



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** October 1, 2020

Staff Contact: Darren Schulz, Public Works Director

Agenda Title: For Possible Action: Discussion and possible action regarding proposed amendments to the "Carson City Public Works Placement of Small Cell Wireless Equipment in Carson City Right-of-Way" policy (Policy) to implement aesthetic requirements, procedures, and fees for small cell equipment installation on poles and street lights in the City rights-of-way. (Darren Schulz, Dschulz@carson.org; Dan Stucky, DStucky@carson.org)

Staff Summary: On April 4, 2019, the Board of Supervisors adopted the first version of the Policy to implement procedures and aesthetic requirements and for placing small cell wireless equipment on poles and street lights located in the City rights-of-way. At the time, the application process, including finalizing the time frame within which applications must be processed, was still being formulated in order to meet the Federal Communication Commission ("FCC") orders and regulations. Working with wireless providers, staff has finalized the application process and also incorporated fees and other changes within the Policy to conform the Policy to federal law and to facilitate the placement of small cell wireless equipment within the City rights-of-way.

Agenda Action: Formal Action / Motion **Time Requested:** 10 minutes

Proposed Motion

I move to approve the amendments.

Board's Strategic Goal

Economic Development

Previous Action

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

September 3, 2020 - In order to comply with Business Impact Statement requirements, staff presented the amended policy to the Board of Supervisors as an informational item to seek Board of Supervisor's comments with the plan to bring back the amended Policy to the Board of Supervisors for approval at the October 1, 2020 meeting.

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 rights-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 Policy; 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; and 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.

On September 3, 2020, the Board of Supervisors discussed the policy during an informational only item and requested additional amendments to the Policy.

As to the Policy, the aesthetics requirements must (1) be reasonable, (2) not unreasonably discriminate among providers of functionally equivalent services, and (3) be published in advance. The FCC also established a presumptive charge for applications of \$500 for non-recurring fees, including a single up-front application that includes placement of small cell equipment on up to five facilities, with an additional \$100 for each additional facility, or \$1,000 for non-recurring fees for a new pole; and a \$270 annual ROW access fee. The City can charge more than these presumptive fees if the increased fees are (1) a reasonable approximation of costs, (2) those costs themselves are reasonable, and (3) are non-discriminatory.

Staff has had multiple rounds of communication with the wireless providers and has received significant input from the wireless providers regarding the Policy, much of which has been incorporated into the Policy. The proposed amendments to the Policy clarify that the Policy conform to federal law, clarify the process and procedures for an application for a building permit to install small cell equipment, and establish fees for the application process and the placement of small cell wireless equipment within City-owned rights-of-way.

Applicable Statute, Code, Policy, Rule or Regulation

FCC Orders - Order on September 27, 2018 and Order Denying Stay on December 10, 2018

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: Building Permits Fund: Building Permit Fees Revenue (Account #: 5259080-441680)

Regional Transportation Fund: Lease Revenue (Account #: 2503080-463010)

Is it currently budgeted? No

Explanation of Fiscal Impact: Based on feedback gathered from the providers during the working group sessions conducted over the last two years, staff anticipates each of the major small cell providers will install small cell wireless facilities at approximately 20 locations across Carson City over the next 5 years. This would equate to approximately 80 locations and generate approximately \$112,000 in building permit fees to be deposited in the Building Permits Fund over the next 5 years. In regards to the annual attachment fee and use of the City's rights-of-way, these 80 locations would generate approximately \$82,880 annually (depending on electrical connection), to be deposited in the City's Lease Revenue account in the Regional Transportation Fund.

Alternatives

Do not approve the amendments to the Policy and provide other direction to staff.

Attachments:

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)



**Carson City Public Works
Placement of Small Cell Wireless
Equipment in Carson City Right-of-Way
Effective: _____, 2020**

1.0 PURPOSE:

Small Cell Wireless Equipment (Equipment) sites are compact communication modules that contain antennas and related facilities 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 Equipment in or on poles or other facilities (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 Equipment deployed in or on private property outside of City ROW. Equipment 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 Equipment 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 license agreement with the City. Before Equipment is placed on Third-Party poles, the applicant must obtain approval for the location and placement of the Equipment and secure a building permit for the installation of the Equipment. The Board of Supervisors must approve a master license agreement, and 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 installations of Equipment 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 Equipment in a City ROW.

