

# City of Newport Beach Planning Department



## TELECOMMUNICATIONS FACILITY APPLICATION PROCEDURE AND FILING REQUIREMENTS

### A. Suggested Review

*It is recommended that the applicant meet with appropriate city staff prior to submission of the formal application. This will allow the Planning, Building, Recreation & Senior Services, General Services, Utilities and Public Works staff to review the request and provide input on potential concerns, including matters relating to zoning and height limitation, co-location requirements, wind load calculation requirements, and design criteria. This early review and input by staff could save the applicant possible delay and expensive plan revisions later in the process.*

### B. Submittal Requirements– Due when application is filed with the City

- 1. Completed Telecommunications Facility Permit Application Form and Filing Fee\*. If project site is city-owned property, a fully executed “Letter of Approval in Concept” form shall accompany the Telecom Permit application. (\*A separate fee may be required for any expense incurred for any outside technical or legal services to review the application.)
- 2. Supplemental Application Form for Wireless Sites. The supplemental form is required to provide technical information in support of a planned Telecommunication Facility Permit (“Telecom Permit”) application for a new or modified wireless telecommunications facility.
- 3. Property Ownership. Provide evidence of ownership (i.e. Title Report) of the real property on which the proposed telecom facility will be located. If applicant does not own the real property, evidence of authorization from the real property owner shall be provided.
- 4. Justification Statement. Include as part of the permit application form a brief narrative, accompanied by written documentation where appropriate, which explains the purpose of the facility and validates the applicant’s efforts to comply with the design, location, and co-location standards of Chapter 15.70 of the Newport Beach Municipal Code.

Applications subject to special review by City Council may be approved subject to the following findings (pursuant to Section 15.70.070.F.3), which shall be made a part of the applicant’s justification statement:

- a. The approval is necessary to allow the facility to function as intended and identified alternatives to the proposal are not feasible.
- b. The approved facility will not result in conditions which are materially detrimental to nearby property owners, residents, and businesses, nor to public health or safety.
- 5. Plans. Provide 10 sets of plans consisting of site plans, roof plan and elevations (and floor plans, if applicable to project) drawn to scale and dimensioned. Plans may be 11” x 17” in size as long as all necessary information has been provided and plans are clearly legible. If application is subject to City Council review, 20 sets of plans shall be required.
- 6. Map(s) showing geographic area to be served by the facility.
- 7. Visual Simulations. Provide 10 sets of photo sims showing “before” and “after” views of the proposed facility, unless the Planning Director determines such simulations are not necessary

for the application in question. Consideration shall be given to views from public areas and private residences, and a map shall be included that shows the various vantage points of where the photo simulations were taken.

- 8. Emission Standards and Non-Interference Data. Documentation showing specific frequency range that the facility will use upon and throughout activation, certification that the facility will continuously comply with FCC emission standards, and that the use of the telecom facility will not interfere with other communication, radio, or television transmission or reception.
- 9. Global Positioning Coordinates (latitude and longitude) for the location of the facility to be provided as decimal degrees in State Plane, NAD 83 format.
- 10. Wind Load Calculations. For proposed antenna installations on new monopoles, utility poles, or other structures subject to wind loads, the applicant shall submit preliminary wind load calculations prepared or approved by an engineer registered in California. The calculations shall take into account other existing attachments to the supporting structure and potential future antennas co-located in the structure by other operators.
- 11. Mailing List. If public notice is required by the reviewing authority, (as determined by the Planning Department) a list of property owners within 300 feet of the proposed telecom facility shall be provided. This information shall be taken from the latest assessor rolls and shall include the following:

Set of gummed address labels (Avery 5160 or equivalent) containing the names and addresses of owners of the subject property and properties within a radius of three hundred (300) feet of the exterior boundaries of the subject property (excluding roads and waterways for commercial properties only) shall be submitted.

A radius map drawn on the Assessor's Parcel Maps, indicating the subject property with a 300-foot radius drawn around the property as shown in the attached example.

This information shall be prepared by a title company or an ownership listing service doing business in Orange County, utilizing names and addresses from the last equalized assessment roll and utilizing the most recent assessor's maps, or alternatively, from such other records as contain names that are more recent, addresses or maps. The information shall be verified by the Title Company or ownership listing service and be accompanied by a written affidavit.

