ATTACHMENT D: COUNTY LAND USE AND DEVELOPMENT CODE ORDINANCE AMENDMENT

ORDINANCE NO. 5231

AN ORDINANCE AMENDING SECTION 35-1, THE COUNTY LAND USE AND DEVELOPMENT CODE (MLUDC), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES AND ARTICLE 35.11, GLOSSARY, TO REVISE PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS TO THE EXISTING TELECOMMUNICATION FACILITIES ORDINANCE.

24ORD-00019

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35.44.010, Commercial Telecommunication Facilities, of Chapter 35.44, Telecommunication Facilities, to read as follows:

35.44.010 Commercial Telecommunications Facilities

A. **Purpose and intent.** This Section establishes the permit requirements and standards for the siting and development of commercial telecommunication facilities. The intent is to promote their orderly development and ensure they are compatible with surrounding land uses in order to protect the public safety and visual resources.

B. **Applicability.**

1. **Affected facilities and equipment.** The provisions of this Section shall apply to commercial telecommunication facilities that transmit or receive electromagnetic signals (e.g., radio, television, and wireless communication services including personal communication, cellular, and paging). This Section shall not be construed to apply to handheld, vehicular, or other portable transmitters or transceivers, including cellular phones, CB radios, emergency services radio, and other similar devices, or to wireless telecommunications facilities appurtenant to natural gas distribution facilities regulated by the California Public Utilities Commission, allowed within all zone districts, that are consistent with the standards set forth in Section 35.44.030 (Natural Gas Telecommunications Facilities).

2. **Allowable zones and permit requirements.** Table 4-20 (Allowable Zones and Permit Requirements for Commercial Telecommunications Facilities) below establishes the allowable zones, permit requirements, and development standards applicable to commercial telecommunications facilities as allowed by this Section. Different permit processes shall be required depending on the type of the commercial telecommunication facility being proposed and whether the facility complies with different development standards.

Table 4-20 - Allowable Zones and Permit Requirements for Commercial Telecommunications Facilities

Project Level Tier	Zones Where Allowed	Permit Requirements	Development

			Standards
Tier 1 (a) Project - Temporary Facilities	All zones	Zoning Clearance	35.42.260.G
Tier 1 (b) Project - Spectrum Act Facility Modifications	All zones	Zoning Clearance	35.44.010.C.1.(b) 35.44.010.D
Tier 1 (c) Project - Hub sites	All zones	Zoning Clearance	35.44.010.C.1.(c) 35.44.010.D
Tier 2 (a) Project - Small wireless facilities	All zones	Zoning Clearance	35.44.010.C.2.(a) 35.44.010.D
Tier 2 (b) Project - Tenant improvements	All zones	Zoning Clearance	35.44.010.C.2.(b) 35.44.010.D
Tier 2 (c) Project - Collocated Facilities	Nonresidential zones, except not allowed in the Mixed Use (MU) zone	Zoning Clearance	35.44.010.C.2.(c) 35.44.010.D
Tier 2 (d) Project - Facilities that comply with the zone height limit	All zones, except not allowed in the Mixed Use (MU) zone and the Recreation (REC) zone	Zoning Clearance	35.44.010.C.2.(d) 35.44.010.D
Tier 3 (a) Project - Facilities not exceeding 50 ft. in height	All zones, except not allowed in the Mixed Use (MU) zone and the Recreation (REC) zone	Minor Conditional Use Permit	35.44.010.C.3.(a) 35.44.010.D
Tier 3 (b) Project - Satellite ground station facilities, relay towers, towers or antennas for radio/television transmission and/or reception	Nonresidential zones	Minor Conditional Use Permit	35.44.010.C.3.(b) 35.44.010.D
Tier 4 (a) Project - Facilities that are not allowed in compliance with Tier 1 through Tier 3	All zones	Conditional Use Permit	35.44.010.C.4.(a) 35.44.010.D
Tier 4 (b) Project - Other facilities that are subject to regulation by the FCC or CPUC, e.g., AM/FM radio stations, television stations	Nonresidential zones	Conditional Use Permit	35.44.010.C.4.(b) 35.44.010.D

C. Processing. Permits for commercial telecommunication facilities shall be approved in compliance with the following requirements, including the requirements of Subsection D. through Subsection I. unless otherwise specified. Modifications to zone regulations in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) may be allowed only as specified in this Section.

1. Tier 1 projects. Commercial telecommunication facilities that comply with the following may be permitted as a Tier 1 commercial facility:

a. Standards for Tier 1 projects, temporary facilities. Temporary telecommunications facilities may be permitted in compliance with Subsection 35.42.260.G.

b. Standard for Tier 1 projects, Spectrum Act facilities. Pursuant to Section 6409 of the federal Spectrum Act (47 U.S.C. Section 1455) and its implementing regulations (47 C.F.R. Section 1.6100), as amended, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station shall be allowed. The terms used in this subsection shall have the meaning ascribed to them in 47 C.F.R. Section 1.6100(b), as amended.

(1) Pursuant to 47 C.F.R Section 1.6100, as amended, the request shall comply with the following:

(a) Eligible facilities request. The project must be a request for modification to an existing wireless tower or base station that involves:

(i) Collocation of new transmission equipment;

(ii) Removal of transmission equipment; or

(iii) Replacement of transmission equipment.

(b) The wireless tower or base station is existing at the time of permit application, supports existing antennas, and was permitted in compliance with this Development Code.

(c) The wireless tower is any structure built for the sole purpose of supporting any Federal Communications Commission (FCC)-licensed antennas and associated facilities.

(2) Substantial change. Pursuant to 47 C.F.R Section 1.6100, as amended, a modification shall not be allowed pursuant to this section if it substantially changes the physical dimensions of an existing wireless tower or base station. A modification substantially changes the physical dimensions if it meets any of the following criteria:

(a) Wireless towers not located within the public right-of-way.

(i) The modification increases the height of the tower by more than 10 percent, or by the height of one additional antenna array with separation from the nearest antenna not to exceed 20 feet, whichever is greater.

(ii) The modification adds an appurtenance to the body of the tower that would protrude from the edge of the tower by more than 20 feet, or by more than the width of the tower structure at the level of the appurtenance, whichever is greater.

(b) Wireless towers located within the public right-of-way and base stations.

(i) The modification increases the height of the structure by more than 10 percent, or by more than 10 feet, whichever is greater.

(ii) The modification adds an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet.

(iii) The modification involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure.

(iv) The modification involves installation of ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure.

(c) The modification involves installation of more than the standard number of equipment cabinets for the technology involved, but not to exceed four cabinets.

(d) The modification entails excavation or deployment outside of the current site.

(e) The modification would defeat the concealment elements of the support structure.

c. **Standards for Tier 1 projects, hub sites.** Wireless telecommunication facilities that comply with the following may be allowed:

(1) The facility qualifies as a hub site.

(2) No antennas are proposed except as follows:

(a) One Global Positioning System (GPS) may be allowed.

(3) The facility is located within a permitted building.

(4) Noticing standards for Tier 1 (c) hub site projects. A posted notice fulfilling the requirements of Sections 35.106.020.A.2 and 35.106.080 shall be required for a Zoning Clearance permit within 15 days of a complete application and remain posted until permit approval.

2. **Tier 2 projects.** Commercial telecommunication facilities that comply with the following may be permitted as a Tier 2 commercial facility:

a. **Standards for Tier 2 projects, small wireless facilities.** "Small wireless facilities," as that term is defined in 47 C.F.R. Section 1.6002(l), as amended, that comply with the following may be allowed:

(1) The facilities:

(a) are mounted on structures 50 feet or less in height including antennas as defined in 47 C.F.R. Section 1.1320(d);

(b) are mounted on structures no more than 10 percent taller than other adjacent structures; or

(c) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.

(2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 C.F.R. Section 1.1320(d)), is no more than three cubic feet in volume.

(3) All other wireless equipment associated with the pole structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the pole structure, is no more than 28 cubic feet in volume.

(4) The facility does not require antenna structure registration under Part 17 of Title 47 C.F.R., or its successor regulations (i.e., Federal Communications registration due to extreme height or proximity to an airport).

(5) The facility is not located on Tribal lands, as defined under 36 C.F.R. Section 800.16(x), or its successor regulation.

(6) The antenna shall be mounted on one of the following:

(a) an existing or replacement operational public utility pole or similar support structure (e.g., non-decorative streetlight, traffic light, telephone pole,

existing wooden pole) that is not being considered for removal, as determined by the Director;

(b) the roof of an existing structure or vaulted underground;

(c) an existing or replacement non-pole concealment structure.

If technical requirements dictate through a site analysis prepared by a qualified technical specialist demonstrating that the antenna cannot be mounted on one of the above, the antenna may be mounted on a new pole or similar structure provided the new pole or structure replicates the materials, color, and finish of existing infrastructure nearby.

(7) Accessory equipment. Accessory equipment associated with the antenna and pole structure, shall be installed and located:

(a) Underground;

(b) Concealed within the structure;

(c) Pole mounted (with a 10-foot ground clearance); or

(d) Above-grade structure (with a 2-foot setback from the sidewalk).

(8) Siting and clearance. All small wireless facilities, associated antennas and accessory equipment shall comply with the following siting and clearance standards:

(a) Shall be installed on poles that are located as close as feasible to shared property lines between two adjacent lots and not directly in front of residences and businesses;

(b) Shall not be placed within 20 feet from a residential dwelling's doors or windows;

(c) Shall be installed at least 50 feet away from any streetlight, utility pole or other similar support structure if the small wireless facility and any associated antennas, accessory equipment or improvements are attached to or part of any new, non-replacement support structure;

(d) Shall not be placed within any clear zone at any intersection;

(e) Shall not be placed in a location that obstructs illumination patterns for existing streetlights, views of any traffic signs or signals, or view lines for traveling vehicles, bicycles, or pedestrians, as determined by County's Public Works Department;

(f) Shall provide a minimum 2-foot setback clearance from sidewalks for any protruding equipment on poles; and

(g) Shall provide a setback for a fixed object per CALTRANS standards and County Engineering Design Standards. The following shall be required if a setback cannot be obtained within the right of way:

i. Private easement that is setback from travel lane; and

ii. Guardrail or other mitigation protection.

(9) Design Standards.

(a) Stealth and concealment. All small wireless facilities shall be as stealth as technically feasible with concealment elements and techniques that mimic or blend with the underlying support structure, surrounding environment and adjacent uses.

New installations, antennas, antenna equipment and associated equipment enclosures (excluding disconnect switches), conduit and fiber shall be fully concealed within the structure. If such concealment is incompatible with the pole design, then the antennas and associated equipment enclosures must appear as an integral part of the structure or mounted as close to the pole as feasible and must be no greater in size than required for the intended purpose of the facility.

(b) Stealth and concealment, accessory equipment.

(i) Vertical cable risers. All cables, wires and other connectors shall be routed through conduits within the pole or other support structure, and all conduit attachments, cables, wires and other connectors shall be concealed from public view. To the extent that cables, wires and other connectors cannot be routed through the pole, such as with wood utility poles, they shall be routed through external conduits or shrouds that have been finished to match the underlying pole.

(ii) Spools and coils. Excess fiber optic or coaxial cables shall not be spooled, coiled or stored on the pole outside equipment cabinets or shrouds.

(iii) Pole-mounted. Pole-mounted accessory equipment shall be placed in a location that is most concealed under the circumstances presented by the proposed pole and location. Pole-mounted accessory equipment may be installed behind street, traffic or other signs to the extent that the installation complies with applicable public health and safety regulations.

