



CITY OF DANA POINT

COMMUNITY DEVELOPMENT DEPARTMENT
33282 Golden Lantern, Suite 209
Dana Point, CA 92629
(949) 248-3564 | www.danapoint.org

SMALL WIRELESS FACILITY AND/OR ELIGIBLE FACILITY REQUEST APPLICATION CHECKLIST

OFFICE USE ONLY:

PLANNER SIGNATURE: _____

DATE: _____

PLANNING DIVISION

SMALL WIRELESS FACILITY AND/OR ELIGIBLE FACILITY REQUEST APPLICATION CHECKLIST

PROJECT TITLE (Carrier Name, Project Name): _____

PROJECT ADDRESS: _____

A small wireless facility permit sets forth definitions, permitting requirements and application processes for Small Wireless Facilities within the public right-of-way in the City and as otherwise required by law, including reasonable, uniform and objective aesthetic standards. Municipal Code Section [Chapter 5.42](#) establishes definitions, permitting requirements, application processes for eligible facilities requests, and batch processing standards for substantially similar broadband projects. When submitting a batch small wireless facility application, the applicant shall submit separate materials for each facility that is a part of the application. A separate fee is required for each facility, as applicable.

The Community Development Department cannot consider an application that is incomplete or incorrectly prepared. Applicants are strongly advised, but not required, to participate in a wholly voluntary pre-application meeting with Planning Staff. Particular attention should be given to the preparation of the Site Plans & Elevations. Both existing and proposed conditions must be shown. ***The applicant or agent must electronically submit all required plans and exhibits to eTRAKiT.***

NOTE:

- ☐ **A STAFF PLANNER MUST SIGN & DATE ABOVE AND CHECK (X) THE APPROPRIATE BOXES BELOW BASED ON THE SCOPE OF WORK PROPOSED FOR EACH DISTINCT APPLICATION(S).**

A. PROCESS - SELECT ONLY OF THE FOLLOWING (REQUIRED):

Check Box	Project Type	Shot Clock
☐	Spectrum Act Projects ¹	60 days
☐	SWF (Small Wireless Facility) on an existing structure ²	60 days
☐	SWF on a new structure ²	90 days
☐	Non-SWF on an existing structure ³	90 days
☐	Non-SWF on a new structure ³	150 days
☐	Shot clock does not apply ⁴	None

¹ Per FCC Report and Order 14-153

² Per FCC Report and Order 18-133

³ Per FCC's 2009 Declaratory Ruling

⁴ Project is/will be tolled (projects with construction permits not submitted at the same time as the zoning approval, and any project subject to a tolling agreement)

B. ITEMS REQUIRED FOR FILING:

- All plans and other documentation (unless otherwise stated) must be submitted electronically to eTRAKiT

- ☐ **1. Completed Project Information Packet: Submitted electronically as an attachment to eTRAKiT.**

- ☐ Land Use Fact Sheet
- ☐ Justification Statement
- ☐ Environmental Assessment Form

