



SMALL UTILITY FACILITY PERMIT CHECKLIST

A Small Utility Facility (SUF) shall be reviewed and approved consistent with the procedures and standards set forth in Chapters 2-36 and 3-40 of the Irvine Zoning Ordinance. Pursuant to Section 2-36 of the Zoning Ordinance, a SUF Permit request must be submitted as a Building Permit Application and shall include a completed Small Utility Facility Checklist as part of the application submittal package, along with all other required documentation. The cost of processing the SUF Permit request will be charged to the Building Permit. **Complete Sections 1-3 and checklist items beginning on page 2.**

SECTION 1 - APPLICANT DATA

APPLICANT NAME		FIRM NAME
ADDRESS		PHONE
CITY	ZIP	EMAIL

I hereby certify that the information contained herein and in the accompanying exhibits is true and correct to the best of my knowledge and belief. Per State Government Code Section 65483, I acknowledge that I am applying for a development permit.

APPLICANT SIGNATURE

DATE

SECTION 2 - PROPERTY OWNER AUTHORIZATION

PROPERTY OWNER OF RECORD (Print)			
ADDRESS	CITY	ZIP	PHONE

I am the owner of record, or his/her authorized representative, of the property which is the subject of this application. I approve of the action requested.

PROPERTY OWNER SIGNATURE

DATE

SECTION 3 - PROJECT LOCATION/LEGAL DATA

SITE ADDRESS	PLANNING AREA
LEGAL DESCRIPTION (Tract, Lot, Parcel)	ASSESSOR'S PARCEL NUMBER
PREVIOUSLY APPROVED DEVELOPMENT CASES FOR THIS SITE	
RELATED DEVELOPMENT CASE SUBMITTALS AT THIS TIME? IF YES, PLEASE LIST OTHER CASE TYPES:	
☐ YES ☐ NO	

FOR OFFICE USE ONLY

CASE# _____ STAFF APPROVAL _____ DATE _____

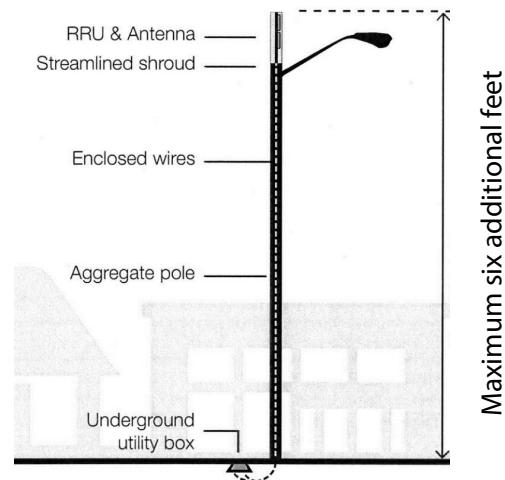
NOTE: Staff signature will be provided at the time the checklist has been determined complete and approval of the SUF Permit request has been granted.

SUF PERMIT CHECKLIST

The following is a list of materials which must be submitted in order to have a complete application. Consult with the Community Development Department if you have questions. Please do not turn in your application until all materials which apply to your proposal have been gathered. Your application will be reviewed for completeness by utilizing the items within this checklist.

CHECKLIST

SECTION 1: QUALIFICATIONS FOR REVIEW AS A SUF BUILDING PERMIT



The above image is an example of a facility that complies with the Objective Concealment Standards listed in Chapter 3-40. It is not intended to be interpreted as an all-inclusive standard in and of itself. A small utility facility must meet all standards listed in Chapter 3-40.

The proposed facility must conform with all the following objective concealment measures in order to be processed as a building permit. If one or more of the following requirements is not met, the facility will be denied as the final decision. The Concealment Standards should be listed as a note on the plans and should also be shown and labeled in all drawings on the plans.

- ☐ Every part of the small utility facility shall be painted and coated to match the predominant color and texture of the support structure and existing surrounding poles.
- ☐ The diameter of the small utility facility and support structure, including any concealment elements, shall be a maximum of 12 inches.
- ☐ The height of the small utility facility may extend a maximum of six feet beyond the height of the existing structure where 1) the facility will be installed on an existing support structure, 2) structure it is intended to replace where the facility will be installed on a replacement support structure, or 3) nearest existing piece of vertical infrastructure exceeding 25 feet in height where the facility will be installed on a new support structure (excepting a replacement support structure).
- ☐ All antennas shall be mounted in a cylinder form and concealed within a shroud at the top of the support structure. There shall be no exposed equipment (conductors, wires, conduit, etc.) or backpack type installations.
- ☐ Where the small utility facility includes a new support structure (including replacement support structure), all other equipment associated with the antennas shall either be mounted in the same shroud that houses the antennas, within the support structure, or be placed underground and will be considered part of the "equipment associated with the facility".

