



City of Seal Beach Public Works Department Application Process and Checklist for Wireless Communications Facility Permits in the Public Right-of-Way

INSTRUCTIONS

Introduction

This application packet explains the process and requirements to obtain a Wireless Communications Facility Permit (WCFP) for installation or construction of a wireless communications facility (WCF) within the public right-of-way (PROW) in the City of Seal Beach (City). The WCFP application form must be completed in full, organized by section, signed and dated under penalty of perjury, and accompanied by all supporting documentation and the required application fee and deposit.

Application Requirements

Applications for Small Wireless Facilities and Eligible Facilities Requests must be submitted separately. Multiple sites may be included in a single Small Wireless Facility or Eligible Facility application, but fees are per location, not per application. ***All information must be clearly labeled and organized. All blocks on the checklists must be addressed by indicating as not applicable or indicating the response and additional Attach information, if applicable.***

All of the following information and documents are required in order for the City to deem the WCFP application complete and for the Director of Public Works to issue a decision on the WCFP application:

- **Public Works Application:** A completed Application for Public Works Permit (Form #90023), signed and dated by the applicant or an authorized representative of the applicant. (Form required of all encroachment, excavation and/or building permit applicants.)
- **Wireless Facility Permit (WCFP) Application Form:** A Wireless Communication Facility Permit (WCFP) Application Form (Attached), including all information, documentation and materials requested, and signed and dated by the applicant or by an authorized representative of the applicant. **Eligible Facilities and Small Wireless Facilities must be grouped under separate applications.**
- **Wireless Permit Application Checklist:** Either: Section A Checklist (Small Wireless Facility Permit) for **each proposed location**, or Section B Checklist (Eligible Facilities Permit) for **each proposed location**. More than one location may be included in a single application.

- **Supporting Information, Documentation and Materials Labeled or Tabbed According to the Checklist Block Number:** All information, documentation and other materials supporting the application for a Small Wireless Facility Permit (SWFP) under the Section A Checklist, or the application for an Eligible Facilities Permit (EFP) under the Section B Checklist, prepared and in compliance with this application packet, SBMC §§ 6.10.070 and/or 6.10.075, and the Rules. ***No sections of the checklists may be left blank. All blocks on the checklists must be addressed by indicating as not applicable or indicating the response and additional Attach information, if applicable.***
- **Application Filing Fees/Deposit:** Application fees, and a deposit, in a payment format accepted by the City Finance Department, as may be amended from time to time.
 - a) Encroachment/Excavation Permit Fee: \$100.00 (FY 2018/2019)
 - b) Deposit: \$500 (Review and analysis of an wireless communications facility permit application will be charged based on the hours incurred by the Public Works Director and staff, and in some cases independent consultants, in reviewing and analyzing the application. A detail estimate of total costs is available upon request.)

ATTACHMENTS

PLEASE NOTE: An applicant may submit any additional pages needed. All additional pages, information, documentation and other materials submitted as an attachment to the Application Form or a Checklist must be paged and labeled by reference to the checklist item number to which each attachment relates.

Submission Requirements

All applications must be submitted **IN PERSON ONLY** to Public Works Engineering Staff at the Public Works Department counter located in City Hall, during the City's regular business hours. Only Public Works Engineering Staff may accept wireless facility applications. To ensure a staff person is available to receive your application, it is highly recommended that you **schedule an appointment** to submit the application. For an appointment, contact the Director of Public Works at 562.431.2527 Ext 1326.

Before filing an application, applicants may request an appointment for a voluntary Pre-Submittal Conference with the Public Works Director (or designee). The purpose of the voluntary Pre-Submittal Conference is to provide an opportunity for a potential applicant to discuss the Ordinances, Rules, and application requirements with City staff, and to ask questions. This voluntary conference will not trigger any applicable timing deadlines under any applicable shot clock.

Applicable Standards

Applications for new wireless communications facilities in the PROW or for collocation on an existing WCF in the PROW are governed by ordinances contained in the Seal Beach Municipal Code (SBMC), including SBMC Section 6.10.070, “Wireless Facilities in the Public Rights-of-Way”, and SBMC Section 6.10.075, “Wireless Communications Facilities in the Public Rights-of-Way -- Eligible Facilities Requests”; and the “City of Seal Beach Rules and Guidelines for Small Wireless Communications Facilities and Eligible Facilities in the Public Rights-of-Way “ (Rules), adopted by City Council Resolution 6894 on January 28, 2019.

The City recommends that you become familiar with the Seal Beach Municipal Code and the Rules. The official version of the Municipal Code and Resolution 6894 may be viewed at the City Clerk’s office. Information regarding small wireless facilities and eligible facilities may also be obtained on the City of Seal Beach website at: <http://www.sealbeachca.gov/>.

All terms used in this application package are defined in the Ordinances and Rules.

Permits

There are three primary permitting processes for obtaining approval of a Wireless Communications Facility (WCF) in the City of Seal Beach. They are:

- Small Wireless Facility Permit (SWFP) – Approval of a SWFP must be obtained from the Public Works Director in order for an applicant to construct or install a small wireless facility using an existing structure or a new structure. The applicant is required to notify all residents and business owners located within a 150-foot radius of the proposed WCF site by mailing a public notice (example included in Application) to them as part of the application process on a City-approved notification form; and the residents and business owners will have an opportunity to submit written comments prior to the Director’s decision.

The Director must make certain findings in order to approve the SWFP, including that the proposed facility meets all technical, development and design standards. The Director’s decision will be set forth in a written determination letter that will be sent to the applicant and posted on the City’s website, and therefore available to all members of the public. The Director’s decision is final.

