

Memo

To: Blount County Planning Commission
From: Building Commissioner
CC: Other commission members
Date: 8/17/2011
Re: Cellular tower regulations.

Background:

The Major's office had forwarded a packet of information regarding the use of camouflage to reduce the visual impacts of cellular towers. I am presenting this information to the planning commission for discussion on weather changes should be made to our regulations. Our regulations currently do not require the use of camouflage, but does give the BZA the authority to impose conditions based on each specific tower request. Below I have included a copy of section 7.4 and a copy of the packet that was forwarded to my office.

Section 7.4. Wireless Telecommunication Towers and Antennas. The purpose of this section is to establish general guidelines for the siting of wireless communication towers and antennas. The goals of this section are to: (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers throughout the county; (4) encourage the joint use of new and existing tower sites rather than construction of additional single-use towers; (5) encourage users of towers and antennas to locate them in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) consider the public health and safety effects of communication towers; and (8) avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

A. **Definitions.** As used in this section, the following terms shall have the meanings set forth below:

Alternative Tower Structure means man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Height means, when referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

B. Applicability and Exceptions.

1. New Towers and Antennas. All new towers or antennas shall be subject to regulations in this section, except as provided in subsections B.2 through B.5 below, inclusive.

2. Amateur Radio Station Operator/Receive Only Antennas. This Section shall not apply to any tower, or the installation of any antenna on such tower, that is seventy (70) feet in height or less, and is owned and operated by an amateur radio station operator or is used exclusively for receive only antennas. All other applicable regulations to towers greater than 70 feet in height and found within this Section shall continue to apply.

3. Preexisting Towers or Antennas. Preexisting towers and preexisting antennas shall not be required to meet the requirements of this Section.

4. AM Array. For purposes of implementing this Section, an AM array, consisting of one or more tower units and supporting ground system which functions as an AM broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. The provisions of this Section shall not apply to additional array tower units of equal or lesser height within the perimeter of the AM array.

5. Governmental, Emergency Communication and Airport Uses. The provisions of this Section shall not apply to towers, and antennas on such towers, located on property owned, leased, or otherwise controlled by governmental jurisdictions, airport authorities or utility providers, and required for governmental functions, air traffic control and communication, or emergency communications.

C. General Provisions and Requirements

1. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

2. Lot Size. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased areas within such lot.

3. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the Building Commissioner an inventory of its existing towers, antennas, or sites approved for towers or antennas, within Blount County and any of its municipalities and within 5,000 feet outside the boundary of Blount County, including specific information about the location, height, and design of each tower. All applications and documents submitted to the Building Commissioner shall be subject to the Tennessee Public Records Act, Tennessee Code Annotated, Sections 10-7-503, *et seq.*

4. Visual effects and screening. Towers and antennas shall meet the following requirements: (a) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness; (b) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings; (c) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

5. Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views. Where lighting is required by FAA such lighting shall be of the "dual lighting" provisions as defined by the FAA (white during the day and red during the evening hours), or in the alternative, the structure may be red lighted and marked (painted) as prescribed by the FAA regulations.

6. Structural Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is constructed and maintained in compliance with

standards contained in applicable state building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time.

7. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the entirety of Blount County and surrounding counties irrespective of municipal and county jurisdictional boundaries.

8. Franchises, Authorizations, Licenses and Permits. Owners and/or operators of towers or antennas shall certify that all franchises, authorizations, licenses, and permits required by law or governmental regulations for the construction and/or operation of a wireless communication system in Blount County have been obtained and shall file a copy of all required franchises, authorizations, licenses and permits with the Building Commissioner.

9. Public Notice. For purposes of this ordinance, any special exception request, variance request, or appeal of an administrative decision shall require public notice to all abutting property owners and all owners of properties that are located within one thousand (1,000) feet of the property on which a tower is proposed or a decision is sought, in addition to any notice otherwise required by this Resolution.

10. Signs. No signs shall be allowed on an antenna or tower or within the tower compound, except for a property identification sign as provided in Section 7.5, and structure identification signs as may be required by the FCC or the FAA. Such signs shall not exceed four square feet in area or as required by the FCC or FAA, and shall be mounted no higher than six feet from the finished grade of the ground or as required by the FCC or FAA.

