



You must have an appointment to submit this application.

INSTRUCTIONS FOR FILING A WIRELESS FACILITIES ADMINISTRATIVE PERMIT APPLICATION

Instead of this application, you may want to submit a Permit Adjustment application, which may be a more streamlined process if your project meets the definition of "Building Mounted Wireless Communications Antenna" per Section 20.200.1420 of Title 20 of the San Jose Municipal Code.

CRITERIA FOR SUBMITTING A WIRELESS FACILITY ADMINISTRATIVE PERMIT APPLICATION:

This application form is only applicable for Modification of Existing Wireless Towers and Base Stations pursuant to Section 6409(a) of the 2012 Middle Class Tax Relief and Job Creation Act now codified as 47 U.S.C. Section 1455(a) ("Section 6409(a)") and Federal Communications Commission Report and Order FCC-14-153 ("Wireless Infrastructure Order"). All Administrative Permit applications for wireless facilities shall conform to Title 20 of the San José Municipal Code, including but not limited to Section 20.80.1915 "Modification of Existing Wireless Towers and Base Stations," and the following criteria at a minimum:

A. Application requirements: In addition to all Administrative Permit application requirements otherwise applicable, each application for an Administrative Permit that is submitted under this Section shall clearly identify the application as a Section 6409(a) Wireless application and shall be accompanied by:

- 1. A detailed written description of the proposed modifications to the existing facilities;
2. Photographs or graphic description to scale, and a written description of the Wireless Tower or Base Station as originally constructed, if available, and photographs of the Existing Wireless Tower or Base Station, and a graphic depiction to scale of the Wireless Tower or Base Station after Collocation or Modification, showing all relevant dimensions overlaid on the Current Site;
3. A description of all construction that will be performed in connection with the proposed Collocation or Modification, including any excavation; and
4. A signed declaration by the Applicant certifying the Baseline Condition as to Height and the Current Site boundaries.
5. An environmental exemption form or copy of approved environmental clearance document such as an Environmental Impact Report or Mitigated Negative Declaration issued by the City for the project.
6. For the Existing Wireless Tower or Base Station, a copy of the original development permit or development approval that went through site review and any amendments or modification to such permit or approval.

i. Such other information as the Director may deem necessary to allow review of the application for compliance with Section 20.80.1915 of Title 20 of the San José Municipal Code.

B. Concealment of wireless facilities:

with materials and colors of the structure and its components shall be consistent with the City Council Land Use Policy for Wireless Communication Facilities at http://sanjoseca.gov/DocumentCenter/Home/View/385.

2. For guidance, please refer to the City Council Land Use Policy for Wireless Communication Facilities at http://sanjoseca.gov/DocumentCenter/Home/View/385.

C. Wireless facilities that contain power-generating equipment shall submit documentation showing how such equipment meets all of the following minimum criteria:

- 1. Wireless facilities shall contain an automatic excess flow gas shutoff valve or other comparable equipment.
2. Maximum noise levels emanating from the Wireless facilities and Structures shall be subject to the Zoning Ordinance and General Plan noise policies.
3. The Cabinet exhaust system and port shall meet all of the following minimum criteria:
a. The exposed exhaust stream temperature shall not exceed one hundred fifty eight (158) degrees Fahrenheit; and
b. The exhaust port shall be affixed with a warning label to indicate the danger of exposure to the exhaust temperature
c. Back-up batteries shall be programmed to vary their duration of operation with the length of power outage up to a maximum of thirty (30) minutes. As technology allows and without increasing the size of the cabinets, cabinets shall be retrofitted with higher capacity batteries capable of providing full service operation for a maximum of two (2) hours a full (6.1 fW) load.

Please visit the Planning Division's Website: http://www.sanjoseca.gov/index.aspx?nid=3839 to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.

