

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE: October 12, 2022

FROM: PLANNING/DEVELOPMENT SERVICES DEPT.

AGENDA TIME 9:00 AM/No. 7

PROJECT TYPE: ATC Sequoia, LLC (CUP #22-0016) SUPERVISOR DIST #2

LOCATION: 1577 Carr Road APN: 059-220-009-000

Calexico, CA 92231 PARCEL SIZE: +/-120 Acres

GENERAL PLAN (existing) Gateway Specific Plan Area GENERAL PLAN (proposed) N/A

ZONE (existing) G-I (Gateway Industrial) ZONE (proposed) N/A

GENERAL PLAN FINDINGS ☒ CONSISTENT ☐ INCONSISTENT ☐ MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: 10/12/2022

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION:

HEARING DATE: N/A

I.S. NUMBER N/A

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☐ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS

☐ NONE

☒ ATTACHED

AG / APCD

☐ NONE

☒ ATTACHED

E.H.S.

☐ NONE

☒ ATTACHED

FIRE / OES

☐ NONE

☒ ATTACHED

OTHER

Quechan Tribe

REQUESTED ACTION:

It is recommended that the Planning Commission conduct a public hearing and hear all the opponents and proponents of the proposed project. Staff would then recommend that Planning Commission approve CUP #22-0016 by taking the following actions:

1. Find that CUP #22-0016 is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (Class 1 – Existing Facility) and that no further environmental documentation is necessary; and
2. Approve the attached Resolution(s), supporting findings and CUP #22-0016 (subject to all the conditions), and authorize the Planning and Development Services Director to sign the CUP contract upon receipt from the permittee.

Planning/Development Services Dept.

801 MAIN ST., EL CENTRO, CA, 92243 442-265-1736

(Jim Minnick, Director)

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STAFF REPORT
PLANNING COMMISSION MEETING
October 12, 2022
Conditional Use Permit (CUP) #22-0016

Applicant: ATC Sequoia, LLC

Agent: PlanCom, Inc.
American Tower
302 State Place
Escondido, CA 92029

Project Location:

The project site is located at 1577 Carr Road in Calexico, CA, and is further identified as Assessor's Parcel Number (APN) 059-220-009-000. The project parcel is legally described as Parcel A of Certificate of Compliance, Lot Line Adjustment 74, Portion of Lot 1 of Section 14 and Lot 2 of Section 13, Township 17 South, Range 15 East, S.B.M. (Attachment "A" Site Vicinity Map).

Project Summary:

The Imperial County Planning and Development Services (ICPDS) received a Conditional Use Permit (CUP) application and supporting documentation from PlanCom, Inc on behalf of MFC Imperial I, LLC.

The applicant intends to continue operation of the existing 65 foot-tall telecommunications tower site with equipment structures. The new CUP will have the new time period of 10 years as required per Government Code Section 65964, with a 5-year extension option. Conditional Use Permit #22-0016 will supersede previously approved CUP #06-0032. No changes to the existing wireless facility were proposed.

History:

Initially, CUP #06-0032 was recorded on August 16, 2007, with a 15-year term, expired on April 29, 2020. On July 15, 2022, ICPDS received a CUP application from ATC Sequoia to continue to operate and maintain telecommunication tower. It is an unmanned communication facility consisting of a 65 foot-tall self-supporting mono-palm tower, shelter structure at base, and enclosed compound with a 6-inch crushed-rock paved base and 8-foot high barbed wire and chain-link fence surrounding the compound.

Land Use Analysis:

The project site is zoned "Gateway Industrial" (G-I) per Imperial County Land Use Ordinance (Title 9). The project is consistent with the General Plan and with the Imperial County Land Use Ordinance since a communication tower is allowed with a CUP, in the Gateway Industrial zone of the Gateway Specific Plan Area.

Surrounding Land Use Ordinance:

DIRECTION	CURRENT LAND	ZONING	GENERAL PLAN
Project Site	Tower Site	G-I	Gateway Industrial
North	Vacant	G-I	Gateway Industrial
South	US/Mexico Border	N/A	US/Mexico Border
East	Gateway Industrial	G-I	Gateway Industrial
West	Agriculture	A-3	Heavy Agricultural

Environmental Review:

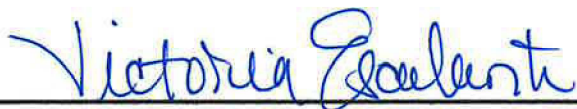
On May 09, 2007, during a Public Hearing, Imperial County Planning Commission approved CUP #06-0032, and the project received a Negative Declaration pursuant to the provisions of CEQA. Conditional Use Permit #22-0016 is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (Class 1 – Existing Facility).

Staff Recommendation:

It is recommended that the Planning Commission conduct a public hearing and hear all the opponents and proponents of the proposed project. Staff would then recommend that Planning Commission approve CUP #22-0016 by taking the following actions:

1. Find that CUP #22-0016 is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (Class 1 – Existing Facility) and that no further environmental documentation is necessary; and
2. Approve the attached Resolution(s), supporting findings and CUP #22-0016 (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: Victoria Escalante, Planner I
Planning & Development Services



Reviewed By: Michael Abraham, AICP, Assistant Director
Planning & Development Services



Approved By: Jim Minnick, Director
Planning & Development Services

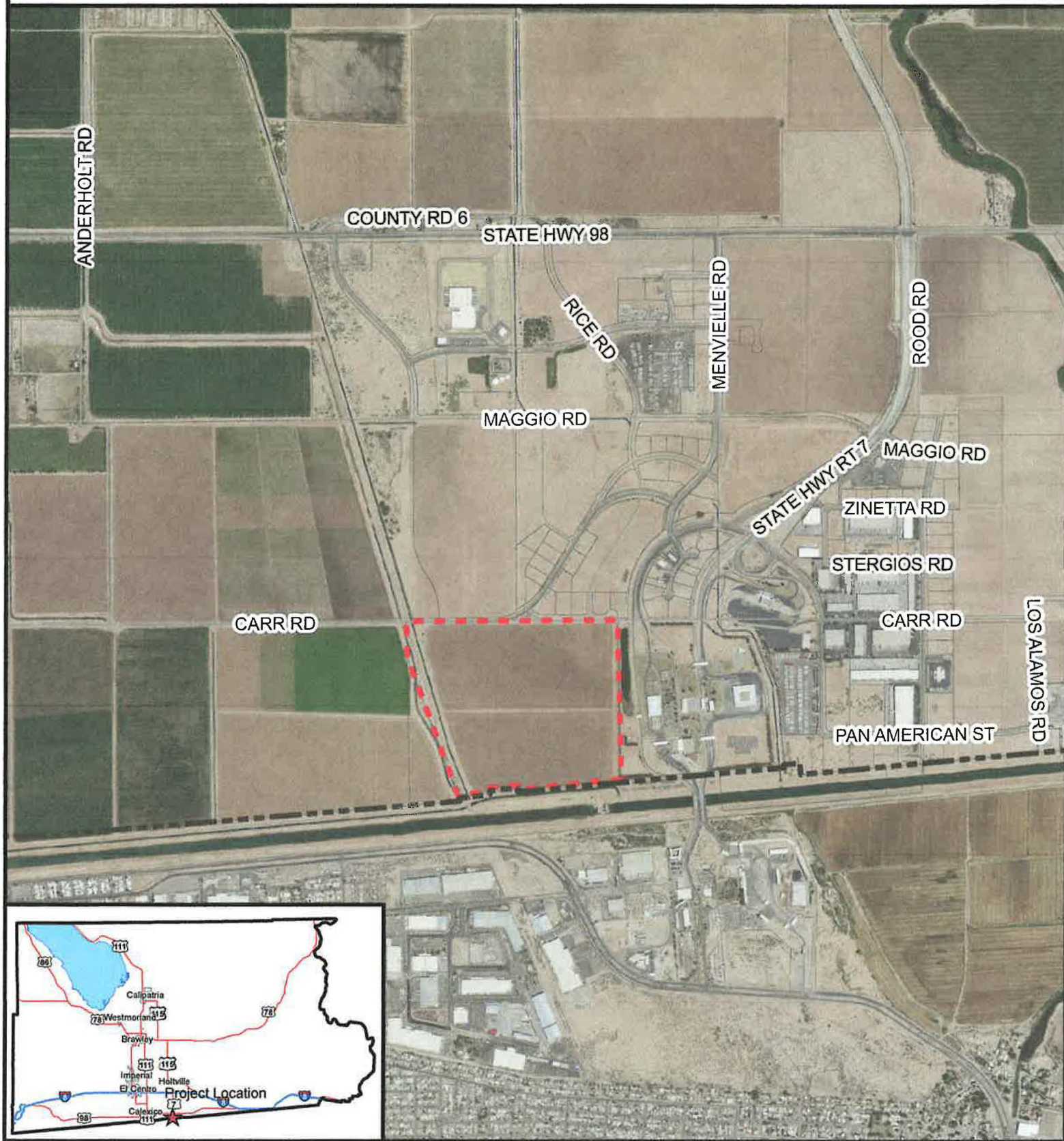


Attachments:

- A. Vicinity Map
- B. Site Plan
- C. Previously Approved Conditional Use Permit #06-0032
- D. Conditional Use Permit Application Package
- E. Conditions of Approval CUP #22-0016
- F. Comment Letters
- G. Resolutions

Attachment A- Vicinity Map

PROJECT LOCATION MAP



ATC SEQUOIA, LLC
CUP# 22-0016
APN 059-220-009-000

- County Boundary
- Project Location
- Centerline
- Parcels



Attachment B- Site Plan



PROPERTY OF THE PURCHASER

A-0

Attachment C-
Conditional Use Permit #06-0032

When Recorded Return To:

Imperial County
Planning & Development Services Department
801 Main Street
El Centro, California 92243

Recorded in Official Records, Imperial County

Dolores Provencio
County Clerk / Recorder

P Public

Doc#: **2007-031837**



8/16/2007
4:03 PM
AG

Titles:	1	Pages:	15
Fees		48.00	
Taxes		0.00	
Other		0.00	
PAID		\$48.00	

AGREEMENT FOR CONDITIONAL USE PERMIT #06-0032

Verizon Wireless (Telecommunication Tower)
(059-220-009-001)

(Southeast corner of Carr Road & Ash Canal, Gateway to the Americas SPA)

This Agreement is made and entered into on this 13 day of July 2007 by and between Verizon Wireless (hereinafter referred to as "Permittee"), and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

RECITALS

WHEREAS, Permittee is the owner, and/or operator and/or successor-in-interest in certain land in Imperial County known as "Assessors Parcel 059-220-009-001, further described as Parcel A of Certificate of Compliance, Lot Line Adjustment 74, Portion of Lot 1 of Section 14 and Lot 2 of Section 13, Township 17 South, Range 15 East, S.B.M." and;

WHEREAS, Permittee has applied to the County for permission to construct, operate and maintain un-staffed, monopalm telecommunication tower upon the above site, and;

WHEREAS, Permittee has requested a permit to construct, operate and maintain a 65-foot, above-ground level "AGL", co-locatable, faux palm monopole telecommunication tower, including related facilities therein and;

RECORDING REQUESTED BY AND

Verizon Wireless

CUP 006-0032

Date of PC hearing 5-09-07

Jury |

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

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

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

11 **WHEREAS**, though the "sharing" of tower space is physically possible, it is
12 recognized that additional structural considerations must be addressed and if
13 applicable, permitted by the Building Inspection Division, so that the tower is
14 structurally adequate, and;

15 **WHEREAS**, the County and Permittee recognize that such facilities may
16 create a "visual" impact, an on going monitoring requirement which impacts local
17 government, as well as other impacts to the surrounding land uses that are
18 significant, but unmitigable, therefore Permittee will provide to County alternative
19 benefits to offset the un-mitigatable impacts, and;

20 **WHEREAS**, County, after a review of the project, after a noticed public
21 hearing before the Environmental Evaluation Committee, after a noticed public
22 hearing before the Planning Commission, agreed to issue Conditional Use Permit
23 #06-0032 to Permittee, and/or his or her successor-in-interest subject to all of the
24 following conditions:

25 **NOW THEREFORE**, the County issued CUP #06-0032 subject to all of the
26 following conditions.
27
28

INDEX TO CONDITIONS:

G-1	Costs
G-2	Audit of Bills
G-3	Permits/Licenses
G-4	Recordation
G-5	Compliance/Revocation
G-6	Provisions to Run with Land
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G-8	Time Limit
G-9	Definitions
G-10	Specificity
G-11	Health Hazard
G-12	Report(s)
G-13	Responsible Agent
G-14	Indemnification
G-15	Change of Owner/Operator
G-16	Compliance with Ordinance
G-17	Local Benefit Agreement
S-1	Project Description
S-2	Access to Site
S-3	Grading and Drainage Plan/Study
S-4	Right-of-Way
S-5	GSA Impact Fees
S-6	Gateway to the Americas Specific Plan Provisions
S-7	Project Site Water Service
S-8	No Trespass Signs
S-9	Hours of Operation
S-10	Ancillary uses and Additional Land Use Permits
S-11	Suspension of Operations
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S-13	Light & Glare
S-14	Conflicting Permit Conditions
S-15	Minor Administrative Modification
S-16	Latest Codes Govern
S-17	Variance
S-18	Lighting
S-19	Communication Frequency
S-20	Frequency Coordination
S-21	Restoration Surety
S-22	Emergency/Communication Participation
S-23	Development Agreement (Alternative)

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, Caltrans, CHP 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 and Development Services Department within 30 calendar days of receipt, when requested.

G4 RECORDATION:

This permit shall **not be effective** until it is recorded at the Imperial County Records 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 Planning Director may approve an extension for a period

not to exceed 180 days. An extension may not be granted if the request for an extension is filed after the expiration date.

G5 COMPLIANCE/REVOCATION:

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

G6 PROVISION TO RUN WITH LAND:

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

G7 RIGHT OF ENTRY:

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

G8 TIME LIMIT:

Unless otherwise specified within the project specific conditions, this project shall be limited to a maximum of three (3) years from the recordation date of the CUP. The CUP may be extended for successive three (3) year(s) by the Planning Director upon a finding by the Planning and Development Services Department that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) of the County of Imperial. Unless specified otherwise herein, no conditional use permit shall be extended for more than four consecutive periods. If an extension is necessary or requested beyond fifteen (15) years, Permittee shall file a written request with the Planning Director for a hearing before the Planning Commission. Such request shall include the appropriate extension fee. An extension shall not be granted if the project is in violation of any

one or all of the conditions or if there is a history of non-compliance with the project conditions or any regulation(s).

G9 DEFINITIONS:

In the event of a dispute the meaning(s) or the intent of any word(s) phrase(s) and/or conditions or sections herein shall be determined by the Planning Commission of the County of Imperial. The determination shall be final unless an appeal is made to the Board of 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 may be used by more than one service provider other than the applicant (permittee), all of the conditions of this permit shall be equally applicable to the other "user(s)" as if they were the "Permittee".

G10 SPECIFICITY

The issuance of this permit does not authorize the Permittee to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown by the permit application/project description, nor shall this permit allow any accessory or ancillary use not specified herein. This permit does not provide any prescriptive right or use to the 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).

G11 HEALTH HAZARD:

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

G12 REPORT(S)

Permittee shall file an annual report with the Planning and Development Services Department to show that Permittee is in full compliance with this Conditional Use Permit. The report shall be filed within sixty (60) calendar days from the first day of the Calendar year, and shall include at a minimum, the total number of "users" on the tower, any problems encountered during the previous year, any reported frequency interference complaints, the name & phone number(s) of the responsible person(s) to contact, and a checklist to show the status of each condition of the CUP and how this project is compliant with all said conditions herein. It shall be the responsibility of the Permittee to provide all reports and to include the information

1 about other users. The County may request information at any time from Permittee
2 or other user(s) if applicable as the County desires; however, it shall be the
3 responsibility of the Permittee to ensure that the County receives such information
as required.

4 **G13 RESPONSIBLE AGENT**

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

9 **G14 INDEMNIFICATION**

10 At no cost to the County, Permittee and each and every subsidiary user, shall
11 indemnify, and hold harmless the County, the Board of Supervisors and all officers
12 and agents of the County against any and all claims, actions and liabilities arising
13 out of the permitting, construction and/or operation of the project. This indemnity
14 agreement shall be on file with the Planning and Development Services
15 Department prior to recordation of this CUP. Failure to have the agreement on file
16 within sixty (60) calendar days from the date of approval by the Planning
17 Commission shall automatically 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.

18 **G15 CHANGE OF OWNER/OPERATOR**

19 In the event the ownership of the site or the operation of the site transfers from the
20 current Permittee to a new successor Permittee, the successor Permittee shall be
21 bound by all terms and conditions of this permit as if said successor was the
22 original Permittee. The current Permittee shall inform the County Planning and
23 Development Services Department in writing at least sixty (60) calendar days prior
24 to any such transfer. Failure of a notice of change of ownership or change of
25 operator shall be grounds for the immediate revocation of the CUP. In the event of
26 a change, the new Owner/Operator shall file with the Planning and Development
27 Services Department, via certified mail, a 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 the requisite surety on file.
Furthermore, the existing surety shall not be released until a replacement surety is
accepted by the County. Failure to provide timely notice of transfer by Permittee
shall forfeit the current surety.

