

Resolution No. 9873
Resolution of the Council of the City of Palo Alto Amending
Objective Aesthetic, Noise, and Related Standards for
Wireless Communication Facilities in the Public Rights of Way

The Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. Findings and Declarations.

- a. On April 15, 2019, the City Council adopted Resolution 9825, establishing objective aesthetic, noise, and related standards for Wireless Communication Facilities (WCFs) on Streetlight and Wood Utility Poles in the Public Rights-of-Way.
- b. On June 17, 2019, the City Council adopted Resolution 9847, amending the standards to delete inadvertently added language, clarify existing standards, and adopt an interim setback from public schools.
- c. On August 12, 2019, the City Council adopted Resolution 9855, amending the standards to address a conflict with other City standards and to clarify the allowable height for WCFs on Streetlights and Wood Utility Poles.
- d. The City Council wishes to consolidate the existing objective standards previously described in Resolution 9855 for clarity and update the objective standards in order to address Council specified location, design, and other preferences in the City for WCF on Streetlight Poles and Wood Utility Poles.

SECTION 2. Objective Standards for WCFs on Streetlight Poles and Wood Utility Poles in the Public Rights-of-Way Amended.

The City Council hereby adopts the objective standards in Exhibit 1, attached to and incorporated into this resolution, for Wireless Communication Facilities in the Public Rights of Way on Streetlight Poles and Wood Utility Poles.

The City Council hereby adopts Exhibit 2 that illustrates the Residential Zone of Exclusion and Exhibit 3 that illustrates the City of Palo Alto roadway network and locations of special setbacks relative to generalized zoning designations for the sole purpose of supplementing the objective standards in Exhibit 1.

SECTION 3. If any section, subsection, clause or phrase of this resolution or the attached standards is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the resolution and exhibits. The Council hereby declares that it should have

adopted the resolution and exhibits, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. Environmental Review. The Council finds that this resolution is exempt from the provisions of the California Environmental Quality Act ("CEQA"), pursuant to Section 15061 of the CEQA Guidelines, because it does not authorize the construction of Wireless Communication Facilities in any locations where such facilities are not already permitted; therefore it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment. The resolution is further exempt under CEQA Guidelines sections 15301, 15302, 15303 and 15305 because it represents part of a comprehensive regulatory scheme governing minor alterations to existing facilities or small structures.

INTRODUCED AND PASSED: December 16, 2019

AYES: CORMACK, DUBOIS, FILSETH, KNISS, KOU, TANAKA

NOES: FINE

ABSENT:

ABSTENTIONS:

ATTEST:

DocuSigned by:
Beth Minor
27523417DA804D7...
City Clerk

DocuSigned by:
Eric Filseth
64244717295F422...
Mayor

APPROVED AS TO FORM:

DocuSigned by:
Aylin Bilir
D0E86E7C83E64AD...
Deputy City Attorney

APPROVED:

DocuSigned by:
Ed Swkada
F2DCA19CCC8D4F9...
City Manager

DocuSigned by:
[Signature]
293CF322E1294F6...

Director of Planning and Development Services

Exhibit 1

Objective Standards for Wireless Communication Facilities in the Public Rights of Way on Streetlight Poles and Wood Utility Poles

A Wireless Communication Facility (WCF) proposed for the public right of way must comply with the applicable provisions of the City's Municipal Code and all of the following objective standards. In each instance where a proposed facility is unable to comply with the City's objective standards, a WCF Exception may be requested and evaluated in accordance with this resolution and PAMC Section 18.42.110(k).¹The following standards apply to both streetlight poles and wood utility poles, unless otherwise noted.