- 12. Supporting Materials. Additional supporting materials as deemed necessary by the review department to complete review of the proposed project.
- 13. Electronic Copy. All of the above submittal items are required to be submitted in electronic format. (i.e., USB flash drive or CD-ROM).

# TELECOMMUNICATIONS FACILITY PERMIT APPLICATION

Permit No. \_\_\_\_\_

## PART A: GENERAL REQUIREMENTS (Print or Type)

Please complete this application thoroughly and accurately, and attach the required exhibits as indicated in the attached **Application Procedure and Filing Requirements** form. Please note that an incomplete application will **not** be accepted for processing.

**PROJECT ADDRESS** \_\_\_\_\_

**Name of Proposed Project** *(if applicable)* \_\_\_\_\_

<b>CARRIER/APPLICANT/</b> (Print) _____ Mailing Address _____ _____ Email: _____ Phone (    )                      Fax (    )	<b>CONTACT/APPLICANT</b> (if different) _____ Mailing Address _____ _____ Email: _____ Phone (    )                      Fax (    )
<b>Property Owner</b> (if different from above) _____ Mailing Address _____ _____ Phone (    )                      Fax (    )	

**Legal Description** \_\_\_\_\_

**Height Limitation Zone** \_\_\_\_\_

## PART B: PROJECT DESCRIPTION

Provide a detailed description of the proposed project, including the location of the facility, manufacturer's specifications of the antenna structure and support equipment utilized.

If the proposed facility requires special review by the City Council, particular attention should be given relating this information to required findings that must be made in order to approve the application. The City Council may approve the application if it makes the following findings:

- a) The approval is necessary to allow the facility to function as intended and identified alternatives to the proposal are not feasible; and

b) The approved facility will not result in conditions which are materially detrimental to nearby property owners, residents and businesses, nor to public health or safety.

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**PART C: JUSTIFICATION STATEMENT**

Provide a brief narrative that explains the purpose of the facility and validates applicant's efforts to comply with design, location, and co-location standards. (Attach a separate page if necessary.)

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**PART D: PROPERTY OWNER'S AFFIDAVIT**

(I) (We) \_\_\_\_\_ depose and say that (I am) (we are) the owner(s) of the property (ies) involved in this application. (I) (We) further certify, under penalty of perjury, that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of (my) (our) knowledge and belief.

Signature(s)

Please Print

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NOTE: An agent may sign for the owner if written authorization from the record owner is filed with the application.

For Office Use Only			
General Plan Designation: _____		Date Filed: _____	
Zoning District: _____		Fee Pd: _____	
Coastal Zone: <input type="checkbox"/> Yes <input type="checkbox"/> No		Receipt No: _____	
Council District No.: _____		Form of Payment: _____	
Community Association: _____		Check # (if applicable): _____	
_____		Development No: _____	
Project No: _____		Activity No: _____	
Date Deemed Complete _____		Action Date _____	
Planning Commission <input type="checkbox"/>	Planning Director Action <input type="checkbox"/>	Approved With Conditions <input type="checkbox"/>	Denied <input type="checkbox"/>
Appeal to City Council <input type="checkbox"/>	Date of Appeal _____	C.C. Hearing _____	C.C. Action _____

**CITY OF NEWPORT BEACH, CALIFORNIA**  
**SUPPLEMENTAL APPLICATION FORM FOR WIRELESS PROJECTS**  
**AND DISTRIBUTED ANTENNA SYSTEM (“DAS”) PROJECTS**

The City of Newport Beach recognizes that the provision of wireless and DAS services are highly technical enterprises subject to various federal, state, and local regulations. This supplemental application form is designed to elicit necessary and required technical information in support of a planned Telecommunications Facility Permit (“Telecom Permit”) application for a new or modified wireless telecommunications site project or a Distributed Antenna System (“DAS”) project within the City of Newport Beach.

Completion of this supplemental application is a mandatory document for a wireless Project. This form assists the City of Newport Beach to comply with its duties under its Municipal Code at Chapter 15.70; Sections 253, 332, and 704 of the Communications Act of 1934 as amended; the FCC Shot Clock Order (FCC 09-99); California Public Utilities Code Sections 7901 and 7901.1; the California Environmental Quality Act (CEQA); the provisions of Government Code Sections 65850.6 and 65964; and other local, state, and federal laws, regulations, and court rulings. The City of Newport Beach requires that the applicant provide this information to assist it in creating a written administrative record containing substantial evidence sufficient to permit the City of Newport Beach’s informed consideration of your request, and to determine the rights and obligations of the City of Newport Beach and the applicant/owner of the proposed project.

