

REQUIREMENTS FOR FCC RULE 6409(a) WIRELESS COMMUNICATION FACILITY

This **application package must be submitted in person by APPOINTMENT ONLY**. To schedule an appointment, please call (805) 449-2343. Please leave a message that includes the carrier information and the location of the project. Your call will be returned within two business days. For questions regarding submittal of your application, please call (805) 449-2323. Application requirements:

1. **Application:** Provide a paper copy with original signatures.
2. **6409(a) Checklist:** Provide a completed checklist to substantiate FCC Rule 6409(a) applicability.
3. **Technical Information for Proposed Wireless Communications Facility:** Completely filled out with all required attachments.
4. **Agreement for Payment** with original signatures.
5. **Existing Facility:** Copies of entitlement approval for existing facility.
6. **Certification (for co-location facilities):** Proof that the existing facility complies with the previous conditions of approval and all applicable building codes. Certification that the existing facility has not been altered in any manner without approval by the Community Development Department (CDD).
7. **Filing Fee and Deposit:** The Thousand Oaks Municipal Code requires that a fee and deposit be paid at the time of filing. Refer to the City's Fee Schedule online at www.toaks.org or contact CDD at (805) 449-2323 for current "Design Review" fee requirements.
8. **FCC Rule 6409(a) Wireless Communications Facility Plan Checklist:** 2 sets. Provide information listed in *Attachment #5*.
9. **Building Permit Submittals:** Building Permit application forms are available at the CDD counter or www.toaks.org. 3 sets of plans accompanied by the following (as necessary):
 - a. Completed mechanical permit application as applicable
 - b. Completed electrical permit application as applicable
 - c. Completed building permit application with appropriate structural details
 - d. Each building permit plan sheet shall contain the following statement initialed by a duly-authorized representative:

"This facility meets all Federal standards related to radio frequencies, signage, and any other applicable requirements issued by the Federal Communications Commission for wireless communications facilities."
10. **Electronic Files:** Submit a CD containing a.pdf version of all documents submitted with this application. This includes the application, as well as plans and exhibits, alternative site analysis, et al.
11. **Additional information:** May be requested during processing of your application to the extent permitted by law.
12. **Shot Clock Notice.** Section 6409(a) projects are subject to strict shot clock time limits. Therefore, your failure to provide all forms fully completed and all attachments may result in your project being either determined to be incomplete or denied as determined by the Director of Community Development.

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Community Development Department

ATTACHMENT #1

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org
Building Division • Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

FCC RULE 6409(a) WIRELESS COMMUNICATION FACILITY APPLICATION

This application must be typed or printed legibly, in blue or black ink, with all requested information, and the property owner's original signature.

CITY PROJECT #: _____

I. CELLULAR COMPANY INFORMATION

Cellular Company's Project Reference Code: _____

Name: _____

Company/Organization: _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____ Mobile #: (_____) _____

Email: _____

II. PROPERTY OWNER INFORMATION (if different than above)

Name and Title: _____

Company/Organization (if applicable): _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____ Mobile #: (_____) _____

Email: _____

III. PROJECT COORDINATOR/APPLICANT'S REPRESENTATIVE INFORMATION

Name and Title: _____

Company/Organization (if applicable): _____

Address: _____

City/State/Zip: _____

Phone: (_____) _____ Mobile #: (_____) _____

Email: _____

IV. PROPERTY INFORMATION

Street Address and/or property location description: _____

APN of the property: _____

V. REQUEST

Please briefly describe the proposed project:

VI. AFFIDAVIT*

I declare under penalty of perjury, that I, _____, am the (circle one) property owner, attorney of the owner, or person with power of attorney from the owner of the property involved in this application, and that the foregoing is true and correct.

Executed at (city) _____, California, this _____ day of _____, 20_____.

Printed Name and Title

Signature

***IF THE PROPERTY OWNER/APPLICANT** is a Corporation, the names, addresses and titles of all officers of the Corporation shall accompany this application. If the property owner/applicant is a General Partner, the name and address of all General Partners shall accompany this application.

(For Department Use Only)

Fee \$ _____ Date received: _____ Received by: _____





Community Development Department

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AGREEMENT FOR PAYMENT OF COSTS EXCEEDING SUBMITTED DEPOSIT

SIGN AND RETURN this form to the Community Development Department, City of Thousand Oaks with submittal of your project application(s). To process your application for the project identified below, you are charged based on the City's current User Fee Manual, at a time and material rate which may include charges for the actual cost of City staff time, City-paid consultants and any materials* necessary to process the application.

