

PROJECT REPORT

TO: PLANNING COMMISSION
FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA DATE: June 12, 2024
AGENDA TIME: 9:00 AM / No. 2

PROJECT TYPE: American Towers, Inc. (ATC)
Conditional Use Permit #24-0005 SUPERVISOR DIST # 5

LOCATION: 4210 Black Mountain Road APN: 039-180-029-000

Winterhaven, CA PARCEL SIZE: 640-AC

GENERAL PLAN (existing) Recreation/Open Space GENERAL PLAN (proposed) N/A

ZONE (existing) S-2 (Open Space/Preservation) on BLM-Lands ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 06-12-2024

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: _____

INITIAL STUDY: _____

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
FIRE / OES	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
SHERIFF	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER				

REQUESTED ACTION:

IT IS RECOMMENDED THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THE PLANNING COMMISSION TO APPROVE CONDITIONAL USE PERMIT #24-0005 BY TAKING THE FOLLOWING ACTIONS:

1. FIND THAT THE PROJECT IS CATEGORICALLY EXCEPT FROM CEQA UNDER GOVERNMENT CODE SECTION 15301 AND THAT NO FURTHER ENVIRONMENTAL DOCUMENTATION IS NECESSARY; AND,
2. FIND THAT CONDITIONAL USE PERMIT #24-0005 IS CONSISTENT WITH APPLICABLE ZONING AND BUILDING ORDINANCES; AND
3. APPROVE CONDITIONAL USE PERMIT #24-0005 FOR A NEW 15-YEAR TERM, SUBJECT TO THE ATTACHED CONDITIONS.

Planning & Development Services

801 MAIN ST., EL CENTRO, CA, 92243 760-482-4236

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STAFF REPORT
Planning Commission Meeting
June 12, 2024
Conditional Use Permit #24-0005 Superseding CUP #05-0012

Applicant: **American Towers, Inc. (ATC)**
 10 Presidential Way
 Woburn, MA 01801

Agent: **Jill Cleveland**
 Plancom, Inc.
 16776 Bernardo Center Drive, Unit 203
 San Diego, CA 92128

Project Location:

The existing telecommunications tower is located at 4210 Black Mountain Road, Winterhaven CA 92283, further identified as Assessor's Parcel Number (APN) 039-180-029-000. The existing project site is leally described as Section 14, Townsite 13 South, Range 20 East, of the San Bernardino Base and Meridian (S.B.B.M.) located on Black Mountain, approximately twenty-five (25) miles northwest of the unincorporated townsite of Winterhaven, CA, on BLM-administered lands.

Project Summary:

The applicant, American Towers, Inc. (ATC), has submitted a Conditional Use Permit (CUP) application and supporting documents to renew entitlements for previously approved CUP #05-0012 for a new (15) fifteen-year term for an existing telecommunications tower located at Black Mountain on Bureau of Land Management administered lands. The applicant intends to continue the operation of the existing 125-foot above ground level (AGL) tower, height approved through Variance #05-0002 to exceed the 100-foot height limitation in the S-2 (Open Space/Preservation) zone by 25 feet.

Should the re-entitlement request be approved, Conditional Use Permit #24-0005 would supersede previously approved CUP #05-0012 with a new 10-year period as per Government Code, Section §65964, for a new 10-year period with a single one-time 5-year time extension.

Upon a thorough review of the project file, compliance report, and photos from a compliance inspection performed on April 22, 2024, it can be determined that previously approved CUP #05-0012 complies with the CUP's conditions of approval and applicable County Land Use regulations.

Project Background:

- CUP #05-0012 and Variance #05-0002 were approved by the Imperial County Planning Commission on June 8, 2005.
- CUP #05-0012 was recorded on December 7, 2005.

- On March 26, 2024, ICPDS received from American Towers, Inc. (ATC) an application and supporting documents to renew entitlements for previously approved CUP #05-0012 for a new (15) fifteen-year term for an existing telecommunications tower located at Black Mountain on Bureau of Land Management administered lands.
- On April 22, 2024, a compliance inspection to the project site was performed. The property was found in good conditions, well-maintained, and in compliance with previously approved conditions.

Land Use Analysis:

Per Imperial County’s General Plan, the land use designation for this project is “Recreation/Open Space” and zoned as S-2 (Open Space/Preservation) on BLM-administered lands per Zoning Map #70 of the Imperial County Title 9 Land Use Ordinance. Per County’s Land Use Ordinance (Title 9), Division 5, Section 90519.02, Subsection (d), Communications Towers are allowed in the S-2 (Open Space/Preservation) zone through an approved Conditional Use Permit (CUP). The proposed project is consistent with the County’s General Plan and Land Use Ordinances (Title 9).

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND	ZONING	GENERAL PLAN
Project Site	Existing Tower Site/Open Desert Space	S-2 (Open Space/Preservation) on BLM Lands	Recreation/Open Space
North	Vacant/Open Desert Space	S-2 (Open Space/Preservation) on BLM Lands	Recreation/Open Space
South	Vacant/Open Desert Space	S-2 (Open Space/Preservation) on BLM Lands	Recreation/Open Space
East	Vacant/Open Desert Space	S-2 (Open Space/Preservation) on BLM Lands	Recreation/Open Space
West	Vacant/Open Desert Space	S-2 (Open Space/Preservation) on BLM Lands	Recreation/Open Space

Environmental Determination:

On May 12, 2005, at a Public Hearing held, the Imperial County Environmental Evaluation Committee recommended a Negative Declaration for previously approved Conditional Use Permit #05-0012. CUP #24-0005 (Superseding CUP #05-0012) is categorically except from CEQA pursuant to Section 15301 of the CEQA Guidelines (Class 1 – Existing Facility).

Staff Recommendation:

Staff recommends that the Planning Commission conducts a public hearing and hear all the opponents and proponents of the proposed project, and then take the following actions:

1. Find that the project is categorically except from CEQA under Government Code Section 15301 and that no further environmental documentation is necessary; and,
2. Find that Conditional Use Permit #24-0005 is consistent with applicable zoning and building ordinances; and
3. Approve Conditional Use Permit #24-0005 for a new 15-year term, subject to the attached conditions.

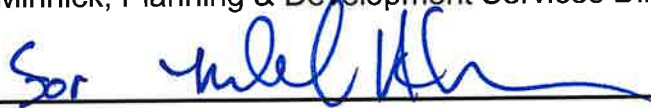
Prepared By: Gerardo A. Quero, Planner II



Reviewed By: Michael Abraham, AICP, ICPDS Assistant Director



Approved By: Jim Minnick, Planning & Development Services Director



Attachments:

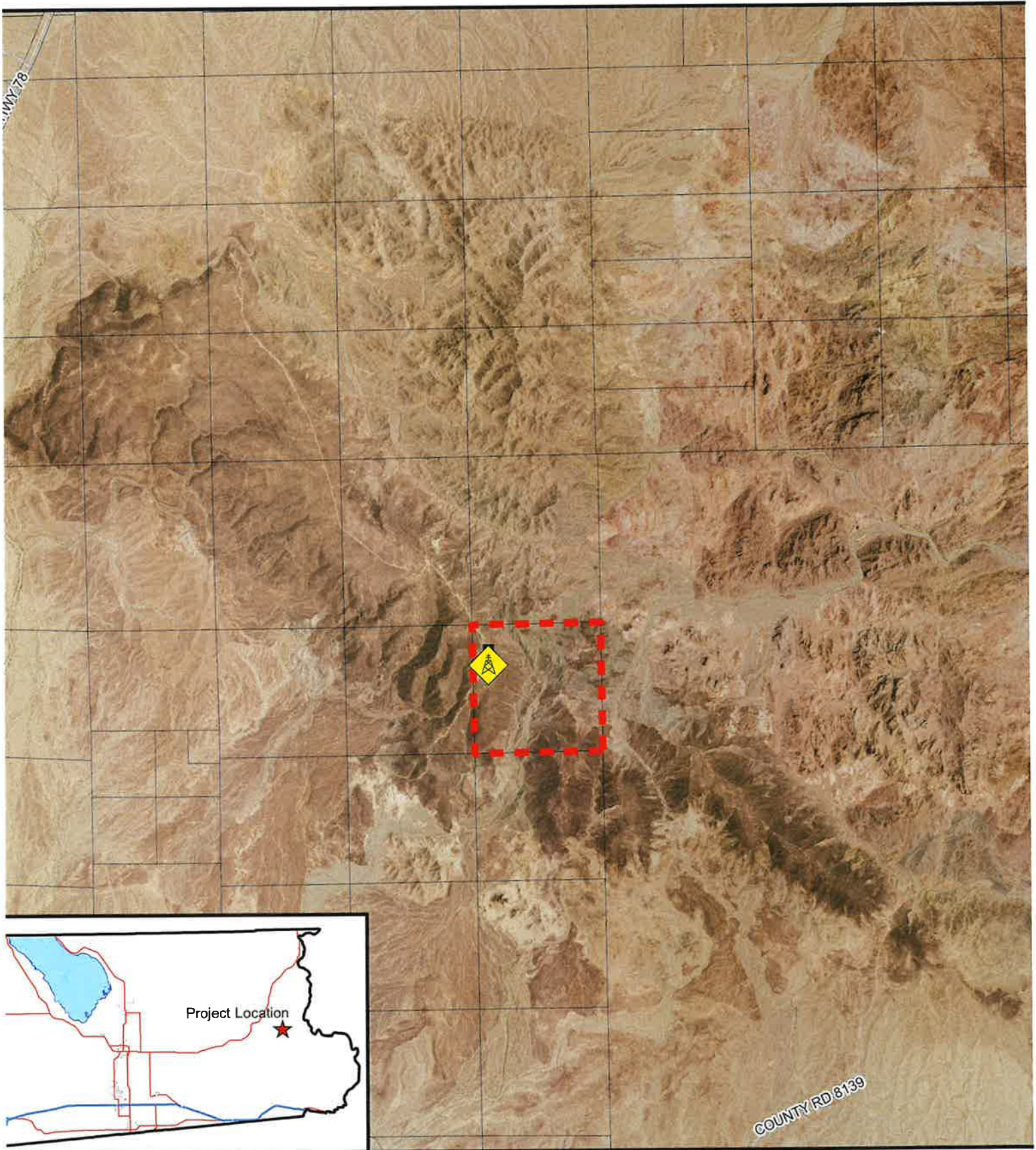
- A. Vicinity Map
- B. Site Plan
- C. Planning Commission Resolution
- D. Conditions of Approval – Conditional Use Permit #24-0005
- E. Previously Approved Conditional Use Permit CUP#05-0012
- F. Conditional Use Permit #24-0005 Application & Supporting Documents
- G. Comment Letters

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

Attachment “A”

Vicinity Map

PROJECT LOCATION MAP



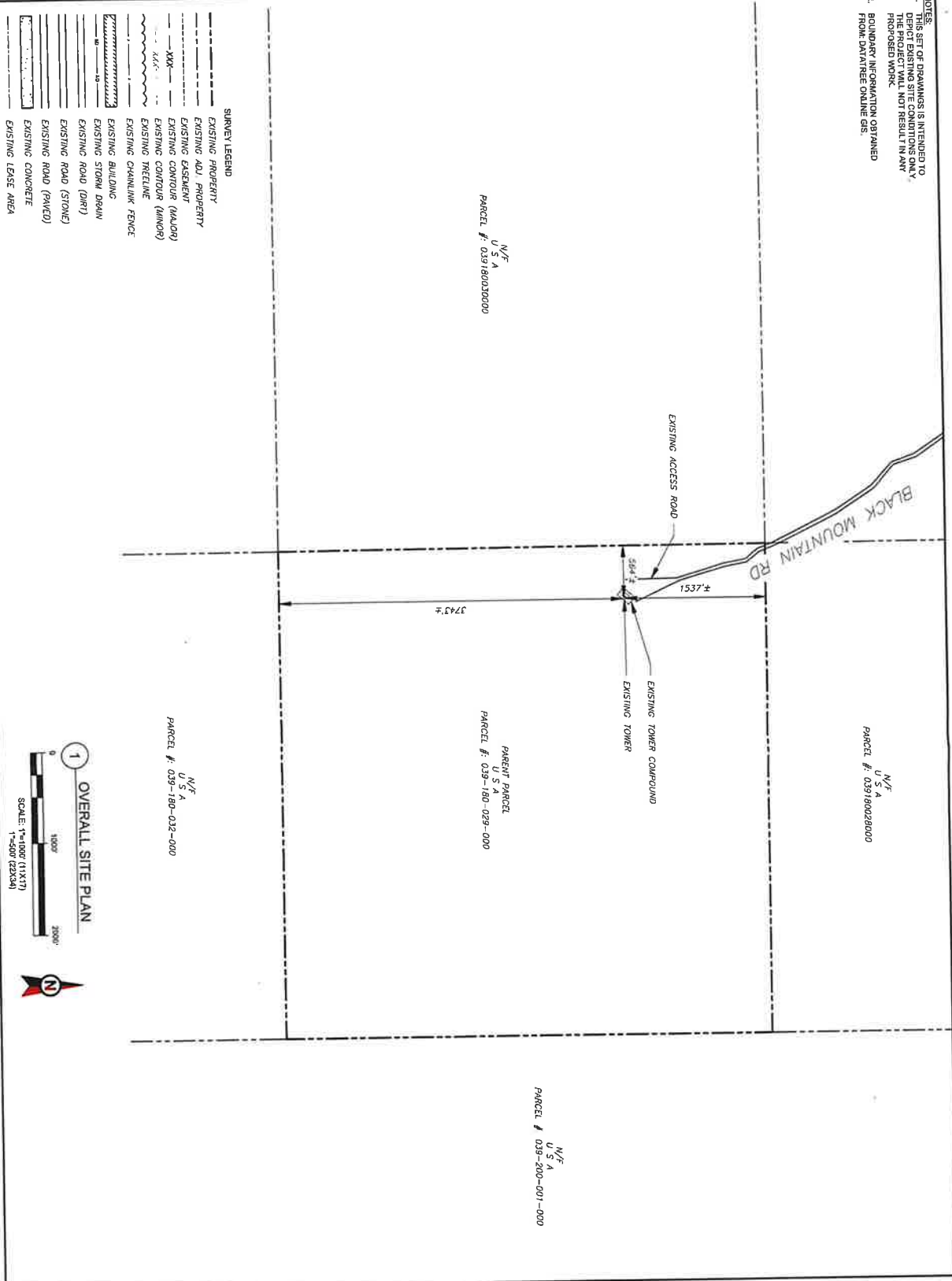
**AMERICAN TOWERS, INC. (ATC)
CUP #24-0005
(SUPERSEDING CUP #05-0012)
APN 039-180-029-000**


-  Project Location
-  Centerline
-  Parcels
-  Existing Tower



**Attachment “B”
Site Plan/Plot Plan**

- NOTES:
- THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
 - BOUNDARY INFORMATION OBTAINED FROM DATA FREE ONLINE GIS.





