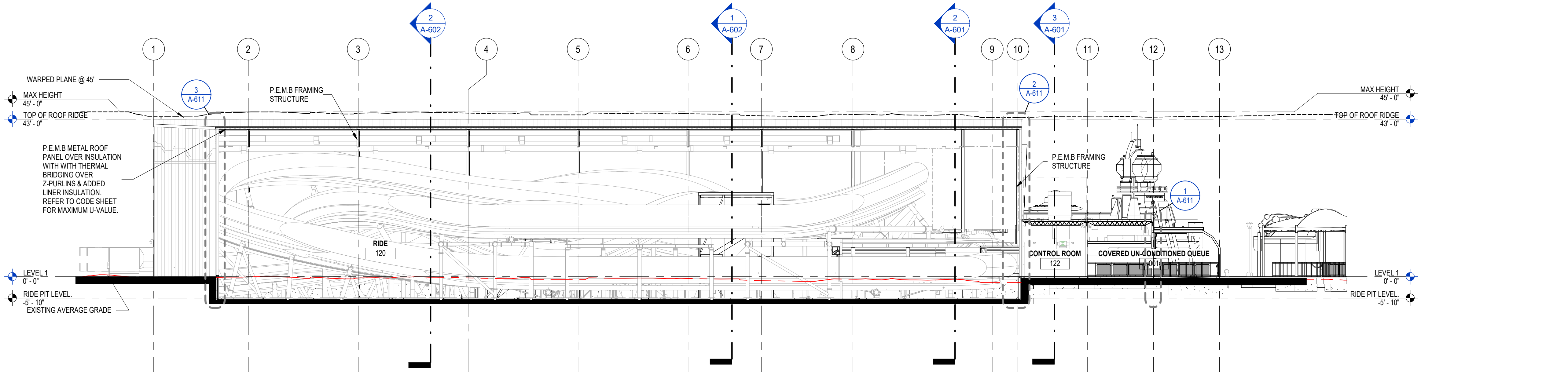
SHEET NO.

A-524

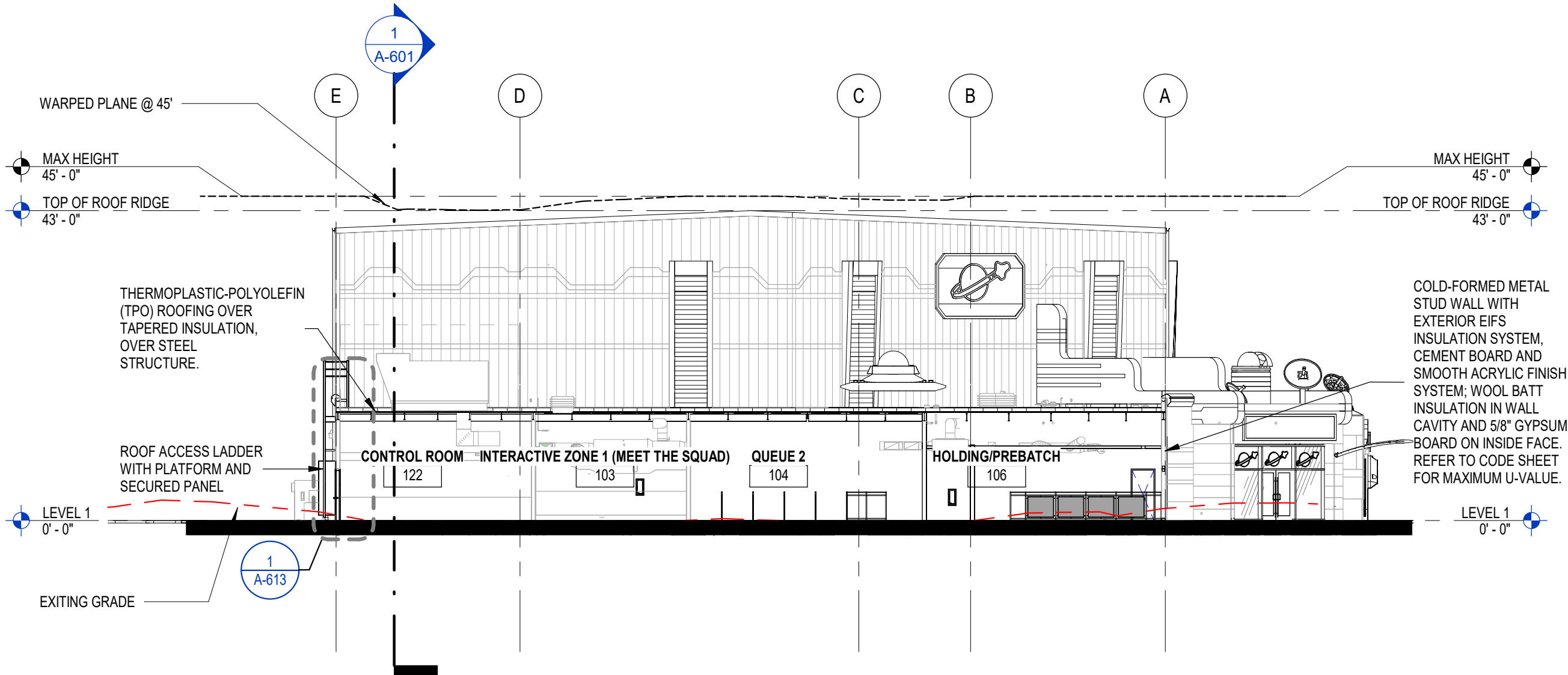
9/26/2023 1:37:12 PM orcutt | winslow / 4139.00 / LEGOLAND CALIFORNIA PROJECT 2025 - 75% CONSTRUCTION DOCUMENTS / A-601- BUILDING SECTIONS / OA
Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt

January 17, 2024

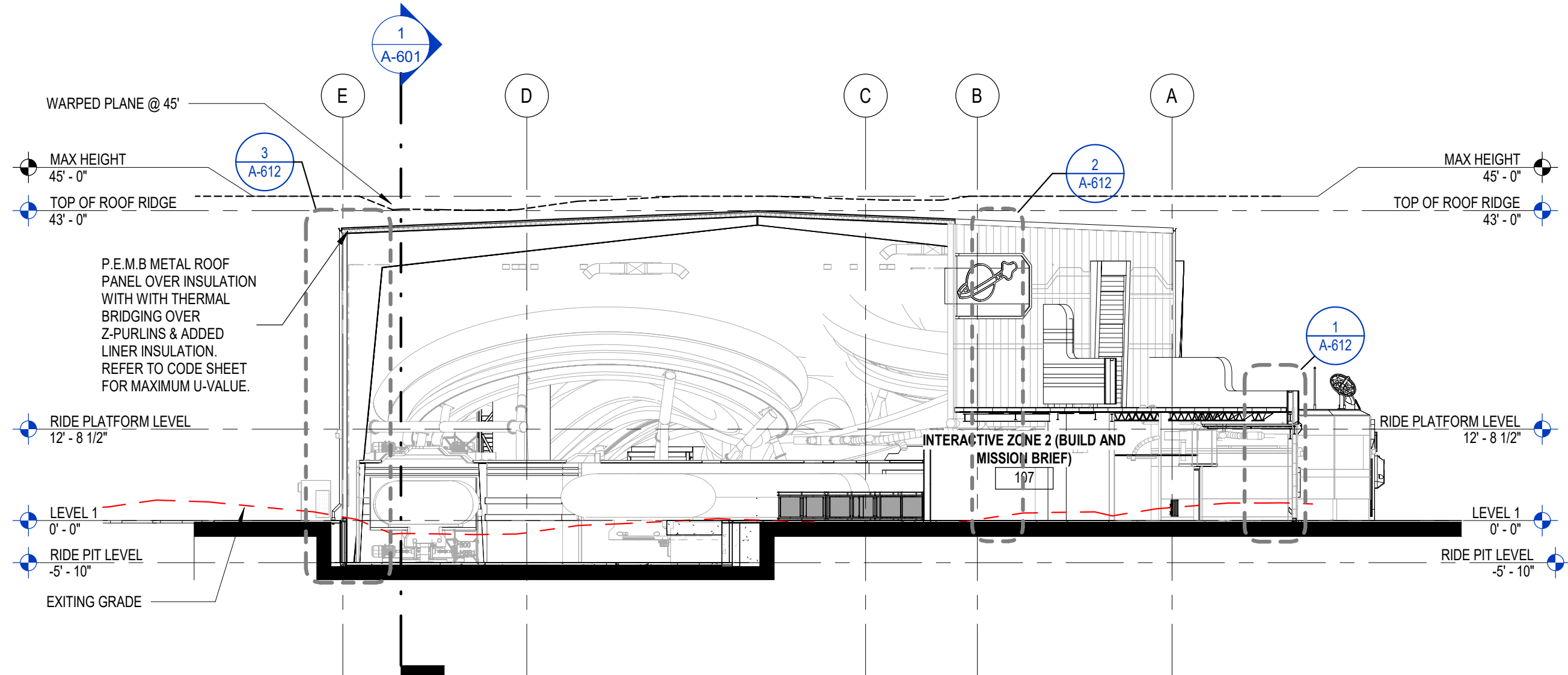
BUILDING SECTION 1
1/16" = 1'-0"



BUILDING SECTION 3
1/16" = 1'-0"



BUILDING SECTION 2
1/16" = 1'-0"



SHEET NOTES

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO LIFE SAFETY FOR RATED WALL INFORMATION.
- C. REFER TO OVERALL PLANS FOR BUILDING SECTION MARKS.

SDP2023-0012/ CDP/2023-0022

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HHCP
orcutt | winslow
company

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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025

One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

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OWP PROJECT NO. 4139.00
DATE OF ISSUE 09.26.2023

| REVISIONS | DELTA | DESCRIPTION | DATE |
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REVIEW BY EH, LMS
DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
BUILDING SECTIONS

SHEET NO.
A-601
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One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

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| REVISIONS | | |
|-----------|-------------|------|
| DELTA | DESCRIPTION | DATE |
| | | |