- Eligible Facility Permit (EFP) – Approval of an EFP must be obtained from the Director in order for the applicant to construct a modified or collocated WCF in the PROW which qualifies as an “eligible facility” under SBMC Section 6.10.075, which incorporates the definitions and requirements of federal law contained in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112- 96, codified as 47 U. S. C. Section 1455(a). The applicant must mail similar public notices of the EFP application to residents and business owners located within a

150-foot radius of the proposed EFP site prior to the Director's decision, to allow them to provide written comments on the application. Appropriate findings must be made by the Director that the proposed WCF qualifies as an eligible facility under federal law. The Director's decision is final.

- Maintenance Encroachment Permit (MEP) – Once a wireless communications facility has been installed or collocated, the permittee is required to obtain approval of a Minor Encroachment Permit from the Public Works Director (or designee) in order for the permittee to carry out minor modifications, routine repairs or maintenance, and minor emergency repairs or maintenance, to an existing WCF in the PROW.

Checklists

In addition to the completed Application Form, an applicant must also complete either the Section A Checklist or the Section B Checklist included with this application packet. These Checklists contain the application requirements with reference to the City's Wireless Communication Facility Ordinance (SBMC Section 6.10.070) and Eligible Facility Ordinance (SBMC Section 6.10.075), and the additional technical, design, and development standards incorporated in the Rules adopted by resolution of the City Council . The Checklists are broken into the following permit categories:

- Section A Checklist - Section A Checklist addresses Small Wireless Facility Permit applications, including the required information and documentation for a SWFP as provided in SBMC Section 6.10.070 and Chapter 3 of the Rules. To obtain approval of a Small Wireless Facility Permit (SWFP), you must fill out all of the Section A Checklist, including provide complete answers to all questions listed, and provide all supporting information, documentation and other materials. **Attach additional sheets as necessary, and paginate and label all additional pages, information, documentation and materials to correspond to the specific block or issue to which each attachment pertains.**
- Section B Checklist - The Section B Checklist addresses applications for a proposed wireless communications facility that qualifies as an eligible facility under Section 6409(a), as codified in SBMC § 6.10.075 and Chapter 4 of the Rules. You must fill out all of the Section B Checklist, including provide complete answers to all questions listed, and provide all supporting information, documentation and other materials.
- Each Checklist is provided as a convenience in preparing an application. The Ordinances and Rules remain the governing documents and the applicant is responsible for complying with all established requirements.
- Section C Checklist -- [reserved.]

City Review and Shot Clocks

Wireless Communication Facility Permit applications submitted to the Public Works Department shall be reviewed and processed in accordance with the applicable timeline for review (shot clock) set forth in SBMC Sections 6.10.070.E.6 and E.7 and SBMC Section 6.10.075.E.6. Upon receipt, the City will determine whether an application is complete or incomplete. If the City determines that a WCF permit application is incomplete because it does not contain all required information, materials and other documentation required by the applicable Ordinance and/or Rules, the Department will issue an Incomplete Application Notice to the applicant, and the applicable shot clock shall be re-set or tolled as applicable under the Ordinances and law. Further information on the shot clocks may be obtained as follows:

- Small Wireless Facility Permit (SWFP) -- See SBMC Section 6.10.070.E.6(a) and (c) (60-day or 90-day shot clock) and SBMC Section 6.10.070.E.7 (re-setting or tolling of SWF shot clock upon issuance of Incomplete Application Notice).
- Eligible Facility Permit (EFP) -- See SBMC Sections 6.10.070.E.6(b) and 6.10.075.E.6(a) (60-day shot clock), and SBMC Section 6.10.075.E.6.b (tolling of EFP shot clock upon issuance of Incomplete Application Notice).

These shot clocks are strictly applied. The applicant's failure to provide a complete Application including all required application forms, related Checklist, and information, documentation, and other material supporting the application, may result in a determination by the Public Works Director that the application is incomplete or result in denial of the application.

The application packet also contains sample Timelines for Review (Shot Clocks) to assist permit applicants in tracking the relevant timeline for review of a SWFP or EFP application.

Wireless Communications Facility (WCF) Application Form – Small Wireless Facility Permit or Eligible Facility Permit (Public Right-of-Way)

Provide complete answers to each question and provide all requested information. Attach all supporting information, documentation and other materials, and additional sheets as needed. Paginate and label all attachments.

I. Type of Permit Application (check applicable box)

- Small Wireless Facility Permit Application (Number of Sites: _____)
- Eligible Facility Permit Application (per Section 6409(a)) (Number of Sites: _____)
- Minor Encroachment Permit

II. Applicant Information

Provide all information listed for the permit applicant.

Company Name: _____

Business Address: _____

City: _____ State: _____ Zip Code: _____

Mailing Address (if different): _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Mobile #: _____

Fax: _____ Applicant Project/ID #: _____

III. Applicant Representative (Contact Person)

All communications will be sent to the person identified below. (Attach a copy of the written authorization and designate the written authorization as “Attachment III”.)

- The following person is authorized to serve as the agent for and representative of the Applicant:

Complete Name: _____

Title: _____

Company Name: _____

Business Address: _____

City: _____ State: _____ Zip Code: _____

Mailing Address (if different): _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Mobile #: _____

Fax: _____ Email: _____

IV. Carrier Benefitting from Proposed Wireless Communications Facility

State the name of the wireless carrier that will benefit from the wireless communications facility proposed in this application.

- AT&T
- T-Mobile
- Other (specify): _____
- Sprint
- Verizon

V. Property/Site Location Information

Provide the following information regarding the location of the property/site within the public right-of-way:

Street address and/or property location description:

Assessor’s Parcel No. of subject property/site:

VI. Description of Proposed Project

Describe the proposed wireless communication facility:

(attach additional pages if necessary)

VII. Verification

I, _____ *[insert complete name]*, declare under penalty of perjury under the laws of the State of California that I am the authorized representative of the Applicant; that I completed this Application; and that all of the information, documentation and other materials included in this Application are true and correct.

