

**COUNTY OF LAKE  
MAJOR USE PERMIT, UP 20-80  
NEW CINGULAR WIRELESS PCS, DBA AT&T MOBILITY  
150 FOOT TALL LATTICE COMMUNICATION TOWER  
CONDITIONS OF APPROVAL**

**Expires if not used by: APRIL 8, 2023**

Pursuant to the approval of the Planning Commission on **April 8, 2021** there is hereby granted to **New Cingular Wireless, dba At&t Mobility** a **Major Use Permit, UP 20-80 with the following conditions of approval to allow** a 150 foot tall (co-locatable) telecommunication tower on concrete pads, including ancillary facilities for the tower consisting of one (1) 40' by 45' carrier lease area (fenced enclosure); one (1) 5' by 10' generator slab; one (1) 30K KW emergency backup generator; one (1) 190-gallon UL142 rated generator fuel tank; one (1) 8' by 8' walk in closet equipment shelter; one (1) step down transformer on a 4'2" by 4'4" concrete pad; one (1) 3' by 5' Telco vault; one (1) 12' wide double gate for enclosure access; one (1) 6' tall fence around the 40' by 45' carrier lease area; one (1) 6' wide utility corridor; one (1) 20' wide access and utility route with all-weather surface; gravel bed throughout enclosure; nine (9) panel antennas, one (1) microwave antenna and nineteen (19) remote radio units on a property located at 15650 E. State Highway 20, Clearlake Oaks, CA 95423; and further described as APN: 006-530-03 and 006-530-04 subject to the following terms and conditions.

**A. GENERAL CONDITIONS:**

1. The use hereby permitted shall substantially conform to the **Site Engineering, Grading & Architectural Plan(s) dated October 23, 2020 and as amended on March 30, 2021 to include revisions to sheets A1-A3, C2; Project Statement dated September 14, 2020;** conditions of approval imposed by the **Major Use Permit, UP 20-80 and the review authority to allow** an unmanned 150 foot tall (co-locatable) lattice wireless telecommunication tower within a 40 feet by 45 feet (1,800 sq. ft.) carrier lease area. The carrier lease area would be enclosed with a six (6) foot high fence. The tower project site would consist of the following:

- One (1) 40'x 45' (1,800 sq. ft.) carrier lease area
- One (1) new 150' (Co-locatable) tall lattice cell tower on concrete pads
- Nine (9) panel antennas
- One (1) microwave antenna
- Nineteen (19) remote radio units (RRU's)
- One (1) 8' x 8' walk in closet equipment shelter
- One (1) 30KW emergency backup generator
- One (1) 190-gallon UL142 rated generator fuel tank
- 5.0' x 10.0' generator concrete pad
- One (1) step down transformer on a 4'2" x 4'4" concrete pad
- One (1) 3' x 5' U.G. Telco vault
- Gravel bed throughout enclosure
- Six (6) foot tall chain link fence around the 40' x 45' enclosure
- One (1) 12' wide double gate for enclosure access
- 1,421 feet of underground power and fiber-optic cables in 6' wide utility corridor
- Improve existing access road with 20' wide access and utility route

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 supercede 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 applicant 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 Engineer, and be constructed to those specifications, subject to review and approval of the Community Development Department.
6. The grading and erosion control plans approved by a California-Licensed Professional Engineer is subject to review and approval by the Community Development Department prior to building permit final. The applicant shall obtain a grading permit and pay all applicable fees prior to any ground disturbance.
7. Prior to building permit final, the permit holder shall comply with all of the regulations and/or requirements of the Northshore Fire Authority Fire Protection District. The applicant shall contact the Northshore Fire Authority Fire Protection District at (707) 274-3100 for details.
8. 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.
9. This permit shall be null and void if not used by **April 8, 2023**, or if the use is abandoned for a period of two (2) years.

