



## WIRELESS COMMUNICATIONS FACILITY PERMIT APPLICATION SUBMITTAL REQUIREMENTS

CITY OF FOSTER CITY ▪ COMMUNITY DEVELOPMENT ▪ PLANNING/CODE ENFORCEMENT DIVISION

### WIRELESS COMMUNICATIONS FACILITIES-OVERVIEW

#### APPLICATION SUBMITTAL

All applications shall be accepted by **appointment only**. **Appointments are held most Mondays at 9 AM and 10 AM.** Contact Planning Division counter staff to schedule an appointment. For any proposed wireless communications facility installation, a separate application for Use Permit, Building Permit, and Encroachment Permit (as applicable) shall be submitted and will be processed concurrently. For each of the following application types, all timelines apply to proposed modification of an existing wireless communications facility (WCF) or installation of a new facility.

#### APPLICATION REQUIREMENTS

Note that the items listed in the Wireless Communications Facilities Submittal Checklist are required as applicable to each proposed project. City staff shall make the final determination as to the items required for each application.

#### POLE RESERVATION

**Applicants for proposed modifications or installation in the public right-of-way may request reservation of infrastructure (City street lights) via link**

<https://fostercity.maps.arcgis.com/apps/webappviewer/index.html?id=15b01582cefe45db8f8156f2927bbb01>

#### MASTER LICENSE AGREEMENT/SITE LICENSE AGREEMENT (for work in the public right-of-way)

Any work proposed to take place in the public right-of-way requires that a Master License Agreement (MLA) must be submitted and authorized by the City. The following applies:

- An application for Site License Agreement (SLA) must be submitted as a component of the MLA and may be revised or amended by the City in its reasonable discretion. An application for SLA shall mature into an authorized SLA once an authorized employee of the City has signed and dated the SLA as approved.
- Each application for SLA shall be applicable to only one Municipal Facility.
- Should more than one applicant submit a complete application for SLA for the same Municipal Facility/ies, priority shall be determined in accordance with the time and date on which the complete application for SLA, Use Permit, Building permit, and Encroachment permit (if required) are submitted with applicable fees.
- Payment of the fee for SLA as specified in the current Master Fee Schedule must be submitted (as of FY19-20, fee is \$270.00 per site, per year).
- Proposed reservation of any Municipal Facility/ies shall include the following information:
  - Location of Municipal Facility (address and latitude/longitude, if no address)
  - Street light number
  - Name of wireless provider and operator
  - Name of applicant
  - Applicant's facilities ID name or number

The applicant shall have a maximum of 60 days from the reservation acceptance date to submit an application for Use Permit, Building permit, and Encroachment Permit. Failure to submit such applications shall result in a loss of pole reservation.



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## **WIRELESS COMMUNICATIONS FACILITIES- APPLICATION TYPES AND TIMELINE FOR REVIEW**

### **“MICROCELL”/SMALL CELL**

- “Microcell” or “small cell” refers to a WCF which meets **each** of the following conditions:
  1. The support structure or wireless tower on which the facility’s antenna(s) is/are mounted is:
    - a. Fifty feet (50’) or less in height;
    - b. Not more than ten percent (10%) taller than adjacent structures; or
    - c. In the case of collocation, has a height not greater than ten percent (10%) of its height prior to the collocation; and
  2. Each antenna is not more than three cubic feet (3 ft.<sup>3</sup>) in volume; and
  3. All antenna equipment associated with the facility is cumulatively not more than twenty-eight cubic feet (28 ft.<sup>3</sup>) in volume (FCMC Section 17.61.020(R)).
- Timeline for application processing:
  - If the application is deemed incomplete, notification will be provided within **ten (10) days** regarding necessary modifications or additional items required.
    - If the resubmitted application is deemed incomplete, the applicant will be notified within **ten (10) days** regarding necessary modifications or additional items required.
  - Once the application has been deemed complete, review will be conducted based on design standards (17.61.070) and required findings (17.61.080).
- Timeline for decision:
  - If the small cell is proposed to be placed on an **existing structure**, the Planning Commission or staff shall approve, approve with conditions, or deny the application within **sixty (60) days** of the date a complete application was submitted. The approval includes Planning, Building, and (if applicable) Encroachment permits.
  - If the small cell is proposed to be placed on a **new support structure**, the City’s Planning Commission or staff shall approve, approve with conditions, or deny the application (including the support structure) within **ninety (90) days** of the date a complete application was submitted. The approval includes Planning, Building, and (if applicable) Encroachment permits.

### **STANDARD COLLOCATION (non-6409(a))**

- “Collocation” refers to placement or installation of transmission equipment on an existing wireless tower or base station for the purpose of transmitting or receiving radio frequency signals for communications purposes (FCMC Section 17.61.020(K)). Microcells and other WCFs proposed to be located on streetlight poles or utility poles shall be limited to two collocated facilities per pole.
- Timeline for application processing:
  - If the application is deemed incomplete, notification will be provided within **thirty (30) days**

regarding necessary modifications or additional items required.

- If the resubmitted application is deemed incomplete, the applicant will be notified within **ten (10) days** regarding necessary modifications or additional items required.
- Once the application has been deemed complete, review will be conducted based on design standards (FCMC Section 17.61.070) and required findings (FCMC Section 17.61.080).
- Timeline for decision:
  - Approval, approval with conditions, or denial of the application will take place within **ninety (90) days** of submittal of a complete application. An approval will include issuance of Planning, Building, and (if applicable) Encroachment permits.

#### **NEW “MACRO” FACILITY (facility other than “microcell”/”small cell” or collocation)**

- A “macro” facility refers to any WCF other than a microcell, small cell, or collocation.
- Timeline for application processing:
  - If the application is deemed incomplete, notification will be provided within **thirty (30) days** regarding necessary modifications or additional items required.
    - If the resubmitted application is deemed incomplete, the applicant will be notified **within ten (10) calendar days** regarding necessary modifications or additional items required.
  - Once the application has been deemed complete, review will be conducted based on design standards (Section 17.61.070) and required findings (Section 17.61.080).
- Timeline for decision:
  - Approval, approval with conditions, or denial of the application will take place within **one hundred fifty (150) days** of submittal of a complete application. An approval will include issuance of Planning, Building, and (if applicable) Encroachment permits.

#### **SECTION 6409(a) MODIFICATION /”Eligible Facilities Request”**

- A proposed Section 6409(a) modification must comply with the definition of “Eligible Facilities Request” as specified in FCMC Section 17.61.060BB.
- Timeline for application processing:
  - If the application is deemed incomplete, notification will be provided within **thirty (30) days** regarding necessary modifications or additional items required.
    - If the resubmitted application is deemed incomplete, the applicant will be notified within **ten (10) days** regarding necessary modifications or additional items required.
    - Once the application has been deemed complete, and, if the applicant is the permit holder of the facility proposed to be modified (“existing permit holder”), the application will be forwarded to the Building Division for review. If the applicant is not the existing permit holder, the review will be performed based on design standards (Section 17.61.070) and required findings (Section 17.61.080).
- Timeline for decision:
  - Approval, approval with conditions, or denial of the application will take place within **sixty (60) days** of submittal of a complete application. An approval will include issuance of Planning, Building, and (if applicable) Encroachment permits.



## WIRELESS COMMUNICATIONS FACILITY PERMIT APPLICATION SUBMITTAL REQUIREMENTS

CITY OF FOSTER CITY • COMMUNITY DEVELOPMENT • PLANNING/CODE ENFORCEMENT DIVISION

### **WIRELESS COMMUNICATIONS FACILITIES SUBMITTAL CHECKLIST**

Municipal Code: <https://www.codepublishing.com/CA/FosterCity/html/FosterCity17/FosterCity1761.html#17.61>

Note that Design Guidelines assisting with the following are attached at the end of this document.

**COMPLETED APPLICATION FORM & APPLICABLE FEE (see Master Fee Schedule for fee)**

One copy of a signed application, including the property owner's signature and a letter from the property owner authorizing the operator (or the operator's representative) to apply for the subject permit and use the subject property.

Applications subject to "actual cost" require an initial deposit against which staff time and materials are charged. If staff time spent exceeds the deposit paid upon submittal of the application, the applicant will be billed accordingly.

**BUILDING PERMIT ACKNOWLEDGEMENT FORM**

**BUILDING (ELECTRICAL) PERMIT APPLICATION**

EQUIPMENT INVENTORY

An inventory of all proposed equipment, which includes all object(s) designed or intended for wireless communications purposes. An inventory of all other equipment must be provided, including the following information for each component:

- Manufacturer and model number
- Basic dimensions (height, width, length and weight)
- Voltage drop calculations in Excel format with formula included in each cell
- Power routing path, conduit size, and method of construction
- Independent metering of WCF electrical power

Note that any primary utility cables, panels or cabinets, and any other object(s) not primarily designed or intended for wireless communications purposes may be excluded from the inventory.