Executed this _____ day of _____, 20__, at _____, California.

Signature: _____

Printed Name: _____

Title: _____

Applicant: _____ Site Address: _____ Reference: _____

SECTION A – SMALL WIRELESS FACILITY PERMIT (SWFP) APPLICATION CHECKLIST

The Section A Checklist must be completed for each site included in an application. Small Wireless Facilities and Eligible Facilities may not be included in the same application. They must be segregated into separate applications. Multiple sites may be included in a single Small Wireless Facility application with a separate Section A Checklist for each site.

Each item on this checklist must be responded to. This response is an indication that the requirement has been considered. It may be that an item can be marked not applicable, or a check may indicate the requirement is met. In either case, an explanation is advised – at least a few sentences explaining your response. This should be included in an attached document referencing the appropriate section of the Checklist along with other supporting information.

Mark all attachments with the corresponding Checklist Reference Number (Ref). All attachments must be paginated and labeled by reference to the item number to which each attachment relates.

| Ref | Item/Action | Explanation |
|-----|--|--|
| A.1 | <input type="checkbox"/> Attach complete Public Works (PW) Permit Application (Form #90023) | Complete the PW Permit Application by marking the type of Wireless Communication Facility request, and providing all requested information; and sign and date the form. The PW Permit Application includes: (1) the Public Works Permit Application Form; (2) the Wireless Communication Facility (WCF) Application the completed Verification and Signature page, (3) Section A Checklist or Section B Checklist, and (4) proposed Public Notice. |
| A.2 | <input type="checkbox"/> Attach completed Wireless Facility Communications Permit (WCFP) Application Form | The WCFP Application Form must be signed and dated by an authorized representative of the applicant. |
| A.3 | <input type="checkbox"/> Attach written description and supporting documentation of the type of facilities included in this application, its purpose, and specifications. | |
| A.4 | Check all applicable boxes: <input type="checkbox"/> This Facility request includes a Distributed Antenna System. <input type="checkbox"/> This Facility request does not include a Distributed Antenna System. <input type="checkbox"/> This Facility request is not for fiber only . | Refer to SBMC § 6.10.070.D for additional information. Applications for fiber only or deferred installations are prohibited. Applications must |

| | | |
|-----|--|---|
| | <input type="checkbox"/> All proposed Facilities are planned for expeditious installation upon issuance of the WCFP and do not include deferred installations at some future date. | include antenna and accessory equipment for simultaneous installation. |
| A.5 | <p>Check applicable box:</p> <input type="checkbox"/> The proposed Facility is not exempt from a Wireless Communication Facility Permit (WCFP) under any exemption described in SBMC § 6.10.070.C.2. | Per SBMC § 6.10.70.C.2, exemptions include: <ul style="list-style-type: none"> • Amateur radio Facility per FCC 47 CFR 97 • Satellite TV dish (<1m) or antennas • Portable or handheld radios and devices • Government owned & operated facilities • Emergency medical care facilities • Mobile public news services • Private property • Other federal exemption subject to documentation |
| | <input type="checkbox"/> The proposed Facility is exempt from a Wireless Communication Facility Permit (WCFP) under an exemption described in SBMC § 6.10.070.C.2. Specify Exemption: _____ _____ _____ _____ _____ (Attach additional sheets as needed.) <input type="checkbox"/> Attach written explanation and documentation supporting your answer that the proposed Facility is exempt under SBMC § 6.10.070.C.2. | |
| A.6 | <input type="checkbox"/> Attach proposed Public Notice (example Attach at the back of this application) as required by SBMC § 6.10.070.F and Rule 3.2.3 . | Refer to SBMC § 6.10.070.F.1 and Rule 3.2.2.E for additional information. The City-approved Public Notice template is included at the back of this Application.. City staff will review the proposed Public Notice and Affidavit of Mailing to ensure that each form meets the City requirements. |
| A.7 | <input type="checkbox"/> Attach approved Affidavit of Mailing of Public Notice on residents and businesses within 150-foot radius of proposed public right-of-way site. | Per SBMC § 6.10.070.F.1 and Rule 3.2.2.E.3, upon City approval of the Public Notice, the applicant must mail the Notice to residents and businesses within 150 feet radius and concurrently file the Affidavit of Mailing along with the approved Public Notice with the Public Works Department. |
| A.8 | <input type="checkbox"/> Attach inventory list and map of existing Wireless Communications Facilities within two miles of the proposed site (s), geographic service area for the proposed installation, including specific information as to location, height and design of each Facility. <input type="checkbox"/> Attach conceptual development plans for Facilities for a period of five years (if available). | Refer to Rule 3.2.2.F for additional details. |
| A.9 | <input type="checkbox"/> Attach Geographic Service Area , including description | Refer to Rule 3.2.2.G. |