(c) Finishes. Replacement poles shall be of the same material as the existing pole being replaced or adjacent poles located within the contiguous right-of-way. All small wireless facility exterior surfaces shall be painted, colored or wrapped in flat, non-reflective hues that match the underlying support structure. All surfaces shall be treated with graffiti-resistant sealant.

(d) Trees and landscaping. All small wireless facilities shall not permanently displace any existing tree or landscape features. Small wireless facilities proposed to be placed in a landscaped area must submit a restoration and maintenance plan for damaged and removed hardscape and landscape features surrounding the facility. The project will be conditioned to require the applicant to carry out the Restoration and Maintenance Plan. The approval authority may require additional hardscape or landscape features

for small wireless facilities proposed to be placed in a landscaped area in public rights-of-way to screen the small wireless facility from public view or otherwise enhance the stealth techniques required under Section 35-44.010.C.2. All plants proposed or required must be native and/or drought-tolerant.

(e) Shrouding. All antennas and associated cables, jumpers, wires, mounts, masts, brackets and other connectors and hardware shall be installed within a single shroud or radome to the extent technically feasible. If the antennas cannot be placed in an opaque shroud, the Director may approve alternative stealth techniques.

(i) For pole-top antennas, the shroud shall be visually consistent with the design, color and scale of the underlying pole, and shall not exceed 2.5 times the median pole diameter.

(ii) For side-arm antennas, the shroud must cover the cross arm and any cables, jumpers, wires or other connectors between the vertical riser and the antenna.

(f) Height. No antenna or associated antenna structure shall extend more than the minimum necessary separation between the antenna and other pole attachments required by applicable health and safety regulations, or the maximum structure height permitted by Subsection C.2.a.(1), above, whichever is less.

(g) Volume.

(i) Antenna. The cumulative volume for all antennas on a single small wireless facility pole or structure shall not exceed: (A) three cubic feet within 500 feet of a residential dwelling; or (B) six cubic feet for all other locations.

(ii) Accessory equipment. Surface-mounted and above-ground accessory equipment for a small wireless facility shall be as small as technically feasible. This requirement shall not be applicable to accessory equipment placed underground or within existing structures.

(h) **Horizontal extensions.**

(i) Side-mounted antennas are prohibited unless no other option is technically feasible. Where permitted, side-mounted antennas shall be placed as close to the support structure as technically feasible and shall not extend over any roadway for vehicular travel or any abutting private property. If applicable laws require a side-mounted antenna to extend more than 24 inches from the support structure, the extension shall be no greater than required for compliance with such laws as documented by the applicant with substantial evidence in the application.

(ii) Pole-mounted accessory equipment shall be flush with the pole and shall not extend over any roadway for vehicular travel or any abutting private property. If applicable laws preclude flush-mounted accessory equipment, the separation gap between the pole and the accessory equipment shall be no greater than required for compliance with such laws and concealed by opaque material (such as cabinet "flaps" or "wings").

(i) Accessory Equipment. Additional design standards that apply to all accessory equipment associated with the small wireless facility:

(i) Undergrounded. Accessory equipment (other than any electric meter where permitted because a flat-rate service is not available and an emergency disconnect switch) shall be placed underground when proposed in any underground utility district unless allowed in compliance with Section 34-7(f) of Chapter 34 (Underground Utility Districts) of the County Code, or any location where the Director finds substantial evidence that the additional above-ground accessory equipment would restrict public use of the public rights-of-way. However, the Director may grant an exception when the applicant demonstrates by clear and convincing evidence that compliance with this Section would be technically infeasible.

(ii) Vaults. All undergrounded accessory equipment shall be installed in a vault that is load-rated to meet the County's standards and specifications. Underground vaults located beneath a sidewalk shall be constructed with a slip-resistant cover and properly secured to prevent unauthorized access. Vents for airflow shall be flush-to-grade when placed within the sidewalk and may not exceed two feet above grade when placed off the sidewalk. Vault lids shall not exhibit logos or commercial advertisements.

(iii) Minimum ground clearance. The lowest point on any pole-mounted accessory equipment shall be at least 10 feet above ground level adjacent to the pole. If applicable laws require any pole-mounted accessory equipment component to be placed less than 10 feet above ground level, the clearance from ground level shall be no less than required for compliance with such laws.

(iv) Orientation. Unless placed behind a street sign or some other concealment that dictates the equipment orientation on the pole, all pole-mounted accessory equipment shall be oriented in line with the adjacent road or oriented away from the adjacent road when concealed by landscaping or existing vegetation.

(10) The placement of multiple, interconnected, small wireless facilities (e.g., four or more within a square mile) may be reviewed as a whole project including all components that result in a physical change to the environment (e.g., antennas, equipment, cabling, trenching, boring, vaults, poles, hub sites.)

(11) Façade-mounted antennas. Antennas mounted to the façade of a building or structure shall be architecturally integrated into the building or structure design and otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly created architectural feature so as to be completely screened from view. Façade-mounted antennas shall not protrude more than two feet horizontally from the façade.

b. Standards for Tier 2 projects (tenant improvements). Wireless telecommunication facilities that comply with the following may be allowed:

(1) The facility qualifies as a tenant improvement that does not otherwise qualify as a small wireless facility under C.2.a, above.

(2) Antennas, associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject to the limitations and exceptions provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) the height limit is that which applies to residential structures in that location.

(3) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in under any of the following circumstances:

(a) The antenna, associated antenna support structure, and equipment shelter is located within an existing structure.

(b) The antenna is mounted on an exterior wall of an existing structure, and the highest point of either the antenna or the antenna support structure does not extend above the portion of the wall, including parapet walls and architectural façades, that the antenna is mounted on.

(c) The antenna or equipment shelter is located on the roof of an existing structure behind a parapet wall or existing architectural façade and the highest point of the antenna or equipment shelter does not protrude above the parapet wall or architectural façade.

(d) The portion of the facility that would exceed the height limit is located within an addition that qualifies as an architectural projection.

(4) Antennas and associated antenna support structures proposed to be installed on the roof or directly attached to an existing structure shall be fully screened or architecturally integrated into the design of the structure. The highest point of the antenna and associated antenna support structure shall not extend above the portion of the structure, including parapet walls and architectural façades, that it is mounted on and shall not protrude more than two feet horizontally from the structure. If mounted on the roof of an existing structure the highest point of the antenna shall not extend above the parapet wall or architectural façade.

(5) Equipment shelters proposed to be installed on the roof of an existing or proposed structure shall be fully screened or architecturally integrated into the design of the structure (e.g., located behind a parapet wall or architectural façade) and the highest point of the equipment shelter shall not protrude above the parapet wall or architectural façade.

(6) Access to the facility shall be provided by existing roads or driveways.

c. **Standards for Tier 2 projects, collocated facilities.** Wireless telecommunication facilities that do not otherwise qualify as a small wireless facility under C.2.a, above and that comply with the following may be allowed. Additions to existing structures that a facility is proposed to be located on or within may be allowed in order to comply with applicable development standards, subject to applicable permit requirements of this Code.

(1) The facility qualifies as a collocated telecommunications facility.

(2) Antennas, associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject only to the limitations and exceptions provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) the height limit is that which applies to residential structures in that location.

(a) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in under either of the following circumstances:

(i) As provided in Subsection C.2.b.(3).

(ii) The highest point of any portion of the new facility proposed to be located on an existing facility does not extend above the existing antenna support structure or the portion of any other structure, including parapet walls and architectural façades, that it is mounted on and shall not protrude more than two feet horizontally from the structure.

d. **Standards for Tier 2 projects, facilities that comply with the zone height limit.** Wireless telecommunication facilities that do not otherwise qualify as small wireless facilities under C.2.a, above and that comply with the following may be allowed:

(1) Antennas, associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in except as provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) the height limit is that which applies to residential structures in that location.

(a) Antennas, associated antenna support structures and equipment shelters may exceed the height limit of the zone that the project is located under the following circumstances:

(1) As provided in Subsection C.2.c.(2)(a).

(2) The antenna is mounted on an existing, operational public utility pole or similar support structure (e.g., streetlight standard), as determined by the Director, provided that the highest point of the antenna does not exceed the height of the existing utility pole or similar support structure that it is mounted on.

(2) The height of the antenna and associated antenna support structure shall not exceed 15 feet above the highest point of the structure on which the antenna and support structure is located. Architectural projections shall not be used in determining the highest point of the structure. If located on a flat roof of an existing structure, the height of the antenna above the roof shall not exceed the distance the antenna is set back from any edge of the roof.

(3) The base of a new freestanding antenna support structure shall be set back from a lot with a residential zone designation a distance equal to five times the height of the antenna and antenna support structure, or a minimum of 300 feet, whichever is greater.

e. **Noticing standards for all Tier 2 projects.** A posted notice fulfilling the requirements of Sections 35.106.020.A.2 and 35.106.080 shall be required for a Zoning Clearance permit within 15 days of a complete application and remain posted until permit approval.

3. **Tier 3 projects.** Commercial telecommunication facilities that comply with the following may be permitted as a Tier 3 commercial facility:

a. **Standards for Tier 3 projects, facilities not exceeding 50 feet in height that do not otherwise qualify as a small wireless facility under C.2.a, above.** Wireless telecommunication facilities that comply with the following may be allowed:

(1) Antennas, the associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject to the limitations and exceptions as provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) the height limit is that which applies to residential structures in that location. A modification to the height limit in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications) may be allowed. However, the highest point of the antenna and associated antenna support structure shall not exceed 50 feet.

(2) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in without the approval of a modification in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications) under the following circumstances:

(a) As provided in Subsection C.2.d.(1)(a).

(b) The antenna and antenna support structure are mounted on an existing structure and the height of the antenna and antenna support structure does not exceed 15 feet above the highest point of the structure provided the highest point of the antenna does not exceed 50 feet. Architectural

projections shall not be used in determining the highest point of the structure.

(3) The base of a new freestanding antenna support structure shall be set back from a residentially zoned lot a distance equal to five times the height of the antenna and antenna support structure, or a minimum of 300 feet, whichever is greater.

b. Standards for Tier 3 projects, satellite ground station facilities, relay towers, towers or antennas for radio/television transmission and/or reception. Other telecommunication facilities or structures, including satellite ground station facilities, relay towers, towers or antennas for the transmission and/or reception of radio, television, and communication signals that comply with the following may be allowed:

(1) Are not located in a residential zone as identified in Section 35.14.020 (Zoning Map and Zones).

(2) Do not exceed 50 feet in height.

4. Tier 4 projects. Commercial telecommunication facilities that comply with the following may be permitted as a Tier 4 commercial facility:

a. Standards for Tier 4 projects, facilities that are not allowed in compliance with Tier 1 through Tier 3. Wireless telecommunication facilities that may not be permitted in compliance with Subsections C.1 through C.3 above may be allowed provided the height of the antenna and associated antenna support structures shall not exceed 100 feet.

b. Standards for Tier 4 projects, other facilities that are subject to regulation by the FCC or CPUC, e.g., AM/FM radio stations, television stations. Other telecommunication facilities as follows are allowed in nonresidential zones as identified in Section 35.14.020 (Zoning Map and Zones). These do not include wireless telecommunication facilities that are subject to the provisions of Subsection C.4.a, above, or amateur radio facilities that are subject to the provisions of Section 35.44.020 (Noncommercial Telecommunication Facilities).

(1) Facilities that are subject to regulation by the FCC or the California Public Utilities Commission (e.g., AM/FM radio stations, television stations). Such facilities may include: equipment shelters, antennas, antenna support structures, and other appurtenant equipment related to communication facilities for the transmission or reception of radio, television, and communication signals.

