

CITY OF PIEDMONT
120 VISTA AVENUE
PIEDMONT, CA 94611
TEL: (510) 420-3050
FAX: (510) 658-3167

RECEIVED BY _____
DEPOSIT PAID _____
DATE FILED _____
NUMBER _____
PLANNER _____
(For staff use only)

**APPLICATION FOR:
WIRELESS COMMUNICATIONS FACILITIES (WCF)**

***Purpose:** All WCF application forms and materials must be filed and application payment submitted at a meeting that is scheduled in advance with the planning department staff and occurs in City Hall. The purpose of the application is to provide a mechanism for an applicant to supply necessary information to the City of Piedmont so that it can review the proposed project for conformance with all applicable regulations and guidelines. The purpose of Chapter 17.46, Wireless Communications Facilities, is to provide a comprehensive set of standards for the development and installation of wireless communication facilities. The regulations are designed to protect and promote public safety and community welfare, property values, and the character and aesthetic quality of the city, while at the same time not unduly restricting the development of wireless communication facilities, and not unreasonably discriminating among wireless communication service providers of functionally equivalent services, including retail and other commercial providers of wireless communication services. This division applies to applications for approval of the installation of new or modified wireless communication facilities, including applications previously received by the city but not yet approved, disapproved or conditionally approved by a final city decision.*

Fees:	_____	\$2,815	Initial Deposit (the total fee will be equal to the cost to process)
	_____	\$5,635	Initial Deposit if 3 rd party review is required pursuant to 17.46.060 (the total fee will be equal to the cost to process)
	_____	\$845	One variance
	_____	\$420	Each additional variance
	_____	TOTAL	

Project Address: _____

2 sets of plans must be submitted with this application for an initial staff review for completeness.
8 additional sets of plans may be requested by City Staff if this application is to be heard by the Planning Commission and/or the City Council.

Application Fees

The cost to process the application will determine the final application fees. You will be charged for any amount not covered by the initial deposit. If the cost to process the application is less than the initial deposit, you will receive a partial refund of your deposit.

Please indicate what steps you have taken to discuss this project with City staff prior to submittal: _____

Detailed Description of Proposed Project: *Please attach additional pages, as needed.* _____

I. Applicant Information:

Name of Commercial Wireless Provider: _____

Contact Person at Company: _____

Company Address: _____

City _____ State _____ Zip _____

Office phone #: _____ Mobile Phone #: _____

Fax #: _____ Email Address: _____

Project Applicant (e.g. the wireless provider's agent):

Company Name: _____

Contact Person at Company: _____

Company Address: _____

City _____ State _____ Zip _____

Office phone #: _____ Mobile Phone #: _____

Fax #: _____ Email Address: _____

Agent's Prof. License #: _____ Expiration Date: _____

Piedmont Business License # of Agent: _____ Expiration Date: _____

(Please contact the City Clerk at 510-420-3040 for Piedmont Business License information.)

Property Owner Information:

Property Owner Name: _____

Mailing Address: _____

City _____ State _____ Zip _____

Office phone #: _____ Mobile Phone #: _____

Fax #: _____ Email Address: _____

My signature below signifies that I:

- have read and provided all applicable information per this Application for Wireless Communications Facilities, including the information listed in the Submittal Checklist.
- have reviewed the legal description on the property deed and indicated all recorded easements and deed restrictions on the submitted site plan (*Please provide a description here of the easements and restrictions that were indicated on the property deed of the subject property*) _____

- believe the information provided in this application is accurate to the best of my knowledge.
- am aware that my initial deposits of \$2,815 or \$5,635 (exclusive of variance fees) may not cover the cost to process this pre-application and that additional deposits may be required. I agree to provide additional deposits if they are required. I am aware that the City will deduct the costs to cover the processing of this application from the deposit(s), and that any unused money remaining after action has been taken on the project, will be returned to me.
- am aware that City staff, Planning Commissioners, and/or City Council Members will be on the property to view proposed construction. (Please note any special instructions regarding access to the property such as gates, alarms, etc.) _____

- understand that if this application is approved, a building permit (issued within one year from the approval date) is required for construction and that no construction may commence prior to the issuance of the building permit. No changes may be made without City approval, and changes may require a new application.

