



## APPLICATION FORM FOR SMALL CELL WIRELESS FACILITIES IN PUBLIC RIGHT-OF-WAY

### **INSTRUCTIONS:**

In addition to the application for an encroachment permit, persons applying for a wireless encroachment permit under the City of Davis Municipal Code (the “Code”) for the installation and operation of wireless facilities in the public right-of-way must also fill out this small cell wireless in the PROW application form and submit it (with all necessary information and documentation) at the same time as their encroachment permit application.

For additional information regarding application requirements and all other requirements, please review the **City of Davis Resolution 20-013 Permitting Requirements and Development Standards for Small Wireless Facilities**. For questions, contact the Planning Department at (530) 757-5610. If your response to a question includes attachments, label the attachments as exhibits that reference the Part and Question numbers. For example, for information requested in Part A, Question 5(a), label the documents: Exhibit A.(5)(a).

Except as expressly provided, the provisions in this application are applicable to all existing small wireless facilities and all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate , remove or otherwise deploy small wireless facilities within the City of Davis jurisdictional boundaries.

**Pre-Submittal Conferences.** The City encourages, but does not require, potential applicants to schedule and attend a pre-submittal conference with the approval authority for all proposed projects that involve small wireless facilities. A voluntary pre-submittal conference is intended to streamline the review process through informal discussion between the potential applicant and staff that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, 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.

**APPLICATION SUBMITTAL DATE:** \_\_\_\_\_

(For City Use Only)



**Submittal Appointment.** All applications must be submitted to the City at a **prescheduled appointment** with an appropriate staff member. Potential applicants may generally submit either one application or one batched application per appointment as provided below. Potential applicants may schedule successive appointments for multiple applications, whenever feasible, and not prejudicial to other applicants for any other development project. The departmental staff shall use reasonable efforts to offer an appointment within five working days after the receipt of a written request from a potential applicant. Any purported application received without an appointment, whether delivered in person, by mail or through any other means, will not be considered duly filed, whether the City retains, returns or destroys the materials received.

**Applications Deemed Withdrawn.** To promote efficient review and timely decisions, and to mitigate unreasonable delays or barriers to entry caused by chronically incomplete applications, any application governed under this Policy will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the City of Davis within 60 calendar days after the City of Davis deems the application incomplete in a written notice to the applicant. As used in this subsection (b), a “substantive response” must include the materials identified as incomplete in the approval authority's notice.

**Batched Applications.** Applicants may submit applications individually or in a batch; provided, that the number of small wireless facilities in a batch should be limited to five and all facilities in the batch should be substantially the same with respect to equipment, configuration, and support structure. Applications submitted as a batch shall be reviewed together, provided that each application in the batch must meet all the requirements for a complete application, which includes without limitation the application fee for each application in the batch. If any individual application within a batch is deemed incomplete, the entire batch shall be automatically deemed incomplete. If any application is withdrawn or deemed withdrawn from a batch, all other applications in the same batch shall be automatically deemed withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied.



**PART A: BASIC INFORMATION (ALL APPLICANTS)**

**1. Contact Information**

a) The applicant shall submit and maintain current at all times basic contact information set forth below. The applicant shall notify City of any changes to the information submitted within fifteen (15) calendar days following any such change. This information shall include the following:

i) The identity, including name, company, address, email, and telephone number of the applicant: \_\_\_\_\_  
\_\_\_\_\_

ii) The identity, including name, address, email, and telephone number of the owner of the proposed wireless facility, including official identification numbers and FCC certifications and, if different from the owner, the identity of the person or entity responsible for operating the proposed wireless facility:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

iii) If the owner of the structure on which the proposed wireless facility would be installed is different than (ii) above, the identity, including name, address, email, and telephone number of the owner of the structure:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

iv) Name, address, email, and telephone number of a local contact person for emergencies:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## 2. Purpose of Wireless Facility

Is the proposed wireless communications facility to be used for the provision of “personal wireless services” as defined by 47 U.S.C. Section 332(c)(7)(C)(i) on a sole or comingled basis?

- No. Specify the type(s) of wireless communications services to be provided using the proposed facility: \_\_\_\_\_.
- Yes. Specify the type(s) of personal wireless services: \_\_\_\_\_.

## 3. Type of Application

Please check the applicable box(es) and provide the information required below as an attachment to this Application, along with a written explanation identifying the facts relied upon to support the claimed treatment.

- Eligible Facilities Requests. Applicant asserts that the application qualifies as an “eligible facilities request” (EFR) (as defined in 47 CFR § 1.40001(b)(3), or any successor provision). Applicant shall submit the information required in the Application Requirements Part C, Section 1 below. ***The applicable FCC shot clock is sixty (60) days.***
- Collocation – Small Cell Facility (Existing Structure). Applicant asserts that the application is being submitted for approval of a Collocation of a Small Wireless Facility, that is, the proposed facility both meets the definition of “small wireless facility” and is a “collocation” (both as defined by 47 C.F.R. § 1.6002).

Replacements of existing structures are not “collocations”. Applicant shall submit the information required in Part B and the Application Requirements Part C, Section 3 below. ***The applicable FCC shot clock is ninety (90) days (sixty (60) days if application is submitted when FCC 18-133 is in effect).***

- Small Cell Facility (New Structure). Applicant asserts that the application is being submitted for approval to deploy a Small Wireless Facility (as defined by 47 C.F.R. § 1.6002(l)) involving placement of a new structure. Replacements of existing structures are considered new structures. Applicant shall submit the information required in Part B and the Application Requirements Part C, Section 3 below. ***The applicable FCC shot clock is one hundred and fifty (150) days (ninety (90) days if application is submitted when FCC 18-133 is in effect).***
- Other Wireless Facility Expressly Permitted by State or Federal Law to be in the ROW. Applicant asserts that the application is being submitted for approval of a type of wireless services facility that applicable state or federal laws expressly permit to be in the City’s



public rights-of-way. If you checked this box, please attach an explanation of the basis for your assertion, including citations to supporting law, and state what FCC shot clock you assert applies to this application, if any. Submit the information required in the Application Requirements Part C, Section 3 below. Also, complete Part B if you answered yes to Part A, Question 2.

