



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
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Item #6b
9:20 AM
October 9, 2025

STAFF REPORT

TO: Planning Commission

FROM: Mireya G. Turner, Director
Prepared by: Trish Turner, Associate Planner

DATE: October 9, 2025

SUBJECT: Consideration of Major Use Permit (UP 23-03/ PL-25-63) for a 150' tall monopole wireless communication tower within a 50' x 50' lease area containing support equipment for the tower; Location: 6720 Leslie Place, Lucerne (APN: 006-003-01); Applicant: Vertical Bridge (VB BTS II, LLC)

ATTACHMENTS:

1. Site Plans, Elevations
2. Draft Conditions of Approval
3. Initial Study (IS 23-07/ PL-25-63)
4. Biological Report
5. Arborist Report
6. Photo Simulations of the Tower and Coverage Maps
7. Agency Comments
8. Public Comments

EXECUTIVE SUMMARY AND BACKGROUND

Project Summary

Consideration for a Major Use Permit (UP 23-03/ PL-25-63) to construct a new 150' tall monopine cell tower designed to look like a pine tree including 12 antennas, one MW antenna, six RRUS, one GPS antenna, two ground-mounted radio cabinets and 50' by 50' lease area to house equipment needed to support the tower. The lease area will be enclosed by a 6' tall chain link fence. The applicant attempted to co-locate the facility but was not able to find an existing tower within this area that would allow co-location. The applicant is proposing some tree removal for widening the access road to the tower.

PROJECT DESCRIPTION

Project Title: Assurance Development

Project Numbers: UP 23-03/ PL-25-63, IS 23-07/ PL-25-63

Applicant Information VB BTS II, LLC
22 W Atlantic Ave, Suite 310
Delray Beach, Florida 33444

Property Owner: Charles and Joan Phillips

Project Location: 6720 Leslie Place, Lucerne

Parcel Number: 006-003-01

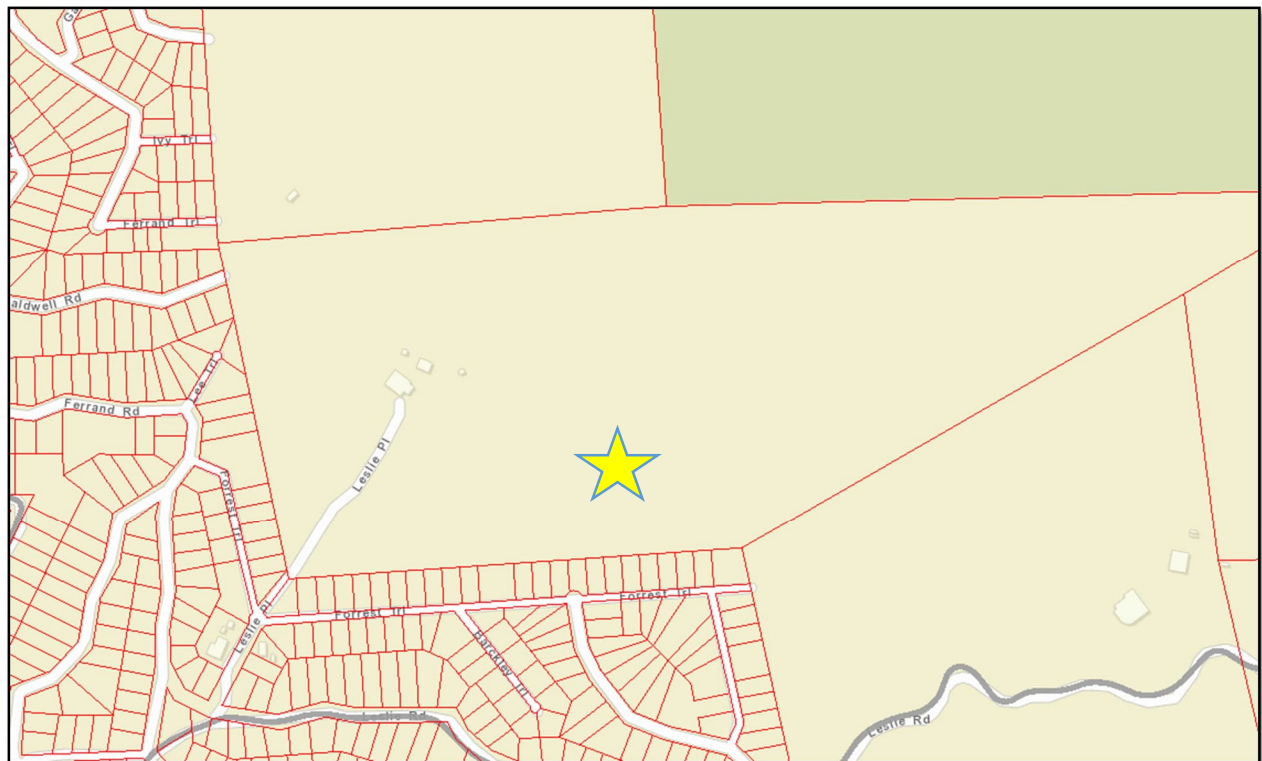
Parcel Size: 47.97 acres

<u>General Plan:</u>	Rural Lands
<u>Zoning:</u>	"RL-WW", Rural Lands – Waterway
<u>Flood Zone:</u>	"D" Areas in which flood hazards are undetermined, but possible
<u>Fire Protection:</u>	Northshore Fire Protection District
<u>Vegetation:</u>	Oak woodlands and grasses
<u>Fire Severity:</u>	Very High Fire Risk

Project Details

The site is developed with a single-family dwelling and a detached garage. The proposed cell tower will be approximately ± 570 feet east of the existing single-family dwelling.

