

**NEVADA COUNTY ZONING ADMINISTRATOR
NEVADA COUNTY, CALIFORNIA**

MINUTES of the regular meeting of May 13, 2026, at 1:30p.m., Board of Supervisors
Chambers, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California

ZONING ADMINISTRATOR: Brian Foss, Director of Planning Department

STAFF PRESENT: Director of Planning Department, Brian Foss; Principal Planner, Steve Geiger; Deputy Fire Marshal, Dan Collins; Assistant Planner, Aleena Church; Clerk to the Zoning Administrator, Jodeana Patterson

CALL TO ORDER: Meeting called to order at 1:30 p.m.

PUBLIC COMMENT: Members of the public shall be allowed to address the Zoning Administrator on items not appearing on the agenda which were of interest to the public and were within the subject matter jurisdiction of the Zoning Administrator, provided that no action shall be taken unless otherwise authorized by Subdivision (6) of Section 54954.2 of the Government Code.

Zoning Administrator Foss opened public comment at 1:30 p.m.

Seeing and hearing no public comments coming forward, Zoning Administrator Foss closed public comment at 1:30 p.m.

CONSENT ITEMS: None

PUBLIC HEARING:

1:30 p.m. PLN25-0133; CUP25-0009; EI25-0001: A Conditional Use Permit application proposing the construction and operation of a 150-foot-tall faux pine tree (monopine) unmanned wireless communication facility. Associated equipment cabinets will be placed at the base of the pole within a 2,500-square-foot leased area. **LOCATION:** The project is located at 22044 Purdon Road, Nevada City, CA 95959. Approx. 0.3 driving mile from Purdon Crossing South Yuba River State Park in unincorporated western Nevada County. **ASSESSOR'S PARCEL NUMBER:** 062-180-031. **RECOMMENDED ENVIRONMENTAL DETERMINATION:** Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan pursuant to Section 15074 and 15097 of the California Environmental Quality Act. **RECOMMENDED PROJECT ACTION:** Recommend approval of a Conditional Use Permit for a Wireless Communication Facility. **PROJECT PLANNER:** Aleena Church, Assistant Planner.

[Minutes follow as direct transcript]

Zoning Administrator Foss: Good afternoon, everyone. We're going to call this meeting to order. This is the May 13th, 2026, Nevada County Zoning administrator hearing. My name is Brian Foss. For the record, I'll be the zoning administrator for today's meeting. We do have an opportunity for public comment for any item that is not on today's agenda. So, if you'd like to speak on a matter that is not on today's agenda, you will have three minutes. If you'd like to come down to the podium. Seeing none, we will move on to consent items, which we have none and will bring us to

our public hearing scheduled for today at 1:30 for a Conditional Use Permit. For construction and operation of an unmanned wireless communication facility or cell tower, we'll turn it over to Aleena Church, our planner for the project. Go ahead with a presentation, Aleena.

Planner Church: Thank you, Mr. Zoning Administrator. Good afternoon, everyone, and thanks for being here today. My name is Aleena Church, and I am an assistant planner with the Nevada County Planning Department and the project planner for the proposed Verizon Vertical Bridge Wireless Telecommunication Facility project at 22044 Purdon Rd. in Nevada City in front of the zoning administrator for review today. The project is an application for a Conditional Use Permit, proposing the construction and operation of a new, unmanned wireless communication facility. Ground-mounted equipment will be located within a fenced lease area measuring approximately 2500 square feet at the base of the tower. The equipment enclosure will include three equipment cabinets, one GPS antenna, a fiber optics telecommunications box, a transformer, two surge suppressors, and service lights. The lease area will be designed to accommodate up to three future co-locations, and a 30-kilowatt diesel backup generator with a 147-gallon fuel tank will be installed within a closure and will only be used during emergency power outages. Electrical service would be provided by a PG&E transformer. Access to the facility would be provided by an existing driveway from Purdon Rd. which includes vegetation thinning and a designated parking space for maintenance vehicles near the equipment enclosure. The lease area will be surrounded by an eight-foot-tall open link chain fence and an Ox-box entry system. A subject parcel consists of 11.32 acres and is zoned Forest with a 40-acre minimum and a General Plan designation of Forest with a 40-acre parcel minimum size as well. The subject parcel is located approximately 0.3 mile north of the South Yuba River State Park Purdon Crossing area and is currently developed with a single-family residence. The parcel is surrounded by low-density development consisting of single-family residences, forest, and agricultural uses. The nearest off-site residents to the north of the parcel would be approximately 600 feet away from the lease area. The proposed communication facility will be situated within Foothill oak/pine/madrone woodlands and located on a flat area in the northeast portion of the property. The tower as proposed would be a monopine with faux branches, foliage, and faux bark materials, which were designed to blend in with the surrounding pines to the greatest extent possible. The branches of the monopine would help to camouflage the antennas and remote radio units (RRUs), and as proposed would be located within the branches and covered with faux pine needle socks painted to match the tree. The proposed monopine would be 150 feet tall, and the panel antennas and RRUs would be placed at a height of 144 feet. Pursuant to the submitted site plan and the site visit, surrounding trees on the subject parcel are approximately 99 to 128 feet tall. The oak/pine tree/madrone woodlands provide a varying skyline and screening which limits public views. The top of the monopine may rise above surrounding canopy, but the monopine will look like a tree and blend in naturally. The proposed lease area would be fenced with an eight-foot-tall link chain fence, and the project equipment cabinets are proposed to be painted in natural color to make them as unintrusive as possible. Condition A.13 is proposed to require earth tone privacy slates in the chain link fence or solid fencing around the lease area to screen equipment in addition to those neutral colors. The applicant is proposing to install two LED service lights that will be downcast and used during maintenance activities only. The lights will normally be off and used only during those service times. The site is surrounded by trees which will provide screening of the tower and lighting. A standard condition of approval would require that the lighting be installed in compliance with the Nevada County Lighting Code section, which requires lights to be fully down-shielded, so as not to result in glare that could possibly adversely affect day or nighttime views. With the application standard condition of approval, it is required to be in compliance with County lighting standards. The project's not anticipated to result in substantial light or glare. Furthermore, this visual impact assessment does show that the photo

simulation of the proposed monopine viewpoints do blend in with the existing treetops specifically, as you can see in this black line here. The project would incorporate a 30-kilowatt emergency backup generator for use during extended power outages. The noise of the proposed generator was estimated at the nearest property line using the manufacturer's noise specification sheet and online noise calculator. The nearest property line from the generator is 30 feet away. At 30 feet, the Generac Sound data will show that the generator will emit 50 decibels, which would exceed the County nighttime standard between 10:00 PM and 7:00 AM. None of the other County noise standards would be exceeded. However, generators that are used as part of emergency power outages pursuant to Section 12.04.070 of the Nevada County Code, these noise standards do not apply to activities associated with actual construction of a project or those associated with the provision of emergency services or functions. Communication is important during an emergency and the use of a generator to maintain the operation of the communication tower during emergency is considered to be part of an emergency function. Mitigation Measure 13.B is proposed that would require the generator to be installed with a Level 2 sound enclosure. Additionally, condition A.27 is proposed to require that testing and maintenance only occur during those daytime hours. For the site justification, I wanted to show these two maps. Verizon Wireless identified a significant gap in long-term evolution, which is LTE wireless service west of Nevada City. Verizon Wireless evaluated nine sites within the identified significant coverage capacity. Based on the analysis and evaluation, Verizon Wireless concludes that the proposed monopine at 22044 Purdon Rd. was the most feasible. As you can see here, this is before the coverage, so the gap that they identified and then after is the closed gap once the tower is built. Additionally, it is good to note that this is the Purdon Crossing South Yuba River State Park Canyon and the river flowing through here. This coverage does allow for emergency services for fires or summertime evacuations in the Canyon. This is a list of the 10 different sites that Verizon reached out to in regard to cover this gap that also meets those RF objectives, is owned by a property owner willing to lease a space and taking in regards to the elevation. This project parcel, 22044 Purdon Rd., was the only one that had all of those things to meet the RF objectives. On radio frequency, the Federal Communications Commission, FCC, is a government agency responsible for the authorization and licensing of facilities, such as a cellular tower, that generate RF radiation, which is radio frequency radiation, which emanates from an antenna on cellular towers and is generated by movement of electrical charges in the antenna. The energy levels it generates are not enough to ionize or break down atoms and molecules, so it is known as a non-ionizing radiation. The FCC has developed and adopted guidelines for human exposure to RF radiation using the recommendations of the National Council on Radiation Protection and measurements of the Institute of Electrical and Electronics Engineers, with the support of additional agencies. The exposure guidelines are based on thresholds for known adverse effects and incorporate a wide safety margin. According to the radiofrequency electromagnetic field exposure report prepared by Dtech Communications for this project, at the ground level, the modeled RF exposure is only 0.3% of the maximum FCC exposure limits, which means that's about 333 times lower than that limit. At the nearby utility pole, it is 0.5% of the limit, or about 200 times lower than the FCC limit. For individuals standing in the public accessible areas, at the ground level, or adjacent to the utility pole, are projected that the RF exposure from the facility is calculated to remain below the FCC's most restrictive general population maximum permissible exposure standards. At the antenna elevation, the highest modeled RF exposure level exceeds the FCC general population MPE limits in areas directly in front of the antennas, which would be approximately 85 feet up in the air. No buildings or other structures accessible to the public are located within this area or above antenna light. Outside of the setbacks distance, exposed exposure levels are expected to comply with FCC standards. Additionally, Section 704 of the Telecommunication Act of 1996 states that no state or local government or instrumentally thereof, may regulate the placement, construction, and modification

