



**Planning Commission Staff Report
Item # 1, October 3, 2024
Development Title Text Amendment No. PA-2300237
Prepared by: Stephanie Stowers**

PROJECT SUMMARY

Applicant Information

Project Applicant: San Joaquin County

Project Site Information

Project Location: Countywide

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment B; Environmental Document)

Project Description

This project is a Development Title Text Amendment to update Chapter 9-408: Signs, Table 9-400.030: Allowed Projections Above Height Limits, and Series 9-900 Key Terms and Definitions. The proposed changes are summarized below:

- **Chapter 9-408: Signs:** Repeal and replace the existing Sign chapter with a new chapter that provides clarity and consistency by simplifying standards, adding tables, and reorganizing information.
- **Table 9-400.030: Allowed Projections Above Height Limits:** Update height exceptions for consistency and add height standards for flagpoles that were previously erroneously included in the Signs section.
- **Series 9-900 Key Terms and Definitions:** Update terms and definitions to include sign-related information currently contained in Chapter 9-408.

Recommendation

1. Forward to the Board of Supervisors with a recommendation to adopt Findings for Development Title Text Amendment (Attachment C), and
2. Forward to the Board of Supervisors with a recommendation to approve Development Title Text Amendment No. PA-2300237 (Attachment A).

This page intentionally left blank.

NOTIFICATION & RESPONSES

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: September 23, 2024

Number of Public Hearing notices: 218

Date of Public Hearing notice mailing: September 20, 2024.

Referrals and Responses

- **Project Referral with Environmental Determination Date:** August 21, 2024

Agency Referrals	Response Date – Environmental Determination
County Departments	
Community Development	
Building Division	
Code Enforcement	
County Counsel	
Public Works	
Environmental Health	
State Agencies	
Caltrans	
District 10	
Outdoor Advertising	
Federal Agencies	
FCC	

This page intentionally left blank.

ANALYSIS

Background

On November 29, 2022, the Board of Supervisors approved the current Development Title (Title 9) that regulates development, including signs, in San Joaquin County. This document replaced the previous title adopted in 1992, and became effective December 29, 2022.

Text Updates

With the Development Title update, sign regulations were modernized and updated, however, the regulations were cumbersome for staff to interpret during day-to-day use of the new Title. As a result, the Community Development Department reviewed and rewrote the Signs chapter. The proposed chapter includes many of the same regulations, but has been reorganized and reformatted for ease of use. Additionally, flagpole height regulations and key terms and definitions were moved, impacting Section 9-400.030 and Series 9-900. The changes are outlined below:

- Sign regulations have been organized by development type and outlined in tables, including:
 - Table 9-408.070(B): Permitted Signs by Classification
 - Table 9-408.070(C): Maximum Permitted Sign Area and Number by Classification
 - Table 9-408.000: Dimensional Standards
 - Table 9-408.110 Permitted Temporary Signs by Sign Type
- Various definitions have been relocated from the Signs chapter to Series 9-900 Key Terms and Definitions. Moving these definitions will reduce bulk in the Signs chapter and allow for easier navigation of terms all in one place.
- Standards for signs have been streamlined for consistency by reducing variables and simplifying regulations.
- Flagpole height standards have been relocated from Chapter 9-408 Signs to Section 9-400.030 Exceptions to Height Limits to simplify height exceptions by providing all height details in one place. The flagpole height requirements have been updated to remove the maximum height allowance of 30 feet, and a Zoning Compliance Review application may be utilized to request additional height with the proposed new language.

In addition to the changes described above, minor changes were made to these sections for consistency throughout the Development Title.

Staff proposes to repeal and replace Chapter 9-408 with the newly drafted chapter, and update Section 9-400.030 and Series 9-900 as described above.

Findings

To approve a Development Title Text Amendment, the Planning Commission and Board of Supervisors shall determine that the proposed amendments are consistent with the General Plan and any applicable plans; necessary for public health, safety, and general welfare or will be of benefit to the public; and has been reviewed in compliance with the California Environmental Quality Act (CEQA). Staff is recommending that these findings can be made in the affirmative, as discussed in Attachment C, Findings.

Notice of Exemption

California Environmental Quality Act (CEQA) Section 15061(b)(3) states that a project is exempt from CEQA if the local agency determines that the activity has no potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may cause a significant effect on the environment, the activity is not subject to CEQA and, therefore, exempt from CEQA. The Community Development Department has determined that the proposed Development

Title Text Amendment has no potential for causing a significant effect on the environment because the proposed updated sign chapter and related sections provide regulations primarily for signs that are permitted subject to ministerial review. Signs in excess of the regulations that may be impactful to the environment would be permitted with discretionary review and subject to CEQA on a case-by-case basis. As a result, the proposed Text Amendment is not subject to CEQA.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Forward Findings for Development Title Text Amendment (Attachment C) to the Board of Supervisors with a recommendation to adopt, and
2. Forward Development Title Text Amendment No. PA-2300237 (Attachment A) to the Board of Supervisors with a recommendation to approve.

Attachments:

Attachment A – Draft Ordinance

Attachment B – Notice of Exemption

Attachment C – Findings

This page intentionally left blank.



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment A **Draft Ordinance**

This page intentionally left blank.

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN,
STATE OF CALIFORNIA

ORDINANCE NO.
[ORDINANCE TITLE]

An Ordinance to Repeal and Replace Chapter 408 of Title 9 of the Ordinance Code of the County of San Joaquin and Amending Title 9 of the Ordinance Code of the County of San Joaquin Relating to Table 9-400.030: Allowed Projections Above Height Limits, and Series 9-900 Key Terms and Definitions Pursuant to Development Title Text Amendment No. PA-2300237.

The Board of Supervisors of the County of San Joaquin ordains as follows:

Section 1. Chapter 9-408, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby repealed and replaced with the following:

Sections:

9-408.010	Purpose
9-408.020	Applicability
9-408.030	Rules for Measurement
9-408.040	Prohibited Signs
9-408.050	Exempt Non-Temporary Signs
9-408.060	Sign Design Principles
9-408.070	General Standards
9-408.080	Sign Regulations
9-408.090	Dimensional Standards
9-408.100	Readerboard and Electronic Message Center Signs
9-408.110	Temporary Signs
9-408.120	Historic Signs
9-408.130	Closed Business Signs
9-408.140	Off-Premises Signs
9-408.150	Permit Required
9-408.160	Master Sign Program
9-408.170	Modification of Requirements

9-408.010 PURPOSE

The purpose of this Chapter is to regulate signs as an information system for residents, visitors, and businesses, while also protecting and enhancing the aesthetic character and values of the County and in particular the County's highway corridors, residential neighborhoods, urban and rural communities, commercial/industrial areas, and agricultural areas. This Chapter sets forth regulations that recognize and balance the importance of business activity to the economic vitality of the County; the protection of the public health, safety, and welfare; the value of the visual environment; and recognition of the constitutional right to free speech. The specific objectives of these regulations are to:

- (a) Implement the General Plan and adopted Specific Plans;
- (b) Reflect and support a desirable visual quality of future development throughout the County;
- (c) Attract and direct people to various activities and places in the County;
- (d) Allow for the exercise of free speech by residents and businesses;
- (e) Promote public safety by ensuring that signs are not constructed, located, erected, or maintained in a hazardous manner and do not distract motorists and other users of streets and highways;
- (f) Restrict signs that may create visual clutter or be a nuisance; and
- (g) Provide clear, objective standards for signs that will maintain the aesthetic integrity of the County's urban and rural communities, shopping and employment districts, and agricultural areas.

9-408.020 APPLICABILITY

This Chapter regulates all signs that are located outside of buildings on private property and non-exempt signs in the public right-of-way. This Chapter applies in all zones within unincorporated areas of the County and in all areas subject to Specific Plans or Special Purpose Plans, except as specifically superseded by regulations adopted for individual Specific Plans and Special Purpose Plans.

- (a) **Signs Must Comply with this Chapter.** In all zones, only such signs that are specifically permitted by this Chapter may be placed, erected, displayed, or used, subject to review and approval.
- (b) **Discretionary Review Required.** The placement of any permanent sign exceeding the requirements of this Chapter is subject to discretionary review pursuant to Section 9-408.170 Modification of Requirements.

9-408.030 RULES FOR MEASUREMENT

- (a) **Measuring Sign Height.** The height of a sign is the vertical distance measured from the finished grade directly beneath the sign to the highest point at the top of the sign and including any structural or architectural components.
- (b) **Measuring Sign Clearance.** Sign clearance is the open area underneath a sign, measured as the vertical distance between the finished grade directly beneath the sign and the lowest point of the sign and including any framework or other embellishments.
- (c) **Measuring Sign Area.** The area of a sign is measured by calculating the area of a continuous rectilinear perimeter enclosing the entire sign face, including channel letters, multiple components, and irregular shapes. The sign area does not include any supporting framework or bracing that is incidental to the display unless they contain lettering or graphics. Measurement samples are shown below:



(d) **Calculation of Frontages.** For corner and through lots, allowable freestanding sign area may be calculated separately for each lot frontage. Allowable attached sign area may be calculated separately for each building frontage.

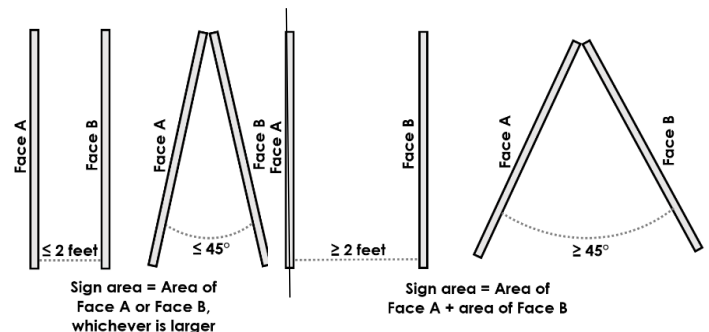
(e) **Regulations for Certain Sign Types.** The surface area of certain sign types set forth below shall be computed using the following standards. Measurement samples are included.

(1) **Awning Signs:** Only the sign face portion of the awning shall be counted.

(2) **Multi-Section Signs:** Only the sign area of each section or module shall be counted.

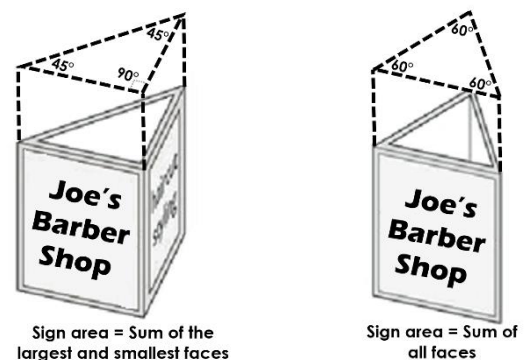
(3) **Double-Faced Signs:**

Only the larger side shall be counted as long as the distance between the backs of the sign does not exceed two feet. Where two faces of a sign are located more than two feet apart, or at an angle exceeding 45 degrees from one another, both sign faces will be counted toward the sign area.



(4) **Multi-Faced Sign:**

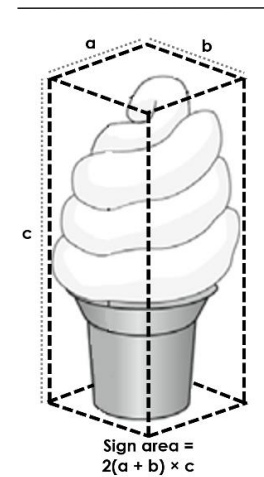
On a three-faced sign, where at least one interior angle is 45 degrees or less, the sum of the area of the largest and smallest face shall be counted. In all



other situations, the sum of the area of all sign faces that can be seen at one time shall be counted.

(5) **Three-Dimensional Signs:**

For signs that include one or more three-dimensional object (i.e., balls, cubes, clusters of objects, sculptures, or statues), the sign area counted shall include the sum of two adjacent sides of the smallest cube that will encompass the sign.



9-408.040 PROHIBITED SIGNS

- (a) **Search Lights and Klieg Lights.** Search lights and Klieg lights when used as attention attracting devices for commercial uses.
- (b) **Signs in the Public Right-of-Way.** Any sign placed the public right-of-way or sign projecting into the public right-of-way must be reviewed and permitted, if applicable, by the Department of Public Works. Otherwise, signs in the public right-of-way are prohibited.
- (c) **Signs on Door, Windows, or Fire Escapes.** Signs located on any building door or window that may prevent free ingress or egress. No sign shall be attached to any standpipe or fire escape except those required by County regulations.
- (d) **Signs that Create a Traffic Hazard or Affect Pedestrian Safety.** Signs located in a manner that may create a safety hazard or impede the public use of any public right-of-way. These signs include, but are not limited to:
 - (1) Signs that obstruct the view of traffic or any authorized traffic sign or signal device;
 - (2) Signs that may create confusion with any authorized traffic sign or signal device because of their color, design, illumination, location, or wording; or use of any phrase, symbol, or character that interferes with, misleads, or confuses vehicular drivers in the use of roads; and
 - (3) Signs within five feet of a fire hydrant, authorized traffic sign, or signal device.
- (e) **Signs that Produce Noise or Emissions.** Signs that produce visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line, excluding voice units for services customers from the vehicles, provided these units comply with the standards for noise established in this Title.

9-408.050 EXEMPT NON-TEMPORARY SIGNS

The following non-temporary signs are exempt from the requirements of this Chapter. These signs are not to be included in the determination of the number, type, or area of signs as specified in this Chapter.

- (a) Agricultural Sign subject to the following standards:
 - (1) **Maximum Height.** Signs may not exceed six feet in height.
 - (2) **Maximum Sign Area.**
 - (A) 16 square feet on parcels under five acres in size; and
 - (B) 24 square feet on parcels five acres or greater in size.
- (b) Barber Poles not exceeding 18 inches in height.
- (c) Change of Business Signs.
- (d) Commemorative Signs.
- (e) Commercial Displays on Vehicles.
- (f) Construction/Development Signs subject to the following standards:
 - (1) **Maximum Sign Area.** Signs shall be no more than:
 - (A) Four square feet in Agricultural and Residential zones; and
 - (B) 32 square feet in all other zones.
 - (2) **Duration.** Signs may be installed for up to 60 days before commencing construction and landscape work and must be removed at the time that construction and landscape work is completed.
- (g) Decorations for holidays, religious and cultural observances, or similar celebrations on private property, including decorative lights.
- (h) Flags. See 9-400.030 Exceptions to Height Limits for flagpole regulations.
- (i) Fueling Sales Signs.
- (j) Garage/Yard Sale Signs.
- (k) Government Signs.
- (l) Indoor signs and other signs not visible from a street or adjacent property.
- (m) Information Signs.
- (n) Manufacturer's Marks.

- (o) Warning or No Trespassing Signs.
- (p) Window Signs not preventing free ingress/egress.

9-408.060 SIGN DESIGN PRINCIPLES

The following sign design principles shall be used as criteria for review and approval of signs and Master Sign Programs pursuant to Section 9-408.160.

- (a) **Legibility.** Signs shall be designed to be legible and readable for passersby as to not create hazards.
 - (1) Colors chosen for sign text and graphics should have sufficient contrast with the sign background in order to be read easily; and
 - (2) Symbols and logos can be used in place of words.
- (b) **Visibility.** A sign should be conspicuous and readily distinguishable from its surroundings, so a viewer can easily see the information it communicates.

9-408.070 GENERAL STANDARDS

Unless otherwise specified in this Chapter, the following standards apply to all signs. Dimensional standards and restrictions are set forth in Section 9-408.080.

- (a) **Changes to Sign Copy.** Unless otherwise specified by this Chapter, all permitted signs may use manual or automatic changeable copy. No discretionary review is required for a change in sign copy.
- (b) **Electrical Systems to be Concealed.** External conduits, boxes, and other connections related to the function of a sign and associated lighting shall not be exposed. A switch disconnecting each circuit shall be placed in plain sight and near the inspection opening.
- (c) **Illumination.** Signs may be illuminated, subject to the standards of Chapter 9-403 Lighting and Illumination, and the following requirements:
 - (1) **Shielding Required.** External light sources must be directed, shielded, and filtered to limit direct illumination of any object other than a sign.
 - (2) **Light Sources Adjacent to Residential Zones.** Illuminated signs located adjacent to any residential zone shall be controlled by a rheostat or other acceptable method to reduce glare that will create a nuisance for residential mixed-use buildings in a direct line of sight to the sign.
- (d) **Maintenance.** All signs, including exempt signs, shall be properly maintained.
 - (1) Signs shall be kept free of rust, corrosion, peeling paint, cracks, fading, and other surface deterioration;
 - (2) Illuminated signs shall function as designed and permitted;
 - (3) Exposed surfaces shall be clean and painted, when required; and
 - (4) All defective parts shall be replaced.

- (e) **Materials.** Signs shall be made of sturdy, durable materials.
 - (1) Paper, cardboard, or other materials subject to rapid deterioration may only be used for temporary signs.
 - (2) Fabric signs are restricted to awnings, canopies, flags, and temporary signs.
- (f) **Message Neutrality.** This Chapter regulates signs in a manner that is content neutral as to noncommercial messages that are protected by the first amendment of the U.S. Constitution and the corollary provisions of the California Constitution.
- (g) **Message Replacement.** A noncommercial message of any type may be replaced in whole or in part, for any duly permitted commercial message, and any noncommercial message not previously approved as a commercial message may be replaced in whole or in part, for any other noncommercial message.
 - (1) **No Additional Approval.** Such substitution of message may be made without any additional approvals.
 - (2) **Limitations.** This message substitution provision does not:
 - (A) Create a right to increase the total amount of signage on a parcel, lot, or land use;
 - (B) Affect the requirement that a sign structure or mounting device be properly permitted;
 - (C) Allow for a change in the physical structure of a sign or its mounting device; or
 - (D) Authorize the substitution of an off-site commercial message or in place of a noncommercial message.
- (h) **Minimum Clearance from Utilities.** Signs and supporting structures shall maintain clearance from and not interfere with electrical conductors, communication equipment, or lines, underground facilities, and conduits.
- (i) **Nonconforming Signs.** Signs that do not conform to this Chapter upon its adoption or amendment may continue to be used and maintained, and need not be modified to conform to the standards of this Chapter, except as required for safety, maintenance, and repair.
 - (1) If any such sign is relocated, or requires a repair that changes the size or construction of such a sign, the sign shall be brought into conformance with the standards of this Chapter; and
 - (2) If any such sign is removed by any means, including circumstances beyond one's control, any replacement sign shall conform with the standards of this Chapter.
- (j) **Permitted Sign Locations.**
 - (1) **Attached Signs.** Signs may be located on a building wall, canopy fascia, under canopy, mansard roof, or roof, and may face a parking lot, mall, street, driveway, walkway, alley, or freeway.

- (2) **Freestanding Signs.** All freestanding signs shall be located on the lot or parcel on which the use identified is located, except in a commercial, office, or industrial complex where such a sign may be located on any lot or parcel in the complex where the use identified is located.
- (3) **Required Setbacks:** All portions of a sign must be setback a minimum of five feet from all property lines.
- (4) **Sign Projection from a Building Face.** Building signs shall not project more than 12 inches from the building façade on which they are placed with the following exceptions.
 - (A) Mansard and Roof Signs may project such a distance from the face of the roof necessary for the sign face to be perpendicular to the floor of the building.
 - (B) Blade, Marquee, and Three-dimensional Signs may be oriented perpendicular to the adjacent wall of the business being identified.

9-408.080 SIGN REGULATIONS

- (a) **Sign Classifications.** Sign regulations are separated by zone and intensity of use as follows:
 - Group A: Residential uses in all zones
 - Group B: Development Projects in all residential zones
 - Group C: High intensity commercial uses, includes development projects in the C-G, C-C, C-FS, C-RS, and P-F zones
 - Group D: Low intensity commercial uses, includes development projects in the C-N, C-O, C-L, C-X, and M-X zones
 - Group E: High intensity industrial uses, includes development projects in the I-G zone
 - Group F: Low intensity industrial uses, includes development projects in the I-L, I-W, I-P, and A-PX zones
 - Group G: Agricultural uses in the AG, AL, and AU zones
 - Group H: Development projects in the AG, AL, and AU zones
 - Group I: Rural development, includes development projects in the I-T, C-R, and AI zones
- (b) **Permitted Signs by Classification.** All non-temporary signs shall be consistent with the sign types permitted by classification set forth in Table 9-408.070.

TABLE 9-408.070(b): PERMITTED SIGNS BY CLASSIFICATION										
P = Permitted Sign - = Not Permitted										
Sign Type		Sign Classification								
		Group A	Group B	Group C	Group D	Group E	Group F	Group G	Group H	Group I
Freestanding	Monument	P	P	P	P	P	P	P	P	P
	Pole/Pylon	-	P	P	P	P	P	P	P	P
Attached	Awning	-	-	P	P	-	-	P	P	-
	Projection	-	-	P	P	-	-	-	-	-
	Blade	-	-	P	P	-	-	-	-	-
	Marquee	-	-	P	P	P	P	-	-	P
	Wall	-	P	P	P	P	P	P	P	P
	Roof/Mansard	-	-	P	P	P	P	-	P	-
	Supplemental Tenant	-	-	P	P	P	P	-	-	P
Temporary Signs		P	P	P	P	P	P	P	P	P
Signs, Off Premise		-	-	P	-	P	P	-	-	-

- (c) **Maximum Permitted Sign Area and Number by Classification.** The maximum allowable sign area may apply to individual signs or combined signs as contained in the table below. For design criteria for individual signs see Section 9-408.090 Dimensional Standards by Sign Type.

TABLE 9-408.070(c): MAXIMUM PERMITTED SIGN AREA AND NUMBER BY CLASSIFICATION					
Sign Classification	Attached Signs		Freestanding Signs		
	Maximum Sign Area	Number Permitted	Maximum Sign Area	Maximum Height	Number Permitted
Group A	See 9-408.070(e) (e) Special Sign Regulations for Residential Zones				
Group B	40 square feet	1	60 square feet	8 feet	1
Group C	80 square feet combined ¹	Multiple not to exceed combined maximum size	60 square feet (pole)/ 80 square feet (monument)	45 feet	1/lot frontage
Group D	60 square feet combined ¹	Multiple not to exceed combined maximum size	50 square feet (pole)/ 60 square feet (monument)	25 feet	1/lot frontage
Group E	10% wall coverage combined ¹	Multiple not to exceed combined maximum size	60 square feet (pole)/ 80 square feet (monument)	45 feet	1/lot frontage
Group F	10% wall coverage combined ¹	Multiple not to exceed combined maximum size	60 square feet (pole)/ 80 square feet (monument)	45 feet	1/lot frontage
Group G	25 square feet	1	25 square feet (pole)/ 30 square feet (monument)	45 feet	1/lot frontage
Group H	50 square feet	1	50 square feet (pole)/ 60 square feet (monument)	45 feet	1/lot frontage

Group I	50 square feet ¹	1	50 square feet (pole)/ 60 square feet (monument)	45 feet	1/lot frontage
Additional sign area may be allowed for development with multiple tenants. See Section 9-480.080(c)(1) for regulations.					

(1) **For Developments with Multiple Tenants** additional sign area may be permitted as follows:

- (A) **Group C:** An additional 20 square feet may be added to the maximum size of both attached and freestanding signs for each tenant above one. The combined total for all freestanding signs shall not exceed 140 square feet.
- (B) **Group D:** An additional 15 square feet may be added to the maximum size of both attached and freestanding signs for each tenant above one. The combined total for all freestanding signs shall not exceed 120 square feet.
- (C) **Group E:** An additional 20 square feet may be added to the maximum size of freestanding signs for each tenant above one, not to exceed a combined total of 140 square feet.
- (D) **Group F:** An additional 20 square feet may be added to the maximum size of freestanding signs for each tenant above one, not to exceed a combined total of 140 square feet.
- (E) **Group I:** An additional 15 square feet may be added to the maximum size of both attached and freestanding signs for each tenant above one. The combined total for all freestanding signs shall not exceed 120 square feet.

(d) **Special Sign Regulations for Residential Zones.**

(1) **Signs Allowed by Right.**

- (A) Permanent attached signs on single-unit and two-unit residential buildings provided that:
 - (i) The total area of all will signs shall not exceed three square feet per building.
 - (ii) No attached sign shall project more than six inches from the building wall.
- (B) Permanent, non-illuminated freestanding signs on any developed residential lot, provided that:
 - (i) The total area of all such signs shall not exceed one and one-half square feet per lot or per unit, whichever is greater.
 - (ii) No sign shall exceed four feet in height.
- (C) One permanent, non-illuminated attached sign at the entrance of any multi-tenant building, not exceeding 20 square feet and not projecting more than 6 inches.

(2) **Signs Allowed with a Building Permit.**

- (A) Housing Development Signs not to exceed 50 square feet for each entrance of a subdivision or multi-family housing development.
- (B) Multi-unit Building Signs not to exceed 20 square feet for each building containing 10 or more units.
- (C) Home Occupation Signs not to exceed four square feet for approved home occupation businesses located in a single-family or two-family dwelling.

(e) **Special Sign Regulations for Freeway Services Commercial Zone.** On parcels located in the Freeway Services Commercial Zone, one pole sign may be oriented towards the freeway and one monument sign may be oriented towards the local access street.

(f) **Special Sign Regulations for Agricultural Zones.**

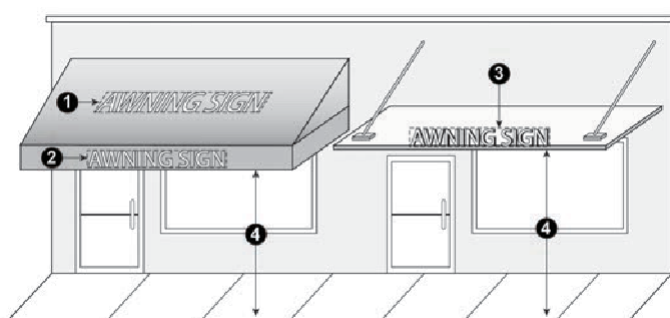
(1) **Signs for Produce Stands**

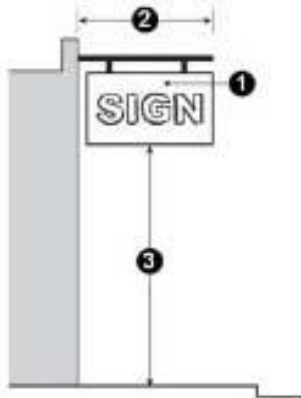
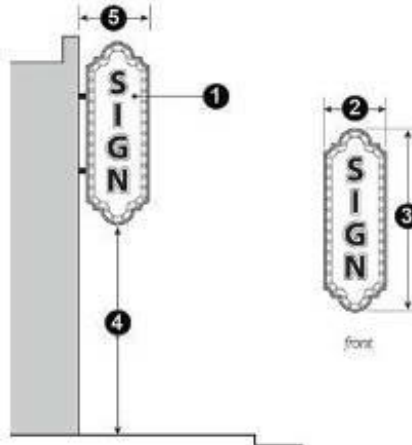
- (A) Maximum Number of Signs Permitted: 6 combined freestanding and attached signs.
- (B) Maximum Size: 24 square feet per sign face.
- (C) Maximum Height for Freestanding Signs: 15 feet
- (D) Location: Within 1,000 feet of the produce stand. 4 of the allowable signs may be located off-site if located within the 1,000 foot radius.
- (E) Illumination: Signs shall not be illuminated.

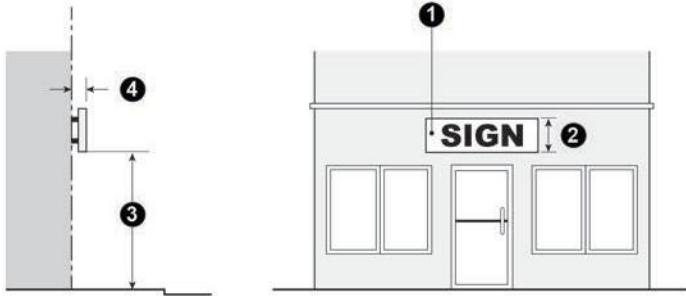
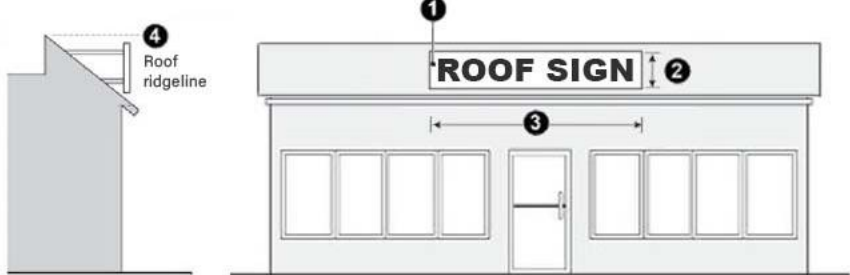

(2) **Development Project Signs** may not be placed within 75 feet of any existing freestanding sign.

9-408.090 DIMENSIONAL STANDARDS BY SIGN TYPE

Dimensional standards listed by sign type are contained in Table 9-408.090 on the following pages. A combination of signs designed to these standards may be permitted (see Section 9-408.080(b) Permitted Signs by Classification), and must not exceed the maximum permitted sign area contained in Section 9-408.080(c).

TABLE 9-408.000: DIMENSIONAL STANDARDS	
AWNING & PROJECTING SIGNS	
	

Dimension			Location and other requirements		
Maximum Area (sloping plane)	50% coverage	1	Minimum Clearance	8 ft.	4
Maximum Area (valence)	50% coverage	2			
Maximum Area (projecting)	1 sq. ft. per linear ft. of building frontage	3			
BLADE SIGNS					
					
Dimension			Location and other requirements		
Maximum Area	12 sq. ft.	1	Minimum Clearance	8 ft.	3
Maximum Projection	5 ft.	2			
MARQUEE SIGNS					
					
Dimension			Location and other requirements		
Maximum Area	6 sq. ft.	1	Minimum Clearance	8 ft.	4
Maximum Width	2 ft.	2	Maximum Projection	2 ft.	5
Maximum Height	4 ft. A marquee sign may not extend above the parapet or eave of the building	3			

WALL SIGN					
					
Dimension			Location and other requirements		
Maximum Area	2 sq. ft. per linear ft. of building frontage	①	Minimum Clearance	8 ft.	③
Maximum Height	Maximum 8 ft.	②	Maximum Projection	1 ft.	④
ROOF & MANSARD SIGN					
					
Dimension			Location and other requirements		
Maximum Area	0.5 sq. ft. per linear ft. of building frontage up to 40 sq. ft.	①	Maximum Length	80% of building frontage	③
Maximum Height of Sign Face	Maximum 4 ft.	②	Relation to Roof Height	A roof sign may not extend above roof ridgeline	④
FREESTANDING SIGNS					
					
Dimension					
Maximum Area	140 sq. ft.	①	Maximum Height	See Table 9-408.070(c)	②

9-408.100 READERBOARD AND ELECTRONIC MESSAGE CENTER SIGNS

- (a) **Readerboard Signs.** Readerboard signs with manually or electronically changeable copy may be displayed in lieu of building-mounted or freestanding signs, subject to the following requirements.

