PLANNING & COMMUNITY ENVIRONMENT
CITY OF PALO ALTO
250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
650.329.2441

March 26, 2018

Mary Diesch, Site Acquisition Manager, Small Cells
Vinculums Services
575 Lennon Lane
Walnut Creek CA 94598

Subject: **250 Hamilton Avenue [17PLN-00169]; Tier 3 Wireless Communication Facility Permit Applications for 11 Small Cell Nodes – Vinculums/Verizon Cluster 1**

Dear Mary Diesch:

On March 26, 2018 the Director of Planning and Community Environment (Director) approved 11 small cell nodes referenced below, under file 17PLN-00169.

These Director's approvals (known as Tier 3 Wireless Communication Facility (WCF) permits) were granted pursuant to the Palo Alto Municipal Code (PAMC) Sections 18.42.110 (c)(3), 18.42.110 (h)(1), 18.42.110 (h)(2), 18.42.110 (i), and 18.42.110 (j). These decisions were based on the review of all information contained within the project file, all public comments received to date, and the review of the proposal in comparison to applicable Comprehensive Plan goals and policies, as well as zoning and other municipal code requirements. These Director's approvals correspond with the recommendations of the Architectural Review Board from March 15, 2018.

APPROVED PROJECT LOCATIONS: Tier 3 Wireless Communication Facilities (small cell wireless communication equipment) are hereby approved on eleven utility poles in the public right of way within the Mid-Town, Palo Verde, St. Claire Gardens, and South of Mid-Town neighborhoods, as follows:

- Node #129: CPAU Pole# 3121 (near 2490 Louis Road APN 127-30- 062)
- Node #130: CPAU Pole #2461 (near 2802 Louis Road APN 127-28-046)
- Node #131: CPAU Pole #3315 (near 891 Elbridge Way APN 127-26-067)
- Node #133E: CPAU Pole #2856 (near 949 Loma Verde APN 127-23- 009)
- Node #134: CPAU Pole #2964 (near 3409 Kenneth Drive APN 127-09-028)
- Node #135: CPAU Pole # 3610 (near 795 Stone Ln APN 127-47-001)
- Node #137: CPAU Pole #3351 (near 3090 Ross Rd APN 127-52-031)
- Node #138: CPAU Pole #2479 (near 836 Colorado Av APN 127-27-063)
- Node #143: CPAU Pole #3867 (near 419 El Verano Av APN 132-15-017)
- Node #144: CPAU Pole #1506 (near 201 Loma Verde Av APN 132-48-015) and
- Node #145: CPAU Pole #3288 (near 737 Loma Verde Av APN 127-64-039).

Pursuant to the California Environmental Quality Act (CEQA), the Director determined that each WCF is Categorically Exempt under CEQA Class 3, Guidelines Section 15303 (New Construction of Conversion of Small Structures).

The Director's decision on each of the 11 nodes shall become final and effective fourteen (14) calendar days from the postmark date of the March 26, 2018 mailing (or on the next business day if it falls on a weekend or holiday), unless appeal(s) are filed pursuant to PAMC Section 18.77.070(e). Any appeal(s) shall be in writing and submitted to the Planning Division prior to the end of the business day of the fourteenth day. The Director's decisions for nodes that are not appealed within this time shall become final, notwithstanding any timely appeal of one or more of the other nodes included in this letter.

Any appeal(s) shall be placed on the City Council consent calendar within 45 days pursuant to PAMC Section 18.77.070(f). The appeal form, which contains brief instructions, can be found on the City website (https://www.cityofpaloalto.org/civicax/filebank/documents/61907). Each appealed node should be specifically listed by node number on the appeal form and in the letter stating the reason(s) for the appeal.

As outlined in the Fiscal Year 2018 Municipal Fee Schedule found on the City's website (https://www.cityofpaloalto.org/civicax/filebank/documents/61512), the total fee to file an appeal for one or more nodes is two-hundred and eighty dollars ($280.00). The fee is refunded if the City Council chooses not to hear an appeal.

Approvals shall be effective for one year from the date they become final, within which time construction of the project shall have commenced. Applications for extensions may be made prior to approval expiration.

According to PAMC Section 18.42.110(l), the Director may revoke any WCF permit if the permit holder fails to comply with any conditions of approval.

Should you have any questions regarding this approval, please do not hesitate to contact Rebecca Atkinson, at (650) 329-2596, or e-mail Rebecca.Atkinson@CityofPaloAlto.org.

