



## STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** September 3, 2020

**Staff Contact:** Darren Schulz, Public Works Director

**Agenda Title:** For Possible Action: Discussion and possible action regarding a Business Impact Statement concerning a proposed ordinance amending Title 5 of the Carson City Municipal Code to add Chapter 5.14 regarding small cell wireless equipment, and concerning proposed amendments to the "Carson City Public Works Placement of Small Cell Wireless Equipment in Carson City Right-of-Way" policy ("Policy") to include fees in the Policy. (Darren Schulz, Dschulz@carson.org; Dan Stucky, DStucky@carson.org)

Staff Summary: NRS 237.080 requires that Carson City prepare a Business Impact Statement when a new ordinance or a new rule that imposes a fee that is paid by businesses is proposed. This Business Impact Statement concerns a proposed ordinance which, if adopted, would enable a licensing scheme and procedures for the installation of small cell wireless equipment in the City right-of-way, and concerns proposed amendments to the Policy to, among other things, add a schedule of fees to the Policy.

**Agenda Action:** Formal Action / Motion

**Time Requested:** 10 minutes

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### **Proposed Motion**

I move to accept the Business Impact Statement as presented.

### **Board's Strategic Goal**

Economic Development

### **Previous Action**

April 4, 2019 - Board of Supervisors approved the adoption of the Policy to implement aesthetic requirements and procedures for small cell wireless equipment on poles and street lights located in the City right-of-way and to give limited authorization to the Director of Public Works or his or her designee to update the Policy.

### **Background/Issues & Analysis**

Over the last two years, the City has been working with small cell wireless equipment providers in good faith to develop policies, procedures, and agreements which will govern installation of small cell wireless equipment on poles and street lights located in the City right-of-way. City staff has held four workshops with small cell providers to develop City aesthetic and technical standards, application and permit processes, annual fees, and license agreements setting the terms and conditions for use of the rights-of-way and City infrastructure.

On April 4, 2019, the Policy was presented to the Board of Supervisors and approved with modifications. Since that time, staff has continued to develop the Master Licensing Agreement ("MLA"), which will address application review and annual use fees for the installation of small cell equipment and further govern the City's relationship with the wireless providers. As addressed by the Business Impact Statement, staff has also further developed the Policy to clarify that the Policy conforms to federal law, to clarify the process and procedures for

an application for a building permit to install small cell equipment, and to establish fees for the application process and the placement of small cell wireless equipment within City-owned rights-of-way; and prepared an ordinance establishing provisions relating to the installation of small cell wireless equipment within City-owned rights-of-way, including enabling the licensing requirements and policies and procedures in the MLA and Policy.

The proposed ordinance and amendments to the Policy were distributed via email to the providers on February 27, 2020, with an explanation of the proposed ordinance. Revisions to the Policy were also provided at that time. The providers were initially advised that on April 2, 2020, the Board of Supervisors would hear the first reading of the ordinance, the amendments to the Policy, and the MLA. The City received feedback on the Policy which resulted in further discussion regarding the Policy with the providers and further edits to the Policy and the MLA. The hearing on the small cell procedures and policies was further delayed due to the COVID-19 virus. The MLA was forwarded via email to the providers on August 19, 2020. The providers have been advised that the Board of Supervisors will consider the MLA, the Policy, the Ordinance, and this Business Impact Statement at the September 3, 2020, Board of Supervisors meeting.

No comments on the small cell wireless equipment ordinance were received in response to the February 27, 2020, email. As mentioned, extensive comment on the Policy was received, which was reviewed with the providers. Edits to the Policy were made in response to this comment. Based on the above, staff requests that the Board of Supervisors make a finding that the changes to the Carson City Municipal Code do not impose a direct or significant economic burden or directly restrict the formation, operation, or expansion of a business.

A copy of the Business Impact Statement, along with the appeal petition form, is available at the public counter of the Public Works Department, 3505 Butti Way, Carson City, Nevada. A copy of the appeal petition form can also be obtained at the Carson City Clerk-Recorder's office.

**Applicable Statute, Code, Policy, Rule or Regulation**

NRS Chapter 237 (Business Impact Statements)

**Financial Information**

**Is there a fiscal impact?** No

**If yes, account name/number:** N/A

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:** N/A

**Alternatives**

Do not accept the business impact statement or provide alternative direction to staff.

**Attachments:**

[BIS-signed.pdf](#)

[2-27-20 Ltr T Providers Re Notice of Ordinance and Policy.pdf](#)

[Small Cell Comment.pdf](#)

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_  
2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(Vote Recorded By)



## BUSINESS IMPACT STATEMENT

This Business Impact Statement was prepared in accordance with the provisions of NRS (Nevada Revised Statutes) 237.030 to 237.150, inclusive, as a statutory prerequisite to the adoption of any rule\*\*\*, as that term is defined in NRS 237.060, by the Carson City Board of Supervisors.

\*\*\* A "rule" may include an ordinance, or an action taken by the Board, that imposes, increases or changes the basis for the calculation of a fee which is paid in whole or in substantial part by businesses. A "rule" **does not** include actions that impose, increase or change the basis for the calculation of: (1) special assessments imposed pursuant to NRS chapter 271; (2) impact fees imposed pursuant to NRS chapter 278B; (3) fees for remediation imposed pursuant to NRS chapter 540A; (4) taxes ad valorem; (5) sales and use taxes; or (6) a fee that has been negotiated pursuant to a contract between a business and Carson City. A "rule" also **does not** include: an action taken by the Board that approves, amends or augments the annual budget of Carson City; an ordinance adopted by the Board pursuant to a provision of NRS chapter 271, 271A, 278, 278A, 278B or 350; an ordinance adopted or action taken by the Board that authorizes or relates to the issuance of bonds or other evidence of debt of Carson City; or any rule for which Carson City does not have the authority to consider less stringent alternatives, including, for example, a rule that Carson City is required to adopt pursuant to a federal or state statute or regulation or to a contract into which Carson City has entered.

### ORDINANCE OR ACTION PROPOSED FOR ADOPTION

#### **Title 5.14 – Small Cell Wireless Equipment**

1. *The manner in which notice was provided to the applicable trade associations and officers of businesses likely to be affected by the proposed ordinance or action, and a summary of any data, arguments or comments received from those recipients:*

a. Notice

**The City has been working with small cell wireless equipment providers in good faith to develop policies, procedures, and agreements which will govern installation of small cell wireless equipment on poles and street lights located in the City right-of-way. City staff has held four workshops with small cell providers to develop City aesthetic and technical standards, application and permit processes, annual fees, and license agreements setting the terms and conditions for use of the rights-of-way and City infrastructure.**

**On April 4, 2019, the Carson City Public Works Placement of Small Cell Wireless Equipment in Carson City Right-of-Way policy ("Policy") was presented to the Board of Supervisors and approved with modifications.**

**The proposed ordinance enables the licensing, policy and procedures for deployment of small cell wireless equipment in and on Carson City right-of-way. Amendments to the Policy and the proposed ordinance were**

distributed via email to the providers on February 27, 2020, with an explanation of the amendments to the Policy and proposed ordinance. The providers were initially advised that on April 2, 2020, the Board of Supervisors would have a hearing on the Policy and the first reading of the ordinance.

