



City of Westlake Village

Small Wireless Facility Permit within Public ROW

INSTRUCTIONS

Introduction

In accordance with Westlake Village Municipal Code (Municipal Code) Chapter 7.4, this application packet explains the process and requirements to obtain a small wireless facility (SWF) permit for the installation or construction of a small wireless facility within the public rights-of-way in the City of Westlake Village. The SWF permit application form must be completed in full, signed and dated under penalty of perjury, and must be accompanied by all supporting documentation and the required application fee and deposit.

The application form, supporting documentation, and fees/deposit must be given to the City in one submittal packet. If the City determines that the application does not contain all required information, materials and documentation, and/or fee/deposit, the City will issue a Notice of Incomplete Application. The City has the right to require additional information, beyond that which is described below, if such information is deemed necessary to render a decision on the proposed development. Any resubmittal information, materials and/or documentation in response to the Notice of Incomplete Application must also be given to the City in one submittal packet.

The application form must be signed by an individual with authority to act on behalf of and represent the applicant, and proof of such authorization must be included with the application.

Application Requirements

All of the following information and documents are required in order for the City to deem the SWF permit application complete and for the Planning Director (or designee) to issue a decision on the SWF permit application:

- Complete Application.** A fully completed and executed SWF permit application (Development and Use Application and Supplemental Small Wireless Facility Application) and all supporting documentation, materials, fees, and proof of insurance specified in the City-approved application form must be submitted. Where the City determines that it requires expert assistance in evaluating an application, the City may hire a consultant and the fee charged by the consultant shall be reimbursed to the City by the applicant regardless of the outcome of the application.
 - Applicant Information.** Complete legal name and contact information for the facility owner, facility operator, agent (if any), and property owner (for any collocation facility on any existing SWF), and related letter(s) of authorization if the owner is other than the City.
 - Detailed Description of the SWF.** A full written description of the proposed facility, its purpose, and specifications. (See [Section 7.4.040 of the Municipal Code](#) for additional instructions on project component requirements.)
 - Inventory.** An inventory list and map of the applicant's existing SWFs, including but not limited to, collocations operated by the applicant within two miles of the proposed new installation site and longer-range conceptual plans for a period of five years, if available.

- ❑ **Geographic Service Area.** A written description identifying the geographic service area for the subject installation, accompanied by a two-year master plan of anticipated future installations and/or modifications, including maps.
 - ❑ **Report on Alternatives.** A report explaining why the SWF is needed at the requested location, including a written statement explaining the rationale for selecting the proposed site; and how the proposed SWF is the least intrusive means for the applicant to provide wireless service in the proposed service area. This statement shall include all existing structures and/or alternative sites evaluated for potential installation of the proposed SWF and why such alternatives are not a viable option. If the City has requested that the applicant collocate its SWF on a site, the applicant shall explain why collocation is not feasible, including efforts made to develop such an alternative.
 - ❑ **Executed Under Penalty of Perjury.** All permit applications shall be signed under penalty of perjury under the laws of the State of California by an authorized representative of the applicant.
- ❑ **Required Supporting Documentation.** The following supporting documentation is required as part of the SWF permit application.
- ❑ **SWF Plans.** Detailed engineering plans of the proposed SWF showing all equipment and antennas, including height, shape, size and nature of construction in accordance with the requirements established by the Municipal Code (See [Chapter 7.4](#)). The submitted plans shall include the following:
 - ❑ **Diagrams.** Fully dimensioned diagram of the proposed SWF and antennas, including height, diameter, shape, size, structural integrity, power output and frequency, back-up power source (if any), nature of construction, purpose of the facility, and technical engineering specifications. This shall include evidence demonstrating that the proposed facility has been designed to have the smallest feasible height and diameter.
 - Plans for any new free-standing structure must demonstrate that the proposed structure will be able to accommodate at least one other similar telecommunications provider in addition to the applicant.
 - Plans for the collocation of a proposed new SWF and an existing SWF (or SWFs) shall include a diagram showing the separation between the proposed SWF and any existing facility or facilities on the same support structure or site. Each applicant seeking to collocate with another SWF must utilize best efforts to arrange with an existing SWF operator to share equipment enclosures. Such efforts must be documented and provided as part of the permit application submittal.
 - ❑ **Site Plans.** A fully-dimensioned site/landscaping plan that includes, at a minimum, the following information: specific placement of the proposed equipment shelters, antenna(s), and any other SWF on the site; setbacks from adjacent property lines; the location of existing structures, trees, and other significant site features; the type and locations of materials proposed to screen SWF antennas and other components; and the proposed materials and color(s) for the SWF.
 - A five hundred foot setback from each existing or approved residence is required for all new SWF facilities unless the applicant obtains an administrative variance.

