

CITY OF BRISBANE

ADMINISTRATIVE PERMIT/USE PERMIT APPLICATION INFORMATION FOR NEW FACILITIES OR SUBSTANTIAL MODIFICATIONS TO EXISTING TELECOMMUNICATION FACILITIES

For modifications to existing facilities, please refer to Attachment A to determine whether your request is subject to an administrative or use permit under BMC Section 17.32.032. If your request does not meet any of the criteria set forth in Attachment A, it may be eligible for expedited review. Please contact the Community Development Department at (415) 508-2120 for further information.

SUBMITTAL REQUIREMENTS. Proposals for new telecommunications facilities or substantial modifications to existing telecommunications facilities require review by the Zoning Administrator or Planning Commission. For the Zoning Administrator or Planning Commission to thoroughly review a proposal, certain information is required from you, the applicant. You should be aware that incomplete applications will not be processed by the Zoning Administrator or placed on the Planning Commission agenda.

- [] SIGNATURE OF THE LEGAL OWNER OF THE PROPERTY either on the application or on a separate written document authorizing the "APPLICANT" to submit the application on the owner's behalf. The person who is most knowledgeable about the proposal and who can answer questions by phone during daytime working hours should be designated as the "APPLICANT."

- [] SITE DEVELOPMENT PLANS--Two (2) full-size legible sets and one (1) reduced (to 8 1/2" x 11" or 11" x 17"), legible and reproducible set of completely dimensioned, scaled site development plans, with bar scales, showing:
 - [] Existing and proposed structures on the subject and adjacent properties;
 - [] Accurately dimensioned property lines, streets, easements, trees, existing and proposed parking and utilities;
 - [] A small scaled vicinity map;
 - [] Elevations of all sides of the subject facility, identifying colors and materials as appropriate and indicating the natural grade on each elevation (cross-sections may also be required depending upon the complexity of the design);
 - [] Floor and roof plans, if appropriate;
 - [] Existing topography of the property (at 5 ft. intervals), if appropriate.

- Note: Plans submitted as part of an application are retained by the City.

- [] PHOTOSIMULATION showing the appearance of the proposed facility where it is most prominent from public view;

- [] ALTERNATIVE SITES ANALYSIS— NEW FACILITIES ONLY. Documentation showing what alternative sites for the proposed facility were considered and the reasons for

rejecting such sites (may include a range of service map to show the need for the facility at the proposed location);

- [] CO-LOCATION PLANS—(only for proposals requiring Use Permit approval) plans showing that the proposed facility has been designed for co-location of at least one other carrier, or if not, the reasons why a design for co-location cannot be used for the facility;
- [] RADIO FREQUENCY COMPLIANCE REPORT containing radio frequency electromagnetic modeling and analysis to determine compliance with FCC regulations. It may be advisable to include a report demonstrating compliance with applicable FCC standards in terms of emissions from the proposed facility and in combination with any existing facilities in the vicinity.
- [] SUPPORTING STATEMENTS-- To approve your application, the Zoning Administrator or Planning Commission must find that the proposal complies with the development and operational standards listed in Brisbane Municipal Code Section 17.32.032.G.

If the proposal requires Use Permit approval, then the Use Permit findings required by BMC Section 17.40.060 must also be made (see attached sheet). A written statement from the applicant addressing each of the Use Permit findings is required.

- [] ENVIRONMENTAL INFORMATION FORM (see separate sheet), if applicable; and
- [] FEES—See the current Master Fee Schedule:

Use Permit	Line P10
Administrative Permit	Line P63

Please make a check or money order payable to the "City of Brisbane".
An additional Environmental Determination fee (Line 49) may also be required.

Note: Planning fees are non-refundable.

REVIEW TIMEFRAME: Consistent with Section 332(c)(7) of the Federal Telecommunications Act, applications for co-location of telecommunications facilities will be acted on within 90 days of application submittal. Applications for new facilities or substantial modifications to existing facilities will be acted on within 150 days of application submittal. Within 30 days of receiving an application, city staff will notify the applicant whether the application is incomplete and, if so, what additional information will be required. A notice of incomplete application will extend the review timeframe under Federal law.

CODE REFERENCES: Proposals for new wireless communication facilities or substantial modifications to existing facilities are subject to the requirements contained in Brisbane Municipal Code Section 17.32.032, consistent with section 332(c)(7) of the Federal Telecommunications Act and Spectrum Act.

Please refer to Brisbane Municipal Code Section 17.40.060 for the findings which must be made to approve any Use Permit application.

NOTIFICATION OF DETERMINATIONS, MEETINGS AND HEARINGS: If the Zoning Administrator determines that an Administrative Permit should be granted, notice will be given per BMC Section 17.32.032.D.2.

If the Zoning Administrator determines that a Use Permit is required, the project planner will provide you with notice of the date of the Public Hearing, and will provide the meeting agenda and a copy of the agenda report the Friday before the meeting. Copies of the agenda and agenda report will be available at the Planning Department the Friday before the scheduled hearing and uploaded to the City's website at www.brisbaneca.org. Please contact the project planner if you have not received a copy prior to the meeting. Applicants must attend all hearings to present their case and respond to any questions or comments.

ADMINISTRATIVE PERMIT/USE PERMIT APPEALS: Anyone may appeal the action of the Zoning Administrator to the Planning Commission not later than 15 calendar days after the Zoning Administrator's action. Anyone may appeal the action of the Planning Commission to the City Council not later than 15 calendar days after the Commission's action. An application form and fee (Line P47) is required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT, CITY OF BRISBANE, 50 PARK LANE, BRISBANE, CA 94005, (415) 508-2120.

Community Development Department Hours:

8 A.M - 5 P.M. Mondays, Tuesdays & Thursdays

8 A.M. – 8 P.M. Wednesdays

8 A.M. - 1 P.M. Fridays

To ensure someone will be available to help you, please call ahead to make an appointment.

Substantial Modifications to Existing Facilities

Consistent with the Federal Telecommunications Act and Spectrum Act, proposals for new telecommunications facilities or substantial modifications to existing telecommunications facilities require review by the Zoning Administrator or Planning Commission. Proposals for minor modifications to existing telecommunications facilities may be approved through a building permit application.

Under section 6409(a) of the federal Spectrum Act, a proposal is considered a substantial modification to the physical dimensions of a tower or base station if it meets **any** of the following criteria:

- For towers outside of public rights-of-way, it increases 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 twenty feet, whichever is greater; for those towers in the rights-of-way and for all base stations, it increases the height of the tower or base station by more than 10% or 10 feet, whichever is greater; or
- For towers outside of public rights-of-way, it protrudes from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for those towers in the rights-of-way and for all base stations, it protrudes from the edge of the structure more than six feet; or
- It involves installation of more than four cabinets;
- It entails any excavation or deployment outside the structural footprint of the tower or base station;
- It would defeat the existing concealment elements of the tower or base station; or
- It does not comply with conditions associated with the prior approval of construction or modification of the tower or base station unless the non-compliance is due to a modification that would otherwise not be defined as “substantial modification” as identified above.