SIGNATURE OF PROPERTY OWNER:

Print Name

Signature

Date

SIGNATURE OF WIRELESS SERVICE PROVIDER'S AUTHORIZED REPRESENTATIVE:

Print Name

Signature

Date

AGENT AUTHORIZATION: This authorization must be signed by the property owner if the applicant is not the property owner. This authorization also permits City staff to contact the Wireless Service Provider and its agent if necessary.

I authorize _____ to act as my agent in the processing of all matters pertaining to this application.

SIGNATURE OF PROPERTY OWNER _____ date _____

k. Other (describe): _____

4. If the project is an “upgrade” to an existing facility, please describe how the project camouflages, conceals and/or screens the modified equipment so as to mitigate any adverse impact on aesthetics and views. _____

5. If the project is an “upgrade” to an existing facility, please describe any proposed changes to the physical size of the exposed surface area of all existing components of the tower or base station (including but not limited to the height, circumference, width of the wireless tower or base station, etc.) or any increase by more than 10% from the existing dimensions of any structure(s) required to support the wireless tower or base station (such as guy wires, brackets, beams, etc.). _____

D. Facilities located within the Public Right-of-Way:

1. Is the provider is a telephone corporation? Yes No
→ If yes, please provide certification as outlined in Section IX of this application.
2. Do you have an environmental review document certified by the CPUC? Yes No
→ If yes, please provide a copy of the document as outlined in Section IX of this application.
3. Is the facility proposed to be sited on a City pole (streetlight standard)? Yes No
→ If yes, please provide a list of the pole(s) as outlined in Section IX of this application.
4. Is the facility proposed to be sited on a third party’s utility pole? Yes No
→ If yes, please provide written authorization from the appropriate utility company.

E. Height:

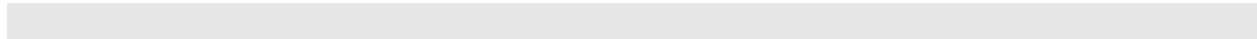
What is the maximum height (measured from lowest adjacent grade) of the new or replacement antenna, pole and/or equipment? _____feet _____inches

(Please be aware of the maximum building height from grade for each zone in which the wireless communication facility is located, including existing structures or facilities to which the antennae are proposed to be mounted.)

F. California Environmental Quality Act (CEQA):

Do you believe the project is exempt from CEQA? Yes No

1. If yes, please cite the statutory or categorical exemption in Articles 18 and 19 of the CEQA Guidelines, Title 14 of the California Code Regulations and explain how the project meets this exemption: _____



III. Building and Structural Information:

A. Loading:

Are additional gravity and wind loads likely to result from components of the project, such as additional arrays, or bigger, heavier antennas or mounting arms not accounted for in the original design? Yes No

1. If yes, please describe the new loads and the equipment causing them. _____

B. Excavation, trenching and grade modifications:

Does the proposed project include any excavation, trenching and/or grade modifications?
 Yes No

1. If yes, please describe: _____



IV. Applicant’s Wireless Communications Facilities Findings:

The following information is required from all applicants.

Please describe how the proposed project meets the following summarized Wireless Communications Facilities Development Standards outlined in Section 17.46.070 of the City’s Municipal Code.

- a) **New wireless communications facilities must be collocated with existing facilities and with other planned new facilities whenever feasible.** Please note that §17.46.070.A.1 states “A new wireless tower must be designed and constructed to accommodate future collocation(s) unless the city determines that collocation would be infeasible because of physical or design issues specific to the site.” *(Indicate whether the proposed facility will be collocated with another facility. If it will not, comment on the feasibility of collocation and indicate what measures have been taken to attempt to collocate the facility with another facility. Additionally, indicate the aesthetic benefits and drawbacks of the proposed facility.):*

- b) **No wireless communication facility may exceed 35 feet in height, measured from the ground to the highest point of the wireless communication facility, unless the zoning district in which the wireless communication facility is located expressly provides a higher height limit. Ground mounted wireless communication equipment, base station, antenna, pole, or tower must be the minimum functional height, unless a variance is granted. Roof mounted equipment and antennas must be located to minimize visibility.** *(Indicate the height of any ground mounted equipment, antennas, poles or towers and explain why the proposed heights are required.):*

