

**CITY OF WEST SACRAMENTO
WIRELESS TELECOMMUNICATIONS FACILITIES POLICY**

A. Purpose and Intent

The purpose of this policy is to establish uniform and comprehensive development standards for wireless telecommunication facilities and procedures for review of such facilities. These standards and procedures are intended to provide for the managed development of wireless telecommunication facilities in a manner that recognizes and enhances the community benefits of wireless communication technology, provides for development of wireless infrastructure, and reasonably accommodates the needs of citizens and wireless telecommunication providers in accordance with federal and State rules and regulations.

B. Authority

Wireless telecommunications facilities are regulated at the federal, state and local level. Section 704 of the 1996 Federal Telecommunications Act specifically preserves the right of the local agency to regulate aesthetics, visual impacts and land use issues. Applicable state law places constraints on a local jurisdiction's exercise of its police power over wireless telecommunications facilities. **The Policy and its application may not be applied if they conflict with federal law but any portions of the Policy not in conflict would still be applicable. Compliance with the Policy and federal law would be reviewed with each proposed wireless project.**

C. Definitions

For the purposes of this policy, the following terms and phrases have the meaning ascribed to them in this section:

Antenna: Any system of wires, poles, rods, discs, or other similar device used for the transmission or reception of radio frequency electromagnetic waves when such system is external to or attached to the exterior of a structure.

Co-Location: The practice of sharing support structures and buildings by wireless telecommunications providers (either public or private). Examples of co-located facilities include but are not limited to those facilities with antenna arrays for two or more wireless carriers.

Microcell: A microcell cellular communications facility provides coverage and capacity in areas where there are a high number of users. Service is limited to a small geographic area, typically between ¼ and 2/3 of a mile from each microcell facility. Microcell facilities utilize a small radio transceiver facility comprised of an unmanned equipment cabinet with a total volume of one hundred (100) cubic feet or less, and one omnidirectional antenna with a maximum length of five feet (5'), mounted on a single existing or replacement pole, an existing or replacement utility pole or light standard, or some other similar support structure. The unmanned equipment cabinet may not obstruct the minimum required path of travel if located within the public right of way. An example of a typical microcell facility is shown in Exhibit A.

Monopole: A structure of single pole design and erected on the ground to support wireless telecommunication antennas and connecting appurtenances.

Stealthing: Improvements or treatments added to an improvement that mask or blend the proposed improvement into the existing structure or visual backdrop in such a

manner as to render the improvement “minimally visible” to the casual observer. Stealthing may utilize, but does not require, concealment of any component of the wireless facility. Examples include but are not limited to “monopines”, flagpoles or windmills designed to conceal wireless communication equipment and those applications where wireless communication equipment is contained within another structure such as a scoreboard or sign.

Wireless Telecommunications Facility: A facility that transmits and/or receives electromagnetic signals for the purpose of transmitting digital voice or data communications including monopoles, lattice towers, building mounted equipment, and stealth facilities.

D. General Requirements

It shall be the policy of the City of West Sacramento to encourage the development of wireless telecommunications infrastructure where the siting and construction of such facilities is consistent with the City’s General Plan policies and goals, the City’s Municipal Code all applicable specific plans, and all other applicable rules and regulations governing the construction of a wireless telecommunications facility. Applications for wireless telecommunications facilities approval shall be processed according to the findings contained in the Wireless Telecommunications Facilities Policy and Section 17.14.000 “Zoning Administrator”.

E. Exempt from City Review

The following facilities are exempt from City review provided that if the primary use of the property is not a wireless telecommunications facility and that the antenna use is accessory to the primary use of the property:

1. No more than one satellite dish or support structure for licensed amateur radio operators on a single parcel;
2. Mobile services providing public information coverage of a news event of a temporary nature;
3. A single ground or building mounted receive only radio or television antenna per parcel not exceeding the maximum allowable height for the land use zone in which it is located;
4. Emergency wireless telecommunications facilities activated in response to a city-wide catastrophic event, in concert with the City’s Emergency Operations Center.
5. Facilities that have been exempted from local agency review by actions of the California Public Utilities Commission and/or the Federal Communications Commission.