SUF PERMIT CHECKLIST

- ☐ Where the small utility facility includes a new support structure (including replacement support structure), the support structure shall replicate the color, size, texture, design, function, and shape of the closest piece of vertical infrastructure located in the public right-of-way that exceeds 25 feet in height.
- ☐ Where the small utility facility will be installed on an existing support structure, all equipment associated with the facility shall be located and arranged on the existing support structure so as to replicate the color, size, texture, and shape of the existing support structure. There shall be no exposed wiring, backpacks, or other equipment.
- ☐ All underground equipment, including any pull boxes or other cabinetry, shall be located entirely underground and flush with existing sidewalk or ground surface. All underground equipment shall be considered a part of the "equipment associated with the facility."
- ☐ Except as otherwise required by law, all signage colors must be consistent with the color of the structure and shall be located a maximum of two feet below the proposed antenna shroud.
- ☐ Small utility facilities shall meet a minimum distance along the following roadways as shown in Exhibit A. Distances shall be measured along a horizontal line between the closest points of the subject pole and a residential structure.

Major or Primary Highways:	Minimum 50 feet distance
All Other Lower Category/Speed Roadways:	Minimum 75 feet distance

NOTE: This distance requirement does not apply to facilities to be located in the Irvine Business Complex (Planning Area 36).

- ☐ Small utility facilities shall not be installed on any new support structures (excepting replacement support structures) that would be located within 150 feet (on center) of any preexisting vertical infrastructure exceeding 25 feet in height or any preexisting small utility facility, as measured along a horizontal line between the subject piece of infrastructure or small utility facility and proposed small utility facility. Notwithstanding the above, at no point may a new support structure be located within 20 feet of an existing tree.
- ☐ Small utility facilities shall be located within the public right-of-way or on commercial properties.
- ☐ Small utility facilities shall not be located within 50 feet of a school or park as measured along a horizontal line between the closest points of the subject pole and the school or park property line.
- ☐ Replacement support structures shall be located a maximum of 5 feet from the structure they replace, unless it is clearly demonstrated that this limit would cause the facility to physically interfere with existing underground utilities.
- ☐ New structures, including replacement support structures, shall provide the same setbacks as adjacent structures of a similar style, unless it is clearly demonstrated that this limit would cause the facility to unreasonably physically interfere with existing utilities.
- ☐ Small utility facilities shall not include above-ground equipment of any kind that is not fully enclosed within the support structure or shroud. Further, any part of the facility located on the ground must be located below ground-level.

SECTION 2: PRE-SUBMITTAL MEETING (Not required, but strongly recommended)

- ☐ A meeting with a staff planner to discuss the project and required submittal materials.

SUF PERMIT CHECKLIST

SECTION 3: SUBMITTAL REQUIREMENTS

- ☐ Development Case Application signed by the owner of the structure, the structure to be replaced, or the underlying property (see page 1 of the Checklist form).
- ☐ [Developer Deposit Case Set-up](#) form
- ☐ Detailed plans showing and describing the layout and design of the proposed project, including a depiction of the boundaries of the site on which the project will be developed. Refer to Section 5 below for details.
- ☐ Alternative site analysis assessing the potential of adjacent properties/locations.
- ☐ Completed Small Utility Facilities Permit Checklist (this form) and all of the associated materials included on the checklist.
- ☐ Documentation demonstrating that the facility will comply with all federal and state regulations and guidelines, including (where applicable) FCC regulations and guidelines.

NOTE: When submitting a Batch Small Utility Facility Application consisting of multiple facilities, the applicant shall submit a separate Development Case Application, checklist, and questionnaire for each facility that is a part of the application.

SECTION 4: PROCESSING FEES

- ☐ A deposit or fee for processing the associated building permit as set forth in the [Planning and Development Services Fee Schedule](#).