(2) Other commercial telecommunication facilities that exceed 50 feet in height.

D. Additional development standards for telecommunication facilities. In addition to the development standards in Subsection C. (Processing) above, all commercial telecommunication facilities except temporary mobile telecommunications facilities, shall also comply with the following development standards unless otherwise indicated below, provided that if the following development standards conflict with any of the design standards regulating small wireless facilities in Subsections C.2.a.(7) through C.2.a.(9), above, the design standards specific to small wireless facilities shall control.

1. Telecommunication facilities shall comply in all instances with the following development standards:

a. **Setbacks.** The facility shall comply with the setback requirements of the zone in which the facility is located except as follows:

(1) Antennas may be located within the setback area without approval of a modification in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications) provided they are installed on an existing, operational, public utility pole, or similar existing support structure.

(2) Underground equipment (e.g., equipment cabinet) may be located within the setback area and rights-of-way provided that no portion of the facility shall obstruct existing or proposed sidewalks, trails, and vehicular ingress or egress.

(3) A modification to the setback is granted in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications).

b. **Height limits and exceptions.** Antennas and associated antenna support structures (e.g., lattice towers, monopoles) are limited to 100 feet in height and shall comply with the height limits specified in Subsection C. (Processing) above.

(1) Antennas used in connection with wireless communication facilities may exceed 100 feet in height provided:

(a) The antenna is mounted on or within an existing structure and the highest point of the antenna does not protrude above the highest point of the structure, including parapet walls and architectural façades, that the antenna is mounted on; or,

(b) The antenna is mounted on an existing, operational public utility pole or similar support structure (e.g., street light standard), as determined by the Director provided the highest point of the antenna does not exceed the height of the existing utility pole or similar support structure that it is mounted on.

(2) Antennas (excluding solid dish and panel antennas) and lattice support structures used for the commercial reception and transmission of radio and television signals may be up to 200 feet in height in Rural Areas provided:

(a) Towers and antennas shall not be located within one mile of a County-designated scenic highway unless substantially screened by intervening topography or existing vegetation.

(b) Unless substantially screened by intervening topography or existing vegetation, or proposed at a collocated site, the new tower/antenna shall be located no closer than one mile from Urban, Inner-Rural, and Existing Developed Rural Neighborhoods and as far as technically feasible to meet Federal Communications Commission signal strength and coverage requirements.

(c) Towers and antennas shall be a minimum of 50 feet from a property line and 1.5 times the tower's height from the nearest development, excluding other telecommunication facilities and fences.

(d) Noise levels from auxiliary power supplies shall not exceed County and State standards and policies.

(e) If a tower is proposed to be co-located at an existing tower location, the applicant shall attempt to locate any existing antenna on the new tower when it will reduce visual impacts from the site.

(f) Access is provided by existing roads or a road extension that minimizes the amount of ground disturbance and does not create additional visual impacts.

(g) Towers, support structures, and antennas shall be painted a color chosen to reduce visual impacts. In lieu of painting the tower, the Commission may determine that a tower's construction material can be oxidized to a color that is acceptable for its location.

(h) Landscaping, if appropriate, shall be utilized to minimize visual impacts of the tower and support buildings.

(i) If a tower is proposed to be co-located at an existing tower location, the applicant shall attempt to consolidate equipment of existing support structures, underground utilities, or any other measures deemed appropriate to mitigate visual impacts.

(j) Tower design and materials shall be the least visually obtrusive, taking technical and engineering considerations into account.

(k) Exterior lighting shall be hooded and directed downward and shall be manually operated.

(3) In all cases the height of antennas, including support structures, shall be in compliance with the requirements of Section 35.28.060 (Airport Approach (F) Overlay Zone).

c. Public Access. The general public shall be excluded from the facility by fencing or other barriers such as mounting height that prevent access to the antenna, associated antenna support structure, and equipment shelter.

d. Historical landmarks. Facilities proposed to be installed in or on a structure or site that has been designated by the County as a historical landmark shall be reviewed and approved by the Historic Landmarks Advisory Commission, or the Board on appeal.

e. Compliance with FCC. The facility shall comply at all times with all FCC rules, regulations, and standards, including but not limited to, safety signage, Maximum Permissible Exposure (MPE) Limits for radiofrequency (RF) energy, and any other similar requirements to ensure public protection and all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction.

f. Access roads and parking areas. The facility shall be served by roads and parking areas consistent with the following requirements:

(1) New access roads or improvements to existing access roads shall be limited to the minimum required to comply with County regulations concerning roadway standards and regulations.

(2) Existing parking areas shall be used whenever possible, and new parking areas shall not exceed 350 square feet in area.

(3) Newly constructed roads or parking areas shall, whenever feasible, be shared with subsequent telecommunication facilities or other allowed uses.

g. Lighting. The facility shall be unlit except for the following:

(1) A manually operated light or light controlled by motion-detector that includes a timer located above the equipment structure door that shall be kept off except when personnel are present at night.

(2) Where an antenna support structure is required to be lighted, the lighting shall be fully shielded and directed downward to avoid spillover onto nearby residences.

h. Location within Airport Approach (F) overlay zone. The facility shall not be located within the safety zone of an airport unless the airport operator indicates that it will not adversely affect the operation of the airport.

i. Colors and materials. Colors and materials shall be chosen to minimize visibility, using textures and colors to match or blend with the primary background.

(1) Exterior finish. The visible surfaces of support facilities (e.g., vaults, equipment rooms, utilities, equipment enclosures) shall be finished in non-reflective materials.

(2) Painted surfaces. Structures, poles, towers, antenna supports, antennas, and other components of each telecommunication site shall be initially painted and repainted as necessary with a non-reflective paint. The lessee shall not oppose the repainting of their equipment in the future by another lessee if an alternate color is deemed more appropriate by a review authority in approving a subsequent permit for development.

j. Landscaping. The facility shall be constructed so as to maintain and enhance existing vegetation, without increasing the risk of fire hazards, through the implementation of the following measures:

(1) Existing trees and other vegetation that screens the facility and associated access roads, power lines and telephone lines that are not required to be removed in order to construct the facility or to achieve fire safety clearances, shall be protected from damage during the construction period and for the life of the project.

(2) Underground lines shall be routed to avoid damage to tree root systems to the maximum extent feasible.

(3) Additional trees and other native or adapted vegetation shall be planted and maintained in the vicinity of the project site, and associated access roads, power lines, and telephone lines, under the following situations:

(a) The vegetation is required to screen the improvements from public viewing areas.

(b) The facility or related improvements are likely to become significantly more visible from public viewing areas over time due to the age, health, or density of the existing vegetation.

Required landscape plans shall be comprised of appropriate species and should be prepared by a botanist, licensed landscape contractor, or licensed landscape architect. A performance security shall be required to guarantee the installation and maintenance of new plantings.

(4) Existing trees or significant vegetation used to screen the facility that die in the future shall be replaced with native trees and vegetation of a comparable size, species, and density. The facility may be required to be repainted during the time required for the newly planted vegetation to mature and provide adequate screening.

(5) The vegetation that exists when the project is initially approved that is required to provide screening for the facility shall not be altered in a manner that would increase the visibility of the facility and associated access roads, power lines, and telephone lines, except:

(a) Where the alteration is specifically allowed by the approved project; or

(b) Where necessary to avoid signal interference to and from the approved facility.

Any alteration of the vegetation shall be done under the direction of a licensed arborist.

2. Telecommunication facilities shall comply with the following development standards in all instances, except that the review authority may exempt a facility from compliance with one or more of the following development standards if requested by the applicant. However, an exemption may only be granted if the review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance either will not increase the visibility of the facility or decrease public safety, or it is required due to technical considerations that if the exemption were not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.

a. The primary power source shall be electricity provided by a public utility. Backup generators shall only be operated during power outages and for testing and maintenance purposes. New utility line extension longer than 50 feet installed primarily to serve the facility shall be located underground unless an overhead line would not be visible from a public viewing area. New underground utilities shall contain additional capacity (e.g., multiple conduits) for additional power lines and telephone lines if the site is determined to be suitable for collocation.

b. Disturbed areas associated with the development of a facility shall not occur within the boundaries of an environmentally sensitive habitat area.

c. Collocation on an existing support structure shall be required for facilities allowed in compliance with Subsection C.2 through Subsection C.4. of this Section, unless:

(1) The applicant can demonstrate that reasonable efforts, acceptable to the review authority, have been made to locate the antenna on an existing support structure and these efforts have been unsuccessful; or

(2) Collocation cannot be achieved because there are not existing facilities in the vicinity of the proposed facility; or

(3) The review authority determines that collocation of the proposed facility would result in greater visual impacts than if a new support structure were proposed.

Proposed facilities shall be assessed as potential collocation facilities or sites to promote facility and site sharing so as to minimize the overall visual impact. Sites determined by the Department to be appropriate as collocated facilities or sites shall be designed in a way that antenna support structures and other associated features (e.g. parking areas, access roads, utilities, equipment buildings) may be shared by site users. Criteria used to determine suitability for collocation include the visibility of the existing site, potential for exacerbating the visual impact of the existing site, availability of necessary utilities (power and telephone), existing vegetative screening, availability of more visually suitable sites that meet the radiofrequency needs in the surrounding area, and cumulative radiofrequency emission studies showing compliance with radiofrequency standards established by the FCC. Additional requirements regarding collocation are located in Subsection E.3 (Collocation) below.

d. Support facilities (e.g., vaults, equipment rooms, utilities, equipment enclosures) shall be located underground or blend in with the surrounding environment, if they would otherwise be visible from public viewing areas (e.g., public road, trails, recreational areas), or shall be screened by existing or new landscaping, fences, and/or walls.

3. Telecommunication facilities allowed in compliance with Subsection C.3 through Subsection C.4 of this Section shall comply with the following development standards in all instances, except that the review authority may exempt a facility from one or more standards if requested by the applicant. An exemption shall only be granted if the review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance shall not increase the visibility of the facility or decrease public safety, or is required due to technical considerations and if the exemption was not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.

a. A facility shall not be located so as to silhouette against the sky if substantially visible from a state-designated scenic highway or roadway located within a scenic corridor as designated on the Comprehensive Plan maps.

b. A facility shall not be installed on an exposed ridgeline unless it blends with the surrounding existing natural or manmade environment in a manner that ensures that it will not be substantially visible from public viewing areas (e.g., public road, trails, recreation areas) or is collocated in a multiple user facility.

c. Telecommunication facilities that are substantially visible from public viewing areas shall be sited below the ridgeline, depressed or located behind earth berms in order to minimize their profile and minimize any intrusion into the skyline. In addition, where feasible, and where visual impacts would be reduced, the facility shall be designed to

look like the natural or manmade environment (e.g., designed to look like a tree, rock outcropping, or streetlight) or designed to integrate into the natural environment (e.g., imbedded in a hillside). These facilities shall be compatible with the existing surrounding environment.

E. Project installation and post installation provisions.

1. **FCC Compliance.** The facility shall be operated in strict conformance with: (i) all rules, regulations, standards and guidance published by the FCC, including but not limited to, safety signage, Maximum Permissible Exposure (MPE) Limits, and any other similar requirements to ensure public protection and (ii) all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction.

   a. **Demonstration of compliance.** Compliance with all applicable standards shall be demonstrated with a report prepared by a qualified professional acceptable to the County to perform radio frequency (RF) field testing to evaluate compliance with current federally established MPE standards. Compliance shall be demonstrated as needed to address changes in setting, technology and FCC regulations.

   b. **Conditions of approval.** The approved planning permit for the facility may include conditions of approval as determined to be appropriate by the review authority to ensure that the facility is operated in a manner that does not pose, either by itself or in combination with other facilities, a potential threat to public safety. Said conditions of approval may include the following requirements:

      (1) Initial verification. The Permittee shall submit a report prepared by a qualified professional acceptable to the County (wholly independent of Permittee) that includes a RF field test that measures actual RF electromagnetic exposure at the site within 30 days of Final Building Permit Clearance.

