



**SONOMA COUNTY PLANNING COMMISSION  
STAFF REPORT**

**FILE: TELECOMMUNICATION PROCESS UPDATES (ORD26-0001)**

**DATE: April 16, 2026**

**TIME: At or after 1:00 pm**

**STAFF: Doug Bush, Comprehensive Planning**

**A future Board of Supervisors hearing  
on the proposed ordinance will be  
noticed in advance.**

**INTRODUCTION**

This report presents recommended updates to Sonoma County's telecommunications regulations for Planning Commission consideration. The proposed ordinance amendments modernize standards that have been in place since 1996, with a focus on improving application quality, strengthening alternatives and visual analysis requirements, and establishing clear decommissioning procedures for abandoned facilities. The updates are designed to preserve the County's remaining discretionary authority while ensuring that local regulations remain aligned with federal law.

**BACKGROUND**

The County's telecommunications regulations were adopted in 1996 following enactment of the federal Telecommunications Act of 1996, during a period of rapid wireless-industry expansion. At the time, mobile phones were becoming more common but remained costly, and mobile data service was almost nonexistent. In the nearly thirty years since, wireless connectivity has become central to daily life, supporting essential communication, remote work, education, navigation, and public safety functions including evacuation alerts and emergency coordination.

Modern wireless networks, particularly 4G LTE and 5G, now provide service in areas without cable or fiber infrastructure, increasing the utility of wireless systems for both daily activities and emergency response. As the technology has evolved, so too has the legal framework governing it: federal and state law increasingly limit local discretion over siting and permitting decisions, making it important that the County's regulations remain current and legally defensible.

The County regulates telecommunications facilities primarily through County Code Sections 26-30-120 and 26-88-130, and policies of the General Plan that are intended to help maintain public safety and protect visual resources, such as:

- Policy PF-2u: Review proposals for public and private telecommunication facilities for consistency with General Plan policies and adopted siting and design criteria;
- Goal OSRC-2: Retain the largely open, scenic character of important Scenic Landscape Units; and
- Objective OSRC-2.2: Protect the ridges and crests of prominent hills in Scenic Landscape Units from the silhouetting of structures against the skyline.



Taken together, these provisions reflect the County's responsibility to balance support for essential telecommunications infrastructure against protection of scenic resources, community character, and public safety. To ensure that local regulations remain effective, legally sound, and aligned with these objectives, Permit Sonoma has prepared recommended updates to the telecommunications ordinance through consultation with Planning staff who regularly process telecommunications applications, a Planning Commission Ad-Hoc Committee, and County Counsel.

## **SUMMARY**

The ordinance proposes amendments to the Sonoma County Code regulating telecommunications facilities. The proposed ordinance primarily strengthens standards for alternatives and visual analysis, clarifies permitting requirements for varying types of telecommunications facilities, and establishes decommissioning and removal requirements for abandoned facilities. The amendments are intended to improve application quality and ensure alignment with current federal and state law. The ordinance does not include changes to zoning designations, land-use maps, or allowable land uses and does not include changes to Chapter 26C which regulates telecom facilities in the Coastal Zone.

In addition to the proposed amendments to Chapter 26, staff have updated the County's application checklist to improve the quality and completeness of materials submitted by applicants. The checklist is an administrative tool maintained outside of the Code, which allows it to be refined over time based on implementation experience, evolving best practices, and changes in applicable law. This flexibility is intended to support continuous improvement in application materials without requiring frequent Code amendments. The current checklist is included for reference in Attachment 4 but does not require separate approval of the Planning Commission.

## **LEGAL CONTEXT**

Federal law establishes significant limits on local authority over wireless facilities. Local governments may not prohibit wireless service, may not regulate radio-frequency emissions beyond FCC standards, and may not discriminate between wireless service providers. The proposed amendments modernize regulations adopted in 1996, improving implementation based on nearly thirty years of experience. Although federal law limits many aspects of wireless-facility regulation, the County retains meaningful authority: it may require robust alternatives analysis, regulate visual impacts to the extent that doing so does not "effectively prohibit" providers from addressing their defined service gaps, and enforce decommissioning standards. The proposed ordinance clarifies how that authority will be exercised in a consistent, evidence-based, and legally defensible manner.