| | | |
|------|--|---|
| | identifying the geographic area for the proposed installation and a two-year master plan of anticipated future installations and modifications including maps. | |
| A.10 | <input type="checkbox"/> Attach Report on Alternatives and/or Report on Technical Infeasibility of Collocation explaining the rationale for selecting the proposed site. <input type="checkbox"/> If a new monopole is being sought, Attach an explanation of why collocation or other structural options are not technically feasible. | Refer to Rule 3.2.2.H for additional details of content of required reports. |
| A.11 | <input type="checkbox"/> The proposed Facility meets all requirements for a Small Wireless Facility as follows: <ul style="list-style-type: none"> <input type="checkbox"/> The Facility (i) is mounted on structures 50 feet or less in height including its antennas ; or (ii) is mounted on structures no more than 10 percent taller than other adjacent structures, or (iii) does not extend existing structures on which it is located to a height of more than 50 feet or by more than 10 percent, whichever is greater; and <input type="checkbox"/> Each antenna associated with the deployment, excluding associated antenna equipment (as defined in this section), is no more than three cubic feet in volume; and <input type="checkbox"/> All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume; and <input type="checkbox"/> The facility does not require antenna structure registration under Part 17 of Subchapter A of Chapter 1 of Title 47 C.F.R., or its successor regulations; and <input type="checkbox"/> The facility is not located on Tribal lands, as defined under 36 C.F.R. Section 800.16(x), or its successor regulation; and <input type="checkbox"/> The facility does not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 C.F.R. Section 1.1307(b), or its successor regulation. | Refer to SBMC §§ 6.10.010 and 6.10.070.D. <i>If the proposed Facility does not meet SBMC § 6.10.70.D requirements to qualify for a Small Wireless Facility Permit, review with City staff for type of Public Works permit required.</i> |
| A.12 | <input type="checkbox"/> Attach Small Wireless Facility Plans including detailed engineering plans, photos and photo simulations and other required information and documentation. | Refer to Rules 3.2.2.I & 3.2.2.K for details. |
| A.13 | <input type="checkbox"/> Attach Site Plans | Refer to Rules 3.2.2.J for details |
| A.14 | <input type="checkbox"/> Attach photographs and visual analysis. | Refer to Rule 3.2.2.K for details. |
| A.15 | Check all that apply: <ul style="list-style-type: none"> <input type="checkbox"/> Proposed Facility meets all the design, aesthetic and development standards of SBMC § 6.10.070.G and Rules 3.2.4 and 3.2.5. <input type="checkbox"/> Proposed Facility does not meet all the design, aesthetic and development standards of SBMC § 6.10.070.G and Rules 3.2.4 and 3.2.5; and <input type="checkbox"/> Provided written explanation how the Facility does not meet all design, aesthetic and development standards. | Refer to SBMC Section 6.10.070.G and Rule 3.2.4 and 3.2.5 for detailed requirements related to equipment specifications, dimensions, design, materials, aesthetics, site restrictions, lighting, noise, security and other requirements. |

| | | |
|-------------|---|---|
| | | <p><i>If the proposed Facility does not meet all aesthetic, design and development standards, review exceptions (Rule 3.3.3.X) with City staff to determine the information required for approval of an exception.</i></p> |
| <p>A.16</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Attach documentation establishing Federal and State Compliance including (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> Attach engineering calculations demonstrating the proposed SWCF complies with FCC rules, regulations and specifications. <input type="checkbox"/> Attach radiofrequency (RF) emissions guidelines checklist (Appendix A to FCC Local Government Official’s Guide to Transmitting Antenna RF Emission Safety for categorical exclusion. <input type="checkbox"/> (If not categorically excluded) Attach RF exposure compliance report prepared by RF engineer acceptable to City, with certifications establishing compliance with applicable federal RF exposure standards, limits and emission levels. | <p>Refer to Rule 3.2.2.L</p> |
| <p>A.17</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Attach copies of all licenses, permits and approvals required by any federal and/or state agencies, including (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> Federal Aviation Administration (FAA) <input type="checkbox"/> Joint Forces Training Base, Los Alamitos <input type="checkbox"/> Naval Weapons Station, Seal Beach <input type="checkbox"/> California Coastal Commission <input type="checkbox"/> Federal Communications Commission (FCC) <input type="checkbox"/> Other (Specify): _____ _____ _____ <p>(Attach additional sheets as needed).</p> | <p>Refer to Rules 3.2.2.L, .M, and .N for details.</p> |
| <p>A.18</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Attach all environmental documentation required to obtain each federal and/or state license, permit or other approval. <input type="checkbox"/> Provided list of environmental approvals included with application. | <p>Refer to Rule 3.2.2.O for details.</p> |
| <p>A.19</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Attach CPUC Certificate of Public Convenience and Necessity issued to the applicant. <input type="checkbox"/> Attach copy of the CPUC decision authorizing the applicant to provide the communications service for which the Facilities are proposed to be constructed in the public rights- of- way. <input type="checkbox"/> Attach related CPUC Mitigation and Monitoring decision or other CPUC environmental determination. <input type="checkbox"/> For a competitive local carrier, Attach all of the following | <p>Refer to SBMC § 6.10.065.B.2(a) and 2(b) and Rules 3.2.2.P and 3.2.2.O for additional details.</p> |

| | | |
|------|--|---|
| | <p>documents:</p> <ul style="list-style-type: none"> <input type="checkbox"/> CPUC Certificate of Public Convenience and Necessity. <input type="checkbox"/> All documents demonstrating compliance with CPUC Decision No. 95- 12- 057. <input type="checkbox"/> All documentation establishing compliance with any CPUC mitigation and monitoring requirements resulting from a CPUC Negative Declaration for CLC projects for Local Exchange Service. | |
| A.20 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach copy of any other franchise, lease, license or other agreement authorizing access or entry into the public right-of-way. | Refer to SBMC § 6.10.065.B.2(a) and (b); and Rules 3.2.2.Q for additional details. |
| A.21 | <p>Check all applicable box(es):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Attach completed environmental assessment and documentation demonstrating compliance with all environmental mitigation measures imposed by the City or any federal or state determination. <input type="checkbox"/> Attach completed environmental assessment and documentation demonstrating that all environmental mitigation measures imposed by the City or any federal or state determination will be met as part of the proposed Facility. <input type="checkbox"/> Attach completed environmental assessment and documentation demonstrating that all environmental mitigation measures imposed by the City or any federal or state determination are not applicable. | Refer to Rule 3.2.2.R. |
| A.22 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach noise study prepared by a qualified acoustic engineer. | Refer to SBMC § 6.10.070.G.7 and Rule 3.2.2 S for additional details. Noise levels must comply with SBMC Chapter 7.15. |
| A.23 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach traffic plan for each Facility installation proposed on major arterials: Pacific Coast Highway, Westminster Avenue and Seal Beach Boulevard. <input type="checkbox"/> Large equipment (e.g., crane) will be used in installation. <input type="checkbox"/> Large equipment (e.g., crane) will not be used in installation and provide supporting documentation. | <p>Refer to Rule 3.2.2.T for additional details.</p> <p>The Public Works Director may require a traffic control plan when the applicant proposes use of large equipment, or for other streets adjacent to a non-residential zone.</p> |
| A.24 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach authorizations and forms for Utility Pole Attachments, to a utility pole owned by Southern California Edison (SCE), including (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> Attach detailed plans approved by SCE <input type="checkbox"/> Attach SCE Letter of Authorization <input type="checkbox"/> Attach completed SCE Street Authorization form <input type="checkbox"/> Attach SCE Consent Letter; <input type="checkbox"/> Attach SCE Disconnect Letter <input type="checkbox"/> Attach SCE required Lighting Study; and | Refer to Rule 3.2.2.U for additional details. |