WCF Proposed to be Located on Public Property:

- Completed Electrical Permit application (see attached)
- Current City of Foster City Business License held by contractor
- Equipment specifications
- 2 copies of electrical load calculations
- 4 copies of scaled plans (shown at scale of 1/8"=1' or 1/4"=1'), or electronic plan submittal, containing the following:
  - Name, address, and telephone number of each of the following: property owner, project designer, and contractor
  - Site plan showing the location of the pole and proposed wireless infrastructure (stamped and wet-signed)
  - Pole number or detailed description allowing for definitive identification of pole location
  - Electrical point of connection

- WCF Proposed to be Located on Private Property:**  
All of the items above (items required for WCF Proposed to be Located on Public Property), IN ADDITION TO the following:
  - Structural connection details
  - 2 copies of structural calculations
  - 4 copies of plans which must include (in addition to the items required for a project proposed to be located on public property):
    - Identification of Assessor's Parcel Number
    - Parcel shape, size, dimensions, and easement(s)
    - North arrow
    - Setback dimensions
    - Surrounding existing and/or proposed structures

Note that submittal of a site survey prepared by a California-registered Civil Engineer or licensed surveyor may be required at the discretion of City staff.

- WRITTEN PROJECT DESCRIPTION (as applicable)**  
A written explanation describing, as applicable, why the new and/or modified antennas and/or other equipment is/are necessary; how Foster City property owners, residents and businesses directly benefit from the new equipment; how ground-mounted and/or rooftop-mounted equipment and/or equipment enclosures will be landscaped and/or screened; how the landscaping/screening will be maintained and how the noise from supporting equipment will be mitigated to levels acceptable to the City at initial installation and thereafter, will be monitored and controlled; whether any portion of the proposed facility would be located in the public right-of-way; and whether the new and/or modified antennas and/or other equipment are part of a network of facilities that will be installed contemporaneously or sequentially (such as a DAS network).
- NEIGHBORHOOD OUTREACH SUMMARY**  
Outreach must be conducted to all property owners not less than three hundred feet (300') from the lot lines of the property on which the WCF is proposed to be located. The following must be provided:
  - Notification letter (to be submitted with application)
  - List of recipients (to be submitted with application)
  - Complete text of each comment, question, and response (necessary for complete application)
  - Notification to the City, in writing, of all issues which were not resolved (necessary for complete application)
- SECTION 6409(a) EVALUATION (if applicable)**  
If the applicant requests review 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 provide written information demonstrating how the proposed project would not exceed any applicable Federal Communications Commission (FCC) thresholds constituting a "substantial change" and would therefore qualify as an "Eligible Facilities" request. If the above is not submitted, the application will not be reviewed as a Section 6409(a) "Eligible Facilities" request.

- EXISTING PHOTOGRAPHS (IN COLOR)**
  - Current photographs, taken from the public right-of way and/or adjacent properties, showing the existing site from at least three distinct vantage points
  - Site map showing the location where, and direction to the site from which, each photograph was taken
  
- PHOTOSIMULATIONS (IN COLOR)**
  - Accurate depiction of the proposed facility as constructed, in high-resolution format and as shown from reasonable line-of-sight locations which accurately reflect the appearance of the proposed facility and/or modifications. Photosimulations must be depicted from the same reasonable line-of-sight locations used in the current site photographs and include all interconnecting cables, conduits, brackets, and electronic equipment such as antennas, radio units, powering, and the like. Perspectives that provide a true sense of distance to nearest residential windows or primary facades must be used
  - Site map showing the location, and direction to the site, from which each photosimulation was rendered
  
- ENCROACHMENT PERMIT APPLICATION (for work in the public right-of-way)**

A completed encroachment permit application must be submitted to the Department of Public Works related to performance of any work proposed to take place in the public right-of-way.

  - Application: Completed encroachment permit application (see attached)
  - Fees/Deposit:
    - Non-refundable processing fee of \$158.30 (subject to change annually; current fee listed in the City's Master Fee Schedule)
      - Check or Credit Card accepted (including approximately 3% transaction fee for use of credit card)
    - Inspection deposit in the amount of 5% of the project cost or \$1,000.00 minimum
      - The cost of inspection services performed by staff shall be reimbursed from the deposit account. The remainder will be refunded when the project is complete.
  - Other:
    - Scaled drawing of the project, signed and stamped by a registered engineer
      - Drawings shall comply with the Design and Safety Specifications for wireless Installation per Exhibit A of the Master License Agreement
      - Drawings shall conform to the City's design standards
    - Traffic Control Plan acceptable to the Public Works Director/City Engineer
    - Structural calculations and analysis for each potential site, signed and stamped by a Structural Engineer, to evaluate the adequacy of the existing City infrastructure (pole) in supporting the additional load(s) of the new wireless installation(s), including all associated equipment. The proposed design shall include recommendations to reinforce existing infrastructure, as set forth in the structural analysis

- TRAFFIC CONTROL PLAN (for work in the public right-of-way)**  
 For facilities with potential to generate traffic-related impacts to the public right-of-way, provide two copies of engineered traffic control plans that show the traffic control for the project and a digital file of such plans in portable document format (PDF). The plans must be drawn by a registered California civil engineer or traffic engineer in accordance with the latest version of the Manual on Uniform Traffic Control Devices (CA MUTCD). The preparer's stamp and signature must be shown on the plans.
  
- STRUCTURAL ANALYSIS REPORT (for work in the public right-of-way)**  
 For any facility proposed to be located in the public right-of-way, provide a structure analysis report with the following:
  - Documentation demonstrating that the WCF proposed to be located on an existing City streetlight pole or other support structure would satisfy City structural standards and would not interfere with or damage the pole or support structure
  - Stamp and wet signature of CA licensed civil/structural engineer
  - Statement indicating that all work is subject to inspection by City staff for compliance with City structural standards, including safety and load-bearing capability
  
- FIBER NETWORK PLAN (for work in the public right-of-way and if applicable)**  
 For facilities proposed to be located in the public right-of-way, and to the extent that the project would require running new fiber optic cables to a proposed node, the plans must include a map which shows: all nodes proposed 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 would be performed by a third-party vendor, the applicant must disclose all known or reasonably foreseeable fiber network elements.
  
- ALTERNATIVE SITES ANALYSIS (for any installation proposed to exceed applicable height restriction(s), to be located on a residential parcel, or to be sited in the public right-of-way)**  
 A detailed written analysis that describes how the proposed WCF would comply with all applicable requirements of the Foster City Municipal Code and a description of all alternative locations and designs considered prior to submittal of this application. The alternative sites analysis must include all the following required information and/or materials:
  - A street-level map that shows the general geographic area surrounding the proposed location, annotated and which illustrates:
    - The search ring used (for projects proposed in the public right-of-way)
    - All locations for each alternative considered for this proposed project
  - For each alternative site considered, a detailed written description that includes all the following:
    - The nearest physical address
    - Zoning district designation for the nearest private property
    - Support structure type(s) considered
    - General design concept and concealment elements/techniques considered
    - Overall height and achievable antenna centerline height
    - Factual reasons why the applicant has considered potential alternative site location(s) and/or design(s) to be unacceptable, infeasible, unavailable or not in accordance with the provisions of Foster City Municipal Code Chapter 17.61.

**Note:** The explanation submitted must present a meaningful comparative analysis, including such technical information and other factual justification as necessary to document the reasons that each alternative considered was determined to be unacceptable, infeasible, unavailable or not consistent with standards of FCMC Chapter 17.61. Conclusory statements omitting information justifying that a particular alternative is unacceptable, infeasible, unavailable, or not in accordance with the development standards in Chapter 17.61 will be deemed incomplete.

**PLANS/DRAWINGS (BOUND OR STAPLED)**

- 10 copies** of 11" x 17" and **2 copies** of 24" x 36" fully scaled and dimensioned plans (Planning Commission review)
- 4 copies** of 11" x 17" and **2 copies** of 24" x 36" fully scaled and dimensioned plans (Staff review)

**PLAN SETS MUST SHOW THE FOLLOWING INFORMATION:**

**SITE PLANS** (scaled: 1/4" = 1', 1/8" = 1', or 1" = 10')

- Vicinity map showing relationship to surrounding streets and lot pattern.
- Scale, north arrow, and legend.
- All property lines, street names and significant easements (Note property line dimensions must match those shown on the County Assessor's Map and Tract/Parcel Map for the parcel).
- Existing and proposed antennas and supporting enclosures / equipment. Plans shall identify any and all ancillary equipment required to support the WCF, including, but not limited to, emergency generators, air conditioning equipment, cables, and power sources. Plans must also identify the height of all rooftop- and exterior ground-mounted equipment.
- Any landscaping that would be disturbed, replaced or added to screen at-grade equipment / enclosures.
- All fence/enclosure heights.