- (1) **Residential Zones.** Readerboard signs located in a residential zone shall not be changed more than twice during any 24-hour period.
- (2) **School Sites.**
 - (A) Schools may be permitted one readerboard sign per lot frontage. Additional readerboard signs may be allowed for internal notifications, not facing a public street.
 - (B) Each readerboard sign shall not exceed 80 square feet in area and eight feet in height.
- (3) **Religious and Public Assemblies Not for Commercial Entertainment.** Public and religious assemblies that are not engaged in entertainment may be permitted one readerboard sign as follows.
 - (A) Sites One Acre in Size or Less. One readerboard monument sign up to 16 square feet and six feet in height or one building mounted readerboard sign up to 24 square feet may be permitted.
 - (B) Sites Greater than One Acre in Size. One readerboard monument sign up to 24 square feet and six feet in height or one building mounted readerboard sign up to 24 square feet may be permitted.
 - (C) Time Limits. The copy shall not be changed more than once per any 20-hour period.
 - (D) Public and religious assembly uses located within an office, commercial, or industrial complex may be allowed one readerboard sign serving the assembly use in lieu of the permitted monument sign for the development.
- (4) **Public Entertainment Venues.** Public entertainment venues may be permitted one freestanding readerboard sign or one building mounted readerboard sign per use, as follows:
 - (A) Sites Under 15 Acres. One readerboard monument sign up to 40 square feet and six feet in height or one building mounted readerboard sign may be permitted. A building mounted readerboard sign shall not exceed 1 ½ square feet per linear foot of building frontage up to 100 square feet.
 - (B) Sites 15 Acres or Greater. One readerboard monument sign up to 65 square feet and 15 feet in height or one building mounted readerboard sign may be permitted. A building mounted readerboard sign shall not exceed 1 ½ square feet per linear foot of building frontage up to 100 square feet.

(b) **Electronic Message Center Sign.**

- (1) Electronic Message Center (EMC) signs are permitted in non-residential developments 10 acres or greater, subject to the following requirements:
 - (A) EMC are only permitted on sites adjacent to a highway or freeway.

- (B) EMC are not permitted within or adjacent to any residential zone.
 - (C) EMC must not exceed 720 square feet.
 - (D) EMC must not exceed 50 feet in height.
 - (E) No EMC must be located within 2,500 feet of another EMC 200 square feet in size or greater.
 - (F) Displays may contain only static messages and shall not include movement of any portion of the sign including sign structure, design elements, or pictorial segments of the sign. Movement includes the appearance of movement created by illumination, flashing, scintillating, or varying of light intensity.
 - (G) All EMC displays shall be equipped with a sensor or other device that automatically determines ambient illumination and is programmed to dim automatically according to ambient light conditions or can be adjusted to comply with the illumination requirements in subsection 6 of this Section.
 - (H) The County shall be provided access to a portion of the digital display time to allow for messages of community interest, including public safety messages, such as Amber alerts and other emergency management information.
- (2) Electronic Message Center Signs placed on publicly owned land solely for County messages for community interest are exempt Government Signs subject to the following requirements:
- (A) No content promoting private or non-County services is allowed on exempt EMCs. These EMCs can be used to display a variety of messaging campaigns, including, but not limited to:
 - (i) Public service advisories;
 - (ii) Campaigns to raise awareness and provide information about issues important to the community;
 - (iii) Promotion of County services available to the public; or
 - (iv) Local and regional emergency advisories and alerts, such as public health messaging campaigns and other important safety advisories.
 - (B) County EMCs are subject only to subsections (C), (D), (G), and (H) of Section 9-408.090(1).

9-408.110 TEMPORARY SIGNS

(a) General Requirements.

(1) General.

- (A) **Residential Zones.** Up to 2 temporary signs may be displayed on a property. Each temporary sign may not exceed 12 square feet.
- (B) **Non-Residential Zones.** Each property or establishment in non-residential zones may display temporary signs in addition to the permitted permanent signage as specified in this Section.

- (C) **Required Setbacks.** All portions of a sign must be setback a minimum of five feet from driveways and street intersection, and 20 feet from other portable signs.
- (D) **Locational Criteria.** Except portable signs, no temporary signs may be placed in any public right-of-way.
- (E) **Illumination.** Temporary signs cannot be illuminated.
- (F) **Prohibited Materials.** Temporary signs, not including window signs, shall not be made of standard paper or other materials subject to rapid deterioration.
- (G) **Multiple Temporary Signs.** To place 250 or more temporary signs, the signs must include the name and contact information of the party responsible for the signs.

- (b) **Permitted Temporary Signs by Temporary Sign Type.** All temporary signs shall be consistent with the requirements set forth in Table 9-408.110 and this section. For specific criteria for temporary sign types, see Section 9-408.110(b)(1) Standards by Temporary Sign Type.

TABLE 9-408.110 PERMITTED TEMPORARY SIGNS BY SIGN TYPE						
		Sign Requirements/Limitations				
Sign Type		Maximum Size	Height	Number	Duration	Location
Banners & Pennants	General	32 square feet	Freestanding: 10 feet	1 / 75 feet of street frontage	90 days ¹	On site at establishment
			Attached: Height of roofline			
	Vehicle Dealerships	24 square feet	20 feet	1 / 60 feet of street frontage		Vehicle dealership site
Portable Signs	A-frame	6 square feet	42 inches	1 / establishment	N/A	Within 300 feet of establishment
	Other	8 square feet	8 feet		90 days ¹	
Real Estate Signs	Residential	8 square feet	8 feet	2	Until property is sold	Private property only
	Agricultural	16 square feet				
	Other	32 square feet				
Residential Subdivision Signs	Off-Site, general	32 square feet	8 feet ¹	6	Until all lots are sold	Private property only
	Off-Site, portable	8 square feet		N/A		Minimum 300 feet apart
	On-Site	32 square feet				
Special Event Signs		48 square feet	8 feet	2 / street frontage	90 days prior to event / 10 days after the event	On site at event site

¹ May be posted for three 90-day periods per year with a minimum of 30 days between periods.

² Combination signs for multiple residential subdivisions may not exceed 14 feet in height.

(1) **Standards by Temporary Sign Type**

- (A) **Banners and Pennants.** Banner signs and pennants, including similar such as strings or ornamental fringes or streamers, are allowed for establishments in non-residential zones.

- (B) **Portable Signs.** Portable signs are allowed are allowed for establishments in non-residential zones, subject to the following standards:
 - (i) The combined total of all portable signs shall not exceed 18 square feet.
 - (ii) **Prohibited Locations.** Portable signs shall not be placed in any roadway; in any parking lot driving lane, aisle, or stall; or at any location where the sign will block pedestrian access or create a safety hazard.
- (C) **Real Estate Signs.** On-premises signs conveying information about the sale, rental, or lease of the lot, dwelling, or premises, not including residential subdivision signs, are allowed subject to the following standards:
 - (i) **General Standards.** Any property owner or their agent may display a sign that advertises the property for sale, rent, or lease.
 - (ii) **Identification Required.** Real estate signs must include the name and contact information for the real estate representative or company.
- (D) **Residential Subdivision Signs.** On-site informational signs for the sale of lots within a residential subdivision of five or more parcels are allowed. Off-site directional signs for residential subdivisions of five or more parcels are allowed subject to the following standards:
 - (i) **Additional Dimensional Standards.** Signs may be single sided, double-faced, or V-shaped. Each panel on a double-faced or V-shaped sign counts as one sign. Double-faced sign panels must be no greater than 24 inches apart. V-shaped sign panels must be angled not to exceed 45 degrees.
 - (ii) **Additional Locational Criteria.** Signs may be placed on non-residentially zoned parcels or on residentially zoned parcels located within the residential subdivision being advertised that are unoccupied, vacant, and free from any structures. Portable signs must not be placed in prohibited locations as defined in Section 9-408.110(a)(1)(B)(ii).
 - (iii) **Combination Signs for Multiple Subdivisions.** Signs advertising up to four nearby residential subdivisions may be utilized. Information for each residential subdivision may not exceed the standards set forth in Table 9-480.110.

9-408.120 HISTORIC SIGNS

- (a) **Designation; Findings Required.** The Director may designate a historic sign following notice to the sign owner upon finding that the sign is 50 or more years old and has significance to the County because it is associated with a significant historical event or historic business.
- (b) **Allowances for Historic Signs.**

- (1) **Structural Improvements.** Historic signs may have structural improvements completed in order to extend the life of the sign provided these improvements do not increase the original sign area or height.
- (2) **Damage Repairs.** If the sign is damaged, it may be repaired or replaced with a sign consistent with the original sign area and height, even if the sign does not conform to the standards of this Chapter.

9-408.130 CLOSED BUSINESS SIGNS

- (a) **Applicability.** For the purposes of this section, a closed business sign is any sign located outside of a building that advertises or identifies a use, activity, business, service, or product no longer offered or conducted in a building that continues to be displayed 30 days after the use, activity, business, or service has vacated the building.
- (b) **Removal or Covering Required.** All closed business signs must be removed or completely obscured from public view within 90 of a business closure. To be obscured from public view, a sign must be completely covered with a solid material, such as plywood, that is securely fastened to the sign or its supporting structure. The cover must be painted to match the color of the building or sign.

9-408.140 OFF-PREMISES SIGNS

Except as otherwise specified in this Section, all new or replacement off-premises outdoor advertising signs, including billboards, shall comply with the following regulations:

- (a) **General Requirements.** The following standards apply to all off-premises signs unless more restrictive standards are set for specific types of off-premises signs:
 - (1) **Dimensional Standards.** An off-premises sign shall not exceed 672 square feet in area, including all borders and trim, per sign face. The sign may not exceed 48 feet in length.
 - (i) **Height.** Off-premises signs shall not exceed 45 feet in height unless located in an industrial zone where the sign shall not exceed 75 feet in height.
 - (2) **Location.** All off-premises signs must be located within 660 feet of an Interstate freeway or State highway.
- (b) **Off-Premises Directional Signs for Wineries and Wine Cellars.** Off-premises directional signs for wineries and wine cellars are permitted subject to the following standards:
 - (1) **Maximum Number.** One off-premises directional sign is allowed per parcel.
 - (2) **Dimensional Standards.** Off-premises directional signs may not exceed 15 feet in height.
 - (3) **Location.** Off-premises directional signs may be permitted in all agricultural and industrial zones, and in the C-C, C-G, C-FS, C-RS commercial zones.

Signs must be located a minimum of 1,000 feet from all other off-premises directional signs along either side the same street.

(c) **Digital Billboards.** Digital billboards are subject to the following standards:

- (1) **Location.** Digital billboards are only permitted on parcels with highway or freeway frontage. The signs must be located a minimum of 2,500 feet from any other digital billboard, and 500 feet from any agricultural or residentially zoned parcels.
- (2) The County must be provided access to a portion of the total available display time to allow for messages of community interest or for displaying public safety information, such as Amber alerts or emergency management information.
- (3) All electronic message displays shall be equipped with a sensor or other device that automatically determines ambient illumination and is programmed to automatically dim according to ambient light conditions or that can be adjusted to comply with the illumination requirements included in Section 9-408.060 General Standards.

(d) **Gateway Signs.** A gateway sign advertising businesses or services available within an urban or rural community may be allowed, subject to the following standards:

- (1) **Sign type.** Gateway signs must be freestanding signs.
- (2) **Dimensional Standards.** Gateway signs may not exceed 400 square feet in size and 30 feet in height.
- (3) **Location.** Gateway signs may be located along any arterial road, highway, or freeway at a key entrance to an urban or rural community.
- (4) **Community Identification.** The identity of the community for which the sign is intended must be depicted on the sign, and may include a logo, architecture, or iconic signage, as appropriate.

(e) **Relocation and Removal of Existing Billboard Signs.**

- (1) **Relocation of Existing Billboard Signs.** Existing billboard signs may be relocated with concurrent approval of a billboard relocation agreement by the Board of Supervisors consistent with the California Business and Professions Code Section 5412 and other applicable State laws.

9-408.150 PERMIT REQUIRED

(a) **General Requirements.**

- (1) A building permit is required to erect, construct, install, structurally alter, or relocate any non-exempt sign unless the sign is explicitly allowed without a building permit.
- (b) **Review Required for Certain Temporary Signs.** No temporary sign shall be posted in a County right-of-way, landscaped area, or park before the Director of Public Works has confirmed in writing that the proposed posting will not interfere with the ordinary use and enjoyment of the area, underground irrigation or utilities, or line of sight for motor vehicles, bicycles, and pedestrian traffic.

9-408.160 MASTER SIGN PROGRAM

- (a) **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a development project with the overall design of the development to achieve a more unified appearance. A Master Sign Program may allow for minor variations in dimensional standards and other limitations of this Section, provided the Master Sign Program achieves a result that is superior to what would otherwise be allowed.
- (b) **Applicability and Approval Required.** Master Sign Programs may be approved with an Administrative Use Permit with the modifications as provided in this Chapter.
 - (1) **Required Master Sign Programs.** A Master Sign Program is required for:
 - (A) New or remodeled commercial and industrial project on sites two acres or greater in size;
 - (B) Shopping center developments; and
 - (C) Any development within a Planned Development Zone.
 - (2) **Optional Master Sign Programs.** A Master Sign Program may be substituted for specific sign designs and sign programs for individual buildings if requested by an applicant.
- (c) **Requirements for Submittal.** Applications for a Master Sign Program must include the following:
 - (1) A site plan depicting the proposed location of each sign and existing signs that are to remain;
 - (2) Sign dimensions including computation of the number of signs, the maximum total sign area, the maximum area allowed for individual signs, the height of signs;
 - (3) A written program of standards for all sign types to be distributed to future tenants including colors, size, illumination, construction details, and sign placement; and
 - (4) A list of any exceptions to the sign standards included in this Chapter that would otherwise apply.
- (d) **Required Findings.** Prior to approving an application for a Master Sign Program, the Zoning Administrator shall find that all of the following are true:
 - (1) The proposed signs are consistent with and visually related to:
 - (A) Other signs in the project by incorporating common design elements including materials, style, colors, illuminations, sign type, or sign shape.
 - (B) The buildings the signs identify by utilizing materials, colors, or design motifs included in the building being identified.

- (C) The surrounding development by not adversely affecting any surrounding land uses and adjacent businesses or obscuring existing conforming signs.
- (2) The proposed signs are appropriate for the size and character of the development and existing signs in the vicinity.
 - (3) The proposed signs will comply with all provisions of this Chapter except with regards to the specific exceptions requested and approved, which may include the number, height, size, and location of signs.
- (e) **Post-Approval Procedures.** After approval of a Master Sign Program, no signs shall be erected, placed, painted, or maintained, except in conformance with the Program. The Program may be enforced in the same way as any provision of this Title.
 - (1) **Lease Agreements.** The Master Sign Program and all Conditions of Approval shall be attached to the lease agreements for all leasable spaced with a project.
 - (2) **Individual Signs.** Any sign that conforms to an approved Master Sign Program may be approved by the Director, however, approval of a Master Sign Program does not waive the permit requirements for individual signs.
 - (3) **Amendments.** The Director may approve amendments to a Master Sign Program that are in substantial conformance with the original approval and do not change dimensional requirements for allowable signs by more than 25 percent. All other amendments, including amendments to Conditions of Approval, shall be processed as a new application.

9-408.170 MODIFICATION OF REQUIREMENTS

The requirements of this Chapter may be modified through the Administrative Use Permit process in Chapter 9-802 Common Procedures in cases in which, due to the unusual nature of the proposed use(s) or the site plan submitted, the requirements set forth in this Chapter are judged insufficient or excessive pertaining to height, square footage, and number of signs. In considering modifications, the Review Authority shall find that:

- (a) The proposed signs are consistent with the size of the facility and related structures, the location of the public access to the development, and other signage of in the vicinity, and
- (b) The height, size, and number of proposed signs are the minimum required to identify and direct the public to the activities, services, and products available on-site.

Section 2. Table 9-400.030, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

TABLE 9-400.030: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
Structures Allowed Above the Height Limit	Maximum Vertical Projection Above the Height Limit Maximum Height Restrictions	Size and Locational Limitations
Skylights	3 feet <u>above the maximum height identified in the Zone</u>	None
Solar panels	Subject to the provisions of Section 9-400.100060	
Other energy production facilities located on a rooftop such as a small wind turbine	5 feet <u>above the maximum height identified in the Zone</u>	None
Chimneys	20% <u>above the maximum height identified in the Zone of base zone height limit</u>	
Decorative features such as cupolas, pediments, obelisks, and monuments		
Rooftop open space feature for residents' and tenants' use, such as sun decks, sunshade and windscreen devices, open trellises, and landscaping, excluding detached residential structures		
Elevator and stair towers (for multi-unit and non-residential buildings only)	12 feet <u>above the maximum height identified in the Zone</u>	Limited to a total 25% of roof area, including all structures unless an Administrative Use Permit allows for more rooftop open space for residents' uses
Mechanical equipment penthouses	12 feet <u>above the maximum height identified in the Zone</u>	Limited to 20% of roof area
Flagpoles	<u>None</u> Subject of provisions of Chapter 9-406, Signs.	<u>Flagpoles must be setback from all property lines a distance equivalent to the height of the pole</u>
Fire escapes, catwalks, and open railings required by law	No restriction	None
Architectural elements, such as spires, bell towers, and domes	20% <u>above the maximum height identified in the Zone of base zone height limit</u>	
Parapets, excluding detached residential structures	4 feet <u>above the maximum height identified in the Zone</u>	
Distribution and transmission towers, lines, and poles; freestanding wind turbines	12 feet <u>above the maximum height identified in the Zone for as an accessory structures only</u>	Limited to 20% of the area of the lot, or 20% of the roof area of all on-site structures, whichever is less; No limit if primary use permitted in the zone
Water tanks <u>not including fire suppression water tanks</u>	<u>None as a primary use</u>	
Airway beacons		
<u>Fire suppression water tanks</u>	<u>No restriction</u>	<u>No restriction</u>
Telecommunications facilities, antennas, and microwave equipment	Subjects to provisions of Chapter 9-411	
Radio towers		
Athletic field lighting	Up to a maximum of 80 feet in total height	None
The required setback requirement for flagpoles may be modified with a Zoning Compliance Review, provided that no residential use is located with the fall radius of the proposed flagpole and the location of the flagpole is reviewed by all applicable responsible agencies. The Zoning Administrator shall notify all property owners of land adjacent to the flagpole site approved with the Zoning Compliance Review.		

Section 3. Section 9-900.010, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

<u>A-Frame Sign</u>	Airport Hazard
A-Weighted Sound Level	Airport Imaginary Surface
<u>Abandoned Sign</u>	Airport Reference Point
Abatement	Airport
Involuntary Abatement	All-Weather Surfacing
Subsequent Abatement	Alley
Voluntary Abatement	Allowed Use
Abutting	Alteration
Access	Alternative Surfacing Materials
Approved Access	Ambient Noise Level
Restricted Access	Animals, Domestic (Household Pets)
Accessory Use	<u>Animated Sign</u>
Accessory	Annual State License
Accessory Building	Annular Space
Accessory Dwelling Unit (ADU)	Antenna
Attached ADU	Antenna, Radio/TV Dish
Converted ADU	Antiquated Subdivision
Detached ADU	Apartment
Interior ADU	Applicant
Junior ADU (JADU)	Approval
Accessory Structure	Approval Authority
Accessory Short-Term Rentals	Aquifer
ADU/JADU Application	Arcade
Adjacent	Archaeological Resource
Administrative Review	Architectural Feature
Adult Book Store	Area Facilities Plan
<u>Advertising Display, Outdoor</u>	Area Median Income
Affordable Housing	Area of Benefit
Agency	Area of Special Flood Hazard
Agent	Arterial Road
Aggregate Base	As-Built Plans
Agri-Tourism	Asphalt Concrete
Agricultural Building	<u>Attached Sign</u>
Agricultural Drainage	Auction, Livestock
Agricultural Equipment Storage	Auction, Agricultural Machinery
Agricultural Experience	Awning
Agricultural Grading	<u>Awning Sign</u>
Agricultural Homestay	Balloon
Agricultural Land or Farmland	Banner
Agricultural Land, Nonprime	<u>Banner Sign</u>
Agricultural Land, Prime	Barn
Agricultural Mitigation Land	Basement
Agricultural Operation	Bay Window
Agricultural Products	Bay
<u>Agricultural Sign</u>	Bedrock
Agriculture	Bedroom
Aircraft	

Bench	Cemetery
Bikeway	Cesspool
Bikeway Classes	<u>Changeable Copy</u>
Class I Bikeway (Shared Use Path)	<u>Change of Business Sign</u>
Class II Bikeway (Bicycle Lane)	Chip Seal
Class IIB Bikeway (Buffered Bicycle Lane)	Civil Engineer
Class III Bikeway (Bike Route)	Clearance
Class IIIB Bikeway (Bicycle Boulevard)	<u>Clearance of Sign</u>
Class IV Bikeway (Separated Bikeway)	Club
Billboard	Collocation or Colocation
Bioenergy	Combination Truck
Biomass Energy Production	Commercial Cannabis Activity
Block Face	Commercial Cannabis
Block	Development Agreement
Board of Supervisors or Board	Commercial Cannabis License
Boarding School	Commercial Cannabis Licensee
Boardinghouse	Commercial Coach
Boathouse, Private	Commercial Filming
Boutique Sale	<u>Commercial Mascot</u>
Buffer Zone	<u>Commercial Message</u>
Buffer	Commercial Project
Build-to Line	<u>Commemorative Sign</u>
Building Code	Common Interest Development
Building Coverage	Community Land Trust
Building Height	Compaction
Building Official	Condition of Approval
Building Site	Conditional Use
Building	Conditions of Overcrowding
Accessory Building	Condominium
Main or Principal Building	Consistency
Public Building	Construction
Quasi-public Building	<u>Construction/Development Sign</u>
California Building Code	Construction Drainage
Cannabis Business Park	Construction Grading
Car Share Vehicle	Construction Installations
Caretaker Residence	Contamination
Carport	Contiguous
Car Wash	Contour
Car Wash, Private	Convalescent Home
Casing	Coop
Cathodic Protection Well	<u>Copy Area of Sign</u>
	Corporation Yard
	Corral
	Cottage Food Employee
	Cottage Food Operation

Cottage Food Operator
 Cottage Food Products
 County Maintained Road
 County Procedures
 County Standards
 County Surveyor
 County
 Court
 Creamery
 Cul-de-sac Street
 Cultivator License
 Custom Slaughtering
 Cut
 Cutoff Angle
 Cutoff
 Dairy
 Dangerous Building

 Day/Night Average Sound Level
 Ldn)
 Days
 Deck
 Decibel (Db)
 Decision-making Body
 Deferred Infrastructure Charge
 Agreement
 Demolition
 Density Bonus
 Department
 Depth of Excavation (cut)
 Depth of Fill
 Design
 Design Standards
 Design Storm Runoff
 Designated Fund
 Detached Structure
 Detention Basin
 Developer
 Development
 Development Agreement
Digital Display
 Direct Benefit
 Director
 Director of Environmental Health
 Director of Public Works

Discretionary Permit
 Disposal
 Distilled Spirits
 Distilled Spirits Storage
 Distributor License
 District
 Dock, Private
 Dock, Public
 Drainage Facility
 Drainage
 Drip Line
 Drive-Through Facilities
 Dwelling Cluster
 Dwelling Unit
 Dwelling, Second Unit
 Dwelling
 Easement
 Eave
 Educational Animal Project
 Effective Date
 Efficiency Kitchen
 Efficiency Unit
 Electrified Security Fence
Electronic Message Center Sign
Electronic Sign
 Embankment
 Emergency Work
 Encroachment Permit
 Encroachment
 Enforcement Official
 Engineering Geologist
 Engineering News Record
 Construction Cost Index
 Environmental Constraints
 Environmental Health Department
 Environmental Impact Report (EIR)
 Environmental Impact
 Equivalent Sound Level (Leq)
 Erosion
 Establishment
 Evacuation Plan
 Exaction
 Excavation (Cut)
Exempt Sign

Existing Manufactured Home Park
 or Subdivision
 Existing Structure
 Exotic Animals
 Expansive Soil
 Expert Professional
 Exterior Storage
Externally Illuminated Sign
 Extraction Well
 Family Food Production
 Family
 Farm Cooperative
 Farmers' Market
 Farm Office
 Farmland Conservation Easement
 Farmstay
 Feasible
 Feedlot
 Fence
 Fence, Closed
 Fence, Open
 Fill
 Final Grade
 Final Map
 Findings
 Fireworks
 Flag
 Flea Market
 Flood Control Engineer
 Flood Control Facilities
 Flood Elevation
 Flood Fringe
 Flood Hazard
 Flood Height
 Flood Insurance Maps
 Flood Insurance Rate Map or FIRM
 FIRM Zone AH
 FIRM Zone AO
 Flood Insurance Study
 Flood or Flooding
 Base Flood
 Fifty-Year Flood
 100-Year Flood
 Flood Variance
 Floodplain Administrator

Floodplain Encroachment Permit
 Floodplain Management
 Floodproofing
 Floodway
 Floor Area
 Food Establishment
 Food Preparation
Freestanding Sign
 Freestanding Structure
 Front Wall
 Frontage
 Frontage, Primary
 Frontage, Secondary
 Frontage Road or Service Road
Fueling Sales Sign
 Garage, Private
 Garage, Public
 Garage/Yard Sale
Garage/Yard Sale Sign
General Advertising for Hire
 General Plan
 Geotechnical Engineer
 Glare
 Government Code
Government Signs
 Grade
 Adjacent Grade
 Average Grade
 Existing Grade
 Finished Grade
 Grading
 Grading Excavation
 Grading Plan
 Grease Trap
 Greenhouse, Private
 Ground Disturbance
 Ground Water
 Grout
 Guesthouse
 Habitable Room
 Hazardous Materials
 Hazardous Waste
 Hazardous Waste Facility
 Health and Safety Code
 Heliport

Heritage Oak Tree	<u>Indirectly Illuminated Sign</u>
Highest Adjacent Grade	Industry Event
Historic Preservation Terms	Industry, Extractive
California Register of Historical Resources	Industrial Project
Character Defining Feature	Infill
Certified Local Government	<u>Inflatable Sign</u>
Contributing Structure	<u>Informational Sign</u>
Exempt Alteration(s)	Infrastructure
Exterior Architectural Feature	Infrastructure Reimbursement Charge
Historic Preservation District	Inoperative Vehicle
Historic Landmark	<u>Institutional/Public Sign</u>
Historic Resource	Interested Person
Integrity	<u>Internally Illuminated Sign</u>
Major Alteration	ITE Trip Generation Manual
Minor Alteration	Junk
National Register of Historic Places	Junkyard
Preservation	Kennel
Qualified Historic Property	Keyway
Reconstruction	Kitchen
Rehabilitation	L1 - L90
Restoration	Land Area, Net
Secretary of the Interior's Standards for the Treatment of Historic Properties	Land Disposal Facility
Substantial Deterioration or Decay	Land Leveling Operation
Historical Tree	Landscape-Related Terms
Hog Farm, Hog Farming	Applied Water
Home Occupation	Automatic Irrigation Controller
Homeowner's Association	Backflow Prevention Device
Homesite Parcel	Compost
Horse Raising	Drip Irrigation
Hospital, Animal	Estimated Total Water Use (ETWU)
Hours of Operation	Flow Rate
Household, Low Income	Graywater
Household, Moderate Income	Hydrozone
Household, Very Low Income	Invasive Plant Species
Household Pets	Landscape Area
<u>Illegal Sign</u>	Landscaping
Improvement Plan	Maximum Applied Water Allowance
Improvement Standards	Mulch
Improvements	Pervious
Impulsive Noise	Plant Factor or Plant Water Use Factor
	Recycled Water

Runoff	Marketing Event
Station	<u>Marquee Sign</u>
Turf	<u>Master Sign</u>
Valve	<u>Master Sign Program</u>
Water Conserving Plant Species	Maximum Demand
Water Feature	Maximum Sound Level (Lmax)
Large-scale Accessory Winery	Median
Event	Medical Marijuana Dispensary
Limited Retail Sales	Merger
Living Area	Merger, Voluntary
Loading Space	Micro-business
Lot	Mined Lands
Corner Lot	Mineral Resources
Flag Lot	Minimum Parcel Size
Interior Lo	Ministerial Permit or Approval
Reverse Corner Lot	Ministerial permit application
Substandard Lot	Minor Subdivision
Through Lot	Mitigation Fee Act
Lot Area	Mixed Use Development
Gross Lot Area	<u>Mobile Billboard</u>
Net Lot Area	Mobile Home, Caretaker
Lot Depth	Mobile Home, Temporary
Lot Equivalent	Mobile Home Park
Lot Line	Mobile Home Site or Space
Front Lot Line	<u>Mobile Vending Unit</u>
Rear Lot Line	Monumentation
Side Lot Line	<u>Monument Sign</u>
Lot Line Adjustment	<u>Movable Sign</u>
Lot Width	Native Oak Tree
Low Income	Natural Bank
Lower Income	Noise Contour
Lower Income Student	Noise-Sensitive Land Uses
Lowest Floor	<u>Non-Commercial Message</u>
Luminaire	Nonconforming Lot
Major Intersection	<u>Nonconforming Sign</u>
Major Subdivision	Nonconforming Structure
Major Transit Stop	Nonconforming Use
<u>Mansard Sign</u>	Nuisance
Manufactured Home	Nursing Home
Manufactured Home Park or	Object
Subdivision	Objective Standards
<u>Manufacturer's Marks</u>	<u>Off-Premises Sign</u>
Manufacturing License	Off-Site Use
Marina	<u>On-Premises Sign</u>
Marketing Calendar	Ordinary Maintenance