of personal wireless service facilities on the basis of environmental effects on radio frequency emissions, to the extent that such facilities comply with the Commission's regulations concerning such emissions. The project parcel is located off of Purdon Rd. which is maintained by the County of Nevada and classified as a minor collector. A collector road is a road that allows for high access to properties and has low/moderate capacity and generally low speed limit and connects arterials to local roads. The proposed project will be accessed by Purdon Rd. from the 60-foot paved County maintained road with a proposed 15-foot access easement from where the parcel takes from. The project is not expected to contribute to substantial increase in traffic. As a proposal for an unmanned wireless telecommunication facility, construction related to traffic would only be temporary and minor because the development for a site of a 250-square-foot lease area of a cell tower is not considered a major project. As an unmanned facility, operational traffic would be consistent of weekly or bi-monthly visits by a technician. The proposed wireless telecommunication facility is located on an 11.32-acre parcel with the zoning designation of FR-40. This district does allow for more intensive uses as long as they are not determined to be incompatible with Forest zoning. The 2500-square-foot lease area, including driveway improvements, are not anticipated to create incompatibility with the Forest zoning because there's still adequate space on an 11.32-acre parcel for forest uses. The use is not industrial in form or function. It is an unoccupied wireless telecommunications facility disguised to blend in with the environment. Pursuant to Section 12.02.030, the Nevada County Code, communication towers are allowed in Forest zoning with the Use Permit. Nevada County Code Section 12.03.080 establishes design requirements for communication facilities to promote the availability of public services while ensuring compatibility with adjacent land uses. Attachment 1 in the staff report shows that the Conditions of Approval do ensure that the construction and operation of the proposed tower would not conflict or detract from the surrounding uses. With the approval of the Use Permit, the implementation of the Conditions of Approval, the project would comply with Nevada County rural zoning designation, noise standards, telecommunication facility standards, and resource standards. Additionally, this project furthers numerous goals of the Nevada County's General Plan. An example of one is consistency with the Public Facilities and Service Elements Policy 3.4, which seeks to enable public services to provide with the greatest extent possible. Therefore, the proposed project demonstrates compliance with both Nevada County Code and General Plan. Planning Department prepared a draft initial study that was a proposed Mitigated Negative Declaration and was available for public review for 31 days. This initial study identified potential associated impacts with air quality, biological, cultural resources, geology, soils, hazardous, hazardous materials, noise, tribal, cultural resources, and possible impacts to service utilities. Mitigation measures were identified to reduce these potential impacts to less than significant levels. Based on the technical information submitted with this application, review of pertinent policy and regulatory documents in consultation with appropriate local, state, and federal agencies, all the potential impacts were identified and have been mitigated below levels of significance. The public provided letters expressing their objection to the project. The reasons for the objection are concerns about aesthetics, alternative sites, ecological concerns, fire, noise, radiofrequency exposure, site justification, zoning, compatibility, traffic, light pollution, degradation of real character, and property values. Additional comments were received and were provided in a memo to the Zoning Administrator today. It is noted that financial impacts to the property are not evaluated under the California Environmental Quality Act or County land use permitting process. Financial impacts on neighboring properties are not a finding that has been made or considered as an approval for a Use Permit pursuant to Section 12.05.052 of the Nevada County Code. However, these design requirements of the County Code are designed to protect the characteristics of rural areas compatible with surrounding zones. Communication towers are allowed in the Forest and General Agricultural zoning, and the tower meets those required

setbacks, and the tower is camouflaged and screened. Concerns were also raised about the aesthetics of the tower, and the interpretation that it is effectively unnoticeable does not mean that it has to be completely invisible and has historically been a flat applied as effectively camouflaged. Due to the monopine design of the proposed tower, the tower has been camouflaged to effectively be seen as unnoticeable to the greatest extent possible on the site. Additionally, the viewpoint from the South Yuba River Park was evaluated in the Visual Impact report, and it was concluded that you could not see the monopine from any viewpoints of the park. In conclusion, staff recommends that the Zoning Administrator take the following actions: after reviewing and considering the proposed Mitigated Negative Declaration, EIS25-0001, included in Attachment 2, adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan Pursuant to Section 15074 and 15097 of the Environmental Quality Act and making Findings A through C, and approve the proposed Use Permit CUP25-0009 subject to attach Conditions of Approval shown in Attachment 1 making Findings A through L pursuant to Section 12.02.030 and 12.03.080 of the Nevada County Code. Thank you for being here today and I'm available for any questions.

Zoning Administrator Foss: Thank you, Aleena. Could you put up the site plan real quick? Just wanted to see the set back from Purdon Rd. is, what is that approximately 150 feet, 142? I can't read that writing.

Planner Church: It is 192 feet.

Zoning Administrator Foss: Sorry, 192?

Planner Church: Yep.

Zoning Administrator Foss: Is that an existing road? It looks like an existing road up until it turns south, and then there'll be a new road to reach the site itself?

Planner Church: It's an existing driveway as of now. And it will veer off to have a new proposed road going straight to the 250-foot lease area.

Zoning Administrator Foss: Is there a tree removal or vegetation removal proposed?

Planner Church: There is vegetation and tree removal. None of the trees that are protected by the Nevada County Code, such as oak trees.

Zoning Administrator Foss: And I'm assuming the other departments reviewed, including fire departments, Public Works, any other agency comments received?

Planner Church: No other agency comments received other than, yeah, those of the fire department and Public Works, including that the road does need to meet road standards and have the 10-foot vegetation clearance on both sides for vegetation fuels management.

Zoning Administrator Foss: I guess I'll at this point ask the applicant to come forward and if they have any presentation regarding the proposal? Got a few questions for the applicant.

Planner Church: They do have a presentation that they're ready to present on.