The City received feedback on the Policy which resulted in further discussion regarding the policy with the providers and further edits to the Policy and the Master License Agreement ("MLA"). The hearing on the small cell procedures and policies was further delayed due to the COVID-19 virus. The MLA was forwarded via email to the providers on August 19, 2020. The providers have been advised that the Board of Supervisors will consider the MLA, the Policy, the Ordinance, and this Business Impact Statement at the September 3, 2020, Board of Supervisors meeting.

A copy of the Business Impact Statement, along with the appeal petition form, is available at the public counter of the Public Works Department, 3505 Butti Way, Carson City, Nevada. A copy of the appeal petition form can also be obtained at the Carson City Clerk/Recorder's office.

*b. Summary of comments*

No comments on the small cell wireless equipment ordinance were received in response to the February 27, 2020, email. As mentioned, extensive comment on the Policy was received, which was reviewed with the providers. Edits to the Policy were made in response to this comment.

*2. The estimated economic effect of the proposed ordinance or rule on businesses, including both adverse and beneficial effects, and both direct and indirect effects:*

*a. Adverse effects:*

Prior to submitting an application for a building permit, small cell wireless equipment providers will be required to enter into an MLA with the City. Additionally, installation of small cell wireless equipment must be in compliance with the policies, procedures and other requirements found in the Policy.

*b. Beneficial effects:*

The ordinance, MLA, and Policy will set the terms and conditions for use of the rights-of-way and City facilities. The aesthetic and technical standards, application and permit processes, annual fees will all be transparent. The requirement for aesthetic standards will ensure that an installation is the least visually intrusive as feasible to blend in with existing neighborhoods. Design Standards will ensure that installations meet engineering, ADA

**accessibility and safety requirements.**

*c. Direct effects:*

**The Policy and ordinance have a direct positive effect as it will allow providers to install small cell wireless equipment on City-owned street lights and traffic signal poles in the City right-of-way to expand their businesses.**

*d. Indirect effects:*

**The approval of this Policy and ordinance will allow for installation of small cell wireless equipment in the City right-of-way. Installation of small cell wireless equipment will improve wireless coverage and capacity in the City. This will provide a benefit to wireless customers including businesses. However, the exact amount of the benefit cannot be determined.**

*3. The methods considered by the Carson City Board of Supervisors to reduce the impact of the proposed ordinance or action on businesses and whether any of those methods were used:*

**The Carson City Board of Supervisors considered policies that balanced the need for aesthetic standards with the economic benefit to allow small cell providers to install small cell wireless equipment on City-owned poles and street lights in the City right-of-way.**

*4. Estimate of the annual cost to Carson City for enforcement of the proposed ordinance or action:*

**Federal law contemplates fees of \$500 for an application covering up to five small cell attachments to existing public property; \$100 for each additional attachment; and \$1,000 for a new pole containing small cell equipment. The City may charge more than these fees upon demonstration that the City's costs to review the applications are more than these fees. Carson City estimates that it will cost approximately \$1,400 for staff time to review each application. However, if efficiencies are realized that lower the cost of staff time, the City should re-evaluate whether this fee should be lowered. There is no way to know at this point how many applications will be received annually.**

*5. The total annual amount of money expected to be collected as a result of the new fee or increase in fee proposed by the ordinance or action, and the manner in which the money will be used:*

**The ordinance does not establish a fee for the use of Carson City ROW; however, fees will be stated in the Policy and in the MLA. Federal law**



prohibits the City from charging more than \$270 per facility for the use of the City's ROW and facilities. The City may, however, include in the ROW use fee actual costs to the City incurred by the placement of small cell equipment on city-owned facilities or in City-owned ROW (for example, an electric meter fee and electricity fee if provider equipment utilizes City electricity).

6. The proposed ordinance or action ☒ DOES ☐ DOES NOT include any provisions which duplicate or are more stringent than Federal, State or local standards regulating the same activity.

7. The reasons for the conclusions regarding the impact of the proposed ordinance or action:

**The new ordinance and amended Policy provides opportunities for providers to utilize City-owned light poles and traffic signal poles in the City right-of-way for small cell wireless equipment installation.**

8. Based on the information considered, it has been determined that this proposed ordinance or rule:

☐ DOES ☒ DOES NOT impose a direct and significant economic burden upon a business.

☐ DOES ☐ DOES NOT directly restrict the formation, operation or expansion of a business.

Pursuant to NRS 237.090(3), this Business Impact Statement was prepared and made available for public inspection by Carson City Public Works at the time the agenda notice on which the proposed ordinance or rule described in this statement is included was posted.

Pursuant to NRS 237.090(2), I, Nancy Paulson, the Carson City Manager, hereby certify that to the best of my knowledge and belief, the information contained herein was properly prepared and accurate.

Nancy Paulson  
Signature

8/24/2000  
Date

Nancy Paulson  
Printed Name



# CARSON CITY NEVADA

## Consolidated Municipality and State Capital

### PUBLIC WORKS

February 27, 2020

Dear Small Cell Wireless Providers:

**Subject: Notice to Business Owner  
Policy and Ordinance  
Installation of Small Cell Wireless Equipment in Carson City Right-of-Way**

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Thank you for your input and contributions regarding the development of Carson City's policy and Master License Agreement (MLA) for installation of small cell wireless equipment in City right-of-way.

City staff has prepared a draft policy to be approved, and a draft ordinance to be introduced on first reading, to the Board of Supervisors on April 2, 2020. The policy and ordinance are drafts and will be edited prior to presentation to the Board of Supervisors. Under NRS 237.080, prior to adopting the policy and ordinance, the City is required to make a concerted effort to determine whether the proposed rules will impose a direct and significant economic burden upon a business, or will directly restrict the formation, operation, or expansion of a business.

As such, I am attaching the draft policy and ordinance for your review and will be forwarding the MLA for your input as soon as possible, but in any event by late this week or early next week. Please submit any data or arguments as to whether the proposed rules will impose a direct and significant economic burden upon a business, or directly restrict the formation, operation, or expansion of a business to the City by March 19, 2020 via email to [dstucky@carson.org](mailto:dstucky@carson.org) and [treese@carson.org](mailto:treese@carson.org).