I _____ am the person responsible for Payment and I agree to pay any additional sum exceeding my submitted deposit, based on actual cost of staff time, consultant time, and materials*. (Refer to City's User Fee Manual for hourly staff time rates.)

I acknowledge and agree that: 1) I may be required to pay an additional deposit once 75% of the original is exhausted; 2) I will pay all invoiced payments within 30 days of the date of the invoice; 3) the City reserves the right to stop work on a project if payments for invoices are not received.

If the total cost of processing the application is less than the deposit, the City will direct the refund balance to the person/entity that submitted the deposit unless stated otherwise below. Refunds are processed once all staff, consultant and/or material related to the project have been completed.

I FURTHER AGREE THAT IF THE PROJECT APPLICANT OR PROPERTY OWNER CHANGES DURING APPLICATION PROCESSING, I WILL REMAIN FULLY RESPONSIBLE FOR PAYMENT OF ALL AMOUNTS UNDER THIS AGREEMENT UNTIL A FULLY EXECUTED AGREEMENT BY THE NEW PROJECT APPLICANT OR PROPERTY OWNER HAS BEEN RECEIVED AND ACKNOWLEDGED BY THE CITY.

*Materials are defined as any City expense (such as legal advertisements, mailings, signage, duplication, CDs/DVDs, or other applicable materials) reasonably incurred due to the processing of your application.

PROJECT AND PROPERTY IDENTIFICATION

Person or Entity work is being completed for: _____

Property Owner Name(s): _____

Project Location(s)**: _____

Project Description: _____

**Specify property street address(es). If street address is not available, please specify the assessor's parcel number(s). If any of the listed projects are located in a City Right-of-Way or easement and do not have a specific address or assessor's parcel number, you must obtain a new address from the Public Works Department prior to application(s) submittal to the City.

AGREEMENT FOR PAYMENT

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PARTY RESPONSIBLE FOR PAYMENT

Responsible Party Signature: _____ Date: _____

Print Name: _____ Company: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Email: _____

INVOICES MAILED TO (If different then Party Responsible for Payment.)

Contact Name: _____ Company: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Email: _____

REFUNDS:

In the event that the deposit(s) exceeds the costs associated with the project, the excess deposit will be returned to the entity that made the payment. If the refund should go to another party, please complete this section.

Contact Name: _____ Company: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Email: _____

Property Owner Signature: _____ Company: _____

Applicant Signature: _____ Company: _____

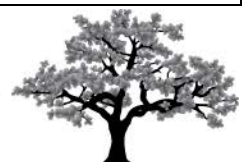
Project Coordinator Signature: _____ Company: _____

FOR CITY USE ONLY

Date Agreement Received: _____ Received by: _____

Project/Case # assigned: _____

CDD:\440-10\clj\h:\common\forms...\Planning\Planning App...\Agreement for Payment-all-new.docx (1/2017)





Community Development Department

ATTACHMENT #2

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FCC Rule 6409(a) Compliance Checklist	
Applicants claiming applicability of FCC Rule 6409(a) to their project must answer “yes” or “no” to each of the following questions and provide supporting documentation where noted.	Yes? No?
<p>1. Existing Facility: Does the project involve an existing wireless tower or base station? ➤ <i>Attach narrative substantiating your conclusion</i></p>	
<p>2. Project Type: Does the project involve (<i>circle which applies to your project</i>): a) collocation of new transmission equipment, OR b) removal of transmission equipment, OR c) replacement of transmission equipment? ➤ <i>Attach narrative substantiating your conclusion</i></p>	
ANSWER EITHER #3 OR #4 BELOW, DEPENDING ON PROPOSED FACILITY LOCATION	
<p>3. For Towers Outside the Public Right-of-Way (i.e., on private or public property): Does the project result in: a) A proposed height increase that is <u>less than</u> 10% or no more than one additional antenna array not more than 20’ higher (whichever is greater) and b) A proposed width increase that is <u>less than</u> 20’ or the tower width at the level of the appurtenance (whichever is greater)? ➤ <i>Attach calculations from the submitted plans to support your conclusion</i></p>	
<p>4. For Towers Within the Public Right-of-Way and all Base Stations: Does the project result in: a) A proposed height increase that is <u>less than</u> 10% or 10’ (whichever is greater) and b) A proposed width increase that is <u>less than</u> 6’? ➤ <i>Attach calculations from the submitted plans to support your conclusion</i></p>	
<p>5. Cabinets: Does the project result in the addition of 4 or fewer additional equipment cabinets (including remote radio units/heads; telco, power cabinets; base station cabinets; etc.)?</p>	
<p>6. Excavation: Will any proposed project-related excavation be: a) On private property, entirely inside the lease area, OR b) In the public right-of-way, in “proximity” to the ground-mounted equipment?</p>	
<p>7. Concealment: Will the project preserve all existing concealment elements of the current tower and/or base station? ➤ <i>Attach narrative substantiating your conclusion</i></p>	
<p>8. Prior Conditions of Approval: Will the proposed co-location preserve all prior conditions of approval that do not conflict with the FCC regulations for a substantial change?</p>	