**ROOF PLAN** (scaled: 1/4" = 1')

- For any WCF proposed to be located on a roof, the roof plan showing the location of all existing and proposed rooftop equipment. Identify the height and location of all parapets / roof screens.

**ELEVATIONS** (scaled: 1/4" = 1')

- Separate elevations labeled north, south, east and west showing the existing and proposed conditions.
- Existing and proposed elevations, including antennas/transmission equipment, support structure(s), equipment pads, enclosures, cabinets, pedestals and/or vaults. Existing and proposed elevations must be shown on the same sheet and aligned one above the other to more clearly show the area of work (Plans will be rejected if elevations are not presented in this way).
- Depiction of all existing and proposed rooftop equipment/enclosures showing that all proposed equipment would be located behind and below a roof screen and/or parapet.
- Information regarding colors, materials, and finishes of any proposed wireless facility installation.
- Story poles must be installed accurately reflecting the actual height of the structure accounting for any building pad or roof screen/penthouse (if requested by staff).



- A description and dimensioned graphics of all antennas and supporting equipment at each location (existing and proposed). One set of typical graphics can be submitted and noted at each location on the plans.
  - Delineation of "proposed" versus "existing" areas on all elevations.
  - Type of exterior treatment, materials and colors for new or modified roof screens (if applicable).
- MISCELLANEOUS ITEMS**
- Notes indicating how the proposed WCF will be properly maintained to preclude accumulation of trash/debris and impact due to graffiti and/or any other form of vandalism. **(Planning)**
  - Documentation of screening, camouflage, and/or matching methods. Description of methods proposed to camouflage the WCF and all ancillary equipment. Provide colors and materials specifications and/or physical samples of proposed stealthing methods. **(Planning)**
  - Certificate of Public Convenience and Necessity (CPCN) / Wireless ID Registration (WIR). For all applications for facilities in the public right-of-way, provide a true and correct copy of the applicant's CPCN and/or WIR issued by the California Public Utilities Commission or its successor agency. **(Planning)**
  - Information of any party/ies responsible for maintenance of the WCF, including contact information for representative(s) of the facility operator, any wireless carrier(s) utilizing the WCF, and representative(s) of any contractor(s) and subcontractor(s) responsible for maintaining the WCF. **(Planning)**
  - Noise compliance report: For any installation proposed to include equipment which would generate audible sound, a noise compliance report must be submitted demonstrating that any such sound would comply with relevant Municipal Code standards. **(Planning)**
  - Arborist report: For any proposed installation in which any tree(s) would be required to be removed, an arborist report, prepared by an International Society of Arboriculture (ISA) Certified Arborist, must be submitted. The arborist report shall include information regarding the type, number, and condition of any tree(s) proposed to be removed, and must include information regarding recommended replacement location(s) and species. **(Planning)**
  - At completion of construction, the permittee shall submit/provide the following:
    - As applicable, streetlight datasheet (provided with approved permit package)
    - Photograph of pole with devices installed (digital file identified by pole number)
    - Current streetlight circuit diagram, stored in service cabinet
    - FCC Licenses (Copy of FCC Certification)
 If the applicant or service provider proposes to operate in FCC-licensed spectrum, provide proof of license(s) for each planned operating band. If federal build-out requirements apply, indicate which requirement(s) apply and whether each has been fully satisfied. If not satisfied, indicate which remain(s) to be satisfied. **(Building/Public Works)**

## SMALL CELL - ENCROACHMENT PERMIT INSURANCE & INDEMNIFICATION LANGUAGE

The applicant must submit Proof of Insurance and applicable endorsements to the City as outlined in Section 9 - Insurance of the Master Facilities License Agreement for wireless installations on Municipal Facilities between applicant and the City/EMID. Insurance provider must have and maintain an AM Best rating of at least A-VII and deliver to City with the following minimum coverage limits. Please include for each policy:

### A. Commercial General Liability (Endorsement and Certificates of Insurance Required)

1. Minimum Limits: \$5,000,000 per occurrence and \$5,000,000 aggregate for bodily injury, personal injury & property damage.
2. Additional Insured Endorsement: Endorsement shall name the City of Foster City and Estero Municipal Improvement District as additional insureds; (endorsement must meet or exceed ISO Form CG 2010-11-85)
3. Primary and Contributory: A statement on the Endorsement that the Applicant's insurance coverage shall be *primary insurance* with respect to City and Estero Municipal Improvement District, or agents shall be in excess of Applicant's insurance and not contributory with it. Example: *"This insurance is primary and is not additional to or contributing with any other insurance carried by or for the benefit of Additional Insureds"*.
4. Cancellation Notice: The insurance policy shall provide that coverage shall not be canceled, except after thirty (30) days' prior to written notice (10 days for non-payment) has been given to the City/District.
5. Description of location where work will be performed. Include pole numbers and nearest cross streets.

### B. Workers' Compensation / Employer's Liability (Certificate of Insurance Required. No Endorsement needed)

1. Minimum Limits: Statutory minimum (*Worker's Compensation*). \$1,000,000 per accident for bodily injury and property damage (*Employer's Liability*).
2. Waiver of Subrogation Endorsement: the insurance agrees to waive all rights of subrogation against the City and Estero Municipal Improvement District, and agents for losses paid under the terms of insurance policies, which arise from the subject permitted event or activity. Example: *"The insurer(s) named above agree to waive all rights of subrogation against the CITY/District, its elected or appointed officers, officials, agents, volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for the CITY/District."*
3. Cancellation Notice: The insurance policy shall provide that coverage shall not be canceled, except after thirty (30) days' prior to written notice (10 days for non-payment) has been given to the City/District.
4. Description of location where work will be performed. Include pole numbers and nearest cross streets.

### C. Automobile Liability (Endorsement and Certificate of Insurance Required)

1. Minimum Limits: \$5,000,000 combined single limit per accident for bodily injury and property damage, extending to all company owned, lease, and non-owned vehicles.
2. Auto Liability should cover "any auto" as listed above.
3. Additional Insured Endorsement: Endorsement shall name the City of Foster City and Estero Municipal Improvement District as additional insureds.
4. Primary and Contributory: A statement on the Endorsement that the Applicant's insurance coverage shall be *primary insurance* with respect to City and Estero Municipal Improvement District, or agents shall be in excess of Applicant's insurance and not contributory with it. Example: *"This insurance is primary and is not additional to or contributing with any other insurance carried by or for the benefit of Additional Insureds"*.
5. Cancellation Notice: The insurance policy shall provide that coverage shall not be canceled, except after thirty (30) days' prior to written notice (10 days for non-payment) has been given to the City/District.

6. Description of location where work will be performed. Include pole numbers and nearest cross streets.

**D. Verification of Coverage**

Applicant shall furnish the City/District with ***original certificates and amendatory endorsements*** or copies of the applicable policy language effecting coverage required. All certificates and endorsements are to be received and approved by the City/District before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City/District reserves the right to require complete, certified copies of all required insurance policies including endorsements required by these specifications, at any time.

Insurers must meet an A.M. Best's minimum rating of at least A:VII [www.ambest.com](http://www.ambest.com)



## DESIGN STANDARDS FOR WIRELESS COMMUNICATION FACILITIES

CITY OF FOSTER CITY ▪ COMMUNITY DEVELOPMENT ▪ PLANNING/CODE ENFORCEMENT DIVISION

### BACKGROUND AND PURPOSE

The City of Foster City seeks to permit the installation and modification of commercial wireless communications facilities (“WCFs”) operated for the purpose of providing commercial wireless telecommunication and/or data service. The City of Foster City intends to make wireless communications reasonably available while preserving the essential unique character and visual aesthetic of city, and minimizing potential adverse impacts to the city. The purpose of Design standards is to reasonably regulate installations, operations, collocations, modifications, replacements and removals of various WCFs, while respecting city needs, including protection of public health, safety, and welfare, aesthetics and local values of Foster City.

The Design standards shall provide guidance to prospective applicants as they seek appropriate WCF locations within the city, and provide guidance to the planning commission and CDD in determining whether to grant, grant with conditions, or deny a WCF use permit application. Wireless communications providers are also directed to review and comply with the Foster City Municipal Code Chapter 17.61, “**Commercial wireless communications facilities**” that can be found on the City’s website. Additional conditions, information and/or procedures may be necessary based on the circumstances, project scope and the location being proposed by the applicant, or as deemed necessary by the Director of Public Works.

