

Standards for reviewing Wireless Communication Facilities (WCFs) in Palo Alto

**All projects:**

**1) Generally Applicable Development Standards, Palo Alto Municipal Code (PAMC)  
Section 18.42.110 (i)**

(i) Generally Applicable Development Standards

Unless the City Council has adopted more specific standards, and except as otherwise provided in this section, a proposed WCF Project shall comply with the following standards:

- (1) Shall utilize the smallest antennae, radio, and associated equipment, as measured by volume, technically feasible to achieve a network objective;
- (2) Shall be screened from public view;
- (3) When attached to an existing structure, shall be shrouded or screened using materials or colors found on existing structure;
- (4) Shall be placed at a location that would not require the removal of any required landscaping or would reduce the quantity of landscaping to a level of noncompliance with the Zoning Code;
- (5) An antenna, base station, or tower shall be of a "camouflaged" or "stealth" design, including concealment, screening, and other techniques to hide or blend the antenna, base station, or tower into the surrounding area, such as the use of a monopine design;
- (6) Shall not be attached on a historic structure/site, as designated by [Chapter 16.49](#);
- (7) Except as otherwise permitted by the Spectrum Act, a building-mounted WCF may extend no more than fifteen (15) feet beyond the permitted height of the building in the zone district;
- (8) Except as otherwise permitted by the Spectrum Act, a tower or other stand-alone Tier 3 WCF Project shall not exceed beyond sixty-five (65) feet in height; and
- (9) A tower or other stand-alone Tier 3 WCF may encroach into the interior/street side and rear setback.

**2) Conditions of Approval, PAMC Section 18.42.110 (j)**

(j) Conditions of Approval

In addition to any other conditions of approval permitted under federal and state law and this Code that the Director deems appropriate or required under this Code, all WCF Projects approved under this chapter, whether approved by the Director or

deemed granted by operation of law, shall be subject to the following conditions of approval:

(1) Permit conditions. The grant or approval of a WCF Tier 1 Permit shall be subject to the conditions of approval of the underlying permit, except as may be preempted by the Spectrum Act.

(2) As-built plans. The applicant shall submit to the Director an as-built set of plans and photographs depicting the entire WCF as modified, including all transmission equipment and all utilities, within ninety (90) days after the completion of construction.

(3) Applicant shall hire a radio engineer licensed by the State of California to measure the actual radio frequency emission of the WCF and determine if it meets FCC's standards. A report, certified by the engineer, of all calculations, required measurements, and the engineer's findings with respect to compliance with the FCC's radio frequency emission standards shall be submitted to the Planning Division within one year of commencement of operation.

(4) Indemnification. To the extent permitted by law, the applicant shall indemnify and hold harmless the city, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the city for its actual attorneys' fees and costs incurred in defense of the litigation. The city may, in its sole discretion and at Applicant's expense, elect to defend any such action with attorneys of its own choice.

(5) Compliance with applicable laws. The applicant shall comply with all applicable provisions of the Code, any permit issued under this Code, and all other applicable federal, state and local laws (including without limitation all building code, electrical code and other public safety requirements). Any failure by the City to enforce compliance with any applicable laws shall not relieve any applicant of its obligations under this code, any permit issued under this code, or all other applicable laws and regulations.

(6) Compliance with approved plans. The proposed Project shall be built in compliance with the approved plans on file with the Planning Division.

(7) Subject to city uses. Any permit to install or utilize poles or conduit in the public rights-of-way is subject to the city's prior right to use, maintain, expand, replace or remove from use such facilities in the reasonable exercise of its governmental or proprietary powers. Such permit is further subject to the city's right to construction, maintain, and modify streets, sidewalks, and other improvements in the public rights-of-way. The city, in its sole discretion, may require removal or relocation of a permittee's equipment, at permittee's sole cost and expense, if necessary to accommodate a city use.

(8) Replacement. Where feasible, as new technology becomes available, the applicant shall place above-ground equipment below ground and replace equipment remaining above-ground with smaller equipment, as determined by volume. The applicant shall obtain all necessary permits and approvals for such replacement.

(9) Permit length. WCFs permits shall be valid for the time provided in Section [18.42.110\(n\)](#), except that a permit shall automatically expire after twelve months from the date of approval if within such twelve month period, the applicant has not obtained all necessary permits to commence construction. The director may, without a hearing, extend such time for a maximum period of twelve additional months only, upon application filed with him or her before the expiration of the twelve-month limit.

**Additional findings for Tier 2 and 3 Projects in the public rights-of-way, if Council's objective standards are repealed:**

**3) Architectural Review findings, PAMC Section 18.76.020(d)**

18.76.020 Architectural Review

...(d) Findings

Neither the director, nor the city council on appeal, shall grant architectural review approval, unless it is found that each of the following applicable findings is met:

(1) The design is consistent with applicable provisions of the Palo Alto Comprehensive Plan, Zoning Code, coordinated area plans (including compatibility requirements), and any relevant design guides.

(2) The project has a unified and coherent design, that:

(A) Creates an internal sense of order and desirable environment for occupants, visitors, and the general community,

(B) Preserves, respects and integrates existing natural features that contribute positively to the site and the historic character including historic resources of the area when relevant,

(C) Is consistent with the context-based design criteria of the applicable zone district,

(D) Provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations,

(E) Enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.

(3) The design is of high aesthetic quality, using high quality, integrated materials and appropriate construction techniques, and incorporating textures, colors, and other details that are compatible with and enhance the surrounding area.

(4) The design is functional, allowing for ease and safety of pedestrian and bicycle traffic and providing for elements that support the building's necessary operations (e.g. convenient vehicle access to property and utilities, appropriate arrangement and amount of open space and integrated signage, if applicable, etc.).

(5) The landscape design complements and enhances the building design and its surroundings, is appropriate to the site's functions, and utilizes to the extent practical, regional indigenous drought resistant plant material capable of providing desirable habitat that can be appropriately maintained.

(6) The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.

**For Tier 3 projects only**

**4) Conditional Use Permit findings, PAMC Section 18.76.010(c)**

**18.76.010 Conditional Use Permit (CUP)**

**...(c) Findings**

Neither the director, nor the city council on appeal, shall grant a conditional use permit, unless it is found that the granting of the application will:

(1) Not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience;

(2) Be located and conducted in a manner in accord with the Palo Alto Comprehensive Plan and the purposes of this title (Zoning).