A. Design Requirements Applying to All Installations

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

Equipment installation appears to be an architectural component of the pole to which the Equipment is mounted. 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 Equipment, shrouds, and other exposed devices on a pole must be painted and textured to the extent technically feasible, in order to match the pole to which it is attached.

A.2. Equipment attachment to wooden poles:

- a. The City has a strategic plan for removing wooden poles and undergrounding utilities throughout the City. At present, the City prohibits the placement of new wooden poles throughout the City, requiring utilities to be placed underground. The City also requires existing wooden poles within the Downtown Redevelopment Areas or within the limits of planned corridor beautification projects to be removed when practical and the utilities placed underground. For certain projects, the City may also require existing wooden poles in other areas to be removed when practical and the utilities placed underground. The following policies apply to wooden poles.
- b. Attachment to existing wooden poles within the Downtown Redevelopment Areas or within the limits of planned corridor beautification projects is prohibited.
- c. The placement of new wooden utility poles, other than replacement poles, in any City ROW is prohibited.
- d. Replacement wooden poles outside of the Downtown Redevelopment Areas or the planned corridor beautification projects will be permitted if needed for structural reasons or to comply with applicable law, codes, or pole owner requirements.
- e. The City will not accept ownership of wooden poles.
- f. Applicants desiring to place Equipment on wooden poles assume the risk that a particular wooden pole may be selected for removal and utility undergrounding. In such event, the Applicant must remove and relocate the Equipment at its sole cost and expense. The City will make reasonable efforts to notify Applicant when a pole will be selected for removal to allow adequate time for relocation of the Equipment.

A.3. The use of above ground cabinets may be necessary to conceal Equipment. Above ground cabinets must include creative design solutions (e.g., incorporated into a bus stop or bench, the use of murals or landscaping, creatively camouflaged, etc.) to the extent practicable and technically feasible.

A.4. Installations other than those in above ground cabinets or on poles may be proposed by the Applicant and must include creative design solutions to the extent practicable and technically feasible.

A.5. Equipment 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, 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. Millimeter wave antennas shall be concealed or otherwise camouflaged to the extent technically feasible. All antennas should satisfy the aesthetic requirements in this policy.
- c. Pole mounted devices other than antennas must be proportional to the structure on which it is mounted to the extent technically feasible.
- d. Where technically feasible, Equipment 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 surface of the pole (including mounting brackets), unless larger separation requirements are required to comply with applicable laws, codes, or pole owner requirements.
-
- A.6. If existing city-owned poles are damaged and structurally inadequate to support Equipment, 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 Equipment. However, the placement of new poles for the sole purpose of accommodating Equipment is not permitted (i.e., the pole must have some other purpose, such as a light pole, utility pole, etc.). Applicant will responsible for all costs for a replacement pole or a new pole. Once a City-owned pole is replaced or a new pole is installed within City-owned ROW, the pole will become the property of 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 Equipment) must not exceed more than 20% of the average pole height in the immediate vicinity. The applicant may obtain a deviation from this design standard if compliance is not technically feasible or impedes the effective operation of the Equipment, or a deviation is required by the pole owner, and the Public Works Director, or his or her designee, approves the deviation. When replacing a pole, all pre-existing electrical, telecommunication, and other transmission lines, and any other pre-existing facilities attached to the pole must be transferred and reattached to the replacement pole. All pre-existing lines or facilities being reattached to a replacement pole, including any street lights or traffic signals, must be operational within 24 hours of removing the existing pole, unless a delay is caused by a third-party utility or backhaul provider or forces outside of the control of the Applicant.
 - A.8. All poles, including new poles and replacement poles, or Equipment 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, Equipment may be permitted only if all Equipment 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 or installing a replacement 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 requirements.
 - 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.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 or the power company, Applicant may be required to provide a stamped survey to show the proposed Equipment is within a right of way or established easement. It is the responsibility of Applicant to obtain the necessary easements for the placement of poles or other infrastructure within private property.
 - A.11. All Equipment installations will require the street-side placement of an electromagnetic energy (EME) notification placard, placed no more than 6-feet below the antenna. Applicant is responsible for the maintenance and replacement of the placard as needed.
 - A.12. All Equipment installations must comply with federal regulations that Equipment installations do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR Part 1, Subpart U, Section 1.1307(b), as amended, and must be maintained or updated to comply with amendments to the safety standards.

