



**CITY OF GARDEN GROVE**  
**PLANNING SERVICES DIVISION**  
**11222 ACACIA PARKWAY**  
**GARDEN GROVE, CA 92840**  
**(714) 741-5312**

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## **NEW WIRELESS TELECOMMUNICATIONS APPLICATION**

Applicants intending to construct a new Wireless Telecommunications Facility (WCF) in the City of Garden Grove must complete this Application form, and submit the information listed herein. This application only applies to new WCFs that are not “eligible facilities requests” subject to Section 6409(a) of the Spectrum Act.

For new wireless telecommunications facilities, as defined in Municipal Code [Section 9.24.020](#), not considered Small Wireless Facilities, or otherwise subject to 6409(a), please review the following checklist prior to applying to the City. The property owner/applicant is encouraged to submit a [Preliminary Development Review Application](#) to the Planning Services Division to verify if the proposed facility complies with all applicable zoning requirements prior to submitting this *New Wireless Telecommunications Facilities Application* form. The Preliminary Review process is voluntary, and allows the appropriate City Departments to review a proposed development project for code compliance, prior to the submission of a formal permit application. The submittal of a Preliminary Development Review Application does not constitute a siting application for the purposes of starting the applicable FCC approval “shot clock.” The submittal of this *New Wireless Telecommunications Application* constitutes the commencement of the applicable “shot clock” period subject to FCC regulations.

A new WCF, that is not an “eligible facilities request,” requires a Conditional Use Permit (CUP), and is subject to the 150-day review “shot clock.” To apply for a CUP, the applicant shall concurrently submit the [Land Use Permit Application](#), *New Wireless Telecommunications Application*, and construction documents for plan check with a hold-harmless letter. Construction documents shall comply with the City’s [Commercial Submittal Guidelines](#).

Upon receipt of the following application, the City will review the submittal for completeness within thirty (30) days. A letter with written findings of completeness will be provided to the applicant within the thirty (30) day review period. Should the application be deemed incomplete, and the City’s letter details the missing information, the project applicant may resubmit a complete application. In the interim period, after the City issues a letter of incompleteness and before the applicant resubmits, the applicable review period timeline will toll. The City will have ten (10) days to review for completeness any application that is resubmitted.



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**APPLICATIONS THAT DO NOT INCLUDE ALL REQUIRED COMPONENTS WILL NOT BE ACCEPTED.**

<b>PLEASE PROVIDE ALL OF THE FOLLOWING INFORMATION:</b>	
<input type="checkbox"/> Completed and signed <a href="#">Land Use Permit Application</a> , and associated fees	<input type="checkbox"/> <a href="#">Land Use Permit Submittal Requirements</a>
<input type="checkbox"/> Digital (PDF) architectural plan set (see <a href="#">Land Use Permit Submittal Requirements</a> for plan set requirements)	<input type="checkbox"/> Written evidence (title report no older than six months) showing the ownership of the subject parcel
<input type="checkbox"/> A form indicating that property and/or antenna-supporting structure's owner's agent has authorization to act upon their behalf (if applicable)	<input type="checkbox"/> Emissions analysis including a signed statement from the applicant, or provider, stating that the radio frequency emissions comply with FCC standards for such emissions
<input type="checkbox"/> Proof of an FCC license to transmit and/or receive radio signals in Garden Grove	<input type="checkbox"/> Photo-simulated post-construction renderings of the proposed antenna-supporting structure, equipment enclosures and ancillary structures
<input type="checkbox"/> A survey of the property, completed by a licensed California engineer, that shows all existing uses, structures and improvements, including any existing wireless facilities onsite, and their respective carriers	<input type="checkbox"/> A signed statement from the antenna-supporting structure owner agreeing to allow the collocation of other wireless equipment on the proposed antenna-supporting structure, if applicable
<input type="checkbox"/> If required by the United States Fish and Wildlife Service, a letter indicating that the proposed antenna-supporting structure and appurtenances are in compliance with all applicable federal rules and regulations	<input type="checkbox"/> If the proposed WCF is necessary to close a "significant gap in coverage," the applicant shall provide sufficient evidence in the form of coverage maps, and a technical memo prepared by a qualified expert to make such a determination
<input type="checkbox"/> Noise analysis prepared by a qualified consultant	<input type="checkbox"/> Wireless coverage maps showing before/after in immediate vicinity of proposed facility
<input type="checkbox"/> All plan sets shall comply with the Standard Conditions of Approval, attached hereto as <i>Exhibit A</i>	<input type="checkbox"/> If the property is located in the Special Flood Hazard Area "A," comply with all flood zone requirements (see <a href="#">Substantial Improvement Worksheet</a> and <a href="#">Flood Area Development Requirements</a> )
<input type="checkbox"/> In circumstances where the complexity of the methodology or analysis necessitates expert review, the applicant shall submit according to the requirements of Municipal Code Section <a href="#">9.24.090</a>	<input type="checkbox"/> If the proposed WCF exceeds the maximum height limit of sixty feet (60'-0"), the applicant shall submit according to the requirements of Municipal Code Section <a href="#">9.24.110</a>
<input type="checkbox"/> If there are existing telecommunications facilities on the subject property, the site plan must identify the location of the existing facilities, and their respective carriers	<input type="checkbox"/> If the new WCF intends to remove parking spaces, a parking calculation in accordance with Municipal Code standards shall be provided to ensure a sufficient amount of parking shall remain onsite