AMERICAN TOWER
 ATC TOWER SERVICES, LLC
 3800 REGENCY PARKWAY
 SUITE 100
 CARY, NC 27518
 PHONE: (919) 883-0112


The all information under the responsibility of the undersigned shall be true and correct. The undersigned shall be held responsible for the accuracy of the information provided. The undersigned shall be held responsible for the accuracy of the information provided. The undersigned shall be held responsible for the accuracy of the information provided.

REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	AP	12/19/23

ATC SITE NUMBER: **89318**
 ATC SITE NAME: **GLAMIS**

SITE ADDRESS:
 4210 BLVD. COLLEEN ROAD
 WINTERHAVEN, CA 92289

SEAL:

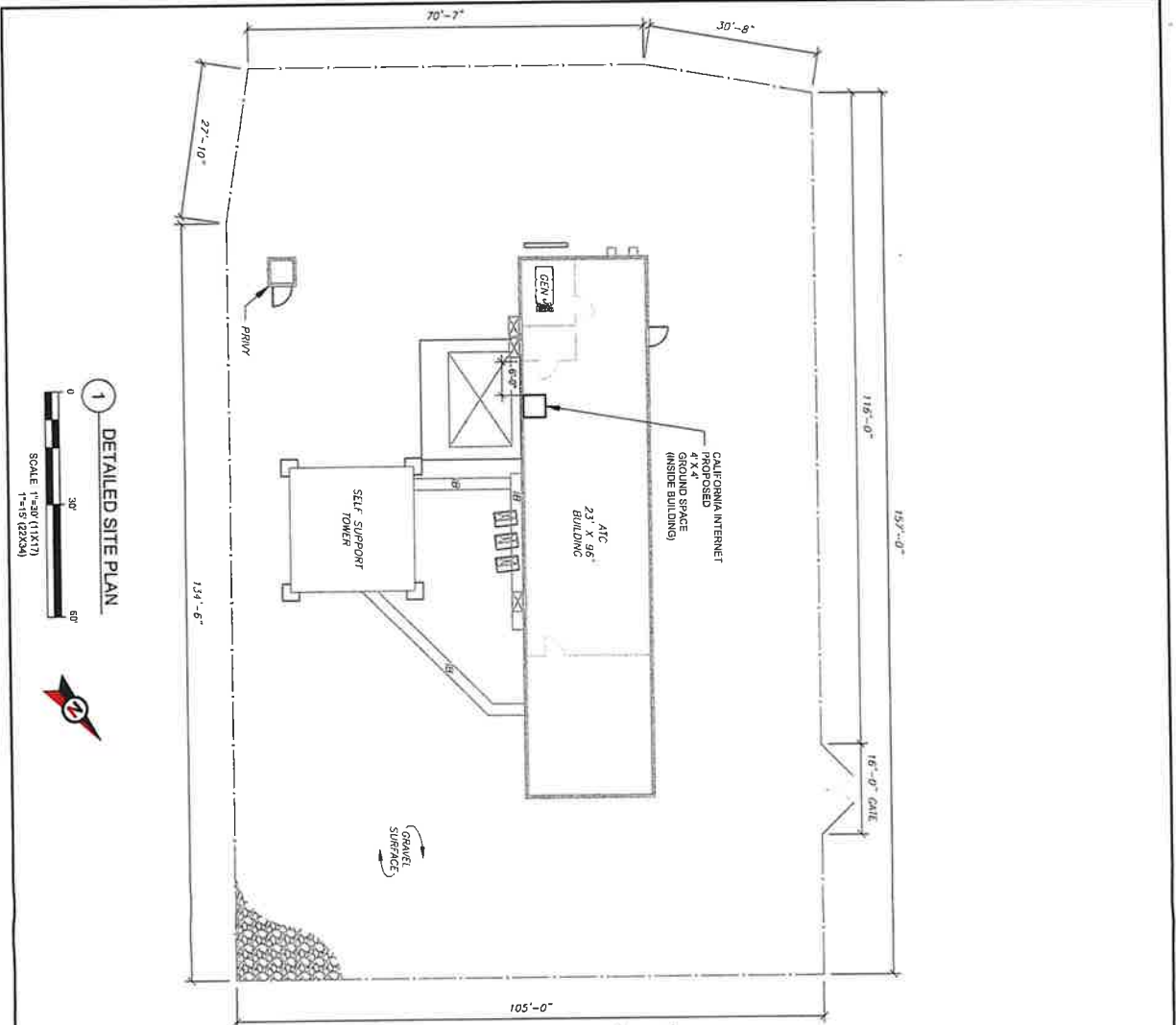


Digitally Signed: 2024-03-20

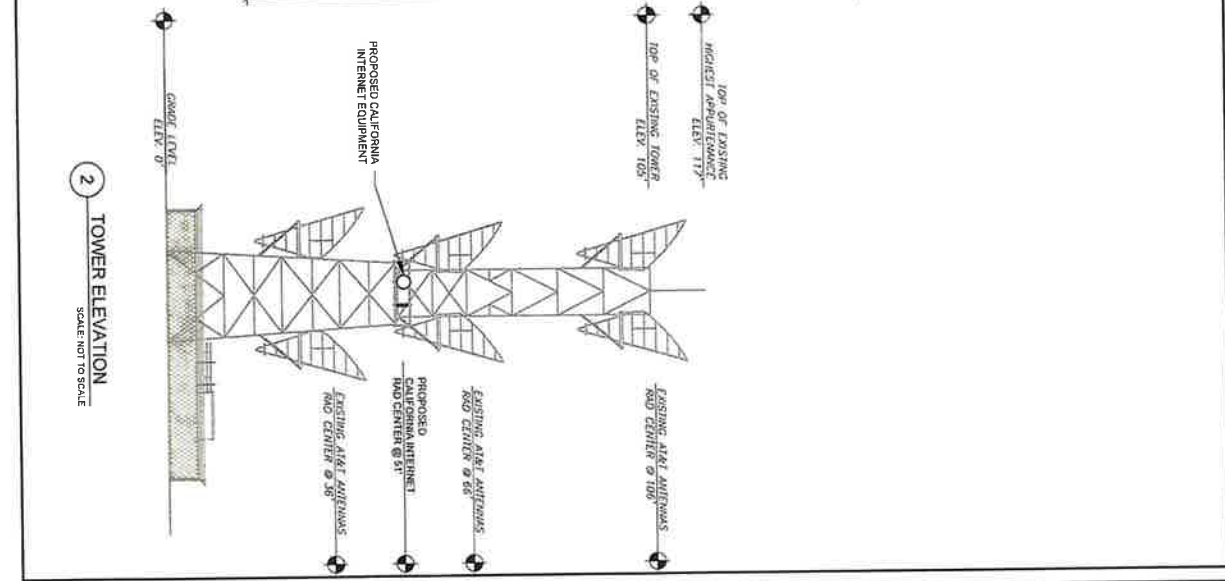
DATE DRAWN	DATE
10/19/23	10/19/23
ATC JOB NO.	14343500_L11

OVERALL SITE PLAN

SHEET NUMBER:	REVISION:
C-101	0



1 DETAILED SITE PLAN
SCALE: 1"=30' (1:1X71)
SCALE: 1"=45' (2:2X4)



2 TOWER ELEVATION
SCALE: NOT TO SCALE

AMERICAN TOWER
AT&T TOWER SERVICES, LLC
 3500 REGENCY PARKWAY
 CARLYLE, MO 64736
 PHONE: (816) 948-0112

THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.

REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	AP	10/18/23
2	ADD CAL. INT. EQUIP.	EB	03/20/24
3			
4			

ATC SITE NUMBER:
89318
 ATC SITE NAME:
GLAMIS

SITE ADDRESS:
 4210 BLACK MOUNTAIN ROAD
 WINTERHAVEN, CA 92288



Digitally Signed: 2024-03-20

DATE DRAWN: 10/18/23
 DATE APPROVED: 10/18/23
 ATC JOB NO.: 1443950_L1

DETAILED SITE PLAN &
 TOWER ELEVATION

SHEET NUMBER: **C-102** REVISION: **1**

Attachment “C”
Planning Commission Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING "CONDITIONAL USE PERMIT #24-0005" FOR AMERICAN TOWERS, INC. (ATC).

WHEREAS, American Towers, Inc. (ATC) has submitted an application for Conditional Use Permit #24-0005 for the renewal of the land use entitlements for an existing 125-foot above ground level (AGL) telecommunications tower; and,

WHEREAS, the existing 125-foot telecommunications tower was previously approved under Conditional Use Permit #05-0012; and,

WHEREAS, the project is categorically exempt in accordance with section 15301 of the requirements of the California Environmental Quality Act, the State Guidelines, and the County's "Rules and Regulations to Implement CEQA as Amended"; and,

WHEREAS, the Planning Commission of the County of Imperial has been delegated with the responsibility of approvals, adoptions, and certifications; and,

WHEREAS, public notice of said request has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on June 12, 2024; and,

NOW, THEREFORE, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

SECTION 1. The Planning Commission has considered the proposed Conditional Use Permit #24-0005 prior to approval. The Planning Commission finds and determines that Conditional Use Permit #24-0005 is adequate and prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance and the California Environmental Quality Act (CEQA), which analyses environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning law and the County of Imperial regulations, the following findings for approving Conditional Use Permit #24-0005 have been made as follows:

A. The proposed use is consistent with the goals and policies of the adopted County General Plan.

The General Plan designates the subject site as "Open Space/Recreation". This site is zoned S-2 (Open Space/Preservation) per Zoning Map #70 of the Imperial County Title 9 Land Use Ordinance. The proposed project is found consistent with the approved Conditional Use Permit #24-0005 and with the goals and policies of the General Plan.

B. The proposed use is consistent with the purpose of the zone or sub-zone within which the use will be used.

The existing project is consistent with the purpose of the zone it is located within. The existing use is a compatible use through an approved Conditional Use Permit pursuant to Title 9, Division 5, Section 90519.02, subsection (d), which authorizes telecommunications towers only through a Conditional Use Permit when approved by the County.

C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed or similar conditional use according to the procedures of Section 90203.00.

The existing telecommunications tower is consistent with the definition of Land Use Ordinance, Section 90519.02, subsection (d), with an approved Conditional Use Permit.

D. The proposed use meets the minimum requirements of this Title applicable to the use and complies with all applicable laws, ordinances and regulations of the County of Imperial and the State of California.

The existing telecommunications tower complies with the minimum requirements of this Title and with the applicable laws by obtaining a CUP pursuant to Title 9, Division 5, Section 90519.02, subsection (d), which authorizes telecommunications towers only through a Conditional Use Permit when approved by the County. The Conditions of Approval will further ensure that the project complies with all applicable regulations of the County of Imperial and the State of California. Additionally, pursuant to CUP #24-0005, **General Condition 8 (Time Limit)**, this project shall be limited to a maximum of ten (10) years from the recordation date of the CUP. The CUP may be extended for a single five (5) year period by the Imperial County Planning & Development Services Director upon finding that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) of the County of Imperial. Therefore, Conditional Use Permit #24-0005 will meet the minimum requirements of the Land Use Ordinance of Imperial County, Section 90203.00.

E. The proposed use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

The existing telecommunications tower will operate as established on Specific Condition S-1 from Conditional Use Permit #24-0005. This use would not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

F. The proposed use does not violate any other law or ordinance.

The project consists of the renewal of the land use entitlements for an existing 125-foot above ground level (AGL) telecommunications tower for previously Conditional Use Permit (CUP #05-0012) which would be superseded by Conditional Use Permit #24-0005. The renewal of the land use entitlements

would be subjected to Federal, State, and Local regulations and will not violate any laws or ordinances.