- D. Towers shall be a special exception use in any zone and subject to special exception procedures under the Board of Zoning Appeals as found in Article 11, with the following provisions and requirements.

(Amended August 17, 2000)

1. In granting a special exception, the Board of Zoning Appeals may impose conditions to the extent the Board concludes such conditions are necessary to minimize adverse effects of the proposed tower on adjoining properties.

2. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer under regulations of the State of Tennessee for such certifications.

3. For any tower, a site plan shall be required under provisions of Section 7.2, with the following additional information:

(a) A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities or counties), adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other accessory structures, topography, parking, and other information deemed by the Board of Zoning Appeals to be necessary to assess compliance with this Resolution.

(b) Legal description of the parent tract and leased parcel (if applicable).

(c) The setback distance between the proposed tower and the nearest residential unit.

(d) The separation distance from other towers described in the inventory of existing sites submitted pursuant to Section 7.4.C.3 shall be shown on a map of scale not less than one inch equal 2000 feet. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.

(e) A landscape plan showing specific landscape materials for buffering from surrounding properties.

(f) Method of fencing, and finished color and, if applicable, the method of camouflage and illumination of the tower.

(g) A description of compliance with provisions and regulations contained in this Resolution, and all applicable federal, state or local laws and regulations.

(h) A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.

(i) A description of the suitability of the use of existing towers, other structures, or alternative technology not requiring the use of towers or structures, which could provide the services intended to be provided through the use of the proposed new tower.

(j) A description of the feasible location(s) of future towers or antennas within Blount County based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

4. In addition to any standards for consideration of special exception applications found in Article 11, the Board of Zoning Appeals shall consider the following factors in determining whether to approve a special exception, although the Board may waive or reduce the burden on the applicant of one or more of these factors if the Board concludes that the goals of this Section are better served thereby: (a) Height of the proposed tower; (b) Proximity of the tower to residential structures and subdivisions; (c) Nature of uses on adjacent and nearby properties; (d) Surrounding topography; (e) Surrounding tree coverage and foliage; (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; (g) Proposed ingress and egress; and (h) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in Subsection 7.4.D.5 (following)..

5. Availability of Suitable Existing Towers, Other Structures, or Alternative Technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Board of Zoning Appeals that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the Board related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

(a) No existing towers or structures that meet applicant's engineering requirements, including but not limited to height and structural strength, are located within the geographic area.

(b) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

(c) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

(d) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

(e) The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

6. Setbacks. The following setback requirements shall apply to all towers for which a special exception is granted; provided, however, that the Board of Zoning Appeals may reduce the standard setback requirements if the goals of this Section would be better served thereby:

(a) Towers must be set back a distance equal to at least seventy-five percent (75%) of the height of the tower from any adjoining lot line.

(b) Guys and accessory buildings must satisfy the minimum zoning district setback requirements for commercial uses.

7. Separation. The following separation requirements shall apply to all towers and antennas for which a special exception is granted; provided, however, that the Board of Zoning Appeals may reduce the standard separation requirements if the goals of this Resolution would be better served thereby.

(a) Tower separation shall be measured from the base of the tower to the lot line of the off-site uses. Separation distance shall be 200 feet or 300 % the height of the tower, whichever is greater, in relation to an existing residential use or a platted subdivision lot intended predominantly for residential use.

(b) Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in the following table.

Existing Towers - Types

	L a t t i c e	G u y e d	M o n o p o l e 7 5 F t i n H e i g h t o r G r e a t e r	M o n o p o l e L e s T h a n 7 5 F t i n H e i g h t
Lattice	5, 0 0 0	5, 0 0 0	1,5 00	7 5 0
Guyed	5, 0 0 0	5, 0 0 0	1,5 00	7 5 0
Monopole 75 Ft in Height or Greater	1, 5 0 0	1, 5 0 0	1,5 00	7 5 0
Monopole Less Than 75 Ft in Height	7 5 0	7 5 0	75 0	7 5 0

8. Security fencing. Towers shall be enclosed by security fencing not less than six feet in height and shall also be equipped with an appropriate anti-climbing device; provided however, that the Board of Zoning Appeals may waive such requirements, as it deems appropriate.