245 Thank you. Good afternoon, Mr. Zoning Administrator. My name's Pete Shubin. I'm with Sequoia
246 Deployment Services representing Vertical Bridge and Verizon Wireless today. Before I start my
247 presentation, I'd like to clarify one of the answers to the question you just asked regarding the
248 existing road. What is depicted and shaded on the site plan is the access path that we show to show
249 that we have access to it. It is all on existing road. There's an existing clearing there that it goes
250 into. Then beyond that clearing, there is another dirt road that extends down the north side of the
251 property. So, it's all existing roads that we'll be laying gravel on. It's all drivable right now. We'll
252 be improving the surface. Is there a clicker or...? Good afternoon. As discussed by staff, I'll just
253 hit some key ...they adequately described the project. I will just hit some key points. This is a
254 facility for new service. We'll get into great detail on this, of what new service means along Tyler
255 Foote Crossing, Purdon, and Murphy Roads. There's new service to rural residential areas and then
256 the portions of the Yuba River Canyon and South River recreation area that is unique to this portion
257 of the ridge and what's up there, how we could provide all of this service with one facility. It also
258 enhances service along Hwy. 49, and this is voice service and data. Also, emergency services
259 access. This is a high fire hazard area. There is a fuel management reduction project that's there
260 for the escape routes out of the State Park and out of the residential area. This facility will provide
261 service to all of those routes. With regard to blending with the surrounding environment, this
262 exhibit is taken right from the visual analysis study that was presented with the impact analysis
263 presented with the application materials. It's important to note that those tree heights are measured
264 from the elevation of the proposed monopole or monopine location. So, what that means is as
265 grade drops, and it sits on a flat plateau in that area. Yeah, that as they drop, the trees are actually
266 taller when they're measured from the lower terrain. That is relative to that location. Those numbers
267 are important because that shows the height difference relative to the proposed structure. Now the
268 results of the visual impact analysis. One thing that is wonderful about this tool is that we had a
269 consultant use it as drone sweeps from the top of the tower. So that's a drone fixed at 150 feet at
270 the very top of the structure, looking out in all directions. And so, if the drone can see you, you
271 could see the drone. That's simply how it works. And they couldn't see any windows, no backyard
272 recreation areas due to vegetation density. Limited and restricted to short road segments, and we
273 provided photosims in the report that show the views from those locations. That's what's up on the
274 screen right now, and as you can see, the monopine blends because of the trees and the foliage in
275 the area. The camouflage design significantly reduces contrast. That's important. You don't see an
276 industrial structure. You see a faux tree surrounded by trees. That's what effectively the
277 camouflaging does. And they're very short views, very peekaboo views while you're travelling.
278 Now candidates considered: we did provide the information that was shown by staff. Have some
279 quick notes regarding what we had mentioned before with regard to comments that came in from
280 the public. Really, what would have happened? So, a question that after reading those comments
281 I asked myself is, what would each of these be if everybody had said, "Yes, we'll lease space for
282 this facility." What would it look like? And there was a comment regarding residential setbacks
283 from structures, that was prevalent through the comments. The nearest setbacks for the two nearest
284 structures for the proposed site, from the site to residential structures, is 571 feet and 592 feet.
285 That's the clearest structures on property and off. If you look at all the other candidates that were
286 considered from those locations, and when we picked a location on a property, it's picked based
287 on proximity to utilities, proximity to access routes, what's going on there (if the area was being
288 used, you know, we couldn't propose a site there, it's in use), clearings, trying to avoid removing
289 trees. Those locations, the pins that you see on the slide are picked based on all that criteria. When
290 we present an offer to a property owner and go discuss it with them, the distances and setbacks
291 would be 135 to 423 feet to the closest residence from those. So, if you take the closest residence
292 structures from the proposed site and the closest residential structures to all the other alternates,
293 the setbacks are greater at the proposed site. That wasn't planned. That was something that we did

in an analysis in identifying those after we got the comments. There were other comments with regard to locating on other sections of the ridgeline. There was an exhibit that basically ran alternates, and it's not here, because we received it this morning, but we were able to analyze it. Ran ridgetop sites along the ridge. What's important... I think the slide still works. If you look at the grouping here of sites, the road comes up, Purdon Rd. comes up, Murphy Rd. comes over, then the road drops down into the river canyon. This area sits in a pass. The ridge off screen, what would be to the east, is higher in terrain. There's also no utilities on it. We did look at this ridge. This is the highest ground that's nearest to utilities, that's nearest to access. When we map this, we map this PG&E pole right here. That is on the Lost River candidate property. That's the end of utilities. There's no utilities south there for several miles. There's also no utilities east and west of that point for great distances, thousands and thousands of feet. We met with the Lost River folks who own the property, discussed the site with them. It didn't work for their property. One of the things, you can see their house right here. Right here. And it looks off towards the northeast. And what it does is, it looks through the cut and the trees that PG&E did for that pole line, and PG&E cleared the trees there from the pole line and that creates a view out. And we were able to locate the site on their property where it wouldn't impact that view. That PG&E pole was a big problem for them. They wish they could have it removed because it impacts their view. It's actually right about eye level from the living room. And there's no trees in between it. There's no trees beyond it. If you look out from that point, you can see the PG&E cut. It extends right through here for the pole line, and the Sparks candidate sits over it, the Westman candidate sits over it. That's a clear area. Also, with Westman, you can see it's a clear area. There's some agriculture activity. Some greenhouses on, I believe, Westman, Hartley, and Murphy candidates. And those areas have been cleared. There's no real tall trees to provide cover from other candidates looking over it. If that was the only candidate, we'd be there. We'd be saying that's all we have. But what we did with our current candidate is locate it on the property in a clearing area surrounded by tall trees to help it blend into the environment. When we move away from that spot, it becomes substantially moved away from the tall trees, shorter trees, becomes more visible. These other candidates had that same condition. We did analyze them. We also met with the Lost River, down at the bottom corner here. This Funk candidate. That is out... they own the highest ground. They have no utility access. They're blocked from getting utilities by the Lost River property owner who actually wants to remove some of the pole line, doesn't want new pole lines, so we can't extend utilities to them. The Funk candidate is on solar. That doesn't work for a wireless facility. In that area, that ridgeline was analyzed, but there's no utilities and not a willing landlord with regard to the other locations. They sit on the ridgeline, in literally thousands of feet from PG&E points of connection in forested areas. So, we would be extending pension utilities thousands of feet through undeveloped land. Most of those locations, we don't know there was... there is no access, but we can't see access to them. So, they're high mountain top sites, and it's an exhibit that looks like this that was commented on, that had circles on it. We did look at those. Those are not viable locations for wireless facilities due to access and lack of access, lack of utilities. With that, I'd like to hand the discussion off to David Witkowski to discuss service enhancement, RF safety, and property values. Do you have any questions for me on what I presented?

Zoning Administrator Foss: Not at this time. Thank you.

Mr. Witkowski: Thank you. Good afternoon. My name is David Witkowski, I'm retained by Sequoia to do independent analysis of the RF safety findings from Dtech Communications, as well as independent analysis of the need, capacity, and requirements for the site from Verizon Wireless. I've also published a study on economic impacts from real estate, from telecom to real estate, and I'll talk about that as well. In terms of qualifications, I'm an electrical engineer, University of

California. I am a senior member of the Institute for Electrical and Electronic Engineers, the IEEE, which was mentioned by the planner. I serve on the committee that sets the standard for RF safety, which is known as the C-95 family, that is adopted by the Federal Communications Commission, in consultation with the National Council on Radiation Protection (the NCRP), of which some members of the NCRP are actually members of my committee at the IEEE as well. We have about 250 people are part of that organization, ranging from engineers to medical professionals, government employees, members of military, representatives from industry, and so I think it's a broad based coalition of people who have a passion for getting the answer right. The findings will be based upon that as well as the FCC OET 65, which is the guiding regulatory document for safety in the United States. So, when we look at the question of connectivity, talk broadly about the purpose of it, obviously people who are traveling through the area would often want to use their devices for both data as well as voice and texting. Public safety is a heavy user of data as well as voice in the event of a disaster; that is a critical requirement. Most public safety vehicles, whether they be police, fire, CalOES, ambulances: they all have mobile data terminals inside of them and they are constantly communicating with the network. So that is a requirement. When you have a delivery from say Amazon or UPS or something, they're guided to your location by data services as well. So, in our modern society, we really rely upon these technologies to get us around. But then of course, you have people who are in their homes, and they want to use their devices. Or you may have somebody visiting your home. In the case of, say, they want to call 911, then they call the 91, 80% of all calls to 911 originate from mobile devices. Even in homes that have landlines, this is true, and it's because typically your phone is in your pocket. And so, if you're having a cardiac event, you're not going to typically want to try to get to a landline phone, which may be nailed up on the wall of your kitchen. You would pull the phone out of your pocket, call 911 from your device. So, it's public safety reason for that as well. When we talk about capacity and coverage, there's often a lot of discussion about, well, you know, "I see bars on my phone, and so the bars are good enough, why do we need this site?" Bars are something that we need in order to create connectivity, but they're not sufficient to create performance. The site has... a given site has a certain amount of capacity, and that capacity can be overloaded by any users that are within its footprint. And when a site has to reach out into an area that is not well covered, then the site has to divert resources and try to reach those devices that are in that area. I've taken a look at the maps that were provided by Verizon. I've looked at their - what are known as their occupancy graphs. I've looked at their throughput graphs. The sites that are serving this area are what the industry referred to as exhausted, and peak usage - they're reaching 96% capacity. And the overall trend over the last year is upward and increasing by about 5% per year. So, these sites are already reaching exhaustion, and they will very soon reach 100%. So, the reason that the site is necessary is because one, there's really no signal in that area, and two, any signal that is in there is not providing the performance that is necessary to serve the devices that would want to be using it. So, trade-offs between throughput and load are approximately inversely proportional. The more heavily loaded a site is, the less throughput you have. Sort of the notion of like if you're in a crowded room, a lot of people talking, you're going to have a hard time hearing even a person who's right next to you. That's just because the channel, if you will, of your ears is being overloaded by all of that noise. And this is some examples from nearby towers. Bullard's Bar and Rough & Ready are both exceeding 96% at their peaks, and their throughput is ranging down below 20 megabits per second, which is below the federal standard for what would be considered broadband. The broadband standard is 100 megabits down as of a recent change. It used to be 25. So, the proposed solution is, as has been explained by Pete, is a monopine. It is a standard 3 sector array with antennas pointing at 20, 140, and 260°. The bands range from the 700 megahertz band, which is utilized to some extent by public safety, and then 800, which is the original cellular band, the analog band that we started with back in the '90s; 1900, 2100 and 3700. There is no millimeter

