

**STAFF REPORT TO AMADOR COUNTY PLANNING COMMISSION  
FOR MEETING OF TUESDAY, AUGUST 25, 2015**

**ITEM NO. 3 – APPEAL OF PLANNING DEPARTMENT’S ISSUANCE OF A USE PERMIT (UP-15;5-5) TO ALLOW THE CONSTRUCTION OF A 50-FOOT COMMERCIAL WIRELESS COMMUNICATION TOWER (APN 015-020-016).**

**APPELLANT:** Elton and Laura Allred

**SUPERVISORIAL DISTRICT V**

**LOCATION:** On the east side of American Flat Side Rd. about ¼ mile south of the American Flat Rd./American Flat Side Rd. junction; being 19580 American Flat Side Rd. in the Fiddletown area (Farinelli Family Trust, landowner).

**ZONING:** “R1A,” Single Family Residential & Agricultural District

**GENERAL PLAN DESIGNATION:** A-G, Agricultural-General (40 acre density)

**A. BACKGROUND.** In 2001-02 a Use Permit and Building Permit were granted for a 116.5’ wind turbine at this location. In 2011 Golden State Cellular was granted a Use Permit to install various types of cellular communication equipment on the wind turbine. This equipment was installed at about the 52’ level on the wind turbine structure. As part of the application for this Use Permit before/ after coverage area maps were provided, as was an electric field map, RF exposure calculations were done and a public hearing was held.

**B. PROJECT DESCRIPTION.** An application for the construction of a 50’ wireless communications tower and ancillary equipment was submitted to the Planning Department on May 22, 2015 by Epic Wireless Group on behalf of Verizon Wireless. The purpose for this tower is to relocate and upgrade the wireless communication facilities presently housed on the wind turbine. Application materials submitted with this application included a site plan (attached), various photosimulations of the site, with and without the tower (attached), a Radio Frequency Emissions Compliance Report (attached), and an explanation (see letter of application, attached) that there are no other alternative sites available in the area for co-location of these facilities and the fact this is an existing facility.

County Code provides for staff issued use permits for towers not exceeding 50 feet in height subject to surrounding landowner notification. This notification was done and staff received a letter dated July 6, 2015 and an email dated July 7, 2015 both from Elton and Laura Allred objecting to the project (attached). After reviewing the application staff issued the use permit subject to the following conditions:

1. The project will be substantially the same as described and shown in the application materials.

2. The Permittee will comply with all applicable criteria set forth in Amador County Code Section 19.48.150, Commercial wireless service facilities.
3. The Permittee shall obtain and final/keep current all building, fire, health and public works permits necessary for this use.

The Allreds were notified of the decision as well as their appeal rights on July 13, 2015 (attached). This letter also contained the reasons the permit was granted which are as follows:

- the application, as conditioned (see attached), will conform to the regulations contained in County Code Section 19.48.150 (attached);
- the top elevation of the tower is approximately 2,073' (base/ground elevation is 2,023') which, based on USGS topographical maps, is higher than other properties within almost 1 mile of the project site;
- there are antennae currently located on the existing windmill support tower at almost the same height as on the proposed tower (existing antennae are to be removed from windmill); and
- the proposed tower is located within 30' of the existing windmill and is less than half the height of the windmill thereby minimizing the tower's visual impact.

On July 24, 2015 the Allreds filed an appeal of staff's decision. They appeared at the August 11, 2015 Planning Commission meeting and spoke on a different wireless communication tower application, submitting various information concerning these facilities. That information is attached to this staff report.

In response to the Allred's appeal Epic Wireless has provided additional information consisting of a letter to the Allreds further explaining the purpose of their request, the information submitted with the original application, and an amendment to the previously submitted RF Emissions Compliance Report specifically addressing the Allred's home (see attached).

Several emails of support have been received (attached).

Also attached to this staff report are an aerial photo and a USGS map showing the location and elevation of the tower location in relation to the Allred home.

**C. PLANNING COMMISSION ACTION:** After taking public comment the Commission may choose to do one of the following:

1. Grant the appeal and vacate staff's approval of the use permit.
2. Deny the appeal and uphold staff's approval of the use permit as conditioned.
3. Deny the appeal but amend or add conditions of approval as the Commission determines appropriate.

## LIST OF CONTENTS SECTIONS

- 1) APPEAL LETTER AND INFORMATION SUBMITTED BY APPELLANT
- 2) INFORMATION SUBMITTED BY EPIC WIRELESS IN RESPONSE TO APPEAL
- 3) NOTICE OF PLANNING DEPARTMENT'S DECISION AND APPEAL RIGHTS
- 4) LETTERS OF OBJECTION TO ISSUANCE OF USE PERMIT
- 5) ORIGINAL APPLICATION MATERIALS
- 6) AERIAL AND TOPOGRAPHIC MAPS PROVIDED BY STAFF
- 7) ADDITIONAL CORRESPONDENCE
- 8) INFORMATION SUBMITTED BY THE ALLREDS AT THE AUGUST 11, 2015  
PLANNING COMMISSION MEETING

**1)**  
**APPEAL LETTER**  
**AND**  
**INFORMATION**  
**SUBMITTED BY**  
**APPELLANT**



## Appeal of permit application Epic Wireless Group, LLC/Verizon Wireless, UP-15; 5-5 APN 015-020-016-000 - 19580 American Flat Side Road

1 message

Laura Allred <llallred2010@gmail.com>  
To: planning@amadorgov.org

Fri, Jul 24, 2015 at 4:14 PM

Elton and Laura Allred  
19525 American Flat Side Road  
Fiddletown, California 95629

re: Appeal of permit application Epic Wireless Group, LLC/Verizon Wireless, UP-15; 5-5 APN 015-020-016-000 - 19580 American Flat Side Road

Dear Amador County Planning Commission:

We are appealing the decision of the Planning Director's decision dated July 13, 2015. Our appeal is based on the Amador County Commercial wireless service facilities code sections 19.48.150 et seq.

The following issues we will address individually and in more detail at the Planning Commission Meeting.

Issue: Section A. *"Protect[ing] the character of neighborhoods and communities, reduce the potential for health and safety hazards, and maintain the visual quality of Amador County."*

Issue: Section D. Staff issue permits subject to the application and approval being consistent with subsections F and G of 19.48.150.

Issue: Section F. 1. Lack of complete application listing alternative sites and network analysis.

Issue: Section F. 2. Lack of complete application. *"Applicant shall submit relevant colored photo simulations of the proposed wireless services facility from all relevant view shed, road ways and neighboring properties."*

Issue: Section F. 3. Incomplete application. The application shall contain a report or summary of the estimates of the non-ionizing radiation generated by the facility, including estimates of the maximum electric and magnetic field strength at the edge of the facility site, the extent that measurable fields extend in all directions from the facility. In order to comply with human exposure the FCC has set out guidelines see *FCC OET Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*. Beginning at page 32, the FCC addresses the *Multiple-Transmitter Sites and Complex Environments*, the bulletin states,

*"When performing an evaluation for compliance with the FCC's RF guidelines all significant contributors to the ambient RF environment should be considered, including those otherwise excluded from performing routine RF evaluations, and applicants are expected to make a good-faith effort to consider these other transmitters."*

A diagram on page 39, provides a "point of interest" scenario from roof top to roof top. Our primary residence and sleeping area is similarly situated. The Evaluating Compliance with FCC Guidelines provides proper procedures for determining compliance.

*"Another type of complex environment is a site with multiple towers. The same general process may be used to determine compliance as described above, if appropriate. Distances from each transmitting antenna to the point of interest must be calculated, and RF levels should be calculated at the point of interest due to emissions from each transmitting antenna using the most accurate model."*

(Source: [https://transition.fcc.gov/Bureaus/Engineering\\_Technology/Documents/bulletins/oet65/oet65.pdf](https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf))

We respectfully request that our main living area, as a "point of interest," be tested for FCC Radio Frequency compliance as a condition of the Permit before us today.

Issue: Section G. 1. The Permit does not address any aesthetic considerations found in section 1. We will present proof that the view from roadways and other properties will be adversely affected. And that there will also be adverse visual quality of Amador County and its' pristine rural setting. No color or materials to blend with existing vegetation are a current condition of the Permit.

Issue: Section G. 2. This new support facility is visible from residential properties and the code states that it, "*...shall be screened or camouflaged to mitigate adverse visual impacts.*" This too is not a condition of the current Permit.

We respectfully request that this new support facility be camouflaged as a pine tree to match other pine tree vegetation on the vicinity.

Issue G. 3. The Amador County Code states that "*[[facilities shall not adversely affect public views of skylines or skyline view from other properties...facilities shall not exceed existing tree lines or buildings along a skyline by more than fifteen feet.*" The current approved application does not protect the skyline addressed in this section, this can be seen from various locations around the neighborhood. We will provide proof.

We respectfully request that all these codes sections regarding visual effects be mitigated to protect the visual quality of Amador County and the neighboring properties.

As explained above Amador County Code 19.48.150 has been written to include many protections that are not in compliance with the issued Permit for Epic Wireless Group, LLC/Verizon Wireless facility at 19580 American Flat Side Road.

