



# **RESOLUTION NO. 26-021**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**A RESOLUTION TO DENY THE APPEAL AND TO UPHOLD THE DECISION OF THE ZONING ADMINISTRATOR TO APPROVE A CONDITIONAL USE PERMIT (CUP23-0002) AND STEEP SLOPES MANAGEMENT PLAN (MGT24-0018) FOR THE REMOVAL OF AN EXISTING 41 FOOT TALL MONOPOLE AND REPLACING IT WITH A NEW 90 FOOT TALL MONOPINE AT AN EXISTING UNMANNED WIRELESS COMMUNICATION FACILITY LOCATED AT 22258 JUNIPER STREET, FLORISTON, CA, APN: 048-130-026.**

WHEREAS, on March 28, 2023, Crown Castle on behalf of T-Mobile (“T-Mobile” or “Applicant”) submitted an application for a Conditional Use Permit and Steep Slopes Management Plan to remove an existing 41 foot tall monopole and replace it with a new 90 foot tall monopine at an existing unmanned wireless communication facility (“Project”) at 22258 Juniper Street, Floriston, CA; and

WHEREAS, on November 12, 2025, the Zoning Administrator approved a Conditional Use Permit and Steep Slopes Management Plan for the removal of an existing 41 foot tall monopole and replacing it with a new 90 foot tall monopine at an existing unmanned wireless communication facility; and

WHEREAS, approval of the project was conditioned to comply with the County’s Zoning Ordinance and to ensure less than significant impacts to all environmental issues; and

WHEREAS, pursuant to Title 12, Chapter 5, Section 12.05.120.D of the Nevada County Code, any decision of the Zoning Administrator may be appealed within 10 days after the date of the decision; and

WHEREAS, on November 24, 2025, Gary Mapa (“Appellant”) filed a timely appeal of the Zoning Administrator’s November 12, 2025 conditional approval of the Conditional Use Permit and Steep Slopes Management Plan; and

WHEREAS, on December 16, 2025, the Board of Supervisors accepted the appeal filed by Gary Mapa and heard the appeal on January 13, 2026; and

WHEREAS, the project was found consistent for approval under the Steep Slopes Management Plan requirements for construction activities proposed within slopes in excess of 30% pursuant to Title 12, Chapter 4, Section 12.04.213 and Title 12, Chapter 5, Section 12.05.051 Administrative Development Permit; and

WHEREAS, the project was found consistent for approval under the Conditional Use Permit requirements for wireless communication towers pursuant to Title 12, Chapter 3, Section 12.03.080 and Title 12, Chapter 5, Section 12.05.060 Use Permits; and

WHEREAS, T-Mobile has shown by substantial evidence that a significant gap in wireless communication service exists; and

WHEREAS, T-Mobile has made a *prima facia* case that the manner in which T-Mobile proposes to fill the significant gap in service is the least intrusive option as shown by T-Mobile's site justification; and

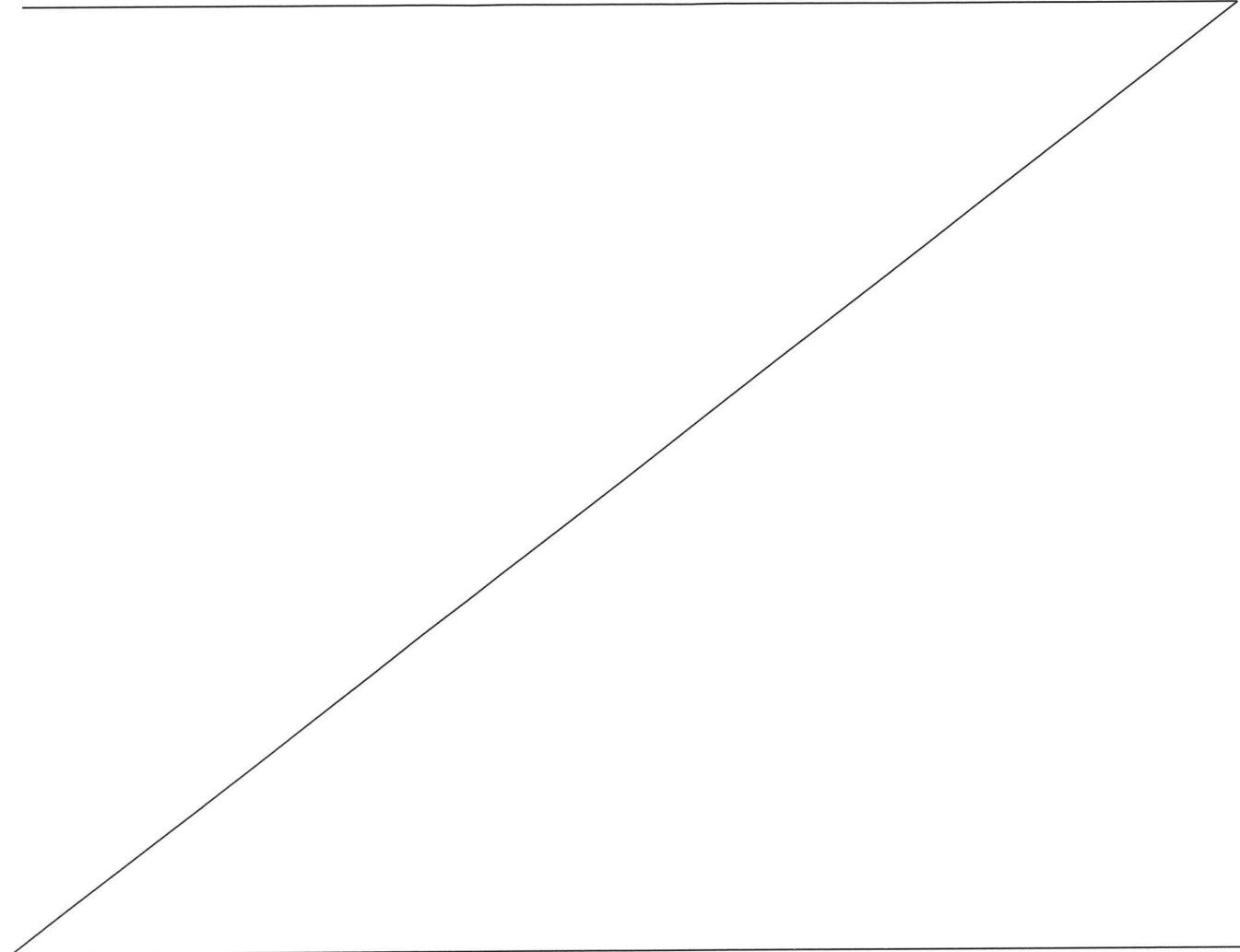
WHEREAS, Appellant has failed to show that there exists some potentially available and technologically feasible alternative to the proposed Project; and

WHEREAS, on January 13, 2026, the Board of Supervisors held a duly noticed public hearing at which the Board considered all evidence both oral and written regarding the appeal and denied the appeal, upholding that the decision of the Zoning Administrator to approve a Conditional Use Permit and Steep Slopes Management Plan to remove an existing 41 foot tall monopole and replace it with a new 90 foot tall monopole at an existing unmanned wireless communication facility; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Nevada hereby finds and determines:

1. The facts set forth above are true and correct.
2. The proposed project is consistent with the intent of the goals, standards, and elements of Title 2, Chapter 2 of the Nevada County Code.
3. There is no substantial evidence in the record supporting a fair argument that the proposed project, as conditioned, might have any significant adverse impact on the environment.
4. Adequate facilities and services exist within the project area which will be available to serve the project without decreasing service levels to other areas to ensure that the proposed use is not detrimental to the public welfare, including utility service and fire protection.
5. The conditions provided in the Project Conditions of Approval dated November 12, 2025, are deemed necessary to protect the public health, safety, and general welfare.
6. Add a Condition of Approval to require the applicant to defend and indemnify the County of Nevada is deemed necessary to the public welfare.
7. Applicant has shown by substantial evidence that a significant gap in wireless communication service exists.
8. Applicant has made a *prima facia* case that the manner in which Applicant proposes to fill the significant gap in service is the least intrusive option as shown by Applicant's site justification.
9. Appellant has failed to show that there exists some potentially available and technologically feasible alternative to the proposed Project.
10. The location and custodian of the documents which constitute the record of these proceedings is the Nevada County Planning Department, 950 Maidu Avenue, Nevada City, California.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby denies the appeal filed by Gary Mapa and upholds the decision of the Zoning Administrator to approve the Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018) to remove an existing 41 foot tall monopole and replace it with a new 90 foot tall monopole at an existing unmanned wireless communication facility based on the findings as set forth herein and adoption of the Conditions of Approval set forth in the Project Conditions of Approval dated November 12, 2025.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 13th day of January 2026, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, Susan Hoek, and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN  
Chief Deputy Clerk of the Board of Supervisors

By: Lam Cecchi



Lisa Swarthout  
Lisa Swarthout, Chair

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COUNTY OF NEVADA

(Attach pages if needed)

NOV 24 2025  
NEVADA COUNTY  
BOARD OF SUPERVISORS

NEVADA COUNTY  
BOARD OF SUPERVISORS

APPEAL TO BOARD OF SUPERVISORS  
(Per Nevada County Code section 12.05.120)

Any applicant or interested party may file an appeal with the Board of Supervisors requesting review of any final action taken by Various County Agencies. Such appeal shall be filed with the Clerk of the Board of Supervisors within **ten (10) calendar days** from the date of the Agency's Action, except amendments to the General Plan or Zoning Ordinance, which shall be filed within **five (5) calendar days**. (If the final calendar day falls on a weekend or holiday, then the deadline is extended to the next working day.) Filing shall include all information requested herein and shall be accompanied by the appropriate filing fee. The statements (required below) must contain sufficient explanation of the reasons for and matters being appealed in order to facilitate the Board of Supervisors initial determination as to the propriety and merit of the appeal. Any appeal which fails to provide an adequate statement may be summarily denied. The filing of such an appeal within the above stated time limit shall stay the effective date of the action until the Board of Supervisors has acted upon the appeal.

I. APPEAL: I/We, the undersigned, hereby appeal the decision/recommendation of the

ZONING ADMINISTRATOR

Agency Name

SEE ATTACHMENT - APPEAL PLN27-0623; CUA23-0002; MBL24-0018, E1527-0001,  
Agency File No. PLN21-0273/ADP21-00114; PLN17-0006/LL217-0002, ADP14-016  
ADP12-011, ADP05-007, ADP02; ADP04-011, ADP04-001, U97-035, U91-019  
Date of Decision

PLANNING AGENCY DECISIONS:

- Environmental Impact Report  
19.01.200 California Environmental Quality Act; County CEQA  
Guidelines and Procedures; Appeals of the Adequacy of the EIR
- Floodplain Management Regulations (Floodplain Administrator)  
18.01.040 Floodplain Management Regulations; Administration
- Historic Preservation Combining District  
12.02.072 Zoning Regulations; Zoning Districts; HP Combining District
- Inoperable Vehicles  
12.05.200 Zoning Regulations; Administration and Enforcement;  
Abatement and Removal of Inoperable Vehicles
- Land Use Applications  
12.05.000 Zoning Regulations; Administration and Enforcement
- Negative Declaration  
19.01.120 California Environmental Quality Act; County CEQA  
Guidelines and Procedures; Negative Declaration
- Rules of Interpretation  
12.01.040 Zoning Regulations; General Provisions; Rules of  
Interpretation

PUBLIC WORKS DECISIONS:

Roadway Encroachment Permit  
16.05.160 General Regulations; Regulating Roadway Encroachments; Appeals

CDA DECISIONS:

Outdoor Events  
10.16.080 Public Lands, Waterways, and Watercraft; Special and Outdoor Events; Processing Application; Bonds; Appeals.

