

COUNTY OF LAKE
MAJOR USE PERMIT, UP 23-07
INITIAL STUDY, IS 23-14

PUBLIC SAFETY TOWERS, LLC
80 FOOT TALL UNMANNED MONOPINE COMMUNICATION TOWER
CONDITIONS OF APPROVAL

Expires if not used by: January 23, 2027

Pursuant to the approval of the Planning Commission on January 23, 2025 there is hereby granted to FirstNet a Major Use Permit, UP 23-07 and Initial Study, IS 23-14 with the following conditions of approval to allow a 80 foot tall monopine telecommunication tower, including ancillary facilities for the tower consisting of a 35' x 35' lease area containing equipment in support of the tower enclosed by a 6' tall screening fence on property located at 3275 Hill Road, Lakeport CA (APN: 005-015-41) subject to the following terms and conditions.

A. GENERAL CONDITIONS

1. The use hereby permitted shall substantially conform to the Site & Architectural Plan(s) and Photo Simulations received August 23, 2023, and any conditions of approval imposed by the Major Use Permit, UP 23-07 and the review authority to allow an unmanned 80 foot tall "monopine" wireless telecommunication tower within a 35' x 35' lease area. The leased area will be enclosed with a six-foot-high screening fence along with the equipment to support the tower as shown on the site plan submitted for this project.

The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts.

2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The permittee shall obtain permits as may be required from each agency.
3. The permit holder is responsible for insuring that all project workers are informed of understand and agree to abide by the approved plans and project conditions.
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
5. All construction shall be reviewed and approved by a *California-Licensed Professional Civil Engineer or Architect*, and be constructed to those specifications, subject to review and approval of the Community Development Department.
6. If a Communications Tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such twelve (12) month period.
7. The Lake County Building Official may require special engineering for the tower and mechanical equipment at the time when the building permit(s) are under review.
8. Prior to building permit final, the permit holder shall comply with all of the regulations and/or requirements of the Northshore Fire Protection District. The permittee shall contact the Northshore Fire Protection District for details.
9. This permit shall be null and void if not used by January 23, 2027, unless extended, or if the use is abandoned for a period of two (2) years.
10. The permittee shall pay the Fish and Wildlife Service Fee within five (5) days of the date of this approval. Payment shall be made to 'County of Lake' and shall be submitted to the Community Development Department for Lake County for processing.
11. On-site storage of any items unrelated to the tower within the lease area is prohibited.
12. Antennas and antenna towers shall be inspected, following significant storm or seismic events, by a structural engineer licensed in the state of California to assess their

structural integrity, and a report of the engineer of the engineer's findings shall be submitted to the Community Development Department. Costs of inspection and reporting shall be borne by the permit holder. If inspection is necessary, a \$760.00 inspection fee shall be paid to the County to cover the cost of County Staff for doing the inspection and any and all follow-up activities that are necessary.

13. The equipment supporting the tower shall be painted with flat earth-tone paint. All equipment, including the tower, shall be regularly maintained and painted as needed.
14. Prior to operation, the permittee shall contact the Lake County Building Department to conduct an inspection to verify that the site is Public Resource Code 4290 and 4291, and Wildland Urban Interface compliant.
15. All gated entrances shall be two feet wider than the interior access aisle or 22 feet wide, whichever is less. All gates shall be equipped with a Knox Box to allow entry by emergency service providers.
16. The site address shall be posted as close to the entry road as possible prior to operation.
17. At the discretion of the Lakeport Fire Protection District, portable fire extinguishers shall be installed at designated areas on the site. Prior to operation, the permittee shall contact the Lakeport Fire Protection District to coordinate a site visit to confirm that this condition is met.
18. Prior to site disturbance, the applicant shall apply for a Grading Permit at the Lake County Community Development Department. The applicant shall provide total earth movement and road profiles for this Grading Permit.
19. Antennas and antenna towers shall be inspected, following significant storm or seismic events, by a structural engineer licensed in the state of California to assess their structural integrity, and a report of the engineer of the engineer's findings shall be submitted to the Community Development Department. Costs of inspection and reporting shall be borne by the permit holder.
20. All ancillary buildings, poles, towers, antenna supports, antennas, and other components or telecommunication facilities shall be of a color or combination of colors approved by the Appropriate Authority. If the facility is conditioned to require paint, it shall initially be painted with a flat paint color approved by the Appropriate Authority and thereafter repainted as necessary with a flat paint color. Components of the telecommunication facility which will be viewed against soils, trees, or grasslands shall be of a color matching these landscapes.