We will address these and other relevant issues at the Planning Commission Meeting.

Respectfully,

Elton and Laura Allred

Dear Amador County Planning Commissioners,

It is imperative that you understand our concerns so we are sending this information to you to go with the Staff Report. It addresses some of our concerns of the Commercial wireless service facility code and its implementation. The beginning portion may look familiar as we discussed some items on Tuesday, August 11, 2015. We will be addressing specific items in the code as they relate to the Telecommunications Act, case law, federal agency advisories and such.

The Telecommunications Act (TCA) of 1996, stated purpose is to, *“encourage the rapid deployment of telecommunications technologies.”* This means that companies such as Verizon, AT&T, T-Mobile, Metro PCS will be looking to seek installments in our county to provide service.

A comprehensive plan should be implemented so that in the years to come we will not look back at a landscape overburdened by a proliferation of wireless facilities overshadowing our visual quality of Amador County.

Amador County Officials can protect the visual quality of Amador County, including neighborhoods and communities, at the same time providing wireless services. See Sprint Telephony PCS, L.P. v. County of San Diego, 543 F.3d 571 (9<sup>th</sup> Circuit 2008)

*19.48.150 Commercial wireless service facilities.*

*A. Purpose. This section provides for the orderly development of wireless service facilities to encourage appropriate locations, protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, and maintain the visual quality of Amador County, especially along highways and roadways.*

We ask what is “orderly development” of wireless service facilities “...to encourage appropriate locations”? How is this being done?

What does it mean to *“protect the character of neighborhoods and communities”*? What does *“character of neighborhoods and communities”* mean? What is an *“adverse visible impact”*?

How will the Amador County *“...reduce the potential for health and safety hazards”*? Setbacks, complying with agencies Federal Aviation Administration (FAA), Public Utilities Commission (PUC), Federal Communications Commission (FCC)?

What does it mean to *“maintain the visual quality of Amador County”*? *“Especially along highways and roadways”* as they relate to commercial wireless service facilities?

*L. Definitions. As used in this section, the following terms shall have the meaning indicated:*

*1. Wireless Service Facility. This term shall refer to all facilities providing wireless service, such as towers, lattice towers, guy-wired towers, poles, monopoles, rods, antennas, panel antennas, whip antennas, cellular communication systems, microwave dishes, equipment shelters, reflecting discs or similar devices used for the transmission and/or reception of electromagnetic waves.*

*B. Allowed Zone Districts. Wireless service facilities and ancillary equipment buildings shall only be allowed in the following zone districts (except those described in subsection C of this section): "A," "AG," "C-1," "C-2," "H," "LM," "MM," "M," and "TPZ"; on parcels twenty acres or larger in size in the "R1-A" and "X" zone districts when located in the following General Plan classifications: A-G, A-M, A-U, MRZ, and G-F; and on parcels, regardless of zoning or size, owned by a public entity or public utility located in the PS General Plan classification.*

1. Historically, what was the intent and purpose for Amador County limiting zone districts for site facilities of 40 acres minimum, see Section B history?
2. Was there any intent to consider ground elevation levels for siting of these wireless service facilities as a pertinent part of the legislative history?
3. Amador County's character is rural undulating elevations. How is siting of such proposed facilities to encourage appropriate locations addressed in the legislative intent?
4. What limitations were considered other than 40 or 20 acres?

*D. Staff Issued Use Permits. Use permits may be issued by the planning department staff for wireless service facilities which are up to fifty feet in height, provided the application and approval are consistent with subsections F and G of this section...*

Staff issued use permits require a complete application and approval that is consistent with subsections F and G of this section. We will consider specific information as they apply to subsections F and G below.

*F. Application Requirements. The following shall apply to all applications for wireless service facilities:*

How can a representative of Amador County official to make an informed decision, if the information that they are to base the decision on is not properly submitted?

Any application that omits mandatory items has provided an incomplete application and the county should deny the entire application or require completion of the application prior to issuing a decision.

*1. Alternate Site and Network Analysis. As part of a complete application, the applicant shall submit proof that all alternate sites have been explored and analyzed. The method of analysis shall be reviewed by the planning department staff. The applicant shall provide a map and analysis of existing facilities and a report explaining why co-location is not feasible.*



How can Amador County Planning make a decision regarding alternative site and network analysis for new wireless facilities when the application is incomplete and omits this information?

The stated purpose of this section is to provide “... *for the orderly development of wireless service facilities to encourage appropriate locations.*”

There is an alternative site analysis “standard” described in a federal court case MetroPCS, 400 F.3d at 734 that, “...*allows for a meaningful comparison of alternative sites...*” for a local jurisdiction. In T-Mobile USA, Inc. v. City of Anacortes, 572 F.3d 987 (9<sup>th</sup> Cir 2009) T-Mobile “...*submitted a detailed permit application that included an analysis of eighteen alternative sites,*” for local jurisdictions. In both Metro and Sprint II “...*the provider has the burden of showing the lack of available and technologically feasible alternatives.*” [Emphasis Added] See Sprint II, 543 F.3 at 579; Metro PCS, 400 F.3d at 734.

In the case of T-Mobile the City of Anacortes evaluated the alternative sites that were provided and the city was able to determine which sites would best serve the coverage area. T-Mobile submitted eighteen alternative detailed analysis sites. The City reviewed each site and determined that four of the eighteen were potentially acceptable to provide the coverage. They concluded that “[t]hese alternative sites are either on commercially or industrially zoned property, or would provide a site for proposed wireless communications facility that is not in such close proximity to residences.”

An application that omits a detailed alternative site analysis limits the Amador County Planning from seeking a site that is the “least intrusive” means of serving the coverage gap and reasons why co-location is not feasible. The fact that Radio Frequency (RF) transmissions can extend as far as 22 miles will allow a report with a considerable amount of alternative site areas for the County take into consideration. (FCC Safety Group) The submission of a Amador County wide plan by each provider allows Officials to analyze and make an orderly development of wireless service facilities encouraging appropriate locations.

The Amador County Code 19.48.150 should require complete applications as specified in the code in order for the County to make the best informed location siting, requiring applications that include F.1. Application requirements. If the application is not complete the application should be denied. The County sets the standard and the telecommunication companies will submit what is demanded.

**2. Photo Simulations.** *As part of a complete application, the applicant shall submit relevant colored photo simulations acceptable to the planning department staff of the proposed wireless services facility from all relevant view sheds, roadways and neighboring properties.*

A complete application is described as one in which “...*the applicant shall submit relevant colored photo simulations... from all relevant view sheds, roadways and neighboring properties.*” [Emphasis Added] The photos should accurately reflect what a human eye would see and not what a camera lens renders in order to determine visual effects. If the applicant fails or omits relevant photos the Amador County Planning Department cannot accurately determine the issues that may be posed by siting the commercial wireless facility and may make decisions that it did not intend to make.

The Amador County Code 19.48.150, should require and demand complete applications as specified in the code in order for the County to make the best informed decision for siting wireless facilities by requiring applications to include “all relevant” F.2. Application requirements. If the application is not complete the application should be denied or returned for completion. The Telecommunications industry will provide what is required.

3. *RF Requirements. The application for a use permit shall contain a report or summary of the estimates of the non-ionizing radiation generated by the facility. The report shall include estimates of the maximum electric and magnetic field strength at the edge of the facility site, the extent that measurable fields extend in all directions from the facility.* [Emphasis added]

RF requirements in the section above correlates with the stated purpose of section, “*A. Purpose... reduce the potential for health and safety hazards*” and section “*I. Other Considerations. Wireless service facilities are subject to all other applicable regulations and permits, including... Federal Communications Commission (FCC).*”

When we address Radio Frequency (RF) we are specifically speaking to the FCC regulated RF emission limits and not health related issues. We are seeking public health and safety by verification of compliance to FCC requirements.

“... [T]he FCC has therefore implemented procedures to enforce compliance with its rules. **At the same time, state and local governments may wish to verify compliance with the FCC’s exposure limits in order to protect their own citizens.** As a state or local government official, you can play an important role in ensuring that innovative and beneficial communications services are provided in a manner that is consistent with public health and safety.” [Emphasis Added] Federal Communications Commission, Local and State Government Advisory Committee June 2, 2000, publication.

Regarding environmental concerns, “...Localities may not base zoning decisions on concerns over radio frequency emissions if the proposed wireless facility complies with FCC emissions requirements:

“No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of radio frequency emissions to the extent that such facilities comply with the [FCC]’s regulations concerning such emissions.” [Emphasis Added] 47 U.S.C. § 332(c)(7)(B)(iv.), MetroPCS 400 F.3d.

The FCC therefore provides that local jurisdictions themselves verify compliance with FCC emissions requirements in the interest of public health and safety. The local authorities are not experts in the field of Radio Frequency (RF) compliance so they need the professionals certified in the field to conduct reports and place their official stamp upon the report for it to be verified. Verification of a site with multiple RF transmitters must also verify compliance.

“The applicant must certify that RF procedures will be coordinated with all collocated entities (usually other stations at a common transmitter site or hill or mountain peak.)” Federal Communications Commission, Local and State Government Advisory Committee June 2, 2000, publication, page 9.

