

SUPPLEMENT TO PFM

CITY OF FAIRFAX, VIRGINIA SMALL CELL FACILITY AND WIRELESS FACILITY APPLICATION REQUIREMENTS AND AESTHETIC GUIDELINES

[EFFECTIVE AS OF APRIL 12, 2019]

I. STATEMENT OF PURPOSE; APPLICABILITY

In consideration of, and in accordance with, applicable laws and regulations, the City of Fairfax, Virginia (the “City”) has determined that in order to reasonably manage, and protect, the City’s rights of way, it is in the best interest of the City to promulgate these Small Cell Facility and Wireless Facility Application Requirements and Aesthetic Guidelines (“Guidelines”). These Guidelines delineate certain aesthetic requirements, and general description of process, pertaining to location and co-location of small cell facilities and wireless facilities (individually or collectively, “Facility” or “Facilities”), and wireless support structures proposed to be installed, within the City’s public rights of way.

These Guidelines apply to applications to locate (or co-locate) Facilities in the City’s public rights of way. They are equally applicable to any ongoing use of the City’s public rights of way for such purposes and shall apply at all relevant times that the City’s public rights of way are being used or proposed to be used. These Guidelines shall be administered through the licensing and permitting process relating to use of the City’s public rights of way for this purpose, as the same may be amended from time to time. To the extent any provision of these Guidelines conflicts with any provision of applicable City licensing and permitting processes relating to the subject matter hereof, as the same may now or hereafter exist, the more current requirement(s) shall govern. Further, any use of the City’s public rights of way (to include the placement of any facilities or structures) by providers of Facilities shall be in strict conformance with applicable provisions of the City Code and other applicable laws and regulations, including but not limited to relevant provisions of Title 56, Chapter 15.1; and Title 15.2, Article 7.2 of the Code of Virginia (as the same is applicable and as the same may be amended or supplemented). Use of the City’s public rights of way without appropriate license(s) and permit(s) is expressly prohibited.

II. DEFINITIONS

Any terms used herein and not defined shall have the same meaning as in the City Code or in the above referenced provisions of the Code of Virginia.

III. APPLICATION REQUIREMENTS

In the absence of any other promulgated license and/or permit requirements, the following minimum application requirements shall be applicable. Prior to locating, placing, installing, modifying, relocating or removing Facilities or wireless support structure(s) in the City's public rights of way or co-locating Facilities on an existing wireless support structure in the City's public rights of way, the operator shall apply for and receive a license and/or permit, as applicable, from the City. In addition to any application requirements that may be contained elsewhere in the City Code, or as otherwise promulgated by the City, an applicant must provide all of the following information for an application to be properly evaluated and to be deemed to be complete. The City may require additional information as reasonably necessary to evaluate the application and the impact(s) of the proposed installation(s) on the public health, safety and welfare and/or on the use and/or management of the City's public rights of way.

A. PROOF OF AGENCY AND AUTHORITY

If the applicant is serving as an agent of a Facility operator, the applicant must document the existence of such agency and provide evidence, satisfactory to the City, of the agent's authority to act on behalf of such operator.

B. MAP

The applicant must include an aerial map (or other schematic reasonably acceptable to the City) showing the location of the proposed or existing support structure to which the Facility is proposed to be attached (or from which a Facility is proposed to be removed).

C. PHOTO SIMULATIONS

For all applications to locate a Facility in the City's public rights of way, the applicant shall provide photo simulations from at least two reasonable line-of-site locations near the proposed location(s).

D. CONSOLIDATED APPLICATIONS

An applicant seeking to construct, modify, collocate or replace more than one Facility or more than one wireless support structure within the City's public rights of way may (subject to the limitations of applicable law, and the City's reasonable determination) file a consolidated application for multiple Facilities or wireless support structures.

E. SITE AND OTHER PLANS AND STRUCTURAL CALCULATIONS

The applicant must include fully dimensioned site plans, elevation drawings and structural calculations that depict any known existing wireless facilities with all existing transmission equipment and other improvements, the proposed Facility or Facility with all proposed transmission equipment and other improvements, and the legal boundaries of the existing right-of-way and any associated access and utility easements. Fully dimensioned site plans shall indicate the spacing from existing curbs, driveways, sidewalks, light poles and any other poles or appurtenances.