### Telecommunications Towers

Standalone telecommunications towers are subject to a tiered permitting framework that varies based on the facility's scale, design, and location. New freestanding towers –particularly most facilities over 50 feet - generally require discretionary approval, with review focused on land use compatibility, visual and environmental effects, and consistency with applicable zoning, general plan policies, and any combining district requirements. Smaller facilities or collocations may qualify for streamlined or ministerial review where consistent with federal law. Across permit types, applications are typically expected to demonstrate a defined service need, evaluate feasible alternatives, and incorporate design measures that minimize visual impacts to support compatibility with surrounding development. Applicable standards also address factors such as height and setback relationships, site constraints, and ongoing operational requirements.



### Eligible Facilities Requests

Some facilities are entirely exempt from local discretionary review. The Spectrum Act of 2012 requires local governments to approve certain modifications to existing wireless towers or base stations if they do not substantially change the physical dimensions of the facility (Section 6409(a) of the Spectrum Act). This mandate is not discretionary.

If an application qualifies as an Eligible Facilities Request (EFR), the County must approve it ministerially. The County's role is limited to verifying whether the proposal meets federal "substantial change" thresholds, and EFRs must be processed within 60 days.

### Federal Shot Clocks and Consequences of Non-Compliance

In addition to limits on local discretion, the FCC has established mandatory time limits (commonly called "shot clocks") for processing wireless applications:

- 60 days for Eligible Facilities Requests
- 90 days for collocations that do not qualify as Eligible Facilities Requests
- 150 days for new towers

These timelines may be tolled via mutual agreement by the applicant and the reviewing agency

### **UPDATE PROCESS**

On October 8, 2024, the Board of Supervisors discussed the desire for an updated telecommunications ordinance, that would encourage collocation, support aesthetic compatibility, and minimize microplastic pollution. In response, in April 2025, the Planning Agency created the Telecommunications Ad-Hoc Committee and directed the Ad-Hoc to work with staff to identify challenges and opportunities with the current ordinance and permitting process, provide input on priorities and goals, and review general updates prepared by staff before a more detailed ordinance was brought to the Planning Commission.

Staff provided a summary of the Ad-Hoc process to the Planning Agency on January 29, 2026 (Attachment 3).

Based on the Ad-Hoc Committee's review, staff analysis, and guidance from County Counsel, Permit Sonoma prepared a draft ordinance and updated application checklist addressing the primary areas where the existing regulations have proven unclear. The proposed updates focus on improving clarity, strengthening evidence-based standards, and aligning County review authority with current federal requirements. The key components of those updates are summarized below.

### Updated Ordinance and Application Checklist

The proposed ordinance updates and separate application checklist address several interrelated components of the County's telecommunications process, including definitions, permit requirements, ministerial processing mandates, alternatives analysis standards, visual review criteria, and long-term facility maintenance. Key elements of these updates are summarized in the sections that follow.

### Updated Definitions and Structure (Section 26-30-120)

The ordinance modernizes terminology, relocates definitions, and aligns key terms with current industry and federal usage - including new or clarified definitions for Collocation and Eligible Facilities Requests. These



changes clarify the process for permits subject to minimal local discretion and make the code easier to apply consistently.