Figure 1 - Vicinity Map



Source: County of Lake ArcGIS 2025

Operational Equipment

The following equipment is expected to be installed within the lease area:

- 12 – Antennas
- 1 – Microwave Antenna
- 6 – Remote Radio Units
- 1 – GPS Antenna
- 2 – Ground-mounted radio cabinets
- 48kw Back-up Diesel Generator
- 240 – Gallon diesel fuel storage tank

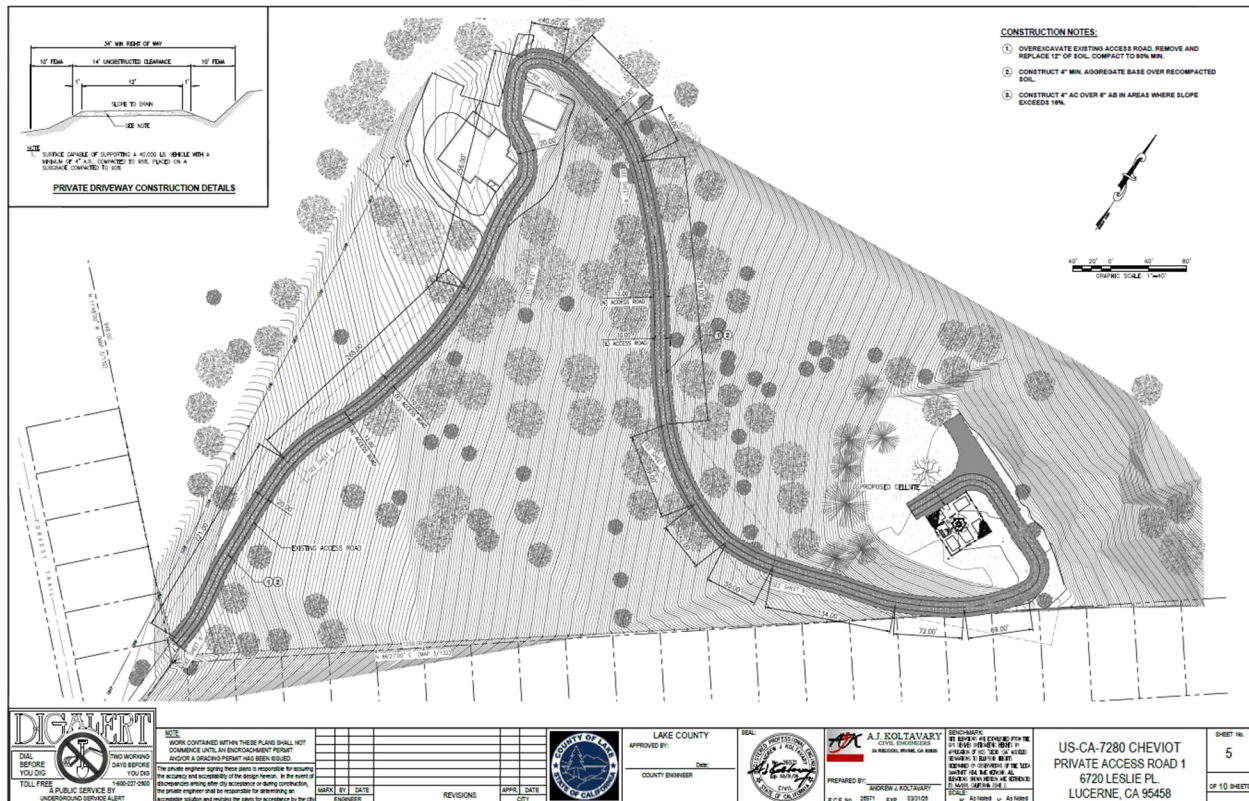
Construction

The following equipment is expected to be required to construct the proposed project facilities:

- Excavator
- Bulldozer
- Cement Trucks
- Auger (fence post holes)

The construction of the unmanned tower is anticipated to take two to three months, limited to weekdays (Monday through Friday) between 7:00 a.m. and 5:00 p.m. During this phase, an estimated one to two daily vehicle trips will occur, totaling approximately 120 trips over the maximum three-month period, requiring water tenders on site to mitigate dust and fire risk. Roadway improvements will include excavating the existing road, replacing and compacting 12 inches of soil, constructing a minimum 4-inch aggregate base, and adding 4 inches of asphalt concrete only where the slope exceeds 16%. The completed tower will result in a minimal one to four annual maintenance trips. Its operation will have minimal power demands, relying on the existing PG&E grid, which is not at capacity in this location. As an unmanned facility, the tower will produce no solid waste or wastewater and will not require water for operations. The applicant must submit engineered Drainage and Erosion Control plans with the building permit application, detailing Best Management Practices for the small 50' x 50' lease area and access road to ensure the waterway is protected.

Figure 2 – Site Plan



Source: Material Submitted by Applicant 2024

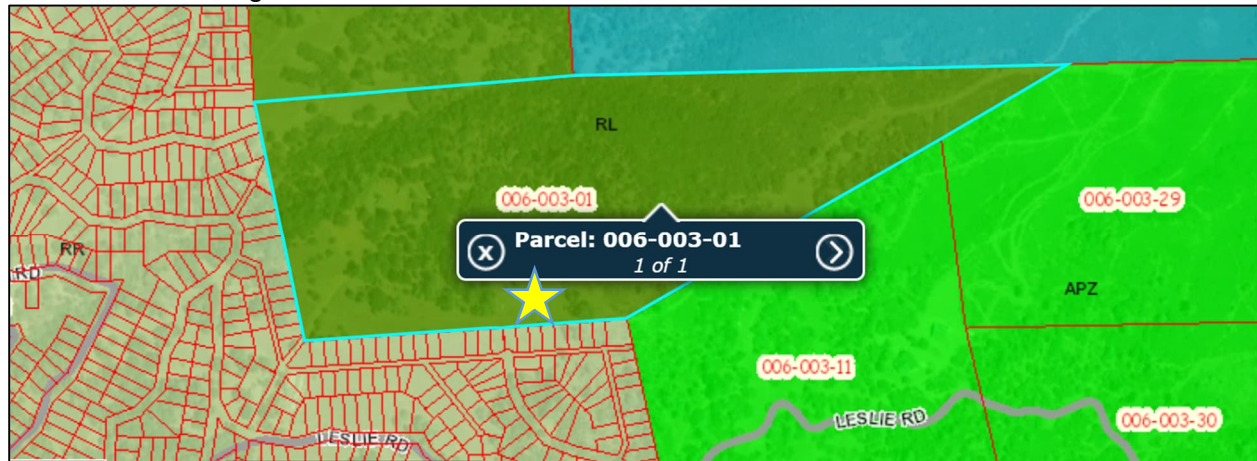
PROJECT SETTING

The sizes, zoning and status of neighboring properties is as follows;

- North: "RL-WW", Rural Lands – Waterway; ± 72.97 acres; undeveloped.

- North: “O-WW-SC”, Open Space – Waterway – Scenic Combining; vacant lot, ±585.44 acres; owned by Bureau of Land Management.
- East: “APZ”, Agricultural Preserve; 31.14 acres; undeveloped.
- East: “APZ-WW”, Agricultural Preserve – Waterway; 47.01 acres in size; developed with a dwelling and accessory buildings.
- South and West: “RR-SOS”, Rural Residential – Substandard Older Subdivision. Multiple small parcels that are undeveloped.

