

ORDINANCE NO. 550
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY AMENDING
SECTION 18.16.090 OF THE LINDSAY MUNICIPAL CODE PERTAINING TO WIRELESS
COMMUNICATION FACILITY USE WITHIN ALL ZONING DISTRICTS.

THE CITY COUNCIL OF THE CITY OF LINDSAY DOES ORDAIN AS FOLLOWS:

ARTICLE 1: Section 18.16.090 of the Lindsay Municipal Code shall be amended to read as follows:

18.16.090 Wireless communication facilities.

A. Definition. Wireless communication facilities are those facilities or structures that emit, broadcast or repeat signals intended primarily for commercial use beyond the immediate site where the facility is located. These facilities include cellular phone, enhanced specialized mobile radio, personal communication systems, and other communication technologies based on wireless radio wave transmission.

B. General Standards.

1. Building mounted antennas are encouraged, provided that the facility is compatible with the building design and does not negatively impact surrounding areas.
2. Where building mounting is not possible, an attempt should be made to screen new monopoles from public view and to co-locate new antennas on existing monopoles.
3. In order to minimize overall visual impact, wireless communication facilities should be designed to promote facility and site sharing.
4. Wireless communication facilities should avoid any unreasonable interference with views enjoyed by neighboring properties.
5. Wireless communication facilities should be painted colors which are most compatible with their surroundings.

C. Review Process. Wireless communication facilities shall be permitted within the CC, CS, CH, mixed-use, IL, IH, and RCO zoning districts. Satellite dishes not exceeding one meter in diameter and antennas not exceeding one meter in height shall be permitted within all zoning districts. All wireless communication facilities shall be subject to the building height limitation of the underlying zone and shall be screened from the public right-of-way whenever possible.

1. The following wireless communication facilities shall be subject to the administrative approval process of Chapter 18.16.
 - a. One building mounted facility, per site, which does not extend more than fifteen feet above the roof line of the building; or
 - b. One standalone/pole mounted facility, per site, which does not extend more than twenty-five feet above the average finish grade of the lot.
2. The following wireless communication facilities shall be subject to the site plan review process of Chapter 18.18.
 - a. Any project resulting in more than one facility per property.
 - b. Any building mounted facility that extends fifteen to twenty-five feet above the roof line of the building.
 - c. Any standalone/pole mounted facility that extends twenty-five to fifty feet above the average finish grade of the lot.
3. The following wireless communication facilities shall be subject to the conditional use permit process of Chapter 18.17.
 - a. Any building mounted facility that extends more than twenty-five feet above the roof line of the building.

- b. Any standalone/pole mounted facility that extends more than fifty feet above the average finish grade of the lot.
- c. A mast greater than twelve feet in height required to support a satellite dish not exceeding one meter in diameter or antenna not exceeding one meter in height.

4. Any wireless communication facility which exceeds the building height limit of the underlying zone shall also be subject to the variance process of Chapter 18.21.

D. Exception. Wireless communication facilities expressly permitted by the Federal Communications Commission. Facilities under this exception must satisfy all requirements and regulations set forth by the Federal Communications Commission.

ARTICLE 2: The City Council declares that this ordinance is exempt from CEQA under section 15300.1 in relation to Ministerial Projects. Section §1.4000 of Title 47 of the Code of Federal Regulations governs the siting of the new facilities mentioned herein.

ARTICLE 3: This Ordinance shall be in full force and effect on and after the 30th day after its adoption by the City Council. Within 15 days of its adoption by the City Council, this Ordinance shall be published in full text or in summary in a newspaper of general circulation in the City of Lindsay.

The foregoing ordinance, read by title only with waiving of the reading in full was introduced at a regularly scheduled meeting on the 12th day of May, 2015.

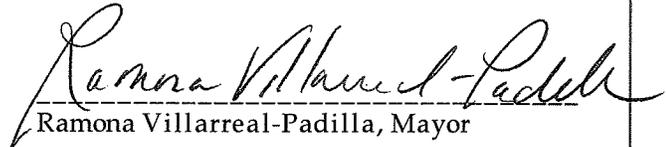
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 26th day of May, 2015.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY



Carmela Wilson, City Clerk



Ramona Villarreal-Padilla, Mayor

CITY OF LINDSAY)
STATE OF CALIFORNIA)
COUNTY OF TULARE)

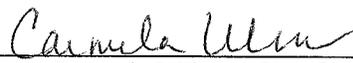
CITY CLERK CERTIFICATION

I, Carmela Wilson, City Clerk of the City of Lindsay, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 550 introduced at a regular meeting of the City Council of the City of Lindsay held on the 12th day of May, 2015, and ADOPTED by the Lindsay city Council on the 26th day of May, 2015 upon motion by KIMBALL second of MECUM, by the following vote, as the same appears of record and on file in my office:

AYES: KIMBALL, MECUM, SALINAS, SANCHEZ, PADILLA.
NOES: None.
ABSTAIN: None.
ABSENT: None..

WITNESS my hand and Corporate City Seal of Lindsay this 26th day of May, 2015.

OFFICE OF THE CITY CLERK OF LINDSAY



Carmela Wilson, City Clerk

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PERTAINING TO WIRELESS COMMUNICATION FACILITY USE WITHIN ALL
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The foregoing ordinance, read by title only with waiving of the reading in full was introduced at a regularly scheduled meeting on the 12th day of May, 2015.

APPROVED at a regular meeting of the City Council held on the 12th day of May, 2015.

ATTEST:



Carmela Wilson, City Clerk

CITY COUNCIL OF THE CITY OF LINDSAY



Ramona Villarreal-Padilla, Mayor

CITY OF LINDSAY)
STATE OF CALIFORNIA) CITY CLERK CERTIFICATION
COUNTY OF TULARE)

I, Carmela Wilson, City Clerk of the City of Lindsay, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 550 introduced at a regular meeting of the City Council of the City of Lindsay held on the 12th day of May, 2015 upon motion by SALINAS, second of SANCHEZ, by the following vote, as the same appears of record and on file in my office:

AYES: SALINAS, SANCHEZ, KIMBALL, PADILLA.
NOES: None.
ABSTAIN: None.
ABSENT: MECUM.

WITNESS my hand and Corporate City Seal of Lindsay this 12th day of May, 2015.

OFFICE OF THE CITY CLERK OF LINDSAY



Carmela Wilson, City Clerk