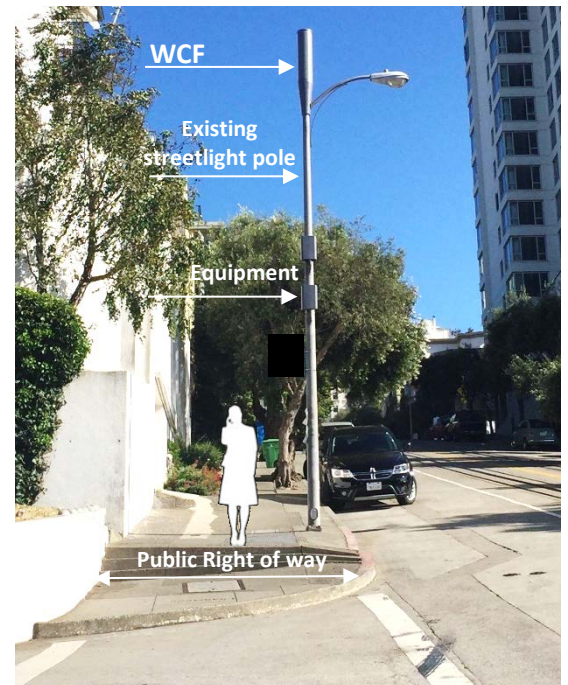


Source: www.danville.ca.gov

### DESIGN STANDARDS

#### SITING

- ✓ A WCF shall be designed and located to **minimize the impact** on the surrounding neighborhood, and to **maintain the character** and appearance of the city, consistent with other provisions of the code.
- ✓ A WCF shall **not incommode the public** (including, without limitation, persons with disabilities) in its use of any structure or any portion of the rights-of-way. (Ord. 614 § 1 (part), 2018)
- ✓ A WCF located in the public right-of-way shall, with respect to its pole-mounted components, be **located on an existing streetlight pole or utility pole** serving another utility.



Source: www.hawaiinewsnow.com

- ✓ A WCF located in the public right-of-way shall, with respect to its pole-mounted components, be located on a **new utility pole where other utility distribution lines are aerial only**, if there are no reasonable alternatives, and the applicant is authorized to construct new utility poles.
- ✓ The **ground-mounted components** of a WCF whether in or outside of any right-of-way shall be **located flush to grade**, to avoid incommoding the public or creating a hazard.



Source: www.nespower.com



Flush to grade ground mounted components

- ✓ WCFs **shall not be permitted on properties zoned and used for residential purposes or undeveloped parcels intended for residential use, unless the residential property owner provides written consent** and the applicant demonstrates that all alternative nonresidential sites and placement options (including collocation) have been explored. The applicant shall also demonstrate that the proposed site is the least intrusive method of curing a significant coverage gap and results in no significant visual impact.

## **VISUAL IMPACT**

- ✓ The WCFs should employ the **least intrusive design** for the proposed location in terms of size, mass, visual and physical impact, and effects on properties from which the WCF is visible.
- ✓ WCFs should be **collocated with existing WCFs if within one thousand five hundred feet** of an existing visible WCF, unless the proposed design would not create excessive visual clutter or harm.
- ✓ Microcells and other WCFs located on streetlight poles or utility poles shall be limited to **two collocated facilities per pole**.
- ✓ The **pole-mounted components** of a WCF on a streetlight pole or utility pole, whether in or outside of any public right-of-way shall be **consistent with or smaller than the size and shape of pole-mounted equipment** installed by communications companies on streetlight poles and utility poles near the WCF.



Source: https://encrypted-tbn0.gstatic.com

- ✓ All **applicable height restrictions in Foster City Municipal Code Chapter 17.61** regarding building height for structures, poles, towers, and buildings, shall apply to all base stations, wireless towers, and support structures, except when:
  - applicant demonstrates the necessity to build above the applicable height restriction to cure a significant coverage gap
  - applicant proposes a Section 6409(a) modification to an existing structure
  - applicant proposes to collocate WCF equipment at an existing site whose structure is nonconforming with the applicable height restriction

## CAMOUFLAGE AND SCREENING

- ✓ All portions of a WCF affixed to a support structure shall be designed to **blend in or be screened from view** while maintaining **consistency with the support structure's architectural style, color, and materials**, when viewed from any part of the city.
- ✓ WCFs shall be **painted and textured** or otherwise camouflaged **to match the color and texture of the support structure** on which they are mounted.
- ✓ All **exposed and/or visible wires, pipes, conduits**, and similar components shall be **painted or treated** to reduce their visibility to the degree possible.
- ✓ Where the support structure is a building, the WCF, base station cabinets, remote transmitters and receivers, and antenna amplifiers, **shall be placed within the building or mounted behind a parapet screened** from public view unless that is not feasible. If in-building placement is not feasible, the equipment shall be **roof-mounted in an FRP screen** or similar enclosure or otherwise screened from public view.
- ✓ All wireless towers and base stations shall be camouflaged or concealed.
- ✓ All equipment associated with the WCF must be screened.



Source: <https://pasafetech.org>



Source: <https://www.sandiego.gov>



Source: [www.sandiego.gov](http://www.sandiego.gov)



Source: [www.sandiego.gov](http://www.sandiego.gov)

- ✓ A WCF located in the public right-of-way shall be located in a concealed facility and/or shall be designed, painted, and/or finished **to be consistent with other existing natural or manmade features in the rights-of-way shall place underground all equipment** as per site conditions in order to **minimize aesthetic impact**. Equipment that cannot be installed underground shall be mounted to the pole or structure on which its antenna is located.



Source: [www.danville.ca.gov](http://www.danville.ca.gov)

- ✓ If equipment can neither be installed underground nor mounted to the pole or structure, it shall be ground-mounted. The **ground-mounted components** of a WCF whether in or outside of any right-of-way shall be **appropriately screened, landscaped, and camouflaged** to blend in with the surroundings, and **non-reflective paints** shall be used.



Source: <http://asicss.co>

## **LIGHTING**

- ✓ **WCFs shall not be lighted except** in one of the following instances:
  - For proximity-triggered and/or timer-controlled **security lighting**
  - To comply with regulations for the **illumination of any flag** attached to a WCF
  - Where such lighting is required by the **CDD to protect public health or welfare**, or as part of the **camouflage for a particular design**.
- ✓ **Lowest feasible intensity lighting** shall be used while lighting the WCF.

## **SIGNAGE**

- ✓ **No advertising signage** shall be displayed on any WCF **except for government required signs** shown in the WCF permit application.
- ✓ **Site identification, address, warning**, and similar information plates may be permitted **where approved by the planning commission or CDD**.

## **AMERICANS WITH DISABILITIES ACT**

- ✓ The WCF shall **comply with all requirements of the Americans with Disabilities Act** of 1990 (“ADA”), as may be amended or replaced.



# City of Foster City

## ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222

### Community Development Department General Application

Planning/Code Enforcement Division staff will assist you in completing this application and can be reached at (650) 286-3225. Planning/Code Enforcement counter hours are 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m. Monday through Thursday. No Planners are available on Friday. You may also reach us at our email address: [cdd@fostercity.org](mailto:cdd@fostercity.org)

**LOCATION OF PROPERTY:** Street Address(es) \_\_\_\_\_

**BRIEF DESCRIPTION OF PROJECT:** \_\_\_\_\_

**NEW OR ADDITIONAL BUILDING SQUARE FOOTAGE:** (if applicable) \_\_\_\_\_

#### PROPERTY OWNERSHIP

**Name:** \_\_\_\_\_  
**Company:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Telephone:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_  
**Email:** \_\_\_\_\_

#### APPLICANT

**Name:** \_\_\_\_\_  
**Company:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
\_\_\_\_\_  
**Telephone:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_  
**Email:** \_\_\_\_\_

Please read all of the applicable sections of this two-page application and all information in the application information handout before signing this application.

