



PROJECT NAME: _____

WIRELESS COMMUNICATION FACILITY (WCF) DEVELOPMENT PLAN

APPLICATION & CHECKLIST SUBMITTAL PACKET

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GENERAL INFORMATION

A WCF (Wireless Communication Facility) is a facility that transmits and/or receives electromagnetic signals, including antennas, microwave dishes, parabolic antennas, directional antennas and other types of equipment for the transmission or reception of such signals, towers or similar structures supporting the equipment, equipment buildings, shelters, cabinets, parking area, and other necessary development.

An approved development plan is required prior to the processing of site development and building permits for any WCF. The Director of Planning may waive the processing of a development plan if it is satisfactorily demonstrated that a network of WCFs, or more than one WCF, will not be required or if co-location is proposed.

The development plan shall be submitted for approval by the Commission and Council prior to the processing of any site development permit. Future amendments to each company's development plan shall be submitted for approval by the Commission and Council prior to approval of additional facility locations.

In general, a WCF is a permitted use in the following conditions:

1. Residential Areas – Freestanding WCFs are prohibited. WCFs attached street poles or facades attached to non-residential buildings or stealth WCFs are permitted subject to the ordinance.
2. Non-Residential Areas – WCFs are permitted as long as they meet the criteria of the ordinance.
3. City owned property within any district.

A Wireless Communications Facility (WCF) Development Plan is required for any new proposed WCF.

1. **Site Selection Criteria:** A development plan shall be submitted and approved prior to any site development permit or building permit issuance for a WCF. The development plan shall be based upon reasonable engineering constraints and desired areas of service. WCFs shall be located on the development plan in the following priority order:
 - a. Co-location on an existing tower, structure or building. The applicant shall have the burden of documenting and showing that there are no feasible existing structures upon which to locate as described in subsection (c) of this section below.
 - b. In areas where the existing topography, vegetation, buildings and other structures provide the greatest amount of screening;
 - c. Use of city owned property; then,
 - d. Other non-residential buildings or vacant non-residentially zoned land.
2. **Facility Type Preferred:** Based on potential aesthetic and public safety impacts, the order of preference for facility type is as follows: existing tower or structures, roof attached, facade attached, street pole attached and freestanding tower.
3. **Co-Location Requirement**

Co-location is considered to be a visually unobtrusive installation method because the equipment is attached to an existing structure. No new tower shall be permitted unless the applicant demonstrates a good faith effort to co-locate on an existing facility including good faith efforts to negotiate lease rights. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antennas may consist of any of the following:

 - a. No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements;
 - b. Existing towers or structures are not sufficiently designed to meet the applicants engineering requirements as indicated in their development plan;
 - c. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment;
 - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna; and/or
 - e. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for share are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

HELPFUL LINKS



- Development Services – www.leandertx.gov/ds. Includes links to the following:
 - Development Process – Applications, Submittal Schedule
 - Planning Department: Zoning, Subdivision, Site Development, Current Developments
 - Building Permits & Inspections: Building Permits, Impact Fees
 - Engineering Department
 - Maps & Guides – Comprehensive Plan, Transportation Plan, Development Guide, Transportation Criteria Manual, Drainage Criteria Manual
- Fire: www.leandertx.gov/fire
- Parks: www.leandertx.gov/parksrec
- Development Hub – Application Portal: www.leandertx.gov/hubgo