**B. AESTHETICS**

1. If the applicant wishes to install lighting at a future date, the applicant shall submit a Lighting Plan the Community Development Department for review and approval prior to issuance of any building permits.
2. All lighting shall be directed downwards onto the project site and not onto adjacent roads or properties. Lighting equipment shall be consistent with that which is recommended on the website: [www.darksky.org](http://www.darksky.org) and provisions of section 21.41.8 of the Zoning Ordinance. (*Mitigation Measure AES-1*)
3. Any exterior lighting, except as required for FAA regulations for airport safety, shall be manually operated and used only during night maintenance checks or in emergencies. The lighting shall be constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. (*Mitigation Measure AES-2*)
4. If the applicant decides to install signage, the applicant shall submit a Signage Plan to the Community Development Department for review and approval prior to the issuance of any signage permits.
5. Supporting facilities (i.e. vaults, equipment rooms, utilities and equipment enclosures) shall be constructed of non-flammable, no-reflective materials and shall not exceed a height of twenty (20) feet.
6. The applicant shall adhere to all requirements and regulations in the 1996 Federal Telecommunications Act, the Lake County General Plan, Shorelines Area Plan and the Lake County Zoning Ordinance.

**C. AIR QUALITY**

1. Prior to obtaining the necessary permits and/or approvals, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to



Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions. *(Mitigation Measure AQ-1)*

2. All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. *(Mitigation Measure AQ-2)*
3. Vehicular and fugitive dust shall be minimized during the wireless communication facility development and management by use of water or acceptable dust palliatives on all driveways, roads and parking areas to maintain two inches of visibly-moist soil in the project area and to ensure that dust does not leave the property.. *(Mitigation Measure AQ-3)*
4. Vegetation that is removed for development must be properly disposed. The applicant shall chip vegetation and spread the material for erosion control as an alternative to vegetation burning. *(Mitigation Measure AQ-4)*
5. All access roads, driveways and parking areas shall be paved, chipped sealed, gravel or an equivalent all weather surface to reduce air particulates. Said material shall be maintained for life of the project. *(Mitigation Measure AQ-5)*
6. All diesel powered equipment shall meet the requirements of the State Air Toxic Control Measure for CI engines (stationary and portable). *(Mitigation Measure AQ-6)*
7. Prior to issuance of any permits, the applicant shall obtain all necessary permits from the Lake County Air Quality Management District and submit written verification to the Community Development Department. *(Mitigation Measure AQ-7)*

#### **D. BIOLOGICAL RESOURCES**

1. This use permit approval shall not become effective, operative, vested or final until the applicant the California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five (5) days of approval of the mitigated negative declaration.
2. Any oak tree larger than five (5) inches in diameter at breast height (DBH) that is removed as part of the project shall be replanted/replaced at a ratio of three (3) to one (1) for each oak tree removed. Any replanted/replaced oak tree shall be monitored until permanently established.
  - Trees shall be monitored for a minimum of three (3) years and maintained an 80% survival rate. If the survival rate drops below 80%, applicant shall replace and/or replant additional trees.
3. Prior to the issuance of any permits, the applicant shall obtain and maintain all necessary permits from the California Department of Fish and Wildlife. Once the applicant has obtained the necessary permits, the applicant shall submit a copy of said permits to the Community Development within 30 days.
  - If permit(s) are not required, the applicant shall obtain written verification from the California Department of Fish and Wildfire and submit the verification to the Community Development Department.
4. If ground disturbing activities occur during the breeding season of these avian species (February through mid-September), surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to start of activities. Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Pre-construction biological



surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys will follow required CDFW and USFWS protocols, where applicable. A qualified biologist must survey suitable habitat for the presence of these species. If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area will be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline. If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged and are no longer reliant upon the nest or parental care for survival. (*Mitigation Measure BIO-1*)

- Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds;
- Minimum no disturbance of 500 feet around active nest of non-listed raptor species;
- and 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
- Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.
- A variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and is recommended that CDFW and USFWS be notified in advance of implementation of a no disturbance buffer variance.

5. Pre-activity surveys shall be conducted for bat species and their roosting/maternity sites in the project site and buffer area. If a bat roosting/maternity site is identified during these survey or suspected to be present, a buffer area shall be established to avoid impacts on the burrow/maternity site, and subsequently the bat species. The following exclusion zone will apply: (*Mitigation Measure BIO-2*)

- 300 feet for known or potential maternity roosting site. If deemed warranted project proponent will consult with Lake County and the appropriate state (CDFW) and Federal (USFWS) regulatory agencies to work out a plan to avoid impacts to the species before work resumes.