#### TYPE OF PERMIT(S) REQUIRED

- |   |   |
|---|---|
| <input type="checkbox"/> Architectural Review Permit                | <input type="checkbox"/> Sign Permit                      |
| <input type="checkbox"/> Architectural Review Amendment             | <input type="checkbox"/> Sign Use Permit                  |
| <input type="checkbox"/> General Plan Amendment                     | <input type="checkbox"/> Tentative Subdivision/Parcel Map |
| <input type="checkbox"/> Negative Declaration/EIR                   | <input type="checkbox"/> Use Permit                       |
| <input type="checkbox"/> Planning Commission Interpretation/Opinion | <input type="checkbox"/> Use Permit Modification          |
| <input type="checkbox"/> Rezoning                                   | <input type="checkbox"/> Temporary Use Permit             |
| <input type="checkbox"/> Preliminary Review                         | <input type="checkbox"/> Other _____                      |

#### FOR CITY COMPLETION:

Date Application/Fee received: \_\_\_\_\_  
Received by: \_\_\_\_\_

Assessors Parcel No: \_\_\_\_\_  
Amount Fee Paid: \_\_\_\_\_  
File Number: \_\_\_\_\_



**NOTES:**

1. It is understood that any permit issued pursuant to this application will not grant any right or privilege to use any building or land contrary to the provisions of law or of any ordinance of the City of Foster City. All provisions of law and of ordinance governing the use of the aforesaid building or land will be complied with, whether specified or not.
2. The applicant or any interested aggrieved person may appeal the determination of the Community Development Director or the Planning Commission within ten (10) calendar days from the date of such determination. All appeals must be filed within ten (calendar) days after the decision of the Community Development Director or Planning Commission. The appeal must be in writing. The required appeal fee as adopted by the City Council must accompany an appeal to the Planning Commission of a decision of the Community Development Director (Planning Director) or an appeal to the City Council of a decision of the Planning Commission or it will be considered incomplete. Prior to submitting your appeal, please check with staff regarding the amount of the appeal fee due. A Building Permit will not be issued until after this 10-day appeal period. If an action of the Commission is appealed, the City Council will hear the appeal and render a final decision.
3. I understand that the requested approval is for my benefit (or that of my principal). Therefore, if the City grants the approval, with or without conditions, and that action is challenged by a third party, I will be responsible for defending against this challenge. I therefore agree to accept this responsibility for defense at the request of the City and also agree to defend, indemnify and hold the City harmless from any costs, claims or liabilities arising from the approval, including, without limitation, any award of attorneys' fees that might result from the third party challenge.
4. **The applicant understands that project reviews are billed on a time and materials basis, using the staff's hourly rates, which means that all staff time spent reviewing the project and any extraordinary materials required to process the project are charged to the applicant. If staff time spent on a project exceeds the deposit (the initial application fee/deposit), the applicant will be billed accordingly and payment will be due within 15 days.** \_\_\_\_\_ (Owner Initials or authorized agent)
5. **It is understood that approval of this application does not constitute approval of construction plans from the Building Inspection Division, which must be applied for separately and subsequent to the approval of this application.**
6. Public Noticing: Use Permits, Variances, and some other applications require a Planning Commission Public Hearing, for which property owners within a 300-foot radius of the project must be notified. The Notice of Public Hearing must be mailed two weeks prior to the scheduled meeting. Some Architectural Review applications require that the applicant notify adjacent property owners before the application can be determined to be complete. Please refer to the Submittal Requirements for procedures.
7. Plan Preparation and Submittal Information: Prior to plan preparation and submittal, applicants are strongly encouraged to read as applicable, the: 1) Residential Property Improvements Information Package; 2) Major Property Development (relevant to environmental assessments, General Plan amendments, rezonings, tentative maps, vesting tentative maps, and use permits) handout; or: 3) Signs Application and Information handout. This information describes the type of plans required for all applications and the information to be contained on plans.
8. If an applicant has been notified in writing that his/her application is incomplete and the reasons why the application has been so deemed, and there is no resubmittal of required information for a period of six months from the date of notification, or no activity has occurred on the application for a period of six months, the Community Development Director or his/her designee shall deem the application withdrawn and so notify the applicant. The applicant may reapply at any time with a new application and filing fee.
9. The applicant and property owner hereby grant permission for City staff to enter and inspect the subject property as required to evaluate this application.

**SIGNATURES** – I, the undersigned owner (or authorized agent) of the property herein described, hereby make application for approval of the plans submitted and made a part of this application in accordance with the provisions of the City Ordinances, and I hereby certify that the information given is true and correct to the best of my knowledge and belief. I hereby certify that this application and supporting submittals is an application for a development permit and therefore subject to time limits for processing as established by State law. I have read all applicable sections of this application and other relevant information and understand what is required of me during this project review process.

**Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Owner:\*** \_\_\_\_\_ **Date:** \_\_\_\_\_

\*If different than applicant, owner must either sign this application or attach a signed letter authorizing this application.

# BUILDING PERMIT APPLICATION

This application may be used in any city or county jurisdiction within the counties of:  
San Francisco, San Mateo, Santa Clara, and portions of: Monterey, Santa Cruz, San Benito, Alameda, and Contra Costa



Date: \_\_\_\_\_

Application/Permit Number: \_\_\_\_\_

Plan Check Number: \_\_\_\_\_

Received By: \_\_\_\_\_

*Please print clearly and fill in all that apply.*

PROJECT ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

PROPERTY OWNER

TENANT

ARCHITECT

DESIGNER

ENGINEER

NAME: \_\_\_\_\_

LICENSE / REGISTRATION #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

PHONE #: (\_\_\_\_) \_\_\_\_\_ FAX#: (\_\_\_\_) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

TENANT COMPANY NAME: \_\_\_\_\_

PHONE #: (\_\_\_\_) \_\_\_\_\_ FAX#: (\_\_\_\_) \_\_\_\_\_

Jurisdictions may require written approval from the owner.

EMAIL ADDRESS: \_\_\_\_\_

PROJECT CONTACT PERSON: \_\_\_\_\_ PHONE #: (\_\_\_\_) \_\_\_\_\_ FAX #: (\_\_\_\_) \_\_\_\_\_

ADDRESS: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

CONTRACTOR

OWNER-BUILDER

LICENSE# \_\_\_\_\_ LICENSE CLASS: \_\_\_\_\_

PHONE #: (\_\_\_\_) \_\_\_\_\_

COMPANY/NAME: \_\_\_\_\_

FAX#: (\_\_\_\_) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

BUSINESS LICENSE #: \_\_\_\_\_

**LICENSED CONTRACTORS DECLARATION:** I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.  
Date: \_\_\_\_\_ Contractor Signature: \_\_\_\_\_

**OWNER-BUILDER DECLARATION:** I hereby affirm under penalty of perjury that I am exempt from the Contractors License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.):

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.)

I am exempt under Sec. \_\_\_\_\_, B.&P.C. for this reason: \_\_\_\_\_

Date: \_\_\_\_\_ Owner: \_\_\_\_\_

**WORKERS' COMPENSATION DECLARATION:** I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

CARRIER: \_\_\_\_\_ POLICY# \_\_\_\_\_

(This section need not be completed if the permit is for one hundred dollars (\$100) or less.)

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

DATE: \_\_\_\_\_ APPLICANT: \_\_\_\_\_

**WARNING:** Failure to secure workers' compensation coverage is unlawful, and shall subject an employer to criminal penalties and civil fines up to one hundred thousand dollars (\$100,000), in addition to the cost of compensation, damages as provided for in Section 3706 of the Labor Code, interest, and attorney's fees.

**CONSTRUCTION LENDING AGENCY:**

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name: \_\_\_\_\_ Lender's Address: \_\_\_\_\_

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes.

SIGNATURE OF APPLICANT OR AGENT: \_\_\_\_\_ DATE: \_\_\_\_\_

PLEASE PRINT NAME: \_\_\_\_\_

PLEASE PRINT CLEARLY AND FILL IN ALL THAT APPLY.

TYPE OF CONSTRUCTION: \_\_\_\_\_ OCCUPANCY: \_\_\_\_\_ ZONE: \_\_\_\_\_ FIRE SPRINKLERS  YES  NO  
 HAZARDOUS MATERIALS: YES  NO  EXISTING USE: \_\_\_\_\_ PROPOSED USE: \_\_\_\_\_

ASSESSOR'S PARCEL#: \_\_\_\_\_ MAP: \_\_\_\_\_ LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_

**DESCRIPTION OF WORK:** *(Please fill-in and mark all that apply)*

CONSTRUCTION VALUATION: \$ \_\_\_\_\_  
(Mandatory field)

NONRESIDENTIAL     RESIDENTIAL

- |   |  |  |   |   |
|---|--|--|---|---|
| <input type="checkbox"/> New Building       | <input type="checkbox"/> Addition          | <input type="checkbox"/> Alteration  | <input type="checkbox"/> Termite/Dry Rot Repair | <input type="checkbox"/> Demolish       |
| <input type="checkbox"/> Move Building      | <input type="checkbox"/> Fire Sprinklers   | <input type="checkbox"/> Sign  | <input type="checkbox"/> Foundation Only        | <input type="checkbox"/> Chimney Repair |
| <input type="checkbox"/> Tenant Improvement | <input type="checkbox"/> Swimming Pool/Spa | <input type="checkbox"/> Fire Repair   | <input type="checkbox"/> Repair/Retrofit        | <input type="checkbox"/> Tree Removal   |
| <input type="checkbox"/> Other _____        |  | <input type="checkbox"/> Combination Permit (Additional Information may be required) |   |   |

Description: \_\_\_\_\_  
(Mandatory field)

