

# PROJECT REPORT

**TO: Planning Commission**

**AGENDA DATE: March 25, 2026**

**FROM: PLANNING & DEVELOPMENT SERVICES**

**AGENDA TIME: 9:00 a.m. / No. 5**

PROJECT TYPE: Conditional Use Permit #26-0003 (American Tower) SUPERVISOR DIST # 3

LOCATION: 2610 W. Evan Hewes Highway APN: 051-020-026-000

Seeley, CA PARCEL SIZE: 314 acres

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) N/A

ZONE (existing) A-2 (General Agriculture) ZONE (proposed) N/A

GENERAL PLAN FINDINGS     CONSISTENT     INCONSISTENT     MAY BE/FINDINGS

PLANNING COMMISSION DECISION:    HEARING DATE: 03/25/2026

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
OTHER		<u>Quechan Indian Tribe &amp; Agua Caliente Band of Cahuilla Indians</u>		

**REQUESTED ACTION:**

IT IS RECOMMENDED THAT YOU CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT YOU TAKE THE FOLLOWING ACTIONS:

- 1) MAKE THE FINDING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA (CLASS 1 – EXISTING FACILITY) AND THAT NO FURTHER ENVIRONMENTAL DOCUMENTATION IS NECESSARY; AND
- 2) ADOPT THE ATTACHED RESOLUTION(S) AND SUPPORTING FINDINGS, APPROVING CONDITIONAL USE PERMIT #26-0003, SUBJECT TO ALL CONDITIONS AND AUTHROIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CUP CONTRACT UPON RECEIPT FROM THE PERMITTEE.

**STAFF REPORT**  
**Planning Commission**  
**March 25, 2026**  
**CONDITIONAL USE PERMIT #26-0003**

**SUBJECT:** Conditional Use Permit #26-0003

**PROJECT NAME:** American Tower Corporation

**APPLICANT:** Shelly A. Kilbourn on behalf of American Tower Corporation

**PROJECT LOCATION:**

The proposed project site is located at 2610 W. Evan Hewes Highway, Seeley, CA, comprising of approximately 314 acres. The project is identified as Assessor's Parcel Number 051-020-026-000 and is legally described as the West ½ of the Northeast ¼ of Section 7 and the Northwest ¼ and the West ½ of the Northeast ¼ of Section 8, Township 16 South, Range 12 East, SBB&M, except Parcel 1 of PM 620. (See Attachment "A" Site Vicinity Map).

**PROJECT SUMMARY:**

Shelly A. Kilbourn on behalf of American Tower submitted Conditional Use Permit #26-0003 for the renewal of land use entitlements to continue operating the existing 300-foot communication tower. The tower was previously approved under CUP #15-0024. This existing facility is not proposed to be physically altered.

CUP #00-0006 was originally granted to American Tower Corporation and recorded on July 28, 2000, for a term of fifteen years. The Conditional Use Permit expiration date was July 28, 2015.

On October 28, 2015, the Planning Commission approved CUP #15-0024 and it was recorded on March 4, 2016, superseding CUP #00-0006.

The applicant intends to continue the operation of the existing 300-foot lattice communication tower. The new Conditional Use Permit #26-0003 would supersede Conditional Use Permit #15-0024 and allow to continue operations for an additional ten (10) year period.

**BACKGROUND:**

On March 1, 2000, American Tower Corporation submitted their initial application for Conditional Use Permit #00-0006 and Variance #00-0002 for this existing 300 foot communication tower.

On April 19, 2000, the tower project was heard before the Airport Land Use Commission and was found to be consistent with the 1996 Airport Land Use Compatibility Plan.

On April 13, 2000, the project was environmentally assessed and received a Negative Declaration by the Environmental Evaluation Committee.

On June 28, 2000, the Imperial County Planning Commission approved CUP #00-0006 and Variance #00-0002.

Based on the information provided and staff research, the Planning & Development Services Department has determined that the applicant has complied with all the regulations and conditions previously approved by Conditional Use Permit #15-0024 and could continue the tower operations by the approval of Conditional Use Permit #26-0003.

**Land Use Analysis:**

The project site is designated as “Agriculture” under the Land Use Element of the General Plan. The project was found to be consistent with the General Plan in the previously approved Conditional Use Permit #15-0024 and Variance #00-0002. The site is classified as A-2 (General Agriculture) under the Imperial County Land Use Ordinance (Title 9), Zoning Map 50. The project is consistent with this ordinance since the tower is allowed with a Conditional Use Permit, as per section(s) 90508.02(r) of the Imperial County Land Use Ordinance.

**Surrounding Land Uses, Zoning and General Plan Designations:**

<b>DIRECTION</b>	<b>CURRENT LAND USE</b>	<b>ZONING</b>	<b>GENERAL PLAN</b>
<b>Project Site</b>	Tower/Agriculture	A-2	Agriculture
<b>North</b>	Agriculture	A-2	Agriculture
<b>South</b>	Agriculture	A-2	Agriculture
<b>East</b>	Agriculture	A-2	Agriculture
<b>West</b>	Undeveloped land	A-2	Agriculture

**ENVIRONMENTAL DETERMINATION:**

The previously approved Conditional Use Permit #00-0006 was previously environmentally assessed and reviewed by the Environmental Evaluation Committee on April 13, 2000. The project received a Negative Declaration which was circulated for a 20-day period. During the circulation of the Initial Study several comment letters were received and incorporated into the project conditions.

Conditional Use Permit #26-0003 is found to be exempt from CEQA pursuant to section 15301 of the CEQA Guidelines (Class 1 - Existing Facility).

**STAFF RECOMENDATION:**

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

1. Make the finding that the project is categorically exempt from CEQA (Class 1 – Existing Facility) and that no further environmental documentation is necessary; and,

2. Adopt the attached Resolution(s) and supporting findings, approving Conditional Use Permit #26-0003, subject to all the conditions and authorize the Planning and Development Services Director to sign the CUP contract upon receipt from the permittee.

PREPARED BY: Luis Valenzuela, Planner II  
Planning & Development Services



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REVIEWED BY: Michael Abraham, AICP, Assistant Director  
Planning & Development Services



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APPROVED BY: Jim Minnick, Director  
Planning & Development Services



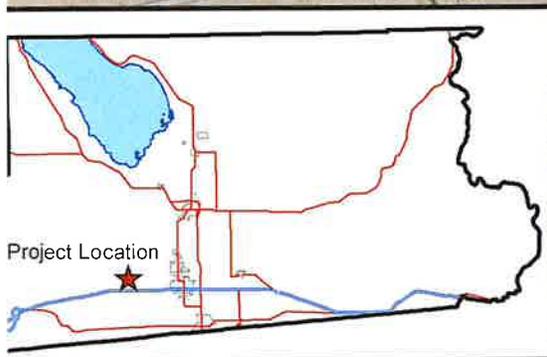
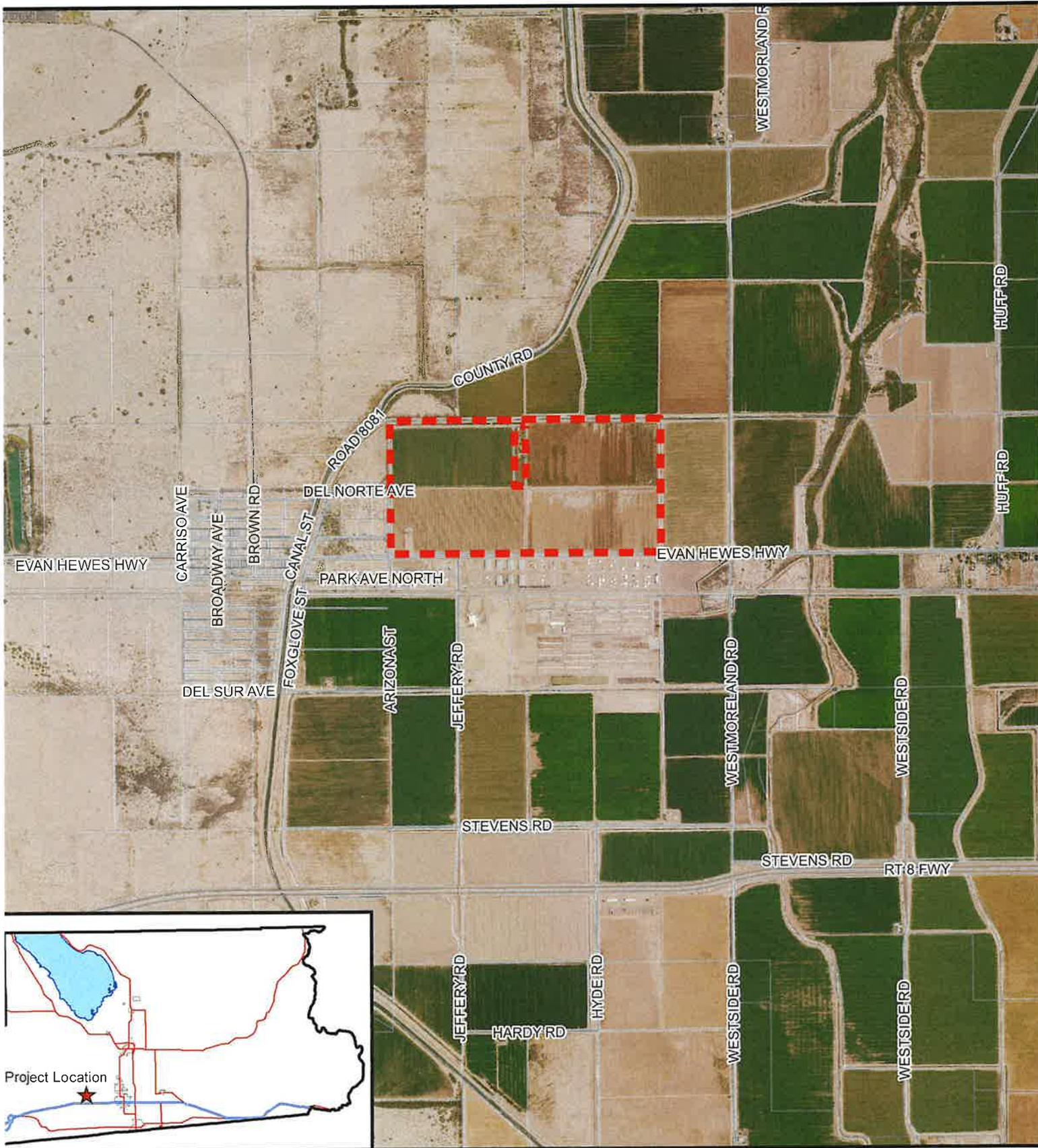
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Attachments:

- A. Vicinity Map
- B. Site Plan /Plot Map
- C. CUP #26-0003 Agreement
- D. Planning Commission Resolution
- E. Conditional Use Permit Application
- F. Previously Approved #15-0024
- G. Comment Letters

**ATTACHMENT "A"**  
**VICINITY MAP**

# PROJECT LOCATION MAP

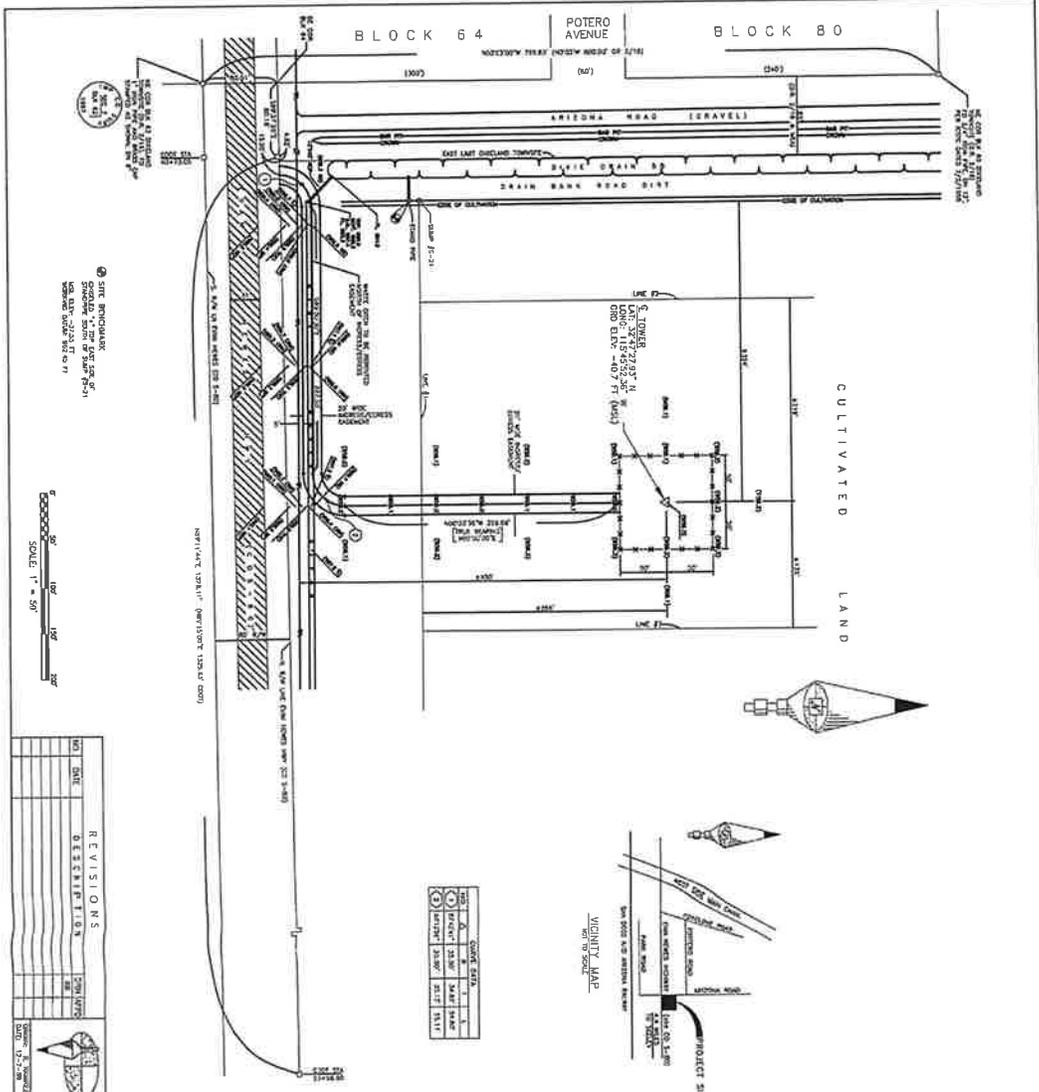


**AMERICAN TOWERS LLC**  
**CUP# 26-0003**  
**APN 051-020-026-000**

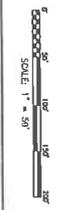
-  Project Location
-  Centerline
-  Parcels



**ATTACHMENT "B"**  
**SITE PLAN**



① SITE BENCHMARK  
 STATIONED 1.11' FROM CORNER OF  
 100' ALLEY - 200' ST  
 100' FROM CORNER OF 11'



NO	DATE	REVISIONS
1		DESIGNATION
2		20' WIDE
3		10' WIDE
4		5' WIDE
5		2' WIDE
6		1' WIDE
7		0.5' WIDE
8		0.25' WIDE
9		0.125' WIDE
10		0.0625' WIDE
11		0.03125' WIDE
12		0.015625' WIDE
13		0.0078125' WIDE
14		0.00390625' WIDE
15		0.001953125' WIDE
16		0.0009765625' WIDE
17		0.00048828125' WIDE
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**TESSCO**  
 TECHNICAL ENGINEERING  
 AND SURVEYING COMPANY  
 1000 S. 10TH AVENUE  
 SUITE 100  
 DENVER, CO 80202  
 PHONE: 303.733.8888  
 FAX: 303.733.8889  
 WWW.TESSCO.COM

PROJECT NO.	00-5-10
SHEET NO.	1 OF 1
DATE	10/1/00
SCALE	1" = 50'
PROJECT NAME	RESUBDIVISION OF 1/2 AC. ±, NE 1/4 SECTION 7, T11S, R.12E, S81W, HENRIETTA COUNTY, COLORADO

SYMBOL	DESCRIPTION
(1)	EXISTING CONCRETE
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**REVISIONS**  
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**NOTES**  
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
 2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO BE VERIFIED BY THE SURVEYOR.  
 4. ALL DIMENSIONS ARE TO BE VERIFIED BY THE SURVEYOR.  
 5. ALL DIMENSIONS ARE TO BE VERIFIED BY THE SURVEYOR.  
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**ATTACHMENT "C"**  
**CUP #26-0003 AGREEMENT**

1 Recording Requested By And  
2 When Recorded Return To:

3 Imperial County Planning & Development Services  
4 801 Main Street  
5 El Centro California 92231

6 **AGREEMENT FOR CONDITIONAL USE PERMIT #26-0003**  
7 **SUPERSEDING CONDITIONAL USE PERMIT CUP #15-0024**  
8 (Cellular Communication Tower)  
9 (051-020-026-000)  
10 **Approved by Planning Commission March XX, 2026**

11 This Agreement is made and entered into on this XX of XXXX 2026, by American Tower  
12 International Inc., (10 Presidential Way, Woburn, MA 01801) hereinafter referred to as  
13 Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California,  
14 (hereinafter referred to as "COUNTY").