FIGURE 3 – Zoning of Site



Source: County of Lake ArcGIS, 2025

PROJECT ANALYSIS

General Plan Conformity

The Lake County General Plan land use designation for the subject site is Rural Lands. This designation allows cell towers with a major use permit; this is found in Article 27, Section 27.11, Table B (ar) of the Zoning Ordinance. This designation is intended for larger lots as a resource retention area; the proposed project will occupy 2,500 sf of area. The placement of the wireless communication tower is in alignment with the Lake County General Plan's objective of ensuring adequate provision of essential public facilities and services. The project directly supports the broader community goal of improving digital connectivity by expanding and enhancing the wireless telecommunications network, which is critical for public safety, economic development, and the overall quality of life for residents and businesses. The design and siting of the tower demonstrate compliance with General Plan policies aimed at minimizing visual impact and protecting scenic resources, as it adheres to strict regulations concerning setbacks, screening, and overall aesthetic treatment to ensure the facility is the least visually obtrusive location possible.

Chapter 3 - Land Use

Goal LU-2: To clearly differentiate between areas within Lake County appropriate for higher intensity urban services and land uses from areas where rural or resource use should be emphasized.

- Policy LU-1.3 Prevent Incompatible Uses: The County shall prevent the intrusion of new incompatible land uses into existing community areas.

Response: The proposed wireless communication facility is consistent with the Rural Lands (RL) zoning district regulations, which identify such facilities as a conditionally permitted use. Furthermore, the proposed location is situated within a predominantly rural area, situated outside of any existing urbanized setting.

Goal LU-4: To maintain economic vitality and promote the development of commercial uses that are compatible with surrounding land uses and meet the present and future needs of Lake County residents, the regional community, and visitors.

Response: The site is zoned "RL-WW", Rural Lands - Waterway. Wireless communication facilities are a permitted use in this zone per Article 27, Section 27.11, Table B (ar), and require a major use permit. The wireless communication facility will benefit the local community, emergency service providers, and visitors by enabling better cell coverage in the Lucerne area. This improved connectivity directly supports Goal LU-4 by enhancing the ability of businesses to operate, attracting more visitors, and meeting the present and future communication needs of residents and the regional community.

Chapter 5 – Public Facilities and Services

- Goal PFS-7: To expand the use of information technology in order to increase the County's economic competitiveness, develop a more informed citizenry, and improve personal convenience for residents and businesses in the County.
- Policy PFS-7.1 Telecommunications Services: The County shall work with telecommunication providers to ensure that all residents and businesses will have access to telecommunications services, including broadband internet service. To maximize access to inexpensive telecommunications services, the County shall encourage marketplace competition from multiple service providers.
- Policy PFS-7.3 Siting of Telecommunications Infrastructure: To minimize the visual impact of wireless communications facilities, the County shall encourage the siting of telecommunications infrastructure to meet the following conditions:
 - o Located away from residential and open space areas;
 - o When possible, are located on existing buildings, existing poles, or other existing support structures; and,
 - o Painted, camouflaged, textured, or otherwise designed to better integrate into existing conditions adjacent to the installation site.

Response: The wireless communication will benefit the community to bridge the gap of limited cell services; the facility is located in a rural portion of Lucerne, on a hilltop in the relative middle of a large parcel of land. The property is surrounded by large, vacant lands to the north, east and south, and by "SOS" (substandard older subdivision) lots to the south that are unlikely to develop due to lack of infrastructure and roads, and the small sizes of the lots.

Shoreline Communities Area Plan. The following objectives and policies found within the Shoreline Communities Area Plan apply to this project:

- Policy 3.4.4d Minimize the visual impact of wireless communication towers and antennae where feasible.

Response: The applicant designed the tower to appear to be a pine tree. Given the remote location of the site and the tower's separation from dwellings and roads or highways, the tower as designed is consistent with the policy stated above.

- Objective 4.3.1 Reduce the threat to life and property from structural and wildland fires.
 - Policy 4.3.1a Residential development in high and very high fire hazard areas shall meet the following fire protection standards unless adequate fire suppression facilities are already available:
 - o Adequate fuel breaks and fuel reduction shall be created and maintained
 - o Adequate water storage shall be provided and maintained.
 - o Private access roads and driveways to new residential development shall be improved with all-weather surfaces.
 - o Roads and driveways shall meet California Department of Forestry standards and be either looped or double access to provide escape routes in the event of wildland fire emergencies.

Response: The project proposes widening the existing driveway connecting the tower site to Leslie Place, improving emergency vehicle access during critical situations such as wildfires. This modification necessitates the removal of 16 trees, predominantly oaks, of varied sizes and other species. The County is not recommending a Tree Replacement Plan, but is mitigating the removal of 16 trees by requiring the applicant to make a donation to the CA Oak Woodland Conservation to not exceed \$19,000. The site will be unmanned, and there is no water located near the road until the driveway reaches the dwelling located on the northern end of the property, which is addressed comprehensively in subsequent sections of this report.

- Policy 4.3.1c Require that locked gates on private roads be accessible to emergency personnel.
- Policy 4.3.1c The County shall establish emergency management plans for the planning area and encourage a program of collection and dissemination of basic data concerning natural hazards and emergency management plans.

Response: The telecommunication tower can be used by emergency service providers to disseminate information to the public regarding wildfires or other local, regional or larger emergencies. The improvements to the driveway stated above will enable emergency service providers to access the property much easier than the present driveway allows. Any locked gates must have Knox-boxes installed to the specifications of the Northshore Fire Protection District per their comments on this proposed project.

- Objective 5.4.5 Ensure the orderly development of communication and energy systems in order to increase economic competitiveness, keep the public informed, and improve personal convenience for both residences and businesses.
 - o Policy 5.4.5a Provide reliable and cost-effective telecommunications services within the planning area.

Response: These systems are critical infrastructure, vital for public access to information, facilitating business growth, supporting emergency response capabilities, and enhancing convenience for both residential and commercial users. This initiative will contribute to the upgrade of cellular service coverage for both public and emergency service needs.

Zoning Ordinance Conformance

The site is zoned “RL-WW”, Rural Land – Waterway; therefore, the Articles addressing each of these two zoning districts potentially apply to this application review.

Article 7 – “RL” Rural Lands Zoning District

Wireless communication facilities are a permitted use in the “RL” Rural Lands Zoning District upon issuance of a Major Use Permit pursuant to Article 27, Table B of the Lake County Zoning Ordinance. The applicant is under review for a major use permit with this application. Article 7 also requires that projects be reviewed under applicable portions of Article 41, “Performance Standards.”

