



City of West Covina

Comprehensive Development Code Update: Draft

Chapter 26 Zoning

Wireless Telecommunication Facility Revisions

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DIVISION 4 WIRELESS TELECOMMUNICATIONS WITHIN ALL LAND USES

- (a) This Division sets forth a uniform and comprehensive set of development standards for the placement, design, installation and maintenance of wireless *telecommunication* facilities within all land-use zones of the City. The purpose of these regulations is to ensure that all wireless telecommunication facilities are consistent with the health, safety, and aesthetic objectives of the City, while not unduly restricting the development of needed telecommunications facilities. [*\(From-Section 26-685.980\)*](#)
- (b) *Applicability.* Unless otherwise exempt by this Division, the regulations set forth herein shall apply to wireless telecommunication facilities within the City. [*\(From-Section 26-685.981\)*](#)
- (c) *Exemptions.* The regulations of this Division do not apply to the following:
 - (1) Single ground-mounted, building- mounted, or roof-mounted receive- only AM/FM radio or television antennas, DBS dish antennas, amateur and/or citizens band radio antennas, for the sole use of the occupant of the parcel on which the antenna is located.
 - (2) Wireless telecommunications facilities owned and operated by the City or other public agency when used for emergency response services, public utilities, operations, and maintenance.
 - (3) This exemption does not apply to free-standing or roof-mounted satellite dish antennas greater than twenty-one (21) inches in diameter.
 - (4) Wireless telecommunication facilities located in the public right-of-way, which are regulated under Chapter 19 (Streets, Sidewalks, and Public Places), Article X. [*\(From-Section 26-685.983\)*](#)
- (d) Prohibited wireless telecommunication facilities in residential zones.
 - (1) Antennas with a solid or wire-mesh surface with a diameter or maximum width greater than twelve (12) feet are prohibited in residential zones.
 - (2) No wireless telecommunication facilities are permitted within residential zones except for the following:
 - (i) Wireless telecommunication facilities listed under Section 26-136(c)(1) and (2).
 - (ii) Wireless telecommunication facilities located in residential zones that are developed with permitted nonresidential uses.
 - (iii) Wireless telecommunication facilities consisting of roof-mounted antennas located on multiple-family residential buildings. [*\(From-Section 26-685.984\)*](#)
- (e) Administrative Permit required.
 - (1) The following types of wireless telecommunications facilities shall be permitted subject to approval of an Administrative Permit pursuant to Article VI, Division 6 of this Chapter:
 - (i) New building-and roof-mounted antenna facilities.
 - (ii) Other forms of wireless telecommunication facilities not specifically addressed within this Division which are designed to integrate with a supporting building and pose minimal visual impacts similar to building and roof-mounted antenna facilities, as determined by the Community Development Director or their designee.
 - (2) *Review by Planning Commission.* The Community Development Director or their designee may elect to not rule on a request for an Administrative Permit and transfer the matter to the Planning Commission, to be heard within thirty (30) days from the date this election by the Community Development Director or their designee is provided in writing to the applicant. [*\(From-Section 26-685.985\)*](#)
- (f) Conditional Use Permit required. Wireless telecommunication facilities consisting of free-standing wireless facilities shall be permitted subject to approval of a Conditional Use Permit pursuant to Article VI, Division 4 of this Chapter. [*\(From-Section 26-685.986\)*](#)