15 **WHEREAS**, Permittee is the owner or successor in interest in certain land in Imperial  
16 County identified as Assessor's Parcel Number(s) 051-020-026-000 further identified by the  
17 following legal description: that portion of the East ½ of the Northeast ¼ of Section 7 and  
18 the Northwest ¼ and the West ½ of the Northeast ¼ of Section 8, Township 16 South, Range  
19 12 East, SBB&M, except Parcel 1 of PM 620, and

20 **WHEREAS**, American Tower Corporation, and/or any subsequent owner(s) would be  
21 required to and intend to fully comply with all of the terms and conditions of the project as  
22 specified in this Conditional Use Permit (CUP). This Conditional Use Permit Agreement #26-  
23 0003 supersedes Conditional Use Permit Agreement #15-0024 and any other prior  
24 Conditional Use Permit Agreements; and,

25 **WHEREAS**, Permittee has applied to the County for permission to construct and  
26 operate a Cellular Telephone Tower site, upon the above referenced site; and,  
27



**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:**

Permittee 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 and Development Services Department or any County Department for costs incurred as a result of this permit, shall be billed through the Planning and Development Services Department.

**G2 AUDIT OF BILLS:**

Permittee shall have the right to have any bill audited for clarification or correction. In the event Permittee requests an audit or an explanation of any bill, it shall be in writing to the Planning and Development Services Department. Permittee 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 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 Department.

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

**G4 RECORDATION:**

This permit shall **not be effective** until it is recorded at the Imperial County Recorder Office, and payment of the recordation fee shall be the responsibility of the Permittee. If the Permittee fails to pay the recordation fee 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 Permittee. Permittee 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.

1 **G5 COMPLIANCE/REVOCACTION:**

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

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

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

15 **G7 RIGHT OF ENTRY:**

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

18 **G8 TIME LIMIT:**

19 Unless otherwise specified within the project specific conditions, this project shall be limited  
20 to a maximum of (10) ten years from the recordation date of the CUP. The Conditional Use  
21 Permit may be extended for a single (5) five-year period by the Imperial County Planning &  
22 Development Services Director. Any request beyond the (15) fifteen years the permittee  
23 shall file a written extension request with the Imperial County Planning and Development  
24 Services Department and shall be considered by the Planning Commission. The CUP may  
25 be revoked, or the extension may not be granted if the project is in violation of any all of the  
26 conditions or if there is a history of non-compliance with the project conditions.

24 **G9 DEFINITIONS:**

25 In the event of a dispute the meaning(s) or the intent of any word(s) phrase(s) and/or  
26 conditions or sections herein shall be determined by the Planning Commission of the County  
27 of Imperial. Their determination shall be final unless an appeal is made to the Board of  
28 Supervisors within the required time. In this permit the term Permittee may also apply to  
any other facility user whether specified by name herein or not. To the extent that this tower

1 may be used by more than one service provider other than the applicant (permittee), all of  
2 the conditions of this permit shall be equally applicable to the other "user(s)" as if they were  
the "permittee".

3 **G10 SPECIFICITY:**

4 The issuance of this permit does not authorize the Permittee to construct or operate this  
5 project in violation of any state, federal, local law nor beyond the specified boundaries of the  
6 project as shown the application/project description/permit, nor shall this permit allow any  
7 accessory or ancillary use not specified herein. This permit does not provide any  
8 prescriptive rights or use to the Permittee 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 Permittee's application and/or any support documents supplied by Permittee as part of  
the application shall not be used to determine allowed use(s).

9 **G11 HEALTH HAZARD:**

10 If the County Health Officer determines that a significant health hazard exists to the public,  
11 the County Health Officer may require appropriate measures, and the Permittee shall  
12 implement such measures to mitigate the health hazard. If the hazard to the public is  
13 determined to be imminent, such measures may be imposed immediately and may include  
14 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 Planning Commission for review and approval. Nothing shall prohibit  
Permittee from requesting a special Planning Commission meeting provided Permittee  
bears all costs.

15 **G12 ENCROACHMENT PERMIT:**

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

18 **G13 REPORT(S):**

19 Permittee shall file an annual report with the Planning and Development Services  
20 Department to show that Permittee is in full compliance with this Conditional Use Permit.  
21 The report shall be filed within sixty (60) days from the first day of the Calendar year, and  
22 shall include at a minimum, the total number of "users" on the tower, any problems  
23 encountered during the previous year, any reported frequency interference complaints, the  
name & phone number of the responsible person whom to contact, and a checklist to show  
the status of each condition herein. It shall be the responsibility of the Permittee to provide  
all reports and to include the information about other users. The County may request  
information at any time from Permittee or other users if applicable; however, it shall be the  
responsibility of the permittee to assure the County that such information is received.

24 **G14 RESPONSIBLE AGENT:**

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

1 **G15 INDEMNIFICATION:**

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

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

10 In the event the ownership of the site or the operation of the site transfers from the current  
11 Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms  
12 and conditions of this permit as if said successor was the original Permittee. Current  
13 Permittee shall inform the County Planning and Development Services Department in writing  
14 at least 60 days prior to any such transfer. Failure of a notice of change of ownership or  
15 change of operator shall be grounds for the immediate revocation of the CUP. In the event  
16 of a change, the new Owner/Operator shall file with the Department, via certified mail, a  
17 letter stating that they are fully aware of all conditions and acknowledge that they will adhere  
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.

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

20 **G17 COMPLIANCE WITH ORDINANCE:**

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

23 (TOTAL "G" CONDITIONS are 17)

24  
25  
26 This space intentionally left blank.

1 **Specific Conditions:**

2 **S1 PROJECT DESCRIPTION:**

3 *This permit authorizes the Permittee to operate a co-locatable communications lattice tower*  
4 *with equipment, shelter, generator and chain link fencing. The Tower height shall not exceed*  
5 *300 feet and the total developed height of any antenna, above ground level (AGL). In this*  
6 *case the tower shall be a "free standing" tower with no guy wire support. In addition to the*  
7 *information contained in the application, and as a result of the County, the applicant and the*  
8 *other interested parties desiring to minimize the number of towers in the County, this tower*  
9 *may be used by multiple users in addition to the Permittee, provided the conditions stated*  
10 *herein are followed.*

11 **S2 ACCESS TO SITE:**

12 Access to the site shall remain from Evan Hewes Highway.

13 **S3 NO TRESPASSING SIGNS:**

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

15 **S4 HOURS OF OPERATION:**

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

17 **S5 ANCILLARY USES & ADDITIONAL LAND USE PERMITS:**

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

22 **S6 SUSPENSION OF OPERATIONS:**

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

27 **S7 ENFORCEMENT ACTION:**

28 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, 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 ensure 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 on-site areas to minimize off-site interference from unacceptable  
6 levels of light or glare.

7 **S9 CHAIN LINK FENCE:**

8 Fence shall not exceed height limit of (8) eight feet in height. However, any variations shall  
9 require permitting and approval by the Imperial County Planning & Development Services  
10 Department. Electrified, barbed, or razor edge wire fences shall be prohibited.

11 **S10 CONFLICTING PERMIT CONDITIONS:**

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

14 **S11 MINOR ADMINISTRATIVE MODIFICATION:**

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

21 **S12 LATEST CODES GOVERN:**

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

27 **S13 VARIANCE:**

28 In conjunction with this CUP a height variance VAR #00-0002 has been previously approved  
and issued to allow for the construction of the communication tower to a height not to exceed  
300 feet above ground level (AGL).

**S14 LIGHTING:**

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

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

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

**S15 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), Planning Department and other applicable agencies.

**S16 FREQUENCY COORDINATION:**

The operation of the project 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.

**S17 TOWER EMERGENCY INFORMATION:**

Permittee shall file (with the County) a Tower Site Information sheet. The permittee shall update this information yearly.

**S18 RESTORATION SURETY:**

(a) Upon the expiration of this CUP, Permittee shall restore the site upon which the project is located back to its undeveloped condition. To ensure that such restoration is completed, Permittee shall provide security that is in conformance with the County's Financial Assurance Guideline, is acceptable to the Office of County Counsel, and in an amount not less than \$50,000. Said security shall cover Permittee, as well as any co-locators, users, or 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 characteristic 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 restored 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

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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 \$75,000.

**NOW THEREFORE**, County hereby issues Conditional Use Permit #26-0003, 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**

\_\_\_\_\_  
Richard P Palermo, Senior Counsel  
American Towers LLC

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
James Minnick, Director  
Planning & Development Services

\_\_\_\_\_  
Date

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**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.

