



Application _____

CITY OF SAN CLEMENTE

"Small Cell" Wireless Telecommunications Facility Application

Project

Location : _____

Address: _____

Carrier Site Identification Number (if applicable): _____

Description: _____

Applicant

Name: _____

Phone: _____ Email: _____

Please submit the following:

- | | |
|--|--|
| <input type="checkbox"/> Application form Supplement | <input type="checkbox"/> Five sets of coverage maps |
| <input type="checkbox"/> Letter of Authorization from Wireless Carrier | <input type="checkbox"/> RF Compliance Analysis |
| <input type="checkbox"/> Five sets of Project Plans (24" x 36") | <input type="checkbox"/> Fee: \$97.24 |
| <input type="checkbox"/> Five sets of Photosimulations | <input type="checkbox"/> PDF of plans, sims, coverage maps, and RF compliance analysis |

APPLICANT'S CERTIFICATION

As the Applicant/Representative for the Applicant, I acknowledge that the above information and supporting documents are, to the best of my knowledge, an accurate and complete representation of the proposed project. I understand that the City of San Clemente will rely on my responses to evaluate whether to process this application in accordance with the Municipal Code and FCC regulations and I acknowledge that any inaccuracies may result in the application being deemed incomplete or disapproved.

Applicant Name: _____ **Company:** _____

Signature: _____ **Date:** _____

**CITY OF SAN CLEMENTE
APPLICATION FORM SUPPLEMENT FOR
WIRELESS FACILITIES IN PUBLIC RIGHTS-OF-WAY,
IN PUBLIC UTILITY EASEMENTS, AND ON PRIVATE STREETS**

1. 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: _____

2. 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 § 1.6100(b)(3), or any successor provision). ***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”. ***The applicable FCC shot clock is sixty (60) days.***
- 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. ***The applicable FCC shot clock is ninety (90) days.***
- 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, in a public utility easement, or on private streets within the City. 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.

3. Authorization to Use Existing Structure Owned by Third Party

a) 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 permit applied for is not a substitute for a license or other agreement to use the City facility, and if you have no license or other agreement with the City at the time that an approval of this permit is granted, such approval may be conditioned on you applying for, or otherwise obtaining separately, that license or other agreement with the City. Further, you waive the right to claim that any FCC shot clock applies to your request for the license or other agreement.¹

Agreed:_____

4. Other Permits Required

a) 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

¹We encourage informal discussions with respect to use of City-owned or -controlled facilities prior to filing an application.

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) ___ Encroachment Permit
 - b) ___ Building Permit
 - c) ___ Traffic Control Permit
 - d) ___ Excavation Permit
 - e) ___ Coastal Development Permit
 - f) ___ 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: _____

- b) 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.]

**CITY OF SAN CLEMENTE (THE “CITY”)
INTERIM DESIGN AND DEVELOPMENT STANDARDS
 (“STANDARDS”) FOR SMALL CELL FACILITIES**

SECTION 1. PURPOSE. The purpose of these Design and Development Standards is to establish aesthetic and development criteria for small wireless facilities.

SECTION 2. AUTHORITY. The City has published these interim standards until such time that final standards are approved and adopted by the City Council.

SECTION 3. DEFINITIONS. The definitions set forth in Section 17.88 of the Municipal Code are incorporated by reference into these Standards.

SECTION 4. GENERAL DESIGN AND DEVELOPMENT STANDARDS. The following design and development standards shall apply to all small wireless facilities:

A. Visual Criteria.

1. Generally. Facilities shall be sited to minimize view impacts to surrounding properties and shall be designed such that the least visible means possible is used.
2. Height. Except as otherwise provided herein, the height of the adjacent zone or 10% taller than the existing support structure or adjacent infrastructure most similar to the support structure if a new support structure is required, whichever is taller.
3. Size.
 - a. The size of all small wireless facilities shall not exceed the size limitations in these standards and shall never exceed the size limits in the definition of a “small wireless facility” as defined in the City of San Clemente Municipal Code.
 - b. Unmetered electric service shall be used wherever feasible. When unmetered service is not feasible, the smallest electric meter and disconnect available shall be used, unless placed in an underground vault.
 - c. To maintain visual consistency for various types of small wireless facilities, Section C contains additional size limitations for particular types of small wireless facility installations (e.g. streetlight pole, utility pole, etc.).
4. Stealthing. Small cell facilities shall be stealthed utilizing the applicable methods below and the design criteria in Section C

of these Standards. Where these stealthing methods are not possible, the applicant must request an exception to the criteria, with justification for why the exception is needed as required in Section F, Exceptions.:

- a. All pole-mounted equipment, including antennas, and radios, shall be screened from view using shrouds or other enclosures.
- b. The finish of all screens, shrouds, and equipment enclosures mounted to lightpoles or utility poles shall match that of the structure to which is affixed including color and texture and shall not be reflective.
- c. Equipment not mounted to or incorporated into the pole shall be placed underground.
- d. Where a pedestal equipment enclosure is utilized, the enclosure shall be integrated into the design of the pole and utilize the same finishes including color and texture.
- e. Where an exception is requested and granted for above-ground equipment that is not pole-mounted, other screening methods shall be used, such as decorative enclosures, landscape screening, or placement in an inconspicuous location.
- f. Cabling and wiring shall be run internally within all poles. Where it is not technically feasible to run cabling and wiring internally (as in wood utility poles), then all cabling and wiring shall be within a conduit affixed directly to the face of the pole for much of the length of the cable as possible. The conduit and visible cabling shall be painted and textured to match the pole as closely as possible.

B. Location.

1. Preferred Locations. The following locations are preferred:
 - a. Placement on existing structures on private property in commercial and industrial zones.
 - b. Mounted on existing or replacement infrastructure such as streetlights and utility poles in the right of way adjacent to commercial and industrial zones.

- c. New structures on private property in commercial and industrial zones.
2. Prohibited Locations. Wherever possible, the following locations shall be avoided. If the following locations cannot be avoided, the applicant must request an Exception to the criteria, with justification for why the Exception is needed as required in Section F, Exceptions.
- a. New poles (i.e. not an existing or replacement lightpole, utility pole, or similar infrastructure) in the right of way.
 - b. Location of antennas directly at window/door height of adjacent buildings within 200 feet, unless the facility is entirely screened from view of the affected building.
 - c. Within 200 feet of a historic property, as designated on the City's list of historic resources, unless the facility is not visible from the right of way directly abutting the historic property.
 - d. Strand-mounted facilities.
 - e. Within 300 feet of another existing, approved, or planned (for which application has been made to the City) wireless telecommunications facility.
 - f. Within 100 feet of residential or mixed-use property, as measured from the property line.
 - g. Within 500 feet from existing public or private K-12 schools, as measured from the property line.
 - h. Any location within a Very High Fire Hazard Severity Zone, as designated by the Orange County Fire Authority.
 - i. Within scenic vistas/corridors as defined in the San Clemente General Plan and Coastal Land Use Plan, except when located on existing or replacement infrastructure and where the facility increases the height of the existing infrastructure by no more than 10 percent.
 - j. Attached to historic structures, as designated on the City's list of historic resources.

- k. Generators are not permitted in any public or private right of way.
 - l. Wireless facilities are prohibited on traffic signal poles.
- C. **Noise.** Small cells and all associated antennas, accessory equipment and other improvements must comply with all applicable noise control standards and regulations in the San Clemente Municipal Code Chapter 8.48 and shall not exceed, either on an individual or cumulative basis, the noise limit in the applicable zone.
- D. **Lights.** All streetlights and streetlight fixtures must be aimed and shielded so that their illumination effects are directed downwards and confined within the public rights-of-way in a manner consistent with any other standards and specifications by the as identified or required by the City Engineer. All antennas, accessory equipment and other improvements with indicator or status lights must be installed in locations and within enclosures such that indicator or status lights are not visible from adjacent properties.
- E. **Landscaping.** Removal of trees/landscaping to accommodate facilities is not permitted unless replaced with like kind/size or better in a ROW location deemed acceptable by the City Planner. Removal of trees/landscaping to accommodate facilities in the ROW is not permitted unless replaced with like kind/size or better in a ROW location deemed acceptable by the City Planner or City Engineer. Landscaping shall be used to screen ground-mounted equipment wherever possible.
- F. **Safety.** All wireless facilities in the right-of-way, including each piece of equipment, shall be located and placed in a manner so as to not interfere with the use of the right-of-way; impede the flow of vehicular or pedestrian traffic; impair the primary use and purpose of poles/signs/traffic signals or other infrastructure; interfere with outdoor dining areas or emergency facilities; or otherwise obstruct the accessibility of the right-of-way. Further, all wireless facilities and associated equipment in the right-of-way shall comply with Americans with Disabilities Act (ADA) requirements.
- G. **Curb Setback Requirements.** There are no specific curb setbacks. However, all facilities must maintain minimum sidewalk clearances. Within pedestrian districts (as designated within Specific Plans or overlays) the minimum resulting sidewalk shall not be less than 10 feet or less than the existing sidewalk width, whichever is smaller.