| | | |
|-------------|---|---|
| | <ul style="list-style-type: none"> <input type="checkbox"/> Attach any other documents required by SCE <input type="checkbox"/> For any other utility, Attach all authorizations for Utility Pole Attachments. <input type="checkbox"/> For any wooden utility pole subject to Pole Attachment Rules, Attach all authorizations, forms and detailed plans for Wooden Utility Poles subject to Pole Attachment Rules including but not limited to the Southern California Joint Pole Committee. | |
| <p>A.25</p> | <ul style="list-style-type: none"> <input type="checkbox"/> This application does not require any Exception described in SBMC § 6.10.070.J. <input type="checkbox"/> This application requires an Exception described in SBMC § 6.10.070.J. <input type="checkbox"/> Attach written explanation and documentation supporting request for Exception. | <p>Per SBMC § 6.10.070.J. a request for an Exception specific review and findings by the Director of Public Works.</p> |
| <p>A.26</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Acknowledge that conditions of approval apply to all permits. <input type="checkbox"/> Acknowledge that timely submittal of executed Acceptance of Conditions is required in order for Small Wireless Facility Permit to be effective. | <p>Refer to SBMC §§ 6.10.070.G and 6.10.070.H.</p> |
| <p>A.27</p> | <ul style="list-style-type: none"> <input type="checkbox"/> Submitted application fee and deposit concurrently with application. | <p>Small Wireless Facility Permit Application Fees:</p> <ul style="list-style-type: none"> <input type="checkbox"/> PW Permit Application Fee: \$100 <input type="checkbox"/> Deposit: \$500 deposit per SWFP site/location. <p>All final fees due prior to permit approval. May include cost of independent consultant review.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Is this an existing location? _____ <input type="checkbox"/> Is this new pole installation? _____ <hr style="border: 1px solid black; margin-top: 10px;"/> |

Applicant: _____ Site Address: _____ Reference: _____

SECTION B – ELIGIBLE FACILITY PERMIT APPLICATION CHECKLIST

The Section A Checklist must be completed for each site included in an application. Small Wireless Facilities and Eligible Facilities may not be included in the same application. They must be segregated into separate applications. Multiple sites may be included in a single Small Wireless Facility application with a separate Section A Checklist for each site.

Each item on this checklist must be responded to. This response is an indication that the requirement has been considered. It may be that an item can be marked not applicable, or a check may indicate the requirement is met. In either case, an explanation is advised – at least a few sentences explaining your response. This should be included in an attached document referencing the appropriate section of the Checklist along with other supporting information.

Mark all attachments with the corresponding Checklist Reference Number (Ref). All attachments must be paginated and labeled by reference to the item number to which each attachment relates.

| Ref | Item/Action | Explanation |
|-----|---|---|
| B.1 | <input type="checkbox"/> Attach complete Public Works(PW) Permit Application (Form #90023) | Complete the PW Permit application by marking the type of Wireless Communication Facility (WCF) request and providing all requested information; and sign and date the form. The PW Permit Application includes: (1) the first page of your Wireless Communication Facility (WCF) Application, (2) the Verification and Signature page, (3) Section A Checklist or Section B Checklist, and (4) the proposed Public Notice. |
| B.2 | <input type="checkbox"/> Attach complete Eligible Facility Permit (EFP) Application Form | The EFP Application Form must be signed and dated by an authorized representative of the applicant. |
| B.3 | <input type="checkbox"/> Attach written description and supporting documentation of the type of facilities included in this application, its purpose, and specifications. <input type="checkbox"/> All proposed facilities are planned for expeditious installation and not deferred to some future date. | Refer to SBMC §§ 6.10.070.D and 6.10.075 and Rule 4.2.2 for additional details. Applications must include antenna and accessory equipment for simultaneous installation. |
| B.4 | <input type="checkbox"/> Attach proposed Public Notice (example Attach at the back of this application) as required by SBMC § 6.10.075.E and Rule 4.2.2.F . | Refer to SBMC § 6.10.075.E and Rule 4.2.2.F for additional information. The City-approved Public Notice template is included at the back of this application package. City staff will review the proposed Public Notice and Affidavit of Mailing to ensure that each form meets the City requirements. |