*"When performing an evaluation for compliance with the FCC's RF guidelines all significant contributors to the ambient RF environment should be considered... and applicants are expected to make a good-faith effort to consider these other transmitters." See FCC OET Bulletin 65, Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, page 33.*

*"Another type of complex environment is a site with multiple towers. The same general process may be used to determine compliance as described above, if appropriate. Distances from each transmitting antenna to the point of interest must be calculated, and RF levels should be calculated at the point of interest due to emissions from each transmitting antenna using the most accurate model." FCC OET Bulletin 65, page 37. At page 38 and 39 of this bulletin the FCC provides illustrations of "points of interest" for calculations to verify RF level compliance.*

All points of interest which could endanger the public health and safety should be tested for FCC verified emissions compliance. An expert in the field should verify FCC compliance by completing a report and placing their engineer stamp upon it. This will protect the public's health and safety.

G. *Development Standards.*

1. *Aesthetic Considerations. Decisions on all use permits shall take into consideration the aesthetic impact of the proposed wireless service facility and shall include conditions of approval to minimize the visual impact of the wireless service facility as seen from roadways and other properties should any adverse effects be noted. Facilities that are judged to adversely affect the visual quality of the county shall be denied. Colors and materials shall blend with existing structures and vegetation.*

2. *Screening. Any new support facilities, including ancillary equipment buildings, visible from residential properties or from major arterial streets shall be screened or camouflaged to mitigate adverse visual impacts.*

3. *Skyline. Facilities shall not adversely affect public views of skylines or skyline views from other properties. The scale of all facilities shall be consistent with existing structures and vegetation. The height of facilities shall not exceed existing tree lines or buildings along a skyline by more than fifteen feet.*

The three development standards above: aesthetic considerations, screening and skyline. These all address adverse visual impacts for a commercial wireless facility site. Adverse visual effects are determined from major arterial streets, roadways, other properties, and visibility from neighboring properties.

**Adverse visual effects in each condition above have a mandatory "shall" mitigating remedy such as colors and materials that shall blend, screening or camouflaging, and height conditions to minimize skyline infringement.** If the applicant provides an incomplete application by not submitting photos in a realistic manner the County is unable to make an informed decision and take appropriate mitigating actions. The word "shall" requires mitigation of adverse visual effects.

We agree with Commissioner Andy Byrne when he stated on May 12, 2015 that "...in general he likes to see towers camouflaged as best as possible to reduce skyline clutter."

*"Facilities that are judged to adversely affect the visual quality of the county shall be denied."*

*"...maintain the visual quality of Amador County, especially along highways and roadways."*

There are several commercial wireless service towers visible from Highway 16 and Highway 49.

Amador County is described on its' website. We have added some attributing factors.

**Amador County bills itself as "The Heart of the Mother Lode" and lies within the Gold Country. There are many historic sites listed on The National Register of Historic Places and California Historic Landmarks.** There is a substantial wine-growing industry in the county, with at least 42 wine tasting venues nestled in its scenic rolling hills and valleys.

Amador County is located in the Sierra Nevada Mountains of California. Its geography is rolling and undulating topography with native vegetation such as cedar, ponderosa and digger pine, oak, and manzanita to name a few. It is predominantly rural in character. Wildlife is abundant such as jack rabbits, raccoon, humming birds, birds of all types, herds of deer, fox, coyote, mountain lion and bear.

Amador County ranges in elevation from approximately 250 feet in the western portion of the county to over 9,000 feet in the eastern portion of the county. **The county is bordered on the north by the Cosumnes River and on the south by the Mokelumne River. Water bodies in the county include Lake Amador, Lake Camanche, Pardee Reservoir, Bear River Reservoir, Silver Lake, Sutter Creek, Cosumnes River, Mokelumne River, and Jackson Creek.**

**What does an industrial galvanized steel commercial wireless facility have in common with the visual quality of Amador County, residential neighborhoods and communities described above? NOTHING!**

So what will be "judged to adversely affect the visual quality of the county?"

Request to Amador County Officials

All commercial wireless equipment should be required to blend into the surrounding natural environment to maintain the visual quality of Amador County as a whole and specifically in neighborhoods and communities. Please see pictures of blending or camouflaging telecommunication towers.

Please immediately protect the visual quality of Amador County, neighborhoods, and communities from adverse visual impacts of all commercial wireless facilities by camouflaging equipment to look as native vegetation (faux trees) and by blending the equipment into the surrounding natural environment, except in commercial zones.

#### TABLE OF AUTHORITIES

##### Cases:

Metro PCS, 400 F.3d at 734

Sprint II, 543 F.3d at 579

T-Mobile USA, Inc. v. City of Anacortes, 572 F.3d 987 (9<sup>th</sup> Cir 2009)

##### Statutes:

47 U.S.C § 332(c)((7)(B)(iv.)

47 U.S.C. §253

##### Ordinances:

Amador County Code 19.48.150 Commercial Wireless Service Facilities

San Diego Ordinance 9549 4/30/2003

##### Regulatory Advisories:

FCC OET Bulletin 65, Evaluating Compliance with FCC Guideline for Human Exposure to Radiofrequency Electromagnetic Fields

Federal Communications Commission, Local and State Government Advisory Committee June 2, 2000, Publication

**2)**

**INFORMATION  
SUBMITTED BY EPIC  
WIRELESS IN  
RESPONSE TO  
APPEAL**

RECEIVED  
Amador County

AUG 19 2015

PLANNING DEPARTMENT

August 19, 2015

Elton and Laura Allred  
19525 American Flat Side Road  
Fiddletown, CA 95629

Re: Appeal of Verizon permit – 19580 American Flat Side Road

Dear Mr. and Mrs. Allred:

I am writing in response to your appeal of the Verizon approval at 19580 American Flat Side Road. Verizon's proposal to build a new monopole and to remove existing equipment from the wind turbine will allow Verizon to improve coverage in the Fiddletown area for our customers as well as the emergency service providers who rely on our service. We will also be launching LTE so data services will become available.

Perhaps you didn't receive the entire application that was submitted. I have outlined below the items you mentioned in your letter as not being included in the application.

- **Section F-1 Alternative site analysis** – The alternative site analysis that is in the ordinance is referencing an analysis of existing tower sites to determine if collocation is feasible. As noted in the project submittal there were no alternative tower sites available. This is an existing communications site with existing utility infrastructure. The construction of a new tower on another hill top would have a greater community impact than the proposed equipment relocation on the new tower as it would require additional utility infrastructure to be installed as well.
- **Section F-2 Photo simulations** – I have attached the photo simulations that were submitted with the Verizon application. There were three views prepared. The photos were taken at the gate to the subject property, at the "Y" at American Flat Side Road and American Flat, and also from the road directly below the site looking up towards the tower. The photos are taken without zoom to demonstrate how it will appear to the naked eye.
- **Section F-3 Radio Frequency Emissions Compliance Report** – A report dated April 24, 2015 prepared by Waterford Consultants, LLC was submitted with the application demonstrating compliance with FCC standards as required by the ordinance. Additionally as you requested I am attaching an engineer stamped amendment to the report which is dated 8/18/2015 specifically addressing your home. Per the report that was prepared the emissions level at your home will be .0355% of the established FCC standard. The report that was prepared was based on measurements taken on site so it did include all antennas that are currently on site.

With respect to the concerns with the aesthetics of the tower, I believe that the photo simulations clearly demonstrate that the visibility of the monopole is not significant due to the existing screening provided by the tree coverage as well as the fact that the tower is ½ the height of the wind turbine that is on site.

Please feel free to contact me at (916) 834-0834 with any questions about the materials.

Thank you.

Sincerely,  
*Karen Lienert*



Planning Department &lt;planning@amadorgov.org&gt;

## Verizon Wireless Application Question

3 messages

**Laura Allred** <llallred2010@gmail.com>

Mon, Aug 17, 2015 at 4:50 PM

To: Karen Lienert &lt;landmarkconsulting@sbcglobal.net&gt;

Cc: Planning Department &lt;planning@amadorgov.org&gt;, Laura Allred &lt;llallred2010@gmail.com&gt;

Hello Karen,

We were wondering where you are at with regard to Section 106 Compliance for this project?

Looking forward to hearing from you.

Sincerely,

Laura Allred

**Karen Lienert** <landmarkconsulting@sbcglobal.net>

Tue, Aug 18, 2015 at 9:05 AM

To: Laura Allred &lt;llallred2010@gmail.com&gt;

Cc: Planning Department &lt;planning@amadorgov.org&gt;

Good morning Laura. I received the letter yesterday afternoon but haven't had a chance to review it. I will be in my office around 11 and will review the letter and forward it to you.

Thanks!

Karen

Sent from my iPhone

[Quoted text hidden]

**Karen Lienert** <landmarkconsulting@sbcglobal.net>

Wed, Aug 19, 2015 at 1:01 PM

To: Laura Allred &lt;llallred2010@gmail.com&gt;

Cc: Planning Department &lt;planning@amadorgov.org&gt;

Good afternoon Laura,

Attached is the additional compliance information which addresses your home specifically. Also I have attached a letter in response to the appeal that addresses the application completeness along with the materials in question.

