

CITY OF TEMPE

APPLICATION FORM FOR WIRELESS PROJECTS

The provision and siting of wireless (macro and microcell, Wi-Fi, distributed antenna system (“DAS”), etc.) services are highly technical enterprises subject to various federal, state, and local regulations. This application is designed to elicit information for a proposed new or modified wireless communications site project (“Project”) within the City of Tempe, whether on private or public property or in the right-of-way (“ROW”).

Completion of this application is mandatory for such wireless Projects to comply with City of Tempe duties under its Code; the Communications Act of 1934 as amended; the FCC Shot Clock Order (FCC 09-99); and other local, state, and federal laws, regulations, and court rulings. This document contains information necessary to permit the City of Tempe’s informed consideration of a request.

Determination of completeness: No application for a new or modified wireless Project shall be considered until all required responses to this application form and required Exhibits are completed and tendered to the City of Tempe.

If you do not believe that a specific item of information is necessary or applies to your application based on the type of wireless Project, mark the item on this form with the words, “Not Applicable” and attach a detailed written explanation as to the basis for your belief (e.g., “Question 94.7 does not apply to this application because the proposed Project has no microwave transmission element.”) An unsupported statement such as “Question 94.7 does not apply” is insufficient, and the determination of completeness of your application will be delayed while you provide a meaningful and detailed explanation.

The City of Tempe will review the application for completeness within 30 days and return incomplete submittals to the applicant.

Every page of this form including this page and the last page must be returned to the City of Tempe. Each page including this page and the last page must be initialed where indicated. The last page must also be completed, signed, and dated. Please note that item numbers in this form are intentionally non-sequential.

Questions should be directed to:

For Projects in the ROW:

Land Services – Engineering Division
31 E. Fifth St.
Tempe, AZ 85281
City Hall Municipal Complex
Garden Level, West Wing
480-350-8200

For Projects on private or public property:

Planning Division – Community Development
31 E. Fifth St.
Tempe, AZ 85281
City Hall Municipal Complex
Garden Level, East Wing
480-350-8331

3.03 Provide a written statement for each entity that will be using the Project site that the use complies/will comply with all FCC and FAA regulations. Attach an RF-EME Report if available. Designate this (these) statement(s) as “Exhibit 3.03.”

Initial here _____ to indicate that Exhibit 3.03 is attached to this form.

4.00: Project Purpose

4.01: Note to all applicants: For each entity that will be using the Project site, provide the information in this section. If more than one person/legal entity, provide separate information for each person/legal entity using the Project site.

4.02: Indicate the dominant purpose of the Project (check one or more, then proceed as directed):

Add network capacity without adding significant new RF coverage area; Proceed to Section 4.04.

Provide significant new radio frequency coverage in an area not already served by radio frequency coverage; Proceed to Section 4.04.

Increase the existing RF signal level in an area with existing radio frequency coverage; Proceed to Section 4.04.

Other; Proceed to Section 4.03.

4.03 Attach a written statement fully and expansively describing all portions or elements of the “Other” dominant purpose of this Project. Designate this exhibit as “Exhibit 4.03.”

Initial here _____ to indicate that Exhibit 4.03 is attached to this form.

4.04 Is this Project intended to close or reduce an asserted “significant gap” in a wireless telecommunications network? Yes No

4.05 If the answer to 4.04 is NO proceed to Section 4.07. If YES, proceed to Section 4.06.

4.06 Attach a written statement fully and expansively describing the following:

- a. A clear description of the geographic boundary of the claimed significant gap area; and
- b. Attach a street-level map showing the geographic boundary of the claimed significant gap stated in 4.06(a); and
- c. Identify the size of the area, in units of square miles, of the claimed significant gap; and
- d. Attach a street-level map showing the geographic boundary that would be served

- by the Project if approved; and
- e. Provide all other relevant information that the City of Tempe should consider when evaluating your claim of a significant gap.

Designate this exhibit as “Exhibit 4.06.”

Initial here _____ to indicate that Exhibit 4.06 is attached to this form.

4.07 If applying for a Use Permit:

A Use Permit shall be granted only upon a finding by the decision-making body, that the use covered by the permit, the manner of its conduct, and any building which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirements, or standards prescribed therefore by this Code.

In arriving at the above determination, the following factors shall be considered, but not be limited to:

- a. Any significant increase in vehicular or pedestrian traffic;
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan;
- d. Visual compatibility with existing surrounding structures and uses, including compliance with any stealth and concealment requirements; and
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public.

