

Small Cell Wireless Facilities

The Federal Communications Commission (FCC) released in Sept. 2018 Order [18-133](#), which defined and established permitting and development standards for a new type of wireless facility: Small Cell Wireless Communication Facilities (SWF).

The City Council on Dec. 14, 2021 modified Council Policy Statement [#64](#) to be consistent with current FCC regulations on SWFs, and this info-bulletin is intended to provide an overview of those standards.



BACKGROUND

Given the growing demands for faster, more reliable wireless access, the FCC has taken several steps over the past years to remove local regulatory barriers that inhibit the installation of infrastructure necessary to support the deployment of next-generation wireless services.

The FCC's passage of Order [18-133](#) was largely in response to the growing demand to enhance coverage and address wireless services area gaps in areas where conventional wireless towers are not feasible. The Order established definitions of Small Cell Wireless facilities, which are also anticipated to be used as

¹ Policy 64 includes more restrictive height requirements.

Documents Referenced

Federal Communications Commission Order; [18-133](#)
Council Policy Statement; [#64](#)
Council Policy Statement; [#4](#)
CMC; [§21.42](#)
CMC; [§21.201](#)
Minor Coastal Development Permit; [P-2](#)
Minor Conditional Use Permit; [P-6](#)
Right of Way Permit Application; [E-11](#)
Pole License Application; [E-19](#)
CA Coastal Zone; [Map](#)

technology moves from 4G to 5G. It was also designed to enhance cell coverage and capacity in locations where usage demands are highest, such as downtown areas, shopping centers and college campuses.

SWF DEFINED

SWFs are defined as low powered cellular antennas (radio access nodes), which have a shorter range between 500 feet to 1,000 feet in most circumstances. They consist of small radio equipment, antennas and backhaul (the connection used to link a cellular site to the carrier's core network) that can be placed on structures such as streetlights, traffic signals, decorative poles, and on private property.

To qualify as a SWF and be eligible for expedited permitting pursuant to the FCC order, the equipment must meet the following standards.

- Antenna is no more than three cubic feet.
- Equipment is no more than 28 cubic feet.
- Meets mounted to a structure no more than 50 feet in height, or is 10% taller than an adjacent structure, or extends an existing structure above 50 feet or by more than 10 % (whichever is larger)¹

DEVELOPMENT & DESIGN STANDARDS

Pursuant to the FCC order, the city may impose reasonable regulations on aesthetics, so long as they are technically feasible for wireless providers to comply with and still provide service.

The following standards have been adopted as part of Policy #64 and found to be consistent with federal law.

Within the Public Road Right-of-Way

- When installing a SWF on a pole, preference shall be given to the following pole types, listed in priority order.
 - Existing or replacement streetlight pole
 - Existing or replacement wood utility pole
 - Existing or replacement traffic signal pole
 - New, non-replacement streetlight pole
 - New, non-replacement pole (not wood)
- Any replacement pole must be substantially similar to the existing pole and comply with city standards and specifications for streetlight poles.
- Size limitations.
 - Antennas shall not exceed three cubic feet per antenna.
 - Pole-mounted equipment shall not exceed nine cubic feet for rights of way adjacent to residential areas, and 17 cubic feet for rights of way adjacent to non-residential areas.
 - Equipment shall have a maximum width of 24 inches for pole mounted equipment.
 - The city's preference is for non-pole mounted equipment to be underground to the extent feasible. Ground mounted equipment has the same size limitation as pole mounted equipment and must be screened or disguised.
 - There is no volume limit to underground equipment, subject to approval by the Engineering Manager.
- Height limitations.
 - Existing poles, antennas shall be limited to five feet above the support pole, unless additional height is necessary to comply with California Public Utilities Commission regulations on utility poles.
 - New or replacement support poles may exceed the height for standard city light poles by 10% plus five feet for the antenna. A standard city light pole is between 24-26 feet tall, with some custom poles approximately 14 feet tall.