         (a) This RF field-testing shall measure all ambient sources of RF energy at the site and report the cumulative RF exposure, including contributions from the site together with other sources of RF energy in the environment as a whole,

         (b) The field test should include the author's/professional's findings with respect to compliance with federally established MPE standards.

         (c) Should the facility exceed the applicable standards, the facility shall cease and desist commercial operations until it complies with, or has been modified to comply with, applicable RF standards.

      (2) Continued compliance. The Permittee shall demonstrate continued compliance with the MPE limits through submittal of regular RF field test reporting in compliance with the following.

         (a) Every five years, or other time period as specified by the review authority as a condition of approval of the project, a report prepared by a qualified professional acceptable to the County to perform RF field testing to evaluate compliance with current federally established MPE standards shall be prepared that lists the actual measured level of RF emissions radiating from the whole facility. The report shall be submitted by the

newest carrier operating at the facility to the Director. If the level of RF emissions has changed since permit approval, measurements of RF levels in nearby inhabited areas shall be taken and submitted with the report.

(3) **Facility upgrades.** Prior to the addition/replacement of equipment which has the potential to increase RF emissions at any public location beyond that estimated in the initial application and is within the scope of the project description, Permittee shall submit a report providing the calculation of predicted maximum effective radiated power including the new equipment as well as the maximum cumulative potential public RF exposure expressed as a percentage of the public MPE limit attributable to the site as a whole. Once the new equipment has been installed, Permittee shall perform Initial Verification as stated above.

(4) **Updated standards.** In the event the federally established RF public exposure standards change, the Permittee shall submit a report with calculations of the maximum potential public RF exposure from the Project with respect to the revised RF public exposure standards within 90 days of the date the change becomes effective. If calculated levels exceed 80 percent of the applicable RF standards, Permittee shall notify the County and submit a MPE compliance verification report with the results from current RF field-testing at the site.

c. **Failure to supply reports.** Failure to supply the reports required in compliance with this Subsection E.1 within 30 days following the date that written notice is mailed by the Director that such compliance report is due or failure to remain in continued compliance with the MPE limit shall be grounds for revocation of the Zoning Clearance or other entitlement of use by the Director. The decision of the Director to revoke the Zoning Clearance or other entitlement of use is final subject to appeal in compliance with Chapter 35.102 (Appeals).

2. **Project Review.** The County reserves the right to undertake inspection of the facility and require the Permittee to modify its facilities should a more effective means of ensuring aesthetic compatibility with surrounding uses have become available as a result of subsequent technological advances, changes in circumstance from the time the project was initially approved, or the project fails to achieve the intended purposes of the development standards listed in Subsection D. (Additional development standards for telecommunication facilities).

3. **Collocation.** The Permittee shall avail its facility and site to other telecommunication carriers and, in good faith, accommodate all reasonable requests for collocation in the future subject to the following parameters:

a. The party seeking collocation shall be responsible for all facility modifications, environmental review, mitigation measures, associated costs, and permit processing.

b. The permittee shall not be required to compromise the operational effectiveness of its facility or place its prior approval at risk.

c. The Permittee shall make its facilities and site available for collocation on a non-discriminatory and equitable cost basis.

d. The County retains the right to verify that the use of the Permittee's facilities and site conforms to County policies.

4. **Abandonment-Revocation.**

a. The Permittee shall remove all support structures, antennas, equipment and associated improvements and restore the site to its natural pre-construction state within one year of discontinuing use of the facility or upon permit revocation.

b. Should the Permittee require more than one year to complete removal and restoration activities the Permittee shall apply for a one-time time extension.

c. In the event the Owner requests that the facility or structures remain, the Owner shall apply for necessary permits for those structures within one year of discontinued use.

d. If use of the facility is discontinued for a period of more than one year and the facility is not removed the County may remove the facility at the Permittee's expense.

5. **Transfer of ownership.** In the event that the Permittee sells or transfers its interest in the telecommunications facility, the Permittee and/or succeeding carrier shall assume all responsibilities concerning the Project and shall be held responsible by the County for maintaining consistency with all conditions of approval. The succeeding carrier shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.

6. **Color compatibility.** Prior to the issuance of a Zoning Clearance, the applicant shall erect an onsite demonstration structure of sufficient scale and height to allow the Director to determine that the proposed exterior color is aesthetically compatible with the surrounding area. If the applicant elects not to erect this demonstration structure prior to issuance of the Zoning Clearance, the Director may determine within 30 days of the facility becoming operational that the exterior color is not aesthetically compatible with the surrounding area and require that the exterior color be changed.

F. **Additional findings.** In addition to the findings required to be adopted by the review authority in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) and Section 35.82.210 (Zoning Clearances) in order to approve an application to develop a telecommunication facility, the review authority shall also make the following findings:

1. The facility is located to minimize its visibility from public view and is designed to blend into the surrounding environment to the greatest extent feasible.

2. The facility complies with all required development standards unless granted a specific exemption by the review authority as provided in Subsection D. (Additional development standards for telecommunication facilities) above.

a. An exemption to one or more of the required development standards may be granted if the review authority additionally finds that in the specific instance that the granting of the exemption:

(1) Would not increase the visibility of the facility or decrease public safety, or

(2) Is required due to technical considerations, or

(3) Would avoid or reduce the potential for environmental impacts.

3. The applicant has demonstrated that the facility shall be operated within the frequency range allowed by the FCC and complies with all other applicable safety standards.

G. Additional findings for exceptions to height limits - Rural area. In addition to the required findings of Subsection F. (Additional findings) above, and Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), an exception to the height limits for a telecommunications facility used for the commercial reception and transmission of radio and television signals in the Rural Area as designated on the Comprehensive Plan maps (not exceeding 200 feet) shall be approved only if all of the following findings can be made:

1. The support structure and antenna do not intrude into the skyline as seen from a County-designated scenic highway.
2. The support structure and antenna exceed 100 feet only when technical requirements dictate (e.g. FCC signal strength and required coverage).
3. The height of the support structure and antenna are reduced to the maximum extent feasible, taking into account the use for which the antenna is proposed.
4. The support structure and antenna do not interfere with the enjoyment and use of surrounding properties.
5. The support structure and antenna do not result in a substantial detrimental visual effect on open space views as seen from public viewing points.
6. The visual impacts are not substantially exacerbated with the addition of the proposed tower at a co-located site.

H. Application requirements.

1. An application for a Conditional Use Permit or Zoning Clearance to permit the development of a commercial telecommunication facility regulated by this Section shall be filed and processed in compliance with Chapter 35.80 (Permit Application Filing and Processing).
    a. If an applicant for a commercial telecommunication facility fails to provide the necessary information requested by the Department to review the application, the application shall expire and be deemed withdrawn, without any further action by the County, in compliance with Section 35.80.050.
2. The Director is authorized at their discretion to employ on behalf of the County independent technical experts to review technical materials submitted including materials required under this Chapter. Proprietary information disclosed to the County or the hired expert shall remain confidential and shall not be disclosed to a third party.
3. **Design Review.** Commercial telecommunication facilities that qualify as Tier 1 improvements or that qualify as Tier 2 improvements that comply with the design standards in Subsections C.2.a.(7) through C.2.a.(9) are exempt from design review. Commercial telecommunication facilities subject to Zoning Administrator or Planning Commission approval, and facilities that include the construction of a new structure or the remodel of or addition to an existing structure that is otherwise subject to Design Review, shall be subject to Design Review in compliance with Section 35.82.070 (Design Review).

SECTION 2:

ARTICLE 35.11, Glossary, "Telecommunication Facility" of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise the definitions of Telecommunication Facility to renumber and read as follows:

Telecommunications Facility. A facility that transmits or receives electromagnetic signals for communication purposes including data transfer. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or reception of such signals; telecommunication towers or similar structures supporting said equipment; equipment buildings; parking areas; and other accessory development. It does not include facilities staffed with other than occasional maintenance and installation personnel or broadcast studios. Additionally, the following terms and phrases are defined for the purposes of Chapter 35.44 (Telecommunications Facilities).

...

5. **Collocation.** The mounting of installation of an antenna on an existing tower, building or structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes, whether or not there is an existing antenna on the structure.
6. **Collocated Telecommunications Facility.** A telecommunication facility composed of one or more antennas mounted to an existing tower or other structure.
7. **Collocated Telecommunications Site.** Any site where more than one antenna support structure is installed in close proximity to one another on one lot.
8. **Commercial.** A telecommunications facility that is operated primarily for or accessory to a business purpose.
9. **Equipment Cabinet.** An enclosed physical container installed on the ground or other horizontal surface (e.g. roof, etc.) to house multiple, distinct, non-transmission equipment or devices. Does not include housing for small electronic components such as breaker boxes, housing for transmission equipment, router switch boxes, etc.

...

SECTION 3:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 4:

Except as amended by this ordinance, Articles 35.4 and 35.11 of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 5:

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 6:

This ordinance shall take effect and be in force 30 days from the date of its passage; and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 4th day of February, 2025, by the following vote:

AYES: Supervisors Lee, Capps, Hartmann, Nelson and Lavagnino

NOES: None

ABSTAINED: None

ABSENT: None

LAURA CAPPS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By Sheila DeLaGuerra
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By _____
Deputy County Counsel

ATTACHMENT D-1: COUNTY LAND USE AND DEVELOPMENT CODE ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE COUNTY LAND USE AND DEVELOPMENT CODE (MLUDC), OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES AND ARTICLE 35.11, GLOSSARY, TO REVISE PERMIT REQUIREMENTS AND DEVELOPMENT STANDARDS TO THE EXISTING TELECOMMUNICATION FACILITIES ORDINANCE.

24ORD-00019

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35.44.010, Commercial Telecommunication Facilities, of Chapter 35.44, Telecommunication Facilities, to read as follows:

35.44.010 Commercial Telecommunications Facilities

A. **Purpose and intent.** This Section establishes the permit requirements and standards for the siting and development of commercial telecommunication facilities. The intent is to promote their orderly development and ensure they are compatible with surrounding land uses in order to protect the public safety and visual resources.

B. **Applicability.**

1. **Affected facilities and equipment.** The provisions of this Section shall apply to commercial telecommunication facilities that transmit or receive electromagnetic signals (e.g., radio, television, and wireless communication services including personal communication, cellular, and paging). This Section shall not be construed to apply to handheld, vehicular, or other portable transmitters or transceivers, including cellular phones, CB radios, emergency services radio, and other similar devices, or to wireless telecommunications facilities appurtenant to natural gas distribution facilities regulated by the California Public Utilities Commission, allowed within all zone districts, that are consistent with the standards set forth in Section 35.44.030 (Natural Gas Telecommunications Facilities).

2. **Allowable zones and permit requirements.** Table 4-20 (Allowable Zones and Permit Requirements for Commercial Telecommunications Facilities) below establishes the allowable zones, permit requirements, and development standards applicable to commercial telecommunications facilities as allowed by this Section. Different permit processes shall be required depending on the type of the commercial telecommunication facility being proposed and whether the facility complies with different development standards.