FIRE AGENCY DECISIONS:

Fee Assessments (Fire Protection District)  
17.02.060 Mitigation and Development Fees; Fire Protection Development Fees; Appeal from Fee Assessment

Fire Safety Regulations; General Requirements (Fire Safety Reg. Hearing Body)  
4.02.070 Fire Safety Regulations; General Requirements; Appeals

Hazardous Vegetation Abatement (Local Fire Official)  
4.01.090 Fire Safety Regulations; Hazardous Vegetation and Combustible Materials Abatement; Appeals Process (No Fee to File Appeal)

ENVIRONMENTAL HEALTH DECISIONS:

Sewage Disposal (Sewage Disposal Technical Advisory Group)  
15.01.180 Sanitation; Sewage; Appeals

Water Supply and Resources (Health Officer)  
15.05.180 Sanitation; Water Supply and Resources, General provisions; Appeal Procedures

List All Agency Action(s) Taken That Are BeingAppealed: \_\_\_\_\_

SEE ATTACHES MADE A PART OF THIS FORM  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

II. STATEMENT OF THE REASONS FOR THE APPEAL:

SEE ATTACHES MADE A PART OF THIS FORM  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. STATEMENT OF THE SPECIFIC PROVISIONS WHICH ARE BEING APPEALED:

SEE ATTACHED MADE A PART OF THIS FORM

IV. STATEMENT OF THE CHANGES OR ACTION REQUESTED OF THE BOARD

OF SUPERVISORS:

SEE ATTACHED MADE A PART OF THIS FORM

V. SUMMATION OF THE ARGUMENTS TO BE RAISED BY THE APPELLANT(S):

SEE ATTACHED MADE A PART OF THIS FORM

VI. IDENTIFICATION OF THE APPELLANT(S):

Grey G. MAPA 350 Cuckoo Ct. (POB 621) ALLEGATE, CA 95707  
(Name) [gmapa@earthlink.net](mailto:gmapa@earthlink.net) (Mailing Address) 530-320-9097 (Telephone)

VII. NOTICE: (Multiple appellants should select one representative for purposes of notice.

All notices to appellant(s) should be mailed to: (Please Print)

Gary G. Mapa      350 cucarao cr (P.O. 621)      APPLEGATE, CA 95703  
(Name/Representative)      (Mailing Address)      (Telephone)  
gmapa@reatta.com      Appellant:      530-320-9097

Gary G. Mapa  
(Sign)

Dated: 11-24-2025

GARY G. MAPA  
(Print)

FOR OFFICE USE ONLY

\$1,975.80

Filing Fee

11/24/25

Date Filed

Blaine Inglis  
Received By

Appeal form to be returned to: Nevada County Board of Supervisors Office, Eric Rood  
Administrative Center, 950 Maidu Avenue, Nevada City, CA 95959-8617. (530) 265-1480

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ATTACHMENT TO APPEAL

COUNTY OF NEVADA

(Attach pages if needed)

NEVADA COUNTY  
BOARD OF SUPERVISORS

**APPEAL TO BOARD OF SUPERVISORS**  
(Per Nevada County Code section 12.05.220)

Any applicant or interested party to whom a Notice of Violation, Abatement Order, and/or an Administrative Citation is issued may request and Administrative Hearing within five (5) calendar days of service of the Notice of Violation, Abatement Order, and/or Administrative Citation. (If the final calendar day falls on a weekend or holiday, then the deadline is extended to the next working day.) Filing shall include all information requested herein. Further information regarding fees and fines available in Nevada County Code section 12.05.220.

I. APPEAL: I/We, the undersigned, hereby appeal the determination of the:

Zoning Administrator

Agency Name

PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001. PLN21-0273/ADP21-0114; PLN17-0006/LLA17-0002;  
ADP14-016; ADP12-011; ADP05-007; ADP05-002; ADP04-011; ADP04-001; U 03-014; U 97-035; U 96-019

Nov 12, 2025

Agency File No./Case No.

Date of Notice

List All Agency Action(s) Taken That Are BeingAppealed: See All Attachments

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II. STATEMENT OF THE REASONS FOR THE APPEAL:

See All Attachments

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III. STATEMENT OF THE SPECIFIC PROVISIONS WHICH ARE BEING APPEALED:

See All Attachments

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IV. STATEMENT OF THE CHANGES OR ACTION REQUESTED OF THE HEARING BODY:

REVERSE APPROVAL

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NEVADA COUNTY  
BOARD OF SUPERVISORS

**APPEAL OF A FINAL ZONING OR LAND USE DECISION**

Nevada County Board of Supervisors

**1. Applicant / Appellant Information**

Name: Gary G. Mapa      November 24, 2025

Mailing Address: 350 Cuckoo Ct. (POB 621), Applegate, CA 95703

Phone: 530-320-9097      Email: gmapa@reatta.com

Status:  Applicant  Neighbor  Interested Party  Representative of Organization

(Name): Gary G. Mapa

**2. Project Information**

Project Name / Description: FILE NOs: PLN23-0023; CUP23-0002; MGT24-0018;  
EIS23-0001

Project File Number (CUP, TPM, etc.): PLN21-0273/ADP21-0114; PLN17-0006/LLA17-  
0002; ADP14-016; ADP12-011; ADP05-007; ADP05-002; ADP04-011; ADP04-001; U 03-  
014; U 97-035; U 96-019

Project Address / APN: **LOCATION:** The project is located at **22258 Juniper Street in Floriston, CA 96111**, approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision in unincorporated Eastern Nevada County.

**ASSESSOR PARCEL NUMBER: 048-130-026**

Decision Body:  Planning Commission  Zoning Administrator

Decision Date: November 12, 2025

**3. Basis for Appeal**

(Select all that apply)

Procedural Errors

Findings not supported by evidence

CEQA issues (e.g., inadequate review)

Public health/safety impacts

Other: \_\_\_\_\_

**4. Statement of Appeal**

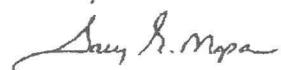
(See-Attachment)

**5. Relief Requested**

Reverse approval.

**6. Signature**

I hereby certify that the information provided is true and correct to the best of my knowledge.



Gary G. Mapa  
350 Cuckoo Ct. (POB 621)  
Applegate, CA 95703  
[gmapa@reatta.com](mailto:gmapa@reatta.com)  
530-320-9097

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NEVADA COUNTY  
BOARD OF SUPERVISORS

STATEMENT OF APPEAL

Submitted by: Gary G. Mapa

Regarding: Planning Department Approval of the CCI / T-Mobile Wireless Telecommunications Facility

Location: Above Floriston, Nevada County, CA

Project Type: New Telecommunications Tower Facility

I. INTRODUCTION AND APPELLANT BACKGROUND

My name is Gary G. Mapa, a long-time Nevadan/Californian resident, licensed California real estate broker (DRE 00597441), and a property owner with extensive experience in land-use, telecommunications siting, easements, access issues, and community infrastructure management. I submit this Statement of Appeal in my individual capacity.

II. GROUNDS FOR APPEAL

1. Failure of the County to Respond to My Public Records Act Request Prior to Approval

I personally submitted a California Public Records Act (PRA) request before the hearing requesting essential documentation. None was provided, violating Government Code sections.

2. Lack of Evidence of Lawful Access Rights

No recorded easements or legal access rights were demonstrated for Crown Castle, T-Mobile, or contractors.

3. Inadequate Geotechnical Review

No geotechnical reports addressing slope stability, water system proximity, or construction impacts were provided.

4. No Propagation Maps or Justification for Increased RAD Center

No RF engineering, coverage maps, or necessity analysis for antenna height were included.

5. Failure to Evaluate Impacts to Public Services

Impacts to water system access, emergency services, and state-funded infrastructure were not evaluated.

6. Setback, Zoning, and FR-160 Standards Not Applied

Required rural/forest setbacks and height standards were not demonstrated.

**7. No Construction Impact Mitigation Plan**

No traffic, noise, vibration, or road management plans were presented.

**8. Cumulative Impacts Ignored**

The presence of three existing towers was not addressed in a cumulative analysis.

**9. Approval Without Evidence**

The approval lacked essential evidence in the record.

**III. REQUESTED ACTION**

I request rescission of approval, submission of required studies, proper notice, and a new hearing.

**IV. CONCLUSION**

This appeal is based on missing technical evidence, procedural errors, lack of transparency, and unaddressed infrastructure risks.

**SIGNATURE & VERIFICATION**

I, Gary G. Mapa, declare the statements in this Appeal are true to the best of my knowledge.

Submitted by:

Gary G. Mapa

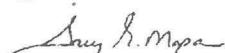
California Real Estate Broker, DRE 00597441

350 Cuckoo Court (POB 621)

Applegate, CA 95703

Cell: 530-320-9097

Email: gmapa@reatta.com



Signature: \_\_\_\_\_

Date: \_\_\_\_\_ November 24, 2025

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NEVADA COUNTY  
BOARD OF SUPERVISORS

## EXPANDED STATEMENT OF APPEAL

November 24, 2025

**Submitted by:** *Gary G. Mapa, Individual Appellant*

**Regarding:** Planning Department Approval of the CCI / T-Mobile Wireless  
Telecommunications Facility

**Location:** Above Floriston, Nevada County, CA

**Project Type:** New Telecommunications Tower Facility

### I. INTRODUCTION AND APPELLANT BACKGROUND

My name is **Gary G. Mapa**, a long-time Nevadan/Californian resident, licensed California real estate broker, and a property owner with extensive experience in land-use, telecommunications siting, easements, access issues, and community infrastructure management.

I have been actively involved in the analysis of land-use conditions in the Floriston area for more than a decade and am personally familiar with the topography, access limitations, and infrastructure conditions surrounding the proposed CCI/T-Mobile project site.

I submit this **Statement of Appeal** in my individual capacity, not acting on behalf of the Floriston Property Owners Association (FPOA) nor submitting this as a Board action.

### II. GROUNDS FOR APPEAL

#### 1. Failure of the County to Respond to My Public Records Act Request Prior to Approval

I personally submitted a **California Public Records Act (PRA)** request to Nevada County before the Planning Department hearing, seeking essential documents including:

- Access and easement rights
- Geotechnical evaluations
- Coverage analyses
- Propagation maps
- Rad-center justification

- Correspondence between the applicant and County
- Construction plans
- Infrastructure impact assessments

**I never received any of the requested documents before the hearing.**

The County did not provide:

- Responsive documents
- A written extension under Government Code §6253(c)
- A determination letter
- Any explanation of delay

Proceeding with a hearing without complying with my lawful PRA request **violated Government Code §§6253(b)–(c)** and materially impaired my ability to participate in the hearing or evaluate the record.

This alone is sufficient grounds to rescind the approval and schedule a new hearing with full documentation available.

## **2. Lack of Evidence of Lawful Access Rights for CCI/T-Mobile or Their Contractors**

No evidence was presented showing:

- A recorded easement granting Crown Castle, T-Mobile, or contractors legal access;
- Any rights to bring cranes, heavy equipment, or multi-axle vehicles up the private access road;
- Any authorization to use, modify, or widen the narrow, privately maintained hillside road;
- Any agreement to repair road damage or indemnify property owners.

Without legal access, the project **cannot be constructed, cannot be operated, and cannot be maintained.**

Approving a project requiring trespass or unpermitted road use is improper and contrary to established California land-use principles.

### **3. Inadequate Geotechnical Review Near Critical Water and Slope Infrastructure**

The project site sits adjacent to:

- A steep, erosion-prone hillside
- The Floriston water storage tank
- The spring-fed water collection system
- Underground lines connected to the Town's drinking water
- Existing telecommunications structures embedded into the slope

No geotechnical report provided to the public (or to me despite my PRA) evaluates:

- Slope stability
- Vibration impacts
- Crane staging impacts
- Subsurface conditions
- Foundation disturbance
- Road load-bearing limits
- Stormwater changes
- Risk to existing tank foundations or underground water lines

The project's proximity to essential public water infrastructure requires **enhanced scrutiny under CEQA Guidelines §§15064(e) and 15126.2(a)**, yet no such analysis was presented.