No application for a new wireless site or for a modification of an existing wireless site shall be considered for determination of completeness until all required responses to this supplemental application form and required Exhibits are completed and tendered to the City of Newport Beach.

If you do not believe that a specific item of information is necessary or applies to your application, mark the item on this form with the words, “Not Applicable” and attach a detailed written explanation as to the basis for your belief (e.g., “Question 94.7 does not apply to this application because the proposed Project has no microwave transmission element.”) An unsupported statement such as “Question 94.7 does not apply” is insufficient, and the determination of completeness of your application will be delayed while you provide a meaningful and detailed explanation.

Every page of this form including this page and the last page must be tendered to the City of Newport Beach. Each page including this page and the last page must be initialed where indicated. The last page must also be completed, signed, and dated.

Questions about this form or the information required by this form should be directed to the City of Newport Beach Planning Department planner assigned to your project.

**1.00: Project Location and Applicant Information**

1.01: Project Physical Address (if any):

1.02 Project Site Number (if any)

1.03: Assessors Parcel Number:

1.04: Legal Name of Applicant  
(Wireless Carrier or DAS Firm,  
referred to in this form as the  
“Project Owner”):

1.05: Applicant’s Representative is: Name:  
Title:  
Firm Name:  
Address 1:  
Address 2:  
City: State: Zip:  
Main Tel:  
Direct Tel or Ext:  
Work Fax:  
Mobile Tel:  
Email Address:

1.14 Provide the City of Newport Beach Business License number for the Applicant:  
\_\_\_\_\_

**2.00: Project Owner Information and CPCN Information**

2.03: Attach a letter of agency appointing the Applicant’s Representative as the agent for the Project Owner in connection with this application. Designate the letter of agency as “Exhibit 2.03.”

Initial here \_\_\_\_\_ to indicate that Exhibit 2.03 is attached hereto.

2.05: Attach a letter of agency appointing the Applicant’s Representative as the agent for the underlying Property Owner in connection with this application. Designate the letter of agency as “Exhibit 2.05.”

Initial here \_\_\_\_\_ to indicate that Exhibit 2.05 is attached hereto.

2.07: Is any telecommunications service to be offered from this project subject to a California Public Utilities Commission ‘Certificate of Public Convenience and Necessity’ (CPCN)? \_\_\_ Yes \_\_\_ No

2.08: If the answer to 2.07 is Yes, provide a true and complete copy of the CPCN and mark it as "Exhibit 2.07."

Initial here \_\_\_\_\_ to indicate that the Exhibit 2.07 is attached hereto.

**3.00: FCC License / FAA Compliance / RF Safety Disclosure Information**

3.01: For each person/legal entity that will be using the project site, provide the information in Sections 3 and 4. If more than one person/legal entity, provide separate information for each person/legal entity using the project site.

For Distributed Antenna System (DAS) providers and all other who are not licensed by the FCC for the radio services proposed for this project, for Section 3 disclose the information requested here for each FCC-licensee or non-licensee that will transmit the project as proposed, or if none so state.

3.02: For questions 3.03 through 3.09 inclusive, disclose all information for each proposed Radio Frequency signal emitter ("RF Emitter") at the project site.

3.03: Name of RF Emitter:

3.04: RF Emitter's Address Line 1:

3.05: RF Emitter's Address Line 2:

3.06: RF Emitter's Phone number:

3.07: RF Emitter's Fax number:

3.08: RF Emitter's Contact Email address:

3.09: Use of facility:  Amateur Radio  
(Check all that apply)  Broadcast Radio  
 Broadcast TV  
 Cellular telephone  
Notice: Applicants not operating  Enhanced Specialized Mobile Radio  
under their own FCC license(s)  Microwave  
must mark "Other" and disclose  PCS telephone  
of all information required here  Paging  
for all entities that use the project.  SMR/ESMR  
 WiMax/WIFI  
 Other(s) (specify): \_\_\_\_\_

