


ADMINISTRATIVE POLICY & PROCEDURES

Subject: Small Wireless Facilities	APP No. 36.2
Issued by: Public Works	Approved by:  Alex D. McIntyre, City Manager
Date Issued: April 8, 2019	Expiration Date: Indefinite
Review/Update Frequency: Two Years	Review/Update Responsibility: Public Works
Date of this Revision: N/A	Dates of Previous Revisions: N/A
Departments/Divisions Affected by Policy/Procedure: All Departments and Divisions	Authority: Ordinance 2019 - 002

SMALL WIRELESS FACILITIES

1. PURPOSE

This Administration Policy and Procedure establishes guidelines to regulate, control, and authorize small wireless facilities in the public rights-of-way to preserve the public peace, health, safety and welfare.

2. AUTHORITY

Per adopted Emergency Ordinance 2019 - 002 Relating to the Regulation of Small Wireless Facilities to comply with the Federal Communications Commission (FCC) ruling on small wireless telecommunication facilities. The small wireless facilities applications process shall comply with current and adopted FCC rules:

- a) Per FCC Rule 18-133 (2018) – Acceleration of Wireless Infrastructure Deployment
- b) Per Section 6409(a) Middle Class Tax Relief and Job Creation Act of 2012

- c) *Per FCC 2009 Declaratory Ruling and Third Party Report and Order In the Matter of Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*

3. PROCEDURES

Small wireless facilities application and permit timeframes shall be processed within 60 days if the facility is located on an existing structure and within 90 days if located on a new structure from the City receiving a complete permit application to issuance of permit.

The small wireless facilities standards and guidelines provide reasonable requirements to ensure traffic and pedestrian safety, land-use compliance, height of poles and towers, visual and aesthetics features, placement of associated pedestals, meters, equipment and backup power sources, and protection and preservation of public property in the public rights-of-way, that does not negatively impact the unique character and quality of the City (Exhibit 1).

4. APPLICATION FEES AND RIGHT-OF-WAY ANNUAL USE FEES

The application fees and right-of-way fees are consistent with the FCC ruling and may be updated by FCC ruling.

The application processing fee is hereby set at \$500 for applications involving up to five SWFs, \$100 for each additional SWF, and \$1,000 for new or replacement poles. The City shall utilize the currently Adopted Schedule of Fees for other permits required for cost recovery.

The annual fees are set at \$270 per SWF per year as compensation to the City for use of public rights-of-way when constructed on City facilities or infrastructure.

Wireless Communication Facilities

A Determination by Public Works Staff is required for projects located in the Public Right-of-Way or on City owned property; please submit the following information for concept review by the Public Works Department:

1. **COMPLETED APPLICATION** for case assignment.
2. **A DETAILED PROJECT DESCRIPTION LETTER** that includes the following information:
 - a. A statement describing the type of facility proposed, the overall dimensions, number of antennas, associated equipment cabinets, underground vaults, screening devices, and information on any additional non-communication antennas (G.P.S., radio, etc.) In addition, describe how it has been designed to minimize visual impacts.
 - b. A statement describing the other design and site alternatives considered and the reason this alternative was selected.
 - c. Information on grading or installation of roadway access, and proposed utility services to be installed including approximate locations and dimensions.
3. **SITE PLAN** to include the following information: 1) Existing and proposed walls or fences; 2) Existing and proposed landscaping; 3) Proposed lighting; 4) Locations for all equipment, antennas, utility services, conduits, wiring, and exposed cables indicating all proposed to be above or below ground; 5) Any required vegetation clearing to operate the facility; 6) Distances to nearest residences; 7) Identify and provide a detailed drawing of any ground disturbance related to trenching for utility connections, and 9) Clear and detailed identification of all property lines, Public Right of Way boundaries, improved streets and curbs with dimensions, and in relation to the proposed site installation and all servicing utilities.
4. **SCALED ELEVATION DRAWINGS** that clearly illustrate project details and that show the proposed height of all antennas and structures. Must meet the requirements set forth in SBMC 24.
5. **COLOR PHOTOGRAPHS** of the building, site or the area that illustrate views from the surrounding project area.
6. **ACCURATE COLOR PHOTO SIMULATIONS** of the proposal from several vantage points.
7. **LETTER OF AUTHORIZATION "LOA"** from owner (i.e. Southern California Edison or other entity) stating permission to install antennas and equipment on

9/2017, rev. 4/2019

any structures to be utilized for the proposed communications facility installation already existing within the Public Right of Way, or on the City owned property. The LOA shall also reference the Site Plan as described above, and the Owner's approval of such plan.

8. **APPLICATION FEES AND RIGHT-OF-WAY USE FEES** shall be consistent with Emergency Ordinance No. 2019-002.
9. **A DETERMINATION** will be made via written response to indicate Staff's support or opposition to the project as it relates to use of the Public Right of Way, or City property, and the appropriate reasoning thereof. If Staff does not support the proposal, the applicant may at their own discretion proceed with the application without Staff's support, or submit a revised proposal that would be preliminarily supportable by Public Works. Support of the proposal may also require a site lease agreement with the City as appropriate.

PLEASE NOTE:

Once the determination has been made by the Public Works Staff that the project's use of the Public Right of Way or City Property is consistent with the requirements of Federal law an encroachment permit shall be issued. After the encroachment permit is issued, an encroachment permit may be sought at the Public Works Counter.

9/2017, rev. 4/2019