In the event multiple users use this facility, a current written approval from the Permittee shall be provided to the Imperial County Planning and Development Services Department.

G16 COMPLIANCE WITH ORDINANCE

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

G17 LOCAL BENEFIT AGREEMENT

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

(TOTAL "G" CONDITIONS are 17)

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SPECIFIC PROJECT CONDITIONS:

S1 PROJECT DESCRIPTION

This permit authorizes the Permittee to construct, operate and maintain 65-feet high, faux palm monopole, co-locatable, un-staffed telecommunication tower with the necessary ancillary equipment, being an 11.5 foot wide x 16 foot long x 10 foot high self-contained equipment shelter adjacent to the base of the monopole. A 25 foot x 25 foot leased compound behind a six foot high fence will surround the monopole base & shelter. The Tower height shall not exceed 65-feet, and the total developed height of any antenna thereon shall not exceed 65-feet above ground level (AGL). The tower shall be constructed to the specifications contained in the application and site plan or as modified. In this case the tower shall be a "free standing" tower with no guy wire support. In addition to the information contained in the application, and as a result of the County, the applicant and the other interested parties desiring to minimize the number of towers in the County, the tower may be used by multiple users in addition to the Permittee, provided the conditions stated herein are followed.

S2 ACCESS TO SITE

Legal and physical access shall be provided to access the communication facility. An encroachment permit shall be secured from Department of Public Works for any and all new, altered or unauthorized existing driveway(s) to access the lot or lots and for any proposed road crossings. Driveway and frontage improvements shall be provided for in accordance with the specifications set forth by the Department of Public Works.¹

S3 GRADING AND DRAINAGE PLAN/STUDY

Permittee (applicant) shall furnish a Grading and Drainage Plan/Study to provide for property grading and erosion control, which shall also include prevention of sedimentation or damage to off-site properties. The Plan/Study shall be submitted to the Department of Public Works for review and approval. Permittee (applicant) shall implement the approved plan together with the employment of appropriate Storm Water Best Management Practices (BMP's) included.²

S4 RIGHT-OF-WAY

Project site location is along Carr Road, currently classified by the County of Imperial as a "Minor Arterial" within the Gateway to the Americas Specific Plan's interior road-way circulation system. Property owner agrees to provide sixty-one (61) feet from centerline of right-of-way along the entire frontage to Carr Road to meet the current road classification standard for a "Minor Arterial" of 102 feet as determined by the Department of Public Works.³

S5 GSA IMPACT FEES

In addition to the Imperial County Building Permit and Impact Fees, Permittee (applicant) agrees to pay all the necessary GSA Impact Fees. Permittee shall also satisfy all other applicable Public Works Department and other agencies' requirements and obtain approval from said agencies before issuance of any building permit.

S6 GATEWAY TO THE AMERICAS SPECIFIC PLAN PROVISIONS

Permittee agrees to comply with all provisions contained within the Gateway to the America's Specific Plan, which shall include (but not be limited too) full design review for colors, materials, exact placement of the project, and aesthetic and landscaping requirements.

S7 PROJECT SITE WATER SERVICE

Permittee (applicant) acknowledges that the development of this cell tower site falls within Phases 2-4 of the Gateway SPA Phasing Plan and is not within the existing phase of development where infrastructure services are in existence. Permittee (applicant) agrees to obtain a contract with Imperial Irrigation District for water hook-up to the Ash Canal bordering the entire western perimeter of the site, for the irrigation of the landscaping on the project site as required by Gateway SPA standards. Should the permittee (applicant) fail to obtain water service from the Imperial Irrigation District, permittee will hold full responsibility and bear the full cost of extending existing water infrastructure services to the site until such time as a Reimbursement Agreement may provide recovery of costs through the collection of fees from subsequent developments. The extension of infrastructure shall be sized to accommodate the later connection of all interviewing development phases.⁴

S8 NO TRESPASSING SIGNS

Permittee shall post the site for "No Trespassing" at the front entrance of the fenced 25 foot x 25 foot leased pad and at least every side along the active perimeter of the site.

S9 HOURS OF OPERATION

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

S10 ANCILLARY USES & ADDITIONAL LAND USE PERMITS

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

S11 SUSPENSION OF OPERATIONS

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

(b) Permittee shall file (with the County) surety in the amount of \$10,000.00 (Ten Thousand Dollars) 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 original condition prior to development.

(c) 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 (Five Thousand Dollars) per user and shall be provided to the County by said persons, firms or corporations.

S12 ENFORCEMENT ACTION

The County officials responsible for monitoring and/or enforcing the provisions of this permit, Title 9 Land Use Ordinance, & the Gateway to the America's Specific Plan 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 responsibility of Permittee to ensure that the tower is operated in compliance with all terms and conditions of the CUP.

S13 LIGHT & GLARE

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

S14 CONFLICTING PERMIT CONDITIONS

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

S15 MINOR ADMINISTRATIVE MODIFICATION

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

S16 LATEST CODES GOVERN

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

S17 VARIANCE

The Applicant/Permittee has not requested any variance and no variance is approved and /or attached to this project.

S18 LIGHTING

Aircraft warning lights are to be installed on the tower to meet Federal Aviation Administration (FAA) specifications. Electrical backup power shall be provided for these lights on the existing tower according to FAA standards and at a minimum shall include lights at the top and at the mid-point of the structure. Permittee shall submit evidence of compliance with the FAA requirements within six (6) months from the approval date of this CUP. As required by the Airport Land Use Commission, Permittee shall install a high intensity strobe beacon (for daylight use only) and a red flashing warning light to warn aircraft in the vicinity.

S19 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 and Development Services Department and other applicable agencies.

S20 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.

S21 RESTORATION SURETY

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 from \$10,000.00 minimum, to \$15,000.00 or more, as may be desired by the Planning Commission or the Planning Director.

S22 EMERGENCY/COMMUNICATION PARTICIPATION

The Permittee shall, in exchange for the benefit of this authorization, create a public benefit to the County by supporting the County in its program to establish and maintain a Countywide emergency communication system as well as a Countywide High-Speed Internet Communication system.

S23 DEVELOPMENT AGREEMENT (ALTERNATIVE)

In lieu of Condition S22, the Permittee will enter into a "Development Agreement" with the County, the terms of which shall substantially support the concept of G-18. The development agreement may, however, provide alternative benefits that the County desires "in lieu of" direct payments. The Permittee may exercise this option within thirty (30) days from the date of approval by the Planning Commission, but prior to recordation; however, in doing so the Permittee agrees to be bound by Condition S22 until such time as a "development agreement" becomes effective. If the development agreement process is commenced, but not completed, condition S22 shall continue to govern.

Permittee is advised that County does have a "Development Agreement" ordinance which governs the processing of such an agreement. Furthermore, Permittee is advised that a development agreement can only be approved by the Board of Supervisors; therefore, a hearing before the Board will be necessary to effectuate such an agreement.

(TOTAL "S" CONDITIONS ARE 23)

1. Letter from Public Works, dated 04/26/07
2. Letter from Public Works, dated 12/28/06
3. Letter from Public Works, dated 12/28/06
4. Gateway to the America's Specific Plan, Section V-D (a.) (page V-9)

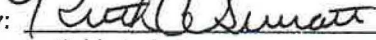
NOW THEREFORE, County hereby issues Conditional Use Permit #06-0032 and Permittee hereby accepts such permit upon the terms and conditions set forth herein:

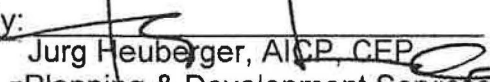
IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

Permittee

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

Cellco Partnership dba Verizon Wireless

By: 
Name: Keith A. Surratt
Title: West Area Vice President, Network

By: 
Jurg Heuberg, AICP, CEP
Planning & Development Services
Director

Dated 7/13/07

Dated 8/15/07

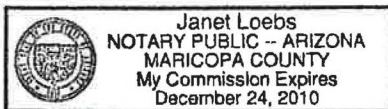
PERMITTEE NOTARIZATION

1
2
3
4 **CORPORATE ACKNOWLEDGMENT**

5
6 STATE OF ARIZONA)
7) SS.
8 COUNTY OF MARICOPA)

9 On this 13th day of July, 2007, before me, the undersigned, a Notary
10 Public in and for the State of Arizona, duly commissioned and sworn, personally
11 appeared Keith A. Surratt to me known to be an authorized representative of Cellco
12 Partnership, a Delaware partnership, dba Verizon Wireless, that executed the foregoing
13 instrument, and acknowledged said instrument to be the free and voluntary act and deed
14 of Cellco Partnership dba Verizon Wireless, for the uses and purposes therein mentioned,
15 and on oath stated that he/she is authorized to execute the said instrument.

