



# Wireless Telecommunications Facility Regulation Information Handout

CITY OF SAN BRUNO

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

This informational packet provides an overview of wireless telecommunication facility application and review requirements. Information includes relevant review processes, pertinent definitions, restrictions and application information.

## I. Overview

The following information regarding The City of San Bruno wireless facility regulations provides the siting criteria and information for new facilities and additions and/or modifications to existing facilities on private property, as it relates to the Zoning Code requirements and the City of San Bruno Planning Division processes. City requirements are also based on the following:

**Telecommunications Act of 1996** – Section 704 of the Telecommunications Act of 1996 provides the groundwork for the review of wireless telecommunication facilities.

**Middle Class Tax Relief Act (Spectrum Act of 2012)** – FCC Section 6049(a) provides an outline and the guidelines for eligible facilities requests, based on the criteria set.

**SMALL Wireless Facilities in the Public Right-of-Way and within Utility Easement in Public and Private Properties** – City of San Bruno Municipal Code Chapter 8.36 establishes reasonable, uniform and comprehensive standards and procedures for wireless facilities deployment, construction, installation, collocation, modification, operation, relocation and removal within the city’s public right-of-way, consistent with and to the extent permitted under federal and California state law.

## II. Types of Wireless Telecommunication Facilities and Review Process

There are multiple types of wireless telecommunication that include eligible facilities requests (EFR) facilities, non-EFR Collocation facilities, new or other types of telecommunications and small wireless facilities that are within public ROW and public and private easement. The following table provides a summary of necessary review for each type of the request:

	Building Permit Review	Admin. Design Review	Use Permit Review	Encroachment Permit Review*
Eligible Facility Request (EFR) Facilities	X			
Non-EFR Collocation Facilities	X	X		
New and other Facilities	X		X	
Small Wireless facilities within public ROW and public and private easement				X
Small Wireless facilities on private properties	X			

\*check with Public Works for details

**III. Guidance on FCC Shot Clock Rules and Remedies for Wireless Facility Applications**

FCC Category		Applicable Shot Clock
<b>Eligible Facilities Requests (EFR)</b> Must involve modification to existing wireless facility (tower or base station) and meet size and other requirements to qualify as EFR		<b>60 days</b>
<b>Collocations</b> Must involve placement of personal wireless services facility (that does not qualify as EFR or SWF) on existing structure which need not have wireless facility already on it		<b>90 days</b>
<b>Other</b> Personal wireless services facility that does not fall in any other category		<b>150 days</b>
<b>Small Cells (Small Wireless Facility (SWF))</b> Must be personal wireless services facility that meets size and other requirements to qualify as SWF.	<b>Placement on existing structure (need not be existing wireless facility)</b>	<b>60 days</b>
	<b>New</b>	<b>90 days</b>

**IV. For additional information and questions:**

- Community and Economic Development Department (Planning approval and building permits related) - Planning (650) 616-7074
- Department Public Works (encroachment permits related) (650) 616-7065

## Eligible Facility Request (EFR) Facilities

An Eligible Facilities Request or (EFR) as defined by the Federal Communications Commission (FCC) and The City of San Bruno includes any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

- Collocation of new transmission equipment;
- Removal of transmission equipment; or
- Replacement of transmission equipment.

In compliance with Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455(a), the following worksheet is to determine if a proposed project qualifies for an Eligible Facility Request review. Applicants claiming applicability of FCC Rule 6409(a) to their project must answer “yes” or “no” to each of the following questions and provide supporting documentation with the submittal.

- Does the project propose a collocation onto an existing facility? YES / NO
- Does the project type include collocation of new transmission equipment, removal of transmission equipment or replacement of transmission equipment (*circle which applies to your project*)?

If the project answers “yes” to any of the question below, then it is NOT subject to the EFR review.

<b>For proposed collocations and modifications to Base Stations:</b>	<b>Yes</b>	<b>No</b>
If the facility is located within any public right-of-way, does the proposed collocation or modification increase the overall height of the base station by more than ten percent (10%) or 10 feet (whichever is greater)?  Describe the original height and the proposed height increase:		
If the facility is located within any public right-of-way, does the proposed collocation or modification increase the width of the base stations by more than 6 feet, measured from the edge of the base station?  Describe the original width and the proposed width increase:		
<b>For proposed collocations and modifications to Base Stations:</b>	<b>Yes</b>	<b>No</b>
If the facility is located within a private property, does the proposed collocation or modification increase the overall height* more than ten percent (10%) or the height of one additional antenna array not to exceed 20 feet (whichever is greater)?  Describe the original height and the proposed height increase:		
If the facility is located within a private property, does the proposed collocation or modification increase the width more than 20 feet from the edge of the wireless tower or the width of the wireless tower at the level of the appurtenance (whichever is greater)?  Describe the original width and the proposed width increase:		

