



Public Works Department

Administrative Policy – Small Cell Wireless Facilities in the Public Right-of-way

Policy: The intent of this policy is to establish general guidelines, standards and procedures to promote public safety, community welfare, and the aesthetic quality of the City while providing for well-managed development of small cell wireless facilities within the public right of way. Additional conditions, and procedures may be required based on project scope or as deemed necessary by the City Engineer. This policy may be amended as needed by the City Engineer.

Background

On September 26, 2018, the Federal Communications Commission (FCC) adopted a Declaratory Ruling and Third Report Order, which sets forth limitations on state and local government regulation of small wireless facilities that are placed on existing or new utility poles and streetlight standards located in the public right-of-way and private property. The FCC ruling clarifies and more specifically restricts the authority of state and local governments to regulate small wireless facilities in the public right-of-way. This ruling is significant in that there are several nuances in small “cell” wireless facilities technology and application, which set them apart from other wireless communication facilities.

The FCC ruling: a) limits the level of local permitting and discretion; b) establishes “shot clock” rules (e.g., time limits and deadlines) for processing and action on local permits; c) limits the fees that can be charged for the facilities; and d) requires that any aesthetic regulations and fees required for processing of small wireless facilities be published in advance.

The City does not have the authority to regulate the technologies wireless carriers use; however, in the interest of public health/safety, the City may regulate the time, place, and manner of wireless communications facilities.

The Public Works engineering permit and development review process is guide by the following objectives:

1. Minimize the number of small cell facilities for aesthetic reasons by encouraging the location of these facilities in less intrusive preferred locations and collocation where feasible.
2. Provide the opportunity for quality wireless service to all person and visitors in the City by encouraging well-designed facilities compliant with FCC health and safety regulations located in the public right of way.

3. Encourage wireless communication providers to use City approved design standards for the installation of small wireless facilities to provide aesthetic consistency and streamline the review and approval process.

City Preferences for expedited review and approval

The City prefers the installation of small cell facilities on City owned streetlights when equipment cannot be placed in underground vaults. The City has developed design standards plans for the installation of small cell facilities on non-decorative City owned streetlights.

Encroachment Permit Applications for small cell facilities on non-decorative City owned streetlights that use City developed standards and are placed in preferred locations as described below, will facilitate an expedient review and approval process. Wireless providers should work with the City to establish an agreement for the use of City owned streetlights before submitting an encroachment permit application.

Preferred /Not Preferred locations for small cell wireless facilities include:

<i>PREFERRED</i>	<i>NOT PREFERRED</i>
<i>Public right of way fronting City Owned Property</i>	<i>Public right of way within Underground or Historic Districts and fronting Historic Buildings</i>
<i>Arterial Streets, Major Collector Streets, & Collector Streets</i>	<i>Local Residential Streets</i>

Attachment A – Function Classifications Map

Attachment A-1 – Historic Resources Map from the Belmont General Plan

Attachment B – Map of Preferred and non-preferred poles

Design Considerations

See attachment C-1 for design standards. Standard drawings for installation can be found on Attachment C. If proposing alternative designs, the following shall be considered:

1. To the maximum extent practical, equipment shall be placed in below grade vaults.
2. Where equipment cannot be placed in below grade vaults, the wireless facility designer shall to maximum extent possible, conceal equipment within the antenna shroud, and behind street signs located on the pole.
3. Where facilities cannot adequately be hidden within the shroud and behind street signs on the pole, the wireless facility designer shall utilize a pole design with an integrated base enclosure to conceal equipment.

Placement Requirements

1. A wireless provider may not have small cell facilities on consecutive City owned streetlights or less than 300 linear feet apart
2. Shall not impede, obstruct, or hinder pedestrian and vehicular traffic.
3. Shall provide appropriate clearance from existing utilities.
4. Shall not be placed in close proximity to overhead utilities. There should be at least 10 feet of clearance from high voltage lines.

In addition, the following should be considered to minimize visual impacts:

- Locating new facility installations near property corners or side property lines, and not directly in front of residences and businesses;
- Minimizing views from habitable living areas (such as bedrooms or living rooms) of residential units which directly face the antenna within 100 feet horizontal distance;
- Ensuring there are no flashing lights or large repetitive warning stickers that are unnecessary, distracting, poorly placed, or non-essential. Warning stickers shall be placed where appropriate, and not at pedestrian eye level, unless directed to do so by the FCC or other regulatory agencies;

Encroachment Permit Application Process

Permit Applications for small cell facilities within the public right of way shall be submitted to the Public Works Department with applicable fee. The temporary encroachment application, Attachment D, lists all submittal requirements and the flowchart, Attachment E, shows the review process.

Non-City standard designs and non-preferred locations will require an additional review by the Community Development Department to ensure they are consistent with an aesthetically pleasing environment, prevent visual blight and maintain the character of the areas consistent with the adopted General Plan and other City-adopted plans.

Initial review process may result in requests for modifications to the design and/or placement of the facility.

Notifications Requirements

If the installation site is deemed to be in a residential area, the applicant shall be required to send notification to residents within a 200-foot radius. If necessary, a public meeting may be required for feedback and possible design modification.