F. FULL DESCRIPTION OF NUMBER AND DIMENSIONS OF FACILITIES AND/OR STRUCTURES TO BE INSTALLED

The applicant must include a full description of the number and dimensions of all Facilities proposed to be installed and the wireless support structure, either new or existing, to be utilized for each Facility. For all equipment proposed to be installed, the applicant must include: (1) the manufacturer's name and model number; (2) physical dimensions, including without limitation, height, width, depth and weight with mounts and other necessary hardware; and (3) the ambient noise level generated from the equipment, if any, together with any other information reasonably requested by the City.

G. OWNER'S AUTHORIZATION

For any application to attach a Facility to a wireless support structure that is not owned by the City, the applicant must submit evidence sufficient to show that either: (1) applicant owns the proposed support structure; or (2) applicant has obtained the owner's written authorization to file the application and to utilize the owner's property for the Facility. Any make-work to be performed on an existing structure must be included as part of the Facility plan submission.

IV. AESTHETIC REQUIREMENTS FOR FACILITIES

A. GENERAL REQUIREMENT

Facilities and wireless support structures shall be located in a manner that does not negatively impact the structural integrity of the associated wireless support structure. Further, Facilities shall be affixed to any existing wireless support structure pole in the least intrusive manner possible. Applicants are encouraged to consult with the City in advance of preparing and filing applications to assist with this determination. Co-location is expressly encouraged.

B. ANTENNAS

1. Each facility antenna shall be located entirely within a shroud or canister type enclosure.
2. The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure. The enclosure shall not exceed six cubic feet in volume.
3. All antenna enclosures shall either be mounted to the top of the wireless support structure pole and aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure with the height of the side mounted antenna being at a location on the wireless support structure noted in the application and approved by the City, but at least 25 feet above ground level at its lowest point.
4. Tree "topping" or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs or other landscaping already existing in the City's public rights of way must be noted in the application and must be approved by the City. Note that City Public Works Department must be notified of the planned date and time of any tree trimming/pruning so that City staff may be present to determine that such trimming/pruning is being undertaken correctly and in accordance with City standards.

C. CABLES AND WIRES

All cables, wires and connectors related to the Facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure. There shall be no external cables and wires related to the Facility hanging off or otherwise exposed on the wireless support structure.

D. COLORS

All colors shall match the background of any wireless support structure that the facilities are located upon, including equipment cabinets. Notwithstanding the foregoing, finishes of conduit, and equipment cabinets shall be reviewed and approved by the City.

E. EQUIPMENT ENCLOSURES/CONCEALMENT

1. Equipment enclosures, including electric meters, shall be as small as possible, but in no event larger than 28 cubic feet in volume. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching color and materials of the wireless support structure, unless other materials or colors are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic placement in less obtrusive locations and placement within existing or replacement street furniture. Final equipment enclosures shall be subject to approval by the Director of Public Works prior to installation.
2. Radio equipment shall be fully enclosed within an equipment cabinet or concealed within the antenna shroud enclosure matching the color and materials of the wireless support structure, unless other materials or colors are approved by the City. Radio equipment enclosures shall be subject to approval by the Director of Public Works prior to installation.
3. Landscaping concealing equipment enclosures shall be planted in such quantity and size, as preapproved by the Director of Public Works, such that 100% screening is achieved within two years of installation.

F. SIGNAGE/LOGOS/LIGHTS/DECALS/COOLING FANS

1. Signage: The Facility permittee shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the small wireless facility that is visible to the public. Signage required under this section shall not exceed 4 inches by 6 inches, unless otherwise required by law (e.g. radio-frequency (RF) ground notification signs) or the City. If no cabinet exists, the signage shall be placed at the base of the pole.
2. Lights: New Facilities and wireless support structures shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.
3. Logos/Decals: The Facility permittee shall remove or paint over unnecessary equipment manufacturer decals. The color shall match or shall be as approved by the City. Facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state or local agency, and then to the minimum extent necessary under such applicable laws or regulations. The Facility permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.
4. Cooling Fans: In residential areas, or in close proximity to residential areas (in

each case as determined by the City), the Facility permittee shall use a passive cooling system. In the event that a fan is needed, the Facility permittee shall use a cooling fan with a low noise profile. In any event, such systems/fans shall be subject to approval by the Director of Public Works prior to installation.

V. LIMITATIONS

While the City fully intends to apply these Guidelines uniformly, and in a manner that is not unfair, unreasonable or discriminatory, there may be circumstances where not every specific guideline may be met. In these case, City staff will use its reasonable discretion in approving applications that deviate from the strict application of this policy.