

# Wireless Telecommunications Ordinance Update



ORD26-0001

Board of Supervisors

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# Overview

- Wireless Telecommunications Facilities
- Background
- Regulatory Context
- Local Discretion
- Ordinance Updates
- Application Checklist
- Planning Commission Hearing
- Recommendation





# Wireless Infrastructure

## **Wireless Connectivity is Critical Infrastructure**

- Wireless networks are now essential for daily life in Sonoma County
- In many areas, they are the only feasible broadband option

## **Connectivity is Needed Everywhere**

- Indoor: homes, businesses, schools
- Outdoor: public spaces, agriculture, recreation
- In-vehicle: roads and emergency response routes

## **Demand is Rapidly Increasing**

- Remote work, education and telehealth
- Streaming, cloud services, mobile apps
- Emergency communication systems





# Facility Types

- **Attached Facilities:** antennas mounted on buildings or similar structures
- **Collocated Facilities:** equipment added to existing towers or structures
- **Eligible Facilities Requests:** a subset of attached or collocated facilities that is entitled to expedited, ministerial review if federally defined thresholds are met
- **Freestanding Towers:** new structures built to support antennas
  - Monopoles: single steel poles, typically 50–150 feet tall
  - Lattice towers: open steel framework structures, often taller and more visible
  - Stealth / Concealment: designed to blend in (trees, flagpoles, light standards, etc.)





# Federal Constraints

- Federal law limits local authority
  - Cannot prohibit wireless service
  - Cannot regulate radio-frequency emissions beyond FCC standards
  - Cannot discriminate between carriers
  - Cannot preclude closure of service gap defined by carriers
- FCC “shot clocks” impose strict processing deadlines:
  - 60 days: Eligible Facilities Requests
  - 90 days: Collocations not qualifying as EFRs
  - 150 days: New towers





# What This Means Locally

Big picture:

- The County *cannot* decide whether wireless facilities are needed; or whether to allow services
- The County *can* require analysis to support selection of preferred facilities and sites

The current application checklist and proposed ordinance:

- Maximize efficacy despite federal constraints
- Require robust alternatives analysis
- Regulate visual impacts (as long as regulations do not “effectively prohibit” service)
- Enforce maintenance, decommissioning and removal standards





# Why Update Now

The current ordinance no longer reflects modern conditions:

- Adopted nearly 30 years ago — before smartphones and current data demands
- Does not address current industry practices
- Lacks clear standards for: Collocation and facility modifications, decommissioning of unused facilities
- Results in inconsistent applications, longer review timelines, and increased appeal risk

Board Discussion (October 2024):

- Encourage use of existing structures
- Support public safety and service reliability
- Improve aesthetic compatibility
- Address microplastics and material durability





# Update

This update is designed to maximize the County's authority within federal constraints by

- Strengthening application requirements
- Improving visual and siting outcomes
- Ensuring consistency and defensibility
- Aligning ordinance with federal law and shot clocks





# Key Ordinance Updates

- **Updated Definitions (Section 26-30-120(A))**
  - Modernizes terminology; aligns with current industry and federal usage (eligible facilities requests and collocations now addressed directly)
- **Strengthened Alternatives & Visual Analysis (Section 26-30-120(H))**
  - Minimum 3 site alternatives, 2 design alternatives, 2 height alternatives per design
  - Coverage maps required for each service type and alternative
  - Applicants must demonstrate least-impact feasible alternative
- **Decommissioning Requirements (Section 26-30-120(I))**
  - Defines abandonment; requires removal within 90 days
  - Foundations removed to minimum 4 feet below grade; site restoration required
- **Maintenance Standards (Section 26-30-120(F)(1)(d))**
  - Annual inspections; addresses artificial tree material degradation





# Improved Application Checklist

- Key improvements include:
  - **Defined alternatives.** Requires a minimum set of realistic options—not just one proposal.
  - **Apples-to-apples comparisons.** All alternatives include the same coverage data for direct comparison.
  - **Clear trade-offs.** Side-by-side evaluation of service, visual, and environmental impacts.
  - **Consistent visual review.** Visual impacts assessed for all feasible options, not just the preferred one.
  - **Improved environmental safeguards.** Addresses long-term material durability, including microplastic risks.
- Better outcomes:
  - Higher-quality applications, expedited review
  - Informed decision-making, and reduced appeal risk





# Alternatives and Visual Analysis

- **Required for nearly all facilities over 50 feet tall.**
- **Evaluate feasible options - not just one proposal.** Multiple sites and designs are required and fully analyzed.
- **Enables true side-by-side comparison.** All options use consistent data, coverage mapping, and visual simulations.
- **Shows real-world impacts clearly.** Visuals reflect what the public would see across locations and seasons.
- **Makes trade-offs transparent.** Service, visual, and environmental impacts are evaluated together.
- **Leads to better outcomes.** Identifies the least-impact option that still meets service needs.