Official Notices
 Open Space, Common
 Open Space, Private
 Open Space, Public
 Outdoor Goods Display
 Outdoor Storage
 Overburden
 Overflow Parking
 Owner
 Owner-Operator
 Owner-Operator Truck Parking
 Packing Shed
 Parcel
 Parcel Map
 Parking Attendant
 Parking Lot
 Parking Space or Stall
 Parkway
 Pasture
 Pathway
 Pedestrian Way
 Peak Hour
 Pen
Pennant
 Permanent Residency
 Permitted Use
 Person
 Pet Grooming and Training
 Planning Commission
 Planting Strip
Pole Sign
Political Sign
 Pollution, Water
Portable Sign
 Portland Cement Concrete
 Poultry Ranch or Farm
 Pre-existing
 Premises
 Prepackaged Food
 Private Rights-of-Way
 Process Equipment
 Produce
Produce Sign
 Produce Stand
 Project

Projecting Sign
 Protective Barrier
 Protected Zone
 Public
 Public Building
 Public Display of Fireworks
 Public Facilities
 Public Improvement Plan
 Public Sanitary Sewer
 Public Transit
 Public Water System
 Pump/Pumphouse
Pylon Sign
 Qualifying Entity
 Qualifying Nonprofit Corporation
 Quarry Excavation
 Quarry, Idle
 Rainy Season
 Rare and Endangered Species
Readerboard Sign
 Real Estate Sales
Real Estate Sign
 Reasonable Accommodation
 Record Title Ownership
 Recreation
 Recreation Area
 Recreation Facility
 Recreation, Commercial
 Recreation, Private
 Recreation, Public
 Recreational Vehicle
 Recreational Vehicle Park
 Recreational Vehicle Site or Space
 Recycling
Regional Directional Sign
 Residence, Primary
 Residential
 Residential Development
Residential Identification Sign
 Residential Solar Energy System,
 Small
 Residual Repository
 Resource Recovery
 Retailer License
 Retention Basin

Review Authority
 Ridge Line
 Right-of-Way
 Riparian Corridor
 Riparian Habitat
 Riparian Woodland
 Road
 Part-Width Road
 Private Road
 Public Road
 Road System
 Rural Road
 Rural Residential Road
 Local Residential Road
 Local Commercial/Industrial Road
 Collector Road
 Minor Arterial
 Principal Arterial
 Expressway
 Freeway
 Roadbed
Roof Sign
 RWQCB
 Salute Fireworks
 Sanitary Disposal of Process Water
 Sanitary Landfill
 School Districts
 Screening
 Seal, Sanitary
 Seasonal Sales
 Second Unit Dwelling
 Sediment
 Seepage Pit or Vertical Drain
 Semi-truck
 Senior Citizen
 Septic System
 Septic Tank
 Servants' Quarters
 Setback Line
Sign
Sign Area
Sign Copy
Sign Exclusions

Sign Face
Sign Maintenance
Sign Panel
Sign Structure
~~Sign-Related Terms~~
 A-frame Sign
 Abandoned Sign
 Advertising Display, Outdoor
 Animated Sign
 Awning Sign
 Banner Sign
 Changeable Copy
 Clearance of Sign
 Commemorative Sign
 Commercial Message
 Construction/Development Sign
 Copy Area of Sign
 Digital Display
 Electronic Message Center Sign
 Electronic Sign
 Exempt Sign
 Externally Illuminated Sign
 Face
 Flag
 Freestanding Sign
 General Advertising for Hire
 Height of Sign
 Illegal Sign
 Indirectly Illuminated Sign
 Inflatable Sign
 Institutional/Public Sign
 Internally Illuminated Sign
 Mansard Sign
 Marquee Sign
 Master Sign Plan
 Monument Sign
 Noncommercial Message
 Nonconforming Sign
 Off-premises Sign
 On-premises Sign
 Pennant
 Pole Sign
 Political Sign
 Portable Sign
 Produce Sign

Projecting Sign	State	
Pylon Sign	Statement of Expense	
Readerboard Sign	Stationary Noise Source	
Real Estate Sign	Stock Cooperative	
Residential Identification Sign	Storage Building, Private	
Roof Sign	Storage Building, Public	
Sign	Storage Structure	
Sign Area	Stormwater Runoff	
Sign Copy	Story	
Sign Exclusions	Story, Half	
Sign Maintenance	Streets and Highways Code	
Sign Structure	Street Frontage	
Special Events/Holiday Sign	Stub Street	
Supplemental Tenant Sign	Structural Alteration	
Temporary Sign	Structure	
Tenant Sign	Accessory Structure	
Traffic Sign	Primary Structure	(Main
Utility Sign	Structure)	
Wall Sign	Temporary Structure	
Wind Sign	Subdivider	
Window Sign	Subdivision	
Silo	Subdivision Map Act	
Single Tone Noise	Subdivision Sales Office	
Site	Subsequent Permit	
Site, Excavation or Grading	Substantial Damage	
Slope	Substantial Deposits	
Slope Stability	Substantial Improvement	
Small-scale Accessory Winery Event	Subsurface Boring	
Small Lot Single-Unit Development	<u>Supplemental Tenant Sign</u>	
Snipe	Supportive Housing	
Soil	Surface Water	
Soils Report	Swimming Pool & Equipment	
Solar Energy System	Swine	
Solid Waste	Tandem Parking	
Solid Waste Facility	Target Population	
Source Capacity	Temporary Real Estate Sales	
Special Events and Sales	<u>Temporary Sign</u>	
Special Indoor Event	Temporary Structure	
Special Outdoor Event	Temporary Work Trailer	
<u>Special Event Sign</u>	Tentative Map	
Specific Plan	Tentative Parcel Map	
Stable, Boarding	Terminal Drainage or Terminal Drain	
Stable, Private	Terminal Waterway	
Stacking Distance	Terrace	
Start of Construction	Testing Laboratory License	

Topsoil
 Towing Service
 Townhouse Development
Traffic Sign
 Transfer Station
 Transfer/Processing Station
 Transit Corridor
 Transitional Housing
 Transportation Noise Source
 Traveled-Way
 Treatment
 Treatment Facility
 Tributary Watershed
 Truck, Heavy
 Truck, Light
 Truck, Medium
 Truck Parking
 Truck Terminal
 Truck Trailer
 Urban Area
 Urban Cluster
 Urban Use
 Use
 Accessory Use
 Incidental Use
 Primary Use
 Use Permit
 Use Type
Utility Sign
 Variance
 Vegetation removal
 Vehicle
 Vehicle, Heavy Duty
 Vendee
 Vernal Pool
 Very Low Income
 Vesting Tentative Map
 Veteran
 Vineyard
 Visible
 Wall
Wall Sign
Warning or No Trespassing Sign
 Waste
 Waste Disposal Facilities

Wastewater
 Wastewater Disposal, On-Site
 Wastewater Disposal System
 Wastewater Treatment Plant
 Water Main or Water Line
 Water Quality
 Water Source
 Water Storage Facility
 Water System
 Watercourse
 Welfare and Institutions Code
 Well
 Abandoned Well
 Destroyed Well
 Dewatering Well
 Domestic Water Well
 Extraction Well
 Geophysical Well
 Injection Well
 Monitoring Well
 Recharge Water Well
 Sewer Well
 Well Pit
 Well Pit
 Windfarm
 Wind Energy System, Commercial
 Wind Energy Machine, Private
 Windmill
Wind Sign
Window Sign
 Wine Cellar, Off-Site
 Wine Cellar, On-Site
 Wine Premises, Bonded
 Wine-Related Production
 Operation
 Wine Release Event
 Wine Tasting Room
 Winery
 Large Winery
 Medium Winery
 Small Winery
 Winery Tours
 Wireless Communications-Related
 Terms
 Accessory Equipment

Antenna
Antenna, Amateur Radio
Antenna, Ground Mounted
Antenna, Panel
Antenna, Satellite Earth Station
Antenna Array
Antenna Structure
Base Station
Camouflaged Facility
Collocation
Co-Location
Concealment
Eligible Facilities Request
Eligible Support Structure
Equipment Shelter
Mast
Microcell Facility
Monopole
Personal Wireless Service Facility
Readily Visible
Radio Frequency

Related Equipment
Satellite Dish
Shot Clock
Stealth Facility
Substantial Change
Tolling
Tower
Wireless Communications
Facility
Wireless Communications
Facility, Small Cell
Workshop/Hobby Shop
Work Trailer
Writing
Yard
Front Yard
Rear Yard
Side Yard
Street Side Yard
Zone

Section 4. Section 9-900.020, Series 400, Title 9 of the San Joaquin County Ordinance Code is hereby amended to read as follows:

A-Frame Sign. A temporary freestanding sign that is composed of two panels hinged at the top and capable of standing on its own frame without external support or attachment. Sandwich board sign, sidewalk sign, and A-Board sign all have the same meaning as A-Frame sign.

Abandoned Sign. A sign that:

- (1) has not been used for a period of 12 months; or
- (2) was erected for an occupant or business unrelated to the present occupant or business; or
- (3) relates to an event or purpose which no longer exists.

Advertising Display, Outdoor. A sign that directs attention to a business, profession, commodity, service or entertainment that is conducted, sold, or offered elsewhere than the lot where the sign is located. Also known as an Outdoor Advertising Sign or a Billboard.

Agricultural Sign. A sign providing identification information related to agricultural operations including crop identification, right to farm information, or information relating to youth agricultural organizations. Agricultural signs may not exceed six feet in height. The maximum sign area is 16 square feet on parcels less than five acres and 24 square feet on parcels five acres or more.

Animated Sign. A sign with messages that visually change, or images that move or appear to move, flash on or off, wink or blink with varying light intensity, show motion or create the illusion of motion, or revolve to create an illusion of being on or off. Animated signs excludes exterior building light changes that cycles through a spectrum of colors. This definition does not include traditional barber poles or scoreboards, nor does it include commercial mascots, digital displays, and electronic signs, which are defined separately.

Attached Sign. A sign supported by a building. This term includes awning signs, roof signs, mansard signs, wall signs, marquee signs, blade signs, and projecting signs.

Awning Sign. A sign painted, printed, stenciled, sewn, or stained into the surface of an awning or canopy.

Banner Sign. A sign that is painted or printed on lightweight flexible material and hung from a staff or other device by ropes, wires or similar means in a manner to minimize movement. A banner sign may be temporary or permanent. This definition includes feather banners.

Changeable Copy. A sign that is constructed or designed to allow for periodic changes of copy. Examples include signs for an auditorium, theater, school, church, meeting hall, or similar uses characterized by public assembly and changing programs or events, or gas station prices. This definition does not include animated signs, digital displays, or electronic signs.

Change of Business Signs. A temporary attachment or covering over a permitted sign indicating a change of ownership or activity may be displayed for no longer than 60 days following the change of ownership or activity for which the sign is intended.

Clearance of Sign. The smallest vertical distance between grade and the lowest point of any sign, including any structure or framework extending over the grade.

Commercial Mascot. A person or animal, whether or not costumed or decorated, intended to serve or function as a commercial advertising device. Includes sign twirlers, sign clowns, human sandwich boards, and persons or animals holding or supporting any sign or advertising device displaying commercial speech or conveying a commercial message. This definition also applies to robotic devices intended to simulate a live person and/or animal.

Commercial Message. A message on a sign, or portion of a sign, that promotes, informs, or proposes an economic transaction, primarily concerns the economic interests of the sign sponsor and/or audience, or is intended to further discussion in the marketplace of goods and services.

Commemorative Sign. A sign designed to recognize or observe a significant historical or memorial event.

Construction/Development Sign. A sign announcing a future use of the site and identifying businesses affiliated with the project, such as architectural, engineering, or construction firms.

Copy Area of Sign. The area of the sign in which copy appears.

Digital Display. A method of displaying a visual image that uses liquid crystal cells, other types of light emitting diodes (LEDs), or their functional equivalent to allow for the message or image to be easily changed. This definition applies to signs displaying a series of still images and to laser-projected signs.

Electronic Message Center Sign. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed.

Electronic Sign. A sign that is capable of presenting variable message displays by projecting an electronically controlled pattern. See also Digital Display.

Exempt Sign. A sign which may be legally displayed, erected, or maintained, but is not subject to review and approval pursuant to this Title.

Externally Illuminated Sign. Any sign that is lit by a light source that is external to the sign directed towards and shining on the face of the sign.

Flag. A piece of cloth or bunting, often attached to a staff or pole, representing emblems of the USA, State of California, or civic, philanthropic, educational, or religious organizations. A piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol, which is capable of movement, or fluttering in moving air or wind. A piece of fabric or other flexible material, usually rectangular and often attached to a staff or pole, of distinctive design, used as a symbol, which is capable of movement, or fluttering in moving air or wind.

Freestanding Sign. A sign that is self-supporting on the ground and is in no part supported by a building. This term includes pole signs, pylon signs, and monument signs.

Fueling Sales Sign. A freestanding sign displaying the price of gasoline. Fueling sales signs cannot exceed 150 square feet and may be erected on the site of a service station.

Garage/Yard Sale Sign. A temporary sign advertising a garage or yard sale. One sign, not exceeding two square feet may be posted on the property where the sale is being held during the duration of the sale only.

General Advertising for Hire. The advertising or promoting of other businesses, establishments, or causes using methods of advertising, typically for a fee or other consideration but not always, in contrast to self-promotion or on-site advertising.

Government Signs. Official notices issued by the County or a county, city, other public agency, or a special district or posted in the performance of a public duty; notices posted by a utility or other quasi-public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; bus stop signs erected by a public transit agency; or signs required or authorized by law. Government signs may also include temporary signs and banners for special events and public nonfiction sponsored by the County, including Electronic Message Center signs, which may be displayed in public rights of way.

Illegal Sign. A sign that was installed contrary to the laws and ordinances in effect at the time of its installation or that is unsafe, poses a danger to the public, or is a traffic hazard.

Indirectly Illuminated Sign. A sign with an external light source that is separate from the sign face or cabinet and is directed to shine solely on the sign.

Inflatable Sign. A form of inflatable device that includes a commercial or non-commercial message or commercial mascot displayed, printed, or painted on the surface of an inflatable background, and is primarily installed outside of a building. This sign type includes balloon signs.

Informational Sign. Directional and other explanatory signs that are necessary for public safety or are intended for the convenience of the public, including address signs, menu boards time or temperature displays, the identification of restrooms and other facilities, directional signs, or other incidental business signs such as credit cards accepted.

Institutional/Public Sign. A sign erected and maintained for municipal and regulatory purposes or to identify schools, hospitals, historical sites, public services, or other public institutions, or to identify public service events, such as festivals and spectacles.

Internally Illuminated Sign. A sign with an internally concealed light source within the sign or sign structure.

Mansard Sign. A sign attached below the deck line or principal roofline of a mansard roof or similar roof-like façade.

Manufacturer's Marks. Marks on building materials, consumer products, or industrial products, which are integral to the product and identify the make, seller, provide, or product and which customarily remain on the product after sale.

Marquee Sign. A sign attached in any manner to, made part of, or painted on a hood or permanent construction that projects more than 18 inches from the wall of the building to which it is attached, usually above the entrance.

Master Sign. A sign that identifies a multi-tenant development project.

Master Sign Program. A comprehensive plan for signage for a commercial, mixed use, office, or industrial project to establish a coordinated theme of design elements, such as color, lettering style, and placement that creates an identity for the project. Signage may

vary from the standards in this Title pertaining to maximum height, area, setbacks, placement on buildings and other locational requirements

Mobile Billboard. Any vehicle, or wheeled conveyance which carries, conveys, pulls, displays, or transports any sign or billboard for the primary purpose of advertising a commercial or noncommercial message, or other general advertising for hire.

Mobile Vending Unit. A vehicle (e.g., truck, trailer, wagon) or structure not permanently fixed to a permanent foundation that may be moved under its own power, moved by hand, towed by a motor vehicle or carried upon or in a motor vehicle or trailer. A mobile vending unit does This does not include news racks or vending machines but does include mobile vending food preparation units and vehicles, such as "taco trucks".

Monument Sign. A type of freestanding sign not elevated on a pole or other support structure and anchored to or attached at grade.

Movable Sign. A sign that any visible portion of which rotates or moves in any way.

Noncommercial Message. A message or image on a sign, or portion of a sign that is not a commercial message. See Commercial Message.

Nonconforming Sign. A sign that was legally installed under the ordinances and law in effect at the time, but is now in conflict with the provisions of this Title.

Off-premises Sign. A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

On-premises Sign. A sign that directs attention to a business, community, service, or entertainment conducted, sold, or offered on the premises.

Pennant. Any lightweight plastic, fabric, or other material designed to move in the wind and attract attention. Flags and banners are not included in this definition.

Pole Sign. A type of freestanding sign mounted on a pole or other support so that the bottom edge of the sign face is at least five feet above grade.

Political Sign. A sign used in connection with local, state, or national elections, campaigns, or referendums.

Portable Sign. A sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

Produce Sign. A sign associated with farm produce stands.

Projecting Sign. A sign attached to and projecting from a building wall.

Pylon Sign. A type of freestanding sign that is supported and in direct contact with the ground, monumental structures, or pylons, and that typically has a sign face with a vertical dimension that is greater than its horizontal dimension.

Readerboard Sign. A sign structure or mounting device on which at least a portion of the face may be used for changeable copy.

Real Estate Sign. A sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

Regional Directional Signs. A type of off-site residential subdivision sign that provides directional information from arterial roads, freeways, and highways to a residential development.

Residential Identification Sign. A sign identifying a subdivision, condominium complex, or other residential development.

Roof Sign. A mounted or painted on a building roof or parapet, or which is wholly dependent on a building for support and projects above the roof eave.

Sign. Any type of device, structure, or fixture that is affixed to a lot or improvements thereon that incorporates graphics, symbols, or written copy that is visible to the public and is intended to communicate information. A device, structure, or fixture is "visible to the public" if it is visible from a public street, park, walkway, or other public space. Graphics, artwork, and seasonal decorations that do not relate to the use of a site or structure are not considered signs.

Sign Area. The entire area within a single, continuous, rectangular perimeter enclosing the extreme limits of writing, representation, emblem, or figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate such sign from its surroundings.

Sign Copy. Words and symbols found on the sign surface, either in permanent, removable, or electronically changeable form.

Sign Exclusions. "Sign exclusions" are items that are not signs and are excluded from the definition of sign:

- (1) Architectural Features. Decorative or architectural features of buildings (not including lettering, trademarks, or moving parts), that do not perform a communicative function, such as foundation stones, cornerstones, architectural lighting;
- (2) Cemetery Markers. Grave markers, gravestones, headstones, mausoleums, shrines, and other markers of the deceased;
- (3) Certain Insignia on Vehicles, Boats, and Vessels. On vehicles, boats, and vessels defined in the Code Title 4, Division 4, Chapter 1: license plates, license plate frames, registration insignia, non-commercial messages, and messages relating to the business of which the vehicle, boat, or vessel is an instrument or tool; also, messages relating to the proposed sale, lease, or exchange of the vehicle, boat, or vessel;
- (4) Fireworks. The legal use of fireworks otherwise regulated by this Code; and
- (5) Symbols Embedded in Architecture. Non-commercial messages permanently integrated into the structure of a permanent building, including windows, doors, or walls.

Sign Face. That portion of a sign upon which the copy is mounted or displayed.

Sign Maintenance. The normal care needed to keep a sign functional, such as cleaning, painting, replacing, or repairing parts or portions of a sign made unusable by ordinary wear, tear, or damage, or the reprinting of existing copy without altering the basic copy, design, or structure of the sign..

Sign Panel. See Sign Face.

Sign Structure. A structure intended for supporting, bracing, or containing a sign.

Special Event Sign. A temporary sign announcing a special event associated with the premises, community, or holiday.

Supplemental Tenant Sign. A sign that identifies an individual tenant space in a development project.

Temporary Sign. Any sign, banner, pennant, valance, or display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other like materials, with or without a frame, and any other type of sign not permanently attached to the ground or a structure, that is intended to be displayed for a limited period of time only.

Traffic Sign. A sign pertaining to official traffic control and safety.

Utility Sign. A sign identifying conduits, cables, danger, and/or providing service or safety information.

Wall Sign. A type of attached sign painted on, or attached parallel to, a building wall.

Warning or No Trespassing Signs. Signs erected to warn people about hazards or state that no trespassing allowed on a property. Warning or no trespassing signs may not exceed two square feet.

Wind Sign. A display of streamers, pennants, whirligigs, windsocks, or similar devices designed to move in response to air pressure. Banner signs and flags are not wind signs.

Window Sign. A sign painted on or attached to a window and intended to be viewed principally from outside the business.

Section 5. This Ordinance shall take effect and be in force thirty (30) days after its adoption, and prior to the expiration of fifteen (15) days from the passage thereof, shall be published once (1) in the Stockton Record, a newspaper of general circulation published in the County of San Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this _of ____ to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

MIGUEL A. VILLAPUDUA
Chairman, Board of Supervisors
County of San Joaquin
State of California

ATTEST: RACHÉL DeBORD
Clerk of the Board of Supervisors
County of San Joaquin
State of California

By: _____
Deputy Clerk





SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment B **Notice of Exemption**

This page intentionally left blank.



Jennifer Jolley, Director

Eric Merlo, Assistant Director

Tim Burns, Code Enforcement Chief

Corinne King, Deputy Director of Planning

Jeff Niemeyer, Deputy Director of Building Inspection

NOTICE OF EXEMPTION

TO: ☒ Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, CA 95812-3044

FROM: San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, CA 95205

☒ County Clerk, County of San Joaquin

Project Title: Development Title Text Amendment No. PA-2300237

Project Location - Specific: The project site is Countywide. (Supervisory District: All Districts)

Project Location – City: Countywide

Project Location – County: San Joaquin County

Project Description: This project is a Development Title Text Amendment to update Chapter 9-408: Signs, Table 9-400.030: Allowed Projections Above Height Limits, and Series 9-900 Key Terms and Definitions. The proposed changes are summarized below:

- Chapter 9-408: Signs: Repeal and replace the existing Sign chapter with a new chapter that provides clarity and consistency by simplifying standards, adding tables, and reorganizing information.
- Table 9-400.030: Allowed Projections Above Height Limits: Update height exceptions for consistency and add height standards for flagpoles that were previously erroneously included in the Signs section.
- Series 9-900 Key Terms and Definitions: Update terms and definitions to include sign-related information currently contained in Chapter 9-408.

Project Proponent(s): San Joaquin County / San Joaquin County Community Development Department

Name of Public Agency Approving Project: San Joaquin County Board of Supervisors

Name of Person or Agency Carrying Out Project: Stephanie Stowers, Senior Planner
San Joaquin County Community Development Department

Exemption Status:
General Exemptions. Section 15061(b)(3)

Exemption Reason:
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
Stephanie Stowers Phone: (209) 468-9653 FAX: (209) 468-3163 Email: sstowers@sjgov.org

Signature: _____

Date: _____

Name: Lorraine Gonzalez
Signed by Lead Agency

Title: Deputy County Clerk

*Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

This page intentionally left blank.



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment C **Findings**

This page intentionally left blank.

Findings for Development Title Text Amendment

PA-2300237

1. The proposed amendment is consistent with the General Plan and any applicable Master Plan.
 - **This Finding can be made because this project replaces the existing sign chapter (9-408) with an updated chapter that includes streamlined regulations, reorganization of information, and updates necessary for clarity, all of which are consistent with the 2035 General Plan adopted in 2016.**
2. The proposed amendment is necessary for public health, safety, and general welfare or will be of benefit to the public.
 - **This Finding can be made because the proposed sign chapter will benefit the public by providing simplified regulations and concise information. Sign-related information will be easier to find, understand, and interpret as proposed, which will benefit the public.**
3. The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act (CEQA).
 - **Pursuant to CEQA Guidelines Section 15061(b)(3), this project is not subject to CEQA because the proposed Development Title Text Amendment would not have a significant effect on the environment. The proposed updated sign chapter and related sections provide regulations primarily for signs that are permitted subject to ministerial review and exempt from CEQA. Signs in excess of the regulations that may be impactful to the environment would be permitted with discretionary review and subject to CEQA on a case-by-case basis. As a result, the proposed Text Amendment is not subject to CEQA.**



September 19, 2024

MEMORANDUM

TO: Planning Commission

FROM: Stephanie Stowers, Senior Planner

SUBJECT: Administrative Use Permit No. PA-2300166 (Applicant: Vertical Bridge) (APN: 241-150-01/Address: 30000 Kasson Road, Tracy)

Background

At the July 18, 2024, Planning Commission hearing, staff presented Administrative Use Permit No. PA-2300166. Vertical Bridge applied to install a new 100-foot-tall telecommunication monopole tower with related equipment within a 2,046 square foot lease area, located at the San Joaquin River Club. After substantial input during the public hearing, the Commission voted 4-1 to table the item and requested that the Applicant provide additional information regarding its site selection process and an alternative site analysis. The Applicant has provided the following information to staff in response to the Planning Commission's request.

Additional Information

On August 29, 2024, the Applicant provided 2 documents to fulfill the Planning Commission's request: Coverage Objective & Engineering Justification¹ (Attachment A) and a Supplemental Alternative Site Analysis (Attachment B).

The Coverage Objective & Engineering Justification, prepared by the T-Mobile Regional Network Engineering & Operations Division, provides detailed maps that illustrate the existing gap in coverage and how the proposed tower will improve service in the area.

The Supplemental Alternative Site Analysis details the Applicant's efforts to engage with landowners within approximately a 1-mile radius of the proposed tower to determine if another site in the vicinity may be utilized for development of the tower to fill the existing gap in coverage. The Applicant identified 9 properties that may be feasible for tower development within the radius. The Applicant contacted the property owners via various means of communication. Staff confirmed that the property owners contacted were consistent with current County records for ownership.

7 property owners did not respond (Alternatives 2-7 & 9), 1 property owner would not agree to standard lease terms (Alternative 1), and 1 property was determined to not be a viable option due to access and service availability (Alternative 8). As a result, the Applicant has determined that the proposed site is the best option to fill the existing significant gap in coverage.

¹ Although Attachment A states that the document is confidential and includes a Confidentiality Notice, T-Mobile has provided the document for use in this public process and understands that the document is a public document.

Staff has not independently verified the information provided by Assurance Development on behalf of Applicant Vertical Bridge or T-Mobile.

Additional Comments

Since the July 18, 2024, Planning Commission meeting, staff received an additional comment letter. This letter is included in Attachment C.

COVERAGE OBJECTIVE & ENGINEERING JUSTIFICATION

Anastasio SC60145B

6/13/2024

Prepared by: Chris Cubanske



COVERAGE JUSTIFICATION

OVERVIEW

Vertical Bridge is proposing to build a new structure for the future collocation of multiple carriers at 30000 Saratoga Rd, Tracy, CA in San Joaquin County. T-Mobile is proposing to collocate its equipment at the 95ft (antenna tip height) elevation on the new structure.

This proposed facility meets T-Mobile's coverage objectives by providing in-building and in-vehicle 5G and 4G wireless coverage within the rural area of New Jerusalem, Tracy, CA, not adequately served by T-Mobile's network. Specifically, this proposed new wireless facility is intended to improve both voice & data services to New Jerusalem and the nearby area, including in-vehicle service along major roads in the area, such as County Hwy J4 and Durham Ferry Rd. This coverage objective was determined through a combined analysis of customer complaints, service requests, and radio frequency engineering design. This facility will allow T-Mobile to provide more reliable wireless service with fewer dropped calls, improved call quality, and improved access to additional wireless services that the public now demands. This includes emergency 911 calls throughout the area.

COVERAGE JUSTIFICATION (CONT.)

FEDERAL LAW

The Telecommunications Act of 1996 prohibits a local jurisdiction from taking any action on a wireless siting permit that “prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services.” 47 U.S.C. § 332(c)(7)(B)(i)(II).

- According to the Federal Communications Commission (“FCC”) Order adopted in September 2018, a local jurisdiction’s action has the effect of prohibiting the provision of wireless services when it “materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment.” Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility in terms of adding capacity, updating new technologies, and/or maintaining high quality service.
 - *Accelerating Wireless and Wireline 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, FCC 18-133 (rel. Sept. 27, 2018); 83 Fed. Reg. 51867 (Oct. 15, 2018), *affirmed in part and vacated in part*, *City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020), *cert. denied*, 594 U.S. ___, 141 S.Ct. 2855 (June 28, 2021)(No. 20-1354) (“FCC Order”).
- A local government’s denial of an application to install a personal wireless service facility has the effect of prohibiting the provision of personal wireless service if materially inhibits or limits T-Mobile’s ability to deploy the facilities, technologies, or services that conform to T-Mobile’s network standards and objectives.

COVERAGE JUSTIFICATION (CONT.)

FEDERAL LAW (CONT.)

While T-Mobile is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

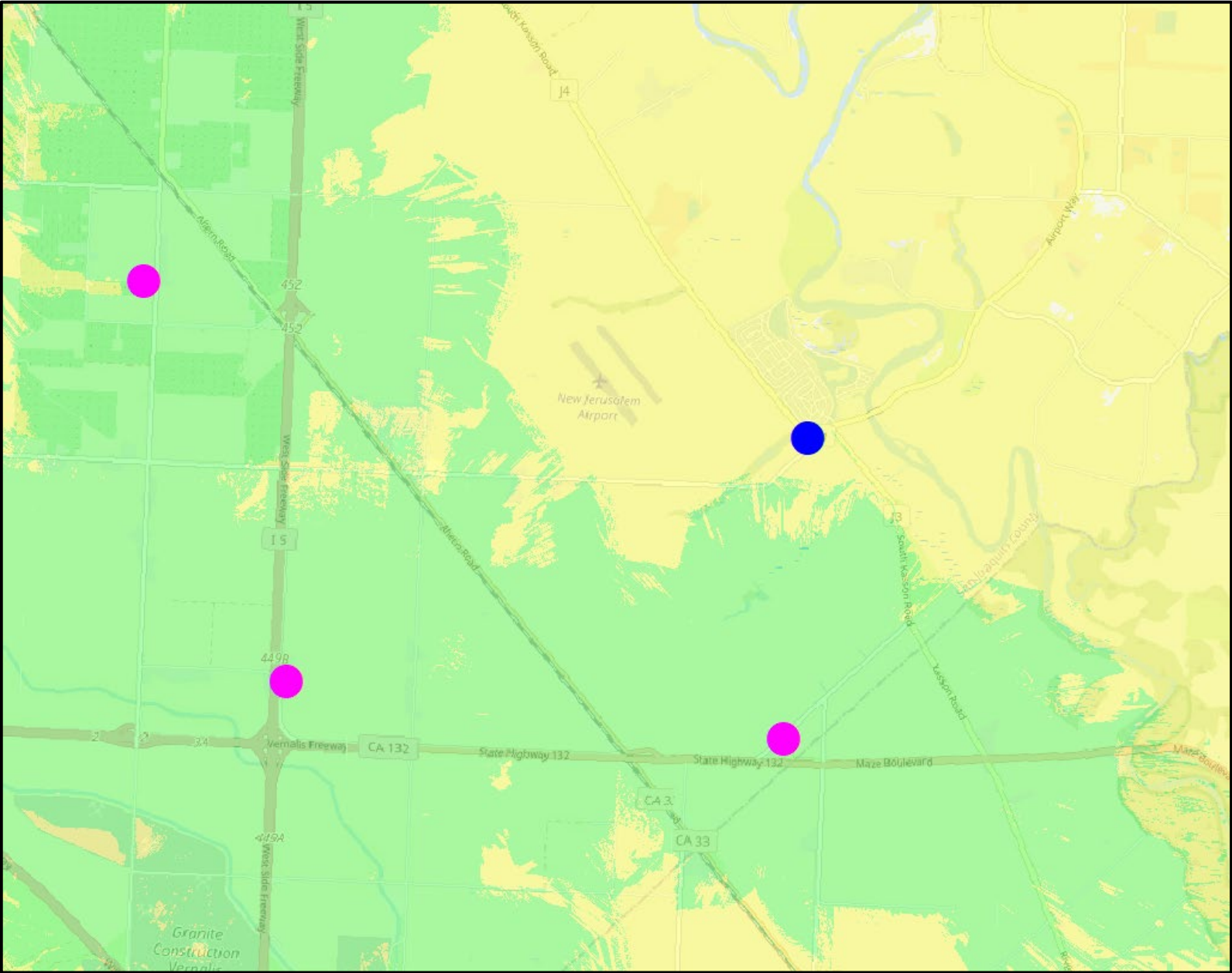
- **Significant Gap.** Reliable in-building coverage is now a necessity and every community's expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a "significant gap" can exist based on inadequate in-building coverage. See, e.g., *T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City*, 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007), *affirmed in part*, 546 F.3d 1299 (10th Cir. 2008); *MetroPCS, Inc. v. City and County of San Francisco*, 2006 WL 1699580, *10-11 (N.D. Cal. 2006).
- **Least Intrusive Means.** The least intrusive means standard "requires that the provider 'show that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve.'" 572 F.3d at 995, *quoting MetroPCS, Inc. v. City of San Francisco*, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code's preferences and siting requirements.

