

PERSONAL WIRELESS SERVICE FACILITY

“Personal wireless service facility” means an unstaffed facility, generally consisting of transmitters, antenna structures, and other types of installations which receive and transmit radio frequency signals for the provision of personal wireless services including support structure, ancillary equipment cabinet or structure, and related equipment. Although personal wireless service facilities can be large or small, this handout primarily covers large facilities located on private property commonly referred to as “macro cells.” This handout does not cover submittal information pertaining to a Small Wireless Facility (SWF). For SWF applications, please refer to City Council policy, license agreement, and the submittal checklist.

“SHOT CLOCK”

In 2009, the Federal Communications Commission (FCC) adopted rules designed to help speed the deployment of wireless networks. It defines “presumptively reasonable” periods in which state and local zoning authorities must act on wireless siting applications: (1) 90 days for a collocation application (i.e., adding a wireless facility to any pre-existing structure) and (2) 150 days for other applications. This presumptively reasonable time frame within which state and local authorities generally must act on a given wireless application is known as the “Shot Clock.”

REVIEW PROCESS

Applications for Personal Wireless Service Facilities pursuant to Pleasanton Municipal Code (PMC) Chapter 18.110 that do not qualify as a SWF are processed as Design Review applications. When your application is submitted it will be assigned to a staff planner, and the submittal will be reviewed for its completeness. A letter will be sent within 30 days from the date of the submittal to inform the status of the application. If the submittal is deemed incomplete, the letter would list items missing from the application and items that need to be clarified and/or provided.

After the application is deemed complete, noticing requirements differ based on the level of proposed concealment. For a “concealed facility” as defined in PMC 18.110.050.A.1.a, no mailed notice is required. For all other facilities, notices will be mailed to all property owners and occupants within a 300-foot radius of the project site, which commences a seven-day comment period during which interested parties may review application materials, provide comments, and/or request a public hearing. If no hearing requests are received, and the project is consistent with the PMC, the project will be approved, subject to a 15-day appeal period. If within the seven-day comment period the Zoning Administrator (ZA) receives a request for a hearing or objections to the proposed site, the ZA will schedule an administrative hearing. The ZA may refer any application to the Planning Commission (PC) for review and action. At the hearing, the staff planner presents the proposal, and the applicant and any other party may also speak and provide comments. The ZA or PC, as the case may be, renders a decision after taking into account all public input and based on applicable City regulations. Action by the ZA may be appealed to the PC, and action by the PC may be appealed to the City Council. All appeals must be filed within 15-days after the decision. If no appeals are filed, the decision becomes final after the 15-day appeal period lapses.

After receiving approval for the application and after expiration of the appeal period, applicants have one year to submit plans to the Building and Safety Division for a building permit, if applicable. Please contact the Building and Safety Division at (925) 931-5300 or visit www.pleasantonpermits.com for plan check submittal requirements.

VOLUNTARY PRE-SUBMITTAL CONFERENCE

Prospective applicants may schedule and attend a voluntary pre-submittal conference with city staff. The City encourages pre-submittal conferences for all applications. The pre-submittal conference is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process, any latent issues in connection with the proposed or existing small cell wireless facility, such as compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments and/or divisions responsible for application review; and application completeness issues. To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to request an appointment to review draft applications or other materials so that City staff may provide informal feedback and guidance about whether such applications or other materials may be incomplete or unacceptable. The City will use reasonable efforts to provide the applicant with an appointment within five working days after receiving a written request. For staff to prepare for the pre-submittal conference, the applicant should include the preliminary plans as part of the written request

KEY ELEMENTS IN REVIEWING AN APPLICATION

PMC Chapter 18.110 is the wireless facility ordinance. It provides a comprehensive set of standards for the development and installation of personal wireless service facilities. Applicants are strongly encouraged to review Chapter 18.110 in its entirety. Any questions may be directed to City staff. The ordinance also provides the following as key elements in selecting and designing a site:

1. Locational Priorities: The City prefers applicants proposed facilities in the following locations in order of priority:
 - a. Where feasible, personal wireless facilities shall be located on properties with a Commercial (C), Office (O), Industrial(I), or Mixed-Use (MU) zoning designation.
 - b. If it is not feasible to locate a personal wireless service facility on a parcel zoned C, O, I or M-U, a facility may be located on properties zoned Agriculture (A), Public (P), or Public and Institutional (P &I).
 - c. Iron Horse Trail Between Santa Rita Road and Mohr Avenue.
 - d. All Other Zoning Classifications
2. Design Criteria: The City strongly prefers concealed facilities, but camouflaged facilities may be permitted under certain circumstances.
 - a. Concealed Facility: Where feasible, personal wireless service facilities shall be concealed from view and shall not be visible by persons at ground level. By way of example, a facility will be considered “concealed” the antennas are contained within new or existing architectural details of a building, e.g., real or faux clock or bell tower, or on the roof of a building and concealed by parapets or screenwalls, or concealed by any other means, so long as the project does not substantially compromise the aesthetics of the building.
 - b. Camouflaged Facility: If it is not feasible to conceal a facility, personal wireless facilities shall be camouflaged in a manner that the facility is designed to be compatible with the surroundings. By way of example, antennas may be camouflaged in a faux tree, faux bush, flagpole, or otherwise designed in a manner to be compatible with the appurtenant architecture, building, or natural surroundings.
3. Separation Requirement (This requirement does not apply to a concealed facility):
A wireless facility must be located minimum of 200 feet away from the following: existing dwelling units (but not accessory structures, detached garages, sheds, poolhouses, etc.); senior care or

nursing homes and assisted living facilities; public or private schools for children (including nursery schools); and neighborhood parks, community parks, or regional parks, as designated in the general plan.

This requirement does not apply to (1) a concealed facility or (2) a dwelling unit located within a Commercial (C), Office (O), or Industrial (I) zone.

SUBMITTAL REQUIREMENTS

The general application submittal requirements for personal wireless service facilities are provided in PMC 18.110.040. For all proposed personal wireless service facilities, the applicant shall provide the following to the Planning Division:

- A completed design review application which includes the signature of the personal wireless service provider and the property owner. An Application for Development Review form can be obtained online at www.pleasantonpermits.com or from the Planning Division at 200 Old Bernal Avenue.
- All applicable [fees](#) including deposit fees for peer review. The Zoning Administrator is authorized at his or her discretion to employ on behalf of the city an independent technical expert to review any materials submitted the applicant and to provide an analysis of issues including but not limited to, whether the wireless facility meets the radiofrequency emission standards set forth by the Federal Communications Commission and whether the application complies with the City's design and location standards subject to applicable federal law. The applicant shall pay all costs of the peer review consultant and shall submit a deposit for peer and staff review.
- Provide 12 complete sets of project plans [2 full size and 10 reduced size (minimum 11 x 17 inches)] and one digital copy in PDF format of the following information.
 - Site plan, landscape plan, and elevations drawn to scale. The elevation drawings shall include all buildings and/or structures on which the personal wireless service facilities are proposed to be located.
 - Cross-sections and floor plans, drawn to scale, if an antenna is proposed to be façade- or roof-mounted.
 - The number, type, and dimensions of antennas, equipment cabinets, and related facilities proposed for use by the personal wireless service provider. If an applicant is proposing an emergency standby generator, include the unit's dimensions and specifications including noise emission levels.
 - A USGS topographic map or survey, to scale, with existing topographic contours showing the proposed antennas and accessory structures.
 - A survey of the existing trees on the site that are located near the project facility with a trunk diameter of six inches or greater, including size, species, and indication of which trees are to be removed, note all "heritage" trees, with accurate trunk and drip lines noted. The survey must be accompanied by a tree report prepared by a City-approved Arborist. A list of City-approved Arborists can be obtained on the City's webpage at: <http://www.cityofpleasantonca.gov/resident/trees.asp>. All trees need to be labeled by number and tagged on-site per ISA standards. More information can be found via the City's website under the Landscape Architect Division webpage. Provide two copies of the survey and arborist report.
 - Reference to any easements necessary.
 - All proposed signage, including emergency signage as required by PMC 18.110.160(B).