Table 4-20 - Allowable Zones and Permit Requirements for Commercial Telecommunications Facilities

Project Level Tier	Zones Where Allowed	Permit Requirements	Development

			Standards
Tier 1 (a) Project - Temporary Facilities	All zones	Zoning Clearance	35.42.260.G
Tier 1 (b) Project - Spectrum Act Facility Modifications	All zones	Zoning Clearance	35.44.010.C.1.(b) 35.44.010.D
Tier 1 (c) Project - Hub sites	All zones	~~Land Use Permit~~ Zoning Clearance	35.44.010.C.1.(c) 35.44.010.D
Tier 2 (a) Project - Small wireless facilities	All zones	~~Development Plan approved by the Director~~ Zoning Clearance	35.44.010.C.2.(a) 35.44.010.D
Tier 2 (b) Project - Tenant improvements	~~Nonresidential zones, except not allowed in the Mixed Use (MU)~~ All zones	~~Development Plan approved by the Director~~ Zoning Clearance	35.44.010.C.2.(b) 35.44.010.D
Tier 2 (c) Project - Collocated Facilities	Nonresidential zones, except not allowed in the Mixed Use (MU) zone	~~Development Plan approved by the Director~~ Zoning Clearance	35.44.010.C.2.(c) 35.44.010.D
Tier 2 (d) Project - Facilities that comply with the zone height limit ~~(1)~~	~~Nonresidential~~ All zones, except not allowed in the Mixed Use (MU) zone and the Recreation (REC) zone	~~Development Plan approved by the Director~~ Zoning Clearance	35.44.010.C.2.(d) 35.44.010.D
Tier 3 (a) Project - Facilities not exceeding 50 ft. in height ~~(1)~~	~~Nonresidential~~ All zones, except not allowed in the Mixed Use (MU) zone and the Recreation (REC) zone	Minor Conditional Use Permit	35.44.010.C.3.(a) 35.44.010.D
Tier 3 (b) Project - Satellite ground station facilities, relay towers, towers or antennas for radio/television transmission and/or reception	Nonresidential zones	Minor Conditional Use Permit	35.44.010.C.3.(b) 35.44.010.D
Tier 4 (a) Project - Facilities that are not allowed in compliance with Tier 1 through Tier 3	All zones	Conditional Use Permit	35.44.010.C.4.(a) 35.44.010.D
Tier 4 (b) Project - Other facilities that are subject to regulation by the FCC or CPUC, e.g., AM/FM radio stations, television stations	Nonresidential zones	Conditional Use Permit	35.44.010.C.4.(b) 35.44.010.D

~~**Notes:**~~
~~(1) Not allowed in or within 300 feet of a residential zone.~~

C. Processing. Permits for commercial telecommunication facilities shall be approved in compliance with the following requirements, including the requirements of Subsection D. through Subsection I. unless otherwise specified. Modifications to zone regulations in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) ~~or Section 35.82.080 (Development Plans)~~ may be allowed only as specified in this Section.

1. Tier 1 projects. Commercial telecommunication facilities that comply with the following may be permitted as a Tier 1 commercial facility:

a. Standards for Tier 1 projects, temporary facilities. Temporary telecommunications facilities may be permitted in compliance with Subsection 35.42.260.G.

b. Standard for Tier 1 projects, Spectrum Act facilities. Pursuant to Section 6409 of the federal Spectrum Act (47 U.S.C. Section 1455) and its implementing regulations (47 C.F.R. Section 1.6100), as amended, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station shall be allowed. The terms used in this subsection shall have the meaning ascribed to them in 47 C.F.R. Section 1.6100(b), as amended.

(1) Pursuant to 47 C.F.R Section 1.6100, as amended, the request shall comply with the following:

(a) Eligible facilities request. The project must be a request for modification to an existing wireless tower or base station that involves:

(i) Collocation of new transmission equipment;

(ii) Removal of transmission equipment; or

(iii) Replacement of transmission equipment.

(b) The wireless tower or base station is existing at the time of permit application, supports existing antennas, and was permitted in compliance with this Development Code.

(c) The wireless tower is any structure built for the sole purpose of supporting any Federal Communications Commission (FCC)-licensed antennas and associated facilities.

(2) Substantial change. Pursuant to 47 C.F.R Section 1.6100, as amended, a modification shall not be allowed pursuant to this section if it substantially changes the physical dimensions of an existing wireless tower or base station. A modification substantially changes the physical dimensions if it meets any of the following criteria:

(a) Wireless towers not located within the public right-of-way.

(i) The modification increases the height of the tower by more than 10 percent, or by the height of one additional antenna array with separation from the nearest antenna not to exceed 20 feet, whichever is greater.

(ii) The modification adds an appurtenance to the body of the tower that would protrude from the edge of the tower by more than 20 feet, or by more than the width of the tower structure at the level of the appurtenance, whichever is greater.

(b) Wireless towers located within the public right-of-way and base stations.

(i) The modification increases the height of the structure by more than 10 percent, or by more than 10 feet, whichever is greater.

(ii) The modification adds an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet.

(iii) The modification involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure.

(iv) The modification involves installation of ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure.

(c) The modification involves installation of more than the standard number of equipment cabinets for the technology involved, but not to exceed four cabinets.

(d) The modification entails excavation or deployment outside of the current site.

(e) The modification would defeat the concealment elements of the support structure.

c. **Standards for Tier 1 projects, hub sites.** Wireless telecommunication facilities that comply with the following may be allowed:

(1) The facility qualifies as a hub site.

(2) No antennas are proposed except as follows:

(a) One Global Positioning System (GPS) may be allowed.

(3) The facility is located within a permitted building.

(4) Noticing standards for Tier 1 (c) hub site projects. A posted notice fulfilling the requirements of Sections 35.106.020.A.2 and 35.106.080 shall be required for a Zoning Clearance permit within 15 days of a complete application and remain posted until permit approval.

2. **Tier 2 projects.** Commercial telecommunication facilities that comply with the following may be permitted as a Tier 2 commercial facility:

a. **Standards for Tier 2 projects, small wireless facilities.** "Small wireless facilities," as that term is defined in 47 C.F.R. Section 1.6002(l), as amended, that comply with the following may be allowed:

(1) The facilities:

(a) are mounted on structures 50 feet or less in height including antennas as defined in 47 C.F.R. Section 1.1320(d);

(b) are mounted on structures no more than 10 percent taller than other adjacent structures; or

(c) do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.

(2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 C.F.R. Section 1.1320(d)), is no more than three cubic feet in volume.

(3) All other wireless equipment associated with the pole structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the pole structure, is no more than 28 cubic feet in volume.

(4) The facility does not require antenna structure registration under Part 17 of Title 47 C.F.R., or its successor regulations (i.e., Federal Communications registration due to extreme height or proximity to an airport).

(5) The facility is not located on Tribal lands, as defined under 36 C.F.R. Section 800.16(x), or its successor regulation.

~~(6) The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 C.F.R. Section 1.1307(b), or its successor regulation.~~

(6~~7~~) The antenna shall be mounted on one of the following:

(a) ~~either~~ an existing or replacement operational public utility pole or similar support structure (e.g., non-decorative streetlight, traffic light, telephone pole, existing wooden pole) that is not being considered for removal, as determined by the Director;

(b) ~~, or~~ the roof of an existing structure~~,~~ or vaulted underground~~,~~;

(c) an existing or replacement non-pole concealment structure ~~unless technical requirements dictate otherwise~~.

If technical requirements dictate through a site analysis prepared by a qualified technical specialist demonstrating that the antenna cannot be mounted on ~~an existing operational public utility pole or similar support structure~~ one of the above, the antenna may be mounted on a new pole or similar ~~support~~ structure provided the new pole or ~~support~~ structure replicates the materials, color, and finish of existing infrastructure nearby.

(7) Accessory equipment. Accessory equipment associated with the antenna and pole structure, shall be installed and located:

(a) Underground;

(b) Concealed within the structure;

(c) Pole mounted (with a 10-foot ground clearance); or

(d) Above-grade structure (with a 2-foot setback from the sidewalk).

(8) Siting and clearance. All small wireless facilities, associated antennas and accessory equipment shall comply with the following siting and clearance standards:

(a) Shall be installed on poles that are located as close as feasible to shared property lines between two adjacent lots and not directly in front of residences and businesses;

(b) Shall not be placed within 20 feet from a residential dwelling's doors or windows;

(c) Shall be installed at least 50 feet away from any streetlight, utility pole or other similar support structure if the small wireless facility and any associated antennas, accessory equipment or improvements are attached to or part of any new, non-replacement support structure;

(d) Shall not be placed within any clear zone at any intersection;

(e) Shall not be placed in a location that obstructs illumination patterns for existing streetlights, views of any traffic signs or signals, or view lines for

traveling vehicles, bicycles, or pedestrians, as determined by County's Public Works Department;

(f) Shall provide a minimum 2-foot setback clearance from sidewalks for any protruding equipment on poles; and

(g) Shall provide a setback for a fixed object per CALTRANS standards and County Engineering Design Standards. The following shall be required if a setback cannot be obtained within the right of way:

i. Private easement that is setback from travel lane; and

ii. Guardrail or other mitigation protection.

(9) Design Standards.

(a) Stealth and concealment. All small wireless facilities shall be as stealth as technically feasible with concealment elements and techniques that mimic or blend with the underlying support structure, surrounding environment and adjacent uses.

New installations, antennas, antenna equipment and associated equipment enclosures (excluding disconnect switches), conduit and fiber shall be fully concealed within the structure. If such concealment is incompatible with the pole design, then the antennas and associated equipment enclosures must appear as an integral part of the structure or mounted as close to the pole as feasible and must be no greater in size than required for the intended purpose of the facility.

(b) Stealth and concealment, accessory equipment.

(i) Vertical cable risers. All cables, wires and other connectors shall be routed through conduits within the pole or other support structure, and all conduit attachments, cables, wires and other connectors shall be concealed from public view. To the extent that cables, wires and other connectors cannot be routed through the pole, such as with wood utility poles, they shall be routed through external conduits or shrouds that have been finished to match the underlying pole.

(ii) Spools and coils. Excess fiber optic or coaxial cables shall not be spooled, coiled or stored on the pole outside equipment cabinets or shrouds.

(iii) Pole-mounted. Pole-mounted accessory equipment shall be placed in a location that is most concealed under the circumstances presented by the proposed pole and location. Pole-mounted accessory equipment may be installed behind street, traffic or other signs to the extent that the installation complies with applicable public health and safety regulations.

(c) Finishes. Replacement poles shall be of the same material as the existing pole being replaced or adjacent poles located within the contiguous right-of-way. All small wireless facility exterior surfaces shall be painted, colored

or wrapped in flat, non-reflective hues that match the underlying support structure. All surfaces shall be treated with graffiti-resistant sealant.

(d) Trees and landscaping. All small wireless facilities shall not permanently displace any existing tree or landscape features. Small wireless facilities proposed to be placed in a landscaped area must submit a restoration and maintenance plan for damaged and removed hardscape and landscape features surrounding the facility. The project will be conditioned to require the applicant to carry out the Restoration and Maintenance Plan. The approval authority may require additional hardscape or landscape features for small wireless facilities proposed to be placed in a landscaped area in public rights-of-way to screen the small wireless facility from public view or otherwise enhance the stealth techniques required under Section 35-44.010.C.2. All plants proposed or required must be native and/or drought-tolerant.

(e) Shrouding. All antennas and associated cables, jumpers, wires, mounts, masts, brackets and other connectors and hardware shall be installed within a single shroud or radome to the extent technically feasible. If the antennas cannot be placed in an opaque shroud, the Director may approve alternative stealth techniques.

(i) For pole-top antennas, the shroud shall be visually consistent with the design, color and scale of the underlying pole, and shall not exceed 2.5 times the median pole diameter.