**DESCRIPTION OF BUILDING:** *(Please fill-in and mark all that apply)*

- |   |   |                                 |                                     |   |   |
|---|---|---------------------------------|-------------------------------------|---|---|
| <input type="checkbox"/> Office/Bank/Professional | <input type="checkbox"/> Single Family        | <input type="checkbox"/> Duplex | <input type="checkbox"/> Townhouse  | <input type="checkbox"/> Condominium        | <input type="checkbox"/> Apartment Building |
| <input type="checkbox"/> Hotel/Motel              | <input type="checkbox"/> Amusement/Recreation |                                 | <input type="checkbox"/> Industrial | <input type="checkbox"/> Service Station    | <input type="checkbox"/> Medical Building   |
| <input type="checkbox"/> Restaurant               | <input type="checkbox"/> Accessory Building   |                                 | <input type="checkbox"/> Historical | <input type="checkbox"/> Educational/School |   |
| <input type="checkbox"/> City/County Owned        | <input type="checkbox"/> Church/Assembly      |                                 | <input type="checkbox"/> Store      | <input type="checkbox"/> Other _____        |   |

Building Area: \_\_\_\_\_ Sq. Ft.    Building Height: \_\_\_\_\_ Ft.    Stories: \_\_\_\_\_

**EXISTING:** FLOOR AREA \_\_\_\_\_ GARAGE \_\_\_\_\_ OTHER \_\_\_\_\_ # UNITS \_\_\_\_\_

**ADDITIONAL PROPOSED:** FLOOR AREA \_\_\_\_\_ GARAGE \_\_\_\_\_ OTHER \_\_\_\_\_ # UNITS \_\_\_\_\_

Number of Bedrooms: \_\_\_\_\_ Number of Bathrooms: \_\_\_\_\_ Total Number of Rooms: \_\_\_\_\_

Lot Size (Sq. Ft.): \_\_\_\_\_ Lot Dimension (Front/Side/Rear): \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Coverage %: \_\_\_\_\_

Setbacks: FRONT: \_\_\_\_\_ REAR: \_\_\_\_\_ LEFT: \_\_\_\_\_ RIGHT: \_\_\_\_\_

Easements: \_\_\_\_\_ Flood Zone: \_\_\_\_\_ ALUC: \_\_\_\_\_ SEWER SEPTIC    WATER WELL: YES  NO   
Check one

**PLEASE NOTE:** Plan check fees for this application include two plan check reviews by staff. The third and following plan check reviews will be billed at a time and materials basis which include all direct and indirect costs incurred by the City of Foster City.

The hourly rate per each City of Foster City Department are as follows:

- Community Development Department \$155 to \$286
- Public Works Department \$181 to \$286
- Fire Department \$262
- Police Department \$ 142 to \$162

If more than two plan check reviews are required, the applicant will be billed accordingly based on the fees listed above.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

NOTES:

## CITY OF FOSTER CITY

### ENCROACHMENT PERMIT APPLICATION PROCEDURES

An Encroachment Permit is required for all construction work within City right-of-way. Please contact the Public Works Engineering at 650-286-3270 if you are unsure a permit is required for your project. The encroachment permit application can be obtained from the Public Works Engineering, located at 610 Foster City Boulevard, Foster City, CA 94404.

#### Temporary Placement of Debris Box/Container/Pod

- An encroachment permit is not required if the debris box is placed on private property, i.e. driveway.
- Complete the encroachment permit application. A non-refundable processing fee of \$52.70 is required.
- Include a sketch showing the debris box location in the City's right-of-way. Provide dimensions of the debris box.
- Provide insurance certificate.
- Performance bond is not required.
- Permit approval takes approximately 5 to 20 working days.

#### Improvement Constructions – Sidewalk/Driveway/Lagoon Bulkhead Wall/Traffic Control

- Complete the encroachment permit application. Permission to perform the proposed work is required from the property owner if applicant is not the property owner. The property owner's signature on the application is an acceptable form of permission.
- A non-refundable processing fee of \$158.30 is required.
- If a Contractor is hired to perform the work, insurance - minimum of \$1 million limit – is required, meeting requirements on the City approved Insurance Form. An Insurance Certificate and Performance Bond must be submitted with the permit application. The contractor's insurance company can submit the Insurance Certificate. The contractor's bonding company can complete the performance bond forms. Insurance coverage and limits subject to review and revision based on the work performed.
- Prior to the issuance of an Encroachment Permit. Permittee shall provide City with a performance bond naming Foster City as obligee in the amount equal to one hundred percent (100%) of the cost of the work to be performed by or on behalf of Permittee within the Public Right-of-Way to guarantee and assure the faithful performance of Permittee.
- A check in the amount of \$5,000 may be accepted in lieu of a performance bond if the work cost is less than \$5,000.
- An inspection deposit in the amount of 5% of the project cost or a \$1,000.00 minimum is required. The cost of inspection services performed by the staff shall be reimbursed from the deposit account. The remainder will be refunded when the project is complete. For utility companies (PG&E, AT&T) total charge is logged and billed quarterly<sup>8</sup>

- Include a scale drawing of the project. Depending on the project, a registered engineer's stamp may be required.
- A traffic control plan is required if proposed work is on City street, sidewalk, or public right-of-way.
- Depending on the complexity of the project, the permit approval can take approximately 5 to 20 working days.



**City of Foster City**  
 Estero Municipal Improvement District  
**Encroachment Permit**

*Required for all activities in the public right of way or public easements (F.C.M.C. Chapter 12.40)*

Department of Public Works  
 610 Foster City Boulevard  
 Foster City, CA 94404  
 650-286-3270

Permit No. \_\_\_\_\_  
 Deposit Code \_\_\_\_\_  
 Project address/ location \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Application:** *Please print clearly and fill in all that apply*

Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Phone no.: \_\_\_\_\_ Email: \_\_\_\_\_

License Class/no. \_\_\_\_\_ FC Business License No.: \_\_\_\_\_

Scope of work: \_\_\_\_\_  
 \_\_\_\_\_

- Utility Company (PG&E, AT&T)
- Property owner
- Tenant
- Contractor

Property owner approval required (if applicant is tenant or contractor):  
 Print name/Sign/Date \_\_\_\_\_

Activity/project:

Encroachment purpose:

- Temporary placement: debris box, moving pod
- Improvement construction: driveway, sidewalk, water, sewer, or Traffic Control
- Banner installation

Estimated cost (public portion) \$ \_\_\_\_\_

Intended start date \_\_\_\_\_ Duration \_\_\_\_\_ (60 Days maximum)

**I attest that:**

- 1. The information above is true and complete, to the best of my knowledge;**
- 2. I have read, understand, and agree to abide by Foster City Municipal Code 12.40;**
- 3. To the fullest extent allowed by law, I agree to indemnify and defend the City of Foster City and Estero Municipal Improvement District (City/District), its directors, officers, agents, employees and volunteers and hold them harmless from and against any and all loss, liability, expense, claims, costs, suits, and damages, including attorneys' fees, arising out of the activities described in this application;**
- 4. I understand that my defense and indemnity obligations are undertaken in addition to, and shall not in any way limit, the insurance obligations required for issuance of an Encroachment Permit;**
- 5. I agree to waive all rights of subrogation against the City/District, its elected or appointed officers, officials, agents and employees for losses paid under the terms of any policy which arise from the activities described in this application;**
- 6. I agree to include in any agreement to which I am a party regarding the activities described in this application, that any contractor or subcontractor be bound by the same duties, responsibilities and waivers I am bound by**

through this application and associated documents;  
7. I agree to the standard conditions and any added special conditions of this permit, and will notify the City/District in a timely manner to make all required inspections.

