

## **ORDINANCE NO. 2008-037**

Adopted by the Sacramento City Council

June 24, 2008

### **AN INTERIM ORDINANCE EXEMPTING ANTENNA INSTALLATIONS ON CITY STREET LIGHT POLES FROM PLANNING REVIEW**

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

SECTION 1: The City Council of the City of Sacramento finds and declares as follows:

- A. Telecommunication antennas and related facilities installed on City property, including City street light poles, are regulated by Title 17 of the Sacramento City Code (the Zoning Code) in the same manner as those installed on privately owned property.
- B. Unless exempt, telecommunication antennas and related facilities require approval of either a planning commission or zoning administrator special permit pursuant to sections 17.24.020, 17.24.030, 17.24.040, and Footnote 58 of section 17.24.050 of the Zoning Code.
- C. Telecommunication antennas and related facilities installed on City property also are subject to Chapter 3.76 of the Sacramento City Code which requires a revocable permit and an Agreement for Issuance of a Revocable Permit approved by City Council allowing use of City property for the installation. The Agreement for Issuance of a Revocable Permit also is a project under the California Environmental Quality Act (CEQA) and, therefore, is subject to environmental review.
- D. Requiring telecommunication antennas and related facilities installed on City property to obtain both a special permit under the Zoning Code and an agreement under Chapter 3.76 of the Sacramento City Code appears to be unnecessarily redundant. A one (1) year interim ordinance exempting telecommunication antennas and related facilities on specified City-owned properties from the Zoning Code special permit requirement will simplify the permitting process for these facilities and allow staff to study and determine whether a single permitting process is adequate.

SECTION 2: Notwithstanding sections 17.24.020, 17.24.030, 17.24.040, and Footnote 58 of section 17.24.050 of the Zoning Code, only a revocable permit and an Agreement for Issuance of a Revocable Permit under Chapter 3.76 of the Sacramento City Code shall be required for the installation of telecommunication antennas and related facilities on City-owned street light poles and not a special permit under the Zoning Code. This exemption from the requirement to obtain a special permit under the Zoning Code shall apply only

to those antennas located on City-owned poles used exclusively for street lights, and not on poles that also support traffic signals.

SECTION 3. This ordinance is enacted by the City Council as an interim ordinance. It is anticipated that an ordinance relating to telecommunication antennas' installation on City property, consisting of amendments to Title 17 of the City Code, will be processed in the manner required by Section 17.208.010 within 365 days, and that this interim ordinance will be repealed at that time.

Adopted by the City of Sacramento City Council on June 24, 2008 by the following vote:

Ayes: Councilmembers Cohn, Hammond, McCarty, Pannell, Sheedy, Waters.

Noes: None.

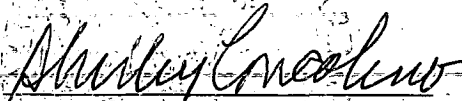
Abstain: Councilmember Fong (Recused).

Absent: Councilmember Tretheway and Mayor Fargo.



Vice-Mayor Steve Cohn

Attest:



Shirley Concolino, City Clerk

Passed for Publication: June 17, 2008

Published: June 20, 2008

Effective: July 18, 2008