G. The proposed use is not granting a special privilege.

The existing telecommunications tower complies with the minimum requirements of this Title and with the applicable laws by obtaining a CUP pursuant to Title 9, Division 5, Section 90519.02, subsection (d), which authorizes telecommunications towers only through a Conditional Use Permit when approved by the County. The Conditions of Approval will further ensure that the project complies with all applicable regulations of the County of Imperial and the State of California. Additionally, pursuant to CUP #24-0005, **General Condition 8 (Time Limit)**, this project shall be limited to a maximum of ten (10) years from the recordation date of the CUP. The CUP may be extended for a single five (5) year period by the Imperial County Planning & Development Services Director upon finding that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) of the County of Imperial. Therefore, Conditional Use Permit #24-0005 would meet the minimum requirements of the Land Use Ordinance of Imperial County, Section 90203.00 and not grant a special privilege.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #24-0005 superseding Conditional Use Permit #05-0012 for a new 15-year term, subject the attached Conditions of Approval.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on **June 12, 2024** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Director of Planning & Development Services
Secretary to the Planning Commission

Attachment “D”

Conditions of Approval – CUP#24-0005

1 Recorded Requested By and
When Recorded Return To:

2 Imperial County Planning & Development Services
801 Main Street
3 El Centro California 92243

4
5 **AGREEMENT FOR CONDITIONAL USE PERMIT CUP #24-0005**
6 **SUPERSEDING CUP#05-0012**
7 (American Towers, Inc. - ATC)
(039-180-029-000)
8 **(Approved at Planning Commission June 12, 2024)**

9 This Agreement is made and entered into on this _____, day of _____ by American
10 Towers, Inc. (ATC) (10 Presidential Way, Woburn, MA 01801) hereinafter referred to as
11 Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California,
(hereinafter referred to as "COUNTY").

12 **RECITALS**

13 **WHEREAS**, Permittee is the owner or successor in interest in certain land in Imperial
14 County identified as Assessor's Parcel Number 039-180-029-000 further identified by the
15 following legal description: Section 14, Township 13 South, Range 20 East, S.B.B.M. in an
unincorporated area of the County of Imperial, State of California; and

16 **WHEREAS**, American Towers, Inc. (ATC), and/or any subsequent owner(s) would
17 be required to and intend to fully comply with all the terms and conditions of the project as
18 specified in this Conditional Use Permit (CUP); and

19 **WHEREAS**, Permittee has requested a permit to continue operations of the existing
20 125-foot above ground level "AGL" telecommunications towers with the necessary ancillary
21 equipment, antennas, equipment shelter, a generator, small control structure, fencing, and
related facilities; and

22 **WHEREAS**, Permittee will not operate any type of use other than specified herein
23 and within the application; and

24 **WHEREAS**, Permittee intends to operate the tower for its own use, Permittee shall
25 at some future date allow another "compatible" use communication, or electronic
26 transmission operator (hereinafter referred to as a "subsidiary user"), to use the same tower,
27 thereby minimizing the number of towers required within the confines of the County; and

1 **WHEREAS**, the County encourages multiple use (co-locators) of such towers to the
2 extent that sharing of towers is compatible in use, frequency and meets applicable regulatory
3 standards of all permitting jurisdictions; and

4 **WHEREAS**, though the sharing of tower space is physically possible, it is recognized
5 that additional structural considerations must be addressed and if applicable, permitted by
6 the Building Division of the Imperial County Planning and Development Services
7 Department, to assure that the tower is structurally adequate.

8 **WHEREAS**, County, after reviewing of the project, after a noticed public hearing
9 before the Planning Commission, agreed to issue Conditional Use Permit #24-0005, subject
10 to the following conditions:

11 **NOW THEREFORE**, the County hereby issues CUP #24-0005 subject to all of the
12 following conditions.

13 **GENERAL CONDITIONS:**

14 The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions that are
15 either routinely and commonly included in all Conditional Use permits as "standardized" conditions and/or
16 are conditions that the Imperial County Planning Commission has established as a requirement on all
CUP's for consistent application and enforcement. The Permittee is advised that the General Conditions
are as applicable as the SITE SPECIFIC conditions!

17 **G1 COSTS:**

18 Permittee shall pay any and all amounts as determined by the County to defray all costs for
19 the review of reports, field inspections, enforcement, monitoring, or other activities related
20 to compliance with this permit, County Ordinances, and/or other laws that apply. Any billing
21 against this project, now or in the future, by the Planning and Development Services
22 Department or any County Department for costs incurred as a result of this permit, shall be
23 billed through the Planning and Development Services Department.

24 **G2 AUDIT OF BILLS:**

25 Permittee shall have the right to have any bill audited for clarification or correction. In the
26 event Permittee request an audit or an explanation of any bill, it shall be in writing to the
27 Planning and Development Services Department. Permittee shall bring the account current
28 including any amount due under a "disputed" billing statement, before any audit is
performed. If the amount disputed is the result of a Department other than the Planning and
Development Services Department the explanation or audit shall be performed by said
Department and a report provided to both the Permittee and the Planning and Development
Services Dept.

G3 PERMITS/LICENSES:

The Permittee shall obtain any and all local, state, and/or federal permits, licenses,
contracts, and/or other approvals for the construction and/or operation of this project. This

1 shall include, but not be limited to Health, Building, Sanitation, APCD, Public Works, Sheriff,
2 Regional Water Quality Control Board, Offices of Emergency Services, Division of Mines
3 and Geology, etc. Permittee shall like-wise comply with all such permit requirements for the
4 life of the project. Additionally, Permittee shall submit a copy of any such additional permit,
5 license and/or approval to the Planning Department within 30 days of receipt.

4 **G4 RECORDATION:**

5 This permit shall not be effective until it is recorded at the Imperial County Recorder's Office,
6 and payment of the recordation fee shall be the responsibility of the Permittee. If the
7 Permittee fails to pay the recordation fee within six (6) months from the date of approval,
8 and/or this permit is not recorded within 180 days from the date of approval, this permit shall
9 be deemed null and void, without notice having to be provided to Permittee. Permittee may
10 request a written extension by filing such a request with the Planning Director at least 30
11 days prior to the original 180 day expiration. The Director may approve an extension for a
12 period not to exceed 180 days. An extension may not be granted if the request for an
13 extension is filed after the expiration date.

10 **G5 COMPLIANCE/REVOCAION:**

11 Upon the determination by the Planning and Development Services Department, (if
12 necessary upon consultation with other Departments or Agency(ies)) that the project is or
13 may not be in full compliance with any one or all of the conditions of this Conditional Use
14 Permit, or upon the finding that the project is creating a nuisance as defined by law, the
15 PERMIT and the noted violation(s) shall be brought immediately to the attention of the
16 appropriate enforcement agency or to the Planning Commission for hearing to consider
17 appropriate response including but not limited to the revocation of the CUP or to consider
18 possible amendments to the CUP. The hearing before the Planning Commission shall be
19 held upon due notice having been provided to the Permittee and to the public in accordance
20 with established ordinance/policy. In the event the action by the County is necessitated by
21 the actions or lack thereof of a subsidiary user of the tower, all action by the County shall be
22 taken against the permittee as if the permittee had or was causing the violation. The County
23 shall not be obligated to deal with any subsidiary user of the facility.

18 **G6 PROVISION TO RUN WITH LAND:**

19 The provisions of this project are to run with the land/project and shall bind the current and
20 future owner(s) successor(s) of interest, assignee(s) and/or transferee(s) of said project.
21 Permittee shall not without prior notification to the Planning and Development Services
22 Department assign, sell, or transfer, or grant control of project or any right or privilege
23 therein. The Permittee shall provide a minimum of 60 days written notice prior to such
24 proposed transfer becoming effective. The permitted use identified herein is limited for use
25 upon this parcel described herein and may not be transferred to another parcel. This shall
26 likewise be applicable if the transfer is between the primary and a subsidiary user.

23 **G7 RIGHT OF ENTRY:**

24 The County reserves the right to enter the premises to make the appropriate inspection(s)
25 and to determine if the condition(s) of this permit are complied with. Access to authorized
26 enforcement agency personnel shall not be denied, by the landowner, the permittee or a
27 subsidiary user. The County will contact the person designated by the Permittee to request
28 access to the facility. The request shall be approved within (72) seventy-two hours after
29 request.

1 **G8 TIME LIMIT:**

2 Unless otherwise specified within the project specific conditions this project shall be limited
3 to a maximum of (10) ten years from the recordation date of the CUP. The Conditional Use
4 Permit may be extended for a single (5) five year period by the Imperial County Planning &
5 Development Services Director. The CUP may be revoked or the extension may not be
6 granted if the project is in violation of any one or all of the conditions or if there is a history
7 of non-compliance with the project conditions.

6 **G9 DEFINITIONS:**

7 In the event of a dispute the meaning(s) or the intent of any word(s) phrase(s) and/or
8 conditions or sections herein shall be determined by the Planning Commission of the County
9 of Imperial. Their determination shall be final unless an appeal is made to the Board of
10 Supervisors within the required time. In this permit the term Permittee may also apply to any
11 other facility user whether specified by name herein or not. To the extent that this tower may
12 be used by more than one service provider other than the applicant (permittee), all of the
13 conditions of this permit shall be equally applicable to the other "user(s)" as if they were the
14 "permittee".

11 **G10 SPECIFICITY:**

12 The issuance of this permit does not authorize the Permittee to construct or operate this
13 project in violation of any state, federal, local law nor beyond the specified boundaries of the
14 project as shown the application/project description/permit, nor shall this permit allow any
15 accessory or ancillary use not specified herein. This permit does not provide any prescriptive
16 right or use to the Permittee for future addition and/or modification to this project. The site
17 specific use authorized by this permit is listed under the SITE SPECIFIC ("S") conditions,
18 and only the use or uses listed shall be deemed as approved by this permit. The Permittee's
19 application and or any support documents supplied by Permittee as part of the application
20 shall not be used to determine allowed use(s).

17 **G11 HEALTH HAZARD:**

18 If the County Health Officer determines that a significant health hazard exists to the public,
19 the County Health Officer may require appropriate measures and the Permittee shall
20 implement such measures to mitigate the health hazard. If the hazard to the public is
21 determined to be imminent, such measures may be imposed immediately and may include
22 temporary suspension of the subject operations. However, within 45 days of any such
23 suspension of operations, the measures imposed by the County Health Officer must be
24 submitted to the Planning Commission for review and approval. Nothing shall prohibit
25 Permittee from requesting a special Planning Commission meeting provided Permittee
26 bears all costs.

23 **G12 ENCROACHMENT PERMIT:**

24 Permittee shall obtain, as necessary all encroachment permits, or other special traffic safety
25 permits from the Department of Public Works and/or CALTRANS.

26 **G13 REPORT(S):**

27 Permittee shall file an annual report with the Planning and Development Services
28 Department to show that Permittee is in full compliance with this Conditional Use Permit.

1 The report shall be filed within sixty (60) days from the first day of the Calendar year, and
2 shall include at a minimum, the total number of "users" on the tower, any problems
3 encountered during the previous year, any reported frequency interference complaints, the
4 name & phone number of the responsible person whom to contact, and a checklist to show
5 the status of each condition herein. It shall be the responsibility of the Permittee to provide
6 all reports and to include the information about other users. The County may request
7 information at any time from Permittee or other users if applicable, however it shall be the
8 responsibility of the permittee to assure the County that such information is received.

6 **G14 RESPONSIBLE AGENT:**

7 Permittee shall maintain on file with the Planning and Development Services Department
8 the name and phone number of the responsible agent for the site. A backup name shall also
9 be provided, and a phone number for 24-hour emergency contact shall also be on file. If
10 there are other users, the same information (as applicable) required from the Permittee shall
11 also be made available to the County from such other users.

11 **G15 INDEMNIFICATION:**

12 At no cost to the County, Permittee and each and every subsidiary user, shall indemnify,
13 and hold harmless the County, the Board of Supervisors and all officers and agents of the
14 County against any and all claims, actions and liabilities arising out of the permitting,
15 construction and/or operation of the project. This indemnity agreement shall be on file with
16 the Planning and Development Services Department prior to recordation of this CUP.
17 Failure to have the agreement on file within 60 days from the date of approval by the
18 Planning Commission shall terminate the approval of this CUP. If the tower is subject to
19 "multiple" use by anyone other than the Permittee, each such operator, or facility, or
20 individual, person or corporation shall have on file with the County Planning and
21 Development Services Department an indemnification agreement identical to that of the
22 Permittee.

19 **G16 CHANGE OF OWNER/OPERATOR:**

20 In the event the ownership of the site or the operation of the site transfers from the current
21 Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms
22 and conditions of this permit as if said successor was the original Permittee. Current
23 Permittee shall inform the County Planning and Development Services Department in writing
24 at least 60 days prior to any such transfer. Failure of a notice of change of ownership or
25 change of operator shall be grounds for the immediate revocation of the CUP. In the event
26 of a change, the new Owner/Operator shall file with the Department, via certified mail, a
27 letter stating that they are fully aware of all conditions and acknowledge that they will adhere
28 to all. If this permit or any subservient or associated permit requires financial surety, the
transfer of this permit shall not be effective until the new Permittee has requisite surety on
file. Furthermore existing surety shall not be released until replacement surety is accepted
by County. Failure to provide timely notice of transfer by Permittee shall forfeit current
surety.

1 In the event this is a multi-use tower facility, the written approval from any "user" of the tower
2 shall be provided to the County in addition to the above.

3 **G17 COMPLIANCE WITH ORDINANCE:**

4 Permittee is aware of, has been provided a copy of and has agreed to be bound by and
5 maintain compliance with the "Communications Ordinance", being Title 9 Division 24 of the
6 County's codified ordinances.