3.10: Project latitude and longitude: N \_\_\_\_\_ W \_\_\_\_\_

- 3.11: Specify DATUM used above:      WGS84      NAD23      NAD83  
     Other DATUM (specify): \_\_\_\_\_
- 3.12: Project maximum height (ft AGL):
- 3.13: Bottom of lowest transmitting antenna (ft AGL):
- 3.14: RF Emissions (“Rad”) center of the lowest transmitting antenna (ft AGL):
- 3.15: For each licensee (i.e., “ABC Wireless” or “XYZ Wireless”), ***and*** for each radio service (i.e., “PCS” or “Cellular”): Complete and attach a separate two page “Appendix A” form from "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance" available by download directly from the FCC at <http://www.fcc.gov/oet/rfsafety/> (the “Appendix A Form”). Ensure that all proposed emissions from this project are accounted for on the Appendix A Forms you submit.

Distributed Antenna System (DAS) providers and all other who are not licensed by the FCC for the radio services proposed for this project and identified in 3.09: Unless the DAS provider is the FCC licensee for the proposed project, the DAS provider must provide an Appendix A form completed by each wireless carrier or wireless service provider to be transmitted through the Project at each wireless site. Appendix A Forms completed by a DAS provider are unacceptable if they are not the FCC licensee for the particular wireless service(s) to be transmitted through the project.

Designate all completed Appendix A Forms as “Exhibit 3.15.”

For collocation projects: In addition to the Appendix A Form(s) which you must submit in connection with the project identified in this application, you must also submit an Appendix A Form for each collocated RF emitter. Designate any additional RF safety compliance information as “Exhibit 3.15-A.”

*For consistency, all Appendix A forms submitted must use effective radiated power (ERP) units of measure. Do not use effective isotropic radiated power (EIRP). To verify your understanding of this requirement, you must append the letters “ERP” following each wattage listing in each Appendix A form you submit.*

Initial here \_\_\_\_\_ to indicate that all required Exhibit 3.15 and 3.15-A forms are attached hereto.

- 3.16 Considering your response in Exhibit 3.15, above, and any other identifiable RF emitters that FCC OET Bulletin 65 requires be evaluated in connection with this

Project, are all portions of this Project cumulatively “categorically excluded” under FCC OET 65 requirements? \_\_\_ Yes \_\_\_ No

3.17: Does the project design or location require the Applicant to file an FAA Form 7460 or other documentation under Federal Aviation Regulation Part 77.13 et seq, or under the FCC rules? \_\_\_ Yes \_\_\_ No

3.18: If the answer to 3.17 is NO proceed to 4.00.

3.19: Attach complete copies of all required FAA/FCC forms including all Exhibits and exhibits thereto, including without limitation FAA Form 7460. Designate this Exhibit, “Exhibit 3.17.”

Initial here \_\_\_\_\_ to indicate that Exhibit 3.17 is attached hereto.

4.00: **Project Purpose**

4.03 Unless the DAS provider is the FCC licensee for the proposed project, the DAS provider must have Section 4 completed by each and every wireless carrier to be transmitted via the project identified in Section 1 of this form. Those responses must be on a per wireless carrier basis and provided on the corporate letterhead of each wireless carrier, and signed by an authorized employee of the wireless carrier. DAS provider provided responses to Section 4 are unacceptable, and will result in your application being determined to be incomplete.

4.05: Indicate the dominant purpose of the Project (check only one, then proceed as indicated):

\_\_\_ Add network capacity without adding significant new RF coverage area: Proceed to 4.20;

\_\_\_ Provide significant new radio frequency coverage in an area not already served by radio frequency coverage: Proceed to 4.10;

\_\_\_ Increase the existing RF signal level in an area with existing radio frequency coverage: Proceed to 4.20;

\_\_\_ Other: Proceed to 4.19.