- A.13. A power shutoff switch for powering down the Equipment must be provided at each site. Unless directed otherwise by the City, 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.14. 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 Equipment 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 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.
- A.15. 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.16. All Equipment 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

- B.1. Applicant may enter into an agreement with NV Energy (NVE) that will allow the applicant to attach Equipment to NVE poles. Equipment placed on NVE poles within City right-of-way must otherwise comply with the aesthetics and building permit portion of this policy, unless exempted by applicable Laws, and must also comply with health and safety codes and pole owner requirements. This remainder of this section does not apply to Equipment placed on NVE poles that are not converted into City-owned poles.

- B.2. The City will consider requests to convert NVE-owned street light poles into City-owned street light poles. The City will not accept ownership of any street light pole that does not meet current City street light pole specifications and standards, including the City's current safety standards for design, found in CCMC Title 18 Appendix, Division 1.3 and Division 12.14, Photometric Design Standards, and all other applicable City standards and codes. Current specifications and standards are available through the City's Public Works Department.
- B.3. Any application proposing that the City accept ownership of an NVE metal street light pole that does not meet City standards must specify how the pole will be refurbished to bring it up to City standards or must include replacement of the pole. Any application proposing that the City accept ownership of an NVE wooden street light pole must include replacement of the pole with a metal pole. Replacement pole specifications must be submitted to the City for approval prior to placement.
- B.4. Any refurbished or replacement pole must be consistent with the architectural design and height of the existing street light poles in the surrounding area. At the time of pole installation, the overall pole height (pole and Equipment) must not exceed more than 20% of the average pole height in the immediate vicinity. The applicant may obtain a deviation from this design standard if compliance is not technically feasible or impedes the effective operation of the Equipment, or a deviation is required by the pole owner, and the Public Works Director, or his or her designee, approves the deviation.
- B.5. A structural analysis and report of the street light pole and base must be conducted and certified by a Nevada-licensed professional engineer. The report must show that the street light pole is adequate to support the proposed Equipment and will not create an adverse or unsafe condition.
- B.6. Applicant is responsible for all costs of Equipment, construction materials, permitting, designs, labor, and restoration associated with the refurbishment or removal of an existing NVE street light pole and the installation of street lighting and Equipment.
- B.7. Applicant will be required to connect the pole to an existing City-owned electrical meter or install a new electrical meter.

C. Street Light Poles (City-Owned)

- C.1. The installation of Equipment on City-owned poles and decorative poles must comply with the design standards in section 2.A. The placement of Equipment on decorative poles requires the integration of all Equipment, wiring, and antennas into the pole design to the maximum extent technically feasible, and must be architecturally consistent with the existing poles within the area.
- C.2. If Equipment is proposed to be added to an existing pole, a structural analysis and report of the target pole, base, and attached Equipment must be conducted and certified by a Nevada-licensed professional engineer. The report must be submitted with the application, must show that the pole is adequate to support the proposed Equipment, 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 and with sections 2.B.1 through 2.B.6.

D. Traffic Signal Pole (City-Owned)

- D.1. The installation of Equipment 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.6 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 under this policy prior to any installation of Equipment on traffic signal pole attachments.
- E.3. The installation of Equipment 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 Equipment.
- 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.
- F.5. The electrical meter must be appropriately sized to accommodate the Equipment and all other facilities and poles served by the electric meter. An existing meter must be upgraded and replaced if it is undersized. New or replacement City meters must be sized to accommodate appropriate excess capacity required by the National Electrical Code, as adopted by Carson City, and any other applicable Laws (collectively, the NEC).
- F.6. The City may require the installation of an electric meter with capacity beyond that required by the NEC. In such a case, the City will reimburse the applicant or pay for the difference in cost between the installation of a meter required by the NEC and the City's required meter.

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.