Should you have any questions, please feel free to contact me directly at (775) 283-7084.

Thank you for your continued participation in this matter.

Sincerely,

Dan Stucky  
City Engineer  
Carson City Public Works Department



## Todd Reese

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**From:** Kim Allen <kim.allen@wirelesspolicy.com>  
**Sent:** Monday, March 9, 2020 10:05 AM  
**To:** Dan Stucky  
**Cc:** Todd Reese; Villegas, Cristobal; Hannah Borris  
**Subject:** Carson City NV Wireless Code Update Verizon Wireless Comments and redline  
**Attachments:** CC NV Comment Letter 362020-signed.pdf; 9th DRAFT Carson City Small Cell Policy 2-26-20 final\_VzW Comments.docx

**This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.**

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Good morning, Dan-

On behalf of Verizon Wireless, please accept the attached comments and redline for your consideration and inclusion in the record. Verizon has asked my company, Wireless Policy Group, to work with city staff to assist in developing a workable code for small wireless facilities in the right of way that is compliant with federal law and addresses the aesthetic concerns of your community. My firm specializes in helping the wireless industry achieve those goals by working collaboratively with municipal government staff to outline technical challenges to the proposed code provisions and find acceptable alternatives.

We have found it beneficial in working with other cities to offer to meet with you after you have had a chance to review the comments to walk through the issues in a meeting or call with industry members and local pole owners. I would be happy to schedule that if you would find it useful.

Thank you for the opportunity to weigh in on the code.

Best regards,

Kim Allen  
Senior Vice President, Land Use Entitlements and Strategic Planning  
Wireless Policy Group, LLC  
1420 W. Gilman Blvd. #9030, Issaquah WA 98027  
(425)628-2666-office



March 9, 2020

*Via Email*

*Dan Stucky, City Engineer  
d.stucky@carson.org*

Carson City Public Works  
3505 Butti Way  
Carson City, NV 89701

RE: Wireless Code Update

Good morning Mr. Stucky-

On behalf of Verizon Wireless, thank you for the opportunity to provide comment on the proposed wireless code update. Please include this letter and the attached redlines in the record. Verizon has asked Wireless Policy Group to work with city staff to assist in developing a workable code for small wireless facilities in the right of way that is compliant with federal law and addresses the aesthetic concerns of your community. My firm specializes in helping the wireless industry achieve those goals by working collaboratively with municipal government staff to outline technical challenges to the proposed code provisions and find acceptable alternatives .

While Verizon supports the general direction of updating standards for wireless facilities in general, and adding new standards to address small wireless facilities specifically, the proposed draft ordinance, rates and regulations do not comply with the recent FCC Order.<sup>1</sup> We would like an opportunity to meet with staff to discuss the issues outlined below and, in the accompanying, redline.

Verizon appreciates the chance to provide information to you about the enormous increase in consumer demand for data capacity and cell service, as well as input on the technical requirements for the new small wireless technology. This new technology is vital to address the 4G capacity needs of Verizon's customers. More people are using more wireless devices to do more things than ever before, like streaming video, medical monitoring, education interface,

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<sup>1</sup> Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order (September 26, 2018) ("FCC Order").

and uploading images. In fact, wireless data usage has increased dramatically since the introduction of the iPhone.

Verizon is working to stay ahead of the demand by adding fiber optic capacity and small wireless facilities to connect people where they need it most. Small wireless antennas are usually mounted on existing and replacement utility and street light poles. The low visual profile of small wireless facilities makes them an excellent solution for delivering capacity and coverage to residential neighborhoods. Small wireless facilities will also deliver connections for smart communities services to boost the flow and safety of vehicle traffic, manage resources like light, power and water and improve the quality of life of Verizon's customers. Moreover, this technology is key to preparing Verizon's network infrastructure so that it is capable of offering 5G wireless connections at speeds up to 100 times faster than today's wired broadband services. Verizon is committed to working with local communities to provide the level of service residents and businesses need and expect.

The following issues are of particular concern and are outlined more specifically in the attached redline:

1. Section 2.0(A)

- a. A(1) requires that all antennas be enclosed in a container. 5G or millimeter wave antennas are sensitive to interference and can not be painted or otherwise screened. There are conceal technologies such as 3M film that can be applied to blend the antennas with the existing infrastructure.
- b. A(2) severely Limits attachment to wood utility poles. All vertical infrastructure in the ROW should be open to attachment. The use of existing vertical infrastructure minimizes the need for placement of new poles in the ROW. Verizon suggests creating a gradation of pole types from most preferred to least preferred in these specific districts, whereby utility poles would be the less preferred option but not prohibited. The recent FCC Order, Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order (September 26, 2018) ("FCC Order") requires that regulations for small wireless facilities in the right of way be no more burdensome than for other users of the right of way. To the extent that electric, telephone and cable providers are allowed on wooden poles in these areas, the city may not preclude siting on those structures for small wireless facilities. ¶186.
- c. A(3-5) contain review on a "case by case basis" with no objective criteria to make decisions. All findings required for approval must be clearly articulated in this policy, and not subject to the subjectivity of "case by case review." This is a wholly subjective and discretionary review standard and conflicts with the requirement for objective design criteria published in advance set forth in the

FCC Order, ¶186. The requirements in A(5) also fail to account for technical feasibility and electric safety standards.

- d. A(6) attempts to regulate replacement of 3rd party owned poles. If the city does not regulate the owners' replacement of poles for existing utility purposes, it cannot regulate replacement of third party poles for SCWE attachment. Order at ¶186. This might be easier if 3rd party poles and city owned poles are treated in separate subsections.
- e. A(7)- 24 hours is too tight a timeline to bring all attachments for replacement poles online. Pole removal and installation are not always done by the same contractor. You should also delineate between making operational the function of the replacement pole, e.g. the light, versus the function of the SCWE. Typically, there is monitoring and reporting phase before a SCWE site is approved for commercial launch. Additionally, we request an exception for delay by third party providers of power and/or fiber, which are necessary components of small wireless facilities, but are outside the control of the Applicant.
- f. A(8)- Requirements for improvements to existing sidewalks should only apply when the Applicant is proposing to install a new pole in the ROW, not when proposing to attach SCWE to an existing structure. There are no impacts to existing sidewalks are when attaching SCWE to existing infrastructure.
- g. A(10)-It is unclear what needs to be surveyed.