16
17 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
18 seal the day and year first above written.



Print or Type Name: JANET LOEBS
Notary Public in and for the State of AZ, residing at
MARICOPA COUNTY
My appointment expires: 12/24/2010

COUNTY NOTARIZATION

STATE OF CALIFORNIA

COUNTY OF IMPERIAL } S.S.

On AUGUST 15 2007 before me,
PATRICIA A. VALENZUELA a Notary Public in
and for said County and State, personally appeared
JURG HEUBERGER, personally known to
me (or proved to me on the basis of satisfactory evidence) to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their authorized capacity(ies), and
that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

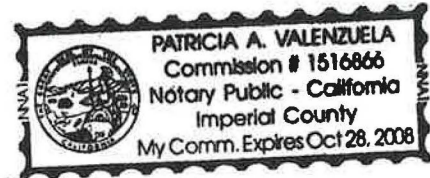
Signature Patricia A. Valenzuela

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

Title or Type of Document Conditional Use PermitNumber of Pages 15Date of Document 7/13/07

Signer(s) Other Than Named Above _____

JH/AG/S/APN Files/059/220/009 CUP03-0032 AGREEMENT 5-9-07



THIS WARNING BAR MUST HAVE A GRAY BACKGROUND WHICH FADES TEMPORARILY WHEN WARMED BY TOUCH OR FRICTION. ADDITIONAL SECURITY FEATURES ARE LISTED ON THE BACK.



WIRELESS FACILITIES, INC.
ZONING AND PERMITTING ACCOUNT
4810 EASTGATE MALL
SAN DIEGO, CA 92121
(858) 228-2000

105059

DATE 7/17/2017

11-24/1210

PAY
TO THE
ORDER OF

IMPERIAL COUNTY RECORDER'S OFFICE

\$ 48.00

forty Eight and 00/100

DOLLARS

WELLS FARGO BANK, N.A.

VOID AFTER 6 MONTHS
CHECK AMOUNT NOT TO EXCEED \$5,000.00

MEMO CAP 06-0032 RECORDING

Steven Chappell

⑈105059⑈ ⑆121000248⑆ 4121324396⑈

THIS WARNING BAR MUST HAVE A GRAY BACKGROUND WHICH FADES TEMPORARILY WHEN WARMED BY TOUCH OR FRICTION. ADDITIONAL SECURITY FEATURES ARE LISTED ON THE BACK.



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MEMO CAP 06-0032 RECORDING

Steven Chisfield

⑈ 105059 ⑈ ⑆ 121000248⑆ 4121324396 ⑈

Colores Provencio
County Clerk / Recorder
County Administration Center
940 Main St., Suite 202
El Centro, CA. 92243-2839
(760) 482-4272

HB
P VERIZON WIRELES

Acpt # 83753 06/16/07 09:03PM

Description	Fee
-------------	-----

DUC# 002007031637	\$40.00
AGREEMENT	
Recording Fees	\$6.00
14 add'l pages @ 3.00	\$42.00

Total Amount Due	\$48.00
------------------	---------

Total Paid	
Check# 105059	\$48.00

Thank You
PLEASE KEEP FOR REFERENCE

Attachment D-
Conditional Use Permit Application
Package

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

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

1. PROPERTY OWNER'S NAME MFC Imperial 1 LLC		EMAIL ADDRESS [REDACTED]	
2. MAILING ADDRESS (Street / P O Box, City, State) PO Box 9731, Rancho Santa Fe, CA 92067-9731		ZIP CODE	PHONE NUMBER
3. APPLICANT'S NAME ATC Sequoia LLC		EMAIL ADDRESS	
4. MAILING ADDRESS (Street / P O Box, City, State) 10 Presidential Way, Woburn, MA		ZIP CODE 01801	PHONE NUMBER 781-926-4637
4. ENGINEER'S NAME ATC Tower Services	CA. LICENSE NO.	EMAIL ADDRESS	
5. MAILING ADDRESS (Street / P O Box, City, State) 3500 Regency Parkway, Cary, NC		ZIP CODE 27518	PHONE NUMBER
6. ASSESSOR'S PARCEL NO. 059-220-009		SIZE OF PROPERTY (in acres or square foot) 120 AC	ZONING (existing) AG
7. PROPERTY (site) ADDRESS Carr Drive, Calexico, CA 92231			
8. GENERAL LOCATION (i.e. city, town, cross street) Calexico			
9. LEGAL DESCRIPTION <small>Lot Number: 1 City, Municipality, Township: CALEXICO Brief Description: PAR A COC LLA 74 POR LOT 1 SEC 14 & LOT 2 SEC 13 17-15 120AC</small>			

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Renew CUP for existing telecommunication facility	
11. DESCRIBE CURRENT USE OF PROPERTY	Telecommunication facility
12. DESCRIBE PROPOSED SEWER SYSTEM	N/A
13. DESCRIBE PROPOSED WATER SYSTEM	N/A
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	N/A
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Yes, 1 technician to visit site every few months.

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.

Jill Cleveland, Plancom Inc., agent for Applicant

5/11/2022

Print Name
Jill Cleveland
Signature

Date

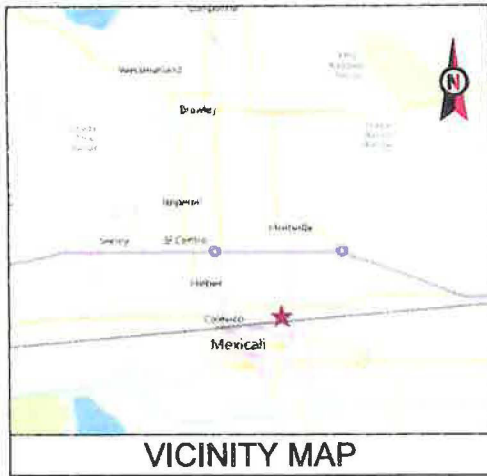
Print Name
Signature

Date

APPLICATION RECEIVED BY:	[Signature]	DATE	7/15/22	REVIEW / APPROVAL BY OTHER DEPT'S required. <input type="checkbox"/> P. W. <input type="checkbox"/> E. H. S. <input type="checkbox"/> A. P. C. D. <input type="checkbox"/> O. E. S. <input type="checkbox"/> _____ <input type="checkbox"/> _____
APPLICATION DEEMED COMPLETE BY:	_____	DATE	_____	
APPLICATION REJECTED BY:	_____	DATE	_____	
TENTATIVE HEARING BY:	_____	DATE	_____	
FINAL ACTION:	<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE	_____	

CUP #

22-0016



SITE NAME: CARR ROAD CA
SITE NUMBER: 414039
SITE ADDRESS: 1577 CARR ROAD
CALEXICO, CA 92231



THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION MONITORING OF THIS PROJECT. CONTRACTORS MUST VERIFY ALL DIMENSIONS AND ADJUST AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
1	PRELIM	EB	06/07/22
2			
3			
4			

ATC SITE NUMBER:
414039
ATC SITE NAME:
CARR ROAD CA

SITE ADDRESS:
1577 CARR ROAD
CALEXICO, CA 92231

SEAL:

PRELIMINARY:
NOT FOR
CONSTRUCTION

DATE DRAWN: 06/07/22
ATC JOB NO: 14111060_E1

TITLE SHEET

SHEET NUMBER:
G-001
REVISION:
A

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX					
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. 2019 CALIFORNIA ADMINISTRATIVE CODE 2. 2019 CALIFORNIA BUILDING CODE 3. 2019 CALIFORNIA RESIDENTIAL CODE 4. 2019 CALIFORNIA ELECTRICAL CODE 5. 2019 CALIFORNIA PLUMBING CODE 6. 2019 CALIFORNIA ENERGY CODE 7. 2019 CALIFORNIA FIRE CODE 8. 2019 CALIFORNIA EXISTING BUILDING CODE 9. 2018 INTERNATIONAL BUILDING CODE (IBC) 10. NATIONAL ELECTRIC CODE (NEC) 11. LOCAL BUILDING CODE 12. CITY/COUNTY ORDINANCES	<u>SITE ADDRESS:</u> 1577 CARR ROAD CALEXICO, CA 92231 COUNTY: IMPERIAL <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 32.6794001 LONGITUDE: -115.3995724 GROUND ELEVATION: 28' AMSL <u>ZONING INFORMATION:</u> JURISDICTION: IMPERIAL PARCEL NUMBER: 059-220-009-000	THIS SUBMITTAL IS FOR RE-PERMITTING WITH IMPERIAL COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. NO CHANGES TO EXISTING ARE PROPOSED.	SHEET NO:	DESCRIPTION:	REV:	DATE:	BY:	
			G-001	TITLE SHEET	A	06/07/22	EB	
			V-101	AS-BUILT SURVEY				
			V-102	AS-BUILT SURVEY				
		C-102	DETAILED SITE PLAN & TOWER ELEVATION	A	06/07/22	EB		
		C-501	SIGNAGE	A	06/07/22	EB		