Applicant/Representative’s Name: _____ Date _____

Signature _____ Email/Phone No.: _____

Address: _____

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Technical Information for Proposed Wireless Communications Facility

The following information is required in support of a planned new or modified Development Permit or Special Use Permit (generally, the "Permit") for a wireless site within the City of Thousand Oaks.

This application is a mandatory element of the application process. No application for a new wireless site Permit or for a modification of an existing wireless site Permit shall be considered for determination of completeness until this form and required attachments are provided to the City of Thousand Oaks.

Every page of this form, including this page, must be completed and submitted to the City of Thousand Oaks, and each page must be signed and/or initialed where indicated. Applicants must **also submit this technical information, and all related information, in a "PDF" version** on a CD to the Community Development Department. Related information required in "PDF" format includes, but is not limited to, radio frequency coverage maps, project photos and photo simulations, and candidate sites.

Questions about this form or the required information to be provided should be directed to the Planner assigned to your project.

You are advised to be familiar with the City's Municipal Code, including without limitation Title 9, Chapter 4 ("Planning and Zoning"), and City Council Resolution No. 97-197 which establishes standards and guidelines for the installation of wireless communications facilities in the City of Thousand Oaks. The official version of the City's Municipal Code, as well as Resolution No. 97-197 may be viewed at the City Clerk's office. An unofficial version of the City's Municipal Code may be viewed on line at the following website address:

http://www.amlegal.com/thousandoaks_ca/

<Continue to next page>

1.00: **Applicant Information**

- 1.01: Project Address: _____
- 1.02: Project Assessor's Parcel
Number: _____
- 1.03: Name of Applicant: _____
- 1.04: Name of Property Owner: _____
- 1.05: Applicant is: Owner Owner's representative
Other
- 1.06: Applicant's Address Line 1: _____
- 1.07: Applicant's Address Line 2: _____
- 1.08: Applicant's Address Line 3: _____
- 1.09: Applicants Address Line 4: _____
- 1.10: Applicant's Phone number: _____
- 1.11: Applicant's Mobile number: _____
- 1.12: Applicant's Fax number: _____
- 1.13: Applicant's Email address: _____

If Applicant is the Property Owner and the name and contact information above is the same, initial here _____ and proceed to 3.01.

<Continue to next page>



2.00: **Project Owner Information**

2.01: Disclose the Names, Addresses, contact persons, and telephone numbers for all Project Owners (use additional sheets if required and mark as "Attachment 2.01"):

2.02: Project Owner Name (i.e., carrier or licensee): _____

2.03: Address (line 1): _____

2.04: Address (line 2): _____

2.05: City: _____ State: _____ Zip: _____

2.06: Contact Person Name: _____

2.07: Contact Person's telephone number/extension: _____

2.08: **If the Applicant is not the project owner, attach a letter of agency appointing the Applicant as representative of the Project Owner(s) in connection with this application. Designate the letter of agency as "Attachment 2.08".**

Initial here _____ if Attachment 2.08 is attached to this application, and continue to 3.00.

2.09: **If the Applicant is not the property owner, attach a letter of agency appointing the Applicant as representative of the Property Owner in connection with this application. Designate the letter of agency as "Attachment 2.09".**

Initial here _____ if Attachment 2.09 is attached to this application, and continue to 3.00.

<Continue to next page>



3.00: **FCC Licensee/FAA Compliance Information**

3.01: For each person/legal entity that will be using the Project wireless site, provide the information in Sections 3 and 4. Use extra pages if necessary.