Strengthened Alternatives and Visual Analysis Requirements (Section 26-30-120(H))

The draft ordinance expands and standardizes the County's expectations for alternatives and visual analyses. These changes address inconsistencies in application quality and provide applicants, staff, and decision-makers with a clearer, evidence-based framework. Specific elements of the updated standards include the following:

1. Expanded and standardized approach. The updated standards require structured and comprehensive analyses, encouraging applicants to conduct thorough research before filing. This supports evidence-based decision-making, reduces the need for additional hearings, and leads to higher-quality proposals.
2. Defined minimum number of alternatives. Applicants must evaluate a minimum of three site alternatives, two design alternatives per viable site, and two height alternatives per design option. This replaces the current requirement for only two "alternative service plans" and ensures decision-makers receive a meaningful and comparable range of options. Flexibility is permitted where a required alternative is technically infeasible, provided the applicant documents justification.
3. Broader and mandatory design alternatives. Applicants must evaluate multiple structural types, form factors, and concealment options, with the recommended facility design justified based on the site context.
4. Required height alternatives with technical support. For each design, applicants must evaluate at least two heights and provide coverage maps and technical explanation to demonstrate the lowest feasible height capable of addressing the service gap.
5. Strengthened collocation analysis. Applicants must identify all feasible collocation opportunities and submit evidence of outreach and negotiation with facility owners, rather than simply listing existing towers.
6. More detailed coverage comparison. Applicants must provide maps for each alternative and service type (e.g. indoor, outdoor, in-vehicle) to address coverage relevant to the applicant's defined coverage gap.
7. Expanded trade-off analysis. Applicants must compare alternatives across service reliability, number of towers needed, height and silhouette differences, visual impacts, visual compatibility, environmental considerations, and proximity to the service area.
8. Requirement to show the least-impact feasible alternative. Applicants must demonstrate that no other technically feasible combination of site, design, or height would achieve comparable coverage with fewer overall impacts.
9. Policy-consistency review. Applicants must conduct a preliminary assessment of consistency with zoning regulations, the General Plan, and other local policies as part of the alternatives analysis.
10. Emergency-communications evaluation. Applicants must explain whether their proposed facility supports public safety and emergency response systems. This evaluation must be aligned with County emergency-management practices to ensure relevance and measurability.
11. Outreach documentation. Applicants must summarize outreach to stakeholders, including owners of sites considered as alternatives.
12. In-depth visual analysis for feasible alternatives. Visual simulations and viewpoint analyses are required for all feasible alternatives capable of closing the identified service gap, ensuring a consistent and robust visual evaluation process.

### Collocations and Eligible Facilities Requests

The ordinance update adds "Collocated Facilities" and "Eligible Facilities Requests" to the land-use table and adds definitions consistent with federal law. These activities have long been allowed and processed by the County pursuant to federal requirements. Listing them explicitly in the zoning code aligns the code with existing practice, clarifies terminology, and provides a clear framework for applicants, staff, and decision-makers. The County retains the same level of review permitted under federal law, and this update does not authorize new sites or new types of wireless facilities.

Collocation refers to placing wireless equipment on an existing structure such as a cell tower, utility pole, rooftop, or water tank. These arrangements are generally encouraged because they minimize land-use and visual impacts by avoiding the creation of a new standalone tower.

An Eligible Facilities Request (EFR) involves modifying an existing tower or base station—including collocations, removals, or replacements—that do not substantially change the physical dimensions or appearance of the facility. EFRs are subject to a 60-day shot clock, and if a request meets federal EFR criteria, the County is required to approve it ministerially. Not all collocations qualify as EFRs. For example, a collocation that increases height beyond federal thresholds (10% or 20 feet, whichever is greater), expands beyond the existing site, or alters approved concealment features would not qualify as an EFR and would instead be subject to collocation regulations.

### Substantial Change Criteria

A modification constitutes a substantial change and therefore does not qualify as an EFR, if it would:

- Increase tower height by more than 10% or more than 20 feet (whichever is greater), add more than one antenna array, or increase height for other structures by more than 10% or 10 feet.
- Protrude from the edge of a tower by more than 20 feet or the width of the tower.
- Install more than the standard number of new equipment cabinets (typically up to four).
- Entail excavation or deployment outside the current site by more than 30 feet in any direction, except for limited, defined areas such as access or utility easements related to the site.
- Defeat concealment elements of the existing support structure.