- A report from a structural engineer, licensed by the State, regarding the number and type of antennas a proposed or existing structure is designed to support.
- Before and after photo-simulations and elevation drawings showing the height, design, color, and location of the proposed facility as viewed from public places and if requested by the zoning administrator, from private properties.
- Proposed means of establishing and maintaining maximum visual screening of facilities which includes submitting sample exterior materials and colors of towers, antennas, and accessory structures (such as equipment cabinets and structures), landscaping, and security fences.
- Technical justification that includes the following:
 - Justification of why the proposed height and visual impact of the personal wireless service facility cannot be reduced on the proposed site.
 - A letter stating specifically the reasons for not co-locating on any existing personal wireless service facility tower or at any site with existing antennas within the city. The reasons for not co-locating may include evidence the existing facilities will not meet the provider's coverage needs, letters from personal wireless service providers with existing facilities stating reasons for not permitting co-location, or evidence personal wireless service providers have not responded, or, if the reasons for refusal to co-locate are structural, the structural calculations for review by the Planning Division.
 - A letter, including service area maps and other information demonstrating that the proposed location is essential for the personal wireless service provider to fulfill a significant gap in coverage needs. A map based on drive tests (or similar engineering data) at the proposed site and its vicinity showing the estimated coverage area for the proposed personal wireless service facility. As used herein, drive tests are field tests to demonstrate the coverage of a proposed antenna in which one person holds a transmitter at the proposed site and another drives away from the site with a receiver to determine the outer perimeter of the radio signals that can be transmitted from the site.
- Site selection/alternative sites analysis justification that includes the following:
 - A letter explaining the site selection process including information about three other sites which could service the same or similar coverage area and the reasons for their rejection, provided that three such alternatives exist and are reasonably available for the provider's use in the coverage area.
 - A letter demonstrating whether the facility could be co-located, where that co-located antennas and equipment could be placed, and how that future facility may look.
- A letter which states the personal wireless service provider's commitment to allow other personal wireless service providers to co-locate antennas on their proposed facilities wherever structurally and technically feasible, and to provide at any time additional information, as requested by the zoning administrator, to aid in determining whether or not another personal wireless service provider could co-locate on/near their facilities if approved.
- A letter certifying that the proposed facility will at all times comply with all applicable health requirements and standards pertaining to radio frequency (RF) emissions as required by the FCC. The letter must include documentation showing the specific frequency range that the facility will use and a certification by a licensed engineer-expert in the field of wireless communication systems that the facility will comply with FCC radio frequency emission standards and will not interfere with the city communication operations and the communication systems of emergency service providers. An application for a co-located facility must also include certification showing the cumulative radio frequency emissions from both the existing and proposed facilities comply with FCC emission standards and will not cause interference.

- Information sufficient to determine the personal wireless service provider has obtained all applicable operating licenses or other approvals required by the Federal Communications Commission and California Public Utilities Commission.
- Provide a duly certified title report prepared within 30 days prior to the application filing date that clearly describes the subject property and identifies the current owner(s) of the property. City staff will use the title report to verify the property owner's identity.
- Installation of "story poles" to show the height or overall size of the proposed antennas or accessory structures.
- Noise impact analysis prepared and certified by an engineer (or other qualified personnel acceptable to the city) that measures all noise-emitting equipment related to the wireless facility and would operate at the site. Such equipment includes without limitation all environmental control units, temporary backup power generators, and permanent backup power generators. The noise impact analysis must 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 certified 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 ambient noise limits.
- A letter to the zoning administrator which describes in detail the maintenance program for the facility as well as a security plan to prevent unauthorized access and vandalism.
- Written proof of the availability of any required irrigation facilities on-site prior to permit issuance. This may be in the form of a letter from the owner of the land allowing the personal wireless service provider the use of required water facilities for landscaping.