
Sec. 94-330. - Application for wireless communications permit.

- a. *Application form.* Requests for wireless communication permits shall be made only on application forms approved by the planning division. Applications shall contain all information required by this zoning code and other city regulations, and shall be reviewed for completeness.
- b. *Site plan review.* Site plan review and approval shall be required in accordance with section 94-35 of this chapter and the provisions for Class A and Class B special use permits, as applicable.
- c. *Application materials.* In addition to the application materials specified in this Code for the appropriate type of review, all applications for wireless telecommunication permits shall provide sufficient materials (plans, graphics, narratives, or expert statements) to demonstrate compliance with the applicable requirements of this article.
 1. *Permit Level III and Level IV.* Applications for wireless communication Level III and Level IV permits shall include the following additional information:
 - a. Determination of need.
 - b. Priority level justification.
 - c. Visual impact analysis.
 - d. Balloon test.
 - e. Written analysis explaining how the proposed tower does not create a significant adverse visual aesthetic impact on the surrounding landscape, adjacent properties, and existing line of sight, as measured against the criteria indicated in section 94-333.
- d. *Disclosure of ownership.* All wireless communication permit applications regarding communication facilities on private property shall include a verified statement showing each person or corporation having a legal, equitable, or beneficial ownership interest in the real property upon which the communication facility is or will be located. Corporations shall provide the names and addresses of the corporation and principal executive officers.
- e. *Submission of fee and application prior to action by city.* Prior to action taken by a department, division or official body of the city concerning a specific application, an applicant must submit the proper fee and a complete official application to the planning division.
- f. *Completeness review.*
 1. *Section 6409 collocation.* A collocation application entitled to expedited streamlined processing pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 and section 94-325(b)(7) of this Code shall be deemed complete unless the city provides written notice to the applicant that the submission is incomplete (a "notice of incompleteness") within 30 calendar days of application submission (or within some other mutually agreed upon timeframe). Notice of incompleteness shall be in writing and shall identify specifically the deficiencies in the application which, if cured, would make the application complete. Upon notice of incompleteness, the timeline for a decision shall be tolled until the applicant re-submits to correct such deficiency. The city shall, within ten calendar days of re-submission, notify the applicant of continuing deficiencies or the application will be deemed complete. The timeline for a decision shall be likewise tolled during the additional re-submission deficiency period until the second resubmission.
 2. *Other collocations.* Other collocation applications entitled to expedited streamlined process review pursuant to F.S. § 365.172(12) and section 94-325(b)(6) of this Code shall be deemed complete unless the city provides a written notice of incompleteness to the applicant within 30 calendar days of submission (or within some other mutually agreed upon timeframe). Notice of incompleteness shall identify specifically the deficiencies in the application which, if cured, would make the application complete. Upon notice of incompleteness, the timeline for a decision shall be tolled until the applicant re-submits to correct such deficiency. The city shall, within ten days of re-submission, notify the applicant of continuing deficiencies or the application will be deemed complete. The timeline for a decision shall be likewise tolled during the additional re-submission deficiency period until the second resubmission.
 3. *All other applications.* Within 20 business days of receipt of an application for a wireless communications facility, the city shall determine if the application form has been completed and if all required items have been submitted.

- a. If the city determines that the application is not complete and/or if all required items have not been submitted, the city shall, within the 20 business days of the application submittal, notify the applicant in writing that the application is incomplete (a "notice of incompleteness"). The notice of incompleteness shall list, with specificity, those items that are incomplete and/or missing and indicate what must be provided to make the application complete.
 - b. If the applicant resubmits the additional information or revised application, the city shall review the resubmitted materials for completeness. If the application is still not complete, the city shall send the applicant another notice of incompleteness indicating the remaining within 20 business days after the application is resubmitted.
 - c. Upon resubmittal of the revised application and/or additional information and materials, the city shall follow the process identified in steps (1) through (3) above until all deficiencies identified are deemed cured and the application is deemed complete.
 - d. If the city does not respond in writing to the applicant within the specified timeframe, then the application shall be deemed to be complete.
4. When the application is deemed complete, the city shall advise the applicant and begin processing the application.

(Ord. No. 4549-15, § 2(94-340), 6-8-2015)