SECTION 5: PROJECT PLANS

- ☐ Full-size construction quality plans of the proposed project saved as a PDF, wet stamped by a professional engineer, showing the entire proposed structure in plan and elevation views, all proposed changes in plan and elevation views, and all utility runs and points of contact. The plans must be drawn at 1" = 20' or a comparable scale, and shall include the following information:
 1. Location, dimensions, and height of the existing structure and/or surrounding structures over 25 feet in height.
 2. Location, type, dimensions, height, number, color, and technical specifications of proposed antennas.
 3. Location, type, dimensions, gross floor area, height, materials, and color of proposed equipment structure. Location of exhaust ports or outlets.
 4. Location of existing and proposed power, telephone, and other utilities serving the site.
 5. Specific landscape, screening, and fencing materials. Landscape plans shall include size, species, location, distance apart, plus irrigation and maintenance plans.
 6. Existing and proposed setbacks from property lines, nearest residential structure, and residentially zoned properties.
 7. Location of adjacent roadways and proposed means of access.
 8. Labels of surrounding land uses.
 9. Applicable concealment standards included as a note on the plans and shown and labeled in drawings.

SECTION 6: SUPPORTING DOCUMENTS

- ☐ An assessment of noise that shows compliance with City noise standards, if new equipment cabinets, generators, or any other underground equipment components are being proposed.

SUF PERMIT CHECKLIST

- ☐ Photo simulations depicting the proposed condition as it relates to color, texture, etc.
- ☐ Noticing materials subject to Section 2-23-1 of the Zoning Ordinance. Noticing shall be required only in the event an applicant appeals a decision made by the Department of Community Development to deny an SUF or in the event the Planning Commission calls up the case. In such case, the SUF shall go before the Planning Commission for review and action.
- ☐ *Prior Approvals.* For modifications only, copies of the approved building permit plans from the original approval along with the most recent approval affecting the project.

SECTION 7: OBJECTIVE STANDARDS

- ☐ The project must comply with all the following objective standards, and these standards shall be included as notes on the plans:
 1. Each facility shall comply with the City's applicable building, structural, electrical, and safety codes and with all applicable Americans with Disabilities Act requirements.
 2. Each facility shall comply with the City's noise ordinance pursuant to Section 6-8-2 of the Code of Ordinances. In the event of a noise complaint, the applicant shall submit a noise study for review and approval by the Director of Community Development which demonstrates that the equipment complies with the Noise Ordinance. The study shall include cut-sheets detailing the following information:
 - A. The ambient noise levels in the immediate area;
 - B. The maximum dB level 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; and
 - D. The maximum dB level emitted from the equipment cabinet with the recommended attenuation measure(s).
 3. Ongoing maintenance, upkeep and operation of the small utility facility and surrounding landscaping is required and is the responsibility of the applicant. This includes but is not limited to maintaining and re-finishing the facility's paint, finish, color, and textured surfaces due to sun damage or wear and tear; re-finishing any surfaces on the sidewalk or public right-of-way due to maintenance of the wireless facility and associated areas; and re-planting any vegetation damaged due to maintenance of the wireless facility and associated areas.
 4. Applicant agrees to remunerate to the City, and to otherwise repair or rehabilitate any and all landscaping and/or hardscaping that is damaged, removed, or otherwise harmed during the installation, maintenance, or removal of the wireless facility and/or structure upon which the facility is mounted. Applicant shall ensure that when a pole is replaced or removed, any landscaping and/or hardscaping affected by the replacement or removal shall be restored to the condition existing prior to the initiation of construction. Such restoration shall be consistent with standards as determined by the City of Irvine. In the event the City repairs any landscaping and/or hardscaping damaged, removed, or otherwise harmed during the Applicant's installation or removal of the wireless facility and/or structure, the Applicant shall be liable for all charges imposed by the City for the cost associated with such repair. Alternatively, the City shall have the authority to terminate this permit for Applicant's failure to repair or replace any damage caused by Permittee.
 5. Each facility shall comply with the applicable state and federal laws, including (where applicable) Federal Communication Commission regulations, regarding radio frequency emissions, as they may be amended from time to time.