| | | |
|------|--|---|
| B.5 | <input type="checkbox"/> Attach Affidavit of Mailing of Public Notice on residents and businesses within 150-foot radius of proposed public right-of-way site. | Per SBMC § 6.10.075.F.1 and Rule 4.2.2.F, upon City approval of the Public Notice, the applicant must mail the Notice to residents and businesses within 150 feet radius and concurrently file an Affidavit of Mailing with the Public Works Department. |
| B.6 | <input type="checkbox"/> Attach Section 6409(a) Justification Analysis demonstrating proposed WCF meets all Eligible Facilities requirements for issuance of an Eligible Facilities Permit. <input type="checkbox"/> Attach Substantial Change Analysis Checklist . <input type="checkbox"/> Attach all supporting documentation . | Refer to SBMC §§ 6.10.010 and 6.10.075.B and Rule 4.2.2.E for further details. Substantial Change Analysis Questionnaire Attach. |
| B.7 | <input type="checkbox"/> Attach Eligible Facility Plans including detailed engineering plans, photos and photo simulations and all other information and documentation required by Rule 4.2.2.G and Rule 4.2.2.I. | Refer to Rule 4.2.2.G & Rule 4.2.2.I for details. |
| B.8 | <input type="checkbox"/> Attach Site Plans | Refer to Rule 4.2.2.H for details |
| B.9 | Check applicable box: <input type="checkbox"/> Proposed Facility meets all the aesthetic, design and development standards of SBMC § 6.10.070.G and Rule 4.2.3. <input type="checkbox"/> Proposed Facility does not meet all the aesthetic, design and development standards of SBMC § 6.10.070.G and Rule 4.2.3. <input type="checkbox"/> Provided written explanation how the Facility does not meet all design, aesthetic and development standards. | Refer to SBMC § 6.10.070.G and Rule 4.2.3 for detailed requirements, related to equipment specifications, dimensions, design, materials, aesthetics, site restrictions, lighting, noise, security and other requirements. <i>If proposed Eligible Facility does not meet all design and siting requirements, review exceptions (Rule 3.3.3.X) with City staff to determine the information required for approval of an exception.</i> |
| B.10 | <input type="checkbox"/> Attach documentation establishing Federal and State Compliance including (check all that apply): <input type="checkbox"/> Attach engineering calculations demonstrating proposed Eligible Facility complies with FCC regulations and specifications. <input type="checkbox"/> Attach radiofrequency (RF) emissions guidelines checklist (Appendix A to FCC Local Government Official's Guide to Transmitting Antenna RF Emission Safety for categorical exclusion. <input type="checkbox"/> (If not categorically excluded) Attach RF exposure compliance report prepared by RF engineer acceptable to City with certifications establishing compliance with applicable federal RF exposure standards, limits and emission levels. | Refer to Rule 4.2.2 J for details. |
| B.11 | <input type="checkbox"/> Attach copies of all licenses, permits and other approvals required by any federal and/or state agencies, including (check all that apply): | Refer to Rules 4.2.2.K and .L for details. |

| | | |
|------|---|---|
| | <ul style="list-style-type: none"> <input type="checkbox"/> Federal Aviation Administration (FAA) <input type="checkbox"/> Joint Forces Training Base, Los Alamitos <input type="checkbox"/> Naval Weapons Station, Seal Beach <input type="checkbox"/> California Coastal Commission <input type="checkbox"/> Other (Specify): _____ _____ (Attach additional sheets as needed). | |
| B.12 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach all environmental documentation required to obtain each federal and/or state license, permit or other approval. <input type="checkbox"/> Provided list of environmental approvals with the EFP application. | Refer to Rule 4.2.2.M for details. |
| B.13 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach CPUC Certificate of Public Convenience and Necessity issued to the applicant. <input type="checkbox"/> Attach copy of the CPUC decision authorizing the applicant to provide the communications service for which the Facilities are proposed to be constructed in the public rights- of- way. <input type="checkbox"/> Attach any related CPUC Mitigation and Monitoring decision or other environmental determination <input type="checkbox"/> For a competitive local carrier, Attach all of the following : <ul style="list-style-type: none"> <input type="checkbox"/> CPUC Certificate of Public Convenience and Necessity. <input type="checkbox"/> All documents demonstrating compliance with CPUC Decision No. 95- 12- 057. <input type="checkbox"/> All documentation establishing compliance with any CPUC mitigation and monitoring requirements resulting from a CPUC Negative Declaration for CLC projects for Local Exchange Service. | Refer to SBMC § 6.10.065.B.2.a and 2.b and Rule 4.2.2.N for further details. |
| B.14 | <ul style="list-style-type: none"> <input type="checkbox"/> Attach copy of any other franchise, lease, license or other agreement authorizing access or entry into the public right-of-way. | Refer to SBMC § 6.10.065.B.2(a) and (b); and Rule 3.2.2.Q for additional details. |
| B.15 | <p>Check all applicable box(es):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Attach completed environmental assessment and documentation demonstrating compliance with all environmental mitigation measures imposed by the City or any federal or state determination. <input type="checkbox"/> Attach completed environmental assessment and documentation demonstrating that all environmental mitigation measures imposed by the City or any federal or state determination will be met as part of the proposed Facility. <input type="checkbox"/> Attach completed environmental assessment and documentation demonstrating that all environmental mitigation measures imposed by the | Refer to Rule 4.2.2.P. |