Attach a letter of explanation that addresses the above Approval Criteria. Designate this exhibit as “Exhibit 4.07.”

Initial here _____ to indicate that Exhibit 4.07 is attached to this form.

4.08 Attach a written statement fully and expansively describing at a minimum:

- a. Why this Project is the least intrusive means to close the significant gap claimed and described in 4.06.
- b. Identify and discuss all alternative sites and means considered to close the

significant gap claimed and described in 4.06.

- c. Whether two or more sites in lieu of the site proposed in Section 1 could close the significant gap claimed and described in 4.06, or to reduce the significant gap to be less than significant, with less impact on the community as compared with a single site? If the answer is no, please explain in narrative format the basis for that answer.
- d. Whether the City of Tempe requiring two or more sites in place of the site proposed in Section 1 would prohibit or have the effect of prohibiting the Applicant from providing any interstate or intrastate telecommunications service. If the response asserts that a prohibition or effective prohibition would occur, explain in detail in narrative form all of the reasons why it would.

Include any other information you believe would assist the City of Tempe in making findings regarding whether the proposed Project is the least intrusive means of closing the significant gap claimed and described in 4.06.

Designate this exhibit as "Exhibit 4.08."

Initial here _____ to indicate that Exhibit 4.08 is attached to this form.

5.00 **Project Base Photographs and Photo Simulations**

5.01 The Applicant shall submit photo simulations consistent with the following standards:

1. Minimum size of each base (existing) photo and each photo simulation must be 10 inches by 8 inches. Each base photo and matching photo simulation must be the same size.
2. All elements of the Project as proposed by the Applicant which can be seen from any point at ground level, or from any level within or on buildings within a ½ mile radius of the Project must be shown in one or more close-in photo simulations (i.e., panel antennas, omni-directional antennas, GPS antennas, antenna camouflage devices, cable trays, equipment cabinets, working lights, etc.).
3. The overall Project as proposed by the Applicant must be shown in three or more area photo simulations. Base photographs must, at a minimum, be taken from widely scattered positions of 120 degrees. A map detail showing each location where a photograph was taken, the proposed site, and the direction to the site from each photo location must be included. Base photographs taken from locations that have some physical feature obscuring the Project site, and the photo simulations associated with those same base photographs, are not acceptable.

Attach all base photographs and photo simulations to this application marked as "Exhibit 5.01."

The purpose of the photo simulations is to allow the City of Tempe to visualize the wireless Project as completed, therefore 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 Tempe determination. The Applicant should 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 Tempe.

The Applicant certifies by initialing in the space at the end of this paragraph that all of the photos and photo simulations provided for Exhibit 5.01 are accurate and reliable photographic representations of the current Project site and the proposed Project to be constructed or modified, and that the Applicant is fully aware that the City of Tempe will rely on all of the photos and photo simulations provided in Exhibit 5.01 when it considers approval of this Project, and later when determining Project completion.

Applicant's initials: _____

6.00 Minimization of Visual Impact

6.01 Provide documentation of the steps that will be taken to minimize visual impact of the proposed wireless attachment or facility to comply with any stealth and concealment requirements. Designate this exhibit as "Exhibit 6.01."

Initial here _____ to indicate that Exhibit 6.08 is attached to this form.

7.00 Landscape Plan

7.01 Provide a landscape plan, drawn to scale, that is consistent with the need for screening at the site. Any existing vegetation that is to be removed must be clearly indicated and provision for mitigation included where appropriate. Designate this exhibit as "Exhibit 7.01."

8.00 Feasibility Study for Co-Location

8.01 Provide a feasibility study for the co-location of telecommunication facilities as an alternative to new structures. The study shall include:

- a. An inventory, including the location, ownership, height, and design of existing Wireless Telecommunication Facilities within one-half (1/2) mile of the proposed location of a new Wireless Telecommunication Facilities. The city may share such information with other applicants seeking permits for WTFs, but shall not, by sharing such information, in any way represent or warrant that such sites are available or suitable.
- b. Applicant shall document efforts made to co-locate on existing verticality. Each applicant shall make a good faith effort to contact the owner(s) of existing or approved structures and shall provide a list of all owners contacted in the area,

including the date, form and content of such contact. Co-location shall not be precluded simply because a fee for shared use is charged, or because of reasonable costs necessary to adapt the existing and proposed uses to a shared site.