Sincerely,

Hillary Gitelman, AICP, Director of Planning and Community Environment

Cc:

Jennifer Haas, Verizon Wireless, 2785 Mitchell Drive, Building 9, Walnut Creek, CA 94598
Paul Albritton, Esq. Mackenzie & Albritton LLP, 155 Sansome St., Ste. 800, San Francisco, CA 94104
Hamid Ghaemmaghami, Manager Real Property for Administrative Services, City of Palo Alto
Jim Fleming, Senior Management Analyst for Utilities Department, City of Palo Alto

Attachment:

Findings and Conditions of Approval

FINDINGS FOR APPROVAL [17PLN-00169]:

These Director's approvals are granted based upon adherence to the process required by Palo Alto Municipal Code (PAMC) Section 18.42.110(c)(3) and Section 18.42.110(h). In accordance with PAMC 18.42.110(h)(2) and as outlined below, the project complies with PAMC 18.42.110(i) Development Standards, complies with PAMC 18.42.110(j) Conditions of Approval, and the Architectural Review Findings in PAMC Section 18.76.020(d) and Conditional Use Permit Findings in PAMC Section 18.76.010(c) can be made for the project.

Tier 3 WCF Permit Development Standards PAMC 18.42.110(i)

Each of the 11 approved nodes complies with the Development Standards in **PAMC Section 18.42.110(i)(1) through (11)** because:

(1) *Shall utilize the smallest footprint possible.* The proposed Wireless Communication Facilities (WCF) employs a design that balances aesthetic considerations and reduces, to the extent feasible, the small cell's footprint on the utility pole.

(2) *Shall be designed to minimize the overall height, mass, and size of the cabinet and enclosure structure.* The project applicant presented four design options for pole mounted mechanical equipment. The overall size and dimensions varied, but the approved design was selected for its concealment and integration with pole design, in addition to overall reduction in mass and size. The antennas require a bayonet extension or pole replacement, but the height of the antennas extends to the minimum height necessary for effective transmission.

(3) *Shall be screened from public view.* The proposed mechanical equipment, bayonet extensions and antennas are screened from public view with metal shrouds that will be painted to match existing or proposed utility poles. Sites with sparse street trees are conditioned to have additional trees planted to further screen the WCF from view.

(4) *Shall be architecturally compatible with the existing site.* The small cell nodes will be located on wood utility poles. The proposed shroud and concealment approach is consistent and compatible with other equipment screening on utility poles.

(5) *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.* No significant landscaping or parkway planting will be disturbed or lost. Additionally, amenity trees are identified in the project plans for the following nodes to improve screening: Node 130 (2 trees), Node 131 (1 tree), Node 133-E (1 tree), Node 143 (1 tree), Node 144 (2 trees), and Node 145 (1 tree).

(6) *An antenna, base station, or tower shall be designed to minimize its visibility from off-site locations and 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.* Proposed mechanical equipment and antennas will be concealed with shrouds colored to the extent feasible to match existing or proposed utility poles. The placement and orientation of each node's mechanical equipment has been evaluated to minimize visual impacts and, to the extent feasible, blend in with the surrounding area.

(7) *A building-mounted antenna, base station, or tower shall be architecturally compatible with the existing building on which the antenna, base station, or tower is attached.* This provision does not apply to the subject project.

(8) *For any Tier 2 or Tier 3 WCF proposed to be attached on an historic structure/site, as designated by Chapter 16.49, historic review shall also be required.* This provision does not apply to the subject project. No WCR is proposed to be located on a historic structure or site.

(9) *Except as otherwise permitted by the Spectrum Act, a building-mounted WCF may extend fifteen (15) feet beyond the permitted height of the building in the zone district.* The proposed facility is not building mounted and, therefore, this provision does not apply to the subject application.

(10) *Except as otherwise permitted by the Spectrum Act, a tower or other stand-alone Tier 3 WCF Project shall not exceed sixty-five (65) feet in height.* None of the proposed WCF's extend beyond 65 feet in height. Most antennas are located at or around 55 feet in height.

(11) *A tower or other stand-alone Tier 3 WCF may encroach into the interior/street side and rear setback.* This provision does not apply to the subject project. The proposed small cell nodes are all located on public property, which is not subject to setback requirements.

Tier 3 WCF Permit Conditions of Approval PAMC 18.42.110(j)

Each of the 11 approved nodes complies with **PAMC Section 18.42.110(j)** because the referenced Wireless Communication Facility standard conditions of approval are incorporated into the specific conditions of approval for this project 17PLN-00169.