F. Approval Process

1. Zoning Administrator Approval

The Zoning Administrator shall consider and approve requests for the following, and shall forward the results of said review to the Planning Commission as an information item. These facilities shall comply with all development regulations of the applicable land uses zone in which it is located, except as noted below:

- a. New building mounted wireless telecommunications facilities where stealthing is employed to mask the proposed wireless facility so that it is architecturally complementary to the original building façade.
- b. New roof mounted wireless telecommunications facilities where a proliferation of antennae and support equipment does not result on a particular building to the

extent that the wireless improvements become a dominant feature when viewed from the adjacent public street, adjacent buildings, or which impede views from adjacent residential units or public view corridors.

- c. New wireless telecommunications facilities where all antennae arrays are located within another structure (sign, building etc.), all ground equipment is screened from view, and the proposed facility is able to comply with City noise standards.
- d. Microcell facilities in any zoning designation.
- e. Wireless telecommunications facilities located in the M-1, M-2, M-3, ML, BP, or CH land use zones where the maximum height of the structure does not exceed the allowable height limit for such structures in the applicable land use zone. Wireless telecommunications facilities in these zones may be located at a minimum distance of no less than twice the height of the wireless facility from the nearest residentially zoned property with an approved Wireless Telecommunications Facilities Permit. The maximum distance from residentially zoned property required for a Wireless Telecommunications Facility Permit will be 500 feet provided the applicant can demonstrate that the proposed facility would eliminate or substantially reduce one or more significant gaps in the applicant's carrier network and improve service to the City, that the facility utilizes stealthing in its design, and that there are no viable and technically feasible equivalent or superior potential alternative sites.
- f. Facilities on City, and Port of West Sacramento owned where the height of the proposed facility does not exceed the allowable height limit for such structures, and where all other applicable development standards (such as setbacks and parking) are complied with. Wireless telecommunications facilities in these zones may be located at a minimum distance of no less than twice the height of the wireless facility from the nearest residentially zoned property with an approved Wireless Telecommunications Facilities Permit. The maximum distance from residentially zoned property required for a Wireless Telecommunications Facility Permit will be 500 feet provided the applicant can demonstrate that the proposed facility would eliminate or substantially reduce one or more significant gaps in the applicant's carrier network and improve service to the City, that the facility utilizes stealthing in its design, and that there are no viable and technically feasible equivalent or superior potential alternative sites.

2. Wireless Telecommunications Facilities Permit:

The Planning Commission shall consider and approve requests for the following:

- a. Wireless telecommunications facilities not located in one of the land use zones identified in section ~~G(d)~~ **F1(e)** above.
- b. Wireless telecommunications facilities located within 1,000 feet of an existing monopole or tower mounted wireless telecommunications facility with no collocation capacity or within 1,500 feet of an existing wireless telecommunication facility with collocation capacity still available.
- c. All wireless telecommunications facilities located on properties zoned for Open Space and Parks and Recreation, or facilities proposed in any of the City's Community Gateway locations.
- d. Any other proposed wireless facility that is not listed in Section ~~G(4)~~ **F(1)** as requiring Zoning Administrator approval.
- e. Wireless telecommunication facilities located at a distance between twice the height of the facility and 500 feet from any residential land use zone subject to paragraph(s) ~~G4(d & e)~~ **F1(e&f)** above.