Designate this study as "Exhibit 8.01."

Initial here _____ to indicate that Exhibit 8.01 is attached to this form.

9.00 Alternative Candidate Sites

9.01 Amateur radio applicants proceed to Section 10.00.

9.02 Has the Applicant or Owner or anyone working on behalf of the Applicant or Owner secured or attempted to secure any leases or lease-options or similar formal or informal agreements in connection with this Project for any sites other than the proposed Project site?
___ Yes ___ No

9.03 If the answer to 9.02 is NO proceed to Section 9.05. If the answer is YES, proceed to Section 9.04.

9.04 Provide the physical address of each such other location, and provide an expansive technical explanation as to why each such other site was disfavored over the Project site. Designate this exhibit as "Exhibit 9.04."

Initial here _____ to indicate that Exhibit 8.04 is attached to this form.

9.05 Considering this proposed site, is it the one and only one location within or outside of the City of Tempe that can possibly meet the objectives of the Project?
___ Yes ___ No

9.06 If the answer to 9.05 is NO, proceed to Section 10.00. If the answer is YES, proceed to Section 9.07.

9.07 Provide a technically expansive and detailed explanation supported as required by comprehensive radio frequency data and all other necessary information fully describing why the proposed site is the one and only one location within or outside of the City of Tempe that can possibly meet the radio frequency objectives of the Project. Explain, in exact and expansive technical detail, all of the objectives of this Project that can be achieved only at this Project site, and why.

Designate this exhibit as "Exhibit 9.07."

Initial here _____ to indicate that Exhibit 9.07 is attached to this form.

10.00 Identification of Key Persons

10.01 Identify by name, title, company affiliation, work address, telephone number and extension, and email address of the key person or persons most knowledgeable regarding this Project so that the City of Tempe may contact them with questions regarding the Project:

10.02 Person responsible for the final site selection for the Project;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

10.03 Person responsible for the radio frequency engineering of the Project;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

10.04 Person responsible for rejection of other candidate sites evaluated, if any;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

11.00 Additional Information Provided by Applicant

11.01 You are invited and encouraged to provide any additional written information of any kind that you wish the City of Tempe to consider in connection with your proposed Project.

If you wish to attach additional written information, designate this exhibit as “Exhibit 11.01”

Initial here _____ to indicate that Exhibit 11.01 is attached to this form,
or initial here _____ to indicate that there is no Exhibit 11.01 attached.

12.00 Certification of Accuracy and Reliability

12.01 The undersigned certifies on behalf of itself, the Applicant, the Project Owner, and the Property Owner (if property owner is other than the City of Tempe) that the information provided in this form and its contents are true and complete to the best of the undersigned’s ability and knowledge, and that information provided here can and should be relied upon by

the City of Tempe as being accurate and complete as the City of Tempe evaluates this Project.

Signature

Title

Print Name

Provide Email Address

Print Company Name

Provide Telephone Number

Date Signed

<Last Page: Remember to sign above and initial below>

Appendix A

Checklist to Determine Whether a Facility is Categorically Excluded From Determination of Compliance

The FCC has determined that many wireless facilities are unlikely to cause human exposures in excess of RF exposure guidelines. Operators of those facilities are exempt from routinely having to determine their compliance. These facilities are termed "categorically excluded." Section 1.1307(b)(1) of the FCC's rules defines those categorically excluded facilities.

This checklist will assist the City in identifying those wireless facilities that are categorically excluded, and thus are highly unlikely to cause exposure in excess of the FCC's guidelines. Provision of the information identified on this checklist may also assist FCC staff in evaluating any inquiry regarding a facility's compliance with the RF exposure guidelines.

BACKGROUND INFORMATION

1. Facility Operator's Legal Name: _____
2. Facility Operator's Mailing Address: _____
3. Facility Operator's Contact Name/Title: _____
4. Facility Operator's Office Telephone: _____
5. Facility Operator's Fax: _____
6. Facility Name: _____
7. Facility Address: _____
8. Facility City/Community: _____
9. Facility State and Zip Code: _____
10. Latitude: _____
11. Longitude: _____



Checklist (page 2)