SURVEYOR'S NOTES

THESE ARE CHECKS TO THE SUBJECT PROPERTY YOU CAN FIND A PUBLIC RECORD OF ANY

1 THE LOCATION OF ANY LATERAL SPOILS ON THE BARRELY ARE FROM

VEHICLE DAMAGE EVIDENCE ONLY

2 AT THE TIME OF THIS SURVEY THERE WAS NO OBSERVABLE SURFACE

EVIDENCE OF LEAKING/SPILLING, BUILDING CONSTRUCTION OR

BUILDING ADDITIONS WITHIN RECENT MONTHS

3 AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE

OF SUBJECT PROPERTY BEING USED AS A SOLID WASTE DUMP

OR CUMULATIVE LANDFILL

4 AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE

OF RECENT CHANGE IN ELEVATION RIGHT ON OR NEAR LOT OR

COMPLETELY OFF PROPERTY, AND AVAILABLE FROM THE CONTROLLING

AGENCY

5 AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE

OF ANY RECENT BREACH OR DISCHARGE CONSTRUCTION OR REPAIRS

THIS SURVEY WAS PREPARED TO SHOW THE INTERESTS OF ADEQUATE

6 THE SURVEY WAS PREPARED TO SHOW THE INTERESTS OF ADEQUATE

INTERESTS, IT DOES NOT CONSTITUTE AN AKA SURVEY OF THE ENTIRE

ENTIRE PARCEL.

ZONING INFORMATION

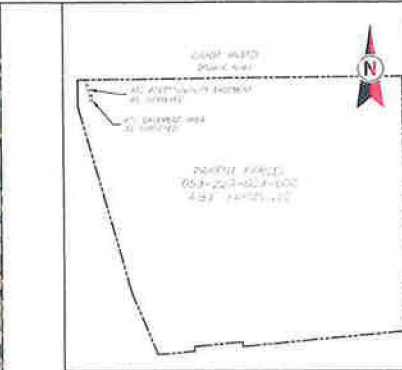
ZONE, AKA DISTRICT	RECEIVED	EXPIRED
FRONT	5/2	XX
BACK	3/2	XX
SIDE	2/2	XX
WATER	N/A	XX

*SEE THE RESTRICTIONS THAT GOVERN THE LOCAL JURISDICTION

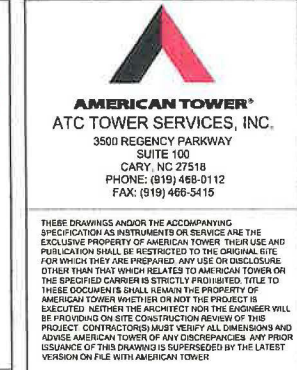
ZONING INFORMATION

[illegible]

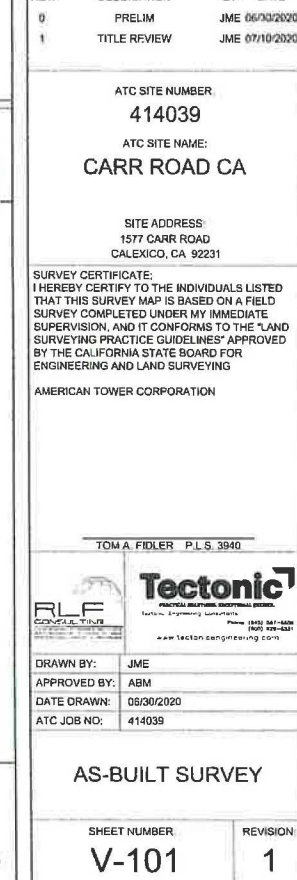
TO SCHEDULE B

[illegible]

② PARENT PARCEL



DESCRIPTION	BY	DATE
-------------	----	------



THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL CLIENT FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER. IF THE PROJECT IS ABANDONED OR EXECUTED, NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTORS MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

ATC SITE NUMBER:
414039
ATC SITE NAME:
CARR ROAD CA

SURVEY CERTIFICATE:
I HEREBY CERTIFY TO THE INDIVIDUALS LISTED
THAT THIS SURVEY MAP IS BASED ON A FIELD
SURVEY COMPLETED UNDER MY IMMEDIATE
SUPERVISION, AND IT CONFORMS TO THE "LAND
SURVEYING PRACTICE GUIDELINES" APPROVED
BY THE CALIFORNIA STATE BOARD FOR
ENGINEERING AND LAND SURVEYING

AMERICAN TOWER CORPORATION

AS-BUILT SURVEY	
SHEET NUMBER	REVISION
V-101	1

SURVEYOR'S NOTES

3. THERE WAS ACCESS TO THE SUBJECT PROPERTY VIA CAROL ROAD, A PUBLIC HIGHWAY WAY.

4. THE LOCATION OF PAUL TEELEIGH DROVE ON THE SURFACE ARE FIRST VISIBLE THROUGH PUBLIC RECORDS.

5. AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE SURFACE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

6. AT THE TIME OF THIS SURVEY, THERE WAS NO DISCREPANCY EVIDENCE OF THE SUBJECT PROPERTY BEING USED AS A HOUSE WASTE CAMP, DUMP OR SANITARY LANDFILL.

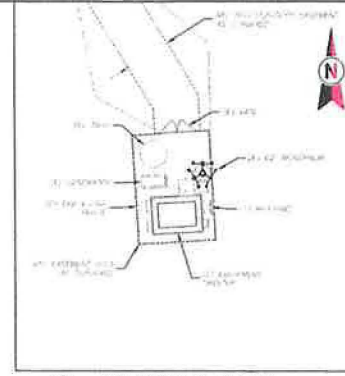
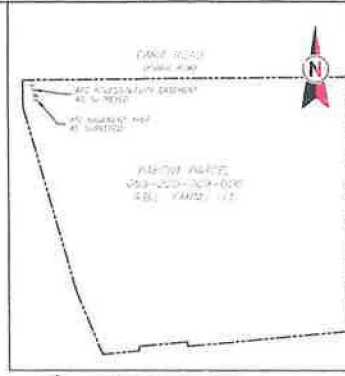
7. AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF ANY RECENT CHANGES IN EARTH MOVING WORK AND/OR EARTH COMPLETED OR PROPOSED, AND AVAILABLE FROM THE COTTELLVILLE AERODROME.

8. AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF ANY RECENT EARTH MOVING CONSTRUCTION OR REPAIRS.

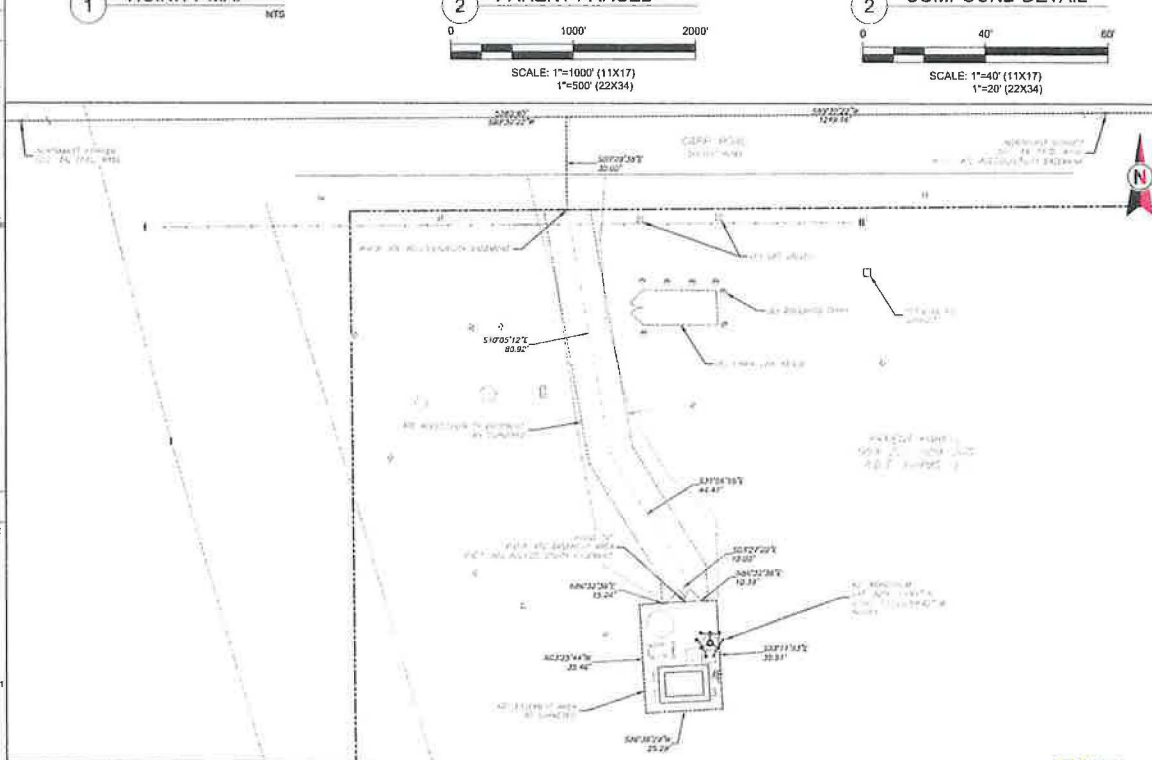
9. THE SURVEY WAS PREPARED BY THE SURVEY INTERESTS OF AMERICAN TOWNSHIP CORPORATION AND IMPROVEMENTS INFERRED TO THE SURVEYED PROPERTY DOES NOT CONSTITUTE AN AVALA SURVEY OF THE ENTIRE PARCEL PLATS.