- ❑ **Photographs and Visual Analysis.** Photo-simulations showing views of the proposed SWF from surrounding properties and adjoining public rights-of-way at varying distances and angles with a map indicating the locations used for the analysis and their distances from the site.
 - ❑ **Documentation of Federal and State Compliance.** Copies of all applicable licenses, permits, and/or other approvals required by the FCC, CPUC, and any other federal, state, and/or local agency with authority to regulate SWFs, and documentation of compliance with all conditions imposed in conjunction with such licenses or approvals. (See [Section 7.4.040](#) for additional documentation of compliance requirements.)
 - ❑ **Environmental Compliance.** Any environmental documentation required to obtain a federal and/or state license, permit or other approval and any completed environmental assessments and documentation establishing that all applicable environmental mitigation measures imposed by the CPUC, the City, and any other federal or state environmental determinations either have been met, or will be met as part of the proposed SWF, or are not applicable.
 - ❑ **Noise Compliance.** A statement made under penalty of perjury that the level of noise to be emitted by the proposed SWF will comply with the noise standards established in the Municipal Code. (See [Chapter 4.4.](#))
 - ❑ **Traffic Control Plan.** Such a plan is required if the proposed installation will require use of any active traffic lane on any street.
-
- ❑ **Payment of Application Fee and Deposit.** A non-refundable fee of \$500 for an application for 5 or less wireless facilities on an existing pole, with an additional \$100 for each small cell wireless facility beyond 5, or \$1000 for an application for a new pole shall be made payable (by cash or check) to the City of Westlake Village upon submittal of all other permit application materials. A \$270 yearly recurring fee for right-of-way access shall also be provided.

City Review & Additional Requirements

SWF permit applications shall be reviewed and processed in accordance with the applicable timeline for review (i.e., shot clock) set forth in [Section 7.4.040 \(B\)](#) of the Municipal Code. Upon receipt, the City will determine whether an application is complete or incomplete. If the City determines that a SWF permit application is incomplete because it does not contain all required information, materials and other documentation, the Planning Department will issue a Notice of Incomplete Application to the applicant, and the applicable shot clock shall be tolled.

Every permitted SWF shall be constructed and installed in strict compliance with the approved plans and specifications, provisions of the Municipal Code, and all directives of the City Engineer related to installation of utilities and/or other physical encroachments into the public right-of-way. All cabling and wiring must be contained in conduit, affixed directly to the face of the pole, for as long as it is technically feasible. No exposed slack, extra cable, or visible electrical meters shall be allowed. In addition, the applicant shall negotiate directly with the electric utility to determine a flat rate for installation, and the applicant is responsible for the cost of all electrical usage.

All work shall be performed in accordance with the latest City of Westlake Village Public Works, State, Caltrans, California Manual on Uniform Traffic Control Devices, Work Area Traffic Control Handbook, County

and Federal Standards and Specifications or as otherwise required by the City Engineer. It is the permittee's responsibility to obtain the City's Engineering Standards and Specifications before commencing work. Any work done without inspection or not conforming to such standards and specifications shall be subject to removal and replacement in the presence of the City Engineer or a City Public Works Inspector.