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMMITAL

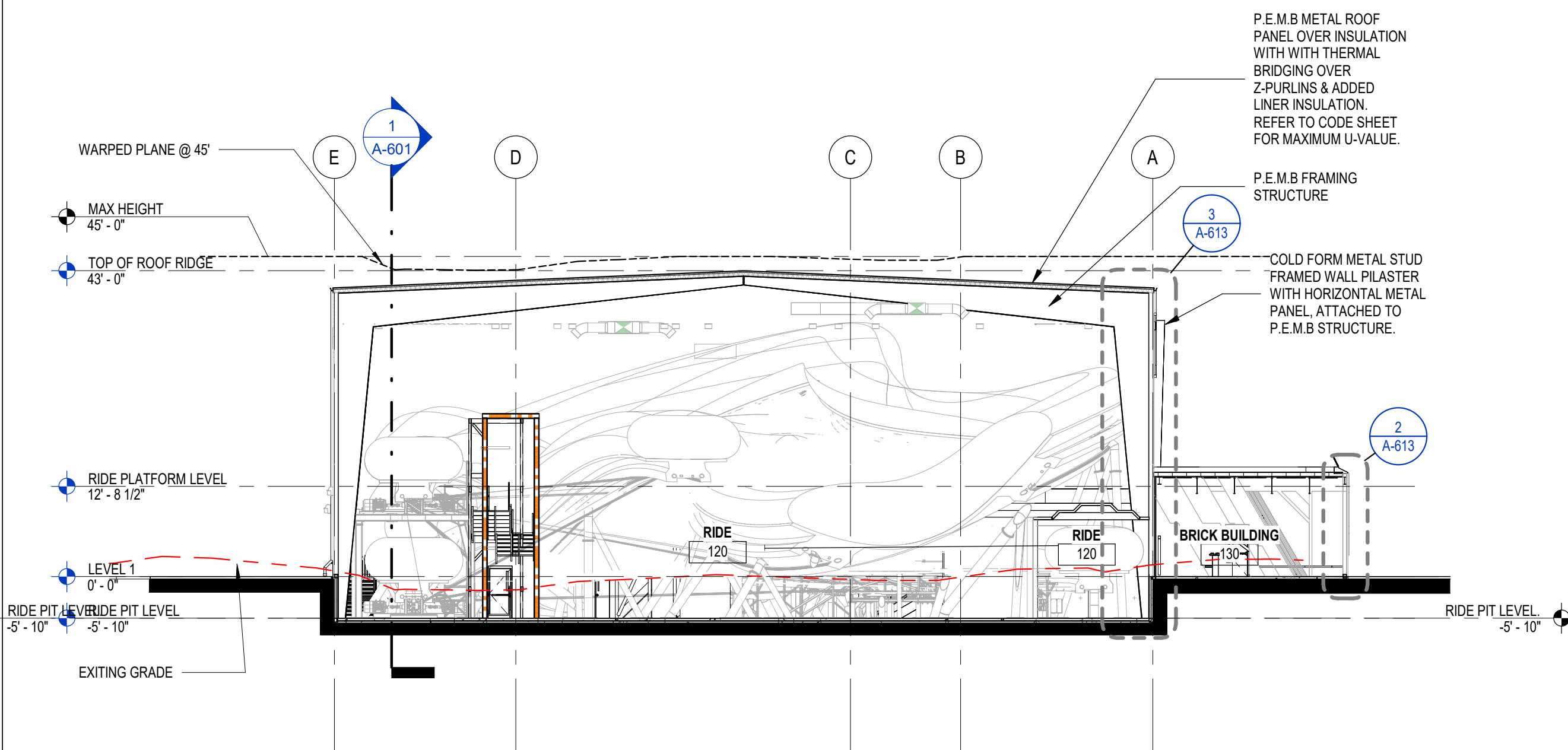
SHEET CONTENTS

BUILDING SECTIONS

A-602

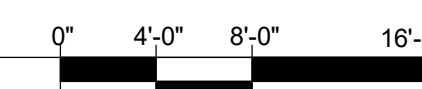
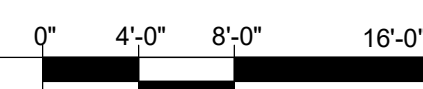
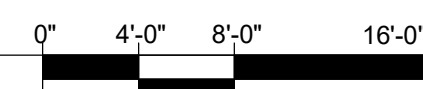
Item #2 Page 85 of 91

- A. SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- B. REFER TO LIFE SAFETY FOR RATED WALL INFORMATION.
- C. REFER TO OVERALL PLANS FOR BUILDING SECTION MARKS.



1 BUILDING SECTION 4
1/16" = 1'-0"

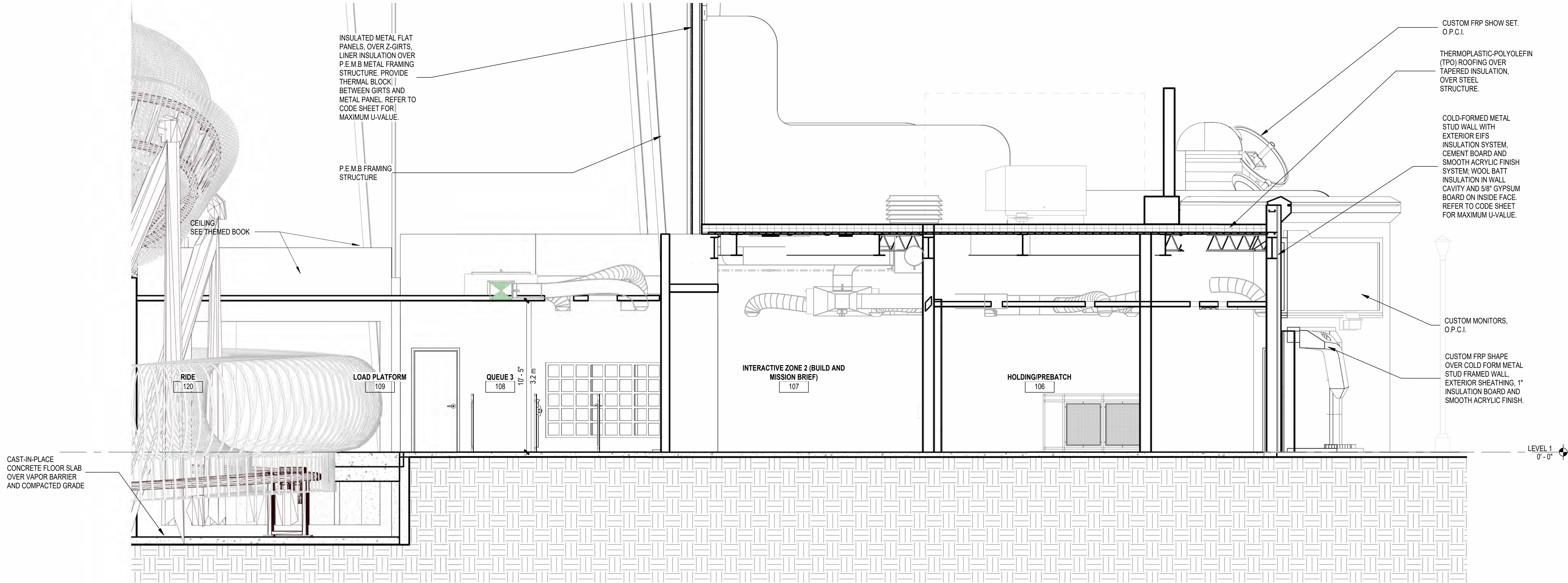
BUILDING SECTION 5



9/26/2023 3:41:11 PM orcutt\winslow / 4139.00 / LEGOLAND CALIFORNIA PROJECT 2025 - 75% CONSTRUCTION DOCUMENTS / A-604- PARTIAL BUILDING SECTIONS / OA Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt

3 PARTIAL SECTION - LOAD PLATFORM

1/4" = 1'-0"



SHEET NOTES

- SEE SHEET G-002 FOR SYMBOLS & GENERAL NOTES. REFER TO G-003 FOR ABBREVIATION LIST
- REFER TO LIFE SAFETY FOR RATED WALL INFORMATION.
- REFER TO OVERALL PLANS FOR BUILDING SECTION MARKS.

SDP2023-0012/ CDP2023-0022

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LEGOLAND CALIFORNIA
PROJECT 2025

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DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUBMITTAL

SHEET CONTENTS
PARTIAL BUILDING SECTIONS

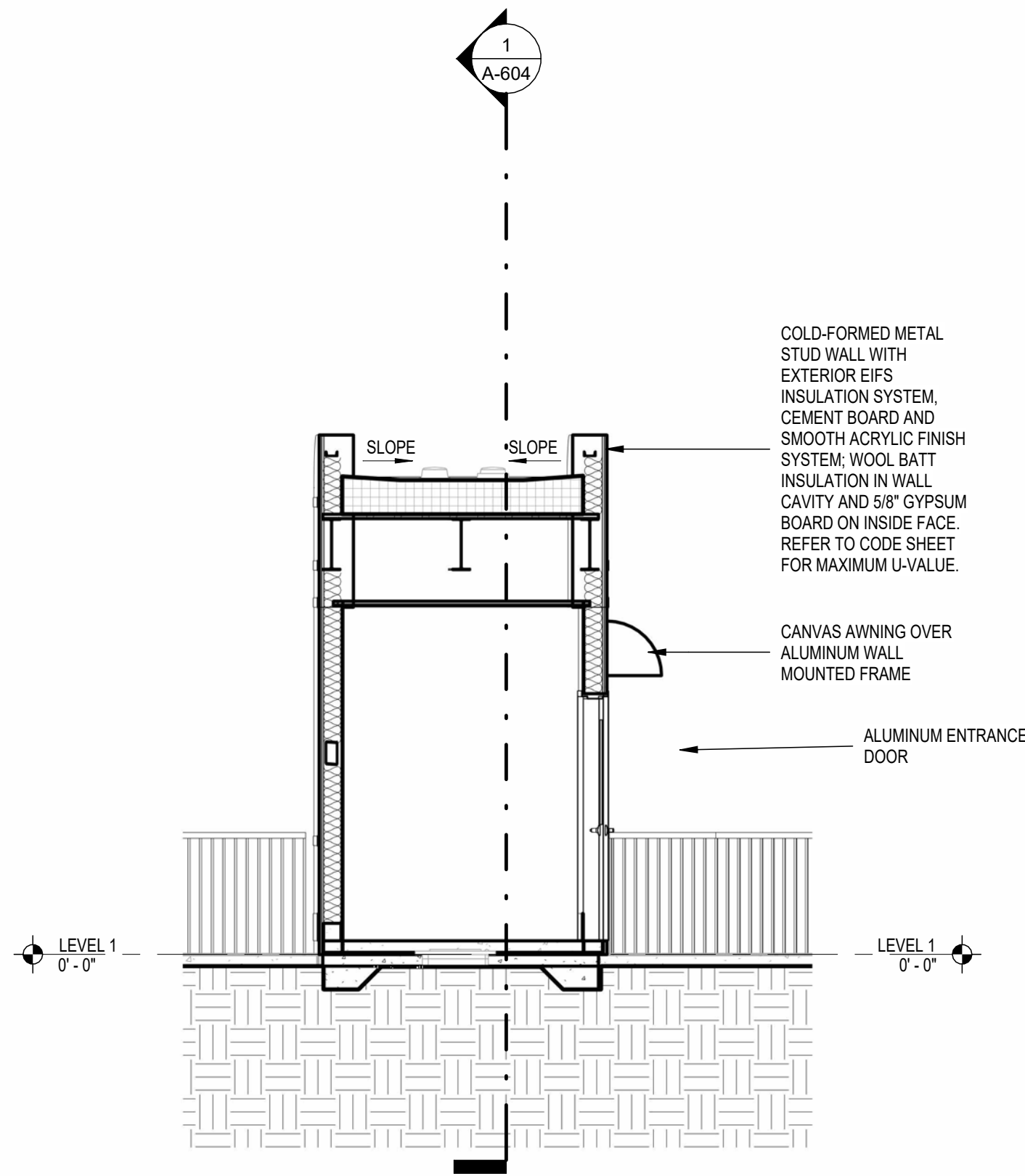
SHEET NO.

A-604

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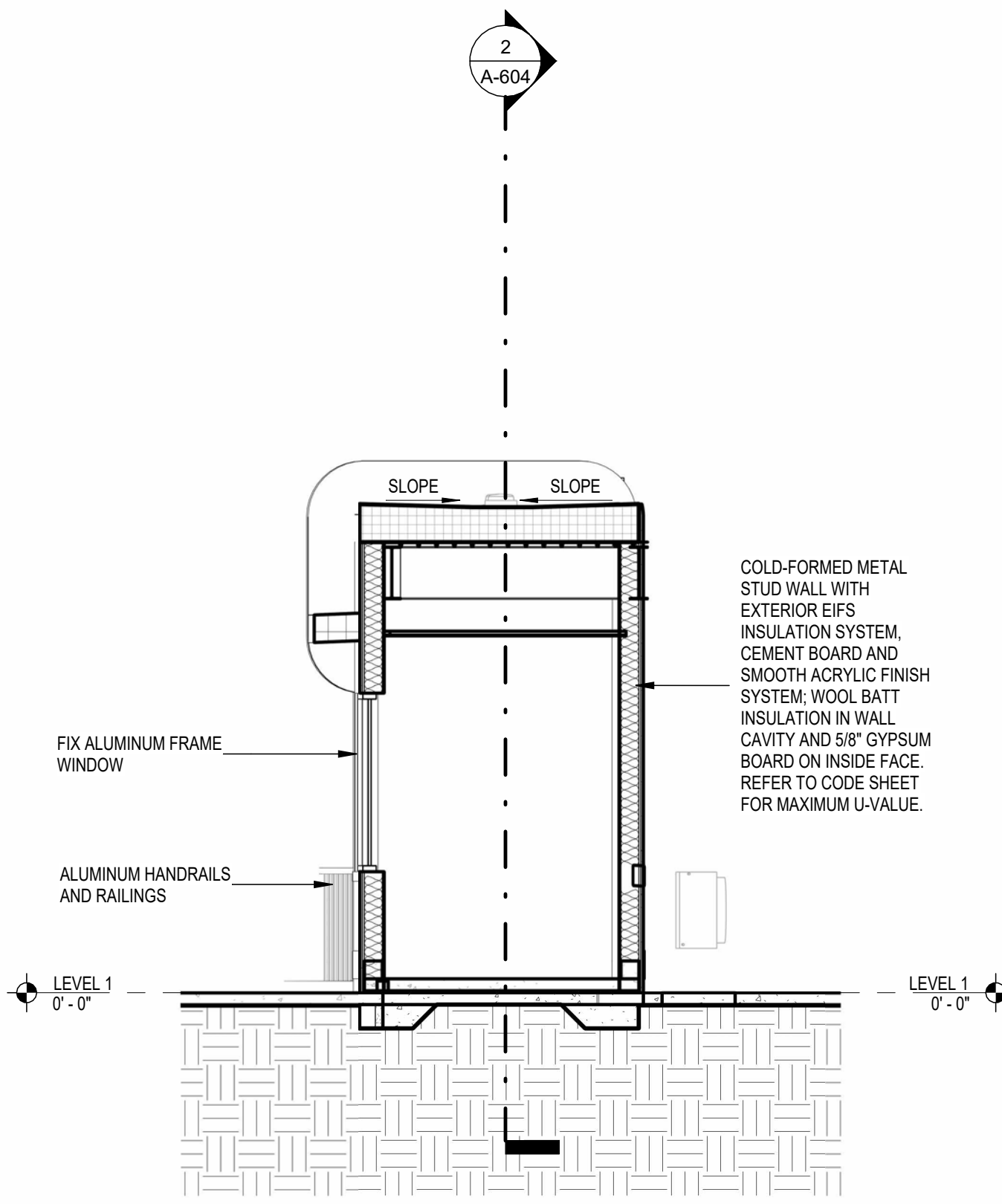
2 PARTIAL SECTION 1 - RIDE OPERATOR BUILDING