ZONE, N/A	REQUIRED	EXISTING
SETBACKS		
FRONT	50'	XX'
SIDE	20'	XX'
REAR	30'	XX'
HEIGHT	25'	XX'
OVERL	N/A	XX'

*ALL SITE RESTRICTIONS WERE OBTAINED FROM THE LOCAL MUNICIPALITY

[illegible][illegible]

COMPOUND DETAIL



6' x 11' Storage Box

Top View: 6' x 11'

Side View: 6' x 11'

Front View: 6' x 11'

Scale: 1" = 20'

Know what's below. Call before you dig.



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REV.	DESCRIPTION	BY	DATE
0	PRELIM	JME	06/09/2020
1	TITLE REVIEW	JME	07/10/2020

ATC SITE NUMBER
414039

ATC SITE NAME:
CARR ROAD CA

SITE ADDRESS:
1577 CARR ROAD
CALEXICO, CA 92231

SURVEY CERTIFICATE:
I HEREBY CERTIFY TO THE INDIVIDUALS LISTED
THAT THIS SURVEY MAP IS BASED ON A FIELD
SURVEY COMPLETED UNDER MY IMMEDIATE
SUPERVISION, AND IT CONFORMS TO THE "LAND
SURVEYING PRACTICE GUIDELINES" APPROVED
BY THE CALIFORNIA STATE BOARD FOR
ENGINEERING AND LAND SURVEYING

AMERICAN TOWER CORPORATION

TOM A. FIDLER P.L.S. 3940



DRAWN BY:	JME
APPROVED BY:	ABM
DATE DRAWN:	06/30/2020
ATC JOB NO:	414039

AS-BUILT SURVEY

SHEET NUMBER: V-102	REVISION: 1
-------------------------------	-----------------------

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.

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(f)

NO TRESPASSING

ATC CAUTION 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.

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(f)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

NOT REQUIRED

Posting of sign required by law

ATC 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 rooms.

ATC RF PROGRAM NOTICE SIGN

AMERICAN TOWER
ATC TOWER SERVICES, LLC
3866 REGENCY PARKWAY
SUITE 100
CARY, NC 27519
PHONE: (919) 448-0112

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REV.	DESCRIPTION	BY	DATE
1	PRELIM	EB	06/07/22
2			
3			
4			

ATC SITE NUMBER:

414039

ATC SITE NAME:

CARR ROAD CA

SITE ADDRESS:

1577 CARR ROAD
CALEXICO, CA 92231

SEAL:

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

DATE DRAWN: 06/07/22
ATC JOB NO: 14111060_E1

SIGNAGE

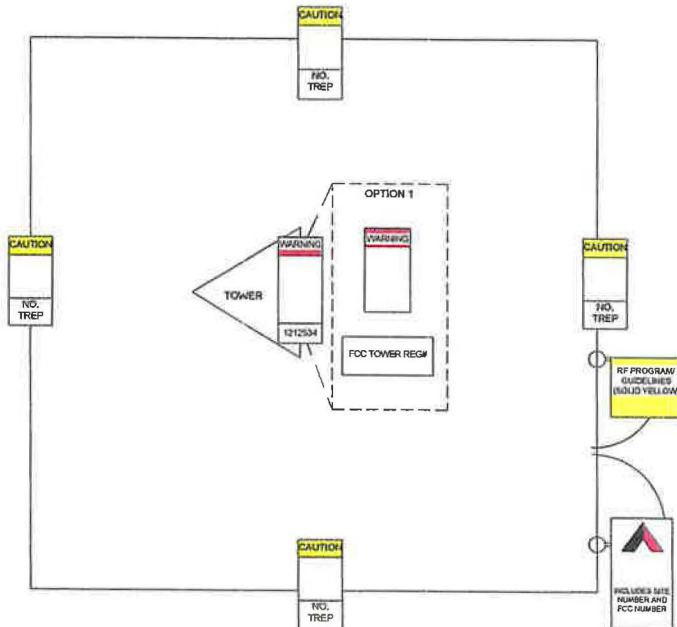
SHEET NUMBER:

C-501

REVISION:

A

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

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

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

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



SITE NAME : CARR ROAD CA
SITE NUMBER : CA-414039
FCC REGISTRATION # : NOT REQUIRED

FOR LEASING INFORMATION: 877-282-7483
877-ATC-SITE
FOR EMERGENCIES CALL: 877-518-6937
877-51-TOWER

NO TRESPASSING

www.american tower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY, NO HIGH-VOLTAGE EQUIPMENT PRESENT.

Attachment E-
Conditions of Approval
CUP 22-0016

Recording Requested By And
When Recorded Return To:

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

**AGREEMENT FOR CONDITIONAL USE PERMIT #22-0016
SUPERSEDING CONDITIONAL USE PERMIT CUP #06-0032**

(ATC Sequoia, LLC)
(059-220-009-000)

Approved by Planning Commission on

This Agreement is made and entered into on this day of [] by ATC Sequoia, LLC, (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) 059-220-009-000 further identified by the following legal description Parcel A of Certificate of Compliance, Lot Line Adjustment 74, Portion of Lot 1 of Section 14 and Lot 2 of Section 13, Township 17 South, Range 15 East, S.B.M.

WHEREAS, ATC Sequoia, LLC, 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 #22-0016 supersedes Conditional Use Permit Agreement #06-0032 and any other prior Conditional Use Permit Agreements.

WHEREAS, Permittee has applied to the County for permission to operate existing 65 foot above ground level "AGL" tower site, upon the above site; and,

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

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

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

11 **NOW THEREFORE**, the County issued the CUP #22-0016 subject to all of the
12 following conditions:

13
14 **GENERAL CONDITIONS:**

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

20 **G1 COSTS:**

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

27 **G2 AUDIT OF BILLS:**

28 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.

G5 COMPLIANCE/REVOCACTION:

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

G6 PROVISION TO RUN WITH LAND:

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

G7 RIGHT OF ENTRY:

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

G8 TIME LIMIT:

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

G9 DEFINITIONS:

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

G10 SPECIFICITY:

The issuance of this permit does not authorize the Permittee to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown the application/project description/permit, nor shall this permit allow any accessory or ancillary use not specified herein. This permit does not provide any prescriptive right or use to the 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).

G11 HEALTH HAZARD:

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

G12 ENCROACHMENT PERMIT:

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

G13 REPORT(S):

Permittee shall file an annual report with the Planning and Development Services Department to show that Permittee is in full compliance with this Conditional Use Permit. The report shall be filed within sixty (60) days from the first day of the Calendar year, and shall include at a minimum, the total number of "users" on the tower, any problems 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.

G14 RESPONSIBLE AGENT:

Permittee shall maintain on file with the Planning and Development Services Department the name and phone number of the responsible agent for the site. A backup name shall 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.

G15 INDEMNIFICATION:

At no cost to the County, Permittee and each and every subsidiary user, shall indemnify, and hold harmless the County, the Board of Supervisors and all officers and agents of the County against any and all claims, actions and liabilities arising out of the permitting, construction and/or operation of the project. This indemnity agreement shall be on file with the Planning and Development Services Department prior to recordation of this CUP. Failure to have the agreement on file within 60 days from the date of approval by the 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.

G16 CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this permit as if said successor was the original Permittee. Current Permittee shall inform the County Planning and Development Services Department in writing at least 60 days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event

of a change, the new Owner/Operator shall file with the Department, via certified mail, a 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.

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

G17 COMPLIANCE WITH ORDINANCE:

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

(TOTAL "G" CONDITIONS are 17)

This space intentionally left blank.