| | | |
|------|--|--|
| | City or any federal or state determination are not applicable. | |
| B.16 | <input type="checkbox"/> Attach noise study prepared by a qualified acoustic engineer. | Per Refer to Rule 4.2.2.H for additional details. Noise levels must comply with SBMC Chapter 7.15. |
| B.17 | <input type="checkbox"/> Attach traffic plan for Eligible Facility proposed on major arterials: Pacific Coast Highway, Westminster Avenue, and Seal Beach Boulevard. <input type="checkbox"/> Large equipment (e.g., crane) will be used in installation. <input type="checkbox"/> Large equipment (e.g., crane) will not be used in installation and provide supporting documentation. | Refer to Rule 4.2.2.R for details. |
| B.18 | <input type="checkbox"/> Attach authorization and forms for Utility Pole Attachments to an existing pole, tower or base station owned by Southern California Edison (SCE) or other utility structure, including (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> Attach detailed plans approved by SCE; <input type="checkbox"/> Attach SCE Letter of Authorization; <input type="checkbox"/> Attach completed SCE Street Authorization form; <input type="checkbox"/> Attach SCE Consent Letter; <input type="checkbox"/> Attach SCE Disconnect Letter; <input type="checkbox"/> Attach SCE required Lighting Study; and <input type="checkbox"/> Attach any other documents required by SCE <input type="checkbox"/> For any other utility, Attach all authorizations for Utility Pole Attachments. <input type="checkbox"/> For any wooden utility pole subject to Pole Attachment Rules, Attach all authorizations, forms and detailed plans for Wooden Utility Poles subject to Pole Attachment Rules including but not limited to the Southern California Joint Pole Committee. | Refer to Rule 4.2.2.S and Rule 4.2.2.T for details. |
| B.19 | <input type="checkbox"/> This application does not require any Exception described in 6.10.070.J. <input type="checkbox"/> This application requires an Exception described in SBMC § 6.10.070.J. <input type="checkbox"/> Attach written explanation and documentation supporting request for Exception. | Refer to SBMC §§ 6.10.070.J and 6.10.075.I.2 and Rule 4.2.2.U for additional details. Per SBMC § 6.10.070.J, a request for an Exception requires specific review and findings by the Director of Public Works. |
| B.20 | Check applicable box(es): <ul style="list-style-type: none"> <input type="checkbox"/> The proposed Eligible Facility complies with all conditions of the permit or other regulatory approvals applicable to the existing tower or base station. <input type="checkbox"/> The proposed Eligible Facility does not comply with all conditions of the permit or other regulatory approvals applicable to the existing tower or base station. <input type="checkbox"/> Attach copies of all previously issued permits | Refer to SBMC § 6.10.075.D.2. |

| | | |
|------|---|--|
| | and/or other regulatory approvals applicable to the existing tower or base station. | |
| B.21 | <input type="checkbox"/> Acknowledge that the conditions of approval apply to all permits. <input type="checkbox"/> Acknowledge that timely submittal of executed Acceptance of Conditions is required in order for Eligible facility Permit to be effective. | Refer to SBMC §§ 6.10.070.H and 6.10.075.G |
| B.22 | <input type="checkbox"/> Attach fee and deposit concurrently with application. | Eligible Facility Permit Application Fees: <input type="checkbox"/> PW Permit Application Fee: \$100 <input type="checkbox"/> Deposit: \$500 deposit for this application/location. All final fees due prior to permit approval. Deposit may include cost of independent consultant review. <hr/> |

SECTION 6409(a) ANALYSIS CHECKLIST (SECTION B ELIGIBLE FACILITY PERMIT -- ITEM #B.6)

The following Section 6409(a) Analysis Checklist is provided to assist you in submitting a request for an Eligible Facility Permit (EFP) pursuant to SBMC § 6.10.075, on the basis that the proposed wireless communication facility qualifies as an eligible facility under Section 6409(a) and applicable FCC regulations. Answer all of the following questions and provide all supporting documentation for each answer where indicated. Paginate and label the attachments and supporting documentation by reference to the question to which it pertains.

1. Eligibility to Apply for Eligible Facilities Permit

(a) Existing Facility: Does the project involve an existing wireless tower or base station? Yes No

If you answered "YES" to Question #1(a), attach a written explanation in support of your answer.

If you answered "NO" to Question #1(a), the proposed project does not qualify as an Eligible Facility Request. Submit a Small Wireless Facility Permit application or review with City staff other available Public Works Permits applications.

(b) Project Type: Does the project involve (Check all applicable box(es)):

- | | | |
|---|------------------------------|-----------------------------|
| Collocation of new transmission equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Removal of transmission equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Replacement of transmission equipment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If you answered "YES" to any of the above in Question #1(b), attach a written explanation substantiating your answer to Question #1(b).

If you answered "NO" to all boxes in Question #1(b), the proposed Facility DOES NOT qualify as an Eligible Facility Request. Submit a Small Wireless Facility Permit application or review with City staff other available Public Works Permits applications.

2. Substantial Change Analysis

(a) Does the proposed collocation or modification increase the overall height of the tower more than 10% or 10 feet (whichever is greater) (tower or base station)? Yes No

If you answered "NO" to Question #B(2)(a), provide a written explanation supporting your answer, including but not limited to all calculations, and all supporting documentation.

(b) Does the proposed collocation or modification involve adding an appurtenance to the body of the structure that would protrude from the edge of the tower or base station by more than six feet?

Yes No

Provide a written explanation, including but not limited to all calculations, and documentation supporting your answer to Question #2(b).

(c) Does the proposed collocation or modification involve the installation of any new ground-mounted equipment cabinets when there are no pre-existing ground-mounted equipment cabinets associated with the structure? Yes No

Provide a written explanation and documentation supporting your answer to Question #2(c).

(d) For any eligible support structure, does the proposed project involve installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets? Yes No

Provide a written explanation, including but not limited to all calculations, and documentation supporting your answer to Question #2(d).

(e) Does the proposed collocation or modification involve the installation of any new ground-mounted equipment cabinets that are more than 10% larger in height or overall volume than any other existing ground-mounted equipment cabinets? Yes No

Provide a written explanation, including but not limited to all calculations, and documentation supporting your answer to Question #2(e).

(f) 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? Yes No

Provide a written explanation and all documentation supporting your answer to Question #2(f).

(g) Would the proposed collocation or modification defeat the existing concealment elements of the eligible support structure as reasonably determined by the Public Works Director? Yes No

Provide a written explanation and all documentation supporting your answer to Question #2(g).

(h) Does the proposed collocation or modification violate a prior condition of approval (tower or base station)? Yes No

Provide a written explanation and all documentation supporting your answer to Question #2(h).

(i) Do you contend that the proposed collocation or modification is not required to comply with a prior condition of approval related to height, width, equipment cabinets or excavation because the condition is inconsistent with any of the FCC thresholds described in 47 CFR 1.6100(b)(7)(i) through (iv) (formerly 47 CFR § 1.40001(b)(7)(i) through (iv))? Yes No

Provide a written explanation and all documentation supporting your answer to Question #2(i).

