



ADMINISTRATIVE WIRELESS COMMUNICATION FACILITIES PERMIT

APPLICATION

INTRODUCTION – SMALL CELL WIRELESS FACILITY – PUBLIC RIGHT-OF-WAY

This application and the required plans as described below must be included with each proposed application to install a small cell wireless facility in the public right-of-way in the City of Fountain Valley, California.

PROCEDURES: ADMINISTRATIVE PERMIT

- An application for an Administrative Wireless Communication Facilities Permit / Small Cell Wireless facility shall be filed with the Planning Department and appropriate fees paid.
- The City has consulted with a third-party consultant to review applications for small cell wireless facilities in the public right-of-way.

MEMORANDUM:

- Upon receipt of an application by the Consultant directly from the City, Consultant will evaluate and identify whether any items that are required in the City's wireless application are not completed by the applicant. If there are incomplete items in the application, the Consultant will send the City an "Incomplete Memorandum" by email or an attachment to an email within:
 - Nine (9) calendar days for an initial review of a wireless application that is submitted by the applicant as a small wireless facility; or
 - Twenty-one (21) calendar days for an initial review of a wireless application that are submitted by the applicant in a category that is not a small wireless facilities; or
 - Nine (9) calendar days for a resubmittal review of a wireless application that was deemed incomplete.

SUBMITTAL REQUIREMENTS:

- Administrative Wireless Communications Facilities Permit – Small Cell Facility:**
 - Name, address, email and telephone number of both the applicant and the owner of the communications facility.
 - Name, address, email and telephone number of the responsible person whom the City may contact at any time concerning the communications facility.
 - The applicant shall show legal authority to occupy and use for the purpose mentioned in the application, the streets, alleys, sidewalks or other public places where the excavation, placement, location or installation of the communications facilities is proposed to be made.



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- Encroachment Permit:**
 - An Encroachment Permit will be required from the Public Works Department for a wireless facility that is to be located in a public right-of-way, prior to issuance of any Building Permits. Contact the Public Works Department at 714-593-4433 for more information regarding the Encroachment Permit.

- Submittal Documents:**
 - All documents and plans shall be submitted electronically in a searchable PDF format in addition to the following:***
 - One (1) full size set of architectural plans
 - Two (2) reduced set of plans (11"x17")
 - A site plan drawn to scale showing the following:
 - Property boundaries and right-of-way boundaries with all bearings, distances, monuments, iron rods, caps or other markers clearly shown and called out;
 - Boundaries for all easements and/or dedications with all dimensions clearly shown and called out;
 - All structures and improvements within the public right-of-way;
 - North arrow, date, scale and legend;
 - General specifications and notes identifying the applicable health and safety codes and standards.
 - Elevation drawings showing the following:
 - Detailed before-and-after views for any equipment pads, shelters, enclosures, rooms, vaults and/or platforms;
 - All existing and proposed equipment (including the point of origin and point of connection for all power and telco utilities) with all dimensions, labels and ownership identifications clearly called out;
 - Boundaries for all areas leased/licensed in connection with the wireless site with all dimensions clearly shown and called out;
 - Boundaries for all easements, encroachments and/or other rights-of-way for access and utilities in connection with the wireless site with all dimensions clearly shown and called out;
 - All existing and proposed primary and backup utilities, including without limitation all cables, connectors, risers, conduits, cable shrouds, trays, bridges and/or doghouses, transformers, disconnect switches, panels, meters, pedestals, cabinets, vaults, handholes, generators and/or generator sockets.
 - Photo simulations showing the following:
 - An accurate and reliable visual representation of the proposed facility from the same reasonable line-of-sight locations used in the current site photographs and must include without limitation all interconnecting cables, conduits, brackets, and electronic equipment such as antennas, radio units and powering equipment;
 - Map detail showing each location where a photograph was taken, the proposed site and the direction to the site from each photo location.



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Alternative Site Analysis:

The analysis must include all the following required information and/or materials:

- Aerial map that shows the general geographic area of the proposed location annotated to show:
 - All existing wireless facilities within the City;
 - The search ring used for this particular project;
 - All locations for each alternative considered for this particular project;
 - For each alternative site considered, a detailed written description that includes, without limitation all the following:
 - The physical address;
 - Zoning district designation;
 - The property owner's name, contact information used in attempts to inquire about interest in a lease or other agreement to use the property for a wireless facility, when such attempts were made and the response, if any, received from the property owner;
 - Support structure type considered;
 - General design concept and concealment elements/techniques considered;
 - Overall height and achievable antenna centerline height;
- Coverage map indicating the area which will be served by the proposed communications facility and any significant gap which will be filled by proposed installation.
- RF Compliance Report:
 - Provide an RF exposure compliance report prepared and certified by an RF engineer that certifies that the proposed facility, as well as any collocated facilities, will comply with applicable federal RF exposure standards and exposure limits.
 - Actual frequency and power levels (in watts effective radiated power (ERP) from all existing and proposed antennas at the site;
 - The location and orientation of all transmitting antennas;
 - The boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC);
- Fees:**
 - Small Cell Wireless Facility:**
 - Master Lease Review Fee: \$7,626
 - Permit Application Fee: \$2,780
 - Annual License Payment: \$1,800 Per Municipal Facility or the maximum amount permitted by law, whichever is less (currently limited to \$270 by FCC)
 - Small Cell Right-of-Way Encroachments – Charged by Public Works Department**
 - Traffic Control (First Day): \$346
 - Traffic Control (For Each Additional Day): \$88
 - Traffic Control (Complex Project): Deposit of \$5,000 – Actual Cost
- Account # 11.3.31313.1.3527



TO BE COMPLETED BY CITY STAFF ONLY

PERMIT NO.	DATE FILED:
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PLEASE PRINT

ADDRESS/LOCATION
POLE NUMBER (IF APPLICABLE)

PROJECT DESCRIPTION

APPLICANT INFORMATION

APPLICANT NAME	SIGNATURE		
APPLICANT ADDRESS	CITY	STATE	ZIP CODE
PHONE	EMAIL		

WIRELESS PROVIDER INFORMATION

WIRELESS PROVIDER	ADDRESS		
CONTACT NAME	CITY	STATE	ZIP CODE
PHONE	EMAIL		

Last updated:
2/26/2020



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21.28.100 Small cell facilities in the public right-of-way.