Dated \_\_\_\_\_

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 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 \_\_\_\_\_  
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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 \_\_\_\_\_  
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Signer(s) Other Than Named Above \_\_\_\_\_

**ATTACHMENT “D”  
PC RESOLUTION**

## RESOLUTION NO.

### A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING “CONDITIONAL USE PERMIT #26-0003” FOR AMERICAN TOWER CORPORATION.

**WHEREAS**, American Tower Corporation, has submitted an application for Conditional Use Permit #26-0003 for the renewal of Land Use Entitlements for an existing 300-foot lattice tower; and,

**WHEREAS**, this existing 300-foot tower was previously approved under Conditional Use Permit #15-0024 which superseded Conditional Use Permit #00-0006 and Variance #00-0002; 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 adoptions and certifications; and,

**WHEREAS**, public notice of said application 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 March 25, 2026; 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 #26-0003 prior to approval. The Planning Commission finds and determines that the Conditional Use Permit 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 the Conditional Use Permit #26-0003 has been made as follows:

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

The General Plan designates the subject site as “Agriculture” Pursuant to Title 9, Division 5, Sections 90508.01 and 90508.02 A-2 (General Agriculture) Zone, the project is found consistent with the approved Conditional Use Permit #26-0003.

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

The purpose of the project is to renew the land use entitlements for the existing 300-foot lattice communications tower. The project is designated A-2 (General Agriculture). Pursuant to Title 9 Division 5 Section 90508.02 (Conditional Use Permit) the proposed use is consistent with the purpose of the A-2 zone uses.

**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 communications tower is listed as a use subject to a Conditional Use Permit in Land Use Ordinance, Section 90508.02.

**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 Project complies with the minimum requirements of this Title. The project complies with the applicable laws by obtaining a CUP pursuant to Title 9 Division 5 Section 90508.02. 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. Therefore, the proposed project will meet the minimum requirements of the Land Use Ordinance, 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 project is designated "Agriculture" by the Imperial County General Plan. This existing tower site is located within a small portion of the southwestern corner of an existing farm field. The parcel is surrounded by agriculture fields to the north and east, Evan Hewes Highway to the south and Arizona Road to the west. The existing tower is not 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 will be subject to the Conditional Use Permit and current Federal, State and Local regulations. The project use does not violate any law or ordinance.

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

The project is a permitted use subject to approval of a Conditional Use Permit #26-0003 under Land Use Ordinance, Section 92102.00 *et. seq.* and will not grant a special privilege.

**NOW, THEREFORE**, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #26-0003, subject to 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 March 25, 2026, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

ATTEST:

---

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

**ATTACHMENT “E”  
CONDITIONAL USE PERMIT  
APPLICATION**

# CONDITIONAL USE PERMIT

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

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

1. PROPERTY OWNER'S NAME American Towers LLC		EMAIL ADDRESS	
2. MAILING ADDRESS (Street / P O Box, City, State) 10 Presidential Way, Woburn MA 01801		ZIP CODE 92251	PHONE NUMBER
3. APPLICANT'S NAME American Towers LLC Contact: Shelly Kilbourn, PlanCom, Inc.		EMAIL ADDRESS shellykilbourn@att.net	
4. MAILING ADDRESS (Street / P O Box, City, State) 10 Presidential Way, Woburn, MA 01801		ZIP CODE 92106	PHONE NUMBER 619-208-4685
4. ENGINEER'S NAME ATC Tower Services	CA. LICENSE NO.	EMAIL ADDRESS	
5. MAILING ADDRESS (Street / P O Box, City, State) 1 Fenton Main Street, Suite 300, Cary NC		ZIP CODE 27511	PHONE NUMBER 919-468-0112
6. ASSESSOR'S PARCEL NO. 051-020-026-00		SIZE OF PROPERTY (in acres or square foot) 3.14 acres	ZONING (existing) A-2
7. PROPERTY (site) ADDRESS 2610 Evan Hewes Hwy, Imperial CA 92251			
8. GENERAL LOCATION (i.e. city, town, cross street) Arizona Rd and Evan Hewes Hwy			
9. LEGAL DESCRIPTION E2 OF NE4 SEC7& NW4&W2 OF NE4 SEC8 16-12 EXC PAR 1 PM 620			

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)		The project proposes to continue operation of an existing wireless communication tower housing multiple wireless communication carriers. The existing tower is 300 feet tall on an agricultural property.
11. DESCRIBE CURRENT USE OF PROPERTY	Agricultural with a wireless communication tower	
12. DESCRIBE PROPOSED SEWER SYSTEM	N/A - No change to use and the tower is an unmanned facility.	
13. DESCRIBE PROPOSED WATER SYSTEM	N/A - No change to use and the tower is an unmanned facility.	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	N/A - No change to use.	
15. IS PROPOSED USE A BUSINESS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? N/A - Unmanned facility	

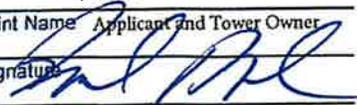
**REQUIRED SUPPORT DOCUMENTS**

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

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

Richard Palermo, Senior Counsel, American Towers LLC 01/06/2026

Print Name Applicant and Tower Owner \_\_\_\_\_ Date \_\_\_\_\_

Signature  \_\_\_\_\_

Print Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

APPLICATION RECEIVED BY:	<u>IGE</u>	DATE	_____	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY:	_____	DATE	_____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY:	_____	DATE	_____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY:	_____	DATE	_____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION:	<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE	_____	<input type="checkbox"/> O. E. S.
		DATE	_____	<input type="checkbox"/> _____

**CUP #**  
26-0003  
I Sale



**Telecommunications Project Management**

January 16, 2026

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

Attn: Diane Robinson

Re: American Tower – Seeley – 2610 Evan Hewes Hwy, Imperial  
Conditional Use Permit Renewal Application

On behalf of American Tower, we are submitting the attached application and supporting documents for a Conditional Use Permit Renewal to continue operation of an existing cellular communication tower located at 2610 Evan Hewes Hwy.

Please find the following items:

- Conditional Use Permit Application
- Tower Site Information form
- Notice to Applicant
- Drawings (2 copies)
- Check in the amount of \$7,500

**Request:**

The project proposes to continue operation of an existing 300-foot cellular communication tower housing various wireless communication providers, including AT&T, Verizon, and T-Mobile. The underlying use permit #15-0024 will expire in February 2026.

The cellular communication tower is located within a 10,000 square foot fenced area that contains the equipment enclosures for the various co-locators on the tower. There are five (5) equipment enclosures and two (2) generator pads for backup power. No changes are proposed as part of this request.

Sincerely,

Shelly A. Kilbourn  
Contract Representative for American Tower

RECEIVED

JAN 23 2026

IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

# IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at Middlesex County <sup>Massachusetts</sup> ~~California~~ on January 6, 2026

**APPLICANT**

Name:   
 By Richard Palermo  
 Title Senior Counsel, American Towers LLC

Mailing Address:  
10 Presidential Way  
Woburn, MA 01801

**REAL PARTY IN INTEREST**

(If different from Applicant) Leasehold Interest

Name:   
 By Richard Palermo  
 Title Senior Counsel, American Towers LLC

Mailing Address:  
10 Presidential Way  
Woburn, MA 01801

ACCEPTED/RECEIVED BY \_\_\_\_\_ Date \_\_\_\_\_

PROJECT ID NO \_\_\_\_\_ APN \_\_\_\_\_



## Imperial County Planning & Development Services Planning / Building / Parks & Recreation

---

**Jim Minnick**  
DIRECTOR

### NOTICE TO APPLICANT

**SUBJECT: PAYMENT OF FEES**

**Dear Applicant:**

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Jim Minnick".

Jim Minnick, Director  
Planning & Development Services

RECEIVED BY: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Richard P. Palermo".

