COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 5/19/2026

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Scott Orr, Director (707) 565-1925, Doug Bush, Planner III (707) 565-5276
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:
10:15 A.M. Telecommunications Ordinance Updates

Recommended Action:
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.

Executive Summary:
This item presents updates to Sonoma County's telecommunications ordinance, not including the coastal zone, governed by Chapter 26 of the Sonoma County Code (Zoning Code), which was originally adopted in 1996 and no longer reflects current technology, permitting practices, or federal requirements. Wireless infrastructure is essential to daily life, supporting communication, emergency response, and access to services - particularly in areas without reliable wired connections. Since 1996 federal and state laws have increasingly limited how local governments can regulate these facilities, making it important that the County's regulations are clear, consistent, and legally sound.

On October 8, 2024, the Board of Supervisors directed staff to update the ordinance to encourage collocation of facilities, clarify permitting thresholds, improve visual compatibility, and address emerging issues such as microplastics pollution and long-term material durability. In response, the Planning Agency convened a Telecommunications Ad Hoc Committee in April 2025 to work with staff and County Counsel to identify challenges with the current application review process and provide input on potential updates.

The proposed updates are designed to make the process clearer and more predictable for both applicants and County staff. Key changes include clarification on permit application requirements for evaluating alternative sites, designs, and technical documentation, and new standards for removing unused facilities.

On April 16, 2026, the Planning Commission made a unanimous recommendation to adopt the updated

ordinance (Attachment 1). The Commission also discussed several related implementation issues, including the appropriate review authority for permits, whether third-party review of technical reports is needed, and how to handle applications that are already in process.

The updates are intended to clarify expectations for telecommunications permit applications, reduce delays caused by incomplete applications, and align local procedures with federal requirements. This will help ensure that telecommunication facilities that support emergency communications and service reliability can move forward in a timely and predictable way, while still maintaining strong standards for visual quality and environmental protection.

Discussion:

Background and Existing Regulations

The County's telecommunications regulations were adopted in 1996 following the federal Telecommunications Act. Since that time, wireless technology has evolved significantly, with modern 4G and 5G networks providing essential services, including in areas without wired infrastructure. These networks are critical for emergency response, wildfire preparedness, and disaster recovery, particularly in areas with limited wired infrastructure. At the same time, federal law has increasingly constrained local authority.

The County currently regulates telecommunications facilities inland through Chapter 26, including Sections 26-30-120 and 26-88-130, along with General Plan policies related to public safety and scenic resource protection. These provisions require the County to balance support for essential infrastructure with protection of community character and environmental resources.

In practice, federal law significantly limits the County's ability to deny wireless facility applications based on broader policy concerns or generalized opposition to telecommunications infrastructure. The County retains discretion over local land use issues such as site design, concealment, height, setbacks, and other aesthetic considerations, but may not deny facilities based on concerns about radio frequency emissions or perceived health impacts when the facility complies with federal safety standards. In addition, the County must avoid actions that effectively prohibit wireless service coverage or unreasonably discriminate among providers. Eligible Facilities Requests (EFRs), which involve modifications to existing facilities that do not substantially change their physical dimensions, must be approved ministerially.

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.

Planning Commission Telecommunications Ad Hoc Committee

The Planning Commission Telecommunications Ad Hoc Committee met six times between August and December 2025 with Permit Sonoma staff and County Counsel. The Committee reviewed draft ordinance

concepts, application requirements, alternatives analysis standards, and visual simulation practices, and provided detailed feedback that informed both the proposed ordinance amendments and the updated application checklist. A report to the Planning Agency was provided by staff on January 29, 2026.

Stakeholder Engagement

Stakeholder engagement included Planning Commission hearings, meetings of the Planning Commission Ad Hoc Committee, and targeted outreach with telecommunications providers, permitting staff, and Public Infrastructure staff. These discussions focused on application requirements, permitting challenges, and opportunities to improve clarity and consistency in the review process.

Overview of Proposed Ordinance

Updated Definitions and Code Structure

The ordinance modernizes terminology and aligns definitions with federal law, including clarification of "collocation" and "Eligible Facilities Requests." These updates improve usability of the code and provide clearer direction for applicants and staff.

Clarified Permit Framework

The ordinance establishes a structured, tiered permitting framework for attached and collocated facilities that addresses an area of modern permitting that is not currently addressed in code:

1. Eligible Facilities Requests (EFRs), which must be approved ministerially under federal law if they do not substantially change an existing facility
2. Standard collocations, which are also processed ministerially when within defined thresholds
3. Larger collocations, which are subject to a Use Permit

This structure provides greater predictability for applicants and helps ensure that routine projects can be processed efficiently, while maintaining appropriate review for higher-impact facilities.