EVALUATION OF CATEGORICAL EXCLUSION

- 12. Licensed Radio Service (see attached Table 1): _____
- 13. Structure Type (free-standing or building/roof-mounted): _____
- 14. Antenna Type [omnidirectional or directional (includes sectored)]: _____
- 15. Height above ground of the lowest point of the antenna (in meters): _____
- 16. Check if all of the following are true:
 - (a) This facility will be operated in the Multipoint Distribution Service, Paging and Radiotelephone Service, Cellular Radiotelephone Service, Narrowband or Broadband Personal Communications Service, Private Land Mobile Radio Services Paging Operations, Private Land Mobile Radio Service Specialized Mobile Radio, Local Multipoint Distribution Service, or service regulated under Part 74, Subpart I (see question 12).
 - (b) This facility will not be mounted on a building (see question 13).
 - (c) The lowest point of the antenna will be at least 10 meters above the ground (see question 15).

If box 16 is checked, this facility is categorically excluded and is unlikely to cause exposure in excess of the FCC’s guidelines. The remainder of the checklist need not be completed. If box 16 is not checked, continue to question 17.

- 17. Enter the power threshold for categorical exclusion for this service from the attached Table 1 in watts ERP or EIRP* (note: $EIRP = (1.64) \times ERP$): _____
- 18. Enter the total number of channels if this will be an omnidirectional antenna, or the maximum number of channels in any sector if this will be a sectored antenna: _____
- 19. Enter the ERP or EIRP per channel (using the same units as in question 17): _____
- 20. Multiply answer 18 by answer 19: _____
- 21. Is the answer to question 20 less than or equal to the value from question 17 (yes or no)? _____

If the answer to question 21 is YES, this facility is categorically excluded. It is unlikely to cause exposure in excess of the FCC’s guidelines.

If the answer to question 21 is NO, this facility is not categorically excluded. The City will need further information to verify whether the facility may cause exposure in excess of the FCC’s guidelines.

*"ERP" means "effective radiated power" and "EIRP" means "effective isotropic radiated power"

TABLE 1: TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Experimental Radio Services (part 5)	power > 100 W ERP (164 W EIRP)
Multipoint Distribution Service (subpart K of part 21)	<u>non-building-mounted antennas:</u> height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP <u>building-mounted antennas:</u> power > 1640 W EIRP
Paging and Radiotelephone Service (subpart E of part 22)	<u>non-building-mounted antennas:</u> height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas:</u> power > 1000 W ERP (1640 W EIRP)
Cellular Radiotelephone Service (subpart H of part 22)	<u>non-building-mounted antennas:</u> height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas:</u> total power of all channels > 1000 W ERP (1640 W EIRP)

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
<p>Personal Communications Services (part 24)</p>	<p>(1) Narrowband PCS (subpart D): <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 1000 W ERP (1640 W EIRP)</p> <p>(2) Broadband PCS (subpart E): <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 2000 W ERP (3280 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 2000 W ERP (3280 W EIRP)</p>
<p>Satellite Communications (part 25)</p>	<p>all included</p>
<p>General Wireless Communications Service (part 26)</p>	<p>total power of all channels > 1640 W EIRP</p>
<p>Wireless Communications Service (part 27)</p>	<p>total power of all channels > 1640 W EIRP</p>
<p>Radio Broadcast Services (part 73)</p>	<p>all included</p>

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
<p>Experimental, auxiliary, and special broadcast and other program distributional services (part 74)</p>	<p>subparts A, G, L: power > 100 W ERP</p> <p>subpart I: <u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP <u>building-mounted antennas</u>: power > 1640 W EIRP</p>
<p>Stations in the Maritime Services (part 80)</p>	<p>ship earth stations only</p>
<p>Private Land Mobile Radio Services Paging Operations (part 90)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: power > 1000 W ERP (1640 W EIRP)</p>
<p>Private Land Mobile Radio Services Specialized Mobile Radio (part 90)</p>	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> total power of all channels > 1000 W ERP (1640 W EIRP) <u>building-mounted antennas</u>: total power of all channels > 1000 W ERP (1640 W EIRP)</p>

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Amateur Radio Service (part 97)	transmitter output power > levels specified in § 97.13(c)(1) of this chapter
Local Multipoint Distribution Service (subpart L of part 101)	<p><u>non-building-mounted antennas</u>: height above ground level to lowest point of antenna < 10 m <u>and</u> power > 1640 W EIRP</p> <p><u>building-mounted antennas</u>: power > 1640 W EIRP</p> <p>LMDS licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, <i>e.g.</i>, information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.</p>