

# Wireless Telecommunications Ordinance Update



ORD26-0001

Board of Supervisors

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# Overview

- Wireless Telecommunications Facilities
- Background
- Regulatory Context
- Local Discretion
- Ordinance Updates
- Checklist Updates
- Highlighted Issues
- Recommendation





# Wireless Infrastructure

## **Wireless Networks are 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, transportation

## **Demand is 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 (examples: monopoles and lattice towers)





# Why Update Now

The current ordinance no longer reflects modern conditions:

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





# 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

- The County *cannot* decide whether to allow the provision of service
- The County *can* require analysis to support selection of preferred facilities and sites

The 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





# Update Process

- **Board of Supervisors Hearing (October 2024)**
  - BOS provided direction for future update: encourage collocation, clarify thresholds, improve visual compatibility, address microplastics
- **Telecommunications Ad Hoc Committee (April–December 2025)**
  - Planning Agency convened Ad Hoc Committee
- **Ad Hoc Report to Planning Agency (January 29, 2026)**
- **Planning Commission Hearing & Recommendation (April 16, 2026)**
  - Unanimous recommendation to adopt the updated ordinance; several implementation issues discussed and forwarded to the Board
- **Board of Supervisors Hearing (Today – May 19, 2026)**





# Planning Commission Hearing

April 16: Provided unanimous recommendation to adopt the updated ordinance

## **Discussion:**

- Microplastic pollution
- Peer review of technical reports
- Review authority
- Pipeline provision
- Noticing radius





# Key Ordinance Updates

- **Modernize Terminology (Section 26-30-120(A))**
  - Updates definitions to align 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





# Key Checklist Updates

- 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.
- Overall improved outcomes:
  - Higher-quality applications, expedited review
  - Informed decision-making, and reduced appeal risk





# 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:** Who should have primary authority over telecom use permits?

**Current Practice:** Planning Commission reviews telecom use permits on an interim basis (following elimination of the BZA in 2025)

## Considerations:

- Telecom CUPs are narrow in scope and subject to strict federal timelines
- ZA review is consistent with how similar use permits are handled countywide
- ZA retains discretion to refer controversial projects to the PC
- PC review provides continuity during initial implementation of changes
- One year of implementation data can inform the long-term approach

## Options:

- PC reviews telecom use permits (staff recommendation)
- ZA reviews telecom use permits, with discretion to refer to PC





# Recommendation

Staff recommends that the Board of Supervisors hold a public hearing and:

1. Adopt the Planning Commission recommended ordinance amending Sonoma County Code Chapter 26 (Zoning Code) to update telecommunications facility regulations;
2. Adopt a pipeline provision exempting telecommunication facility permit applications submitted before the effective date of this ordinance from its provisions. Such applications shall instead be governed by the ordinance in effect at the time the application was submitted, unless an applicant submits a written request to have their application reviewed under the standards of this ordinance; and
3. Direct staff to return to the Planning Agency after one year of the effective date of the ordinance to report on the status of processing of telecommunications permits.



# Questions





# 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.





# 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





# Ad Hoc Committee Process

- Planning Agency created the Telecommunications Ad Hoc Committee in April 2025
  - Met 6 times between August and December 2025 with staff and County Counsel
  - Unique step: Commissioner-level engagement before a formal public hearing
- Topics reviewed by the Committee:
  - Challenges with current ordinance and permitting process
  - Draft ordinance concepts, application requirements, and alternatives analysis standards
  - Visual simulation practices; feedback informed both the ordinance and updated application checklist
- Staff presented Ad Hoc summary to Planning Agency on January 29, 2026





# 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