7 (TOTAL "G" CONDITIONS are 17)

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Site Specific Conditions:

S1 PROJECT DESCRIPTION:

This permit authorizes the Permittee to continue the operation and maintenance a cellular telecommunications tower. The tower height shall not exceed the existing 125-feet above ground level (AGL) with the existing necessary ancillary equipment, antennas, a generator, equipment shelter, small control structure, fencing, and related facilities. The tower shall be operated and maintained to the specifications contained in the application or as modified. In addition to the information contained in the application, and as a result of the County, the applicant and the other interested parties desiring to minimize the number of towers in the County, this tower may be used by multiple users in addition to the Permittee, provided the conditions stated herein are followed.

S2 ACCESS TO SITE:

Access to the site shall be as described in the application and as shown on the assessors plat map, and/or as approved by or through an encroachment permit.

S3 NO TRESPASSING SIGNS:

Permittee shall post the site for "No Trespassing" on each side all along the fence.

S4 HOURS OF OPERATION:

Permittee shall be allowed to operate the site 24 hours per day, seven days per week.

S5 ANCILLARY USES & ADDITIONAL LAND USE PERMITS:

This permit authorizes the Permittee to operate the site as described under Specific Condition S1 with no additional ancillary facilities or uses. This permit shall be considered the primary permit for this site, and if additional Conditional Use Permit(s) are secured for this site, they shall be subservient to this permit at all times.

S6 SUSPENSION OF OPERATIONS:

If operation of the communications facility ceases for a period of twenty four (24) consecutive months, the Permittee shall remove the communications tower, all related equipment, and all structures and buildings within 6 months. Permittee may request in writing to the Planning Director a one-time extension; such extension shall be limited to a maximum of one year.

S7 ENFORCEMENT ACTION:

County officials responsible for monitoring and/or enforcing the provisions of this permit shall issue a notice requiring abatement of a violation of its terms within a reasonable time as set by ordinance or County policy. As an example, responsible County officials may issue a citation and/or cease-and-desist order for repeated violation until such violations are abated. Under specific violations, the County may order the facility to cease operation until it can or will be operated in full compliance.

In the event there is enforcement action taken by the County it shall at all times be against the Permittee, even if the violation is caused by another party using the tower. It shall be the

1 responsibility of Permittee to assure that the tower is operated in compliance with all terms
2 and conditions of the CUP.

3 **S8 LIGHT & GLARE:**

4 Permittee is allowed to have security as well as operational lighting. Said lighting shall be
5 shielded and direct to onsite areas to minimize off site interference from unacceptable levels
of light or glare.

6 **S9 CONFLICTING PERMIT CONDITIONS:**

7 In the event that there is a conflict between the condition of this permit and any other permit,
8 the most stringent condition shall govern.

9 **S10 MINOR ADMINISTRATIVE MODIFICATION:**

10 The Planning and Development Services Director shall have the authority to make
11 interpretations, issue administrative decisions and provide directions that while not
12 modifying the intent of any condition will allow for problem resolution at an administrative
level. Both Director and/or Permittee have the right to defer such issues to the Planning
Commission. However in no event shall any decision regarding this permit be brought to the
Board of Supervisors without first having been brought to the Commission.

13 **S11 LATEST CODES GOVERN:**

14 All on site structures shall be designed and built to meet the latest edition of the applicable
15 codes. In the event the tower is altered, added to, or modified to accommodate additional
16 users, additional antennae or other structural modifications from those originally approved
by County, Permittee shall provide revised structural drawings and calculations to the
Building Inspection Division prior to such modifications being made.

17 **S12 COMMUNICATION FREQUENCY:**

18 Transmission frequency, amount of radiated power, and antennae characteristics shall
19 comply with requirements by the Federal Aviation Authority (FAA), Federal Communications
Commission (FCC), Planning Department and other applicable agencies.

20 **S13 VARIANCE:**

21 In conjunction with this CUP a height variance VAR #05-0002 has been approved and issued
22 to allow for the construction of the communication tower to a height not to exceed 125 feet
above ground level (AGL).

23 **S14 FREQUENCY COORDINATION:**

24 The operation of the project shall not cause interference with transmission or reception of
25 signals or other communication facilities. Failure to comply with this condition shall result in
suspension or revocation of the Conditional Use Permit.

26 **S15 TOWER EMERGENCY INFORMATION:**

27 Permittee shall file with the Imperial County Planning & Development Services Department
28 a Tower Site Information sheet. The permittee shall update this information yearly.

1 **S16 LIGHTING:**

2 All towers shall be lit with aircraft warning lights. At a minimum the tower shall include lights
3 at the top and at the mid-point of the structure. Permittee shall install a white medium
4 intensity strobe beacon (for daylight use only) and a red flashing warning light (for nighttime
5 use only) to warn aircraft in the vicinity. Permittee shall submit evidence of compliance with
6 these requirements within six (6) months from the approval date of this CUP.

7 The Imperial County will not require back-up power so long as the following measures are
8 in place:

- 9 1. Implementation of a Network Operation Control Center (NOCC) as a 24 hour,
10 365 days a year alert system that informs the tower operator and other pertinent
11 agencies immediately of any problems with the tower and the emergency lighting
12 system (including towers less than 200 feet.);
- 13 2. Provide the Imperial County Applicators' notification under the NOCC system
14 and its updates at no cost;
- 15 3. Work with Imperial County Air Applicators' on the repair schedule and flight
16 path rerouting;
- 17 4. Repair lighting or tower equipment failure within 72 hours, and;
- 18 5. Provide written reports to the Imperial County Air Applicators' and the Imperial
19 County Planning & Development Services Department upon completion of tower
20 repairs (to the tower lighting) resulting from NOCC actions, and provide yearly
21 summary reports pertaining to NOCC actions.

22 **S17 RESTORATION SURETY:**

23 (a) Upon the expiration of this CUP, Permittee shall restore the site upon which the project
24 is located back to its undeveloped condition. To ensure that such restoration is completed,
25 Permittee shall provide security that is in conformance with the County's Financial
26 Assurance Guideline, is acceptable to the Office of County Counsel, and in an amount not
27 less than \$25,000. Said security shall cover Permittee, as well as any co-locators, users, or
28 other subleases located at the site.

(b) The amount of security may be administratively increased by the Planning Department
or the Planning Commission, upon a finding that the characteristics of the site warrants
additional security. The security must be filed with the County within six (6) months of the
approval of this CUP, and/or prior to the issuance of any building or grading permit,
whichever comes first.

(c) The security shall remain in effect until the project has been completely removed, and
the site has been fully restore to its undeveloped condition. In the event there is a history of
noncompliance with the conditions of this CUP, or any other applicable federal, State or local
law, regulation, rule, policy or procedure, the minimum amount of required security may be
administratively increased by the Planning Department or Planning Commission to \$35,000.

1 (TOTAL "S" CONDITIONS are 17)

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NOW THEREFORE, County hereby issues Conditional Use Permit #24-0005, and Permittee hereby accepts such permit upon the terms and conditions set forth herein:

IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

PERMITTEE

Authorized Representative
American Towers, Inc. (ATC)

Date

COUNTY OF IMPERIAL, a political subdivision of the STATE OF CALIFORNIA

James Minnick, Director of
Planning & Development Services

Date

PERMITTEE NOTARIZATION

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____

COUNTY OF _____ } S.S.

On _____ before me, _____ a Notary Public in and for said County and State, personally appeared _____, who proved to on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature _____

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

Dated _____

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COUNTY NOTARIZATION

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF IMPERIAL } S.S.

On _____ before me, _____
a Notary Public in and for said County and State, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature _____

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

Attachment “E”

Previously Approved Conditional Use

Permit (CUP) #05-0012

RECORDING REQUESTED BY AND

Black Mountain Towers

CUP 05-0012/V05-0002

June 2005

Recorded in Official Records, Imperial County

12/07/2005
1:25 PM
B

When Recorded Return To:

Dolores Provencio
County Clerk / Recorder

Imperial County Planning/Building Department
939 Main Street, Suite B-1
El Centro, California 92243

P Public

Doc#: 2005 - 049366

Titles: 1 Pages: 14



Fees 45.00
Taxes 0.00
Other 0.00
PAID 545.00

**AGREEMENT FOR CONDITIONAL USE PERMIT #05-0012
(Existing Communication Tower)
(APN 039-180-29-01)
(Black Mountain)**

This Agreement is made and entered into on this 11 th day of AUGUST 2005, by and between American Towers Corporation. (hereinafter referred to as "Permittees"), and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, Permittees are the owners, operators, successors-in-interest, and/or lessees in certain land in Imperial County known as the; "a portion of T 13 S, R 20 E.", Township 13 South, Range 20 East, Section 12, SBB&M, and;

WHEREAS, Permittees have applied to the County for retroactively permission to operate existing tower on Black Mountain, 125' high respectively, which is also referred to as "APN 039-180-29-01", and;

WHEREAS, Permittees have requested a permit operate this tower, including therewith the necessary security fencing, control structure, related facilities, and;

WHEREAS, Permittees will not operate any type of use other than specified herein and within the application, and;

1
2 **WHEREAS**, Permittees intends to operate the tower for their own use,
3 Permittees may at some future date desire to allow another "compatible" use
4 communication, or electronic transmission operator, hereinafter referred to as a
5 "subsidiary user", to use these towers, thereby minimizing the number of towers
6 required within the confines of the County, and;

7 **WHEREAS**, the County would like to encourage multiple-use of such towers to
8 the extent that "sharing" of towers is compatible in use, frequency and meets
9 applicable regulatory standards of all permitting jurisdictions, and;

10 **WHEREAS**, it is recognized that additional structural considerations must be
11 addressed and if applicable, permitted by the County Building Inspection Division, to
12 assure that these towers are structurally adequate, and;

13 **WHEREAS**, the County has adopted a "Communication Ordinance" which the
14 Permittees have had an opportunity to review, and;

15 **WHEREAS**, the intent of the Communication Ordinance is to regulate
16 communication projects, establish guidelines for such facilities, and encourage
17 participation in the local community by, among other things, the establishment of a
18 local benefit program, and

19 **WHEREAS**, the local benefit is a "negotiated" agreement between Permittees
20 and the County, derived on the basis of local needs, including therein the health and
21 safety considerations, and;

22 **WHEREAS**, the Permittees have agreed to comply with the provisions of the
23 Ordinance, and provide a negotiated local benefit to the County, and;

WHEREAS, County, after a review of the project, after a noticed public hearing before the Environmental Evaluation Committee, after a noticed public hearing before the County Planning Commission, agreed to issue Conditional Use Permit #05-0012 (and Variance 05-0002) to the Permittees, and/or their successor(s)-in-interest subject to all of the following conditions:

NOW THEREFORE, the County issued the CUP (# 05-0012) subject to all of the following conditions.

INDEX TO CONDITIONS:

G-1	Costs
G-2	Audit of Bills
G-3	Permits/Licenses
G-4	Recordation
G-5	Compliance/Revocation
G-6	Provisions to Run with Land
G-7	Right of Entry
G-8	Time Limit
G-9	Definitions
G-10	Specificity
G-11	Health Hazard
G-12	Encroachment Permit
G-13	Report(s)
G-14	Responsible Agent
G-15	indemnification
G-16	Change of Owner/Operator
G-17	Compliance with ordinance
G-18	Local Benefit Agreement
S-1	Project Description
S-2	Access to Site
S-3	No Trespass Signs
S-4	Hours of Operation
S-5	Ancillary uses and Additional Land Use Permits
S-6	Suspension of Operations
S-7	Enforcement Action
S-8	Light & Glare
S-9	Conflicting Permit Conditions
S-10	Minor Administrative Modification
S-11	Latest Codes Govern
S-12	Variance
S-13	Lighting
S-14	Communication Frequency
S-15	Frequency Coordination
S-16	Restoration Surety
S-17	Emergency/Communication
S-18	Development Agreement

GENERAL CONDITIONS:

The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions that are either routinely and commonly included in all Conditional Use permits as "standardized" conditions and/or are conditions that the Imperial County Planning Commission has established as a requirement on all CUP's for consistent application and enforcement. The Permittee is advised that the General Conditions are as applicable as the SITE SPECIFIC conditions!

G1 COSTS:

Permittees shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field inspections, enforcement, monitoring, or other activities related to compliance with this permit, County Ordinances, and/or other laws that apply. Any billing against this project, now or in the future, by the Planning/Building Department or any County Department for costs incurred as a result of this permit, shall be billed through the Planning/Building Department.

G2 AUDIT OF BILLS

Permittees shall have the right to have any bill audited for clarification or correction. In the event the Permittee requests an audit or an explanation of any bill, it shall be in writing to the Planning/Building Department. Permittees shall bring the account current including any amount due under a "disputed" billing statement, before any audit is performed. If the amount disputed is the result of a County Department other than the Planning/Building Department, the explanation or audit shall be performed by said Department and a report shall be provided to both the Permittees and the Planning/Building Department.

G3 PERMITS/LICENSES:

The Permittees shall obtain any and all local, state, and/or federal permits, licenses, contracts, and/or other approvals for the construction and/or operation of this project. This shall include, but not be limited to Health, Building, Sanitation, APCD, Public Works, Sheriff, Regional Water Quality Control Board, and Fire/Office of Emergency Services. Permittees shall likewise comply with all such permit requirements for the life of the project. Additionally, Permittees shall submit a copy of any such additional permit, license and/or approval to the Planning/Building Department within 30 days of receipt if requested.