6. The project proponent shall implement the following standard USFWS Mitigation and Avoidance Measures to prevent mortality of individual red-legged frog that may be found migrating across or aestivating on the proposed project sites during proposed project activities. (*Mitigation Measure BIO-3*)

- Preconstruction surveys for CRF shall be completed within 48 hours prior to commencement of any earth-moving activity, construction, or vegetation removal within project sites, whichever comes first. The preconstruction survey shall include two nights of nocturnal surveys in areas of suitable habitat.
- If any CRF are encountered during the surveys, all work in the work area shall be placed on hold while the findings are reported to the CDFW and USFWS and it is determined what, if any, further actions must be followed to prevent possible take of this species.
- Where construction will occur in CRF habitat where CRF are potentially present, work areas shall be fenced in a manner that prevents equipment



and vehicles from straying from the designated work area into adjacent habitat areas. A qualified biologist shall assist in determining the boundaries of the area to be fenced in consultation with Lake County, USFWS, and CDFW. All workers will be advised that equipment and vehicles must remain within the fenced work areas.

- The USFWS authorized biologist will direct the installation of the fence and will conduct biological surveys to move any individuals of these species from within the fenced area to suitable habitat outside of the fence. Exclusion fencing will be at least 24 inches in height. The type of fencing must be approved by the authorized biologist, the USFWS, and CDFW. This fence should be permanent enough to ensure that it remains in good condition throughout the duration of the construction project on the project site. It should be installed prior to any site grading or other construction-related activities are implemented. The fence should remain in place during all site grading or other construction-related activities. The frog exclusion fence could be “silt fence” that is buried along the bottom edge.
- If at any individuals of these species are found within an area that has been fenced to exclude these species, activities shall cease until the authorized biologist moves the individuals.
- If any of these species are found in a construction area where fencing was deemed unnecessary, work will cease until the authorized biologist moves the individuals. The authorized biologist in consultation with USFWS and CDFW will then determine whether additional surveys or fencing are needed. Work may resume while this determination is being made, if deemed appropriate by the authorized biologist.
- Any individuals found during clearance surveys or otherwise removed from work areas shall be placed in nearby suitable, undisturbed habitat. The authorized biologist will determine the best location for their release, based on the condition of the vegetation, soil, and other habitat features and the proximity to human activities.
- Clearance surveys shall occur on a daily basis in the work area.
- The authorized biologist shall have the authority to stop all activities until appropriate corrective measures have been completed.
- To ensure that diseases are not conveyed between work sites by the authorized biologist or his or her assistants, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force shall be followed at all times.
- Project activities shall be limited to daylight hours, except during an emergency, in order to avoid nighttime activities when CRF may be present. Because dusk and dawn are often the times when CRF are most actively foraging and dispersing, all construction activities should cease one half hour before sunset and should not begin prior to one half hour before sunrise.

7. A qualified botanist shall conduct pre-construction field surveys to identify any populations of special-status plant species within the proposed project site that will be disturbed during project activities. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special-status plant species with the potential to occur in the project area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance areas, the project proponent shall implement the following measures to avoid impacts to these species: (*Mitigation Measure BIO-4*)

- If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by project proponent shall clearly delineate the location of the plant population, and install protective fencing between the disturbance zone and the plant population to ensure that the plant population is adequately protected.



- If a special-status plant population is identified within the proposed disturbance zone, the project proponent will consult with CDFW and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. The project proponent shall adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, the project proponent shall implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved mitigation bank at a ratio approved by CDFW, USFWS, and the project proponent.
- 8. To avoid debris contamination into drainages and other sensitive wildlife habitats, silt fence or other sediment control devices shall be placed around construction sites to contain spoils from construction excavation activities. (*Mitigation Measure BIO-5*)
- 9. Surveys for identified special-status species shall be conducted by qualified biologists at the appropriate times before construction starts to determine occupancy at the site. If no special-status species are found, no further action other than the Best Management Practices identified above are required. If individuals are found, including nesting birds, a buffer zone around the species or nest will be required at a sufficient distance to prevent take of individual species. (*Mitigation Measure BIO-6*)
- 10. Due to the potential for special-status species to occur, move through, or into the project area, an on-site biological monitor, shall at a minimum, check the ground beneath all equipment and stored materials each morning prior to work activities during disturbing activities to prevent take of individuals. All pipes or tubing Four (4) inches or greater shall be sealed by the relevant contractor with tape at both ends to prevent animals from entering the pipes at night. All trenches and other excavations shall be backfilled the same day they are opened, or shall have an exit ramp built into the excavation to allow animals to escape. (*Mitigation Measure BIO-7*)
- 11. Environmental Awareness Training shall be presented to all personnel working in the field on the proposed project site. Training shall consist of a brief presentation in which biologists knowledgeable of endangered species biology and legislative protection shall explain endangered species concerns. Training shall include a discussion of special-status plants and sensitive wildlife species. Species biology, habitat needs, status under the Endangered Species Act, and measures being incorporated for the protection of these species and their habitats shall also be discussed. (*Mitigation Measure BIO-8*)
- 12. Project site boundaries shall be clearly delineated by stakes and /or flagging to minimize inadvertent degradation or loss of adjacent habitat during project operations. Staff and/or its contractors shall post signs and/or place fence around the project site to restrict access of vehicles and equipment unrelated to project operations. (*Mitigation Measure BIO-9*)

