

# WIRELESS COMMUNICATIONS FACILITIES

## SMALL WIRELESS FACILITY

### ADMINISTRATIVE USE PERMIT APPLICATION

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#### **WHAT IS A SMALL CELL FACILITY REQUEST?**

A small cell facility request is a request to construct, install, attach, operate, collocate, modify, reconstruct, relocate or otherwise deploy small wireless facilities within the City of Antioch. An administrative use permit is required.

#### **PROCESS**

The process for applying for an administrative use permit is:

##### **Step 1 - Project Consideration**

A prospective applicant should review the City Council Policy for Wireless Communications Facilities requirements. The Policy can be found at: [www.antiochplanning.com](http://www.antiochplanning.com).

##### **Step 2 – Voluntary Pre-Application Conference**

The City strongly encourages, but does not require, applicants to schedule and attend a pre-submittal conference with City staff. This voluntary, pre-submittal conference does not cause the FCC Shot Clock to begin and is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process, any latent issues in connection with the proposed or existing wireless tower or base station, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments responsible for application review; and application completeness issues.

Pre-submittal conferences are especially encouraged when an applicant seeks to submit one or more batched applications so that the Director may advise the applicant about any staffing or scheduling issues that may hinder the City's ability to meet the presumptively reasonable timeframes under the FCC Shot Clock.

To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to bring any draft applications or other materials so that City staff may provide informal feedback and guidance about whether such applications or other materials may be incomplete or unacceptable.

The Planning Division shall use reasonable efforts to provide the applicant with an appointment within five working days after receiving a written request and any applicable fee or deposit to reimburse the City for its reasonable costs to provide the staff time and services rendered in the pre-submittal conference.

*A pre-application meeting can be scheduled by completing the [Pre-Application Meeting Request Form](#) on the Planning Division website at [www.antiochplanning.com](http://www.antiochplanning.com). A pre-application meeting cannot be scheduled until the Planning Division receives preliminary plans.*

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#### Step 3 – Submit your Application

All applications must be submitted to the City at a pre-scheduled appointment with Planning staff. Applicants may generally submit one application per appointment, or up to five individual applications per appointment as a batch but may schedule successive appointments for multiple applications whenever feasible and not prejudicial to other applicants. If any application is received without an appointment, whether delivered in-person, by mail, or other means, it will not be considered submitted, unless a written exemption from the Community Development Director was received. Submit your application online through the EnerGov/EPL City of Antioch Civic Access Portal at <https://antiochca-energovweb.tylerhost.net/apps/selfservice#/home>.

#### Step 4—Processing the Application

Staff will review the application for completeness with the below application submittal checklist within ten calendar days. If an application does not contain all the materials required within the submittal checklist, a written notice will be sent to the applicant indicating the missing or incomplete requirements.

At least ten calendar days prior to the approval authority issuing an approval, conditional approval or denial, Planning staff will mail a public notice to all properties and record owners of properties within a 300-foot radius from the project site. This notice is informational only and not a notice of a public hearing.

The approval authority will issue an approval, conditional approval or denial without a public hearing.

#### Right to Appeal

Any decision by the approval authority shall be final and not subject to any administrative appeals.

#### ONLINE APPLICATION SUBMITTAL CHECKLIST

- PROPERTY OWNER AUTHORIZATION FORM.** The property owner must complete and upload the form to the EnerGov/EPL Civic Access Portal.
- FEE.** Refer to the [Planning Division Fee Chart](#) for the current Wireless Small Cell Facility Application fee.
- PROJECT DESCRIPTION.** Submit a detailed written summary (on a separate sheet and attached to the application) describing the design intent and summarizing the proposed project. Describe the design program, the designer's approach, and how the architecture, landscape, and other elements have been integrated.

**CONSTRUCTION DRAWINGS.** Staff may request additional plan sets if necessary. Additional copies of plan sets will be required if the project is appealed.)

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- Submit true and correct construction drawings, prepared, signed and stamped by a California licensed or registered engineer, that depict 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:
  - Contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number and physical dimensions;
  - Identify all structures within 50 feet from the proposed project site and call out such structures' overall height above ground level;
  - Depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection; and
  - Demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations, or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.
- **STRUCTURAL ANALYSIS.** Submit a report prepared and certified by an engineer 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.
- **SITE SURVEY.** For any small wireless facility proposed to be located within the public rights-of-way, submit a survey prepared, signed, and stamped by a California licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments, and other structures within 250 feet from the proposed project site, which includes without limitation all:
  - Traffic lanes;
  - All private properties and property lines;
  - Above and below-grade utilities and related structures and encroachments;
  - Fire hydrants, roadside call boxes and other public safety infrastructure;
  - Streetlights, decorative poles, traffic signals and permanent signage;
  - Sidewalks, driveways, parkways, curbs, gutters and storm drains;
  - Benches, trash cans, mailboxes, kiosks and other street furniture; and (viii) existing trees, planters and other landscaping features.

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- **PHOTOS and PHOTO SIMULATIONS.** 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.
- **PROJECT NARRATIVE AND JUSTIFICATION.** Submit a written statement that explains in plain factual detail whether and why the proposed wireless facility qualifies as a “small wireless facility” as defined by the FCC in 47 C.F.R. § 1.6002(l). 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:
  - Whether and why the proposed support is a structure as defined by the FCC in 47 C.F.R. § 1.6002(m); and
  - Whether and why the proposed wireless facility meets each required finding for an administrative use permit as provided in subsection E.3.
- **RF COMPLIANCE REPORT.** Submit an RF exposure compliance report that certifies that the proposed facility will comply with applicable federal RF exposure standards and exposure limits. The RF report must be prepared and certified by an RF engineer. The RF report must include the actual frequency and power levels (in watts ERP) 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.** Submit a mailing list and envelopes, stamped (not metered) and addressed, for all properties and record owners of properties within a 300-foot radius of the project location. The return address must be left blank for City staff to put a return address. Insufficient postage and/or illegible addressing shall be a basis to deem the application incomplete.
- **REGULATORY AUTHORIZATION.** 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.
- **SITE 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 a partially executed site 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 form site

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agreement except as may be indicated on the form itself. Any unpermitted changes to the City's form site agreement shall be deemed a basis to deem the application incomplete.

- **TITLE REPORT.** For any small wireless facility proposed to be installed on any private property not owned or controlled by the City, the applicant must submit a title report issued within 30 days from the date the applicant submitted the application.
  
- **ACOUSTIC ANALYSIS.** Submit an acoustic analysis prepared and certified by an 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 that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable limits as provided in [Antioch Municipal Code § 9-5.1901](#).
  
- **ELECTRONIC FILES.** Email or submit USB drive a .pdf version of all documents submitted with this application.

**Attachments**

- A. [Property Owner Authorization](#)
- B. [Statement of Understanding](#)