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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

May 14, 1991

Transportation and Community Development
Sacramento, California

Honorable Members in Session:

SUBJECT: Zoning Ordinance Amendment Relating to
Communication Towers, Antennas, Cellular Telephone
Facilities, Poles, Reflecting Discs and Similar Structures
(M91-002).

LOCATION: Citywide

SUMMARY

The proposed Zoning Ordinance Amendment adds Section 2-G-10 to the Comprehensive Zoning Ordinance of the City of Sacramento. The amendment as proposed will require that a special permit be obtained in order to locate communication towers, antennas, cellular telephone facilities, poles, reflecting discs and similar structures within the City of Sacramento.

The Planning Commission and staff recommend approval of the Ordinance Amendment by the TCD Committee and adoption by the City Council.

BACKGROUND INFORMATION

In the past year there have been several inquiries from cellular telephone companies in regards to locating freestanding communication towers. The City of Sacramento Zoning Ordinance currently does not have locational criteria for this type of use. Without locational criteria the cellular telephone companies have requested rezones and variances in order to locate these uses within commercial and industrial zones.

The proposed amendment would make it necessary to obtain a special permit in order to locate any communication tower, antenna, pole, reflecting disc or similar structure which transmits and/or receives electromagnetic waves. The ordinance as proposed will establish exemptions for residential towers, antennas, poles, reflecting discs or similar structures which would not exceed the allowable height in residential zones. As proposed the Planning Director would be able to approve special permits for residential antennas which exceed the allowable height in a residential zone and commercial antennas which are within the height limits in a commercial zone. The Planning Commission will have the authority to grant a special permit for commercial antennas which will exceed the allowable height for the zone in which it is to be located and for the location of communication equipment on an existing residential antenna.

Staff has contacted the County of Sacramento which currently requires a special permit in any zone for the location of communication towers, antennas or poles; however, the County is in the process of adopting a more comprehensive ordinance.

The Environmental Coordinator has determined that the proposed project does not have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment; therefore, the activity is not subject to environmental review {CEQA, Section 15061 (b)(3)}.

VOTE OF THE PLANNING COMMISSION

On March 14, 1991, the Planning Commission, by a vote of six ayes, one abstention and two absent voted to recommend adoption of the Zoning Ordinance Amendment relating to the location of communication towers, antennas, cellular telephone facilities, poles, reflecting discs and similar structures in the City of Sacramento.

FINANCIAL DATA

The proposed Zoning Ordinance Amendment has no financial impact on the City of Sacramento.

POLICY CONSIDERATION

The proposed Zoning Ordinance Amendment is consistent with the General Plan policies as described in the Public Facilities and Services Element.

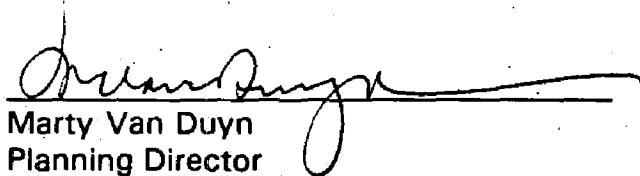
MBE/WBE


Since no goods or services are being purchased MBE/WBE efforts are not applicable.

RECOMMENDATION

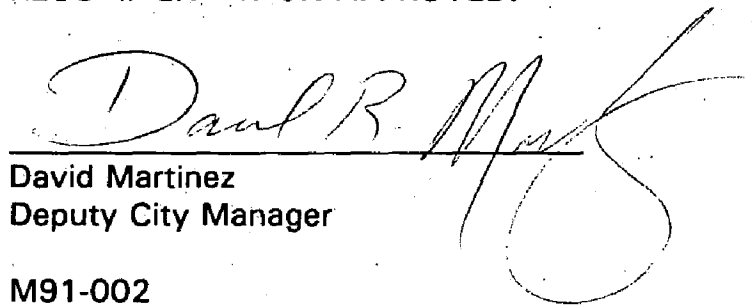
It is recommended that the Transportation and Community Development Committee recommend that the City Council adopt the attached Zoning Ordinance Amendment relating to the location of communication towers, antennas, cellular telephone facilities, poles, reflecting discs and similar structures in the City of Sacramento.