392 wave on this site; it is not an urban site, so we would not expect to see millimeter wave on it
393 anyway. So, trade-offs between low band and mid band. Low band is used for voice and texting.
394 It is a slow speed system and reaches fairly wide. It doesn't carry a lot of data, but it's useful for
395 voice calls and it's useful for getting text messages out. Mid band - the 1900, 2100, 3700 bands -
396 those are for data, and that's typically when you see mobile data on your phone: you're
397 downloading a file or accessing a map. You're handed off to a mid-band transmitter, which is
398 where that data comes from; the data does not come on the low-band frequencies. Taking a look
399 at the question of low band versus mid band, I think it's pretty obvious that there is a gap in the
400 site. If you look on the left hand side, where the site has been eliminated from the analysis, this is
401 the existing coverage. Those sites, that area really has no capacity, no coverage. If you look into
402 the future, we see that the area is covered, and again this is intended for a wide variety of users
403 that are in that area, but it for voice and texting. And then in the mid band, we're really looking,
404 the applicant is really looking to overcome the capacity limitation that is coming from that
405 exhaustion that I talked about. And for people who are traveling along Hwy. 40. And then, this is
406 where the site avoids dragging down the other towers in the region. And I talked about the use of
407 public safety. I noted that there is a fuel reduction project in that area. There's of course also the
408 possibility of having some sort of an event in which Cal Fire would need to be communicating.
409 You know, thinking about historical cases, thinking about the Tubbs Fire in Santa Rosa, where
410 Santa Clara County Fire was up supporting the Tubbs Fire and they had some issues with their
411 mobile data terminal and it turned into a big thing. The McGuire, from Healdsburg, Senator
412 McGuire actually pushed the bill to require backup power for [unintelligible] cell sites because
413 more than 50% of Marin County cell towers were offline, because the power was out. And people
414 who were evacuating from the area, emergency users who were in the area, were having a hard
415 time communicating. So in an emergency, you will, regardless of your feelings about the tower
416 and cellular, you will turn to your device, because that's the easiest way for you to get information
417 about where to go, how to how to meet up with your loved ones, "Can I get a hotel in a town
418 nearby?," "What are do the roads look like?," "What's traffic?," "Are there any emergency alerts?"
419 All of this goes into that, and so it's critical that we have coverage from a public safety standpoint.
420 So, in terms of compliance, the site is fully compliant with the FCC OET 65, as was noted by the
421 planner. The predicted ground level is 0.3%, and I should say a word about prediction and what
422 that means in terms of, what does 0.3 actually mean? Prediction means an absolute worst case
423 scenario. It does not account for absorption of the atmosphere, does not account for absorption of
424 nearby trees. It does not account for absorption of the ground. It presumes that the ground is a
425 perfect reflecting surface, which it is not. It presumes that there is nothing impeding that signal
426 coming down to you. It presumes that all transmitters are operating at 100% at the moment of that
427 analysis. In practice, when you measure a site, and when I go out and I measure a site, if it's
428 predicted to be 0.3%, I'm going to measure that site something on the order of about 0.06%,
429 possibly even a 0.03%. It's about 5 to 10 times lower, and that's because of that worst case analysis.
430 On the ground, there is absolutely nothing about the site to be concerned about. Five hundred and
431 something feet away from the site, RF drops off exponentially as you move away from the source.
432 And so, if you're, say, two feet away, then that's $1/4$. Three feet away, $1/9$. Four feet away, $1/16$. It progresses exponentially from there. By the time you get out to 500 feet, you're talking about
433 millions of times, 10s of millions of times lower than what is at the antenna. The antenna does
434 have a safety buffer around it at 136 feet, which is the radiation center of the emitters. That's 85
435 feet out from the face of that. But there is nothing at that elevation to be concerned about. The
436 nearby pole would be governed by what's known as the Occupational Standard, and that is 0.5%
437 of that limit. So, in summary, decided it's pretty fully compliant. I have redone the analysis that
438 Jamie Santos from Durang Tech did, in my own tools. My numbers match his numbers. I find no
439 reason to have any concern with what Jamie Santos has provided and stamped with for this report
440

And then, just very quickly, sort of visualizing that notion of where is the concern and where are the things that would be nearby. I'm available for any questions if you have any on that topic before I move on to a presentation about real estate valuations.

Zoning Administrator Foss: Thank you, David. Yeah, maybe a couple questions, just because there's a lot of information there, a lot of technical information, and wanted to just talk a little bit more in terms of the coverage and the increase in capacity that this tower would provide. I've been involved with a number of towers over the years and so I've heard similar explanations before, but it's always very technical, and so it's helpful to kind of reiterate what the benefit of a new tower is and how it affects kind of the overall system of towers. You mentioned in some of your earlier slides regarding the strain on the capacity, and the additional towers can reduce that strain and not only provide maybe... I don't know, is it quicker coverage? Broader coverage in this area? And does that extend to existing towers that this tower would take the burden off of that would also potentially increase in capacity or range due to this tower?

Mr. Witkowski: Yeah, great question. So, the amount of information that is available in any given - what we would call a channel, and a channel can be a set of frequencies: it could be a wire in your wall; a co-ax, for example, for cable; the phone wires that come out of your wall - all those are, from an engineering standpoint, considered channels. Any given channel has a certain capability of carrying what's referred to as bandwidth. It can carry a certain number of frequencies, and no more, because of physics limitations. Related to that information carrying capacity is also the strength of the signal, and then it's also affected by noise. So, noise is another consideration. We're not dealing with a noise question here, but in an urban environment, we would be, because of nearby, like in San Francisco, for example. That's not a problem here, but signal strength is definitely a problem here, because those other towers - Bullards, Rough and Ready... I mean, they're miles away. And so, by the time - I talked about that exponential drop off - by the time that you get out to Nevada City west location, those signals have dropped off so aggressively that there's really nothing left. It wouldn't matter if the site was exhausted or not; you're just not going to get very good performance. I have no doubt. I know some of the objections letters talked about a drive test. I have no doubt that a drive test in this area will show that this site is not providing service, just because of the signal levels that are existing at that area. I don't even need to drive test it. I used to build drive testers. I have a pretty good idea of what I would find out here. And so, I have no concerns about the assertion that this site does not have signal levels that would generate capacity. It's certainly possible that you might be able to make and hold a call. I don't know how well it would do as you moved around, but you might be able to find a location and where you could make a call. You could certainly send a text message, but you're never going to get data in this area of any meaningful speed. I hope that answers your question.

Zoning Administrator Foss: Yeah. Well, just another one regarding service into the canyon area, into the State Park, down by the river and the river crossing. How would you classify or describe the service now and after the tower, if it were to be built, in providing service?

Mr. Witkowski: If you'll help me, as I am not a local.

Zoning Administrator Foss: Leave it to just kind of to the southeast of the Red tower there.

Mr. Witkowski: I see. Yeah, well, certainly in the low band sense, you can see.... so, from the gray area... Did you have a laser pointer, or is there one on here? I saw you using one.

Mr. Shupin: Top button.

Mr. Witkowski: There we go. IR engineer. So, is this the area where you're talking about here, right in that area?

Zoning Administrator Foss: Yeah, that's the general location.

Mr. Witkowski: Yeah, well, without color, there's nothing there in the predictive, right? And by the way, the carrier is capable of determining where calls are dropped or data is slow. Your phones are always reporting back how well they're doing to the network. So, the network has not only their predictive maps, but they also have pretty good maps and capability of showing where things are failing. So, in this case, which is the predictive map, you can see that there's just absolutely nothing in this area down here. And the low band system generates signal down here to the southeast and also down here onto this ridge. It's additive to a certain extent, along this ridge. It's extending out to this area and adding some more and adding capacity on there, and then on the mid band side, you can see as well down to this area. So that's your southeast area down there.