2. Section 2.0(B)

- a. B(1)- Is the City requiring that the applicant replace any existing NVE owned street light pole before we can attach? What is the justification for this? NVE is a public utility, not a municipal owned utility. Verizon requests the opportunity to attach to existing poles before being required to replace poles. NVE, and not the city, should be the entity to determine if the pole replacement is required.
  - b. B(4)- The city may not require the installation of upsized meters for the city's future use as a quid pro quo for obtaining a permit. Order at Footnote 252.
3. Section 2.0 (C)- Verizon recommends developing design renderings of acceptable design options to aid the Applicant in developing designs acceptable to the city for replacement of city owned street light poles and decorative poles and to avoid the subjectivity of "case by case review." The FCC Order, ¶188 discourages standards that require applicants to guess what types of deployments will pass aesthetic muster.
4. Section 3.0(A)- Adds language that in the event of a conflict between the fees specified in Section 4.0 of this Policy and the fees specified in a duly executed Master License Agreement, the fees in the Master License Agreement shall apply.
5. Section 3.0(B)(5)-Adds a provision for extension of the pole reservation.
6. Section 3.0(D)(12)- The FCC has preempted regulation of interference, which is highly unlikely given the carriers' use of exclusively licensed and dedicated spectrum. In the

event of interference, the city can seek relief with the FCC. Verizon proposes removing all but the first sentence.

7. Section 3.0(D)(13)- Noise-The site consultant or carrier can supply such a letter with specs for the equipment. It is not necessary to have an engineer write the letter.
8. Section 3.0(E)-Adds a provision allowing batched applications of multiple poles, consistent with the FCC Order, ¶114.
9. Section 4.0 Fees-
  - a. The \$1400 Building Permit Fee is much higher than the commercial building permit fee in the fee schedule. The FCC Order, ¶ 79 requires that permit fees be no more than the actual and reasonable cost to the city with a safe harbor of \$500 for up to 5 SWFs and \$100 per facility thereafter. SWFs involving new structures have a safe harbor of \$1000. This fee for other commercial structures is 1 percent of total value for the commercial structure.
  - b. How is the \$391 for electricity calculated?

Thank you for the opportunity to comment on the code. It is our goal to work collaboratively with staff to arrive at a code that preserves the look and feel of your community, while providing an efficient, workable and federally compliant process to deliver the service your residents, visitors and businesses have come to expect. Verizon requests that additional time be provided to work with you to address the feasibility and legal compliance issues noted above. A Verizon representative will be at your meeting to answer questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim Allen', with a stylized flourish extending to the right.

Kim Allen  
Wireless Policy Group, LLC on behalf of Verizon Wireless





## Carson City Public Works Placement of Small Cell Wireless Equipment in Carson City Right-of-Way Effective: April 2, 2020

### 1.0 **PURPOSE:**

Small Cell Wireless Equipment (SCWE) sites are compact communication modules that contain antennas and related equipment required for the transmission and reception of information for personal wireless services, and meet the definition of "small wireless facilities" in 47 CFR § 1.6002(l). This policy outlines the general requirements and procedures for placement of SCWE in or on poles or other facilities/s (generally referred to as "poles") in Carson City (City) Right-of-Way (ROW), whether on poles owned by the City or by another person or entity (a Third-Party). Additional requirements and standards are found in Title 18, Appendix – Carson City Development Standards, and American Association of State Highway and Transportation Officials (AASHTO) standards. This policy does not apply to SCWE deployed in or on private property outside of City ROW. SCWE located on private property outside of City ROW are subject to the provisions of the Carson City Municipal Code (CCMC) Title 18 and Title 18, Appendix.

Before SCWE is placed on City-owned poles, a wireless provider, or a person or entity that submits an application on behalf of a wireless provider, (the Applicant) must enter into a master licensing agreement with the City. Before SCWE is placed on Third-Party poles, the applicant must obtain approval for the location and placement of the SCWE and secure a building permit for the SCWE installation. The Board of Supervisors must approve a master licensing agreement, while City staff will review and approve the project and approve and issue a building permit.

Nothing in this policy limits the legislative authority of the Carson City Board of Supervisors to manage and control City-owned real property as allowed by the Nevada Revised Statutes (NRS). Where permitted by law, this policy, including the design requirements and application process, is applicable to all SCWE installations in City ROW.

The Director of Public Works or his or her designee may, without approval of the Board of Supervisors, make technical or clerical revisions to this policy and any other revision that is required or necessary for compliance with any relevant change in federal or state law, any regulation adopted thereto, or the Carson City Municipal Code. Any other revision requires approval by the Board of Supervisors.

### **PERSONS AFFECTED:**

All elected officials and employees responsible for the sale or lease of City-owned real and personal property.

### 2.0 **DESIGN REQUIREMENTS:**

The following information outlines the Carson City standards for placement of SCWE in a City ROW.

#### **A. Design Requirements Applying to All Installations**

- A.1. Every effort shall be made to conceal or otherwise blend the SCWE with the existing structure to the extent technically feasible and designed to provide the least visually intrusive installation to the extent practicable as possible. All equipment must be positioned in a manner that best conceals it from the street. All antennas, other than millimeter wave antennas, equipment, antennas, connectors, and hardware must be placed within a shroud or

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Commented [VzW1]: 5G or millimeter wave antennas are sensitive to interference and can not be painted or otherwise screened. There are conceal technologies such as 3M film that can be applied to blend the antennas with the existing infrastructure.

~~otherwise camouflaged equivalent, to minimize the visibility of so that the SCWE installation appears to be an architectural component of the pole to which the SCWE is mounted to the maximum extent technically feasible.~~ All wiring and related connectors must be placed within the pole, or if not possible, within a conduit or other encasement on the pole. The SCWE, shrouds, and other exposed equipment on a pole must be painted ~~and textured~~ to match the pole to which it is attached.

- A.2. Attachment to existing wooden poles within the Downtown Redevelopment Areas or within the limits of planned corridor beautification projects is ~~prohibited~~ discouraged. The placement of new wooden utility poles in any City ROW is prohibited. Replacement wooden poles will be ~~permitted if needed for structural reasons or to add height required by electric safety codes for adequate separation from energized lines..~~ considered on a case by case basis.

- A.3. The use of above ground cabinets may be necessary to conceal SCWE. Above ground cabinets ~~will be considered on a case by case basis and, if possible, must include creative design solutions (e.g., incorporated into a bus stop or bench, the use of murals or landscaping, etc.).~~

- A.4. Installations other than those in above ground cabinets or on poles will be reviewed ~~on a case by case basis~~ by the City Engineer or his/her designee.