I did want to say that there is Volcano equipment that will remain on the wind turbine. I apologize that I misspoke at the hearing the other night, however as you know I was not prepared to discuss this project and



did not have my files for this project with me at that hearing. Since the Waterford report is based on physical measurements that were taken on site the Volcano equipment was included in the report.

Since there are multiple attachments to this email can you please confirm receipt?

Please let me know if you have any questions. I would be happy to discuss any of the items with you. Feel free to contact me at (916) 834-0834.

Thank you.

Karen

**From:** Laura Allred [mailto:llallred2010@gmail.com]  
**Sent:** Monday, August 17, 2015 4:51 PM  
**To:** Karen Lienert <landmarkconsulting@sbcglobal.net>  
**Cc:** Planning Department <planning@amadorgov.org>; Laura Allred <llallred2010@gmail.com>  
**Subject:** Verizon Wireless Application Question

[Quoted text hidden]

---

**6 attachments**


 **150427\_Fiddletown\_CA3\_EME JX Report.pdf**  
324K

 **300567\_Fiddletown\_042215\_Jx\_Report Amendment - signed.pdf**  
802K

 **Fiddletown Gate copy.pdf**  
1143K

 **Fiddletown sim 1 copy.pdf**  
1379K

 **Fiddletown sim 2 copy.pdf**  
1236K

 **Response to appeal letter.docx**  
16K



---

## Radio Frequency Emissions Compliance Report For Verizon Wireless

<b>Site Name:</b> Fiddletown	<b>Site Structure Type:</b> Monopole
<b>Address:</b> 19580 American Flat Side Road Fiddletown, CA 95629	<b>Latitude:</b> 38.492644
<b>Report Date:</b> April 24, 2015	<b>Longitude:</b> -120.754719
	<b>Project:</b> New Build

---

### General Summary

Verizon Wireless has contracted Waterford Consultants, LLC to conduct a Radio Frequency Electromagnetic Compliance assessment of the proposed Fiddletown site located at 19580 American Flat Side Road, Fiddletown, California. This report contains information about the radio telecommunications equipment to be installed at this site and the surrounding environment with regard to RF Hazard compliance. This assessment is based on installation designs, observational data collected on site and operational parameters provided by Verizon Wireless.

The compliance framework is derived from the Federal Communications Commission (FCC) Rules and Regulations for preventing human exposure in excess of the applicable Maximum Permissible Exposure ("MPE") limits. At any location at this site, the power density resulting from each transmitter may be expressed as a percentage of the frequency-specific limits and added to determine if 100% of the exposure limit has been exceeded. The FCC Rules define two tiers of permissible exposure differentiated by the situation in which the exposure takes place and/or the status of the individuals who are subject to exposure. General Population / Uncontrolled exposure limits apply to those situations in which persons may not be aware of the presence of electromagnetic energy, where exposure is not employment-related, or where persons cannot exercise control over their exposure. Occupational / Controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment, have been made fully aware of the potential for exposure, and can exercise control over their exposure.

Frequency (MHz)	<i>Limits for General Population/ Uncontrolled Exposure</i>		<i>Limits for Occupational/ Controlled Exposure</i>	
	Power Density (mW/cm <sup>2</sup> )	Averaging Time (minutes)	Power Density (mW/cm <sup>2</sup> )	Averaging Time (minutes)
30-300	0.2	30	1	6
300-1500	f/1500	30	f/300	6
1500-100,000	1	30	5	6

In situations where the predicted MPE exceeds the General Population threshold in an accessible area as a result of emissions from multiple transmitters, FCC licensees that contribute greater than 5% of the aggregate MPE share responsibility for mitigation.

Based on the computational guidelines set forth in FCC OET Bulletin 65, Waterford Consultants, LLC has developed software to predict the overall Maximum Permissible Exposure possible at any particular location given the spatial orientation and operating parameters of multiple RF sources. These theoretical results represent worst-case predictions as emitters are assumed to be operating at 100% duty cycle.

For any area in excess of 100% General Population MPE, access controls with appropriate RF alerting signage must be put in place and maintained to restrict access to authorized personnel. Signage must be posted to be visible upon approach from any direction to provide notification of potential conditions within these areas. Subject to other site security requirements, occupational personnel should be trained in RF safety and equipped with personal protective equipment (e.g. RF personal monitor) designed for safe work in the vicinity of RF emitters. Controls such as physical barriers to entry imposed by locked doors, hatches and ladders or other access control mechanisms may be supplemented by alarms that alert the individual and notify site management of a breach in access control. Waterford Consultants, LLC recommends that any work activity in these designated areas or in front of any transmitting antennas be coordinated with all wireless tenants.

### **Analysis**

Waterford Consultants, LLC field personnel visited the site on April 21, 2015 during business hours and collected data with regard to the RF environment. All accessible areas of the site were inspected. Measurement collection was performed using Narda Radiation meter NBM 550 and broadband probe EA-5091 (300 kHz to 50 GHz) and was consistent with FCC and Narda procedures, regarding the location of the probe to the RF source and making slow sweeping motions over the area that a person would occupy. Power density values were recorded as a percentage of the FCC Occupational limits. The maximum power density reading at ground level was 0.0320% Occupational% of the FCC Occupational limits (0.1600% of the General Population limits).

Verizon Wireless proposes to install twelve (12) panel-type antennas oriented toward 105, 225, and 345 degrees with centerlines at 46 feet above ground level. These antennas will be mounted on a monopole antenna support structure. From this site, Verizon Wireless will enhance voice and data services in licensed 750, 850, 1900 and 2100 MHz bands. The Effective Radiated Power (ERP) in any direction will not exceed 11,914 Watts. No other antennas are known to be co-located in the vicinity of this site.

Power density decreases significantly with distance from any antenna. The panel-type antennas to be employed at this site are highly directional by design and the orientation in azimuth and mounting elevation, as documented, serve to reduce the potential to exceed MPE limits at any location other than directly in front of the antennas. For accessible areas at the ground level, the maximum predicted power density level resulting from all Verizon Wireless operations is 1.008% of the FCC General Population limits. An existing lattice tower that supports a top-mounted

windmill is located 20 feet south of the proposed monopole. On climbing ways on this tower at the antenna level, the maximum predicted power density level resulting from all Verizon Wireless operations is 59.228% of the FCC Occupational limit (296.1% of the General Population limits).

Waterford Consultants, LLC recommends that Verizon Wireless install RF alerting signs (Notice and RF Guidelines) on the climbing ladder of the windmill tower to be visible upon approach to provide notification of potential conditions on the tower. Antenna locations and mitigation recommendations are depicted in Figure 1. Any work activity in front of transmitting antennas should be coordinated with Verizon Wireless.