Architectural Review Findings PAMC Section 18.76.020(d)

All of the architectural review findings in **PAMC Section 18.76.020(d)** can be made because:

(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.* As conditioned, the proposed project complies with applicable local regulations for WCF's, specifically the development requirements of PAMC 18.42.110 (i). There are no applicable design guidelines or coordinated area plan that is relevant to this project. There are several policies in the city's comprehensive plan that relate to preserving the character and enjoyment residential neighborhoods and wireless communication facilities are not precluded from locating in residential districts. The city's zoning code provides a process to permit WCF's that blend with their existing surroundings and do not negatively impact the environment, historic properties, or public safety. None of the proposed small cell nodes are located on a historic resource and, as conditioned, each has been designed to blend in with the surrounding neighborhood to the extent feasible. The proposed facilities are located on utility poles that typically have equipment boxes, transformers, cable runs and other features to support a variety of utility service providers. The comprehensive plan includes Program L9.11.2, which provides that the city identifies city-owned properties where combinations of wireless facilities can be co-located, assuming appropriate lease agreements are in place. The subject antennas are subject to an approved Master License Agreement approved by the City Council in June 2016. Based on the foregoing and information contained in the administrative record, the proposed project complies with this finding.

(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.* The project includes the establishment of mechanical equipment, antennas and associated cabling. As conditioned, the small cell nodes are designed to balance the aesthetic interests to minimize the visibility of the WCF in the smallest footprint reasonable. The sites are located on utility poles distributed throughout portions of the city and are not intended to be occupied or visited structures.

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.* The proposed small cell nodes are attached to existing or planned replacement utility poles. There WCFs are not located on historic resources and are not located in any area recognized by the city for its historic character.

C. *Is consistent with context based design criteria of the applicable zone district.* There is context based design criteria for RM zone district where some of the nodes are located, however, these standards typically relate to building mass, façade treatment, entries, open space, site planning, parking and related matters that are not related to the subject small cell nodes. As conditioned, the proposed WCFs, however, are designed to blend into the environmental to the extent possible with integrated screening techniques and matching exterior surfaces to the color of existing or planned utility poles.

D. *Provides harmonious transitions in scale, mass and character to adjacent land uses and land use designations.* As conditioned, the proposed WCFs are designed to blend in with the existing environment, are located on existing or replacement utility poles and will be painted to match the structures they will be located upon. The proposed equipment is not an atypical use of the utility poles which provides a variety of communication utility services and would not impact the scale, mass or character of adjacent land uses.

E. *Enhances living conditions on the site (if it includes residential uses) and in adjacent residential areas.* The proposed project does not include residential uses and placement of WCFs on utility poles does not disrupt living conditions in adjacent residential areas. Some residents may benefit from improved wireless coverage.

(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.* The proposed project includes the placement of mechanical equipment, cabling, antennas and screening material. The components necessarily by design and function must be integrated and employ appropriate construction techniques. The proposed materials and colors have been reviewed and, as conditioned, determined appropriate for the utility use planned for with the proposed WCFs. The propose material and colors were selected to blend in with the surrounding environment.

(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.*). As conditioned, the proposed project has been designed in compliance with local, state and federal safety standards, construction techniques and clearances required to allow for the ease and safety of pedestrian and bicycle traffic. The design is functional for its intended use and includes components necessary for its operation and screening.

(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.* As a condition of approval, the project requires screen trees at certain small cell node locations. While subject to review and approval from the City's Urban Forestry division, the variety of trees proposed include F*orest Pansy, Blue Atlas Cedar, Dodonea Viscosa, Crape Myrtle, Shamel Ash, Drake Elm, Live Oaks (Quercus Wislizenii); and Hackberry.* These trees are consistent and appropriate to the local conditions and support the desired habitat in these areas.

(6) *The project incorporates design principles that achieve sustainability in areas related to energy efficiency, water conservation, building materials, landscaping, and site planning.* The proposed project draws energy from the city's utility service, requires no water, employs appropriate landscaping where required to enhance screening and is designed with material appropriate to the proposed utility use.

