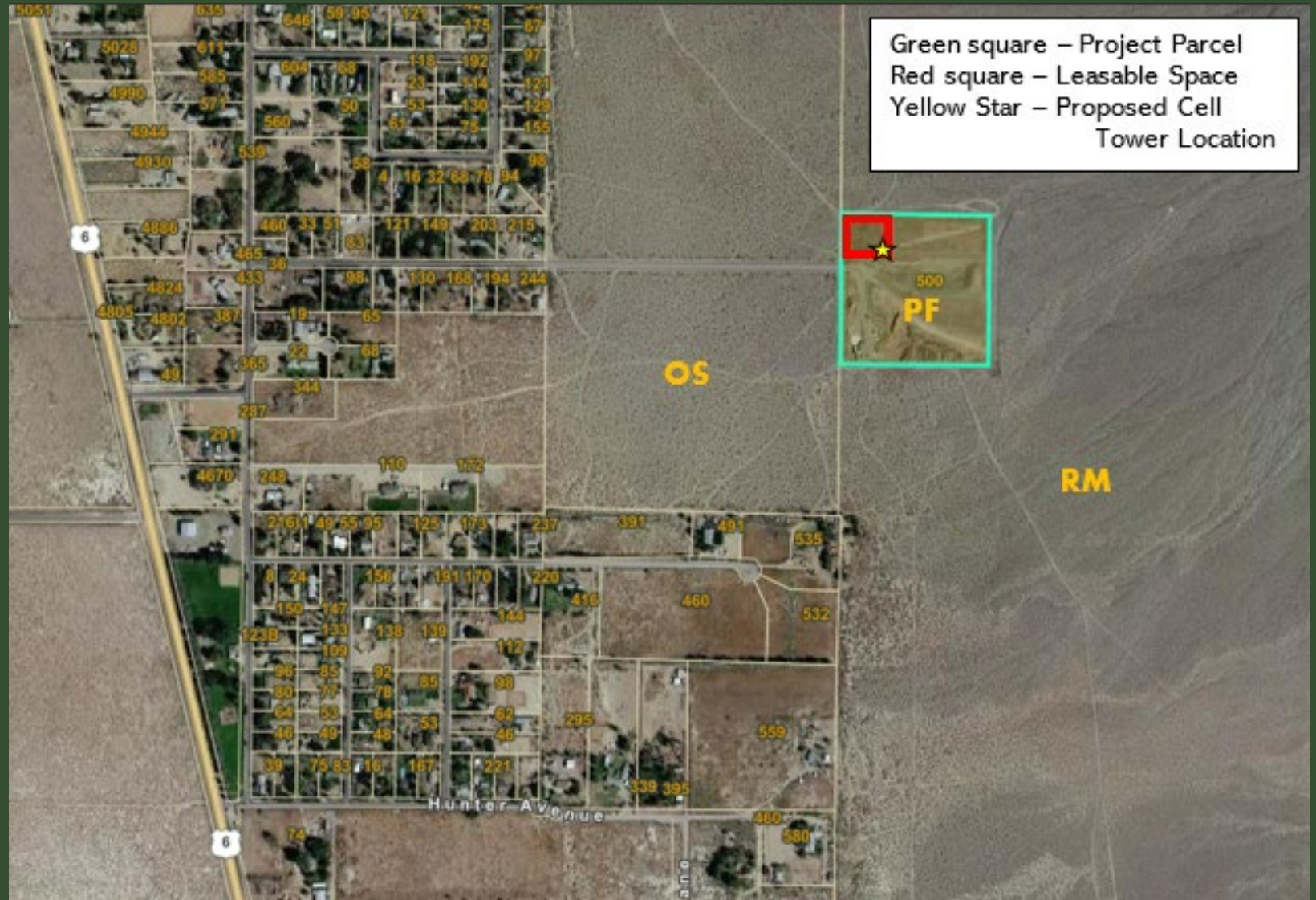


USE PERMIT
22-009

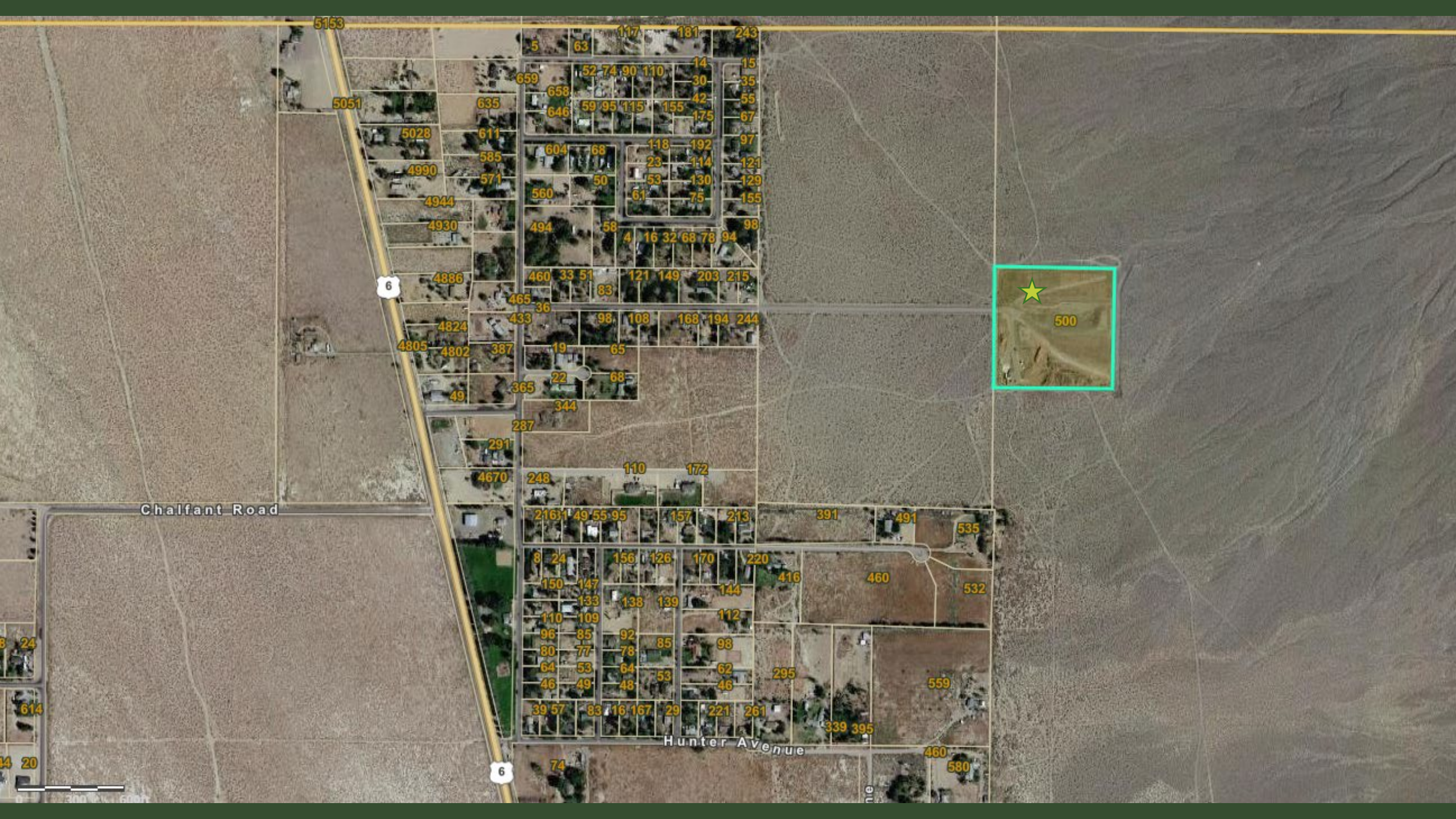
Chalfant Cell
Tower

PROJECT LOCATION



PROJECT DESCRIPTION

- Proposal to install, operate and maintain a wireless telecommunications facility tower
- Improve service levels in the Chalfant Valley and along US 6