- Permit Renewal. Applicant asserts that the application is being submitted for a renewal of an existing wireless encroachment permit or predecessor permit. If you checked this box, please submit a copy of the original permit, any prior renewals or extensions thereof, and the information required in the Application Requirements Section Part C(2) below.

**4. Application Fees**

The applicant shall submit the applicable application deposit fee as established by City Council resolution. Batched applications must include the applicable small wireless facility permit application fee for each small wireless facility in the batch. If no permit application fee has been established, then the applicant must submit a signed written statement that acknowledges that the applicant will be required to reimburse the City for its reasonable costs incurred in connection with the application within 10 days after the City issues a written demand for reimbursement.

The City of Davis encourages informal discussions with respect to use of City-owned or -controlled facilities prior to filing an application.

Agreed: \_\_\_\_\_

Name

Date

\_\_\_\_\_  
Printed Name

**5. Franchises, Authorizations and Licenses**

To have a complete application, the applicant must have: (a) authorization to use the public rights-of-way; (b) licenses to provide proposed services; and (c) authorization to use the proposed structure.

- a) Does applicant have an existing franchise or other authorization to place wireless facilities in the public rights-of-way?

No.



If no, the application will be considered incomplete.

Yes.

If yes, explain source of applicant’s right to use the public rights-of-way and submit related approved documentation.

b) Has applicant obtained all applicable licenses or other authorizations to provide the services proposed in connection with the application, whether required by the Federal Communications Commission, California Public Utilities Commission, or any other agency with authority over the proposed services.

No.

Yes.

If yes, submit related documentation such as FCC licenses or authorizations, a certificate of public convenience and necessity or a wireless identification registration (WIR) from the California Public Utilities Commission.

c) Is proposed wireless facility to be attached to a structure owned or controlled by a third party (not the owner of the proposed wireless facility)?

No.

Yes.

If yes, identify the owner as one of the following:

The City.

Other: \_\_\_\_\_(insert name).

If you selected Other, provide a copy of the authorization or license to use the structure

If you selected the City, select one of the following:

I have a master license or other agreement with the City for use of the facility. [If you check this box, provide the document.]

I have no license or other agreement, but I am applying/have applied for one. [If you check this box, the application must be provided, along with payment or proof of payment of required fees.]

I have no license or other agreement, and have not applied for a license or other agreement.

By checking this box and signing below, you acknowledge and agree that the wireless encroachment permit applied for is not a substitute for a license or other agreement to use the City facility and must be separately applied for; that any deadline for action on that application will not begin to run until the complete application is submitted; and that this wireless permit application will remain incomplete until and unless a complete application for a license or other agreement is submitted to the City.

Agreed.	Name/Signature	Date
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**6. High Fire-Threat District**

Is the proposed wireless facility in a High Fire-Threat District (HFTD) (as demarcated on the current version of the California Public Utility Commission Fire-Threat Map).

- No.
- Yes.

If you answered yes to this question, please answer the following:

- a) Identify the structure or proposed structure on which the facility will be attached, and the owner of the structure: \_\_\_\_\_  
\_\_\_\_\_
- b) Check one of the following:
  - The facility is being installed on a structure that applicant contends is, or will be, under the jurisdiction of General Order 95 (“GO 95”), or GO 165, or GO 166.
  - The facility is NOT being installed on a structure that applicant contends is, or will be, under the jurisdiction of General Order 95 (“GO 95”), or GO 165, or GO 166.
- c) If the facility is being installed on a GO 95, 165, or 166 structure, attach sworn statements by qualified experts attesting to: (1) the specific HFTD in which the wireless facility will be located; (2) whether the structure has been inspected by qualified experts for compliance with all applicable General Orders; (3) whether the structure, any existing facilities, and any planned structures and facilities would comply with standards for placement on structures in an HFTD; and (4) whether all required Fire Prevention Plans are in place. If existing or proposed structures or facilities are or will be non-compliant in any respect, the application shall identify steps proposed to ensure the structure and existing and proposed facilities are compliant.
- d) If the facility is NOT being installed on a GO 95, 165, or 166 structure, submit sworn statements by qualified experts attesting to: (1) the specific HFTD in which the wireless facilities will be located, as demarcated on the current version of the California Public Utility Commission Fire-Threat Map, if applicable; (2) a description of the steps the applicant has taken to reduce hazards to public safety, including fire safety hazards, that may be caused by the proposed wireless facility; and (3) the steps applicant proposes to take to maintain the safety of the wireless facility, which steps shall be at least as rigorous as if GO 95, 165, and 166 applied.

**7. CERTIFICATION (ALL APPLICANTS)**

I (we), \_\_\_\_\_, do hereby certify under penalty of perjury that (1) after diligent investigation, the information provided pursuant to this Small Wireless Application Form is true, accurate, and complete to the best of my (our) knowledge and belief; and (2) upon completion of the work proposed, the permitted personal wireless services facility



will comply with all applicable laws, regulation, practices or other requirements under federal, state, or local law, including, but not limited to, building and electrical codes, the FCC’s radio frequency emissions standards, and the requirements of the Americans with Disabilities Act.

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Applicant’s Signature

Date

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Applicant’s Printed Name

**PART B: PERSONAL WIRELESS SERVICES FACILITIES**  
**(RESPOND IF APPLICABLE)**

1. Is the proposed wireless communications facility part of a distributed antenna system (“DAS”)?  
 No.  
 Yes. [*By signing below you acknowledge that all applications for wireless communications facilities comprising the DAS must be submitted contemporaneously.*]

Agreed: \_\_\_\_\_

2. Based on the work proposed in connection with this project, identify any and all additional permits, approvals, or agreements (“Ancillary Permissions”) that will be required for any work within the boundaries of the City in order to deploy the wireless facilities which you contend must be issued (absent agreement or exceptional circumstances) no later than by the same time the City must take action on the wireless application. It is your responsibility to review Code and policies and other state or FCC regulations applicable to the deployment of the wireless facility within the City and identify every Ancillary Permission that will be sought in conjunction with that deployment. The failure to conduct the investigation and to accurately identify all Ancillary Permissions may be grounds for denying the application or for declaring it incomplete. For example, if the wireless facility would be placed on a structure where historical review would be required at the state, federal or local level, the applications required for that review must be identified. Please check whether the work proposed will require:
  - a) \_\_\_ Building Permit
  - b) \_\_\_ Wireless Encroachment Permit





c) \_\_\_\_\_ Other(s). Identify: \_\_\_\_\_

Alternatively, rather than identifying all Ancillary Permissions now, you may agree as follows by signing below: “I agree that, except for those applications identified and submitted in response to Question 3 (below) separately for any and all required Ancillary Permissions; any deadlines for action on any Ancillary Permissions will run from the date of those applications, and not from the date of this application; and that no work may be undertaken should this wireless application be granted, or granted subject to conditions, until and unless the same are obtained.”