Post Installation Requirements

- Within 14 days of the activation of the equipment, the applicant must submit an Activation Report prepared by a certified professional engineer or to the technical expert

approved by the City Engineer. Requirement of the Activation Report are included in Attachment F

- Applicants are responsible for maintaining and preserving design and aesthetic features for each Facility, Associated Equipment and any support infrastructure, including, but not limited to, color, tint, shade, treatment, painting, surface treatment, replacement landscaping, stealth design, and concealment
- Upon completion of the work the applicant shall submit as-built plans.

Removal Requirements

- Upon abandonment of a wireless facility, the provider must notify the City within ninety (90) days of the abandonment.
- The City may direct the provider to remove all or a portion of the facilities.
- The City reserves the right to remove facilities if an emergency arises. The City may remove or cut the facility in it's reasonable discretion for emergency. .
- If necessary, for construction and repair, the City may request removal or relocation of a facility. Within ninety (90) days following written notice from the City, the provider shall at its own expense, relocate, or modify the facilities at the reasonable discretion of the City.

Approved By:

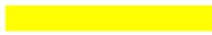


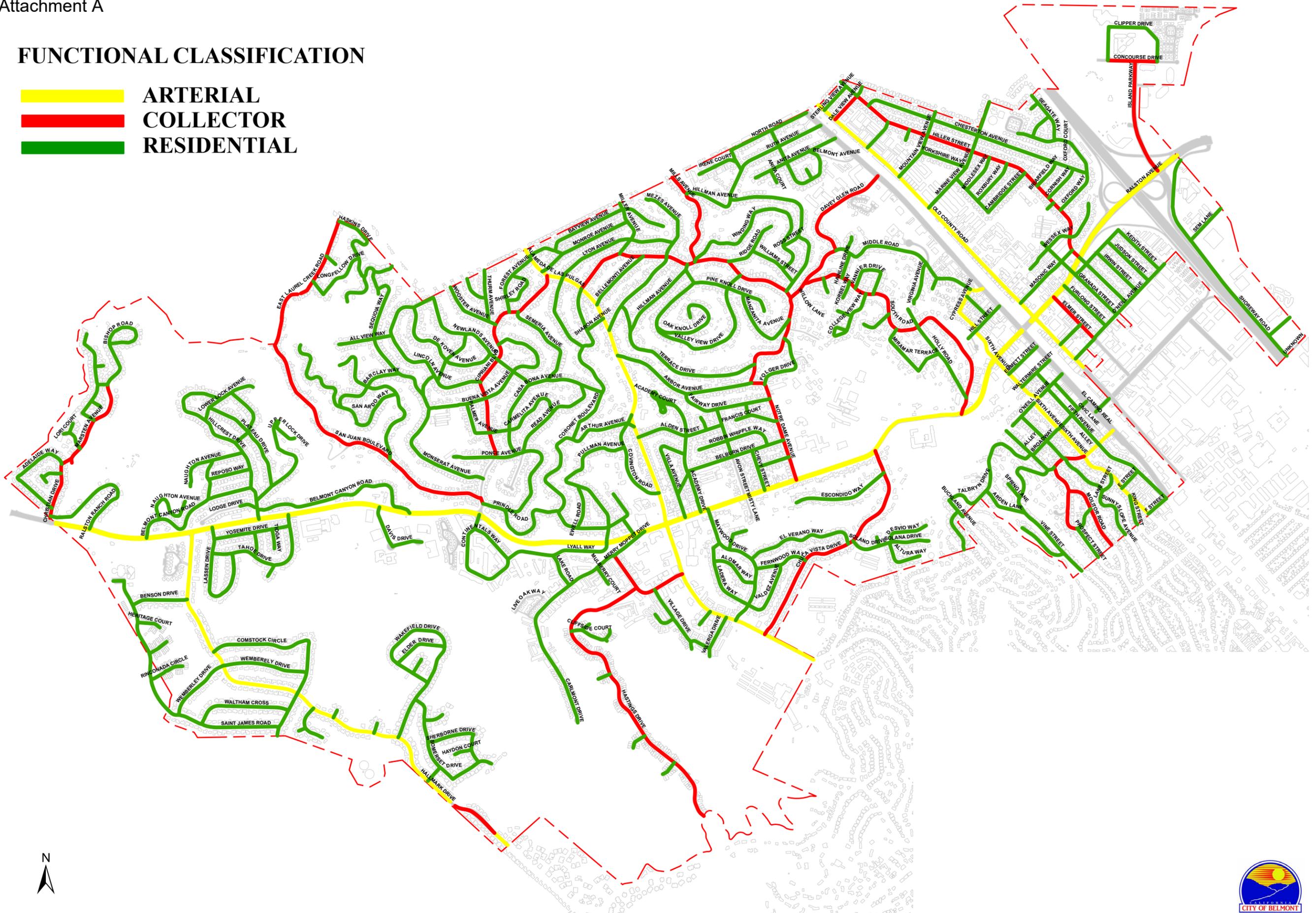
Afshin Oskoui, P.E.
Director of Public Works