4.10 Is this project intended to close a “significant gap” in coverage? \_\_\_ Yes \_\_\_ No

4.11 If the answer to 4.10 is NO proceed to 4.20.

4.12 Attach a written statement fully and expansively describing the following:

a. A clear description of the geographic boundary of the claimed significant gap

- area, and
- b. Attach a street-level map showing the geographic boundary of the claimed significant gap stated in 4.12(a) using the same standards as in 6.02; and
  - c. Identify the size of the area, in units of square miles, of the claimed significant gap; and
  - d. Explain exactly the definition of the term “significant gap” as it applies to this project;
  - e. Explain exactly how the definition of significant gap term defined in 4.12(d) was developed;
  - f. Discuss whether the significant gap term defined in 4.12(d) is identical to that term as used by some or all wireless carriers in the City of Newport Beach, or whether that information is unknown;
  - g. Specify whether the definition of “significant gap” provided in 4.12(d) is the same definition used in by this applicant and owner in all of its prior projects submitted to the City of Newport Beach, and if not, explain all differences.
  - h. Discuss all of the following in relation to the claimed significant gap area only:
    1. Whether claimed significant gap affects significant commuter highway or railway, and if so, name each highway or railway, and how affected;
    2. Describe in detail the nature and character of that area or the number of potential users in that area who may be affected by the claimed significant gap;
    3. Describe whether the proposed facilities are needed to improve weak signals or to fill a complete void in coverage, and provide proof of either;
    4. If the claimed significant gap covers well traveled roads on which customers lack roaming capabilities, identify all such well traveled roads by name within the claimed significant gap area and provide road use information about each such road;
    5. If any “drive test” has been conducted within the claimed significant gap area, discuss in detail the methodology of how the test(s) was conducted, and provide all of the objective data collected during the drive test in .XLS or .CSV or similar portable spreadsheet format;
    6. If the claimed significant gap affects a commercial district, show the boundaries of the district on the map
    7. If the claimed significant gap poses a public safety risk, describe in detail the claimed risk, and the expansively discuss the basis for this claim.
  - i. Provide all other relevant information you want the City of Newport Beach to consider when evaluating your claim of a significant gap.

Designate this Exhibit, “Exhibit 4.12.” Initial here \_\_\_\_\_ to indicate that Exhibit 4.12 is attached hereto. Proceed to 4.13

4.13 Is the proposed project the least intrusive means to close the significant gap claimed in 4.10? \_\_\_ Yes \_\_\_ No

- 4.14 If the answer to 4.13 is NO proceed to 4.20.
- 4.15 Attach a written statement fully and expansively describing why this project is the least intrusive means to close the significant gap claimed in 4.10. Include all information whatsoever you relied on in reaching this determination. Designate this Exhibit, "Exhibit 4.15."

Initial here \_\_\_\_\_ to indicate that Exhibit 4.15 is attached hereto. Proceed to 4.20

- 4.19 Attach a written statement fully and expansively describing all portions or elements of the "Other" dominant purpose of this Project. Designate this Exhibit, "Exhibit 4.19."

Initial here \_\_\_\_\_ to indicate that Exhibit 4.19 is attached hereto.

- 4.20 If any portion of the project is to utilize radio spectrum that does not require an FCC license, identify in detail the portions of the project that used unlicensed spectrum.

Designate this Exhibit, "Exhibit 4.20."

Initial here \_\_\_\_\_ to indicate that Exhibit 4.20 is attached hereto.

- 4.25 Is this project designed to use any form of direct site-to-site radio interconnection (i.e., microwave or donor/donee configuration, for example) with another existing or currently planned site?  Yes  No

- 4.26: If the answer to 4.25 is NO proceed to 5.00.

- 4.27: Attach a detailed written statement fully and expansively describing the radio interconnection proposed, and identify all other existing or planned sites that will be interconnected with this project. Designate this Exhibit, "Exhibit 4.25."

Initial here \_\_\_\_\_ to indicate that Exhibit 4.25 is attached hereto.

**5.00: Build-Out Requirements**

- 5.01: Do any of radio services identified in 3.09 above require the licensee to provide specific radio frequency/population build-out coverage pursuant to the underlying FCC license?  Yes  No

- 5.02: If the answer to 5.01 is NO proceed to 6.00.

- 5.03: Have all of the FCC build-out requirements as required by all licenses covering all radio services proposed at this Project been met?  Yes  No

- 5.04: If the answer to 5.03 is YES proceed to 6.00.

5.05: Disclose by licensee call sign identified in Section 3.02 all build-out requirements/obligations which have yet to be met, and the known or estimated date when the remaining build-out requirements will be met. Designate this Exhibit "Exhibit 5.05."

Initial here \_\_\_\_\_ to indicate that Exhibit 5.05 is attached hereto.

