

# CITY OF ANTIOCH

## ATTACHMENT A: ELIGIBLE FACILITIES REQUEST CHECKLIST

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### WHAT IS AN ELIGIBLE FACILITIES REQUEST?

Any request to collocate, replace or remove transmission equipment at an existing wireless tower or base station submitted with a written request for approval under Section 6409 shall require an administrative use permit consistent with all valid and enforceable terms and conditions of the underlying permit or other prior regulatory authorization for the tower or base station.

### PROCESS

The process for applying for an administrative use permit is:

#### **Step 1 - Project Consideration**

A prospective applicant should review the City Council Policy for Wireless Communications Facilities requirements. The Policy can be found at: [www.antiochplanning.com](http://www.antiochplanning.com).

#### **Step 2 – Submit your Application**

Submit your application online through the EnerGov/EPL City of Antioch Civic Access Portal at <https://antiochca-energovweb.tylerhost.net/apps/selfservice#/home>. By using the online portal, you will be able to search records by APN or by address. Apply for various Building, Planning and Encroachment Permits, Schedule inspections and pay invoices. Necessary forms and material checklists are provided in this brochure.

Applications for any type of wireless application are only accepted Monday through Wednesday before 3pm Pacific Time on working days. Applications submitted after 3pm Pacific Time on Mondays or Tuesdays will be deemed submitted the following working day and applications submitted after 3pm Pacific Time on a Wednesday will be deemed submitted the following Monday (or working day in cases of a holiday).

#### **Step 3 – Processing the Application**

Staff will review the application for completeness with the below application submittal checklist. Once an application is deemed complete, the Zoning Administrator will issue a written approval, a conditional approval, or a denial without prejudice.

#### **Right to Appeal**

Any applicant may appeal the Zoning Administrator's written decision to deny without prejudice an application for section 6409 approval. The written appeal together with the applicable appeal fee must be tendered to the City Clerk within five working days from the Zoning Administrator's written decision and must state in plain terms the grounds for reversal and the facts that support those grounds.

The City Manager or the City Manager's designee shall be the appellate authority for all appeals from the Zoning Administrator written decision to deny without prejudice an application for section 6409 approval. The City Manager shall review the application *de novo* without notice or a public hearing; provided, however, that the City Manager's decision shall be limited to only whether the application should be approved or denied in accordance with the provisions in this section VI and any other applicable laws. The City Manager shall issue a written decision that contains the reasons for the decision, and such decision shall be final and not subject to any further administrative appeals.

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### ONLINE APPLICATION SUBMITTAL CHECKLIST

- PROPERTY OWNER AUTHORIZATION FORM.** The property owner must complete and upload the form to the EnerGov/EPL Civic Access Portal. For projects on City owned sites, submit a Letter of Authorization obtained through the City Attorney's office. Contact the City Attorney's Office ([cityattorney@antiochca.gov](mailto:cityattorney@antiochca.gov)) for more information.
- FEE.** Refer to the [Planning Division Fee Chart](#) for the current Eligible Facilities Application fee.
- PROJECT DESCRIPTION.** Submit a written summary on a separate sheet of paper describing the proposed project.
- RF COMPLIANCE REPORT.** An RF exposure compliance report that certifies that the proposed facility will comply with applicable federal RF exposure standards and exposure limits. The RF report must be prepared and certified by an RF engineer. The RF report must include the actual frequency and power levels (in watts ERP) for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.
- EXISTING FACILITY.** Copies of the original entitlement approval(s) for the existing facility.
- REGULATORY AUTHORIZATION.** The applicant shall submit evidence of the applicant's regulatory status under federal and California law to provide the services and construct the facility proposed in the application, if the project is located in the public right-of-way.
- PHOTOS and PHOTO SIMULATIONS.** Several photos of the project site and adjacent development with the location noted. The applicant shall submit site photographs and photo simulations that show the existing location and proposed facility in context from at least three vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point.
- DEVELOPMENT PLANS.** All plan sets should be in digital format, uploaded to the online portal on the attachments page and shall:
  - Include the date of preparation and dates of each revision.
  - Be fully dimensioned and drawn to scale on the same size sheets, with a consistent scale (as noted) throughout all plan sheets.
  - Be numbered in proper sequence.

*Staff may request hard copies of the plans, if necessary.*

### ATTACHMENTS

- A. Eligible Facilities Request Checklist, attached
- B. [Property Owner Authorization](#)

<b>FCC Rule 6409 Compliance Checklist</b>	
Applicants claiming applicability of FCC Rule 6409 to their project must answer the following questions and provide supporting documentation where noted.	Yes/No
1. <b>Existing Facility:</b> Does the project involve an existing wireless tower or base station?	
2. <b>Project Type:</b> Does the project involve ( <i>circle which applies to your project</i> ): <ul style="list-style-type: none"> <li>○ Collocation new transmission equipment; OR</li> <li>○ removal of transmission equipment; OR</li> <li>○ replacement of transmission equipment?</li> </ul> ➤ Attach narrative substantiating your conclusion	
Answer EITHER 3 or 4 below, depending on the PROPOSED facility location	
3. <b>For Towers Outside the Public Rights-of-Way:</b> Does the proposed project: <ul style="list-style-type: none"> <li>○ Increase the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet (whichever is greater); OR</li> <li>○ Involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower by more than 20 feet or more than the width of the tower structure at the level of the appurtenance (whichever is greater); OR</li> <li>○ Involve the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four; OR</li> <li>○ Involve excavation outside the current boundaries of the leased or owned property surrounding the wireless tower, including any access or utility easements currently related to the site.</li> </ul> ➤ Include calculations on your submitted plans to support your conclusion	
4. <b>For Towers Within the Public Rights-of-Way an all-Base Stations:</b> Does the project: <ul style="list-style-type: none"> <li>○ Increase the height of the structure by more than 10% or more than 10 feet (whichever is greater); OR</li> <li>○ Involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than 6 feet; OR</li> <li>○ Involve the installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure; OR</li> <li>○ Involve the installation of any new ground-mounted equipment cabinets that are more than ten percent (10%) larger in height or volume than any other ground cabinets associated with the structure; OR</li> <li>○ Involve excavation outside the area in proximity to the structure and other transmission equipment already deployed on the ground.</li> </ul> ➤ Include calculations on your submitted plans to support your conclusion	
5. <b>Concealment:</b> Does the proposed project defeat the existing concealment elements of the support structure?	
6. <b>Prior Conditions of Approval:</b> Will the proposed project preserve all prior conditions of approval that do not conflict with the FCC regulations for a substantial change?	

APPLICANT NAME: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_