(ii) For side-arm antennas, the shroud must cover the cross arm and any cables, jumpers, wires or other connectors between the vertical riser and the antenna.

(f) Height. No antenna or associated antenna structure shall extend more than the minimum necessary separation between the antenna and other pole attachments required by applicable health and safety regulations, or the maximum structure height permitted by Subsection C.2.a.(1), above, whichever is less.

(g) Volume.

(i) Antenna. The cumulative volume for all antennas on a single small wireless facility pole or structure shall not exceed: (A) three cubic feet within 500 feet of a residential dwelling; or (B) six cubic feet for all other locations.

(ii) Accessory equipment. Surface-mounted and above-ground accessory equipment for a small wireless facility shall be as small as technically feasible. This requirement shall not be applicable to accessory equipment placed underground or within existing structures.

(h) Horizontal extensions.

(i) Side-mounted antennas are prohibited unless no other option is technically feasible. Where permitted, side-mounted antennas shall be placed as close to the support structure as technically feasible and shall not extend over any roadway for vehicular travel or any abutting private property. If applicable laws require a side-mounted antenna to extend more than 24 inches from the support structure, the extension shall be no greater than required for compliance with such laws as documented by the applicant with substantial evidence in the application.

(ii) Pole-mounted accessory equipment shall be flush with the pole and shall not extend over any roadway for vehicular travel or any abutting private property. If applicable laws preclude flush-mounted accessory equipment, the separation gap between the pole and the accessory equipment shall be no greater than required for compliance with such laws and concealed by opaque material (such as cabinet "flaps" or "wings").

(i) Accessory Equipment. Additional design standards that apply to all accessory equipment associated with the small wireless facility:

(i) Undergrounded. Accessory equipment (other than any electric meter where permitted because a flat-rate service is not available and an emergency disconnect switch) shall be placed underground when proposed in any underground utility district unless allowed in compliance with Section 34-7(f) of Chapter 34 (Underground Utility Districts) of the County Code, or any location where the Director finds substantial evidence that the additional above-ground accessory equipment would restrict public use of the public rights-of-way. However, the Director may grant an exception when the applicant demonstrates by clear and convincing evidence that compliance with this Section would be technically infeasible.

(ii) Vaults. All undergrounded accessory equipment shall be installed in a vault that is load-rated to meet the County's standards and specifications. Underground vaults located beneath a sidewalk shall be constructed with a slip-resistant cover and properly secured to prevent unauthorized access. Vents for airflow shall be flush-to-grade when placed within the sidewalk and may not exceed two feet above grade when placed off the sidewalk. Vault lids shall not exhibit logos or commercial advertisements.

(iii) Minimum ground clearance. The lowest point on any pole-mounted accessory equipment shall be at least 10 feet above ground level adjacent to the pole. If applicable laws require any pole-mounted

accessory equipment component to be placed less than 10 feet above ground level, the clearance from ground level shall be no less than required for compliance with such laws.

(iv) Orientation. Unless placed behind a street sign or some other concealment that dictates the equipment orientation on the pole, all pole-mounted accessory equipment shall be oriented in line with the adjacent road or oriented away from the adjacent road when concealed by landscaping or existing vegetation.

(~~8~~10) The placement of multiple, interconnected, small wireless facilities (e.g., four or more within a square mile) may be reviewed as a whole project including all components that result in a physical change to the environment (e.g., antennas, equipment, cabling, trenching, boring, vaults, poles, hub sites.)

~~(9) **Colors and materials.** Colors and materials shall be chosen to minimize visibility, using textures and colors to match or blend with the primary background.~~

(~~10~~11)**Façade-mounted antennas.** Antennas mounted to the façade of a building or structure shall be architecturally integrated into the building or structure design and otherwise made as unobtrusive as possible. If possible, antennas should be located entirely within an existing or newly created architectural feature so as to be completely screened from view. Façade-mounted antennas shall not protrude more than two feet horizontally from the façade.

b. Standards for Tier 2 projects (tenant improvements). Wireless telecommunication facilities that comply with the following may be allowed:

(1) The facility qualifies as a tenant improvement that does not otherwise qualify as a small wireless facility under C.2.a, above.

(2) Antennas, associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject to the limitations and exceptions provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) ~~or Article V of Ordinance No. 661,~~ the height limit is that which applies to residential structures in that location. ~~Modifications to the height limit in compliance with Subsection 35.82.080.H (Conditions, restrictions, and modifications) shall not be allowed.~~

(3) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in under any of the following circumstances:

(a) The antenna, associated antenna support structure, and equipment shelter is located within an existing structure.

(b) The antenna is mounted on an exterior wall of an existing structure, and the highest point of either the antenna or the antenna support structure does not extend above the portion of the wall, including parapet walls and architectural façades, that the antenna is mounted on.

(c) The antenna or equipment shelter is located on the roof of an existing structure behind a parapet wall or existing architectural façade and the highest point of the antenna or equipment shelter does not protrude above the parapet wall or architectural façade.

(d) The portion of the facility that would exceed the height limit is located within an addition that qualifies as an architectural projection.

(4) Antennas and associated antenna support structures proposed to be installed on the roof or directly attached to an existing structure shall be fully screened or architecturally integrated into the design of the structure. The highest point of the antenna and associated antenna support structure shall not extend above the portion of the structure, including parapet walls and architectural façades, that it is mounted on and shall not protrude more than two feet horizontally from the structure. If mounted on the roof of an existing structure the highest point of the antenna shall not extend above the parapet wall or architectural façade.

(5) Equipment shelters proposed to be installed on the roof of an existing or proposed structure shall be fully screened or architecturally integrated into the design of the structure (e.g., located behind a parapet wall or architectural façade) and the highest point of the equipment shelter shall not protrude above the parapet wall or architectural façade.

~~(6) **Colors and materials.** Colors and materials shall be chosen to minimize visibility, using textures and colors to match or blend with the primary background.~~

(~~7~~6) Access to the facility shall be provided by existing roads or driveways.

c. Standards for Tier 2 projects, collocated facilities. Wireless telecommunication facilities that do not otherwise qualify as a small wireless facility under C.2.a, above and that comply with the following may be allowed. Additions to existing structures that a facility is proposed to be located on or within may be allowed in order to comply with applicable development standards, subject to applicable permit requirements of this Code.

(1) The facility qualifies as a collocated telecommunications facility.

(2) Antennas, associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject only to the limitations and exceptions provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) ~~or Article V of Ordinance No. 661,~~ the height limit is that which applies to residential structures in that location. ~~Modifications to the height limit in compliance with Subsection 35.82.080.H (Conditions, restrictions, and modifications) shall not be allowed.~~

(a) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in under either of the following circumstances:

(i) As provided in Subsection C.2.b.(3).

(ii) The highest point of any portion of the new facility proposed to be located on an existing facility does not extend above the existing antenna support structure or the portion of any other structure, including parapet walls and architectural façades, that it is mounted on and shall not protrude more than two feet horizontally from the structure.

d. Standards for Tier 2 projects, facilities that comply with the zone height limit. Wireless telecommunication facilities that do not otherwise qualify as small wireless facilities under C.2.a, above and that comply with the following may be allowed:

(1) Antennas, associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in except as provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) ~~or Article V of Ordinance No. 661~~ the height limit is that which applies to residential structures in that location. ~~Modifications to the height limit in compliance with Subsection 35.82.080.H (Conditions, restrictions, and modifications) shall not be allowed.~~

(a) Antennas, associated antenna support structures and equipment shelters may exceed the height limit of the zone that the project is located under the following circumstances:

(1) As provided in Subsection C.2.~~a~~c.(2)(a).

(2) The antenna is mounted on an existing, operational public utility pole or similar support structure (e.g., streetlight standard), as determined by the Director, provided that the highest point of the antenna does not exceed the height of the existing utility pole or similar support structure that it is mounted on.

(2) The height of the antenna and associated antenna support structure shall not exceed 15 feet above the highest point of the structure on which the antenna and support structure is located. Architectural projections shall not be used in determining the highest point of the structure. If located on a flat roof of an existing structure, the height of the antenna above the roof shall not exceed the distance the antenna is set back from any edge of the roof.

(3) The base of a new freestanding antenna support structure shall be set back from a lot with a residential zone designation a distance equal to five times the height of the antenna and antenna support structure, or a minimum of 300 feet, whichever is greater.

e. Noticing standards for all Tier 2 projects. A posted notice fulfilling the requirements of Sections 35.106.020.A.2 and 35.106.080 shall be required for a Zoning Clearance permit within 15 days of a complete application and remain posted until permit approval.

3. Tier 3 projects. Commercial telecommunication facilities that comply with the following may be permitted as a Tier 3 commercial facility:

a. **Standards for Tier 3 projects, facilities not exceeding 50 feet in height that do not otherwise qualify as a small wireless facility under C.2.a, above.** Wireless telecommunication facilities that comply with the following may be allowed:

(1) Antennas, the associated antenna support structures, and equipment shelters shall comply with the height limit of the zone that the project is located in subject to the limitations and exceptions as provided below. If the facility is located in an agricultural zone as identified in Section 35.14.020 (Zoning Map and Zones) ~~or Article V of Ordinance No. 661,~~ the height limit is that which applies to residential structures in that location. A modification to the height limit in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications) may be allowed. However, the highest point of the antenna and associated antenna support structure shall not exceed 50 feet.

(2) Antennas, associated antenna support structures, and equipment shelters may exceed the height limit of the zone that the project is located in without the approval of a modification in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications) under the following circumstances:

(a) As provided in Subsection C.2.d.(1)(a).

(b) The antenna and antenna support structure are mounted on an existing structure and the height of the antenna and antenna support structure does not exceed 15 feet above the highest point of the structure provided the highest point of the antenna does not exceed 50 feet. Architectural projections shall not be used in determining the highest point of the structure.

~~(3) New freestanding antenna support structures and associated antennas that do not utilize an existing operational public utility pole or similar support structure, as determined by the Director, shall not exceed a height of 50 feet.~~

(43) The base of a new freestanding antenna support structure shall be set back from a residentially zoned lot a distance equal to five times the height of the antenna and antenna support structure, or a minimum of 300 feet, whichever is greater.

b. **Standards for Tier 3 projects, satellite ground station facilities, relay towers, towers or antennas for radio/television transmission and/or reception.** Other telecommunication facilities or structures, including satellite ground station facilities, relay towers, towers or antennas for the transmission and/or reception of radio, television, and communication signals that comply with the following may be allowed:

(1) Are not located in a residential zone as identified in Section 35.14.020 (Zoning Map and Zones).

(2) Do not exceed 50 feet in height.

4. **Tier 4 projects.** Commercial telecommunication facilities that comply with the following may be permitted as a Tier 4 commercial facility:

a. **Standards for Tier 4 projects, facilities that are not allowed in compliance with Tier 1 through Tier 3.** Wireless telecommunication facilities that may not be permitted in compliance with Subsections C.1 through C.3 above may be allowed provided the

height of the antenna and associated antenna support structures shall not exceed 100 feet.

b. Standards for Tier 4 projects, other facilities that are subject to regulation by the FCC or CPUC, e.g., AM/FM radio stations, television stations. Other telecommunication facilities as follows are allowed in nonresidential zones as identified in Section 35.14.020 (Zoning Map and Zones). These do not include wireless telecommunication facilities that are subject to the provisions of Subsection C.4.a, above, or amateur radio facilities that are subject to the provisions of Section 35.44.020 (Noncommercial Telecommunication Facilities).

