



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

GUIDE TO THE WIRELESS TELECOMMUNICATIONS FACILITIES PERMIT APPLICATION

The purpose of this handout is to summarize the application process to obtain a Wireless Telecommunications Facilities Permit. Section 9661 of the Agoura Hills Municipal Code (AHMC) (Ordinance No. 11-387) fully describes the regulations and standards of the permitting, development, siting, installation, design, operation and maintenance of such facilities in the City, and should be consulted prior to submitting an application.

SECTION A: APPLICABILITY

A Wireless Telecommunications Facilities Permit is required for the following:

- Wireless telecommunications facility
- Wireless telecommunications collocation facility
- Modification to a wireless telecommunications facility
- Modification to a wireless telecommunications collocation facility

Type of Wireless Telecommunications Facilities Permits:

- Minor Conditional Use Permit (Minor CUP)
- Conditional Use Permit (CUP)
- Amendment to Minor CUP
- Amendment to CUP

The application submittal requirements for the Minor CUP, CUP, Amendment to a Minor CUP or Amendment to a CUP are similar. Refer to SECTION C: REVIEW PROCESS for the type of permit applicable to your project.

Additional permits may be required, including but not limited to, an Oak Tree Permit. Please consult Planning Department staff regarding any other possible permits applicable to your project. An encroachment permit from the Public Works Department may also be necessary if work is to occur in the public right-of-way; please consult staff of the Public Works Department.

SECTION B: SUBMITTAL REQUIREMENTS

The following forms and items are required to be completed and submitted as part of the Permit application:

- Wireless Telecommunications Facilities Master Application
- Conditional Use Permit Submittal Requirements
- Wireless Telecommunications Facilities Permit Application Checklist – Long Form *or* Short Form (Section 6409(A) of the Spectrum Act)
- Supplemental Application for Wireless Telecommunications Facilities Projects Long Form *or* Short Form (Section 6409(A) of the Spectrum Act)
- Permit Fees and Deposits

Prior to submitting an application, please contact Planning Department staff at (818) 597-7328 to arrange an appointment during regular business hours.

SECTION C: REVIEW PROCESS

REVIEW PROCESS			
	Tier I	Tier II	Tier III
NEW FACILITY			
Permit Type	Minor CUP	CUP	CUP (and exception)
Reviewing Body	Director	Planning Commission	Planning Commission
MODIFICATION TO FACILITY			
Permit Type	Amendment to Minor CUP	Amendment to CUP	Amendment to CUP
Reviewing Body	Director	Planning Commission	Planning Commission

A modification is a change to an existing wireless telecommunications facility involving any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation. It does not include repair, replacement or maintenance if those actions do not involve a change to the existing facility involving collocation, expansion, alteration enlargement, intensification, reduction or augmentation. (Refer to Section 9661.1 of the AHMC for a full definition).

Tier I facilities are outlined in Section 9661.5(A)(1) of the AHMC, and consist of building-mounted or roof-mounted facilities, or facilities mounted to an existing telecommunications tower, in the BP-M zone.

Tier II facilities are outlined in Section 9661.5(A)(2) of the AHMC. Except as identified in Section 9661.20 for “Locations Requiring an Exception,” they consist of facilities mounted to a new telecommunications tower in the BP-M zone; facilities roof-mounted, building-mounted, or ground mounted in the BP-OR, CRS, CS, CS-MU, PD, U and SH districts; and a facility within an arterial public right-of-way (ROW) if added to an existing pole, or if a new pole replaces an existing pole. If a location is listed in Section 9661.20, then the project becomes a Tier III facility, and requires an exception.

Tier III facilities are those for which an exception to a provision of Section 9661 of the AHMC is being requested. (Refer specifically to Sections 9661.19 and 9661.20). A request for an exception must be made at the time of application submittal. Additional findings must be made to approve an exception. Locations requiring an exception consist of the following:

- Zoning districts other than BP-M, BP-OR, CRS, CS, CR, SP, U, and SH districts, although facilities may be located in the public right-of-way of arterial roadways within those other districts without an exception.
- Public right-of-way of collector roadways.
- Public right-of-way of local streets if within the BP-M, BP-OR, CRS, CS, CR, SP, U, and SH districts.
- Public right-of-way if mounted to a new pole that is not replacing an existing pole, regardless of location.
- Building-mounted or roof-mounted on a building owned in common by a homeowners’ association, even if located in a residential zone.
- A ground mounted facility that is not in the right-of-way but is within 100 feet of a residential district in the BP-M, BP-OR, CRS, CS, CR, SP, U, and SH districts.
- In OS-DR or OS-R zoning districts, including the public right-of-way of arterial or collector roadways within those districts. However, the applicant must also obtain approval pursuant to Sections 9487 and 9821.5 of the AHMC.

No exception can be granted for the location of a facility or collocation facility in the following (Section 9661.20(B)):

- Any location within a residential district, with the exception of the public right-of-way of arterial or collector roadways and those locations building-mounted or roof-mounted on a building owned in common by a homeowners’ association.
- Any public right-of-way location within 100 feet from a residential district, with the exception of the public right-of-way of arterial or collector roadways.
- Any location that would significantly obstruct or diminish views in scenic corridors.
- Any location on or near a ridgeline such that the facility would appear silhouetted against the sky.
- Planned Development (PD) zones in any location where the zone or specific plan prohibits such facilities.

Review by either the Director or Planning Commission requires a noticed public hearing.

For a Wireless Telecommunications Facilities Permit, in addition to the required findings for the CUP (described in the GUIDE TO THE CONDITIONAL USE PERMIT

APPLICATION), the Director or Planning Commission, whichever is the reviewing body, must also make the findings in Section 9661.7 (listed in the SUPPLEMENTAL APPLICATION FOR WIRELESS TELECOMMUNICATIONS FACILITIES PROJECTS). In order to approve an exception to the provisions of Section 9661, the Planning Commission must make additional findings, listed in Section 9661.19.

At the discretion of the Director of Planning, and as part of the permit review process, the applicant may be required to erect temporary story poles to demonstrate the height and mass of a potential facility.

Section 6409(A) of the Spectrum Act

For modification of an existing wireless telecommunications facility pursuant to Section 6409(A) of the Spectrum Act, administrative review only is required.

SECTION D: COMPLETION OF SUPPLEMENTAL APPLICATION FORM

Please note the following additional directions regarding completion of the Supplemental Application for Wireless Telecommunications Facilities Projects pertaining to each type of permit.

Supplemental Application for Wireless Telecommunications Facilities Projects Long Form

Encroachment Permit

Complete all items as directed in the application, except 1.23, 1.24, 1.25, 2.08, and items in the 7.00 series.

Minor CUP, CUP, Amendment to Minor CUP, Amendment to CUP

Complete all items as directed in the application. However, Items 1.23, 1.24 and items in the 7.00 series may be waived at the discretion of the Director of Planning and Community Development, depending on the particular circumstances of the project and its location. Please consult Planning and Community Development Department staff for further information.

Supplemental Application for Wireless Telecommunications Facilities Projects Short Form

Section 6409(A) of the Spectrum Act

Complete all items as directed in the application short form.

SECTION E: PERMIT COSTS

Please refer to the handout, “Planning Fee Schedule.”

A Landscape/Oak Tree Consultant deposit may be required at the time of application submittal. The deposit amount is listed in the Planning Fee Schedule.

For further information, contact:

City of Agoura Hills
Planning Department
30001 Ladyface Court
Agoura Hills, California 91301
(818) 597-7328
www.ci.agoura-hills.ca.us