SECTION 5. SPECIFIC DESIGN AND DEVELOPMENT STANDARDS. The following design and development standards shall apply for specific types of small cell facilities.

- A. **Streetlight Poles.** For existing, replacement, or new streetlights (note: new streetlights require approval of an Exception).
1. All antennas and pole-mounted equipment shall be mounted at the top of a pole within a shroud. Alternatively, if the volume of pole-mounted equipment is larger than can be accommodated within the shroud at the top of the pole, a decorative pole-base shroud can be used in conjunction with a shrouded antenna(s) at the top of the pole. Antenna and equipment “backpacks” installations are not permitted.
 2. The diameter of wireless facilities mounted at the top of a light pole shall be as close to the pole’s diameter as technically feasible, not to exceed 18 inches, unless decorative elements dictate otherwise. The size of a decorative base-shroud shall be as small as technically feasible and the diameter shall not exceed 250 percent of the pole diameter at the base of the pole and shall not exceed 42 inches in height.
 3. The maximum height of wireless facilities mounted at the top of a lightpole is 72 inches from the top of the existing pole when no base equipment shroud is proposed. The maximum height of wireless facilities mounted at the top of a lightpole where a base-shroud is used shall be 36 inches from the top of the existing pole. In the case of new lightpoles, the height of the “existing pole” shall be the same as the height of the nearest lightpole in the vicinity.
 4. Wireless facilities and shrouds shall match the color and appearance of the streetlight pole to reduce visual impacts and shall not contain any reflective finishes.
 5. New or replacement streetlight poles shall match the design (color, dimensions, height, style, and materials) of the existing poles in the vicinity to the greatest extent feasible. In no case shall the diameter of a new or replacement streetlight pole exceed 18 inches.
 6. Other than conduit and pole-base shrouds and enclosures, pole-mounted equipment shall be a minimum of eight feet above finished grade.
- B. **Utility Poles.** For existing and replacement utility poles.

1. All antennas and radio relay units (RRUs) shall be mounted at the top of a pole in a shroud, unless the antenna itself is camouflaged to appear as a part of the pole, then the antenna itself need not be shrouded. Alternatively, if the volume of RRUs is larger than can be accommodated within the shroud at the top of the pole, stacked RRUs mounted as closely to the pole as possible are permitted.
2. The wireless facility diameter shall be as close to the pole's diameter as technically feasible.
3. The maximum height of utility pole facilities is limited to a 10% increase in the existing pole height, or the minimum required to comply with California Public Utilities Commission (CPUC) General Orders, whichever is greater.
4. All installations on utility poles shall fully comply with the CPUC General Orders. None of these standards are meant to conflict with or cause violation of any CPUC General Order.
5. Other than conduit and pole-base shrouds and enclosures, pole-mounted equipment shall be a minimum of eight feet above finished grade.

C. **Slimline poles.** A new slimline pole to support a small cell facility is prohibited unless an exception is approved by the City.

1. All antennas, shrouds, RRUs, and conduit shall be incorporated into the pole design. Antennas and equipment shall not be mounted to the side of the pole or on a mid-pole arm.
2. Slimline poles shall be designed to resemble existing poles near the subject location, including size, height, color, materials, style, and pole distribution and spacing. In no case shall the diameter of a new slimline pole exceed 18 inches.
3. The height of slimline poles including the antenna and shroud shall be no greater than 35 feet or 10% taller than other similar poles not already containing small wireless facilities in the vicinity, whichever is greater.
4. Other than conduit and pole-base shrouds and enclosures, pole-mounted equipment shall be a minimum of eight feet above finished grade.

D. **Building-mounted facilities.** For facilities mounted on an existing building.

1. Building-mounted facilities shall comply with the height limits for the zone, except where this would conflict with applicable state or federal regulation.
2. Building-mounted antennas shall be stealthed to the maximum extent feasible. Stealthing techniques could include mounting behind a roof-parapet or other enclosure, or painting antennas to match the building. Modifications to the facades of buildings in certain zones may require additional discretionary approvals.
3. Equipment enclosures shall be screened to the greatest extent feasible.

SECTION 6. EXCEPTIONS. If the strict application of any standard(s) contained herein would cause a violation of state or federal law, or both, the Applicant may request an exception to a standard(s). For the City to grant an exception to one or more of these Standards, the Applicant must provide substantial evidence in their written application materials including, but not limited to, the following:

- A. For exceptions to location criteria: As required by the application form, an analysis of at least three alternative sites within 500 feet of the proposed location.
- B. For exceptions to stealthing or design criteria: If available, an analysis of at least three alternative designs.