As a condition of approval of every SWF permit, and by accepting such permit, the permittee, to the fullest extent permitted by law, agrees to and shall indemnify, defend and pay reasonable attorneys' fees and costs, and hold the City of Westlake Village, its elected officials, employees, attorneys, contractors, agents, and volunteers harmless, with respect to any and all claims, liabilities, and legal actions, allegedly or actually arising out of or related to, the acts and/or omissions of the applicant, its owners, employees, contractors, agents, and any other person or entity acting on behalf of the applicant, in the exercise of rights and/or performance of obligations, in connection with any SWF or other permit issued to the permittee pursuant to [Chapter 7.4 of the Municipal Code](#).

Prior to entering any public right-of-way pursuant to a SWF permit, the permittee shall procure, provide satisfactory evidence of, and maintain the following insurance coverages in such form as approved by the City's risk manager: (i) commercial general liability in an amount not less than \$2,000,000 per SWF authorized by such permit; (ii) auto liability with minimum limits of \$500,000; and (iii) workers compensation insurance as required by statute. Unless approved in writing by the City risk manager, self-insurance shall not be deemed to satisfy this requirement.

Whenever a wireless permittee intends to abandon a wireless facility, including any SWF, the permittee must notify the Planning Director in writing of its planned abandonment. The SWF shall be removed within ninety days of abandonment with attainment of all required permits. Any wireless facility not in use for a period of six months shall be considered abandoned and shall be removed.

An administrative variance from any requirement imposed by Municipal Code Chapter 7.4 may be granted by the Planning Director. To obtain an administrative variance, an applicant shall provide substantial evidence supporting either (or both) of the following findings: (i) because of special, unique circumstances applicable to the proposed location, enforcement of the requirement would deprive the applicant of privileges enjoyed by other permittees in the vicinity operating a similar SWF; or (ii) enforcement of the requirement is preempted by law. Any administrative variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other wireless providers seeking to locate any SWF in or around the proposed location.



City of Westlake Village Small Wireless Facility Permit within Public ROW

Supplemental Permit Application

Provide complete answers to each question and provide all requested information. Attach all supporting information, documentation and other materials, and additional sheets as needed. Paginate and label all attachments.

I. Applicant Information

Provide all information listed for the permit applicant.

Company Name: _____
Business Address: _____
City: _____ State: _____ Zip Code: _____
Mailing Address (if different): _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Cell: _____
Email: _____

II. Applicant Representative (Contact Person)

The following person is authorized to serve as the agent for and representative of the Applicant. All communications will be sent to the person identified below.

Complete Name: _____
Title: _____
Company Name: _____
Business Address: _____
City: _____ State: _____ Zip Code: _____
Mailing Address (if different): _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Cell: _____
Email: _____

III. Carrier Benefitting from Proposed Wireless Communications Facility

State the name of the wireless carrier that will benefit from the wireless communications facility proposed in this application.

- AT&T
- Sprint
- T-Mobile
- Verizon

Other (specify): _____

IV. Property/Site Location Information

Provide the following information regarding the location of the property/site within the public right-of-way.

Street Address and/or Property Location Description:

Assessor's Parcel No. of subject property/site:

V. Description of Proposed Project

Describe the proposed wireless communication facility:

(attach additional pages if necessary)

VI. Attachments

Please attach the **inventory** list and map of applicant's existing SWFs, the written description identifying the **geographic service area** for the installation, and the **report on alternatives** to this Supplemental Permit Application.

VII. Verification

I, _____ *[insert complete name]*, declare under penalty of perjury under the laws of the State of California that I am the authorized representative of the Applicant; that I completed this Application; and that all of the information, documentation and other materials included in this Application are true and correct.

Executed this _____ day of _____, 20____, at _____, California.

Signature: _____

Printed Name: _____

Title: _____