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- ☐ **2. Processing Fee/Associated Entitlements:**
 - ☐ Application processing fee:
 - ☐ Small Wireless Facility Permit – **\$850.00 per installation (batched applications for up to 25 broadband projects are \$850 per project)**
 - ☐ Eligible Facility Request - **\$850.00 per installation**
- ☐ **3. Project Narrative: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Detailed analysis as to how the proposed project qualifies as a Small Wireless Facility or Eligible Facility Request based on the Dana Point Municipal Code and FCC Section 6409 requirements. Refer to Municipal Code [Section 5.42.050\(d\)\(1\)\(A\)\(iv\)](#).
- ☐ **4. Site Plans: Submitted electronically as an attachment to eTRAKiT.**
(Fully dimensioned and containing the following information)
 - ☐ Vicinity map which clearly shows the location of the site
 - ☐ Title Block (name and address or property owner of record)
 - ☐ Scale, north arrow and date prepared
 - ☐ Property lines of building site and their dimensions
 - ☐ Existing boundaries within 250 feet of proposed project
 - ☐ Ultimate street right-of-way lines designated
 - ☐ Streets: location, name, and width, and existing improvements including sidewalks and bike facilities
 - ☐ Identify all easements: locations, purpose, and width on site plan
 - ☐ Buildings: existing and proposed, location and size, showing distances from property lines, existing and proposed rooflines
 - ☐ Setbacks to property lines, between structures and from residential property lines, classrooms and centerline of scenic highways
 - ☐ Access: (driveways, etc.) existing and proposed location, add dimensions and materials
 - ☐ Fencing, non-retaining walls: existing and proposed, type, location, height, and materials
 - ☐ Retaining walls existing or proposed: type, location, height, and materials
 - ☐ Topography, showing existing and proposed grades
 - ☐ _____.
- ☐ **5. Construction Plans: Submitted electronically as an attachment to eTRAKiT.**
(Fully dimensioned and containing the following information)
 - ☐ Construction Drawings (prepared, signed and stamped by a California licensed or registered engineer)
 - ☐ All Existing and Proposed Improvements
 - ☐ Equipment and Existing Conditions (any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features)
 - ☐ Cut sheets that include technical specifications for all existing and proposed antennas and accessory equipment, which includes, without limitation, the manufacturer, model number, and physical dimensions
 - ☐ Structures within 250 feet (call out such structures' overall height above ground level)
 - ☐ Electrical and data backhaul utilities (All conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection)

*Please refer to Municipal Code Section [5.42.090](#), *Concealment Standards for Small Wireless Facilities*, and Section, [5.42.100](#), *Objective Siting Requirements for Small Wireless Facilities*, to ensure compliance.

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- ☐ **6. Site Survey:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Small wireless facilities proposed to be located within the PROW shall provide
 - Survey (signed, and stamped by a California licensed or registered surveyor).
 - Identify all existing boundaries, encroachments and other structures within 250 feet from the proposed project site, which includes, without limitation, all:
 - (a) Traffic Lanes;
 - (b) All Private Properties and Property Lines;
 - (c) Above and Below-grade Utilities and Related Structures and Encroachments;
 - (d) Fire Hydrants, Roadside Call Boxes and other Public Safety Infrastructure;
 - (e) Streetlights, Decorative Poles, Traffic Signals and Permanent Signage;
 - (f) Sidewalks, Driveways, Parkways, Curbs, Gutters and Storm Drains;
 - (g) Benches, Trash Cans, Mailboxes, Kiosks and other Street Furniture; and
 - (h) Existing Trees, Planters and other Landscaping Features.
- ☐ **7. Photo Simulations:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Site photographs and 360 degree photo realistic simulations shall be required showing the existing location and proposed small wireless facility in context from at least three (3) vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point. Staff may require additional simulations depending on the proposed location.
- ☐ **8. Site Justification Letter:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Letter justifying the need or requirement for the proposed location and design of the Small Wireless facility or Eligible Facility Request. Refer to Municipal Code [Section 5.42.050\(d\)\(v\)](#) for complete description of required information.
- ☐ **9. Radio Frequency Exposure Compliance Report:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Prepared and Certified by an RF Engineer Refer to Municipal Code [Section 5.42.050\(d\)\(vi\)](#) for complete description of required information.
- ☐ **10. Notification Package:** Submit Certified List and Assessor Maps as an attachment to eTRAKiT.
 - ☐ **500-foot Radius (Coastal Zone Appealable Jurisdiction)**
 - ☐ One (1) copy of a certified list of the names and addresses of all owners (including all condominium unit owners) within a **500-foot radius** of the exterior boundary of the subject property prepared for the latest tax rolls
 - ☐ Two (2) sets of printed address labels for all properties within a **500-foot radius** of the exterior boundary of the subject property with the assessor's parcel number printed on the labels
 - ☐ Two (2) sets of printed address labels for all properties within a **100-foot radius** of the exterior boundary of the subject property addressed to "occupant" with the assessor's parcel number printed on the labels
 - ☐ Copies of the Assessor's maps including properties and area within the 500-foot radius
 - ☐ Postage for mailing of notifications
 - ☐ **300-foot Radius (Non-Appealable Jurisdiction)**
 - ☐ One (1) copy of a certified list of the names and addresses of all owners (including all condominium unit owners) within a 300-foot radius of the exterior boundary of the subject property prepared for the latest tax rolls
 - ☐ Two (2) sets of printed address labels for all properties within a **300-foot radius**