5153

5051

6

Chalfant Road

6

Hunter Avenue

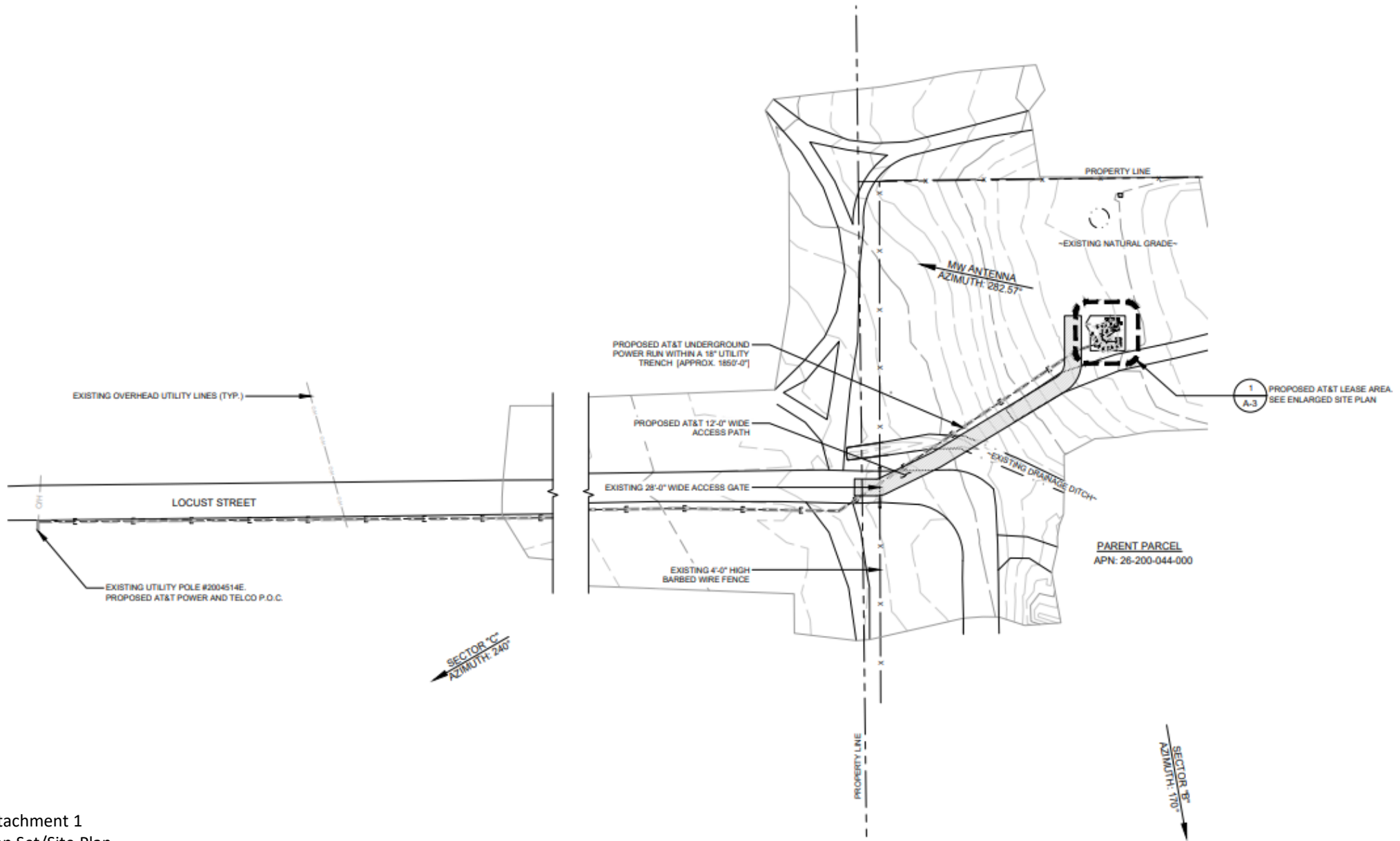
0 300 600



500

The project proposes
to install the following
on the lease site:

- (1) 80' High Monopole
- (12) Panel Antennas
- (36) Remote Radio Units (RRU)
- (4) DC-9 Surge Suppressors
- (3) DC-12 Surge Suppressors
- (1) 20kW Backup Generator with 125gal Tank
- (1) 6' x 6' Steel Walk In Cabinet (W.I.C.)
- (1) Utility Trench
- (1) Chain-link Fence Enclosure
- (1) Ciena Cabinet
- (1) Telco Cabinet
- (1) 6' Microwave Antenna
- (1) 12' Wide Chain-link Access Gate
- (1) 12' Wide Wrought Iron Access Gate



Attachment 1
Plan Set/Site Plan

BACKGROUND

- Oct 21, 2014: The Board of Supervisors held a special meeting at the Chalfant Community Center on the bid package
- 2014/2015: First calls for bids → License Agreement with Skyway Towers, LLC
- 2019: No progress had been made and so County ended the agreement
- June 2021: New bid package issued; only AT&T submitted a bid
- November 16, 2021: The Board of Supervisors authorized the Mono County IT Department to post a notice of intent to award
- November 1, 2022: The Board of Supervisors approved an agreement with EukonGroup on behalf of New Cingular Wireless/AT&T to lease the site

GENERAL PLAN
LAND USE ELEMENT
§4.050.B.(1)

Uses permitted subject to Use Permit:

“Towers erected for the purposes of providing communications through wireless or cellular technologies”.

CEQA

The project qualifies as a Class 3 Categorical Exemption for the installation of new small equipment and facilities.

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure

Title 14 California Code of Regulations (CCR) §15300.2 – Exceptions

Projects would not qualify for a Class 3 categorical exemption if any of the six Exceptions apply to the project.

- 1. Location*
- 2. Cumulative Impact*
- 3. Significant Effect*
- 4. Scenic Highways*
- 5. Hazardous Waste Sites*
- 6. Historical Resources*

Project qualifies for a Class 3 Exemption because none of the six exceptions apply to the project.

NOTICING & PUBLIC COMMENT

- AT&T submitted a Preapplication which was reviewed by the Land Development Technical Advisory Committee (LDTAC) at the March 16, 2020 meeting.
- No public comments on this project were received before, during, or after this meeting.
- Conditions of approval were reviewed and approved at the December 12, 2022 LDTAC meeting.
- No public comments were received before, during or after this meeting.

FEDERAL TELECOMMUNICATIONS ACT OF 1996

1. Local agencies are limited with respect to regulation of radio frequency (RF) emissions.
2. Local agencies may not unreasonably discriminate among providers of functionally equivalent services.
3. Local agencies/regulation may not have the effect of prohibiting the provision of personal wireless service.
4. A local agency's denial must be in writing and supported by substantial evidence in a written record.

CONSISTENCY EVALUATIONS & REQUIRED FINDINGS

- General Plan Land Use Element - Utilities Consistency
- Consistency with Mono County Design Guidelines
- Use Permit Findings