Conditional Use Permit Findings PAMC Section 18.76.010(c)

All of the conditional use permit findings in **PAMC Section 18.76.010(c)** can be made because:

(1) *The project will 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.* As conditioned, the project involves the construction of 11 small cell nodes to provide wireless service in certain coverage areas of the city. The federal government has preempted local jurisdictions from denying projects based on electromagnetic radiation generated by these WCFs. However, local governments can impose conditions to verify compliance with federal thresholds, which has been incorporated into this approval. The mechanical equipment and antennas are located on existing or planned to be replaced, utility poles. These structures provide a range of communication services to Palo Alto residents. The proposed WCF is consistent with this service objective and is placed in a matter that is designed to blend in with the environment to the extent feasible. The utility poles have been evaluated and determined to be able to support the increased weight and for those poles not suitable, replacement poles are planned. The equipment is placed at an appropriate height and will not interfere with motorists, pedestrians or cyclists. No noise will be emitted from any of the proposed equipment. Based on the foregoing and other information contained in the administrative record, it is found that the proposed project will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.

(2) The project is located and conducted in a manner in accord with the Palo Alto Comprehensive Plan and the purposes of this title (Zoning). Wireless Communication Facilities are permitted uses in the residential district. The city's zoning code provides a process to permit WCF's that blend with their existing surroundings and do not negatively impact the environment, historic properties, or public safety. None of the proposed small cell nodes are located on a historic resource and, as conditioned, each has been designed to blend in with the surrounding neighborhood to the extent feasible. The proposed facilities are located on utility poles that typically have equipment boxes, transformers, cable runs and other features to support a variety of utility service providers. The comprehensive plan includes Program L9.11.2, which provides that the city identifies city-owned properties where combinations of wireless facilities can be co-located, assuming appropriate lease agreements are in place. The subject antennas are subject to an approved Master License Agreement approved by the City Council in June 2016. Based on the foregoing and information contained in the administrative record, the proposed project in consistent with the city's comprehensive plan.

CONDITIONS OF APPROVAL [17PLN-00169]:

Planning Division

1. COMPLIANCE WITH APPROVED PLANS. The nodes shall be built in compliance with the approved plans and associated application materials on file with the Planning Division for 17PLN-00169, except as modified by these conditions of approval. Any additional azimuths, antennas or equipment shown on the project plans beyond that mentioned in the application materials are not approved. The aforementioned plans and materials include:
    - Color Sample Board, received June 27, 2017.
    - Project Description, received February 26, 2018.
    - Project Plans, titled "PALO ALTO SMALL CELL CLUSTER 1," received February 26, 2018.
    - Statement of Hammett & Edison, Inc., Consulting Engineers, titled "Verizon Wireless • Proposed Small Cell Base Stations - Noise Levels at Eleven Pole Locations (Cluster 1) • Palo Alto, California," dated February 22, 2018 as received February 26, 2018.
    - Statement of Hammett & Edison, Inc., Consulting Engineers, titled and dated as follows:
        a. Verizon Wireless • Proposed Small Cell (No. 133-E), 949 Loma Verde Avenue • Palo Alto, California, dated February 22, 2018 as received February 26, 2018
        b. Verizon Wireless • Proposed Small Cell (No. 129) 2490 Louis Road • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        c. Verizon Wireless • Proposed Small Cell (No. 130) 2802 Louis Road • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        d. Verizon Wireless • Proposed Small Cell (No. 131) 891 Elbridge Way • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        e. Verizon Wireless • Proposed Small Cell (No. 134) 3409 Kenneth Drive • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        f. Verizon Wireless • Proposed Small Cell (No. 135) 795 Stone Lane • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        g. Verizon Wireless • Proposed Small Cell (No. 137) 3090 Ross Road • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        h. Verizon Wireless • Proposed Small Cell (No. 138) 836 Colorado Avenue • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        i. Verizon Wireless • Proposed Small Cell (No. 143) 419 El Verano Avenue • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        j. Verizon Wireless • Proposed Small Cell (No. 144) 201 Loma Verde Avenue • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.
        k. Verizon Wireless • Proposed Small Cell (No. 145) 737 Loma Verde Avenue • Palo Alto, California, dated December 18, 2017 and as received December 21, 2017.

2. ANTENNAS. The antenna model numbers, tilts, and azimuths shall remain consistent between the permit plan set and the Statement of Hammett & Edison, Inc., Consulting Engineers, dated as received February 26, 2018 (Node 133-E) and December 21, 2017 (all other Nodes).

3. NODES EXCLUDED. This approval does not include Nodes 127, 139, 146, 136, 140, 141, and 147, as the applicant elected to not pursue these nodes at this time and these nodes were removed by the applicant from the Project Plans, dated received February 26, 2018.

