

CONDITIONS OF APPROVAL

DR 22-013 is issued with the following conditions:

1. To the extent permissible by relevant Telecommunications law, future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
2. To the extent permissible by relevant Telecommunications law, project shall comply with all Mono County Building Division, Planning Division, Public Works Department, and Environmental Health Department requirements.
3. Exterior lighting shall comply with Chapter 23 – Dark Sky Regulations, including the use of downward, shielded lighting that does not exceed 3000K.
4. The project shall comply with conditions of approval under Use Permit 31-05-05.
5. The height of the tower shall not exceed 60' in height, unless relevant Telecommunications law allows for further modification.
6. No reflective construction materials shall be used in the antenna pole(s), antennas and equipment shelters to house necessary radio and associated equipment.
7. The design, color and building materials for equipment structures and the monopole extension and associated equipment shall be compatible with the surrounding natural environment and be painted to match the color of existing equipment/structures.
8. No signs are permitted, except those required by the FCC and other relevant Telecommunications law.
9. Except for the subject tower, all new utilities shall be installed underground, in conformance with applicable provisions of the General Plan.
10. Appeal. The Director Review permit shall become effective 10 days following the issuance of the Director's decision. During the 10-day period, an appeal may be filed in accordance with Chapter 47. If an appeal is filed, the permit will not be issued until the appeal is considered and a decision is rendered by the Planning Commission. (Section.31.060)

Notice is hereby given pursuant to Code of Civil Procedure Section 1094.6 that the time within which to bring an action challenging the County's decision is 90 days from the date the decision becomes final. If no appeal is made to the Planning Commission, the staff decision shall become final on the expiration of the time to bring an appeal.

Notice is also hereby given that failure to exhaust administrative remedies by filing an appeal to the Planning Commission may bar any action challenging staff's decision.

11. Termination. A Director Review shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
 - A. There is a failure to commence the exercise of such rights, as determined by the

Director, within two years from the date of approval thereof. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the Director Review.

- B. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted.
 - C. No extension is granted as provided in Section 31.080.
12. Extension: If there is a failure to exercise the rights of the Director Review within one year of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Director Review may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Director Reviews approved concurrently with a tentative parcel or tract map; in those cases the approval period(s) shall be the same as for the tentative map.
13. Revocation: The Planning Commission may revoke the rights granted by a Director Review, and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the Director Review or the violation by the owner or tenant of any provision pertaining to the premises for which such Director Review was granted. Before revocation of any permit, the commission shall hold a hearing thereon after giving written notice thereof to the permitted at least 10 days in advance of such hearing. The decision of the commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.