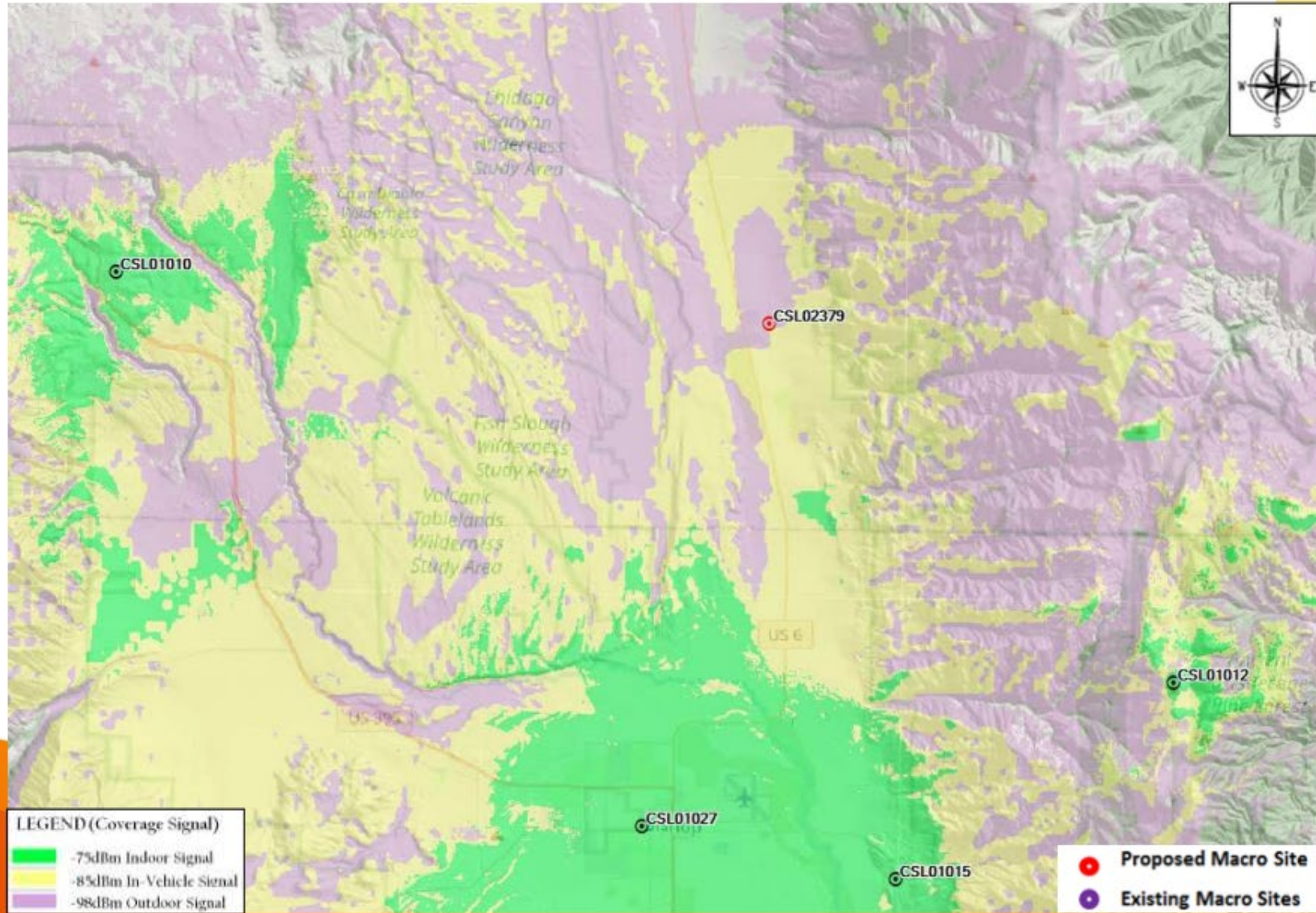


The project is consistent with all requirements and the findings can be made.