WCF SITING STANDARDS

Permitted Zoning Districts	WCF placement is permitted in non-residential zoning districts.
Public School Boundary	A WCF shall not be placed within 600 feet of a parcel containing a public school. No WCF Exception shall be granted allowing a WCF to be placed closer than 300 feet to a parcel containing a public school.
Residential Zone of Exclusion <i>(this standard applies to WCF Exception requests to locate in residential districts)</i>	No WCF shall be placed within the public right of way in the area between the street centerline and the central fifty percent (50%) of the immediately adjacent parcel's front lot line. The central fifty percent standard shall be based on the parcel's lot width ² . For corner lots, the central fifty percent standard along the street lot line ³ shall be based on the parcel's lot depth ⁴ . Exhibit 2 illustrates this requirement.
Residential Roadways <i>(this standard applies to WCF Exception requests to locate in residential districts)</i>	Any request for a WCF Exception involving placement of a WCF within a residential zoning district shall prioritize WCF placement on the following roadway types (See Exhibit 3): <ul style="list-style-type: none"> • Expressways • Arterials • Residential Arterials • Roadways identified with a Special Setback (including collector and local streets).

¹ The City may hire an independent consultant to evaluate WCF Exceptions at applicant's expense.

² Palo Alto Municipal Code Section 18.04.030(a)(93)

³ Palo Alto Municipal Code Section 18.04.030(a)(91)(E)

⁴ Palo Alto Municipal Code Section 18.04.030(a)(87)

In each instance above, the priority shall be for placement of a WCF most distant from residential property.

An additional WCF Exception request must be made to place a WCF on a collector or a local roadway that does not have an identified special setback.

Building or Structure Setback A WCF shall not be placed closer than 20 feet from any building used for occupancy in any zoning district.

Distance Between WCFs A WCF shall not be placed less than 600 feet away from another WCF. This requirement does not preclude WCFs collocating on the same structure where otherwise allowed.

Intersection Corners⁵ A WCF shall not be placed less than 20 feet away from any roadway intersection. An intersection is measured from the start of the curb radius.

Scenic Routes⁶ A WCF shall not be placed along an identified scenic route.

Historic Districts, Sites, and Structures A WCF shall not be placed within a listed historic district, nor immediately adjacent to a parcel with an historic structure, nor immediately adjacent to an historic site, as those terms are defined by PAMC Section 16.49.020.

A WCF shall not be placed in a potential historic district, or immediately adjacent to a potential historic structure or site, where the application for historic designation was filed with the City prior to the filing of a WCF application, until a final decision has been made regarding that pending historic designation.

WCF DESIGN STANDARDS

Underground Design (Preferred Option) Radio equipment shall be placed in an underground vault. The associated antenna(s) shall be placed in a shroud at the top of a nearby pole.

Underground vaults shall be the minimum volume necessary to house WCF equipment and include information detailing why the proposed dimensions are required. Maximum vault size shall not exceed 5 feet 8-inches x 8 feet 2-inches x 5 feet 7-inches or 260 cubic feet, excluding space required for ventilation or sump pump equipment.

⁵ Gateway intersections are identified on Map L-4 in the Comprehensive Plan.

⁶ Scenic routes are identified in Policy L-9.1 in the Comprehensive Plan.

Top-Mounted Design
(Secondary Option)

Radio equipment and the associated antenna(s) shall be enclosed within a shroud at the top of the pole.

Minimal Sunshield Design
Use of this design requires a WCF Exception

Radio equipment shall be enclosed within one or two sunshields not exceeding 8 inches wide nor 0.75 cubic feet in volume each, mounted directly to the side of the pole. The associated antenna(s) shall be placed in a shroud at the top of the pole.

Sunshields shall be attached at least 12 feet above ground level and, when located on wood utility poles, shall not interfere with the identified communication space.

Existing Signage Design
Use of this design requires a WCF Exception

Radio equipment shall be attached to a pole behind existing signage under the following conditions:

- i) Radio equipment shall be placed within a shroud that does not exceed the dimensions of the sign in height and width, nor 4 inches in depth, including any required mounting bracket.
- ii) In no event shall WCF equipment obscure or interfere with the visibility or functioning of the signage.

The associated antenna(s) shall be placed in a shroud at the top of the pole.

WCF Antenna and Shroud Dimensions (Diameter / Height)

Antennas shall have the smallest size possible to achieve the coverage objective.