(1) Facilities that are subject to regulation by the FCC or the California Public Utilities Commission (e.g., AM/FM radio stations, television stations). Such facilities may include: equipment shelters, antennas, antenna support structures, and other appurtenant equipment related to communication facilities for the transmission or reception of radio, television, and communication signals.

(2) Other commercial telecommunication facilities that exceed 50 feet in height.

D. Additional development standards for telecommunication facilities. In addition to the development standards in Subsection C. (Processing) above, all commercial telecommunication facilities except temporary mobile telecommunications facilities, shall also comply with the following development standards unless otherwise indicated below, provided that if the following development standards conflict with any of the design standards regulating small wireless facilities in Subsections C.2.a.(7) through C.2.a.(9), above, the design standards specific to small wireless facilities shall control.

1. Telecommunication facilities shall comply in all instances with the following development standards:

a. Setbacks. The facility shall comply with the setback requirements of the zone in which the facility is located except as follows:

(1) Antennas may be located within the setback area without approval of a modification in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications) ~~or Subsection 35.82.080.H (Conditions, restrictions, and modifications)~~ provided they are installed on an existing, operational, public utility pole, or similar existing support structure.

(2) Underground equipment (e.g., equipment cabinet) may be located within the setback area and rights-of-way provided that no portion of the facility shall obstruct existing or proposed sidewalks, trails, and vehicular ingress or egress.

(3) A modification to the setback is granted in compliance with Subsection 35.82.060.I (Conditions, restrictions, and modifications)~~, or Section 35.82.080.H (Conditions, restrictions, and modifications)~~.

b. Height limits and exceptions. Antennas and associated antenna support structures (e.g., lattice towers, monopoles) are limited to 100 feet in height and shall comply with the height limits specified in Subsection C. (Processing) above.

(1) Antennas used in connection with wireless communication facilities may exceed 100 feet in height provided:

(a) The antenna is mounted on or within an existing structure and the highest point of the antenna does not protrude above the highest point of the structure, including parapet walls and architectural façades, that the antenna is mounted on; or,

(b) The antenna is mounted on an existing, operational public utility pole or similar support structure (e.g., street light standard), as determined by the Director provided the highest point of the antenna does not exceed the height of the existing utility pole or similar support structure that it is mounted on.

(2) Antennas (excluding solid dish and panel antennas) and lattice support structures used for the commercial reception and transmission of radio and television signals may be up to 200 feet in height in Rural Areas provided:

(a) Towers and antennas shall not be located within one mile of a County-designated scenic highway unless substantially screened by intervening topography or existing vegetation.

(b) Unless substantially screened by intervening topography or existing vegetation, or proposed at a collocated site, the new tower/antenna shall be located no closer than one mile from Urban, Inner-Rural, and Existing Developed Rural Neighborhoods and as far as technically feasible to meet Federal Communications Commission signal strength and coverage requirements.

(c) Towers and antennas shall be a minimum of 50 feet from a property line and 1.5 times the tower's height from the nearest development, excluding other telecommunication facilities and fences.

(d) Noise levels from auxiliary power supplies shall not exceed County and State standards and policies.

(e) If a tower is proposed to be co-located at an existing tower location, the applicant shall attempt to locate any existing antenna on the new tower when it will reduce visual impacts from the site.

(f) Access is provided by existing roads or a road extension that minimizes the amount of ground disturbance and does not create additional visual impacts.

(g) Towers, support structures, and antennas shall be painted a color chosen to reduce visual impacts. In lieu of painting the tower, the Commission may determine that a tower's construction material can be oxidized to a color that is acceptable for its location.

(h) Landscaping, if appropriate, shall be utilized to minimize visual impacts of the tower and support buildings.

(i) If a tower is proposed to be co-located at an existing tower location, the applicant shall attempt to consolidate equipment of existing support structures, underground utilities, or any other measures deemed appropriate to mitigate visual impacts.

(j) Tower design and materials shall be the least visually obtrusive, taking technical and engineering considerations into account.

(k) Exterior lighting shall be hooded and directed downward and shall be manually operated.

(3) In all cases the height of antennas, including support structures, shall be in compliance with the requirements of Section 35.28.060 (Airport Approach (F) Overlay Zone).

c. ~~Fencing~~**Public Access.** The general public shall be excluded from the facility by fencing or other barriers such as mounting height that prevent access to the antenna, associated antenna support structure, and equipment shelter.

d. **Historical landmarks.** Facilities proposed to be installed in or on a structure or site that has been designated by the County as a historical landmark shall be reviewed and approved by the Historic Landmarks Advisory Commission, or the Board on appeal.

e. **Compliance with FCC.** The facility shall comply at all times with all FCC rules, regulations, and standards, including but not limited to, safety signage, Maximum Permissible Exposure (MPE) Limits for radiofrequency (RF) energy, and any other similar requirements to ensure public protection and all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction.

f. **Access roads and parking areas.** The facility shall be served by roads and parking areas consistent with the following requirements:

(1) New access roads or improvements to existing access roads shall be limited to the minimum required to comply with County regulations concerning roadway standards and regulations.

(2) Existing parking areas shall be used whenever possible, and new parking areas shall not exceed 350 square feet in area.

(3) Newly constructed roads or parking areas shall, whenever feasible, be shared with subsequent telecommunication facilities or other allowed uses.

g. **Lighting.** The facility shall be unlit except for the following:

(1) A manually operated light or light controlled by motion-detector that includes a timer located above the equipment structure door that shall be kept off except when personnel are present at night.

(2) Where an antenna support structure is required to be lighted, the lighting shall be fully shielded ~~or~~ and directed downward to avoid ~~to the greatest extent possible so as to minimize the amount of light that falls~~ spillover onto nearby residences.

h. **Location within Airport Approach (F) overlay zone.** The facility shall not be located within the safety zone of an airport unless the airport operator indicates that it will not adversely affect the operation of the airport.

i. **Colors and materials.** Colors and materials shall be chosen to minimize visibility, using textures and colors to match or blend with the primary background.

~~i.~~(1) **Exterior finish.** The visible surfaces of support facilities (e.g., vaults, equipment rooms, utilities, equipment enclosures) shall be finished in non-reflective materials.

~~j.~~(2) **Painted surfaces.** Structures, poles, towers, antenna supports, antennas, and other components of each telecommunication site shall be initially painted and repainted as necessary with a non-reflective paint. The lessee shall not oppose the repainting of their equipment in the future by another lessee if an alternate color is deemed more appropriate by a review authority in approving a subsequent permit for development.

~~k~~j. **Landscaping.** The facility shall be constructed so as to maintain and enhance existing vegetation, without increasing the risk of fire hazards, through the implementation of the following measures:

(1) Existing trees and other vegetation that screens the facility and associated access roads, power lines and telephone lines that are not required to be removed in order to construct the facility or to achieve fire safety clearances, shall be protected from damage during the construction period and for the life of the project.

(2) Underground lines shall be routed to avoid damage to tree root systems to the maximum extent feasible.

(3) Additional trees and other native or adapted vegetation shall be planted and maintained in the vicinity of the project site, and associated access roads, power lines, and telephone lines, under the following situations:

(a) The vegetation is required to screen the improvements from public viewing areas.

(b) The facility or related improvements are likely to become significantly more visible from public viewing areas over time due to the age, health, or density of the existing vegetation.

Required landscape plans shall be comprised of appropriate species and should be prepared by a botanist, licensed landscape contractor, or licensed landscape architect. A performance security shall be required to guarantee the installation and maintenance of new plantings.

(4) Existing trees or significant vegetation used to screen the facility that die in the future shall be replaced with native trees and vegetation of a comparable size, species, and density. The facility may be required to be repainted during the time required for the newly planted vegetation to mature and provide adequate screening.

(5) The vegetation that exists when the project is initially approved that is required to provide screening for the facility shall not be altered in a manner that would increase the visibility of the facility and associated access roads, power lines, and telephone lines, except:

(a) Where the alteration is specifically allowed by the approved project; or

(b) Where necessary to avoid signal interference to and from the approved facility.

Any alteration of the vegetation shall be done under the direction of a licensed arborist.

2. Telecommunication facilities shall comply with the following development standards in all instances, except that the review authority may exempt a facility from compliance with one or more of the following development standards if requested by the applicant. However, an exemption may only be granted if the review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance either will not increase the visibility of the facility or decrease public safety, or it is required due to technical considerations that if the exemption were not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.

   a. The primary power source shall be electricity provided by a public utility. Backup generators shall only be operated during power outages and for testing and maintenance purposes. New utility line extension longer than 50 feet installed primarily to serve the facility shall be located underground unless an overhead line would not be visible from a public viewing area. New underground utilities shall contain additional capacity (e.g., multiple conduits) for additional power lines and telephone lines if the site is determined to be suitable for collocation.

   b. Disturbed areas associated with the development of a facility shall not occur within the boundaries of an environmentally sensitive habitat area.

   c. Collocation on an existing support structure shall be required for facilities allowed in compliance with Subsection C.2 through Subsection C.4. of this Section, unless:

      (1) The applicant can demonstrate that reasonable efforts, acceptable to the review authority, have been made to locate the antenna on an existing support structure and these efforts have been unsuccessful; or

      (2) Collocation cannot be achieved because there are not existing facilities in the vicinity of the proposed facility; or

      (3) The review authority determines that collocation of the proposed facility would result in greater visual impacts than if a new support structure were proposed.

      Proposed facilities shall be assessed as potential collocation facilities or sites to promote facility and site sharing so as to minimize the overall visual impact. Sites determined by the Department to be appropriate as collocated facilities or sites shall be designed in a way that antenna support structures and other associated features (e.g. parking areas, access roads, utilities, equipment buildings) may be shared by site users. Criteria used to determine suitability for collocation include the visibility of the existing site, potential for exacerbating the visual impact of the existing site, availability of necessary utilities (power and telephone), existing vegetative screening, availability of more visually suitable sites that meet the radiofrequency needs in the surrounding area, and cumulative radiofrequency emission studies showing compliance with

radiofrequency standards established by the FCC. Additional requirements regarding collocation are located in Subsection E.3 (Collocation) below.

d. Support facilities (e.g., vaults, equipment rooms, utilities, equipment enclosures) shall be located underground~~, if feasible~~ or blend in with the surrounding environment, if they would otherwise be visible from public viewing areas (e.g., public road, trails, recreational areas), or shall be screened by existing or new landscaping, fences, and/or walls.

3. Telecommunication facilities allowed in compliance with Subsection C.3 through Subsection C.4 of this Section shall comply with the following development standards in all instances, except that the review authority may exempt a facility from one or more standards if requested by the applicant. ~~If an exemption from one or more of the following standards is requested, then the facility shall require a Conditional Use Permit approved by the Commission in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).~~ An exemption shall only be granted if the ~~Commission~~ review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance shall not increase the visibility of the facility or decrease public safety, or is required due to technical considerations and if the exemption was not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.

a. A facility shall not be located so as to silhouette against the sky if substantially visible from a state-designated scenic highway or roadway located within a scenic corridor as designated on the Comprehensive Plan maps.

b. A facility shall not be installed on an exposed ridgeline unless it blends with the surrounding existing natural or manmade environment in a manner that ensures that it will not be substantially visible from public viewing areas (e.g., public road, trails, recreation areas) or is collocated in a multiple user facility.

~~c. A facility that is substantially visible from a public viewing area shall not be installed closer than two miles from another substantially visible facility unless it is an existing collocated facility situated on a multiple user site.~~

c~~d~~. Telecommunication facilities that are substantially visible from public viewing areas shall be sited below the ridgeline, depressed or located behind earth berms in order to minimize their profile and minimize any intrusion into the skyline. In addition, where feasible, and where visual impacts would be reduced, the facility shall be designed to look like the natural or manmade environment (e.g., designed to look like a tree, rock outcropping, or streetlight) or designed to integrate into the natural environment (e.g., imbedded in a hillside). These facilities shall be compatible with the existing surrounding environment.