Agreed: \_\_\_\_\_

3. Please provide an attachment that identifies that Ancillary Permission you seek now, and with respect to that Ancillary Permission, include the following completed checklist:
- I have the required permit. [If you check this box, attached the required permit.]
  - I have no permit, but I am applying or have applied for one. [If you check this box, the application must be provided and all fees or proof of fee payment provided.]

### **PART C: DETAILED APPLICATION REQUIREMENTS**

**Construction Drawings.** The applicant shall submit 6 copies of all exhibits, being true and correct construction drawings, on plain bond paper and an electronic copy, prepared, signed and stamped by a California licensed or registered structural engineer, that depict all the existing and proposed improvements, equipment and conditions related to the proposed project and project site, which includes without limitation any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholds, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features. If the applicant proposes to use existing poles or other existing structures, the structural engineer must certify that the existing above and below ground structure will be adequate for the purpose.

The construction drawings must:

- (i) 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;
- (ii) identify all structures within 250 feet from the proposed project site and call out such structures' overall height above ground level;
- (iii) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholds, junctions, transformers, meters, disconnect switches, and points of connection;



(iv) traffic control plans for the installation phase, stamped and signed by a California licensed or registered civil or traffic engineer; and

(v) 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.

**For an application to be deemed complete, the application must provide all of the following information:**

**A. Site Plan.** The applicant shall submit a survey level site plan prepared, signed and stamped by a California licensed or registered surveyor. The survey must identify and depict all existing boundaries, encroachments, buildings, walls, fences 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
- existing trees, planters and other landscaping features.

**B. 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. The photo simulations must also include:

- vicinity map that shows the proposed site location
- 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.

**C. Project Narrative and Justification.** The applicant shall submit a written statement that explains in plain factual detail why the proposed wireless facility qualifies as a “small wireless



facility” as defined by the FCC in 47 C.F.R. § 1.6002(/). 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 as provided below.

(Answers may be submitted as a separate type written document provided they are attached to this application form when submitted.

(1) The proposed project meets the definition for a “small wireless facility” as defined by the FCC;

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(2) The proposed facility would be in the most preferred location within 500 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred location(s) within 500 feet would be technically infeasible;

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(3) The proposed facility would not be located on a prohibited support structure as identified in Resolution 20-013;

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(4) The proposed facility would be on the most preferred support structure within 500 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more preferred support structure(s) within 500 fee would be technically infeasible.

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(5) The proposed facility complies with all applicable design standards in the City's Policy except for any design standard that the applicant has demonstrated with clear and convincing evidence in the written record would render the proposed facility technically infeasible.

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(6) The applicant has demonstrated that the proposed project will be in planned compliance with all applicable FCC regulations and guidelines for human exposure to RF emissions.

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**D. RF Compliance Report.** The applicant shall submit an RF exposure compliance report that certifies that the proposed small wireless facility, as well as any collocated wireless facilities, 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 City.
- 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
- The RF report must also include 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.

**E. 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.

**F. Site Agreement.** For any small wireless facility proposed to be installed on any structure 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 use by the applicant. No changes shall be permitted to the City's form site 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. Refusal to accept the terms and conditions in the City's site agreement shall be an independently sufficient basis to deny the application.

**G. Property Owner's Authorization.** The applicant must submit a written authorization signed by the property owner that authorizes the applicant to submit a wireless application in connection with the subject property and, if the wireless facility is proposed on a utility-owned support structure, submit a written final utility design authorization from the utility.

**H. Acoustic Analysis.** The applicant shall submit an acoustic analysis prepared and certified by an engineer licensed by the State of California 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.

**J. Justification for Non-Preferred Location or Structure.** If a facility is proposed anywhere other than the most preferred location or the most preferred structure within 500 feet of the proposed location as described in Section A on page 13, then the applicant shall demonstrate with clear and convincing written evidence all of the following in Section B on page 14. It should be noted that if a facility is proposed to be located less than 250 feet from a structure approved for a residential use, notice of the installation shall be provided to all resident households within 250 feet of the proposed facility using City forms.

## Section A

### Section 2.2(12)

(a) **Preface to Location Requirements.** To better assist applicants and decision makers understand and respond to the community's aesthetic preferences and values, subsections (b) and (c) set out listed preferences for locations and support structures to be used in connection with small wireless facilities in an ordered hierarchy. Applications that involve less-preferred locations or structures may be approved so long as the applicant demonstrates that either (1) no more preferred locations or structures exist within 500 feet from the proposed site; or (2) any more preferred locations or structures within 500 feet from the proposed site would be technically infeasible as supported by clear and convincing evidence in the written record. Subsection (d) identifies "prohibited" support structures on which the City shall not approve any small cell permit application.

(b) **Locational Preferences.** The City prefers small wireless facilities to be installed in locations, ordered from most preferred to least preferred, as follows:



- (1) any location in a non-residential zone or non-residential Specific Plan designation;
- (2) any location in a residential zone 250 feet or more from any structure approved for a residential or school use;
- (3) If located in a residential area, a location that is as far as possible from any structure approved for a residential or school use.

(c) **Support Structures in Public Rights-of-Way.** The City prefers small wireless facilities to be installed on support structures in the public rights-of-way, ordered from most preferred to least preferred, as follows:

- (1) Existing or replacement streetlight poles;
- (2) New, non-replacement streetlight poles;
- (3) New or replacement traffic signal poles;
- (4) New, non-replacement poles;
- (5) Existing or replacement wood utility poles.

(d) **Prohibited Support Structures in Public Rights-of-Way.** The City prohibits small wireless facilities to be installed on the following support structures:

- (1) Decorative poles;
- (2) Signs;
- (3) Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small cell permit application;
- (4) New, non-replacement wood poles.