Article 27 - Use Permits

The purpose of Article 27 is for those uses possessing characteristics of unique and special form that make their use acceptable upon issuance of a major use permit in addition to any required building or other permits. Table B in Article 27 lists Wireless Communication Facilities, New or Replacement as a conditionally permitted use in the “RL” zoning district. Subsection (ar) states *Wireless Communication Facilities, New or Replacement: Refer to Section 71.7 of the Zoning Ordinance.*

Article 37, “WW” Waterway Combining District. The purpose of this chapter is to preserve and protect riparian areas that might otherwise contain sensitive plant and animal species. The location of riparian area on site is setback more than 150 feet from the proposed tower location, so there is no conflict with the seasonal waterway that is on the subject lot.

Article 41, Performance Standards. The proposed wireless communication facility within the “RL” Rural Lands Zoning District is designed to substantially comply with the relevant performance standards outlined in Article 41. Its remote location above Lucerne and the use of a disguised pine tree appearance minimize the potential for public controversy and visual impact.

The project addresses the specific criteria for compliance in several key areas. For Air Quality (41.4), the applicant commits to meeting all applicable local, state, and federal laws, including obtaining the necessary permit from the Lake County Air Quality Management for the backup diesel generator. Regarding Electromagnetic Interference (41.5), the cell tower produces a low-frequency signal that will have no negative impact on adjacent uses, instead serving to improve cell phone coverage, thus satisfying this standard. In terms of Erosion Control (41.6), while the project requires approximately 235 cubic yards of cut and fill to establish the roadway and lease area, the applicant will implement standard measures to reduce potential impacts associated with site disturbance.

Safety measures address the risk of Fire and Explosion Hazards (41.7) by storing the propane fuel for the backup generator in an enclosed area within a secure, 6-foot-tall fenced and locked equipment enclosure. Glare and Heat (41.8) is generally not applicable, as any required FAA air traffic safety lighting is not conducive to generating significant glare or heat. For Landscaping Standards (41.9), the small footprint, lack of water requirement, and remote setting make new landscaping inappropriate, allowing the review authority to grant a waiver under Subsection (b). The project also accounts for waste and pollution. Liquid, Solid and Hazardous Wastes (41.10) are minimized since the facility itself does not produce toxic elements; potential fuel spills during construction will be mitigated by keeping a spill containment kit on-site and ensuring immediate cleanup. Furthermore, the facility's impact on Noise (41.11) is limited. Operational noise occurs only when the backup generator runs during power outages, and construction noise is temporary (about three weeks) and restricted to 7:00 a.m. to 7:00 p.m., minimizing impact due to the surrounding undeveloped land. Finally, the standards for Radioactivity (41.13) and Vibrations (41.15) are deemed not applicable, as the operational wireless communication equipment does not produce radioactive waves, substances, or significant vibrations.

Article 51.4, Major Use Permit Findings for Approval

The Review Authority shall only approve or conditionally approve a Major Use Permit (LCZO Section 51.4, Major Use Permits) if all of the following findings are made:

1. *That the establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental to property and improvements in the neighborhood or the general welfare of the County.*

The use of the site with a wireless communication facility is permitted in the RL zoning district by Article 27, Section 27.11, Table B (ar), subject to review and approval of a major use permit and development review. The immediate area is characterized by vacant paper lots, and a few dwellings located on larger lots. The addition of a wireless communication facility at this location is appropriate based on the zoning, surrounding uses and spotty cellphone coverage in the Lucerne area.

2. *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.*

The footprint of the mechanical enclosure is 2,500 sf in area (50' x 50'). The site is approximately 47.97 acres in size. The property is large enough to easily accommodate the wireless communication facility and its enclosure on the site. The site plans submitted for this project show a setback that scales out to about 110' from the tower to the southern property line. The required setback is 30' to accommodate CAL FIRE setback regulations.

3. *That the streets, highways, and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.*

The site is accessed by Leslie Place, a dirt and gravel road at this location. The applicant will be required to widen Leslie Place in order to meet Public Resource Code (PRC) 4290/ 4291 road standards for a commercial driveway; this will involve the removal of 16 trees of varied sizes and species. The County is not recommending a Tree Replacement Plan but is mitigating the removal of 16 trees by requiring the applicant to make a donation to the CA Oak Woodland Conservation to not exceed \$19,000, as stated within the projects Conditions of Approval. The site will be unmanned, and there is no waterlines located near the road until the driveway reaches the dwelling located on the northern end of the property.

4. *That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.*

The only public service needed for this unmanned wireless communication facility is power. The site is served by PG&E on-grid power, and wireless communication facilities generally do not use significant amounts of power to operate.

The application was routed to all of the affected public and private service providers, including Lake County Public Works, Environmental Health, Specials Districts, Water Resources and PG&E. All agency comments are attached (Attachment 5). No adverse comments were received.

5. *That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan.*

The project was evaluated against Chapters 3 and 5 of the General Plan, the Shoreline Communities Area Plan, and various articles within the Lake County Zoning Ordinance. This report identifies compliance within each of the respective documents required for the review of this wireless communication facility.

6. *That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.*

There are no documented violations of Chapters 5, 17, 21, 23 or 26 of the Lake County Code on the subject property.

Article 71, Regulations for the Placement of Communications Towers and Antennae

Section 71.3, General Regulations

- a) *Wireless communication facilities shall comply with all applicable goals, objectives and policies of the general plan, area plans, zoning regulations and development standards.*

This report evaluates consistency with all applicable plans, goals, objectives, policies, standards, and criteria associated with wireless communication facilities in the "RL" Rural Lands zoning district.

- b) *Wireless communication facilities shall comply with all FCC rules, regulations, and standards.*

Wireless communication facilities are regulated in part by the FCC; the applicant has the burden of assuring compliance with all Federal and local regulations.

- c) *Wireless communication facilities shall comply with all applicable criteria from the Lake County Airport Land Use Compatibility Plan (ALUCP) and the Federal Aviation Administration (FAA).*

The County's Airport Land Use Compatibility Plan primarily relates to Lampson Field, a public airport located about 15 miles from the project site. The wireless communication facility would not conflict with the ALUCP given its location in Lucerne.

- d) *Wireless communication facilities shall be sited in the least visually obtrusive location possible as determined by the Community Development Director. Facility towers, antennas, buildings and other structures and equipment visible from adjacent residences or public vantage points, shall be designed, located, constructed, painted, screened, fenced, landscaped or otherwise architecturally treated to minimize their appearance and visually blend with the surroundings.*

The wireless communication facility site is located in a remote portion of a large property above the township of Lucerne. The tower has been disguised to look like a pine tree and will blend in with its surroundings in a more appropriate manner than would a regular 150' tall monopole tower.