9. Landscaping. The following requirements shall govern the landscaping surrounding towers for which a special exception is granted; provided, however, that the Board of Zoning Appeals may waive such requirements if the goals of this Section would be better served thereby.

(a) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residences. The standard buffer shall consist of a landscaped strip at least four (4) feet wide along the outside the perimeter of the compound.

(b) In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived.

(c) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer if measures are proposed which will maintain such natural growth.

E. Accessory Cabinets or Structures.

A cabinet or structure accessory to an antenna shall be of sufficient area to accommodate the electronics required for the antenna and no greater than twelve feet in height. If the accessory cabinet or structure is associated with a tower on top of a building, then the cabinet or structure shall occupy no more than ten percent of the area of the roof of the structure on which the tower is attached. The cabinet or structure shall be constructed of materials that as much as possible blend in with other surrounding structures. The cabinet or structure shall be no closer than 40 feet to any residential lot line. Structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence 6 feet in height or an evergreen hedge with ultimate height of 12 feet and a planted height of at least 36 inches. The requirements for floor area may be modified by the Board of Zoning Appeals to encourage collocation of antennas.

G. Removal of Abandoned Antennas and Towers.

Notwithstanding any other provision in this Resolution, any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower, or the owner of the real property upon which the abandoned antenna or tower is located, shall remove the same within ninety (90) days of receipt of notice from the Building Commissioner notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users abandon the tower.

H. Nonconforming Uses

1. Towers that are constructed, and antennas that are installed, in accordance with the provisions of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.

2. Preexisting towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted for such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this Resolution.

3. Bona fide nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to first obtain a special exception and without having to meet the separation requirements specified in Sections 7.4.D.7. The type, height, and location of the tower onsite shall be of the same type and intensity as the original facility. If such tower or antenna is not rebuilt within twelve months of destruction, then the tower or antenna shall be deemed abandoned as specified in Section 7.4.G and shall not be rebuilt.

- I. Applications for the installation, erection and/or construction of Antennas, cabinets, shelters or similar equipment or structures may be approved by and permits issued by the Building Commissioner.

Cell Tower Siting Issues Rights of State and Local Governments

Overview of Federal Law:

- Section 332(c)(7) of the Communications Act of 1934 was amended by Congress in 1996 to include a section titled "Preservation of Local Zoning Authority."
- This zoning authority was adopted as part of the Telecommunications Act of 1996 which updated our nation's telecom laws.

o States that authority over decisions regarding "the placement, construction, and modification of personal wireless service facilities" falls to state or local government with a few specific limitations.

Federal Law and Regulation -Section 332(c)(7) -Local Zoning Authority Limitations:

- State or local governments "shall not unreasonably discriminate among providers of functionally equivalent services."
 - o Depending on state and local laws, they can treat wireless facilities differently based on aesthetic reasons, safety concerns, etc. as long as there is a "reasonable" explanation.
 - o Cannot favor one provider over another if they are similar sites.
- Example: Cannot grant AT&T a 150 foot tower and deny Verizon a 150 foot tower without a solid reason.
- State or local governments "shall not prohibit or have the effect of prohibiting the provision of personal wireless services."
 - o State and locals cannot ban access to wireless service and generally may not create "significant gaps" in service by denying a cell site request.
 - o In November 2009, the FCC "interpreted" this section to mean that local officials cannot deny a siting "solely" because another provider has service covering the area.
- FCC did this to settle dispute: Courts have interpreted this differently:
 - o Some rule there is no gap if any entity provides service in the area in question. (Ex: Verizon has coverage in an area but AT&T does not).
 - o Others have ruled that if one provider has a gap in coverage, it is a "significant gap" and cannot be denied.
- ~ o However, even if a gap is found, the local government can put conditions, such as camouflaging, on a new tower or require alternate sites be considered.
- State or local governments "shall act on any request.within a reasonable period of time after the request is duly tiled...."

o FCC set "reasonable" time limits in November 2009 in which local governments must act on wireless tower applications.