- (g) Minor modification permitted per the process identified within Article VI, Division 7 of this Chapter.
- (1) Additions or modifications to existing wireless telecommunication facilities which meet all the following criteria shall be permitted subject to approval by the Community Development Director or their designee pursuant to section 26-237:
 - (i) The overall height of the free-standing wireless facility is not increased by more than 10%, or more than 10 feet, whichever is greater per Title 47 of the Code of Federal Regulations. Changes in height shall be measured from the original support structure, tower, or base station, inclusive of originally approved appurtenances.
 - (ii) No ancillary features are added to the monopole other than the antennas, required safety equipment, and accessory equipment enclosures.
 - (iii) All conditions of approval for the previous facility have been met.
 - (iv) No required parking stalls are eliminated in conjunction with the placement of the additional accessory equipment.
 - (v) The addition or modification is designed to minimize visual impacts.
 - (vi) The wireless facility has been well maintained and does not consist of damaged flags, dead trees/landscape, discolored elements, peeling paint, graffiti, broken/missing faux branches/fronds, etc.
 - (2) Additions or modifications to existing wireless telecommunication facilities which do not meet all the above criteria shall be permitted subject to the approval of a Conditional Use Permit pursuant to Article VI, Division 4 of this Chapter. *(From-Section 26-685.987)*
- (h) Conditional Use Permit required. Wireless telecommunication facilities located on City owned property shall be permitted subject to approval of a Conditional Use Permit pursuant to Article VI, Division 4 of this Chapter provided that development standards listed under 26-136(i) are complied with.
- (i) Development standards. All wireless telecommunication facilities regulated under this Division shall comply with the following development standards:
- (1) *Site Selection.* City-owned properties shall be considered before privately-owned properties where wireless telecommunication facilities are permitted.
 - (2) Location on property.
 - (i) Free-standing wireless facilities or roof-mounted satellite dishes greater than twenty-one (21) inches in diameter and located in residential zones.
 - a) No free-standing wireless facilities shall be permitted in the required side yard or front yard.
 - b) No free-standing wireless facilities shall be permitted within five (5) feet of the rear property line.
 - c) No antennas consisting of a solid or wire-mesh surface shall be permitted on the roof.
 - (ii) Nonresidential zones and Nonresidential uses (including wireless telecommunication facilities located in residential zones which are developed with permitted nonresidential uses).
 - a) No free-standing wireless facilities shall be permitted in the required front or streetside yards of the underlying zone.
 - b) No free-standing wireless facilities shall be permitted within five hundred (500) feet of surrounding single-family residences or one hundred (100) feet of surrounding multi-family residential zones (MF). This distance shall be determined by measuring from the free-standing wireless facility to the nearest property line of the single- or multi-family residence.
 - c) No free-standing wireless facilities shall be permitted in a required parking space or driveway.



- d) Free-standing wireless facilities shall be located to the extent feasible to the rear of all existing buildings on the property.
- (3) Height restrictions.
 - a) No free-standing wireless facilities shall exceed sixty (60) feet in height measured from the average finished grade of the subject site, except as otherwise approved under Section k.
 - b) No roof-mounted antennas shall exceed twenty (20) feet above the peak of the roof (excluding the height of mechanical penthouses and parapets).
 - c) In addition to the maximum height limits stated above, free-standing wireless facilities shall be designed at the minimum functional height as demonstrated by RF coverage maps or other alternative acceptable to the Community Development Director.
 - 1) In the event that the City needs assistance in understanding the technical aspects of a particular proposal, the services of a communications consultant may be required to determine the engineering or screening requirements of establishing a specific wireless telecommunication facility. This service will be provided at the applicant's expense.
- (4) Noise. No portion of a wireless telecommunications facility, including, but not limited to, emergency generators, shall violate the City's noise ordinance at any time. (From-Section 26-685.988 with revisions)
- (j) *Design Standards.* All wireless telecommunication facilities regulated under this section shall comply with the following design standards:
 - (1) Setbacks for wireless telecommunications facilities shall be determined in each individual case with the minimum setbacks adhering to those required by the zone.
 - (2) No part of any antenna, telecommunication facility, or support structure shall be in any required front, side or rear setback area, unless it's determined by the approving body that using a setback area is required in achieving the best design.
 - (3) Telecommunication facilities and antennas shall not be located within 1,500 feet of a property with an existing facility or antenna (measured from property line to property line), unless the proposed facility will be co-located and designed to be fully screened or camouflaged. This shall not be interpreted to include receive only antennas installed for individual residences.
 - (4) Monopoles and alternative antenna support structures shall be located a minimum of one-half mile (1/2) from other monopole or alternative support structure.
 - (5) All facilities, antennas and associated structures shall be architecturally designed, located, screened, concealed, or disguised to the extent reasonably necessary to achieve compatibility with adjacent or nearby structures, neighborhoods, and streetscapes. Alternative antenna support structures (e.g., man-made trees) shall be used in lieu of monopoles where there would otherwise be a substantial negative visibility impact.
 - (6) At least two 36-inch box size trees shall be planted with the construction of any mono-tree. The trees shall be of the same species as the proposed mono-tree.
 - (i) This requirement may be waived by the Planning Commission or City Council if there are at least two mature trees within 40 feet from the proposed mono-tree (measured from center of tree and center of mono-tree), depending on the maturity and species of the neighboring trees.
 - (7) Free-standing wireless facilities designed as faux trees shall bear a realistic resemblance to the type of tree that it is designed after to the greatest extent possible with emphasis on features including branches, fronds, leaves, needles, bulb diameter, trunk shape, trunk color, and trunk diameter. All antennas shall have "sock covers" installed over each antenna to simulate tree branches, leaves, needles, or similar elements for additional stealthing.
 - (8) All facilities, towers, antennas and associated structures shall have a matte finish to prevent glares and painted to blend into the surrounding background.



