

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP25-02020,
LYNDA MCCLUNG, NETWORK CONNEX ON BEHALF OF CROWN CASTLE/T-MOBILE
WEST LLC (APPLICANT), HJSCMB-DONOVAN LLC (OWNER)**

FINDINGS

A. Land Use Permit Findings

1. *The proposed project shall not be detrimental to the health, safety and general welfare of the County;*

Project Finding: This Land Use Permit allows modification of the conditions of approval of Land Use Permit CDLP22-02072 to remove condition number 10, which requires the permittee to remove the equipment and restore the lease area of an adjacent Sprint wireless telecommunications facility that was never part of any land use permit issued to the permittee for the subject, existing Crown Castle wireless telecommunications facility that is currently in use by T-Mobile. The modification does not change the use of the wireless facility and no physical changes to the site are proposed. There is no evidence that action for an existing wireless telecommunications facility will be detrimental to the health, safety and general welfare of the County.

2. *The proposed project shall not adversely affect the orderly development of property within the County;*

Project Finding: The wireless telecommunications services provided at this site benefit a wide range of the County's population (e.g., daily commuters, local employees, residents, and 911 service providers), and therefore, the wireless telecommunication facility is a beneficial use at this location. This Land Use permit allows modification of the conditions of approval of Land Use Permit CDLP22-02072 to remove condition number 10 that requires the permittee to remove the equipment and restore the lease area of an adjacent Sprint facility that was never part of any land use permit issued to the permittee for the subject, existing Crown Castle wireless facility. The modification does not change the use of the wireless facility and no physical changes to the site are proposed. As conditioned, the project is consistent with applicable policies and regulations of the County's Wireless Telecommunications Facilities Ordinance (County Code Chapter 88-24). Thus, the granting of a land use permit to modify the conditions of approval of

Land Use Permit CDLP22-02072 will not adversely affect the orderly development of property within the County.

3. *The proposed project shall not adversely affect the preservation of property values and the protection of the tax base within the County;*

Project Finding: The existing wireless telecommunications facility has existed at its current location since 1998. Modifying the conditions of approval of Land Use Permit CDLP22-02072 to remove condition number 10, which requires the permittee to remove the equipment for the Sprint wireless facility that was never part of the land use permits granted for the establishment and continued operation of the subject wireless telecommunications facility does not affect the operation or use of the facility. The facility is in current use by T-Mobile and will continue to be unmanned and is not expected to impact development activity in the area or result in an adverse impact on the value of properties within the area. Given that the facility and surrounding land uses have remained consistent for over twenty five years, there is no indication that the action will adversely affect the preservation of property values and the protection of the tax base within the County.

4. *The proposed project as conditioned shall not adversely affect the policy and goals as set by the General Plan;*

Project Finding: The project site is located within an AL Agricultural Lands General Plan land use designation. The purpose of the AL designation is to preserve and protect lands capable of and generally used for the production of food, fiber, and plant materials. Consistent with this designation, the site has historically been used for cattle grazing. Pursuant to the Wireless Telecommunications Facilities Ordinance (Ordinance No. 2016-11), a wireless telecommunications facility may also be located in agriculturally designated areas. The wireless telecommunications services provided at the project site benefit a wide range of the County's population (e.g., daily commuters, local employees, residents, and 911 service providers), and therefore, the wireless telecommunication facility is a beneficial use at this location. The project involves modifying the conditions of approval of Land Use Permit CDLP22-02072 to remove condition number 10 related to a Sprint facility that is separate from and not part of this land use permit. The modification does not change the nature or operation of the existing wireless telecommunications facility on the site, and does not alter the site in a manner that will affect grazing or other agricultural activity on undeveloped portions of the property. Thus, the action to modify the conditions of approval of a previously

approved wireless facility will not detract from the purpose and intent of the AL General Plan designation.

5. *The proposed project shall not create a nuisance and/or enforcement problem within the neighborhood or community;*

Project Finding: This Land Use permit allows modification of the conditions of approval of CDLP22-02072 to remove condition number 10 which required the permittee to remove the equipment and restore the lease area of an adjacent Sprint facility that was never part of any land use permit issued to the permittee for the existing Crown Castle wireless telecommunications facility. The modification does not change the use of the wireless facility and no physical changes to the site are proposed. The project, as conditioned, will not create a nuisance and/or enforcement problem within the neighborhood or community. There has been no record of code compliance issues with the existing wireless telecommunications facility, and there is no evidence to suggest that the wireless facility creates a nuisance or enforcement problem within the area.

6. *The proposed project as conditioned shall not encourage marginal development within the neighborhood;*

Project Finding: In general, wireless telecommunications facilities do not encourage development, which is subject to the applicable sections of the General Plan and the Zoning Code, as well as physical constraints on the parcel and adjacent properties. Where there is a sizeable population, major road, or need for telecommunications services, the public demands wireless telecommunications services. The modification of the conditions of approval of Land Use Permit CDLP22-02072 to remove condition number 10 does not change the use of the wireless telecommunications facility and no physical changes to the site are proposed. Thus, there is no evidence that the granting of the requested land use permit modification will encourage marginal development within the neighborhood.

7. *That special conditions or unique characteristics of the subject property and its location or surroundings are established.*

Project Finding: This wireless telecommunications facility was established on the project site in 1998 under Land Use permit CDLP98-02016 and has been in operation since, providing wireless telecommunications services to the

surrounding area. The modification of the conditions of approval of Land Use Permit CDLP22-02072 to remove condition number 10 does not change the use of the Crown Castle facility and no physical changes to the site are proposed. The remaining conditions of approval of CDLP22-02072 will remain in full force and effect. As conditioned, the wireless telecommunication facility will remain consistent with the AL Residential Low Density General Plan land use designation, the A-40 Agricultural Preserve District, the Wireless Telecommunications Facilities Ordinance, and applicable FCC regulations.

