

Overview

Planning and Environmental Review staff will evaluate the proposed Wireless Communication Facility (WCF) project for compliance with the development standards of the Sacramento County Zoning Code (ZC) and the Countywide Design Guidelines.

Applicable Use and Development Standards

New WCFs require Use Permit approvals in all zoning districts in the unincorporated County. Small Cell WCFs attached to existing structures and Eligible Facilities are exempt from this requirement. WCF Use and Development Standards can be found in Sacramento Zoning Code (SZC) Section 3.6.7, [linked here](#). Development standards differ depending on the type of WCF and the zoning group designation (Group 1 – 3).

If development standards are not met, a Special Development Permit may be required. Several findings must be made by the applicable hearing body to approve a Special Development Permit for an WCF, including general findings found in SZC Section 6.4.6.H.1 and WCF-specific findings in Section 6.4.6.H.5. Chapter Six of the SZC is [linked here](#). A Special Development Permit Supplemental Application will also be required.

The Countywide Design Guidelines also apply to WCFs, and a determination of consistency must accompany any Use Permit approval. Section 4.4.6 of the Guidelines applies to WCFs and is [linked here](#).

Federal Communications Commission Regulations

Section 704 of the Telecommunications Act of 1996 (Act) governs federal, state, and local government oversight of siting of "personal wireless service" facilities, which are referred to within the SZC as Wireless Communications Facilities (WCF or cell tower). The Act is enforced and clarified by the rules of Federal Communications Commission¹ (FCC) and contains important provisions concerning the placement of towers and other facilities for use in providing personal wireless services. Under the Act and FCC regulations, local jurisdictions can regulate the placement, construction, and modification of personal wireless service facilities as long as they do not:

- Prohibit or have the effect of prohibiting personal wireless services. This includes banning telecommunication services outright or imposing restrictions that amount to an effective prohibition. A regulation will have the effect of prohibiting wireless telecommunications services if it materially inhibits or limits the provision of such services. This includes regulations that prevent densifying a wireless network, introducing new services, or otherwise improving service capabilities. A regulation may also result in an effective prohibition if it prevents a wireless service provider from using the "least intrusive means" to close a "significant gap" in coverage or capacity.
 - "Significant gap" determinations are fact-specific and are based upon information provided by the applicant to demonstrate a need for coverage or capacity in a particular area.
 - "Least intrusive means" requires the applicant to demonstrate that a meaningful comparison of technically feasible alternative sites within applicant's targeted search ring has been conducted and the site selected is the least intrusive of the sites per development standards contained in the SZC to achieve applicant's coverage objective.

- An applicant need not prove a significant gap in coverage. It may demonstrate the need for a new wireless facility in terms of adding capacity, updating new technologies, and / or maintaining high quality service.
- Unreasonably discriminate among providers of functionally equivalent services. To demonstrate discrimination, an applicant must show that similarly situated facilities are treated differently in terms of their structure, placement, or cumulative impact.
- Delay action on all applicable applications including building permits. Local jurisdictions must act on applications within a reasonable period of time, often referred to as the 'shot clock,' which is currently 150-days for a new cell tower. Applicants may agree to extend this time through an extension or tolling agreement.
- Deny applications based upon the environmental effects of radio frequency emissions IF applicant submits verification that the proposed WCF complies with FCC radio frequency emissions regulations. Local jurisdictions also cannot deny applications based on perceived secondary or indirect environmental effects of radio frequency emissions such as diminution in property value due to fears about the health effect.

**Wireless Communication Facility
Supplemental Application**

Tolling Agreement Acknowledgement

_____ By initialing, you acknowledge that a tolling agreement to extend the shot clock may be
initial requested in order to complete the application process, including applicable CEQA
review.

Required Application Items

The following items are required to be submitted in addition to the General Application form and required project plans:

Photo Simulations

These must be clear, unobstructed images of the project area. They must provide specific details regarding where the photo simulations were captured and the approximate distance from the capture site to the project site. For example, "Simulation of proposed WCF from the corner of Watt and Elkhorn Boulevards, facing northeast towards project site from 1,000 yards away."

Coverage Maps

Provide the following types of coverage maps:

- An 'Existing Service' map. This map should show what the existing site coverage is without the proposed WCF in the area.
- A 'Service at Allowed Tower Height' map. This map should show what the coverage would be at the height allowed by SZC section 3.6.7.A, Table 3.6.2.
- A 'Service at Proposed Tower Height' map. This map should show what the coverage would be at the proposed height (Only required if requesting a Special Development Permit to deviate from height standards).

Radio Frequency Analysis Report

This should demonstrate that emissions from the proposed facility will not exceed FCC radio frequency emissions limits.

Structural Analysis Letter

This should demonstrate that the structure complies with the requisite building, health & safety standards.

Alternative Sites Analysis

This should include a map or maps of alternative sites reviewed with a table describing why each site was not technically feasible and why the site chosen is the least intrusive of all sites considered. This should include both colocation options and freestanding tower sites.

Network Improvements

If the project is part of an effort to densify a wireless network, introducing new services, or improving service capabilities, provide information demonstrating that effort.

Building Permit Application

Provide documentation that a Building Permit has been submitted to the Sacramento County Building Permits and Inspection Division for processing.

I hereby certify, to the best of my knowledge, that the above information and accompanying documents are true and accurate. I also hereby acknowledge that a General Special Development Permit is required in order to deviate from the development standards in SZC section 3.6.7 if, for any reason, the proposed WCF does not comply with said standard(s).

Applicant: _____

Date: _____