- G.2. Once installed, Applicant may maintain and repair the Equipment 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 Equipment and/or the support pole or structure that does not require damaging or disturbing any portion of the public right-of-way. Replacement of Equipment with like Equipment that fits within the aesthetic sheathing, meets the permitted design requirements, including number of enclosures, power use, structural integrity, dimensions of Equipment, 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 Equipment meets the then current design requirements.

3.0 APPLICATION PROCESS:

A. License Agreement

Prior to the review of any proposed Equipment 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 Equipment 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 Equipment 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, or in the Master License Agreement, or both. In the event of a conflict between this Policy and a duly executed Master License Agreement or any subsequent Supplement to the Master License Agreement, the fees stated in a Supplement shall prevail as to a specific installation, and this Policy shall otherwise govern and prevail as to the aesthetic requirements, the Building Permit Application process and requirements, and the general fees. This Policy, the Master License Agreement, and the Supplements must be construed consistent with the FCC Orders.

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.
- 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 his or her sole discretion, may grant a one-time 45-day extension if the Applicant submits a written request for an extension before expiration of the reservation that demonstrates good cause to grant the extension. If no written extension is sought by the Applicant or granted to the Applicant, the

reservation expires 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 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 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 Equipment 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:

- 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 Equipment conducted and certified by a Nevada-licensed professional engineer. The report must demonstrate that the pole is adequate to support the proposed Equipment, and that it will not create an adverse or unsafe condition.
 - D.6. For Equipment attachments to Third-Party poles, a LOA from each pole owner.
 - D.7. For Equipment obscured by non-City maintained landscaping a written consent for maintenance from the person responsible for maintaining the landscaping.
 - D.8. When making electrical connections 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 that the proposed Equipment will comply with applicable federal RF exposure standards, exposure limits, and interference standards.
 - D.13. A letter, from a qualified person, stating that there is no noise producing elements associated with the Equipment, 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 Equipment 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.
 - D.16. If the Applicant wishes to adjust the electrical usage fee in section 4.D or 4.E of this policy, a load study or similar analysis, a load study for a similar installation, or a statement that Applicant will provide a load study for the Equipment as installed. If any of the above is provided to and approved by the City, the City will base the initial electricity fee on the provided load study. Once installed, the electricity fee may be based upon actual demonstrated electricity use. The Applicant's failure to address the Equipment's power usage in any manner in the building permit application will require the Applicant to pay the electrical usage fee stated in section 4.D or 4.E.

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 make all reasonable efforts to complete further processing and review within 60 calendar days of receiving the application, if the Equipment will be located on an existing pole, or within 90 calendar days, if the Equipment will be located on a pole that is proposed to be newly installed or a pole being accepted by the City from NV Energy under Section 2.B of this Policy.

If not in compliance, or if the City's review reveals deficiencies, Applicant will be advised in writing of the deficiencies, including the specific portion of this policy with which the Application does not comply

and whether specified revisions are required to bring the application into compliance or to address any deficiencies. 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.

E. Batched Applications

A single permit may be used for multiple Equipment sites. 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 sites in a batched application, the City may not use the denial as a basis to delay the application process of any other site in the same batched Application. A single permit may be issued for siting and collocating multiple Equipment installations.

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.

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:

- 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.
- G.2. All inspection documents and studies or certifications as required by the City.
- G.3. An AutoCAD drawing of as-built plans for GIS integration.

H. Expected Timeline

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

- **Site Selection and Reservation - 10 Calendar Days.**

- **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 or 90 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 anticipates completing processing and review within 60 calendar days after receipt of the application, or within 90 calendar days for a new pole or a pole accepted from NV Energy. 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: | up to \$1,036 |
| D.1. | Attachment to City-owned pole or facility: | \$270 |
| D.2 | Required installation or replacement of an electric meter: | \$75 |
| D.3 | Use of City supplied electricity: | \$691 |
| E. | Annual Attachment Fees to Third-Party poles or facilities within City ROW: | up to \$1,036 |
| E.1 | Ground-mounted Equipment attached to City ROW: | \$270 |
| E.2 | Required installation or replacement of an electric meter: | \$75 |
| E.3 | Use of City supplied electricity: | \$691 |
| F. | To adjust the electricity fee, the Applicant may provide a load study or similar analysis, a load study for a similar installation, or a statement that Applicant will provide a load study for the Equipment as installed. If any of the above is provided to and approved by the City, the City will base the initial electricity fee on the provided load study. If no study is provided the Applicant is required to pay the electrical usage fee stated above. | |
| G. | The initial Annual Attachment Fee will be prorated during the fiscal year that the Equipment is installed, as provided in the Master License Agreement. | |