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### **4. No Propagation Maps, Need Analysis, or Technical Justification for Increasing the RAD Center**

At the hearing, it was explicitly acknowledged that:

- **No propagation maps** were included in the record
- **No coverage deficiency maps** were provided
- **No collocation analysis** was provided
- **No justification for increased antenna height (RAD Center)** was submitted

- Staff relied solely on the applicant's verbal statements, not technical evidence

This is a critical omission.

### **Why RAD Center Justification Matters**

Industry-standard wireless siting requires carriers to prove:

- A coverage gap exists
- Height increase is the *minimum necessary*
- No alternatives (lower height, different mounting points, existing towers) can resolve the deficiency
- The proposed height correlates to an engineered propagation necessity

However:

- Wireless technology has evolved from **analog** → **digital** → **3G** → **4G** → **5G**
- Signal efficiency, modulation, and beam-forming have dramatically improved
- Coverage and capacity have increased with *lower* antennas, small cells, and distributed systems
- Height increases are **less necessary**, not more

The applicant submitted **zero technical evidence** demonstrating that:

- Existing tower heights are insufficient
- The proposed RAD Center increase is technically required
- The new tower would materially improve service requiring greater elevation

A project requiring a new or taller tower must be supported by:

- RF engineering reports
- Propagation maps (existing vs. proposed)
- Capacity modeling
- Interference and handoff mapping
- Alternative site and height analysis

None were in the record presented to me or the public.

This alone violates the requirement for **substantial evidence** supporting approval.

## **5. Failure to Evaluate Impacts to Public Services, Infrastructure, and Emergency Access**

The project did not evaluate:

- Construction obstruction of the only service road
- Impacts on water system emergency maintenance access
- Conflicts during fire-season operations
- Potential interruption of water service
- Protection of a State-funded water treatment facility (a multi-million-dollar investment currently being upgraded)

If the sole access road is blocked or damaged:

- Water system repairs cannot occur
- Emergency response cannot reach the site
- Residents may lose water service
- County-funded improvements may be jeopardized

Under CEQA **§15065(a)** ("substantial adverse effects on human beings"), omission of these analyses is a fatal flaw.

## **6. Setback, Zoning, and FR-160 Rural/Forest Standards Not Applied or Demonstrated**

The project lies adjacent to:

- Residential structures
- Legal nonconforming homes
- Sensitive rural/forest terrain
- A visually sensitive corridor
- Multiple existing towers

County requirements (including Table E.2 for Wireless Facilities) demand:

- Larger setbacks

- Height-weighted setbacks
- Visual mitigation
- “More restrictive standard applies” implementation
- Compatibility with surrounding uses

There is no evidence these standards were properly analyzed or applied.

## **7. No Construction Impact Mitigation Plan or Required Notifications**

Missing entirely:

- Construction timing plan
- Road management and closures
- Vibration or noise monitoring
- Road damage mitigation
- Utility protection
- Resident notification protocols

On a narrow, mountainous, erosion-prone road, this is unacceptable.

## **8. Cumulative Impacts Ignored (3 Existing Towers + New Tower)**

No cumulative analysis was provided regarding:

- Visual impact
- EMF aggregation
- Traffic and maintenance load
- Road integrity
- Infrastructure conflicts

CEQA §15130 requires cumulative impact analysis for telecommunications facilities.

## **9. Approval Was Issued Without Evidence in the Record**

At the time of approval:

- No PRA documents were provided
- No technical justification for height was provided
- No access rights were provided
- No propagation maps were provided
- No geotechnical analysis was provided

An approval lacking evidence cannot stand.

## **III. REQUESTED ACTION**

I respectfully request that the County:

1. **Accept this appeal as timely submitted by me, Gary G. Mapa, as an individual.**
2. **Vacate and set aside the Planning Department's approval.**
3. Require the applicant to produce all key studies, including propagation maps and rad-center justification.
4. Require the applicant to provide lawful access rights.
5. Require a full geotechnical + infrastructure impact study.
6. Re-notice all affected property owners.
7. Conduct a new hearing with complete evidence available to the public.

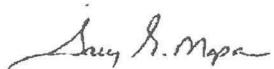
## **IV. CONCLUSION**

This appeal is based on missing technical evidence, procedural errors, lack of transparency, absence of required studies, and significant unaddressed infrastructure risks.

I respectfully request that this approval be rescinded until the County and applicant provide:

- Technical necessity data (propagation maps, RF engineering)
- Legal access documentation
- Infrastructure protection plans
- Slope stability and geotechnical studies
- Complete compliance with PRA obligations

Only a complete record and lawful process can support a decision of this magnitude.



Gary G. Mapa  
350 Cuckoo Ct. (POB 621)  
Applegate, CA 95703  
[gmapa@reatta.com](mailto:gmapa@reatta.com)  
530-320-9097

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NEVADA COUNTY  
BOARD OF COMMISSIONERS  
~~COMMISSIONERS~~ ADDENDUM TO THE STATEMENT OF APPEAL

## **State of California Water System Grant – Required Subordination, Approvals, and Project Interference Protections**

**Submitted by: Gary G. Mapa November 24, 2025**

### **1. Background – State of California Water System Improvement Grant**

The Town of Floriston is the beneficiary of a **significant State of California drinking water infrastructure improvement grant**. The grant funds:

- Expansion and upgrading of the existing water treatment facility
- Improvements to the water storage system
- Replacement/modernization of essential components serving the community
- Construction activities located in close proximity to the proposed CCI/T-Mobile tower site

These improvements represent a **multi-million-dollar State investment** and impose legally binding performance, reporting, and site-control obligations on the beneficiaries.

### **2. Grant Conditions Typically Restrict Interference and Require State Oversight**

State infrastructure grants—particularly drinking water and wastewater grants—normally include:

- **Non-interference clauses** restricting third-party construction or activities that could impact State-funded facilities
- **Site control requirements**, including documentation that the funded facilities will not be impaired by unrelated development
- **Subordination provisions**, preventing any private easement, lease, construction activity, or encumbrance from taking precedence over the State's interest
- **Ongoing access, maintenance, and protection rights** retained by the State for the life of the grant

- **Obligation to notify and obtain approval** for adjacent or overlapping projects that may affect construction, operation, or maintenance of the funded facility

These conditions are often found in:

- State Water Resources Control Board grant agreements
- Division of Drinking Water (DDW) project approvals
- Department of Water Resources funding conditions
- CDPH, SRF, or Clean Water/Drinking Water program agreements

Given that the Floriston water system improvements are **not yet complete**, subordination and interference provisions are especially relevant.

### **3. Proposed CCI/T-Mobile Tower Project May Interfere with State-Funded Infrastructure**

The proposed tower project is located:

- Adjacent to the water storage tank
- At or near the water collection and distribution infrastructure
- Along the sole access road required for construction, State inspections, and ongoing maintenance

**Potential conflicts include:**

- Heavy equipment damaging the access road essential for State-approved water construction
- Vibration or excavation impacting tank foundations or spring-fed collection systems
- Obstruction of access required by State inspectors or contractors
- Future maintenance of the tower interfering with routine water-system operations
- New easements (if any) overlapping or conflicting with the State's protected interest

Until documented otherwise, these risks are **non-compliant** with State grant conditions that require protection of funded improvements.

#### **4. Required State Notification and Approvals Before County Action**

Before approving any third-party project adjacent to a State-funded water project, the County should require:

##### **A. Confirmation of the State Grant Terms**

- Identification of the specific State agency administering the grant
- Copy of grant agreement sections governing site control, interference, access, and subordination

##### **B. Written State Determination of Non-Interference**

A letter from the State confirming that the proposed tower:

- Will not jeopardize grant performance requirements
- Will not interfere with State-funded construction or operations
- Does not require a subordination agreement or additional protection
- Has been reviewed under DDW or SWRCB standards

##### **C. Subordination or Consent Documentation (If Required)**

If the proposed cell tower requires any:

- New easement
- Construction staging area
- Grading or road use
- Encroachment
- Equipment installation affecting water infrastructure

...then the State must **approve or subordinate** that action in writing.

##### **D. Evidence of Coordination with the Water System Operator**

The County should require documentation that:

- The project applicant has coordinated with the water system engineers
- Risks to the water facility have been assessed
- Mitigation measures are included
- Construction schedules do not interfere with State-funded construction

## **5. Approval Cannot Be Finalized without State Review**

Given:

- the location immediately adjacent to State-funded infrastructure,
- unknown subordination obligations,
- lack of interference evaluation,
- absence of any documents in the County record addressing State interests,

...the County **cannot** legally or prudently finalize approval until the State:

1. Confirms non-interference
2. Confirms no required subordination
3. Approves the placement, access, or easements associated with the project
4. Provides written concurrence that the tower will not compromise the State's investment

Failure to obtain these assurances may jeopardize:

- Future grant disbursements
- Current construction compliance
- Long-term water system reliability
- Liability exposure for the County

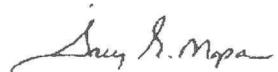
## **6. Request for Board Action**

I request that the County require the applicant to obtain:

- **Written confirmation from the State agency administering the water system grant,**
- **Full identification of all grant restrictions related to site control, access, and interference,**
- **Any necessary subordination agreements, and**

- **State review of potential construction and operational conflicts**  
**before the County considers re-approving or conditioning this project.**

November 24, 2025



Gary G. Mapa  
350 Cuckoo Ct. (POB 621)  
Applegate, CA 95703  
[gmapa@reatta.com](mailto:gmapa@reatta.com)  
530-320-9097



**COUNTY OF NEVADA  
COMMUNITY DEVELOPMENT AGENCY**  
950 MAIDU AVENUE, SUITE 170, NEVADA CITY, CA 95959-8617  
(530) 265-1222 FAX (530) 265-9854 <http://www.mynevadacounty.com>

Agricultural Commissioner

Building Department

Environmental Health

Planning Department

Dept. of Public Works

**AGREEMENT TO PAY**

Nevada County Community Development Agency fees are based on Board of Supervisor approved fee schedules. Hourly fees and fees for services in excess of a minimum fee collected, including re-inspections, are billed to the applicant based on the Board approved fee schedule in effect at the time the work is performed by staff. This *Agreement To Pay* form must be signed and original signatures submitted to the NCCDA along with the completed permit forms and the initial payment of fees. Copies of current fee schedules are available from our Customer Service Staff or on the web at <http://www.mynevadacounty.com>

I/We understand that the NCCDA will bill as services are rendered, and I/We agree to pay such billing within thirty (30) days of the mailing of such billing for the project/permit. If payments on outstanding invoices are not made within thirty (30) days after the date of the invoice, County staff may cease work on the project until the required payment is made, subject to any other provisions of the law. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. The collection of fees, however, does not guarantee the granting of any permits, approvals, or land use entitlements for which I/We are applying.

**Site Information:**

**Invoices and/or notices to be mailed to:**

APN: 048-130-026 -	Name: Gary G. MAPA
Property Owner/Business Name (if applicable): MANDI	Address: 350 CECILIA CT. (POB 621)
Address: 414 HACUAR	Telephone: 530-320-9097
Email: 414	Email: gmapa@earthlink.net

I would like to opt out of receiving County emails related to this project.

NCCDA Staff is authorized to consult with necessary governmental agencies and the following individuals concerning this project: ANY AND ALL ENTITIES ASSOCIATED WITH THE PROJECT.