4-15-19

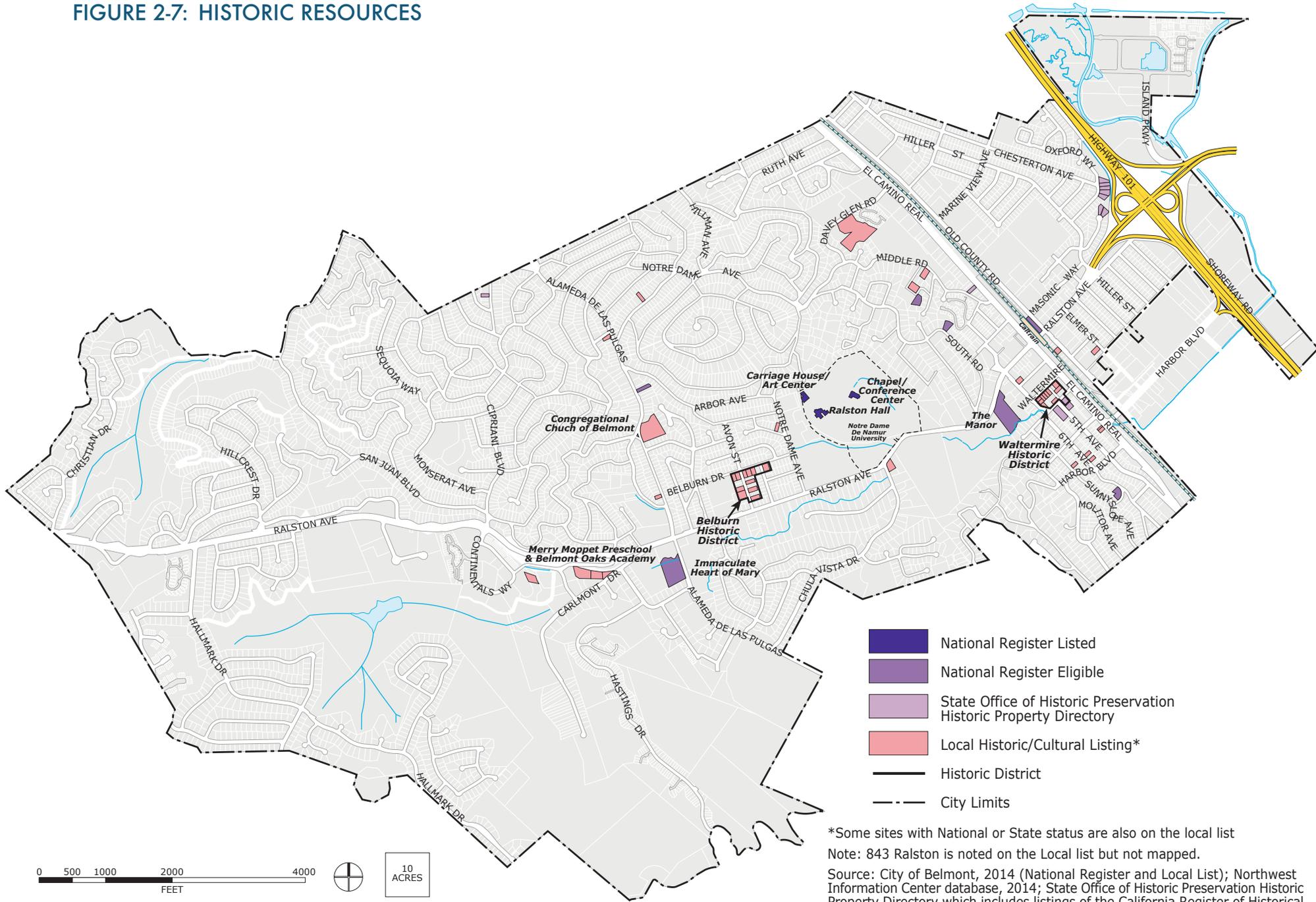
Date

FUNCTIONAL CLASSIFICATION

-  ARTERIAL
-  COLLECTOR
-  RESIDENTIAL



Attachment A-1
 FIGURE 2-7: HISTORIC RESOURCES



*Some sites with National or State status are also on the local list

Note: 843 Ralston is noted on the Local list but not mapped.

Source: City of Belmont, 2014 (National Register and Local List); Northwest Information Center database, 2014; State Office of Historic Preservation Historic Property Directory which includes listings of the California Register of Historical Resources, California Historical Landmarks, California State Points of Interest, and the National Register of Historic Places)