- Decorative street poles.
 - Replacement poles for decorative streetlights are prohibited unless the replacement pole is substantially similar in color, style, and design to the existing decorative streetlights to the satisfaction of the City Planner.
 - A single consistent design theme to maintain the character established by existing streetlights shall be maintained.
- Design requirements.
 - Antennas must be concealed by a shroud or other concealment device painted to match the pole.
 - Pole-mounted equipment must be installed in a cabinet or other concealment device painted to match the pole.
 - The installation must be designed to minimize the overall visual profile, and no exposed wires are permitted.
 - Non-pole mounted equipment is required to be installed underground to the extent feasible; however, ground-mounted equipment may be permitted if properly screened or disguised.
 - Base-mounted equipment is permitted if fully integrated into the overall design of the pole.
 - Applicants shall be responsible for installing replacement landscaping for any landscaping that is damaged or displaced by the installation of any SWF in accordance with Carlsbad Municipal Code [Title 11](#) and City Council Policy [#4](#).
 - Collocation is prohibited.

On Private Property or City-Owned Property

The following standards apply to SWFs that are located on private property or on city-owned property (not public ROW), such as a public park or public library.

- SWFs shall be subject to the same zoning standards as macro sites and comply with height and setback limits in the zoning district for which they are located, unless they are installed on an existing facility that exceeds height limits, such as ball field lighting.

- Setbacks in residential areas must be set at a minimum of the distance equal to the height of the facility.
- SWFs are subject to the same design guidelines for macro sites that require stealth design and screened equipment.
- SWFs may be located on buildings or poles; however, if located on poles then they would be subject to the same design requirements as facilities located on poles within the right of way.

APPLICATION PROCEDURES & PROCESSES

The sections below provide the required permit applications and general processing steps to secure necessary approvals for a SWF.

Within the Public Road Right-of-Way

When located on a carrier installed pole or SDG&E-owned pole, the applicant must submit a Right of Way Permit Application ([E-11](#)) for review and processing.

When located on city facilities such as streetlights or traffic signal poles, the applicant must complete the following in order reflected below.

- Enter into a Master License Agreement with the city. Please contact the Community Services Real Estate Division at Curtis.Jackson@carlsbadca.gov for more information.
- Once the MLA is secured, submit a Pole License Application for each SWF Facility ([E-19](#)) for review and processing.
- Within one year of pole license approval, submit a Right of Way Permit Application for each SWF Facility ([E-11](#)) for review and approval.

On Private Property

When located on private property, the applicant must complete the following.

- Properties located outside of the [Coastal Zone](#) are required to submit a completed Development Permit Application ([P-2](#)) for a Minor Conditional Use Permit. With the exception of public noticing (see below), applications will be processed pursuant to the steps set forth under CMC [§21.42](#).
- Properties located within the [Coastal Zone](#) are required to submit a completed Minor Coastal Development Permit Application ([P-6](#)). With the exception of public noticing (see below), applications will be processed pursuant to the

steps set forth under CMC [§21.201](#).

On City-Owned Property

- The applicant must first enter into Master License Agreement with the city. Please contact the Community Services Real Estate Division at Curtis.Jackson@carlsbadca.gov for more information.
- Once an MLA is approved, follow the permit application process for SWFs on private property described above.

Public Noticing

At the time of application (Form E-11, P-2, or P-6) submittal, the applicant must demonstrate that property owners located within 300 feet of the proposed SWF have been notified of the intent to request a permit. An application shall not be accepted if this public noticing was not completed.

Permit Processing Timelines

Pursuant to federal law, permit processing timelines are as follows:

- The city has 60 days from the date of a complete application to make a final determination on a SWF proposed on an existing pole/structure.
- The city has 90 days from the date of a complete application to make a final determination on a SWF proposed on a new pole/structure (including replacing an existing pole with a new structure).

Miscellaneous Processing Requirements

- As a permit condition, carriers shall be required to provide the city with an annual report showing that the facilities RF emission levels are within FCC limits.
- The city shall hire, at the applicant's expense, an outside third-party consultant to review application materials including RF reports to verify accuracy and compliance with city policy and FCC requirements.
- Applicants for SWF installations shall indemnify the city and provide evidence of insurance consistent with city requirements.

YOUR OPTIONS FOR SERVICE

To schedule an appointment or to learn more about SWFs within the ROW, please contact the Land Development Engineering Division at 760-602-2750 or via email at LandDev@CarlsbadCA.gov.

For projects on private property or city-owned property, please contact the Planning Division at 760-602-4610 or via email at Planning@carlsbadca.gov.