## Section B.

### Section 2.2 (13)

- (A) A clearly defined technical service objective and a map showing areas that meets that objective;
- (B) A technical analysis that includes the factual reasons why a more preferred location(s) and/or more preferred structure(s) within 500 feet of the proposed location is not technically feasible;
- (C) Bare conclusions that are not factually supported do not constitute clear and convincing written evidence.



**RULES PERTAINING TO YOUR OBLIGATION TO PAY  
THE CITY OF DAVIS  
FOR THE TOTAL COST OF PROCESSING  
AN APPLICATION FOR A LAND USE ENTITLEMENT**

**PLEASE READ THE FOLLOWING CAREFULLY. IT EXPLAINS YOUR LEGAL OBLIGATION TO PAY THE FULL COST OF PROCESSING YOUR LAND USE APPLICATION WITH THE CITY OF DAVIS.**

**GENERAL**

1. The City Council of the City of Davis has adopted a policy which requires that you, as an applicant for a land use entitlement from the City, pay all costs and fees associated with the processing of your application.
2. A land use entitlement is the grant by the City of Davis, under its municipal powers, which allows you to use your property in a certain way as defined by the ordinances, resolutions, rules and regulations of the City and of State law. Some examples of land use entitlements are: a rezoning, a conditional use permit, and a subdivision map.
3. The policy provides that all costs associated with the processing of your application are to be paid by you whether or not your application is ultimately approved.

**SPECIFIC REQUIREMENTS AND OBLIGATIONS**

1. In order for the Community Development and Sustainability Department (the "Department") to commence the processing of your application, you must have on file, in addition to the application itself, a signed copy of the form entitled AGREEMENT TO PAY THE CITY OF DAVIS THE TOTAL COSTS INCURRED IN CONNECTION WITH THE PROCESSING OF AN APPLICATION FOR A LAND USE ENTITLEMENT.  
A copy of the Agreement for your signature is attached.
2. The Agreement places upon you certain legal obligations. If you have any questions concerning it, you should consult with an attorney of your choice. Neither the Department nor the City Attorney can provide you with legal advice.
3. The purpose of the Agreement is for the City to recover the actual costs associated with your application. These costs include, but are not limited to, City staff time, outside professional services, outside agency filing fees, property inspections, and similar matters.
4. The amount to be reimbursed for any particular activity (i.e., staff review) is set forth in the Master Fee Schedule adopted by the City Council from time to time. You are entitled to a copy of the schedule upon request. Fees are subject to increase while your application is pending.
5. Some applications require only the payment of a fixed fee. Others are processed on an hourly rate basis. For those applications processed on an hourly basis, a deposit is required as set forth in the Master Fee Schedule. From time to time you may be required to make additional deposits as determined by the Department. A failure to make any required deposit within the time specified by the Department will result in your application being put "on hold" until the deposit is made. Your application will not be considered by the City Planning Commission, the City Council, or any other decision-making body until all required deposit(s) have been made. If



a deposit is not made within 10 days after you receive a final demand to make the deposit, your application will be deemed denied.

6. You are entitled to know the approximate costs incurred to date during the application process by requesting that information from the Department. If you decide to withdraw your application at any time you will receive a reimbursement of deposited money only to the extent that your deposit exceeds the total amount of the obligation you have incurred to that point. You are not entitled to a reimbursement for any services actually provided up to the time you withdraw your application. Fixed fee application refunds are subject to the Department of Community Development and Sustainability Refund Policy contained in the Planning Division Fee Schedule.

7. If, after a determination is made on your application, and all follow-up matters pertaining to your application have been completed and you have money on deposit that exceeds the amount owed under the Agreement, you will receive a refund.

8. The Agreement specifically provides that if the City is required to maintain legal action to enforce it, you will be required to pay attorney fees incurred by the City. [Under State law if you win such a legal action the City must pay your attorney fees.] The Agreement also provides that the City may place a lien on the property to which your application pertains for any unpaid fees, including attorney fees.

9. The Agreement also provides that you defend and "hold harmless" the City in the event it is sued for approving your application. However, you may choose to have the City rescind any land use entitlement granted to you rather than defend the City.

10. At any time during the application process you may request that the City, in writing, provide its interpretation of the Agreement if there is a dispute between you and the Department regarding its terms or application.

11. A copy of this document will be incorporated into the Agreement by reference. Below is an acknowledgment which you must sign that shows that you have read and understand this document.

**IT IS THE POLICY OF THE CITY OF DAVIS TO DEAL FAIRLY AND IMPARTIALLY WITH EACH APPLICANT FOR A LAND USE ENTITLEMENT. TO AVOID ANY DELAYS OR MISUNDERSTANDINGS, YOU ARE ENCOURAGED TO CONSULT WITH THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND SUSTAINABILITY ON ANY MATTER OF CONCERN.**

#### **ACKNOWLEDGMENT**

I, \_\_\_\_\_, AN APPLICANT FOR A LAND USE ENTITLEMENT FROM THE CITY OF DAVIS, ACKNOWLEDGE THAT:

1. I HAVE RECEIVED AND READ A COPY OF THIS DOCUMENT.
2. I UNDERSTAND THE CONTENTS OF THIS DOCUMENT.
3. I UNDERSTAND THAT I WILL BE REQUIRED, AS PART OF THE PROCESSING OF MY LAND USE APPLICATION, TO ENTER INTO A LEGALLY BINDING





AGREEMENT TO REIMBURSE THE CITY OF DAVIS FOR COSTS INCURRED IN THAT PROCESSING.

Dated: \_\_\_\_\_

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Signature of Applicant



**AGREEMENT TO PAY THE CITY OF DAVIS  
THE TOTAL COSTS INCURRED  
IN CONNECTION WITH THE PROCESSING OF  
AN APPLICATION FOR A LAND USE ENTITLEMENT**

**THIS IS AN AGREEMENT** between \_\_\_\_\_ ("Applicant") and the City of Davis, a municipal corporation ("City"). It is effective on the date that an application for a land use entitlement is accepted for processing by the City. (For purposes of this Agreement, the term "Applicant" includes a) the property owner, and/or b) any authorized agent of the property owner for whose property the entitlement is sought).

**THIS AGREEMENT** is made with reference to the following facts, among others:

A. The application pertains to real property commonly identified as Assessor's Parcel(s) No(s) \_\_\_\_\_, with a street address of \_\_\_\_\_ ("the property").