- e) *Where a wireless communication facility exists on the proposed site location, colocation shall be pursued to the maximum extent feasible. If a co-location agreement*

cannot be reached, documentation of the effort and the reasons why co-location was not possible shall be submitted and reviewed by the Director of Community Development.

The material submitted by the applicant states that co-locating the wireless communication facility on other area wireless communication facilities was not possible.

- f) Other regulations enacted pursuant to the General Plan and Area Plans, may be applied to the proposed wireless communication facility, depending on the location and type of facility.*

All applicable local regulations are evaluated in this report for compliance.

- g) Antennas and antenna towers shall be inspected, following significant storm or seismic events, by a structural engineer licensed in the state of California to assess their structural integrity, and a report of the engineer of the engineer's findings shall be submitted to the Community Development Department. Costs of inspection and reporting shall be borne by the permit holder.*

This will be added as a condition of approval, along with a requirement for the applicant paying an inspection fee to cover staff time for non-building permit-related inspections.

71.8 General Development Standards for all Wireless Telecommunication Facilities: (a) Site Location:

- 1. Facility towers, antennas, buildings and other structures and equipment visible from adjacent residences or public vantage points, shall be designed, located, constructed, painted, screened, fenced, landscaped or otherwise architecturally treated to minimize their appearance and visually blend with the surroundings.*

Complies; the wireless communication facility is designed to look like a pine tree.

- 2. Co-location is required when feasible and when it minimizes adverse effects related to land use compatibility, visual resources, public safety and other environmental factors. Co-location is not required when it creates or increases such effects and/or technical evidence demonstrates to the satisfaction of the Community Development Director that it is not feasible due to physical, spatial, or technological limitations. Fiscal constraints or competitive conflicts are not considered justifiable reason for not co-locating a new facility where opportunity for co-location exists.*

The applicant stated in the material submitted that all attempts to co-locate the wireless communication facility on other lattice towers located within the coverage area were unsuccessful.

- 3. Wireless communication facilities shall not be sited in a way which will create visual clutter or negatively affect view from communities, highways and major collector roads, from Clear Lake or from highly used public areas, such as but not limited to parks and resorts.*

The site is located on a relatively heavily treed portion of a hilltop above Lucerne. The new monopine tower will generally blend in with its surroundings based on the photo-simulations submitted for the tower.

- 4. New communication facilities shall be discouraged on ridge top sites where they will be silhouetted against the sky from communities, highways and major collector roads or from highly used public areas, such as but not limited to parks and resorts.*

The site is located about four-fifths of an air mile from State Highway 20, a scenic highway. The site is not zoned 'Scenic Combining', and the photo simulations submitted for this tower show a tower that will be painted green and will generally blend in with its surroundings.

5. Wireless communications facilities shall be screened from any public viewing areas to the maximum extent feasible.

The site is located on a hilltop, and there are a number of trees in between the tower and the habited areas of Lucerne, as well as from the State Highway 20 and nearby public roads. The applicant is proposing a 6' tall screening fence to enclose the equipment needed to provide support for the wireless communication facility; however, given the remoteness of the site and the topography, the equipment enclosure will not be visible from any lot in the vicinity that contains a residence. The tower itself cannot be screened due to its height; however, the applicant has disguised the tower to make it look like a pine tree.

6. Disturbance of existing topography and on-site vegetation shall be minimized, unless such disturbance would substantially reduce the visual impacts of the facility.

Complies; the footprint of the equipment area is 2,500 sf in total size. The interior driveway will need to be improved, and the applicant will need to remove 16 trees, primarily oak trees. No replacement trees are required; however, the tree removal has been mitigated as discussed previously in this report.

7. Any exterior lighting, except as required for FAA regulations for airport safety, shall be manually operated and used only during night maintenance checks or in emergencies. The lighting shall be constructed or located so that only the intended area is illuminated, and off-site glare is fully controlled.

The applicant may be required to put lighting on top of the wireless communication facility to meet FAA regulations due to the proximity of Lampson Field, located about 15 miles to the west.

8. No telecommunication facility shall be installed at a location where special painting or lighting will be required by the FAA regulations unless the applicant has demonstrated to the Director of Community Development that the proposed location is the most feasible location for the provision of services as required by the FCC

The project site is not located in an area that might require special painting or lighting.

9. No telecommunication facility shall be installed within the safety zone of any airport within Lake County unless the airport owner/operator indicates that it will not adversely affect the operation of the airport, and the proposal is reviewed and approved by the Airport Land Use Commission.

The project site is located about fifteen miles from Lampson Field, the nearest airport. Which is well outside of the safety zone of the Lake County Airport Land Use Compatibility Plan.

10. No telecommunication facility shall be located in an environmentally sensitive habitat, such as but not limited to, wetlands, vernal pools, or special study areas containing rare and endangered plants and animals.

The applicant has provided a biological study of the project site; that notes that no avian nests or nesting activity were observed during the field survey. The trees and shrubs located within the immediate vicinity of the site provide suitable avian nesting habitat. The proposed construction

activities and tree removal could impact nesting and roosting species. In alignment with the mitigation measures within the Mitigated Negative Declaration, BIO-1, prior to tree removal, the permittee shall provide the Community Development Department with a nesting survey, done by a qualified biologist.

11. In instances where the wireless telecommunication facility is located near or in a residential area or located within a Community Growth Boundary or within one (1) mile of said Boundary, photos shall be submitted of the proposed facility from the nearest residential neighbors. In instances where the wireless communication facility would be visible from a State Highway or County Collector or Arterial Road or from Clear Lake a detailed visual analysis of the facility shall be submitted.

The site is located in a remote portion of land above Lucerne. The site is within one mile of the populated portion of Lucerne; however, given the terrain and tree coverage of the project site, the overall impact of the tower will be minimal as seen from the town of Lucerne.

12. Anti-climb devices or fencing and safety signage shall be installed to prevent unauthorized access to equipment.

The applicant is proposing a 6' tall chain-link screening fence. The wireless communication facility support pole is a round metal pole that would be difficult to climb. The location of the tower on a hilltop with gated/ locked access road is the main deterrent that would prevent people from climbing the wireless communication facility.

13. Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet with a dust-free, all-weather surface for its entire length.

The site is already accessed by a private road Leslie Place, which connects to a public road, Robinson Rd. in Lucerne; The applicant is proposing improvements to the driveway to make it PRC 4290 and 4291 compliant for emergency vehicle use and for employees that need to access the site to do maintenance on the tower.