DATE: \_\_\_\_\_

1/14/26

Richard P Palermo, Senior Counsel, American Towers LLC



VICINITY MAP



**SITE NAME:** SEELEY  
**SITE NUMBER:** 40521  
**SITE ADDRESS:** 2610 EVAN HEWES HWY  
 IMPERIAL, CA 92251-9679



LOCATION MAP



REV	DESCRIPTION	BY	DATE
01	FOR CONSTRUCTION	MSL	10/04/25
02	FOR COMMENTS	MSL	10/13/25

ATC SITE NUMBER  
**40521**  
 ATC SITE NAME  
**SEELEY**

SITE ADDRESS  
 2610 EVAN HEWES HWY  
 IMPERIAL, CA 92251-9679



Scott Fletcher  
 Digitally signed by Scott Fletcher  
 Date: 2026.01.14 12:41:54-0500

DATE CHANGED	ISSUED
12/11/2025	12/11/2025

**TITLE SHEET**

SHEET NUMBER	TOTAL SHEETS
G-001	1

**CONDITIONAL USE PERMIT RENEWAL**

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX																														
<p>ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES: AS ADOPTED BY THE LOCAL GOVERNMENT. REGULATIONS, NOTING THAT THESE PLANS IS TO BE CONSTRUED TO BE IN ACCORDANCE WITH THE FOLLOWING:</p> <ol style="list-style-type: none"> <li>2022 CALIFORNIA ANTI-SMOKING STRATEGY CODE</li> <li>2022 CALIFORNIA BUILDING CODE</li> <li>2022 CALIFORNIA ELECTRICAL CODE</li> <li>2022 CALIFORNIA FIRE ALARMS CODE</li> <li>2022 CALIFORNIA FIRE DEPARTMENT ENERGY CODE</li> <li>2022 CALIFORNIA FIRE DEPARTMENT ELECTRICAL CODE</li> <li>2022 CALIFORNIA FIRE DEPARTMENT MECHANICAL CODE</li> <li>2022 CALIFORNIA FIRE DEPARTMENT PLUMBING CODE</li> <li>2022 CALIFORNIA FIRE DEPARTMENT WELDING CODE</li> <li>2022 CALIFORNIA FIRE DEPARTMENT WELDING CODE (B2)</li> <li>LOCAL ORDINANCES</li> <li>LOCAL ORDINANCES</li> </ol>	<p><b>SITE ADDRESS:</b>          2610 EVAN HEWES HWY          IMPERIAL, CA 92251-9679          COUNTY: IMPERIAL</p> <p><b>COORDINATE INFORMATION:</b>          LATITUDE: 32.79201          LONGITUDE: -115.764553          GRID ELEVATION: 42' MSL</p> <p><b>LOCAL JURISDICTION:</b>          JURISDICTION: IMPERIAL COUNTY          PARCEL NUMBER: 054429-700-020          ZONING: M-2</p>	<p>THIS SUBMITTAL IS FOR THE RENEWAL OF THE CONDITIONAL USE PERMIT WITH IMPERIAL COUNTY IN ORDER TO CONTINUE OPERATION OF THE EXISTING WIRELESS COMMUNICATION FACILITY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. RED LINES TO EXISTING ARE TO BE MAINTAINED.</p> <p>THE FACILITY CONSISTS OF THE FOLLOWING EQUIPMENT:</p> <p><b>VIEW</b></p> <p><b>GROUND:</b> 43'5" GENERATOR PAD 240 SF SHELTER          TOWER: 1 DISH - 15 ANTENNAS</p> <p><b>ATC</b></p> <p><b>GROUND:</b> 78'x41'x11' 12 SF CONCRETE PAD          TOWER: 12 ANTENNAS 15 RADIOS</p> <p><b>TWO</b></p> <p><b>GROUND:</b> 10 SF EQUIPMENT SHELTER 150 SF PLATFORM          TOWER: 1 DISH 6 ANTENNAS 6 RADIOS</p> <p><b>ONE HALF WINDTOWER</b></p> <p><b>TOWER:</b> 3 ANTENNAS AND 12 RADIOS</p> <p><b>ATC</b></p> <p><b>GROUND:</b> 200 SF EQUIPMENT SHELTER</p>	<table border="1"> <thead> <tr> <th>SHEET NO.</th> <th>DESCRIPTION</th> <th>REV</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>001</td> <td>TITLE SHEET</td> <td>1</td> <td>10/13/25</td> <td>MSL</td> </tr> <tr> <td>002</td> <td>SURVEY</td> <td></td> <td></td> <td></td> </tr> <tr> <td>003</td> <td>OVERALL SITE PLAN</td> <td>1</td> <td>10/13/25</td> <td>MSL</td> </tr> <tr> <td>004</td> <td>DETAILED SITE PLAN &amp; TOWER ELEVATION</td> <td>1</td> <td>01/13/26</td> <td>MSL</td> </tr> <tr> <td>005</td> <td>MEASUREMENT</td> <td>3</td> <td>10/06/25</td> <td>MSL</td> </tr> </tbody> </table>	SHEET NO.	DESCRIPTION	REV	DATE	BY	001	TITLE SHEET	1	10/13/25	MSL	002	SURVEY				003	OVERALL SITE PLAN	1	10/13/25	MSL	004	DETAILED SITE PLAN & TOWER ELEVATION	1	01/13/26	MSL	005	MEASUREMENT	3	10/06/25	MSL
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005	MEASUREMENT	3	10/06/25	MSL																													
<p><b>PROJECT LOCATION DIRECTIONS:</b>          APPROXIMATELY 1/4 MILE TO THE RIGHT AND 1/4 MILE TO THE RIGHT OF THE MAIN HIGHWAY TO THE RIGHT AND 1/4 MILE TO THE RIGHT.</p>	<p><b>PROJECT TEAM:</b></p> <p><b>OWNER:</b>          AMERICAN TOWER SERVICES, LLC          19715 CALIFORNIA HWY          WILSON, CA 95758</p> <p><b>DESIGNER:</b>          AMERICAN TOWER SERVICES, LLC          19715 CALIFORNIA HWY          WILSON, CA 95758</p> <p><b>ISSUED:</b>          AMERICAN TOWER SERVICES, LLC          19715 CALIFORNIA HWY          WILSON, CA 95758</p>	<p><b>PROJECT NOTES:</b></p> <ol style="list-style-type: none"> <li>THE FACILITY IS UNLIMITED.</li> <li>A REPRESENTATIVE SHALL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE.</li> <li>EXISTING FACILITY MUST BE MAINTAINED AT ALL TIMES AND FCC REGULATORY REQUIREMENTS MUST BE MAINTAINED.</li> <li>THE FACILITY SHALL NOT BE USED FOR ANY SIGNIFICANT LAND DISTURBANCE OR EFFECTS ON STREAM WATER QUALITY.</li> <li>NO SIGNIFICANT SWAMP POTENTIAL WATER QUALITY DISTURBANCE IS ANTICIPATED.</li> <li>HANDICAP ACCESS IS NOT REQUIRED.</li> </ol>																															





**CAUTION**



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.

**NO TRESPASSING**

AT&T Tower and No Trespassing Sign

**WARNING**



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.

AT&T RF Warning and FCC Number Sign

**FCC TOWER REGISTRATION #**

1216328

Posting of sign required by law

AT&T STAND-ALONE FCC TOWER REGISTRATION SIGN



EXISTING SIGNAGE PHOTO

**NOTICE**

**GUIDELINES FOR WORKING IN RADIOFREQUENCY ENVIRONMENTS**

- All personnel should have electromagnetic energy (EME) awareness training.
- All personnel entering this site must be authorized.
- Obey all posted signs.
- Assume all antennas are active.
- Before working on antennas, notify owners and disable appropriate transmitters.
- Maintain minimum 3 feet clearance from all antennas.
- Do not stop 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.

AT&T RF PROGRAM NOTICE SIGN

**AMERICAN TOWER**  
AT&T TOWER SERVICES, LLC  
1 PENNIMM STREET  
SUITE 300  
CARY, NC 27513  
PHONE: (919) 581-2112

THIS SIGNAGE IS PART OF THE ACCESSORY EQUIPMENT FOR THE TOWER. IT IS THE PROPERTY OF AMERICAN TOWER AND IS TO BE KEPT IN PLACE AT ALL TIMES. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN PERMISSION FROM AMERICAN TOWER BEFORE REMOVING OR ALTERING THIS SIGNAGE. VIOLATION OF THIS POLICY MAY RESULT IN LEGAL ACTION.

REV	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	NO	2006/01
2			
3			
4			

AT&T TOWER NUMBER: 40521  
AT&T SITE NAME: SEELEY  
SITE ADDRESS: 3810 EVAN HENNS HWAY, IRVINE, CA 92618

DIGITALLY SIGNED: 2026-01-14

SHEET DRAWN: 100005	DATE: 10/20/05
AT&T JOB NO: 1216328	

**SIGNAGE**

SHEET NUMBER: C-501	TOTAL SHEETS: 0
---------------------	-----------------

**MANAGED BY**

**AMERICAN TOWER CORPORATION**

SITE NAME: SEELEY  
SITE #: 40521  
FCC ASR #: 1216328

**NO LOG IN MANDATORY FOR SITE ACCESS**  
**IN CASE OF EMERGENCY OR SITE ACCESS**  
CALL 877-518-6937 OR 877-505-3130

**NO TRESPASSING**  
www.americantower.com  
POSTING OF THIS SIGN REQUIRED BY LAW

AT&T SIGN

AT&T TOWER AND NO TRESPASSING SIGN

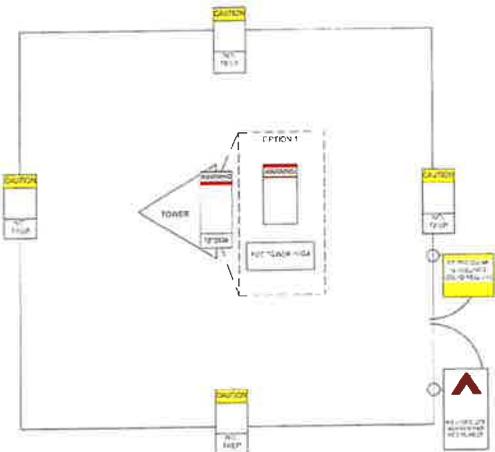
AT&T RF WARNING AND FCC NUMBER SIGN

EXISTING SIGNAGE PHOTO

REPLACEMENT OF SIGNAGE

NOTE

EXTENSIVE SIGNAGE NOT PROVIDED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND FUTURE SIGNAGE SHALL BE DOWNGRADED AND REMOVED FROM THE SITE. SIGNAGE IS NOT TO BE REUSED, TAKEN, OR REPRODUCED.