City of Belmont – Pole Location map
WIRELESS COMMUNICATIONS FACILITIES

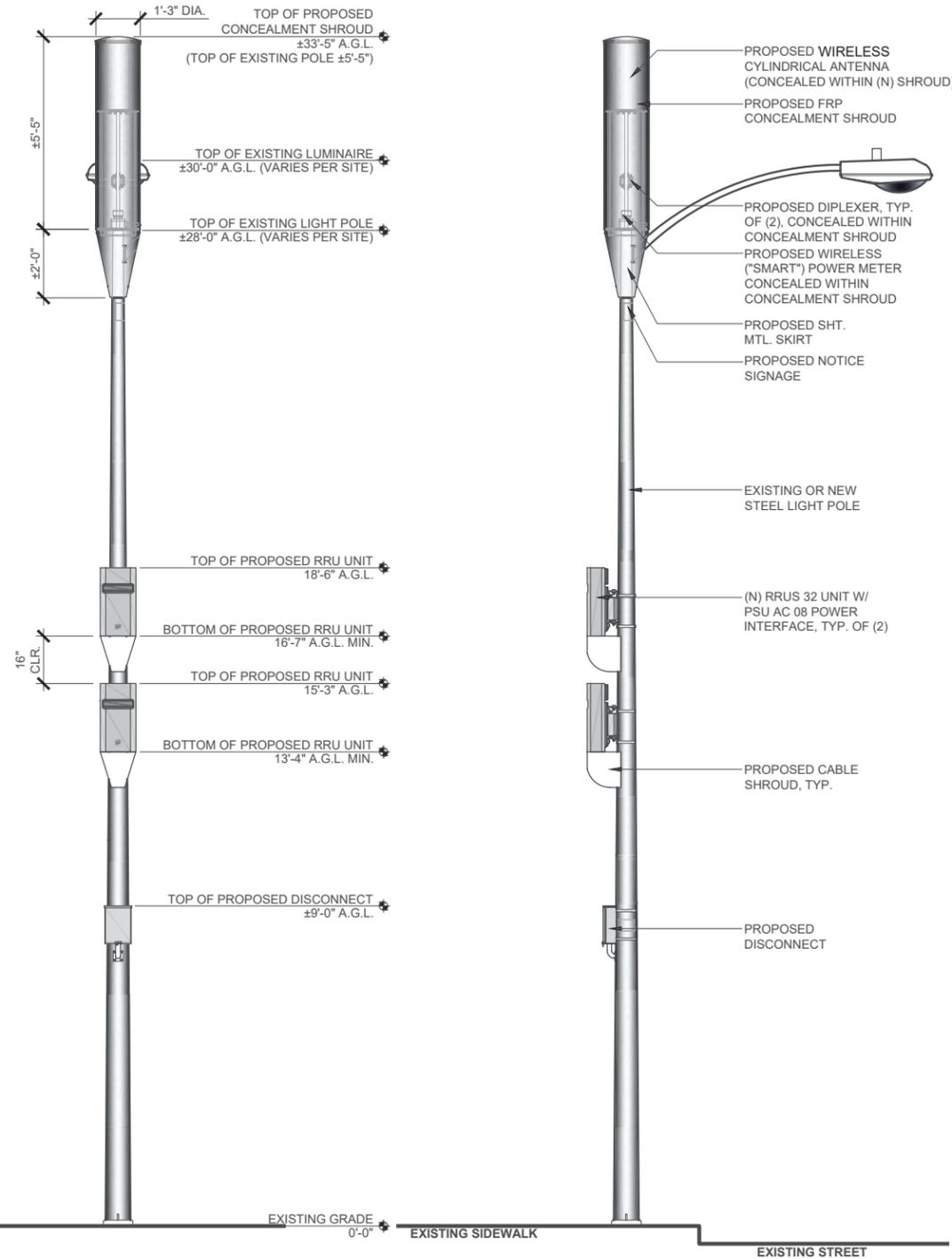
Public Works Department – 1 Twin Pines Lane, Suite 385, Belmont, CA 94002 (650)595-7425 pworks@belmont.gov

UNDER DEVELOPMENT

Contractor shall coordinate directly with Public Works for pole locations

NOTES:

1. FRP CONCEALMENT SHROUD, SKIRT, RRU UNITS AND CABLE SWEEPS SHALL BE PAINTED TO MATCH EXISTING LIGHT POLE.
2. DESIGN SHOWN ASSUMES EXCLUSION OF GPS ANTENNA.
3. DESIGN SHOWN IN BASED ON AMPHENOL WB080X06FX60 ANTENNA, CONCEALMENT SHROUD/ SKIRT BY WIRELESS STRUCTURES CONSULTING, ERICSSON RRU32 UNITS.
4. DESIGN AND HEIGHTS MAY VARY ON A SITE BY SITE BASIS BASED ON EXISTING SITE/ POLE CONDITIONS AND EXISTING POLE MOUNTED APPURTENANCES.
5. EXISTING TRAFFIC SIGN(S) TO BE RELOCATED AS REQUIRED TO SCREEN RRU UNIT.