G4 RECORDATION:

This permit shall not be effective until it is recorded at the Imperial County Recorders Office, and payment of the recordation fee shall be the responsibility of the Permittees. If the Permittees fails to pay the recordation fee, and/or has not signed a local benefit agreement, within six (6) months from the date of approval, and/or this permit is not recorded within 180 days from the date of approval, this permit shall be deemed null and void, without notice having to be provided to the Permittees. Permittees may request a written extension by filing such a request with the Planning Director at least 30 days prior to the original 180-day expiration. The Director may approve an extension for a period not to exceed 180 days. An extension may not be granted if the request for an extension is filed after the expiration date.

G5 COMPLIANCE/REVOCAION:

Upon the determination by the Planning/Building Department, as necessary upon consultation with other Departments or Agencies, that the project is or may not be in full compliance with any one or all of the conditions of this Conditional Use Permit, or upon the finding that the project is creating a nuisance as defined by law, the PERMIT and the noted violation(s) shall be brought immediately to the attention of the appropriate enforcement agency or to the County Planning Commission for hearing to consider appropriate response, including but not limited to, the revocation of the CUP or to consider possible amendments to the CUP. The public hearing before the County Planning Commission shall be held upon due notice having been provided to the Permittee and to the public in accordance with the established ordinance/policy. In the event the action by the County is necessitated by the actions or lack thereof of a subsidiary user of these towers, all action by the County shall be taken against the Permittees as if the Permittees had or was causing the violation. The County shall not be obligated to deal with any subsidiary user of the facility.

G6 PROVISION TO RUN WITH LAND:

The provisions of this project are to run with the land/project and shall bind the current and future owner(s), successor(s)-in-interest, assignee(s), and/or transferee(s) of said project. Permittees shall not without prior notification to the Planning/Building Department, assign, sell, or transfer, or grant control of these towers or any right or privilege therein. The Permittees shall provide a minimum of 60 days written notice prior to such proposed transfer becoming effective. The permitted use identified herein is limited for use as described herein. This shall likewise be applicable if the transfer is between the primary and a subsidiary user.

G7 RIGHT OF ENTRY:

The County reserves the right to enter the premises to make the appropriate inspection(s) and to determine if the condition(s) of this permit are complied with. Access to authorized enforcement agency personnel shall not be denied, by the landowner, the Permittees or a subsidiary user.

G8 TIME LIMIT:

Unless otherwise specified within the project specific conditions, this permit shall be limited to a maximum of three (3) years from the recordation date of the CUP. The CUP may be extended for successive three (3) year periods by the Planning Director upon a finding by the Planning/Building Department that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) of the County of Imperial. Unless specified otherwise herein, no conditional use permit shall be extended for more than four consecutive periods. If an extension is necessary or requested beyond fifteen years, Permittees shall file a written request with the Planning Director for a hearing before the County Planning Commission. Such request shall include the appropriate time extension fee. An extension shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions.

G9 DEFINITIONS:

In the event of a dispute the meaning(s) or the intent of any word(s) phrase(s) and/or conditions or sections herein shall be determined by the County Planning Commission of the County of Imperial. Their determination shall be final unless an appeal is made to the Board of Supervisors within the required time. In this permit, the term Permittees may also apply to any other facility user whether specified by name herein or not. To the extent that these towers may be used by more than one service provider other than the Permittee, all of the conditions of this permit shall be equally applicable to the other "user(s)" as if they were the "Permittees".

G10 SPECIFICITY

The issuance of this permit does not authorize Permittees to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown the application/project description/permit, nor shall this permit allow any accessory or ancillary use not specified herein. This permit does not provide any prescriptive right or use to the Permittees for future addition and/or modification to this project. The site specific use authorized by this permit is listed under the SITE SPECIFIC ("S") conditions, and only the use or uses listed shall be deemed as approved by this permit. The Permittees' application and or any support documents supplied by Permittees as part of the application shall not be used to determine allowed use(s).

G11 HEALTH HAZARD:

If the County Health Officer determines that a significant health hazard exists to the public, the County Health Officer may require appropriate measures and the Permittees shall implement such measures to mitigate the health hazard. If the hazard to the public is determined to be imminent, such measures may be imposed immediately and may include temporary suspension of the subject operations. However, within 45 days of any such suspension of operations, the measures imposed by the County Health Officer must be submitted to the County Planning Commission for review and approval. Nothing shall prohibit Permittees from requesting a special Planning Commission meeting provided that the Permittees bears all costs.

G12 ENCROACHMENT PERMIT

Permittees shall obtain, as necessary all encroachment permits, from the affected agencies.

G13 REPORT(S)

Permittees shall file an annual report with the Planning/Building Department to show that Permittees are in full compliance with this Conditional Use Permit. The report shall be filed within sixty (60) days from the first day of the Calendar year. It shall be the responsibility of the Permittees to provide all reports and to include the information about other users. The County may request information at any time from Permittees or

1
2 other users, as applicable; however, it shall be the responsibility of the Permittees to
3 assure the County that such information is received.

4 **G14 RESPONSIBLE AGENT**

5 Permittees shall maintain on file with the Planning/Building Department the name and
6 phone number of the responsible agent for the site. A back-up name shall also be
7 provided, and a phone number for 24-hour emergency contact shall also be on file. If
8 there are other users, the same information (as applicable) required from the
9 Permittees shall also be made available to the County from such other users.

10 **G15 INDEMNIFICATION**

11 At no cost to the County, Permittees and each and every subsidiary user, shall
12 indemnify, and hold harmless the County, the Board of Supervisors and all officers
13 and agents of the County against any and all claims, actions and liabilities arising out
14 of the permitting, construction and/or operation of the project. This indemnity
15 agreement shall be on file with the Planning/Building Department prior to recordation
16 of this CUP. Failure to have the agreement on file within 60 days from the date of
17 approval by the Planning Commission shall terminate the approval of this CUP. If
18 these towers are subject to "multiple" use by anyone other than the Permittees, each
19 such operator, or facility, or individual, person or corporation shall have on file with
20 the County Planning/Building Department an indemnification agreement identical to
21 that of the Permittees.

22 **G16 CHANGE OF OWNER/OPERATOR**

23 In the event the ownership of the site or the operation of the site transfers from the
24 current Permittees, to a new successor Permittee, the successor Permittee shall be
25 bound by all terms and conditions of this permit as if said successor was the original
26 Permittee. Current Permittees shall inform the County Planning/Building Department
27 in writing at least 60 days prior to any such transfer. Failure of a notice of change of
28 ownership or change of operator shall be grounds for the immediate revocation of the
CUP. In the event of a change, the new Owner/Operator shall file with the
Planning/Building Department, via certified mail, a letter stating that they are fully
aware of all conditions and acknowledge that they will adhere to all conditions. If this
permit or any subservient or associated permit requires financial surety, the transfer of
this permit shall not be effective until the new Permittee has the requisite surety on
file. Furthermore, the existing surety shall not be released until a replacement surety
is accepted by the County. Failure to provide timely notice of transfer by the
Permittees shall forfeit the current surety.

in the event these are multi-user tower facilities, the written approval from any "user"
of the tower shall be provided to the County in addition to the above.

G17 COMPLIANCE WITH ORDINANCE

Permittees are aware of and have been provided a copy of and has agreed to be bound by and maintain compliance with the "Communications Ordinance", entitled Title 9, Division 24, of the County's Codified Ordinances.

G18 LOCAL BENEFIT AGREEMENT

Permittees have agreed to provide a local benefit per a negotiated agreement between the County and the Permittees. This local benefit agreement allows the Permittees to provide one of the following: (a) tower space reserved for County/IVECA use the reservation to be held for a period of three years during which the County/IVECA must notify the Permittees of its intent to use the facility or in the absence thereof notify its intention not to use the facility; (b) in lieu of the reservation of space, pay an equivalent amount equal to the rental value of the space for the three year period, the funds to be dedicated to a trust account under the control of the Planning/Building Department for allocation to the public communications systems being developed by IVECA, IID and ICOE; (c) provide electronic equipment of equivalent value of the three year rental value of the tower space, the type of equipment to be determined by the IVECA, ICOE and IID systems; (d) engineering services of equivalent value as defined in (b) and (c). The Director of the Planning/Building Department, based upon current community needs determined in consultation with IVECA, ICOE and IID, shall approve the choice of the alternative. The in lieu of fee may be paid in a lump sum at time of recordation in which case the total value shall be discounted by 20% of the aggregate value that would have been paid on a monthly basis for the three year period. It may also be paid at the end of the three year term of the CUP, prior to the renewal of the CUP, in which case the total cost will be the aggregate total for the three year period plus 10% interest on the total.

(The rest of this page is intentionally left blank)

SPECIFIC PROJECT CONDITIONS:**S1 PROJECT DESCRIPTION**

This permit authorizes the Permittees to construct and operate two existing towers with the necessary ancillary equipment, generally being a small control structure and fencing. The Tower height shall not exceed their existing height. The towers shall be maintained. In addition to the information contained in the application, and as a result of the County, the applicant and the other interested parties desiring to minimize the number of towers in the County, this tower may be used by multiple users in addition to the Permittees, provided the conditions stated herein are followed.

S2 ACCESS TO SITE

Access to the site shall be as described in the application and as shown on the Assessor's plat map.

S3 NO TRESPASSING SIGNS

Permittees shall post the site for "No Trespassing" at least every side along the active perimeter of the site.

S4 HOURS OF OPERATION

Permittees shall be allowed to operate the site 24 hrs per day, seven days per week.

S5 ANCILLARY USES & ADDITIONAL LAND USE PERMITS

This permit authorizes the Permittees to operate the site as described under condition S1 with no additional ancillary facilities or uses. This permit shall be considered the primary permit for this site, and if additional Conditional Use Permit(s) are secured for this site, they shall be subservient to this permit at all times.

S6 SUSPENSION OF OPERATIONS

{a} If operation of the tower ceases for a period of twenty four (24) consecutive months, the Permittees shall remove these towers, all related equipment, and all structures and buildings within 6 months. Permittees may request in writing to the Planning Director a one-time extension; such extension shall be limited to a maximum of one year.

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(b) Permittees shall file (with the County) surety in the amount of \$3,000, in a form acceptable to County Counsel. Said surety shall be filed within six (6) months of the approval of this CUP, and/or prior to issuance of any construction permit, whichever comes first, and shall guarantee restoration of the land to its condition prior to development.

(c) If there are other persons, firms or corporations using said towers, in addition to the Permittees, the surety shall increase at the rate of \$2,000.00 per user and shall be provided to the County by said persons, firms or corporations.

S7 ENFORCEMENT ACTION

County officials responsible for monitoring and/or enforcing the provisions of this permit shall issue a notice requiring abatement of a violation of its terms within a reasonable time as set by ordinance or County policy. As an example, responsible County officials may issue a citation and/or cease-and-desist order for repeated violation(s) until such violations are abated. Under specific violations, County may order the facilities to cease operation until it can or will be operated in full compliance.

In the event there is enforcement action taken by the County it shall at all times be against the Permittees, even if the violation is caused by another party using these towers. It shall be the responsibility of the Permittees to assure that these towers are operated in compliance with all terms and conditions of the CUP.

S8 LIGHT & GLARE

Permittees are allowed to have security as well as operational lighting. Said lighting shall be shielded and shall be directed to on-site areas to minimize off-site interference from unacceptable levels of light or glare.

S9 CONFLICTING PERMIT CONDITIONS

In the event that there is a conflict between the condition of this permit and any other permit, the most stringent condition shall govern.

S10 MINOR ADMINISTRATIVE MODIFICATION

The Planning Director shall have the authority to make interpretations, issue administrative decisions and provide directions that while not modifying the intent of any condition will allow for problem resolution at an administrative level. Both the Planning Director and/or the Permittees have the right to defer such issues to the County Planning Commission. However, in no event shall any decision regarding this permit be brought to the Board of Supervisors, without first having been brought to the Commission.

S11 LATEST CODES GOVERN

All future on-site structures shall be designed and built to meet the latest edition of the applicable codes. In the event these towers are altered, added to, or modified to accommodate additional users, additional antennae or other structural modifications from those originally approved by County, Permittees shall provide revised structural drawings and calculations to the Building Inspection Division prior to such modifications being made.

S12 VARIANCE

In conjunction with this CUP, a height "Variance" has been processed to allow for the existing tower not to exceed the height of the present tower of 125'.

S13 LIGHTING

As recommended by the Airport Land Use Commission, for any new construction, additions, modifications to existing tower, aircraft warning lights will be installed on the tower to meet Airport Land Use Commission specifications. Electrical back-up power shall be provided for these lights on these two towers and at a minimum shall include lights at the top and at the mid-point of the structure. As required by the Airport Land Use Commission for any new additions, modifications, or new construction, Permittees shall install a white high intensity daylight strobe beacon and a red flashing warning light at night to warn aircraft in the vicinity.

S14 COMMUNICATION FREQUENCY

Transmission frequency, amount of radiated power, and antennae characteristics shall be in compliance with requirements by the Federal Aviation Authority (FAA), Federal Communications Commission (FCC), and other applicable agencies.

S15 FREQUENCY COORDINATION

The operation of the tower shall not cause interference with transmission or reception of signals or other communication facilities. Failure to comply with this condition shall result in suspension or revocation of the Conditional Use Permit.