THERE MUST BE AN AT&T SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (SOUTH SIDE OF MAIN ROAD) IF APPROXIMATE AND COMPOUND FENCE. NO OTHER ROAD FENCE, THEN IN A COMPOUND FENCE, AT THE DRIVE OFF AVENUE, IN EACH LOCK AT EACH GATE FOR ALL ADDITIONAL SIGNS REQUIRED.

EXISTING SIGNAGE PHOTO

REPLACEMENT OF SIGNAGE

NOTE

EXTENSIVE SIGNAGE NOT PROVIDED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND FUTURE SIGNAGE SHALL BE DOWNGRADED AND REMOVED FROM THE SITE. SIGNAGE IS NOT TO BE REUSED, TAKEN, OR REPRODUCED.



### ASSISTANT SECRETARY'S CERTIFICATE

I, Stephen Greene, a duly elected and acting Assistant Secretary of American Tower Corporation, a Delaware corporation (the "Company"), hereby certify that:

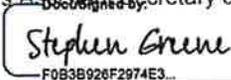
Pursuant to the Company's Delegation of Authority Policy, Richard Palermo, Senior Counsel, U.S. Tower, has been granted the authority to sign on behalf of the Company and each of its directly and indirectly held subsidiaries, any contracts, certificates, agreements or other documents to be executed relating to:

- the identification, negotiation and acquisition of new telecommunications antenna sites on behalf of the Company, including, but not limited to, non-disclosure agreements, confidentiality agreements, letters of intent, memoranda of understanding, asset or stock purchase agreements, membership interest agreements, and/or merger agreements, and any amendments to, or renewals of, such agreements and documents (collectively, "Acquisition Materials"), the cumulative economic impact of which shall not exceed Five Million Dollars (\$5,000,000.00); and
- the ownership, operation, management, licensing or leasing of existing telecommunications antenna sites (such activities, collectively, "Core Business") on behalf of the Company, including, but not limited to, non-disclosure agreements, confidentiality agreements, letters of intent, memoranda of understanding, management agreements, consulting agreements, settlement agreements, lease or license agreements, termination agreements, release agreements, assignments, estoppels, certificates, deeds, and any amendments to, or renewals of, such agreements and documents (collectively, "Operational Materials," and together with Acquisition Materials, the "Executable Materials");

provided, that, the annual, single year or cumulative economic impact with respect to the Executable Materials in connection with any particular transaction shall not exceed:

- in the case of budgeted capital or expense spending, the lesser of: (a) the amount set forth with respect to such capital or expense items in the applicable budget; and (b) up to Five Hundred Thousand United States dollars (\$500,000.00);
- in the case of unbudgeted capital (other than unbudgeted build to suit) or expense spending with respect to Core Business investments, acquisitions and dispositions, One Hundred Thousand United States dollars (\$100,000.00); and
- in the case of a revenue-generating transaction, the commitment authority provided to the Delegator in Schedule 1 of the Policy.

IN WITNESS WHEREOF, I have hereunto signed my name as Assistant Secretary of the Company, this 19th day of September 2024.

  
F083B926F2974E3...  
Stephen Greene  
Assistant Secretary

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:  
Bill Knittle  
National Communication Site Manager  
Dobson Cellular Systems, Inc.  
3910 South Avenue  
Youngstown, OH 44512

0 1 7 2 5

MOL

DOLORES PROVENCIO  
COUNTY RECORDER  
BOOK 2025 PAGE 566  
'00 AUG 18 PM 3 49  
OFFICIAL RECORDS  
IMPERIAL COUNTY, CA

TLs	27-00
RG	10
RF	8
MC	1
IX	1
TF	2
NL	
PY	
PR	

THIS SPACE RESERVED FOR RECORDER ONLY  
GOV. CODE 27361.6

DOCUMENT TITLE(S): MEMORANDUM OF OPTION TO LEASE

*Seeley Kuhn 1CA7*

THIS PAGE IS ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(ADDITIONAL RECORDING FEE(S) APPLY)

## Tower Site Information Sheet

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

CUP # 15-0024      Recording Date 3/4/2016      Document # 2016004033

Applicant Name on CUP American Tower Corporation

Current Operator (if other) American Towers LLC

Previous Operator \_\_\_\_\_

Site Address 2610 Evans Hewes Hwy      Assessor's Parcel No. 051-020-026-00

Restoration Surety # BLNA890974      Surety Amount \$25,000

Tower Height 300 feet      Current Site # Seeley/#40521

Benefit Agreement Date N/A      Benefit Fee Amount N/A

Co-Locator(s) (if any)	Restoration Surety	Amount
<u>NEW CINGULAR WIRELESS PCS, LLC</u>	_____	_____
<u>T-MOBILE</u>	_____	_____
<u>VERIZON WIRELESS 2007 MLA</u>	_____	_____
<u>T-MOBILE WEST LLC</u>	_____	_____
<u>CALIFORNIA INTERNET, L.P</u>	_____	_____

### Conditions of Approval

Condition No.	Condition Description	Compliance Comment
G1	Costs	Acknowledged
G2	Audit of Bills	Acknowledged
G3	Permit/Licenses	Acknowledged
G4	Recordation	Recorded 3/4/2016
G5	Compliance/Revocation	Acknowledged
G6	Provision to Run with the Land	Acknowledged
G7	Right of Entry	Acknowledged
G8	Time Limit	Acknowledged
G9	Definitions	Acknowledged





**ATTACHMENT "F"**  
**PREVIOUSLY APPROVED CUP#15-**  
**0024**

**CHUCK STOREY**

03:57 PM

COUNTY CLERK/RECORDER

IsabelVargas

Recording Requested By And  
When Recorded Return To:

PLANNING IMPERIAL COUNTY - PLANNING & DEVELOPMENT SER

Imperial County Planning & Development Services  
801 Main Street  
El Centro California 92231

Doc#: **2016004033**

Titles: 1 Pages: 13



Fees 51.00

Taxes 0.00

Other 0.00

PAID 51.00

\* \$ R 0 0 0 0 1 8 9 3 4 7 \$ \*

**AGREEMENT FOR CONDITIONAL USE PERMIT #15-0024  
SUPERSEDING CONDITIONAL USE PERMIT CUP #00-0006**

(Cellular Communication Tower)  
(051-020-026-000)

**Approved by Planning Commission October 28, 2015**

This Agreement is made and entered into on this 29<sup>th</sup> of February 2016, by American Tower International Inc., (10 Presidential Way, Woburn, MA 01801) hereinafter referred to as Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

**WHEREAS**, Permittee is the owner or successor in interest in certain land in Imperial County identified as Assessor's Parcel Number(s) 051-020-026-000 further identified by the following legal description: that portion of the East 1/2 of the Northeast 1/4 of Section 7 and the Northwest 1/4 and the West 1/2 of the Northeast 1/4 of Section 8, Township 16 South, Range 12 East, SBB&M, except Parcel 1 of PM 620, and

**WHEREAS**, American Tower Corporation, and/or any subsequent owner(s) would be required to and intend to fully comply with all of the terms and conditions of the project as specified in this Conditional Use Permit (CUP). This Conditional Use Permit Agreement #15-0024 supersedes Conditional Use Permit Agreement #00-0006 and any other prior Conditional Use Permit Agreements.

**WHEREAS**, Permittee has applied to the County for permission to construct and operate a Cellular Telephone Tower site, upon the above site; and,



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**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:**

Permittee 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 and Development Services Department or any County Department for costs incurred as a result of this permit, shall be billed through the Planning and Development Services Department.

**G2 AUDIT OF BILLS:**

Permittee shall have the right to have any bill audited for clarification or correction. In the event Permittee request an audit or an explanation of any bill, it shall be in writing to the Planning and Development Services Department. Permittee 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 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 Department.

