

County of Sandoval



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Bernalillo, NM 87004
Phone: (505) 867-7628

Section 6409(a) Eligible Facilities Request Permit Application Checklist

INSTRUCTIONS:

Applicants must submit the Application Cover Page and this Application Checklist, together with all information and materials provided in the Application Guidelines. County staff may deem the application incomplete if the applicant fails to include any required information or materials.

Applicants may submit applications by appointment only. For an appointment, contact the Development Services Department.

Applicant:

Name: _____

Company: _____

Mailing Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail: _____

Site Location and Description:

Project Address: _____

APN (if applicable): _____

Pole Coordinates (if applicable): _____

Pole Number (if applicable): _____

Zoning District: _____

Present Use of Site Location: _____

Project Description: _____

APPLICATION CHECKLIST – REQUIRED MATERIALS

- ☐ APPLICATION FORM AND FEE
- ☐ PROJECT PLANS
- ☐ SITE PHOTOS AND PHOTO SIMULATIONS
- ☐ REGULATORY AUTHORIZATIONS AND APPROVALS
- ☐ PROPERTY OWNER'S AUTHORIZATION / TITLE REPORT
- ☐ RF COMPLIANCE REPORT
- ☐ ACOUSTIC ANALYSIS
- ☐ STRUCTURAL ANALYSIS
- ☐ SECTION 6409(a) EVALUATION

STAFF USE ONLY

Pre-Application Meeting No. 1 _____

Pre-Application Meeting No. 2 _____

Application Submittal Date _____

Completeness Review DUE _____



COUNTY OF SANDOVAL

Planning and Zoning Department

SECTION 6409(A) ELIGIBLE FACILITIES REQUEST APPLICATION GUIDELINES – REQUIRED MATERIALS

Proposals to construct, install, modify and/or operate wireless communication facilities require additional information and materials in order to evaluate compliance with County of Sandoval Code subject to certain federal and state laws. These Application Guidelines specify those requirements that all applicants must submit for a complete permit application for a Section 6409(a) approval, pursuant to 47 U.S.C. § 1455(a), as may be amended or superseded.

The applicant must submit all the applicable application materials listed below with the following instructions in these Application Guidelines and/or application materials listed in other publicly available guidelines. **Applications that do not contain all applicable materials in these and/or other publicly available guidelines may be deemed incomplete.**

I. APPLICATION FEE

The applicant must submit the appropriate permit application fee based on the County's Fee Schedule for current year (available on the County's website at <https://www.sandovalcountynm.gov/wp-content/uploads/2021/07/WirelessTelecommOrdinance.pdf>). The permit application fee will require the applicant to fund a deposit with the County for further assessed fees related to the application.

II. PROJECT PLANS

Instructions: Provide *two* sets of complete 24 x 36-inch project plans with digital files in portable document format (PDF) that contain all the following:

1. Cover Sheet

A complete cover sheet must include at a minimum:

- ☐ a detailed project description that specifies the proposed installation and/or modifications;
- ☐ site information that includes the site address, assessor's parcel number (if applicable), pole number (if applicable), site latitude and longitude, zoning classification, site map and project team contact information.

2. Site Development Plan

Only a New Mexico Registered Civil Engineer or licensed land surveyor may prepare the site development plan. A complete site development plan must include:

- ☐ a north arrow, date, scale and legend;

- ☐ plan-view drawings, which include:
 - ☐ the entire property or right-of-way block with the proposed project improvements;
 - ☐ detailed before-and-after views of the any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features;
 - ☐ detailed before-and-after views for each antenna sector;
 - ☐ detailed before-and-after views for any equipment pads, shelters, enclosures, rooms, vaults and/or platforms;
 - ☐ all existing and proposed equipment (including the point of origin and point of connection for all power and telco utilities) with all dimensions, labels and ownership identifications clearly called out;
 - ☐ boundaries for all areas leased/licensed in connection with the wireless site with all dimensions clearly shown and called out;
 - ☐ boundaries for all easements, encroachments and/or other rights-of-way for access and utilities in connection with the wireless site with all dimensions clearly shown and called out;
 - ☐ all existing and proposed primary and backup utilities, including without limitation all cables, connectors, risers, conduits, cable shrouds, trays, bridges and/or doghouses, transformers, disconnect switches, panels, meters, pedestals, cabinets, vaults, handholes, generators and/or generator sockets;
- ☐ detailed before-and-after elevation drawings from all four cardinal directions, which include:
 - ☐ all existing and proposed structures, improvements and/or fixtures with all dimensions clearly called out for the proposed project site;
 - ☐ detailed before-and-after scaled depictions of the any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features;
 - ☐ all existing and proposed equipment with all dimensions, labels and ownership identifications clearly called out;
 - ☐ for projects in the public right-of-way, all existing and proposed fiber optic cables, conduits, risers, guy wires, anchors, primary and secondary power lines clearly called out;
- ☐ callouts and notes for any proposed new or extended concealment elements;
- ☐ depictions of the applicant's plan for electric and data backhaul utilities, which includes the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches and