The diameter of the antenna and shroud shall not exceed 15 inches at their widest.

For Streetlight Poles: The maximum WCF height shall not exceed 3 feet (or 5.5 feet for top-mounted designs) from the top of the streetlight pole that meets the City standards for the proposed location.

The associated “antenna skirt” shall taper to meet the pole above the mast arm.

For Wood Utility Poles: In no circumstance shall the total height of a pole and all WCF equipment exceed 55 feet. For wood utility poles carrying power lines, replacement poles shall be the minimum height necessary to provide GO 95 mandated clearance between WC equipment and power lines. For wood utility poles without power lines, any WCF equipment shall not increase the height of the pole by 5.5 feet when compared with the height of the existing pole.

The associated “antenna skirt” shall taper to meet the top of the pole if wider than the pole.

WCF Design Quality

Antennas and/or equipment at the top of the pole shall be covered by a single integrated shroud and “antenna skirt” designed without gaps between materials or sky visible between component surfaces and between the shroud or skirt and the top of the pole.

All components external to the pole shall have an integral color or shall be painted to match the color and/or materials of the pole.

Equipment shall be oriented to face in either of the directions of travel in the right of way and shall not face or extend toward private property or the curb line.

WCF Equipment Adjustment

For Streetlight Poles: Equipment that cannot propagate an adequate signal within the shrouding required by the standard designs shall be attached to a streetlight pole at a height of 2 feet below the light mast or higher. Each instance of such equipment shall not exceed 0.85 cubic feet, nor shall the total volume of such equipment and any shrouding exceed 2.6 cubic feet per streetlight pole.

For Wood Utility Poles:

Equipment that cannot propagate an adequate signal within the shrouding required by the standard designs shall be attached to the top of the pole or on a cross arm or brace protruding from the pole the minimum extent necessary to comply with safety standards, including GO 95. Such cross arm shall be placed as high on the pole as technically feasible. Each instance of such equipment shall not exceed 0.85 cubic feet nor shall the total volume of such equipment exceed 2.6 cubic feet per wood utility pole.

Curb Clearances

Any WCF attachments placed below 16 feet above ground level shall not be placed closer than 18 inches to the curb, nor shall they extend over the sidewalk (Caltrans Highway Design Manual Section 309).

All WCF equipment shall maintain at least 3 feet from any curb cut.

WCF Wires and Cabling

For Streetlight Poles: All wires and cabling shall be routed entirely underground and within the pole and any attached shroud.

For Wood Utility Poles: All wires and cabling to equipment shall be within the shroud or shall be within conduit. All conduit shall be mounted flush to the pole.

Safety Signs	Safety signs shall be the smallest size possible to accomplish its purpose.
Power Disconnects	<u>For Streetlight Poles:</u> Power disconnects shall be labeled and placed in a vault near the base of the pole. <u>For Wood Utility Poles:</u> Power disconnects shall be labeled and placed on the wood pole or in a vault near the base of the pole.
Ground Mounted Equipment	Except as provided in these standards, no equipment cabinets may be placed at grade.
Existing Pole Locations	A WCF shall utilize an existing streetlight pole or wood utility pole location. Any new pole locations are prohibited unless approved through a City Public Works/Utilities pole placement application.

WCF PERFORMANCE STANDARDS

Pole Replacement	<u>For Streetlight Poles:</u> An existing streetlight pole proposed for a WCF installation shall be replaced with a new pole. ⁷ <u>For Wood Utility Poles:</u> An existing wood utility pole proposed for a WCF installation shall be replaced with a new pole. ⁸
Landscaping Replacement	Any existing landscaping removed or damaged by installation shall be replaced in kind.
Landscape Screening	A WCF shall be placed where existing street tree foliage or new street tree or amenity tree foliage within 35 feet of the WCF provides interruption of direct views of the WCF.