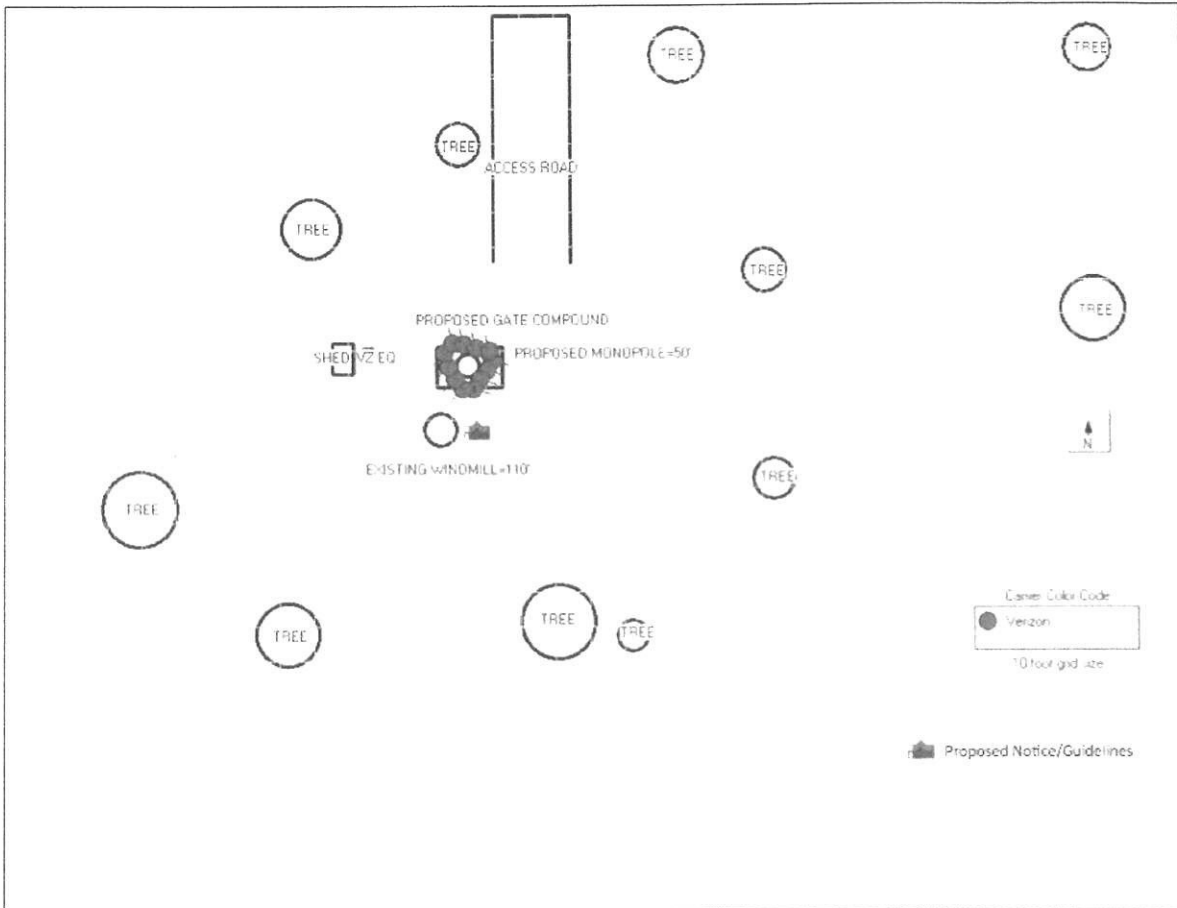


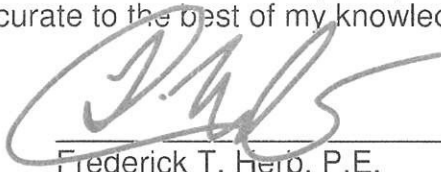
Figure 1: Antenna Locations and Mitigation Recommendations

**Compliance Statement**

Based on information provided by Verizon Wireless data collected during the site visit, predictive modeling and the mitigation action documented herein, the installation proposed by Verizon Wireless at 19580 American Flat Side Road, Fiddletown, California will be compliant with Radiofrequency Radiation Exposure Limits of 47 C.F.R. § 1.1307(b)(3) and 1.1310.

**Certification**

I, Frederick T. Herb, am the reviewer and approver of this report and am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation, specifically in accordance with FCC's OET Bulletin 65. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.



Frederick T. Herb, P.E.  
Registered Professional Engineer, License #35076  
April 24, 2015





## **Amendment to Radio Frequency Emissions Compliance Report For Verizon Wireless**

<b>Site Name:</b>	<b>Fiddletown</b>	<b>Site Structure Type:</b>	<b>Monopole</b>
<b>Address:</b>	<b>19580 American Flat Side Road</b>	<b>Latitude:</b>	<b>38.492644</b>
	<b>Fiddletown, CA 95629</b>	<b>Longitude:</b>	<b>-120.754719</b>
<b>Report Date:</b>	<b>August 18, 2015</b>	<b>Project:</b>	<b>New Build</b>

Verizon Wireless has contracted Waterford Consultants, LLC to conduct a Radio Frequency Electromagnetic Compliance assessment of the proposed Fiddletown site located at 19580 American Flat Side Road in Fiddletown, California. Verizon Wireless proposes to install radio telecommunications equipment at this site to enhance voice and data wireless services to the surrounding community. A Radio Frequency Emissions Compliance Report has been submitted in support of the application and this statement serves to supplement the report with additional information about the analysis and a specific assessment of a neighboring property.

In our analysis, consideration was made to understand the existing RF environment. The site was surveyed on April 1, 2015 and broadband power density measurements were collected at the site. Ground level readings did not exceed 0.160% of the FCC General Population limits. A search of FCC databases revealed that no licensed facilities are located within 1 mile of the proposed site. Any contributions from other RF sources, such as the Volcano Communications Group WiFi operation installed on the windmill tower, are reflected in the survey results. Consideration of all RF emitters is important as the cumulative contributions may exceed the FCC's Maximum Permissible Exposure limits. In such scenarios, any source that contributes in excess of 5% of the limit is obligated to mitigate the hazard area. The survey results indicate that ground level power densities are below the FCC General Population limits.

The maximum predicted RF levels at ground surrounding the proposed monopole are 1.00% of the FCC General Population limits. This result is based on the computational guidelines set forth in FCC Office of Engineering and Technology, Bulletin 65 ("OET65"). The power density in the Far Field of an RF source is specified by OET-65 Equation 5 as follows

$$S = \frac{EIRP}{4 \cdot \pi \cdot R^2} \text{ (mW/cm}^2\text{)}$$

where EIRP is the Effective Radiated Power relative to an isotropic antenna and R is the distance between the antenna and point of study. Additionally, consideration is given to the manufacturers' horizontal and vertical antenna patterns as well as ground reflection. At any location, the predicted power density in the Far Field is the spatial average of points within a 0 to 6 foot vertical profile that a person would occupy. These theoretical results represent worst-case predictions as emitters are assumed to be operating at 100% duty cycle.

The Fiddletown site is located approximately 1715 feet northeast of 19525 American Flat Side Road depicted in Figure 1. This property is approximately 73 feet lower in elevation than the base of the proposed monopole. Based on worst-case operating parameters provided by Verizon Wireless, predictive modeling indicates that the maximum power density level at the 2<sup>nd</sup> floor of 19525 American Flat Side Road resulting from all Verizon Wireless operations is 0.0355% of the FCC General Population limits. At this location, the new operations proposed by Verizon Wireless at the Fiddletown site will not increase existing power density levels by 5% of the FCC limits.