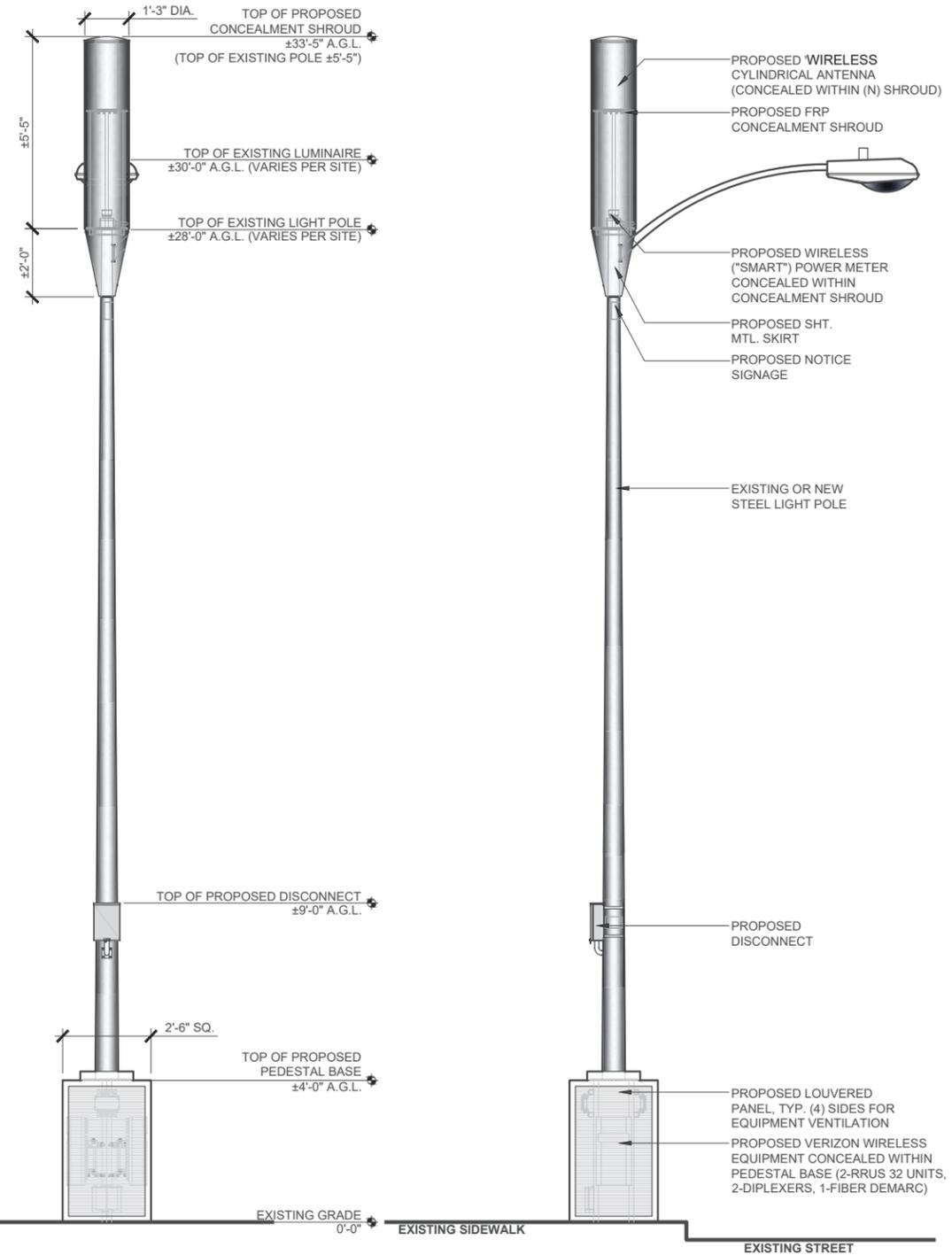


STACKED RRU UNIT ELEVATIONS

SCALE: 1/2"=1'-0" 1' 2' 4' 2

NOTES:

1. FRP CONCEALMENT SHROUD, SKIRT AND PEDESTAL BASE SHALL BE PAINTED TO MATCH EXISTING LIGHT POLE.
2. DESIGN SHOWN ASSUMES EXCLUSION OF GPS ANTENNA.
3. DESIGN SHOWN IN BASED ON AMPHENOL WB080X06FX60 ANTENNA, CONCEALMENT SHROUD/ SKIRT BY WIRELESS STRUCTURES CONSULTING, ERICSSON RRU32 UNITS.
4. DESIGN AND HEIGHTS MAY VARY ON A SITE BY SITE BASIS BASED ON EXISTING SITE/ POLE CONDITIONS AND EXISTING POLE MOUNTED APPURTENANCES.



PEDESTAL BASE ELEVATIONS

SCALE: 1/2"=1'-0" 1' 2' 4' 1

Attachment C-1

Design & Performance Standards - Small Cell Wireless Facilities in the Right-of-Way

Applicability

Small Cell Wireless telecommunication facilities within the City right-of-way (ROW) are required to conform to the design and performance standards identified below.

All Facilities

Concealment

Small Cell Wireless Facilities and any Associated Equipment must be located and designed and whenever possible screened to blend with the existing natural or built surroundings, as is required for similar construction projects within the City. Said Facilities must incorporate concealment measures sufficient to render the facility either camouflaged or stealth, as appropriate for the proposed location and design.

Underground District

Small Cell Wireless Facilities shall comply with requirements that prohibit electric utilities and telecommunications providers from installing above-ground structures in the Covered Area in these districts. This does not prohibit the use of existing utility poles in Underground Districts.

Historic / Design District

The City may require that the new facilities comply with design and aesthetic standards of the Historic or Design District to minimize the impact to the aesthetic. If the proposed design treatments are insufficient, the City may deny the application.

Design Preservation

Applicants are responsible for maintaining and preserving design and aesthetic features for each Facility, Associated Equipment and any support infrastructure, including, but not limited to, color, tint, shade, treatment, painting, surface treatment, replacement landscaping, stealth design, and concealment.

Meters

Facility should be connected to a PG&E smart meter.

To the extent technically feasible, all Small Cell Wireless Facility installations must be metered by wireless meters in order to avoid the installation of additional street furniture and to avoid aesthetic impacts.