If you answered "YES" to ANY of the foregoing Questions #2(a) through (i), this application constitutes a SUBSTANTIAL CHANGE. Submit a Small Wireless Facility Permit application or review with City staff other available Public Works Permit applications.

PUBLIC NOTICE AND AFFIDAVIT OF MAILING
TEMPLATES
FOR WIRELESS COMMUNICATIONS FACILITY
PERMIT APPLICATION

Public Noticing Requirements for Public Right-of-Way Wireless Communications Facility Applications

A **proposed** Public Notice must be included with all applications to install a wireless communications facility (WCF) in the public right-of-way in the City of Seal Beach. The text and format of the Public Notice is provided on the following page. Failure to submit a Public Notice that confirms to the City's requirements and to provide confirmation of mailing as provided below, will result in your application being deemed incomplete.

City staff will review the proposed Public Notice to ensure that it meets City requirements. Once determined to be acceptable, City staff will instruct the applicant to send the Public Notice to all businesses and residents within a 150-foot radius of the proposed installation, and to concurrently deliver or send a copy of the approved Public Notice to City Hall, along with an Affidavit of Mailing (form Attach), at the following address:

City of Seal Beach
Attn: PW Wireless Public Notice
211 8th St.
Seal Beach, CA 90740

Individual residents/businesses must be notified. Sending a single notice to a building manager, landlord, or homeowner association is not acceptable. Notices must be mailed via USPS Certified, USPS Tracking, or an equivalent service.

Upon completion of mailing, please make sure to include the completed and signed Affidavit of Mailing with the copy of the mailed Public Notice sent to the City. The permit applicant is required to maintain mailing records to provide to the City in the event of a City audit.

Instructions to Permit Applicant

1. The Public Notice must be on the letterhead of the applicant. The letterhead must include the applicant company's name, logo, name of applicant representative, mailing address for any public comments/inquiries, and telephone number for any public comments/inquiries.
2. All fields in **red** in the template Public Notice must be updated as applicable to this specific application.
3. Fonts and text colors may be modified as necessary to match company branding standards. However, the minimum font size for the "Public Notice" header shall be 16 pt, and the minimum font size for the notice body shall be 11 pt unless otherwise approved by City staff.

COMPANY LETTERHEAD

*Must include: applicant's company name, logo, mailing address for any public comments/inquiries,
telephone number for any public comments/inquiries*

Public Notice

Applicant: Company Name
 On Behalf of [WIRELESS CARRIER]
 Company Address
 City, State ZIP
 (310) 555-0123
 (Attn: Representative Name)

Dear Resident or Business:

The City of Seal Beach Department of Public Works has received a Wireless Facility Permit application for the installation of a small cell site in the public right-of-way located on a _____ [e.g., *streetlight/traffic signal/utility pole*] at or near the location indicated below. A “small cell site” is a low-powered, compact device used to provide wireless cellular service. This location was identified by the applicant based on the applicant’s specific network coverage needs. The proposed wireless communication facility _____ [includes/does not include] installation of any street-level equipment, such as data cabinets or electrical meter pedestals.

Pursuant to 47 United States Code (U.S.C.) Section 332(c)(7)(B)(i)(II), local governments may not prohibit or take any action that has the effect of prohibiting the provision of cellular services in the municipalities they govern.

Pursuant to 47 U.S.C. Section 332(c)(7)(B)(iv), local governments may also not prohibit an application based on the environmental effects of radio frequency emissions to the extent that such facilities comply with the regulations of the Federal Communications Commission (FCC) concerning such emissions. Information about radiofrequency safety can be found on the FCC’s website at <https://www.fcc.gov/general/radio-frequency-safety-0>. Concerns related to the safety of radiofrequency emissions should be directed to the FCC Office of Engineering and Technology located at 445 12th St SW, Washington, DC, 20554. The FCC may also be reached at 1 (888) CALL-FCC.

Comments regarding this application, including requests to receive updates regarding the City’s determination, may be mailed to the City at the “Comments Address” or City website address listed below. All comments/requests for updates must be submitted to the City **within 10 (ten)** calendar days of the date of mailing of this Public Notice to be considered by the City.

For information on the equipment or technical aspects of this proposed installation, please contact the applicant listed at the top of this letter.

Location: Streetlight/traffic signal/utility pole at or near

123 Main St
Seal Beach, CA 90740
(Include if on a corner) e.g. Northern/southern/eastern/western corner of
Main St & Central St)
Assessor's Parcel No. (APN): _____

Permit No.: WCFSB-XXXX

Type of Wireless Permit

Requested:

- Small Wireless Facility Permit
- Eligible Facility Permit

Comments Address:

City of Seal Beach
Public Works Department
Attn: Wireless Comments
211 8th St
Seal Beach, CA 90740

Comments may also be submitted within the ten-day deadline at the City's website at:

(Attachment: Affidavit of Mailing)

Affidavit of Mailing of Public Notice

I, _____ [complete legal name], declare as follows:

1. I have personal knowledge of the matters and facts set forth herein and, if called as a witness, could, and would testify competently thereto.
2. I am employed in the County of _____, State of California. I am a citizen of the United States. I am over the age of eighteen years. My business address is:

3. On _____, 20__ I served the Attach Public Notice on all residents and businesses within a 150-foot radius of the proposed installation in the public right-of-way, by (check applicable box(es)):

- USPS Certified Mail
 USPS Tracking, or
 an equivalent service (specify): _____

4. I will maintain complete copies of the mailing records related to the Attach Public Notice until final decision by the City on the application.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true.

Executed this _____ day of _____, 20__ at _____, California.

Signed: _____

Print Name: _____

Title/Capacity: _____

Mailing Address: _____

Telephone: _____