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- ☐ Copies of the Assessor's maps including properties and area within the 300-foot radius
- ☐ Provide the number count of labels
- ☐ **11. Mechanical Engineering Specifications: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Noise Study specifying maximum noise exposure levels of the facility ([Municipal Code Section 11.10.010](#)), including:
 - (a) The ambient noise levels in the immediate areas.
 - (b) The maximum dB levels emitted from the equipment cabinet without sound attenuation measures installed.
 - (c) If the equipment cabinet noise levels can be heard above ambient or are in excess of the City's Noise Ordinance standard, the noise study shall recommend attenuation measures that are in keeping with the wireless facility's surroundings and overall design context;
 - (d) The maximum dB level emitted from the equipment cabinet with the recommend attenuation measure(s).
- ☐ **12. Utility Plan: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Show equipment layout and utility connections.
- ☐ **13. Regulatory Authorization: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Evidence of regulatory status under federal and state law to provide services and construct the Small Wireless Facility or Eligible Facility Request.
- ☐ **14. Site Agreement for City Property: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ For installation of a small wireless facility on any structure owned or controlled by the City and located within the public right-of-way, an applicant shall enter into an agreement prepared by the City and its attorney. Refer to Municipal Code Section 5.42.050(d)(1)(A)(x) for details.
- ☐ **15. Property Owner Authorization: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ For installation on non-City structures a written authorization form must be submitted documenting the structures owners(s) and underlying property owner, authorizing that the applicant is authorized to submit the small wireless facility permit. Refer to Municipal Code Section 5.42.050(d)(1)(A)(xi) for details.
- ☐ **16. Maximum Possible Exposure (MPE) Report: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Report specifying the facilities compliance with the FCC's MPE levels within 500 feet of the facility. Refer to Municipal Code Section [5.42.050\(d\)\(1\)\(A\)\(xii\)](#) for details.
- ☐ **17. Structural Analysis: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Report prepared by a certified licensed or registered engineer stating the support structure has the structural integrity to support the new facility. Refer to Municipal Code Section [5.42.050\(d\)\(1\)\(A\)\(xiii\)](#) for details.
- ☐ **18. Environmental Impact Assessment: Submitted electronically as an attachment to eTRAKiT.**
 - ☐ Submit an assessment on the City form documenting whether the proposed project will require a Negative Declaration, Mitigated Negative Declaration, or an EIR per CEQA.

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- ☐ **19. Encroachment Permit:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ For all requests within the City right-of-way the applicant must also include a completed application for an Encroachment Permit to the City's Public Works and Engineering Department for review and approval.
- ☐ **20. Operating Conditions Letter:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Provide written consent that the operating conditions of the Small Wireless Facility or Eligible Facility Request remain in accordance with Municipal Code Section [5.42.140](#).
- ☐ **21. Indemnification Letter:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Written acknowledgement where the City is not the property owner, that the Applicant and Property owner indemnify and hold the City harmless from any and all liability resulting from the City approving the Small Wireless Facility or Eligible Facility Request.
- ☐ **22. Eligible Facility Request Application:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Please include all of the information above
 - ☐ Sufficient information to demonstrate that the proposed project meets the definition of an Eligible Facility Request as defined by federal law.
- ☐ **23. Coverage Map:** Submitted electronically as an attachment to eTRAKiT.
 - ☐ Maps identifying the current coverage of the carrier in Dana Point and the area where the new SWF will enhance coverage.