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### NEW WIRELESS TELECOMMUNICATIONS APPLICATION

PROJECT INFORMATION	
Property Address:	

APPLICANT	
Name:	
Address:	
City/State/Zip:	
Phone:	Email Address:

REPRESENTATIVE (If different than Applicant)	
Name:	
Address:	
City/State/Zip:	
Phone:	Email Address:

PROPERTY OWNER(S)	
Name(s):	
Address:	
City/State/Zip:	
Phone:	Email Address:

TYPE OF WIRELESS FACILITY PROPOSED	
<input type="checkbox"/> New Rooftop/Building-Mounted	<input type="checkbox"/> New Stealth Facility
<input type="checkbox"/> New Collocation Not Subject to 6409(a)	<input type="checkbox"/> Other: _____

PROJECT DETAILS FOR THE WIRELESS FACILITY		
Zoning:	Flood Zone: <input type="checkbox"/> Yes <input type="checkbox"/> No	Back-Up Generator: <input type="checkbox"/> Yes <input type="checkbox"/> No
Support Structure Height:	Overall Height (e.g., top of foliage):	
Type of Stealth: <input type="checkbox"/> Pine	<input type="checkbox"/> Palm	<input type="checkbox"/> Broadleaf <input type="checkbox"/> Eucalyptus <input type="checkbox"/> Other: _____
Wireless Carrier:		
The WCF is necessary to reduce a significant gap in coverage: <input type="checkbox"/> Yes <input type="checkbox"/> No		

**CERTIFICATION:**

I certify and declare under penalty of perjury under the laws of the State of California that the answers furnished above, and in the attached exhibits, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I further understand that additional information may be required to be submitted to the City of Garden Grove to complete my review.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

FOR OFFICE USE ONLY		
Date Received:	Date Approved:	Received By:
150-Day New Facility Review End Date:		



**Exhibit "A"**  
**Example Standard Conditions of Approval**  
(For New Wireless Telecommunications Facilities)

**General Conditions**

1. This subject Conditional Use Permit allows for the installation of a new Wireless Telecommunications Facility ("WCF") that is otherwise not subject to 6409(a) of the Spectrum Act. The design, installation, and operation of the subject WCF is subject to the regulations of the Garden Grove Municipal Code Chapter 9.24, FCC, and any other applicable government agencies.
2. Each owner of the property shall execute, and the applicant shall record, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, on the property within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
3. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to the project applicant, the owner(s) and lessee(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or lessees. The applicant and subsequent owner/operators of the approved wireless telecommunications facility shall adhere to the Conditions of Approval for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the applicable City hearing body, except as otherwise provided herein.
4. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
5. Minor modifications to the approved site plan and/or these Conditions of Approval may be approved by the Department Director, in his or her discretion. Proposed modifications to the approved site plan or Conditions of Approval that would result in the intensification of the project or create impacts that have not been previously addressed, and which are determined by the Department Director not to be minor in nature, shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
6. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.
7. The applicant and the property owner shall submit signed letters acknowledging receipt of the decision approving this Conditional Use Permit, and their agreement with all conditions of the approval.
8. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of this Conditional Use Permit shall become null

and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.

9. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning this Conditional Use Permit. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City, including, but not limited to, any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

### **Public Works Engineering Division**

#### Project Design

10. No at or above-ground meter and/or equipment shall be placed on the City of Garden Grove public right-of-way.

#### Permit Issuance

11. For facilities designed as, or mounted on, poles within the public right-of-way, the applicant shall submit plans and pole specifications to include the material of the pole to the Public Works Department, Traffic Division.
12. The applicant shall obtain an encroachment permit from the City prior to any construction in the public right-of-way.
13. Permit fees shall be calculated based on the current fee schedule at the time of permit issuance.
14. For installations that require lane closures, the applicant shall submit traffic lane closure permits along with a vehicular traffic control plan for approval by the City prior to construction.

#### Project Construction

15. Any required lane closures shall occur outside of peak travel periods.

#### Project Operation

16. For any wireless telecommunication facility(ies) that are deemed discontinued or abandoned, pursuant to Municipal Code Section 9.24.100 (Wireless Facility Abandonment),

the applicant shall comply with the requirements of said section and shall dismantle and remove any existing abandoned wireless telecommunication facility(ies), including poles, associated fixtures, equipment, sub-structure, and concrete foundation.

17. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.

### **Public Works Water Services Division**

#### Project Design

18. Any new utilities shall have a minimum five-foot (5'-0") horizontal and a minimum one-foot (1'-0") vertical clearance from the water main, and its appurtenances.
19. Any existing utility meter and services that need to be relocated within the project area shall be relocated at the applicant's expense.

### **Orange County Fire Authority**

#### Project Design, Permit Issuance, Construction, & Operation

20. The applicant shall comply with the requirements of Orange County Fire Authority (OCFA), including but not limited to, a Fire Master Plan.

### **Garden Grove Police Department**

#### Project Operation

21. In order to facilitate the City's rules of the regulation, placement and construction of the Wireless Communications Facilities ("WCF"), and its interaction with the City's Public Safety Communications Equipment, the applicant and all successors shall agree as follows:
  - A. The applicant recognizes that the frequencies used by the WCF located at the subject project location may be close to the frequencies used by the City of Garden Grove for public safety. This proximity will require extraordinary "comprehensive advanced planning and frequency coordination" engineering measures to prevent interference, especially in the choice of frequencies and radio ancillary hardware. This is encouraged in the "Best Practices Guide" published by the Association of Public-Safety Communications Officials-International, Inc. (APCO) and as endorsed by the Federal Communications Commission (FCC). The applicant shall comply with such Good Engineering Practices as may be amended from time to time by the FCC in its Rules and Regulations and shall comply with all FCC regulations regarding susceptibility to radio frequency interference, frequency coordination requirements, general technical standards for power, antenna, bandwidth limitations, frequency stability, transmitter measurements, operating requirements, and any and all other

federal statutory and regulatory requirements relating to radio frequency interference (RFI).

- B. In the event the WCF is identified as causing radio frequency interference with the City's Public Safety Communications Equipment, the following steps shall be taken:
- i. Upon notification by the City of interference with Public Safety Communications equipment, the applicant shall utilize the hierarchy and procedures set forth in the Best Practices Guide. If the applicant fails to cooperate with the City in applying the procedures set forth in the Best Practices Guide in order to eliminate the interference, then the City may take such steps under law, including the initiation of appropriate proceedings with the FCC, to eliminate the interference.
  - ii. If there is a determination of radio frequency interference with the City's Public Safety Communications Equipment, the party which caused the interference shall be responsible for reimbursing the City for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the City to determine the source of the interference.
22. The applicant shall provide a 24-hour phone number to which interference problems can be reported. This condition will also apply to all existing facilities operated by the provider in the City of Garden Grove.
23. The applicant shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all interference issues. The name, telephone number, fax number, and e-mail address of that person shall be provided to the City's designated representative upon activation of the facility.
24. The applicant will provide the Police Department with emergency information for a responsible person, with authority to act for the ownership group.
25. The applicant shall ensure that any lessee or other users of the WCF shall comply with the terms and conditions of this permit and the applicant shall be responsible for the failure of any lessee or other users under the control of the applicant to comply.