COVERAGE JUSTIFICATION (CONT.)

COVERAGE OBJECTIVE

- **Figure A — Existing T-Mobile Coverage** shows existing T-Mobile wireless services in the general area of the proposed new site, which demonstrates the current deficiency in coverage in the targeted service area. The Blue Dot indicates the location of the proposed new WCF. The Magenta Dots indicate the location of existing T-Mobile WCF sites; coverage from T-Mobile existing WCF sites is shaded in green. As can be seen, there is a coverage deficiency in all areas not shaded in green. Currently, the target coverage area has minimal to no 4G/5G in-building service required to provide broadband wireless service to the community.
- **Figures B — Projected New T-Mobile Coverage** identifies the projected coverage from the proposed new WCF with the requested antenna tip height of 95ft. The proposed antenna tip height is the minimum necessary to help meet the coverage objective relative to nearby complementary wireless facilities. This is also the height where a T-Mobile wireless device can be reliably used to make and receive telephone calls and use data service in the presence of varying signals.
- **Figure C — Side-by-Side Comparison of Coverage with & without the Proposed Site** to clearly illustrate the need for the site.

FIGURE A – EXISTING SERVICE WITHOUT THE PROPOSED SITE



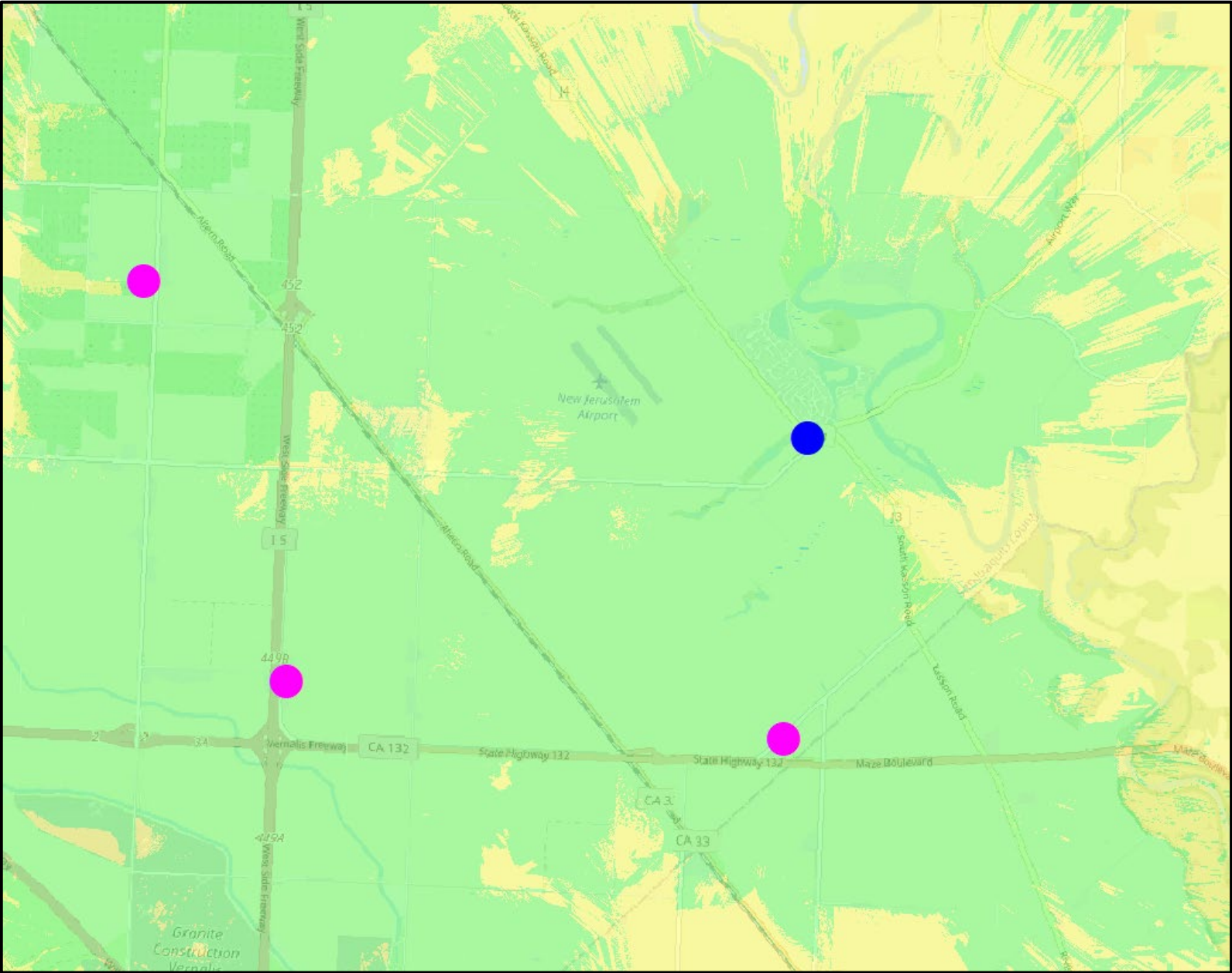
	Reliable Coverage: -100dBm < RSRP
	Marginal Coverage : -115dBm < RSRP < -100dBm
	Existing T-Mobile Facilities
	Proposed Facility

Reliable Coverage: Green represents in-building coverage allowing T-Mobile customers to access high speed internet inside their home.

Marginal Coverage: Yellow represents in-vehicle coverage where T-Mobile customers are unable to access high speed internet indoors.

Legend	Population Covered
Reliable Coverage	1607
Marginal Coverage	1327
Total Composite	2,934

FIGURE B – SERVICE WITH THE PROPOSED SITE AT 95’ ANTENNA TIP HEIGHT



	Reliable Coverage: -100dBm < RSRP
	Marginal Coverage : -115dBm < RSRP < -100dBm
	Existing T-Mobile Facilities
	Proposed Facility

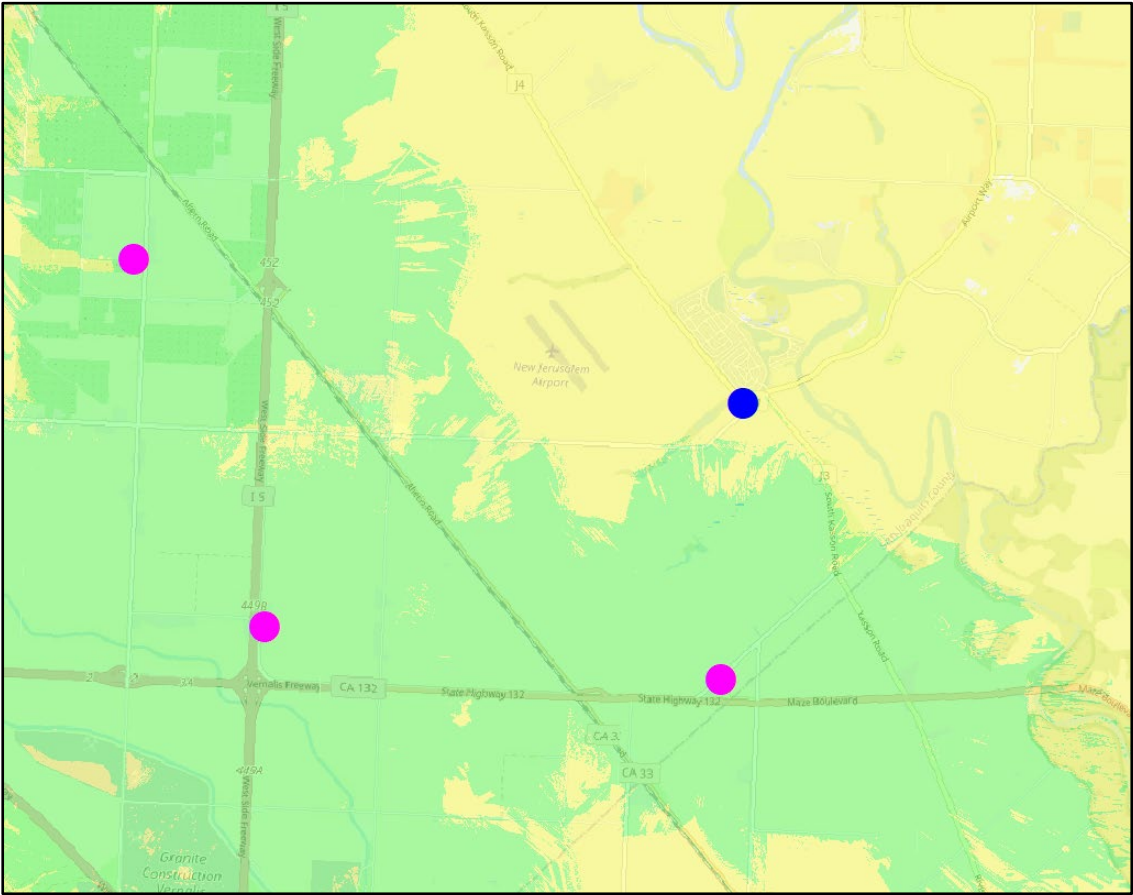
Reliable Coverage: Green represents in-building coverage allowing T-Mobile customers to access high speed internet inside their home.

Marginal Coverage: Yellow represents in-vehicle coverage where T-Mobile customers are unable to access high speed internet indoors.

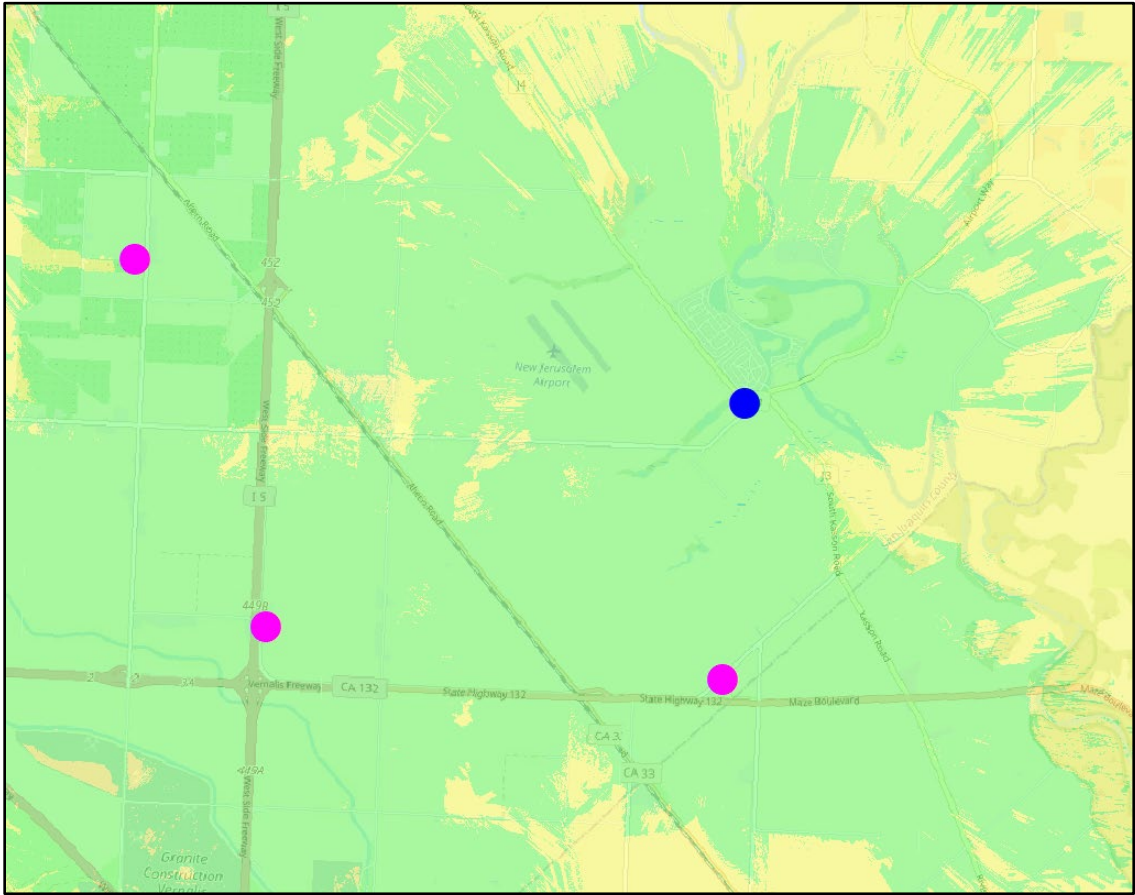
Legend	Population Covered
Reliable Coverage	2723
Marginal Coverage	211
Total Composite	2,934

FIGURE C – COMPARISON OF EXISTING COVERAGE AND COMPOSITE COVERAGE FROM PROPOSED SITE @ 95'

MID BAND (AWS-2100 MHZ) SERVICE (RSRP) EXISTING COVERAGE



MID BAND (AWS-2100 MHZ) SERVICE (RSRP) COMPOSITE COVERAGE



Legend	Population – Existing Coverage	Population – Composite Coverage
Reliable Coverage	1607	2723
Marginal Coverage	1327	211
Total	2,934	2,934

• 1,116 Additional indoor Population covered with the addition of SC60145B

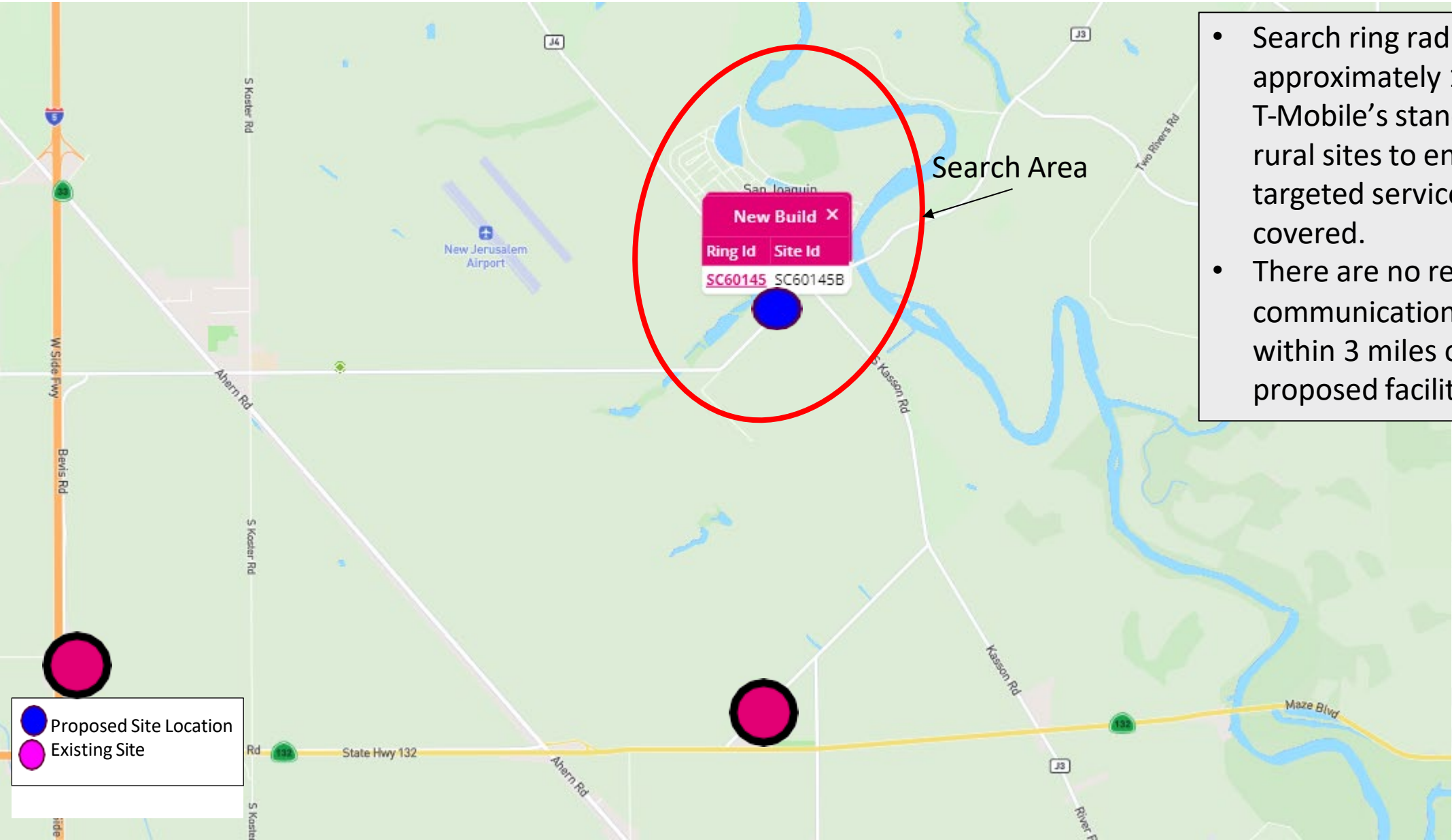
	Reliable Coverage: -100dBm < RSRP
	Marginal Coverage : -115dBm < RSRP < -100dBm
	Existing T-Mobile Facilities
	Proposed Facility

ALTERNATIVE SITE ANALYSIS

SEARCH RING

- T-Mobile's radio frequency ("RF") engineers performed an RF engineering study, considering multiple objectives, to determine the approximate site location and antenna height required to fulfill the noted network objectives for the targeted service area. From this study, T-Mobile's RF engineers identified a "search ring" area where a WCF may be located to provide effective service in the target coverage area.
- There are no existing wireless communication towers that were identified in the search ring, nor are there any other structures/rooftops that can support T-Mobile's requested antenna tip height of 95'. Therefore, a new WCF is required to provide coverage in the area targeted by the search ring.
- **Figure D —Targeted Search Ring** indicates the search ring T-Mobile's RF engineers established for this proposed site. A discussion of the methodology T-Mobile's RF engineers used to identify the search ring is included at the end of this RF Justification document.

FIGURE D – TARGETED SEARCH RING



- Search ring radius is approximately 1 mile. This is T-Mobile's standard radius for rural sites to ensure the targeted service area is covered.
- There are no registered communications towers within 3 miles of the proposed facility.

COVERAGE METHODOLOGY

T-Mobile's RF engineers use the following signal strength standards to demonstrate the quality of coverage depicted on the maps herein.

- **Reliable Coverage.** **Green** represents minimum signal strength of -100dBm, T-Mobile's design criteria for reliable 4G in-building residential voice coverage at 2100 MHz.
- **Marginal Coverage.** **Yellow** represents minimum signal strength of -115dBm, but less than -100 dBm, T-Mobile's design criteria for in-vehicle coverage at 2100 MHz.
- **No Coverage.** Signal strength less than -115dBm is not shown, as it does not meet T-Mobile's design standards for reliable in-building or in-vehicle coverage.
- **T-Mobile's 4G & 5G Online Coverage Map.** The online coverage map approximates anticipated **outdoor coverage** (including 600Mhz 4G LTE) based on a variety of factors, which may include limited or no coverage areas, and does not guarantee service availability; some data-intensive uses may have decreased functionality in low-bandwidth areas, especially indoors or on the exterior edges of the approximated coverage area. Within coverage areas, network changes, traffic volume, outages, technical limitations, signal strength, customer equipment, obstructions, weather and other conditions may interfere with service quality and availability. Some coverage (e.g., Narrowband IoT, millimeter wave 5G) not depicted.

SEARCH RING METHODOLOGY

T-Mobile's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new WCF. The software and T-Mobile's RF engineers considered the general factors outlined below, as well as more project-specific factors such as the type of antenna, antenna tilt, etc. Within coverage areas, network changes, traffic volume, outages, technical limitations, signal strength, customer equipment, obstructions, weather and other conditions may interfere with service quality and availability.

- **Coverage.** The antenna site must be located in an area where the radio frequency broadcasts will provide adequate coverage within the targeted service area. The RF engineer must take into consideration the coverage objectives for the site as well as the terrain in and around the area to be covered. Because radio frequency broadcasts travel in a straight line and diminish as they travel further away from the antennas, it is generally best to place an antenna site near the center of the desired coverage area. However, in certain cases, the search ring may be located away from the center of the desired coverage area due to the existing coverage, the surrounding terrain, or other features that might affect the radio frequency broadcasts, *e.g.*, buildings or sources of electrical interference.
- **Clutter.** T-Mobile's WCFs must "clear the clutter"—the WCF site must be installed above or close to RF obstructions (the "clutter") to enable the RF signals to extend beyond and clear the clutter. T-Mobile radio frequencies do not penetrate mountains, hills, rocks, or metal, and are diminished by trees, brick and wood walls, and other structures. Accordingly, T-Mobile's antennas must be installed above or close to the "clutter" to provide high quality communications services in the desired coverage areas. Additionally, if the local code requires us to accommodate additional carriers on the support structure, the structure must be even taller to also allow the other carriers' antennas to clear the clutter.
- **Call Handoff.** The WCF site must be in an area where the radio broadcasts from the site will allow seamless "call handoff" with adjacent WCF sites. Call handoff is a feature of a wireless communications system that allows an ongoing telephone conversation to continue uninterrupted as the user travels from the coverage area of one antenna site into the coverage area of an adjacent antenna site. This requires coverage overlap for a sufficient distance and/or period of time to support the mechanism of the call handoff.

SEARCH RING METHODOLOGY (CONT.)

- **Quality of Service.** Users of wireless communications services want to use their services where they live, work, commute and play, including when they are indoors. T-Mobile's coverage objectives include the ability to provide indoor coverage in areas where there are residences, businesses and indoor recreational facilities.
- **Radio Frequencies Used by System.** The designs of wireless communications systems vary greatly based upon the radio frequencies that are used by the carrier. If the carrier uses radio frequencies in the 600 MHz to 850 MHz range, the radio signals will travel farther and will penetrate buildings better than the radio frequencies in the 2100 MHz band. As a result, wireless communications systems that use lower radio frequencies will need fewer sites than wireless communications systems that use higher radio frequencies.
- **Land Use Classifications.** T-Mobile's ability to construct a WCF site on any particular property is affected by state and local regulations, including zoning and comprehensive plan classifications, goals, and policies. T-Mobile's search rings take these laws and regulations into consideration.

CONFIDENTIALITY NOTICE

This document and the information it contains are confidential T-Mobile property, and is not to be reproduced distributed, or shared with any individual or entity not expressly authorized by T-Mobile. T-Mobile designates this document, and all information contained within it, as "Confidential Information" under the terms of any agreement between T-Mobile and the entity for whom this document was prepared and is subject to all limitations on such Confidential Information imposed by any such agreement.

Attachment B

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030

San Joaquin County

Application for a Conditional Use Permit – Wireless Telecommunications Facility

Supplemental Alternate Site Analysis

Proposed Site Location

Address: 30000 Kasson Rd, Tracy, CA 95304
APN: 241-150-010
Zoning: AG-40 - Agricultural

The following Supplemental Alternative Site Map shows the vicinity surrounding the proposed facility, and the red circle marks the site's "search ring", which indicates the area in which a substantial gap in wireless network coverage and capacity was determined, and where a new T-Mobile wireless network facility needs to be installed. Initially, a total of five (5) candidates were considered at the start of the project with properties to the southwest not being considered due to the proximity of the nearby New Jerusalem Airport. However, given the direction from the July 18th, 2024 Planning Commission all potential candidates within the search ring were revisited.

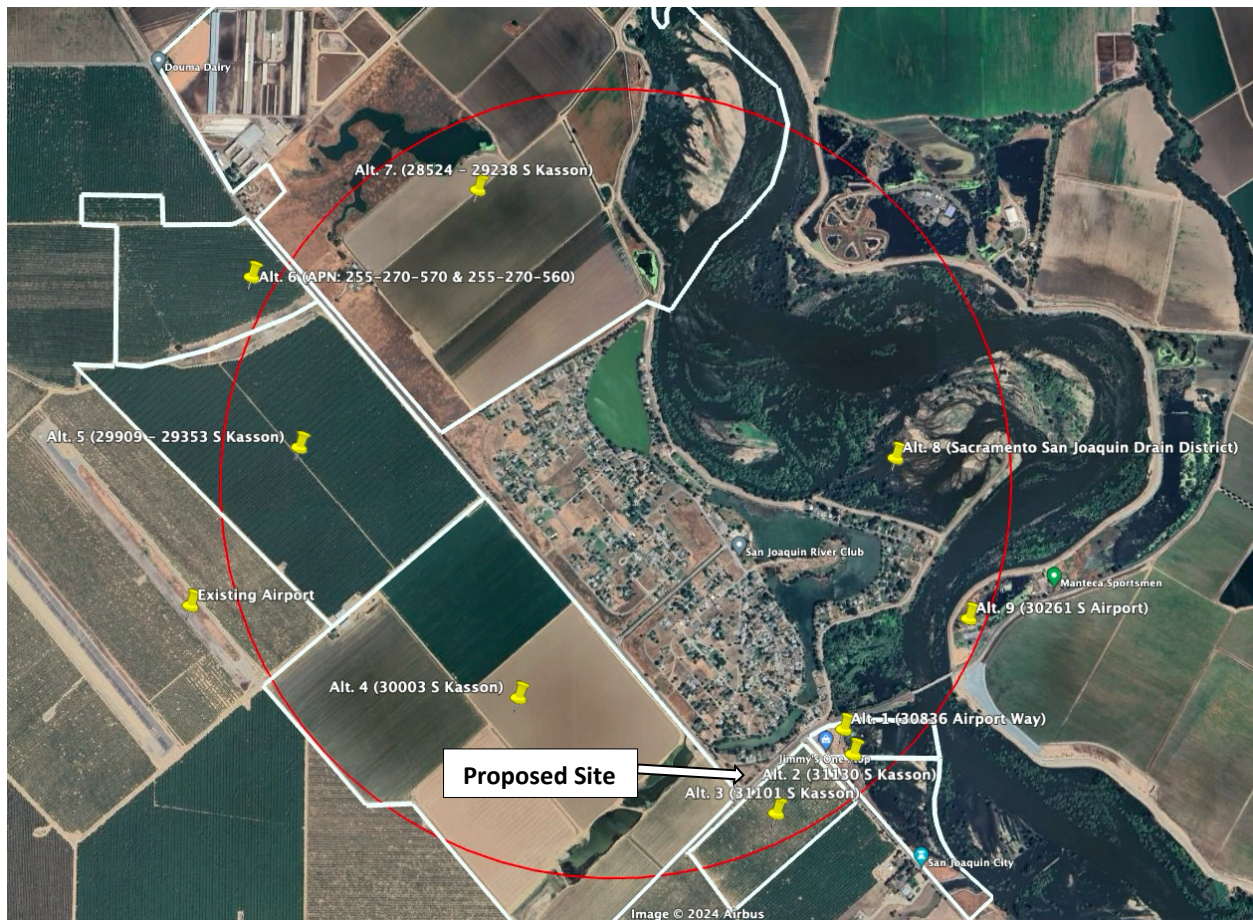
Additionally, when we revisited the search area it appeared that one of the properties originally considered might have changed ownership since the original letters of interest were mailed out. Due to that fact, we resent letters of interest via Certified Mail to properties that were previously considered.

A total of nine (9) alternative sites have now been considered within the search ring (see list of property owners, addresses and APN below). **Based on the information and analysis stated in this Supplemental Alternative Site Analysis, the subject property is the only feasible location that would work within this search ring.**

Supplemental Alternative Site Map – Search Ring Area

Proposed Site - San Joaquin River Club – 30000 Kasson Road Tracy, CA 95304

- The chosen site candidate meets County siting and design requirements, has adequate space, access to power and telco utilities to establish a multi-user Wireless Telecom Facility
- The site is located near the periphery of the search ring to place it away from residential uses and still be able to close the wireless network service gap in coverage and capacity in the surrounding residential area and on segments of area roads and streets.



Alternative Site List

Alternative 1 (East of the proposed site location) - Jimmy Nagi – 30836 S Airport Way, Tracy, San Joaquin CA

- This site candidate meets jurisdiction requirements, has adequate space, access to power and telco utilities to establish a multi-user Wireless Telecom Facility.
- The property owner was interested in a lease, however we could not come to business terms for the lease to progress. The property owner would not agree to standard deal points that are typically seen in a telecommunications lease with a tower company.

Alternative 2 (East of the proposed site location) – Chemanoor Zachariah – 31130 S. Kasson Rd, Tracy, San Joaquin CA

- A letter of interest was mailed out on August 5th, 2024 via certified mail and a signed return receipt was obtained dated August 12, 2024. A redacted copy of this letter along with the Certified Mail receipt and Return Receipt are attached. The property owner did not respond to our inquiry.

