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**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIALTO, CALIFORNIA  
APPROVING GUIDELINES FOR BATCH  
BROADBAND PERMIT PROCESSING**

**WHEREAS**, Chapter 11.22. (Wireless Telecommunications Facilities in the Public Right-of-Way) and Chapter 18.111 (Wireless Telecommunications Facilities) of the Rialto Municipal Code regulate wireless facilities in the City; and

**WHEREAS**, the Governor signed Assembly Bill (“AB”) 965 into law on October 8, 2023, which requires cities to use “batch broadband permit processing” when it: (1) receives two or more broadband permit applications for “substantially similar broadband project sites;” (2) submitted at the same time; and (3) by the same applicant; and

**WHEREAS**, AB 965 defines “substantially similar broadband project sites” as “broadband project sites that are nearly identical in terms of equipment and general design, but not location;” and

**WHEREAS**, AB 965 does not define what the phrase “nearly identical in terms of equipment and general design, but not location” means; and

**WHEREAS**, the City desires to adopt guidelines defining the phrase “nearly identical in terms of equipment and general design, but not location” so that it can comply with AB 965.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** The City will consider applications under Assembly Bill 965 for batch broadband permit processing as “nearly identical in terms of equipment and general design, but not location” if they:

- 1. Require the same permits;
- 2. Are the same kind of facilities (ex: all the applications received are stealth facilities, roof mounted facilities, ground mounted facilities etc.);
- 3. Must be on the same type of property (for example: the City will not batch process

1 an application on private property along with an application on public property);

2 4. Must be in the same zoning district (for example will only batch process  
3 applications for permits in industrial zones and will not batch process permits for some facilities in  
4 commercial and residential zones);

5 5. If applications are for ground mounted facilities, then the required landscape  
6 planter must be located in similar locations and the same plants or trees in the landscape planters  
7 must be proposed;

8 6. The proposed facilities are within 5 feet of each other in height/elevation;

9 7. The proposed facilities have similar power output and operating frequency for any  
10 proposed antenna array;

11 8. Use the same material for enclosures;

12 9. Have similar accessory equipment which is located in similar locations, whether  
13 above ground or below ground;

14 10. Use the same material for exterior finishes;

15 11. Do not require illumination with the exception of security and maintenance lighting  
16 approved by the Director of Community development;

17 12. Have compatible architecture, color, texture, and materials; and

18 13. Only collocation applications can be considered substantially similar to other  
19 collocation applications.

20 **PASSED, APPROVED, and ADOPTED** on this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2024.

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DEBORAH ROBERTSON, Mayor

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ATTEST:

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BARBARA A. McGEE, City Clerk

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1 **APPROVED AS TO FORM:**

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ERIC S. VAIL, City Attorney

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**STATE OF CALIFORNIA** )  
**COUNTY OF SAN BERNARDINO** ) ss  
**CITY OF RIALTO** )

I, Barbara A. McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No. \_\_\_\_ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the \_\_\_\_ day of \_\_\_\_\_, 2024.

Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the foregoing Resolution No. \_\_\_\_\_ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
BARBARA A. MCGEE, City Clerk