4. BATTERY BACK-UP UNITS EXCLUDED. This approval does not contain battery back-up units and associated heat exchangers, as this equipment was removed by the applicant from the Project Plans, dated received February 26, 2018. The proposed design is considered concealment/camouflage for purposes of the Spectrum Act, and battery backups shall not be installed at any node without application for the appropriate WCF permit, consistent with PAMC Section 18.42.110(c).

5. APPROVAL OF NODE ALTERNATE. This approval does not include Node 133, as Alternate Node 133-E is approved as an alternate.

6. USE OF EXISTING POLES OR POLE REPLACEMENTS. Pole replacement is required if existing poles do not meet structural and loading requirements. All pole replacements are approved – Node 129 and Node 133-E. All existing poles to remain shall be returned to plumb.

7. PAINT COLOR FOR CONDUIT AND EQUIPMENT. Each node shall be painted to match most closely the color of the adjacent pole as shown on the Color Sample Board, dated received June 27, 2017. If a pole is replaced, the conduit and equipment shall be painted "Railroad Ties."

8. ANTENNA CANISTER/BAYONET SHROUD OR POLE REPLACEMENT/CAP MOUNT. Each node shall utilize the "Taper Shroud" shown as on Sheet CT-2 of the plan set, unless the node is listed for pole replacement and the associated cap mount format. No sky shall be seen through the mounting and attachment equipment for the antennas.

9. VAULTING OF EQUIPMENT. This approval does not include any vaulting of equipment listed to be pole mounted, as vaulting was found to be infeasible at the approved locations.

10. POLE-MOUNTED EQUIPMENT SHROUD. Each node shall utilize the "Box Shroud" as shown on Sheet CT-4 for any pole mounted equipment.

11. POLE-MOUNTED EQUIPMENT STANDOFF DISTANCE. The standoff distance for the pole mounted equipment shall not exceed five (5) inches.

12. POLE-MOUNTED EQUIPMENT ORIENTATION. All nodes shall maintain required climbing space. Pole mounted-equipment shall not face directly toward adjacent private property or extend over sidewalks. The Director of Planning and Community Environment may approve minor modifications to equipment orientation in order to address any resource, technical, or utilities engineering-related site constraints based upon field conditions.

13. AMENITY TREES FOR ADDITIONAL SCREENING. New amenity trees proposed on private property are not a part of this approval. All nodes shall incorporate new amenity trees in the right of way where possible in order to provide for additional screening of pole mounted equipment and conduit. All new amenity trees shall be listed in the "New Tree Table" on Node Sheets A-1. Amenity trees are identified for the following nodes: Node 130 (2 trees), Node 131 (1 tree), Node 133-E (1 tree), Node 143 (1 tree), Node 144 (2 trees), and Node 145 (1 tree).

14. EXPLANATORY AND OTHER SAFETY SIGNAGE. The recommended explanatory signage described in the Statement of Hammett & Edison, Inc., Consulting Engineers, dated as received February 26, 2018 (Node 133-E) and December 21, 2017 (all other Nodes), shall be incorporated into the permit plan set. Signage shall comply with any relevant requirements of California Public Utilities Commission General Order No.

95. All radio frequency signage shall comply with FCC Office of Engineering and Technology Bulletin No. 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this Site as required by the FCC.

15. PERMITTING. This approval letter, including the associated conditions of approval, shall be printed on the plan sets submitted for encroachment and street work permit review. Encroachment permit and streetwork permit plan sets shall include accurate locations of driveways, curb lines, utilities, and other existing conditions.

16. DEVELOPMENT STANDARDS. The project establishes the site specific camouflage, concealment and stealth elements for each approved new node, and for that node only.

17. PERMITTING BY OTHERS. This approval does not include approval or permitting by the Santa Clara Valley Water District and/or other entities that may have additional permitting authority separate from the City of Palo Alto.

18. PLANNING FINAL INSPECTION. A Planning Division Final inspection will be required to determine substantial compliance with the approved plans prior to the scheduling of a permit final inspection by the Public Works and/or Building Departments. Any revisions during the construction process must be approved by Planning, including but not limited to; landscaping, equipment, and hard surface locations. Contact the Planning Department to schedule this inspection.

19. NODE MAINTENANCE. All aspects of the small cell node shall be well maintained at all times and replaced, if necessary, to the satisfaction of the Director of Planning.

20. MODIFICATIONS TO APPROVED PLANS. Any modifications, additions and intensification of use (i.e. additional antennas, equipment substitutions, adjustments in location or height) shall require review and approval as specified in the Palo Alto Municipal Code prior to construction. Please see PAMC Section 18.42.110(c) for more information.