Zoning Administrator Foss: And again, low band is signal calls, and mid band is more data?

Mr. Witkowski: Voice calls and texting. Yeah, mid band is data. If you're downloading a file, you're on mid band. If you're making a phone call or texting, you're on low band.

Zoning Administrator Foss: OK. One other question before we move on to the real estate values. So, the modeling and the testing that's done for the RF emissions: is that done at 100% output of all antennas operating at the same time?

Mr. Witkowski: Yeah, the C 95.3 methodology, which is used by all of the predictive tools that are used by professional engineers in this industry, which includes [IXIS] tool, which is what Dtech used for this, as well as the Waterford RF Master, the older version's Roof Master, and then a tool by Richtel called Roof View. They are all C-95.3 compliant, which specifies that you must analyze the site with the radios at max power, you must analyze the site with the antennas in all the directions as they go out based upon the pattern of the antenna. And again, nothing. No reductions are applied in that scenario. So, we don't go, "Oh, well, you know, there's a tree there, and there's a house behind it, so therefore I'm going to turn the power down, and I'm going to pretend like that's not going to be an issue." They presume there's no tree there.

Zoning Administrator Foss: OK. Thank you. You can, if you want to, move on to the real estate presentation.

Mr. Witkowski: And so, I'll verbally talk about this a little bit. So, you know, this is an often cited topic and so the reason I did this was because I work with an organization that's based out of Silicon Valley called Joint Ventures Silicon Valley. I actually serve as an executive director of their, what's known as their Civic Technologies practice. So, we had a lot of people in the region saying, "Hey, we're getting all these complaints about property valuations. Could you please do a study?" So, in 2012, Joint Venture Silicon Valley did a study. It was done in cooperation with the Silicon Valley Association of Realtors. It used what was known as a "hedonic analysis" or "spatial difference and differences method," where you look at similar properties in terms of their valuation, and then you look at a question of how close to the cell tower is the subject, and then you look at all the controls. So, anything [near] not nearby is a control; anything that's near a tower

is considered subject. So, we did that study in 2012. We found no disamenity from proximity. That tracks with Valbridge; that tracks with [Monig]; that tracks with several others. It does contradict Bond's work, Sandy Bond's work. And so, in 2020-2021, I produced a study that was based upon 11.6 million real estate transactions. Every real estate transaction in the state of California was used in the model, and 17,164 subject sites in that 10-year span. We did that analysis and published those results in 2021. In the process of doing that, and I worked with Doctor Ralph McLaughlin, who's a PhD real estate economist, an expert in hedonic analysis, and he was the person who actually did the analysis. He had no contact with the carriers in the course of this project. I fired him from that. I handed him the data. He ran the results. Sent me the results. I wrote the report. So, in the process of doing that, I had a chance to take a look at the question of where does this reduction assertion come from. What happened was is that Sandy Bond was retained by a neighbor's group in Christchurch, New Zealand, in the late 1990s, and they were concerned about this new thing that was going up in their area - a cell tower, because of course cellular was new in the late '90s. She did a survey, not a study. Surveys are opinions. There certainly can be... a survey can be informative, but they are not based upon data. You know, if I ask a group of people if a certain political person should be impeached, I'm going to get a very different answer whether or not I ask subscribers to Mother Jones magazine or people who subscribe to Fox News. So, surveys are interesting, but they're not data. There was another study that was done in Fuso in 2017, Hill and Beck in 2019, and there's a lot of assertion in the real estate argument about how the National Association of Realtors agrees with this disamenity. I will say that in my conversations with the National Association of Realtors after I published my study in 2021, I was told that there is a, if you will, a religious war in the National Association of Realtors in which some people believe that this is a disamenity and others do not. It sort of tracks to almost an urban legend. There was an article in the National Association of Realtors magazine - a link is provided in the documents that I sent you - which says that cell phone towers can impact property values, but how much and how significantly is debated in the research community. And that's from the government affairs person I talked to at the NAR. This is their official position, which is, "we don't really know." But the data is there, and I think that it is notable that my work, which showed either no effect - my 2021 study showed no effect in well-developed, high-value areas, so like Santa Rosa, for example, a very high property value area - had no negative effects. But it's in areas where we're developing, where people were moving to, there was no disamenity. In fact, there was an amenity up to 16%, and the reason why I think is understandable. I mean, when the when Sandy Bond was doing her work, cellular was new and people didn't really understand the value of it. In today's world, millennials are the buying power in our economy. Gen. Z is starting to come into that real estate world. And what do Gen. Z and millennials want? They want to be connected. So, when they buy a house, they actually look at the question of does that house have good connectivity? They walk in, they pull their phone out of their pocket, and they go, "I don't have a signal here. I can't buy this house." So there has to be an age-directed question in this body of work that has not been done yet. But I would assert that the reason that we see a difference in these studies is because they're looking at perhaps different age groups or different demographics. Any questions on that?

Zoning Administrator Foss: No, I don't have any questions regarding the real estate values at this time. Thank you. Is there anything else in your presentation from the applicant? That concludes it?

Mr. Witkowski: I'm done.

Zoning Administrator Foss: All right. Thank you. Thank you for your time. At this time, I will open the public hearing for people to come down, and if you would state your name for the record.

We are going to have a three-minute clock running. So please state your points and keep an eye on the clock. The microphone will automatically shut off after three minutes, so go ahead and come on down, state your name, and give your comments please.

Zoning Administrator Foss opened public hearing comments at 2:29 p.m.

[Minutes follow as direct transcript]

Public speaker Ms. Knowles: Hi, my name is Kerry Knowles. First of all, why can't we put in power lines and roads for a superior site? I think all of our neighbors would prefer that. I've lived here since 1973, and we're protecting our way of life. The site proposal is extremely vague. This is not the only viable site. This is the cheapest site. This is poor planning on the County's part. You serve to protect the best interest of property owners as residents by thorough analysis for strategic placement, for [optimum] saturation to avoid redundancy of tower placement and over-developing. Where is the evidence that we need a tower for this location height? We served a request for all public records. Nowhere in these records is there any evidence for a need by the County. What has the County done to test? These are outside tests by a company that's making money. So, we need a drive-by test for service gaps. No drop call data, no RF compliance report. We insist on a drive test analysis for a less intrusive and a superior location higher up without forest and homes surrounding it and for all the towers in our area. From what I understand, FCC data is five years outdated. They have info to update this. I'm not sure that information is relevant. The proposal is extremely vague about impact, stating it is less than significant and no impact for lighting and glare. There are no streetlights on our road. These would be the only lights. The proposal photos do not show true visual impact as well. Trees will be removed and base highly visible. If you look at our memorandum we submitted, you will see the photos taken by landowners and the clear difference to the photos submitted by Sequoia Placement has a high impact: 28 homes under 1,500 feet of the tower. We'll be spending every day driving by this tower, on walks. The public comments for this hearing: we submitted over 70 signatures. Over and over, we're seeing residents bringing this fight to you. This impact to property values is of great concern with a possible loss impact collectively of \$400,000 to \$800,000. The proposal should have included data and documentation of their good faith effort to find the least intrusive location, and there was no information about their analysis of any alternative locations. We did not have this information ahead of time, and if in fact we had that information and it wasn't verified until today, we request that this be put out a month for us to properly prepare. We would rather not have reception if the tradeoff is texting and driving in our canyons in an already dangerous area. This is why we tried for stricter regulations, because nobody wants Verizon on their land. Contracts protect Verizon, not the residents. That's why no one's saying yes to their contracts. Thank you very much.

Zoning Administrator Foss: Thank you.