SUF PERMIT CHECKLIST

6. All Radio Frequency (RF) warning and notice signage shall at all times be maintained in good condition by the Applicant, and contain on the face of each sign a local or toll-free telephone number to the network operations center where calls are answered 24 hours a day, seven days a week, as well as the Applicant's site number for this location, or other identifier used by the Applicant for the site.
7. Each facility shall not prevent the City of Irvine from having adequate spectrum capacity on the 800 MHz radio frequencies used by the City. If notified by the City's Police Department that operation of a facility is impeding the City's use of the 800 MHz radio frequencies used by the City, the applicant shall modify the operation of the facility to eliminate any material interference.
8. Applicant shall take all necessary actions to remedy interference in the event the facility materially interferes with pre-existing transmitting devices, as determined based on evidence produced to and reviewed by the Community Development Director or his/her designee,
9. Applicant shall pay all charges related to the processing of the facility within 30 days of issuance of the final invoice for this project. Failure to pay all charges shall result in delays in the issuance of required permits or may result in the revocation of the approval of the application.
10. The facility owner shall be required to modify, remove, or relocate its facility, or portion thereof, without cost or expense to the City, if and when made necessary (in the City's discretion) by:
 - A. Any public improvement project, including, but not limited to, the construction, maintenance, or operation of any underground or aboveground facilities including but not limited to sewers, storm drains, conduits, gas, water, electric, or other utility systems or pipes owned by the City or any other public agency;
 - B. Any abandonment of any street, sidewalk, or other public facility;
 - C. Any change of grade, alignment or width of any street, sidewalk, or other public facility;
 - D. A determination by the Community Development Director that the small utility facility has become a risk to public health, safety, welfare, or the public's use of the public right-of-way; or
 - E. Any modification, removal, or relocation of the facility shall be completed within 90 days of written notification from the City unless exigencies dictate a shorter period for removal or relocation. Modification or relocation of the facility shall require submittal, review, and approval of a building permit pursuant to Chapter 2-36. The facility owner shall be entitled, on its election, to either a pro-rata refund of fees paid for the original permit or to a new permit, without additional fee, at a location as close to the original location as Chapters 2-36 and 3-40 allow. In the event the facility is not modified, removed, or relocated within said period of time, the City may cause the same to be done at the sole cost and expense of the carrier. Further, due to exigent circumstances, the City may modify, remove, or relocate small utility facilities without prior notice to the carrier provided the carrier is notified with 30 days thereafter.
11. Each facility for which an application is submitted and obtained pursuant to Chapter 2-36 shall comply with the following requirements, where applicable:
 - A. Building permits
 1. Where the facility will generate a wireless signature, the applicant shall provide to the Orange County Sheriff's Communication bureau a letter identifying the location of the proposed facility, the wireless carrier (where necessary), the frequency band, a single point of contact in the applicant's engineering

SUF PERMIT CHECKLIST

and maintenance departments (name, phone number, fax number, and email address), and a 24-hour phone number to which interference problems may be reported. A copy of this letter shall be provided to the Community Development Department and Police Department of the City.

2. Applicant shall submit to the City (1) a letter stating that the facility owner will comply with the terms and conditions of the permit and that failure of the facility owner to comply with the terms of this approval shall be the responsibility of the facility owner; and (2) an acknowledgement that the applicant will defend, indemnify, and hold the City harmless from any and all claims arising from or relating to the issuance of a permit to the applicant, and/or the operation of a facility covered that was issued a permit pursuant to Chapter 2-36.
3. Applicant may not commence construction of the facility until after a pre-construction meeting with the city. Prior to issuance of permits, plans submitted for permits shall be verified to contain a note in a prominent location stating:

"Prior to construction, a pre-construction meeting shall be held to review all construction related planning conditions. Said meeting shall be arranged after permits are issued and before construction commences. Contact the Non-Residential Inspection Supervisor at 949-724-6331 to schedule a time."

B. Encroachment permits

1. For all facilities that are located within the public right-of-way, the applicant shall obtain an encroachment permit consistent with the provisions of Sections 5-10-201 through 5-10-246 of the Irvine Municipal Code. Maintenance vehicles shall not park within public right-of-ways without approval of an encroachment permit.

C. Prior to authorization to use and/or operate a facility:

1. Permanent power shall not be connected to the facility, nor shall signal transmission or reception occur by way of temporary power, nor shall permanent power be released or provided for unattended site operation until final inspection has been approved.
2. Applicant shall submit a post-installation test to confirm that "advanced planning and frequency coordination" of the facility was successful in not interfering with the City of Irvine Public Safety radio equipment. The Communications Division of the Orange County Sheriff-Coroner Department or a Division-approved contractor shall conduct the test at the expense of the applicant. The post-installation testing process shall be repeated for every proposed frequency addition and/or change to confirm the intent of the "frequency planning" process has been met.
3. All conditions imposed on a facility under Section 3-40-2, Objective Standards, and Section 3-40-3, Objective Concealment Standards, of the Zoning Ordinance, shall be inspected, reviewed, and verified to have been satisfied.

EXHIBIT A