<b>For proposed collocations and modifications to ground lease area:</b>	<b>Yes</b>	<b>No</b>
<p>Does the proposed collocation or modification involve the installation of any new equipment cabinets on the ground when there are no existing ground mounted equipment cabinets?</p> <p>If so, describe the number of new ground-mounted equipment cabinets and leasehold area.</p>		
<p>For facilities in the public rights-of-way, does the proposed collocation or modification involve the installation of any new ground- mounted equipment cabinets that are ten percent (10%) larger in height or volume than any existing ground-mounted equipment cabinets?</p> <p>Describe the proposed height or volume increase</p>		
<p>Does the proposed collocation or modification involve excavation outside the area in proximity to the structure and other transmission equipment already deployed on the ground?</p> <p>If so, describe the additional disturbed area.</p>		
<p>Does the proposed collocation or modification involve the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four?</p> <p>Explain the total number of equipment cabinets for the proposed modification.</p>		
<p>Does the proposed collocation or modification involve excavation outside the current boundaries of the leased or owned property surrounding the wireless tower, including any access or utility easements currently related to the site?</p>		
<p>Would the proposed collocation or modification defeat the existing concealment elements of the support structure?</p>		
<b>Other Conditions:</b>	<b>Yes</b>	<b>No</b>
<p>Would the proposed collocation or modification violate any prior condition of approval established for the existing facility (other than height, width, equipment cabinets or excavation &amp; deployment, or concealment elements)?</p>		
<p>Is the existing on-site telecommunications equipment properly permitted by the City of San Bruno?</p> <p>If a previous approval was granted, include the planning application number and building permit number below:</p>		

If the project qualifies for EFR review by answering “no” for all the questions above, then it requires Building Permit review only and is not subject to any planning approval.

## **Non-EFR Collocation Facilities**



If a wireless telecommunication collocation project does not qualify as an EFR, then it is subject to City's planning review in advance of submitting for building permit.

### **Planning Application Submittal Requirement:**

#### **□ COMPLETED APPLICATION FOR PLANNING**

- Must include both Applicant and Property Owner information
- Must include Power of Attorney or Letter of Authorization authorizing wireless telecommunication representative to act on behalf of property owner(s)

#### **□ REQUIRED APPLICATION FEE:** (check most recent City Council Adopted Fee Schedule),

- \$4,110 Wireless Administrative Review fee
- \$1,678 public notification fee
- Other review fees if determined applicable to case

#### **□ PROJECT PLANS:** Provide two sets of complete 24 x 36-inch project plans drawn to a scale of not less than 1/16" equals one foot and a digital file of such plans in portable document format (PDF). Project plans must contain all the following:

1. **Cover Sheet:** A detailed project description that specifies the proposed installation and/or modifications including without limitation all physical elements such as antennas, radios, power services, all cables, mounts, and all other elements of the proposed project site information that includes the proposed site address, zoning classification of the nearest private property, project team contact information, and site map.

2. **Site Development Plan:** Plan-view drawings, which include: the entire property or right-of-way block with the proposed project improvements detailed before-and-after views for any equipment pads, enclosures, cabinets, pedestals and/or vaults all existing and proposed equipment with all dimensions, labels and ownership identifications clearly called out boundaries for all easements, encroachments and/or other rights-of-way for access and utilities in connection with the wireless site with all dimensions clearly shown and called out all existing and proposed primary and backup utilities, including without limitation all cables, connectors, risers, conduits, cable shrouds, trays, bridges and/or doghouses, transformers, disconnect switches, panels, meters, pedestals, cabinets, vaults, generators and/or generator sockets, and a general equipment inventory which includes antenna models.

#### **□ PHOTOS and PHOTO SIMULATIONS:** Include several photos of the project site and adjacent development with the location noted. The applicant shall submit site photographs and photo-

simulations that show the existing location and proposed 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.

□ **RF COMPLIANCE REPORT:** 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.

□ **5-YEAR NETWORK PROJECTION MAP:** Provide an overview map of the applicant's network within the City's jurisdictional and territorial boundaries that shows (1) all the existing wireless facilities that applicant currently owns and/or operates and (2) all future wireless facilities that are reasonably foreseeable within five years of the application submission. The map must provide a legend that distinguishes between "macro" cells and small cell facilities

□ **REGULATORY APPROVALS:** Copies of all permits and other regulatory approvals, including without limitation any conditions of approval, issued in connection with the tower or base station to be collocated on or modified.

□ **FCC LICENSE:** If the applicant or service provider proposes to operate in FCC-licensed spectrum, provide proof of licenses for all planned operating bands. If there are federal build-out requirements, indicate which and whether they have been fully satisfied. If not satisfied, indicate what remains to be satisfied.

□ **NOISE COMPLIANCE REPORT.** Provide a noise compliance report for the proposed facility and all associated equipment including all environmental control units, sump pumps, temporary backup power generators, and permanent backup power generators in order to demonstrate compliance with the City's noise regulations. The noise compliance report must be prepared and certified by an engineer and 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 a noise compliance report, 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.

□ **ADDITIONAL INFORMATION.** May be requested during processing of your application to the extent permitted by law.

□ **ELECTRONIC FILES.** All applications and support materials are required to be submitted to the city electronically.

## **New & Other Types of Facility Request**



For all new wireless telecommunication and other types facilities, it may be subject to City's Use Permit and Architectural Review Permit review in addition to securing a building permit.

In addition to the application submittal requirement for a Non-EFR project, please see the submittal requirement for a Use Permit and Architectural Review permit.

***For more information and details on new or other types of facility requests, please call or visit the planning division using the contact information at the bottom of the page.***