S16 RESTORATION SURETY

The original surety shall remain in effect until the tower and the ancillary facilities are removed and the site is restored to its original condition. In the event there is a history of "non-compliance with these conditions, prior to the renewal terms herein, the surety may be administratively increased to \$5,000.00 minimum and \$10,000.00 maximum, if the renewal is considered by the County Planning Commission.

S17 EMERGENCY/COMMUNICATION PARTICIPATION

The Permittees shall, in exchange for the benefit of this authorization, create a public benefit to the County by supporting the County in its program to establish and maintain a countywide emergency communication system as well as a Countywide High Speed Internet Communication system. This support shall be in accordance with condition G-18.

S18 DEVELOPMENT AGREEMENT

In lieu of Condition S17, the Permittees may enter into a "development agreement" with the County, the terms of which shall substantially support the concept of G-18. The Development Agreement may, however, provide alternative benefits that the County desires in lieu of direct payments. The Permittees may exercise this option within 30 days from the date of approval by the Planning Commission, but prior to recordation; however, in doing so, Permittees agrees to be bound by condition S17 until such time as a "development agreement" becomes effective. If the development agreement process is commenced but not completed, condition S17 shall continue to govern.

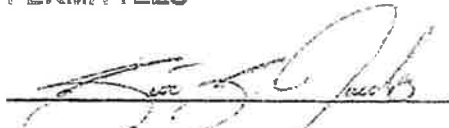
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Permittees are advised that County does have a "development agreement" ordinance which governs the processing of such an agreement. Furthermore, Permittees are advised that a development agreement can only be approved by the Board of Supervisors. Therefore, a hearing before the Board will be necessary to effectuate such an agreement.

NOW THEREFORE, County hereby issues Conditional Use Permit #04-0004 and the Permittees hereby accept such permit upon the terms and conditions set forth herein:

IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

PERMITTEES

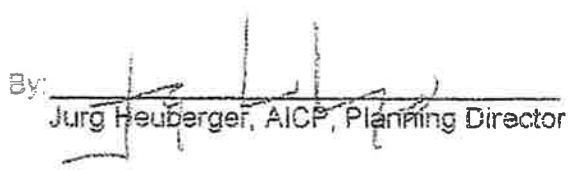

American Tower Corporation

DATED: 8/11/05


SCOTT S. CHAVERS

DATED 8/11/05

COUNTY OF IMPERIAL, a political
Subdivision of the STATE OF CALIFORNIA

By: 
Jurg Heuberger, AICP, Planning Director

DATED 8/11/05

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PERMITTEES NOTARIZATION:

STATE OF CALIFORNIA Arizona

COUNTY OF Maricopa } S.S.

On September 19, 2005 before me,
Rachel Pierro a Notary Public in and
for said County and State, personally appeared
Scott Stephen Jagers, personally known to me
(or proved to me on the basis of satisfactory evidence) to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity (ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature Rachel Pierro



ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Remit
Number of Pages 14 Date of Document 8-11-05
Signer(s) Other Than Named Above _____

COUNTY NOTARIZATION:

STATE OF CALIFORNIA

COUNTY OF IMPERIAL } S.S.

On NOVEMBER 10, 2005 before me, PATRICIA A. VALENZUELA a Notary Public in and for said IMPERIAL County and IMPERIAL State, personally appeared JURGHUEBER, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature [Handwritten Signature]

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document Conditional Use Permit

Number of Pages 14

Date of Document August 11, 2005

Signer(s) Other Than Named Above _____



Attachment “F”

**Conditional Use Permit #24-0005
Application & Supporting Documents**

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (442) 265-1736

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Bureau of Land Management (BLM)	EMAIL ADDRESS	
2. MAILING ADDRESS (Street / P O Box, City, State) 1661 S. Fourth Street, El Centro, CA	ZIP CODE 92243	PHONE NUMBER
3. APPLICANT'S NAME American Towers Inc. (ATC)	EMAIL ADDRESS	
4. MAILING ADDRESS (Street / P O Box, City, State) 10 Presidential Way, Woburn, MA	ZIP CODE 01801	PHONE NUMBER
4. ENGINEER'S NAME Jill Cleveland, Plancom Inc., agent for Applicant	CA. LICENSE NO.	EMAIL ADDRESS jill.cleveland@plancominc.com
5. MAILING ADDRESS (Street / P O Box, City, State) 16776 Bernardo Center Drive, Unit 203, San Diego, CA	ZIP CODE 92128	PHONE NUMBER 760-420-4833
6. ASSESSOR'S PARCEL NO. 039-180-029-000	SIZE OF PROPERTY (in acres or square foot)	ZONING (existing) S-2
7. PROPERTY (site) ADDRESS 4210 Black Mountain Road, Winterhaven		
8. GENERAL LOCATION (i.e. city, town, cross street) Winterhaven		
9. LEGAL DESCRIPTION a portion of T 13S, R 20E, Section 12.		

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	Existing wireless communication facility - requesting renewal of CUP for 15-years.
11. DESCRIBE CURRENT USE OF PROPERTY	BLM land with a wireless communication facility
12. DESCRIBE PROPOSED SEWER SYSTEM	N/A
13. DESCRIBE PROPOSED WATER SYSTEM	N/A
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	N/A
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 1 maintenance vehicle to visit every 1-2 months.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Jill Cleveland, Plancom Inc, agent for Applicant

Print Name _____ Date _____

Signature Jill Cleveland Date 3/12/24

Print Name _____ Date _____

Signature _____

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: [Signature] #345

APPLICATION DEEMED COMPLETE BY: _____

APPLICATION REJECTED BY: _____

TENTATIVE HEARING BY: _____

FINAL ACTION: APPROVED DENIED

DATE 3/26/24

REVIEW / APPROVAL BY OTHER DEPT'S required

P W

E H S

A P C D

O E S

DATE _____

DATE _____

DATE _____

DATE _____

CUP #
24-0005

PLANCOM INC

Telecommunications Project Management

March 25, 2024

County of Imperial
Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RECEIVED
MAR 23 2024
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

RE: ATC Glamis – Request to Re-entitle an Existing Wireless Communication Facility CUP#05-0012

Dear Gerardo,

American Towers Inc. (ATC) would like to re-entitle their existing wireless communication facility, located at 4210 Black Mountain Road, Winterhaven, on APN 039-180-029-000. We request a new CUP number be assigned for a new 15-year term. The existing CUP number is 05-0012.

Enclosed are the following revised documents, pursuant to staff's letter dated March 12th:

- *Notice to Applicant Form*
- CUP Application
- General Indemnification Form
- Notice to Applicant/Notice of Fees
- Site Plan
- Check in the Amount of \$9,900.

American tower is still working on the Restoration Surety Bond and I will send it once I receive it, along with the updated Tower Site Information Sheet to note the bond number.

The original application was submitted to staff on January 18th.

Sincerely,



Jill Cleveland, agent
for American Towers LLC

Tower Site Information Sheet

Please provide the following information for the Tower Site (incomplete data may delay the processing of the time extension):

CUP # #05-0012 Recording Date 12/07/2005 Document # 2005-049366

Applicant Name on CUP American Towers LLC

Current Operator (if other) _____

Previous Operator _____

Site Address 4210 Black Mountain Road, Winterhaven, CA 92283 Assessor's Parcel No. 039-180-29-01

Restoration Surety # _____ Surety Amount _____

Tower Height 100' Current Site # 89318

Benefit Agreement Date _____ Benefit Fee Amount _____

Co-Locator(s) (if any)	Restoration Surety	Amount
<u>CALIFORNIA INTERNET, L.P.</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Conditions of Approval

Condition No.	Condition Description	Compliance Comment
G1	Costs	American Towers LLC has and will pay any costs related to the permit
G2	Audit of Bills	N/A
G3	Permits/ Licenses	Permits have been applied for when applicable
G4	Recordation	Permit was recorded 12/7/2005
G5	Compliance/Revocation	N/A
G6	Provision to Run with Land	N/A
G7	Right of Entry	N/A
G8	Time Limit	Applicant is requesting 10 years
G9	Definitions	N/A

Condition No.	Condition Description	Compliance Comment
G10	Specificity	N/A
G11	Health Hazard	N/A
G12	Encroachment Permit	N/A
G13	Report(s)	N/A
G14	Responsible Agent	N/A
G15	Indemnification	N/A
G16	Change of Owner/Operator	N/A
G17	Compliance with Ordinance	N/A
G18	Local Benefit Agreement	N/A
S1	Project Description	Renewal of Permit
S2	Access to Site	Attached
S3	No Trespassing Signs	Will be posted
S4	Hours of Operation	24/7
S5	Ancillary Uses & Additional Land Use Permits	N/A
S6	Suspension of Operations	N/A
S7	Enforcement Action	N/A
S8	Light & Glare	N/A
S9	Conflicting Permit Conditions	N/A
S10	Minor Administrative Modification	N/A
S11	Latest Codes Govern	N/A
S12	Variance	N/A
S13	Lighting	FAA does not require this tower to have lighting
S14	Communication Frequency	N/A
S15	Frequency Coordination	N/A
S16	Restoration Surety	Will provide
S17	Emergency/Communication Participation	
S18	Development Agreement	



AMERICAN TOWER®
ATC TOWER SERVICES, LLC
 3000 REGENCY PARKWAY
 SUITE 100
 WINTERHAVEN, CA 92283
 PHONE: (951) 464-0112

THE INFORMATION AND/OR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN IS THE SOLE RESPONSIBILITY OF THE CLIENT. THE CLIENT HAS BEEN ADVISED THAT THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE CLIENT HAS BEEN ADVISED THAT THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE CLIENT HAS BEEN ADVISED THAT THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

REV. DESCRIPTION BY DATE
 1. FOR CONSTRUCTION AP 01/18/24
 2. REVISIONS FOR PERMITS AP 01/18/24
 3. REVISIONS FOR PERMITS AP 01/18/24
 4. REVISIONS FOR PERMITS AP 01/18/24
 5. REVISIONS FOR PERMITS AP 01/18/24

ATC SITE NUMBER:
89318

ATC SITE NAME:
GLAMIS

SITE ADDRESS:
 4210 BLACK MOUNTAIN ROAD
 WINTERHAVEN, CA 92283



Digitally signed by
Scott Fletcher
 Date: 2024.03.20
 0923240-04007

DATE DRAWN: 10/18/23
 ATC JOB NO: 1438456_01

TITLE SHEET

SHEET NUMBER:
G-001

REVISION:
1

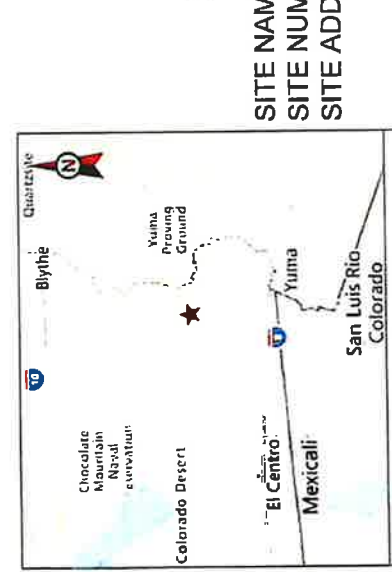


LOCATION MAP



AMERICAN TOWER®

SITE NAME: **GLAMIS**
 SITE NUMBER: **89318**
 SITE ADDRESS: **4210 BLACK MOUNTAIN ROAD
 WINTERHAVEN, CA 92283**



VICINITY MAP

CONDITIONAL USE PERMIT RENEWAL

COMPLIANCE CODE		PROJECT SUMMARY		PROJECT DESCRIPTION		SHEET INDEX	
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES, NOTWITHSTANDING THESE PLANS TO THE EXTENT THEY DO NOT CONFLICT WITH THE FOLLOWING CODES: 1. 2022 CALIFORNIA ADMINISTRATIVE CODE 2. 2022 CALIFORNIA RESIDENTIAL CODE 3. 2022 CALIFORNIA ELECTRICAL CODE 4. 2022 CALIFORNIA PLUMBING CODE 5. 2022 CALIFORNIA ENERGY CODE 6. 2022 CALIFORNIA FIRE CODE 7. 2022 CALIFORNIA EXISTING BUILDING CODE (EBC) 8. 2022 CALIFORNIA BUILDING CODE (CBC) 9. LOCAL BUILDING CODE 10. LOCAL BUILDING CODE 11. CITY/COUNTY ORDINANCES		SITE ADDRESS: 4210 BLACK MOUNTAIN ROAD WINTERHAVEN, CA 92283 COUNTY: IMPERIAL GEODESIC COORDINATES: LATITUDE: 33.0516833 LONGITUDE: -114.8273667 GROUND ELEVATION: 2857 ANSL ZONING INFORMATION: JURISDICTION: IMPERIAL COUNTY PARCEL NUMBER: 009-180-009-009 ZONING DISTRICT: S-2 (BLM)		PROJECT DESCRIPTION: THIS SUBMITTAL IS FOR PERMITS WITH IMPERIAL COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS EXCEPT FOR THE DEPICTION OF CALIFORNIA INTERNET'S PROPOSED EQUIPMENT. PROJECT NOTES: 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. EXISTING FACILITY SHEETS OR EXCEEDS ALL FM AND FCC REGULATORY REQUIREMENTS. 4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF SIGNIFICANT EROSION/DRAINAGE. 5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 6. HANDICAP ACCESS IS NOT REQUIRED.		SHEET INDEX: SHEET NO. DESCRIPTION G-001 TITLE SHEET C-101 OVERALL SITE PLAN C-102 DETAILED SITE PLAN & TOWER ELEVATION C-401 DETAILED SITE PLAN & TOWER ELEVATION C-501 SIGNAGE	
UTILITY COMPANIES POWER COMPANY: IMPERIAL IRRIGATION DISTRICT PHONE: (805) 303-1736 TELEPHONE COMPANY: SBC PHONE: (800) 756-3343		PROJECT TEAM TOWER OWNER: AMERICAN TOWERS, LLC 10 PRESIDENTIAL WAY WOBURN, MA 01801 FREELIST OWNER: DOI BUREAU OF LAND MANAGEMENT 4210 BLACK MOUNTAIN ROAD WINTERHAVEN, CA 92283 ENGINEER: ATC TOWER SERVICES 3000 REGENCY PARKWAY SUITE 100 CHRY, NC 27518 ASSESS: BONNIE BELAR ATTORNEY: AMERICAN TOWER 1000 WASHINGTON STREET WOBURN, MA 01801		PROJECT LOCATION DIRECTIONS FROM SAN DIEGO: TAKE HWY 8 EAST TO EL CENTRO. EXIT 68 NORTH. PROCEED ON N 80 NORTH TO 74 EAST GOING THROUGH BRAVEY. TRUCK APPROX. 5 MILES EAST OF EL CENTRO ON 74 EAST GOING SOUTH TO 111 SOUTH TO 111 EAST GOING SOUTH TO 111 EAST. TAKE 111 SOUTH TO HWY 78 EAST GOING THROUGH UNMANNEDLY			