*I certify under oath of perjury that I am the property owner or that I am authorized to enter into this fee agreement on his/her behalf. I have read the conditions concerning Nevada County Community Development Agency Fees and I understand that in the event that the billing party I have indicated does not pay required fees, I will be responsible for payment. I further agree to advise the department in writing should I no longer be associated with the above referenced project/property, rendering this agreement invalid as of the change of the date that the letter is received by the Nevada County Community Development Agency.*

Gary G. MAPA  
Signature  
Gary G. MAPA  
Printed Name

Dated: 11/24/2025 CDL# RY 20966 CA

Tel #: 530.320.9097

<b>THIS SECTION FOR OFFICE USE ONLY</b>			
Service: _____	Program: _____	Job No: _____	
DPW #: _____	Project File #: _____	Billing Code: _____	
Amount Collected: \$ _____	Receipt #: _____	Date of Receipt: _____	
Service: _____	Program: _____	Job No: _____	
DPW #: _____	Project File #: _____	Billing Code: _____	
Amount Collected: \$ _____	Receipt #: _____	Date of Receipt: _____	

OFFICIAL RECEIPT  
COUNTY of NEVADA

680517

RECEIVED FROM	Gary G. Maza		DATE	11/24/00 13:50 20 75
ADDRESS	PO Box 621 Applegate, CA 95703		DOLLARS \$	1,975.80
FOR	Zoning Administrator Office - 130-026, CUP 23-0002		DEPARTMENT	Board of Supervisors
AMOUNT	HOW PAID			BY
AMT OF ACCOUNT	CASH	CHECK	1975.80	By S. G.
AMT PAID		MONEY ORDER		
BALANCE DUE	✓	FFT		



Community Development Agency

## Planning Department

[Planning@nevadacountyca.gov](mailto:Planning@nevadacountyca.gov)  
[www.nevadacountyca.gov/Planning](http://www.nevadacountyca.gov/Planning)

950 Maidu Avenue, Suite #170  
PO BOX #599002  
Nevada City, CA 95959

PH: (530) 265-1222 ext. 2  
FAX: (530) 265-9854

## ZONING ADMINISTRATOR STAFF REPORT

**APPLICANT:** Crown Castle

**HEARING DATE:** November 12, 2025

**OWNER:** James B. & Deborah A. Mawhar

**FILE NOs:** PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001

**PROJECT:** The project is an application for a Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018) proposing the removal of an existing 41 foot tall monopole and replacing it with a new 90 foot tall faux pine (monopine) at an existing unmanned wireless communication facility located at 22258 Juniper Street, Floriston, CA 96111, approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision. The proposed facility will consist of eighty-five (85) feet of metal monopine structure with a 5-foot faux foliage extension, making the total height of the proposed tower ninety (90) feet tall. All brackets, antennas, and RRUs will be painted dark green to best match the proposed monopine and blend into the surrounding environment. The facility will be surrounded with a new 10-foot tall CMU retaining wall around the north, east, and south portion of the enclosure and a six-foot tall chain-link sliding gate is located on the west side for access.

**LOCATION:** The project is located at 22258 Juniper Street in Floriston, CA 96111, approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision in unincorporated Eastern Nevada County.

**ASSESSOR PARCEL NUMBER:** 048-130-026

**PROJECT PLANNER:** Zachary Ruybal, Associate Planner

<b>General Plan:</b>	FOR-160	<b>Water:</b>	N/A
<b>GP Region/Center:</b>	Rural	<b>Sewage:</b>	N/A
<b>Zoning:</b>	FR-160	<b>Fire:</b>	Truckee Fire Protection District
<b>FEMA Flood Map:</b>	0300	<b>Schools:</b>	Tahoe Truckee Unified – TA 2
<b>ZDM #:</b>	147	<b>Recreation:</b>	Truckee Donner
<b>Lot Size:</b>	35.19 acres	<b>Farmland Designation:</b>	Not Mapped
<b>Date Filed:</b>	8/11/2023	<b>Supervisorial District:</b>	Hardy Bullock, District V

**Prev. File:** PLN21-0273/ADP21-0114; PLN17-0006/LLA17-0002; ADP14-016; ADP12-011; ADP05-007; ADP05-002; ADP04-011; ADP04-001; U 03-014; U 97-035; U 96-019

**ATTACHMENTS:**

1. Recommended Conditions of Approval
2. Photo Simulations
3. Zoning, Vicinity and Public Notice Map
4. Project Plan Set

**RECOMMENDATION:**

- I. Environmental Action: Find the project Exempt from California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15303.
- II. Project Action: Approval of the proposed Steep Slopes Management Plan (MGT24-0018).
- III. Project Action: Approval of Conditional Use Permit (CUP23-0002).

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**BACKGROUND:**

In 1997, Nevada County approved a Conditional Use Permit application (U96-019) to allow for the construction and operation of a 41 foot tall monopole for a wireless telecommunications facility. Additionally, in 1998, Nevada County approved another Conditional Use Permit (U97-035) for a new 40 foot tall monopole with a tophat for a wireless telecommunications facility. Since the approvals of the Conditional Use Permits for the wireless telecommunication facility, there have been numerous Administrative Development Permits approved on the parcel for co-location, equipment changeouts, and adding equipment to the existing telecommunications facility. Additionally, there have been numerous Building permits approved and finalized for the existing wireless telecommunications facility in accordance with the approved associated Administrative Development Permits.

**PROJECT DESCRIPTION:**

The project is an application for a Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018) proposing the removal of an existing 41 foot tall monopole and replacing it with a new 90 foot tall faux pine (monopine) at an existing unmanned wireless communication facility located at 22258 Juniper Street, Floriston, CA 96111, approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision. The proposed facility will consist of eighty-five (85) feet of metal monopine structure with a 5-foot faux foliage extension, making the total height of the proposed tower ninety (90) feet tall. The proposed project includes the removal and replacement of an existing RBS 6201 cabinet with a new T-Mobile enclosure 6160 cabinet, relocating two (2) existing antennas from the existing monopole to the new monopine, relocating two (2) RRUS-449 B71/B85 units from the existing monopole to the new monopine, installing one (1) new 10 foot tall CMU retaining wall enclosure, installing one (1) new Double Tri-Sector Collar with T-Arms, installing two (2) new

T-Mobile antennas, installing two (2) new RRUS-4460 B25/B66 units, installing two (2) new hybrid cables, removing two (2) existing antennas, removing four (4) existing diplexers at the equipment and antennas, and remove an existing cable tray.

The proposed project includes an extension of the existing 260 square foot crown castle lease area by approximately 130 square feet to accommodate the new monopine, for a total of a 390 square foot lease area. All brackets, antennas and RRUs green to match the faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment. The facility will be surrounded with a new CMU retaining wall around the north, east, and south portion of the enclosure and a six-foot tall chain-link sliding gate is located on the west side for access. There will be a new 100 square foot concrete slab for the new 90 foot monopine to be placed upon. There is no exterior lighting proposed, and any service lighting will be compliant with Nevada County Lighting standards. The site will be accessed via an existing private dirt access road within an existing 12 foot access and utility easement that connects directly to Juniper Street, an existing paved private road within the Floriston Subdivision.

Additionally, the proposed project includes a Steep Slopes Management Plan for the work being proposed within slopes in excess of 30% slope. The new monopine will require a graded pad, concrete slab, and CMU retaining wall which will encroach into slopes in excess of 30%. Therefore, recommended actions have been provided by T&S Engineering to minimize the impact of the proposed construction activities within these areas of slopes exceeding 30% that shall be implemented into project construction and grading activities. Figure 1 on page 4 shows the enlarged site plan for the proposed project.

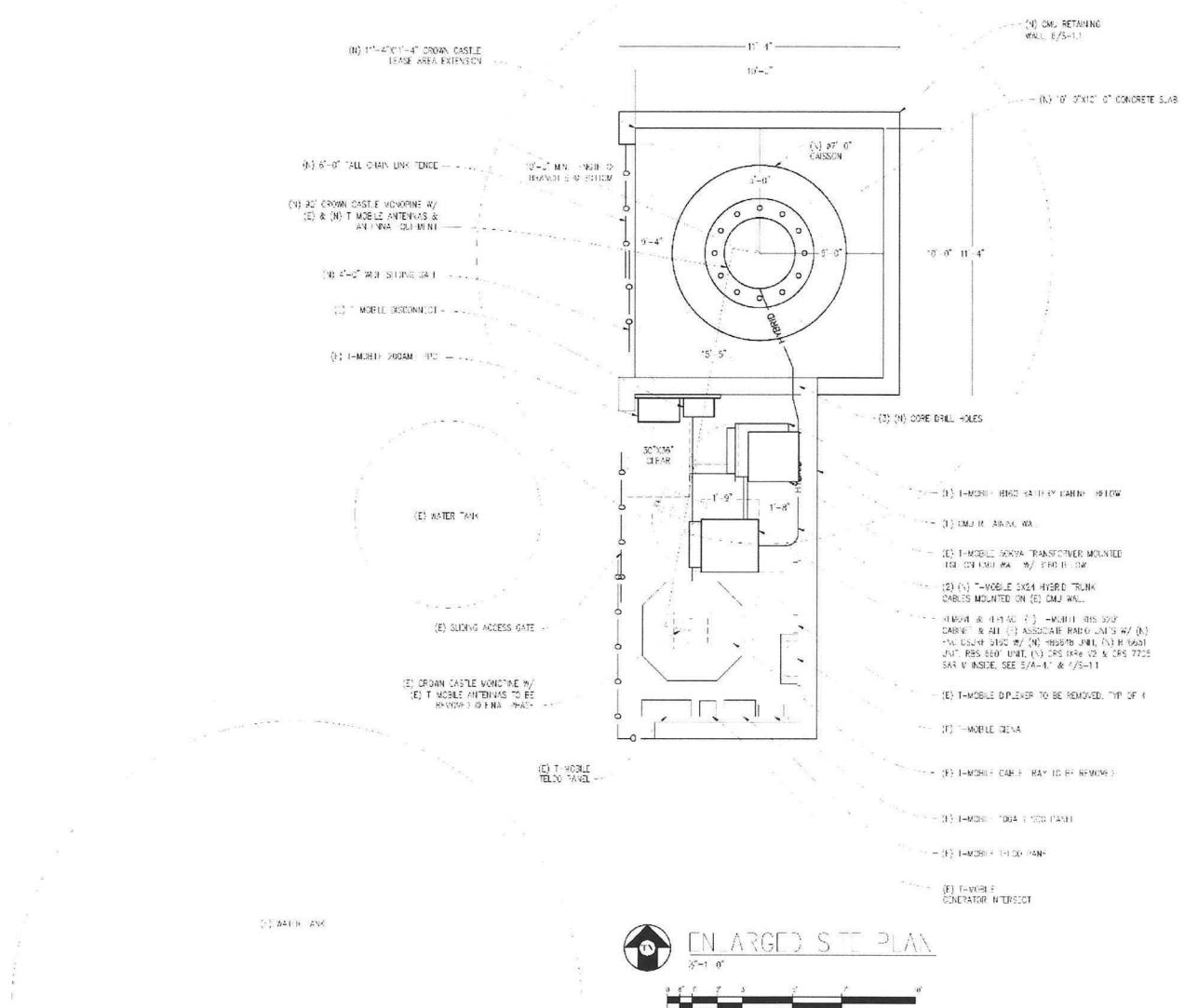
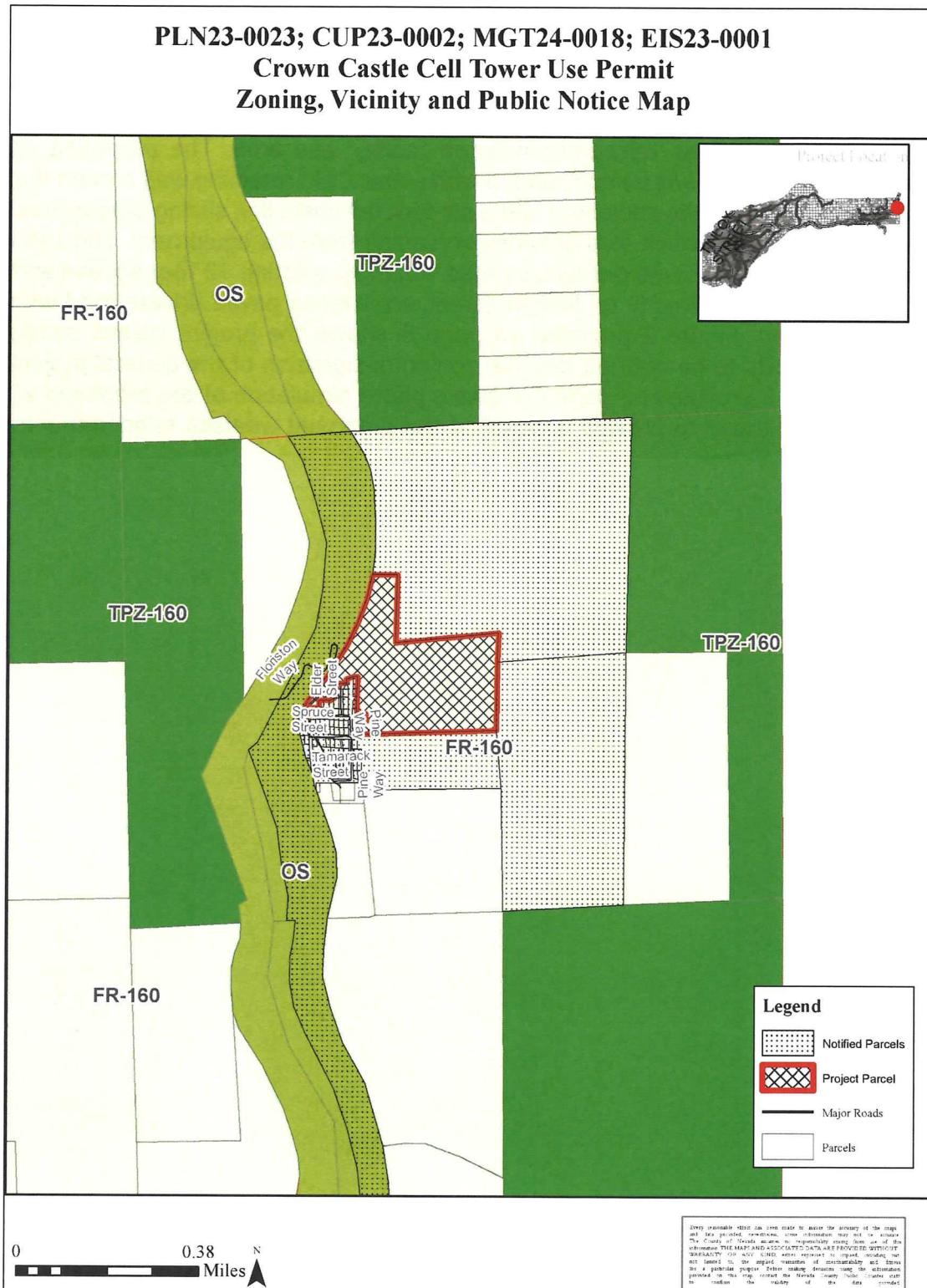