Public speaker Mr. Atkinson: Hello, my name is Nels Atkinson. I, along with seven other local residents, submitted that memorandum of opposition to the tower. Several of the points we made in that memorandum were attempted to be addressed today in some of the presentations. One of the biggest issues that we're having right now is that the information that was presented here just now in the last two presentations was not in the original proposal. So, we've had no chance to look at that information, analyze the data that's being presented there. Some examples being the connectivity gaps and how the County can look at the deployment of towers in the local area so that we don't end up with redundancy of excessive towers throughout the region, because they're being placed due to convenience and ease of accessibility for companies to build these towers. It

might be more expensive and less convenient to put it somewhere else, but there may be much better locations to provide a better saturation of service in the area. I think that's important, and it's a part of the County's code for smart deployment of cellular services. A couple other things: I would strongly disagree with the property value assessment. We have an Exhibit B: a letter by Brian Gelzheimer, he's with Sierra Nevada Appraisals, and he has great deal of local experience in that diminution valuation of properties due to cellular installations. He has come to a different conclusion. In that exhibit, there's quite a bit of his evidence and research that there would be a potential drop in property value. The visual analysis that was done, it sounds like after public feedback was submitted, was not in the original proposal, so I appreciate some of that, but we've not had a chance to review any of that, that was just given to us here. I think the original proposal leads us to believe that there was a much greater aesthetic impact than what was presented here, and I'm not sure that this is accurate either; we need a chance to review these records. I think that's the biggest thing. I would request an adjournment for 30 days so that we can have a chance to review the information that's been presented today by Sequoia Deployment. That none of that information was in the original proposal. That's all I have for now. Thank you so much for your time.

Zoning Administrator Foss: All right. Thank you.

Public speaker Ms. Good afternoon, Director Foss. I'm Johanna Finney. I don't live too far from Purdon. I wanted to state that just because the other towers are exhausted doesn't mean this tower has been proven as the solution at the detriment to the homeowners. And I just want to read into the record Mr. Atkinson's memorandum: "The 9th Circuit has set forth the following requirements that all applicants seeking to install wireless facilities must satisfy: the test articulated by the 9th Circuit requires Vertical Bridge to demonstrate that the proposed facility is required in order to close a significant gap in service coverage; that the proposed facility is the least intrusive means of remedying the significant gap in service coverage; and number three, a meaningful inquiry has been made as to why the proposed facility is the only feasible alternative." I'm reminded of Hardy Bullock, Supervisor Bullock, during the appeal hearing for the Dog Bar cell tower. That appeal was upheld because the supervisor said that Verizon didn't prove the significant gap in coverage. So, if you can apply the same rules here, I think you might be heading off an appeal and make them prove that there is a significant gap, and you will not be wasting everybody's time and money regarding this. With respect to a gap in service where the holes in coverage are very limited in number or size. The lack of coverage likely will be de minimis, so that denying applications to construct towers necessary to fill these holes will not amount to a prohibition of service. And I think that's where the County gets really nervous, is they think they're prohibiting service. But no, the first step is they have to prove that gap. So, thank you for listening.

Zoning Administrator Foss: Thank you. Anyone else like to speak?

Public speaker Mr. [Kryng]: My name is Todd [Kryng]. I live here in Nevada City. First of all, I want to say that I thought the report by Ms. Church was really well done. It was very easy to read, and I thought it was very thorough. And I'd like to applaud the co-location requirement in 12.03.080.E, because I know that that is not widespread in the country. I think that the presentation from the folks with Verizon did a great job of showing where that lack of coverage exists and why it exists. And my background in electrical engineering jives completely with what they're saying. And I think the issues around safety and 911 and what we can do with the next wildfire are crucial. And I want to remind people that copper is going away, and if we don't have cell phone service, then by the end of this decade, they will have no phone service at all. And I think that lack of

access to broadband is going to, as was brought up before, dramatically decrease the value of maybe the properties around here. The latest study that I read was in 2024 from the Journal of Housing and the Built Environment from Springer Gerlach, which is peer reviewed, that shows that there is no statistically significant influence caused by modern 5G towers on residential property values. And this thing will have no lights. It will not make any noise. I think for the pictures that we've seen from the presentation, unless you know exactly where to stand and exactly where to look, the tower is either not visible, or you can't discern it from the surrounding trees. So, I find it difficult to find anything wrong with the existing proposal and I would suggest that you accept it.

Zoning Administrator Foss: Thank you.

Public speaker Ms. Cowell: Hi, my name is Mandala Cowell, and I own property on Purdon Rd. I came here to urge you to not accept it. I know a lot of the neighbors who live there, and I want to say that a lot of people who buy a property in an area like that are not there because they have great data. They're there because they choose to live in a more rural area. I understand that there's an issue with safety and the river canyon. I also, like others, want to encourage you to look at other places, that we don't want a cell phone tower there, and it's important to listen to the people who live there. Thank you.

Zoning Administrator Foss: Thank you.

Public speaker Mr. Garrity: Hi, my name's Michael Garrity. I live on Vista Knolls, approximately 1,800 feet from this thing. Not thrilled about it going up. I'm worried about the radio frequency and property values. I have a question for Miss Church. You put a slide up with various property owners, and at the bottom of it, it said Vista Knolls, and some ...we approved it, or...? Because we never heard of. We never got notice of this. I only heard about it from an e-mail from somebody right up the road. So, what's...?

Zoning Administrator Foss: At this point, if you can direct your questions to me, and then when we're done with public hearing, staff can respond.

Public speaker Mr. Garrity: OK, well...

Zoning Administrator Foss: You're looking for information regarding Vista Knoll?

Public speaker Mr. Garrity: Yeah, we're at the top of that service area chart. But one other thing: our service is excellent. We have had Verizon forever. And I don't see a need for this tower. You know, maybe North San Juan could use a tower, you know, but as far as the ridge folks that I know, we don't want this tower and we don't need it.

Zoning Administrator Foss: Thank you.

Public speaker Mr. Hughes: Afternoon. My name is Juan Hughes, and I live at 13650 Murphy Rd. with my family, immediately adjacent to the proposed communication tower site. I understand the importance of telecommunications infrastructure. My concern is whether the County can legally make the required findings for approval of this specific location. First, the staff report appears to rely heavily on applicant conclusions rather than on County analysis. Verizon's consultants selected Verizon's preferred site, but the record does not show an independent evaluation verifying

that this is the least intrusive feasible location. Second, less intrusive alternatives have not been adequately analyzed. The proposed 150-foot tower will extend well above surrounding trees, which range approximately 99 to 128 feet. County Code requires towers to be effectively unnoticeable, and towers visible from public parks are discouraged unless the standard is met. The report contains no view[-shed] analysis demonstrated whether the tower will be visible from nearby state park trails or surrounding residences. Third, noise compliance remains unsupported. The staff report acknowledges the backup generator will exceed the County's 40-decibel limit, yet no acoustical study exists in the record. Generator noise levels appear to rely on online estimates rather than measured analysis. Without quantitative noise modeling at nearby homes, it is unclear how the County can confirm compliance with noise ordinance. Fourth, the project relies on a Mitigated Negative Declaration, yet substantial evidence suggests potentially significant impacts, including visual impacts to nearby residences, degradation of rural character, and cumulative aesthetic effects. Under CEQA's Fair Argument Standard, these issues may require preparation of a full environmental impact report. Finally, the FAA review has not been completed. No determination of no hazard exists, and the project may still require lighting or design changes that could substantially alter visual impacts. Approval today would occur before a required federal safety determination is known, leaving key findings unsupported. For these reasons, I respectfully request that the County continue this item until independent analysis of alternatives, noise compliance, environmental impacts, and FAA review are completed. Thank you for your time and service to the community.

Zoning Administrator Foss: Thank you.

Public speaker Ms. Kelly: Hello I'm Sema Kelly. I'm in District 4, and I know people who live on Purdon Road, and I wondered about that, you know, is there such a need to have a full blown tower in the forest over here in this corner of this beautiful county? After listening to the people who live right there, you know, usually towers go into downtown, heavy traffic, heavy commerce, heavy communication needed areas. These people are living in a remote rural area, and then a full tower is going in. So, I think we need to really think about that. My bottom line is safety. I've had personal experience with a cell tower outside my living room window not too far away. Bird's flight, maybe a fourth of a mile, third of a mile, and it pretty much I thought was going to destroy my health and turn my whole life upside down. So, I know that a cell tower coming into a neighborhood is really a serious thing to think over and think twice and thrice and you know, talk to everybody, talk, get all the information you need about cell towers. So, radio frequency safety review: you know there wasn't one in the report. The County is allowed to hire its own independent technical expert at Verizon's expense to verify these findings. This was not done. This should be done. The County can do this. We need to take our time and not make a decision today or anytime soon until these are done, so that is important. The safety issue is important. There's no report showing that the tower will not be visible in public parks or, you know, like it was mentioned, driving by. It's over the tree canopy, so it's obvious, you know, you drive by there all the time, that it's going to be seen. The noise level is also a concern as well as the property value issue. And it doesn't fit in with the quiet rural environment of that part of the *[unintelligible]* there, it's going to be really different if a tower goes in there. It's radio frequency is 24/7. It doesn't stop for, you know, daylight or nighttime. It just goes on 24/7. And it affects all biological life. It disrupts everything, all the routines and rhythms in your body. I know that from first-hand experience, so this we should look into more seriously. Thank you.