⁷ Replacement streetlight poles must meet the currently applicable City standards for the pole, including foundation and bolt designs, conduit separation, aluminum material, color, width, height, light mast characteristics (examples: orientation, design, height, color temperature and photometrics), and the presence/absence of decorative features. Replacement poles will conform to Public Works Department (PWD) style guidelines and Utilities-Electrical (CPAU) standards where the City has adopted standards and will match the pole being replaced where no standards exist. Standard specifications for streetlight poles in the City can be obtained from the Utilities-Electrical (CPAU) and Public Works (PWD) Departments.

⁸ Replacement wood utility poles must meet the currently applicable City standards for the pole, including width, height, color, material, structural capacity, and GO 95 compliance. Replacement poles shall be no greater in diameter or other cross-sectional dimension than is necessary for the proper functioning of the pole with all attachments. Existing pole functionality shall be maintained, such as in regard to electrical lines, climbing space, light masts (examples: orientation, design, height, color temperature and photometrics), and provision of communication space, unless existing functionality, such as transformers, can be relocated with the approval of the Utilities-Electrical Department (CPAU). Standard specifications for pole replacement in the City can be obtained from CPAU. For wood utility poles carrying power lines, replacement poles shall be the minimum height necessary to provide GO-95 mandated clearance between WCF equipment and power lines.

Noise ⁹	Noise from a WCF shall comply with PAMC Chapter 9.10 and shall be consistent with noise-related Comprehensive Plan goals and policies.
City Marketing Banners	WCF installations shall not require any changes in the City's existing banner marketing program.

WCF EXCEPTIONS

A WCF applicant may file an application(s) containing a request for one or more WCF Exceptions to the objective standards set forth in this resolution or any other provision of PAMC Section 18.42.110. The request for a WCF Exception(s) does not exempt a WCF from complying with other objective wireless administrative standards adopted by City Council resolution or any other provision of PAMC Section 18.42.110.

Each WCF Exception request must be made at the time an application is submitted and must include both the specific provision(s) from which the exception is sought and the basis of the request, including all supporting evidence on which the applicant relies. The applicant has the burden of proving that federal law, state law, or both, compel the decision-making authority to grant the requested exception(s). The WCF Exception must satisfy the requirements of PAMC Section 18.42.110(k) and demonstrate why the standard is infeasible.

Failure to identify all required WCF Exceptions upon application submittal may result in application denial.