1/4" = 1'-0"



1 PARTIAL SECTION 2 - RIDE OPERATOR BUILDING

1/4" = 1'-0"



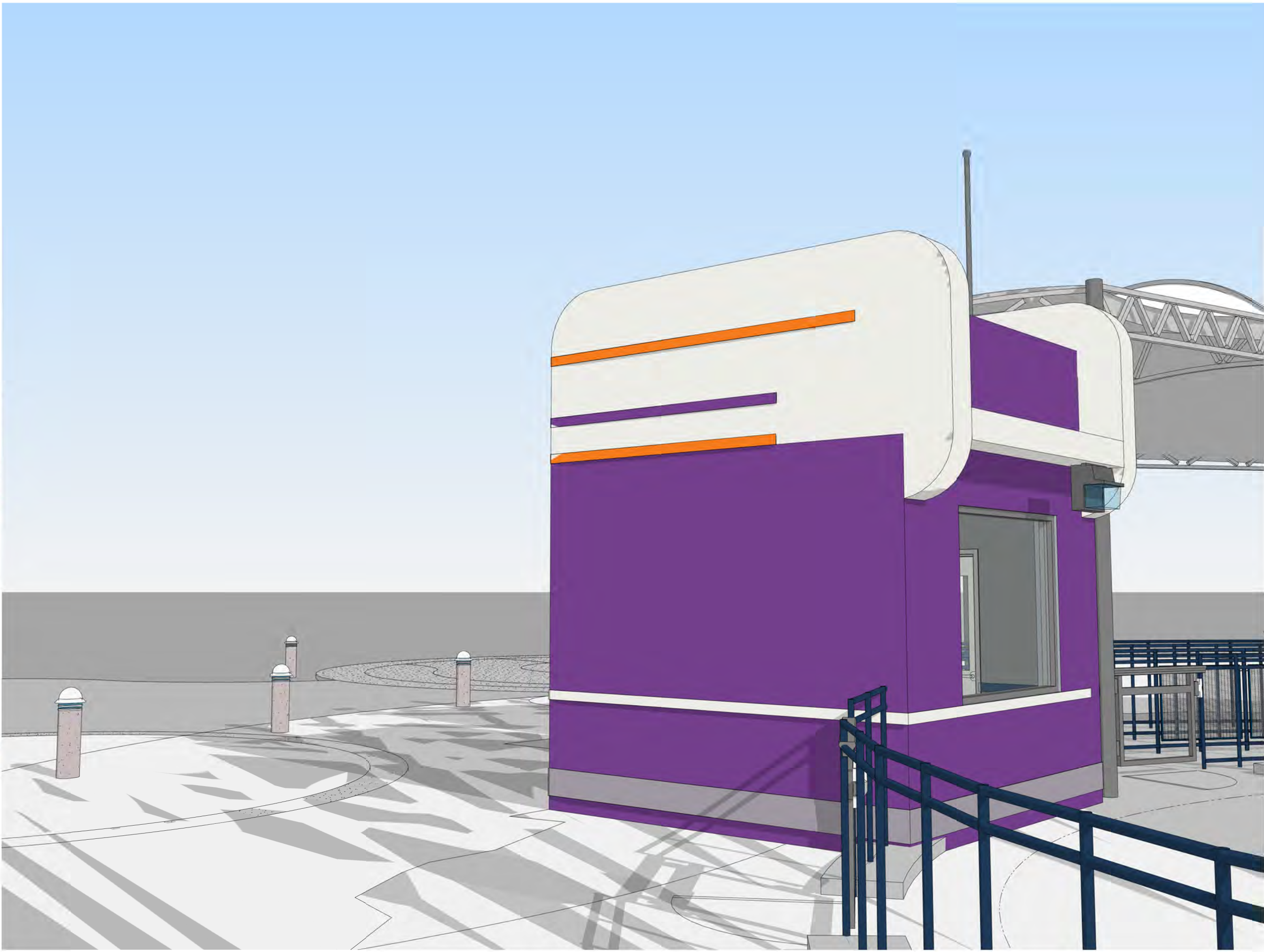
9/26/2023 9:27:10 PM orcutt | winslow / 4139.00 / LEGOLAND CALIFORNIA PROJECT 2025 - SDP/CDP SUMITTAL / A-902- EXTERIOR PERSPECTIVES / OA
Autodesk Docs://4139.00 Lego Land/4139-A-LLC.rvt



3 EXTERIOR PERSPECTIVE
N.T.S.



4 EXTERIOR PERSPECTIVE
N.T.S.



1 EXTERIOR PERSPECTIVE
N.T.S.



2 EXTERIOR PERSPECTIVE
N.T.S.

SHEET NOTES

- A. EXTERIOR ISOMETRICS AND PERSPECTIVES ARE INCLUDED FOR GENERAL REFERENCE ONLY. REFER TO ALL DRAWINGS FOR LAYOUTS AND NOTATIONS.
- B. REFER TO ELEVATIONS FOR MATERIAL LEGENDS AND NOTES.

SDP2023-0012/ CDP2023-0022

LEGOLAND CALIFORNIA

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orlando, fl 32801
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HHCP

SDP/CDP SUMITTAL

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MERLIN ENTERTAINMENTS GROUP, US. HOLDINGS INC.
LEGOLAND CALIFORNIA
PROJECT 2025
One Legoland Drive, Carlsbad, California 92008 USA
Site Development Plan, SDP2023-0012
Coastal Development Permit, CDP2023-0022

CLIENT CONTACT
Tom Storer
One Legoland Drive
Carlsbad, CA 92008
tom.storer@legoland.com
858.334.8938

OWP PROJECT NO. 4139.00
DATE OF ISSUE 09.26.2023

REVISIONS

| DELTA | DESCRIPTION | DATE |
|-------|-------------|------|
|-------|-------------|------|

REVIEW BY EH, LMS
DRAWN BY OA

PROJECT TEAM:
Orcutt HHCP LLC

PROJECT PHASE
SDP/CDP SUMITTAL

SHEET CONTENTS
EXTERIOR PERSPECTIVES

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A-902
Item #2 Page 89 of 91

EXHIBIT 7

Full Size Project Exhibit(s) "A" – "TT" dated January 17, 2024 (On file in the Office of the City Clerk)

LIST OF ACRONYMS AND ABBREVIATIONS

EXHIBIT 8

This is a list of acronyms and abbreviations (in alphabetical order) that are commonly used in staff reports.