## **E. CULTURAL AND TRIBAL RESOURCES**

1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the local overseeing Tribe, and a qualified archaeologist 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, the applicant shall notify the Sheriff's Department, the local overseeing Tribe, and a qualified archaeologist for proper



internment and Tribal rituals per 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 shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. The Lake County Sheriff's Department shall be notified if any human remains are found during site disturbance. *(Mitigation Measure CUL-2)*
3. In the event of an unanticipated discovery of cultural resources during the implementation of the project, all work must be halted within 100 feet (30 meters) of the find and a qualified archaeologist (36 CFR Part 61) notified so that its potential significance can be assessed. *(Mitigation Measure CUL-3)*

#### **F. GEOLOGY & SOILS**

1. Prior to any ground disturbance, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) per the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and the planting of native vegetation on all disturbed areas. No silt, sediment, or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation. *(Mitigation Measure GEO-1)*
2. Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director. *(Mitigation Measure GEO-2)*
3. The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. *(Mitigation Measure GEO-3)*
4. If greater than fifty (50) cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code. *(Mitigation Measure GEO-4)*

#### **G. 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 applicant to 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 applicant must



complete and submit a *Hazardous Materials and Waste Registration Form* with the Division of Environmental Health. The applicant shall submit a copy of all necessary documents to the Community Development Department prior to issuance of any building permits.

- If the applicant increases the storage of hazardous materials, the applicant shall contact the Department of Environmental Health and update their Hazardous Material Business Plan within thirty (30) days of change and submit an approved Environmental Health copy to the Community Development Department.
3. The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak onto the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site authorized to accept such materials.
  4. Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
  5. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.

#### **H. HYDROLOGY & WATER QUALITY**

1. In order to reduce impacts to water quality the permit holder shall protect all disturbed areas by applying BMPs, which may include the placement of straw, mulch, seeding, straw wattles, and silt fencing and planting of native vegetation on all disturbed areas to prevent erosion.
2. All slopes shall be monitored and maintained by the permit holder to assure the success of the erosion control measures and revegetation. All disturbed areas shall be re-vegetated with native species consistent with fire safe practices and protected from erosion and storm-water runoff utilizing BMPs appropriate to the site conditions. Vegetation shall be maintained until permanent establishment is achieved.
3. The permit holder shall use BMPs to prevent erosion and ensure that sediment and silt exceeding the natural back ground level does not enter any nearby streams and water courses. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. BMPs may include the placement of straw, mulch, seeding, straw wattles, silt fencing and planting of native vegetation on all disturbed areas.
4. Prior to the issuance of any permits, the applicant shall obtain and maintain all required permits from the California Valley Regional Water Quality Control Board. The applicant shall contact the California Valley Regional Water Quality Control Board for details and submit written verification to the Community Development Department within 30 days of permit(s) issuance.
  - If permit(s) are not required, the applicant shall obtain written verification from the California Valley Regional Water Quality Control Board and submit the verification to the Community Development Department.