- A.5. SCWE must meet the following installation and size requirements:

- a. Each antenna must not be more than three cubic feet in volume.
- ~~b.~~ Where technically feasible, ~~an~~ antennas, should be mounted at the top of a pole. All antennas, other than millimeter wave antennas shall be concealed within a radome the minimum size necessary to conceal the antennas. diameter, the same as or smaller than the pole.
- c. Pole mounted equipment other than antennas must be proportional to the structure on which it is mounted to the maximum extent technically feasible.
- d. Where technically feasible, SCWE should include tapered elements and be mounted so that the longest dimension of the equipment is parallel to the pole.
- e. Pole mounted equipment must be installed as close as feasible to the pole, but in any event it must not project more than 17 inches from the back of the cabinet to the surface of the pole (including mounting brackets). unless larger separation requirements are required to conform with health and safety regulations or pole owner requirements.
- f. Each proposed installation will be considered on a case by case basis by the City Engineer or his or her designee.

- A.6. If existing city owned poles are damaged and structurally inadequate to support SCWE, Applicant may propose installing a replacement pole. Applicant may also propose placement of a new light pole (or other type of pole) that may also be used for the placement of SCWE. However, the placement of new poles for the sole purpose of accommodating SCWE is not permitted (i.e., the pole must have some other purpose, such as a light pole, utility pole, etc.). Requests to replace city owned poles or add poles will be reviewed by the City Engineer or his or her designee ~~on a case by case basis~~. Applicant will responsible for all costs for a replacement pole or a new pole. Once a replacement pole or a new pole is installed, it will be owned by the owner of the previously existing pole, if a replacement, or by the City.

- A.7. Poles replaced or added by Applicant shall be a design of like kind with the poles in the surrounding areas. At the time of pole installation, pole height must match other poles in the area, and overall pole height (pole and SCWE) must not exceed more than 20% of the average pole height in the immediate vicinity, or 50 feet, whichever is greater unless ~~otherwise approved by the City~~ required by the pole owner. Engineered plans submitted for application must note the height of the poles on the same City block face as the proposed pole location.

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Commented [VzW2]: While color can often be matched, the ability to match the texture of the equipment to the texture of a pole (wood, concrete, aggregate, etc.) is limited.

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Commented [VzW3]: All vertical infrastructure in the ROW should be open to attachment. The use of existing vertical infrastructure minimizes the need for placement of new poles in the ROW. Verizon suggests creating a gradation of pole types from most preferred to least preferred in these specific districts, whereby utility poles would be the less preferred option but not prohibited.

The recent FCC Order, Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order (September 26, 2018) ("FCC Order") requires that regulations for small wireless facilities in the right of way be no more burdensome than for other users of the right of way. To the extent that electric, telephone and cable providers are allowed on wooden poles in these areas, the city may not preclude siting on those structures for small wireless facilities. ¶86.

Commented [VzW4]: All findings required for approval must be clearly articulated in this policy, and not subject to the subjectivity of "case by case review." This is a wholly subjective and discretionary review standard and conflicts with the requirement for objective design criteria set forth in the FCC Order, ¶86.

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Commented [KA5]: Standards must be objective and published in advance. Order at ¶86.

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Commented [VzW6]: The subjectivity of this requirement conflicts with the with the requirement for objective design criteria set forth in the FCC Order, ¶86.

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Commented [KA7]: If the city does not regulate the owners' replacement of [poles for existing utility purposes, it cannot regulate replacement of third party poles for SWF attachment. This might be more clear if 3rd party poles and city owned poles are treated in separate subsections.

Replacement poles must be operational within 24 hours of removing the existing light pole. All electrical, telecommunication, and other transmission lines must be transferred and reattached to the replacement pole.

**A.8.** All poles or SCWE located within a sidewalk area or a potential future sidewalk area must provide a forty-eight inch (48") minimum clear walking space, which meets current Public Rights of Way Accessibility Guidelines (PROWAG). If an existing pole does not meet PROWAG, SCWE may be permitted only if all equipment, except for the power disconnect switch is located 8-feet or more above the sidewalk so as to not further reduce or constrain the sidewalk area. When proposing a new pole, and where feasible, the City may require Applicant to increase the sidewalk width to provide a forty-eight inch (48") minimum clear walking space. Replacement poles must be moved, if necessary, to comply with PROWAG when reinstalled.

**A.8.A.9.** All designs and structural calculations must be certified by a Nevada-licensed professional engineer. Designs must meet the requirements of the American Association of State Highway and Transportation Officials (AASHTO) and City standards.

**A.9.A.10.** All poles owned or to be owned by the City must be placed in the City right of way or within an easement. When required by the City, Applicant may be required to provide a stamped survey for the proposed equipment. It is the responsibility of Applicant to obtain the necessary easements for the placement of poles or other infrastructure within private property.

**A.10.A.11.** All SCWE installations will require the street-side placement of an electromagnetic energy (EME) notification placard, placed no more than 6-feet below the antenna shroud. Applicant is responsible for the maintenance and replacement of the placard as needed.

**A.11.A.12.** A power shutoff switch for powering down the SCWE must be provided at each site. Unless directed otherwise by the City or the power company, the power shut off switch must be located on the pole and placed at a minimum height of 9-feet from the pole base. For City-owned decorative poles, the shut off switch must be integrated into the pole design. Plans proposed to the City must provide engineered drawings of all electrical equipment and connections.

**A.12.A.13.** Should landscaping be approved by the City as a method to conceal ground mounted equipment, the following standards apply:

- a. All landscaping must conform to CCMC Title 18 Appendix, Division 3.
- b. Plant species must match those within the surrounding area. All shrubs must be large (minimum 5 gallons) and all trees must meet all requirements in CCMC Title 18 Appendix, Division 3.7, as amended.
- c. All trees, shrubs, or other landscaping removed from the ROW during installation shall be replaced by Applicant pursuant to the standards in the CCMC.
- d. Artificial landscaping is not permitted.
- e. When approved for use, the placement of underground vaults or cabinets must be located to minimize the disruption to existing trees or future tree placement.
- f. The landscaping must not impede the required sight distance given in Title 18 Appendix, Division 12 of the development standards or otherwise impact traffic signals or transportation as identified by the City Engineer.
- g. Work within City ROW, but that is located within a landscape area maintained by a homeowners association (HOA) or private party, will require notification to, and permission from, the party responsible for maintaining the landscaping prior to the start of any work. If additional landscaping is required by the City for the SCWE installation, Applicant must have written consent for maintenance in place with the HOA or private property owner prior to the start of work. A copy of the consent and plan must be

**Commented [VzW8]:** 24 hours is too tight a timeline. Pole removal and installation are not always done by the same contractor. We should also delineate between making operational the function of the replacement pole, e.g. the light versus the function of the SWF. Typically, there is monitoring and reporting phase before a SWF site is approved for commercial launch. Additionally, we request an exception for delay by third party providers (power and/or fiber) outside the control of the Applicant.