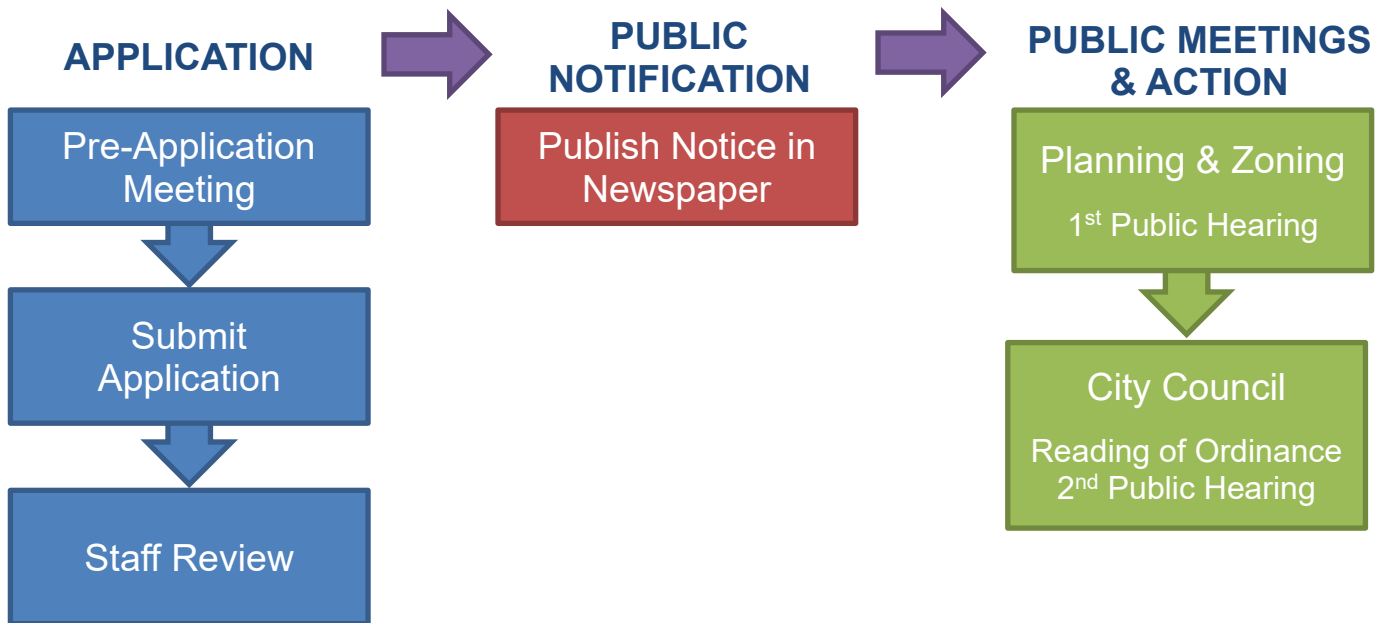
CONTACT

Please contact the Development Services Department by emailing planning@leandertx.gov with any questions regarding this application.

INSTRUCTIONS

- Fill out the following application and checklist completely prior to submission. Incomplete applications will not be accepted.
- Current applications and City ordinances may be found on the City's website (<http://www.leandertx.gov/ds>).
- The applicant is **required** to attend a Pre-Development Meeting prior to the submittal of the application or request/receive a Due Diligence Report. This requirement may be waived if the Director of Development Services deems that it is not necessary. Please contact the Planning Department to schedule the meeting by emailing planning@leandertx.gov.
- Please refer to the "Submittal Schedule" for submittal deadlines. Applications may be submitted through the Development Hub at anytime for preview. Once all items are confirmed and accepted, the review process will start on the next available filing date as listed in the submittal schedule.
- All items listed in the "Required Items for Submittal Package" on [page 4](#) shall be uploaded to the Development Hub.

PROCESS OVERVIEW



REQUIRED ITEMS FOR THE SUBMITTAL PACKAGE

REQUIRED ITEMS	PROVIDED	<i>Check each box if you have complied with that item. This application/checklist is only a guide. All state and local ordinances and code requirements cannot be reflected on this application/checklist. If there are any questions regarding the regulations, the applicant shall consult source law.</i>
	<input type="checkbox"/>	1. Completed and Signed Application & Checklist with the owner's original signatures. Either mail or deliver the signed original to Development Services. Contact planning@leandertx.gov for more information.
	<input type="checkbox"/>	2. Deed showing current ownership. Proof of signatory for corporations is required.
	<input type="checkbox"/>	3. WCF Exhibit including the information listed on page
	<input type="checkbox"/>	4. Certified tax certificate or other evidence that taxes have been paid.
	<input type="checkbox"/>	5. Letter of intent explaining the request.
	<input type="checkbox"/>	6. Development meeting notes, confirmation that a development meeting was not required, or Due Diligence Report.
	<input type="checkbox"/>	7. Filing Fees (calculation listed below).