Zoning Administrator Foss: Thank you. Anyone else?

Public speaker Ms. Tousine: Hi, my name's Tina Tousine. I live near the proposed tower site on Miller Rd. I've lived on the San Juan Ridge for 47 years and I have cell service. I feel that the issue is whether this industrial facility belongs in this specific rural location and that there is evidence provided that there is indeed gap in service in our area. Our rural neighborhood is defined by forests, open space, and wildlife habitat. Once this tower is built, the impact will be permanent. The visual presence cannot simply be undone. It changes the neighborhood identity and the rural atmosphere that drew us to live here in the first place. It is not compatible with adjacent land uses and does not blend in with the natural landscape and will not be unnoticeable. A common, mature, ponderous pine tree ranges between 55 and 130 feet tall. This proposed 150-foot faux pine tree will loom over our neighborhood and will not go unnoticed. It will fool no one, and it will be an industrial intrusion surrounded by a 2500-foot industrial enclosure. Can't miss that. It states in Nevada County's General Plan that the County is to preserve the character of rural areas to prevent suburbanization of rural and natural areas and preserve the natural environment of the county. It also includes that the County will ensure the health and welfare of all Nevada County residents. This tower does not fit into the aesthetic quality of Nevada County and is a potential fire hazard to the neighboring residents. It will adversely affect our neighborhoods, aesthetics, and residential character. It will have an adverse impact on our property values that we have worked so hard to improve over the years living here. There are multiple higher elevation areas on this ridge that would be more suitable for a cell tower that should be explored. Fire is a huge concern. The tower will be located directly across Millar Rd., which can impede our evacuation route in a fire and our neighbors too. In 2019, our neighborhood became a Firewise community and we have actively taken a role in reducing the fire risk to our community. Our Firewise community has received grants for brush clearing, installing two 5000-gallon water tanks, and a working matching grant of \$42,000 from the County to reduce fuels along lower Purdon Rd. We are doing more than our part as community members to enhance the beauty and safety of our community. We are located within the South Yuba Rim and Hazardous Fuel Reduction Project, the Montezuma fuel break, and only 0.3 miles to South Aruba River State Park, which the fuel brakes are designed to stop fires. Putting a cell tower in this area would be so counterproductive to both these projects and a danger too. I respectfully ask the Planning Department to deny this application or at a minimum, require more.

Zoning Administrator Foss: Thank you.

Public speaker Ms. [?]: ...and I live up on the ridge, and this is Dave Brancato, who lives on Miller. I take care of him. Off grid, his cell phone works. He's not worried about safety. I agree with everyone here except for the one guy who doesn't live on the ridge. And I just want to say thanks to everyone who's showing up, and I please really hope that you do at least the 30-day wait and let everyone behind me do their research as well and not make rash decisions. No one wants it. Well, most no one.

Zoning Administrator Foss: Thank you. OK. Keep coming down if you want to speak.

Public speaker Mr. Hart: My name is Dawson Hart. I'm a resident of the neighborhood and a property owner. I have perfectly good cell reception in the whole area that the tower is supposed to increase. My carrier is through the AT&T carrier. I'm wondering if that has any bearing on coverage, because I know that there's other towers in the area that weren't on that map and how that factors in. Yeah, I feel like, is this the only tower that is available to them, or how does that work? And I think that should be something that should be considered, especially with the drive test. I know people that have Verizon and the coverage is fine in that neighborhood. The areas that they're talking about increasing coverage do not have homes on them. And in addition to that, as

far as bandwidth, there's multiple different available options for a high-speed internet which allows wi-fi calling as well as all the download speeds that they're speaking about. So, nobody in the neighborhood is needing extra coverage as far as I know, and I know 90% of the folks in the neighborhood, been a member of the neighborhood for 40 years. And that's my experience. So, I would encourage you to at least extend that 30-day period to allow more analysis and make sure that Verizon has actually done the drive test, done things that they say that they don't need to do, or that the County gets an independent analysis of that. Thank you.

Zoning Administrator Foss: Thank you.

Public speaker Ms. Westerlund: My name is Alyssa Westerlund. I live up the road. I would be able to see this from my property, no problem. I can see down parts of the river canyon. Besides visibility, this is not a personal issue for anyone at Verizon. The applicant: all studies were from them and we haven't done anything, or at least ...we mostly found out because there were signs on the road, so nobody was telling the residents, right? It's a corporation versus a bunch of people, and there is no proof that we need the service. I've never had a lack of service, and I've lived there for 25 years. Basically, I just want to see independent analysis done and then who it benefits, how much money are they presumably going to make, and how it affects the rest of us. If we don't want it, why do we need it? And I think it will affect a lot of other things. I mean, animals: who knows? We do environmental impact studies for clearing 30 feet of brush off the side of the road, and this this is significantly more than that. Thank you.

Zoning Administrator Foss: Thank you.

Public speaker Mr. Nichols: Good afternoon. My name's Cole Nichols. I live on Blind Shady Rd. which is within about 1/2 mile of the proposed project site and I'm here to register my opposition to the proposal as stated and as presented today, in agreement with much of my neighbors who've already spoken and written, so I would strongly encourage you and your staff to strongly consider, you know, what the community is saying. I do think it's telling, just in today, it became very clear who wants this project and who doesn't want this project. I don't think I need to describe that even further than that, but a project like this with the kind of impacts that people are outlining, should have a really high justification for necessity, and today, frankly, I came here with a pretty open mind and that justification was not met. I think there's perhaps a compelling justification around emergency services and access and communications, but what I would love to see is data around that, you know, specifically related to the canyon, if that's the main area. How many incidents have been impacted by limited connectivity and how would the outcomes from those incidents have been impacted or improved by connectivity? So, I think, again, that the justification that I'm hearing is not sufficient to support the project and would certainly hope that you consider what all the people who are supposedly going to benefit from this project actually feel about its implementation. Thank you.

Zoning Administrator Foss: Thank you. All right. Anyone else before I close public hearing?

Public speaker Ms. Tomie (*sp?*): Hello, my name is Angie Tomie (*sp?*), and I have lived in the neighborhood for 25 years. And I have AT&T. I have really good cell coverage. And I very much value this, the beauty of this area, and I think many of us do. We live there because it is peaceful, and so many people who come to visit us are often commenting how unique this part of the ridge is, because it is quiet and has just this aesthetics that are kind of going away everywhere else. There's a lot more noise, a lot more development elsewhere. And our community values this

882 beauty, and I also imagine that there are some much better suited sites, so I would recommend that
883 you at least take time to review the other sites that Verizon recommends. And I very much am
884 against this proposal. Thank you.

885
886 Zoning Administrator Foss: Thank you. All right. Unless there's anyone else, I'm going to close
887 public hearing at this time.

888
889 Seeing and hearing no public comments coming forward, Zoning Administrator Foss closed public
890 hearing comment at 3:01 p.m.

891
892 *[Minutes follow as direct transcript]*

893
894 Zoning Administrator Foss: I'm going to bring it back to staff and see if we have some responses
895 to some of the comments that we've heard today.

896
897 Planner Church: Sure. Regarding the gentleman that had a question about the Vista Knolls
898 location, that is actually the 22044 Purdon Rd. location that was just described as Vista Knowles
899 by the Verizon applicant. There was a comment about the tree removal, and I was able to find that
900 there is 0.02% of tree removal that is proposed, including two madrones. So, with that, we believe
901 that it will continue to be sufficiently screened with the 192-foot set back from Purdon Rd. itself.
902 And I do believe that...oh, noise was another one that was commented on, and as a condition and
903 mitigation, we are requiring that Level 2 sound enclosure. But again, noise is only evaluated as
904 emergency services, so not happening 24/7. And that the testing for the generator only be done
905 during daytime hours. There was another comment about glare and lighting, and again, the
906 applicant is only proposing two LED lights that are downlit and sufficient to Nevada County
907 lighting standards. Mr. Zoning Administrator, if you had any other questions for me regarding the
908 comments that you heard, feel free to ask.