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**Commented [VzW9]:** Requirements for improvements to existing sidewalks should only apply when the Applicant is proposing to install a new pole in the ROW, not when proposing to attach SCWE to an existing structure. There are no impacts to existing sidewalks are when attaching SCWE to existing infrastructure.

**Commented [VzW10]:** Is the City looking for a stamped survey of the location or a stamped elevation survey of the equipment? Please clarify.

**Commented [VzW11]:** As stated earlier, 5G millimeter wave antennas cannot be placed within a shroud.

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provided to the City.

- h. Landscaping that is proposed in an area that already contains landscaping maintained by the City will be approved on a case by case basis.
- i. If new landscaping is proposed and approved in other locations, Applicant will be responsible for irrigation and maintenance of landscaping.

Street cuts will not be allowed within 5 years of when a street has been paved or repaved, unless approved by the City Engineer or his or her designee. If approved, such street cuts will require additional fees as stated in the list of fees in Section 4.

~~A.13.A.14.~~ All SCWE shall be kept in good repair and the paint or other coloring maintained to match the pole to which it is attached.

## B. NV Energy Owned Street Light Poles

The City will consider requests for the replacement of NV Energy (NVE) owned street light poles with a new City approved street light poles, to be installed by Applicant at its expense and for the City to own and maintain. The City's Public Works Department will inspect the new street light poles (and all equipment necessary for the operation of street light) prior to acceptance as City infrastructure.

- B.1. Any existing NVE street light poles must be replaced with new City approved light poles and equipment and must be consistent with the architectural design and height of the existing street light poles in the surrounding area. The overall pole height (pole and SCWE) must not exceed more than 20% of the average pole height in the immediate vicinity unless otherwise approved by the City. Current street light pole specifications are available through the City's Public Works Department. New street light poles must meet the City's current safety standards for design under CCMC Title 18 Appendix, Division 1.3 and Division 12.14, and must be consistent with the City's Photometric Design Standards and all other applicable City standards and codes. Pole specifications must be submitted to the City for approval prior to placement.
- B.2. A structural analysis and report of the proposed street light poles and base must be conducted and certified by a Nevada-licensed professional engineer. The report must show that the proposed street light poles is adequate to support the proposed SCWE and will not create an adverse or unsafe condition.
- B.3. Applicant is responsible for all costs of equipment, construction materials, permitting, designs, labor, and restoration associated with the removal of existing NVE street light poles and the installation of new street lighting and equipment.
- B.4. In locations where street lighting is not currently connected to a City-owned electrical meter, Applicant will be required to install a new electrical meter. The electrical meter shall be appropriately sized to support future City owned street lighting and SCWE installations. Electrical meter sizing must allow for 75% of the existing street lights to support SCWE.

Commented [VzW12]: Is the City requiring that we replace any existing NVE owned street light pole before we can attach? What is the justification for this? NVE is a public utility, not a municipal owned utility. Verizon requests the opportunity to attach to existing poles before being required to replace NVE, and not the city, should be the entity to determine if the pole replacement is required.

## C. Street Light Poles (City-Owned)

- C.1. The installation of SCWE on City-owned poles and decorative poles must comply with the design standards in section 2.A. The placement of SCWE on decorative poles requires the integration of all equipment, wiring, and antennas, except for millimeter wave antennas into the pole design to the maximum extent technically feasible, and which must be architecturally consistent with match the existing poles within the area.
- C.2. If SCWE is proposed to be added to an existing pole, a structural analysis and report of the target pole, base, and attached SCWE must be conducted and certified by a Nevada-licensed professional engineer. The report must be submitted with the application, must show that the

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Commented [VzW13]: The city may not require the installation of upsized meters for the city's future use as a quid pro quo for obtaining a permit. Order at Footnote 252.

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Commented [KA14]: It is unclear what is meant here.

pole is adequate to support the proposed SCWE, and that it will not create an adverse or unsafe condition.

- C.3. Replacement light poles, including decorative poles, will be reviewed for compliance with approved design standards approved on a case by case basis. The design and installation of replacement street light poles must comply with sections 2.B.1 through 2.B.4.

**D. Traffic Signal Pole (City-Owned)**

- D.1. The installation of SCWE on City-owned traffic signal poles must comply with the design standards in section 2.A.
- D.2. A structural analysis and report of the traffic signal pole must be conducted and submitted as required in section 2.C.2.
- D.3. All equipment shall be mounted above the mast arm and not within two feet of the mast arm handhole and cover.
- D.4. Traffic signal poles requiring replacement must be replaced with new City approved poles and equipment. Applicant must provide certified designs and structural calculations by a Nevada-licensed professional engineer showing that the designs meet AASHTO and City standards, and otherwise comply with sections 2.B.2 through 2.B.4 as they relate to traffic signal poles.

**E. Traffic Signal Pole (Owned by Third-Party)**

- E.1. Applicant must coordinate all lease or license agreements with the traffic signal pole owner. A copy of the Letter of Authorization (LOA) or other agreement providing permission to attach to the pole must be provided to the City with the Building Permit Application.
- E.2. Carson City is responsible for the maintenance of all traffic signal poles within the City limits regardless of ownership. Applicant must obtain approval from the City, which may not be unreasonably withheld, prior to any installation of SCWE on traffic signal pole attachments.
- E.3. The installation of SCWE on Third-Party traffic signal poles must otherwise comply with section 2.D.

**F. Electric Meters and Cabinets**

- F.1. Plans must show the location of the proposed or existing meter for providing power to the SCWE.
- F.2. New electric meters must not obstruct pedestrian or vehicle sight distance, must be located outside of the clear zone and meet Carson City Development Standards and AASHTO standards located in CCMC Title 18 Appendix. Proposed meter sets may not obstruct ADA walking paths or disrupt the general flow of pedestrian traffic in a sidewalk area.
- F.3. Whenever possible, the installation of new or replacement electric meters shall be installed outside of the sidewalk or other walking path.
- F.4. Electric meter placement must meet the current PROWAG by providing a forty-eight inch (48") minimum clear walking space.

**G. Installation and Maintenance**

- G.1. Any installation, non-emergency repairs, or maintenance that may require traffic control or interruptions to adjacent properties will require two weeks' notice before the installation, repair, or maintenance and coordination with the City's Public Works Department. When emergency repairs are needed or sufficient time does not exist, Applicant shall contact City prior to commencing repairs.

**Commented [VzW15]:** Verizon recommends developing design renderings of acceptable design options to aide the Applicant in developing designs acceptable to the city for replacement of city owned street light poles and decorative poles and to avoid the subjectivity of "case by case review."

The FCC Order, ¶188 discourages standards that require applicants to guess what types of deployments will pass aesthetic muster.