AMERICAN TOWER
ATC TOWER SERVICES, LLC
 3100 REGENCY PARKWAY
 SUITE 100
 CARLSBAD, CA 92008
 PHONE: (619) 486-5112

THIS DRAWING IS THE PROPERTY OF AMERICAN TOWER SERVICES, LLC AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE USER OF THIS DRAWING AGREES TO HOLD AMERICAN TOWER SERVICES, LLC HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DRAWING. THE USER OF THIS DRAWING AGREES TO HOLD AMERICAN TOWER SERVICES, LLC HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DRAWING. THE USER OF THIS DRAWING AGREES TO HOLD AMERICAN TOWER SERVICES, LLC HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR RESULTING FROM THE USE OF THIS DRAWING.

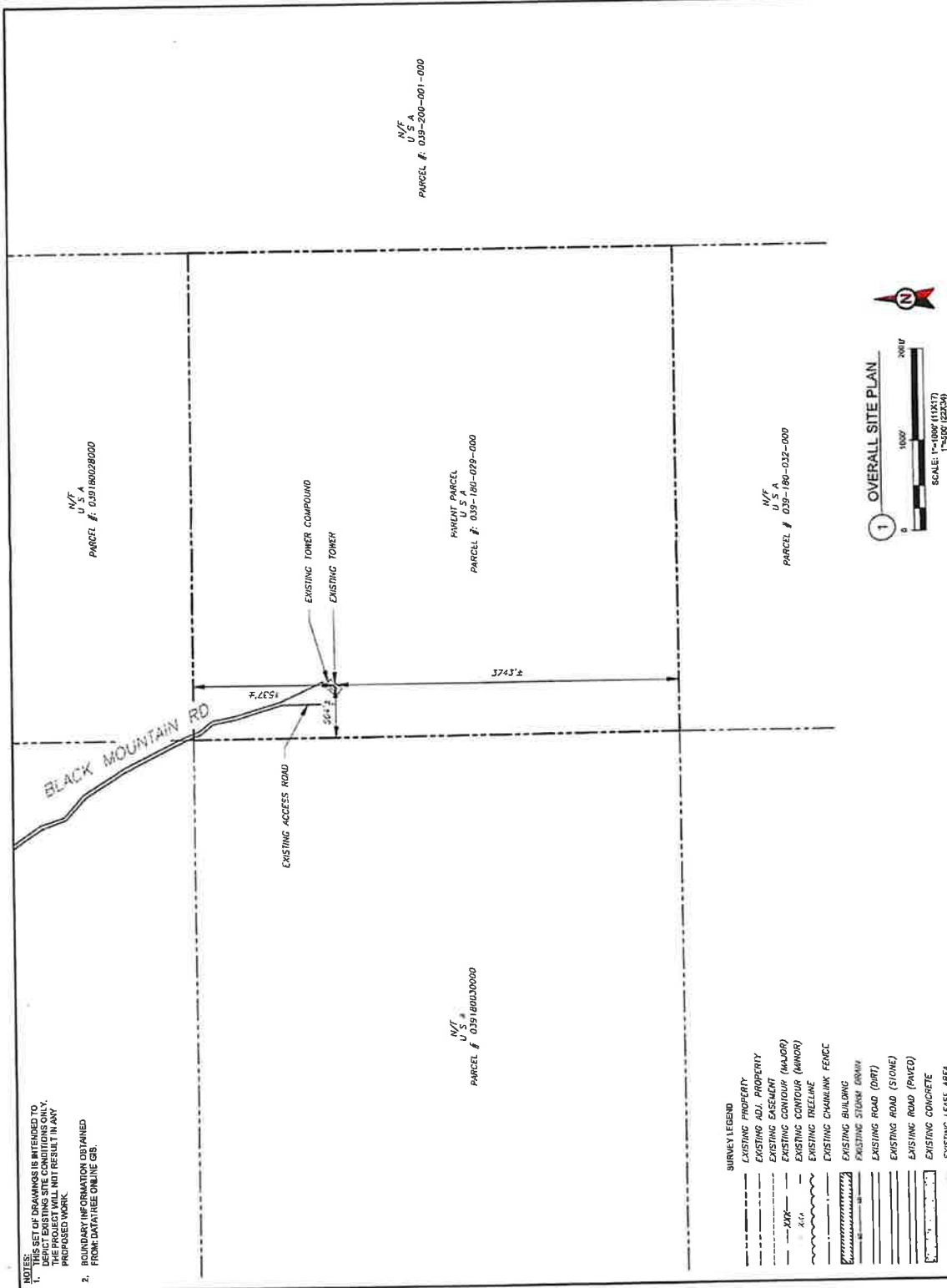
REV.	DESCRIPTION	BY	DATE
1	ISSUED FOR CONSTRUCTION	ATC	03/20/2024

ATC SITE NUMBER:
89318
 ATC SITE NAME:
GLAMIS
 SITE ADDRESS:
**4310 BLACK MOUNTAIN ROAD
 WINTERHAVEN, CA 92383**



Digitally Signed: 2024-03-20
 DATE DRAWN: 10/19/23
 ATC JOB NO.: 1843950_ET

OVERALL SITE PLAN	
SHEET NUMBER:	C-101
REVISION:	0



NOTES:
 1. THIS SET OF DRAWINGS IS INTENDED TO BE USED IN CONJUNCTION WITH THE PROJECT AND SHALL NOT BE USED IN ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE.
 2. BOUNDARY INFORMATION OBTAINED FROM DATATREE ONLINE GIS.

- SURVEY LEGEND**
- EXISTING PROPERTY
 - EXISTING ADJ. PROPERTY
 - EXISTING BASEMENT
 - EXISTING CONTOUR (MAJOR)
 - EXISTING CONTOUR (MINOR)
 - EXISTING BENCHMARK
 - EXISTING CHAINLINK FENCE
 - EXISTING BUILDING
 - EXISTING STUMP GRUB
 - EXISTING ROAD (DIRT)
 - EXISTING ROAD (STONE)
 - EXISTING ROAD (PAVED)
 - EXISTING CONCRETE
 - EXISTING LEASE AREA

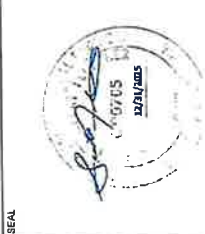




THE FOLLOWING PROJECT HAS BEEN APPROVED BY THE LOCAL GOVERNMENT AND THE LOCAL PUBLIC UTILITIES. THE LOCAL GOVERNMENT HAS GRANTED A PERMIT FOR THE CONSTRUCTION OF THE TOWER AND THE LOCAL PUBLIC UTILITIES HAS GRANTED A PERMIT FOR THE INSTALLATION OF THE TOWER. THE LOCAL GOVERNMENT HAS GRANTED A PERMIT FOR THE CONSTRUCTION OF THE TOWER AND THE LOCAL PUBLIC UTILITIES HAS GRANTED A PERMIT FOR THE INSTALLATION OF THE TOWER. THE LOCAL GOVERNMENT HAS GRANTED A PERMIT FOR THE CONSTRUCTION OF THE TOWER AND THE LOCAL PUBLIC UTILITIES HAS GRANTED A PERMIT FOR THE INSTALLATION OF THE TOWER.

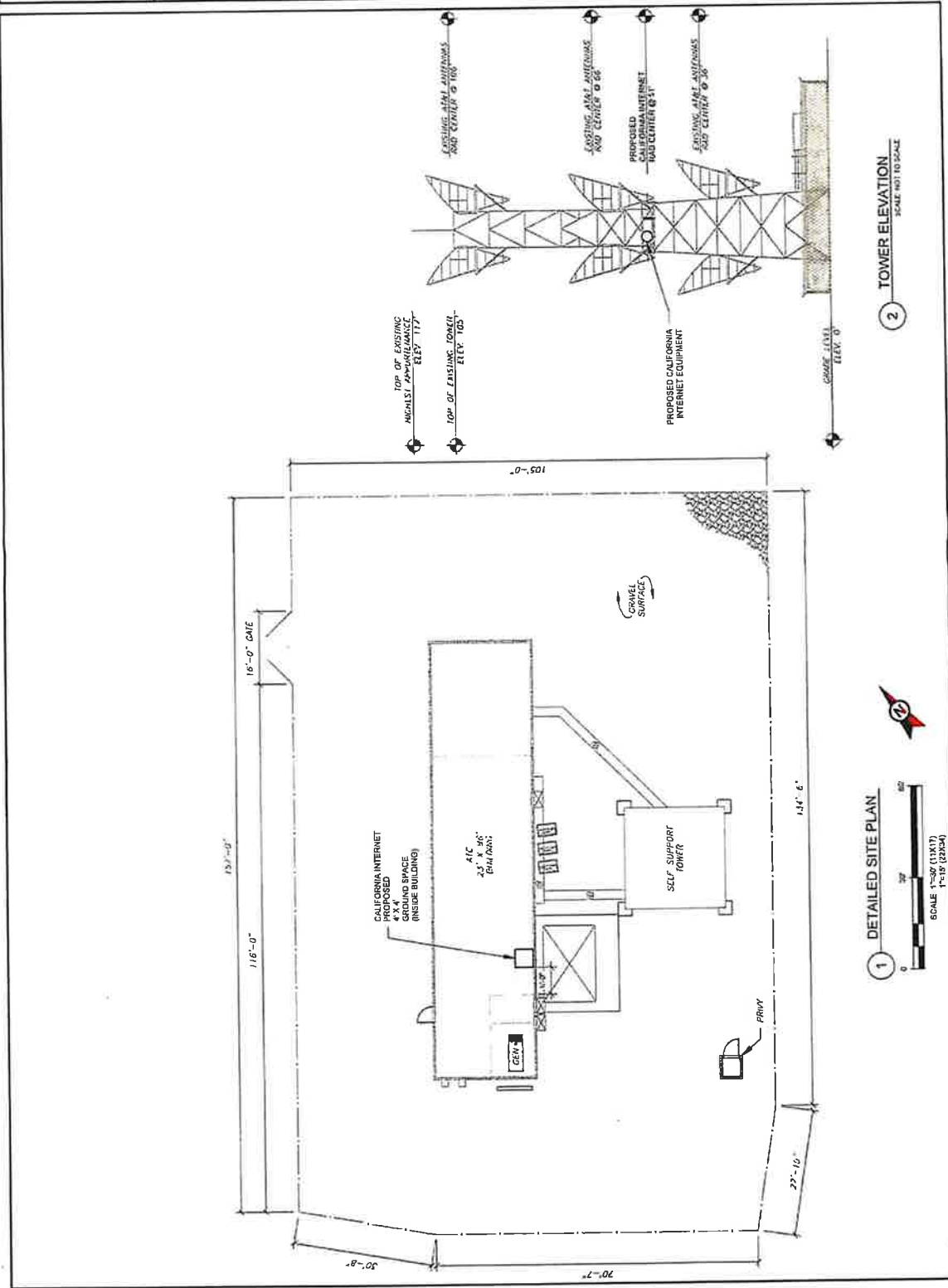
REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	AP	03/20/24
2	ADDITIONAL LIFE EQUIP.	EA	03/20/24
3			
4			

ATC SITE NUMBER:
89318
ATC SITE NAME:
GLAMIS
SITE ADDRESS:
4700 BURNHAM LANE, SUITE 200
WINTERBURN, CA 92289



Digitally Signed: 2024-03-20
DATE DRAWN: 03/18/24
ATC JOB NO.: 1642920_01

DETAILED SITE PLAN & TOWER ELEVATION
SHEET NUMBER: C-102
REVISION: 1



2 TOWER ELEVATION
SCALE NOT TO SCALE



THIS DRAWING IS THE PROPERTY OF AMERICAN TOWER. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF AMERICAN TOWER. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