Lighting

Unless otherwise required by FAA or FCC regulations, Applicants may install only timed or motion-sensitive light controllers and lights. All lights must be installed and operated to avoid illumination impacts to adjacent properties to the maximum extent feasible. The City may, in its discretion, exempt an Applicant from the foregoing requirement when the Applicant

Attachment C-1

Design & Performance Standards - Small Cell Wireless Facilities in the Right-of-Way

demonstrates a substantial public safety need. All aircraft warning lighting must use lighting enclosures that avoid illumination impacts to adjacent properties in the City to the maximum extent feasible.

Signage and Labels

Unless otherwise permitted by state or federal law, an Applicant must not install signs, display logos, or run advertisement on, alongside, or in connection with a permitted Facility.

Every Facility must contain signage listing the unique location number or name for the Facility, name and contact information for an emergency telephone contact to an individual or service. The signage must comply with design, material, color, and location requirements as stated in the applicable Encroachment Permit. Contact information listed on the sign must be kept current and provided promptly to the City if changed.

All wiring and cabling for the facility should be labeled in the pole hand hole and all pull boxes with the company name and function

Noise

Each Facility must be operated to minimize noise impacts to surrounding land uses in accordance with Chapter 15, Article 8 Section 15-100 et seq. of the Municipal Code and Section 7 of the General Plan.

In residential areas, except for emergency repairs, testing and maintenance activities that will be audible beyond the property line must only occur between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday, excluding holidays.

All air conditioning or cooling units and any other equipment that may emit noise that would be audible from beyond the Public Right-of-Way must be enclosed or equipped with noise attenuation devices to the extent necessary to ensure minimal noise impacts upon surrounding uses to the extent technologically available in residential zones. In commercial, or mixed-use zones such equipment must comply with the City's Noise ordinance.

Safety

Installations must comply with nuisance regulations and must not interfere with City emergency services or transmissions. An on-site emergency "kill switch" shall be installed to de-energize all radio frequency circuits and components of each permitted Facility in order to protect emergency response personnel. For co-locating Facilities, a single "kill switch" must be installed that will de-energize all Facilities located on the same pole at the Facility in the event of an emergency.

Equipment, Operation and Maintenance Standards

Each permitted Facility and any Associated Equipment must be in maintained in good working condition and appearance, free from trash, debris, litter, and graffiti and other forms of vandalism. Any damage from any cause must be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight. Graffiti must be removed from

Attachment C-1

Design & Performance Standards - Small Cell Wireless Facilities in the Right-of-Way

any Facility or Associated Equipment as soon as reasonably possible, and in no instance more than 48 hours from the time of City's notice.

The antenna shroud shall not impinge on removal of the mast arm.

Circuit tracing should be completed using proper circuit tracing equipment.

If necessary, a pull box should be installed at the base of the pole. Connection for wireless power should be made in the pull box. Pull boxes should follow the City Standard Detail SL-400.

Contractor shall repair the right of way and existing facilities if they have been damaged during construction. If the repairs are not done within forty-five (45) days after written notice, the City may undertake those repairs and charge the applicable party the reasonable and documented cost of the repairs.

Duration

No permit shall be valid for construction longer than six (6) months unless mutually agreed upon by the City and applicant.

Facilities on City Poles

Small Cell Wireless telecommunication facilities shall be consistent with the standard Belmont design specifications identified on Attachment C

All Small Cell Wireless Facility pole installations must be designed and engineered so that no additional supporting hardware is required beyond the pole itself. A Small Cell Wireless Facility that is affixed to an existing light pole must be painted or textured to match that structure.

New facilities may be restricted on poles with existing traffic signals or other electronic devices.

Luminaires damaged during construction shall be replaced with a new luminaire approved by the City.

Pole number labels should be replaced or installed if missing or incorrect.

Facilities on Non-City Poles

Small Cell Wireless telecommunication facilities on non-city poles shall be consistent with the following:

Placement & Profile

In order to minimize impacts to the visual profile, all pole-mounted equipment should be of minimum width to generally not exceed the diameter of the pole, and should be installed as close to the pole as technically and legally feasible. All required or permitted signage in the Public Right-of-Way must face toward the street or otherwise placed to minimize visibility from adjacent

Attachment C-1

Design & Performance Standards - Small Cell Wireless Facilities in the Right-of-Way

sidewalks and structures. All equipment (RRUs, conduits, conduit attachments, cables, wires, and other connectors) must be concealed from public view to the extent technically feasible (i.e., said equipment should be placed on the inboard side of the pole so that it is not readily visible from the public right-of-way).

The City prefers compact radomes at top of the pole, preferably flush with the pole, rather than equipment that creates arms or hanging appendages. The Antenna must be top-mounted and concealed within a radome that also conceals the cable connections, Antenna mount and other hardware. A side-mounted Antenna may be approved if the City determines that the side-mounted Antenna would be more appropriate given the built environment, neighborhood character, and overall site appearance. GPS Antennas must be placed within the radome or directly above the radome not to exceed six inches. Pole-mounted Antennas shall not increase the pole height by more than two feet and generally shall not exceed the diameter of the pole, if technically feasible.