Alternative 3 (East of the proposed site location) – Karnail Sandhu – 31101 S. Kasson Rd, Tracy, San Joaquin CA

- A letter of interest was mailed out on August 5th, 2024 via certified mail. A redacted copy of this letter along with the Certified Mail receipt is attached. The property owner did not respond to our inquiry and no return receipt was provided. Since no return receipt was received, we did reach out to all the numbers listed for this individual via intelius.com, this is shown as attachment A.

Alternative 4 (West of the proposed site location) – Gerrit Hofman – 30003 S. Kasson Rd, Tracy, San Joaquin CA

A letter of interest was mailed out on August 5th, 2024 via certified mail. A redacted copy of this letter along with the Certified Mail receipt is attached. The property owner did not respond to our inquiry and no return receipt was provided. Since no return receipt was received, we did further research and found that this property is owned 50% by a husband and wife and 50% by what appears to be another family member.

Vesting Deed Shown Below:

hereby GRANT(s) to **Gerrit Hofman and Patricia Lee Hofman, Trustees of the Hofman 2008 Revocable Trust, Dated May 7, 2008 as to an undivided one-half interest and James Hofman, an unmarried man as to an undivided one-half interest as tenants in common**

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030

We did reach out to all the numbers listed for this individual via intelius.com and it appears that Gerrit Hofman is Deceased as of 2021. There were no numbers listed for Patricia Hofman and we did reach out to all the numbers listed for James "Jim" Hofman, this is shown as attachment B.

Alternative 5 (Northwest of the proposed site location) – Richard & Sarah Quaresma– 29909-29353 S. Kasson Rd, Tracy, San Joaquin CA

- A letter of interest was mailed out on August 5th, 2024 via certified mail and a signed return receipt was obtained dated August 12, 2024. A redacted copy of this letter along with the Certified Mail receipt and Return Receipt are attached. The property owner did not respond to our inquiry.

Alternative 6 (Northwest of the proposed site location) – Iqbal & Inderjit Sandhu – APN: 255-270-570 & APN: 255-270-560

- A letter of interest was mailed out on August 5th, 2024 via certified mail and a signed return receipt was obtained dated August 9, 2024. A redacted copy of this letter along with the Certified Mail receipt and Return Receipt are attached. The property owner did not respond to our inquiry.

Alternative 7 (North of the proposed site location) – Fred A Douma Dairy Partnership – 28524 – 29238 S. Kasson Rd, Tracy, San Joaquin, CA

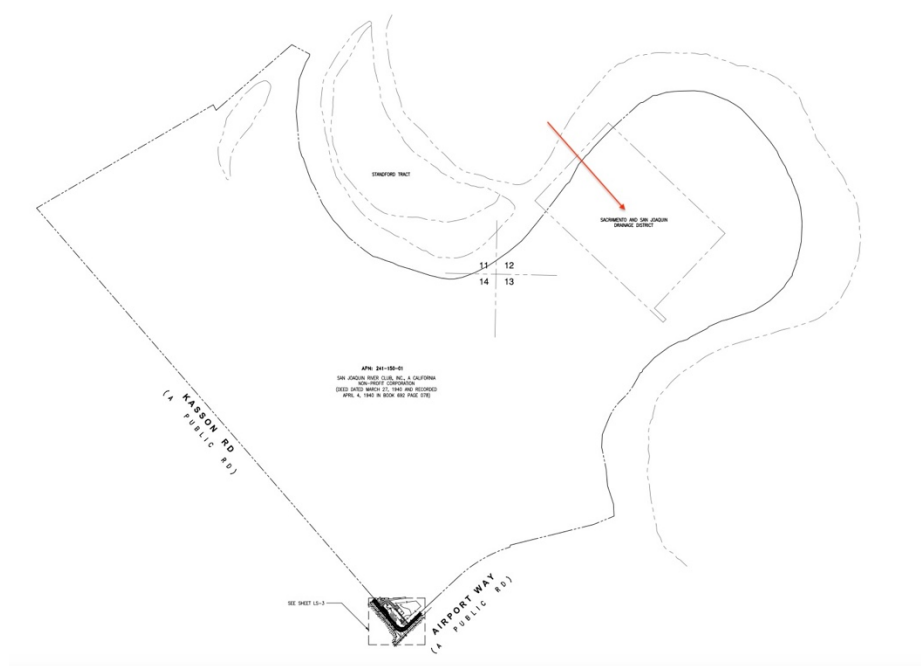
- A letter of interest was mailed out on August 5th, 2024 via certified mail and a signed return receipt was obtained dated August 12, 2024. A redacted copy of this letter along with the Certified Mail receipt and Return Receipt are attached. The property owner did not respond to our inquiry.

Alternative 8 (North of the proposed site location) - Sacramento San Joaquin Drain District – 37.682215, - 121.263955 (APN 241-150-020-000)

- This site candidate has concerns with site access, as well as power and fiber delivery to the site, therefore not viable to construct.
- The access to this area would be from our current candidate's property and they prefer that we lease space on their parcel vs just grant us access. Survey map shown below:

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

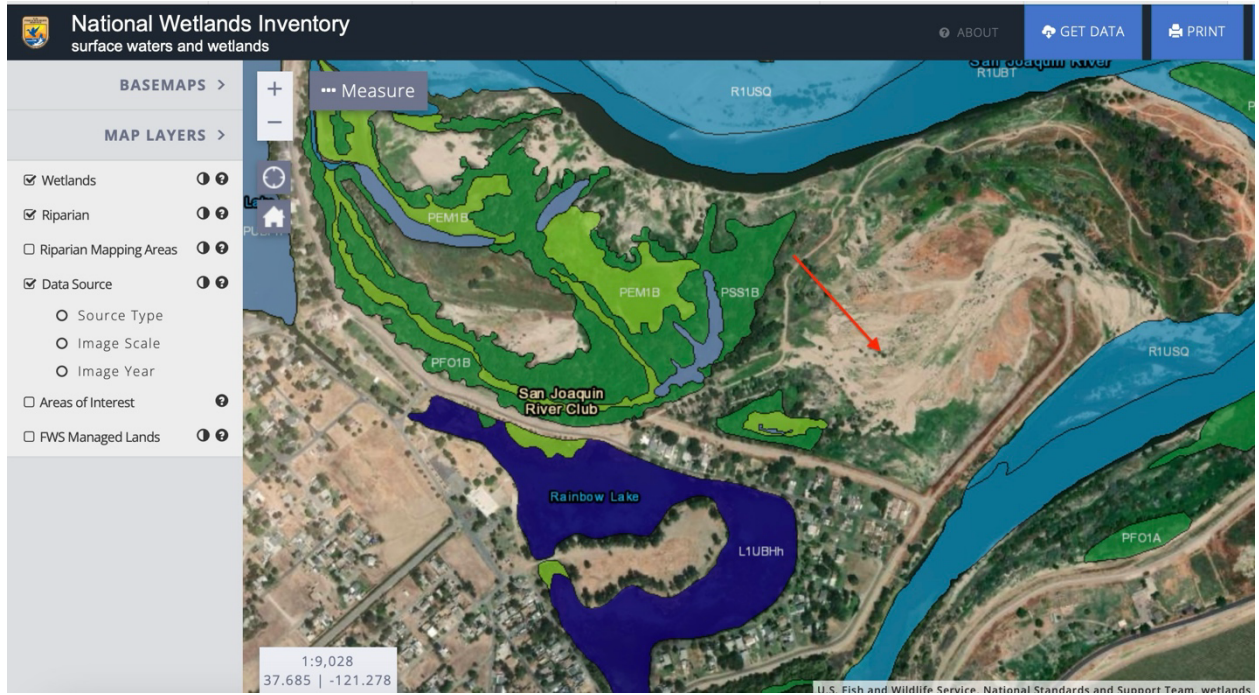
1499 Huntington Dr. Suite 305
South Pasadena, CA 91030



- The location is also in proximity to Federally recognized wetlands and protected habitat areas in and around the nearby San Joaquin River and would therefore have a greater environmental impact than the proposed site location.

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030



Alternative 9 (Northeast of the proposed site location) – Manteca Sportsman Inc. – 30261 S. Airport Way, Manteca, San Joaquin, CA

- A letter of interest was mailed out on August 5th, 2024 via certified mail and a signed return receipt was obtained dated August 12, 2024. A redacted copy of this letter along with the Certified Mail receipt and Return Receipt are attached. The property owner did not respond to our inquiry.
- The location is also in proximity to Federally recognized wetlands and protected habitat areas in and around the nearby San Joaquin River and would therefore have a greater environmental impact than the proposed site location.

Further, Alternatives sites 4, 5 and 6 are very close to the runways at the nearby New Jerusalem Airport, which, according to an August 2024 U.S. Department of Transportation Federal Aviation Administration Airport Master Record (attached to this Supplemental ASA) has had 4,000 annual operations. Based on my years of experience in analyzing alternative site issues, locating the proposed wireless facility close to the Airport runways on Alternative sites 4, 5 and 6 would present a safety risk.

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030

Attachment A

We tried calling the following numbers from our number search today:

- 510-573-9717 – Disconnected
- 209-830-8270 – No answer, no voicemail box
- 209-830-8008 – No answer, no voicemail box
- 209-914-0800 – Left message
- 209-483-3377 – Disconnected
- 209-832-9694 – Disconnected
- 209-623-9717 – Left message
- 903-561-5824 – Disconnected
- 408-729-4458 – Disconnected
- 510-623-9717 - Disconnected

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030

Attachment B

We tried calling the following numbers from our number search today:

- 209-612-3064 – Left message
- 209-823-8218 - Disconnected
- 209-823-3000 – Disconnected
- 209-599-7209 – Disconnected

Bill Lewis
Assurance Development obo Vertical Bridge
blewis@assurance-group.com
626-216-2024

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030

Copies of Letters of Interest Mailed Out



August 5, 2024

Chemanoor Zachariah
7777 W Bates Rd
Tracy, CA 95304

Subject: Vertical Bridge's Lease Interest: 31130 Kasson Rd, Tracy | Site ID: CA-5391

Chemanoor Zachariah,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **31130 Kasson Rd, Tracy CA** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: **CA-5391**

**Chemanoor Zachariah
7777 W. Bates Rd.
Tracy, CA. 95304**



9590 9402 8700 3310 2440 31

2. Article Number (Transfer from service label)

9589 0710 5270 0411 8152 14

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Zachariah

☐ Agent

☒ Addressee

B. Received by (Printed Name)

By Zachariah

C. Date of Delivery

8/9

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Tracy, CA 95304

OFFICIAL USE

Certified Mail Fee

\$4.85

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$0.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage

\$0.73

Total Postage and Fees

\$9.68

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Chemanoor Zachariah
7777 W. Bates Rd.
Tracy, CA. 95304

Postmark
Here

AUG - 5 - 2024
08/05/2024



August 5, 2024

Karnail Sandhu
3972 W Durham Ferry Rd
Tracy, CA 95304

Subject: Vertical Bridge's Lease Interest: 31101 Kasson Rd, Tracy | Site ID: CA-5391

Karnail Sandhu,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **31101 Kasson Rd, Tracy CA** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com[®].

Tracy, CA 95304

OFFICIAL USE

Certified Mail Fee

\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

☐ Return Receipt (electronic)

\$

☐ Certified Mail Restricted Delivery

\$

☐ Adult Signature Required

\$

☐ Adult Signature Restricted Delivery

\$

Postage

\$0.73

\$

Total Postage and Fees

\$9.68

\$

Sent To

Karnail Sandhu

Street and Apt. No., or PO Box No.

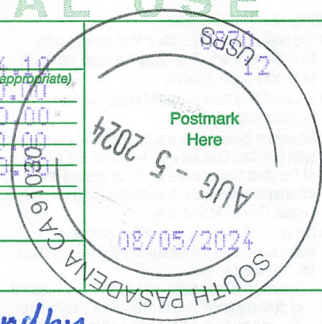
3972 W. Durham Ferry Rd.

City, State, ZIP+4[®]

Tracy, CA. 95304

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions





August 5, 2024

Gerrit Hofman
4820 Perrin Rd
Manteca, CA 95337

Subject: Vertical Bridge's Lease Interest: 30003 S. Kasson Rd, Tracy | Site ID: CA-5391

Gerrit Hofman,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **30003 S. Kasson Rd, Tracy CA (APN: 255-270-530)** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Manteca, CA 95337

Certified Mail Fee

\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

☐ Return Receipt (electronic)

\$

☐ Certified Mail Restricted Delivery

\$

☐ Adult Signature Required

\$

☐ Adult Signature Restricted Delivery

\$

Postage

\$0.73

\$

Total Postage and Fees

\$9.68

\$

Sent To

Gerit Hofman

Street and Apt. No., or PO Box No.

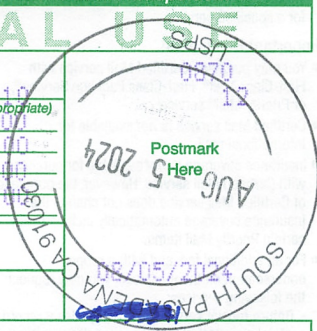
4820 Perrin Rd.

City, State, ZIP+4®

Manteca, CA. 95337

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions





August 5, 2024

Richard & Sarah Quaresma
1845 Riverview Circle
Ripon, CA 95366

Subject: Vertical Bridge's Lease Interest: 29909 – 29353 S. Kasson Rd, Tracy | Site ID: CA-5391

Richard & Sarah Quaresma,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **29909 – 29353 S. Kasson Rd, Tracy CA** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CA. 5391

Richard & Sarah Quaresma
1845 Riverview Circle
Ripon, CA. 95366



9590 9402 8700 3310 2439 97

2. Article Number (Transfer from service label)

9589 0710 5270 0411 8151 84

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Registered Mail Restricted Delivery over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Ripon, CA 95366

Certified Mail Fee

\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | | |
|--|----|--------|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$ | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$ | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | \$0.00 |

Postage

\$0.73

\$

Total Postage and Fees

\$9.68

\$

Sent To

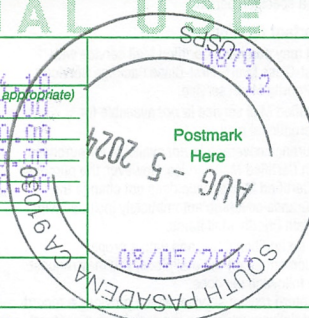
Richard & Sarah Quaresima

Street and Apt. No., or PO Box No.

1845 Riverview Circle

City, State, ZIP+4®

Ripon, CA. 95366





August 5, 2024

Iqbal & Inderjit Sanhu
25210 Valley Oak Drive
Castro Valley, CA 94552

Subject: Vertical Bridge's Lease Interest: APN: 255-270-570 & 255-270-560, Tracy | Site ID: CA-5391

Iqbal & Inderjit Sanhu,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **APN: 255-270-570 & 255-270-560, Tracy CA** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, front if space permits.

Article Addressed to: CA-5391

Iqbal * Inderjit Sanhu
25210 Valley Oak Drive.
Castro Valley, CA. 94552



9590 9402 8700 3310 2440 24

2. Article Number (Transfer from service label)

9589 0710 5270 0411 8152 07

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Sehaj*

☐ Agent

☒ Addressee

B. Received by (Printed Name)

Sehaj Basra

C. Date of Delivery

08/07/09

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Castro Valley, CA 94552

Certified Mail Fee

\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | | |
|--|----|--------|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ | \$0.00 |
| <input type="checkbox"/> Return Receipt (electronic) | \$ | \$0.00 |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ | \$0.00 |
| <input type="checkbox"/> Adult Signature Required | \$ | \$0.00 |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | \$0.00 |

Postage

\$0.73

\$

Total Postage and Fees

\$9.68

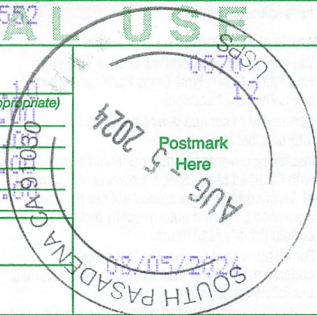
\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Iqbal & Inderjit Sareh
25210 Valley Oak Drive
Castro Valley, CA. 94552





August 5, 2024

Fred A Douma Dairy Partnership
28524 Kasson Rd
Tracy, CA 95304

Subject: Vertical Bridge's Lease Interest: 28524 Kasson Rd, Tracy | Site ID: CA-5391

Fred A Douma Dairy Partnership,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **28524 Kasson Rd, Tracy CA** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

CA-5391

Fred A. Douma Dairy Partnership
28524 Kasson Rd.
Tracy, CA. 95304



9590 9402 8700 3310 2440 00

2. Article Number (Transfer from service label)

9589 0710 5270 0411 8151 91

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Tracy, CA 95304

Certified Mail Fee

\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

☐ Return Receipt (electronic)

\$

☐ Certified Mail Restricted Delivery

\$

☐ Adult Signature Required

\$

☐ Adult Signature Restricted Delivery

\$

Postage

\$0.73

\$

Total Postage and Fees

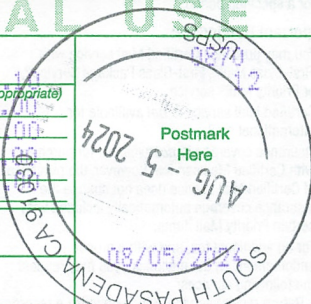
\$9.68

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®





August 5, 2024

Manteca Sportsmen Inc.
30261 S Airport Way
Manteca, CA 95337

Subject: Vertical Bridge's Lease Interest: 30261 S. Airport Way, Manteca | Site ID: CA-5391

Manteca Sportsmen Inc.,

Assurance Development is an authorized representative for Vertical Bridge. Vertical Bridge is researching properties in the area to locate a wireless communications facility (cell-site) in-order to improve the wireless cell phone coverage in the surrounding agricultural and residential areas on behalf of T-Mobile.

This letter confirms Vertical Bridge's interest to lease space on the property located at: **30261 S. Airport Way, Manteca CA** for the purposes of installing a wireless telecommunications facility (cell-site). The following information represents the general lease terms proposed.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This letter is intended to be a nonbinding letter of interest entered into solely to reflecting the interest of the parties in negotiating with one another and to summarize the basic business terms being proposed for the lease agreement.

No portion of this letter is to be considered legally binding nor shall the provisions of this letter constitute any form of representation or warranty from one party to the other. The final lease agreement is subject to Vertical Bridge's review and approval, and contingent upon Vertical Bridge's signature.

If the terms of this letter of interest are acceptable concerning the proposed lease, please sign below in the place provided to evidence your agreement and return a copy of this letter so that we can begin the process of preparing mutually acceptable legal documents for yours and Vertical Bridge's signature.

I look forward to your response regarding this proposal and would be happy to provide additional information. I can be reached at 626-216-2024 or at BLewis@Assurance-Group.com

Warm regards,

Bill Lewis
Project Manager
Authorized Representative for Vertical Bridge

Signature of Landlord

Date

Contact Number

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: CA-5391

Manteca Sportsmen Inc.
30261 S. Airport Way
Manteca, CA. 95337



9590 9402 8700 3310 2438 50

2. Article Number (Transfer from service label)

9589 0710 5270 0411 8151 60

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Gary Robert

☐ Agent

☒ Addressee

B. Received by (Printed Name)

Gary Robert

C. Date of Delivery

8/8/24

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com[®].

Montecito, CA 95337

OFFICIAL USE

Certified Mail Fee

\$4.85

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ 4.10
☐ Return Receipt (electronic) \$ 0.00
☐ Certified Mail Restricted Delivery \$ 0.00
☐ Adult Signature Required \$ 0.00
☐ Adult Signature Restricted Delivery \$ 0.00

Postage

\$0.73

\$

Total Postage and Fees

\$9.68

\$

Sent To

Montecito Sportmen Inc

Street and Apt. No., or PO Box No.

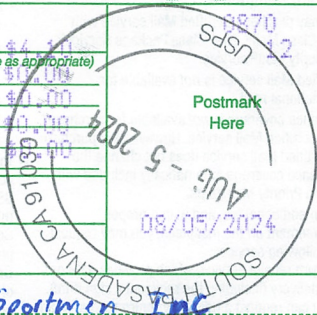
30201 S. Airport Way

City, State, ZIP+4[®]

Montecito CA. 95337

PS Form 3800, January 2023 PSN 7530-02-000-9047

See Reverse for Instructions



9589 0710 5225 0720 6856 09 1518 1140 0225 0720 6856

Attachment C




Administrative Use Permit PA-2300166 - San Joaquin River Club

From Robin Bell White <robinb9rb@gmail.com>

Date Mon 9/9/2024 6:25 PM

To Stowers, Stephanie [CDD] <sstowers@sjgov.org>; Planning [CDD] <planning@sjgov.org>

Cc King, Corinne [CDD] <cking@sjgov.org>

 1 attachments (477 KB)

chd-v-fcc-we-won-decision (1).pdf;

To: Stephanie Stowers,
San Joaquin County Planning Commission,
Commissioners
Donald Ruhstaller - President
Sheri Midgley
James Grunsky
Chris Meehleis
Ms. Jass K Sangha

Hello,

I am writing as a follow up to the July 18, 2024 meeting of the San Joaquin County Planning Commission. I understand there will be a new hearing scheduled for sometime in October.

As you may know, on July 18, 2024 several of the shareholders of the San Joaquin River Club Corporation voiced our opposition to the land acquisition contracts and the Application for Administrative Use Permit PA-2300166 submitted by Vertical Bridge.

At that meeting, I submitted a copy of the decision by the U.S. Court of Appeals of the D.C. Circuit in the case of
ENVIRONMENTAL HEALTH TRUST, ET AL.,
Consolidated with 20-1138
CHILDREN'S HEALTH DEFENSE, ET AL
PETITIONERS
v.
FEDERAL COMMUNICATIONS COMMISSION AND
UNITED STATES OF AMERICA,
RESPONDENTS

and a copy of the Bioinitiative Report Summary for the Public to attorney Zoey Merrill and the Commission for their review.

I have included the PDF of the courts decision below as well as other links about the case from the Children's Health Defense website.

<https://childrenshealthdefense.org/defender/chd-wins-case-fcc-safety-guidelines-5g-wireless/>

https://childrenshealthdefense.org/legal_justice/chd-v-fcc-5g-wireless-radiation-guidelines-lawsuit/#stage8

<https://childrenshealthdefense.org/defender/fcc-court-mandate-cellphone-radiation-guidelines/>

<https://www.fcc.gov/general/radio-frequency-safety-0>

I have also included the link for the Bioinitiative Report which is <https://bioinitiative.org/>

In the July 18 meeting, attorney Zoey Merrill stated that if T-Mobile could show a gap in coverage, the application must be approved per the Telecommunications Act (TCA).

Testimony was presented that there is no gap in coverage other than diagrams/photos shown by Vertical Bridge's attorneys. These photos/diagrams also showed that there is plenty of open land surrounding our small rural residential area where a monopole telecommunications tower could be located if it was necessary to have yet another one in the area, which it is not.

We have also been told by a few different people working for the county, that you are more afraid of being sued by the FCC than being sued by us, the shareholders, OWNERS, and members of the San Joaquin River Club.

Any lawsuit brought by the FCC should be easily defended against due to the fact that the FCC continues to be out of compliance with the U.S. Court of Appeals decision and have not updated their safety guidelines for electromagnetic radiation exposure since 1996. Therefore, any claim that T-Mobile, Vertical Bridge, or the San Joaquin County Planning Commission are following FCC guidelines is in fact misrepresenting the truth about the "safety" of electromagnetic radiation from these towers. There have not been any updated safety guidelines for any of the new technology since 1996. That was 28 years ago. The technology and electromagnet radiation frequencies that exist today are much more powerful and more harmful than what we had 28 years ago.

One can assume that Environmental Health Trust and Children's Health Defense attorneys will pursue further legal action against the FCC for non-compliance with the appeals court decision. I have already been in contact with Children's Health Defense and if the Planning Commission chooses to approve this application, I will personally make sure this case is included in their future litigation.

As someone who was in the medical field for over 24 years, a lawsuit by the FCC is less concerning to me than the well documented adverse health effects of electromagnetic radiation emitted from these telecommunications towers. If this tower goes in, people here WILL become very sick and many could die. This to me, is extremely terrifying and disturbing and cannot be allowed.

I urge you to read the information provided and please consider canceling this application outright for the safety and well-being of our small community and the people, pets, and wildlife who live here.

Sincerely,
Robin Bell White
BA, RVT



Planning Commission Staff Report
Item # 3, October 3, 2024
Administrative Use Permit No. PA-2300166
Prepared by: Nancy Arroyo

PROJECT SUMMARY

Applicant Information

Property Owner: San Joaquin River Club Inc.
Project Applicant: Vertical Bridge and Assurance Development (c/o Adrian Culici)

Project Site Information

Project Address: 30000 S. Kasson Road, Tracy
Project Location: Located at the San Joaquin River Club property on the northeast side of S. Kasson Road, at the southern terminus with E. Durham Ferry Road/S. Airport Way, east of Tracy.

Parcel Number (APN):	241-150-01	Water Supply:	Private (Well)
General Plan Designation:	OS/RC and A/G	Sewage Disposal:	Private (Septic System)
Zoning Designation:	AG-40	Storm Drainage:	Private
Project Size:	2,046 square feet	100-Year Flood:	Yes (Portions AE, X (500), and X)
Parcel Size:	411.96 acres	Williamson Act:	No
Community:	None	Supervisory District:	5

Environmental Review Information

CEQA Determination: Exempt from CEQA pursuant to Section 15303, (Class 3)

Project Description

This project is an Administrative Use Permit application to construct a 100-foot-tall monopole telecommunications tower with related equipment within a 2,046 square foot lease area on an existing parcel developed with residential uses known as the San Joaquin River Club.

Recommendation

1. Adopt the Findings for Administrative Use Permit (Attachment H) and approve Administrative Use Permit No. PA-2300166 with recommended Conditions of Approval (Attachment I) contained in the Staff Report.

This page intentionally left blank.

NOTIFICATION & RESPONSES

(See Attachment C, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: September 23, 2024.

Number of Public Hearing notices: 543

Date of Public Hearing notice mailing: September 20, 2024.

Referrals and Responses

- **Project Referral with Environmental Determination Date:** August 7, 2023

Agency Referrals	Response Date - Referral
County Departments	
SJC Supervisor: District 5	
SJC Agricultural Commissioner	
Assessor	
Building Division	
Environmental Health	August 31, 2023
Fire Prevention Bureau	
Mosquito Abatement	
Public Works	October 24, 2023
Sheriff Office	
SJC Sheriff Communications Director	
Tracy Rural Fire District	
New Jerusalem Elementary	
Tracy Unified School District	
State Agencies	
CA Fish & Wildlife Region:2	
Air Pollution Control District	
CA Division of Aeronautics	
CA Native American Heritage Commission	
Federal Agencies	
Federal Aviation Administration	August 23, 2023
Federal Emergency Management Agency	

Agency Referrals	Response Date - Referral
Local Agencies	
S.J.C.O.G.	August 8, 2023
Airport Land Use Commission	August 8 2023 & September 29, 2023
Mosquito & Vector Control	
San Joaquin Farm Bureau	August 8, 2023
2085 Kasson Reclamation District	
New Jerusalem Airport Services	
Miscellaneous	
Buena Vista Rancheria	
Haley Flying Service	
North Valley Yokuts Tribe	
United Auburn Indian Community	August 7, 2023
Precissi Flying Services	
Sierra Club	
AT&T	
PG&E	August 8, 2023, & August 28, 2023

This page intentionally left blank.

ANALYSIS

Background

The subject parcel, located east of Tracy, is known as the San Joaquin River Club, a 411.96-acre legal lot currently developed with approximately 430 residences in the AG-40 (General Agriculture, 40-acre minimum) zone.

On July 21, 2023, Vertical Bridge applied for a cell tower to be developed within a 2,046-square-foot lease area. Access to the site is proposed through a new 20-foot-wide, non-exclusive access and utility easement on the east side of Kasson Road, approximately 320 feet north of E. Durham Ferry Road and approximately 2,005 feet south of existing access driveway for the community. This proposed easement will not impact the existing developed areas or roadways.

Alternative Site Review

The applicant reviewed five alternative sites prior to submitting this application. (See Attachment B.) Two alternative locations within the San Joaquin River Club property were not sufficient based on a lack of adequate space, access to power, or access to telecommunication utilities necessary to establish a telecommunication tower and related equipment. Three off-site alternatives were not viable for development based on site conditions or the inability to obtain a lease agreement. As a result, Vertical Bridge selected the subject location as the most viable site.

Telecommunications Act of 1996

Pursuant to the Telecommunications Act of 1996, *T-Mobile USA Inc. v. City of Anacortes*, 572 F.3d 987, and a related line of cases, the County shall not deny an application for a wireless communication facility, such as a cell tower, if the applicant has shown that there is a significant gap in cellular coverage and that the proposed location is the least intrusive means to close that gap unless the County can show the “existence of a potentially available and technologically feasible alternative to the proposed location.” With this application the applicant provided coverage maps, depicting limited service in the tower area, as well as projected service maps with the tower in operation, which show increased coverage throughout the area. As a result, the proposed location will be able to adequately fill the existing radio frequency service gap.

Pursuant to the Telecommunications Act of 1996 and *T-Mobile USA Inc. v. City of Anacortes*, 572 F.3d 987, and a related line of cases, the County has no discretion to deny the application.

Opposition Letters

The Community Development Department received opposition letters from 18 resident members of the San Joaquin River Club and a support letter from 1 resident member of the San Joaquin River Club.

The opposition stated concerns regarding the application and impacts on habitat, aesthetics, health, and property taxes.

Application:

The opposition stated concern regarding the signee of the application's authority to sign on behalf of the San Joaquin River Club.

Staff and counsel reviewed the statement of information for the San Joaquin River Club, which was signed by the Chief Executive Officer for the San Joaquin River Club. Staff determined that the application was complete and sufficient to move forward with processing the application. Additionally, there is a lease agreement in place between the San Joaquin River Club and Vertical Bridge, which provided Vertical Bridge permission to apply to permit the cell tower in the proposed location.

Habitat:

The opposition states concern regarding potential impacts to existing habitat, the tower was exempt from California Environment Quality Act (CEQA) review under Section 15303 (Class 3 Categorical Exemption) that allows for the construction of small structures without environmental review (see Attachment G). Although the project is exempt from CEQA, the San Joaquin Council of Governments determined that the project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP is included as a recommended Condition of Approval.