Under the proposed ordinance, collocations are subject to a straightforward three-tier framework based on the physical scope of the proposed modification:

- Eligible Facilities Requests. Modifications that meet federal criteria and do not constitute a substantial change are approved ministerially, consistent with federal mandate.
- Standard collocations. Modifications that do not qualify as EFRs but remain within the dimensional thresholds established in the ordinance are also permitted ministerially, reflecting their limited physical and visual impact.
- Larger collocations. Collocations exceeding the above thresholds are subject to Design Review, ensuring that more substantial modifications receive appropriate scrutiny.



This tiered structure brings organization to an area the prior code did not directly address. The proposed ordinance clarifies how existing activities will be reviewed, improves consistency for applicants and staff, and aligns the County's framework with current federal law

#### New Decommissioning and Removal Requirements (Section 26-30-120(I))

The draft ordinance introduces a comprehensive decommissioning program to address abandoned or unused telecommunications facilities - an area not adequately covered by existing code. The new provisions define abandonment, establish notification requirements, and set a clear timeline for removal. Equipment must be removed within 90 days of abandonment, including foundations down to at least four feet (or as otherwise appropriate based on site-specific conditions), and sites must be restored through stabilization and revegetation.

Additional standards included in the decommissioning program address the full lifecycle of a facility:

- Updated contact and financial assurance information is required upon transfer of ownership.
- Enforcement mechanisms are included if removal does not occur as required.
- Proper site restoration is required to prevent long-term visual or safety issues.

Together, these provisions close gaps in the existing code and prevent deteriorating or unused infrastructure from adversely affecting environmental or scenic resources.

#### **ADDITIONAL ISSUES**

During public hearings considering applications for new telecommunications facilities, commissioners have inquired about the potential for requiring third-party review of application materials, maintenance issues associated with towers designed as trees, and the potential for referral of applications for telecommunications facilities to the design-review committee. The following sections present staff's analysis and recommendations on each of those issues.

#### Service Gap Verification and Independent Technical Review

The reliance on applicant-submitted service gap analyses without professional training or peer review has, in limited cases, been questioned by members of the Planning Commission. Staff explored the option of requiring independent verification of service gaps, however, there are also legal constraints to consider.

Under federal law, applicants have wide discretion to define what constitutes a coverage gap and to describe it on their own terms. The County cannot use disagreement over the scope or nature of a claimed gap as a basis to deny an application. This means that even if an independent reviewer had concerns about how an applicant described their coverage gap, the County would still have very limited ability to act on those concerns.

The County may review submitted materials for technical accuracy and completeness, but review is limited to confirming the appropriate scope and identifying inconsistencies within the materials because staff do not have the expertise to evaluate coverage gap analyses directly. The ordinance could be updated to allow the County to hire a qualified outside consultant to review claimed gaps for methodology and documentation at the applicant's expense. While this could help build a stronger record in cases where submitted materials seem

insufficient, it would not change the legal deference the County owes to the applicant's characterization of the gap. The practical benefit is therefore limited.

There is also a timing concern. Federal rules impose strict shot clocks, limiting how long a local agency has to act on a wireless application. Adding an outside review step after an application is submitted could make it harder to meet those deadlines.

The proposed updates to the ordinance along with the current application checklist - requiring applicants to provide more detailed technical evidence and clearer graphical documentation of coverage gaps - are effective and practical ways to address past concerns about insufficient documentation. These changes improve the quality of information the County receives upfront, without creating timeline risks. For these reasons, staff does not recommend requiring third-party coverage verification.

#### Artificial Trees: Aesthetic and Pollution Concerns

Artificial tree ("faux-tree") telecommunications facilities use synthetic needles or leaves, typically made of plastic and designed for long-term outdoor exposure. Some decision-makers and local stakeholders have raised concerns that over time, sun exposure, wind, and weathering may cause these plastic components to break down, fragment, or fall from the structure—potentially resulting in litter and microplastic pollution. While staff was unable to identify publicly available data quantifying how often this occurs or the scale of any resulting impacts, the breakdown of plastic materials in outdoor environments is a recognized issue.