14. A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot which meets the minimum lot size requirement for the Zoning District.

The property contains a single-family dwelling on a septic system and well.

15. A subdivision pursuant to the State Subdivision Map Act shall not be required for a lease parcel on which a communications tower is proposed to be constructed, provided the communications equipment building is unmanned.

The wireless communication facility and its support equipment area will be unmanned.

16. The maximum height of any communications tower shall be 150 feet.

The wireless communication facility will be 150' in height.

17. The foundation and base of any communications tower shall be setback from a property line (not lease line) located in any Residential District at least 100 feet and shall be set back from any other property line (not lease line) at least 50 feet.

The wireless communication facility is set back well over 150' from the property lines.

18. Existing trees and other vegetation which will provide screening for the proposed facility and associated access roads shall be protected from damage during construction. Additional landscaping or visual screening shall be installed and maintained where it would mitigate visual impacts of a communication facility. Introduced vegetation shall be native, drought tolerant species compatible with the predominant natural setting of the project area and shall be maintained through-out the life of the project. Communication facility sites, whether leased or purchased, shall be of sufficient size to include vegetative screening if landscaping would provide a useful reduction to visual impacts. No trees that provide visual screening of the communication facility shall be removed except to comply with fire safety regulations or to eliminate safety hazards. Tree trimming shall be limited to the minimum necessary for operation of the facility. 19. The communications equipment building shall comply with the required yards and height requirements of the applicable zoning district for an accessory structure.

The applicant is proposing the removal of 16 trees in order to improve the interior driveway, for this is needed in part for emergency services to be able to access the site, as well as for employee usage.

(b) Design Review and Frequency Emission Compliance

1. Towers and monopoles shall be constructed of metal or other non-flammable material, unless specifically conditioned by the County to be otherwise.

The base of the wireless communication facility is made of metal.

2. Support facilities (i.e., vaults, equipment rooms, utilities and equipment enclosures) shall be constructed of non-flammable, no-reflective materials and shall not exceed a height of twenty (20) feet.

The equipment within the 6' tall, fenced enclosure is proposed at less than 20' tall.

3. All ancillary buildings, poles, towers, antenna supports, antennas, and other components or telecommunication facilities shall be of a color or combination of colors approved by the Appropriate Authority. If the facility is conditioned to require paint, it shall initially be painted with a flat paint color approved by the Appropriate Authority and thereafter repainted as necessary with a flat paint color. Components of the telecommunication facility which will be viewed against soils, trees, or grasslands shall be of a color matching these landscapes.

This is consistent with the photo-simulations submitted for the project and will be required as a condition of approval.

4. A visual simulation of the wireless telecommunication facility shall be provided. Visual simulation shall consist of either a physical mock-up of the facility, a balloon simulation with a balloon tethered at the height of the proposed tower and of a diameter matching the maximum width of the proposed antenna, a computer simulation or other reasonable and comparable means.

Simulation photos of the wireless communication facility was provided on August 23, 2023.

5. Special design of the wireless telecommunication facilities may be required to mitigate potentially significant adverse visual impacts.

The wireless communication tower is designed to look like a pine tree.

6. All guy wires associated with guyed communications towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.

There are no guyed wires proposed with this cell tower facility.

7. The site of a communications tower shall be secured by a fence with a maximum height of 8 feet to limit accessibility by the general public.

The proposed fence is 6' tall and gated/ locked and equipped with a Knox box for emergency access for the local fire district.

8. No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction.

No lighting is proposed. A top-light may be required by the FAA; if required, this is a federal requirement that is beyond the control of the County.

9. Communications Towers shall be protected and maintained in accordance with the requirements of the County's Building Code.

A building permit is required for the construction of the tower itself and for the installation of the associated equipment. A grading permit will be necessary to authorize the earth movement for the pad preparation, improvements to the interior driveway, and the removal of the 16 trees as part of the project.

10. One off street parking space shall be provided within the fenced area.

The site plans submitted show adequate area for a vehicle to park on site.

11. Written documentation shall be submitted to the Community Development Department annually by permit holders, prepared by Radio Frequency Engineers or other qualified professionals, that verify compliance with FCC regulations if any change in facility conditions justify said documentation. Written affirmation shall be submitted to the Community Development Department annually by permit holders that verifies continuing compliance with FCC regulations.

The material submitted was prepared by Assurance Development who specialize in designing cellphone towers and telecommunication facilities.

ENVIRONMENTAL REVIEW

Tribal Comments

Lake County sent letters to 11 tribes on May 10, 2023, regarding the proposed project and offering consultation under AB52. Of the 11 notified Tribes, the Upper Lake Habematolel Tribe expressed interest in this project. No further request for consultation occurred following submission of the site plan and Cultural Study to the Upper Lake Habematolel Tribe.

Agency Comments

Staff received comments from the following agencies:

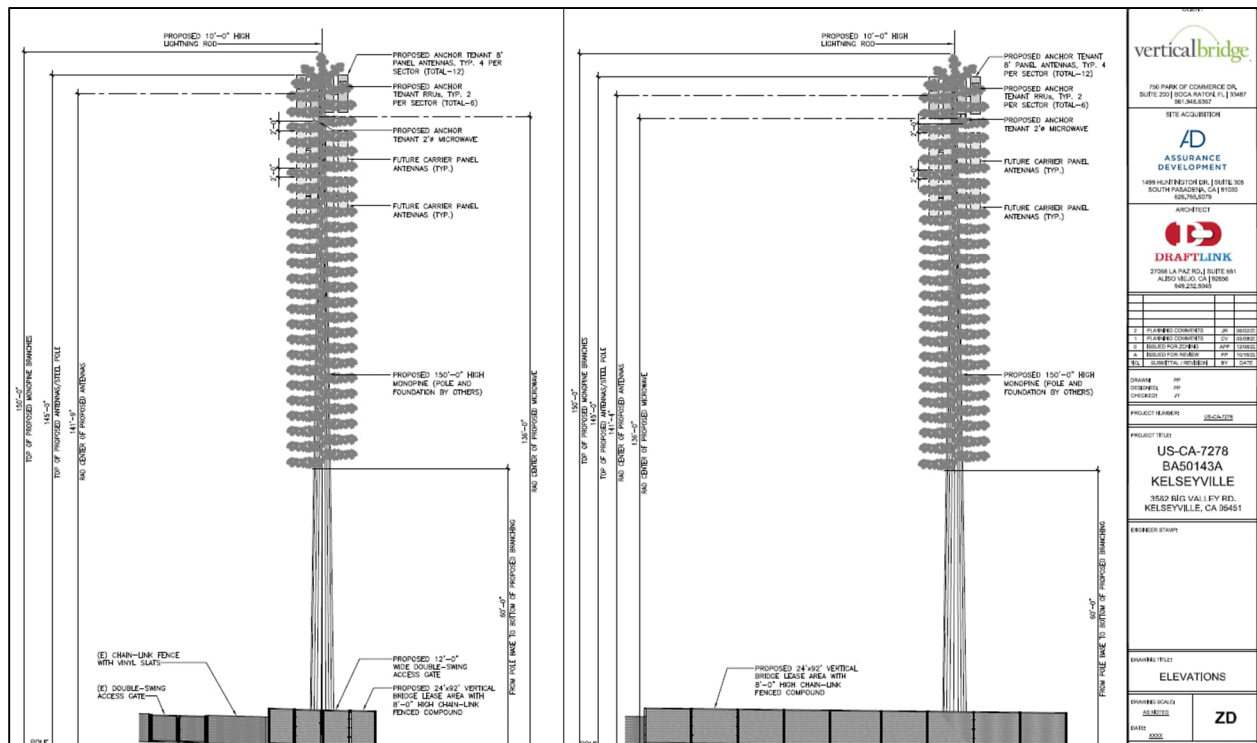
1. Lake County Community Development, Building and Safety Division
2. Lake County Public Works, Road Division
3. Lake County Public Services
4. Lake County Special Districts
5. Northshore Fire Protection District
6. Northwest Information Center
7. PG&E
8. North Coast Regional Water Quality Board