Respectfully submitted,


Marty Van Duyn
Planning Director


Robert Thomas
Acting Director of Planning and Development

RECOMMENDATION APPROVED:


David Martinez
Deputy City Manager

M91-002

Citywide
May 14, 1991

Contact Person:
Dawn Holm, Planner
449-5604

ORDINANCE NO.
ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

***AN ORDINANCE ADDING THE FOLLOWING TO THE CITY
OF SACRAMENTO ZONING ORDINANCE SECTION 2-G***

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series, as amended) is hereby amended by adding thereto Section 2-G-10 to read as follows:

G. CONDITIONAL USES: The Planning Commission may grant a Special Permit for the following conditional uses:

10. Except as provided below a special permit shall be required to locate in a nonresidential zone any communication tower, antenna, or other similar structure used for the transmission, reception or both of electromagnetic waves. Except as provided below, communication towers, antenna, or other similar structures used for the transmission, reception or both of electromagnetic waves are not permitted within any residential zone.

a. Definition: Antenna - "Antenna" means any system of wires, poles, rods, reflecting discs or similar devices used for the transmission, reception or both of electromagnetic waves, and shall include, but shall not be limited to antennas utilized by cellular utilities.

b. Exempt Antennas - Antennas meeting the following standards and specifications are exempt from the requirements of this subsection and are permitted in any zone, subject to the height limits and other restrictions established by this Ordinance for the particular zone:

1) Common skeletal antenna: "Common skeletal antenna" means any type radio or television antenna used to receive UHF, VHF, AM and FM signals of off-air broadcasts from radio and television stations.

- 2) **Amateur Radio Antenna:** "Amateur radio antenna" means any antenna used to receive and/or transmit radio signals on the amateur radio bandwidth, as designated by the Federal Communications Commission.
 - 3) **Satellite receive only antenna:** "Satellite receive-only antenna" means any antenna used to receive radio or television signals from orbiting communication satellites.
 - 4) **Other Exempt Antennas - Residential Zone:** Subject to the height limits and other restrictions established by this Ordinance, other antennas that are constructed for the exclusive use of the residents of the property on which they are located and are incidental and customary to residential use are permitted in a residential zone without a special permit.
- c. **Height Restrictions:** Notwithstanding any other provisions of this Ordinance, the Planning Commission or, as specified herein, the Planning Director, shall have the authority to grant a special permit for a structure regulated by this subsection that exceeds the height limits established for the zone in which it is to be located.
- d. **Procedure:** A special permit shall be required as specified below for any non-exempt structure regulated by this subsection. The procedures specified in Section 15 of this Ordinance shall apply to special permits sought pursuant to this subsection.
1. **Residential Antennas Exceeding Height Limits:** A Planning Director's special permit shall be required for an antenna in a residential zone that would be exempt pursuant to subparagraph b, except for its height. Nothing herein is intended to allow the Planning Director to authorize, pursuant to this subparagraph, a structure in a residential zone that is not constructed and used for the exclusive use of the residents of the property on which it is located and is incidental and customary to residential use.

2. Structure Within Height Limits Non-Residential Zone: A Planning Director's special permit shall be required for any non-exempt structure in a non-residential zone regulated by this subsection that does not exceed the height limits of this Ordinance for the property on which it is to be located.
3. Structures Exceeding Height Limits Non-Residential Zones: A Planning Commission special permit shall be required for any structure in a non-residential zone regulated by this subsection that exceeds the height limits of this Ordinance for the property on which it is to be located.
4. Use of Existing Buildings and Structures: Notwithstanding any other provisions of this Ordinance, a special permit may be issued to allow for the addition of antennas or other similar structures used for the transmission, reception or both of electromagnetic radiation to existing structures or buildings; provided that such additions do not rise more than twelve (12) feet above the topmost portion of the existing structures or buildings, or any appurtenances thereto; and provided further, that such additions do not extend more than six feet in any other direction from the existing structures or buildings, or any appurtenances thereto.
 - a) Existing Structures and Buildings in a Residential Zone: A Planning Commission special permit shall be required for any addition to any structure or building lawfully located in a residential zone. Pursuant to this subparagraph, the Planning Commission may authorize the addition of an antenna or other similar structure not devoted to the exclusive use of the residents of the property on which the existing structure is located.

- b) Existing Structures and Buildings in a Non-Residential Zone: A Planning Director's special permit shall be required for any addition to any structure or building lawfully located in a non-residential zone.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

M91-002