3.02: Attach a complete copy of each FCC license or FCC Construction Permit for each person/legal entity that will be subject to the FCC license for the Project site. Designate the license(s)/Construction Permit(s) as "Attachment 3.02". If none of the proposed radio facilities require an FCC license so indicate on **Attachment 3.02**.

Initial here _____ to indicate that Attachment 3.02 is attached to this application.

3.03: Legal Name of Licensee: _____

3.04: Licensee's Address Line 1: _____

3.05: Licensee's Address Line 2: _____

3.06: Licensee's Phone number: _____

3.07: Licensee's Fax number: _____

3.08: Licensee's Contact Email address: _____

3.09: Proposed use(s) of facility: _____
(Check all that apply)
 Broadcast Radio
 Broadcast TV
 Cellular telephone
 Enhanced Specialized Mobile Radio
 Microwave
 PCS telephone
 Paging
 Specialized Mobile Radio
 Other: _____

3.10: Project latitude and longitude: N _____ W _____

3.11: Specify DATUM used above: WGS84 NAD23 NAD83

3.12: Project maximum height above grade level (ft/AGL): _____

3.13: Bottom of lowest transmitting antenna (ft/AGL): _____

3.14: Radiation center of the lowest transmitting antenna (ft/AGL): _____



3.15 For each licensee, and for each radio service disclosed in 3.09, complete and attach the two page “Appendix A” form from “A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance” available from the following Federal Communications Commission website: <https://www.fcc.gov/encyclopedia/radio-frequency-safety>. Designate the completed two page form as “**Attachment 3.15**”. Additional RF safety disclosure information may be required to determine compliance with FCC OET 65 requirements if the site is not “categorically excluded” under OET 65.

Initial here _____ to indicate that Attachment 3.15 is attached to this application.

3.16: Are any areas adjacent to any of the transmitting antennas subject to RF emissions that are in excess of the “general population/uncontrolled” standard in FCC OET 65? For this purpose, assume that all persons other than the Owner’s technical staff are considered to be members of the general population. ___ Yes ___ No

3.17 If the answer to 3.16 is NO proceed to 3.19.

3.18 Provide a detailed RF analysis, supported by underlying technical data for each RF emitter and each band showing the distance, in feet, in all directions to the boundary of the general population/uncontrolled zone. Designate this attachment, “**Attachment 3.18**”.

Initial here _____ to indicate that Attachment 3.18 is attached to this application.

3.19: Does this project 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

3.20: If the answer to 3.19 is NO proceed to 3.22.

3.21: Attach complete copies of all required FAA/FCC forms including all attachments and exhibits thereto, including without limitation FAA Form 7460. Designate this attachment, “**Attachment 3.21**”.

Initial here _____ to indicate that Attachment 3.21 is attached to this application.

3.22: Provide a written certification that the facility will continuously comply with FCC OET Bulletin 65 radio frequency emissions standards. Designate this attachment, “Attachment 3.22”.

Initial here _____ to indicate that Attachment 3.22 is attached to this application.

<Continue to next page>



4.00: **Project Photographs and Photo Simulations**

4.01: Where an Applicant proposes to construct or modify a wireless site, the Applicant shall submit pre-project photographs, and photo simulations showing the project after completion of construction, all consistent with the following standards:

1. Minimum size of each photograph and photo simulation must be 8.5" by 11" (portrait or landscape orientation);
2. All elements of the project as proposed by the Applicant must be shown in one or more close-in photo simulations.
3. The overall project as proposed by the Applicant must be shown in five or more area photos and photo simulations. Photos and photo simulation views must, at a minimum, be taken from widely scattered positions separated by an angle of no greater than 72 degrees from any other photo location.
4. For each photograph and photo simulation, show on an area map the location and perspective angle of each photograph and photo simulation in relationship to the Project location.
5. All 'before' and after photos and photo simulations must be of the same scale. For example, do not place a smaller 'before' photo in a box on the same page as a large 'after' photo simulation.

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 Thousand Oaks determination. The Applicant must 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 Thousand Oaks.