WCF EXHIBIT & INFORMATION

- Applicant Information:
 - Name, address and telephone number of the applicant, any co-applicants as well as any agents for the applicant and co-applicants. The applicant or co-applicants shall be a licensed carrier unless licensing is not required;
 - Name, address and telephone number of the licensed carrier and copy of current license with any updates, operational dates and the spectrum proposed;
 - Original signatures for the applicant and all co-applicants applying for development plan approval. If the applicant or co-applicant will be represented by an agent, the original signature authorizing the agent to represent the applicant and/or co-applicant;
 - Current zoning of the property and property location.
- Exhibit: A map encompassing the city and surrounding area within one mile drawn to scale of no less than one inch equals five hundred (500) feet, specifying the following.
 - Approximate location of proposed WCFs;
 - Service area of each WCF;
 - Street names of major streets and streets adjacent to identified WCF locations;
 - All existing WCFs, operated by the applicant and other carriers;
 - Separation distance between proposed and existing WCFs measured in feet;
 - Information demonstrating compliance with the standards of this ordinance;
 - Existing watercourses and natural features that restrict the placement of WCFs or the associated service areas; and,
 - North arrow, scale and legend.
- Illustrate the carrier's expected network of WCFs within and adjacent to the city. It shall forecast five years in advance the approximate locations of future facilities and the area of service, but is not required to detail the specific type of facility (e.g., pole, roof, building attached).

APPLICATION FEE* CALCULATION

Filing Fee:	\$ 300.00
Public Hearing Notification:	\$ 150.00
Professional Recovery Fee:	\$ 250.00
Technology Fee:	\$ 25.00
TOTAL FEE (due at the time of application submission) \$	

* An invoice for application fees will be provided during the completeness check. All fees shall be paid prior to the acceptance of the submittal for review.

APPLICANT INFORMATION

Please Note: The signature of owner authorizes City of Leander staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his/her agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. If there are multiple property owners, one notarized form per owner is required. Approval of this application and the related plat or plans does not constitute the approval of variances or waivers to ordinance requirements. Applicant is responsible for compliance with all applicable ordinance unless a variance, waiver, or exception has been specifically approved.

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent. If there is a co-applicant, please submit a copy of this sheet with all the information completed. **Either the applicant or co-applicant shall be a licensed carrier unless licensing is not required.**

(Check One):

I, the owner, will represent this application with the City of Leander.

I, the owner, hereby authorize the person named below to act as my agent in processing this application with the City of Leander.

OWNERSHIP INFORMATION:

Owner Name (Company or Individual): _____

Contact Name: _____

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.

Phone: _____ Fax: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Mobile: _____

By signing this form, the owner of the property authorizes the City of Leander to begin proceedings in accordance with the process for the type of application indicated above. Owner further acknowledges that submission of an application does not in any way obligate the City to approve the application. By signing this form the owner of the property authorizes the City of Leander to enter upon the property to perform all necessary inspections and acknowledges that the construction will be in accordance with the City of Leander standards and the approved construction documents. By indicating an agent on the application, the property owner authorizes the agent to represent the request and all official contact will be between the City of Leander and the agent.

Owner's Signature: _____ **Date:** _____

THE STATE OF _____

§

COUNTY OF _____

§

KNOW ALL MEN BY THESE PRESENTS

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Before me, _____, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____.

Notary Public's Signature _____

My Commission Expires: _____

AGENT INFORMATION:

If an agent is representing the owner of the property, please complete the following information:

Project Agent: _____ **Company:** _____

Phone: _____ Fax: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Mobile: _____

I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge:

Signature

Name (printed)

Date

CONFLICT OF INTEREST DISCLOSURES

Please submit at the time of submission of application and update disclosures within 7 business days after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

ARTICLE 9.05, CITY CODE OF ORDINANCES – CODE OF ETHICS:

<http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

▪ **Ethics Ordinance – Disclosure Statements**

The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain relationships and conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the above link.

Sec. 9.05.007 Persons doing business with the city

(a) Persons seeking discretionary contracts.

(1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.

(2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

(b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

- (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
- (2) Any member of the board or city body;

has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

Sec. 9.05.009(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.