In granting a Wireless Telecommunications Facilities Permit, the Planning Commission shall find the following general conditions fulfilled:

1. To the maximum extent which is reasonably feasible, the proposed wireless telecommunications facility has been designed to be compatible with the community.
2. For facilities located within 500 feet of residentially zoned property, the applicant is able to demonstrate that the proposed wireless telecommunications facility is necessary to close a significant gap in coverage and improve service to the City.
3. The facility utilizes a stealth design.
4. The applicant has submitted a statement of willingness to allow other carriers to collocate on the proposed wireless telecommunications facility and has represented to the City that the facility is designed to accommodate such collocations.
5. The wireless telecommunications facility is consistent with the General Plan and Zoning Ordinance.
6. The wireless telecommunications facility complies with all requirements of state and federal laws, regulations and orders.

3. Building Permit Required

The installation of any wireless telecommunication facility shall not occur until a building permit including associated related permits has been issued.

4. Revocation

in the event the conditions of a Wireless Telecommunications Facility Permit have not been, or are not being complied with, the Community Development Department shall give the permittee and property owner notice of intention to revoke the Wireless Telecommunications Facility Permit at least ten (10) days prior to a Planning Commission review thereon. After the conclusion of the review, the Planning Commission may revoke the Wireless Telecommunications Facility Permit.

5. Expiration

In the event the project or use for which the Wireless Telecommunications Facility Permit was granted has not commenced within the time limit set by the Planning Commission, or within one year after the date of final approval, if no specific time has been set, the Wireless Telecommunications Facility Permit is deemed to be null and void without further action.

G. Prohibited Facilities

The following facilities are prohibited:

1. Wireless telecommunication facilities that are not designed to accommodate collocations or able to conceal the equipment within another structure.
2. More than one wireless telecommunications facility on a parcel, except on parcels zoned for industrial use or those larger than thirty acres at the time of application for a Wireless Telecommunications Facility Permit.
3. Wireless telecommunications facilities located at a distance of less than twice the height of the tower/pole from the nearest residentially-zoned property.

H. Minimum Application Requirements

1. Each application for a wireless telecommunications facility permit shall include the following minimum items:
 - a. Completed General Application Form.
 - b. Statement of Justification.
 - i. Description of the proposed facility, including the type of facility being requested (monopole, building mount, microcell); height from ground to top of antenna installation; support equipment required; etc.
 - c. Payment of non-refundable application fees including deposits for third party review if such review is determined to be necessary.
 - d. Preliminary Title Report.
 - e. Ten sets of plans including a site plan, elevations and landscape plan (if required).
 - f. A discussion on alternative site selection including co-location opportunities, and a statement as to why these alternative sites were rejected.
 - g. Alternative facility design options considered and rejected (i.e. monopine vs. windmill).
 - h. Service area map with and without the proposed facility showing "hand-off" sites both within the City and in adjacent jurisdictions.
 - i. Evidence that adequate access to the lease site has been or will be secured prior to construction.
 - j. Public notice map and mailing labels for property owners within 500 feet of the subject parcel. Individual project applications may require a greater public notification radius.
 - k. Statement from the project architect or engineer that the facility has been designed to structurally support more than one wireless carrier's necessary equipment and that the owner of the facility is willing to permit such collocations except as allowed in this policy.

I. Wireless Telecommunication Facilities Design

To limit the amount of aesthetic impact that wireless telecommunication facilities have within the City, the order of preference for facility types is as follows: microcell, roof mounted, façade mounted, and freestanding tower. Should a freestanding tower be proposed, the applicant shall provide evidence showing why no other alternative is practical or technologically feasible.

The City shall require all new wireless telecommunication facilities to be designed to accommodate collocations unless all equipment and antenna arrays are concealed within another structure. Single purpose monopoles are prohibited. Prior to issuance of building permits for the project, the applicant must submit a signed letter of intent for at least one collocation on the facility.

1. Co-locations may be permitted on existing wireless towers, water tanks, electric transmission towers, and similarly scaled public utilities and facilities.
2. Additions or modifications to existing legally established wireless telecommunication facilities may be permitted where the height of the structure increases by no more than 30% of the originally approved wireless telecommunication facility the maximum height allowed pursuant to Municipal Code Section 17.25.022.
3. Design review may also be required if the proposed facility is located in an area subject to design guidelines.

