

Sunnyvale Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 19. ZONING							
Article 4. GENERAL DEVELOPMENT STANDARDS							
Chapter 19.54. WIRELESS TELECOMMUNICATION FACILITIES							

19.54.160. Telecommunication facilities in the public right-of-way.

(a) Design Criteria. The city council shall, by resolution, establish criteria and various guidelines (“Design Criteria”) for design review of wireless telecommunication facilities in the public right-of-way.

(b) Design Review Not Requiring a Public Hearing. An application for a wireless telecommunication facility in the public right-of-way shall be considered by the director of community development following the procedures for design review with public notice and no public hearing in Section [19.80.040](#) (Procedures and decisions) if the facility:

(1) Meets the adopted Design Criteria for wireless telecommunication facilities on joint poles or light poles; and

(2) Will be placed on a pole located more than three hundred feet from any property line of a public park, public school or heritage resource or landmark.

(c) Design Review Requiring a Public Hearing. An application for a wireless telecommunication facility in the public right-of-way shall be considered by the planning commission following the procedures for design review with public hearing in Section [19.80.040](#) (Procedures and decisions) if the facility:

(1) Does not meet the adopted Design Criteria for wireless telecommunication facilities on joint poles; or

(2) Will be placed on a pole located within three hundred feet of a public park, public school or heritage resource or landmark; or

(3) If the director determines, in his or her discretion, that it is in the public interest to have the application referred to the planning commission for hearing.

(d) Findings. The director or planning commission may approve any design review upon such conditions, in addition to those expressly provided in other applicable provisions of this code, as it finds desirable in the public interest, upon finding that the approval will either:

(1) Attain the objectives and purposes of the Design Criteria; or

(2) Ensure that the general appearance of proposed facilities will not materially impair the visual aesthetics of adjacent properties.

(e) Any company that proposes to install a wireless facility on city light structures or other city poles must first initiate a lease (including lease rate) before making application for a planning permit.

(f) Carriers shall defend, indemnify, and hold harmless the city and its agents, officers, and employees (“indemnified parties”) from any claim, action, or proceeding against the city or indemnified parties to attack, set aside, void, or annul the project or any prior or subsequent related development approvals or project condition imposed by the city or as a result of the city granting any permits for the project, or to impose liability against the city or indemnified parties resulting from the grant of any permits for the project, which claim, action or proceeding is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party against the city. (Ord. 3043-14 § 3; Ord. 3031-13 § 3).

View the [mobile version](#).