**I. NOISE**

1. All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work. (*Mitigation Measure NOI-1*)
2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11.12 at the property lines. (*Mitigation Measure NOI-2*)
3. The operation of the emergency backup generator shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines. (*Mitigation Measure NOI-3*)

**J. TRANSPORTATION AND TRAFFIC**

1. Prior to building permit final, the applicant shall meet and maintain all access requirements and/or regulations as defined in 14 California Code of Regulations (CCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.
2. Prior to building permit final, the applicant shall provide a minimum of one (1) parking space within the immediate vicinity of the fenced area.

**K. 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 applicant pay the Annual Compliance Monitoring Fee of \$760.00 to the Community Development Department until all conditions of approval are met.
3. Prior to building permit final, the applicant shall submit a summary response in writing establishing compliance with the approved conditions of approval, including dates of compliance and referencing documents and/or other evidence of compliance to the Community Development Department for review and approval, including scheduling an inspection with the Community Development Department to ensure all conditions of approval have been met.
4. 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.

**Article 71- Regulations for the placement of Communication Towers & Antennae**

**Section 71.3: General Regulations**

1. Wireless communication facilities shall comply with all FCC rules, regulations, and standards.
2. The wireless communication facility shall comply with all applicable criteria from the Lake County Airport Land Use Compatibility Plan (ALUP) and the Federal Aviation Administration (FAA).



3. At the discretion of the *Chief Building Official* all antennas and/or antenna towers may be required to be inspected by a licensed Engineer in the State of California to assess the structural integrity after a substantial seismic event within close proximity of the tower. The applicant shall submit an *Engineers Report* of the engineer's findings (structural integrity) to the Community Development Department within 30 days of the report being completed. All costs of inspection(s) and reporting shall be the responsibility of the applicant.

#### Section 71.8: General Development Standards for all Wireless Telecommunication Facilities

4. The wireless communications facilities shall be screened from any public viewing areas to the maximum extent feasible.
5. Prior to building permit final, anti-climb devices or fencing and safety signage shall be installed to prevent unauthorized access to equipment.
6. Existing trees and other vegetation which provide screening for the proposed facility and associated access roads shall be protected from damage during construction.
  - If additional landscaping or visual screening is needed, the applicant shall submit a Landscape/Visual Screening and Irrigation Plan to the Community Development for review and approval.
  - Said plan shall introduced native vegetation, drought tolerant species compatible with the predominant natural setting of the project area, and shall be maintained through-out the life of the project.
7. Any tree(s) that provides visual screening of the communication facility shall not be removed. Except to comply with fire safety regulations or to eliminate safety hazards. Tree trimming shall be limited to the minimum necessary for operation of the facility.

#### Section 71.8(b): Design Review and Frequency Emission Compliance

8. All guy wires associated with guyed communications towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
9. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction.
10. The applicant shall submit written documentation to the Community Development Department within sixty (60) days of the new calendar year. Said documentation shall be prepared by a Radio Frequency Engineers or other qualified professionals and contain the following:
  - *Verify compliance with FCC regulations if any change in facility's conditions and justify documentation.*
  - *Written documentation verifying continuing compliance with all FCC regulations.*

#### Section 71.10: Regulations Governing Telecommunications Antenna & Equipment Buildings

11. Omni directional or whip communications antennas shall not exceed twenty (20) feet in height and seven (7) inches in diameter.
12. Directional or panel communications antennas shall not exceed nine (9) feet in height and three (3) feet in width, unless the cumulative visual impact of an array can be reduced by using a different size.

#### Section 71.10: Reporting Requirement



- 13. If any changes and/or amendments occur, the applicant(s) shall submit a detailed description to the Community Development Department within sixty (60) days of any changes and/or amendments pursuant to Article 71 of the Lake County Zoning Ordinance.

Section 71.12: Site Restoration upon Termination & Abandonment of Facility

- 14. The site shall be restored to its natural state within six (6) months of termination of use or abandonment of the site.
- 15. Applicant shall enter into a Site Restoration Agreement subject to the approval of the Director Community Development and County Counsel upon termination and abandonment of the facility.
- 16. 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.

Article 71, Section 71.14 Indemnification

- 5. The applicant shall enter into an Indemnification Agreement with the Community Development Department within thirty days (30) of issuance of 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”*.

Scott DeLeon  
Community Development Director

Prepared by: MAT

By: \_\_\_\_\_  
Kerrian Marriott, Office Assistant III

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Acceptance

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

Date: \_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
Printed name of applicant or authorized agent