B. Applicant has filed, and the City, through its Department of Community Development and Sustainability, has accepted for processing, an application for a land use entitlement for the property. (The term "application" includes a pre-application if the pre-application process is used). The Application number is \_\_\_\_\_ (the "Application").

C. The City has adopted a program which requires an applicant for a land use entitlement to pay all costs associated with the processing of an application.

D. Applicant agrees to pay such costs as herein provided.

E. This Agreement includes a document entitled **RULES PERTAINING TO YOUR OBLIGATION TO PAY THE CITY OF DAVIS FOR THE TOTAL COST OF PROCESSING AN APPLICATION FOR A LAND USE ENTITLEMENT**. A copy of that document is attached hereto and incorporated by this reference. Applicant, by his/her/its initials, states that Applicant has read and understood the matters set forth in that document.

\_\_\_\_\_Initials

**WHEREFORE, THE PARTIES AGREE AS FOLLOWS:**

- Applicant agrees to pay the City all costs incurred, both direct and indirect, including State-mandated costs, associated with the review and processing of the Application for a land use entitlement with respect to the property.
- The obligation set forth in section 1 applies even if the Application is withdrawn or is not approved.
- The term "costs" includes all items within the scope of the City's adopted Master Fee Schedule, as well as the cost of retaining professional consultants to prepare environmental documentation, provide planning, engineering, building inspection, and legal services, and to



perform other functions related to review and processing of the application. A 20% administration fee is charged for all consultants hired. (A copy of the current fee schedule may be obtained from the Department of Community Development and Sustainability).

Applicant understands that one or more payments will be required to cover the costs described above at such time(s) as requested by the Community Development and Sustainability Director. Certain applications require only the payment of a flat fee, while others are processed on an hourly rate basis. For those processed on an hourly rate basis, one or more deposits against hourly rate charges are required pursuant to the Master Fee Schedule. Actual costs are charged based on a tiered hourly rate structure adopted by the City Council from time to time.

Applicant must, at all times, have on deposit a sufficient amount to cover estimated future billings.

When one or more deposits are required, Applicant may, from time to time, request from the Department of Community Development and Sustainability the approximate total of the costs incurred to the date of the request.

Applicant understands that he/she/it is entitled to a refund of any deposit only to the extent the amount on deposit exceeds the amount due the City under this Agreement. No reimbursement will be made for services already rendered if an application is withdrawn. Fixed fee application refunds are subject to the Community Development and Sustainability Department Refund Policy contained in the Planning Division Fee Schedule.

Only when a determination on the Application becomes final, and all staff work is complete, will Applicant receive a refund, if any, as provided in section 7.

The City agrees to review and process the Application in accordance with this Agreement and all applicable laws, regulations, ordinances, standards and policies. Applicant understands that if a request for a deposit is outstanding, the Application will not be processed further until the deposit is made. If the deposit is not made within 10 days after a final demand is made for the deposit, the Application shall be deemed denied.

The Application will not be considered by the City Planning Commission, the City Council, or any other decision-making body until all required deposit(s) have been made.

If the Application is subject to a Measure J, as adopted by the voters of the City, or other similar measure, Applicant shall submit a deposit, in an amount determined by the Community Development and Sustainability Director, to fully cover City and Yolo County election costs. The deposit must be made prior to the City requesting that Yolo County conduct an election.

Applicant understands and agrees that no City official, employee, or agent can make any promise or representation concerning the outcome of the Application. Only official action on the Application constitutes approval or disapproval thereof. If any promise or representation is made regarding the outcome of the Application by any official, employee, or agent of the City, such promise and/or representation **SHALL BE OF NO FORCE OR EFFECT.**

In the event any claim, action, or proceeding is instituted against the City, and/or its officers, agents and employees, by any third party on account of the processing or approval of the Application, Applicant shall defend, indemnify and hold harmless the City, and/or its officers, agents and employees. This obligation includes, but is not limited to, the payment of all costs of defense, any amounts awarded by the Court by way of damages or otherwise, including any attorney fees and court costs. City may elect to participate in such litigation at its sole discretion and at its sole expense. As an alternative to defending any such action, Applicant may



request the City rescind any approved land use entitlement. The City will promptly notify Applicant of any claim, action, or proceeding, and will cooperate fully in the defense thereof.

In any legal action by either Applicant or the City to enforce one or more provisions of this Agreement, the prevailing party shall be entitled to reasonable attorney fees and statutory costs.

If Applicant is a person, firm, corporation, or other entity that is different from the owner of the property, such applicant shall be bound by the provisions of this Agreement to the same extent as the property owner, and shall be jointly and severally liable with the owner for any amounts due and owing the City under the terms hereof.

The Agreement is valid only when first signed by the property owner, and by any agent or representative of the owner, and then signed by the authorized City official.

The property owner expressly agrees that any unpaid amounts due the City under this Agreement shall become a lien against the property and expressly authorizes the City to record a notice of lien and/or a copy of this Agreement with the County Recorder of Yolo County.

Amounts owed the City under this Agreement shall be delinquent 30 days after they become due and payable and shall carry an interest rate of 10% per annum until fully paid.

This Agreement shall be governed by the laws of the State of California. Venue of any action concerning this Agreement shall be in the Superior Court of Yolo County.

The Agreement supersedes any prior agreements or understandings between the parties concerning the subject matter hereof. No amendment to this Agreement is effective until a writing setting forth the amendment is signed by both parties.

Person(s) signing this Agreement state that he/she/it/they have the legal authority to do so.