Non-Reflective Materials

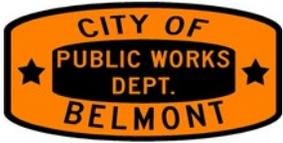
Small Cell Wireless Facilities must be constructed out of non-reflective materials (visible exterior surfaces only), or materials and colors consistent with surrounding backdrop, unless an exception is granted by the Public Works Director.

Fencing or Enclosures

Any fencing or enclosures proposed in connection with a Facility must blend with the natural or manmade surroundings. Additional landscape features may be required to screen fences. Barbed wire, razor ribbon, electrified fences and similar measures for securing a Facility are not permitted.

Landscaping

Landscaping may be required to visually screen Facilities from adjacent properties or public view or to provide a backdrop to camouflage the Facilities.



City of Belmont - Temporary Encroachment Permit Application WIRELESS COMMUNICATIONS FACILITIES

Public Works Department – 1 Twin Pines Lane, Suite 385, Belmont, CA 94002 (650)595-7425 pworks@belmont.gov

JOBSITE ADDRESS/LOCATION/POLE NUMBER: _____

DESCRIPTION OF WORK: _____

Proposed Start Date: _____ No. of Working Days: _____ Project/Job No.: _____

Checklist Attached:

Utility Company Information

Company Name: _____ Contact Person: _____

Address: _____

Phone: _____ E-mail: _____

Utility Work will be performed by: Utility Company Contractor

Restoration work will be performed by: Utility Company Contractor N/A

Traffic Control will be performed by: Utility Company Contractor Other: _____

Contractor Information

Contractor Name: _____ Contact Person: _____

Address: _____

Phone: _____ E-mail: _____

License No. _____ License Class: _____ City Business License: Yes No

Worker's Compensation Policy No. _____ Company: _____

Note: All above grade utility infrastructure installations may require additional reviews, approvals, and fees.

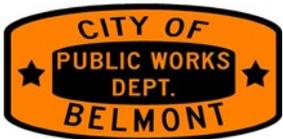
Contractor shall provide a Certificate(s) of Insurance covering the activities of the Contractor, its employees, agents and subcontractors relating to the encroachment permit.

Forfeiture of cash deposit or surety bond, City Ordinance Section 22-12. The bonds are intended to guarantee that all conditions and requirements of the encroachment permit will be faithfully performed and completed within the time period specified in the permit. The bonds also will be used by the city, if necessary, to repair to the satisfaction of the public works director any damage caused to the city streets or property by the permittee in the course of the work.

I hereby affirm that I have read this application along with the **Standard Permit Conditions** and state that the above information is correct. I agree to comply with all City, Federal and State laws and permit conditions relating to construction and safety. I also agree to save, indemnify and keep harmless the City and its employees and agents against all liabilities, judgments, costs and expenses which may in any way accrue against the City in consequence of granting this permit.

Name/Title of Applicant (print): _____

Signature: _____ Date: _____



Utility Company Information

Company Name: _____ Contact Person: _____

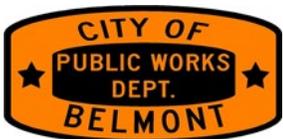
Address: _____

Phone: _____ E-mail: _____

Application Checklist

Applicants shall submit the following for a complete application:

- Application Form and Fee
- Project Plans
- Traffic Control Drawings
- Project Purpose
- Photo Rendering
- RF Compliance Report
- Noise Compliance Report
- Prior Permits & Regulatory Approvals
- Public Outreach Meeting Summary (if applicable)



City of Belmont – Application Guidelines WIRELESS COMMUNICATIONS FACILITIES

The following application guidelines contain the requirements for a complete wireless facility permit application.

Application Form and Fee

Complete the Wireless Facilities Permit Application Cover page and submit the corresponding application fee for the requested permit. You may find the City’s fee schedule on the City’s website.

Project Plans

Provide two sets of 22x34 inch project plans and a digital file in portable document format (pdf). Project plans shall include a site plan, equipment inventory and details.

Traffic Control Drawings

Provide two sets of 22x34 inch traffic control plans and a digital file in portable document format (pdf).

Project Purpose

Provide a written statement that provides the objectives of this application and why the proposed facility is necessary. Provide factual reasoning for the proposed location and height.

Photo Rendering

A photo rendering shall be provided from a minimum of two locations from a reasonable line of sight location from the public streets. Application shall include the before and after photos for each of the two locations provided.

RF Compliance Report

Provide a certified RF compliance report from an RF engineer that certifies the proposed facility and associated facilities will comply with the applicable federal RF human exposure standards and limits.

Noise Compliance Report

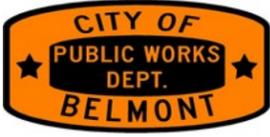
Provide a noise compliance report prepared by an engineer that all associated equipment shall be compliant with the City’s noise regulations. Applicant may provide evidence that the cumulative emitted noise will not exceed the applicable limits based on documentation from the equipment manufacturer.

Prior Permits & Regulatory Approvals

If there are any reasons why the permit application shall be reviewed differently or with exception, the applicant shall provide any pertinent documentation and permits with justified reasoning for a different review process. If under Federal Aviation Regulation (FAA), provide appropriate documentation.