| Acronym | Description | Acronym | Description |
|----------|------------------------------------------|---------|------------------------------------------|
| APA | American Planning Association | LCPA | Local Coastal Program Amendment |
| APN | Assessor Parcel Number | LOS | Level of Service |
| AQMD | Air Quality Management District | MND | Mitigated Negative Declaration |
| BMP | Best Management Practice | NCTD | North County Transit District |
| CALTRANS | California Department of Transportation | ND | Negative Declaration |
| CC | City Council | PC | Planning Commission |
| CCR | Conditions, Covenants and Restrictions | PDP | Planned Development Permit |
| CEQA | California Environmental Quality Act | PEIR | Program Environmental Impact Report |
| CFD | Community Facilities District | PUD | Planned Unit Development |
| CIP | Capital Improvement Program | ROW | Right of Way |
| COA | Conditions of Approval | RWQCB | Regional Water Quality Control Board |
| CofO | Certificate of Occupancy | SANDAG | San Diego Association of Governments |
| CT | Tentative Parcel Map | SDP | Site Development Permit |
| CUP | Conditional Use Permit | SP | Specific Plan |
| DIF | Development Impact Fee | SWPPP | Storm Water Pollution Prevention Program |
| DISTRICT | City Council Member District Number | TM | Tentative Map |
| EIR | Environmental Impact Report | ZC | Zone Change |
| EIS | Environmental Impact Statement (federal) | | |
| EPA | Environmental Protection Agency | | |
| FEMA | Federal Emergency Management Agency | | |
| GP | General Plan | | |
| GPA | General Plan Amendment | | |
| GIS | Geographic Information Systems | | |
| HCA | Housing Crisis Act 2019 | | |
| IS | Initial Study | | |



Staff Report

Meeting Date: Jan. 17, 2024 **Item No.** 3

To: Planning Commission

Staff Contact: Eric Lardy, City Planner, 442-224-9595

Subject: Election of Officers and 2024 Planning Commission Regular Meeting

Location: Calendar Citywide

Commission Action: ☒ Decision ☐ Recommendation to City Council ☐ Informational (No Action)

Recommended Actions

1. That the Planning Commission **APPOINT** one commissioner as Chair and **APPOINT** one commissioner as Vice-Chair, each for one-year terms.
2. Adopt a resolution (Exhibit A) adopting Planning Commission Procedures, Meeting Days, and Times

Project Description

On Jan. 18, 2023, the Planning Commission took actions to elect a Chair and a Vice-Chair, each for one-year terms. For the 2023 calendar year, Commissioner Merz was appointed to serve as Chair and Commissioner Sabellico to serve as Vice Chair. It is now time to select a new Chair and Vice-Chair through nomination and selection by a vote of a majority of the commission. City staff recommends that the term of the new chairs begin on Feb. 7, 2024, to coincide with the next Regular Meeting.

Carlsbad Municipal Code (CMC) Section 2.15.090 requires a board or commission to conduct their meetings pursuant to the rules contained in CMC Chapter 1.20 and allows for the adoption of additional rules and regulations. On March 2, 2022, the Planning Commission adopted Resolution No. 7442 establishing the procedures of the Planning Commission, including the adoption of a meeting day, location, and time for commission meetings. At its Jan. 17, 2024 meeting, the Planning Commission will review its planned meeting dates to determine whether any changes should be made for the coming calendar year. It is recommended that the commission continue meeting on the 1st and 3rd Wednesdays of each month. In addition to the regularly scheduled meetings, the Commission may call for special meetings as needed throughout the year. All regular meetings will be held at 5 p.m. at the Council Chamber at City Hall at 1200 Carlsbad Village Drive. All meeting calendars for each board or commission is posted on the corresponding board or commission webpage.

Fiscal Analysis

There is no direct fiscal impact.

Environmental Evaluation (CEQA)

The California Environmental Quality Act (CEQA) requires analysis of agency approvals of discretionary "projects." A "project" under CEQA, is defined as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (Public Resource Code section 21065). The proposed action does not constitute a "project" within the meaning of CEQA in accordance with Public Resources Code section 21065 or CEQA Guidelines section 15378.

Exhibits

1. Resolution adopting Planning Commission Procedures and Meeting Days

PLANNING COMMISSION RESOLUTION NO.**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARLSBAD, CALIFORNIA, ADOPTING PLANNING COMMISSION PROCEDURES.**

The Planning Commission of the City of Carlsbad hereby resolves as follows:

The Planning Commission is charged with reviewing for conformance with law and city policy all land use developments, elements of the general plan, city ordinances, local facilities management plans, and other plans and programs requiring discretionary approval within the City of Carlsbad. Projects are reviewed for consistency with the general plan, zoning, the growth management plan, local facilities management plans, and the local coastal program, among other things.

In reaching its decisions, the Commission must at all times be sensitive to citizen concerns as expressed in public hearings and public correspondence, while at the same time ensuring the long-term welfare of the city and acting with consistency and continuity in its application of the law and city policies. In the same manner, the Commission must weigh the needs and desires of applicants who come before it.

To assist them in reaching their decisions, the Commissioners will receive ongoing technical and background information and guidance from the staff, including instruction on matters of policy, city standards and procedures, City Council decisions and staff's recommendations as to what provides the greatest benefit to the citizens of Carlsbad. The Commissioners are also expected, on their own initiative, to take such additional steps as they feel necessary to discharge their duties in a well-informed and conscientious manner.

The Commission's actions are final in some instances, and in matters reserved by the Council, advisory only. The goal of the Commission in all matters is to act in the best interests of the City of Carlsbad and its citizens as a whole.

Planning Commission Resolution No. 7442 is hereby rescinded and replaced in its entirety by this resolution.

Chapter 1.20 of the Carlsbad Municipal Code contains procedures applicable to the conduct of Planning Commission Meetings. In regard to the application of Chapter 1.20 to the conduct of business by the Planning Commission references in Chapter 1.20 to "City Council" should be replaced with "Planning Commission", the word "Mayor" should be replaced with "Chairperson", the word "Council Member" with "Planning Commissioner", and "City Manager" with "City Planner".