### **Building and Safety Division**

#### **Project Design**

26. All proposed works shall comply with the latest California Building Standard Code (CBC), and American National Standards Institute/Electronic Industries Alliance (ANSI/EAI) - 222 at the time of building permit application.
27. A soil report complying with CBC Chapter 18 is required, and shall be submitted at the time of building permit application.



28. A complete foundation/anchorage design and detail plans shall be submitted at the time of building permit application.
29. A complete tower analysis and all connection details shall be submitted at the time of building permit application.
30. Complete details for underground trenching and conduits shall be submitted at the time of building permit application.
31. If proposed, complete designs and details shall be submitted for any masonry enclosure(s) and equipment foundation/anchors.

### **Planning Services Division**

#### **Project Design**

32. Unless exempted according to Municipal Code Section 9.24.110, the maximum overall height for a new WCF is sixty feet (60'-0"). For stealth facilities, the overall height is measured to the top of the branches.
33. For facilities disguised as a stealth facility, the antennas shall not exceed the height of the wireless communications pole. All attached equipment (i.e., antennas, T-arm antenna mounts, and other attached equipment) will be sufficiently screened and remain stealth by the foliage of the branches and leaves. In order to maintain a natural appearance, the following conditions shall apply:
  - A. The stealth facility is required to have a minimum branch count of 100 (minimum of 25 branches for every 10'-0") that is spaced and designed to hide the antennas.
  - B. Branches for the stealth facility shall begin at a height of no less than 15'-0" above the ground.
  - C. Vertical and horizontal spacing of the branches shall be such that the majority of the trunk of the stealth facility, above the lowest branch, shall not be visible.
  - D. Synthetic tree branch lengths shall vary to maintain a natural appearance.
  - E. The trunk shall be covered in textured rubber to look like real bark.
  - F. The antennas and dishes are required to be painted green to match the color of the foliage.
  - G. There shall be no climbing pegs on the stealth facility below a height of fifteen feet (15'-0"), except when temporarily installed to service the antennas.
  - H. Any proposed antenna dishes shall be designed as a microwave flat panel.
  - I. Sleeves or socks shall be installed to camouflage the antennas.

34. Any new antennas installed on a building shall be screened from view of the public-right-of way. Any screening material shall be textured and painted to match the exterior of the building.
35. An eight-foot (8'-0") tall block wall shall be constructed around the perimeter of any proposed equipment enclosure for any proposed ground-mounted equipment related to the wireless facility, and shall be painted to match the color of any existing block walls or buildings onsite. There shall be no barb and/or razor wire on the enclosure. Fencing shall be placed across the top of enclosure to prevent access into the enclosure.
36. The associated wireless equipment shall not extend above the top of any proposed equipment enclosure(s).
37. The operator/property owner shall make any antenna structure available for co-location for other service providers. If an additional wireless provider proposes to locate on the subject facility, the new appurtenances (including, but not limited to: antennas, microwave dishes, T-arm mounts, and other related wireless attachments) shall be fully screened in order to maintain the facility's stealth design.
38. In the case of future collocations upon the subject telecommunication facilities, the applicant, together with the owner of the subject site, shall provide a composite analysis of all users of the site to determine that the applicant's proposed facilities will not cause radio frequency interference with the City's Public Safety Communications Equipment.
39. It shall be the applicant's responsibility to verify that any project improvements do not impermissibly interfere with any recorded (or non-recorded) easements or required utility clearances on the subject property.
40. The applicant shall not place any WCF in a manner that will deny access to, or otherwise interfere with, any public utility, easement, or right-of-way located on the site. The applicant shall allow the City and utility providers reasonable access to, and maintenance of, all utilities and existing public improvements within or adjacent to the site, including, but not limited to, pavement, trees, public utilities, lighting, and public signage.

#### Permit Issuance

41. For stealth facilities, the applicant shall submit a material sample of the bark and the leaves to the Planning Services Division for review and approval as part of the plan check submittal application.
42. There shall be no other antennas or mechanical equipment installed on the approved wireless telecommunications facility without obtaining approval from the Planning Services Division, including, but not limited to, any necessary building permits from the City.