J. Structural, Design and Environmental Standards

The following standards shall apply to the design and construction of wireless facilities:

1. Advertising of any kind is prohibited on a wireless facility including logos or other identifying feature that represents the carrier being serviced on that site, as well as advertising for activities unrelated to the primary use.
2. Sufficient anti-climbing measures shall be incorporated into the facility, as needed, to reduce the potential for trespass and injury.
3. Unless otherwise required by FAA regulations, all equipment, antennas, poles or towers shall either be constructed or treated with a non-reflective finish to minimize visual impacts. Antennas, which will be viewed primarily against the skyline (such as whip or stick antennas), shall be painted to blend into the visual backdrop.
4. Telecommunications support equipment and buildings shall not exceed one story in height, shall be designed to blend with existing architecture on the property or shall be screened from the public view by mature landscaping, shall not encroach into any required setback, and shall be located or designed to minimize visual intrusion.
5. Unless approved otherwise, all wireless telecommunications facilities shall be constructed in such a manner as to maintain and enhance existing native vegetation and shall include suitable mature landscaping to screen the facility, when deemed necessary. For purposes of this policy, "mature landscaping" means trees, shrubs, or vegetation of a size and character that will provide an appropriate level of visual screening within one year of installation. The owner/operator of the facility shall be responsible for regular maintenance and replacement of all required landscaping.
6. Unless approved otherwise, all telecommunications towers shall be constructed out of metal or other non-flammable material. All ground mounted facilities shall be self-supporting monopoles except where the appropriate decision making body has determined that a guyed/lattice tower is required.
7. Adequate access roads serving the site shall be installed at the time of issuance of the building permit in accordance with the City's minimum standards for such access roads and shall be maintained in good condition at all times. Evidence of access easements shall be provided to the City's engineering division prior to issuance of a building permit.
8. All obsolete or unused facilities must be removed by the carrier within twelve months of cessation of operations on the site.

K. Periodic Review Required

The City may conduct a periodic review of each facility not located on lands zoned for industrial use to consider how the facility could be integrated with emerging land uses approved under the applicable master or specific plan. If the City concludes that adverse impacts to emerging land uses can be reduced using new technology, or through the relocation of the current facility, the carriers shall work with the City to develop a plan for achieving these mitigating goals. The City may impose a condition limiting the duration of any permit for a wireless telecommunications facility located on property zoned other than industrial. As part of such a conditions, the City shall specify the development threshold that could trigger termination of the permit following a duly noticed public hearing.

L. Transfer of Operation

Any carrier/provider operating a specific wireless telecommunications facility may assign the operation of the facility to another carrier licensed by the FCC for that radio frequency provided that the operation is a legally established use; that the Zoning Administrator is in receipt of a written statement of the proposed assignment prior to the

transfer; and that all applicable conditions of approval for the subject installation are carried out by the new carrier/provider.

M. Use of Outside Consultants

The Community Development Department may utilize the services of a qualified outside consultant to supplement City staff at the applicant's sole expense to review and make appropriate recommendations on issues including, but not limited to, (a) compliance with radio frequency emissions standards, and (b) identification of alternative solutions when the Community Development Director believes that the proposed facility may create a significant impact to the surrounding area. Prior to hiring outside consultants, the applicant shall be provided with a copy of the scope of work and costs for the services to be provided. If the applicant is not in agreement with the proposed work to be completed, the applicant shall have the right to amend or withdraw the application request.

N. Appeals

Any person dissatisfied with the decision to either approve or deny a requested wireless telecommunications facility may file an appeal with the City Clerk in accordance with Section 1.08 of the Municipal Code.

EXHIBIT A

This is an example of a typical microcell facility. Microcell facilities may come in other forms as well but this photo is generally representative of the concept.