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

**G4 RECORDATION:**

This permit shall **not be effective** until it is recorded at the Imperial County Recorder Office, and payment of the recordation fee shall be the responsibility of the Permittee. If the Permittee fails to pay the recordation fee 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 Permittee. Permittee 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.

1 **G5 COMPLIANCE/REVOCAION:**

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

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

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

15 **G7 RIGHT OF ENTRY:**

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

18 **G8 TIME LIMIT:**

19 Unless otherwise specified within the project specific conditions, this project shall be limited  
20 to a maximum of (10) ten years from the recordation date of the CUP. Should the Permittee  
21 wish to continue the use of this tower after the allotted time limit, submittal of a "NEW"  
22 conditional use permit (CUP) application shall be required and processed as a new project.  
23 The aforementioned application shall be submitted at least six (6) months prior to the  
24 expiration date of the current CUP. A new CUP shall not be granted if the project is in  
25 violation of any one or all of the conditions or if there is a history of non-compliance with the  
26 project conditions.

24 **G9 DEFINITIONS:**

25 In the event of a dispute the meaning(s) or the intent of any word(s) phrase(s) and/or  
26 conditions or sections herein shall be determined by the Planning Commission of the County  
27 of Imperial. Their determination shall be final unless an appeal is made to the Board of  
28 Supervisors within the required time. In this permit the term Permittee may also apply to  
any other facility user whether specified by name herein or not. To the extent that this tower

1 may be used by more than one service provider other than the applicant (permittee), all of  
2 the conditions of this permit shall be equally applicable to the other "user(s)" as if they were  
the "permittee".

3 **G10 SPECIFICITY:**

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

9 **G11 HEALTH HAZARD:**

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

14 **G12 ENCROACHMENT PERMIT:**

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

17 **G13 REPORT(S):**

18 Permittee shall file an annual report with the Planning and Development Services  
19 Department to show that Permittee is in full compliance with this Conditional Use Permit.  
20 The report shall be filed within sixty (60) days from the first day of the Calendar year, and  
21 shall include at a minimum, the total number of "users" on the tower, any problems  
22 encountered during the previous year, any reported frequency interference complaints, the  
23 name & phone number of the responsible person whom to contact, and a checklist to show  
the status of each condition herein. It shall be the responsibility of the Permittee to provide  
24 all reports and to include the information about other users. The County may request  
25 information at any time from Permittee or other users if applicable; however, it shall be the  
26 responsibility of the permittee to assure the County that such information is received.

24 **G14 RESPONSIBLE AGENT:**

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

1 **G15 INDEMNIFICATION:**

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

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

10 In the event the ownership of the site or the operation of the site transfers from the current  
11 Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms  
12 and conditions of this permit as if said successor was the original Permittee. Current  
13 Permittee shall inform the County Planning and Development Services Department in writing  
14 at least 60 days prior to any such transfer. Failure of a notice of change of ownership or  
15 change of operator shall be grounds for the immediate revocation of the CUP. In the event  
16 of a change, the new Owner/Operator shall file with the Department, via certified mail, a  
17 letter stating that they are fully aware of all conditions and acknowledge that they will adhere  
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.

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

20 **G17 COMPLIANCE WITH ORDINANCE:**

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

23 **G18 LOCAL BENEFIT AGREEMENT**

24 Permittee has agreed to provide a local benefit per a negotiated agreement between the  
25 County and the permittee. The local benefit agreement fee must be paid before the  
26 Conditional Use Permit is recorded.

1 (TOTAL "G" CONDITIONS are 18)

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1 **Specific Conditions:**

2 **S1 PROJECT DESCRIPTION:**

3 *This permit authorizes the Permittee to operate a co-locatable communications lattice tower*  
4 *with equipment shelter, generator and chain link fencing. The Tower height shall not exceed*  
5 *300 feet and the total developed height of any antenna thereon shall not exceed 322 feet*  
6 *above ground level (AGL). In this case the tower shall be a "free standing" tower with no guy*  
7 *wire support. In addition to the information contained in the application, and as a result of*  
8 *the County, the applicant and the other interested parties desiring to minimize the number*  
9 *of towers in the County, this tower may be used by multiple user in addition to the Permittee,*  
10 *provided the conditions stated herein are followed.*

11 **S2 ACCESS TO SITE:**

12 Access to the site shall remain from Evan Hewes Highway.

13 **S3 NO TRESPASSING SIGNS:**

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

15 **S4 HOURS OF OPERATION:**

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

17 **S5 ANCILLARY USES & ADDITIONAL LAND USE PERMITS:**

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

22 **S6 SUSPENSION OF OPERATIONS:**

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

27 **S7 ENFORCEMENT ACTION:**

28 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, 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 on site areas to minimize off-site interference from unacceptable levels  
6 of light or glare.

7 **S9 CHAIN LINK FENCE:**

8 Fence shall not exceed height limit of (8) eight feet in height. However, any variations shall  
9 require permitting and approval by the Imperial County Planning & Development Services  
10 Department. Electrified, barbed, or razor edge wire fences shall be prohibited.

11 **S10 CONFLICTING PERMIT CONDITIONS:**

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

14 **S11 MINOR ADMINISTRATIVE MODIFICATION:**

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

21 **S12 LATEST CODES GOVERN:**

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

27 **S13 VARIANCE:**

28 In conjunction with this CUP a height variance VAR #00-0002 has been previously approved  
and issued to allow for the construction of the communication tower to a height not to exceed  
300 feet above ground level (AGL).

**S14 LIGHTING:**

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

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

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

**S15 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), Planning Department and other applicable agencies.

**S16 FREQUENCY COORDINATION:**

The operation of the project 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.

**S17 TOWER EMERGENCY INFORMATION:**

Permittee shall file (with the County) a Tower Site Information sheet. The permittee shall update this information yearly.

**S18 RESTORATION SURETY:**

(a) Permittee shall file (with the County) surety in the amount of \$10,000 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.

(b) If there are other persons, firms or corporations using said tower, in addition to the Permittee, the surety shall increase at the rate of \$5,000.00 per user and shall be provided to the County by said persons, firms or corporations.

(c) The original surety shall remain in effect until the tower and the ancillary facilities are removed and the site 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 \$15,000.00 maximum and \$20,000.00 maximum, if the renewal is considered by the Planning Commission.

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**NOW THEREFORE**, County hereby issues Conditional Use Permit #15-0024, 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**

 Margaret Robinson  
Senior Counsel  
Date 12/21/15  
American Tower International, Inc.

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

 James Minnick, Director  
Planning & Development Services  
Date 2/29/16

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**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.

Dated December 21, 2015

STATE OF Massachusetts

COUNTY OF Middlesex } S.S.

On December 21, 2015 before me,  
Genys E. Perez a Notary Public in and for  
said County and State, personally appeared  
Margaret Robinson, 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 ~~California~~ Massachusetts that the foregoing paragraph is true and correct.

WITNESS my hand and official seal



GENYS E. PEREZ  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
July 1, 2022

Signature Genys E. Perez

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 \_\_\_\_\_  
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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

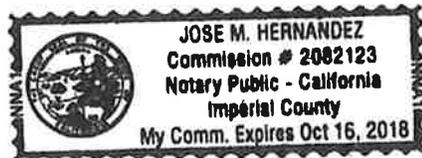
COUNTY OF IMPERIAL } S.S.

On 02/29/2016 before me,  
JOSE M. HERNANDEZ a Notary Public in and for  
said County and State, personally appeared  
JAMES ALVIN MINNICK, 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 Jose M. Hernandez



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 COPT # 15-0024  
Number of Pages 17 Date of Document 02/29/2016  
Signer(s) Other Than Named Above Margaret Robinson

**ATTACHMENT "G"  
COMMENT LETTERS**



## AIR POLLUTION CONTROL DISTRICT

March 9, 2026

Mr. Jim Minnick  
Planning & Development Services Director  
801 Main St.  
El Centro, CA 92243

**RECEIVED**

By Imperial County Planning & Development Services at 2:02 pm, Mar 09, 2026

SUBJECT: Conditional Use Permit 26-0003 – American Tower LLC

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") thanks you for the opportunity to review and comment on the application for Conditional Use Permit (CUP) 26-0003 that would allow the continued operation of an existing wireless communication facility by American Tower, LLC located at 2610 Evan Hewes Highway, also identified as Assessor's Parcel Number 051-020-026. The original CUP 00-0006 recorded on July 28, 2000, was superseded by CUP 15-0024 recorded on March 4, 2016.

The facility includes a 300-foot communication tower with associated ancillary equipment within a 10,000 square-foot area enclosed by a security fence. There are no proposed changes to the facility.

This facility is currently permitted under Air District Permit #4647. The Air District requests to review a **draft copy of CUP 26-0003** prior to recording. Other than that, the Air District has no further comments.