- c) **Wireless communication facility(ies) must be designed to minimize visual impacts. When feasible, the facility(ies) must be concealed or camouflaged. The facility(ies) must have a non-reflective finish and be painted or otherwise treated to minimize visibility and the obstruction of views. The facility(ies) may not bear signs, other than certification, warning, emergency contacts, or other signage required by law or expressly required by the City.** *(Describe the materials and finishes of the equipment, antennas, poles, and towers and indicate how these materials and finishes will be non-reflective and will minimize any visual impacts.):*

d) **A wireless communication receiving and transmission facility may not adversely affect the public health, peace and safety.** *(Indicate any measures proposed to address the public health, peace and safety.):* _____

e) **A wireless communication facility located in the public right-of-way may not cause: (i) physical or visual obstruction, or safety hazard, to pedestrians, cyclists, or motorists; or (ii) inconvenience to the public's use of the right-of-way. Equipment, walls, and landscaping located above grade must be at least 18 inches from the front of the curb and not interfere with the public's use of the right-of-way.** _____

f) **Each wireless communication facility must comply with federal and state statutes governing local agencies' land use authority regarding the siting of wireless communication facilities, including without limitation 47 USC sections 253, 332(c)(7), 47 USC section 1455 (also known as section 6409 of the 2012 Middle Class Tax Relief and Jobs Act), California Government Code sections 50030, 65850.6 and 65964, and California Public Utilities Code sections 7901 and 7901.1. Each reference to a federal and state statute is to the statute as it may be as amended from time-to-time and to the extent the statute remains in effect.** _____



V. Applicant's Wireless Communications Facilities Priority for Location Findings:

The following information is required from all projects located in Zones A, C, D & E, projects not located in or on publicly-owned facilities, or projects in locations other than the public right-of-way.

Please describe how the proposed project meets the following summarized Wireless Communications Facilities Development Standards outlined in Section 17.46.040 of the City's Municipal Code.

- a) The facility is necessary to close a significant gap in the operator's service coverage or capacity. *Please comment:*

- b) The proposal satisfies each of the applicable development standards in section 17.46.070 above. *Please comment:*

- c) The applicant has evaluated and met the priority for location standards of section 17.46.040 A above., including the evaluation of a possible alternative site(s) in Zone D that is not used for residential purposes; evaluation of a possible alternative site(s) in non-residential property in Zone A, C or E; evaluation of a possible alternative site(s) on or in an existing structure where the wireless communications facility can be concealed; evaluation of a possible alternative site(s) where collocation with other wireless communications facility is possible; and evaluation of a possible alternative site(s) where the wireless communications structure can be located on or in a new structure that can be incorporated in an inconspicuous or compatible manner with the surrounding area. *Please comment:*

d) The proposed design is consistent with City of Piedmont Design Guidelines. *Please comment:*

e) The proposed facility has been located and designed for collocation to the greatest extent reasonably feasible, and the applicant has submitted a statement of its willingness to allow other wireless service providers to collocate on the proposed facility. *Please comment:*

The development standards in 17.46.070 shall be fully considered. *Please make sure you have completed the Findings in Section IV of this application form.*

VI. Applicant's Variance Findings:

The following information is required from all projects that require a variance.

In order for the Planning Commission to approve an application for a variance, required findings must be made. Please describe how the proposed project meets the variance criteria of Section 17.70 of the City's Municipal Code.

- a) **The property and existing improvements present unusual physical circumstances of the property (including but not limited to size, shape, topography, location and surroundings), so that strictly applying the terms of this chapter would keep the property from being used in the same manner as other conforming properties in the zone;** *Describe specific, unique problems with the property, such as location, surroundings, mature trees, natural obstacles or formations, and explain why the improvements cannot be made in conformity with codes and regulations:*

- b) **The project is compatible with the immediately surrounding neighborhood and the public welfare; and** *Explain why, without the variance, the property cannot be used in the same manner as others in the same zone, and explain how the variance will not give the property an advantage over others in the same zone:*

- c) **Accomplishing the improvement without a variance would cause unreasonable hardship in planning, design, or construction.** *Unreasonable hardship" for purposes of this subsection refers to the unusual physical characteristics of the underlying lot and existing improvements on the lot which prohibit development of the lot in a manner consistent with lots conforming to City standards. "Unreasonable hardship" shall not refer to any conditions personal to the applicant. Please describe the hardship(s) inherit to this property:*

VII. Notice Instructions:

Required for all projects that will be heard by the Planning Commission and/or City Council (e.g., non-exempt projects, projects without proposed collocation, and projects referred to the Planning Commission by the Planning Director).