Strengthened Alternatives and Visual Analysis

A central component of the ordinance and corresponding application process update is the expansion and standardization of alternatives analysis requirements. Applicants must evaluate multiple sites, designs, and heights, and provide technical documentation demonstrating that the proposed facility represents the least-impact feasible option.

The updated standards require:

- Evaluation of at least three site alternatives
- Multiple design and height alternatives for each site
- Detailed coverage maps and technical justification
- Analysis of visual, environmental, and service trade-offs
- Documentation of outreach to potential collocation sites

These changes are intended to improve application quality, reduce the need for repeated hearings, and support more consistent and evidence-based decision-making by requiring more complete analysis upfront.

Decommissioning Requirements

The ordinance codifies requirements for removal of abandoned facilities, including timelines for decommissioning, removal of equipment and foundations, and site restoration. These provisions address gaps in the existing code and help prevent long-term visual or environmental impacts from unused infrastructure.

Issues Discussed by the Planning Commission

Microplastic Pollution

Most telecommunications facilities contain some synthetic or composite materials that may degrade over time when exposed to outdoor environmental conditions. However, concerns regarding microplastic pollution have been raised most prominently in connection with artificial tree ("faux-tree") telecommunications facilities, which often incorporate large amounts of synthetic branches, needles, bark, or similar concealment materials intended to remain outdoors for extended periods of time. Members of the public, Planning Commission, and Board have expressed concern that prolonged exposure to sunlight, wind, moisture, and temperature fluctuations could cause these materials to deteriorate over time, potentially resulting in litter, falling debris, or the release of microplastic particles into surrounding soils or water systems.

Staff Analysis

While staff was unable to identify publicly available data quantifying how frequently such degradation occurs or the scale of any resulting impacts, the breakdown of plastic materials in outdoor environments is a recognized environmental concern. Staff also recognizes that concealment materials used around wireless facilities may be subject to technical constraints that limit the use of alternative materials.

To address these concerns, maintenance requirements are included in the draft ordinance (see Attachment 1, Exhibit A, Section 26-30-120(F)(1)(d)), and documentation related to material durability and degradation is required as part of the application checklist (see Attachment 4, Section 9). Likewise, the application checklist now requires applicants proposing faux-tree designs to provide technical documentation demonstrating that concealment materials are suitable for long-term outdoor exposure, are not reasonably expected to deteriorate in a manner that creates environmental pollution, and will be subject to ongoing inspection and maintenance throughout the life of the facility. Because these standards are intended to prevent future litter and microplastic impacts, the evidentiary burden is high. Though these requirements may reduce the frequency of proposed faux-tree designs, applicants would have an opportunity to demonstrate compliance where appropriate.

Peer Review of Technical Reports

During the Planning Commission hearing, questions were raised regarding the reliability of applicant-submitted service gap analyses and whether the County would benefit from third party verification. The Planning Commission considered this issue, including the potential for the County to have a radio frequency engineer on staff, and did not recommend requiring third-party verification.

Staff Analysis

Staff explored the option of requiring independent peer review of applicant-submitted service gap analyses. However, federal law affords wireless applicants substantial discretion in defining and documenting coverage gaps, and disagreement over the scope or characterization of a claimed gap generally cannot serve as the

basis for denial of a wireless facility application. As a result, the practical benefit of requiring third-party verification would likely be limited.
In addition, federal shot clock requirements impose strict timelines for processing wireless applications, and adding a mandatory outside review process could create procedural delays and increase administrative complexity.

The proposed ordinance and application checklist instead strengthens upfront submittal requirements by requiring more detailed technical documentation and clearer graphics regarding claimed service gaps, improving the quality of information available to staff and decision makers without adding additional complexity or risking compliance with the shot clock.

Existing Ordinance Language Regarding Biotic Resources and Anti-Climbing Measures
During the development of the proposed ordinance, staff removed certain standards that were addressed under federal law and the California Environmental Quality Act (CEQA) to eliminate redundancy. The Planning Commission recognized that these standards were redundant but recommended that they be included in the ordinance to recognize the County's commitment to enforcing these standards.

Staff Analysis
Language regarding significant adverse impacts to biotic resources and "anti-climbing" provisions have been restored.

Review Body for Use Permits
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. The telecommunications ordinance was being updated concurrently, and 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.