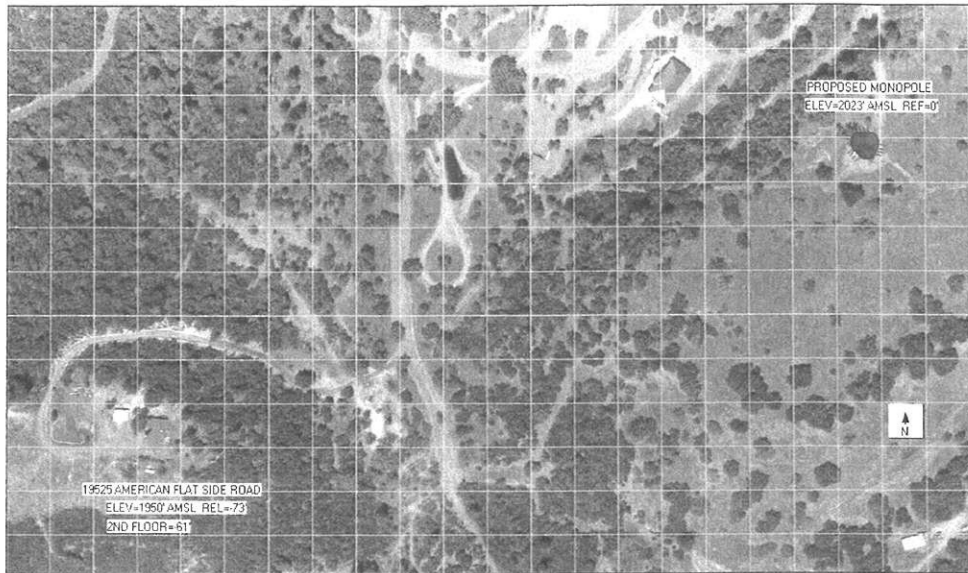


Figure 1: Antenna Location

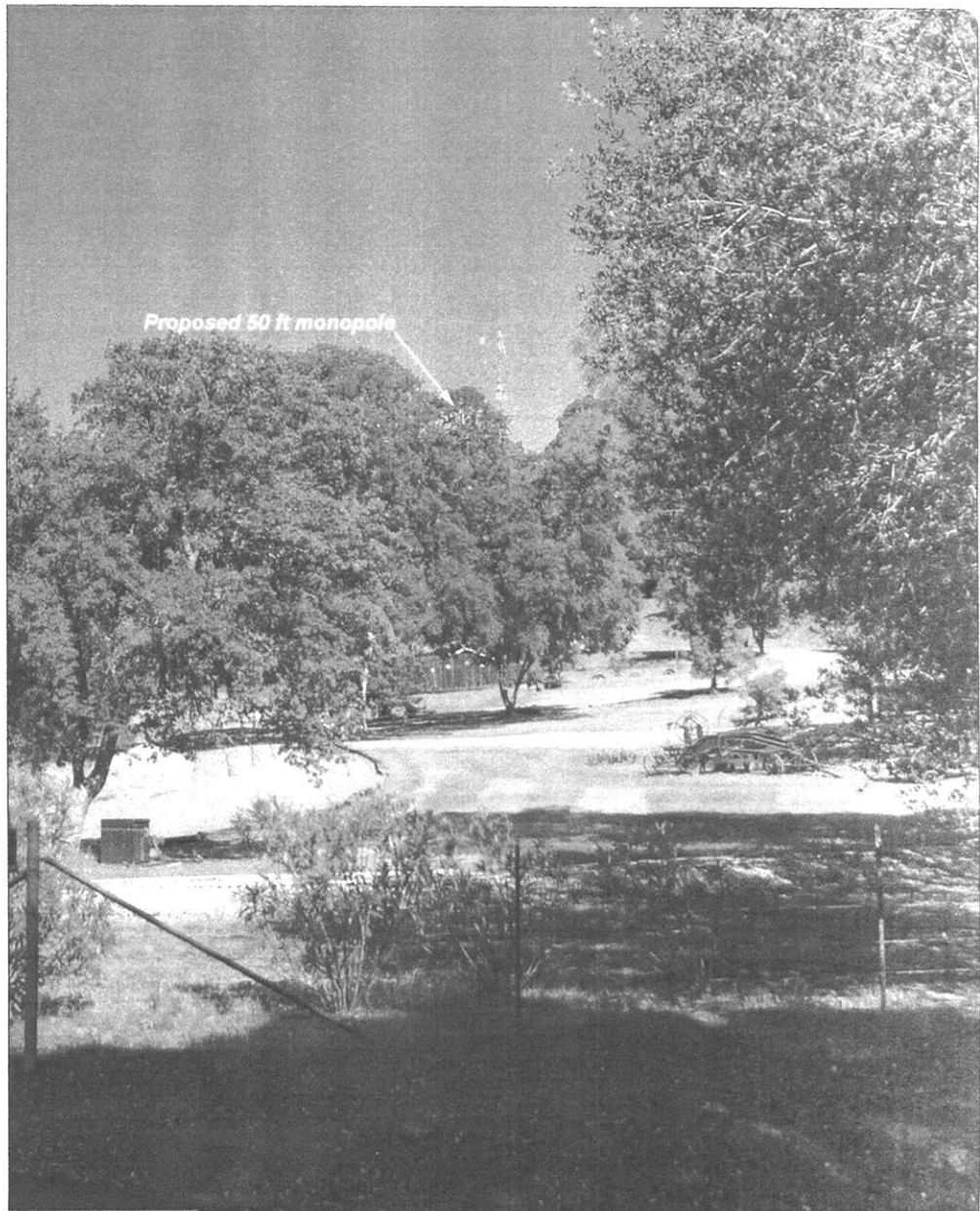
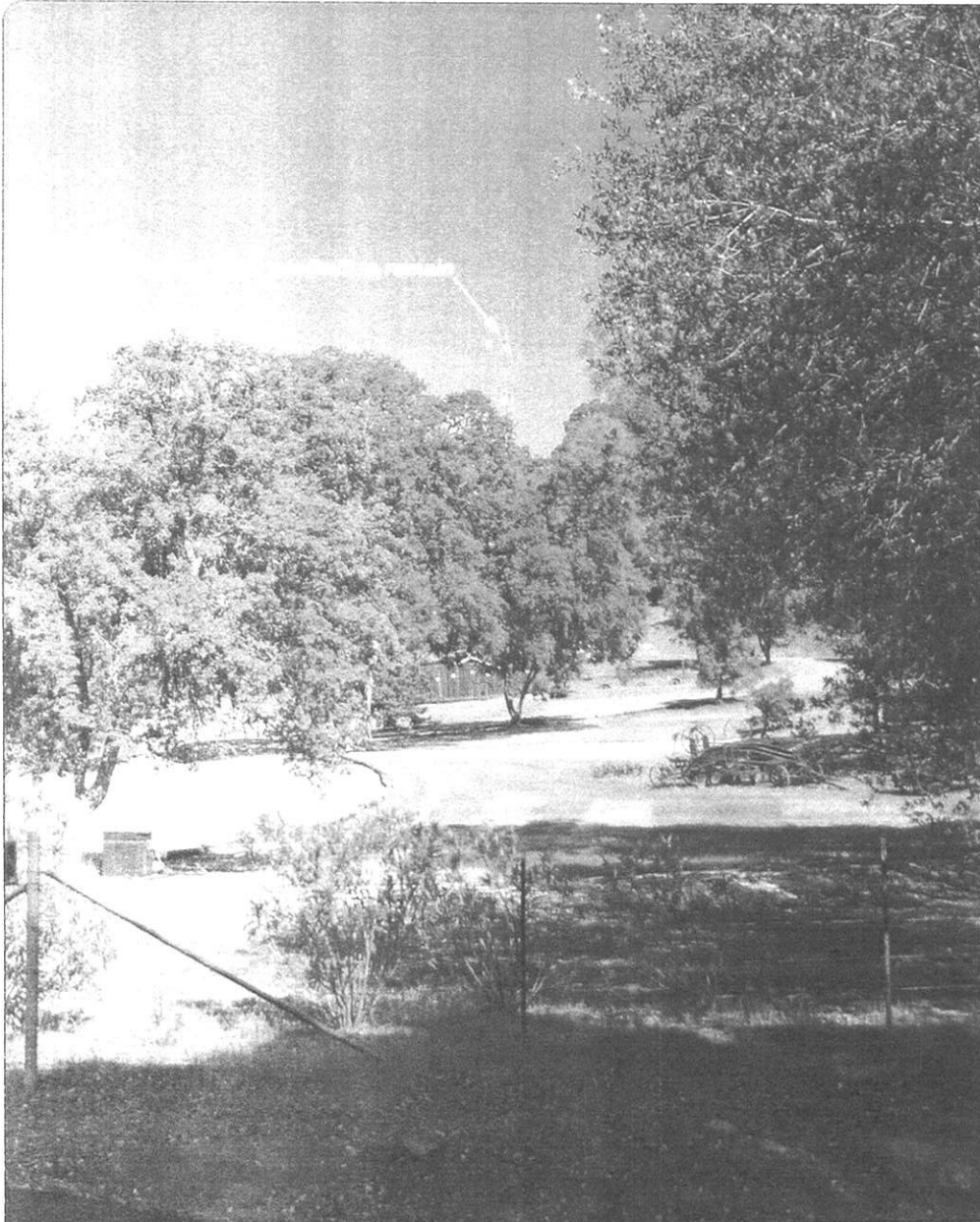
**Certification**

I, Frederick T. Herb, am the reviewer and approver of this report and am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation, specifically in accordance with FCC's OET Bulletin 65. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Frederick T. Herb, P.E.  
 Registered Professional Engineer, License #35076  
 August 18, 2015



Photosimulation of a zoom view from the property entrance on American Flat Side Road.



**Existing**

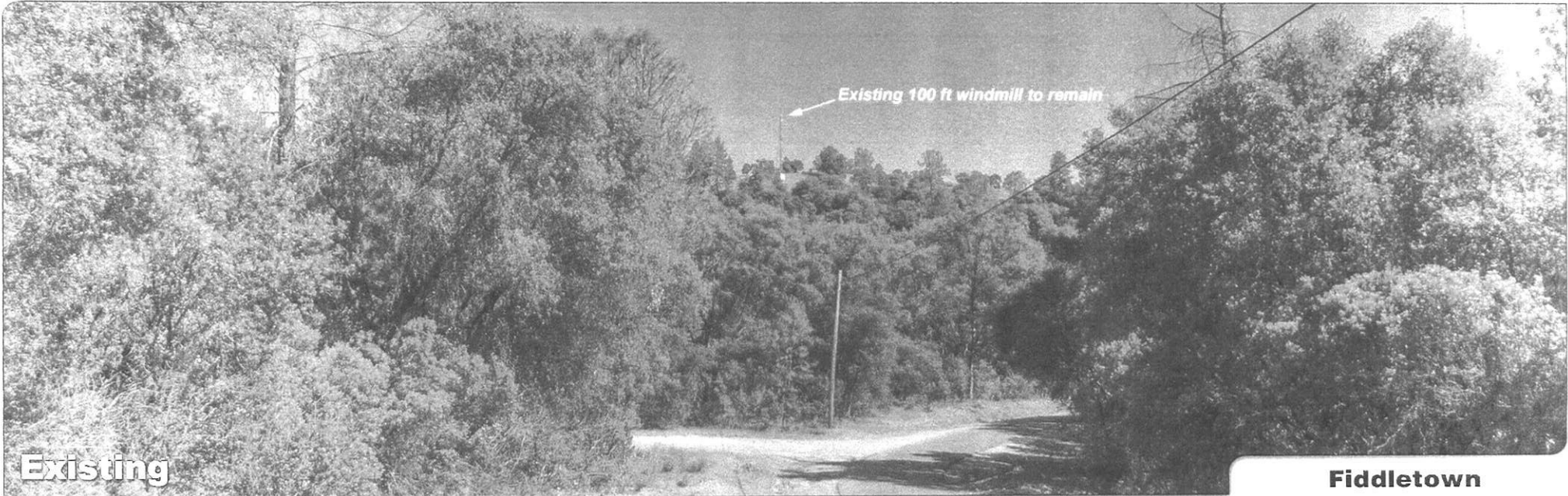
**Fiddletown**

19580 American Flat Side Rd.  
Fiddletown, CA 95629

**verizon**wireless  
24

**Proposed**





**Existing**

Photosimulation of the view looking southeast from the fork at the beginning of American Flat Side Rd.

**Fiddletown**

19580 American Flat Side Rd.  
Fiddletown, CA 95629

**verizon**wireless



**Proposed**

Existing 100 ft windmill to remain

Existing

Photosimulation of the view looking east from the nearest public viewpoint along American Flat Side Rd.