Date:	
Signature of Applicant	
Printed name of Applicant	
Signature of Community Development and Sustainability Director (or designee)	

Name of Property Owner: (please print)	
Title:	
Address:	
Telephone:	
Date:	
Signature of Property Owner	

**And/Or,**



**Person that shall receive billing invoices:**

<input type="checkbox"/> Property Owner	<input type="checkbox"/> Applicant
Name	Name
Address	Address

**Person that shall receive any refund of monies paid:**

<input type="checkbox"/> Property Owner	<input type="checkbox"/> Applicant
Name	Name
Address	Address

**FOR CITY USE ONLY:**

Name of Applicant:	Date:
Name of Property Owner:	
Address of Project:	Project No.:
Type of Application	By:
Fee Deposits:	Receipt No. and Date:



**City of Davis Resolution 20-013, SECTION 2.6. LOCATION REQUIREMENTS**

(a) **Preface to Location Requirements.** To better assist applicants and decision makers understand and respond to the community's aesthetic preferences and values, subsections (b) and (c) set out listed preferences for locations and support structures to be used in connection with small wireless facilities in an ordered hierarchy. Applications that involve less-preferred locations or structures may be approved so long as the applicant demonstrates that either (1) no more preferred locations or structures exist within 500 feet from the proposed site; or (2) any more preferred locations or structures within 500 feet from the proposed site would be technically infeasible as supported by clear and convincing evidence in the written record. Subsection (d) identifies “prohibited” support structures on which the City shall not approve any small cell permit application.

(b) **Locational Preferences.** The City prefers small wireless facilities to be installed in locations, ordered from most preferred to least preferred, as follows:

- (1) any location in a non-residential zone or non-residential Specific Plan designation;
- (2) any location in a residential zone 250 feet or more from any structure approved for a residential or school use;
- (3) If located in a residential area, a location that is as far as possible from any structure approved for a residential or school use.

	<i>Yes</i>	<i>No</i>
<i>Is the proposed location in a non-residential zone or non-residential Specific Plan designation?</i>		
<i>Is the proposed location 250 feet or more from any structure approved for residential or school use?</i>		
<i>Is the location as far a possible from any structure approved for a residential or school use?</i>		

(c) **Support Structures in Public Rights-of-Way.** The City prefers small wireless facilities to be installed on support structures in the public rights-of-way, ordered from most preferred to least preferred, as follows:

- (1) Existing or replacement streetlight poles;
- (2) New, non-replacement streetlight poles;
- (3) New or replacement traffic signal poles;
- (4) New, non-replacement poles;
- (5) Existing or replacement wood utility poles.



<i>What type of support structure is proposed?</i>	
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**d) Prohibited Support Structures in Public Rights-of-Way.** The City prohibits small wireless facilities to *be installed on the following support structures:*

- 1     *Decorative poles;*
- 2     *Signs;*
- 3     *Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small cell permit application;*
- 4     New, non-replacement wood poles.

**Section 2.7 Design Standards**

	YES	NO
1. Does the small wireless facility and all accessory equipment produce noise? If yes, please attach information explaining the amount of decibels produced and at what distance. All equipment must meet the city of Davis noise control standards.		
2. Does the small wireless facility include any lights? If yes, please attach information explaining where the light is located, and how the illumination will be mitigated. This provision does not apply to street lights or luminaires on new or replacement poles.		
3. Does the small wireless facility encroach into a protected oak tree or landmark tree or displace any other existing landscaping? If yes, please explain the impact in a separate document and attach. All displaced landscaping must be replaced and maintained by the applicant.		
4. Does the small wireless facility incorporate any security measures to prevent unauthorized access? If yes, please describe in a separate document and attach.		
5. Does the small wireless facility include any signage? If yes, the maximum amount of sign area is 1 square foot and may only identify the site owner/operator, The owner/operator site name or identification number, the owner/operator toll free number to the network operations center.		
6. Does the small wireless facility comply with the Federal, State, and Local applicable health and safety regulations, which includes without limitation all applicable regulations for human exposure to RF emissions and compliance with the federal Americans with Disabilities Act of 1990? If yes or no, please attach an RF study for the proposed equipment demonstrating compliance.		



	YES	NO
7. Does the small wireless facility comply with the minimum separation from electrical lines required by applicable safety regulations (such as CPUC General Order 95 and 128?)		

<b>Small Wireless Facilities in the Public Right of Way (Questions 8 through 41 need to be answered if the project is a small wireless facility in the public right of way.)</b>	Yes	No
8. Is the antenna and associated mounting equipment, hardware, cables, connectors completely concealed within an opaque antenna shroud or radome?		
9. Is the antenna shroud painted a flat, non-reflective color to match the underlying support structure?		
10. Is the individual antenna three cubic feet or less in volume? How many cubic feet is the antenna? <p style="text-align: right;">Cubic Feet.</p>		
11. Is the non-antenna accessory equipment installed underground in any area in which the existing utilities are primarily located underground? If yes, complete section A below.		
12. Is the non-antenna accessory equipment installed on the pole or support structure? If yes, complete section B below.		
11. Is the non-antenna accessory equipment integrated into the base of the pole or support structure? If yes, complete section C below.		

**A. Undergrounded Accessory Equipment.**

<b>Does the proposed Underground Accessory Equipment meet these standards?</b>		
	Yes	No
a. Is the undergrounded accessory equipment installed in an environmentally controlled vault that is load-rated to meet the City's standards and specifications.		
b. Is the underground vault(s) located beneath a sidewalk constructed with a slip-resistant cover.		
c. Are the vents for airflow flush-to-grade when placed within the sidewalk and or exceed two feet above grade when placed off the sidewalk.		
d. Is the underground vault proposed in a location that would cause any existing tree to be materially damaged or displaced?		





e. Does the underground equipment, especially ventilation/cooling equipment, comply with all applicable noise restrictions apply?		
<b>A no answer to questions a, b, c, and e requires a redesign. A yes answer to questions d requires a redesign.</b>		

**B. Pole-Mounted Accessory Equipment.**

<b>Does the proposed Pole Mounted Accessory Equipment meet these standards?</b>	Yes	No
a. Is all pole-mounted accessory equipment installed flush to the pole to minimize the overall visual profile?		
b. If any applicable health and safety regulations prohibit flush-mounted equipment, the maximum separation permitted between the accessory equipment and the pole shall be the minimum separation required by such regulations. Does the design meet this standard?		
c. Is all pole-mounted equipment and required or permitted signage placed and oriented away from adjacent sidewalks and structures?		
d. Is the Pole-mounted equipment installed behind street, traffic or other signs? Does the installation comply with applicable public health and safety regulations?		
e. Are all cables, wires and other connectors routed through conduits within the pole? Are all conduit attachments, cables, wires and other connectors concealed from public view?		
f. To the extent that cables, wires and other connectors cannot be routed through the pole, are they routed through a single external conduit or shroud that has been finished to match the underlying support structure?		
<b>A no answer to any of these questions requires a redesign. .</b>		

**C. Base-Mounted Accessory Equipment.**

<b>Does the proposed Pole Mounted Accessory Equipment meet these standards?</b>	Yes	No
a. Is all base-mounted accessory equipment installed within a shroud, enclosure or pedestal integrated into the base of the support structure?		
b. Are all cables, wires and other connectors routed between the antenna and base-mounted equipment concealed from public view?		
<b>A no answer to any of these questions requires a redesign.</b>		



**\*\*\*Ground-Mounted Accessory Equipment.** The City of Davis shall not approve any ground-mounted accessory equipment including, but not limited to, any utility or transmission equipment, pedestals, cabinets, panels or electric meters.