Staff recommends that maintenance requirements be integrated into the ordinance (see Attachment 1, Exhibit A, Section 26-30-120(G)(1)(d)), and that language regarding documentation of material degradation be addressed in the checklist (see Attachment 4, Section 9). This approach will allow the County to request project-specific documentation and adjust technical expectations over time as more information becomes available, while ensuring that applicants are required to demonstrate that such structures will not create adverse environmental impacts.

#### Review Authority and Appeal Pathways

Historically, discretionary telecommunications applications requiring a Conditional Use Permit (CUP) were reviewed by the Board of Zoning Adjustments (BZA). In 2025, the BZA was eliminated from the Zoning Code and the role of Zoning Administrator (ZA) was created, which held its first meeting on December 11, 2025. Because the telecommunications ordinance was being updated concurrently, the Board assigned review authority for telecommunications CUPs to the Planning Commission to allow the appropriate long-term review body to be considered as part of this ordinance update.

Following collaboration with the Telecommunications Ad-Hoc, staff has prepared revisions to the telecommunications ordinance to ensure more complete applications that address previously identified concerns. Under staff's proposal, the automatic referral to the Planning Commission for all telecom Use Permits would be removed and the Zoning Administrator (ZA) could serve as the primary review body for new telecommunications facilities. However, the ZA would retain discretion to refer controversial projects to the Planning Commission (PC). Appeals of ZA decisions would be heard by the PC. If appealed again to the Board of Supervisors, the additional processing time could require additional tolling agreements to comply with shot clocks.



Proposed revisions to the telecommunications ordinance and the current application checklist should improve the quality of applications and reduce the potential for appeal. Since 1995, Permit Sonoma has processed 183 discretionary applications for telecommunications facilities. Of these, three were appealed: two were ultimately approved by the Board of Supervisors and are now operational, and in one case the appeal was withdrawn by the appellant.

If the Board determines that the Zoning Administrator should serve as the decision-maker for these applications, amendments to Chapter 2 of the Municipal Code would be required to simply remove explicit reference to telecommunications applications. Amendments to Chapter 2 are located outside of the Zoning Ordinance and our outside of the scope of review of the Planning Commission.

During discussions with the Ad-Hoc and during the Planning Agency workshop in January, there was discussion regarding the potential for a permit pathway through the Design Review Committee (DRC). If directed, staff could modify the proposed ordinance to adjust the land use tables to change the permit threshold from CUP to reflect a design review permit requirement. Permits would follow a similar pathway to the ZA as appeals would first be heard by the PC followed by the Board of Supervisors. This pathway does not include an option for the DRC to forward items to the PC which could create the potential for an additional hearing.

## **ENVIRONMENTAL REVIEW**

Permit Sonoma has determined that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) because the adoption of this ordinance is not a "project" as defined pursuant to Public Resources Code Section 21065, and CEQA Guidelines Sections 15060(c)(2) and 15060(c)(3), because adoption of the proposed ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment. Specifically, the proposed ordinance will not authorize any development projects, and any future development projects under the ordinance will be required to undergo CEQA review prior to authorization.

Moreover, even if the proposed ordinance were considered a project under CEQA, it would be exempt under CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that the proposed ordinance will have no significant effect on the environment. The proposed ordinance only clarifies existing regulations and does not authorize any development projects.

## **RECOMMENDATIONS**

Staff recommends that the Planning Commission:

- Find the proposed ordinance updates consistent with the General Plan and Zoning Code;
- Find the proposed ordinance updates exempt from CEQA; and
- Adopt a resolution recommending that the Board of Supervisors adopt the proposed updates to the County's telecommunications ordinance.

In addition, staff seeks Planning Commission input on the topic of review authority, as discussed above.

## **Attachments**

1. Planning Commission Resolution
  - a. Exhibit A
2. Existing Code



3. Telecommunications Ad-Hoc Report
4. Application Checklist
5. Draft Chapter 2 Amendments Regarding Zoning Administrator