- Within 90 days on collocation requests.
- Within 150 days on new tower site requests.
- • State or local decision to deny a siting request "shall be in writing and supported by substantial evidence contained in a written record."
- o If "aesthetics" apply under local ordinances, then evidence presented as an objection should be greater than just personal opinion expressing cell towers are eyesores.
- State or local governments may not regulate cell towers based on "the environmental effects of radio frequency emissions" if the facilities comply with the FCC's emission regulations.
- Sets forth a process if it is believed a state or local government may have violated Section 332(c)(7) in denying a siting request:

o Any person adversely affected by the action must file an action with the courts within 30 days.

- If state or local government found at fault most courts have found the appropriate remedy is an order for issuing the requested permit.
- Supreme Court ruled in 2005 that wireless provider may not recover attorney fees.

Current Blount County Zoning Resolution:

- The Board may deny an application if there are other available, less intrusive existing towers or other structures on which to collocate. [Blount County Zoning Regulations Section 7.4(D)(5)].
- • If a proposed tower would be a special exception according to Blount County Zoning Regulations, then more conditions can be applied.
- o As a result, the Board "may impose conditions to the extent the Board concludes such conditions are necessary to minimize adverse effects of the proposed tower on adjoining properties." [Blount County Zoning Regulations Section 7.4(D)(1)]
- o And "the Board of Zoning Appeals shall consider the following factors in determining whether to approve a special exception..." including:
- • "(a) Height of the proposed tower; (b) Proximity of the tower to residential structures and subdivisions; ... (d) Surrounding topography;
- (e) Surrounding tree coverage and foliage; (f) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness; ... (h) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures." [Blount County Zoning Regulations Section 7.4(D)(4)]

- Examples of possible conditions that would still provide sufficient wireless coverage:

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- o Require the proposed tower to be "stealthed" to look like a pine tree or other structure to blend into the surrounding area.
- o Impose height limitations.
- Each carrier has a license from the FCC that requires a minimum level of coverage in the service territory.
- Often times a carrier will try to build a tower that gives it additional coverage.
- The tower may only need to be 100 feet or even shorter to provide the minimum coverage the carrier is legally obligated to provide under its license.
- o Approve multiple, shorter towers -possibly also "stealthed".
- o Approve a shorter tower in combination with collocating at existing sites.

Options for local governments:

- Local governments have a lot of options as long as their objections are "reasonable."
- o Need solid objections to a proposed site -if they have an "aesthetic" objection can they tie it to tourism and the park entrance?
- Local governments should have tightly drafted zoning regulations up front to control placement of towers.
- Cannot prohibit the availability of cell service and create "significant gaps" BUT can require providers to explore aU feasible alternative sites, look at mitigating visual impact of proposed site, etc.

Questions local governments should ask when a controversial site is proposed and should incorporate into zoning regulations:

- Can the county hire (or have they already) an outside expert engineer/consultant to review alternative options to proposed tower site and look at what the cell provider actually needs.
- o What is the problem provider is trying solve?
- Do they have dead zones?
- Do they have service but need more capacity due to grown in cell phones and PDAs (such as blackberries)?
- Does proposed tower need to be that high? Or are they making taller due to future collocating, but is it actually needed?

- • Figure out the needs the provider is trying to meet and require all alternatives to be reviewed:
- o Is tower needed (see above) in the first place?
- o Would other locations work where they could collocate on an existing structure?
- o Would three 60 foot towers work instead of one 180 foot tower that could adversely impact tourism industry?

3 o Can they camouflage the tower to make it look like a tree or other structure elsewhere to blend in?

- This can be quite costly -there could be a point where it is deemed cost prohibitive and "unreasonable" but there isn't a set standard.

Under state and local law is it possible to collocate on existing electric utility structures?

o Could antennas be placed on transmission lines running through that area?

If County denies application to erect a new tower, they must provide a written denial that contains substantial evidence.

o Evidence is evaluated based on comparison with state law or the particular local zoning ordinances.