1. Complete the attached Notice and make one photocopy for each adjacent neighbor.
2. Hand deliver or mail one copy of the Notice to each adjacent neighbor at least 30 days before the initial hearing. Adjacent neighbors often include one neighbor on each side, three across the street, and three in the rear. You may address the notices to "Property Owner", if you do not know the names of your adjacent neighbors.
3. Complete the attached Affidavit of Service and return it along with one copy of the Notice to the Department of Public Works at least 30 days before the hearing. Please note the Affidavit of Service is not required to be notarized.
4. Please call the Department of Public Works at (510) 420-3050, if you have any questions or would like help in determining the addresses or names of your adjacent neighbors.

**NOTICE OF AN APPLICATION FOR
WIRELESS COMMUNICATIONS FACILITY**

Dear Neighbor:

I/ We have submitted an application for consideration by the Piedmont Planning Commission which seeks City approval of an application to (description of project) _____

The purpose of this form is to notify you of my application. My application will be considered by the Planning Commission on or after (date) _____.

This notice will be followed by a notice from the City confirming the date of the hearing and inviting you to comment on the application. The Planning Commission regularly meets at 5:00 p.m. on the second Monday of every month in the Council Chambers at City Hall, 120 Vista Avenue. Please contact the Department of Public Works at 420-3050, if you have any questions regarding this application.

Signed,

Signature

Date

Name of Applicant

Address of Project

AFFIDAVIT OF SERVICE BY APPLICANT/ AGENT

(To be attached to a copy of the Notice and returned to the Department of Public Works.)

_____ being sworn, says that he or she is over 18 years of age
affiant (applicant/agent) name

and a resident of _____
County, Country

That affiant's **residence address** is _____.

That affiant served a copy of the attached notice of an application for variance and/or Planning Commission design review by placing said copy in an envelope addressed to:

which envelope was then sealed and postage fully prepaid thereon, and thereafter was on _____ date
deposited in the United States mail or delivered personally by hand.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ date at _____ address, California.

Signed _____
Affiant's signature

VIII. Drawing and Document Elements Checklist:

Wireless Communications Facility (WCF) Application

A vital part of the WCF Application is to have adequate plan set information in order to properly review the proposed wireless telecommunications facility in conformance with Division 17.46 of the Municipal Code and all other relevant guidelines and regulations. Unless otherwise indicated, you must provide all of the following information. Two (2) sets of drawings (24" x 36" in size) must be submitted with the WCF Application. All drawings must be accurately scaled and dimensioned. One copy of non-drawing documents must be submitted with the WCF Application.

_____ All WCF application forms and materials must be filed and application payment submitted at a meeting that is scheduled in advance with the planning department staff and occurs in City Hall.

_____ Application Deposit

_____ Affidavit of Service by Applicant / Agent

Should your application be deemed complete and placed on the agenda for a Commission or Council hearing, **8 additional sets of plans** will be requested by City Staff.

Existing Site Plan (preferred scale 1/8") should include:

- Scale, north arrow, and dimensions;
- Property lines, easements, streets, pavement striping, sidewalks, curbs, curb ramps, and rights-of-way;
- Location of existing structures, hardscape areas, fences, retaining walls, trees, hedges and other significant site features;
- Roof plans should be shown for all structures (rather than floor plans). Roof plans should include all edges and ridges, the roof slope, overhangs, skylights, chimneys, vents, and other equipment or antennas;
- Setback dimensions measured from the property lines to the footprint of Structure(s), including. (§17.90)

Proposed Site Plan (preferred scale 1/8") should include:

- Scale, north arrow, and dimensions;
- Property lines, easements, streets, pavement striping, sidewalks, curbs, curb ramps, and rights-of-way;
- Location of existing and proposed structures, hardscape areas, fences, retaining walls, trees, hedges and other significant site features;
- Roof plans should be shown for all structures (rather than floor plans). Roof plans should include all edges and ridges, the roof slope, overhangs, skylights, chimneys, vents, and other equipment or antennas;
- Footprints (outline) and identification of structures on adjacent properties within 20 feet of the property line or more than 100 feet from the proposed construction. Indicate the dimensions between the closest point of any adjacent structure and the proposed construction;
- Setback dimensions measured from the property lines to the footprint of proposed ground-mounted equipment, antenna, and Structure(s) (§17.90).