21. NOISE ORDINANCE AND NOISE POLICIES. The project shall comply with all noise standards specified in Municipal Code Chapter 9.10.050 and the noise-related policies in Chapter 4 (Natural Environment).

22. REMOVAL OF ABANDONED EQUIPMENT. Any components of the Wireless Communication Facility (WCF) that cease to be in use for more than ninety (90) days shall be removed by the applicant, Wireless Communications Service provider, or property owner within ninety (90) days of the cessation of use of that WCF. No new permits shall be approved until the abandoned WCF or applicable components are removed.

23. AS-BUILT PLANS. An as-built set of plans and photographs depicting the entire WCF as modified, including all Transmission Equipment and all utilities, shall be submitted to the Planning Division within ninety (90) days after the completion of construction.

24. RADIO FREQUENCY EMISSION. The 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 Federal Communications Commission 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. The report shall have a methodology section outlining instrumentation, measurement direction, heights and distances, and other protocols outlined in FCC Bulletin OET 65. The report shall include a list and identify any nearby RF sources, nearby reflecting surfaces or conductive objects that could produce regions of field intensification, antenna gain and vertical and horizontal radiation patterns, type of modulation of the site, polarization and emissions orientation(s) of the antenna(s), a log of all equipment used, and a map and list of all locations measured indicating the maximum power observed and the percentage of the FCC Uncontrolled/General Population guidelines at the measurement location. At the applicant's expense, the City may elect to have a City-staff observer during the measurements, may elect to receive raw test measurements by location provided in electronic format to the observer, and may elect to have the report independently peer reviewed prior to report acceptance. Applicant may be required to submit these reports periodically for the life of the project, as determined by the Director of Planning and Community Environment.

25. 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.

26. 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.

27. PERMIT EXPIRATION. The project approval shall be valid for a period of one year from the original date of approval. In the event a building permit(s), if applicable, is not secured for the project within the time limit specified above, the approval shall expire and be of no further force or effect. A written request for a one-year extension shall be submitted prior to the expiration date in order to be considered by the Director of Planning and Community Environment.

28. REVOCATION. The Director of Planning and Community Environment may revoke any WCF permit if the permit holder fails to comply with any conditions of the permit. The Director's decision to revoke a permit shall be appealable pursuant to the process for architectural review set forth in Section 18.77.070 and the process for conditional use permits set forth in Section 18.77.060.

Fire Department

29. FIRE CODE. This project shall comply with the 2016 CFC and local Fire Code ordinance/requirements.

30. ELECTRICAL DISCONNECT. The project shall label the main electrical disconnect.

31. HAZARDOUS MATERIALS REGISTRATION FORM. A Hazardous Materials Registration Form is required to be submitted and approved prior to bringing any hazardous materials on site. Forms also available at http://www.unidocs.org

32. SIGNS. The project shall provide warning signs at locations where workers and general public may be exposed to RF exposure above the federal Maximum Permissible Level.

33. CONTACT INFORMATION. Each site shall have at least one sign per owner/service provider that indicates the company's name, site # and 24 hour emergency number.

Transportation Division

34. TRAFFIC CONTROL PLANS: Include site-specific traffic control plans which conform to the latest version of the California Manual on Uniform Traffic Control Devices (CAMUTCD) with plans submitted for a Street Work Permit or Encroachment Permit. Temporary traffic control plans will be reviewed as part of the Street Work and/or Encroachment Permit. Approval of the planning entitlement does not constitute approval of any temporary traffic control plans.

35. VERTICAL AND HORIZONTAL CLEARANCES: At least 1.5-feet horizontal clearance shall be provided between any new or relocated equipment and the adjacent face of curb or edge of traveled way for any public roadway, driveway, or alley, unless 16-feet vertical clearance is provided between equipment and the top of adjacent travel way. In no circumstance shall less than 10-feet vertical clearance be provided between adjacent sidewalk, path, or walkway grade.

Public Works-Urban Forestry Department

36. NEW AMENITY TREE PLANTING AND WATERING. The applicant shall coordinate with the Urban Forestry Department to finalize all amenity tree species, locations, and box sizes prior to permit in order for all trees to be accurately noted on the plans for permit. The applicant shall make a one-time only standard contribution to the Urban Forestry Fund in the amount of $650 per tree for Urban Forestry to plant and then water the respective tree during the tree establishment period.

37. PROJECT ARBORIST. The property owner shall retain a certified arborist to ensure the project conforms to all Planning and Urban Forestry conditions related to landscaping/trees, as shown in the approved plan set.