# Additional Issues

- **Independent Technical Review of Service Gaps**
  - Federal law gives applicants wide discretion to define coverage gaps; the County cannot use gap disagreements as a basis to deny
  - Staff recommends stronger upfront documentation requirements over third-party review; adding a review step risks shot clock compliance issues
  
- **Artificial Trees & Microplastic Pollution**
  - Plastic components may degrade and fragment outdoors over time; new maintenance requirements in Section 26-30-120(G)(1)(d); checklist requires documentation on material durability





# Additional Issues – Pipeline Provision

**Question:** How should new rules apply to applications already under review?

## **Planning Commission**

- Consider applying current rules to complete applications, and apply new rules to incomplete applications

## **Staff Recommendation**

- Simply apply current rules to all current applications
- New ordinance would apply to new applications after effective date
- This approach is reflected in the proposed ordinance

## **Why This Approach**

- Provides fairness and predictability for applicants
- Avoids delays and legal risk tied to telecom “shot clocks”
- Keeps implementation simple and low-risk





# Additional Issues – Review Body

**Question:** Should the Zoning Administrator (ZA) or Planning Commission (PC) review telecom use permits?

## Background

- Telecom use permits were historically reviewed by Board of Zoning Adjustments (BZA)
- ZA took on BZA role (reviewing use permits) – PC was given interim review authority during this update process

**Staff Recommendation to Planning Commission:** ZA should review telecom use permits

- Telecom CUPs are narrow in scope and subject to strict timelines.
- These are the types of permits best suited for streamlined ZA review
- ZA has authority to refer projects to the PC (e.g. projects of significant controversy)

**Planning Commission Preference:** Review telecom use permits – reassess after implementing new ordinance

**Staff Recommendation to the Board of Supervisors:** PC should review telecom use permits until the ordinance update has been implemented. Then staff should report to the Planning Commission on its implementation and receive direction at that time of whether to take Chapter 2 amendments to the Board of Supervisors.

## Options

- PC reviews all telecom use permits
- ZA reviews all telecom use permits, while maintaining discretion to refer projects to PC





# California Environmental Quality Act

- Proposed ordinance is not subject to CEQA:
  - Not a “project” as defined under Public Resources Code Section 21065
  - Will not result in a direct or reasonably foreseeable indirect physical change in the environment
  - Does not authorize any development projects
- Even if considered a project, exempt under CEQA Guidelines Section 15061(b)(3):
  - Can be seen with certainty that the ordinance will have no significant effect on the environment
  - Only clarifies existing regulations; does not authorize new development
- All future development projects under the ordinance will require separate CEQA review





# Recommendation

Staff recommends that the Board of Supervisors:

1. Adopt the Planning Commission recommended ordinance amending Sonoma County Code Chapter 26 to update telecommunications facility regulations;
2. Adopt a pipeline provision effective the date of this ordinance that precludes existing telecommunication tower applications from the provisions of this ordinance; and,
3. Direct staff to return to the Planning Agency after one year to report on the status of processing of telecommunications permits.



# Questions





# Collocations & Eligible Facilities Requests

- Collocations help avoid new towers and are supported by the General Plan
- Most collocations typically fall into EFR category because industry benefits from clear federal standards and expediting
- Prior code did not explicitly address collocations or EFRs; this codifies existing practice in simple framework
- Tier 1 — Eligible Facilities Requests (EFR)
  - Modifications meeting federal criteria; approved ministerially within 60 days
- Tier 2 — Standard Collocations
  - Modifications exceeding EFR thresholds but within County dimensional limits
  - Also approved ministerially; reflects limited physical and visual impact
  - Limits: height +10%/20 ft; horizontal  $\leq 25$  ft or 110% structure width; silhouette +15%
- Tier 3 — Larger Collocations
  - Modifications exceeding County thresholds; subject to Design Review





# Ad-Hoc Committee Process

- Planning Agency created the Telecommunications Ad-Hoc Committee in April 2025
- Committee focus:
  - Identify challenges and opportunities with current ordinance
  - Provide input on priorities and goals
  - Review general updates prepared by staff
- Staff presented Ad-Hoc summary to Planning Agency on January 29, 2026