points of connection;

- ☐ a demonstration that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.

3. Equipment Inventory

All equipment must be inventoried with the following information for each component in a separate cut sheet:

- ☐ manufacturer and model number;
- ☐ dimensions (height, width, length) and weight.

III. ADDITIONAL PROJECT PLANS FOR SECTION 6409(A) FACILITIES IN THE PUBLIC RIGHT-OF-WAY

1. Site Survey

Only a New Mexico Registered Civil Engineer or licensed land surveyor may prepare the site survey. A complete site survey must include the following for the proposed project site:

- ☐ a north arrow, date, scale and legend;
- ☐ private and public property boundaries and right-of-way boundaries with all bearings, distances, monuments, iron rods, caps or other markers clearly shown and called out;
- ☐ location of all traffic lanes;
- ☐ location of above and below-grade utilities and related structures and infrastructure;
- ☐ location of all fire hydrants, roadside call boxes and other public safety;
- ☐ location of all streetlights, decorative poles, traffic signals and permanent signage, sidewalks, driveways, parkways, curbs, gutters and storm drains, benches, trash cans, mailboxes, kiosks and other street furniture;
- ☐ location of all existing trees, planters and other landscaping features, including any trees at least 4 inches in diameter at a point approximately 4.5 feet above ground;
- ☐ boundaries for all areas leased/licensed in connection with the wireless site with all dimensions clearly shown and called out;
- ☐ boundaries for all easements and/or dedications with all dimensions clearly shown and called out;
- ☐ all access points and/or access routes to the nearest public right-of-way;
- ☐ approximate topographical contour lines with elevations called out;

- ☐ all structures or improvements on the property;
- ☐ for projects in the public right-of-way, all structures or improvements within the public right-of-way within any block partially or entirely occupied by the project and any elements thereof;
- ☐ all structures or improvements on adjacent parcels within 15 feet from the property line;
- ☐ wet stamp and wet signature from preparer;
- ☐ general specifications and notes identifying the applicable public health and safety codes and standards.

2. Traffic Control Plans

The plans must include engineered traffic control plans that show the traffic control for the project. The plans must be drawn in accordance with the latest version of the New Mexico Manual on Uniform Traffic Control Devices by a registered New Mexico civil engineer or traffic engineer. The preparer's wet stamp and wet signature must be shown on the plans.

3. Fiber Network Plan

To the extent that the project requires running new fiber optic cables to the proposed node, the plans must include a street map view that shows all the proposed nodes in the deployment, clearly labeled with pole number and/or site ID, the hub or base station that serves the nodes in the deployment, all fiber optic cable routes that connect the nodes to the hub, and a legend that identifies any symbols, colors or other items on the map. The fiber plans should clearly identify all meet-me points and points of connection. Even if the fiber deployment will be performed by a third-party vendor, the applicant for wireless nodes must disclose all known or reasonably foreseeable fiber network elements.

IV. SITE PHOTOS AND PHOTO SIMULATIONS

Instructions: Provide site photos and photo simulations that allow the County to visualize the applicant's proposed project as constructed. The photo simulations must be in a high-resolution format and show the proposed facility from reasonable line-of-sight locations that would accurately and reliably reflect the appearance of the proposed facility and/or modifications as-built. Label these photo simulations "**Attachment 1 – Photo Simulations**" and attach them to this application. Except as otherwise provided, photo simulations must contain all the following:

1. Current Site Photos

Current site photos must include:

- ☐ photographs of the existing site from at least three different reasonable line-of-sight locations from public streets or other adjacent viewpoints from different and multiple directions generally about 120 degrees from each other;
- ☐ a map detail showing each location where a photograph was taken, the proposed site and the direction to the site from each photo location.