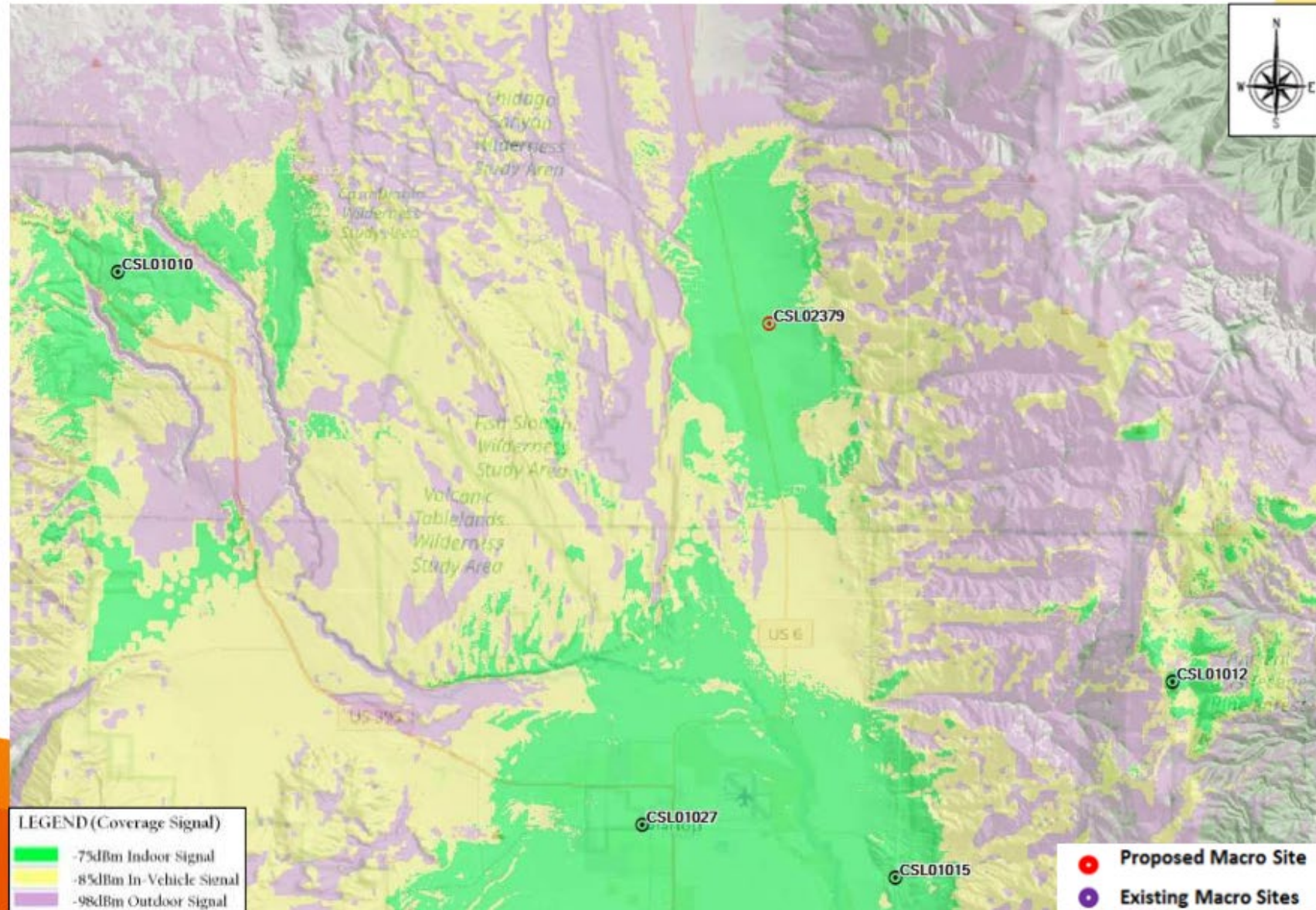
CHAPTER 11 - UTILITIES CONSISTENCY

MC LUE Ch 11 Utilities Consistency		Compliant
1	Visual mitigation strategies	✓
2	Bonding	✓
3	Identified provider and need for facility	✓
4	Capacity for additional providers to co-locate	✓
5	Demonstrated lack of coverage	✓
6	Maximum height requirements	✓
7	Sensitive species mitigation	✓
8	FCC RF Emission Standards	✓

LTE Coverage Before site CSL02379



LTE Coverage After site CSL02379



MONO COUNTY DESIGN GUIDELINES CONSISTENCY COMPLIANCE

- Identified and demonstrated need for coverage
- Bonded per license agreement
- Complies with height requirements
- Sited 0.25 miles from nearest residence
- Visual impacts mitigated with non-reflective materials; paint colors compatible with surrounding environment and project location