- (9) Satellite dishes, other than microwave dishes, shall be of mesh construction, except where technical evidence shows that this is infeasible.
 - (10) Ground level support facilities shall be no taller than 17 feet in height and shall be designed to look like a building or facility typically found in the area. Said facilities shall be located below grade wherever aesthetically desirable.
 - (11) Security fences shall not be less than six feet in height. Chain-link may be used in those areas where accessory support facilities are not easily visible from the public view, as determined by the Community Development Director.
 - (12) All satellite dishes greater than one meter in diameter and located in residential zones shall be screened to the extent necessary to achieve concealment when viewed from ground level from any adjacent public rights-of-way, parks, schools, or residentially zoned properties. Such screening may include perimeter fence/wall, landscaping, or a combination thereof, and must achieve its screening effect within sixty (60) days of installation. Roof mounted facilities may incorporate features of the existing roof such as a parapet or the slope of a pitched roof and/or landscaping or fencing which is compatible with the design and material of the existing development of the subject site.
 - (13) Backup generators shall only be used during power outages and for testing and maintenance purposes. Noise attenuation measured shall be incorporated to reduce noise levels to an exterior level of a maximum sixty (60) dBA at the property line when adjacent to a residential use and a maximum forty-five (45) dBA in other zones. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.
 - (14) All areas disturbed during the construction, other than required road or parking areas, shall be replanted as it existed prior to construction or with plants and/or vegetation compatible with surrounding area. New vegetation shall be irrigated unless native plantings are used. Native plantings shall include temporary irrigation (for a minimum period of six months) to ensure proper establishment of the vegetation.
 - (15) All telecommunication facilities shall be unlit except for:
 - (i) Manually operated motion sensor light(s) above the access doors, which shall be kept off unless person(s) are present;
 - (ii) The minimum identification tower lighting that is required under FAA regulations; or
 - (iii) Essential lighting that is necessary for safety and security purposes. Where essential lighting is required, it shall be shielded or directed downward or away from adjacent properties.
 - (16) Building and roof-mounted antennas shall be mounted on a building feature such as a parapet, penthouse wall, or building façade unless the antennas are designed to reduce negative visual impacts to adjacent properties and/or public rights-of-way. Building mounted antennas shall be painted or architecturally integrated to match the existing structure.
- (k) Deviation from certain development and design standards not defined as an eligible facilities request by Title 47 of the Code of Federal Regulations. Deviation from the height requirements and minimum distance between free-standing wireless facilities by not more than twenty (20) percent may be granted by the or their designee or Planning Commission if one (1) or more of the following findings is made based on evidence submitted by the applicant:
- (1) None of the permitted locations or height restrictions for free-standing wireless facilities provide for an obstruction-free reception window of said antenna as per blockage by the primary on-site structure or off-site buildings and trees of abutting properties; and/or
 - (2) Existing natural geographic conditions preclude an obstruction-free reception window.
 - (3) The relief from the development standards results in a more appropriate design which minimizes the visual impact of the facility.
 - (4) In order to accommodate the establishment of a co-located facility, the antenna height of the facility must be increased.