E. Project installation and post installation provisions.

1. **FCC Compliance.** The facility shall be operated in strict conformance with: (i) all rules, regulations, standards and guidance published by the FCC, including but not limited to, safety signage, Maximum Permissible Exposure (MPE) Limits, and any other similar requirements to ensure public protection and (ii) all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction.

a. **Demonstration of compliance.** Compliance with all applicable standards shall be demonstrated with a report prepared by a qualified professional acceptable to the County to perform radio frequency (RF) field testing to evaluate compliance with current federally established MPE standards. Compliance shall be demonstrated as needed to address changes in setting, technology and FCC regulations.

b. **Conditions of approval.** The approved planning permit for the facility may include conditions of approval as determined to be appropriate by the review authority to ensure that the facility is operated in a manner that does not pose, either by itself or in combination with other facilities, a potential threat to public safety. Said conditions of approval may include the following requirements:

(1) **Initial verification.** The Permittee shall submit a report prepared by a qualified professional acceptable to the County (wholly independent of Permittee) that includes a RF field test that measures actual RF electromagnetic exposure at the site within 30 days of Final Building Permit Clearance.

(a) This RF field-testing shall measure all ambient sources of RF energy at the site and report the cumulative RF exposure, including contributions from the site together with other sources of RF energy in the environment as a whole,

(b) The field test should include the author's/professional's findings with respect to compliance with federally established MPE standards.

(c) Should the facility exceed the applicable standards, the facility shall cease and desist commercial operations until it complies with, or has been modified to comply with, applicable RF standards.

(2) **Continued compliance.** The Permittee shall demonstrate continued compliance with the MPE limits through submittal of regular RF field test reporting in compliance with the following.

(a) Every five years, or other time period as specified by the review authority as a condition of approval of the project, a report prepared by a qualified professional acceptable to the County to perform RF field testing to evaluate compliance with current federally established MPE standards shall be prepared that lists the actual measured level of RF emissions radiating from the whole facility. The report shall be submitted by the newest carrier operating at the facility to the Director. If the level of RF emissions has changed since permit approval, measurements of RF levels in nearby inhabited areas shall be taken and submitted with the report.

(3) **Facility upgrades.** Prior to the addition/replacement of equipment which has the potential to increase RF emissions at any public location beyond that estimated in the initial application and is within the scope of the project description, Permittee shall submit a report providing the calculation of predicted maximum effective radiated power including the new equipment as well as the maximum cumulative potential public RF exposure expressed as a percentage of the public MPE limit attributable to the site as a whole. Once the new equipment has been installed, Permittee shall perform Initial Verification as stated above.

(4) **Updated standards.** In the event the federally established RF public exposure standards change, the Permittee shall submit a report with calculations of the maximum potential public RF exposure from the Project with respect to the revised RF public exposure standards within 90 days of the date the change becomes effective. If calculated levels exceed 80 percent of the applicable RF standards, Permittee shall notify the County and submit a MPE compliance verification report with the results from current RF field-testing at the site.

c. **Failure to supply reports.** Failure to supply the reports required in compliance with this Subsection E.1 within 30 days following the date that written notice is mailed by the Director that such compliance report is due or failure to remain in continued compliance with the MPE limit shall be grounds for revocation of the ~~Land Use Permit~~ Zoning Clearance or other entitlement of use by the Director. The decision of the Director to revoke the ~~Land Use Permit~~ Zoning Clearance or other entitlement of use is final subject to appeal in compliance with Chapter 35.102 (Appeals).

2. **Project Review.** The County reserves the right to undertake inspection of the facility and require the Permittee to modify its facilities should a more effective means of ensuring aesthetic compatibility with surrounding uses have become available as a result of subsequent technological advances, changes in circumstance from the time the project was initially approved, or the project fails to achieve the intended purposes of the development standards listed in Subsection D. (Additional development standards for telecommunication facilities).

3. **Collocation.** The Permittee shall avail its facility and site to other telecommunication carriers and, in good faith, accommodate all reasonable requests for collocation in the future subject to the following parameters:

   a. The party seeking collocation shall be responsible for all facility modifications, environmental review, mitigation measures, associated costs, and permit processing.

   b. The permittee shall not be required to compromise the operational effectiveness of its facility or place its prior approval at risk.

   c. The Permittee shall make its facilities and site available for collocation on a non-discriminatory and equitable cost basis.

   d. The County retains the right to verify that the use of the Permittee's facilities and site conforms to County policies.

4. **Abandonment-Revocation.**

   a. The Permittee shall remove all support structures, antennas, equipment and associated improvements and restore the site to its natural pre-construction state within one year of discontinuing use of the facility or upon permit revocation.

   b. Should the Permittee require more than one year to complete removal and restoration activities the Permittee shall apply for a one-time time extension.

   c. In the event the Owner requests that the facility or structures remain, the Owner shall apply for necessary permits for those structures within one year of discontinued use.

d. If use of the facility is discontinued for a period of more than one year and the facility is not removed the County may remove the facility at the Permittee's expense.

5. **Transfer of ownership.** In the event that the Permittee sells or transfers its interest in the telecommunications facility, the Permittee and/or succeeding carrier shall assume all responsibilities concerning the Project and shall be held responsible by the County for maintaining consistency with all conditions of approval. The succeeding carrier shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.

6. **Color compatibility.** Prior to the issuance of a Zoning Clearance ~~or Land Use Permit~~, the applicant shall erect an onsite demonstration structure of sufficient scale and height to allow the Director to determine that the proposed exterior color is aesthetically compatible with the surrounding area. If the applicant elects not to erect this demonstration structure prior to issuance of the Zoning Clearance ~~or the Land Use Permit~~, the Director may determine within 30 days of the facility becoming operational that the exterior color is not aesthetically compatible with the surrounding area and require that the exterior color be changed.

~~F. Public notice. Notice of the approval of any Land Use Permit, or the pending decision of the Director on a Development Plan, or a public hearing on a Conditional Use Permit or Development Plan shall be given in compliance with Chapter 35.106 (Noticing and Public Hearings).~~

F~~G~~. **Additional findings.** In addition to the findings required to be adopted by the review authority in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits)~~, Section 35.82.080 (Development Plans)~~ and ~~Section 35.82.110 (Land Use Permits)~~ Section 35.82.210 (Zoning Clearances) in order to approve an application to develop a telecommunication facility, the review authority shall also make the following findings:

~~1. The facility will be compatible with the existing and surrounding development in terms of land use and visual qualities.~~

~~2~~1. The facility is located to minimize its visibility from public view and is designed to blend into the surrounding environment to the greatest extent feasible.

~~3. The facility is designed to blend into the surrounding environment to the greatest extent feasible.~~

~~4~~2. The facility complies with all required development standards unless granted a specific exemption by the review authority as provided in Subsection D. (Additional development standards for telecommunication facilities) above.

a. An exemption to one or more of the required development standards may be granted if the review authority additionally finds that in the specific instance that the granting of the exemption:

(1) Would not increase the visibility of the facility or decrease public safety, or

(2) Is required due to technical considerations, or

(3) Would avoid or reduce the potential for environmental impacts.

~~5~~3. The applicant has demonstrated that the facility shall be operated within the frequency range allowed by the FCC and complies with all other applicable safety standards.

GH. Additional findings for exceptions to height limits - Rural area. In addition to the required findings of Subsection FG. (Additional findings) above, and Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), an exception to the height limits for a telecommunications facility used for the commercial reception and transmission of radio and television signals in the Rural Area as designated on the Comprehensive Plan maps (not exceeding 200 feet) shall be approved only if all of the following findings can be made:

1. The support structure and antenna do not intrude into the skyline as seen from a County-designated scenic highway.
2. The support structure and antenna exceed 100 feet only when technical requirements dictate (e.g. FCC signal strength and required coverage).
3. The height of the support structure and antenna are reduced to the maximum extent feasible, taking into account the use for which the antenna is proposed.
4. The support structure and antenna do not interfere with the enjoyment and use of surrounding properties.
5. The support structure and antenna do not result in a substantial detrimental visual effect on open space views as seen from public viewing points.
6. The visual impacts are not substantially exacerbated with the addition of the proposed tower at a co-located site.

HI. Application requirements.

1. An application for a Conditional Use Permit~~, Development Plan, Land Use Permit~~ or Zoning Clearance to permit the development of a commercial telecommunication facility regulated by this Section shall be filed and processed in compliance with Chapter 35.80 (Permit Application Filing and Processing).
   a. If an applicant for a commercial telecommunication facility fails to provide the necessary information requested by the Department to review the application, the application shall expire and be deemed withdrawn, without any further action by the County, in compliance with Section 35.80.050.
2. The Director is authorized at their discretion to employ on behalf of the County independent technical experts to review technical materials submitted including materials required under this Chapter. Proprietary information disclosed to the County or the hired expert shall remain confidential and shall not be disclosed to a third party.
3. **Design Review.** Commercial telecommunication facilities ~~shall be subject to Design Review in compliance with Section 35.82.070 (Design Review) under the following circumstances:~~
   ~~a. The facility includes the construction of a new structure or the remodel of or addition to an existing structure that is otherwise subject to Design Review in compliance with Section 35.82.070 (Design Review).~~
   ~~b. The Commission is the review authority for the facility.~~ that qualify as Tier 1 improvements or that qualify as Tier 2 improvements that comply with the design standards in Subsections C.2.a.(7) through C.2.a.(9) are exempt from design review. Commercial telecommunication facilities subject to Zoning Administrator or Planning Commission approval, and facilities that include the construction of a new structure or the remodel of or

addition to an existing structure that is otherwise subject to Design Review, shall be subject to Design Review in compliance with Section 35.82.070 (Design Review).

SECTION 2:

ARTICLE 35.11, Glossary, "Telecommunication Facility" of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise the definitions of Telecommunication Facility to renumber and read as follows:

Telecommunications Facility. A facility that transmits or receives electromagnetic signals for communication purposes including data transfer. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or reception of such signals; telecommunication towers or similar structures supporting said equipment; equipment buildings; parking areas; and other accessory development. It does not include facilities staffed with other than occasional maintenance and installation personnel or broadcast studios. Additionally, the following terms and phrases are defined for the purposes of Chapter 35.44 (Telecommunications Facilities).

...

5. **Collocation.** The mounting of installation of an antenna on an existing tower, building or structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes, whether or not there is an existing antenna on the structure.

~~5~~6. **Collocated Telecommunications Facility.** A telecommunication facility composed of one or more antennas mounted to an existing tower or other structure.

~~6~~7. **Collocated Telecommunications Site.** Any site where more than one antenna support structure is installed in close proximity to one another on one lot.

~~7~~8. **Commercial.** A telecommunications facility that is operated primarily for or accessory to a business purpose.

9. **Equipment Cabinet.** An enclosed physical container installed on the ground or other horizontal surface (e.g. roof, etc.) to house multiple, distinct, non-transmission equipment or devices. Does not include housing for small electronic components such as breaker boxes, housing for transmission equipment, router switch boxes, etc.

...

SECTION 3:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 4:

Except as amended by this ordinance, Articles 35.4 and 35.11 of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 5:

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 6:

This ordinance shall take effect and be in force 30 days from the date of its passage; and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara Independent, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 4th day of February, 2025, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____

LAURA CAPPS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By _____
Deputy County Counsel