Existing Elevations (or Photographs should no existing building exist) (preferred scale 1/4") should include:

- Scale, dimensions, and drawing label indicating the cardinal direction (or indicated plan direction) the depicted wall is facing;

- All elevations of each structure on which modifications are proposed;
- Show buildings, other structures, WCF equipment, fences, retaining walls, and any other relevant feature;
- Indication of building materials for walls, roofs, windows, doors, decorative features, and WCF equipment and antennas;
- Indication of the height of buildings, structures and WCF equipment. Heights are measured to the highest point of the feature from both the lowest adjacent grade and highest adjacent grade. Adjacent grade is where grade meets the footprint of the building or structure;
- Photographs showing existing conditions may be submitted as supplemental information or in place of elevations when no existing structures or buildings exist on site.

Proposed Elevations (preferred scale 1/4") should include:

- Scale, dimensions, and drawing label indicating the cardinal direction (or indicated plan direction) the depicted wall is facing;
- All elevations of each structure on which modifications are proposed;
- Show buildings, other structures, WCF equipment, fences, retaining walls, required signage, and any other relevant feature;
- Indication of proposed building materials for walls, roofs, windows, doors, decorative features, and WCF equipment and antennas;
- Indication of the proposed height of new buildings, structures and WCF equipment. Heights are measured to the highest point of the feature from both the lowest adjacent grade and highest adjacent grade. Adjacent grade is where grade meets the footprint of the building or structure;
- Photographs or photo simulations showing proposed conditions may be submitted as supplemental information.

Equipment Details (preferred scale at least 1/2") should include:

- Scale, dimensions, and drawing label;
- Include details of antenna and other proposed wireless communications equipment.

Landscape plans (preferred scale 1/8") should include:

- Scale, north arrow and dimensions;
- Include property lines, footprints of all structures and all hardscape areas;
- Show planting areas and provide a plant list including the size and species;
- Arborist report for work within the driplines of existing trees;
- Provide information on irrigation.

Photo Simulations (optional):

- In addition to proposed elevations, photo simulations may be submitted to demonstrate the aesthetics and impacts of a proposed wireless communications facility.

Story Poles, per City of Piedmont story pole policy.

Graphic Calculations (1 set only):

Please submit plans which graphically illustrate the required calculations. Calculations are expressed as percentages. Separate graphic calculations are to be submitted, as follows:

- Existing and proposed lot coverage/structures** equals the number of square feet of structures covering the lot divided by the number of square feet in the lot. For a complete definition of structure coverage, please see Piedmont City Code §17.90.020.
- Minimum landscape coverage** equals the number of square feet of landscaped area divided by the number of square feet in the lot. For a complete definition of landscape please see Piedmont City Code §17.90.020.

Documentation for sites outside of Zone B, publicly-owned facilities in other zones, or the public right-of-way:

- Map, Written Description and Copies of Detailed Technical Reports or Tests** showing and describing the exact area in Piedmont which applicant contends cannot receive coverage from a site in Zone B or a site outside of City, showing the boundaries of the area clearly on a map and setting forth the exact street addresses of each Piedmont home not within the area receiving coverage – Piedmont City Code §17.46.080.D.1.a.

Documentation for Wireless Communication Facilities located within the Public Right-of-Way (ROW):

- Certification that the provider is a telephone corporation.
- Any environmental review document(s) certified by the California Public Utilities Commission for siting the proposed facilities in the City's ROW.
- For projects in which the facility is proposed to be sited on a City pole (e.g., streetlight standard), please provide a list of said poles including identification by location and badge/ID number.
- For projects in which the facility is proposed to be sited on a third party's utility pole (e.g., PG&E pole), please provide a list of said poles including identification by location and badge/ID number AND written authorization from the appropriate utility company.
- Site plans that illustrate the boundaries of the ROW and the location of infrastructure in the ROW, including without limitation sidewalks, curbs, gutters, driveways, landscaping, other existing communications equipment, utility poles, light poles, fire hydrants, bus stops, bike lanes, traffic signals and above and below ground utility equipment vaults, etc.
- Analysis demonstrating the impacts to sightlines for drivers, bicyclists, and pedestrians.

If you believe that any of the above requirements do not pertain to your project, please call the Department of Public Works at (510) 420-3050 and make an pre-application appointment to meet with a planner.