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G.2. Once installed, Applicant may maintain and repair the SCWE without obtaining a new permit, subject to section G.1. Ordinary maintenance and repair means inspections, testing and/or repair that maintain the functional capacity, aesthetics, and structural integrity of the SCWE and/or the support pole or structure that does not require damaging or disturbing any portion of the public right-of-way. Replacement of SCWE with like equipment that fits within the aesthetic sheathing, meets the permitted design requirements, including number of enclosures, power use, structural integrity, dimensions of SCWE, and other criteria listed in this policy, does not require a new permit. Otherwise, Applicant shall apply for a new permit and demonstrate that the proposed replacement SCWE meets the then current design requirements.

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### 3.0 **APPLICATION PROCESS:**

#### A. **License Agreement**

Prior to the review of any proposed SCWE project on City-owned poles, Applicant must enter into a Master License Agreement with the City. Upon approval of the Master License Agreement by the Board of Supervisors, all subsequent SCWE locations proposed in the City ROW will become a supplemental component of the approved Master License Agreement and will be known as Site Supplement Agreements or Third-Party Site Supplement Agreements. Each newly proposed SCWE location will be reviewed by the Public Works Department and other applicable City departments using the then current policies, standards, and review processes. The fees required during the application process are specified in Section 4.0 of this Policy, which is incorporated into the CCMC, or in the Master License Agreement. In the event of a conflict between the fees specified in Section 4.0 of this Policy and the fees specified in a duly executed Master License Agreement, the fees in the Master License Agreement shall apply.

#### B. **Site Reservation**

Site reservation is voluntary and is not an application review. Site reservation is intended to provide the opportunity for Applicant to reserve specific City-owned pole locations and allow City staff to identify potential issues with the selected sites before Applicant invests time and effort into more detailed design plans. The reservation process does not apply to Third-Party poles or SWCE installations on private property.

- B.1. Applicants may view City-owned poles via an online GIS Application.
- B.2. Applicants may make reservation requests in writing via email, providing the Pole ID and a map of the pole location. Requests must be emailed to the City's Real Property Manager at [gis@carson.org](mailto:gis@carson.org).
- B.3. Applicants may reserve no more than 10 sites at a time.
- B.4. Requests to reserve sites will usually be processed within 10 business days, unless extenuating circumstances exist. Approvals or denials will be sent via email.
- B.5. A site reservation lasts for 90 calendar days, measured from the date of the site reservation email. If no application for a building permit is submitted within the 90 days, the reservation expires. The Director of Public Works or his or her designee, in the Director's discretion, may grant a written extension when the Applicant submits a written request prior to the 90<sup>th</sup> day that shows good cause to grant the extension. If no written extension is sought by the Applicant or granted by the Director, and the site may then be reserved by another applicant. When an Applicant's reservation expires, that Applicant may not reserve the same site for 30 days after expiration.

B.6. Upon submitting a building permit application, a site reservation will be reserved or extended for 90 days from the date of the building permit application. If the building permit application is

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not fully addressed within the 90 days, the City may, in its discretion, extend the Applicant's site reservation for additional 90-day periods if the Applicant is proceeding through the application process in a timely manner and in good faith.

**C. Optional (but Recommended) Pre-Application SCWE Project Review**

Applicant may take advantage of Carson City's Major Project Review (MPR), a non-mandatory pre-application review process, to obtain feedback about Applicant's proposed location, plans, or installation. The MPR application and information about the process may be obtained from the planning department or at: <https://carson.org/government/departments-a-f/community-development/planning-division/current-planning-zoning/major-project-review>.

**D. Building Permits**

Unless a specific exemption in the CCMC or other applicable law applies, a Building Permit is mandatory for SCWE installation. A building permit application or other information may be obtained from the planning department or from: <https://carson.org/government/departments-a-f/community-development/building-division>. The building permit application must be complete and include all required supporting maps, documents, and details to satisfy the requirements of all governing bodies (federal, state, and local). Incomplete building permit applications (those not containing all of the specified information) will not be accepted and/or will be returned to the applicant. The following information must be provided for all applications:

Commented [KA16]: Note that the 60/90 day shot clocks begin to run when the initial application is submitted or proffered.

- D.1. A complete and accurate Building Permit application.
- D.2. A statement of the site reservation timeline, including the date of the site reservation, if any, and the date that the site reservation expires.
- D.3. If non-mandatory pre-project review was completed, a letter (a) responding to City comments and questions generated during the non-mandatory pre-application review, and (b) explaining any changes to plans, details, or equipment made after the pre-application review was completed, regardless of whether the changes were made in response to the City's comments or questions. Letters addressing changes to documents or plans must note the exact locations where the changes have been made. Failure to respond to a comment or question from the pre-application review or to address changes that were made may result in permitting delays.
- D.4. Engineered site plans. Complete and accurate plans drawn to scale and prepared, signed, and sealed by a Nevada-licensed engineer. Plans must include:
  - a. Street names, parcel numbers, and the addresses of all properties surrounding the proposed facility location.
  - b. Elevations and dimensions for before and after the proposed construction conditions with all height and width measurements called out.
  - c. Details of all proposed equipment.
  - d. All proposed utility runs and points of contact.
  - e. Easements for access and utilities.
  - f. Locations of all surface improvements, i.e. roadways, curb & gutter, sidewalk, signs, poles, hydrants, landscaping, cabinets, pull boxes, etc.
  - g. Locations of all subsurface improvements required for the proposed site.
- D.5. A structural analysis and report of the existing or proposed street light or traffic signal pole, base, and attached SCWE conducted and certified by a Nevada-licensed professional engineer. The report must demonstrate that the pole is adequate to support the proposed SCWE, and that it will not create an adverse or unsafe condition.
- D.6. For SCWE attachments to Third-Party poles, a LOA from each pole owner.
- D.7. For SCWE obscured by non-City maintained landscaping a written consent for maintenance

from the person responsible for maintaining the landscaping.