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

1.0 **PURPOSE:**

Small Cell Wireless Equipment (SCWEEquipment) sites are compact communication modules that contain antennas and related equipmentfacilities 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 SCWEEquipment in or on poles or other facilities (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 SCWEEquipment deployed in or on private property outside of City ROW. SCWEEquipment 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 SCWEEquipment 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 license agreement with the City. Before SCWEEquipment is placed on Third-Party poles, the applicant must obtain approval for the location and placement of the SCWEEquipment and secure a building permit for the SCWE-installation_ of the Equipment. The Board of Supervisors must approve a master license agreement, whileand 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 of Equipment 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 SCWEEquipment in a City ROW.

A. Design Requirements Applying to All Installations

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

feasible, so that the SCWEEquipment installation appears to be an architectural component of the pole to which the SCWEEquipment is mounted. 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 SCWEEquipment, shrouds, and other exposed equipmentdevices on a pole must be painted and textured to the extent technically feasible, in order to match the pole to which it is attached.

A.2. SCWEEquipment attachment to wooden poles:

- a. The City has a strategic plan for removing wooden poles and undergrounding utilities throughout the City. At present, the City prohibits the placement of new wooden poles throughout the City, requiring utilities to be placed underground. The City also requires existing wooden poles within the Downtown Redevelopment Areas or within the limits of planned corridor beautification projects to be removed when practical and the utilities placed underground. For certain projects, the City may also require existing wooden poles in other areas to be removed when practical and the utilities placed underground. The following policies apply to wooden poles.
- b. Attachment to existing wooden poles within the Downtown Redevelopment Areas or within the limits of planned corridor beautification projects is strongly discouraged-prohibited.
- c. The placement of new wooden utility poles, other than replacement poles, in any City ROW is prohibited.
- d. Replacement wooden poles outside of the Downtown Redevelopment Areas or the planned corridor beautification projects will be permitted if needed for structural reasons or to comply with applicable law, codes, or pole owner requirements.
- e. The City will not accept ownership of wooden poles.
- f. Applicants desiring to place SCWEEquipment on wooden poles assume the risk that a particular wooden pole may be selected for removal and utility undergrounding. In such event, the Applicant must remove and relocate the SCWEEquipment at its sole cost and expense. The City will make reasonable efforts to notify Applicant when a pole will be selected for removal to allow adequate time for relocation of the SCWEEquipment.

A.3. The use of above ground cabinets may be necessary to conceal SCWEEquipment. Above ground cabinets must include creative design solutions (e.g., incorporated into a bus stop or bench, the use of murals or landscaping, creatively camouflaged, etc.) to the extent practicable and technically feasible.

A.4. Installations other than those in above ground cabinets or on poles may be proposed by the Applicant and must include creative design solutions to the extent practicable and technically feasible.

A.5. SCWEEquipment 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, 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. Millimeter wave antennas shall be concealed or otherwise camouflaged to the extent technically feasible. All antennas should satisfy the aesthetic requirements in this policy.
- c. Pole mounted equipmentdevices other than antennas must be proportional to the structure on which it is mounted to the extent technically feasible.
- d. Where technically feasible, SCWEEquipment should include tapered elements and be mounted so that the longest dimension of the equipmentEquipment is parallel to the pole.