WIRELESS FACILITIES ADMINISTRATIVE PERMIT APPLICATION

*****You must have an appointment to submit this application.*****

TO BE COMPLETED BY CITY STAFF			
FILE NUMBER AP		RECEIPT # _____	
PROPERTY LOCATION		DATE _____	
ZONING	PD ZONING FILE #	AMOUNT _____	
QUAD #	PERMIT FILE#	BY _____	
SUBJECT TO CONDITIONS		<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED
		DATE	BY

TO BE COMPLETED BY THE APPLICANT (PLEASE PRINT OR TYPE)
PROPERTY LOCATION
ASSESSOR'S PARCEL NUMBER(S)

*****The following items are required***:**

<input type="checkbox"/> FILING FEE (see fee schedule) <input type="checkbox"/> LEGAL DESCRIPTION OF THE PROPERTY (Metes and Bounds and a copy of recorded tract map) AND ASSESSOR'S PARCEL MAP marked with project location. <input type="checkbox"/> PHOTOGRAPHS of existing base station and/or existing tower and surrounding area of site. <input type="checkbox"/> THREE (3) COPIES** of the development plans that include: a. A site plan* drawn to scale showing the location of the proposed change on the subject property, and A drawing to scale of the proposed change b. (elevations, site details, construction details, as appropriate). c. SPECIFICATIONS of all proposed generators. <input type="checkbox"/> **AND ONE (1) REDUCED 11"X17" COPY of the development plans.	* A Site Plan should contain at least the following: <ul style="list-style-type: none"> • Dimensions of subject property, lot lines, and existing and proposed development on site. • Streets adjoining the subject property. • Existing and proposed buildings and structures, including proposed removal of structures and/or building elements. • Dimensions of existing and proposed setbacks. • Dimensions of existing and proposed off-street parking, loading, and circulation areas onsite. <input type="checkbox"/> Evidence of completed environmental clearance for proposed project such as copy of approved Exemption, EIR, or MND. Include Noise Report and Air Quality Analysis if generators are proposed. <input type="checkbox"/> Evidence of approval of the existing wireless facility including but not limited to copy of approved development permit and approved plans. <input type="checkbox"/> Other information needed to clarify the proposal. If proposing generators, completed supplemental information requested on applicable forms.
---	--

Please continue to PAGE 2.

Please visit the Planning Division's Website: <http://www.sanjoseca.gov/index.aspx?nid=3839> to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.

WIRELESS FACILITIES ADMINISTRATIVE PERMIT APPLICATION

FILE NUMBER AP

PROPERTY OWNER			
PRINT NAME OF PROPERTY OWNER		PRINT NAME OF BUSINESS	
ADDRESS		CITY	STATE ZIP CODE
SIGNATURE OF PROPERTY OWNER			DATE
PRINT NAME OF CONTACT PERSON			
DAYTIME TELEPHONE # ()	FAX # ()	E-MAIL ADDRESS	
FOR ADDITIONAL PROPERTY OWNERS, PLEASE PROVIDE THEIR INFORMATION BELOW			
PRINT NAME OF PROPERTY OWNER		SIGNATURE OF PROPERTY OWNER	
ADDRESS		CITY	STATE ZIP CODE
DAYTIME TELEPHONE # ()	FAX # ()	E-MAIL ADDRESS	

*****No mail-in applications will be accepted.**

The City reserves the right to not accept applications that do not have the following items: owners' signatures, adequate fees, legal description of the property, APN map, photos, and evidence of completed environmental clearance. If electrical power generation facilities are proposed as part of the Wireless Facilities Administrative Permit application, then evidence of completed environmental clearance must include a noise report and air quality analysis.***

*****Acceptance of the application does not necessarily mean the application is complete.** After acceptance the City will review the application for completeness, including but not limited to the items listed on all the pages of this application form.***

Please visit the Planning Division's Website: <http://www.sanjoseca.gov/index.aspx?nid=3839> to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.