Figure 1 – Proposed Enlarged Site Plan

### Project Site and Surrounding Land Uses:

The proposed wireless telecommunication facility would be located mainly in the existing 260 square foot lease area in the northwestern portion of APN: 048-130-026, with the additional 130 square foot lease area extension of the existing crown castle lease area. The parcel is located approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision in the unincorporated Eastern area of Nevada County. The subject parcel (APN: 048-130-026) is zoned Forest with a minimum parcel size of 160 acres (FR-160) with a General Plan designation of Forest with a minimum parcel size of 160 acres (FOR-160). The subject parcel is a mostly undeveloped 35.19-acre parcel that currently has two (2) monopole cell towers within the relative same footprint. The project parcel is surrounded by residential

development to the southwest, consisting mainly legal non-conforming single-family residences and residential accessory structures. The parcels to the north, east, and northwest are all have a zoning designation of either Open Space (OS) or Forest with a minimum parcel size of 160 acres (FR-160) and are mostly undeveloped. The nearest residence is located southwest of the proposed project parcel and is located approximately 400 feet southwest from the proposed wireless telecommunication facility lese area. The proposed wireless telecommunication facility will be surrounded with a new CMU retaining wall around the north, east, and south portion of the enclosure and a six-foot tall chain-link sliding gate is located on the west side for access, which also provides screening from the equipment. The site will be accessed via an existing private dirt access road within an existing 12 foot access and utility easement that connects directly to Juniper Street, an existing paved private road within the Floriston Subdivision. Figure 2 provided on page 6 shows the project parcel, surrounding properties, the parcels to be notified, and the zoning designation of the general project area. Additionally, Figure 3 provided on page 7 shows a photo simulation of the proposed wireless telecommunication tower to provide a visual of the proposed wireless telecommunications tower.



**Figure 2 – Project Vicinity and Zoning**

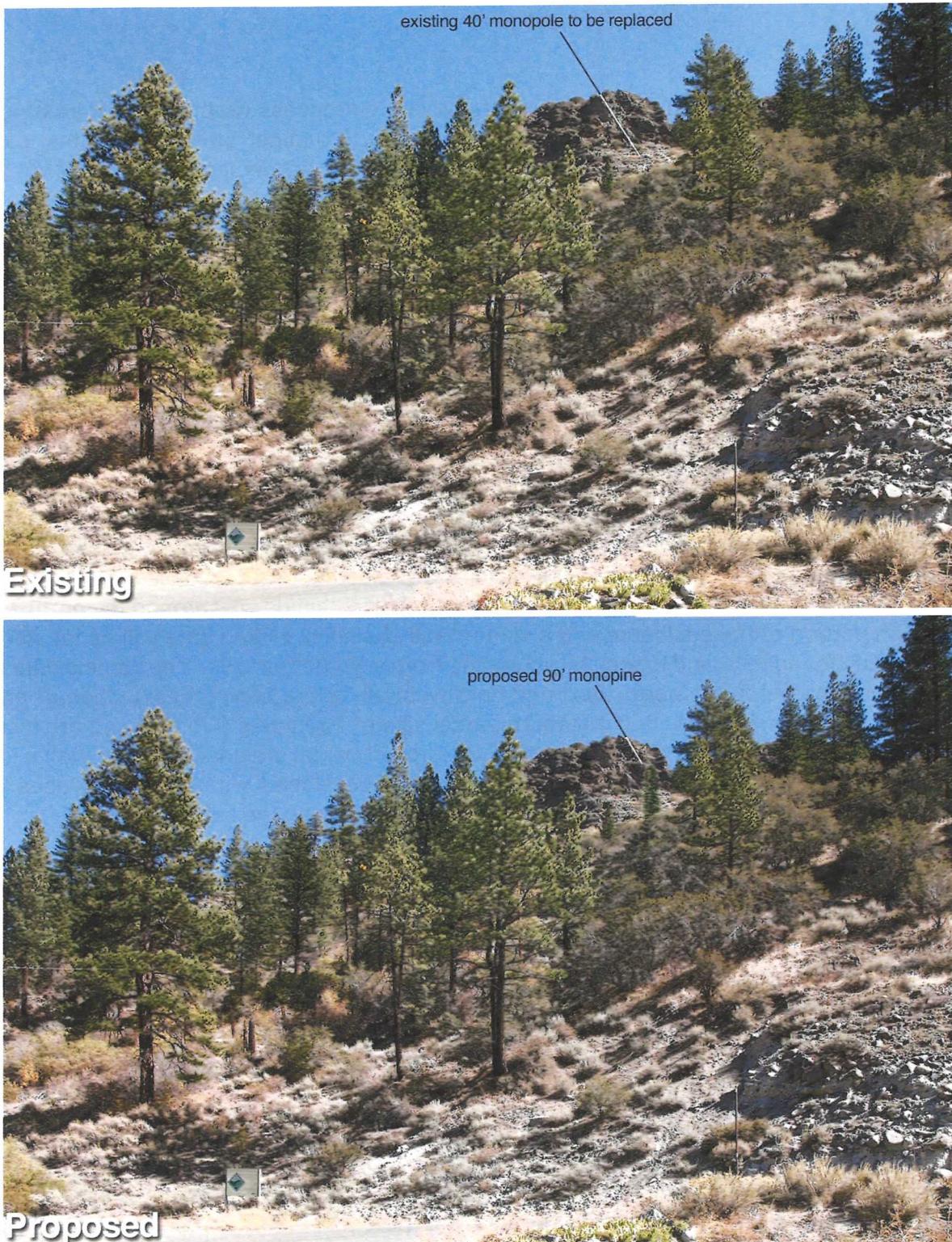


Figure 3 – Existing/Proposed Photo Simulation

**STAFF COMMENT:**

Site Access:

The project parcel is located off of an existing private dirt access road within an existing 12 foot access and utility easement that connects directly to Juniper Street, an existing paved private road within the Floriston Subdivision. The project is not expected to contribute to a substantial increase in traffic as the proposal is for an unmanned wireless telecommunication facility. Construction related traffic would be temporary and minor because development of the site for a single replacement cell tower is not considered a major project. As an unmanned facility, operational traffic would only consist of weekly or bi-monthly visits by a technician. The addition of future carriers would result in similarly minor construction traffic and technician visits.

Visual Analysis:

The proposed lease area would be located approximately 0.2 miles east of Interstate 80 in a general area where existing residential and wireless telecommunication facility use improvements have been made. The project site contains an existing CMU retaining wall that both holds back dirt and provides screening from the existing telecommunications facility to the surrounding parcels. As a part of the proposed project, due to the lease area expansion, the facility will be surrounded with a new 10 foot tall CMU retaining wall around the north, east, and south portion of the enclosure and a six-foot tall chain-link sliding gate will be located on the west side for access, and to provide screening from adjacent parcels. The parcels adjacent to the project parcel to the north, east, and northwest all have a zoning designation of either Open Space (OS) or Forest with a minimum parcel size of 160 acres (FR-160) and are mostly undeveloped. The parcels to the southwest of the project parcel are zoned FR-160 with a FOR-160 General Plan designation as well and are mostly developed with residential uses and structures. There are no sources of lights or glare which exist on the subject parcel.

The proposed wireless telecommunications facility will consist of an eighty-five (85) foot tall metal monopine structure with a 5-foot faux foliage extension, making the total height of the proposed tower ninety (90) feet tall on a parcel that has been previously disturbed with a wireless telecommunications facility. All brackets, antennas and RRUs green to match the faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment.

Noise:

The project as proposed does not include any generators, and if a generator is desired at a later date, an Administrative Development Permit will be required from the Planning Department. The proposed project is located in an area that is already dominated by residential and rural uses and would only include noises and potential vibration generated during the construction phase of the wireless telecommunications facility. Vibration is typically sensed at nearby properties when it causes objects within the structures to vibrate such as rattling

windows. Construction noises and construction related vibration are not an ongoing land use and as they are short term in nature, they are exempt from the County noise standards. While the County's Zoning Code does not apply its noise standards to temporary construction (Nevada County 2012), nonetheless there could be a temporary exposure of nearby uses to noise in excess of County thresholds. Therefore, Condition of Approval A.14 is recommended to limit construction work to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, in order to reduce the potential temporary noise and vibration increase during the construction phase.