38. TREE DAMAGE. Tree Damage, Injury Mitigation and Inspections apply to Contractor. Reporting, injury mitigation measures and arborist inspection schedule (1-5) apply pursuant to TTM, Section 2.20-2.30. Contractor shall be responsible for the repair or replacement of any publicly owned or protected trees that are damaged during the course of construction, pursuant to Title 8 of the Palo Alto Municipal Code, and city Tree Technical Manual, Section 2.25.

39. GENERAL. The following general tree preservation measures apply to all trees to be retained: No storage of material, topsoil, vehicles or equipment shall be permitted within the tree enclosure area. The ground under and around the tree canopy area shall not be altered. Trees to be retained shall be irrigated, aerated and maintained as necessary to ensure survival.

Utilities-Water, Gas, Wastewater Department

40. SERVICE REQUIREMENTS. The applicant shall comply with all the Water, Gas, and Wastewater Department requirements noted during plan review.

Utilities-Electrical Department

41. MASTER LICENSE AGREEMENT. Each small cell node will comply at all times with the terms and conditions in the Master License Agreement for Use of City-Controlled Space on Utility Poles and Streetlight Poles and in Conduits ("MLA") between the City of Palo Alto and GTE Mobilnet of California Limited Partnership, DBA Verizon Wireless, executed on June 27, 2016 (Contract No. C16165156). A security instrument, such as a Performance Bond or Letter of Credit, shall be provided in accordance with Section 14.0 of the Master License Agreement prior to encroachment or street work permit issuance.

42. LOADING CALCULATIONS. All sites shall include pole loading calculations.

43. ATTACHMENTS. All attachments for equipment must be in the 12, 3, 6, or 9 o'clock positions as shown on the approved plans.

44. SERVICE REQUIREMENTS. The applicant shall comply with all the Electric Utility Engineering Department service requirements noted during plan review.

45. PRIOR TO WORK. Contractors and developers shall obtain permit from the Department of Public Works before digging in the street right-of-way. This includes sidewalks, driveways and planter strips.

46. IDENTIFICATION OF UTILITIES. The applicant shall be responsible for identification and location of all utilities, both public and private, within the work area. At least 48 hours prior to starting any excavation, the customer must call Underground Service Alert (USA) at 1-800-227-2600 to have existing underground utilities located and marked. The areas to be checked for underground facility marking shall be delineated with white paint. All USA markings shall be removed by the customer or contractor when construction is complete.

47. UTILITITY DISCONNECTION. The applicant shall submit a request to disconnect all existing utility services and/or meters including a signed affidavit of vacancy, on the form provided by the Building Inspection Division. Utilities will be disconnected or removed within 10 working days after receipt of request. The demolition permit will be issued after all utility services and/or meters have been disconnected and removed.

Public Works-Engineering Department

48. PERMIT REVIEW. Public Works shall determine the number of encroachment permits and associated street work permits, if any, that can be processed in a batch. The applicant will be required to apply for all necessary permits including: Street Work and Encroachment Permit applications. All required applications shall be in the submittal package for Public Works. Any necessary traffic control plans will also be submitted in the permit application packet. These necessary permit applications and requirements are available from Public Works on our website: http://www.cityofpaloalto.org/gov/depts/pwd/default.asp. All traffic control plans associated with each

proposal location shall be reviewed by Transportation Division under Planning & Community Environment. Public Works will route all traffic control plans for Transportation review when associated Street Work and Encroachment permits are submitted.

49. TRENCH WORK AND FIBER OPTIC CONDUIT. All trench work and placement of fiber optic conduit shall adhere to City of Palo Alto Public Works specifications. Refer to City of Palo Alto Public Works Conduit Location Detail Telecommunications Drawing No. 402. This detail will provide specifics for placement of conduit in both residential and commercial areas. Any deviation from City Standards and Regulations must be approved by Public Works and all other applicable Departments.

50. EASEMENTS. All existing easements shall be indicated on plan submittal to Public Works for necessary permits. Any proposed items in existing Public Utility Easement areas shall be approved by CPA Utilities and Public Works Engineering. This can be covered under an Encroachment Permit. Include a note on site plan indicating whether easements are present for each location.