B. AESTHETICS

1. Prior to operation, the permittee shall install a minimum 6' tall screening fence around the tower's lease area. Fabric screening shall not be used due to poor durability; the screening material shall be chain link with slats, or a solid wood or metal fence. *Mitigation Measure AES-1*
2. All lighting shall be downcast and shall not be directly visible from public roads or neighboring lots. All lighting shall comply with fixture recommendations found in darksky.org. *Mitigation Measure AES-2*
3. Approval is for an 80' tall wireless communication facility disguised to look like a pine tree. Any changes to the appearance of the wireless communication facility will require a new use permit application. *Mitigation Measure AES-3*

C. AIR QUALITY

1. During site disturbance, the applicant shall apply palliatives (water) to the ground to minimize dust migration. *Mitigation Measure AQ-1*

D. CULTURAL RESOURCES

1. Should any archaeological or paleontological materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), and the culturally affiliated Tribe(s) shall be notified, and a qualified archaeologist retained to evaluate the

find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and Health and Safety Code 7050.5. *Mitigation Measure CUL-1*

2. All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe(s) shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. *Mitigation Measure CUL-2*

E. GEOLOGY AND SOILS

1. The applicant shall submit a Stormwater Erosion Control Plan to the Lake County Building Division with the building permit application. *Mitigation Measure GEO-1*
2. Best Practice Management Plan shall be submitted with the Stormwater Erosion Control Plan. *Mitigation Measure GEO-2*
3. The applicant shall implement the Best Practice Managements when they are trenching, grading, and doing any ground disturbance. *Mitigation Measure GEO-3*

F. HAZARDS & HAZARDOUS MATERIALS

1. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported and disposed of consistent with applicable local, state and federal regulations.
2. Storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas will require the permittee shall submit a Hazardous Material Business Plan to the Division of Environmental Health via the California Electronic Reporting System (CERS) and it shall be renewed and/or update annually or if quantities increase. If the amount of hazardous materials is less than the above quantities, the permittee must complete and submit a Hazardous Materials and Waste Registration Form with the Division of Environmental Health. The permittee shall submit a copy of all necessary documents to the Community Development Department prior to issuance of any building permits.

H. WILDFIRE

1. The applicant shall keep a water tender truck on site during site disturbance to reduce the impacts that might result from a spark creating a wildfire on site. *Mitigation Measure WLD-1*
2. Prior to operation, the applicant shall improve the interior driveway to meet Public Resource Code 4290 and 4291 driveway standards. *Mitigation Measure WLD-2*
3. Prior to operation, the applicant shall have separate addresses for the tower and the single-family home located on the same parcel. *Mitigation Measure WLD-3*

I. MITIGATION MONITORING AND EXPIRATION

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
2. Prior to issuance of any permits, the permittee shall pay the Annual Compliance Monitoring Fee to the Community Development Department until all conditions of approval are met.
3. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
4. The site shall be restored to its natural state within six (6) months of termination of use or abandonment of the site.

5. Permittee shall enter into a Site Restoration Agreement subject to the approval of the Director of Community Development and County Counsel upon termination and abandonment of the facility.
6. If a Communications Tower remains unused for a period of 12 consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such 12-month period.
7. The permittee shall enter into an Indemnification Agreement with the Community Development Department within thirty days (30) of issuance of the use permit. Said agreement shall include the following language per the above section: *“hold harmless the County and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained, by any person or property resulting from the issuance of the permit and the conduct of the activities authorized under said permit”*.

Mireya G. Turner
Community Development Director

Prepared by: TT

By: _____
Danae Lo Dolce, Office Assistant III

Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: _____

Signature of permittee or authorized agent

Printed name of permittee or authorized agent