Telecommunication Tower Setback:

Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code requires that towers that are located a distance that is less than 100% of their height from a property line, a habitable structure or other tower, shall include a report by a structural engineer licensed by the State of California, certifying that the proposed tower is designed to withstand without failure the maximum forces expected from wind, earthquakes, and ice, when the tower is fully loaded with antennas, transmitters and other equipment and camouflaging. The tower lease-area is proposed to be setback approximately 235 feet from the closest property line, Thus, as proposed, the tower and its associated equipment would meet the setback requirements of the wireless telecommunication tower setback requirements.

Co-Location:

Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code requires owners of communication towers to allow future co-location by other carriers and to provide an efficient process for handling co-location requests. Pursuant to Crown Castles standard process, for potential future co-location, Crown Castle would require that the interested party complete and submit an online application with the tower owner, Crown Castle. Once the application has been received, the new application will then be reviewed by Crown Castle and is approved for the desired rad cent. After the new application is approved, a lease will be negotiated with the ground owner and Crown Castle. The owner of the communication tower would also have to apply for an Administrative Development Permit with the Nevada County Planning Department for any addition from a co-located carrier.

Site Justification:

T-Mobile identified a significant gap in its in-building, in-vehicle, and outdoor wireless services in the Floriston area of Nevada County, California. Based on the analysis and evaluation, T-Mobile concludes that the proposed monopole at 22258 Juniper Street is the most feasible site to address the gap in coverage when topography, radio frequency propagation, elevation, height, available electrical and telephone utilities, access, and a willing landlord are considered. The project parcel meets RF's objectives, is owned by a property owner willing to lease the space and is a location that allows the monopole to blend in with the natural surroundings.

Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code prohibits new towers from being installed in a location that is not already developed with public or quasi-public uses or other wireless telecommunication facilities, unless it blends with the surrounding, existing natural and man-made environment, so as to be effectively unnoticeable. This section of the Code also prohibits new towers from being installed closer than 2-miles from another readily visible, un-camouflaged or unscreened facility unless it is a co-located facility, on a multiple-user site, or is designed to blend in with the surrounding, existing natural and man-made environment so as to be effectively unnoticeable. The proposed wireless telecommunication tower is proposed on a location with an existing cell tower to be removed and replaced, and it is proposed to be a faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment. All equipment will be painted dark green to blend in with the monopine and existing surrounding environment. Additionally, pursuant to Title 12, Chapter 3, Section 12.03.080.E.D of the Nevada County Code, no tower shall be installed closer than two (2) miles from another readily visible, uncamouflaged or unscreened facility unless it is a co-located facility, is on a multiple-user site, or is designed to blend with the surrounding existing natural and man-made environment so as to be effectively unnoticeable. The proposed project is located more than two (2) miles from an existing, uncamouflaged wireless telecommunication. Due to the project's proposal of the wireless telecommunication facility to be a monopine and equipment to be painted dark green to blend in with the surrounding environment, the proposed project is compliant with Title 12, Chapter 3, Section 12.03.080.E.D of the Nevada County Code. The proposed project also meets the visual screening and setback criteria while providing service in the desired service area, and is therefore in compliance with Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code.

#### Radio Frequency Signals:

Federal law prohibits the County from denying a new wireless telecommunications facility due to radio frequency signals if the Federal Communications Commission (FCC) has made the determination that the proposed wireless telecommunications facility is within the limits of required radio frequency signals. Additionally, local government cannot deny permits for reasons related to health or environmental concerns about radio frequency emissions if the wireless telecommunication facility is FCC compliant. The FCC is the government agency responsible for the authorization and licensing of facilities such as cellular towers that generate RF radiation. Radiofrequency (RF) radiation emanates from antenna on cellular towers and is generated by the movement of electrical charges in the antenna. The energy levels it generates are not great enough to ionize, or break down, atoms and molecules, so it is known as "non-ionizing" radiation. The FCC has developed and adopted guidelines for human exposure to RF radiation using the recommendations of the National Council on Radiation Protection and Measurements (NCRP) and the Institute of Electrical and Electronics Engineers (IEEE), with the support of the other applicable agencies. According to the FCC, both the NCRP exposure criteria and the IEEE standard were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects.

The exposure guidelines are based on thresholds for known adverse effects, and they incorporate wide safety margins. Under the National Environmental Policy Act (NEPA) the FCC is required to evaluate transmitters and facilities for significant impacts on the environment, including human exposure to RF radiation. When an application is submitted to the FCC for construction or modification of a transmitting facility or renewal of a license, the FCC evaluates it for compliance with the RF exposure guidelines, which were previously evaluated under NEPA. An Antenna Structure Registration from the FCC was submitted by the applicant which granted the application for the new tower. During the Antenna Structure Registration application review process, the FCC determines if a proposed project is compliant with RF radiation standards. If additional carriers were to seek co-location on this tower, they would be subject to the FCC permitting and compliance.

#### **GENERAL PLAN AND ZONING CONSISTENCY:**

The proposed wireless telecommunication facility is proposed in Eastern Nevada County on a 35.19-acre parcel zoned Forest with a minimum parcel size of 160 acres (FR-160) with a General Plan designation of Forest with a minimum parcel size of 160 acres (FOR-160). The proposed project is in alignment with the allowable uses for the Forest zoning designation. Pursuant to Title 12, Chapter 2, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code and Table 12.02.030, communication towers are allowed in the Forest zoning district with a Use Permit. Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code establishes siting and design requirements for communication facilities to promote availability of public services while ensuring compatibility with adjacent land uses. Attachment 1 provides the Conditions of Approval that ensure that the construction and operation of the proposed communication tower would not conflict with or detract from the surrounding uses. With the approval of the proposed Conditional Use Permit, (CUP23-0002) and implementation of the proposed Conditions of Approval, the proposed project would comply with the Nevada County Rural Zoning District Development Standards, the Nevada County Communication Tower and Facility Standards, and the Nevada County Noise and Resource Standards.

Additionally, the project furthers the following goals and policies of the County's General Plan:

Land Use Element Goals and Policies: Policy 1.4.5 which seeks to, "encourage land use patterns which minimize use of the automobile and allow for viable alternative transportation modes." This Policy is being met because the proposed new wireless telecommunication tower will be an unmanned facility and will therefore minimize the use of automobiles significantly.

Noise Element Policies: Policy 9.1.2 which requires projects to adhere to the County exterior noise limits. This project has been conditioned to ensure the project meets these established noise limits.

With the adherence to proposed conditions of approval and mitigation measures, the project has been found to be compliant with both the Zoning Regulations and the County General Plan.

**ENVIRONMENTAL REVIEW:**

Environmental impacts associated with the previously completed Conditional Use Permit applications (U96-019 and U97-035) for a 41 foot monopole and a 40 foot monopole wireless telecommunications facility located within a 260 square foot lease area were originally reviewed under the Mitigated Negative Declarations (EIS96-052 and EIS97-042), which identified potential environmental impacts associated with development of the site for the wireless telecommunication facilities. The associated Mitigated Negative Declaration provided Mitigation Measures were identified to reduce potential impacts to less than significant levels.

The proposed new unmanned wireless communication facility will be designed as an eighty-five (85) feet of metal monopine structure with a 5-foot faux foliage extension, making the total height of the proposed tower ninety (90) feet tall on a parcel that has been previously disturbed with a wireless telecommunications facility. All brackets, antennas and RRUs green to match the faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment. Due to the fact that the project parcel has already been mostly developed in the proposed project area pursuant to previously approved wireless telecommunication facility projects, the proposed wireless telecommunications facility would not have the potential for causing a significant effect on the environment, making the project Exempt from environmental review under the California Environmental Quality Act Guidelines Sections 150303 and 15332.

**SUMMARY:**

Crown Castle applied for a Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018), proposing the removal of an existing 41 foot tall monopole and replacing it with a new 90 foot tall faux pine (monopine) at an existing unmanned wireless communication facility located at 22258 Juniper Street, Floriston, CA 96111, approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision. The proposed facility will consist of eighty-five (85) feet of metal monopine structure with a 5-foot faux foliage extension, making the total height of the proposed tower ninety (90) feet tall. All brackets, antennas and RRUs green to match the faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment. The facility will be contained within a 130 square foot lease area extension of the existing 260 square foot Crown Castle lease area that will be surrounded with a new 10 foot tall CMU retaining wall around the north, east, and south portion of the enclosure and a six-foot tall chain-link sliding gate. As conditioned, the proposed project complies with the applicable provisions of the Nevada County Code and is consistent with the General Plan. Further, no additional environmental impacts are anticipated to occur as a result of this Conditional Use Permit application. Therefore, Staff recommends that the Zoning Administrator, after reviewing and considering the project, find the proposed Conditional Use Permit application is Categorically

Exempt from environmental review pursuant to Section 15303 – New Construction or Conversion of Small Structures of the California Environmental Quality Act Guidelines, and approve the Conditional Use Permit (CUP23-0002) subject to the recommended Conditions of Approval shown in Attachment 1 of this Staff Report.

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**RECOMMENDATION:** Staff recommends that the Zoning Administrator take the following actions:

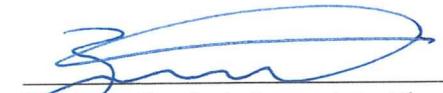
Staff recommends the Zoning Administrator take the following actions:

- I. Find that the Conditional Use Permit application (CUP23-0002) is Categorically Exempt from environmental review pursuant to Section 15303 – New Construction or Conversion of Small Structures because it consists of the construction of a new structure that will not exceed 2,500 square feet in floor area and does not involve the use of significant amounts of hazardous substances.
- II. After reviewing and considering the proposed Steep Slopes Management Plan application (MGT24-0018), approve the proposed Steep Slopes Management Plan prepared by Susah Dahl with T&S Engineering, subject to the Conditions of Approval shown in Attachment 1, to allow ground disturbance within areas that exceed 30% slope, making findings A-F, shown below:
  - a. That while the proposed construction activities lie within an area designated as a protected resource through Title 12, Chapter 4, Section 12.04.213 of the Nevada County Code, this sensitive resource area will be substantially protected through recommendations in the Steep Slopes Management Plan submitted on January 23, 2025, prepared by Susah Dahl with T&S Engineering a licensed civil engineer. Through implementation of the Conditions of Approval, no significant loss of resource value is anticipated to occur; and,
  - b. That as a part of the proposed project, the proposed development ensures the preservation of the natural and topographic character of the slope due to the Conditions designed to minimize erosion; and
  - c. The aesthetic quality of the slope is ensured, including the preservation of significant rock outcroppings and native plant materials; and
  - d. That alternatives to development on steep slopes are not feasible due to the location of the proposed wireless telecommunications facility and the topography of the parcel; and
  - e. That disturbance of steep slopes is minimized to the greatest extent possible; and

- f. That as a part of the proposed project, water quality problems created by sedimentation and/or excessive vegetation removal are minimized.
- II. Approve the proposed Conditional Use Permit (CUP23-0002) subject to the attached Conditions of Approval shown in Attachment 1, making findings A-K pursuant to Title 12, Chapter 5, Sections 12.05.060 and 12.05.052 of the Nevada County Code:
  - A. That this project as conditioned is consistent with the General Plan goals, objectives and policies, and with the Industrial General Plan land use map designation applicable to this project because the project supports an interconnected telecommunication network in the County pursuant to General Plan Policy 1.7.18 and is an allowable use with an approved Use Permit; and,
  - B. The proposed use is allowed within and is consistent with the purposes of the "FR-160" Zoning District within which the project is located, which allows communication towers with an approved Use Permit; and,
  - C. The proposed use and any facilities, as conditioned, will meet all applicable provisions of the Nevada County Code or a same practical effect of those provisions, because the project meets the setbacks and other standards of the Site Development Standards, mitigating the impact of the project on environmentally sensitive resources; and,
  - D. The site for the proposed use is adequate in size, shape and location to accommodate the proposed use and all facilities needed for that use and reasonable expansion thereof, if any, and to make appropriate transitions to nearby properties and permitted uses thereon, without compromising site development standards; and,
  - E. The design of proposed facilities is consistent with the intent of the design goals, standards, and elements of the Nevada County Code and will be compatible with the design of existing and anticipated future onsite uses and the uses of the nearby surrounding area; and,
  - F. The proposed use and facilities are compatible with, and not detrimental to, existing and anticipated future uses on-site, on abutting property and in the nearby surrounding area, because the proposed use is effectively screened from nearby properties and is exceeds all required setbacks; and,
  - G. There would be no impacts on water or sanitation supply and service because the project does not need or incorporate these uses; and,
  - H. Roads providing access to the site are adequate in width and surfacing type to carry the quantity and kind of traffic generated by the proposed use, which has been determined by the Public Works Department to be an insignificant amount not requiring the payment of traffic mitigation fees; and,

- I. Adequate provisions exist for emergency access to the site; and,
- J. Adequate public facilities and public services exist or have been provided for within the project area which will be available to serve the project without decreasing services levels to other areas to ensure that the proposed use is not detrimental to the public welfare; and
- K. The conditions provided in Attachment 1 are deemed necessary to protect the public health, safety, and general welfare.