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C. NOTICE TO APPLICANTS:

1. To file an application, the applicant or his agent needs to submit the above noted application materials to the City's eTRAKiT portal. After a Staff Planner has briefly reviewed the plans and application to assure all the basic items are included and in requested format, and the fees have been paid, the project will be deemed filed.
2. Once filed, the project will be assigned to one of the City of Dana Point's Planners. The assigned Planner will be responsible for managing the City's review of the proposed project.
3. Acceptance of the electronically submitted application by the City does not represent a complete application. California Government Code Section 65943 provides for 30 days in which the City can review the application and determine completeness. The applicant will be provided with a notification during this time period stating whether the application is complete or that additional items are necessary.
4. It is recommended that the applicant, representative, or property owner be present at all hearings.
5. All correspondence and reports will be provided to the project applicant/authorized agent only.
6. An applicant may request an exemption to excuse it from having to comply with any portion of Municipal Code Section 5.42, or portions of the application on the grounds that the requirement or action taken by the City would violate state or federal law.
7. Deficiencies and Refunds. The following provisions apply when full payment has not been made for an application or when an application is withdrawn:
 - If any application is withdrawn, as provided in Section **9.61.070**, **within** 30 days from the date the application is filed, but prior to the publication of the notice of hearing, the City shall refund 50% of the fees paid.
 - If any application is withdrawn, as provided in Section **9.61.070** **after** 30 days from the date the application is filed, but prior to the publication of the notice of hearing, the City shall refund 25% of the fees paid.
 - No refund shall be made after the notice of public hearing has been published.
 - If the application fee is a deposit based on an hourly rate, the refund will be the difference between the time expended by the City and the amount of the deposit.
8. If you have any questions regarding the above, please call the Planning Department at (949) 248-3564.



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NOTICE OF PENDING SMALL WIRELESS FACILITIES PERMIT

A SMALL WIRELESS FACILITIES APPLICATION FOR DEVELOPMENT ON THIS SITE IS PENDING
BEFORE THE CITY OF DANA POINT.

PROPOSED DEVELOPMENT:

LOCATION:

APPLICANT:

APPLICATION NUMBER:

DATE NOTICE POSTED:

NOTE:

A FINAL ACTION TAKEN BY THE CITY OF DANA POINT ON A SMALL WIRELESS FACILITIES APPLICATION MAY BE APPEALED TO THE COASTAL COMMISSION BECAUSE THIS DEVELOPMENT SITE IS WITHIN AN APPEALABLE ZONE PURSUANT TO SECTION 9.75.010 OF THE ZONING CODE UNDER "APPEALABLE DEVELOPMENT, COASTAL". (COASTAL ACT/30603(A)).

FOR FURTHER INFORMATION, PLEASE PHONE OR WRITE THE OFFICE LISTED BELOW BETWEEN 8 AM AND 5 PM, WEEKDAYS.

CITY OF DANA POINT

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RECEIVED BY:

DECLARATION OF POSTING

Prior to or at the time the application is submitted for filing, the applicant must post, at a conspicuous place, easily read by the public and as close as possible to the site of the proposed development, notice that an application for the proposed development has been submitted to the City of Dana Point. Such notice shall contain a general description of the nature of the proposed development. The City of Dana Point furnishes the applicant with a standardized form to be used for such posting. If the applicant fails to post the completed notice form and sign the Declaration of Posting, the Community Development Director shall refuse to file the application, or shall withdraw the application from filing if it has already been filed when he or she learns of such failure. 14 Cal. Admin. Code Section 13054(b).

Please sign and date this Declaration of Posting form when the site is posted; it serves as proof of posting. It should be returned to our office with the application.

Pursuant to the requirements of California Administrative Code Section 13054(b), I hereby certify that on _____, I or my authorized representative

(Date of posting)

posted the Notice of Pending Permit for application to obtain a Coastal Development Permit for the development of:

(Description of development)

Located at _____

(Address of development or assessor's parcel number)

The public notice was posted at

(A conspicuous place, easily seen by the public and as close as possible to the site of the proposed development)

(Signature)

(Date)

Note: Your application cannot be processed until this Declaration of Posting is signed and returned to this office.

FOR OFFICE USE ONLY

PERMIT NUMBER

RECEIVED

DECLARATION COMPLETE