Specific Conditions:**S1 PROJECT DESCRIPTION:**

This permit authorizes the Permittee to operate a co-locatable un-staffed telecommunication tower. The Tower height shall not exceed 65 feet and the total developed height of any antenna thereon shall not exceed 65 feet above ground level (AGL). In addition to the information contained in the application, and as a result of the County, the applicant and the other interested parties desiring to minimize the number of towers in the County, this tower may be used by multiple user in addition to the Permittee, provided the conditions stated herein are followed.

S2 ACCESS TO SITE:

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

S3 GRADING AND DRAINAGE PLAN/STUDY

Permittee (applicant) shall furnish a Grading and Drainage Plan/Study to provide for property grading and erosion control, which shall also include prevention of sedimentation or damage to off-site properties. The Plan/Study shall be submitted to the Department of Public Works for review and approval. Permittee (applicant) shall implement the approved plan together with the employment of appropriate Storm Water Best Management Practices (BMP's) included.

S4 RIGHT OF WAY:

Project site location is along Carr Road, currently classified by the County of Imperial as a "Minor Arterial" with the Gateway to the Americas Specific Plan's interior roadway circulation system. Property owner agrees to provide sixty-one (61) feet from centerline of right-of-way along the entire frontage to Carr Road to meet the current road classification standard for a "Minor Arterial" of 102 feet as determined by the Department of Public Works.

S5 GSA IMPACT FEES:

In addition to the Imperial County Building Permit and Impact Fees, Permittee (applicant) agrees to pay all the necessary GSA Impact Fees. Permittee shall also satisfy all other applicable Public Works Department and other agencies' requirements and obtain approval from said agencies before issuance of any building permit.

S6 GATEWAY TO THE AMERICAS SPECIFIC PLAN PROVISION:

Permittee agrees to comply with all provisions contained within the Gateway to the America's Specific Plan, which shall include (but not be limited to) full design review for colors, materials, exact placement of the project, and aesthetic and landscaping requirements.

S7 PROJECT SITE WAIVER SERVICE:

Permittee (applicant) acknowledges that the development of this cell tower site falls within Phases 2-4 of the Gateway SPA Phasing Plan and is not within the existing phase of development where infrastructure services are in existence. Permittee (applicant) agrees to obtain a contract with the Imperial Irrigation District for water hook-up to the Ash Canal bordering the entire western perimeter of the site, for the irrigation of the landscaping on the project site as required by Gateway SPA standards. Should the permittee (applicant) fail to obtain water service from the Imperial Irrigation District, permittee will hold full responsibility and bear the full cost of extending existing water infrastructure services to the site until such time as a Reimbursement Agreement may provide recovery of costs through the collection of fees from subsequent developments. The extension of infrastructure shall be sized to accommodate the later connection of all intervening development phases.

S8 NO TRESSPASS SIGNS:

Permittee shall post the site for "No Trespassing" at the front entrance of the fenced 25 foot x 25 foot leased pad and at least every side along the active perimeter of the site.

S9 HOURS OF OPERATION:

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

S10 ANCILLARY USES & ADDITIONAL LAND USE PERMITS:

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

S11 SUSPENSION OF OPERATIONS:

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

S12 ENFORCEMENT ACTION:

The County officials responsible for monitoring and/or enforcing the provisions of this permit, Title 9 Land Use Ordinance, and the Gateway to the America's Specific Plan shall issue a notice requirement 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.

S13 LIGHT & GLARE:

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

S14 CONFLICTING PERMIT CONDITIONS:

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

S15 MINOR ADMINISTRATIVE MODIFICATION:

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

S16 LATEST CODES GOVERN:

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

S17 VARIANCE

The Applicant/Permittee has not requested any variance and no variance is approved and/or attached to this project.

S18 LIGHTING

Aircraft warning lights are to be installed on the tower to meet Federal Aviation Administration (FAA) specifications. Electrical backup power shall be provided for these lights on the existing tower according to FAA standards and at a minimum shall include lights at the top and at the mid-point of the structure. Permittee shall submit evidence of compliance with the FAA requirements within six (6) months from the approval date of this CUP. As required by the Airport Land Use Commission, Permittee shall install a high intensity strobe beacon (for daylight use only) and a red flashing warning light to warn aircraft in the vicinity.

S19 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 & Development Service Department and other applicable agencies.

S20 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.

S21 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 \$25,000. 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 characteristics of the site warrants additional security. The security must be filed with the County within six (6) months of the approval of this CUP, and/or prior to the issuance of any building or grading permit, whichever comes first.

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

S22 TOWER EMERGENCY INFORMATION:

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

(Total S Conditions are 22)

This space intentionally left blank.

NOW THEREFORE, County hereby issues Conditional Use Permit #22-0016, 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

ATC Sequoia, LLC

Date

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

James Minnick, Director
Planning & Development Services

Date

PERMITTEE NOTARIZATION

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

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 _____

Signer(s) Other Than Named Above _____

Dated _____

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

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

WITNESS my hand and official seal

Signature _____

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

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

S:\AllUsers\APN\059\220\009\CUP 22-0016 Documents

Attachment F- Comment Letters



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

August 23, 2022
REQUEST FOR REVIEW
AND COMMENTS

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

To: County Agencies	State Agencies/Other	Cities/Other
<input checked="" type="checkbox"/> County Executive Office – Rosa Lopez	<input checked="" type="checkbox"/> IC Sheriff's Office – Robert Benavidez /Scott Sheppard/ Manuel Deleon	<input checked="" type="checkbox"/> IID – Donald Vargas
<input checked="" type="checkbox"/> County Counsel – Eric Havens	<input checked="" type="checkbox"/> County Airport – Jenell Guerrero	<input checked="" type="checkbox"/> Campo Band of Mission Indians – Marcus Cuero
<input checked="" type="checkbox"/> APCD – Monica Soucier/Belen Leon/Matt Dessert	<input checked="" type="checkbox"/> Imperial County Applicator's – Byron Nelson	<input checked="" type="checkbox"/> Fort Yuma – Quechan Indian Tribe - H. Jill McCormick/Jordan D. Joaquin
<input checked="" type="checkbox"/> EHS – Jeff Lamoure/Mario Salinas/ Alphonso Andrade/Jorge Perez/Vanessa R Martinez	<input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/ Alfredo Estrada/Robert Malek	<input checked="" type="checkbox"/> Gateway of the Americas- John Gay
<input checked="" type="checkbox"/> Public Works – Guillermo Mendoza/John Gay	<input checked="" type="checkbox"/> Board of Supervisors –Raymond Castillo - District #5	
<input checked="" type="checkbox"/> Ag. Commissioner – Margo Sanchez/Ana L Gomez/Jolene Dessert/ Sandra Mendivil/ Carlos Ortiz		

From: Victoria Escalante, Planner I – (422) 265-1736 or victoriaescalante@co.imperial.ca.us

Project ID: CUP22-0016

Project Location: 1577 Carr Road, Calexico CA 92231 APN 059-220-009

Project Description: The applicant intends to continue operation of the existing 65 foot-tall telecommunications tower site with equipment structures. The new CUP will have the new time period of 10 years as required per Government Code Section 65964, with a 5-year extension option. Conditional Use Permit #22-0016 will supersede previously approved CUP #06-0032. No changes to the existing wireless facility were proposed

Applicants: ATC Sequoia, LLC

Comments due by: September 2, 2022 at 5:00PM

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

No comments

Name: *Ana Gomez*

Signature: *[Signature]*

Title: *ag. biologist III*

Date: *8/23/2022*

Telephone No.: *442 265 1500*

E-mail: *ana.gomez@co.imperial.ca.us*

VEAGIS\\AllUsers\\APN\\059\\220\\009\\CUP22-0016\\CUP22-0016 Documents\\CUP22-0016 Request for Comments 08 23 22.docx

Victoria Escalante

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Wednesday, August 24, 2022 7:31 AM
To: Allison Galindo
Subject: RE: CUP22-0016 Request for Comments

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

This email is to inform you that we do not wish to comment on this project.