Print name \_\_\_\_\_ Sign \_\_\_\_\_ Date \_\_\_\_\_

*Submit application, fees, bond, insurance, and 3 copies of scaled drawings showing proposed work/activity.*

---

**(FOR CITY/DISTRICT USE ONLY)**

**Approval:**

How paid:

Fee amount:       \$158.30 non-refundable fee (contractors/TC) \_\_\_\_\_  
                          \$158.30 plus cost (utility companies) \_\_\_\_\_  
                          \$52.70 non-refundable (debris box/POD) \_\_\_\_\_  
Deposit (contractors):  5% of estimated costs or \$1,000 minimum \_\_\_\_\_  
Banner installation:  \$156.20 non-refundable fee and \$750 deposit \_\_\_\_\_  
Insurance:         Commercial general liability       Workers' compensation  
                          Auto liability                                       Employer's liability  
Bond:                 Performance bond \$ \_\_\_\_\_       Check # \_\_\_\_\_

Application reviewed/approved by: \_\_\_\_\_

Encroachment permit approved by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Engineering Manager

Date \_\_\_\_\_

Date \_\_\_\_\_

**This INSURANCE COVERAGE FORM modifies or documents insurance provided under the following:**

Named Insured: \_\_\_\_\_ Effective Work Dates(s): \_\_\_\_\_

Description of Work/Locations/Vehicles: \_\_\_\_\_

**ADDITIONAL INSURED:** **City of Foster City/Estero Municipal Improvement District**, its elected or appointed officers, officials, employees and volunteers should be included as additional insureds  
 610 Foster City Boulevard, Foster City, CA 94404  
 Attention: Public Works Engineering

<b>Endorsement and Certificates of Insurance Required</b>	<b>Insurer</b>	<b>Policy No.</b>
The Additional Insured, its elected or appointed officers officials, employees and volunteers are included as insureds with regard to damages and defense of claims arising from (Check all that apply)		
<input type="checkbox"/> <b>General Liability:</b> (a) activities performed by or on behalf of the Named Insured, (b) products and completed operations of the Named Insured, (c) premises owned, leased occupied or used by the Named Insured, and/or (d) permits issued for operations performed by the Named Insured. {Note: MEETS OR EXCEEDS ISO Form # CG 20 10 11 85}		
<input type="checkbox"/> <b>Auto Liability:</b> the ownership, operation maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Named Insured, regardless of whether liability is attributable to the Named insured or a combination of the Named Insured and the Additional Insured, its elected or appointed officers, officials, employees or volunteers.		
<b>Other:</b>		
<b>Certificates of Insurance Required (no endorsement needed) (Check all that apply)</b>	<b>Insurer</b>	<b>Policy No.</b>
<input type="checkbox"/> <b>Workers Compensation:</b> work performed by employees of the Named Insured while those employees are engaged in work under the simultaneous directions and control of the Named Insured and the Additional Insured.		
<b>Professional Liability:</b>		

**PRIMARY/NON-CONTRIBUTORY:** This insurance is primary and non-contributory. Coverage under the above policies is not additional to or contributing with any other insurance carried by or for the benefit of Additional Insureds.

**SEVERABILITY OF INTEREST:** The insurance afforded by this policy applies separately to each insured who is seeking coverage or against whom a claim is made or a suit brought except with respect to the insurer's limit of liability.

**PROVISIONS REGARDING THE INSURED'S DUTIES AFTER ACCIDENT OR LOSS:** Any failure to comply with reporting provisions of the policy shall not affect coverage provided to the Additional Insured, its elected or appointed officers, officials, employees, or volunteers.

**CANCELLATION NOTICE:** The insurance afforded by this policy shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty (30) days' prior written notice (ten (10) days if canceled due to non-payment) by certified mail return receipt requested has been given to the Additional Insured. Such notice shall be addressed as shown above.

**WAIVER OF SUBROGATION:** The insurer(s) named above agree to waive all rights of subrogation against the CITY/District, its elected or appointed officers, officials, agents, volunteers and employees for losses paid under the terms of this policy which arise from work performed by the Named Insured for the CITY/District.

Nothing herein contained shall vary, alter or extend any provision or condition of the Policy other than as above stated.

**SIGNATURE OF INSURER OR AUTHORIZED REPRESENTATION OF THE INSURER**

I, \_\_\_\_\_ (print/type name), warrant that I have authority to bind the above-named insurance company and by my signature hereon do so bind this company.

\_\_\_\_\_  
 SIGNATURE OF AUTHORIZED REPRESENTATIVE (original signature required)

ORGANIZATION: \_\_\_\_\_ TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ DATE ISSUE: \_\_\_\_\_



**PERFORMANCE BOND**

Whereas, the City Engineer of Foster City pursuant to Chapter 12.40 of the Foster City Municipal Code on behalf of the City of Foster City, State of California, and \_\_\_\_\_, herein designated as “principal” have entered into an agreement whereby principal has been granted an encroachment permit to perform certain work and/or complete and install certain improvements as described in said agreement which agreement dated \_\_\_\_\_, 20\_\_ is hereby referred to and made a part hereof; and

Whereas, said principal is required under the terms of said agreement and Chapter 12.40 of the Foster City Code to furnish a bond for the faithful performance of said agreement;

Now therefore, we, the principal and \_\_\_\_\_ as surety, are held and firmly bound unto the City of Foster City and Estero Municipal Improvement District hereinafter called “City/District” in the penal sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the above-bounded principal, his or its heirs, executors, administrators, or assigns shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless Foster City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees including reasonable attorney's fees, incurred by City/District in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anyway affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition to the terms of the agreement or to the work or to the specifications.

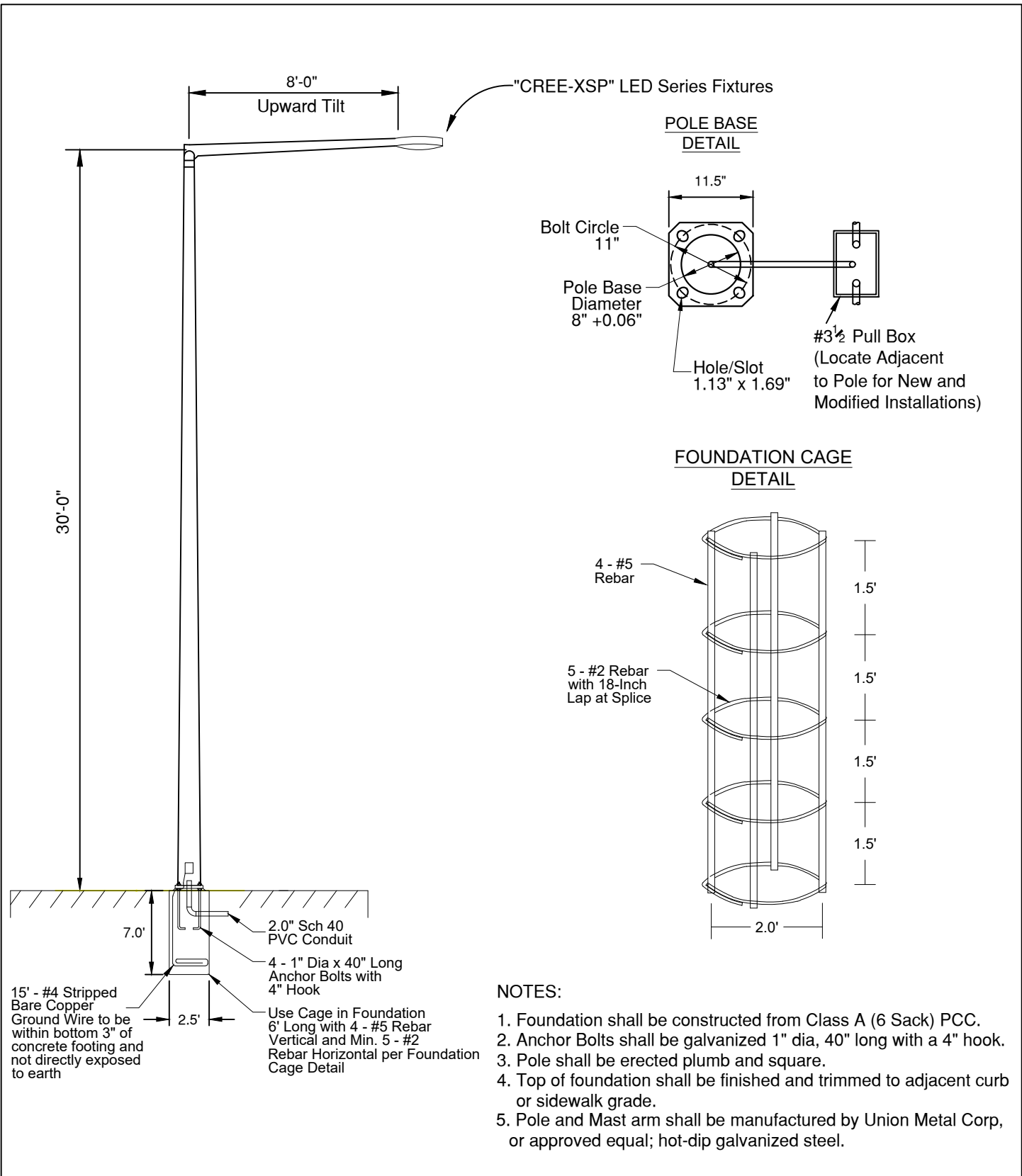
In witness whereof, this instrument has been duly executed by principal and surety above named, on \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Principal)