EXISTING



PROPOSED

LOOKING SOUTHEAST FROM HIGHWAY 6



EXISTING



PROPOSED

LOOKING NORTHEAST FROM HIGHWAY 6



EXISTING



PROPOSED LOOKING EAST FROM LOCUST STREET

USE PERMIT FINDINGS

The Planning Commission shall make **ALL** of the following findings in granting the use permit:

USE PERMIT FINDING #1

All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:

- PF land use designation allows for cell towers up to 80'
- Compliant with provisions of the General Plan as relates to setbacks, yards, parking, loading, landscaping, walls and fences

USE PERMIT FINDING #2

The site of the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:

- Project will generate little to no traffic to the site.

USE PERMIT FINDING #3

The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:

- The project plans improved cell service to the area thus increasing safety for residents and travelers
- The project is located 0.25 miles or more from the residential parcels of Chalfant
- Project is surrounded by land designated as Open Space and Resource Management
- The project is located on land designated as PF which is intended to provide for a variety of public and quasi-public facilities and uses

USE PERMIT FINDING #4

The proposed use is consistent with the map and text of the Mono County General Plan because:

- Project is sited on land designated as Public Facilities (PF)
- PF land use designation is intended to provide for public facilities including public utility buildings, structures and uses

CONDITIONS OF APPROVAL

1. To the extent permissible by relevant Telecommunications law, project shall comply with all Mono County regulations including , but not limited to, the Building Division, Planning Division, Public Works Department, and Environmental Health Department.
2. The design, color and building materials for equipment structures shall be compatible with the surrounding natural environment. No reflective construction materials shall be used in the monopole, antenna pole(s), antennas and equipment shelters to house necessary radio and associated equipment. The design, color and building materials for equipment shelters shall be a dull finish in a dark muted color, similar to Dunn-Edwards Paints, Shaker Gray DE623, approved by the Community Development Department.
3. Minor variations in the design, color, and Building materials for equipment shelters that are visible above site fencing may be approved by the Community Development Department. Facility components other than the equipment shelters that are visible above or outside the wall shall be a dull finish in a dark muted color, similar to Dunn-Edwards Paints, Shaker Gray DE623, compatible with the surrounding natural environment.

CONDITIONS OF APPROVAL

4. No general nighttime lighting is proposed. Any new lighting must be approved by the Community Development Department, shall comply with Chapter 23 – Dark Sky Regulations, and include the use of downward, shielded lighting that does not exceed 3000K.
5. The site shall be restored with the removal of all equipment upon the non-functionality of the site or upon the termination of the lease agreement.
6. No signs are permitted, except those required by the FCC and other relevant Telecommunications law.
7. Except for the subject tower, all new utilities shall be installed underground, in conformance with applicable provisions of the General Plan.
8. Earthwork, grading, and vegetative removals shall be minimized for site development.
9. The lease site shall be an unmanned, uninhabitable communication site.
10. No noise, odor or vibrations shall be emitted that exceed the general level of noise, or odor or vibration emitted by uses outside of the lease site.
11. Licensee shall furnish and maintain in effect a faithful performance bond, letter of credit, or other financial assurance reasonably acceptable to County and approved as to form by the Mono County Counsel, in an amount determined by engineer's estimate (or \$125,000 whichever is greater) to guarantee removal of the Licensee Communications Facilities from the site and site reclamation in accordance with the License and any land use permit conditions or conditions of approval. In the event of a transfer of ownership, the seller 17 UP 22 – 009 December 8, 2022 will be responsible for notifying the buyer of this requirement and for notifying the County of the transfer.

RECOMMENDATION

That the Planning Commission take the following actions:

1. Find that the project qualifies as a Class 3 Categorical Exemption.
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 22-009 subject to the Conditions of Approval.