51. FLOOD ZONE. Notes shall be included on the Site Plan and/or Grading and Drainage Plan that includes the FIRM panel number, flood zone designation, BFE elevation and the North American Vertical Datum (NAVD). You may access project specific information on Public Works Storm water website. See Flood zone Lookup under the attached link: http://www.cityofpaloalto.org/gov/depts/pwd/stormwater/floodzones.asp

52. PLAN SET NOTES. The following notes shall be added to the plan set for permits:

a. Include the sidewalk width for each location on site plans.

b. Add a note to the plans that says, "The contractor using the city sidewalk, alley or parking lot to work on an adjacent private building must do so in a manner that is safe for pedestrians and vehicles. The contractor must cone or tape-off the work area while still leaving adequate room for pedestrians and vehicles to safely pass. If the contractor's work area leaves insufficient sidewalk or alley space for safe pedestrian and vehicle passage, the contractor must apply to Public Works for an encroachment permit to close the sidewalk or alley."

c. Place the following note adjacent to an affected tree on the Site Plan and Demolition Plan: "Excavation activities associated with the proposed scope of work shall occur no closer than 10-feet from the existing street tree, or as approved by the Urban Forestry Division contact 650-496-5953. Any changes shall be approved by the same."

d. Provide the following note on the Site Plan and adjacent to the work within the Public road right-of-way. "Any construction within the city's public road right-of-way shall have an approved Permit for Construction in the Public Street prior to commencement of this work."

e. The following note shall be included on the Site Plan: "Contractor shall not stage, store, or stockpile any material or equipment within the public road right-of-way." Construction phasing shall be coordinate to keep materials and equipment onsite.

f. The following note shall be included on the Site Plan: "The contractor shall be required to submit a logistics plan to the Public Works Department prior to commencing work that addresses all impacts to the City's right-of-way, including, but not limited to: pedestrian control,

traffic control, truck routes, material deliveries, contractor's parking, concrete pours, crane lifts, work hours, noise control, dust control, storm water pollution prevention, contractor's contact, noticing of affected surrounding properties , and schedule of work. The requirement to submit a logistics plan will be dependent on the number of applications Public Works Engineering receives within close proximity to help mitigate and control the impact to the public-right-of-way. If necessary, Public Works may require a Logistics Plan during construction."

g. The following note shall be included on the Site Plan: "The contractor using the city sidewalk to work on an adjacent private building must do so in a manner that is safe for pedestrians using the sidewalk. Pedestrian protection must be provided per the 2007 California Building Code Chapter 33 requirements. If the height of construction is 8 feet or less, the contractor must place construction railings sufficient to direct pedestrians around construction areas. If the height of construction is more than 8 feet, the contractor must obtain an encroachment permit from Public Works at the Development Center in order to provide a barrier and covered walkway or to close the sidewalk."

53. CURB CONDITION. Each location shall identify curb type on plans. Indicate whether or not a site has a rolled curb or a standard curb/gutter. In the instance of the rolled curb, all equipment shall be removed from the transition slope area of the rolled curb. The equipment shall be on one plane.

54. UTILITIES. Note that all above ground utilities, such as transformer, backflow preventer, gas meters, etc., shall be located within the project site but accessible from the street. Any new or relocated utilities will correspond with approved locations from City Utilities Department.

55. STORM WATER POLLUTION PREVENTION. The permit plans shall include the City's full-sized "Pollution Prevention - It's Part of the Plan." The sheet is available here: http://www.cityofpaloalto.org/civicax/filebank/documents/2732

56. WORK IN THE RIGHT-OF-WAY. The plans shall clearly indicate any work that is proposed in the public right-of-way, such as trenching, sidewalk replacement, driveway approach, utility laterals or crane. The plans must include notes that the work must be done per City standards and that the contractor performing this work must first obtain a Street Work Permit from Public Works at the Development Center. If a new driveway is in a different location than the existing driveway, then the sidewalk associated with the new driveway must be replaced with a thickened (6" thick instead of the standard 4" thick) section. Additionally, curb cuts and driveway approaches for abandoned driveways must be replaced with new curb, gutter and planter strip.

57. SIDEWALK, CURB & GUTTER. In the event existing sidewalks, curbs, gutters, driveway approaches, or street areas in the public right-of-way are disturbed as part of this project, the applicant shall repair or replace those sidewalks, curbs, gutters, driveway approaches, or street areas as directed by and to the satisfaction of the City Engineer. Contact Public Works' inspector at 650-496-6929 to arrange a site visit so that the inspector can discuss the extent of replacement work along the public road. The site plan submitted with the building permit plan set must show the extent of the replacement work. The plan must note that any work in the right-of-way must be done per Public Works' standards by a licensed contractor who must first obtain a *Street Work Permit* from Public Works at the Development Center.