

**Project: Chalfant Cell Tower**  
**APN: 026-200-044-000**

### **Conditions of Approval**

1. To the extent permissible by relevant Telecommunications law, project shall comply with all Mono County regulations including , but not limited to, the Building Division, Planning Division, Public Works Department, and Environmental Health Department.
2. The design, color and building materials for equipment structures shall be compatible with the surrounding natural environment. No reflective construction materials shall be used in the monopole, antenna pole(s), antennas and equipment shelters to house necessary radio and associated equipment. The design, color and building materials for equipment shelters shall be a dull finish in a dark muted color, similar to Dunn-Edwards Paints, Shaker Gray DE623, approved by the Community Development Department.
3. Minor variations in the design, color, and Building materials for equipment shelters that are visible above site fencing may be approved by the Community Development Department. Facility components other than the equipment shelters that are visible above or outside the wall shall be a dull finish in a dark muted color, similar to Dunn-Edwards Paints, Shaker Gray DE623, compatible with the surrounding natural environment.
4. No general nighttime lighting is proposed. Any new lighting must be approved by the Community Development Department, shall comply with Chapter 23 – Dark Sky Regulations, and include the use of downward, shielded lighting that does not exceed 3000K.
5. The site shall be restored with the removal of all equipment upon the non-functionality of the site or upon the termination of the lease agreement.
6. No signs are permitted, except those required by the FCC and other relevant Telecommunications law.
7. Except for the subject tower, all new utilities shall be installed underground, in conformance with applicable provisions of the General Plan.
8. Earthwork, grading, and vegetative removals shall be minimized for site development.
9. The lease site shall be an unmanned, uninhabitable communication site.
10. No noise, odor or vibrations shall be emitted that exceed the general level of noise, or odor or vibration emitted by uses outside of the lease site.
11. Licensee shall furnish and maintain in effect a faithful performance bond, letter of credit, or other financial assurance reasonably acceptable to County and approved as to form by the Mono County Counsel, in an amount determined by engineer’s estimate (or \$125,000 whichever is greater) to guarantee removal of the Licensee Communications Facilities from the site and site reclamation in accordance with the License and any land use permit

conditions or conditions of approval. In the event of a transfer of ownership, the seller will be responsible for notifying the buyer of this requirement and for notifying the County of the transfer.

12. Appeal. Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within 10 calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.7)
13. Termination: The use permit 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.
14. 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 and schedule it for public hearing. Conditions of Approval for the use permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension. Exception to this provision is permitted for those use permits 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.
15. Revocation: The Commission may revoke the rights granted by a use permit 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 use permit or the violation by the owner or tenant of any provision pertaining to the premises for which such use permit was granted. Before the Commission shall consider revocation of any permit, the Commission shall hold a public hearing thereon after giving written notice thereof to the permittee 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.