5.10 Will this proposed site be interconnected via radio frequency transmissions to any other site or sites now constructed, proposed, or anticipated? For the purpose of this question, interconnection includes one or more radio frequency links to provide for 'back-haul' from this site to a switching center or centralized node location.  
\_\_\_ Yes \_\_\_ No

5.11: If the answer to 5.10 is NO proceed to 6.00.

5.15 Identify by physical address (or if none, by geographic description) all other sites, regardless of whether now constructed, proposed, or anticipated, that are to be interconnected with this project site. Disclose in technical detail the proposed method of interconnection. Designate this Exhibit "Exhibit 5.15."

Initial here \_\_\_\_\_ to indicate that Exhibit 5.15 is attached hereto.

**6.00: Radio Frequency Coverage Maps**

6.01: Where a licensee intends to provide radio frequency coverage from the project to an identified geographic coverage, the coverage maps and information requested in Section 6 are required Exhibits.

Distributed Antenna System (DAS) providers and all others who are not the RF emitters for the radio services proposed for this project and identified in 3.09: You must provide radio frequency coverage maps prepared by the FCC licensee(s) that will control the RF emissions from this project. Radio frequency coverage maps required here that are completed by a DAS provider are unacceptable if they are not the FCC licensee or in full control of the RF emitter for the particular wireless service transmitted through the project.

If no geographic coverage area is identified, initial here \_\_\_\_\_ and proceed to 7.00.

6.02 For the coverage maps required here, the following mandatory requirements apply. Failure to adhere to these requirements may delay your application's determination of completeness.

- a. The size of each submitted map must be no smaller than 11" by 8.5." Each map must be of the same physical size and map area scale. Each map must use the same base map (i.e., same streets and legends shown on all).

- b. If the FCC rules for any proposed radio service defines a minimum radio frequency signal level that level must be shown on the map in a color easily distinguishable from the base paper or transparency layer, and adequately identified by RF level and map color or gradient in the map legend. If no minimum signal level is defined by the FCC rules you must indicate that in the legend of each RF coverage map. You may show other RF signal level(s) on the map so long as they are adequately identified by objective RF level and map color or gradient in the map legend.

6.03: Provide a map consistent with the requirements of 6.02 showing the existing RF coverage within the City of Newport Beach on the Applicant's same network, if any (if no existing coverage, so state). This map should not depict any RF coverage to be provided by the Project. Designate this Exhibit "Exhibit 6.03."

Initial here \_\_\_\_\_ to indicate that Exhibit 6.03 is attached hereto.

6.04: Provide a map consistent with the requirements of 6.02 showing the RF coverage to be provided only by the Project. This map should not depict any RF coverage provided any other existing or proposed wireless sites. Designate this Exhibit "Exhibit 6.04."

Initial here \_\_\_\_\_ to indicate that Exhibit 6.04 is attached hereto.

6.05: Provide a map consistent with the requirements of 6.02 showing the RF coverage to be provided by the Project and by all other existing wireless sites on the same network should the Project site be activated. Designate this Exhibit "Exhibit 6.05."

Initial here \_\_\_\_\_ to indicate that Exhibit 6.05 is attached hereto.

**7.00: Project Photographs and Photo Simulations**

7.01: The Applicant shall submit photo simulations consistent with the following standards:

1. Minimum size of each base photo and each photo simulation must be 10 inches by 8 inches (landscape orientation). Each base photo and matching photo simulation must be the same size. Single sheets of 11 x 8 ½ inches showing base photos and photo simulations on the same page are unacceptable.
2. All elements of the Project as proposed by the Applicant which can be seen from any point at ground level, or from any level within or on buildings within 500 feet of the Project must be shown in one or more close-in photo simulations (i.e., panel antennas, omni-directional antennas, GPS antennas, antenna camouflage devices, cable trays; equipment cabinets; working lights; etc.).
3. The overall Project as proposed by the Applicant must be shown in three or more area

photo simulations. Base photographs must, at a minimum, be taken from widely scattered positions of 120 degrees. A map detail showing each location where a photograph was taken, the proposed site, and the direction to the site from each photo location must be included. Base photographs taken from locations that have some physical feature obscuring the Project site, and the photo simulations associated with those same base photographs, are not acceptable.

Attach all base photographs and photo simulations to this application marked as Exhibit 7.01.