<b>Small Wireless Facilities in the Public Right of Way (continued)</b>	<b>Yes</b>	<b>No</b>
12. Is the proposed location in a residential district?		
If yes, does all accessory equipment cumulatively measure less than nine cubic feet in volume?		
13. Is the proposed location in a non-residential district?		
If yes, does all accessory equipment cumulatively measure less than seventeen cubic feet in volume?		
14. Does the volume calculation include any shroud, cabinet or other concealment device used in connection with the non-antenna accessory equipment?		
<b>A no answer to questions 12 or 13 may require a redesign.</b>		

<b>Streetlights.</b>	<b>Yes</b>	<b>No</b>
15. Does the applicant propose to install small wireless facilities on an existing streetlight?		
16. Do the proposed plans indicate the removal and replacement of the existing streetlight with one substantially similar to the design(s) for small wireless facilities on streetlights described in the City's Road Design and Construction Standards?		
17. To mitigate any material changes in the street lighting patterns, is the replacement pole located as close to the removed pole as possible?		
18. To mitigate any material changes in the street lighting patterns, is the replacement pole aligned with the other existing streetlights?		
19. To mitigate any material changes in the street lighting patterns, does the replacement pole include a luminaire at substantially the same height and distance from the pole as the luminaire on the removed pole?		
20. Are all antennas installed above the pole within a single, canister style shroud or radome that tapers to the pole?		
<b>A no answer to any of these questions requires a redesign.</b>		

<b>Wooden Utility Poles</b>	<b>Yes</b>	<b>No</b>
21. Does the applicant propose to install a small wireless facility on an existing wood utility pole?		
22. Is the antenna in a radome above the pole?		
If no, can the applicant demonstrate that mounting the antenna above the pole would be technically infeasible as supported by clear and convincing evidence in the written record? If the response is yes, please attach a written response.		



<b>Wooden Utility Poles (cont.)</b>	<b>Yes</b>	<b>No</b>
23. Is the antenna side-mounted on a stand-off bracket or extension arm?		
24. Is the side-mounted antenna on a stand-off bracket or extension arm concealed within a shroud?		
25. Are all cables, wires and other connectors concealed within the radome and stand-off bracket?		
26. Is the maximum horizontal separation between the antenna and the pole the minimum separation required by applicable health and safety regulations.		

<b>New Non-Replacement Poles</b>	<b>Yes</b>	<b>No</b>
27. Is the applicant proposing to install a small wireless facility on a new pole that is not a replacement pole?		
If yes, the applicant must install a new streetlight substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. Does the design meet this criteria?		
28. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. Does the design meet this criteria?		
29. The pole diameter shall not exceed twelve (12) inches and any base enclosure diameter shall not exceed sixteen (16) inches. Does the design meet this criteria?		
30. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome that tapers to the pole. Does the design meet this criteria?		

<b>Encroachments over Private Property.</b>	<b>Yes</b>	<b>No</b>
31. Does the small wireless facility encroach onto or over any private or other property outside the public right-of-way?		
32. If yes, does the applicant have the property owner's express written consent? If not, written consent is a requirement		



<b>Backup Power Sources.</b>		
33. Is a fossil-fuel based backup power source proposed in the right of way? NOTE. These are not permitted within the public rights-of-way; provided, however, that connectors or receptacles may be installed for temporary backup power generators used in an emergency declared by federal, state or local officials.		

<b>Obstructions; Public Safety and Circulation</b>	<b>Yes</b>	<b>No</b>
34. Does the small wireless facility and any associated equipment or improvements physically interfere with or impede access to any:		
(A) worker access to any aboveground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors?		
(B) access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop?		
(C) worker access to above-ground or underground infrastructure owned or operated by any public or private utility agency?		
(D) fire hydrant or water valve?		
(E) access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way?		
(F) access to any fire escape?		
(G) above ground improvements must be setback a minimum of 2 feet from existing or planned sidewalks, trails, curb faces or road surfaces?		
<b>A yes answer to any of these questions requires a redesign.</b>		
<b>Utility Connections.</b>		
35. Are all cables and connectors for telephone, data backhaul, primary electric and other similar utilities routed underground in conduits large enough to accommodate future collocated wireless facilities?		
36. Do all undergrounded cables and wires transition directly into the pole base without any external doghouse?		
37. Are all cables, wires and connectors between the underground conduits and the antennas and other accessory equipment routed through and concealed from view within:		
(A) internal risers or conduits if on a concrete, composite or similar pole; or.		
(B) a cable shroud or conduit mounted as flush to the pole as possible if on a wood pole or other pole without internal cable space		
<b>A no answer to Question 35, 36, and both A &amp; B of Question 37 requires a redesign.</b>		

\*\*\*The approval authority shall not approve new overhead utility lines or service drops merely because compliance with the undergrounding requirements would increase the project cost.



\*\*\***Spools and Coils.** To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.

<b>Electric Meters.</b>	<b>Yes</b>	<b>No</b>
38. Does the small wireless facilities use a flat-rate electric service or other method that obviates the need for a separate above-grade electric meter?		
39. If a flat-rate service is not available, does the small wireless facility have a shrouded smart meter?		
<b>A no answer to Question 39 requires a redesign.</b>		

\*\*\*The approval authority shall not approve a separate ground-mounted electric meter pedestal unless required by the utility company.

<b>Street Trees.</b>	<b>Yes</b>	<b>No</b>
40. Will any work performed in connection with small wireless facilities in the public rights-of-way, cause any street trees to be trimmed, damaged or displaced?		
<b>A Yes answer to Question 40 requires a redesign.</b>		

\*\*\*If any street trees are damaged or displaced, the applicant shall be responsible, at its sole cost and expense, to plant and maintain replacement trees at the site for the duration of the permit term.