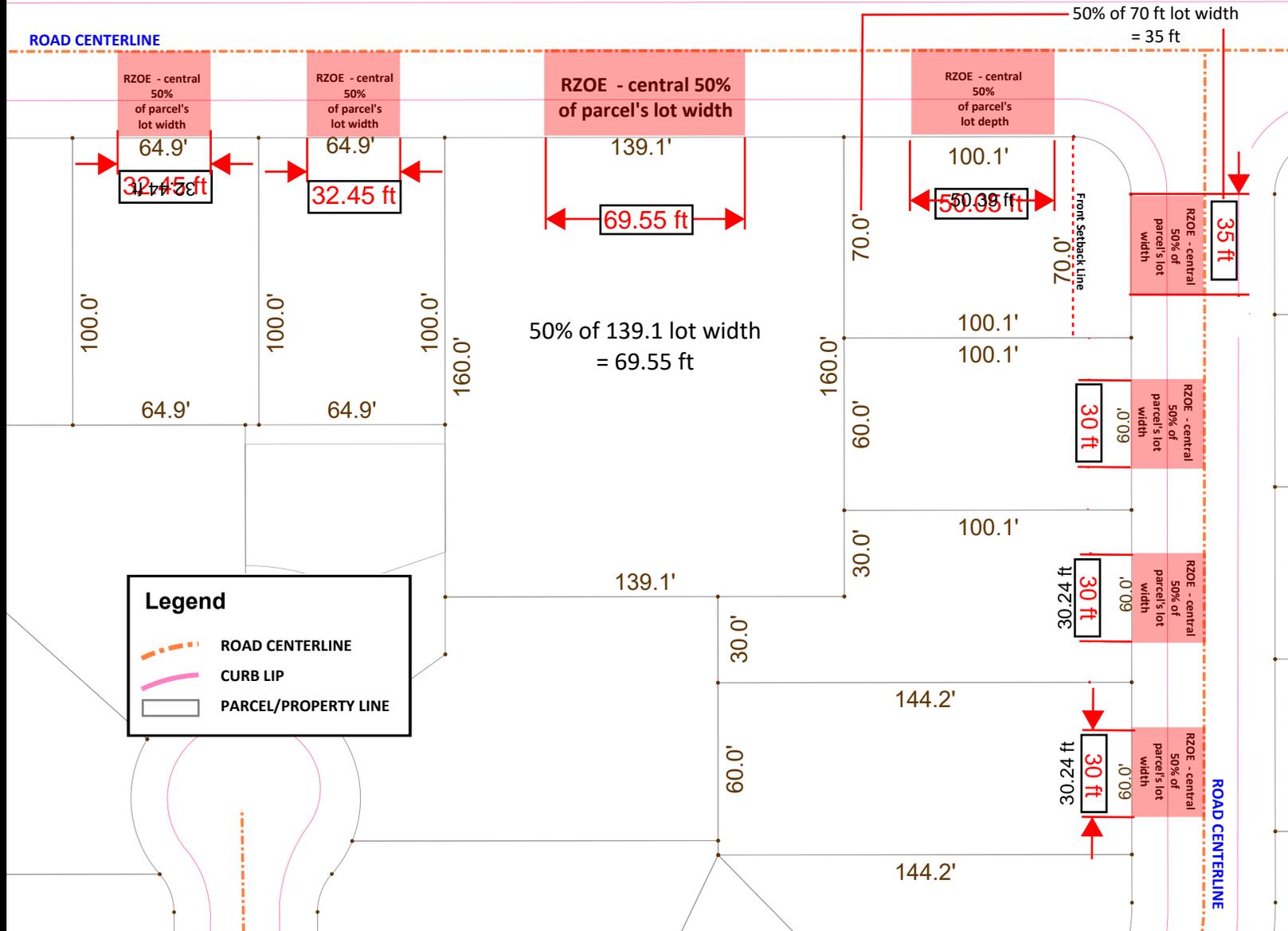
No WCF Exception may be granted that allows a WCF to be placed:

- 1) within 300 feet of a parcel containing a public school,
- 2) within 20 feet of a habitable residential building in a residential zoning district,
- 3) on wood utility poles within the Residential Zone of Exclusion described in this resolution, or
- 4) in an alley within a residential zoning district.

⁹ In residential areas with an average 24-hour noise level (L_{dn}) at or below 60 decibels (dB), noise generated by WCF equipment shall not cause the L_{dn} to exceed 60dB or to increase by 5.0 dB or more, even if the resulting L_{dn} would remain below 60 dB. In residential areas with a L_{dn} above 60 dB, noise generated by WCF equipment shall not cause the average to increase by 3.0 dB or more.

Residential Zone of Exclusion (RZOE) *(this standard applies to WCF Exception requests to locate in residential districts)*

No WCF shall be placed within the public right of way in the area between the street centerline and the central fifty percent (50%) of the immediately adjacent parcel's front lot line. The central fifty percent standard shall be based on the parcel's lot width. For corner lots, the central fifty percent standard along the street lot line shall be based on the parcel's lot depth.