Aesthetics:

The opposition has concerns that the proposed cell tower would impose upon the California Historic Landmark #777, Rainbow Lake views, and the Altamont Hills. The California Historic Landmark #777 is a plaque commemorating a river town that was established in 1849, which is located on the east side of Kasson Road approximately 2,800 feet from the proposed project site. Pursuant to General Plan Table 12-2, the proposed project is not located along a Local Scenic Roadway.

The applicant proposes to paint the telecommunication tower green, so that it can blend into the surrounding environment. All facilities must be designed to visually blend into the surrounding area pursuant to Development Title Section 9-411.050(a)(6) and the concealment of the telecommunication tower is included as recommended Condition of Approval, and the applicant proposes to paint the telecommunication tower green to blend into the surrounding environment, which includes many trees. Since the tower will be concealed and is not directly adjacent to the California Historic Landmark #777, it is not anticipated to have any significant impacts on aesthetics, scenic views, or historic landmarks.

Health:

Regarding potential health impacts from radio frequency emissions, pursuant to Section 704 (a) of the Telecommunications Act 47 U.S.C Section 332(c)(7)(iv), "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." The development project will be required to comply with Federal Communications Commission (FCC) regulations regarding radio frequency emissions and the Community Development Department is preempted from basing any decision on the environmental effects of radio frequency and electromagnetic waves related to installation of the proposed telecommunication tower. Vertical Bridge contracted an independent consultant, Hammett & Edison, Inc., Consulting Engineers to ensure the Telecommunication Tower will comply with the Federal Communications Commission (FCC) guidelines limiting public exposure to radio frequency energy (Attachment C). The consultants determined the tower proposed will emit radio frequency lower than FCC standards.

Property Taxes:

Regarding potential impacts to property taxes from the proposed tower, property taxes are outside the purview of the Development Title and the Community Development Department. As a result, property taxes were not considered by Community Development Department staff.

CEQA Exemptions

The Community Development Department determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, Categorical Exemptions) apply to the projects consisting of construction and location of limited numbers of new, small facilities or structures that have been determined to not have a significant impact on the environment. The proposed telecommunications tower is a small structure consistent with this exemption. As a result, if the project is approved, a Notice of Exemption will be filed.

RECOMMENDATION

It is recommended that the Planning Commission:

1. Adopt the Findings for Administrative Use Permit (Attachment H) and approved Administrative Use Permit No. PA-2300166 with recommended Conditions of Approval (Attachment I) contained in the Staff Report.

Attachments:

Attachment A – Site Plan
Attachment B – Alternative Site
Attachment C – Agency Response Letters
Attachment D – Support and Opposition Letters
Attachment E – Telecommunication Coverage
Attachment F – Radio Frequency Exposure Report
Attachment G – Notice of Exemption
Attachment H – Findings
Attachment I – Conditions of Approval

This page intentionally left blank.



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment A **Site Plan**

This page intentionally left blank.

APPLICANT: PA2300166
 PREPARED BY: JAL/K

SITE PLAN



720 PARK OF COMMERCE DR.
 SUITE 200 | HUNTINGTON, CA 94631
 916 446 6300

SITE ACQUISITION

AD

ASSURANCE
 DEVELOPMENT

1400 HUNTINGTON DR. | SUITE 300
 SOUTH FARMACIA, CA 91320
 626 796 9072

PROJECT NUMBER: US-CA-5391

SC60145B

ANASTASIO

30000 KASSON ROAD
 TRACY, CA 95304

ENGINEER STAMP

PROJECT TITLE

US-CA-5391

SC60145B

ANASTASIO

30000 KASSON ROAD

TRACY, CA 95304

ENGINEER STAMP

PROJECT NUMBER

US-CA-5391

SC60145B

ANASTASIO

30000 KASSON ROAD

TRACY, CA 95304

ENGINEER STAMP

PROJECT TITLE

US-CA-5391

SC60145B

ANASTASIO

30000 KASSON ROAD

TRACY, CA 95304

ENGINEER STAMP

PROJECT NUMBER

US-CA-5391

SC60145B

ANASTASIO

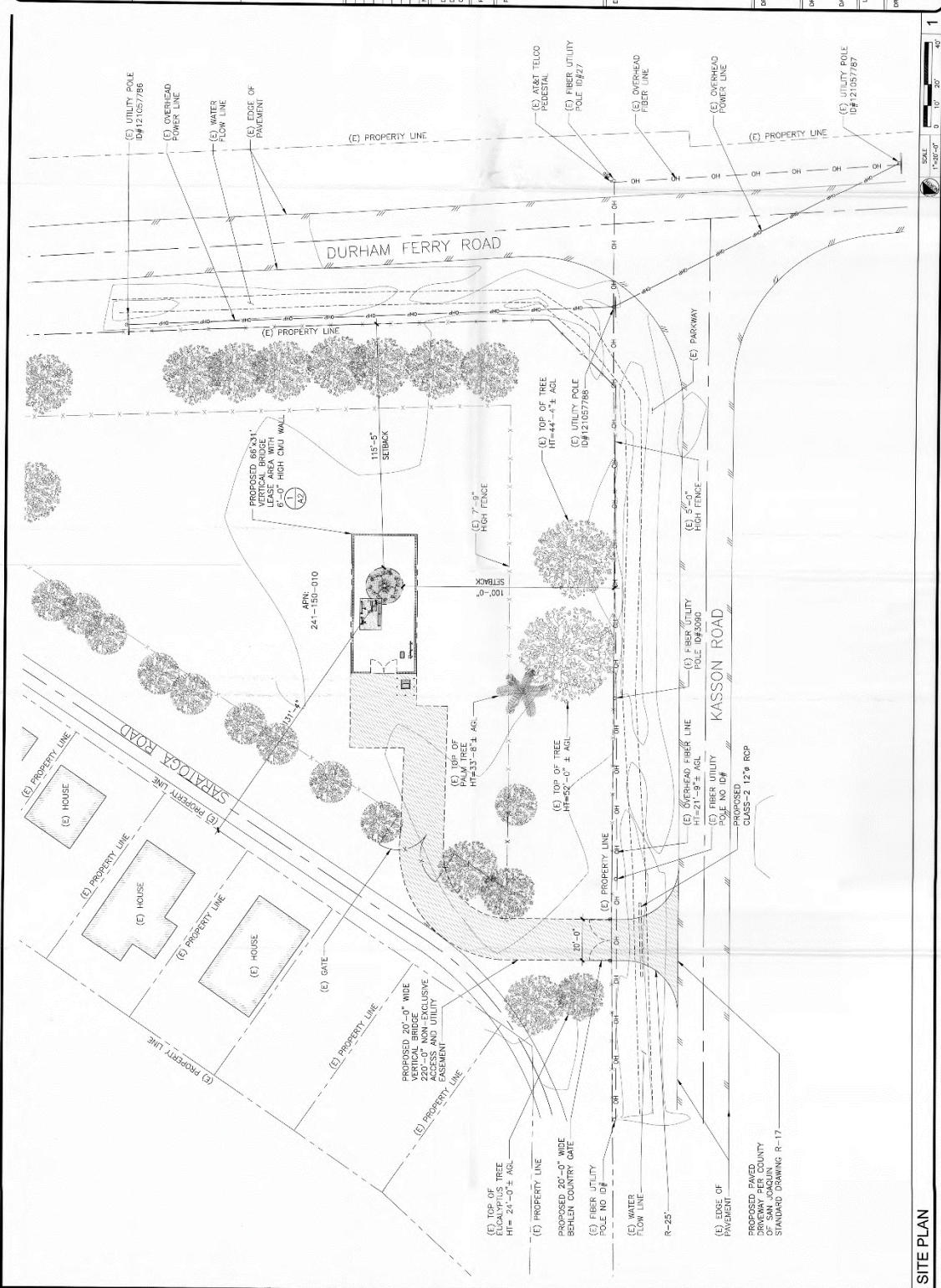
30000 KASSON ROAD

TRACY, CA 95304

ENGINEER STAMP

PROJECT TITLE

US-CA-5391



SCALE: 1"=20'-0"

1"=20'-0"

0' 10' 20' 40'

SITE PLAN

A1

This page intentionally left blank.

This page intentionally left blank.



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment B **Alternative Site**

This page intentionally left blank.

Adrian Culici
Assurance Development obo Vertical Bridge
aculici@assurance-group.com
323-573-0045

1499 Huntington Dr. Suite 305
South Pasadena, CA 91030

Alternative Site Map – Search Ring Area



Proposed Site - San Joaquin River Club – 30000 Kasson Road Tracy, CA 95304 (APN 241150010)

- The chosen site candidate meets jurisdiction requirements, has adequate space, access to power and telco utilities to establish a multi-user Wireless Telecom Facility
- The site is located near the periphery of the search ring to place it as far away from residential uses as possible and still be able to close the RF service gap in the surrounding residential area.

Vertical Bridge Project Name: CA-5391

This page intentionally left blank



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment C **Agency Response Letters**

This page intentionally left blank



SAN JOAQUIN
COUNTY
Greatness grows here.



Department of Public Works

Fritz Buchman, Director

Alex Chetley, Deputy Director – Development

Kristi Rhea, Deputy Director - Administration

David Tolliver, Deputy Director - Operations

Najee Zarif, Deputy Director - Engineering

October 24, 2023

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Nancy Arroyo

FROM: Christopher Heylin, Development Services Engineer
Development Services Division

SUBJECT: PA-2300166 (A): An Administrative Use Permit application for a 100 foot
monopole Telecommunications Tower with related equipment within a 2,046
square foot lease area; located on the northeast corner of Kasson Road and
Durham Ferry Road, Tracy. (Supervisory District 5)

OWNER: San Joaquin River Club, Inc.

APPLICANT: Vertical Bridge

ADDRESS: 30000 Kasson Road, Tracy

APN: 241-150-01

INFORMATION:

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area.

Airport Road has an existing right-of-way width of 80-100 feet and a planned right-of-way width of 84-110 feet.

Kasson Road has an existing and planned right-of-way width of 80 feet.

RECOMMENDATIONS:

- 1) A County encroachment permit shall be required for all work within the County road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-607.020 and 9-607.040)
- 2) Prior to issuance of the building permit, the driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 [return radii for truck-trailer egress shall be designed to prevent encroachment onto opposing lanes of traffic]. (Development Title Section 9-607.040)

1810 East Hazelton Avenue | Stockton, California 95205 | T 209 468 3000 | F 209 468 2999

Follow us on Facebook @ PublicWorksSJC Visit our website: www.sjgov.org/pubworks

PA-2300166 (A)

- 3) The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolution R-00-433)
- 4) The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
- 5) A copy of the Final Site Plan shall be submitted prior to release of building permit.
- 6) The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-606)

CH:GM



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS


Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

August 31, 2023

To: San Joaquin County Community Development Department
Attention: Nancy Arroyo

From: Aldara Salinas; (209) 616-3019 
Environmental Health Specialist

RE: **PA-2300166 (A), Referral, SU0015739**
30000 Kasson Rd., Tracy

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-605.010 & 9-601.020).
2. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i)).

1868 E. Hazelton Avenue | Stockton, California 95205 | T 209 468-3420 | F 209 464-0138 | www.sjgov.org/ehd



S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: boyd@sjcog.org

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Nancy Arroyo, San Joaquin County, Community Development Department
From: Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org
Date: August 8, 2023
Local Jurisdiction Project Title: PA-2300166 (A)
Assessor Parcel Number(s): 241-150-01
Local Jurisdiction Project Number: PA-2300166 (A)
Total Acres to be converted from Open Space Use: Unknown
Habitat Types to be Disturbed: Urban Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Ms. Arroyo:

SJCOG, Inc. has reviewed the project referral for PA-2300166 (A). This project consists of an Administrative Use Permit application for a 100 foot monopole telecommunications tower with related equipment within a 2,046 square foot lease area. The property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture) and OS/RC (Resource Conservation). The project site is located on the northeast corner of Kasson Road and E. Durham Ferry Road, Tracy (APN/Address: 241-150-01 / 30000 Kasson Road, Tracy).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This Project is subject to the SJMSCP. This can be up to a 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcog.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or

2 | S J C O G , I n c .

c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0574.



S J C O G , I n c .

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department,
Other: _____

FROM: Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.
- Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2300166 (A)

Landowner: San Joaquin River Club, Inc.

Applicant: Vertical Bridge

Assessor Parcel #s: 241-150-01

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Nancy Arroyo

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.



Robert Rickman
CHAIR

David Bellinger
VICE-CHAIR

Diane Nguyen
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF SAN
JOAQUIN

SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

August 8, 2023

Community Development Department
1810 E Hazelton Ave.,
Stockton, CA 95205

**SUBJECT: COUNTY NEEDS TO NOTIFY APPLICANT OF APPLICATION
FEE FOR ALUC REVIEW OF PROJECT IDENTIFIED AS PA-2300166 (A)**

Dear Nancy Arroyo:

The purpose of this letter is to notify you that the Airport Land Use Commission (ALUC) has received the application PA-2300166 (A) which requires payment of \$1,851.35 application fee in order to begin ALUC review. According to Sections 21671.5, 21675, and 21679.5 of the Public Utilities Code, the Airport Land Use Commission (ALUC) is required to review actions and projects within airport influence areas for conformance with the relevant Airport Land Use Compatibility Plan (ALUCP). The ALUC has determined that the project is within an airport influence area. As the lead agency, please notify the applicant of the fee amount and instructions for payment to the applicant (as described below).

ALUC APPLICATION FEE AMOUNT: \$1,851.35

**Deadline to receive payment (two weeks from the date of this letter):
August 22, 2023**

**CHECK IS TO BE PAYABLE TO SAN JOAQUIN COUNCIL OF
GOVERNMENTS. (Instruct applicant to write the Project No. on the check).**

**CHECK CAN BE DELIVERED TO SJCOG'S OFFICES OR
MAILED TO:**

San Joaquin Council of Governments
Attention: ALUC Application Fee, Project No. PA-2300166 (A)
555 E. Weber Avenue
Stockton, CA 95202
(Instruct applicant to write the Project No. on the check).

SJCOG offices are opened to the public on Tuesdays, Wednesdays, and Thursdays from 8:00 am to 5:00 pm.

Nancy Arroyo
Page 2 of 2
8/8/2023

The fee is determined by the permit type listed in the 2022 ALUC Fee Schedule available on the San Joaquin Council of Governments (SJCOC) website
<https://www.sjcog.org/DocumentCenter/View/7349/ALUC-Fee-Schedule-2022>
As stated earlier, ALUC will not perform any review of an application within the airport influence without payment of the application fee.

Please contact ALUC staff Isaiah Anderson (209-235-0452 or aluc@sjcog.org) if you have any questions regarding this letter.

Sincerely,

Isaiah Anderson

Isaiah Anderson

Associate Regional Planner



David Bellinger
CHAIR

Diane Lazard
VICE-CHAIR

Diane Nguyen
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF SAN
JOAQUIN

SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

September 26, 2023

Nancy Arroyo
Development Services Department
1810 E Hazelton Ave.,
Stockton, CA 95205

Re: PA-2300166 (A)

Dear Nancy Arroyo,

The San Joaquin Council of Governments (SJCOC), acting as the Airport Land Use Commission (ALUC), has reviewed An Administrative Use Permit application for a 100 foot monopole Telecommunications Tower with related equipment within a 2,046 square foot lease area.

AIRPORT LAND USE COMMISSION'S REVIEW

This project is in the New Jerusalem Airport Influence Area.

SJCOC, as ALUC, finds that this project is compatible with the 2018 San Joaquin County Airport Land Use Compatibility Plan (ALUCP) (<https://www.sjcog.org/ALUC>) with the following conditions: Refer to and comply with FAA Determination letter. (Attached)

SJCOC would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan as a reference guide. *Note: Jurisdictions determine if the following standards and conditions apply to this project.*

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.
 - c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
 - d. Occupied structures must be soundproofed to reduce interior noise to 45 decibels (dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).

Nancy Arroyo
Page 2 of 2
9/26/23

2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) for any proposal for construction or alteration under the following conditions:
 - a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest takeoff and landing area of a public use heliport
 - d. Any highway, railroad, or other traverse way whose prescribed adjusted height would exceed the above noted standards.
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact ALUC staff Isaiah Anderson (209-235-0452 or ianderson@sjcog.org) if you have any questions or comments.

Sincerely,

Isaiah Anderson

Isaiah Anderson
Associate Regional Planner



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

San Joaquin County Airport Land Use Commission (ALUC)

Certificate of Payment PA-2300166 (A)

David Bellinger
CHAIR

Diane Lazard
VICE-CHAIR

Diane Nguyen
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTEGA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF SAN
JOAQUIN

This Certificate of Payment serves as acknowledgement for payment of development fee pursuant to SJCOG Resolution R-20-15 ALUC Fee Schedule. The project and fee amount paid are provided below.

Project: 100' monopole development

Project Jurisdiction: San Joaquin County

Assessor Parcel Number(s): 241-150-01

Payment Date: 8/29/23

Fee Amount: \$1,851.35

Total Amount Paid: \$1,851.35

Certificate Prepared By: Isaiah Anderson

Payment Received By Signature: *Isaiah Anderson*

Date: 9/26/23



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

August 8th, 2023

San Joaquin County Community Development Department
Development Services Division
Attn: Nancy Arroyo
1810 E. Hazelton Avenue
Stockton, CA 95205

RE: PA- 2300166 (A)

Dear Ms. Arroyo:

The San Joaquin Farm Bureau Federation is a private, not for profit, volunteer organization. The Farm Bureau is San Joaquin County's oldest agricultural organization, dedicated to the promotion and advancement of agriculture for over one hundred years. We would like to express our concern regarding this application, a Site Approval for an unmanned telecommunications project to include a 100-foot tower with associated ground equipment.

Aerial sprayers provide many valuable services to both the agricultural industry and to the community at large. In agriculture, we use crop dusters to eliminate crop damaging pests and the County's Mosquito and Vector Control District also regularly uses aerial spraying for mosquito abatement purposes to control disease carrying insects for the public. Pursuant to the San Joaquin County Development Title¹, the proposed project shall not significantly displace or impair agricultural operations. Here, we have reservations about this project in a highly agricultural area that regularly utilizes the services of aerial sprayers. Following best agricultural practices, crop dusters fly lower than regular air traffic to maximize their efficiency and only spray the crop, eliminating drift to the greatest extent possible. Thus, we must make certain that the monopole communication tower is clearly marked and maintained to ensure adequate visibility to protect the aerial sprayers, so we can maintain the existing agricultural operations in the region.

As a condition of approval for this application, we recommend the county require that the applicant follow the FAA painting and lighting recommendations for structures that may pose a hazard to air navigation. The unique circumstances of the project and the site warrant such consideration and it would best serve the agricultural and public safety interests at stake. If you have any further questions, please do not hesitate to contact the Farm Bureau at (209) 931-4931.

Sincerely,

Andrew Watkins
SJFB President

3290 NORTH AD ART ROAD • STOCKTON, CA • 95215 • (209) 931-4931 • (209) 931-1433 Fax

WWW.SJFB.ORG



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2023-AWP-11199-OE

Issued Date: 08/23/2023

Richard Hickey
VB BTS II, LLC
750 Park of Commerce Dr, Suite 200
Boca Raton, FL 33487

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower US-CA-5391 Anastasio
Location:	tracy, CA
Latitude:	37-40-22.37N NAD 83
Longitude:	121-16-22.22W
Heights:	48 feet site elevation (SE) 110 feet above ground level (AGL) 158 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 02/23/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (424) 405-7641, or tamera.burch@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AWP-11199-OE.

Signature Control No: 592981797-597296586
Tamera Burch
Technician

(DNE)

Attachment(s)
Additional Information
Frequency Data

cc: FCC

Additional information for ASN 2023-AWP-11199-OE

At a distance of 8.2 nautical miles from the site emissions from the 2496-2690 MHz transmitters must be less than -155 dBm in the 2700-3100 MHz Surveillance Radar frequency band.

BASIS FOR DECISION

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and en route procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.

Frequency Data for ASN 2023-AWP-11199-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	1640	W

Arroyo, Nancy [CDD]

From: DoNotReply@auburnrancheria.com
Sent: Monday, August 7, 2023 3:51 PM
To: Arroyo, Nancy [CDD]
Subject: PA-2300166 (A) Notification Confirmation
Attachments: Thank you for consulting with the UAIC.pdf



The United Auburn Indian Community thanks you for your commitment to consultation for the following project:

PA-2300166 (A)
Submission Date: 8/7/2023 8/7/2023 3:50:59 PM

You will find a copy of your consultation submission attached for your records.

Our Tribal Historic Preservation Department will review the project and respond as soon as possible. If you need to speak with someone regarding the project or your submission, please contact the Tribal Office at (530) 883-2390.

The United Auburn Indian Community is now accepting electronic consultation requests and project notifications. To learn more, [click here](#).

****This is an automated email. Replies to this address will not be received.**



August 8, 2023

Nancy Arroyo
County of San Joaquin
1810 E Hazelton Ave
Stockton, CA 95205

Ref: Gas and Electric Transmission and Distribution

Dear Nancy Arroyo,

Thank you for submitting the PA-2300166 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

August 28, 2023

Nancy Arroyo
County of San Joaquin
1810 E Hazelton Ave
Stockton, CA 95205

Re: PA-2300166
30000 Kasson Road

Dear Nancy Arroyo,

Thank you for providing PG&E the opportunity to review the proposed plans for PA-2300166 dated 8/7/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

Public

This page intentionally left blank.



SAN JOAQUIN
—COUNTY—
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment D **Support and** **Opposition Letters**

This page intentionally left blank.

To whom it may concern,

RE: Application number PA-2300166(A)

I just received your letter in regards to the proposed cell tower to be located at 30000 Kasson Rd. Tracy, CA. I just want to say that I am in favor of this project. Cell service is terrible in this area and this will benefit many that live here as well as those driving through.

Thank you very much for the information.

Gary Boswell

30000-194 Kasson Rd.

Tracy, CA

Arroyo, Nancy [CDD]

From: Billy Dias <billyd84@yahoo.com>
Sent: Sunday, August 13, 2023 2:09 PM
To: Planning [CDD]
Subject: General Inquiry

Hello this message is in regards to apn# pa-2300166(a) . What would I need to do to voice my concerns against this tower being put up on our property , I'm a member of the San Joaquin river club and we are supposed to be a wildlife refuge, I was never asked to vote on this matter from the club I'm apart of and had no say on putting such an unsightly tower in front of of beautiful community , also being so close to my home , it would destroy the attractive natural beauty of the land , lakes , river not only destroy the wildlife and surrounding agriculture. Not only the beauty and nature will be hurt but the health effects are astronomical being so close to others homes and my home, I would like to stand against this project for my community I love and live in and would like to know what to do to push the topic in my community leaders to not approve this project .
Thank you ,

Yours truly, bill dias

Sent from my iPhone

Arroyo, Nancy [CDD]

From: Robin Bell White <robinb9rb@gmail.com>
Sent: Thursday, August 17, 2023 7:28 PM
To: Arroyo, Nancy [CDD]
Subject: Application Number PA-2300166 (A)

Dear Ms Arroyo,

I am writing in response to Application Number PA-2300166 (A), the application by Vertical Bridge of Boca Raton, Florida to place a 100 feet monopole Telecommunications Towers on the property of the San Joaquin River Club, Inc., Tracy California.

I am making this Freedom of Information Act request as a private citizen residing within the San Joaquin River Club for any and all information regarding the effects of the 5G millimeter microwave radiation that will be emitted from the planned telecommunications tower at the above location. I am requesting any and all papers, scientific studies, governmental surveys, private surveys, legal documents, medical information and anything else pertaining to the "safety" of or potential damage caused by the radiation emitted from all 5G telecommunications towers in this area including the one planned for the San Joaquin River Club property.

As you may know, the FCC has refused to comply with court orders to review the safety of cell phone radiation and electromagnetic radiation in general.

<https://childrenshealthdefense.org/defender/fcc-court-mandate-cellphone-radiation-guidelines/>

There is a wealth of information showing that EMFs are damaging to humans, animals, and all life within range of the EMF emissions.

<https://childrenshealthdefense.org/emr/emf-wireless-health-impacts/>

I am therefore requesting the above stated information, along with any and all information used to justify placing the telecommunications tower on the San Joaquin River Club property, in printable PDF format to the above email address: robinb9rb@gmail.com.

I look forward to your response.

Sincerely,
Robin Bell White
BA, RVT

Arroyo, Nancy [CDD]

From: Robin Bell White <robinb9rb@gmail.com>
Sent: Wednesday, August 23, 2023 4:35 PM
To: Arroyo, Nancy [CDD]
Subject: Re: Application Number PA-2300166 (A)
Attachments: image001.png; VID_20230821_183121_770.mp4; VID_20230821_183121_770.mp4

Hi Nancy,

Thank you for your quick response.

With regard to the telecommunications tower going in at the San Joaquin River Club, I would like to also submit this short video and request that you deny this application due to the harmful effects to everyone that lives close by, humans and animals alike.

VID_20230821_183121_770.mp4

If you are not able to view it, please let me know and I will send it a different way. It is from <https://emfscientist.org/>.

Thank you,

Robin Bell White
BA, RVT

On Fri, Aug 18, 2023, 4:09 PM Arroyo, Nancy [CDD] <narroyo@sigov.org> wrote:

Hello,

Thank you for this comment for PA-2300166 (A).

I will review.

Nancy Arroyo

Associate Planner

Community Development Department
Main Office: (209) 468-3121

Direct: (209) 468-3140

Fax: (209) 468-3163

Please also visit us On-line: <https://www.sigov.org/commdev>

Direct: (209) 468-3140

Fax: (209) 468-3163

Please also visit us On-line: <https://www.sjgov.org/commdev>



THIS E-MAIL IS INTENDED ONLY FOR THE ADDRESSEE(S) AND MAY CONTAIN CONFIDENTIAL INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE OF THIS INFORMATION OR DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY.

Lobby hours are Monday through Thursday 8:00 am -5:00 pm, closed 12:00 pm – 1:00 pm and Friday 8:00 am – 12:00 pm.

From: Robin Bell White <robinb9rb@gmail.com>
Sent: Thursday, August 17, 2023 7:28 PM
To: Arroyo, Nancy [CDD] <narroyo@sjgov.org>
Subject: Application Number PA-2300166 (A)

Dear Ms Arroyo,

I am writing in response to Application Number PA-2300166 (A), the application by Vertical Bridge of Boca Raton, Florida to place a 100 feet monopole Telecommunications Towers on the property of the San Joaquin River Club, Inc., Tracy California.

I am making this Freedom of Information Act request as a private citizen residing within the San Joaquin River Club for any and all information regarding the effects of the 5G millimeter microwave radiation that will be emitted from the planned telecommunications tower at the above location. I am requesting any and all papers, scientific studies, governmental surveys, private surveys, legal documents, medical information and anything else pertaining to the "safety" of or potential damage caused by the radiation emitted from all 5G telecommunications towers in this area including the one planned for the San Joaquin River Club property.

As you may know, the FCC has refused to comply with court orders to review the safety of cell phone radiation and electromagnetic radiation in general.

<https://childrenshealthdefense.org/defender/fcc-court-mandate-cellphone-radiation-guidelines/>

There is a wealth of information showing that EMFs are damaging to humans, animals, and all life within range of the EMF emissions.

<https://childrenshealthdefense.org/emr/emf-wireless-health-impacts/>

I am therefore requesting the above stated information, along with any and all information used to justify placing the telecommunications tower on the San Joaquin River Club property, in printable PDF format to the above email address: robinb9rb@gmail.com.

I look forward to your response.

Sincerely,

Robin Bell White

BA, RVT

Arroyo, Nancy [CDD]

From: normaray05 <normaray05@aol.com>
Sent: Monday, August 28, 2023 8:27 PM
To: Arroyo, Nancy [CDD]
Subject: Cell tower at 30000 kasson rd. Tracy ca

Ms. Arroyo

My name is Fara Alvarez and I am a member of the San Joaquin River Club. I am writing to to ask that the final approval on the tower be postponed. We were not fully informed of the possible risks to our health or the explicit terms of the contract. The membership was not allowed a vote or input on such a huge undertaking and we did not give our consent. As additional landlords of the corporation of SJRC INC., we did not give the board of directors a power of attorney or proxy to decide on this issue for us. Please allow an emergency postponement of the application of approval so we can investigate this further and allow time for our attorney to review the the information in its entirety

Thank you

Fara Alvarez

Sent via the Samsung Galaxy S23 5G, an AT&T 5G smartphone

Arroyo, Nancy [CDD]

From: Beverly Plummer <bevplum1@caldsl.net>
Sent: Monday, August 28, 2023 11:47 AM
To: Planning [CDD]
Subject: General Inquiry

I received an Application Referral, application number PA-2300166 (A) Letter stated that comments regarding this project were to be sent to The Community Development Department.

Project Planner is Nancy Arroyo

I am against this cell tower project because I live at The San Joaquin River Club. We are a Membership community and these plans for a cell tower on our land were made by our Board of Directors with no inclusion of the Membership.

I understand that this is an internal problem, but we were asked to make our recommendations and comments on this project known so let it be known that for the above stated reason I do not want this project to go forward. Thank you, Beverly A Plummer, Member of The San Joaquin River Club

Get BlueMail for Android

Arroyo, Nancy [CDD]

From: monica smith <monicasmith2020@gmail.com>
Sent: Thursday, August 31, 2023 8:57 PM
To: Arroyo, Nancy [CDD]
Subject: Cell tower at 30000 kasson rd. Tracy ca

Ms. Arroyo,

My name is Monica Smith and I am a member of the San Joaquin River Club. I am writing to ask that the final approval on the tower be postponed.

We were not fully informed of the possible risks to our health or the explicit terms of the contract. The membership was not allowed a vote or to give input on such a huge undertaking and we did not give our consent. As additional landlords of the corporation of SJRC INC., we did not give the board of directors a power of attorney or proxy to decide on this issue for us.

The current SJRC President held an informal meeting last night 8/30/23 at 6:00pm where we as members were told we could ask questions. A representative from one of the companies involved with the tower contract was supposed to be at the meeting however he informed us that he could only attend by phone. This made it very difficult for us as members to adequately ask questions as well as it was very difficult for everyone to hear him.

We were not permitted to address the board but rather told we must submit our questions to the board for approval for our next monthly meeting. Unfortunately, our meeting will be after the deadline you posted on your letter to us which means we will not have the ability to address our concerns or the legal consequences of this contract with the board prior to your decision being made.

Please allow an emergency postponement of the application of approval so we can investigate this further and allow time for our attorney to review the information in its entirety.