2. Photo Simulations

Photo simulations must include:

- ☐ an accurate and reliable visual representation of the proposed facility from the same line-of-sight locations used in the current site photographs and must include without limitation all interconnecting cables, conduits, brackets, and electronic equipment such as antennas, radio units and powering equipment;
- ☐ at least one photo simulation depicting the proposed facility from a vantage for the proposed support structure or location;
- ☐ at least one photo simulation that demonstrates the impact of the proposed modification on the all the concealment elements, if any, of the support structure. Concealment elements include but are not limited to screen walls, architectural elements, radomes, landscape features, equipment enclosures and designs and/or techniques intended to mimic the natural or built environment;
- ☐ a map detail showing each location where a base photograph for the illustration was taken, the proposed site and the direction to the site from each base photo location.

V. REGULATORY AUTHORIZATIONS AND APPROVALS

Instructions: Provide true and correct copies of all the following:

1. Prior Local Regulatory Approvals

Provide copies of all permits and/or other regulatory approvals issued by the County (or other local public agency with jurisdiction over the subject wireless tower or base station) in connection with the initial construction or installation and any subsequent collocations, modifications or permit renewals of the subject wireless tower or base station. Alternatively, the applicant may submit a written justification that sets forth reasons why prior permits or other regulatory approvals were not required for the wireless tower or base station at the time it was constructed or modified. Label this documentation “**Attachment 2a – Prior Local Regulatory Approvals**” and attach it to this application.

2. FCC Licenses

If the applicant proposes to operate in FCC-licensed spectrum, provide proof of licenses for all planned operating bands in the applicable geographic market(s). Alternatively, the applicant may provide a URL address or written instructions on where to find such licenses in publicly available FCC resources. Label this documentation “**Attachment 2b – FCC Licenses**” and attach it to this application.

3. FAA Forms

If the proposed wireless facility requires the applicant to file FAA form 7460 or other documentation under Federal Aviation Regulation Part 77.13 *et seq.*, or under other FCC rules, provide such documentation. If no such authorization is required so state. Label this documentation “**Attachment 2c – FAA Forms**” and attach it to this application.

4. State Regulatory Authorization

For facilities in the public rights-of-way, the applicant must submit evidence of the applicant’s regulatory status New Mexico law to provide the services and construct the facility proposed in the application. Applicants may provide a URL address or written instructions on where to find the regulatory status in publicly available resources. Label this documentation “**Attachment 2d – State Regulatory Authorization**” and attach it to this application.

VI. PROPERTY OWNER’S AUTHORIZATION / TITLE REPORT

Instructions: Provide evidence of the property owner’s authorization to file this application. If the property owner is a corporation, the names, addresses and titles of all officers of the corporation must accompany this application. If the property owner is a general partner, the names and addresses of all general partners must accompany this application.

1. Property Owner’s Authorization

If the applicant does not own the subject property or support structure as well as the land and/or structure below the support structure, provide a written authorization executed by the property owner(s) that authorizes the applicant to file the application and perform the work to the extent described in the application. The property owner’s signature must be original and duly notarized. For facilities on joint utility poles, the applicant may submit the standard authorization form the joint utility association uses to demonstrate that the applicant has the authority to perform the installation or modification. For facilities on any structure owned or controlled by the County located within the public rights-of-way, the applicant must submit a copy of the executed license agreement with the written authorization from the County to demonstrate that the applicant has the authority to perform the installation or modification. Label this authorization “**Attachment 3a – Property Owner’s Authorization**” and attach it to this application.

2. Title Report

For facilities on private property, provide a duly certified title report prepared within the thirty days prior to the application filing date that clearly describes the subject property and identifies the current owner(s) of the property. County staff will use the title report to verify the property owner’s identity. Label this documentation “**Attachment 3b – Title Report**” and attach it to this application.

