



PLANNING SERVICES DIVISION

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REQUIRED ITEMS FOR FILING A RIGHT-OF-WAY USE PERMIT APPLICATION FOR SMALL WIRELESS FACILITIES AND OTHER INFRASTRUCTURE DEPLOYMENTS WITHIN THE PUBLIC RIGHTS-OF-WAY

(CITY COUNCIL RESOLUTION NO. 2019-087 - SECTION 6 APPLICATION AND REVIEW PROCEDURES)

Application Requirements for Small Wireless Facilities. All ROW Use Permit applications for small wireless facilities must include the following information and materials:

Application Form. The applicant shall submit a complete, duly executed ROW use permit application on the then-current form prepared by the Director.

Application Fee. The applicant shall submit the applicable ROW use permit application fees established by City Council resolution. Batched applications must include the applicable ROW use permit application fee for each small wireless facility in the batch.

Construction Drawings. The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a licensed or registered engineer. The construction drawings shall include:

- a) All the existing and proposed improvements, equipment and conditions related to the proposed project, which includes without limitation any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees, and other landscape features. The construction drawings must include;
- b) Technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number and physical dimensions;
- c) All potential support structures within 500 feet from the proposed project site and call out such structures' overall height above ground level; and
- d) All conduits, cables, wires, handholes, junctions, transformers, meters, and disconnect switches necessary for the proposed improvements.

Site Survey. For any small wireless facility, the applicant shall submit a survey prepared, signed and stamped by a licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments and other structures within 75 feet from the proposed project site and any new improvements, which includes without limitation all: (i) traffic lanes; (ii) all private properties and property lines; (iii) above and below-grade utilities and related structures and encroachments; (iv) fire hydrants, roadside call boxes and other public safety infrastructure; (v) streetlights, decorative poles, traffic signals and permanent signage; (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; (vii) benches, trash cans,

mailboxes, kiosks and other street furniture; and (viii) existing trees, planters and other landscaping features.

Photo Simulations. The applicant shall submit site photographs and photo simulations that show the existing location and proposed small wireless facility in context from at least three vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point. At least one simulation must depict the small wireless facility from a vantage point approximately 50 feet from the proposed support structure or location. The photo simulations and vicinity map shall be incorporated into the construction plans submitted with the application.

Project Narrative and Justification. The applicant shall submit a written statement that explains in plain factual detail whether and why the proposed facility qualifies as a "small wireless facility" as defined by the FCC in 47 C.F.R. § 1.6002(1). A complete written narrative analysis will state the applicable standard and all the facts that allow the City to conclude the standard has been met-bare conclusions not factually supported do not constitute a complete written analysis. As part of the written statement the applicant must also include (i) whether and why the proposed support is a "structure" as defined by the FCC in 47 C.F.R. § 1.6002(m); and (ii) whether and why the proposed wireless facility meets each required finding for a ROW use permit as provided in section 8(b).

RF Compliance Report. The applicant shall submit an RF exposure compliance report that certifies that the proposed small wireless facility, both individually and cumulatively with all other emitters in the vicinity (if any), will comply with applicable federal RF exposure standards and exposure limits. The RF report must be prepared and certified by an RF engineer acceptable to the Director. The RF report must include the actual frequency and power levels (in watts effective radiated power) for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.

Public Notices. The applicant shall include with the application a list that identifies all persons entitled to notice (as defined in this policy) together with three preaddressed envelopes with correct postage for each person entitled to notice.

Regulatory Authorization. The applicant shall submit evidence of the applicant's regulatory status under federal and California law to provide the services and construct the small wireless facility proposed in the application.

Pole License Agreement. For any small wireless facility proposed to be installed on any structure owned or controlled by the City and located within the public rights-of-way, the applicant shall

submit an executed Pole License Agreement on a form prepared by the City that states the terms and conditions for such non-exclusive use by the applicant. No changes shall be permitted to the City's Pole License Agreement except as may be indicated on the form itself. Any unpermitted changes to the City's Pole License Agreement shall be deemed a basis to deem the application incomplete. Refusal to accept the terms and conditions in the City's Pole License Agreement shall be an independently sufficient basis to deny the application.

Title Report and Property Owner's Authorization. For any small wireless facility proposed to be installed on a support structure not owned or controlled by the City, the applicant must submit a written authorization from the support structure owner(s) that authorizes the applicant to submit and accept a ROW use permit in connection with the subject property.

Acoustic Analysis. The applicant shall submit an acoustic analysis prepared and certified by a licensed engineer for the proposed small wireless facility and all associated equipment including all environmental control units, sump pumps, temporary backup power generators and permanent backup power generators demonstrating compliance with the City's noise regulations. The acoustic analysis must also include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. In lieu of an acoustic analysis, the applicant may submit evidence from the equipment manufacturer(s) that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable noise limits.

Structural Analysis. The applicant shall submit a report prepared and certified by an engineer (or other qualified personnel acceptable to the City) that evaluates whether the underlying pole or support structure has the structural integrity to support all the proposed equipment and attachments. At a minimum, the analysis must be consistent with all applicable requirements in CPUC General Order 95 (including, but not limited to, load and pole overturning calculations), the National Electric Safety Code, and any safety and construction standards required by the utility.

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