One member was provided a copy of the contract on 8/17/2023, then the board provided us a copy at the town hall meeting last night. We have discovered discrepancies as well as changes in the contract after it was notarized, signatures from our former club president stating that he is the owner as well as the landlord to which he is neither, and we as members did not give him permission, consent, votes, or power of attorney to enter into this contract.

The board claims that they have talked about this deal for over two years yet the representative who spoke with us last night stated several times that they have been working on this deal for a year and at times he even stated less than a year.

Last night was the first time we as members/owners/landlords were not only furnished with the contract but able to speak about the project with the company.

Our community is full of full time residents with not only elderly individuals but children as well. The area in which they plan on placing the tower is approximately 120 feet away from the nearest home with other family residents not much further away. He claims that they should not be affected in any way yet would not provide evidence to support his claims that the tower is safe.

At the meeting last night several members asked the representative to disclose any and all hazards including RF levels however, he avoided answering the questions directly but rather said that there is no evidence of concerns.

We also brought up concerns about preventing potential accidents such as possible injuries if someone especially a child tries to climb the tower. We asked what measures they are taking to insure that the tower will not be accessible however he did not take our concerns seriously.

I apologize for the lengthy email however it is paramount that we have the ability in this matter as members/owners/landlords to take the necessary steps to ensure that our safety and wellbeing is being appropriately/legally represented by our board. As of current, we have not been provided full disclosure on this deal nor have we been provided the opportunity to vote on this per our bi-laws.

Thank you for your time.

Sincerely,

Monica Smith

209-612-6044

Arroyo, Nancy [CDD]

From: JASON SANTOS <santosjason7@aol.com>
Sent: Thursday, August 31, 2023 9:25 PM
To: Arroyo, Nancy [CDD]
Subject: 30000 Kasson rd Cell Tower

Good morning Nancy.

My name is Jason Santos, and live at 300000 Kasson Rd. I was notified 2 days ago, that there are plans to install a Cell tower, on the Property that I myself and others own. I do not authorize any cell tower to be put on our property, and the people who signed for it, has no legal right to have signed for it.

Please review all authorization for this project.

There are homes, right across the street from the purposed location.

The owners / Members, did not approve any of this, and plans to take legal action , if this project continues.

Thank you for your time.

From Jason Santos, 510-760-7759.

Santosjason7@aol.com.

San Joaquin County
Attn: Nancy Arroyo
PA-3200166 (A)

I am reaching out to you as a member/homeowner at the San Joaquin River Club Inc (member owned common interest development community) located at 30,000 Kasson Rd Tracy, CA 95304 regarding the application for permit submitted by Vertical Bridge.

First thing I would like to say is the San Joaquin River Club Inc is a nonprofit common interest development member owned established in 1939 with governing bylaws and resolutions. I don't feel comfortable this project is inline with our current guidelines for operation.

Please see governing resolution below.

JUNE 13, 1948 RESOLUTION TO PROHIBIT BORROWING FUNDS

Member Vern Newell presented the following resolution for adoption:

WHEREAS, the Club, i.e., San Joaquin River Club, Inc., was organized for pleasure and not pecuniary profit, and in its By-Laws did establish a well-defined program of development, coordinated with the funds

available and to become available from the sale of memberships and from other sources, and

WHEREAS, heretofore expenditures have been made and obligations have been incurred only from funds

available and on hand, and the aforesaid Club, happy and healthy, has been kept free and clear of indebtedness and obligations,

BE IT THEREFORE RESOLVED, that the Officers and Directors of this club, i.e., San Joaquin River Club,

Inc., be and they are, singularly and collectively, forever enjoined, restrained and prohibited from borrowing

any funds, or making any loans, or creating or establishing any indebtedness or obligations, for or on behalf

of this Club, in excess of funds on hand and available and unpledged or ear-marked for other purposes at the

time of such action, and further, that they be and hereby are, forever enjoined, restrained and prohibited from pledging and/or assigning any of the assets of this Club, except that any such loans, indebtedness,

obligations, pledges or assignments, may be made when first approved and authorized by THREE-FOURTHS (3/4) OF THE MEMBERS of said Club entitled to vote, represented in person or by proxy,

assembled in meeting, regular or special meeting, shall specifically state the amount of any proposed loan,

indebtedness, obligation, pledge or assignment, and the purpose for which the funds so to be received shall

be used. Upon a motion duly made, seconded and carried by a ballot count of 217 to 17, the motion was

adopted.

My strong opinion is that this project requires to be approved and authorized by THREE-FOURTHS (3/4) OF THE MEMBERS through a vote process, which never happened. Dan Diviney as president entered into contract as the Landlord of San Joaquin River Club Inc with Vertical Bridge without the required votes and approval of the other 600 members other than himself.

Sincerely appreciate you patients as we look into a remedy to resolve this situation.

Lisa Fowler
30,000 Kasson Rd #249
Tracy, CA 95304
(house 2H11 Lakeside Rd)
1(209)954-2805

Arroyo, Nancy [CDD]

From: John Prime <primetimejohn73@yahoo.com>
Sent: Monday, September 11, 2023 7:31 PM
To: Arroyo, Nancy [CDD]
Subject: PA-2300166(A)

Hi Nancy. My name is John Prime and I am a 27 year member of the San Joaquin River Club. It has been brought to my attention that there may be fraudulent actions that have been involved in this telecommunications tower project. The members as a whole have not been informed of most of the details of the contract. It is also my understanding that there was paperwork signed by a CEO/CFO of the SJRC. There is NOT a CEO/CFO of the SJRC. I respectfully ask you to NOT approve this application. There needs to be transparency with the entire SJRC membership. Thank you for your consideration. John Prime.

Sent from Yahoo Mail for iPhone

Arroyo, Nancy [CDD]

From: Terri Brown <terri@aimsforthefuture.com>
Sent: Wednesday, September 13, 2023 1:17 PM
To: Arroyo, Nancy [CDD]
Subject: San Joaquin River Club

Hello Mrs Arroyo,

My name is Terri and I am a member of the San Joaquin River Club. I have owned a home here for 26 plus years. I live here with my husband and children(both born and raised here). I am very concerned about the cell tower issues we are now just finding out about. I have had zero communication about what the plan is and I have to say I am not for it. Dan Diveny was a voted in board member who is no longer on the board. I not now nor have I ever given Mr Diveny permission to make such decisions for me or my family.

Please, I am asking you to put this matter on hold until we as a membership to figure out what legally we can do.

Thank you for your time
Terri Brown

Arroyo, Nancy [CDD]

From: crashh1968 <crashh1968@yahoo.com>
Sent: Wednesday, September 13, 2023 6:28 PM
To: Arroyo, Nancy [CDD]
Subject: San Joaquin River Club

Hello Nancy,

Im writing to you regarding what is going on in the San Joaquin River Club. I've lived here for 26 years and been coming out her since I was about 13 years old. Back then it was to visit my Grandfather and my Great Aunts and Uncles. For the past 26 years it's been my families home as well as my Moms, Sisters and Aunts & Uncles. I haven't ever seen such shadyness and sketchy behavior as I'm seeing now with the past board of directors and this Alligent cell phone place. Dan Diviny nor Gary Boswell have the authority to make decisions for us. All decisions are supposed to go up before the members for a vote. This did not, Dan can't make financial decisions for the club, he can not take out a loan or lease any of our property that goes against our bylaws.

I along with alot of other members are in fear of possibly losing our homes to this mess and its very scary. The board says we got letters that we didn't get, and are continously have board meetings that the members are not aloud to join. I beg you to please not let this go thru.

Thank you so much for your time,
Jacquie Forbess, associate member of the SJRC
209 834 6999
crashh1968@yahoo.com

Sent from my Verizon, Samsung Galaxy smartphone

Arroyo, Nancy [CDD]

From: martinjimmie399 <martinjimmie399@gmail.com>
Sent: Thursday, September 14, 2023 2:54 PM
To: Arroyo, Nancy [CDD]
Subject: SJRC INC

HiNancy

Club member 596H my name is Jimmie Martin I was a San Joaquin River Club board member and director from July 2019 to July 2023 and secretary from 2022 to 2023 I am writing this letter to you on the cell tower information changes no membership vote on subleasing contract at 30,000 Kasson Road the board as a whole did not have all the information and changes that we needed . 2 board members were put in charge of contract research and lawyers . we never got to see the final contract nor did the membership and no vote taken . I'm not against the cell tower I do not agree with the location and some of the facts and the full disclosure to the membership was not given or a vote taken by the membership for our bylaws it was a violation of our bylaws I did not give Dan Diviney or anyone else my proxy or power of attorney to vote or sign for me I was not aware of the letter dated April 26 2023 again Dan diviney is not our landlord he's a 1% share holder just like we all are

Thank you Jim L. Martin
209 407 9290

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone

Arroyo, Nancy [CDD]

From: failetracy@aol.com
Sent: Friday, September 15, 2023 12:49 PM
To: Arroyo, Nancy [CDD]
Subject: Regarding US-CA-5391

Dear Project Planner Nancy Arroyo,

My name is Alene Faile, I am a member here at the San Joaquin River Club Inc.
Recently our Board of Directors illegally made a Business contract with Assurance Development/Assurance Reality and Vertical Bridge BITS II LLC
Assurance Development filed an application with your department Community Development pertaining to tenant VB BITS II, LLC 750 Park of Commerce Drive suite 200 Boca Raton, Florida 33487.
I am writing to you because the Board of Directors have conducted an illegal business practice with the help of Assurance Development Company.
The illegal business practices the Board of Directors have taken are against our bylaws and against the Oath they took when after they were voted in July 2023, by the members of The San Joaquin River Club inc.
The Board of Directors never had a members vote on this Business transaction concerning the lease agreement Dan Diviney signed on April 25, 2023.
*Our Bylaws also state all Business decisions have to be approved by vote of members having a 3/4 % of membership in attendance held at a townhall meeting.
*see attachment
No Townhall meeting for a vote by membership ever took place.
Only up until this month or so the lease contract was revealed to members, it was not only caught off by surprise but, it was very disheartening.
The deceitful handling by our Board of directors was blatant corruption, purposely misleading verbal information from the beginning to members at Board meetings around about July 2022 to about September 2023.
At a early September 2023 special meeting conducted by our Board President Jeremy Levin was held. Because, a high membership pushback regarding the lease contract, many members wanted answers.
Unfortunately The Board of Directors and Assurance Development representative (on phone) , were not totally forthcoming to members concerning this contract lease recently laid at our feet.
The health risks were addressed and many members were pleased in that aspect but many members were still concerned with how the wording in the contract was done and how members were not allowed a proper vote on it.
I did not vote yes for this lease contract.
I was never given a chance to vote on it.....period.
I wasnt allowed to review the lease contract before it was signed by Dan Diviney then President of Board of Directors and currently seated as member of the Board of Directors.

My voice matters, my decision was taken from me illegally and the Cell Tower application has to be not only denied but investigated by the County or FCC/FTC.
I will be reaching out to FCC/FTC to file a complaint and ask for an investigation into this illegal lease contract.
Please consider my request for this Cell Tower Application site number US-CA-5391 to be denied.

Thank you for your consideration
Respectfully Submitted
Arlene Lily Faile
Member 378D
30000-17 Kasson Rd
Tracy Ca 95304

Homesite: 1A110 Redwood Dr.
Tracy Ca 95304
1(209)200-2550

Sent from AOL on Android

Arroyo, Nancy [CDD]

From: Dorothy Womack <riverclublady@gmail.com>
Sent: Sunday, September 3, 2023 3:57 PM
To: Arroyo, Nancy [CDD]
Cc: Rickman, Robert [BOS]
Subject: Application Number PA-2300166 (A)

This is a request for delay in the above application from Vertical Bridge.

At this time San Joaquin River Club is not in a position to go forward based on my concerns as follows;

1. There has not been a financial plan put into place to protect the club from Assurance Development, a acquisition company. Our club board has not researched costs or the effect this would have on our non-profit status. When questioned in a townhall meeting, Dan Diviney, the signer of the contract stated, "we will just pay more taxes." This was the only answer to a financial plan as the board admitted not having one in place. We are a very special community that over the years has afforded to allow low cost housing. If we should lose this to the lack of planning several families, the majority low income and senior citizens would be forced out of their homes. A state concerned about homeless may be adding to another housing situation.

2. I also did not find any information on Seismic studies. Several homes are in the direct path of this proposed 100 foot tower which could fall on their homes along with a high traffic intersection that is a thoroughfare for school busses, emergency vehicles and heavy commute traffic. Lives are at risk without the knowledge or study of the ground stability.

3. A report is being forwarded to the Secretary of State with concerns regarding proper notary procedures.

As this email indicates the San Joaquin River Club has issues that need to be resolved. Therefore it is respectfully requested a delay of at least one calendar year be granted.

Sincerely,

Dorothy Womack

Member 96H

San Joaquin River Club

209-606-4165

Arroyo, Nancy [CDD]

From: Daryl Reese <daryl@darylreeselaw.com>
Sent: Wednesday, October 11, 2023 9:05 AM
To: Arroyo, Nancy [CDD]
Cc: 'Monica Smith (Work)'; Zachary Stephens; Ashley Crosland
Subject: RE: Cell tower at 30000 kasson rd. Tracy ca

Hi Nancy,

On behalf of our client, we will be requesting that the County deny the application for the cell tower at 30000 Kasson Rd in Tracy due to the lack of corporate authority to file the request with the County and to enter the contract in the first place.

The bylaws of the corporation restrict the corporation's authority regarding its purpose, and renting land to a third-party is not permitted. In addition, the application to the County includes a significant misrepresentation from the applicant, who did not have the corporate authority to sign on behalf of the corporation, nor to represent that he was the property owner.

In light of the above, can you please provide me with the appropriate contact information at County Counsel's office so that I can communicate our objection directly to that person?