The purpose of the photo simulations is to allow the City of Newport Beach to visualize the Project as completed, therefore the number of site photos, and photo simulations, and the actual or simulated camera location of these photos and photo simulations are subject to City of Newport Beach determination. The Applicant should submit photos and photo simulations consistent with these instructions, and be prepared to provide additional photos and photo simulations should they be requested by the City of Newport Beach.

The Applicant certifies by initialing in the space at the end of this paragraph that that all of the photos and photo simulations provided for Exhibit 7.01 are accurate and reliable photographic representations of the current project site and the proposed project to be constructed or modified, and that the Applicant is fully aware that the City of Newport Beach will rely on all of the photos and photo simulations provided in Exhibit 7.01 when it considers approval of this Project, and later when determining project completion. Applicant's initials: \_\_\_\_\_

**8.00: Alternative Candidate Sites**

8.01: Amateur radio applicants proceed to 9.00.

8.02: Has the Applicant or Owner or anyone working on behalf of the Applicant or Owner secured or attempted to secure any leases or lease-options or similar formal or informal agreements in connection with this Project for any sites other than the proposed project site?  Yes  No

8.03: If the answer to 8.02 is NO proceed to 8.05.

8.04: Provide the physical address of each such other location, and provide an expansive technical explanation as to why each such other site was disfavored over the Project Site. Designate this Exhibit "Exhibit 8.04."

Initial here \_\_\_\_\_ to indicate that Exhibit 8.04 is attached hereto.

8.05: Considering this proposed site, is it the one and only one location within or outside of the City of Newport Beach that can possibly meet the objectives of the Project?  
 Yes  No

8.06: If the answer to 8.05 is NO, proceed to 9.00.

8.07: Provide a technically expansive and detailed explanation supported as required by comprehensive radio frequency data and all other necessary information fully describing why the proposed site is the one is it the one and only one location within or outside of the City of Newport Beach that can possibly meet the radio frequency objectives of the Project. Explain, in exact and expansive technical detail all of the objectives of this Project that can be achieved only at this project site, and why.

Designate this Exhibit "Exhibit 8.05."

Initial here \_\_\_\_\_ to indicate that Exhibit 8.05 is attached hereto.

**9.00: Identification of Key Persons**

9.01: Identify by name, title, company affiliation, work address, telephone number and extension, and email address the key person or persons most knowledgeable regarding this Project so that the City of Newport Beach may contact them with questions regarding the Project:

9.10 Person responsible for the final site selection for the Project;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

9.20 Person responsible for the radio frequency engineering of the Project;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

9.30 Person responsible for rejection of other candidate sites evaluated, if any;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

9.40 If more than one key person is now or was involved in any of the functions identified in this section at or before the time of the submission of this form, attach a separate sheet

providing the same information for each additional person, and identifying which function or functions are/were performed by each additional person.

Designate this Exhibit "Exhibit 9.40."

Initial here \_\_\_\_\_ to indicate that the information above is complete and there is no Exhibit 9.4, or initial here \_\_\_\_\_ to indicate that Exhibit 9.40 is attached.

#### 10.00 **Additional Information Provided by Applicant**

10.01 You are invited and encouraged to provide any additional written information that you wish the City of Newport Beach to consider in connection with your proposed project.

Designate this Exhibit "Exhibit 10."

Initial here \_\_\_\_\_ to indicate that Exhibit 10 is attached hereto, or initial here \_\_\_\_\_ to indicate that there is no Exhibit 10.

#### 11.00 **Application Processing Time**

The City of Newport Beach strives to complete application processing to reach a decision within 90 days for collocation projects, and 150 days for new siting projects, however, the complexity and other issues may impact processing time. If the Applicant is willing to voluntarily extend the initial processing times shown above by 30 days (i.e., 120 days for collocation projects, and 180 days for new siting projects), please initial below.

*Your agreement to this initial extension is strictly voluntary, and declining to consent to the extension will in no way impact the consideration or priority of your case, or the outcome of the case.*

Initial here \_\_\_\_\_ to indicate the Applicant's acceptance of the initial additional 30 day processing time (120 days for collocation projects; 180 days for new siting projects).