From: Allison Galindo [mailto:allisongalindo@co.imperial.ca.us]

Sent: Tuesday, August 23, 2022 3:58 PM

To: Alfredo Estrada Jr; Alphonso Andrade; Ana L Gomez; Andrew Loper; Belen Leon; Carlos Ortiz; Chris Hamilton ; Donald Vargas ; Eric Havens; Guillermo Mendoza; H. Jill McCormick; Jeff Lamoure; John Gay; Jolene Dessert; Jordan D. Joaquin; Jorge Perez; Jose Serrano ; Manuel Deleon; Marcus Cuero ; Margo Sanchez; Mario Salinas; Matt Dessert; Mitch Mansfield; Monica Soucier; Robert Benavidez ; Robert Malek; Robert Menvielle; Rosa Lopez; Ryan Kelley; Sandra Mendivil; Scott Sheppard ; Vanessa Ramirez; Ray Castillo; janellguerrero@co.imperial.ca.us; byronfrontier@yahoo.com
Cc: Jim Minnick; Michael Abraham; Diana Robinson; Aimee Trujillo; Allison Galindo; John Robb; Leslie Martinez; Maria Scoville; Melina Rizo; Rosa Soto; Victoria Escalante

Subject: CUP22-0016 Request for Comments

Good Afternoon,

Please see attached Request for Comments packet for CUP22-0016/ APN 059-220-009 {1577 Carr Road, Calexico CA 92231}

Comments are due by **September 2nd at 5:00PM.**

In an effort to increase the efficiency at which information is distributed and 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 Victoria Escalante at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Allison Galindo

Office Assistant III

Imperial County Planning & Development Services

801 Main St.

El Centro, CA 92243

(442)265-1736



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Victoria Escalante

From: Jorge Perez
Sent: Tuesday, August 23, 2022 4:09 PM
To: Allison Galindo
Cc: Maria Scoville; Melina Rizo; Rosa Soto; Victoria Escalante
Subject: RE: CUP22-0016 Request for Comments

Hi Allison,

Our agency has no comments pertaining to CUP#22-0016.

Jorge A. Perez

Imperial County Division of Environmental Health
P: 442-265-1888 – C: 760-427-1190

From: Allison Galindo <allisongalindo@co.imperial.ca.us>
Sent: Tuesday, August 23, 2022 3:58 PM
To: Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Ana L Gomez <analomez@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Belen Leon <BelenLeon@co.imperial.ca.us>; Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Chris Hamilton <chamilton@chp.ca.gov>; Donald Vargas <dvargas@iid.com>; Eric Havens <EricHavens@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; H. Jill McCormick <historicpreservation@quechantribe.com>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Jordan D. Joaquin <tribalsecretary@quechantribe.com>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Jose Serrano <joseserrano@chp.ca.gov>; Manuel Deleon <mdeleon@icso.org>; Marcus Cuero <marcuscuero@campo-nsn.gov>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Matt Dessert <MattDessert@co.imperial.ca.us>; Mitch Mansfield <mmansfield@saltoncsd.ca.gov>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Robert Benavidez <rbenavidez@icso.org>; Robert Malek <RobertMalek@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Scott Sheppeard <scottsheppeard@icso.org>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; janellguerrero@co.imperial.ca.us; byronfrontier@yahoo.com
Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; Allison Galindo <allisongalindo@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Leslie Martinez <lesliemartinez@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Melina Rizo <melinarizo@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Victoria Escalante <VictoriaEscalante@co.imperial.ca.us>
Subject: CUP22-0016 Request for Comments

Good Afternoon,

Please see attached Request for Comments packet for CUP22-0016/ APN 059-220-009 {1577 Carr Road, Calexico CA 92231}

Comments are due by **September 2nd at 5:00PM.**

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Thank you,

Allison Galindo

Office Assistant III

Imperial County Planning & Development Services

801 Main St.

EI Centro, CA 92243

(442)265-1736

Victoria Escalante

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Wednesday, August 24, 2022 7:31 AM
To: Allison Galindo
Subject: RE: CUP22-0016 Request for Comments

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

This email is to inform you that we do not wish to comment on this project.

From: Allison Galindo [mailto:allisongalindo@co.imperial.ca.us]
Sent: Tuesday, August 23, 2022 3:58 PM
To: Alfredo Estrada Jr; Alphonso Andrade; Ana L Gomez; Andrew Loper; Belen Leon; Carlos Ortiz; Chris Hamilton ; Donald Vargas ; Eric Havens; Guillermo Mendoza; H. Jill McCormick; Jeff Lamoure; John Gay; Jolene Dessert; Jordan D. Joaquin; Jorge Perez; Jose Serrano ; Manuel Deleon; Marcus Cuero ; Margo Sanchez; Mario Salinas; Matt Dessert; Mitch Mansfield; Monica Soucier; Robert Benavidez ; Robert Malek; Robert Menvielle; Rosa Lopez; Ryan Kelley; Sandra Mendivil; Scott Sheppard ; Vanessa Ramirez; Ray Castillo; janellguerrero@co.imperial.ca.us; byronfrontier@yahoo.com
Cc: Jim Minnick; Michael Abraham; Diana Robinson; Aimee Trujillo; Allison Galindo; John Robb; Leslie Martinez; Maria Scoville; Melina Rizo; Rosa Soto; Victoria Escalante
Subject: CUP22-0016 Request for Comments

Good Afternoon,

Please see attached Request for Comments packet for CUP22-0016/ APN 059-220-009 {1577 Carr Road, Calexico CA 92231}

Comments are due by **September 2nd at 5:00PM.**

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Should you have any questions, please feel free to contact Victoria Escalante at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Allison Galindo
Office Assistant III
Imperial County Planning & Development Services
801 Main St.
El Centro, CA 92243
(442)265-1736



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Victoria Escalante

From: Andrew Loper
Sent: Wednesday, September 28, 2022 7:07 AM
To: Victoria Escalante
Subject: RE: CUP 22-0016 & Parcel Map #02502

Good Morning

At this time Imperial County Fire Department has no comments in regards to CUP 22-0016 & Parcel Map #02502

Again thank you for the opportunity to comment. Imperial County Fire Department reserves the right to comment and request additional requirements pertaining to this project regarding fire and life safety measures, California building and fire code, and National Fire Protection Association standards at a later time as we see necessary.

Andrew Loper
Imperial County Fire Department
Lieutenant/Fire Prevention Specialist
2514 La Brucherie Road, Imperial CA 92251
Office: 442-265-3021
Cell: 760-604-1828

From: Victoria Escalante <VictoriaEscalante@co.imperial.ca.us>
Sent: Tuesday, September 27, 2022 3:11 PM
To: Andrew Loper <AndrewLoper@co.imperial.ca.us>
Subject: FW: CUP 22-0016 & Parcel Map #02502

Hi Mr. Loper,

My name is Victoria Escalante and I'm the planner assigned to work on CUP 22-0016 (ATC Sequoia, LLC) which will be going to PC pretty soon. Could you let me know if County Fire has any comment regarding CUP #22-0016 (059-220-009), please?

Thank you 😊

Victoria Escalante

Planner I
Imperial County Dept. of Planning & Development Services
801 Main St
El Centro, CA 92243
442-265-1750

Attachment G- Resolutions

RESOLUTION NO. 2022

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, APPROVING “CONDITIONAL USE PERMIT #22-0016” FOR ATC SEQUOIA, LLC.

WHEREAS, ATC Sequoia, LLC submitted an application for Conditional Use Permit #22-0016 for the renewal of Land Use Entitlements for an existing 65-foot telecommunication facility; and,

WHEREAS, a Negative Declaration and Findings have been prepared in accordance with 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 October 12, 2022.

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 #22-0016 prior to approval. The Planning Commission finds and determines that the Conditional Use Permit is adequately prepared in accordance with the requirements of the Imperial County General Plan, Land Use Ordinance, and the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning laws and the County of Imperial regulations, the following findings for approving Conditional Use Permit #22-0016 have been made as follows:

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

The subject site is zoned “G-I” (Gateway Industrial) per Imperial County Land Use Ordinance. The project is found consistent with the goals and policies of the Imperial County General Plan Land Use Element and, therefore, consistent with the County’s General Plan.

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

The purpose of the project is to renew the land use entitlements for the existing 65-foot wireless telecommunication tower. The project is zoned G-I (Gateway Industrial). Pursuant to Title 9 Division 5A, Chapter IV-D-3; communication towers are a permitted use with the approval of a Conditional Use Permit and, therefore, the continued use is consistent with the purpose of the G-I zoning district.

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 proposed communications tower is listed as a use subject to a Conditional Use Permit in Imperial County Land Use Ordinance, Division 5A, Chapter IV-D-3.

D. The proposed use meets the minimum requirements of Title 9 applicable to the use and complies with all applicable laws, ordinances and regulation of the County of Imperial and the State of California.

The Project complies with the minimum requirements of Title 9 by obtaining a CUP pursuant to Title 9, Division 5A, Chapter IV-D-3. 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.

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 zoned "G-I" under the Imperial County General Plan. The surrounding areas are zoned G-I (Gateway Industrial) and A-3 (Heavy Agriculture). Therefore, the continued use of this existing tower will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

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

The project 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 #22-0016 under Land Use Ordinance, Section 92404.01 *et. seq.* and will not grant a special privilege.

NOW, THEREFORE, based on the above findings, the County of Imperial Planning Commission **DOES HEREBY APPROVE** Conditional Use Permit #22-0016, 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 October 12, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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