The California Environmental Quality Act (CEQA) requires agencies to evaluate the environmental implications of land use actions. The environmental review of this project resulted in a Mitigated Negative Declaration, which was uploaded to the State Clearinghouse on September 8, 2023. No adverse comments were received regarding this project from any notified State agency.

All potential environmental impacts have been reduced to less than significant with the incorporated mitigation measures described in the Initial Study (Attachment 4) and draft Conditions of Approval (Attachment 2). The following categories were identified as having potential environmental impacts:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hydrology/ Water Quality
- Tribal Cultural Resources
- Wildfire

Figure 4 – Tower Elevations



Source: Material Submitted by Applicant, 2025

The following mitigation measures are added into the Conditions of Approval:

Aesthetics. The project has some potential to impact aesthetics. The following mitigation measures will help reduce potential aesthetic impacts to less than significant levels:

- AES-1: Prior to operation, the applicant shall install a minimum 6' tall screening fence around the wireless communication facility's lease area. Fabric screening shall not be used due to poor durability; the screening material shall be chain link with slats, or a solid wood or metal fence.
- AES-2: All lighting shall be downcast and shall not be directly visible from public roads or neighboring lots. All lighting shall comply with fixture recommendations found in darksky.org.
- AES-3: Approval is for a 150' tall Monopine cell tower. Any changes to the appearance of the tower that do not qualify for a Federal Communications Commission (FCC) Eligible Facilities Request shall require a new use permit application.

Air Quality. The project has some potential to impact air quality during construction. The following mitigation measure will help reduce potential air quality impacts to less than significant levels:

- AQ-1: During site disturbance, the applicant shall apply palliatives (water) to the ground to minimize dust migration.
- AQ-2: Prior to installation, the applicant must obtain all necessary permits for the use of any diesel generators from the Lake County Air Quality Management District

Biological Resources. The project has some potential to impact biological resources during construction. The following mitigation measures will help reduce potential biological resource impacts to less than significant levels:

- BIO-1: If ground disturbing activities occur during the breeding and nesting season of nesting or roosting species (February 1 through September 15), surveys for active nests will be conducted by a qualified biologist no more than 10 days prior to start of activities.
- Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Pre-construction biological surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys shall follow required CDFW and USFWS protocols, where applicable. A qualified biologist shall survey suitable habitat for the presence of these species.
- If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area shall be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline.
- If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures shall be required.
- If active nesting sites are found, the following exclusion buffers shall be established, and no project activities shall occur within these buffer zones until

young birds have fledged and are no longer reliant upon the nest or parental care for survival:

- o Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds;
 - o Minimum no disturbance of 500 feet around active nest of non-listed raptor species; and 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
 - o Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.
 - o A variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW and USFWS shall be notified in advance of implementation of a no disturbance buffer variance.
- BIO-2: The applicant shall submit a fee to the California Oak Woodlands Conservation Fund for the removal of healthy trees from the site. The fee shall be calculated at a rate of \$325.00 per inch of Diameter at Breast Height (DBH) for each healthy tree removed, or at the established rate if it differs from this amount at the time of payment. For multi-stemmed trees, the DBH shall be averaged to determine the applicable fee. The maximum total payment required under this measure shall not exceed \$19,000. Proof of payment, in the form of a receipt from the California Oak Woodlands Conservation Fund, shall be submitted to the Community Development Department prior to the commencement of project operations.
- BIO-3: Prior to construction or earthwork, the Tree Protection Zone (TPZ), Structural Root Zone (SRZ) and Critical Root Zone (CRZ) shall be identified and flagged per the Tree Protection Management Plan and Arborist Report. The Tree Preservation Guidelines noted in the Arborist and Tree Preservation Plan prepared by Davey Resource Group (November 2023) (Attachment 5) shall be implemented if they are applicable.

Cultural Resources. The project has some potential to impact cultural resources during construction and ground disturbance. The following mitigation measures will help reduce potential cultural resources impacts to less than significant levels:

- CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work.
- CUL-2: All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during

ground disturbance. Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training.

- CUL-3: Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified archaeologist for proper interment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.

Geological and Soil Resources. The project has some potential to impact geologic and soil resources during construction and ground disturbance. The following mitigation measure will help reduce potential geological and soil resources impacts to less than significant levels:

- GEO-1: Prior to ground disturbance and/or tree removal, the applicant shall obtain a grading permit. The applicant shall submit an engineered Grading and Erosion Control Plan to the County that estimates the amount of earth that will be moved, and how dust will be mitigated during the ground disturbance. Grading activities shall be limited to April 15-October 15, unless otherwise adjusted according to weather and soil conditions, at the discretion of the Administrative Official. Grading and Erosion Plans, and grading activities shall comply with Chapter 30, Grading Ordinance of the Lake County Municipal Code.
- GEO-2: The applicant shall submit a Stormwater Erosion Control Plan to the Lake County Building Division with the building permit application. The Best Practice Management Plan shall be submitted with the Stormwater Erosion Control Plan

Hydrology and Water Quality. The project has some potential to impact hydrology and water quality during construction and ground disturbance. The following mitigation measures will help reduce potential hydrology and water quality impacts to less than significant levels:

- Less Than Significant Impact with GEO-1 through GEO-2 incorporated.