- (5) The visual impacts of locating free-standing wireless facilities closer than 1,500 feet to one another is negligible because the facility is designed to architecturally integrate with the surrounding environment. (From-Section 26-685.990 with revisions)
 - (6) The visual impact of locating free-standing wireless facilities closer to single-family residential and/or multifamily residential is negligible because the facility is designed to architecturally integrate with the surround environment.
- (l) Installation and operation.
- (1) All wireless telecommunication facilities shall be installed and maintained in compliance with the requirements of the City of West Covina Municipal Code Chapter 7 (Buildings and Building Regulations), the Uniform Building Code, National Electric Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Fire Code, and the manufacturer's structural specifications.
 - (2) All antennas shall be permanently and properly grounded for protection against a direct strike of lightning, with an adequate ground wire as specified by the electrical code.
 - (3) All electrical wires (excluding those wires covered in co-axial cables) connected from the electrical cabinets to the antennas or antenna support structure shall be protected in conduit, which shall be undergrounded or fixed to the ground and/or building.
 - (4) Prior to the issuance of a certificate of occupancy for any wireless telecommunication facility, the project applicant shall submit a radio frequency radiation (RFR) field measurement study which verifies compliance with FCC emission standards to the Community Development Director or their designee. The study shall be accompanied by a report written to be easily understood by a lay person which describes compliance with these standards.
 - (5) Prior to the issuance of a certificate of occupancy for any building-or roof-mounted wireless telecommunication facility, a disclosure notice approved by the Community Development Director or their designee shall be mailed to the manager or property management company of the building on which the facility is installed.
 - (6) All wireless telecommunication facilities shall comply at all times with all FCC regulations, rules, and standards. (From-Section 26-685.991)
- (m) Maintenance of facilities.
- (1) The wireless telecommunication provider and/or property owner shall be responsible for maintaining the facility in an appropriate manner, which includes, but is not limited to, the following: Regular cleaning of the facility, graffiti abatement, periodic repainting of antennas, free-standing wireless facilities, rooftop screen enclosures, accessory equipment walls and fences as needed, keeping debris and other similar items cleared from the antenna area, and regular landscape maintenance.
 - (i) *Landscaping maintenance.* All trees, foliage, and other landscaping elements on a wireless telecommunication facility site, whether or not used as screening, shall be maintained in good condition at all times in compliance with the approved landscape plan. The facility owner or operator shall be responsible for replacing any damaged, dead, or decayed landscaping. Modifications to the landscape plan shall be submitted for approval to the planning department.
 - (ii) *Lighting.* Any exterior lighting shall be manually operated and used only during night maintenance or emergencies, unless otherwise required by applicable Federal Law or FCC rules. Lighting shall be maintained in good condition at all times, including any shielding to reduce light impacts to neighboring properties. (From Section 26-685.992)
- (n) Periodic safety monitoring.
- (1) As requested by the Community Development Director or their designee, all wireless telecommunication providers shall submit a certification attested to by a licensed engineer expert in the field of RF emissions,



- that the facilities are and have been operated within the then current applicable FCC standards for RF emissions.
- (2) Any wireless telecommunication facilities operated and/or maintained in violation of FCC emission standards shall be subject to permit revocation by the Planning Commission under Article 6. (From Section 26-685.993)
 - (o) Posting ownership information. In the event that a wireless telecommunication facility changes ownership, change of ownership notification must be posted on-site within sixty (60) days of the ownership change. The ownership and contact information shall be posted on site, on the wireless facility or the equipment. (From Section 26-685.994)
 - (p) Abandonment provisions.
 - (1) The provider and/or property owner shall be required to remove the facility and all associated equipment and restore the property to its original condition within ninety (90) days after the abandonment, expiration, or termination of the Conditional Use Permit or Administrative Permit.
 - (2) The provider shall notify the city of its intent to remove the wireless telecommunications facility at least thirty (30) days prior to implementation. (From Section 26-685.995)
 - (q) Required modifications.
 - (1) Notwithstanding, the City may add conditions after issuance of the Conditional Use Permit or other permit if necessary to advance a legitimate governmental interest related to health, safety, or welfare; provided, however, that no one condition by itself may impose a substantial expense or deprive the applicant or provider of a substantial revenue source. Any condition relating to technological changes shall comply with applicable Federal Communications Commission (FCC) and Public Utilities Commission (PUC) standards. (From Section 26-685.996)
 - (r) Application requirements.
 - (1) A “justification study” shall be submitted for each wireless telecommunication application indicating the rationale for selection of the proposed site in view of the relative merits of any feasible alternative site within the service area. This study shall also include the applicant’s master plan which indicates the proposed site in relation to the provider’s existing network of sites within the City and surrounding areas (if applicable). For modifications or alterations to existing facilities, the applicant may be required to submit a “justification study” limited to the need to modify, alter, or expand the facility.
 - (2) All wireless telecommunication applicants shall submit a “co-location study.” This study shall examine the potential for co-location at an existing site. A good faith effort in achieving co-location shall be required of all applicants. Applicants which propose facilities which are not co-located with another telecommunication facility shall provide a written explanation why the subject facility is not a candidate for co-location. Furthermore, new wireless facilities shall include information with the application about how many co-locations are anticipated to be accommodated at the new facility.
 - (3) All wireless telecommunication applicants shall conduct a radio frequency (RF) “drive test” and submit documentation analyzing the results of the test. This study shall examine the existing signal strength within the targeted area in comparison to the anticipated signal strength of the proposed wireless telecommunication facility.
 - (4) All wireless telecommunication applicants shall provide a visual analysis, including photographic simulations, to ensure visual and architectural compatibility with surrounding structures.
 - (5) Written documentation with property owner contact information for all sites that were considered as an alternate location for the proposed wireless telecommunication facility.
 - (6) Other relevant information requested by the Community Development Director or their designee. (From Section 26-685.997 with revisions)