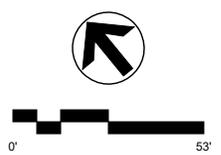
The City of Palo Alto



Exhibit 2

WCF RZOE DIAGRAM

This map is a product of the City of Palo Alto GIS



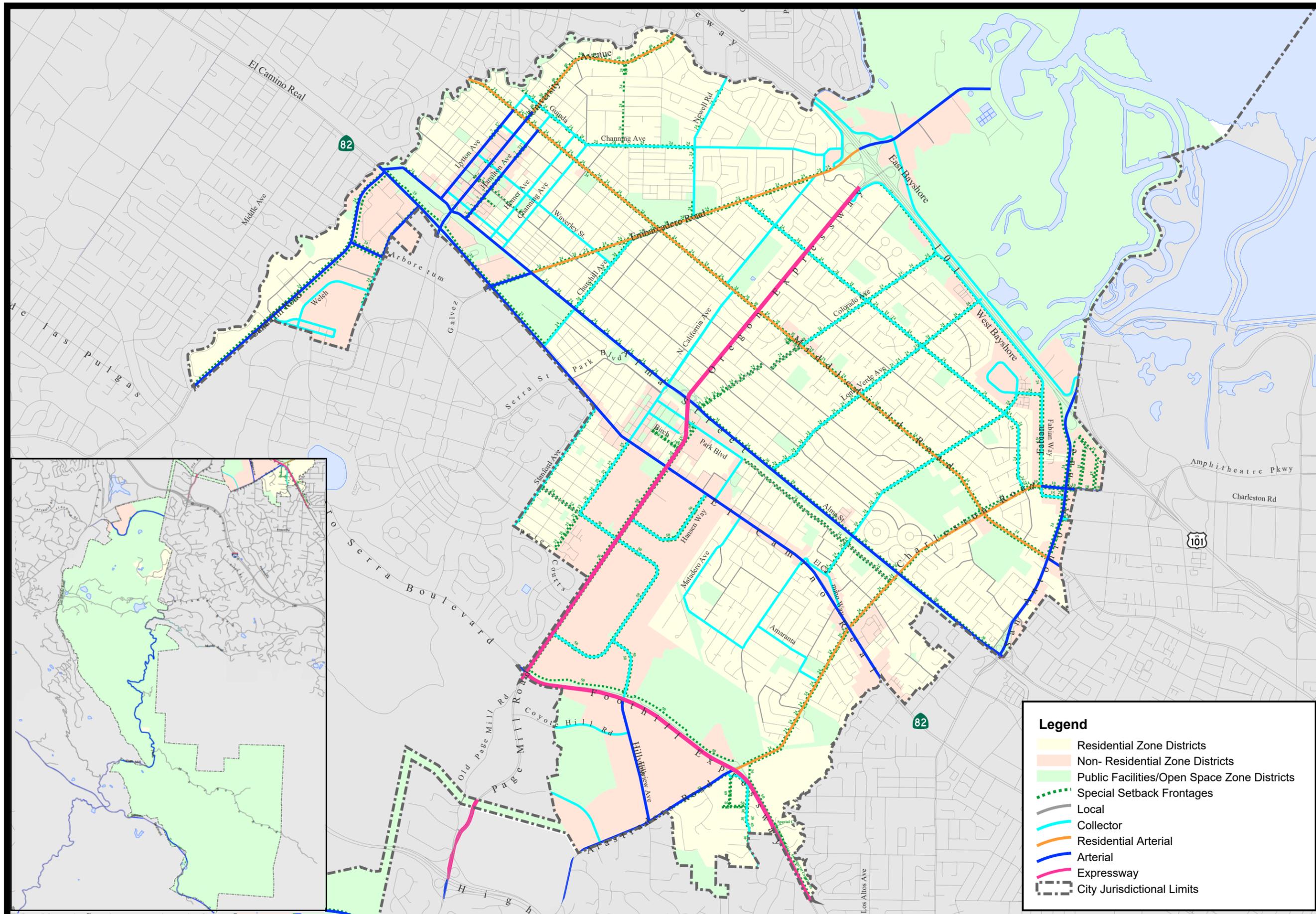


The City of Palo Alto



Exhibit 3
Road Network and Special Setbacks
with Residential, Commercial, and
Public Facilities Zoning Districts
v.20191125

This map is a product of the
City of Palo Alto GIS



Legend

- Residential Zone Districts
- Non- Residential Zone Districts
- Public Facilities/Open Space Zone Districts
- Special Setback Frontages
- Local
- Collector
- Residential Arterial
- Arterial
- Expressway
- City Jurisdictional Limits