INDEMNIFICATION AGREEMENT
FOR WIRELESS FACILITY
APPLICATIONS

Applicant submitted an application to the City of San José Planning Division on _____, 20____ for the following development approval(s): _____

(the "Project"). For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicant hereby expressly agrees in connection with the processing of Applicant's Project application(s) to each and every one of the following terms and conditions:

1. Applicant agrees, as part of and in connection with each and any of the application(s), to defend, indemnify, and hold harmless the City of San José ("City") and its officers, contractors, consultants, attorneys, employees and agents from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents to challenge, attack, set aside, void, or annul:
 - a. Any approvals issued in connection with any of the above described application(s) by City; and/or
 - b. Any action taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("CEQA") by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council.

Applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by Applicant, City, and/or parties initiating or involved in such proceeding.

2. Applicant agrees to indemnify City for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.

3. Applicant agrees to defend, indemnify and hold harmless City, its officers, contractors, consultants, attorneys, employees and agents from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (such as an environmental impact report, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if Applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

4. In the event that Applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:
 - a. The counsel to so defend City; and
 - b. All significant decisions concerning the manner in which the defense is conducted; and
 - c. Any and all settlements, which approval shall not be unreasonably withheld.

City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where Applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant.

5. Applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

After review and consideration of all of the foregoing terms and conditions, Applicant, by its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

APPLICANT:

By: _____
(Signature)

(Print)

Date: _____

Its: _____
(Title, if any)

INSTRUCTIONS FOR FILING

**PROPOSED STAND-BY OR BACKUP POWER GENERATION FACILITIES
AS PART OF A WIRELESS FACILITIES ADMINISTRATIVE PERMIT APPLICATION**

DEFINITIONS

“Stand-By or Backup Electrical Power Generation Facility” means an electrical power generation facility that is operated only during interruptions of electrical service from the distribution system or transmission grid due to circumstances beyond the operator’s control. Electrical generation facilities operating where an interruptible service contract has been executed are not considered Stand-By or Backup Electrical Power Generation Facilities.

ADMINISTRATIVE PERMIT REQUIRED

An Administrative Permit is required for stand-by or backup electrical power generation facilities that **do not** exceed noise and air standards that are part of a Wireless Facilities Administrative Permit Application.

Stand-by or backup electrical power generation facilities not mentioned above have different permit requirements. Please contact the Department of Planning, Building, and Code Enforcement for the current zoning regulations and permit requirements.

An applicant for an Administrative Permit to allow the placement, construction, or operation of a Stand-By or Backup Electrical Power Generation Facility or a Temporary Stand-By or Backup Electrical Power Generation Facility shall, in addition to all other Administrative Permit requirements, declare under penalty of perjury that the applicable facility sought for use subject to an Administrative Permit will at all times be maintained in full conformance with each and every one of the criteria and standards set.

CRITERIA

An Administrative Permit to allow any Stand-By or Backup Electrical Power Generation Facility or Temporary Stand-By or Backup Electrical Power Generation Facility shall not be issued unless the Director of Planning determines that all of the applicable criteria and standards listed below are met:

- Maximum noise levels, based upon a noise analysis by an acoustical engineer, will not exceed the applicable noise standards set forth in Title 20.
- Emissions and Health risks associated with the generators will not exceed the thresholds as established by the Director of Planning.
- Operation of a Temporary Stand-By or Backup Power Generation Facility, by definition, shall not exceed a maximum time period of four (4) consecutive months in any twelve (12) month period.

Please visit the Planning Division's Website: <http://www.sanjoseca.gov/index.aspx?nid=3839> to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.

NOISE STANDARDS

The sound pressure level generated by any use or combination of uses on a property shall not exceed the decibel levels stated in the applicable provisions of Title 20 of the San Jose Municipal Code (the Zoning Code).