<Continue to next page>



5.00: **Identification of Key Persons**

5.01: Identify by name, title, company affiliation, work address, telephone number and extension, and email address the key person or persons most knowledgeable regarding:

5.10 (1) The site selection for the proposed project, including alternatives;

5.11 Name: _____

5.12 Title: _____

5.13 Company Affiliation: _____

5.14 Work Address: _____

5.15 Telephone / Ext.: _____

5.16 Email Address: _____

5.20 (2) The radio frequency engineering of the proposed project;

5.21 Name: _____

5.22 Title: _____

5.23 Company Affiliation: _____

5.24 Work Address: _____

5.25 Telephone / Ext.: _____

5.26 Email Address: _____

5.30 (3) Rejection of other candidate sites evaluated, if any;

5.31 Name: _____

5.32 Title: _____

5.33 Company Affiliation: _____

5.34 Work Address: _____

5.35 Telephone / Ext.: _____

5.36 Email Address: _____

5.40 (4) Approval of the selection of the proposed site identified in this project.

5.41 Name: _____

5.42 Title: _____

5.43 Company Affiliation: _____

5.44 Work Address: _____

5.45 Telephone / Ext.: _____

5.46 Email Address: _____

5.5: If more than one person is/was involved in any of the four functions identified in this section, 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 attachment **“Attachment 5.5”**.

Initial here _____ to indicate that the information above is complete and there is no Attachment 5.5, or initial here _____ to indicate that Attachment 9.5 is attached to this application.

<Continue to next page>



6.00: **Form Certification**

6.01: The undersigned certifies on behalf of itself and the Applicant that the answers provided here are true and complete to the best of the undersigned's knowledge.

Signature

Title

Print Name

Email Address

Print Company Name

Telephone Number/extension

Date Signed

<Stop Here>





ATTACHMENT #4

Community Development Department

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Planning Division • Phone 805/449.2323 • Fax 805/449.2350 • www.toaks.org
Building Division • Phone 805/449.2500 • Fax 805/449.2575 • www.toaks.org

AGREEMENT FOR PAYMENT OF COSTS

Please download the Agreement for Payment document from our website and attach it to this application. Go to www.toaks.org and navigate to Department/Community Development/Planning/Planning Applications.

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FCC RULE 6409(a) WIRELESS COMMUNICATIONS FACILITY PLAN CHECKLIST

PLANS: Provide a CD with the plans and all application materials in PDF format. The City reserves the right to request more copies of plans in order to efficiently process your application package. Also provide two sets of printed plans (one bound/stapled rolled set in 36" x 48" size, one bound/stapled set in 11" x 17" size) ALL PRINTED PLANS shall display the Title Block in the lower right-hand corner as well as a North Arrow. ***Only plans collated into sets will be accepted.***

Plan Format Requirements

1. Title block as follows:
 - Case title. If revised plan, indicate "Revision 1, 2, etc."
 - Name, address, and phone number of applicant
2. Name, address, and phone number of person or firm who prepared the plan and date of preparation (include revision date when applicable)
3. North arrow and scale (drawings shall be orientated with north at the top of the plan and be prepared at a scale not less than 1" = 20')
4. Legend for the plan must include all items listed in the MAP LEGEND section

Site Plan Requirements

1. Name and phone number of the cellular company and their representative in the lower right-hand corner.
2. Vicinity map in the lower right-hand corner.
3. Assessor's Parcel Number(s) of the site in the lower right-hand corner
4. Fully dimensioned parcel boundaries
5. Property line locations
6. Service vehicle access (New sites only)
7. Parking location for service vehicle (if any; if none, so state on the plans)
8. Area of proposed excavation
9. Boundaries of proposed lease area
10. Easements
11. Survey (As applicable)
12. If a Right-of-Way installation, expand the site plan to include distance to nearest cross street
13. All existing and proposed structures and physical features in vicinity
14. Proposed structure dimensions
15. Provide details for all trenching if proposed
16. Surveyed trunk and dripline locations of all oak and landmark trees. Submit detailed report prepared by qualified Consultant addressing the health of each tree and any potential development impacts and protective mitigation measures. See oak/landmark tree permit application for further information (For new structures only).

Elevations

1. Drawn to a scale not less than 1/8" = 1'
2. Provide fully dimensioned elevations of antennas, pole, base structure, all cabinets of any type, all vaults and other enclosures of any type, etc.
3. Provide colors, textures, and materials information

Roof/Floor/Equipment Plan

1. Drawn to a scale not less than 1/8" = 1'
2. Provide fully dimensioned plans for proposed antenna layout, cabinets, related equipment, etc.
3. Show project in relation to roof area
4. Proper call outs of all equipment and antennas