Respectfully Submitted,



---

Zachary Ruybal, Associate Planner

**Attachment 1**  
**Final Amended Conditions of Approval (COAs)**  
**Floriston Wireless Telecommunication Facility Use Permit**  
**(PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001)**

**A. NEVADA COUNTY PLANNING DEPARTMENT:**

1. Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018) authorizes the removal of an existing 41 foot tall monopole and replacing it with a new 90 foot tall faux pine (monopine) at an existing unmanned wireless communication facility located at 22258 Juniper Street, Floriston, CA 96111, approximately 0.1 miles directly east of Interstate 80 and directly adjacent to the Floriston Subdivision. The proposed facility will consist of eighty-five (85) feet of metal monopine structure with a 5-foot faux foliage extension, making the total height of the proposed tower ninety (90) feet tall. The proposed project includes the removal and replacement of an existing RBS 6201 cabinet with a new T-Mobile enclosure 6160 cabinet, relocating two (2) existing antennas from the existing monopole to the new monopine, relocating two (2) RRUS-449 B71/B85 units from the existing monopole to the new monopine, installing one (1) new 10 foot tall CMU retaining wall enclosure, installing one (1) new Double Tri-Sector Collar with T-Arms, installing two (2) new T-Mobile antennas, installing two (2) new RRUS-4460 B25/B66 units, installing two (2) new hybrid cables, removing two (2) existing antennas, removing four (4) existing diplexers at the equipment and antennas, and remove an existing cable tray.

The proposed project includes an extension of the existing 260 square foot crown castle lease area by approximately 130 square feet to accommodate the new monopine, for a total of a 390 square foot lease area. All brackets, antennas and RRUs green to match the faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment. The facility will be surrounded with a new CMU retaining wall around the north, east, and south portion of the enclosure and a six-foot tall chain-link sliding gate is located on the west side for access. There will be a new 100 square foot concrete slab for the new 90 foot monopine to go. There is no exterior lighting proposed, and any service lighting will be compliant with Nevada County Lighting standards. The site will be accessed via an existing private dirt access road within an existing 12 foot access and utility easement that connects directly to Juniper Street, an existing paved private road within the Floriston Subdivision.

Additionally, the proposed project includes a Steep Slopes Management Plan for the work being proposed within slopes in excess of 30% slope. The new monopine will require a graded pad, concrete slab, and CMU retaining wall which will encroach into slopes in excess of 30%. Therefore, recommended actions have been provided by T&S Engineering to minimize the impact of the proposed

construction activities within these areas of slopes exceeding 30% that shall be implemented into project construction and grading activities.

2. Pursuant to the requirements identified in Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code, the applicant is hereby notified that this project is not valid until the expiration of the ten (10) day appeal period from the date of the Zoning Administrator's final action on the project.
3. Construction pursuant to this permit approval must be completed and the use commenced thereon within three (3) years from the effective date of the approval of the Conditional Use Permit (November 22, 2028) (i.e. Final Project Action), unless an extension of time for reasonable cause is requested prior to the expiration date and granted by the Zoning Administrator pursuant to Section 5.10 of the Nevada County Code. If no extension is granted, the permit shall become null and void, as to the portion of the approved use not completed.
4. Prior to Final of any Improvement Permits, the applicant shall contact the Planning Department for a field inspection to verify all Conditions of Approval, Mitigation Measures, and ordinance requirements have been satisfied. Fees for such inspection shall be applicable on the project Building Permit.
5. The design, colors, configuration, and materials of the monopine and associated improvements including the 390 square foot lease area shall be in substantial conformance with the design authorized in this approval. The wireless telecommunication facility shall be painted with a dark green steel finish coating system and all brackets, antennas and RRUs will be painted green to match the faux pine tree (monopine) and will be fully within the monopine branch radius to best blend in with the existing environment. as represented on the approved plans kept on file with the Planning Department.
6. There shall be no lighting on tower, unless required by the Federal Aviation Administration (FAA). All lights not required by the FAA shall be fully shielded and downward facing to prevent the light source or lens from being visible from adjacent properties and roadways. Fully shielded shall mean a light which does not allow any light dispersion to shine above the horizontal plane from the lowest light emitting point of the light fixture and which precludes visibility of the light source.
7. The following Best Management Practices used to protect natural vegetation, impacts to steep slopes, and minimize impacts to wildlife habitat are required to be added to all future building plans and shall be followed:
  - a. Proper design and construction of retaining wall and tower foundation

- b. Erosion and sediment control plan, to include:
    - i. Site specific BMPs: fiber rolls, concrete washout
    - ii. Good housekeeping notes
    - iii. Notes to preserve existing vegetation
    - iv. Notes to haul-off any excavated material that has the potential for shrinking and swelling (e.g. high-plasticity clay (CH))
  - c. Following recommendations in the Subsurface Exploration Report, prepared by Tower Engineering Professionals, Inc., dated July 26, 2023.
8. Prior to issuance of Improvement or Building Permits, pursuant to Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code, the applicant shall provide a Facility Maintenance/Removal Agreement to the Planning Director, binding the developer and successors in interest, to an agreement to maintain the facility as approved and notify the County of intent to vacate the site, agreeing that the applicant will remove all facilities within 12 months unless the site is occupied by a successor; or the applicant shall provide a cash bond equal in cost to removing the tower and associated facilities.
9. Pursuant to Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code, the applicant shall include a note on all improvements plans as follows: "Existing trees and other screening vegetation in the vicinity of the facility and along the access or utility easements, shall be protected from damage during construction. All areas disturbed during project construction shall be replanted with vegetation compatible with vegetation in the surrounding area except where the County Fire Marshal requires fuel modification. Native trees are the preferred vegetation."
10. The facility shall comply with all Federal Communications Commission (FCC) regulations concerning radio frequency emissions.
11. A permanent, weatherproof, facility identification sign, no more than 12" x 24" in size, identifying the facility operator and a 24-hour phone number, shall be placed on the fence, the equipment building or tower base. If larger signage is required by the FCC, the applicant shall provide proof of the requirement, and signage shall not exceed the required size.
12. The contractor shall exercise every reasonable precaution to protect the project site from pollution with fuels, oils, bitumen, calcium chloride, and other harmful materials. Construction byproducts and pollutants such as oil and wash water shall be prevented from discharging onto the ground at the construction site.
13. All grading and construction plans shall include a Note outlining the requirements provided below to ensure that any cultural resources discovered during project construction are properly managed. These requirements including the following:

"All equipment operators and employees involved in any form of ground disturbance shall be trained to recognize potential archeological resources and advised of the remote possibility of encountering subsurface cultural resources during grading activities. If such resources are encountered or suspected, work within 200 feet shall be halted immediately and the Nevada County Planning Department shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner be contacted. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in California Environmental Quality Act Sections 15064.5(d) and (e) shall be followed. If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment."

14. Hours of operation for construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. These limited hours of operation shall be noted on project plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.
15. Neither stumps nor industrial toxic waste (petroleum and other chemical products) are accepted at the McCourtney Road transfer station and if encountered, shall be properly disposed of in compliance with existing regulations and facilities.
16. Pursuant to the Agreement to Pay form signed and submitted by the applicant/authorized representative, all fees incurred in the processing of this project shall be paid in full within 30 days of the mailing of such billing for the project. If payments on outstanding invoices are not made within thirty (30) days after the date of the invoice, County staff may cease work on the project until the required payment is made, subject to any other provisions of the law. All fees must be paid prior to the granting of any permits, approvals, or any land use entitlement for which services are required. Project approval does not become effective unless and until the applicant has complied with this condition.
17. Prior to issuance of any grading, Building, or improvements plans, to ensure that the proposed wireless telecommunication facility does not conflict with or compromise the existing private/public water infrastructure, the applicant shall obtain and submit documentation (official letter or email) from the Lahontan Regional Water Quality Control Board (or its administering agency) verifying that the proposed project will not interfere with the operation or purpose of the Floriston Community Water System. Additionally, the water vaults and

infrastructure associated with the Floriston Community Water System project shall be shown on the Site Plan for all future submittals for any/all permits.

18. Due to the proposed new wireless communication facility being within 100% of the tower height from the existing above ground water tanks, to ensure that the water tanks and associated infrastructure are not damaged, prior to approving any grading/Building/improvements plans, the applicant shall provide a Fall Certification Letter from structural engineer licensed by the State of California to the Nevada County Planning Department certifying that the proposed tower is designed to withstand without failure the maximum forces expected from wind, earthquakes, and ice, when the tower is fully loaded with antennas, transmitters and other equipment and camouflaging.

**B. DEPARTMENT OF ENVIRONMENTAL HEALTH:**

1. With the existence of hazardous material storage at this location, the applicant and/or facility operator shall adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code Section 25500 - 25519 and 25100 - 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). CERS | California Environmental Reporting System
2. The applicant and/or facility operator must apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from the Nevada County Department of Environmental Health (NCDEH), the Certified Unified Program Agency (CUPA). The applicant and/or facility operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations.
3. NCDEH shall have full access rights to the facility, including roads across private property, for the purposes of inspecting and or investigating complaints related to the storage and disposal of hazardous materials, 24 hours per day, 7 days per week. If private gates restrict access to the facility, NCDEH shall be provided with keys or combinations of said gates, or be allowed to apply a lock to a chain of locks, should one exist. NCDEH access shall be part of the lease agreement with the private property owner.

**C. NEVADA COUNTY BUILDING DEPARTMENT:**

1. Complete construction plans shall be submitted for review at time of building permit submittal in conformance with Nevada County Land-Use Code Chapter V.

2. All project plans shall be designed and wet stamped/signed by a California Licensed Design Professional for each prospective field of the project.
3. Completion of the County of Nevada Special Inspection Agreement will be required at time of building permit submittal for all required special inspections.