<Balance of page intentionally left blank>

**12.00: Certification of Accuracy and Reliability**

12.01: The undersigned certifies on behalf of itself, the Applicant, and the Owner that the information provided in this form and its contents are true and complete to the best of the undersigned's ability and knowledge, and that information provided here should be relied upon by the City of Newport Beach as being accurate and complete when the City of Newport Beach evaluates this project.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Provide Email Address

\_\_\_\_\_  
Print Company Name

\_\_\_\_\_  
Provide Telephone Number

\_\_\_\_\_  
Date Signed

<Last Page: Remember to sign above and initial below>

# CITY OF NEWPORT BEACH



## APPENDIX A

### *Optional Checklist for Determination*

### *Of Whether a Facility is Categorically Excluded from FCC Review*

**Optional Checklist for Local Government  
To Determine Whether a Facility is Categorically Excluded**

Purpose: The FCC has determined that many wireless facilities are unlikely to cause human exposures in excess of RF exposure guidelines. Operators of those facilities are exempt from routinely having to determine their compliance. These facilities are termed "categorically excluded." Section 1.1307(b)(1) of the Commission's rules defines those categorically excluded facilities. This checklist will assist state and local government agencies in identifying those wireless facilities that are categorically excluded, and thus are highly unlikely to cause exposure in excess of the FCC's guidelines. Provision of the information identified on this checklist may also assist FCC staff in evaluating any inquiry regarding a facility's compliance with the RF exposure guidelines.

**BACKGROUND INFORMATION**

1. Facility Operator's Legal Name: \_\_\_\_\_
2. Facility Operator's Mailing Address: \_\_\_\_\_
3. Facility Operator's Contact Name/Title: \_\_\_\_\_
4. Facility Operator's Office Telephone: \_\_\_\_\_
5. Facility Operator's Fax: \_\_\_\_\_
6. Facility Name: \_\_\_\_\_
7. Facility Address: \_\_\_\_\_
8. Facility City/Community: \_\_\_\_\_
9. Facility State and Zip Code: \_\_\_\_\_
10. Latitude: \_\_\_\_\_
11. Longitude: \_\_\_\_\_

continue  
→

## Optional Local Government Checklist (page 2)

### EVALUATION OF CATEGORICAL EXCLUSION

12. Licensed Radio Service (see attached Table 1): \_\_\_\_\_
13. Structure Type (free-standing or building/roof-mounted): \_\_\_\_\_
14. Antenna Type [omnidirectional or directional (includes sectored)]: \_\_\_\_\_
15. Height above ground of the lowest point of the antenna (in meters): \_\_\_\_\_
16.  Check if all of the following are true:
- (a) This facility will be operated in the Multipoint Distribution Service, Paging and Radiotelephone Service, Cellular Radiotelephone Service, Narrowband or Broadband Personal Communications Service, Private Land Mobile Radio Services Paging Operations, Private Land Mobile Radio Service Specialized Mobile Radio, Local Multipoint Distribution Service, or service regulated under Part 74, Subpart I (see question 12).
  - (b) This facility will not be mounted on a building (see question 13).
  - (c) The lowest point of the antenna will be at least 10 meters above the ground (see question 15).

If box 16 is checked, this facility is categorically excluded and is unlikely to cause exposure in excess of the FCC's guidelines. The remainder of the checklist need not be completed. If box 16 is not checked, continue to question 17.

17. Enter the power threshold for categorical exclusion for this service from the attached Table 1 in watts ERP or EIRP\* (note:  $EIRP = (1.64) \times ERP$ ): \_\_\_\_\_
18. Enter the total number of channels if this will be an omnidirectional antenna, or the maximum number of channels in any sector if this will be a sectored antenna: \_\_\_\_\_
19. Enter the ERP or EIRP per channel (using the same units as in question 17): \_\_\_\_\_
20. Multiply answer 18 by answer 19: \_\_\_\_\_
21. Is the answer to question 20 less than or equal to the value from question 17 (yes or no)? \_\_\_\_\_

If the answer to question 21 is YES, this facility is categorically excluded. It is unlikely to cause exposure in excess of the FCC's guidelines.

If the answer to question 21 is NO, this facility is not categorically excluded. Further investigation may be appropriate to verify whether the facility may cause exposure in excess of the FCC's guidelines.

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\*"ERP" means "effective radiated power" and "EIRP" means "effective isotropic radiated power"