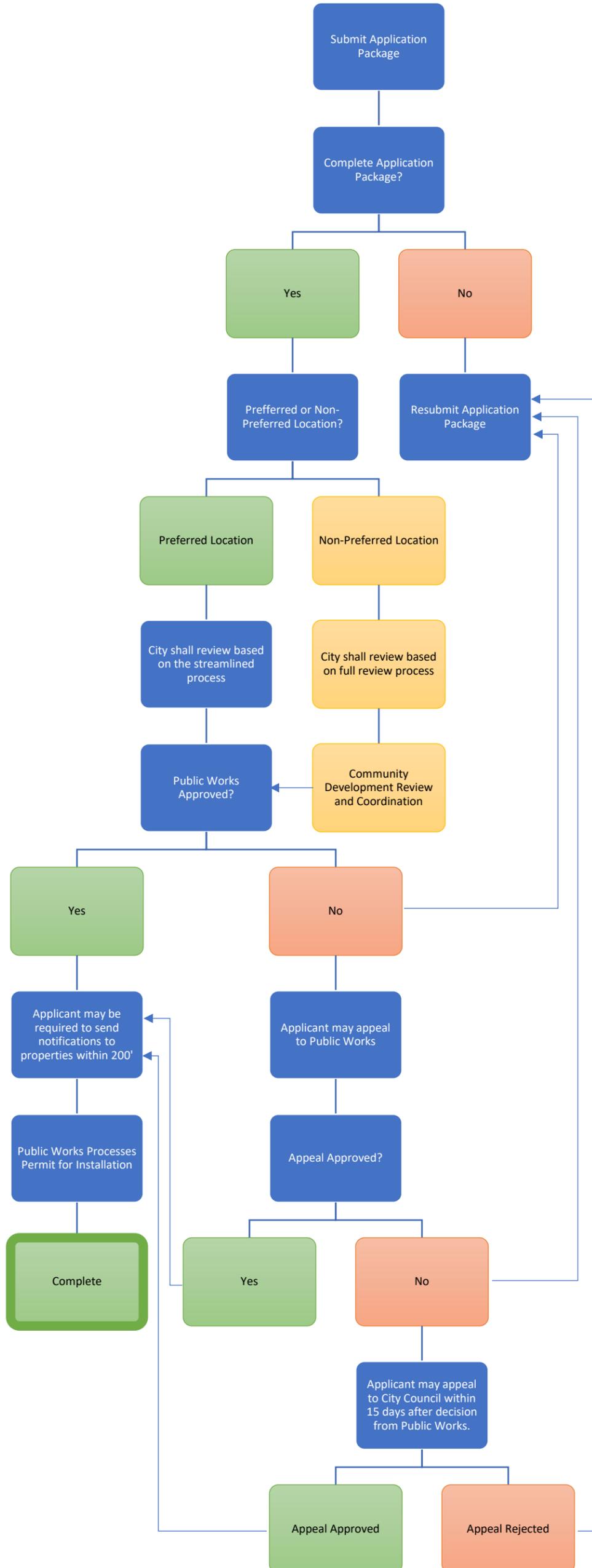
Public Outreach Meeting Summary (if applicable)

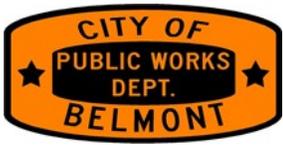
If the location of the proposed work is within a residential area. The applicant may be required to perform a public outreach meeting before or after the application is submitted.



Attachment E City of Belmont – Flowchart WIRELESS COMMUNICATIONS FACILITIES

Public Works Department – 1 Twin Pines Lane, Suite 385, Belmont, CA 94002 (650)595-7425 pworks@belmont.gov





Attachment F
City of Belmont – Activation Report
WIRELESS COMMUNICATIONS FACILITIES

Public Works Department – 1 Twin Pines Lane, Suite 385, Belmont, CA 94002 (650)595-7425 pworks@belmont.gov

The applicant shall be responsible for monitoring the emissions of thermal/heat, radio frequency electromagnetic radiation (RF-EMR), and noise for each small cell facility location and provide to the Public Works Director an Activation Report summarizing the results within 14 calendar days of activation for review and approval. The Activation Report must meet include the following:

1. The Activation Report must be prepared by a licensed professional engineer or other technical expert approved by the City.
2. The testing shall also include properties and structures located within 50 feet of small cell wireless antennas all conducted on the same day. Property owners and residents/tenants shall be notified at least 14 calendar days via registered mail through the U.S. Postal Service of the date on which testing will be conducted.
3. Testing shall be conducted in compliance with FCC regulations governing the measurement of RF-EMR emissions and shall be conducted during normal business hours on a non-holiday weekday with the small cell wireless facility operating at maximum power.
4. Proof that testing instrument(s) used were calibrated within their manufacturers' suggested periodic calibration interval, and that the calibration method complies with the National Bureau of Standards
5. At the City's sole discretion, an agent of the City may monitor the performance of testing required for preparation of the Activation Report.
6. The Activation Report shall provide confirming information that the facility will not cause any potential exposure to RF-EMR emissions that exceed the adopted FCC standard for human exposure and that noise emissions comply with City requirements.

Any sites with non-compliant test results shall be immediately turned-off (shut-down) or be removed. The applicant shall provide an Activation Report with fully-compliant test results before the site can be placed back in operation.