- e. Pole mounted ~~equipment~~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 surface of the pole (including mounting brackets), unless larger separation requirements are required to comply with applicable laws, codes, or pole owner requirements.
- A.6. If existing city-owned poles are damaged and structurally inadequate to support SCWEEquipment, 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 SCWEEquipment. However, the placement of new poles for the sole purpose of accommodating SCWEEquipment is not permitted (i.e., the pole must have some other purpose, such as a light pole, utility pole, etc.). Applicant will responsible for all costs for a replacement pole or a new pole. Once a City-owned pole is replaced or a new pole is installed within City-owned ROW, the pole will become the property of 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 SCWEEquipment) must not exceed more than 20% of the average pole height in the immediate vicinity, ~~unless otherwise approved by. The applicant may obtain a deviation from this design standard if compliance is not technically feasible or impedes the City and effective operation of the Equipment, or a deviation is required by the pole owner. Engineered plans submitted for application must note the height of the poles on, and the Public Works Director, or his or her designee, approves the same City block as the proposed pole location.~~deviation. When replacing a pole, all pre-existing electrical, telecommunication, and other transmission lines, and any other pre-existing facilities attached to the pole must be transferred and reattached to the replacement pole. All pre-existing lines or facilities being reattached to a replacement pole, including any street lights or traffic signals, must be operational within 24 hours of removing the existing pole, unless a delay is caused by a third-party utility or backhaul provider or forces outside of the control of the Applicant.
- A.8. All poles, including new poles and replacement poles, or SCWEEquipment 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, SCWEEquipment may be permitted only if all ~~equipment~~Equipment 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 or installing a replacement 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 requirements.
- 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.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 or the power company, Applicant may be required to provide a stamped survey to show the proposed ~~equipment~~Equipment is within a right of way or established easement. It is the responsibility of Applicant to obtain the necessary easements for the placement of poles or other infrastructure within private property.
- A.11. All SCWEEquipment installations will require the street-side placement of an electromagnetic energy (EME) notification placard, placed no more than 6-feet below the antenna. Applicant is responsible for the maintenance and replacement of the placard as needed.

- A.12. All SCWEEquipment installations must comply with federal regulations that SCWEEquipment installations do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR Part 1, Subpart U, Section 1.1307(b-), as amended, and must be maintained or updated to comply with amendments to the safety standards.
- A.13. A power shutoff switch for powering down the SCWEEquipment must be provided at each site. Unless directed otherwise by the City, 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.14. Should landscaping be approved by the City as a method to conceal ground mounted equipmentEquipment, the following standards apply:
- a. All landscaping must conform to CCMC Title18 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 SCWEEquipment 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 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.
- A.15. 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.16. All SCWEEquipment 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

- B.1. Applicant may enter into an agreement with NV Energy (NVE) that will allow the applicant to attach SCWEEquipment to NVE poles. SCWEEquipment placed on NVE poles within City right-

of-way must otherwise comply with the aesthetics and building permit portion of this policy, unless exempted by applicable Laws, and must also comply with health and safety codes and pole owner requirements. This remainder of this section does not apply to SCWEEquipment placed on NVE poles that are not converted into City-owned poles.

- B.2. The City will consider requests to convert NVE-owned street light poles into City-owned street light poles. The City will not accept ownership of any street light pole that does not meet current City street light pole specifications and standards, including the City's current safety standards for design, found in CCMC Title 18 Appendix, Division 1.3 and Division 12.14, Photometric Design Standards, and all other applicable City standards and codes. Current specifications and standards are available through the City's Public Works Department.
- B.3. Any application proposing that the City accept ownership of an NVE metal street light pole that does not meet City standards must specify how the pole will be refurbished to bring it up to City standards or must include replacement of the pole. Any application proposing that the City accept ownership of an NVE wooden street light pole must include replacement of the pole with a metal pole. Replacement pole specifications must be submitted to the City for approval prior to placement.
- B.4. Any refurbished or replacement pole must be consistent with the architectural design and height of the existing street light poles in the surrounding area. The At the time of pole installation, the overall pole height (pole and SCWEEquipment) must not exceed more than 20% of the average pole height in the immediate vicinity, unless otherwise approved. The applicant may obtain a deviation from this design standard if compliance is not technically feasible or impedes the effective operation of the Equipment, or a deviation is required by the Citypole owner, and the Public Works Director, or his or her designee, approves the deviation.
- B.5. A structural analysis and report of the street light pole and base must be conducted and certified by a Nevada-licensed professional engineer. The report must show that the street light pole is adequate to support the proposed SCWEEquipment and will not create an adverse or unsafe condition.
- B.6. Applicant is responsible for all costs of equipmentEquipment, construction materials, permitting, designs, labor, and restoration associated with the refurbishment or removal of an existing NVE street light pole and the installation of street lighting and equipmentEquipment.
- B.7. Applicant will be required to connect the pole to an existing City-owned electrical meter or install a new electrical meter.