Thank you,
Daryl

Note: I will be out of the office and unavailable from October 16 through October 27.

~~~~

Daryl J. Reese  
Attorney at Law



3843 Brickway Blvd. Ste 204  
Santa Rosa, CA 95403  
(707) 858-5000 phone  
(707) 851-0858 fax  
[daryl@darylreeselaw.com](mailto:daryl@darylreeselaw.com)  
<https://darylreeselaw.com>

NOTICE: The information contained in (and attached to) this e-mail is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney/client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient, then you received this e-mail and any attachment in error, and any review, dissemination, distribution, or copying of this message is strictly prohibited. If you received this communication in error, then please notify us immediately by reply e-mail, and delete the original message, including each attachment.

This email provides only general legal information, and not specific legal advice. Information contained in any email is not a substitute for a personal consultation with an attorney. This message does not provide any legal advice,

**Arroyo, Nancy [CDD]**

---

**From:** Craig Koloske <craigotime@gmail.com>  
**Sent:** Thursday, October 12, 2023 11:12 AM  
**To:** Arroyo, Nancy [CDD]  
**Subject:** Application No: PA-2300166 (A)

Good morning Nancy.

I am a member of the San Joaquin River Club, Inc., where the proposed Telecommunications Tower is to be located per the application number referenced.

I have a home located directly across from said tower. According to the parcel map, it shows the distance from tower to house property line to be 131', 4". My site/lot is 2Q5 Saratoga Rd if that is referenced anywhere.

I am interested in the following information if it is available:

1. Safety data (including potential health effects) as it relates to the proximity of my home and the tower.
2. Whether the tower is using transmitters, receivers, or both, and how many of each.
3. Drawings showing the planned "direction" of both transmitters and/or receivers.
4. Planned power transmission or "RF energy" (typically stated in MHz).

A current resident in my home is currently undergoing cancer treatments. It's important that they understand the risks associated with this tower, and any other resident within proximity where personal health and safety is at stake.

Thank you.  
Craig Koloske

**Arroyo, Nancy [CDD]**

---

**From:** Donna Barbera-Diaz <dlbarberadiaz@gmail.com>  
**Sent:** Tuesday, November 7, 2023 12:32 PM  
**To:** pcrecords [CDD]  
**Subject:** PA-2300166 San Joaquin River Club c/o Vertical Bridge unmanned Telecommunication Tower

To Whom It May Concern:

I am not in favor of the approval of the aforementioned cell tower construction. The agreement was entered into without the approval of the members of the San Joaquin River Club in its entirety.

Mr. Dan Diviney was the President at the time of signing the contract but was never the "owner" therefore not having the authority to approve such agreement. Unless this proposed contract is subject to a vote of all the members of the corporation it should not go forward at all.

Respectfully submitted,

Donna L. Barbera-Diaz 745D  
1% owner in the San Joaquin River Club Corporation.  
30000 Kasson Rd #337  
Tracy, CA 95304

**Arroyo, Nancy [CDD]**

---

**From:** Lisa Fowler <fowlerlisa7@gmail.com>  
**Sent:** Thursday, November 9, 2023 10:14 AM  
**To:** pcrecords [CDD]  
**Subject:** PA-3200166 (A) San Joaquin River Club

San Joaquin County

Attn: Planning Commission

PA-3200166 (A)

I Lisa Fowler (Membership #071G House 2H11 Lakeside Drive) and Randy Fowler (Membership #192F House 4D12 Coconing) are shareholders of the San Joaquin River Club Inc and its land(411 acres/1 parcel of land).

The San Joaquin River Club is a Nonprofit Mutual Benefit Corporation with last I checked 600 shareholders in the corporation. All shareholders are equal meaning no one shareholder has any more shares, nor the authority to enter into any obligation without 75% of the shareholders vote. Period...

As shareholders we knew nothing about this project until receiving the first letter from the County, so let us both go on record "As shareholders we didn't approve nor authorize this contract".. If this goes through we will be forced to filing lawsuits against all parties involved that have been made aware of this since my first letter sent September 1, 2023

Please confirm you have received this email.

Lisa & Randy Fowler

1(209)954-2804

February 28, 2024

Dear County Supervisors Planning Commission,

This letter is regarding a memorandum from San Joaquin County Community Planning Development on November 8, 2023 stating Administrative use permit no. PA-2300166 of San Joaquin River Club inc. (c/o Vertical Bridge) has been removed from the November 16, 2023 planning commission agenda.

The permit PA- 2300166 ( US CA 5391) that has been deferred must be denied and no longer to be considered, reviewed or allowed any revisions.

The San Joaquin River Club inc. is a Non- profit Mutual Benefit Corporation established in January 4, 1939 with The State of California Department of State (0178159).

The San Joaquin River Club inc. Articles of Incorporation clearly state ...."The Corporation is a Corporation which does not contemplate pecuniary gain or profit to the members thereof."

The San Joaquin River Club inc. Board of Directors that filed along with Vertical Bridge signed and filed an application with an illegal contract.

The San Joaquin River Club inc. Board of Directors members involved with the application and illegal contract should never have exercised any power or authority nor should they have ever directly or indirectly engaged in any activity that would prevent the corporation from qualifying and continue to qualify as a corporation (0178159) described in Section 501 (c) (3) of the Internal Revenue Code of 1954.

Non-profit Mutual Benefit Corporation entity status is to have its mission to serve its members and not the public.

The San Joaquin County Community Development Planning Commission from the start should of factored in The San Joaquin River Club inc. Corporations tax status and denied the application (US-CA-5391). The permit (PA-2300166) must be retracted.

Thank you for your consideration

Respectfully Submitted

Arlene Lily Faile

San Joaquin River Club inc. Shareholder

Member #378D

RECEIVED

MAR 04 2024

San Joaquin County  
Community Development

C/c Ron Freitas District Attorney  
& San Joaquin River club inc. Board of Directors.

**Arroyo, Nancy [CDD]**

---

**From:** pcrecords [CDD]  
**Sent:** Wednesday, May 29, 2024 2:17 PM  
**To:** Arroyo, Nancy [CDD]  
**Subject:** FW: Public comment on PA-2300166 (Cell tower at 30,000 Kasson Rd. Tracy, CA)

**From:** Gary Boswell <gdboswell21@gmail.com>  
**Sent:** Wednesday, May 29, 2024 12:57 PM  
**To:** pcrecords [CDD] <pcrecords@sjgov.org>  
**Subject:** Public comment on PA-2300166 (Cell tower at 30,000 Kasson Rd. Tracy, CA)

San Joaquin County Planning Commission,

I want to express my opinion in favor of the cell tower to be located at 30,000 Kasson Rd. Tracy, CA. The tower will be a huge benefit to the San Joaquin River Club community as well as the surrounding rural area. We are a small community with 411 homes and it will improve our cell coverage tremendously. You will hear from those opposed to the tower, indicating the contract is not perfect and that our community did not vote on the matter. The fact is, our board of directors presented the project to our members in our open session of board meetings and held a town hall type meeting explaining the ins and outs to those members who chose to attend. Please vote in favor of our tower.

Thank you,

Gary Boswell,

San Joaquin River Club Member

**Arroyo, Nancy [CDD]**

---

**From:** pcrecords [CDD]  
**Sent:** Thursday, May 30, 2024 1:21 PM  
**To:** Arroyo, Nancy [CDD]  
**Subject:** FW: Public Comment re: Administrative Use Permit no. PA-2300166 of San Joaquin River Club Inc.

**From:** Donna Barbera-Diaz <dlbarberadiaz@gmail.com>  
**Sent:** Thursday, May 30, 2024 12:29 PM  
**To:** pcrecords [CDD] <pcrecords@sjgov.org>  
**Subject:** Public Comment re: Administrative Use Permit no. PA-2300166 of San Joaquin River Club Inc.

I am a resident at the San Joaquin River Club. The total number of homes in this AG40 property is more than 400 homes. It was noted that the PA-2300166 stated known residential uses but not to the breath of more than 400 homes. This residential AG40 property is governed by a corporation. Each member is a 1% owner and major changes and obligations are required to be presented to the membership and voted on. This contract was entered into fraudulently by the Board of Directors and signed by Dan Diviney as "owner".  
Legal counsel has been secured to protect the rights of this membership. I ask that you decline the acceptance of this use permit based on the fact that it was fraudulently obtained. Ilf the membership is allowed to vote for this, then they can proceed if the membership wants it.  
Respectfully submitted,  
Donna L. Barbera-Diaz



## **Arroyo, Nancy [CDD]**

---

**From:** pcrecords [CDD]  
**Sent:** Monday, June 3, 2024 10:32 AM  
**To:** Arroyo, Nancy [CDD]  
**Subject:** FW: Pa-2300166 san joaquin river club cell tower application

**From:** billyd84 <billyd84@yahoo.com>  
**Sent:** Saturday, June 1, 2024 3:26 AM  
**To:** pcrecords [CDD] <pcrecords@sjgov.org>  
**Subject:** Pa-2300166 san joaquin river club cell tower application

Hello and thank you for your time, I am a life long resident here at the san joaquin river club and would like to voice my concerns on this proposed project. A 100 ft tall monopole telecommunications tower erected upon our property would not only create an eyesore for our community and all passerby commuters but it would also be seen from the historic san joaquin city ca historic landmark #777 which is directly across the street from the proposed site, it would impose upon our lake views and view of altamont hills disrupt our family recreation area it is not compatible with the existing land usage and club, park and landmark, and break many regulations with not only a negative visual impact, non compatibility with existing land usage, and negative impacts on the welfare of general public the wild life and the community around it, but negatively lowering property values in area, there is a couple inhabited homes about 200 ft away from proposed site, it would be Erected in a flood zone where the road just collapsed last year swallowing 2 cars and causing much havoc, aquafir is directly underneath unsettled land, and right next to the river and a historic landsite, one that is a very important part of our history in the san joaquin valley and county, which in turn would be detrimental to the general public and ever growing city of tracy and surrounding city's building out this way. The weight benefit of merely improving an existing coverage against the negative aesthetic impact the tower would cause does not add up. It should be erected in a commercial area or over by the shooting range about a mile up the road, and nowhere near the historic cite of san joaquin city, or anywhere inside our beautiful almost 100 year old san joaquin river club. I frequently ride bikes with my kids over looking our lakes in the very spot it's to be erected, it would strip that from us, you would see it from sitting down at the lake benches recreation area destroying our beautiful view of preserved nature, you would see it from kasson rd as you enter our club greeted by an unsightly unneeded cell tower, being a longtime member of this club whos great grandfather was a charter member in 1942 grandparents and father were also members, I was never asked to vote on this topic, it was kept "hush" from majority of our members which doesnt make sense to me, my cell phone works fine as it is now there's no gap in service here nor see a need to diminish our beauty for a "couple more bars of service" the tower does not belong in this area of land nor does the club need whatever leasing payment for its negative impacts, upon all of us and many generations to come, please deny this application for reasons stated I can think of 100 more reasons and regulations stopping this, it is not exempt and is not permitted, and will destroy the value in property and future development in area, and create a visual nuisance negatively effecting usage of our non profit recreation club and the historically cited land ca #777 across the street As well as the river activities within eyesight. Thank you for consideration and your time it is much appreciated

Yours truely,  
Bill dias

Sent via the Samsung Galaxy Note8, an AT&T 5G Evolution capable smartphone

**From:** [Robin Bell White](#)  
**To:** [pcrecords \[CDD\]](#)  
**Cc:** [Arroyo, Nancy \[CDD\]](#); [Jolley, Jennifer \[CDD\]](#); [King, Corinne \[CDD\]](#)  
**Subject:** July 18 Community Meeting RE: ADMINISTRATIVE USE PERMIT NO. PA-2300166 OF SAN JOAQUIN RIVER CLUB INC. (C/O VERTICAL BRIDGE AND ASSURANCE DEVELOPMENT)  
**Date:** Saturday, July 6, 2024 12:45:06 PM

---

Hello,

I am writing this letter to register my EXTREME OPPOSITION to the cell tower land acquisition deal between the San Joaquin River Club, Inc., Vertical Bridge, Assurance Development and Barclays Bank aka ADMINISTRATIVE USE PERMIT NO. PA-2300166.

And let's just call it what it is. This is a land acquisition deal for our 422+ acre parcel of land located at 30,000 Kasson Rd, Tracy California 95304, and not just for the proposed cell tower site. The land acquisition will not just stop at the corner of Airport and Kasson roads where they plan to locate the cell tower. These are 50-year contracts where Vertical Bridge, Assurance Development, and Barclays Bank have all rights to encroachments, easements and basically anything they want without the shareholders of the San Joaquin River Club Inc. being able to cancel or exit the contracts at any time within those 50 years, and possibly longer. These contracts give Vertical Bridge, Assurance Development, and Barclays Bank complete control over part of or all of our parcel of land, which is jointly owned by the shareholders of the San Joaquin River Club corporation, (not just Dan Diviney,) for 50 years without the consent, approval or vote of the shareholders.

First, the San Joaquin River Club, Inc is a mutual benefit non-profit corporation and the previous Board of Directors had no legal authority to enter into the contracts with Vertical Bridge and Assurance Development, and Barclays Bank without a full vote of the Shareholders aka "members".

Gary Boswell, Jeff Wagner, and Dan Diviney, along with others, acted mostly in secret to push this deal through without the knowledge, approval, consent, or vote of the Shareholders of the SJRC corporation as required by our By-Laws, Articles of Incorporation and California Corporations Code. They committed corporate fraud, real estate fraud and bank fraud. They also failed in their fiduciary duty to do what is in the best interest of the shareholders.

Gary Boswell has publicly admitted that he brought the deal to the previous Board of Directors. Jeff Wagner has publicly admitted to negotiating the terms of the deal for Gary Boswell. Dan Diviney signed the contracts as "Owner" of the property located at 30000 Kasson Rd, Tracy CA 95304. Dan Diviney is NOT the owner of this property. We, the shareholders and members, each own one equal share and we were not allowed to decide or vote on if we wanted this deal at all. We were not sent copies of the contracts for our review and approval. Our rights as shareholders were ignored because Gary Boswell, Jeff Wagner, Dan Diviney and others thought they knew better and most likely received some sort of incentive to sign the contracts. This was an obvious financial deal on their part. Stanley Price, who was "elected" to the Board of Directors last July after his part in this last April, notarized the fraudulent contracts without seeing the actual documents he was notarizing.

These contracts very heavily benefit Vertical Bridge, Assurance Development and Barclays Bank. The SJRC Corporation would be locked into 50-year contracts with no way for us to cancel them. Only Vertical Bridge, Assurance Development or the lender Barclays Bank can

cancel the contracts. These contracts were signed less than 3 months before our annual elections where we could have and absolutely should have been given the opportunity to vote on them and to decide whether or not we wanted a cell tower on our property. We were not allowed this option. We were not informed of these contracts until we received the initial letter from the San Joaquin County Community Development Department informing us of this application last year.

The SJRC corporation supposedly received \$5,000 for these contracts. The question is, where is the rest of the money? These companies have paid hundreds of thousands to millions of dollars to put a cell tower on someone's property. Where is the rest of the money? Below is just one example of financial incentives to place cell towers on certain properties. The Detroit Public Schools got \$6.8 million for 15 towers on their school properties. That is \$453,333 per tower. Again, where is the rest of the money that should have gone to the corporation and the shareholders?

[https://childrenshealthdefense.org/defender/detroit-schools-get-millions-from-cell-tower-company/?utm\\_source=luminate&utm\\_medium=email&utm\\_campaign=defender&utm\\_id=20240621](https://childrenshealthdefense.org/defender/detroit-schools-get-millions-from-cell-tower-company/?utm_source=luminate&utm_medium=email&utm_campaign=defender&utm_id=20240621)

Second, the fact that Vertical Bridge and Assurance Development are requesting a Class 3 Exemption to California Code of Regulations, Title 14, Section 15303 is ridiculous. This project does not meet the criteria listed for such an exemption. Cell towers are not small structures and this will not be in an urbanized area. Despite purposefully being zoned Ag40, this is a small community rural residential area and the proposed cell tower will be within 100 feet of homes where people live year round. Some of these people are elderly with chronic diseases including cancer. There is extensive evidence that these cell towers DO have a detrimental effect on the environment and that the electromagnetic radiation has a seriously negative effect on humans, animals, and all life within the vicinity. The FCC has not updated it's safety guidelines for electromagnetic radiation since 1996 and they have been instructed to do so by the United States Supreme Court in 2021. To this date they have not. Therefore any safety data used by Vertical Bridge, Assurance Development or Barclays Bank is outdated by almost 30 years. These are just a few examples of the information available.

[https://childrenshealthdefense.org/legal\\_justice/chd-successfully-challenges-the-fccs-outdated-wireless-radiation-exposure-guidelines/](https://childrenshealthdefense.org/legal_justice/chd-successfully-challenges-the-fccs-outdated-wireless-radiation-exposure-guidelines/)

<https://bioinitiative.org/>

<https://ehtrust.org/?emci=492cd47d-661c-ee11-a9bb-00224832eb73&emdi=8f232253-f43a-ef11-86d2-6045bdd9e096&ceid=19842803>

<https://ehtrust.org/why-electrohypersensitivity-ehs-is-a-biologically-expected-reaction-to-harmful-radiation/>

<https://mn.childrenshealthdefense.org/newsletters/april-newsletter-microwave-sickness-emr-exposure>

<https://expose-news.com/2024/03/12/health-impacts-of-electromagnetic-fields-emf/>

[https://open.substack.com/pub/francesleader/p/the-invisible-third-world-war-by?utm\\_source=share&utm\\_medium=android&r=b6yjj](https://open.substack.com/pub/francesleader/p/the-invisible-third-world-war-by?utm_source=share&utm_medium=android&r=b6yjj)

[https://open.substack.com/pub/francesleader/p/all-my-substack-articles-on-emfc19?utm\\_source=share&utm\\_medium=android&r=b6yjj](https://open.substack.com/pub/francesleader/p/all-my-substack-articles-on-emfc19?utm_source=share&utm_medium=android&r=b6yjj)

I am making a formal request that this application be denied due to the the fact that these contracts were entered into fraudulently and are in reality a land acquisition deal. The shareholders, other than the previous board of directors, did not consent to, approve, or vote for this land deal or cell tower. And again, where is the rest of the money and who received it?

I am also requesting that this application be denied due to the well-documented adverse health and environmental effects of these cell towers. I have provided a few links and can provide many more. These things are dangerous to humans, pets, birds, wildlife and even insects such as bees. Bees are extremely important to agriculture especially in this area, and without them we would have no food.

If this application is approved and these contracts/deals are allowed to move forward, our small rural community could be destroyed. Over 1,000 people could lose their homes. The San Joaquin River Club is considered an indigent community by San Joaquin County. Many of the people who live here are low income, have families with children, are elderly, in poor health and have nowhere else to go. It seems that some on our previous and current board of directors may be benefitting financially by entering into these contracts fraudulently with Vertical Bridge, Assurance Development, and Barclays Bank.

Please unanimously REJECT and DENY the Administrative Use Permit Application PA-2300166 for Vertical Bridge and Assurance Development. This cannot be allowed to move forward.

Thank you for your time.  
Sincerely,

Robin Bell White  
BA, RVT

P.S. This is the person that signed the Assurance Development contract - Shafeeq Shamsid-Deen.  
Arrested for Felonies Against Children.

<https://nypost.com/2017/09/14/principal-accused-of-locking-5-year-old-student-in-closet-with-spiders-and-roaches/>

<https://www.dailymail.co.uk/news/article-4881626/Louisiana-principal-locked-child-closet-warrant.html>

<https://www.wbrz.com/news/school-principal-accused-of-locking-5-year-old-in-closet-suspended/>

<https://www.wafb.com/story/36646778/new-charges-surface-for-former-principal-accused-of-locking-children-in-closet/>

[https://www.theadvocate.com/baton\\_rouge/news/crime\\_police/former-principal-accused-of-locking-two-students-in-closet-according-to-arrest-warrants/article\\_5581e3ba-b5d2-11e7-83bb-3f4be17d8db9.html](https://www.theadvocate.com/baton_rouge/news/crime_police/former-principal-accused-of-locking-two-students-in-closet-according-to-arrest-warrants/article_5581e3ba-b5d2-11e7-83bb-3f4be17d8db9.html)

<https://www.wafb.com/story/36376329/principal-accused-of-locking-5-year-old-in-closet-released-after-posting-50k-bond/>

<https://ca.cair.com/losangeles/member/shafeeq-shamsid-deen/>

<https://lusk.usc.edu/membership/people/shafeeq-shamsid-deen-jr>

**From:** [pcrecords \[CDD\]](#)  
**To:** [Arroyo, Nancy \[CDD\]](#)  
**Subject:** FW: Project PA-2300166  
**Date:** Monday, July 8, 2024 2:45:30 PM

---

---

**From:** Donna Barbera-Diaz <dibarberadiaz@gmail.com>  
**Sent:** Sunday, July 7, 2024 12:09 PM  
**To:** pcrecords [CDD] <pcrecords@sjgov.org>  
**Subject:** Project PA-2300166

Attn: Board of Supervisors

The aforementioned Project for a cell tower on San Joaquin River Club was fraudulently procured. The Corporation was not offered a vote to determine if we wanted a cell tower or not. The terms of this contract take the first right of refusal from the shareholders for eminent domain and give it to the tower company. Besides the refusal to allow the corporation of shareholders to vote, the financial arrangement violates the bylaws that this corporation is run by. This land although states AG40 is the home to 416 homes and at least a minimum of 1000 people. Many of these people are elderly, disabled and financially could not live anywhere else. Many residents living directly across from the subject location of the cell tower have already experienced health issues of brain aneurysm and dementia. I ask the Board to deny this project and refer the cell company to reapproach the shareholders with a revised contract that meets our concerns.

Respectfully submitted,

Donna L. Barbera Diaz  
2C24 Elm Dr  
Tracy Ca. 95304

This page intentionally left blank



**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

### **Attachment E** **Telecommunication** **Tower Coverage**



This page intentionally left blank

# Before Telecommunication Tower Coverage



T-Mobile

T-Mobile Confidential

Slide 3

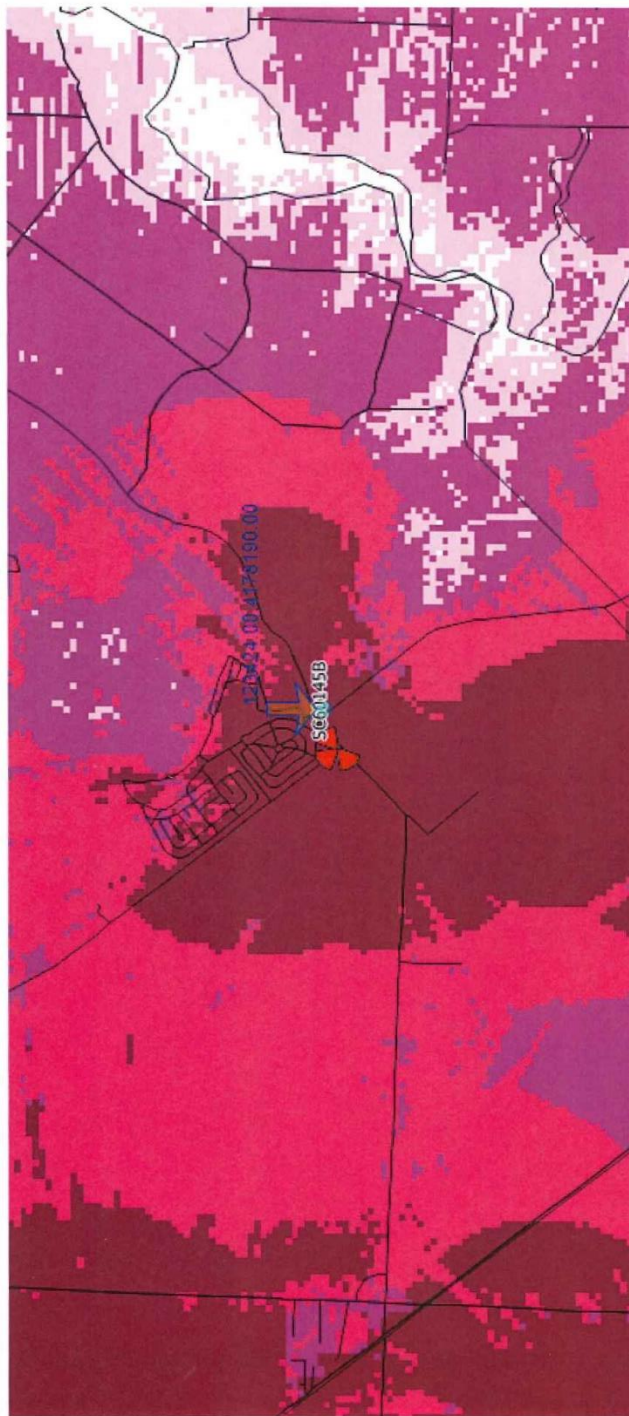
This page intentionally left blank

## After Telecommunication Tower Coverage

Legend

| Minimum | Maximum | Label | Color |
|---------|---------|-------|-------|
| -114    | -107    | 4     |       |
| -107    | -97     | 3     |       |
| -97     | -88     | 2     |       |
| -88     | 0       | 1     |       |

SC60145B ON AIR @ 95' RC, 50/230/320 Degrees Azimuth



Slide 4

T-Mobile Confidential

T-Mobile

This page intentionally left blank.



**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

### **Attachment F** **Radio Frequency** **Exposure Report**

This page intentionally left blank.



**Vertical Bridge • Site No. US-CA-5391  
T-Mobile West LLC • Proposed Base Station No. SC60145B  
30000 Kasson Road • Tracy, California**

**Statement of Hammett & Edison, Inc., Consulting Engineers**

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained by Vertical Bridge, a wireless telecommunications facilities provider, to evaluate the T-Mobile West LLC base station (Site No. SC60145B) proposed to be located near 30000 Kasson Road in Tracy, California, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

**Executive Summary**

T-Mobile proposes to install antennas on a tall pole to be sited near 30000 Kasson Road in Tracy. The proposed operation will comply with FCC guidelines limiting public exposure to RF energy.

**Prevailing Exposure Standard**

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. 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. The most restrictive limit for exposures of unlimited duration at several wireless service bands are as follows:

| Wireless Service Band              | Transmit Frequency | “Uncontrolled” Public Limit | Occupational Limit (5 times Public) |
|------------------------------------|--------------------|-----------------------------|-------------------------------------|
| Microwave (point-to-point)         | 1–80 GHz           | 1.0 mW/cm <sup>2</sup>      | 5.0 mW/cm <sup>2</sup>              |
| Millimeter-wave                    | 24–47              | 1.0                         | 5.0                                 |
| Part 15 (WiFi & other unlicensed)  | 2–6                | 1.0                         | 5.0                                 |
| C-Band                             | 3,700 MHz          | 1.0                         | 5.0                                 |
| CBRS (Citizens Broadband Radio)    | 3,550              | 1.0                         | 5.0                                 |
| BRS (Broadband Radio)              | 2,490              | 1.0                         | 5.0                                 |
| WCS (Wireless Communication)       | 2,305              | 1.0                         | 5.0                                 |
| AWS (Advanced Wireless)            | 2,110              | 1.0                         | 5.0                                 |
| PCS (Personal Communication)       | 1,930              | 1.0                         | 5.0                                 |
| Cellular                           | 869                | 0.58                        | 2.9                                 |
| SMR (Specialized Mobile Radio)     | 854                | 0.57                        | 2.85                                |
| 700 MHz                            | 716                | 0.48                        | 2.4                                 |
| 600 MHz                            | 617                | 0.41                        | 2.05                                |
| [most restrictive frequency range] | 30–300             | 0.20                        | 1.0                                 |

**General Facility Requirements**

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios”) that are connected to the traditional wired telephone lines, and the antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. Because of the short



**HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

©2023

(September 14, 2023) X8XD  
Page 1 of 3



**Vertical Bridge • Site No. US-CA-5391**  
**T-Mobile West LLC • Proposed Base Station No. SC60145B**  
**30000 Kasson Road • Tracy, California**

wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

**Computer Modeling Method**

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). This methodology is an industry standard for evaluating RF exposure conditions and has been demonstrated through numerous field tests to be a conservative prediction of exposure levels.

**Site and Facility Description**

Based upon information provided by Vertical Bridge, including drawings by Assurance Development, dated June 28, 2023, T-Mobile proposes to install twelve directional panel antennas – three CommScope Model FFVV-65C-R3-V1, three Ericsson Model AIR6419, and six\* antennas for future operation – on a 100-foot steel pole to be sited on the undeveloped parcel about 180 feet north of Kasson Road at its intersection with Durham Ferry Road in Tracy, about ½ mile south of the San Joaquin River Club at 30000 Kasson Road. The CommScope and Ericsson antennas would employ 2° and up to 19° downtilt, respectively, would be mounted at an effective height of about 95 feet above ground, and would be oriented† in identical groups of four toward 50°T, 230°T, and 320°T. The maximum effective radiated power in any direction would be 27,730 watts, representing simultaneous operation at 8,900 watts for BRS,‡ 6,200 watts for AWS, 8,140 watts for PCS, 950 watts for 700 MHz, and 3,540 watts for 600 MHz service. Also proposed to be located on the pole, at an effective height of about 90 feet above ground, is a microwave "dish" antenna, for interconnection of this site with others in the T-Mobile network. There are reported no other wireless telecommunications base stations at the site or nearby.

\* It is recommended that the RF exposure conditions be re-evaluated for compliance with FCC limits at such time as these antennas are to be put into service.

† Based on information received from T-Mobile subsequent to the date of the drawings.

‡ T-Mobile reports maximum effective radiated power in this band of 37,100 watts, to which a duty cycle of 75% is applied; a statistical factor of 32% is also included, to account for spatial distribution of served users, based on the United Nations International Telecommunication Union ITU-T Series K, Supplement 16, dated May 20, 2019.



**HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

©2023

(September 14, 2023) X8XD  
Page 2 of 3

**Vertical Bridge • Site No. US-CA-5391**  
**T-Mobile West LLC • Proposed Base Station No. SC60145B**  
**30000 Kasson Road • Tracy, California**

**Study Results**

For a person anywhere at ground, the maximum RF exposure level due to the proposed T-Mobile operation, including the contribution of the microwave dish, is calculated to be 0.017 mW/cm<sup>2</sup>, which is 2.2% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building<sup>§</sup> is 2.0% of the public exposure limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

**No Recommended Mitigation Measures**

Due to their mounting height, the T-Mobile antennas would not be accessible to unauthorized persons, and so no measures are necessary to comply with the FCC public exposure guidelines. It is presumed that T-Mobile will, as an FCC licensee, take adequate steps to ensure that its employees or contractors receive appropriate training and comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves.

**Conclusion**

Based on the information and analysis above, it is the undersigned’s professional opinion that operation of the base station proposed by T-Mobile West LLC near 30000 Kasson Road in Tracy, California, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

**Authorship**

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration No. E-23220, which expires on June 30, 2024. This work has been carried out by him or under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



Manas S. Reddy, P.E.  
707/996-5200

September 14, 2023

<sup>§</sup> Located at least 160 feet away, based on the drawings.



**HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

©2023



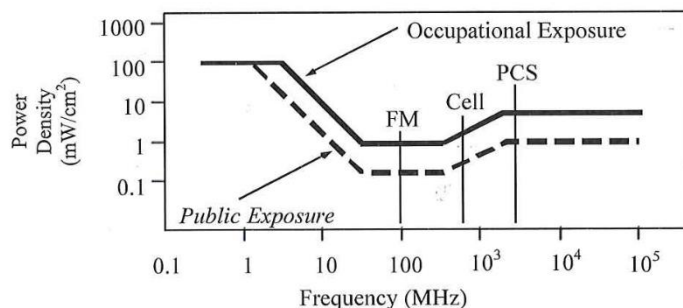
(September 14, 2023) X8XD  
Page 3 of 3

## FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers IEEE C95.1-2019, "Safety Levels with Respect to Human Exposure to Electric, Magnetic, and Electromagnetic Fields, 0 Hz to 300 GHz," includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

| Frequency<br>Applicable<br>Range<br>(MHz) | Electromagnetic Fields (f is frequency of emission in MHz) |                |                                     |               |                                                                |                          |
|-------------------------------------------|------------------------------------------------------------|----------------|-------------------------------------|---------------|----------------------------------------------------------------|--------------------------|
|                                           | Electric<br>Field Strength<br>(V/m)                        |                | Magnetic<br>Field Strength<br>(A/m) |               | Equivalent Far-Field<br>Power Density<br>(mW/cm <sup>2</sup> ) |                          |
| 0.3 – 1.34                                | 614                                                        | <i>614</i>     | 1.63                                | <i>1.63</i>   | 100                                                            | <i>100</i>               |
| 1.34 – 3.0                                | 614                                                        | <i>823.8/f</i> | 1.63                                | <i>2.19/f</i> | 100                                                            | <i>180/f<sup>2</sup></i> |
| 3.0 – 30                                  | 1842/f                                                     | <i>823.8/f</i> | 4.89/f                              | <i>2.19/f</i> | 900/f <sup>2</sup>                                             | <i>180/f<sup>2</sup></i> |
| 30 – 300                                  | 61.4                                                       | <i>27.5</i>    | 0.163                               | <i>0.0729</i> | 1.0                                                            | <i>0.2</i>               |
| 300 – 1,500                               | 3.54√f                                                     | <i>1.59√f</i>  | √f/106                              | <i>√f/238</i> | f/300                                                          | <i>f/1500</i>            |
| 1,500 – 100,000                           | 137                                                        | <i>61.4</i>    | 0.364                               | <i>0.163</i>  | 5.0                                                            | <i>1.0</i>               |



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. Hammett & Edison has incorporated conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels in a computer program capable of calculating, at thousands of locations on an arbitrary grid, the total expected power density from any number of individual radio frequency sources. The program allows for the inclusion of uneven terrain in the vicinity, as well as any number of nearby buildings of varying heights, to obtain more accurate projections.



**HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

©2023

FCC Guidelines  
Figure 1



## RFE.CALC™ Calculation Methodology

### Assessment by Calculation of Compliance with FCC Exposure Guidelines

Hammett & Edison has incorporated the FCC Office of Engineering and Technology Bulletin No. 65 (“OET-65”) formulas (see Figure 1) in a computer program that calculates, at millions of locations on a grid, the total expected power density from any number of individual radio frequency sources. The program uses the specific antenna patterns from the manufacturers and allows for the inclusion of uneven terrain in the vicinity, as well as any number of nearby buildings of varying heights, to obtain accurate projections of RF exposure levels. The program can account for spatial-averaging when antenna patterns are sufficiently narrow, and time-averaging is typically considered when operation is in single-frequency bands, which require time-sharing between the base station and the subscriber devices.

OET-65 provides this formula for calculating power density in the far-field from an individual RF source:

$$\text{power density } S = \frac{2.56 \times 1.64 \times 100 \times \text{RFF}^2 \times \text{ERP}}{4 \times \pi \times D^2} \text{ in mW/cm}^2$$

where ERP = total Effective Radiated Power (all polarizations), in kilowatts,

RFF = three-dimensional relative field factor toward point of calculation, and

D = distance from antenna effective height to point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to reflections, assuming a reflection coefficient of 1.6 ( $1.6 \times 1.6 = 2.56$ ). This factor is typically used for all sources unless specific information from FCC filings by the manufacturer indicate that a different reflection coefficient would apply. The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density.

Because antennas are not true “point sources,” their signal patterns may not be fully formed at close distances and so exposure levels may be lower than otherwise calculated by the formula above. OET-65 recommends the cylindrical model formula below to account for this “near-field effect”:

$$\text{power density } S = \frac{180}{\theta_{\text{BW}}} \times \frac{0.1 \times P_{\text{net}}}{\pi \times D \times h} \text{ in mW/cm}^2$$

where  $P_{\text{net}}$  = net power input to antenna, in watts,

$\theta_{\text{BW}}$  = half-power beamwidth of antenna, in degrees,

D = distance from antenna effective height to point of calculation, in meters, and

h = aperture height of antenna, in meters.

The factor of 0.1 in the numerator converts to the desired units of power density.

OET-65 confirms that the “crossover” point between the near- and far-field regions is best determined by finding where the calculations coincide from the two different formulas, and the program uses both formulas to calculate power density.



**HAMMETT & EDISON, INC.**  
CONSULTING ENGINEERS  
SAN FRANCISCO

©2023

Calculation Methodology  
Figure 2

This page intentionally left blank.



**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

### **Attachment G** **Notice of Exemption**

This page intentionally left blank.



**NOTICE OF EXEMPTION**

TO: ☒ Office of Planning & Research  
P. O. Box 3044, Room 212  
Sacramento, CA 95812-3044

☒ County Clerk, County of San Joaquin

FROM: San Joaquin County  
Community Development Department  
1810 East Hazelton Avenue  
Stockton, CA 95205

**Project Title:** Administrative Use Permit No. PA-2300166

**Project Location - Specific:** The project site is east side of S. Kasson Rd., 2,340 feet north of E. Durham Ferry Rd., east of Tracy. (APN/Address: 241-150-01 / 30000 Kasson Rd., Tracy) (Supervisory District: 5)

**Project Location - City:** Tracy

**Project Location - County:** San Joaquin County

**Project Description:** Administrative Use Permit application for a 100 feet monopole Telecommunication Tower with related equipment within a 2,046 square foot lease area unmanned facility.

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

**Project Proponent(s):** San Joaquin River Club, Inc. / Vertical Bridge

**Name of Public Agency Approving Project:** San Joaquin County Planning Commission

**Name of Person or Agency Carrying Out Project:** Nancy Arroyo, Associate Planner  
San Joaquin County Community Development Department

**Exemption Status:**  
Categorical Exemption. (Section 15303 Class 3)

**Exemption Reason:**  
Processed under the provisions of the California Code of Regulations Section 15303, which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303. Class 3 Categorical Exemptions includes a list of classes of projects that have been determined not to have a significant effect on the environment and that are, therefore, exempt from the provisions of CEQA. Section 15303 lists Class 3 projects, which include "construction and location of limited numbers of new, small facilities or structures: installation of small new equipment and facilities in small structure." The proposed telecommunications tower is a small structure with no expected significant effect on the environment and, therefore, the project is not subject to CEQA.

**Lead Agency Contact Person:**  
Nancy Arroyo Phone: (209) 468-3140 Fax: (209) 468-3163 Email: narroyo@sjgov.org

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: Allen Asio Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: \_\_\_\_\_

*Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*



This page intentionally left blank.



**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

### **Attachment H** **Findings**

This page intentionally left blank.

## FINDINGS FOR ADMINISTRATIVE USE PERMIT

PA-2300166

### SAN JOAQUIN RIVER CLUB INC / VERTICAL BRIDGE

1. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan, any applicable Master Plan, Special Purpose Plan, Specific Plan, and Planned Development zone; and any other applicable plan adopted by the County.
  - **This finding can be made because the proposed telecommunications tower and ancillary equipment may be conditionally permitted in the AG-40 (General Agriculture, 40 acre minimum) zone with an approved Administrative Use Permit application subject to the provisions of the Development Title (Title 9). The project site has a General Plan designation of OS/RC (Open Space Resource Conservation), and the AG-40 zone is an implementing zone for this designation. Pursuant to Development Title regulations, the proposed telecommunication tower will be concealed to blend into the surrounding area and will be setback a minimum of 100 feet (equivalent to the height of the tower) from all property lines. Therefore, the proposed telecommunication tower facility is consistent with the goals, policies, standards and maps of the General Plan, and there are no Master Plans, Specific Plans, and/or Special Purpose Plans in the project vicinity.**
2. Adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, and the proposed improvements are properly related to existing and proposed roadways.
  - **This finding can be made because the proposed project will be accessed along a non-exclusive easement from the eastside of S. Kasson Road located 1,970 feet south from the roadway used by the San Joaquin County River Club. A telecommunications tower is an unmanned facility and will not impact existing public utilities. An encroachment permit shall be required by the Department of Public Works and will be subject to compliance with their requirements. This project will not require services for water, sewage, and all storm water will be retained on site.**
3. The site is physically suitable for the type of development and for the intensity of development.
  - **This finding can be made because the 411.96-acre project site is of adequate size and is relatively flat to accommodate the proposed use. Pursuant to Development Title Section 9-411.050(c)(1), freestanding towers and associated antennas shall be setback from the property line a distance that is at least equal to the maximum height of the tower and associated antennas. The Site Plan shows that all setbacks, and other requirements of the Development Title can be met.**
4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.
  - **This finding can be made because the proposed telecommunications tower encompasses a small area and is exempt from environmental review pursuant to Section 15303 Class 3. The proposed project is a compatible use in the AG-40 zone and is not anticipated to adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.**
5. The proposed use will not create any nuisances arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions.
  - **This finding can be made because the proposed use is not anticipated to create any**

**nuisances related to the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions with the inclusion of the proposed Conditions of Approval. Requirements from the Planning and Building Divisions will address noise, vibration, and glare, while the Fire Prevention Bureau has provided conditions to prevent smoke and heat.**

6. The site of the proposed use is adequately served by highways, streets, water, sewer, storm drainage, and other public facilities and services.
  - **The project proposes a new access from East Kasson Road. The Department of Public Works has provided Conditions of Approval for an encroachment permit that will ensure the proposed use is adequately served by highways and streets. The proposed use does not require water or sewer, and all storm water will be retained on site.**
7. The proposed use complies with all applicable provisions of this title.
  - **The proposed use is classified under the Communication Facility - Tower use type, which may be conditionally permitted in the AG-40 (Agricultural General- 40 acre minimum) zone subject to an Administrative Use Permit. The proposed use will be consistent with the Development Title if the project is approved with the proposed Conditions of Approval provided by the reviewing departments and agencies.**



**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

### **Attachment I** **Conditions of Approval**

This page intentionally left blank.

# CONDITIONS OF APPROVAL

PA-2300166

## SAN JOAQUIN RIVER CLUB INC. / VERTICAL BRIDGE

Administrative Use Permit Application No. PA-2300166 was approved by the Planning Commission on \_\_\_\_\_. The effective date of approval is \_\_\_\_\_. This approval will expire on \_\_\_\_\_, which is 36 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to the establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Contact: [209] 468-3121)

- a. **BUILDING PERMIT:** Submit an "APPLICATION-COMMERCIAL BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). Foundation and soils investigation shall be conducted in conformance with Chapter 18 of the California Building Code at the time of permit application. A fee is required for the Site Plan review. (Development Title Section 9-802.110(a)(2))
- b. **APPROVED USE:** This approval is for a 100-foot-tall monopole telecommunications facility as shown on the Site Plan dated July 21, 2023. The project also includes the installation of ancillary equipment within a 2,046-square-foot leased area. (Use Type- Communications Facility – Tower)
- c. **CAPITAL FACILITY FEE:** This project may be subject to the Capital Facility Fee. If the Capital Facility Fee is applicable, the County shall collect the fees before the issuance of any building permits. (Development Title Section 9-610.070)
- d. **SETBACKS:** The structure shall comply with the following setback requirements;
  1. The freestanding tower, and associated antennas, shall be setback a minimum of 100 feet from property lines. (Development Title Section 9-411.050(c)(1))
- e. **CONCEALMENT:** All facilities must be designed to visually blend into the surrounding area. (Development Title Section 9-411.050(a)(6))
- f. **LIGHTS:** Unless otherwise required under FAA or FCC regulations, applicants may install only timed or motion-sensitive light controllers and fully-shielded lights such that the light source is not directly visible from any adjacent residential land uses. All aircraft warning lighting must use lighting enclosures that avoid illumination impacts on residential land uses to the maximum extent feasible. (Development Title Section 9-411.050(a)(1))
- g. **FENCES, ENCLOSURES AND SECURITY:** The facility must comply with the following standards. (Development Title Section 9-411.050(a)(6))
  1. No barbed wire, razor ribbon, electrified fences or any similar measures shall be allowed to secure a wireless facility, unless the applicant demonstrates to the satisfaction of the Approval Authority that the need for such measures significantly outweighs the potential danger to the public.
  2. Anti-climbing measures, such as a ladder guard or removable ladder rungs, to prevent unauthorized access, vandalism and other attractive nuisances must be incorporated.



- h. **GROUND MOUNTED EQUIPMENT:** All ground-mounted equipment must be concealed within an existing or new structure, opaque fences, or other enclosures subject to the Approval Authority's approval. (Development Title Section 9-411.050(c)(3))
  - i. **PERMITTEE'S CONTACT INFORMATION:** The applicant shall at all times maintain accurate contact information for all parties responsible for the facility, which shall include a phone number, street mailing address and email address for at least one specific person. All such contact information for responsible parties shall be provided to the Zoning Administrator. (Development Title Section 9-411.100(e))
  - j. **MAINTENANCE:** The facility, must be maintained in a neat and clean manner and in accordance with all approved plans and Conditions of Approval. (Development Title Section 9-411.100(g))
  - k. **REMOVAL OF FACILITIES:** Freestanding structures, antennas, and supporting equipment associated with wireless communication shall be removed by the provider of such facilities and the site restored if the facilities have not been operational for 6 consecutive months. (Development Title 9-411.130)
  - j. **TREE PRESERVATION:** Future development on the underdeveloped portion shall be consistent with the requirements of the County's Tree Preservation Ordinance (Development Title Section 9-400-080)
2. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000, see memo dated October 24, 2023)
- a. A County encroachment permit shall be required for all work within the County road right-of-way. (Note: Driveway encroachment permits are for flatwork only – all vertical features, including but not limited to fences, walls, private light standards, rocks, landscaping and cobbles are not allowed in the right-of-way.) (Development Title Sections 9-607.020 and 9-607.040)
  - b. Prior to issuance of the building permit, the driveway approach shall be improved in accordance with the requirements of San Joaquin County Improvement Standards Drawing No. R-17 [return radii for truck-trailer egress shall be designed to prevent encroachment onto opposing lanes of traffic]. (Development Title Section 9-607.040)
  - c. The Traffic Impact Mitigation Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee shall be automatically adjusted July 1 of each year by the Engineering Construction Cost Index as published by the Engineering News Record. (Resolution R-00-433)
  - d. The Regional Transportation Impact Fee shall be required for this application. The fee is due and payable at the time of building permit application. The fee will be based on the current schedule at the time of payment. (Resolution R-06-38)
  - e. A copy of the Final Site Plan shall be submitted prior to release of building permit.
  - f. The developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Retention basins shall be fenced with six (6) foot high chain link fence or equal when the maximum design depth is 18 inches or more. Required retention basin capacity shall be calculated and submitted along with a drainage plan for review and approval, prior to release of building permit. (Development Title Section 9-606)
3. ENVIROMENTAL HEALTH DEPARTMENT (Contact: [209] 616-3032, see memo dated August 31, 2023)
- a. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD. (San Joaquin County Development Title, Section 9-605.010 & 9-601.020)
  - b. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department. (San Joaquin County Development Title, Section 9-601.010(b) and 9-601.020(i))

4. SAN JOAQUIN COUNCIL OF GOVERNMENTS (Contact: [209] 235-0600, see memo dated August 8, 2023)
  - a. This project is subject to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) must provide a Certificate of Payment prior to issuance of any grading or building permits.
5. AIRPORT LAND USE COMMISSION (Contact: [209] 235-0452, see memo dated September 26, 2023)
  - a. This project is subject to the rules and regulations of the Airport Land Use Commission's 2018 San Joaquin County Airport Land Use Compatibility Plan (ALUCP) and must provide confirmation of compliance prior to issuance of any grading or building permits.

\*\*\*