, 'Cell phones' towers use camouflage -The Sacramento Bee ^{Page 2 00}

One that his company Installed locally for Cingular Wireless last year hides an antenna in a cupola at the Folsom Premium Outlet~ mall.

A tradiDonal cell phone site typically co,sts about \$250,000, including all necessary electronics. But the cost of camouflaged towers varies from site to site.

The cupola at the Folsom outiet mall, for instance, cost about \$16,000, McKinney said. ,But a 50-foot tower designed to look like'a pine tree can run b'etween \$40,000 and \$50,000, ' depending on the density of its "foliage" and whether the pore gets a bark-like wrap. "The same pole without the camouflage would' be \$15,000 to \$20,000," McKinney said.

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Those higher costs are attributed to a Variety of factors, said Delmar Tompkins, cell site acquisition manager for Cingular in the Sacramento area, A tower that looks like a tree, for Instance, needs beefier construction because it's heavier and catches more wind than a standard tower, he said.

Camouflaged towers also require special materials that can withstand the elements and stili

retain a natural 'look.

Indeed, such towers have come a long way from a decade ago when huge poles dominated the skyline and prompted heated protests from neighbors.

"I remember one of the first major towers was at Madison Avenue and Interstate 80," said Pat Watters, a zoning administrator for the Sacramento County Planning and Community Development Department. "It was 150 feet high and when you were driving down the freeway you could see it for miles. It created a tremendous outcry."

Now, Watters said, most of the 25 to 30 requests his department receives annually for new towers are more modest. He said municipal planners almost always urge cell phone companies to locate antennas on existing towers, rather than build new ones.

"In the past few years, the companies have wised up and are coming in with alternative designs," said Chris Cochrane, president of the South Land Park Neighborhood Association, which keeps a close watch on such issues.

If locating them on existing towers isn't feasible, cell phone companies often come up with designs that, if not perfectly camouflaged, at least don't call attention to themselves.

The newest fakes, for instance, are often more realistic looking and placed within existing stands of trees, better blending in with their surroundings.

A cell phone tower on an alley near Broadway and 16th Street in Sacramento looks like any other telephone pole, said Thomas Pace, a senior planner with the City of Sacramento.

Months after it was installed, Pace said he got a call from a neighborhood activist wanting to know if the pole had been built yet.

"It's painted brown to look just like a telephone pole," he said. "It blends right in."

Such designs have significantly reduced community opposition to new towers, Pace said.

In some cases, neighborhoods are even asking for towers --though not necessarily in the heart of their communities. In the affluent El Macero development near Davis, residents are lobbying Cingular to install antennas just outside the golf course community's southern boundary.

"Cell phone service is pretty bad here," said Bill Dendy, an El Macero resident who also advises Yolo County supervisors on neighborhood issues. "You see people standing in their driveways trying to use their cell phones,"

Dendy said he expects virtually no community opposition if the tower is well hidden. "The proposal is to put it among some grain silos so it won't be that noticeable," he said.

In addition to construction costs, cellular companies also continue to shell out significant lease payments to install their towers on private property.

At Fair Oaks Nursery, Woodruff said she receives about \$2,000 a month each from Verizon and Sprint Nextel for their antennas on her building. "That helped us get through the rainy spring," she said:

At Parkside Community Church on South Land Park Drive in Sacramento, Cingular built a 59-foot bell tower to hide its antennas and gives the church \$1,200 a month in lease payments.

Parkside's pastor, the Rev. Susan Hamilton, said doubling the height of the church's original 30-foot structure met some early resistance from city planners and skepticism from some neighbors, but wasn't a tough sell to the congregation.

It increased visibility of the modest church building, which is set well back from the street, she said. And the lease payments go toward expanding the church's sanctuary and help pay for a mission project.

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"It's been a positive experience; we're very pleased," Hamilton said. So pleased, in fact, she said the church's tower could go higher. To accommodate additional antennas -- this time from Verizon Wireless -- Parkside is discussing raising the bell tower an additional 15 feet.

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