(a) All small cells that are located within the public right-of-way shall be designed, maintained, planned, located, and erected in accordance with the adopted Small Cell Standards and Guidelines Policy for wireless communication facilities in the public right-of-way.

(b) Wireless equipment designated as “small cell” shall be permitted within the public right-of-way and locations zoned for wireless telecommunications facilities within the city as long as they comply with all applicable state and federal laws including the Federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.) and all applicable health and safety requirements, including Public Utilities Commission General Order 95.

(c) Small cell deployment in the public right-of-way shall be consistent with Sections 7901 and 7901.1 of the Public Utilities Code.

(d) The provider may be required to submit additional information showing that the small cell complies with the Federal Communications Commission’s regulations concerning radio frequency emissions referenced in Section 332(c)(7)(B)(iv) of Title 47 of the United States Code.

(e) Small cell deployment shall comply with all applicable building codes, including building code structural requirements and all feasible design and collocation standards.

(f) Deployment of small cell technology shall be expedited in a manner that advances technological and competitive neutrality.

(g) Permitting.

(1) Permits shall grant providers fair, reasonable, nondiscriminatory, and nonexclusive access to city owned streetlights and other suitable host infrastructure located within the public rights-of-way and in other local public places such as stadiums, parks, campuses, hospitals, transit stations, and public buildings.

(2) Small cells shall be approved pursuant to an administrative permit or master deployment plan permit, an encroachment permit, a building permit and a license agreement.

(A) Administrative permits shall be reviewed and approved in compliance with Section 21.28.090.

(B) Master Deployment Plan Permit.

(i) Any applicant that seeks approval for five or more wireless communications facilities (including new facilities and collocations to existing facilities) may elect to apply for a master deployment plan permit subject to planning/building director approval. The proposed facilities in a master deployment plan shall be reviewed together at the same time and subject to the same requirements and procedures applicable to an administrative wireless facilities permit. Application fees for said permit shall be set by a separate resolution.

(ii) A master deployment plan permit shall be deemed an approval for all wireless telecommunications facilities within the plan; provided, however, that an individual encroachment permit, building permit, and license agreement shall be required for each wireless telecommunications facility. A single master license agreement may also be permitted when associated with a master deployment plan permit.

(iii) After the planning/building director approves a master deployment plan permit, any deviations or alterations from the approved master deployment plan for an individual wireless telecommunications facility shall require an administrative wireless telecommunications facilities permit, as applicable.

(3) Installation, placement, maintenance, or replacement of micro wireless facilities that are suspended, whether embedded or attached, on communication cables or lines that are strung between existing utility poles in compliance with state safety codes are exempt from these requirements.



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(4) The applicable permit may be rescinded if construction is not substantially commenced within one year, absent a showing of good cause. The applicant may not renew the permit or resubmit an application to develop a small cell at the same location for six months from date of rescission.

(5) Permits shall be renewed as long as the site maintains compliance with use conditions adopted at the time the site was originally approved.

(6) Small cells no longer used to provide service shall be removed by the last known owner of record of such facility, at the sole cost of said owner.

(7) The city may adopt a resolution to reserve capacity for future city uses on vertical infrastructure based on substantial evidence in the record.

(8) Existing agreements regarding the leasing or licensing of vertical infrastructure entered into before the operative date of this section remain in effect, subject to applicable termination provisions.

(9) Other Permits Required. In addition to any permit that may be required under this chapter, the applicant must obtain all other required permits or other approvals from the city, state, or federal agencies. Any permit granted under this chapter is subject to the conditions and/or requirements of required permits or other approvals from city, state or federal agencies.

(h) Permitting Fees and Associated Charges.

(1) Administrative permit fees, master deployment plan permit fees, encroachment permit fees, and building permit fees shall be set by a separate resolution.

(2) An annual charge, developed consistent with all applicable state and federal law shall be determined based on multiplying the percentage of the total usable space that would be occupied by the attachment by the annual costs of ownership of the vertical infrastructure and its anchor, if any.

(3) A one-time reimbursement fee for actual costs incurred by the city for rearrangements performed at the request of the small cell provider.

(4) The provider shall pay all electricity costs associated with the small cell installation and operation.

(i) Inspection and reporting. The owner of the wireless communication facility, when directed by the city, must perform an inspection of the facility and submit a report to the public works department on the condition of the system to include any identified concerns and corrective action taken. Additionally, as city crews perform maintenance on city infrastructure they may identify maintenance concerns. These will be reported to the owner of the facility. The city shall give the applicant thirty days to correct the identified maintenance concerns after which the city reserves the right to take any action it deems necessary, which may include revocation of the permit. The burden is on the permittee to demonstrate that it complies with the requirements herein. (Ord. 1523 § 4, 2017)

**City of Fountain Valley
Planning Department**

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Fountain Valley, CA 92708
Tel: 714-593-4425

Email: planning.building@fountainvalley.org