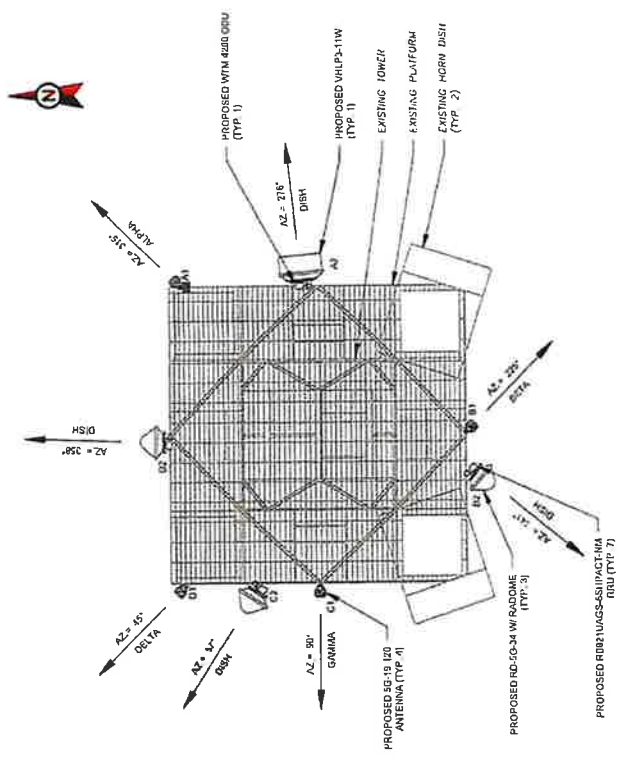
REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	JL	03/20/24
2	ADDITIONAL W/ RADIOME	EA	03/20/24
3	ADDITIONAL W/ RADIOME	EA	03/20/24
4	ADDITIONAL W/ RADIOME	EA	03/20/24
5	ADDITIONAL W/ RADIOME	EA	03/20/24

ATC SITE NUMBER: 89318
 ATC SITE NAME: GLAMIS
 SITE ADDRESS: 4710 BURNING WOOD ROAD, WINTERBURN, CA 92288



Digitally Signed: 2024-03-20
 DATE DRAWN: 03/20/24
 ATC JOB NO.: 1643352.E1

DETAILED SITE PLAN & TOWER ELEVATION
 SHEET NUMBER: C-401
 REVISION: 1



1 CALIFORNIA INTERNET ANTENNA PLAN 6248 N.T.S.

SECTOR	ANT.	PANEL MODEL #	RAD CENTER	AZIMUTH	ADDITIONAL TOWER MOUNTED EQUIPMENT	CABLE DESCRIPTION
ALPHA	A1	5G-18-120	51"	45°	RB21UAGS5SHFAC1-NM	(18.0 27' CATSE
BETA	B1	VH1 P3-11W	51"	34°	WTM 4200	
GAMMA	C1	5G-18-120	51"	135°	RB21UAGS5SHFAC1-NM	
DELTA	D1	RD-5G-34 W/ RADIOME	51"	219°	RB21UAGS5SHFAC1-NM	
	C2	5G-18-120	51"	270°	RB21UAGS5SHFAC1-NM	
	D2	RD-5G-34 W/ RADIOME	51"	203°	RB21UAGS5SHFAC1-NM	
	D2	RD-5G-34 W/ RADIOME	51"	215°	RB21UAGS5SHFAC1-NM	
	D2	RD-5G-34 W/ RADIOME	51"	2°	RB21UAGS5SHFAC1-NM	

2 CALIFORNIA INTERNET ANTENNA SCHEDULE



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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	JAD	10/20/24
2			
3			
4			

ATC SITE NUMBER: 89318
 ATC SITE NAME: GLAMIS
 SITE ADDRESS: 4510 BLACK MOUNTAIN ROAD, WINTERBURN, CA 92383



Digitally Signed: 2024-03-20

DATE DRAWN: 10/17/23
 ATC JOB NO.: 144320.E1

SIGNAGE
 SHEET NUMBER: C-501
 REVISED ON: 0

NOTICE
 GUIDELINES FOR WORKING IN RADIOFREQUENCY ENVIRONMENTS
 (EMERGENCY TRAINING)

- All personnel should have electromagnetic energy (EMF) awareness training.
- All personnel entering this site must be authorized.
- Obey all posted signs.
- Assess all antennas site safety.
- Before working on antennas, notify owners and disable appropriate transmitters.
- Maintain minimum 3 feet clearance from all antennas.
- Do not step in front of antennas.
- Use personal RF monitors while working near antennas.
- Never operate transmitters without shields during normal operation.
- Do not operate base station antennas in equipment room.

ATC ID: PROGRAM 0010012305

AMERICAN TOWER
 SITE NAME: GLAMIS
 SITE NUMBER: 89318
 NOT REQUIRED
 877-282-7483
 877-ATC-SITE
 www.american-tower.com

AMERICAN TOWER
 SITE NAME: GLAMIS
 SITE NUMBER: 89318
 NOT REQUIRED
 FOR LEASING INFORMATION: 877-282-7483
 877-ATC-SITE
 FOR EMERGENCIES CALL: 877-518-6937
 877-51-TOWER
 www.american-tower.com
 POSTING OF THIS SIGNAGE REQUIRED BY LAW

RELEASE OF SIGNAGE:
 AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY SIGNAGE THAT IS STOLEN, DAMAGED, BRITTLE OR FADED MUST BE REPLACED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE MAINTAINED THROUGHOUT THE NORMAL QUARTERLY MAINTENANCE VISITS BY CONTRACTORS ON SITE MAINTENANCE. UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:
 EXTERIOR SIGNS ARE NOT PROPOSED TO BE AS REFINISHED BY THE CONTRACTOR. ALL SIGNS MUST BE COMPLIANT WITH STATUTE 16443.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY, NO HIGH-VOLTAGE EQUIPMENT PRESENT.

FCC TOWER REGISTRATION #
 NOT REQUIRED
 Posting of sign required by law
 ATC SIGNAGE ONE FCC LOWER REGISTRATION SIGN



EXISTING SIGNAGE PHOTO

THESE SIGNS IN AN ATC SIGN (SITE INFORMATION AND) CD REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND THE MAIN ROAD. THE SIGNS SHOULD BE PLACED IN A CONSPICUOUS PLACE UPON DRIVE UP) IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER SIGNAGE AT THE TOWER. THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (E.G. BRING IT INTO COMPLIANCE (REWRITE IF WORK) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE SIGNAGE CONTRACTOR (THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A KERNAL LABEL PRINTER WILL BE ACCEPTED.



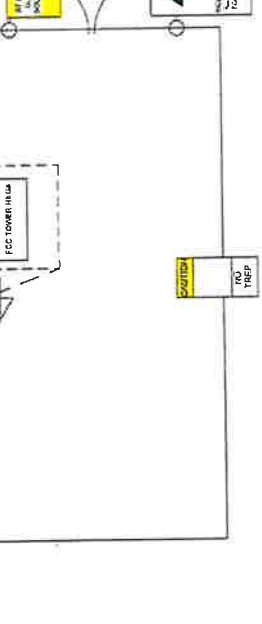
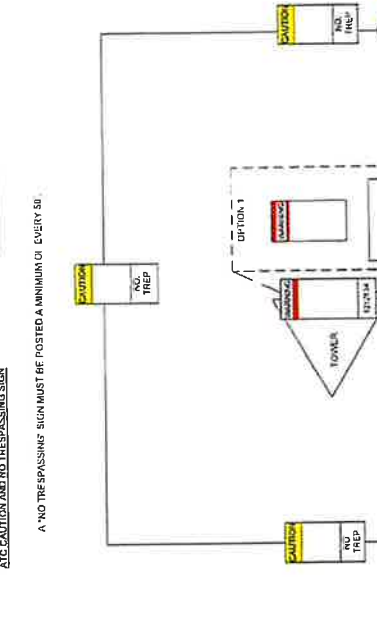
Beyond this point:
 Radio frequency fields at this site may exceed FCC rules for human exposure.
 For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

Consistent with the Federal Communications Commission's (FCC) 47 CFR 1.1307(a)



Beyond this point:
 Radio frequency fields at this site may exceed FCC rules for human exposure.
 For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

Consistent with the Federal Communications Commission's (FCC) 47 CFR 1.1307(a)



Attachment "G"
Comment Letters



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

April 19, 2024
REQUEST FOR REVIEW
AND COMMENTS

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the County's Planning & Development Services Department. Please review the proposed project based on your agency/department area of interest, expertise, and/or jurisdiction.

To: County Agencies	State Agencies/Other	Cities/Other
<input checked="" type="checkbox"/> County Executive Office – Rosa Lopez	<input checked="" type="checkbox"/> IC Sheriff's Office – Robert Benavidez/Fred Miramontes/Ryan Kelley	<input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/ Sal Flores/Robert Malek/ David Lantzer
<input checked="" type="checkbox"/> IID – Donald Vargas	<input checked="" type="checkbox"/> Board of Supervisors – John Hawk	<input checked="" type="checkbox"/> EHD – Sheila Vasquez / Jorge Perez
<input checked="" type="checkbox"/> Public Works – Carlos Yee/John Gay	<input checked="" type="checkbox"/> Ag. Commisioner – Margo Sanchez/Antonio Venegas/ Ashley Jauregui/ Jolene Dessert	<input checked="" type="checkbox"/> APCD – Jesus Ramirez/Belen Leon-Lopez/ Monica Soucier
<input checked="" type="checkbox"/> I.V Emergency Communications Authority- Mark Schmidt	<input checked="" type="checkbox"/> Campo Band of Mission Indians – Marcus Cuero / Jonathan Mesa	<input checked="" type="checkbox"/> BLM – Christian Rodriguez, Tristen Riddell, Carrie Sahagun
<input checked="" type="checkbox"/> Fort Yuma Quechan Indian Tribe- H. Jill McCormick / Jordan D. Joaquin		

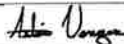
From: Gerardo Quero Planner II - (442) 265-1736 or Gerardoquero@co.imperial.ca.us
 Project ID: Conditional Use Permit #24-0005
 Project Location: 4210 Black Mountain Road, Winterhaven, CA 92266 APN: 039-180-020-000
 Project Description: Applicant is proposing a new 15-year term on previously approved Conditional Use Permit #05-0012 for an existing telecommunications tower located at Black Mountain on BLM Lands. CUP#05-0012 will be superseded by CUP#24-0005.

Applicants: American Towers, Inc. (ATC)

Comments due by: **April 29th, 2024 at 5:00PM**

COMMENTS: *(attach a separate sheet if necessary)* (if no comments, please state below and mail, fax, or e-mail this sheet to Case Planner)

No Comment

Name: Antonio Venegas Signature:  Title: Agricultural Biologist/Standards Specialist IV
 Date: 04/24/2024 Telephone No.: (442) 265-1500 E-mail: antoniovenegas@co.imperial.ca.us

G:\GIS\AIUsers\APN103911801029\CUP24-0005\CUP24-0005 Request for Comments 04.19.24 .docx

AIR POLLUTION CONTROL DISTRICT



April 26, 2024

Mr. Jim Minnick
Planning Director
801 Main Street
El Centro, CA 92243

RECEIVED

By Imperial County Planning & Development Services at 4:57 pm, Apr 26, 2024

SUBJECT: Conditional Use Permit 24-0005 – American Towers, Inc. (ATC)

Dear Mr. Minnick,

The Imperial County Air Pollution Control District (Air District) thanks you for the opportunity to review and comment on Conditional Use Permit (CUP) 24-0005 (Project). The project proposes a new 15-year term on the previously approved CUP 05-0012 for an existing telecommunication tower; CUP 24-0005 will supersede CUP 05-0012. The project is located at 4210 Black Mountain Road, Winterhaven, also identified as Assessor's Parcel Number 039-180-029.

The project packet includes a set of project plans and the detailed site plan on Sheet C-102 identifies a generator is on the site. After reviewing its records, the Air District is unable to find an active Air District permit for the site and is unable to find any information or records of the generator installation such as a permit review or exemption. Combustion equipment, such as generators, may require an Air District permit depending on the equipment specifications, therefore, the Air District is unable to concur the project is currently in compliance with the General Condition G3 PERMITS/LICENSES of CUP 05-0012 and would be unable to concur with the extension under CUP 24-0005. On April 23, 2024 a request for the generator specifications was sent to the applicant and as of this writing, the Air District has not received the requested information. Therefore, the Air District formally requests the generator specifications to allow the Air District to determine the permitting requirements of the project. The Air District informs the applicant that delays in complying with this request will delay the Air District's concurrence for the issuance of the new CUP. Should the Air District determine a permit is required, the applicant must submit an application for engineering review of the project and should coordinate with an Air District Permitting Engineer to finalize the permit.

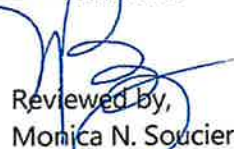
Finally, the Air District requests a copy of the draft CUP prior to recording for review.

For your convenience, the Air District's rules and regulations are available on our website at <https://apcd.imperialcounty.org/rules-and-regulations/> and the permit application can be found here <https://apcd.imperialcounty.org/engineering/>. Please feel free to call our office at (442) 265-1800 should you have any questions or concerns.

Respectfully,



Ismael Garcia
Environmental Coordinator II



Reviewed by,
Monica N. Soucier
APC Division Manager