Chapter 2 recommendations defining review authority are not within the scope of the Planning Commission's purview. However, the broader staff recommendation on telecommunications process updates to the Planning Commission included assigning the ZA as the primary hearing body for commercial telecommunications facilities. Modifying the review authority would require amendments to Chapter 2 of the County Code and align telecommunications Use Permits with the general use permit criteria for review authority.

The Planning Commission expressed a preference to retain review authority over discretionary telecommunications permits, noting its familiarity with these applications and interest in evaluating how the updated ordinance and application requirements perform over time. The Commission recommended that this preference on telecommunications process be communicated to the Board of Supervisors, along with a request that staff return to the Planning Agency after one year of the effective date of the ordinance to report on implementation. The Planning Commission also discussed the feasibility of permits going to the Design Review Committee prior to the Planning Commission but did not recommend that approach due to the additional public hearing impacting the overall processing time.

Staff Analysis
This approach provides applicants, staff, commissioners, and the public time to adjust to the new regulations under the proposed ordinance. Staff would report to the Planning Agency after one year of the effective date of the ordinance to provide an update on the current status of telecommunication facility application processing at that time.

Optionally, the Board may consider having telecommunications use permits reviewed by the ZA, consistent with the County's broader use permit framework. To facilitate conversation on that option, a draft ordinance amending Chapter 2 is included as Attachment 2. If the Board determines the ZA should have authority to review telecommunications permits, then Staff requests the Board provide direction to Staff to bring an ordinance amendment back for the Board's review and adoption.

Pipeline Provision
During the Planning Commission hearing, discussion included introducing a "pipeline provision" to address how updated regulations would apply to applications currently in process. There are currently seven telecommunications applications actively in process, one has been deemed complete for processing, one is on hold, and five are in incomplete status. The Commission generally recommended the Board consider a pipeline for applications deemed complete for processing as of the date of the Commission's hearing.

Staff Analysis
Excluding incomplete applications from the pipeline provision for telecommunications facilities would create complications with applications in process where the shot clock has already started. Introducing additional procedural complexity, or late requests for additional application materials not previously identified, would increase the risk of delays or non-compliance with applicable shot clocks.

Staff recommends that the Board adopt a pipeline provision applicable to all in process applications as it would be the least complex and lowest-risk approach. Applications submitted prior to the effective date of the ordinance would continue to be reviewed under the regulations in effect at the time of application, unless staff receives a written request from the applicant requesting to have their application reviewed under the standards of this ordinance.

Noticing requirements
In response to public comment requesting expanded noticing for telecommunications facilities, the Planning Commission recommended increasing the radius for pre-application notices for telecommunications use permits to 1,000 feet. Proof of these notices must be provided by the applicant at the time of use permit submittal. This recommendation has been incorporated into the proposed ordinance (Attachment 1).

Staff Analysis
All use permits in Sonoma County are subject to standard public noticing procedures, including an early notification provided when an application is submitted and a formal public hearing notice provided prior to the hearing. Both notices are currently distributed to both property owners and current residents within 1,000 feet of the project site. The ordinance previously required that pre-application notices be sent to properties within 300 feet of the project site. This has now been expanded to 1,000 feet.

General Plan Consistency

The proposed ordinance is consistent with General Plan policies related to public facilities, scenic resource protection, and land use compatibility, including policies that support evaluation of telecommunications facilities for visual and environmental impacts.

Environmental Review

Permit Sonoma has determined that the proposed ordinance is not a project under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 15060(c)(3) because it will not result in a direct or reasonably foreseeable physical environmental impact. The proposed ordinance will not authorize any development projects and any future projects under the ordinance will be required to undergo CEQA review prior to authorization . Alternatively, if adoption of the proposed ordinance constitutes a project, this 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 clarifies existing regulations and adopts new standards for restoration of sites to pre-project conditions upon abandonment of facilities, and does not authorize any development projects.

Staff 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 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.

Strategic Plan:
N/A
Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?
No

Prior Board Actions:
N/A

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:
There are no fiscal impacts related to this item.

Narrative Explanation of Staffing Impacts (If Required):
There are no staffing impacts related to this item.

Attachments:
Attachment 1: Ordinance Amending Chapter 26
Attachment 2: Ordinance Amending Chapter 2
Attachment 3: Current Telecommunications Ordinance
Attachment 4: Current Application Checklist
Attachment 5: Planning Commission Resolution No. 26-XX
Attachment 6: Planning Agency Telecommunications Ad Hoc Committee Report
Attachment 7: Planning Commission Staff Report
Attachment 8: Public Comment
Attachment 9: PowerPoint Presentation

Related Items "On File" with the Clerk of the Board:
None