<b>Lines of Sight</b>	<b>Yes</b>	<b>No</b>
41. Will any wireless facility be located so as to obstruct pedestrian or vehicular lines-of-sight?		
<b>A Yes answer to Question 41 requires a redesign.</b>		

<b>Small Wireless Facilities Outside of Public Rights-of-Way (Questions 42 through 50 need to be answered if the project is a small wireless facility Outside of the Public Right of way)</b>	<b>Yes</b>	<b>No</b>
<b>42. Setbacks.</b>  Do the small wireless facilities on private property encroach into any applicable setback for structures in the subject zoning district?		
<b>43. Backup Power Sources.</b> Is the proposed location more than 250 feet from any residence?		
If yes, The Approval Authority shall not approve any diesel generators or other similarly noisy or noxious generators; provided, however, the City of Davis may approve sockets or other connections used for temporary backup generators.		



	Yes	No
<b>44. Parking; Access.</b>  Will any equipment or improvements constructed or installed in connection with the small wireless facilities use a parking space and thereby reduce any parking spaces below the minimum requirement for the subject property?		
45. Will all new parking or access improvements be the minimum size necessary to reasonably accommodate the proposed use?		
<b>46. Freestanding Small Wireless Facilities.</b> Will the new pole or other freestanding structure that supports the small wireless facility be made from a metal or composite material capable of concealing all the accessory equipment, including cables, mounting brackets, radios, and utilities, either within the support structure or within an integrated enclosure located at the base of the support structure?		
47. Are all antennas proposed to be installed above the pole in a single, canister-style shroud or radome?		
48. Will the support structure and all transmission equipment be painted with flat/neutral colors that match the support structure?		
49. Will the pole diameter exceed twelve (12) inches?		
50. Will the base enclosure diameter exceed sixteen (16) inches?		
<b>A Yes answer to Questions 42, 43, 44, 49, and 50 requires a redesign.</b> <b>A No answer to Question 45, 46, 47, and 48 requires a redesign.</b>		

<b>Small Wireless Facilities on Existing Buildings</b> <b>(Question 51 needs to be answered if the project is a small wireless facility on an existing building)</b>	Yes	No
51. Are all components of building-mounted wireless facilities completely concealed and architecturally integrated into the existing facade or rooftop features with no visible impacts from any publicly accessible areas?  Examples include, but are not limited to, antennas and wiring concealed behind existing parapet walls or facades replaced with RF-transparent material and finished to mimic the replaced materials.		

\*\*\* If the applicant demonstrates with clear and convincing evidence that integration with existing building features is technically infeasible, the applicant may propose to conceal the wireless facility within a new architectural element designed to match or mimic the architectural details of the building including length, width, depth, shape, spacing, color, and texture.



<b>Small Wireless Facilities on Existing Lattice Tower Utility Poles (Questions 52 through 58 need to be answered if the project is a small wireless facility on an existing lattice tower utility pole)</b>	<b>Yes</b>	<b>No</b>
52. Are the antennas flush-mounted to the side of the pole and designed to match the color and texture of the pole? If no, please answer the next question.		
Is it technologically infeasible to flush-mount an antenna? If yes, it may be mounted on an extension arm. Does the extension arm protrude as little as possible from the edge of the existing pole? Are all wires concealed inside the extension arm? Does the color of extension arm shall match the pole?		
<b>Small Wireless Facilities on Existing Lattice Tower Utility Poles (Question 52 needs to be answered if the project is a small wireless facility on an existing lattice tower utility pole) (continued)</b>	<b>Yes</b>	<b>No</b>
53. Is the wiring concealed in conduit that is flush-mounted to the pole?		
54. Does the conduit and mounting hardware shall match the color of the pole?		
55. Is all accessory equipment placed underground?  The response must be yes unless undergrounding would be technically infeasible as supported by clear and convincing evidence in the written record.		
56. Is all above-ground accessory equipment mounted on a pole, if any, enclosed in a cabinet that matches the color and finish of the structures on which it is mounted?		
57. Are all above-ground cabinets mounted on a structure, if any, dark green in color?		
58. Is any antenna or accessory equipment attached to a utility line, cable or guy wire?		
<b>A Yes answer to Question 58 requires a redesign. A No answer to Question 52, 53, 54, 55, 56, and 57 requires a redesign.</b>		

<b>Small Wireless Facilities on Existing Wood Utility Poles (Questions 59 through 69 need to be answered if the project is a small wireless facility on an existing wood utility pole)</b>	<b>Yes</b>	<b>No</b>
<b>59.</b> Are all antennas installed within a cylindrical shroud (radome) above the top of the pole? If no, the applicant must demonstrate that mounting the antenna above the pole would be technically infeasible as supported by clear and convincing evidence in the written record.		



<b>60.</b> Are all antennas concealed within a shroud (radome) designed to match the color or the pole, except as described in Question 64.		
<b>61.</b> Is any antenna or accessory equipment attached to a utility line, cable or guy wire?		
<b>62.</b> Is it technically infeasible to mount an antenna above the pole? If yes, it may be flush-mounted to the side of the pole.		
<b>63.</b> Is it technically infeasible to flush-mount the antenna to the side of the pole? If yes, it may be installed at the top of a stand-off bracket/extension arm that protrudes as little as possible beyond the side of the pole.		
<b>64.</b> Is the antenna shroud mounted on stand-off brackets a medium gray color to blend in with the daytime sky?		
<b>65.</b> Are the wires concealed within the antenna shroud, extension bracket/extension arm and conduit that is flush-mounted to the pole?		
<b>66.</b> Do the conduit and mounting hardware shall match the color of the pole?		
<b>67.</b> Is all accessory equipment placed underground? If no, the applicant must provide clear and convincing evidence in the written record that undergrounding would be technically infeasible.		
<b>68.</b> Is all above ground accessory equipment mounted on a pole, if any, enclosed in a cabinet that matches the color and finish of the pole?		
<b>69.</b> Are all above-ground cabinets (not mounted on a structure, if any,) dark green in color?		
<b>A Yes answer to Question 61, 62, 63 requires a redesign. A No answer to Question 59, 60,64, 65, 66, 67, 68, and 69 requires a redesign.</b>		

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