#### Project Construction

43. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, which require the protection of active

nests of all bird species, prior to the removal of any on-site landscaping, including the removal of existing trees.

44. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state. In the event that fossil specimens or cultural resources are encountered on the site during construction and cannot be preserved in place, the applicant shall contact and retain, at applicant's expense, a qualified paleontologist or archaeologist, as applicable, acceptable to the City to evaluate and determine appropriate treatment for the specimen or resource, and work in the vicinity of the discovery shall halt until appropriate assessment and treatment of the specimen or resource is determined by the paleontologist or archeologist (work can continue elsewhere on the project site). Any mitigation, monitoring, collection, and specimen/resource treatment measures recommended by the paleontologist/archaeologist shall be implemented by the applicant at its own cost.
45. There shall be no other antennas or mechanical equipment installed on the wireless facility without obtaining approval from the Planning Services Division, including, but not limited to, any necessary building permits from the City.
46. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
  - A. Monday through Saturday - not before 7:00 a.m. and not after 8:00 p.m. (of the same day).
  - B. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.

#### Project Operation

47. In order to address concerns regarding radio emissions, the following conditions shall be complied with:
  - A. Radio frequency emissions shall not exceed the radio frequency emission guidelines of the Federal Communication Commission (FCC); as such guidelines may be amended from time to time.
  - B. Prior to January 1<sup>st</sup> of each year, the operator shall file with the City of Garden Grove Community Development Department for approval, a certification of compliance prepared by an independent third party, qualified to measure radio frequency emissions.
48. The City reserves the right to periodically reevaluate the antennas, and utility and/or mechanical equipment in terms of the continued need for these structures in their current size, height, and configuration, and the actual impacts on the neighborhood, community, and environment.

Standard Conditions of Approval  
New Wireless Telecommunications Facilities

49. If deemed necessary by the Department Director, the Conditional Use Permit may be reviewed within five (5) years of this approval, and every five (5) years thereafter, in order to determine compliance with the conditions of approval.
50. The Conditional Use Permit (CUP), and/or any affiliated building permit grants the right to the applicant to construct and use a telecommunication facility on the premises. The City, however, has concerns about the potential adverse aesthetic and other health and safety impacts of the antennas, and utility and/or mechanical equipment on the surrounding community. It is possible that future technological improvements may make the proposed telecommunication facility unnecessary or obsolete or outdated aesthetically, therefore, the particular antenna and related equipment shall be reviewed ten years from the date of this approval. At that time, the cellular provider operating the site shall agree to and update the facility as may be required by the Department Director or his/her designee.
51. The applicant shall be responsible for maintenance and up-keep of the wireless telecommunication facility, including those areas of the site that are adjacent to the premises over which he/she has control.
52. At all times, all required notices and signs shall be posted on the site as required by the FCC and California Public Utilities Commission, and as approved by the City. The location and dimensions of a sign bearing the emergency contact name and telephone number shall be posted pursuant to the approved plans.
53. The WCF shall not bear any signs or advertising devices other than certification, warning, or other signage required by law or permitted by the City.
54. The WCF equipment shall not be illuminated unless specifically required by the Federal Aviation Administration, the FCC, or other governmental agency.
55. The applicant shall ensure that the operation, maintenance, and repair of the wireless telecommunications facility will comply with the City of Garden Grove Noise Control Ordinance Chapter 8.47, except that maintenance and repair of the facility shall take place only within the hours set forth in the following condition.
56. Hours of maintenance or repair shall be within the hours of 8:00 a.m. and 8:00 p.m., Monday through Friday.
57. The applicant and/or property owner shall abate all graffiti vandalism within the premises, the applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including , but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably after it is discovered, but not later than 72 hours after discovery.
58. If there are multiple facilities and/or multiple carriers on-site, the property owner shall be responsible for investigating the source of any noise complaints received by the City's Code

Standard Conditions of Approval  
New Wireless Telecommunications Facilities

Enforcement Office relating to said wireless facility(ies). The property owner shall investigate if the subject applicant is the source of the noise complaint, and if determined to be the source, the property owner shall contact and coordinate with the applicant to resolve the issue(s). If it is determined that the applicant is not the source of the noise complaint, the property owner shall investigate the other wireless carriers on the site, and coordinate with those carriers accordingly to address the complaint.