AIR QUALITY STANDARDS

The emissions and health risks generated by the use must meet the thresholds as established by the Director of Planning in conjunction with the Bay Area Air Quality Management District (BAAQMD). These are shown below:

(a) Emissions

Pollutant	Ton / Year	Pounds / Day
Nitrogen Oxide (NOx)	15	80
Fine Particulate Matter (PM ₁₀)	15	80

(b) Health Risk

The annual emissions associated with the project would result in an incremental cancer risk less than 1.0E-05 (ten in a million), were the exposure to continue for 70 years; and (2) TBACT has been applied to permitted sources

Please visit the Planning Division's Website: <http://www.sanjoseca.gov/index.aspx?nid=3839> to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.

PROPOSED STAND-BY OR BACKUP POWER GENERATION FACILITIES AS PART OF A WIRELESS FACILITIES ADMINISTRATIVE PERMIT APPLICATION **Page 3**

Stormwater Control Plan:

(A Stormwater Control Plan is required for all projects creating, replacing or expanding impervious surface by 10,000 square feet or more)

- a. Complete the Pervious and Impervious Surfaces Comparison Table located below.
- b. All existing natural hydrologic features (depressions, names of watercourses, etc.) and significant natural resources.
- c. Specify soil type(s).
- d. Specify depth to groundwater.
- e. 100-year flood elevation.
- f. All existing and proposed topographic contours with drainage areas and sub areas delineated and arrows showing flow direction.
- g. Separate drainage areas depending on complexity of drainage network.
- h. For each drainage areas, specify types of impervious area (roof, plaza, sidewalk, streets, parking, etc) and area of each.
- i. Show location, size, and identification (including description), of Source Control Measures (SCMs) and Water Quality Treatment Control Measures (TCMs) such as swales, detention basins, infiltration trenches, etc.
- j. Details of all proposed water quality treatment control measures.
- k. Location, size and identification of proposed landscaping/plant material.
- l. Ensure consistency with Grading and Drainage Plan and Landscape Plan.
- m. Supplemental Report :
 - 1. Calculations illustrating water quality treatment control measures meet numerical standards set forth in Post-Construction Urban Runoff Management Policy No. 6-29.
 - 2. Name and location of receiving water body.
 - 3. Identify pollutants and pollutant source areas, including loading docks, food service areas, refuse areas, outdoor processes and storage, vehicle cleaning, repair or maintenance, fuel dispensing.
 - 4. Water quality Treatment Control Measure maintenance requirements.
 - 5. Licensed certification that the specified Treatment Control Measures meet the requirements in Post-Construction Urban Runoff Management Policy No. 6-29.

Please include this table on the stormwater/grading plan.

PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE			
		Project Phase Number	
Total Site (acres):		Total Area of Site Disturbed (acres):	
Impervious Surfaces	Existing Condition of Site Area Disturbed (square feet)	Proposed Condition of Site Area Disturbed (square feet)	
		Replaced ¹	New ²
Roof Area(s)			
Parking			
Sidewalks, Patios, Paths, etc			
Streets (public)			
Streets (private)			
Total Impervious Surfaces:			
Pervious Surfaces			
Landscaped Areas			
Pervious Paving			
Other Pervious Surfaces (green roof, etc.)			
Total Pervious Surfaces:			
Total Proposed Replaced + New Impervious Surfaces:			
Total Proposed Replaced + New Pervious Surfaces:			

Regulated Project: Any project that creates new and/or replaces (individually or collectively) 10,000 square feet or more of impervious surface area. Additional data verifying the percent replacement of impervious surface area may be requested for any Regulated Project that appears to be subject to Provisions C.3.b.ii.(1)(c) or C.3.b.ii.(1)(d) (commonly known as "the 50% Rule").

Footnotes:

¹**Proposed Replaced Impervious Surface:** All impervious surfaces added to any area of the site that was a previously existing impervious surface.

²**Proposed New Impervious Surface:** All impervious surfaces added to any area of the site that was a previously existing pervious surface.

Please visit the Planning Division's Website: <http://www.sanjoseca.gov/index.aspx?nid=3839> to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.

