

PROPOSED AMENDMENTS TO CHAPTER 18,  
"PERSONNEL WIRELESS SERVICE FACILITIES"

**18.110.020 Notice and approval process.**

A. All personal wireless service facilities shall be subject to design review approval by the zoning administrator as provided in Chapter 18.20 of this title. The zoning administrator, upon making a finding that the proposed personal wireless service facility meets all applicable provisions of this chapter, shall approve or conditionally approve the design review application for the personal wireless service facility. The zoning administrator may refer any personal wireless service application to the planning commission for review and action.

B. All property owners within 300 feet of a property on which a personal wireless service facility is proposed shall be notified of the personal wireless service facility application by mail. Notice is not required where a facility's ~~antennas~~ will be concealed as described in Section 18.110.050 ~~within the architecture of a building~~. Public hearings can be requested as provided in Section 18.20.040(B)(2) of this title.

**18.110.050 Locational standards.**

A. Locational Priorities. For the purposes of this section, when a parcel is zoned PUD (planned unit development), planning staff shall look to the zoning districts listed under the particular PUD and apply those zoning districts to this section.

1. Properties Zoned Commercial, Office, or Industrial (C, O, I, or M-U). Where feasible, personal wireless facilities shall be located on properties with a commercial, office, industrial, or mixed use zoning designation.
  - a. Concealed Facility. Where feasible, personal wireless service facilities shall be concealed from view and shall not be visible by persons at ground level. By way of example, a facility will be considered "concealed" if the antennas are contained within new or existing architectural details of a building, e.g., real or faux clock or bell tower, or on the roof of a building and concealed by parapets or screenwalls, or concealed by any other means, so long as the project does not substantially compromise the aesthetics of the building.
  - b. Camouflaged Facility. If it is not feasible to conceal a facility, personal wireless facilities shall be camouflaged in a manner that the facility is designed to be compatible with the surroundings. By way of example, antennas may be camouflaged in a faux tree, faux bush, flagpole, or otherwise designed in a manner to be compatible with the appurtenant architecture, building, or natural surroundings.
  - c. If a facility is concealed, the antennas and accessory equipment may be placed anywhere on the property without regard to separation from other uses.
  - d. If a facility is camouflaged (and not concealed), the facility must be located a minimum of 200 feet away from the following: existing dwelling units (but not accessory structures, detached garages, sheds, poolhouses, etc.); senior care or nursing homes and assisted living facilities; public or private schools for children (including nursery schools); and neighborhood parks, community parks, or regional parks, as designated in the general plan. Notwithstanding the above, if a dwelling unit is located within a commercial (C), office (O), or industrial (I) zone, the 200-foot separation requirement

does not apply since the primary purpose of the C, O, or I zones is for non-residential uses.

2. Properties Zoned Agriculture, Public, Public and Institutional (A, P, P&I). If it is not feasible to locate a personal wireless service facility on a parcel zoned C, O, I or M-U, a facility may be located on properties zoned A, P, or P&I.

a. Concealed Preferred Over Camouflaged. Facilities are encouraged to be concealed but, at a minimum, shall be camouflaged. If a facility is concealed, the antennas and accessory equipment may be placed anywhere on the property without regard to separation from other uses.

b. Facilities in these zoning designations may not be located within 200 feet of the following: existing dwelling units (but not accessory structures, detached garages, sheds, poolhouses, etc.); senior care or nursing homes and assisted living facilities; public or private schools for children (including nursery schools); and neighborhood parks, community parks, or regional parks, as designated in the general plan.

3. Iron Horse Trail Between Santa Rita Road and Mohr Avenue. The Iron Horse Trail between Santa Rita Road and Mohr Avenue has no zoning designation and is primarily bordered by property zoned industrial. There are two approved camouflaged personal wireless service facilities located in the Iron Horse Trail between Santa Rita Road and Mohr Avenue. Future personal wireless service facilities may be placed in this section of the Iron Horse Trail, so long as the facilities are either concealed or camouflaged. If a facility is concealed, then the antennas and accessory equipment may be placed anywhere on the property without regard to separation from other uses. If a facility is camouflaged, it may not be located within 200 feet of any existing dwelling units (but not accessory structures, detached garages, sheds, poolhouses, etc.).

4. Small-cell-wireless-systems in the Hacienda Business Park. For small-cell-wireless-systems within the Hacienda Business Park that are designed to conceal the equipment within a streetlight and where the design is approved by the Community Development Director, such systems are not subject to the 200-foot separation requirement described in section (A)(1)(d) above.

54. All Other Zoning Classifications. Unless specifically identified in subsection (A)(1) or (2), personal wireless service facilities shall be prohibited in all other zoning districts with one exception. Regardless of the underlying zoning designation, personal wireless service facilities may be located on any parcel that contains a city water tank or on any parcel that is adjacent to a city water tank, so long as the following conditions are satisfied:

a. Facilities are encouraged to be concealed but, at a minimum, shall be camouflaged; and

b. The personal wireless service facility (antennas and equipment cabinets) must be located within 200 feet of a city water tank; and

c. Personal wireless facilities are encouraged to locate as far away from existing dwelling units as is feasible but in no event shall a personal wireless service facility (antennas or equipment cabinets) be located within 200 feet of an existing dwelling unit (but not detached garages, sheds, poolhouses, etc.).

65. Feasibility. An applicant may demonstrate feasibility by providing evidence demonstrating that there are no other locations that: meet the applicant's coverage needs; are structurally or technically feasible; or are available to lease or otherwise economically

feasible. At the applicant's expense, the city may hire an expert to review the provider's evidence and determine whether other locations may be feasible.

| 76. Visibility from Freeways. Personal wireless service facilities shall be prohibited at locations that are readily visible from the I-580 and I-680 freeways unless the provider can demonstrate that there are no other feasible sites and that every effort has been made to conceal or camouflage the facility.

| 87. Exception Required to Meet State or Federal Law. The decision-making body may grant an exception to any requirement of this chapter, including the locational priorities in this section, if the applicant can show that strict compliance with the code would violate federal or state law. (Ord. 2086 § 2, 2014; Ord. 2038 § 1, 2012; Ord. 1743 § 1, 1998)