Tribal Cultural Resources. The project has some potential to impact Tribal Cultural Resources during construction and ground disturbance. The following mitigation measures will help reduce potential tribal culture resources impacts to less than significant levels:

- TCR-1: All on-site personnel of the project shall receive tribal cultural resource sensitivity training prior to initiation of ground disturbance activities on the project. The training must be according to standards of NAHC or the culturally affiliated Tribe(s). Training will address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training will also provide a process for notification of discoveries to culturally affiliated Tribes, protection, treatment, care and handling of Tribal Cultural Resources discovered or disturbed during ground disturbance activities of the project. Tribal monitors will be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project.
- TCR-2: If previously unidentified Tribal Cultural Resources are encountered during the project altering materials and their stratigraphic context shall be avoided, and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources.

A representative from a locally-affiliated Tribe(s) shall be contacted to evaluate the resource and prepare a tribal cultural resource plan to allow for identification and further evaluation in determining the Tribal Cultural Resource significance and appropriate treatment or disposition.

Wildfire. The project has some potential to impact wildfire risk on site, primarily during construction. The following mitigation measures will reduce potential risk from wildfire to less than significant levels.

- WILD-1: The applicant shall keep a water tender truck on site during site disturbance to reduce the impacts that might result from a spark creating a wildfire on site.
- WILD-2: Prior to operation, the applicant shall improve the interior driveway to meet Public Resource Code 4290 and 4291 driveway standards.

Article 51.4, Major Use Permit Findings for Approval

The Review Authority shall only approve or conditionally approve a Major Use Permit (LCZO Section 51.4, Major Use Permits) if all of the following findings are made:

1. *That the establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental to property and improvements in the neighborhood or the general welfare of the County.*

The use of the site with a wireless communication facility is permitted by Article 27, Table B, subject to review and approval of a major use permit and development review. The immediate area is characterized by undeveloped and larger lots to the north, east and south, and by substandard subdivision lots to the southwest and west that are, and will likely remain, undeveloped due to the lack of infrastructure available to these smaller lots.

2. *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.*

The footprint of the mechanical enclosure is 2,500 sf in area (50' x 50'). The project property is approximately 47.97 acres in size and is large enough to easily accommodate the wireless communication facility and its 50' x 50' equipment enclosure area.

3. *That the streets, highways, and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.*

The tower site is accessed via a private road, Leslie Place, which connects with Robinson Road, a county-maintained dirt road located in Lucerne. The interior driveway will be improved to provide adequate access to the site for emergency service providers and for maintenance employees of the tower. A grading permit will be required for the road improvements, for tree removal, and for the pad preparation that will involve some earth movement.

4. *That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.*

The only public services needed for this unmanned wireless communication facility is power. The site is served by PG&E on-grid power, and wireless communication facilities generally do not use

significant amounts of power to operate. The tower will also be equipped with a backup generator in the event of a power loss.

The application was routed to all affected public and private service providers, including Public Works, Environmental Health, Specials Districts, Water Resources and PG&E. All agency comments are attached (Attachment 7). No adverse comments were received.

5. *That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan.*

The project was evaluated for compliance with Chapters 3 and 5 of the General Plan, the Shoreline Communities Area Plan, and various articles within the Lake County Zoning Ordinance. This report identifies compliance within each of the respective documents required for the review of this wireless communication facility.

6. *That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.*

There are no documented violations of Chapters 5, 17, 21, 23 or 26 of the Lake County Code on the subject property.

RECOMMENDATION

Staff recommends the Planning Commission take the following actions:

- A. Adopt Initial Study (IS 23-07/ PL-25-63) for Major Use Permit (UP 23-03/ PL-25-63) with the following findings:
 - 1. Potential impacts to Aesthetics can be mitigated to 'less than significant' levels with the inclusion of mitigation measure AES-1 through AES-3.
 - 2. Potential impacts to Air Quality can be mitigated to less than significant levels with the inclusion of mitigation measures AQ-1 and AQ-2.
 - 3. Potential environmental impacts related to Biological Resources can be mitigated to less than significant with the inclusion of mitigation measure BIO-1 through BIO-3.
 - 4. Potential environmental impacts related to Cultural Resources can be mitigated to less than significant levels by mitigation measures CUL-1 through CUL-3.
 - 5. Potential impacts to geological and soil resources can be mitigated to less than significant levels through mitigation measures GEO-1 and GEO-2.
 - 6. Potential impacts to Hydrology and Water resources can be mitigated to less than significant levels through mitigation measures GEO-1 and GEO-2
 - 7. Potential environmental impacts related to Tribal Cultural Resources can be mitigated to less than significant levels by mitigation measures TCR-1 through TCR-3.

8. Potential environmental impacts related to Wildfire can be mitigated to less than significant levels with the inclusion of mitigation measures WILD-1 and WILD-2.
 9. This project is consistent with land uses in the vicinity.
 10. This project is consistent with the Lake County General Plan, Shoreline Communities Area Plan and Lake County Zoning Ordinance.
- B. Approve Major Use Permit (UP 23-03/ PL-25-63) with the following findings:
1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental to property and improvements in the neighborhood or the general welfare of the County.
 2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
 3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use with mitigation measure added.
 4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
 5. That the project is in conformance with the applicable provisions and policies of this Code, the Lake County General Plan, the Shoreline Communities Area Plan and the Lake County Zoning Ordinance.
 6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.
 7. That the project meets all requirements found within Articles 7, 27, 41, 51.4 and 71, and complies with all applicable Plans adopted by Lake County.

Sample Motions:

Mitigated Negative Declaration (IS 23-07/ PL-25-63)

I move that the Planning Commission find that potential impacts associated with this project can be mitigated 'less than significant' through the implementation of the Mitigated Negative Declaration (IS 23-07/ PL-25-63) for Vertical Bridge (VB BTS II, LLC) on property located at 6720 Leslie Place, Lucerne (APN: 006-003-01) with the findings in the staff report dated October 9, 2025

Major Use Permit (UP 23-03/ PL-25-63)

I move that that the Planning Commission approve Major Use Permit (PL-25-63/ UP 23-03) for Vertical Bridge (VB BTS II, LLC) on property located at 6720 Leslie Place, Lucerne (APN: 006-003-01) based on the findings and subject to the conditions in the Staff Report dated October 9, 2025.

NOTE: *The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission's decision, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Planning Commission's final determination.*