

An excerpt from the Yolo County Code zoning regulations (see <http://www.yolocounty.org/community-development/planning-public-works/planning-division/2014-zoning-code>):

Sec. 8-2.1102 Wireless telecommunication facilities

(a) Purpose

The purpose of this section is to establish permit requirements and development standards for wireless telecommunication facilities in the unincorporated area of Yolo County.

(b) Definitions

Radio

Radio is a generic term for communication of sound, data, or energy by means of electromagnetic wave propagation. For regulatory purposes “radio” includes the popular terms “television” and “microwave”. The term “wireless” is interchangeable with “radio.”

Wireless telecommunication facility

“Wireless telecommunication facility” shall mean an un-staffed facility for the transmission and reception of radio signals, including, but not limited to cellular radiotelephone service facilities, specialized mobile radio service facilities, microwave service facilities, broadband Internet service, communication towers, personal communication service facilities, and commercial paging service facilities.

Wireless telecommunication facility, small

“Small wireless telecommunication facility” shall mean a telecommunication facility whose tower height is less than eighty (80) feet.

Wireless telecommunication facility, large

“Large wireless telecommunication facility” shall mean one whose tower height is eighty (80) feet or more.

(c) Permits required

- (1) Construction of a free-standing small wireless telecommunication facility on rural lands zoned for agricultural uses (including the Agricultural Intensive (A-N) zone, the Agricultural Extensive (A-X) zone, the Agricultural Commercial (A-C) zone, and the Agricultural Industrial (A-I) zone) may be approved through the issuance of a Site Plan Review approval by staff, provided the facility is located on a parcel 20 acres or more in size. This approval is a ministerial, “over the counter” approval like a building permit, and does not require a public hearing, unless the application fails to meet the minimum parcel size or any of the specific Development Standards set forth in Section 8-2.1102(e), below, in which case the application may be referred by staff to the Zoning Administrator or the Planning Commission for a hearing and decision to issue a Minor or Major Use Permit. Construction of a small wireless telecommunication facility on rural lands

zoned for agricultural uses that are less than 20 acres in size shall be approved pursuant to Subsection (2), below.

- (2) Construction of a small wireless telecommunication facility that is attached to an existing structure such as a barn on rural lands zoned for agricultural uses, regardless of the size of the parcel, may be approved with the issuance of a building permit only.
- (3) Construction of a small wireless telecommunication facility located on properties within non-agricultural or urban areas that are zoned for residential, commercial, and industrial uses are allowed through the issuance of a Minor or Major Use Permit, depending on the application's consistency with all of the Design Standards set forth in Section 8-2.1102(e), below. Specifically, wireless facilities are permitted with approval of a Minor Use Permit, issued by the Zoning Administrator, on lots of two acres or more, and which meet all of the Development Standards set forth in Section 8-2.1102(e), below, in areas zoned for residential uses (in the Rural Residential (RR-5 and RR-1), Residential Low (R-L), Residential Medium (R-M), and Residential High (R-H) zones); commercial uses (in the Local Commercial (C-L), the General Commercial (C-G), the Downtown Mixed Use (DMX), and the Highway Commercial (C-H) zones); industrial uses (in the Heavy Industrial (I-H), the Light Industrial (I-L) and the Office Park/Research and Development (OPRD) zones); and open space and recreation uses (in the Public Open Space (POS), Park and Recreation (P-R), and Public Quasi-Public (PQP) zones). If the application for a small telecommunication facility is proposed on a small lot of less than two acres, or if the application fails to meet any of the Development Standards, the application may be referred by staff to the Planning Commission for a public hearing and issuance of a Major Use Permit.
- (4) Construction of large wireless telecommunication facilities on lands zoned for agricultural, industrial, open space and recreation uses, shall be approved through the issuance of a Minor Use Permit, provided the facility is located on a parcel 40 acres or more in size. Large wireless telecommunication facilities constructed on parcels less than 40 acres, on lands zoned for agricultural, industrial, open space and recreation uses, shall be approved in all cases through the issuance of a Major Use Permit. The application shall meet all of the Development Standards set forth in Section 8-2.1102(e), below.

(d) Application

In addition to the application requirements set forth in this chapter, each application for a wireless telecommunication facility permit application shall include the following:

- (1) A graphic depiction of the search ring used in determining facility location.
- (2) A photo simulation of the proposed developed site from four directions (north, south, east and west). This requirement for photo simulations may be waived by staff for small wireless facility applications.

(e) Development standards

The following development standards shall be satisfied prior to the approval of a Conditional Use Permit for a wireless communications facility:

- (1) The site is adequate for the development of the proposed wireless communication facility.
- (2) Opportunities to co-locate the subject facility on an existing facility have either been exhausted or are not available in the area.
- (3) The facility as proposed is necessary for the provision of an efficient wireless communication system.
- (4) The development of the proposed wireless communication facility will not significantly affect the existing onsite topography and vegetation; or any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource.
- (5) The proposed wireless communication facility will not create a hazard for aircraft in flight and will not hinder aerial spraying operations.
- (6) The applicant agrees to accept proposals from future applicants to co-locate at the approved site.
- (7) The applicant agrees to reserve space and/or provide conduit available for County and emergency communications.