C. Street Light Poles (City-Owned)

- C.1. The installation of SCWEEquipment on City-owned poles and decorative poles must comply with the design standards in section 2.A. The placement of SCWEEquipment on decorative poles requires the integration of all equipmentEquipment, wiring, and antennas into the pole design to the maximum extent technically feasible, and must be architecturally consistent with the existing poles within the area.
- C.2. If SCWEEquipment is proposed to be added to an existing pole, a structural analysis and report of the target pole, base, and attached SCWEEquipment must be conducted and certified by a Nevada-licensed professional engineer. The report must be submitted with the application, must show that the pole is adequate to support the proposed SCWEEquipment, 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 and with sections 2.B.1 through 2.B.6.

D. Traffic Signal Pole (City-Owned)

D.1. The installation of SCWEEquipment on City-owned traffic signal poles must comply with the design standards in section 2.A.

D.1-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.2-D.3. All equipmentEquipment shall be mounted above the mast arm and not within two feet of the mast arm handhole and cover.

D.3-D.4. Traffic signal poles requiring replacement must be replaced with new City approved poles and equipmentEquipment. 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.6 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 under this policy prior to any installation of SCWEEquipment on traffic signal pole attachments.

E.3. The installation of SCWEEquipment 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 SCWEEquipment.

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.

F.5. The electrical meter must be appropriately sized to accommodate the SCWEEquipment and all other facilities and poles served by the electric meter. An existing meter must be upgraded and replaced if it is undersized. New or replacement City meters must be sized to accommodate appropriate excess capacity as required by the National Electrical Code, as adopted by Carson City, and any other applicable Laws- (collectively, the NEC).

F.6. The City may require the installation of an electric meter with capacity beyond that required by the NEC. In such a case, the City will reimburse the applicant or pay for the difference in cost between the installation of a meter required by the NEC and the City's required meter.

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.
- G.2. Once installed, Applicant may maintain and repair the SCWEEquipment 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 SCWEEquipment and/or the support pole or structure that does not require damaging or disturbing any portion of the public right-of-way. Replacement of SCWEEquipment with like equipmentEquipment that fits within the aesthetic sheathing, meets the permitted design requirements, including number of enclosures, power use, structural integrity, dimensions of SCWEEquipment, 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 SCWEEquipment meets the then current design requirements.

3.0 APPLICATION PROCESS:

A. License Agreement

Prior to the review of any proposed SCWEEquipment 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 SCWEEquipment 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 SCWEEquipment 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, or in the Master License Agreement, or both. In the event of a conflict between ~~fees specified in Section 4.0 of this Policy and fees specified in~~ a duly executed Master License Agreement or any subsequent Supplement to the Master License Agreement, the fees stated in ~~the~~ Supplement shall ~~control~~prevail as to a specific installation, and this Policy shall otherwise govern and prevail as to the aesthetic requirements, the Building Permit Application process and requirements, and the general fees. This Policy, the Master License Agreement, and the Supplements must be construed consistent with the FCC Orders.

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.

- 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 his or her sole discretion, may grant a one-time 45-day extension if the Applicant submits a written request for an extension before expiration of the reservation that demonstrates good cause to grant the extension. If no written extension is sought by the Applicant or granted to the Applicant, the reservation expires 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 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~~Equipment 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:

- 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~~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~~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 ~~SCWEEquipment~~ conducted and certified by a Nevada-licensed professional engineer. The report must demonstrate that the pole is adequate to support the proposed ~~SCWEEquipment~~, and that it will not create an adverse or unsafe condition.
- D.6. For ~~SCWEEquipment~~ attachments to Third-Party poles, a LOA from each pole owner.
- D.7. For ~~SCWEEquipment~~ obscured by non-City maintained landscaping a written consent for maintenance from the person responsible for maintaining the landscaping.
- D.8. When ~~connectingmaking~~ electrical ~~equipmentconnections~~ to City Infrastructure, a certified engineer's report must be submitted to the City demonstrating that the power requirements of the proposed ~~equipment~~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~~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 SCWEEquipment 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, and interference standards.~~
- D.13. A letter, ~~from a qualified person,~~ stating that there is no noise producing ~~equipmentelements~~ associated with the ~~SCWEEquipment~~, or an acoustic study confirming the noise generated by any noise generating ~~equipment~~Equipment will not exceed the standards set forth in the applicable regulations.
- D.14. Equipment shall display a small placard which accurately identifies the ~~SCWEEquipment~~ owner, provides the ~~equipment~~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.

D.16. If the Applicant wishes to adjust the electrical usage fee in section 4.D or 4.E of this policy, a load study or similar analysis, a load study for a similar installation, or a statement that Applicant will provide a load study for the Equipment as installed. If any of the above is provided to and approved by the City, the City will base the initial electricity fee on the provided load study. Once installed, the electricity fee may be based upon actual demonstrated electricity use. The Applicant's failure to address the Equipment's power usage in any manner in the building permit application will require the Applicant to pay the electrical usage fee stated in section 4.D or 4.E.

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 make all reasonable efforts to complete further processing and review within 60 calendar days of receiving the application, if the Equipment will be located on an existing pole, or within 90 calendar days, if the Equipment will be located on a pole that is proposed to be newly installed or a pole being accepted by the City from NV Energy under Section 2.B of this Policy.

If not in compliance, or if the City's review reveals deficiencies, Applicant will be advised in writing of the deficiencies, including the specific portion of this policy with which the Application does not comply and whether specified revisions are required to bring the application into compliance or to address any deficiencies. 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.

E. Batched Applications

A single permit may be used for multiple SCWE Equipment sites. 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 SCWE sites in a batched application, the City may not use the denial as a basis to delay the application process of any other SCWE site in the same batched Application. A single permit may be issued for siting and collocating multiple SCWE Equipment installations.

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 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.

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:

- FG.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.
- FG.2. All inspection documents and studies or certifications as required by the City.
- FG.3. An AutoCAD drawing of as-built plans for GIS integration.

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 or 90 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~~ anticipates completing processing and review within 60 calendar days after receipt of the application, or within 90 calendar days for a new pole or a pole accepted from NV Energy. 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

~~A.1. Fees are based on actual costs to process an Application.~~

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: up to \$1,036
- D.1. Attachment to City-owned pole or facility: \$1,036
~~(\$270 ROW use fee, \$75~~
- ~~D.2 Required installation or replacement of an electric meter fee, and: _____
 _____ \$75~~
- ~~D.3 Use of City supplied electricity: _____ \$691
 electricity fee) _____~~
- ~~D.2 Attachment to City-owned pole or facility, without City-supplied electricity: _____ \$270~~
- E. Annual Attachment Fees to Third-Party poles or facilities within City ROW: up to \$1,036
- E.1 ~~Attachment to Third Party pole or facility, without City supplied electricity and
 _____ without ground-mounted Equipment in attached to City ROW:
 _____ \$0\$270~~
- E.2 ~~Attachment to Third Party pole Required installation or replacement of an electric meter: _____
 _____ \$75~~
- E.3 ~~Use of City supplied electricity: _____ \$691~~
- F. To adjust the electricity fee, the Applicant may provide a load study or facility, without City supplied similar analysis, a load study for a similar installation, or a statement that Applicant will provide a load study for the Equipment as installed. If any of the above is provided to and approved by the City, the City will base the initial electricity and fee on the provided load study. If no study is provided the Applicant is required to pay the electrical usage fee stated above.
- ~~_____ with ground mounted Equipment in City ROW: _____ \$270~~
- ~~E.3 Attachment to Third Party pole or facility, with City supplied electricity and
 _____ without ground mounted Equipment in City ROW: _____ \$766~~
- ~~E.4 Attachment to Third Party pole or facility, with City supplied electricity and
 _____ with ground mounted Equipment in City ROW: _____ \$1,036~~
- G. The initial Annual Attachment Fee will be prorated during the fiscal year that the Equipment is installed, as provided in the Master License Agreement.