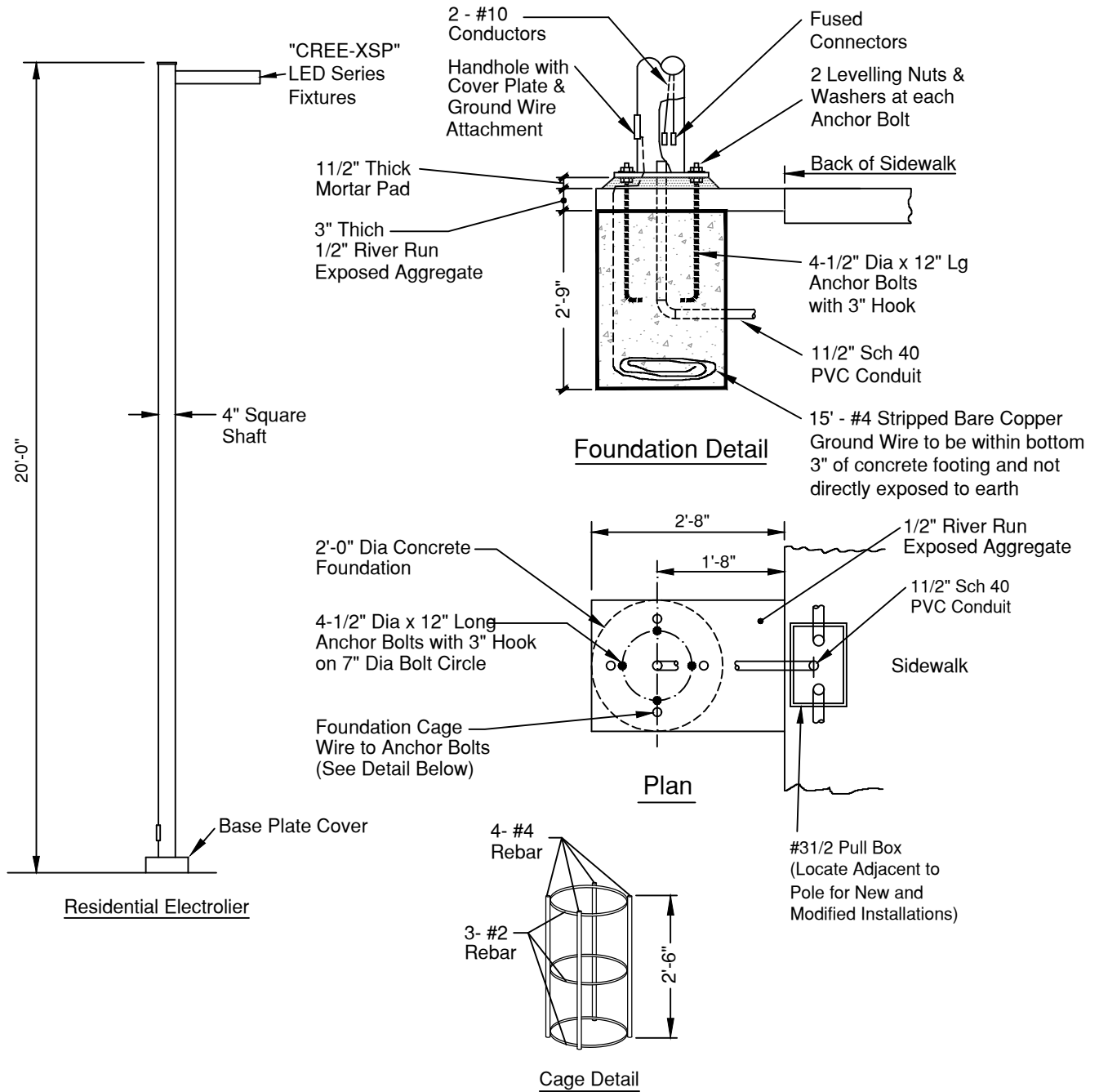
By: \_\_\_\_\_

\_\_\_\_\_  
(Surety)

By: \_\_\_\_\_  
Attorney-In-Fact



ESTERO MUNICIPAL IMPROVEMENT DISTRICT CITY OF FOSTER CITY, CALIFORNIA				
<b>STREETS</b> <b>BOULEVARD SINGLE-ARM ELECTROLIER &amp; FOUNDATION</b>		Rev	Date	Description
		DWN:		Dwg No. ST 020
APPROVED: _____		CHK:		Sheet 1 of 1
CITY/DISTRICT ENGINEER		APPROVED: _____		Scale: None
		DEPARTMENT SUPERVISOR		Date: MAY 2020



**NOTES:**

1. Foundation shall be constructed from Class A (6 Sack) PCC.
2. Anchor Bolts shall be galvanized 1/2" dia, 12" long with a 3" hook.
3. Pole shall be erected plumb and square.
4. Pole shall be KW SSP or approved equal; Square Non-Tapered Steel; hot-dip galvanized steel.

ESTERO MUNICIPAL IMPROVEMENT DISTRICT  
CITY OF FOSTER CITY, CALIFORNIA

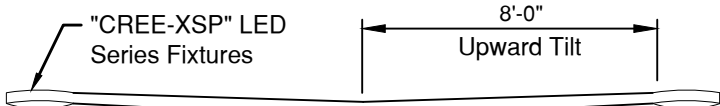
**STREETS  
RESIDENTIAL ELECTROLIER & FOUNDATION**

Rev	Date	Description
DWN:		Dwg No. ST 022
CHK:		Sheet 1 of 1

APPROVED: \_\_\_\_\_  
CITY/DISTRICT ENGINEER

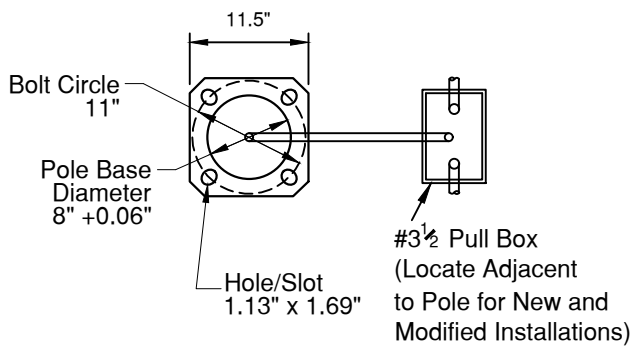
APPROVED: \_\_\_\_\_  
DEPARTMENT SUPERVISOR

Scale: None  
Date: MAY 2020

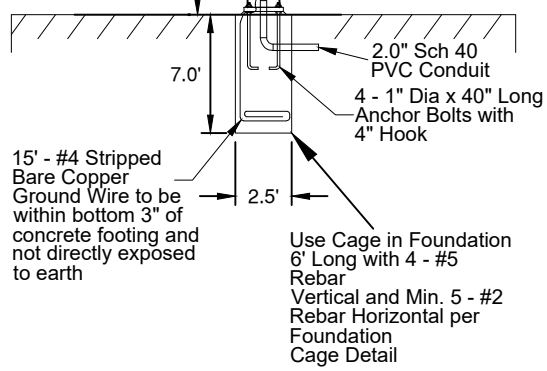
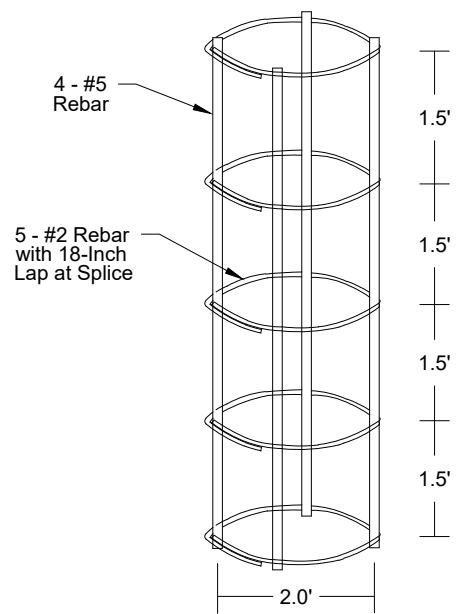


30'-0"

**POLE BASE  
DETAIL**



**FOUNDATION CAGE  
DETAIL**



**NOTES:**

1. Foundation shall be constructed from Class A (6 Sack) PCC.
2. Anchor Bolts shall be galvanized 1" dia, 40" long with a 4" hook.
3. Pole shall be erected plumb and square.
4. Top of foundation shall be finished and trimmed to adjacent curb or sidewalk grade.
5. Pole and Mast arm shall be manufactured by Union Metal Corp, or approved equal; hot-dip galvanized steel.

ESTERO MUNICIPAL IMPROVEMENT DISTRICT  
CITY OF FOSTER CITY, CALIFORNIA

**STREETS**  
**BOULEVARD DOUBLE-ARM ELECTROLIER & FOUNDATION**

Rev	Date	Description
DWN:		Dwg No. ST 021
CHK:		Sheet 1 of 1

APPROVED: \_\_\_\_\_  
CITY/DISTRICT ENGINEER

APPROVED: \_\_\_\_\_  
DEPARTMENT SUPERVISOR

Scale: None  
Date: MAY 2020