Air District rules and regulations and forms, along with our California Environmental Quality Act Handbook, can be found on our website at <https://apcd.imperialcounty.org> by accessing the Planning drop-down menu. The Air District can be contacted at (442) 265-1800.

Sincerely,

  
Curtis Blondell  
APC Environmental Coordinator II

Reviewed by,

  
Monica N. Saucier  
APC Division Manager

## Olivia Lopez

---

**From:** Margo Sanchez  
**Sent:** Friday, March 6, 2026 10:43 AM  
**To:** Olivia Lopez; Planning - ICPDSCCommentLetters; Luis Valenzuela  
**Subject:** RE: HS-CUP26-0003/IS26-0004 - Request for Comments

Good morning,

Please accept this email as a No Comment response to this project.

Thank you.

Best regards,  
Margo

RECEIVED

MAR 06 2026

IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

### *Margo Sanchez*

Deputy Agricultural Commissioner  
Deputy Sealer of Weights & Measures  
**Special Projects / Weights & Measures Division**  
Imperial County Agricultural Commissioner's Office  
442.265.1500  
7-4:30pm / Off rotating Fridays  
agcom.imperialcounty.org



**From:** Olivia Lopez <olivialopez@co.imperial.ca.us>  
**Sent:** Monday, February 23, 2026 1:50 PM  
**To:** Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Belen Leon-Lopez <BelenLeon-Lopez@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Jesus Ramirez <JesusRamirez@co.imperial.ca.us>; Peggy Price <peggyprice@co.imperial.ca.us>; Kathleen Lang <KathleenLang@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Marco Topete <marcotopete@co.imperial.ca.us>; Sheila Vasquez-Bazua <SheilaVasquezBazua@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Claudia Valadez <Claudia.Valadez@co.imperial.ca.us>; Veronica Atondo <VeronicaAtondo@co.imperial.ca.us>; Carlos Yee <CarlosYee@co.imperial.ca.us>; rkelley@icso.org; Fred Miramontes <fmiramontes@icso.org>; Robert Benavidez <RBenavidez@icso.org>; iidenvironmental@iid.com; jjbrooks@iid.com; JFLopez@iid.com; marcuscuerdo@campo-nsn.gov; dtsosie@campo-nsn.gov; tribalsecretary@quechantribe.com; historicpreservation@quechantribe.com  
**Cc:** Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Luis Valenzuela <luisvalenzuela@co.imperial.ca.us>; Adriana Ceballos <adrianaceballos@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Azucena Gallardo <azucenagallardo@co.imperial.ca.us>; Kayla Henderson <kaylahenderson@co.imperial.ca.us>; Nicole Atondo <nicoleatondo@co.imperial.ca.us>; Olivia Lopez <olivialopez@co.imperial.ca.us>; Valerie Grijalva <valeriegrijalva@co.imperial.ca.us>; Vanessa DeLaTeja <vanessadelateja@co.imperial.ca.us>  
**Subject:** HS-CUP26-0003/IS26-0004 - Request for Comments

Good afternoon,

Please see attached Request for Comments packet for **CUP26-0003/IS26-0004 (2610 Evan Hewes Hwy, Imperial, CA 92251); American Towers LLC**

Comments are due by **March 10<sup>th</sup>, 2026, at 5:00PM.**

In an effort to increase the efficiency at which information is distributed and to reduce paper usage the Request for Comments packet is being sent to you via this email.

Should you have any questions, please feel free to contact assigned planner, Luis Valenzuela, at (442) 265-1736 or submit your comment letters to [ICPDScommentletters@co.imperial.ca.us](mailto:ICPDScommentletters@co.imperial.ca.us)

Thank you,

***Olivia Lopez***

*Office Technician*

IC Planning & Development Services

801 Main Street

El Centro, CA 92243

(P) (442) 265-1736

(F) (442) 265-1735

## Aimee Trujillo

---

**From:** THPO Consulting <ACBCI-THPO@aguacaliente.net>  
**Sent:** Monday, February 23, 2026 1:53 PM  
**To:** Aimee Trujillo  
**Subject:** RE: CUP26-0003/IS26-0004 AB 52 letter

**CAUTION:** This email originated outside our organization; please use caution.

Greetings,

A records check of the Tribal Historic Preservation Office's cultural registry revealed that this project is not located within the Tribe's Traditional Use Area. Therefore, we defer to the other tribes in the area. This letter shall conclude our consultation efforts.

Thank you,



**Anthony Kline**  
Cultural Resources Analyst  
[akline@aguacaliente.net](mailto:akline@aguacaliente.net)  
C: (760) 413-5836 | D: (760) 883-1139  
5401 Dinah Shore Drive, Palm Springs

**RECEIVED**  
FEB 23 2026  
IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

**From:** Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>  
**Sent:** Monday, February 23, 2026 1:45 PM  
**To:** THPO Consulting <ACBCI-THPO@aguacaliente.net>; [akline@aguacaliente.net](mailto:akline@aguacaliente.net)  
**Cc:** Jim Minnick <[JimMinnick@co.imperial.ca.us](mailto:JimMinnick@co.imperial.ca.us)>; Michael Abraham <[MichaelAbraham@co.imperial.ca.us](mailto:MichaelAbraham@co.imperial.ca.us)>; Diana Robinson <[DianaRobinson@co.imperial.ca.us](mailto:DianaRobinson@co.imperial.ca.us)>; Luis Valenzuela <[luisvalenzuela@co.imperial.ca.us](mailto:luisvalenzuela@co.imperial.ca.us)>; Adriana Ceballos <[adrianaceballos@co.imperial.ca.us](mailto:adrianaceballos@co.imperial.ca.us)>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Azucena Gallardo <[azucenagallardo@co.imperial.ca.us](mailto:azucenagallardo@co.imperial.ca.us)>; Kayla Henderson <[kaylahenderson@co.imperial.ca.us](mailto:kaylahenderson@co.imperial.ca.us)>; Nicole Atondo <[nicoleatondo@co.imperial.ca.us](mailto:nicoleatondo@co.imperial.ca.us)>; Olivia Lopez <[olivialopez@co.imperial.ca.us](mailto:olivialopez@co.imperial.ca.us)>; Valerie Grijalva <[valeriegrijalva@co.imperial.ca.us](mailto:valeriegrijalva@co.imperial.ca.us)>; Vanessa DeLaTeja <[vanessadelateja@co.imperial.ca.us](mailto:vanessadelateja@co.imperial.ca.us)>  
**Subject:** CUP26-0003/IS26-0004 AB 52 letter

This email was sent by a person from outside your organization. Please verify the authenticity of this email before taking further action.

Good Afternoon,

Please see attached AB52 letter for (CUP26-0003/IS26-0004); APN 051-020-026 Letter has also been sent out via certified mail.

Should you have any questions, please feel free to Luis Valenzuela at (442) 265-1736, or by email at [luisvalenzuela@co.imperial.ca.us](mailto:luisvalenzuela@co.imperial.ca.us)

RECEIVED

Olivia Lopez

**From:** Jill McCormick <historicpreservation@quechantribe.com>  
**Sent:** Monday, February 23, 2026 2:26 PM  
**To:** Olivia Lopez  
**Subject:** Re: [EXTERNAL]:CUP26-0003/IS26-0004 - Request for Comments  
FEB 23 2026  
IMPERIAL COUNTY  
PLANNING & DEVELOPMENT SERVICES

**CAUTION: This email originated outside our organization; please use caution.**

Good afternoon,  
This email is to inform you that the Historic Preservation Office of the Ft. Yuma Quechan Tribe does not wish to provide comments on this project.

Jill

H. Jill McCormick, M.A.  
Historic Preservation Office  
Ft. Yuma Quechan Indian Tribe  
P.O. Box 1899  
Yuma, AZ 85366-1899  
Office: 760-919-3631  
Cell: 928-920-6521



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**From:** Olivia Lopez <olivialopez@co.imperial.ca.us>  
**Sent:** Monday, February 23, 2026 2:50 PM  
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**Subject:** [EXTERNAL]:CUP26-0003/IS26-0004 - Request for Comments

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Good afternoon,

Please see attached Request for Comments packet for **CUP26-0003/IS26-0004 (2610 Evan Hewes Hwy, Imperial, CA 92251); American Towers LLC**

Comments are due by **March 10<sup>th</sup>, 2026, at 5:00PM.**

In an effort to increase the efficiency at which information is distributed and to reduce paper usage the Request for Comments packet is being sent to you via this email.

Should you have any questions, please feel free to contact assigned planner, Luis Valenzuela, at (442) 265-1736 or submit your comment letters to [ICPDScommentletters@co.imperial.ca.us](mailto:ICPDScommentletters@co.imperial.ca.us)

Thank you,

***Olivia Lopez***

*Office Technician*

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