B. Wireless Telecommunications Facility Land Use Permit Findings (County Code Section 88-24.614(b))

1. *The application is complete.*

Project Finding: County staff deemed the application complete and acceptable on January 19, 2026.

2. *The facility or substantial change will meet the requirements of this chapter.*

Project Finding: The Crown Castle wireless telecommunications facility was first established under Land Use Permit CDLP98-02016 and most recently renewed upon approval of Land Use Permit CDLP22-2072. This CDLP25-02020 Land Use Permit application modifies the conditions of approval of CDLP22-02072 to remove condition number 10 that requires the applicant to remove the equipment and restore the lease area of an adjacent Sprint wireless telecommunications facility that was never part of any land use permit for the subject wireless telecommunications facility. The remaining conditions of approval of CDLP22-02072 will remain in full force and effect. Accordingly, the operation and use of the wireless telecommunications facility will remain consistent with all applicable requirements within Chapter 88-24 of the County Ordinance Code.

3. *The facility or substantial change has been reviewed pursuant to all appropriate environmental laws and regulations, including the California Environmental Quality Act (CEQA).*

Project Finding: The Crown Castle wireless telecommunications facility was first established under Land Use Permit CDLP98-02016 and most recently renewed upon approval of Land Use Permit CDLP22-02072. The current action to modify the conditions of approval of Land Use Permit CDLP22-02072 to remove condition

number 10 does not change the use of the wireless facility and no physical changes to the site are proposed. Pursuant to CEQA Guidelines Section 15061(b)(3) regarding the General Rule of Applicability, the action is exempt from CEQA review as it can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment.

4. *If an environmental impact report or mitigated negative declaration was prepared for the facility or substantial change, the facility or substantial change will incorporate all mitigation measures identified in either of those documents. Each mitigation measure will be included as a term of the permit.*

Project Finding: Removing CDLP22-02072 condition of approval number 10 does not change the use of the wireless facility and no physical changes to the site are proposed, and therefore, the CDLP25-02020 application is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3), and does not require preparation of either an environmental impact report or a mitigated negative declaration.

5. *If the Contra Costa County Airport Land Use Commission reviewed and commented on the application, the facility or substantial change will incorporate each mitigation measure recommended by the commission and deemed by the Zoning Administrator to be necessary to protect public safety, health, and welfare. Each mitigation measure will be included as a term of the permit.*

Project Finding: The project site is not within or proximate to any zones identified by the Airport Land Use Commission as areas of planning interest. Thus the CDLP25-02020 application is not subject to review by the Airport Land Use Commission.

6. *The applicant has provided the financial assurance required by this chapter.*

Project Finding: Pursuant to CDLP22-02072 condition of approval number 9, the applicant is required to provide financial assurance for the removal of the as-built facility throughout the life of the permit. Condition number 9 remains in full force and effect with Land Use Permit CDLP25-02020.

7. *The applicant has paid all required fees and costs, including but not limited to the application fee, any required environmental review fee, and any required peer review fee.*

Project Finding: The applicant has paid the initial deposit of \$2,300 for this Land Use Permit modification, and time and material costs have exceeded the initial deposit. Pursuant to Condition of Approval #7, the applicant is responsible for any additional fees that exceed the initial deposit.

C. California Environmental Quality Act (CEQA) Findings

The project is exempt under CEQA Guidelines Section 15061(b)(3) regarding the General Rule of Applicability, where it can be seen with certainty that there is no possibility that the activity may have a significant adverse effect on the environment. The action is to modify the conditions of approval of approved Land Use Permit CDLP22-02072 to remove condition number 10, which requires the applicant and/or operator of an existing Crown Castle wireless facility currently in use by T-Mobile, to remove the equipment and restore the lease area of an adjacent Sprint wireless facility that was operating under a separate land use permit. The action does not change the operation or use of the Crown Castle facility and no physical changes to the site are proposed. Thus, there is no possibility that the activity may have a significant adverse effect on the environment.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDLP25-02020

Project Approval

1. This application for a Land Use Permit to allow the modification of the conditions of approval of Land Use permit CDLP22-02072 to remove condition number 10 is APPROVED.
2. The Land Use Permit approval described above is based on:
 - Project application accepted by the Department of Conservation and Development, Community Development Division (CDD) on August 1, 2025.
3. This Land Use Permit is granted for the remaining term of Land Use Permit CDLP22-02072 to October 13, 2033.
4. Unless expressly stated otherwise herein, the Conditions of Approval of Land Use Permit CDLP22-02072 shall remain in full force and effect.

5. Condition of Approval number 10 of Land Use Permit CDLP22-02072, related to the removal of structures, equipment, and signage and restoration of the lease area associated with the adjacent Sprint facility, is removed, and the permittee is not required to comply with the condition.
6. No construction is approved with this permit. Any construction at this wireless telecommunications facility shall require the filing of an application for a Wireless Minor Alteration Permit or a new Land Use Permit prior to application for a building permit.

Application Costs

7. The land use permit application was subject to an initial deposit of \$2,300.00. Applications are subject to time and material costs if the application review expenses exceed the initial deposit. **Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first.** The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs by contacting the project planner. A bill will be mailed to the applicant shortly after permit issuance in the event that additional fees are due.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL, BUT ARE NOT A PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

- A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq., the applicant has the opportunity to protest fees,

dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

- B. Prior to applying for a building permit, the applicant may wish to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
- Department of Conservation and Development, Building Inspection Division
 - Contra Costa Health, Environmental Health Division
 - Contra Costa County Fire Protection District
 - Federal Communications Commission