The following procedures and rules for the conduct of Planning Commission Meetings are adopted to supplement the requirements contained in Chapter 1.20 and 2.15 of the Carlsbad Municipal Code: Sections:

- I. Officers:
 - A. Powers and duties of Chairperson
- II. Meetings of the Planning Commission
 - A. Types of meetings:
 - 1. Regular
 - 2. Study sessions or workshops
 - B. Voting:
 - 1. Disqualification for conflict of interest

- 2. Failure to vote
- C. Meeting Agenda:
 - 1. How and when prepared
 - 2. Preparation of resolutions
- D. Correspondence:
 - 1. Available at meeting
 - 2. Authority of City Planner
- E. Conduct of business: readiness for meeting
- F. Call to order
- G. Roll call
- H. Order of business

III. Public Hearings:

- A. When held
- B. Procedure and order of business
- C. Continuation
- D. Termination of public testimony
- E. Decision
- F. Closing
- G. Reopening

IV. Resolutions:

- A. Commission action
- B. Adoption

V. Correction of documents

VI. Failure to observe procedures

VII. Ralph M. Brown Act

I. OFFICERS:

A. POWERS AND DUTIES OF CHAIRPERSON:

1. The Chairperson of the Commission shall be the Presiding Officer at all meetings of the Planning Commission.
2. The Chairperson may move, second debate, and vote from the Chair. The Chairperson shall not be deprived of any of the rights and privileges of a Commissioner by reason of acting as Chairperson.
3. The Chairperson, or such person as the Chairperson may designate, may verbally restate each motion immediately prior to calling for the vote. Following the vote, the Chairperson shall announce whether the motion carried or was defeated.
4. The Chairperson shall be responsible for the maintenance of order and decorum at all meetings, and shall decide all questions of order and procedure, subject, however, to an appeal to a quorum of the Commission, in which case the matter shall be determined by majority vote of the quorum.
5. The Chairperson shall sign all resolutions and other documents requiring their signature which were adopted in their presence unless he or she is unavailable, in which case an alternate Chairperson may sign such documents.

II. MEETINGS OF THE PLANNING COMMISSION:

A. TYPES OF MEETINGS:

1. Regular Meetings: The Planning Commission shall hold regular meetings on the first and third Wednesday of each month at the hour of 5:00 PM, in the Council Chambers at the City Hall, 1200 Carlsbad Village Drive, Carlsbad, or such other place as shall be duly noticed. If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the Council Chambers, the meetings may be held for the duration of the emergency at such other place as designated by the Chairperson of the Commission, or if the Chairperson fails to act, by a majority of the quorum of the Commission. When the day for any regular meeting falls on a legal holiday, such meeting shall be held at the same hour and place on the next succeeding day not a holiday or such other time as designated by the Planning Commission. At least 72 hours before a regular meeting, the agenda of the meeting shall be posted in a location that is freely accessible to members of the public. No action shall be taken on any item not appearing on the agenda.

2. Study Session or Workshop: The Commission may from time to time adjourn to meet in study sessions. The purpose of such sessions shall be for hearing reports from the staff and reviewing, discussing and debating matters of interest to the Planning Commission. No official action shall be taken at a study session. Study sessions shall be considered public meetings, in accordance with the Ralph M. Brown Act, and shall be open to the public. However, the comments of the public in such session shall be subject to the discretion of the Chairperson.

B. VOTING:

1. Disqualification for conflict of interest: If a Commissioner has reason to think a conflict of interest may exist, he/she shall give the facts of the matter to the City Attorney and request advice thereon prior to the meeting.

Any Commissioner who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Chairperson state the nature of such disqualification in the open Commission meeting. A Commissioner who is disqualified by reason of a conflict of interest in any matter shall request and be given the permission of the Chairperson to step down from the Commission seat and leave the chamber. A Commissioner stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

2. Failure to vote: Every Commissioner should vote unless disqualified by reason of conflict of interest. A Commissioner who abstains from voting acknowledges that a majority of the quorum may decide the question voted upon.

C. MEETING AGENDA:

1. How and when prepared: In order to facilitate the orderly conduct of the business of the Commission, an agenda shall be prepared for each regular meeting containing the specific items of business to be transacted and the order thereof. Items of business may be placed on the agenda by the majority vote of the members of the Commission, the City Planner or the City Attorney. Whenever feasible, each item on the agenda shall contain the project name and case number, location (within the city), brief description, the specific Commission action requested and a staff recommendation. At least 72 hours before a regular meeting, the agenda of the meeting shall be posted in a location that is freely accessible to members of the public.

2. Preparation of Resolutions: All resolutions shall be prepared by the City Planner or City Attorney. No resolution shall be presented to the Commission unless its form has been approved by the City Attorney. This approval need not be indicated on the resolution.

D. CORRESPONDENCE:

1. Available at meeting:

a. Correspondence received specific to an agenda item shall become a part of the record for that agenda item and be filed with the Minutes Clerk of the Commission. Correspondence shall not be read aloud at a Commission meeting unless requested by a majority vote of the Commission.

b. Sufficient copies of each item of correspondence shall be provided so that each Commissioner, City Planner and City Attorney will have a copy in a timely manner. In addition, three additional copies for public inspection at the meeting shall be provided.

2. Authority of City Planner:

The City Planner is authorized to open and examine all mail or other written communications addressed to the Planning Commission, except correspondence addressed to individual Planning Commission members, and to give it warranted attention to the end that all administrative business referred to in said communications and not requiring Planning Commission action may be acted upon between Commission meetings provided that all communications and any action taken pursuant thereto shall be reported to the Planning Commission.

a. Correspondence deemed to be of an important or urgent nature may be submitted for Commission consideration at a Planning Commission meeting.

E. CONDUCT OF BUSINESS: READINESS FOR MEETING: At the time set for each regular meeting, each member of the Commission, the City Planner, Minutes Clerk, City Attorney and such department heads or others as have been requested to be present shall take their regular places in the Council Chambers. The business of the Commission shall be conducted in substantially the order and in the manner herein provided.

F. CALL TO ORDER: The Chairperson, or in their absence the Vice-Chairperson, shall take the chair at the hour appointed for the meeting and shall call the Commission to order. In the absence of the Chairperson and the Vice-Chairperson, the City Planner shall call the Commission to order, whereupon a temporary Chairperson shall be elected by the Commission members present. Upon the arrival of the Chairperson or the Vice-Chairperson, the temporary Chairperson shall relinquish the chair at the conclusion of the business then before the Commission. Whenever the term 'Chairperson' is used in these rules, and the Chairperson is absent, it shall apply equally to the Vice-Chairperson, and if they are also absent, to the Chairperson elected pursuant to this section.

G. ROLL CALL: Before proceeding with the business of the Commission, the Minutes Clerk or Chairperson shall call the roll of the Commission Members and the names of those present shall be entered in the minutes.