**Fiddletown**

19580 American Flat Side Rd.  
Fiddletown, CA 95629

**verizon**wireless

Proposed 50 ft monopole, behind the trees

Proposed

Wednesday, August 19, 2015

Karen Lienert  
Landmark Consulting, as agents for  
Epic Wireless and Verizon Wireless  
916-834-0834

RECEIVED  
Amador County

AUG 20 2015

PLANNING DEPARTMENT

Re: Fiddletown Photosimulations  
Fiddletown, CA

Dear Karen,

Thank you for the opportunity to discuss the photosimulations and our process a little bit for this project. As you know, we have been doing photosimulations for over 22 years for all facets of the planning community and planning departments throughout the West. We have completed tens of thousands of photosimulations for all types of projects, from bridges and hospitals to cell towers and product development. We have earned the trust and enjoy a strong reputation amongst strict planning jurisdictions such as TRPA, the Coastal Commission, Hollywood Historical Society, the City and County of San Francisco and dozens of other reputable planning agencies. One of the most important aspects of our reputation and our work is our impartial treatment of every project. As a licensed Landscape Architect I take the responsibility of being a steward to the environmental landscape very seriously. On occasion a project opponent will make a bold claim that I am somehow beholden to the project applicant because the applicant pays my bill. However, the fact is that I am hired to provide impartial visual representation of what is being proposed. If the project is denied because it looks bad, then I make more money doing the next candidate. If the project looks horrible then the applicant would rather know before the application is submitted rather than after it gets built. Many projects have been changed at the sim stage before it even goes to application. There is NO advantage for anybody to misrepresent the project in any way. My job is to show exactly how the project will appear once it is built.

Specifically regarding the Fiddletown project, I personally traveled to the area to survey and photograph the site. I drove up and down the roads in the area and confirmed all my preliminary research done using Google Earth. The area is densely covered in Oak trees, and is comprised of rolling hills. Therefore the site is very difficult to spot from surrounding public roads. As I drove the area I determined the locations at which the tower would be MOST visible. These would be the worst case scenarios that we typically show in our photosimulations.

I took the first picture near the fork in the road along American Flat and American Flat Side Road. This was selected because it is slightly elevated, the road points directly at the tower, and is clear of foreground trees. This provides a worst case view for users of both roads at that fork.

The second picture was taken near the gate to the property. This viewpoint is the nearest public road to the project, so therefore shows the most detail. However, from the gate there are trees that block the view of the proposed site, so I moved to the south and found another spot from which I could photograph the existing tower and the location of the proposed tower.

There are two other homes along this section of road, one of which is close to the roadway and behind some dense trees. The view for this home is adequately represented by the photosimulation from the gate. The other home has a driveway that climbs up to the west. Since we are not allowed to trespass, and CEQA rules define that key vantage points for simulations must be done from public viewpoints, we

did not attempt to drive up that second driveway. Additionally, we would never consider infringing on private property to photograph anything related to a proposed project without being specifically invited by the landowner.

The camera we used is a Canon 1D EOS 1D with an 18 to 135 zoom lens, set to 18mm with digital conversion factor and cropped to fit a letter sized page. This represents a "standard" viewpoint, not telephoto and not wide angle. To match reality, the viewer of the photosimulation image would need to be 23.6 inches away from a 72 dpi computer screen at 100% resolution. This would match the scale of the real world. When printed on a letter sized page at 200 dpi the viewer would need to be 9 inches from the page, while a print at tabloid size at 200 dpi would need to be viewed at 14 inches. A wider angle view would provide more context, while a telephoto view would provide more detail. Both are helpful to determine the impact of a project, but for neutral and unbiased photosimulations a standard view is preferred.

All photographs for the simulations were taken from public viewpoints, showing the worst case scenarios, using representative camera angles and selected to honor the intent of CEQA and to provide the most accurate representation of the proposed site possible.

Feel free to contact me if you have any questions or comments.  
Thank you,

A handwritten signature in black ink that reads "Don Carmickle". The signature is written in a cursive style with a large, sweeping initial "D".

Don Carmickle. President / CEO  
Previsualists Inc  
PO Box 5421 • El Dorado Hills, CA 95762  
916-709-7000



Planning Department &lt;planning@amadorgov.org&gt;

---

**Fiddletown**

1 message

---

**Karen Lienert** <landmarkconsulting@sbcglobal.net>  
To: Laura Allred <llallred2010@gmail.com>  
Cc: Planning Department <planning@amadorgov.org>

Thu, Aug 20, 2015 at 11:11 AM

Good morning Laura,

You had requested a photo sim from the driveway at 19850 American Flat Road. This is a photo that I took on my iphone and Previsualists prepared this sim. Please disregard the note that it was taken by a neighbor. I am having that updated. That was just a miscommunication over email.

The visibility of the tower from this location is very minimal and I believe that is why this location wasn't chosen in the beginning.

Please let me know if you have any questions.

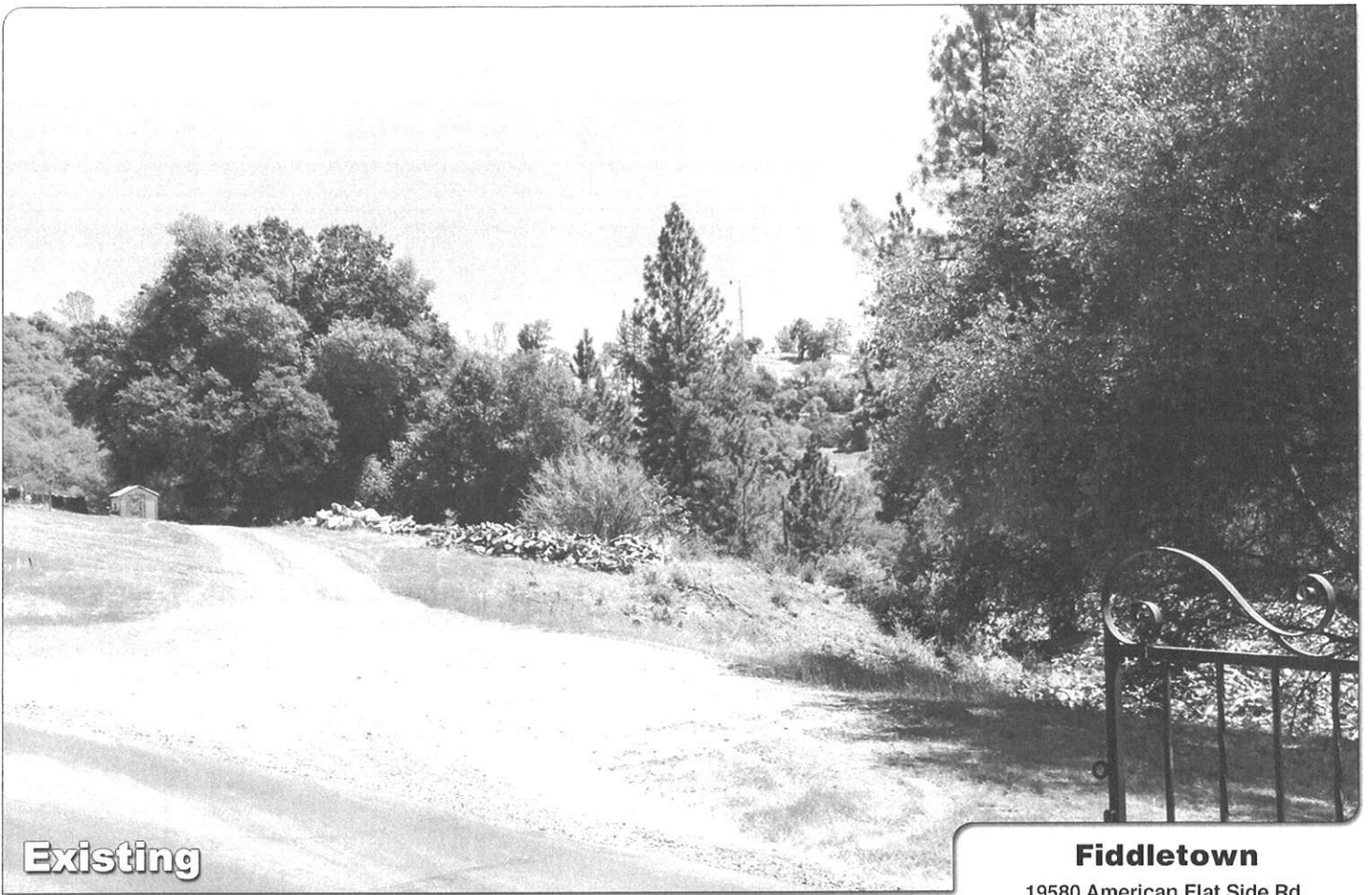
Thanks!

Karen

(916) 834-0834

**Fiddletown Neighbor pic copy.pdf**

1184K



**Existing**

**Fiddletown**

19580 American Flat Side Rd.  
Fiddletown, CA 95629

Photosimulation of the view looking southeast from 19850 Amer. Flat Rd.

