

CITY OF BRISBANE

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

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

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

➤ **ELECTRONIC SUBMITTAL REQUIRED:**

- Please submit all required items as PDF, Microsoft Office (Word, Excel, etc.), or JPG/TIF/PNG file types, as appropriate to the items listed below. You may compress or archive multiple file types into a single folder and upload the compressed (zipped) folder to our [electronic planning application](#). (Max 125 MB per file or folder.)
- Development plans MUST be submitted in PDF format;** CAD or other drafting file types will not be accepted. Development plan pages must be contained in one single PDF file; PDF files of individual plan pages will not be accepted. Please see the [Plan Preparation Guidelines](#) for digital file submittal standards.

ALL NEW OR SUBSTANTIAL MODIFICATIONS TO EXISTING TELECOMMUNICATION FACILITIES APPLICATIONS:

The following information and documents are required for all new or substantial modifications to existing telecommunications facilities applications, unless specifically waived by staff:

- APPLICATION – A completed electronic planning application.
 - Signatures of the legal owners of all of the affected properties** must be provided on a [Property Owner Authorization Form](#) authorizing the "APPLICANT" to submit the application on the owner's behalf.
- APPLICATION FEE – Refer to the [Master Fee Schedule](#). Fee may be paid by Visa or MasterCard (please note 2% additional processing fee), or by check.

Use Permit: See Line P10

Administrative Permit: See Line P63

Note: Planning fees are non-refundable.

- SUPPORTING MATERIALS – The below documents and plans must be electronically submitted with any use permit application.

- PROJECT DESCRIPTION – A complete project description, which shall describe all components and phases of the proposed project.
- DEVELOPMENT PLANS – The below-listed development plans prepared in accordance with the Community Development Department’s plan preparation guidelines:
 - Existing and proposed structures on the subject and adjacent properties;
 - Accurately dimensioned property lines, streets, easements, trees, existing and proposed parking and utilities
 - A small scaled vicinity map
 - Elevations of all sides of the subject facility, identifying colors and materials as appropriate and indicating the natural grade on each elevation (cross-sections may also be required depending upon the complexity of the design);
 - Floor and roof plans, if appropriate
 - Existing topography of the property (at 5 ft. intervals), if appropriate

Note: Staff may waive certain plan components based on the specific project proposal. Consult with staff prior to submittal to confirm required components.

- PHOTOSIMULATION showing the appearance of the proposed facility where it is most prominent from public view.
- ALTERNATIVE SITES ANALYSIS – NEW FACILITIES ONLY. Documentation showing what alternative sites for the proposed facility were considered and the reasons for rejecting such sites (may include a range of service map to show the need for the facility at the proposed location).
- CO-LOCATION PLANS – (only for proposals requiring Use Permit approval) plans showing that the proposed facility has been designed for co-location of at least one other carrier, or if not, the reasons why a design for co-location cannot be used for the facility;
- RADIO FREQUENCY COMPLIANCE REPORT – containing radio frequency electromagnetic modeling and analysis to determine compliance with FCC regulations. It may be advisable to include a report demonstrating compliance with applicable FCC standards in terms of emissions from the proposed facility and in combination with any existing facilities in the vicinity.
- SUPPORTING STATEMENTS – To approve your application, the Zoning Administrator or Planning Commission must find that the proposal complies with the development and operational standards listed in Brisbane Municipal Code Section [17.32.032](#).G. A checklist for the development and operation standards is provided in Attachment B.

If the proposal requires Use Permit approval, then the Use Permit findings required by BMC Section [17.40.060](#) must also be made. A written statement from the applicant addressing each of the Use Permit findings is required as set forth in Attachment C.

- ENVIRONMENTAL INFORMATION – Environmental Information Form (check with Community Development staff prior to completing).

REVIEW TIMEFRAME: Consistent with Section 332(c)(7) of the [Federal Telecommunications Act](#), applications for co-location of telecommunications facilities will be acted on within 90 days of application submittal. Applications for new facilities or substantial modifications to existing

facilities will be acted on within 150 days of application submittal. Within 30 days of receiving an application, city staff will notify the applicant whether the application is incomplete and, if so, what additional information will be required. A notice of incomplete application will extend the review timeframe under Federal law.

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

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

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

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

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

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY DEVELOPMENT
DEPARTMENT
planning@brisbaneca.org

Community Development Department Hours:
8 A.M - 5 P.M. Mondays, Tuesdays & Thursdays
8 A.M. – 8 P.M. Wednesdays
8 A.M. - 1 P.M. Fridays

Please call ahead to make an appointment.



Substantial Modifications to Existing Facilities

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

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

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

Development and Operational Standards

All wireless telecommunication facilities shall comply with the development and operational standards under BMC Section [17.32.032.G](#).

1. Facilities shall be sited to minimize views from the public right-of-way and screened by buildings and/or trees where possible.
2. Facilities shall not create an overconcentration of poles or visible equipment so as to avoid excessive visual impacts in localized areas.
3. The height of antennae and support structures shall be limited to the minimum necessary to provide adequate coverage while avoiding the proliferation of additional facilities. However, an antenna or its support structure shall not exceed seventy (70) feet in height, unless a variance from this limitation is granted by the planning commission pursuant to [Chapter 17.46](#) of this title.
4. Where an equipment building accompanies the structure, it shall be designed, colored and textured to match adjacent buildings or screened from view. Landscaping may be required to screen views of the facility from the public right-of-way.
5. Underground vaults may be required in order to mitigate physical, aesthetic, or safety considerations which cannot be otherwise mitigated.
6. All facilities shall be designed to prevent unauthorized access.
7. All new wireless telecommunication facilities shall be designed and operated in conformance with applicable American National Standards Institute (ANSI) standards and in compliance with all applicable Federal Communication Commission (FCC) standards.
8. Support structures shall be either galvanized steel or painted to blend with their surroundings. Permitted dishes and antennae shall be galvanized steel or painted to match the existing building or support structure.



SUPPORTING STATEMENTS

**FINDINGS REQUIRED FOR APPROVAL OF USE PERMITS FOR
NEW OR SUBSTANTIALLY MODIFIED
WIRELESS TELECOMMUNICATIONS FACILITIES**

Use Permit Findings: Brisbane Municipal Code Section [17.40.060](#)

In order to approve a Use Permit application for new wireless telecommunications facilities or to substantially modify existing facilities, the Planning Commission affirmatively make the findings of approval located in the Brisbane Municipal Code Chapter [17.40](#), which are reproduced below.

Please respond to each question relating to the required findings of approval as they relate specifically to your proposal. The Planning Commission cannot approve an application that does not comply with the required findings of approval.

- A. In considering an application, the planning commission shall consider and give due regard to the nature and condition of all adjacent uses and structures, and to general and specific plans for the area in question.*

Describe how the proposed wireless telecommunication facility will or will not impact adjacent properties, and how the proposal complies with the General Plan or, if applicable, Specific Plan for the area.

- B. The planning commission shall determine whether or not the establishment, maintenance or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.*

Describe why the wireless telecommunication facility will not be detrimental to the health, safety, comfort, or general welfare of neighbors or workers in the neighborhood and in the City at large.

Describe why the wireless telecommunications facility will not be injurious or detrimental to property or improvements in the neighborhood.