- (s) Findings. In addition to the findings for approval required pursuant to Article VI, Division 4, the following findings shall also be met:
- (1) The project complies with the goals and objectives of the City's General Plan.
 - (2) The facility structures and equipment are located, designed, and screened to blend with the existing natural environment and/or built surroundings to reduce visual impacts to the extent feasible considering the technological requirements of the proposed telecommunication service and the need to be compatible with neighboring residences and the character of the community.
 - (3) The wireless facility or equipment is located on a site that is appropriate in size and shape to accommodate the use of the facility, its equipment, and all other required features. *(From Section 26-685.998 with revisions)*



DIAMOND BAR

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Location requirements

- Wireless telecommunications antenna facility sites. The facility must be located in any of the following zone districts: OP, OB, CO, C-I, C-2, C-3, I, or as identified on the city telecommunications facilities opportunities map.
- *Freestanding antenna support structure setback.* The setback for a freestanding antenna support structure will be no less than 15 meters (50 feet) or the height of the antenna plus 20 percent, whichever is greater, from any existing or future residential structure.
- Conditional use permit. All wireless telecommunications antenna facilities other than those meeting the criteria for an administrative review approval or minor conditional use permit specified above must be authorized by a conditional use permit. These facilities may be located in the OP, OB, CO, C-1, C-2, C-3, and I zoning districts, or as identified on the city telecommunications facilities opportunities map. These facilities may be located in residential zoning districts but on properties that do not contain residential structures (i.e., church properties, schools, water tanks or similar type facilities), provided that the facility is in compliance with the following requirements:
 - Wireless telecommunications antenna facilities. Wireless telecommunications antenna facilities shall only be located in residential zoning districts if on a church property, school, water tank, public property, or similar type facilities. Wireless telecommunications antenna facilities shall not be located on residential properties developed with residential structures or sited for residential development.

Notification Requirements

- Varies per size and characteristics of subject property
 - Under 3 acres- 500 feet
 - 3 acres and above and requires EIR- 700 feet
 - Hillside areas- 1,000 feet
- If notice is for more than 1,000 residents then director chooses alternative notice

WALNUT

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Location requirements

- Telecommunication towers and antennas shall not be located within 1,500 feet of a property with an existing tower or antenna, unless the proposed facility will be co-located or designed to be screened, camouflaged, or otherwise made visually unobtrusive. This shall not include receive only antennas installed for individual residents.
- Telecommunication towers and antennas shall not be located within 1,500 feet of any school (nursery, elementary, junior high, and high school), trail, park or outdoor recreation area, sporting venues, and residential zones.

Notification requirements

- In all cases where an antenna or communication facility is presented to the Planning Commission or City Council, notification to property owners within 500 feet of the property shall be conducted 10 days prior.



RECOMMENDATIONS

- West Covina to consider keeping the recommended changes suggested in the text above which includes revising the distance requirement from 100 feet of surrounding single or multi-family residences to 500 feet from single family residences and 100 feet from multifamily residential zones (MF). A distance of 1,500 feet from single family zones would result in an exclusion of free-standing wireless facilities from nearly the entire city.