



Professional Engineers and Architects Sign and Stamp Requirements Pursuant to the City of Gardena Wireless Facilities Policy

Revised: April 27, 2020

I. Introduction

The Wireless Facilities Policy (“WFP”) of the City of Gardena, adopted on July 23, 2019 has certain requirements that wireless site plans and RF reports be signed and stamped by a California licensed or registered engineer. This section covers the specifics of the WFP regarding the stamps and seals.

As stamps and seals are a requirement of the WFP, an applicant’s failure to properly sign and stamp applicable project documents is a basis to deem the project ‘incomplete’. If an applicant refuses to comply with the sign and stamp requirements of the WFP, the City may consider dismissing the project without prejudice (but not with refund of the permit review fees paid to the extent that staff rendered any services in connection with the application) may be in order. As a best practice, staff should consult with the City Attorney’s office prior to dismissing an application on any basis.

A. When is a sign and stamp required?

The WFP requires that the following documents be signed and stamped by a California licensed or registered engineer:

All wireless site applications for sites located in the public right of way, including small wireless facilities and 6409(a) modification applications.

Commentary:

WFP Section 1.4 (“General Application Requirements and Procedures”) sets out that:

“For any application in connection with a wireless facility within the public rights-of-way, the applicant shall submit a survey prepared, signed and stamped by a California licensed or registered engineer.”

Comment: A “California licensed engineer” is the same as a “California registered engineer”

“The survey must identify and depict all existing boundaries, encroachments and other structures within 75 feet from the proposed subject property...”

Comment: For wireless facilities in the public right of way, 75 feet is most easily measured in all directions from the center of the existing or proposed antenna pole (commonly a replacement light standard or a wood utility pole).



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Items which must be shown on the plans if located within 75 feet of the centerline of the antenna pole include the following, and any other relevant above and below ground structures, wires, conduits, pipes, etc.:

- (i) traffic lanes;
- (ii) all private properties and property lines;
- (iii) above and below-grade utilities and related structures and encroachments;
- (iv) fire hydrants, roadside call boxes and other public safety infrastructure;
- (v) streetlights, decorative poles, traffic signals and permanent signage;
- (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains;
- (vii) benches, trash cans, mailboxes, kiosks and other street furniture; and
- (viii) existing trees, planters and other landscaping features.

B. Special Requirements for Other Regulatory Classifications

Federal regulations create two special regulatory classifications of wireless facilities: "eligible facilities requests" and "small wireless facilities." The City's permit application requirements may be different depending on the classification. This guide is intended to provide the applicable plan requirements for each special classification.

1. Eligible Facilities Requests ("Section 6409(a)") – WFP Section 3.3:

Note: Section 6409(a) refers to the section of the Middle Class Tax Relief and Job Creation Act of 2012 that imposes special limits on local authority over modifications to *existing* wireless facilities.

In addition to the site survey requirements provided above, WFP Section 3.3 requires for all Section 6409(a) applications:

"The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a California licensed or registered engineer and/or architect, that depict:



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- (i) all the existing and proposed improvements,
- (ii) equipment and conditions related to the proposed project, which includes without limitation to...
- (iii) all transmission equipment;
- (iv) support structures;
- (v) [for project sites/elements NOT in the public right of way] the legal boundaries of the leased or owned area surrounding the proposed wireless facility and any associated access or utility easements;
- (vi) the construction drawings must specifically depict and call out the original overall height of the structure."

Section 6409(a) construction drawings must also:

- (i) contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number and physical dimensions;
- (ii) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection; and
- (iii) demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.

2. Small Wireless Facilities – WFP Section 4.3:

WFP Section 4.3 ("Special Application Requirements and Procedures") deals with additional requirements for Small Wireless Facility projects.

Section 4.3 requires for all applications:

The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a California licensed or registered engineer and/or architect, that depict:



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- (i) depict all the existing and proposed improvements, equipment and conditions related to the proposed project, which includes without limitation:
- (ii) any and all poles, posts, pedestals,
- (iii) traffic signals, towers,
- (iv) streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains,
- (v) handholes, manholes, fire hydrants, equipment cabinets, antennas, cables,
- (vi) trees and other landscape features. The construction drawings must
- (vii) contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation
- (viii) the manufacturer, model number and physical dimensions;
- (ix) identify all structures within 300 feet from the proposed project site and call out such structures' overall height above ground level;
- (x) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection;
- (xi) demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.

II. Discussion and Guidance

The Sign and Stamp requirements of the Wireless Facilities Policy is intended to assure the residents of the City, and the City staff responsible for review and approval of wireless projects, that those wireless projects are properly engineered. Moreover, the Sign and Stamp obligation under the WFP overrides the California Professional Engineers Act exceptions in Sections 6746 and 6746.1, which generally exclude a P.E. license obligation for communications companies and employees.

If an applicant cites to P.E. Act exceptions in Sections 6746 and 6746.1 as a basis to submit plans that lack the City's Sign and Seal requirements, those plans are incomplete and the project should



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not be considered for approval until and unless the City's Sign and Seal requirements are met. Failure to comply with the City's Sign and Seal requirements should be listed as an incomplete item in the City's first incomplete letter.

Sometimes a plan set will be provided to the City bearing P.E. seal that has expired on or before the date submitted to the City. In this case, staff should incomplete the project and require that the plan set be updated to show a currently valid P.E. seal signed by the P.E. licensee.

If a plan set is provided to the City bearing P.E. seal that does not show an expiration date, staff should incomplete the project and require that the applicant demonstrate that the professional engineer sealing the plans was properly licensed on the date of the plan set to be updated and on the date the original plans were submitted to the City.

Regarding the actual permitted seal, the P.E. Act (Section 6764) sets out the seal design requirements. It says,

Each professional engineer licensed under this chapter shall, upon licensure, obtain a seal or stamp of a design authorized by the board bearing the licensee's name, number of his or her certificate or authority, the legend "professional engineer" and the designation of the particular branch or authority in which he or she is licensed.

There is no 'official' stamp format for P.E. licensees. For visual examples of P.E. seals, see <https://www.pestamps.com/product/california-engineer/>

Relatedly, where a licensed Architect signs and seals plan sets, California law requires that the Architect's seal contain all of the following elements:

1. The legend "State of California";
2. The term "Licensed Architect";
3. The architect's name (as licensed with the Board);
4. The architect's license number; and
5. The renewal date of the license (which may be handwritten or typeset)

For visual examples of licensed architect seals, see <https://www.cab.ca.gov/licensees/stamp/>