SUPPLEMENTAL INFORMATION FOR ADMINISTRATIVE PERMIT APPLICATION

(Stand-by or Backup Electrical Power Generation Facilities as part of a Wireless Facilities Administrative Permit Application)

TO BE COMPLETED BY PLANNING STAFF			
FILE NUMBER AP		RECEIPT # _____	
PROPERTY LOCATION		DATE _____	
ZONING	PD ZONING FILE #	AMOUNT _____	
QUAD #	PERMIT FILE#	BY _____	
SUBJECT TO CONDITIONS		<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED
		DATE	BY

TO BE COMPLETED BY THE APPLICANT (PLEASE PRINT OR TYPE)	
PROPERTY LOCATION	
ASSESSOR'S PARCEL NUMBER(S)	

The following items are required:

<input type="checkbox"/> FILING FEE (see fee schedule). <input type="checkbox"/> ASSESSOR'S PARCEL MAP marked with the project location. <input type="checkbox"/> PHOTOGRAPHS of existing building or subject area. <input type="checkbox"/> SEVEN (7) COPIES of the development plans that include: a. A site plan* drawn to scale showing the location of the proposed change on the subject property, and b. A drawing to scale of the proposed change (elevations, floor plans, construction details, as appropriate). <input type="checkbox"/> DOCUMENTATION OF COMPLETED ENVIRONMENTAL CLEARANCE **including Noise Report and Air Quality Analysis.** <input type="checkbox"/> SPECIFICATIONS of all proposed generators. <input type="checkbox"/> LEGAL DESCRIPTION of the property.	<input type="checkbox"/> *A Site Plan should contain the following basic information: <ul style="list-style-type: none"> • Dimensions of subject property, lot lines, and existing and proposed driveways. • Streets and use information for properties adjoining the subject property. • Existing and proposed buildings and structures, including proposed building removal. • Dimensions of existing and proposed setbacks. • Existing and proposed off-street parking, loading, and circulation areas. • Existing and proposed landscape areas and on-site drainage. <p>**Use the "Project Information Worksheet: Standby or Backup Electrical Power Generation Facilities."**</p>
---	--

Project Information Worksheet: Standby or Backup Electrical Power Generation Facilities

This information can be used for an application for environmental exemption or clearance for Stand-by or Backup Electrical Power Generation Facilities as part of a Wireless Facilities Administrative Permit Application.

Business Name:	Contact Name:
Site Address:	Daytime Phone Number:
File Number:	E-mail Address:

Engine braking Horsepower:	Manufacturer, Model and Rated Capacity of Equipment:	
Number of engines:	Hours of Operation (per generator) Testing: _____ hours per month max. Annual Hrs:	
Emission Rates: (Attach emissions specifications from manufacturer)	g/bhp-hr (grams/brake horsepower-hour)	
Nitrogen oxides		
Particulate matter		
Organics		
Sulfur oxides		
Carbon monoxide		
What is the stack height?		feet or meters (circle one)
What is the combined stack height and building height (if applicable)		feet or meters (circle one)
What is the stack diameter?		feet or meters (circle one)
What is the stack spacing for multiple generators?		feet or meters (circle one)
What is the stack gas exit temperature?		degrees (Fahrenheit or centigrade)
What is the stack exhaust gas flow rate?		cubic feet per minute
Noise rating in decibels		at _____ feet

Site Plan and Elevations: *(The following information needs to be clearly shown on attached sheets)*

1. Site boundary and location of buildings and engine-generator
2. The dimensions (length x width x height) of the engine-generator and the location and height of the exhaust stack relative to the engine-generator.
3. The dimensions (length x width x height) of buildings and other features on the site.

STAFF USE ONLY

Information Outstanding:

Please visit the Planning Division's Website: <http://www.sanjoseca.gov/index.aspx?nid=3839> to schedule an appointment for submitting an application. For assistance, call (408) 535-3555.