909
910 Zoning Administrator Foss: I was going to ask if our fire planner would be able to come down
911 and respond to concerns regarding fire safety and any experience that you have with calls in the
912 canyon area, and then just general fire safety with cell towers in general.

913
914 Deputy Fire Marshal Collins: Yes, Mr. Zoning Administrative, very good questions. In regards to
915 cell phone tower incidences in the Nevada, Yuba, and Placer Counties: I pulled data from seven
916 years, from 2024 to seven years prior, and we have no incidences of fires involving cell phone
917 towers in those three counties. Also, in regards to this fire safety, most of those generators are
918 enclosed in a metal container. Not saying that eliminates all fire hazards, but it allows to contain
919 it a little better if something was to happen, and we do have a 50-foot radius around those
920 generators that are supplied with no vegetation and down to bare minimum soil with rock, so that
921 kind of helps out on that policy. One more thing I'm going to include is last night, very...so, we
922 had a very serious injury in the canyon that was first reported with no cell phone service. I'm not
923 sure what carrier, but it's very interesting that this happened last night, and it was... We did have
924 one person that was still missing. We have search and rescue out looking for them right now. But
925 it happened in the canyon, and what happened is, we located one person with no cell phone location
926 in this very area, in the river bottom, and by the time they got up and got cell phone reception to
927 call for more help, we weren't able to locate the second person. We still haven't been able to locate
928 him. And the search and rescue is out for that right now. So that's a scenario that has happened last
929 night, very much in the wee hours in the morning on the same area with no coverage. So, just a
930 heads up. And one more thing: all Cal Fire equipment, we do have the MDTs, the mobile vehicle

931 locators, and they are run off of Verizon satellites, and that very [much] helps us. It's a computer
932 in our engine that gives us updates, patient locations, and any information that comes in on
933 additional 911s goes straight to our fire engines, and that is supplied by Verizon in that area. And
934 also, just one more thing: with a hit on a cell phone, on a particular cell phone tower, it locates that
935 cell phone within 10 feet of the actual incident area. So, when that ping hits, we have a 10-foot
936 ping around that area where that cell phone was last tracked, so that helps us in locating him with
937 our GPS and things like that. Any other questions?

938
939 Zoning Administrator Foss: No, thank you.

940
941 Deputy Fire Marshal Collins: OK, thank you.

942
943 Zoning Administrator Foss: OK. Anything else to add, staff?

944
945 Planner Church: I did, actually, one other comment that I wanted to address was that the County
946 should be doing our own analyses. I do understand where it's coming from, and unfortunately, as
947 with many other applications that we do, we as the County, we don't have a regulation to provide
948 additional analyses outside of those stamped engineered plans, or stamped engineered visual
949 analysis or regulations with radiofrequency emissions that do meet the FCC standards. We have
950 to abide by what we are shown as certified engineers and hired professionals.

951
952 Zoning Administrator Foss: OK. Thank you.

953
954 Planner Geiger: Mr. Zoning Administrator Steve Geiger, Principal Planner. I just wanted to add
955 just a few comments to what Aleena had summarized. There was a comment also about, I think,
956 visibility from the state park, and I just wanted to reiterate that Aleena had mentioned in her
957 presentation that the tower will not be visible from the state park. There also were some comments
958 about new information being provided today and being submitted and requesting a continuance.
959 What we can say to that is that the applicant submitted all required information with the
960 application, including the evaluation of the sites, provided that information to staff. So, in our view
961 that the request for information was provided. Certainly, today's presentation by the applicant has
962 augmented that information, but staff feels that the initial information did meet the requirements
963 of the code.

964
965 Zoning Administrator Foss: OK, thank you for that. At this time, I'm going to kind of just go
966 through some of my thoughts. I understand everyone is, you know, I appreciate the comments,
967 appreciate the feelings and the fairly lengthy comments letters that we've gotten with some
968 thoughtful comments regarding your concerns, understanding a lot of different issues associated
969 with the cell tower, from the RF issue, safety, service area capacity, as well as fire safety and visual
970 impacts. In general, as the zoning administrator, the main things I'm looking for are whether or not
971 it's an allowed use. Is this an allowed use in the zoning district? What are the permitting
972 requirements? Where is the location being proposed? Does it meet our setbacks required from our
973 property lines? Does it meet our resource setbacks? Protecting oak trees, water courses, etc.?
974 Looking at the environmental impacts from a noise standpoint, does the project meet our noise
975 standards and thresholds? Mitigation is included to reduce those noise impacts to less than our
976 noise levels at the nighttime level. And as staff mentioned, emergency use: during emergency
977 scenarios, if a generator kicks on to keep up service, that's exempt from our noise standards.
978 Looking at lighting standards: as mentioned, the tower will not have any lights on it itself; there
979 will be some service worker lighting, which is typical with all the cell towers in the county, that

will be on a timer and only be used during emergency service or service needs of the tower itself. In looking at the RF standards, the radio frequency emission standards: in relation to the FCC limitations, I'm not looking to reinvent or question the methodology. I'm looking for professional engineers as required by our code to provide analysis of the consistency with the FCC limitations. I'm certainly looking at fire safety, on both sides, whether or not a project or a tower creates a fire hazard and/or can improve a fire situation. The fire department did review the project. We have defensible space standards, I believe, that are Conditions of Approval to remove vegetation away from the tower, so that it would not create an exacerbated fire safety situation. We also have Conditions of Approval regarding building permits to ensure that electrical connections and any other generator connections are done according to code. Aesthetics, of course, is an issue, is always a concern. Is the tower camouflaged? Is it designed with what we typically see with a monopine? Is there existing vegetation in the area that is being used for screening? Obviously it's a large physical structure. It's not going to disappear. It's going to be visible from some perspective at some point around the structure, far away, up close, it's impossible to make it completely invisible, but looking for it to be screened and blending with the vegetation, not on an exposed ridgeline. These towers operate in line of sight, so they can't be behind, lower than trees and behind a wall of trees. They have to have a corridor in order to connect and provide service. Looking for the service gaps and the capacity improvements: the bar for that is relatively low in the court system. I'm not a judge. I'm not part of the court system. I'm not an attorney. I'm going by what our codes demonstrate, our codes require, and the demonstration that there would be improved capacity. Improved service does not mean, "I already have service, so I don't need a new tower in the area." It's more nuanced than that. It has to do with increased capacity, speed, the low band, the mid band, the data increases, I think, based on the service maps shown. The huge benefit is increase in safety into the river canyon. These towers do have to go somewhere. Most towers that we see, the general neighborhood is concerned. But the towers, based on the technological society that we live in, everything is broadband and digital, and many things are cellular. And so, balancing the code requirements, the legal requirements, and the benefits of the project for fire safety, emergency responses, and consistency with other cell towers that have been approved by the County in years past, I do find that the project meets the conditions and requirements of the zoning ordinance. I believe it's been adequately mitigated with the California Environmental Quality Act with the Mitigated Negative Declaration. So, given that information that was provided at today's hearing, I don't believe that I need an additional 30 days to consider the information that was presented before me, not only in the staff report but at today's hearing. So, all that being said, for the record, I am going to take the recommendations as identified by staff. First of which is, after reviewing and considering the proposed Mitigated Negative Declaration EIS25-0001, Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan pursuant to Sections 15074 and 15097 of the California Environmental Quality Act, making Findings A through C; and secondly, approve the proposed Use Permit CUP25-0009, subject to the attached Conditions of Approval shown in Attachment One making Findings A through L pursuant to Sections 12.02.030 and 12.03.080 of the Nevada County Land Use and Development Code. With that, there is a 10-day appeal period. So, the way the process works, it can be appealed to the Board of Supervisors, and an appeal would be filed with the Clerk of the Board upstairs, and that is 10 days from now. With that, I will conclude today's hearing and adjourn this meeting. Thank you.

ADJOURNMENT: Zoning Administrator Brian Foss adjourned the meeting at 3:15 p.m.

There being no further business to come before the Zoning Administrator, the meeting was adjourned at 3:15 p.m. to the next meeting to be held on July 22, 2026, in the Board Chambers, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California.

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Passed and accepted this day of , 2026.

Brian Foss, Ex-Officio Secretary

Note: A recording of this hearing is permanently on file with the Planning Department, Eric Rood Administrative Center, First Floor. Please contact the Clerk of the Zoning Administrator to obtain a copy.