- D.8. When connecting electrical equipment to City Infrastructure, a certified engineer's report must be submitted to the City demonstrating that the power requirements of the proposed equipment are adequately supported by the existing infrastructure. If this cannot be achieved, plans must be provided for construction and installation of the necessary infrastructure.
- D.9. When attaching equipment to City-owned poles, detailed engineered drawings showing the installation of a power cut off switch that will be accessible by City staff for emergency work.
- D.10. Details and exact locations for all proposed electrical meters ("meter sets").
- D.11. For new meter sets, the address assigned to the meter must be provided with the submittal package.
- D.12. A radio frequency (RF) report prepared and certified by an RF engineer that certifies: 1) that the proposed SCWE will comply with applicable federal RF exposure standards and exposure limits; ~~2) the proposed equipment will not interfere with any other RF signal or equipment operations. SWCE shall not cause radio frequency interference in any manner with existing or future City traffic, public safety, or other communication. Applicant shall ensure that the Equipment will not cause radio frequency interference with existing wireless communication facilities or devices, cable television, broadcast radio or television systems, and satellite broadcast systems existing at the time of installation of the Equipment.~~
- D.13. An engineer's letter stating that there is no noise producing equipment associated with the SCWE, or an acoustic study confirming the noise generated by any noise generating equipment will not exceed the standards set forth in the applicable regulations.
- D.14. Equipment shall display a small placard which accurately identifies the SCWE owner, provides the equipment owner's unique site or identification number, and provides a toll-free telephone number to contact the owner's operations center. Plans must note and detail the placard and its placement.
- D.15. Details for the placement of an EME notification placard. See section 2.A.11.

Immediately upon receipt, the City will determine if the application is complete. Within 10 calendar days of receiving the building permit application, the City will review the submitted building permit application package for compliance with City policy and standards. If in compliance, the City will complete further processing and review within 60 calendar days of receiving the application.

If not in compliance, or if the City's review reveals deficiencies, Applicant will be advised in writing of the deficiencies, including whether specified revisions are required to bring the application into compliance or to address any deficiencies, and the specific rule or regulation creating the obligation to submit such documents or information. Applicant may then make any appropriate changes to the application and resubmit it to the City. The City's review process will then be repeated.

If the City advises Applicant of deficiencies and the applicant does not revise and resubmit the application to the City, the City will deem the application and the site reservation abandoned upon the expiration of the 90-day site reservation or any extension of the site reservation. The City may also deny the application, 10 calendar days after which the City will deem the site reservation abandoned. Otherwise, the City will approve the application when all criteria are met.

Upon approval of a building permit, the site will be reserved for 180 calendar days, during which time construction must commence. Applicant may obtain a one-time automatic 90-calendar day extension upon submitting a request for an extension and paying the extension fee specified in the Master License Agreement or in Section 4.0 of this Policy. If work has not commenced within the applicable 180-day period (270 days including the extension), after the building permit is approved, the City will deem the permit cancelled and the site reservation abandoned.

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Commented [VzW17]: The FCC has preempted regulation of interference, which is highly unlikely given the carriers' use of exclusively licensed and dedicated spectrum. In the event of interference, the city can seek relief with the FCC.

Commented [KA18]: The site consultant or carrier can supply such a letter with specs for the equipment. It is not necessary to have an engineer write the letter.

#### **E. Batched Applications**

A single permit may be used for multiple SWFE. If the sites within the batched permit application have differing review timelines, the longer timeline will apply to review of the consolidated grouping. If the City denies the application for one or more SWFE, or one or more SWFE, in a batched application, the City may not use the denial as a basis to delay the application process of any other SWFE in the same batched Application. A single permit may be issued for siting and collocating multiple SWFE.

#### **E.F. Site Supplement Agreement**

Upon City's approval of the building permit, Applicant must electronically provide a set of 8.5" x 11" drawings in pdf format showing a plan view of the site, drawings of the approved equipment, and photo simulations showing pre- and post-installation conditions. This information, along with the building permit and the information in Section 3.F below, will be attached as exhibit 1 to a site supplement agreement, or a third-party site supplement agreement, which the Applicant and the City must execute and which will be attached to the Applicant's Master License Agreement.

#### **F.G. Post Construction Submittal**

At the conclusion of all work, the Applicant shall provide the following information, which will become a part of the site supplement agreement or the third-party site supplement agreement:

F.1.G.1. An electronic copy of as-built plans in pdf format showing all field changes agreed to by the City. Field changes must be approved by the City prior to the work being performed and must be submitted to the City in writing. City responses and approvals to field changes will only be provided in writing.

F.2.G.2. All inspection documents and studies or certifications as required by the City.

F.3.G.3. An AutoCAD drawing of as-built plans for GIS integration.

#### **G.H. Expected Timeline**

The following provides guidance for the expected timeline of a typical project.

- **Site Selection and Reservation** - 10 Calendar Days.
- **SCWE MPR** - 21 Calendar Days. The MPR meeting is scheduled two weeks from the date of the MPR application submittal deadline, which is twice per month. The MPR meeting is normally held on a Tuesday at the Planning Division.
- **Building Permit Application Review** - 60 Calendar Days. Immediately upon receipt, the City will determine if the application is complete. Within 10 calendar days after receipt, the City staff will review the application for compliance with City policy and standards. If compliant, the City will complete processing and review within 60 calendar days after receipt of the application. The City will advise Applicant in writing of what revisions are required to address any deficiencies.
- **Building Permit Approval.** Upon approval of the building permit, the site will be reserved for 180 calendar days. Construction must commence within the 180 days to avoid cancellation of the permit. A one-time 90-calendar day extension is available.



4.0 **FEES:**

- A. Building Permit Application Fee: \$1,400
- B. Street Cut Fees:
  - B.1. Basic Pavement Patching Fee (CCMC § 20.5.1(3)): \$120+3.91/sq.ft. over the first 25 ft.  
Increased fees if street cuts are made within the first five years from the date that the pavement was inspected and approved or accepted by the City:
    - B.2. If within one year: 400% of basic fee.
    - B.3. After the first year: 340% of basic fee.
    - B.4. After the second year: 280% of basic fee.
    - B.5. After the third year: 220% of basic fee.
    - B.6. After the fourth year: 160% of basic fee.
    - B.7. After the fifth year: the basic fee.
- C. Building Permit Extension Fee: \$500
- D. Annual Attachment Fees to City-owned poles or facilities:
  - D.1. Attachment to City-owned pole or facility:  
(\$270 ROW-use fee, \$75 electric meter fee, and \$691 electricity fee) \$1,036
  - D.2. Attachment to City-owned pole or facility, without City supplied electricity: \$270
- E. Annual Access/Attachment Fees to Third-Party poles or facilities within City ROW:
  - E.1 Attachment to Third-Party pole or facility, with City supplied electricity: \$1,036
  - E.2 Attachment to Third-Party pole or facility, without City supplied electricity: \$270

**Commented [KA19]:** The FCC Order, ¶ 79, requires that permit fees be no more than the actual and reasonable cost to the city with a safe harbor of \$500 for up to 5 SWFs and \$100 per facility thereafter. SWFs involving new structures have a safe harbor of \$1000. This fee is also much higher than for other structures, which is 1 percent of total value for other commercial structures..

**Commented [KA20]:** See previous comment.

**Commented [KA21]:** Please provide typical cost of supplying power to one pole.