VII. RADIO FREQUENCY (“RF”) COMPLIANCE REPORT

Instructions: Provide an RF exposure compliance report prepared, signed, and certified by an RF engineer that certifies that the proposed facility, as well as any collocated facilities, will comply with applicable federal RF exposure standards and exposure guidelines. Label this report “**Attachment 4 – RF Compliance Report**” and

attach it to this application.

The RF compliance report must include:

- ☐ the actual frequency and power levels (in watts effective radiated power [ERP], not effective isotropic radiated power [EIRP]) for all existing and proposed antennas at the site;
- ☐ exhibits that show:
 - ☐ the location, centerline transmission height, and azimuth orientation (degrees relative to true north) of all transmitting antennas;
 - ☐ the boundaries of areas with RF exposures in excess of the uncontrolled/general population guidelines (as that term is defined by the FCC);
 - ☐ the boundaries of areas with RF exposures in excess of the controlled/occupational guidelines (as that term is defined by the FCC);
 - ☐ Indicate all structures (without limitation to building, poles, signs, light standards, etc.) subject to RF exposure in excess of the uncontrolled/general population guidelines (as that term is defined by the FCC)

Note: Each such boundary must be clearly marked and identified for every transmitting antenna at the project site.

VIII. ACOUSTIC ANALYSIS

Instructions: Provide a report prepared and certified by an engineer (or other qualified personnel acceptable to the County) that measures all noise-emitting equipment related to the wireless facility and would operate at the site. Such equipment includes without limitation all environmental control units, sump pumps, temporary backup power generators, and permanent backup power generators. The acoustic analysis must include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines.

In lieu of a certified report, the applicant may submit evidence from the equipment manufacturer that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable ambient noise limits. In addition, describe whether the equipment will be passively or actively cooled if any equipment will be enclosed in a shroud, cabinet, pedestal or other enclosure. If the equipment is actively cooled, the applicant must include the manufacturer's specifications for all active cooling mechanisms. Label this analysis "**Attachment 5 – Acoustic Analysis**" and attach it to the application.

IX. STRUCTURAL ANALYSIS

Instructions: Provide a report prepared and certified by an engineer (or other qualified personnel acceptable to the County) that evaluates whether the underlying pole, support structure or base station has the structural integrity to support all the proposed equipment and attachments. At a minimum, the analysis must be consistent with all applicable requirements in the most current versions of the _____ (including, but not limited to, load and pole overturning calculations), the National Electric Safety Code, the New Mexico

Building Code and any applicable safety and construction standards required by all state and local regulations. Label this analysis “**Attachment 6 – Structural Analysis**” and attach it to this application.

X. SECTION 6409(a) EVALUATION

Instructions: If the applicant requests approval pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (codified as 47 U.S.C. § 1455(a)), the applicant must complete and submit the County’s Section 6409(a) worksheet or prepare a separate justification that evaluates whether the proposed modification is an eligible facilities request (“EFR”) that complies with the FCC’s substantial change thresholds and other requirements. Label this evaluation as “**Attachment 7a – Section 6409(a) Evaluation for Base Stations**”, or “**Attachment 7b – Section 6409(a) Evaluation for Towers**” or “**Attachment 7c – Section 6409(a) Evaluation for Wireless Facilities in the Public Right-of-Way**” and attach it to the application. Be aware that if the application is submitted under Section 6409(a) but does not qualify for that process, your application may be denied and you be directed to file an entirely new application for a project not subject to the provisions of Section 6409(a).

Note: The FCC defines a “**tower**” as any structure built for the **sole or primary purpose** of supporting any FCC-licensed or authorized antennas and their associated facilities. The FCC defines a “**base station**” as a non-tower structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. A base station does not include any structure that, at the time this application is filed with the County, does not support or house transmission equipment, as that term is defined by the FCC.

XI. CERTIFICATION OF ACCURACY AND RELIABILITY

The undersigned certifies on behalf of itself, the applicant, the Carrier (if not the applicant) and the owner of the property (if the property owner is not the County of Sandoval) that the information provided in response to this application form is true and complete to the best of the undersigned’s knowledge, and the information provided here should be relied upon by the County as being accurate and complete when the County evaluates this application.

Signature

Title

Individual Name

Company Name

Date Signed