*Photograph taken on iPhone 5, provided by a neighbor.*

**verizon**wireless



RECEIVED  
Amador County

AUG 20 2015

PLANNING DEPARTMENT

**Proposed**

**3)**  
**NOTICE OF  
PLANNING  
DEPARTMENT'S  
DECISION AND  
APPEAL RIGHTS**



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

PHONE: (209) 223-6380  
FAX: (209) 257-5002  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
E-MAIL: [planning@amadorgov.org](mailto:planning@amadorgov.org)

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

July 13, 2015

Re: Epic Wireless Group, LLC/Verizon Wireless, Wireless Communications Tower Use Permit  
UP-15; 5-5  
APN 015-020-016-000 - 19580 American Flat Side Rd. (Reno and Leah Farinelli, property owners)

To Whom It May Concern:

The above referenced permit application to allow a 50' wireless communications tower and ancillary equipment was approved by this department on July 13, 2015. The permit was issued because:

- the application, as conditioned (see attached), will conform to the regulations contained in County Code Section 19.48.150 (attached);
- the top elevation of the tower is approximately 2,073' (base/ground elevation is 2,023') which, based on USGS topographical maps, is higher than other properties within almost 1 mile of the project site;
- there are antennae currently located on the existing windmill support tower at almost the same height as on the proposed tower (existing antennae are to be removed from windmill); and
- the proposed tower is located within 30' of the existing windmill and is less than half the height of the windmill thereby minimizing the tower's visual impact.

Any interested person(s) may appeal the Planning Department's decision pursuant to Chapter 19.64 (Appeals) by submitting a request for appeal in writing to this office within 10 days from the date of the decision on this application (i.e., 5:00 p.m. on Friday, July 24, 2015) along with the \$361.00 appeal fee.

If an appeal of this decision is received, notice of the appeal hearing will be sent to those same landowners receiving notice of the original permit application.

If you have any questions concerning this matter, feel free to contact this office.

Sincerely,

Susan C. Grijalva  
Planning Director

Enclosures



**CONDITIONS OF APPROVAL**  
**FOR**  
**50' WIRELESS COMMUNICATIONS TOWER AND ANCILLARY EQUIPMENT**

**USE PERMIT #: UP-15; 5-5**

**APPLICANT: EPIC WIRELESS GROUP, LLC/VERIZON WIRELESS (Reno and Leah Farinelli,  
property owners)**

**APN: 015-020-016-000**

**LOCATION: 19580 AMERICAN FLAT SIDE RD.**

The above referenced Use Permit is approved subject to compliance with the following Conditions of Approval:

- 1) The project will be substantially the same as described and shown in the application materials.
- 2) The Permittee will comply with all applicable criteria set forth in Amador County Code Section 19.48.150, Commercial wireless service facilities.
- 3) The Permittee shall obtain and final/keep current all building, fire, health and public works permits necessary for this use.



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

PHONE: (209) 223-6380  
FAX: (209) 257-5002  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
E-MAIL: [planning@amadorgov.org](mailto:planning@amadorgov.org)

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

### **19.48.150 Commercial wireless service facilities.**

- A. Purpose. This section provides for the orderly development of wireless service facilities to encourage appropriate locations, protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, and maintain the visual quality of Amador County, especially along highways and roadways.
- B. Allowed Zone Districts. Wireless service facilities and ancillary equipment buildings shall only be allowed in the following zone districts (except those described in subsection C of this section): "A," "AG," "C-1," "C-2," "H," "LM," "MM," "M," and "TPZ"; on parcels twenty acres or larger in size in the "R1-A" and "X" zone districts when located in the following General Plan classifications: A-G, A-M, A-U, MRZ, and G-F; and on parcels, regardless of zoning or size, owned by a public entity or public utility located in the PS General Plan classification.
- C. Permitted without a Use Permit. Facilities that are building mounted or totally enclosed within a building shall be permitted in any zone district. Building mounted facilities in a residential or other zone district shall be located or screened so as to prevent any public view or shall be architecturally designed to appear as an integral part of the building on which it is attached. The height is limited to that allowed in the district in which located.
- D. Staff Issued Use Permits. Use permits may be issued by the planning department staff for wireless service facilities which are up to fifty feet in height, provided the application and approval are consistent with subsections F and G of this section. Prior to issuing a permit, the planning department staff shall notify affected property owners (as determined by the planning department staff). If the planning department receives opposition to the permit application within ten calendar days after notifying affected property owners, the permit may be denied. The applicant or any interested person may appeal the planning department decision pursuant to Chapter 19.64 of this title within ten calendar days after said decision. Approved use permits shall become valid following the ten-day appeal period if no appeals are filed.
- E. Permitted with an Approved Use Permit. Wireless service facilities more than fifty feet in height and ancillary equipment buildings shall be allowed upon approval of a conditional use permit in the allowed zone districts (listed in subsection B of this section) in accordance with Chapter 19.56 (Use Permits) of the Amador County Code.
- F. Application Requirements. The following shall apply to all applications for wireless service facilities:
1. Alternate Site and Network Analysis. As part of a complete application, the applicant shall submit proof that all alternate sites have been explored and analyzed. The method of analysis shall be reviewed by the planning department staff. The applicant shall provide a map and analysis of existing facilities and a report explaining why co-location is not feasible.
  2. Photo Simulations. As part of a complete application, the applicant shall submit relevant colored photo simulations acceptable to the planning department staff of the proposed wireless services facility from all relevant view sheds, roadways and neighboring properties.
  3. RF Requirements. The application for a use permit shall contain a report or summary of the estimates of the non-ionizing radiation generated by the facility. The report shall include estimates of the maximum electric and magnetic field strength at the edge of the facility site, the extent that measurable fields extend in all directions from the facility.
- G. Development Standards.
1. Aesthetic Considerations. Decisions on all use permits shall take into consideration the aesthetic impact of the proposed wireless service facility and shall include conditions of approval to minimize the visual impact of the wireless service facility as seen from roadways and other properties should any adverse effects be noted. Facilities that are judged to adversely affect the visual quality of the county shall be denied. Colors and materials shall blend with existing structures and vegetation.
  2. Screening. Any new support facilities, including ancillary equipment buildings, visible from residential properties or from major arterial streets shall be screened or camouflaged to mitigate adverse visual impacts.
  3. Skyline. Facilities shall not adversely affect public views of skylines or skyline views from other properties. The scale of all facilities shall be consistent with existing structures and vegetation. The height of facilities shall not exceed existing tree lines or buildings along a skyline by more than fifteen feet.
  4. Lighting. No lighting on wireless service facilities shall be allowed. Security lighting may be allowed on ancillary equipment buildings if approved with a conditional use permit. All security lighting shall be shielded from roadways, traffic and other properties.

5. Setbacks. All wireless service facilities shall have a minimum building setback from all property lines and public road rights-of-way equal to the height of the facility. Setback waivers shall be approved through the conditional use permit process.
6. FAA Recommendations. The recommendations outlined in the FAA Advisory Circular pertaining to the marking of hazards shall be applied by staff in a prudent manner on a case by case basis.
- H. Co-location. A use permit shall be required for all co-located facilities that will extend an existing site or structure by more than ten feet above the originally permitted structure and are subject to the application requirements and development standards of this section.
- I. Other Considerations. Wireless service facilities are subject to all other applicable regulations and permits, including those of the Public Utility Commission (PUC) of the state of California and the Federal Communications Commission (FCC). A building permit is required for all wireless service facilities and ancillary equipment buildings.
- J. Abandoned Wireless Facilities. All wireless service facilities (referred to as "facilities") and equipment that are not used for a period of six months shall be removed from the site and the site cleared of any debris by the permittee within ninety days after notice from the county. If the permittee has not done so within such ninety-day period, the county may effect the removal using the bond described in subsection K of this section.
- K. Security. At the time any permittee obtains a permit for a wireless service facility or other equipment, the permittee shall provide a performance bond in the amount of one hundred percent of the county's estimated cost for removal of the facility and other equipment, including administrative costs. Said amounts may be revised by the county. The bond shall be utilized by the county in the event that the permittee fails to remove the facility and/or other equipment. If the cost of removal thereof exceeds the bond amount, the landowner, if a different person or entity from the permittee, shall remove the remaining portions of the facility and/or other equipment at the landowner's expense or pay to the county the costs necessary to complete the removal.
- L. Definitions. As used in this section, the following terms shall have the meaning indicated:
1. Wireless Service Facility. This term shall refer to all facilities providing wireless service, such as towers, lattice towers, guy-wired towers, poles, monopoles, rods, antennas, panel antennas, whip antennas, cellular communication systems, microwave dishes, equipment shelters, reflecting discs or similar devices used for the transmission and/or reception of electromagnetic waves.
  2. Height. "Height" shall mean, when referring to a tower (as part of a wireless service facility) or other structure, the distance measured from the ground level to the highest point on the facility or other structure which is greater than two inches in diameter.
  3. Radio Frequency (RF). The portion of the electromagnetic spectrum between the audio-frequency portion and the infrared portion. (Ord. 1698 §3, 2010; Ord. 1548 §4, 2002).