H. ORDER OF BUSINESS: The order of business established on the agenda shall be followed unless the Chairperson, with the consent of a majority of the Commission, permits a matter to be taken out of the regular agenda order:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Minutes

5. Comments from the public on items not listed in the Agenda
6. Statement of Planning Commission Procedures
7. Continued Items
8. Public Hearing(s)
9. Non-public Hearing(s)
10. Planning Commission Member Comments
11. City Planner Comments
12. City Attorney Comments
13. Adjournment

III. PUBLIC HEARINGS:

A. WHEN HELD:

1. Whenever by law the Commission is required to hold a public hearing on any matter before it, such hearing will be held in accordance with the rules contained in the Carlsbad Municipal Code Chapter 1.20 and procedures set forth in this resolution. Nothing herein shall prohibit or limit the Commission from holding a public hearing on the matter before it, whether required by law or not. Nothing herein shall prohibit or limit any member of the public from addressing the Commission in accordance with the procedures provided for in these rules irrespective of whether or not a public hearing is held.

2. All public hearings shall be scheduled to begin at a time certain which shall be the hour the Commission convenes. The Commission shall hold such hearings in order, in accordance with the schedule on the agenda at that time or as soon thereafter as practicable.

B. PROCEDURE AND ORDER OF BUSINESS:

1. The Chairperson shall announce that it is the time and place for a public hearing scheduled on the agenda.

2. Prior to all Commission public hearings copies of the Commission's agenda with attachments, including the staff report, if any, shall be available at the Office of the City Planner at least twenty-four hours prior to commencement of the hearing; provided, however, the Commission may allow in its discretion the filing of supplemental materials which shall be made public at the commencement of the hearing. Any materials presented to the Commission which have not previously been made available for public inspection shall be made available as soon after the meeting as practicable.

3. The order of the hearing shall be as follows unless otherwise required by law:

- a. Presentation of Staff Report
- b. Questions from the Commission to Staff
- c. Presentation, if any, by the Applicant
- d. Questions from the Commission to the Applicant
- e. Testimony of Public
- f. Response of Applicant
- g. Termination of public testimony
- h. Discussion by Commission – Further Questions of Staff
- i. Planning Commission Vote
- j. Public Hearing Closed

4. The Commissioners should raise issues or concerns during the course of a public hearing so that the applicant or the public has an opportunity to address those issues. If a proposed condition is discussed

for the first time after the public testimony is closed, the Chairperson shall allow sufficient time to the applicant to address the change or addition. Members of the general public may also be allowed to address the change if directly impacted by the proposed condition.

C. CONTINUATION: At any time that it appears to the Chairperson or a majority of the Commission through the Chairperson, that inadequate evidence has been presented to afford judicious consideration of any matter before the Commission at the time of a public hearing, or for other just cause, a continuation of said hearing may be ordered to afford the applicant, the public, or the city staff adequate time to assemble additional evidence for the Commission's consideration. Any continuation ordered by the Commission through its Chairperson may be to a date certain, which said date shall be publicly announced in the Council Chambers and shall constitute notice to the public of the time and place that further evidence will be taken. No further notice is necessary; however, the continuation may be to a date uncertain, in which case it shall be announced that the matter will be re-noticed. If the hearing is continued to a time less than 24 hours after the time specified in the notice of hearing, a copy of the notice of continuance of hearing shall be posted immediately following the meeting at which the order of continuance was made. The public announcements provided for herein shall constitute notice to the applicant and public of time and place when further evidence will be taken by the Commission. The Commission shall also have the option to set the matter to a new hearing.

D. TERMINATION OF PUBLIC TESTIMONY: When the public has no further evidence to present, when in the opinion of the Chairperson no new public evidence is being presented or when in the opinion of the Chairperson the evidence is not substantive, the Chair may close the presentation of evidence.

E. DECISION:

1. When neither the applicant, the public, nor the city Staff have further evidence to produce, or when in the opinion of the Chairperson sufficient evidence has been presented, no further evidence either oral or written will be accepted by the Commission; provided, however, that this rule may be relaxed by the Chairperson or the majority of the Commission through the Chairperson when it appears that good cause exists to hear further evidence concerning the matter which is the subject of the public hearing. The Commission shall consider all evidence properly before it in accordance with these procedures. The Commission shall then act upon the item. The Commission may instruct the City Planner to return with the documents necessary to affect the decision, including findings as may be appropriate to the matter. Upon return of such documents, the Commission shall determine if the findings are supported by the evidence before it at the hearing and if the decision is supported by the findings and, after making any changes, render its decision by taking action on the documents. The Commission's decision is not final until adoption of the documents.

2. A Commissioner who was absent from all or a part of a public hearing shall not participate in a decision on the matter unless they have examined all the evidence including listening to a recording of the oral testimony, if a recording is made, or listening to a recording of the minutes or reading a transcription of same and can represent that they have a full understanding of the matter.

F. CLOSING: Following a vote by the Commission, the Chairperson shall close the public hearing.

G. REOPENING: A public hearing on any matter once closed cannot be reopened on the date set for hearing unless the Chairperson determines that all persons who were present when the hearing closed are still present. Nothing herein, however, is intended to prevent or prohibit the reopening of a public hearing at any subsequent regular or special meeting of the Commission. No public hearing may be reopened without due and proper notice being given to the applicant and the public designating the time and place of said opening.

V. RESOLUTIONS:

A. **COMMISSION ACTION:** Formal Commission action on all items before it shall be made by resolution. When necessary the resolution shall contain appropriate findings and declarations.

B. **ADOPTION:**

1. Where a particular resolution has been prepared and is before the Commission, it shall be adopted by motion, second, discussion and vote. It is not necessary to read the resolution by title or in full provided it is identified by the Chairperson. Upon request of any member of the Commission, the resolution shall be read by title or in full.

2. Where a particular resolution has not been prepared, a motion to direct the City Planner to prepare the document and return it to the Commission is in order.

3. Where necessary, a resolution may be presented verbally in motion form together with instructions for written preparation. Upon execution of such a resolution, it shall become an official action of the Commission.

VI. CORRECTIONS OF DOCUMENTS: Upon occasion, resolutions or other documents are submitted in draft form or on-the-spot amendments occur, or typographical or other technical errors are found which necessitate retyping of the document. Such redraft, when properly executed, shall become the original document.

VII. FAILURE TO OBSERVE PROCEDURES: These rules are adopted to expedite the transaction of the business of the Commission in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting if it is otherwise held in conformity with law.

VIII. RALPH M. BROWN ACT: The provisions of the Ralph M. Brown Act as may be amended from time to time are incorporated herein by reference.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the Planning Commission the City of Carlsbad on the ___ day of _____, 2024 by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

PETER MERZ, Chair
CARLSBAD PLANNING COMMISSION

ERIC LARDY, City Planner