**D. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT:**

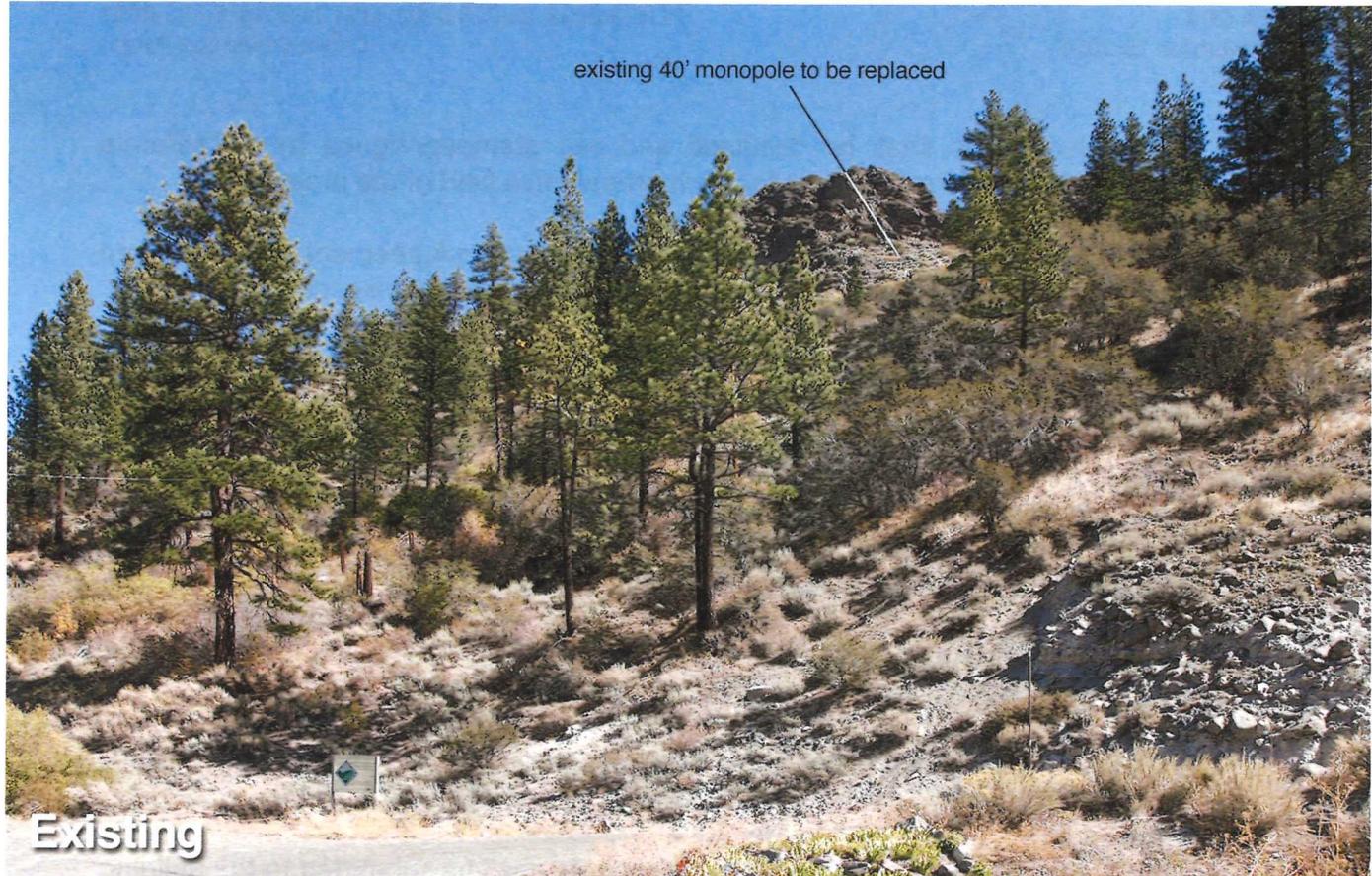
1. A note shall be placed on associated building or grading plans stating that any future construction projects less than one acre must adhere with dust mitigation measures in Northern Sierra Air Quality Management District's Rule #226.

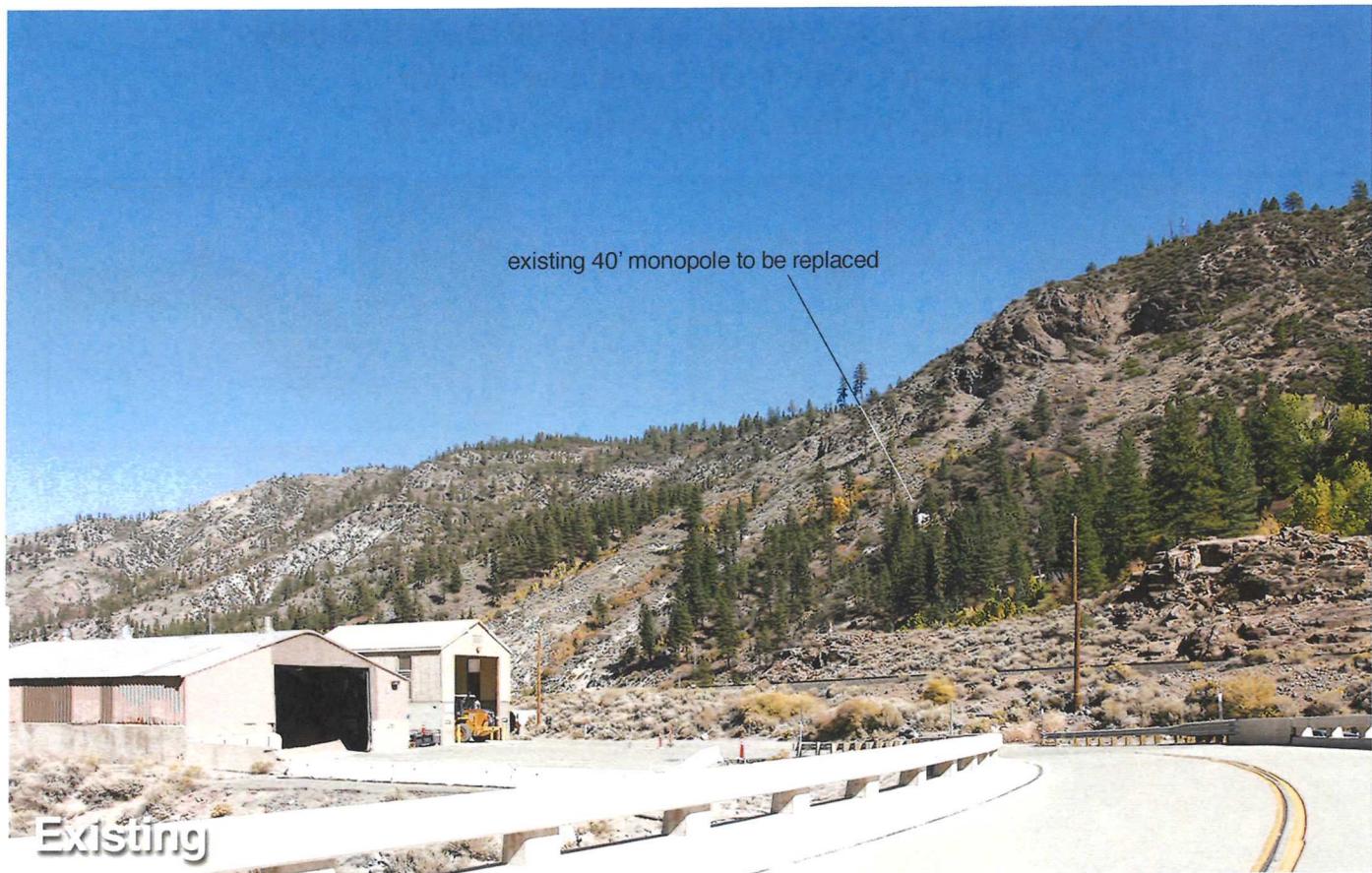
**E. DEPARTMENT OF PUBLIC WORKS:**

1. Access to the tower site shall meet minimum County Fire Standard Driveway requirements per County Standard Drawing C-2. 2.
2. Access Driveway shall be within the designated 20' Wide Access & Utility Easement as shown on the As-Built Survey Plans dated July 2, 2025.
3. Any Grading permits required for said Driveway shall be submitted to the Building Department for review and approval prior to any construction

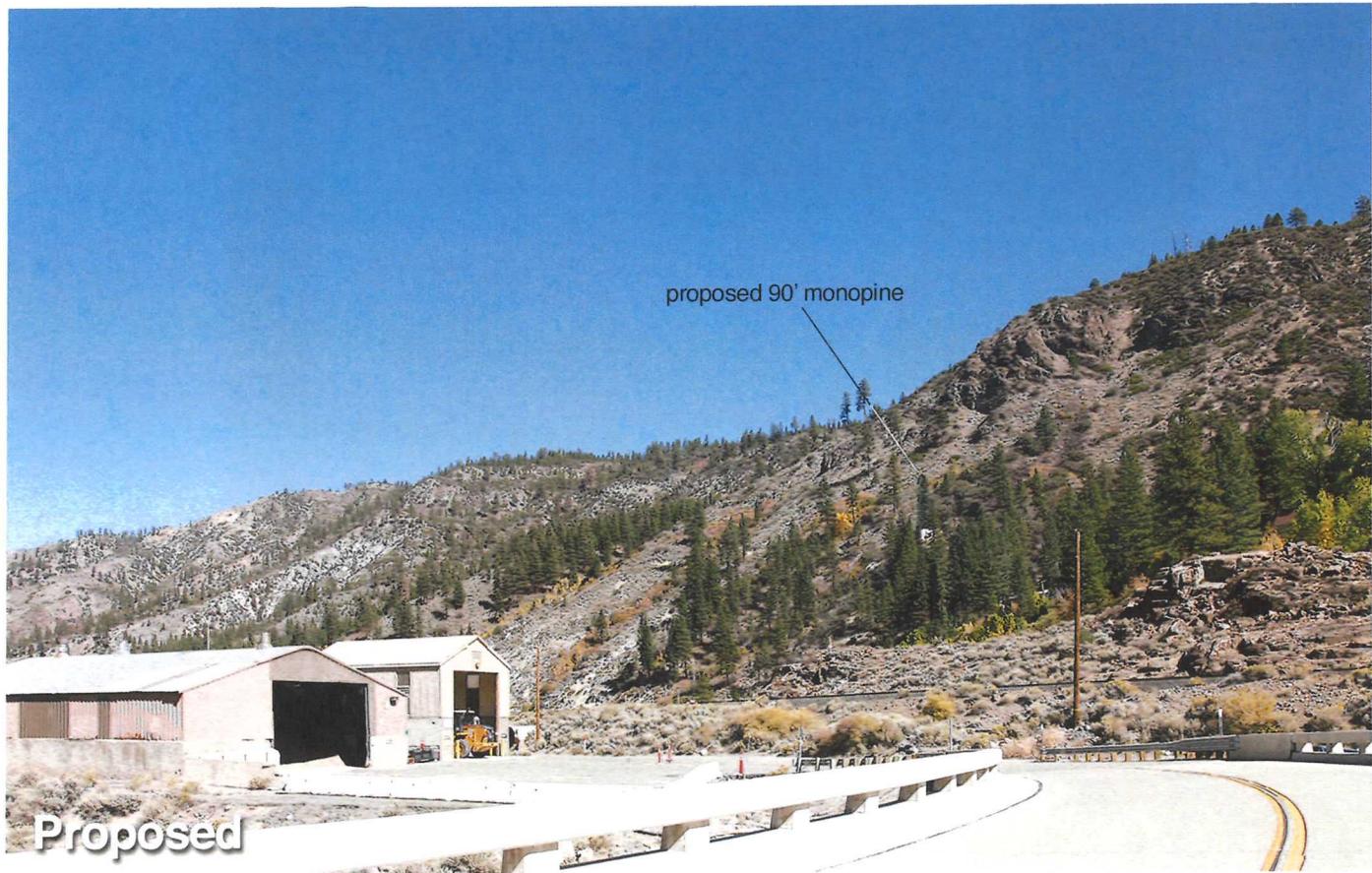
**F. CALTRANS:**

1. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to: Caltrans Transportation Permits Office, 1823 14th Street, Sacramento, CA 95811-7119. See the following website for more information: <https://dot.ca.gov/programs/trafficoperations/transportation-permits>



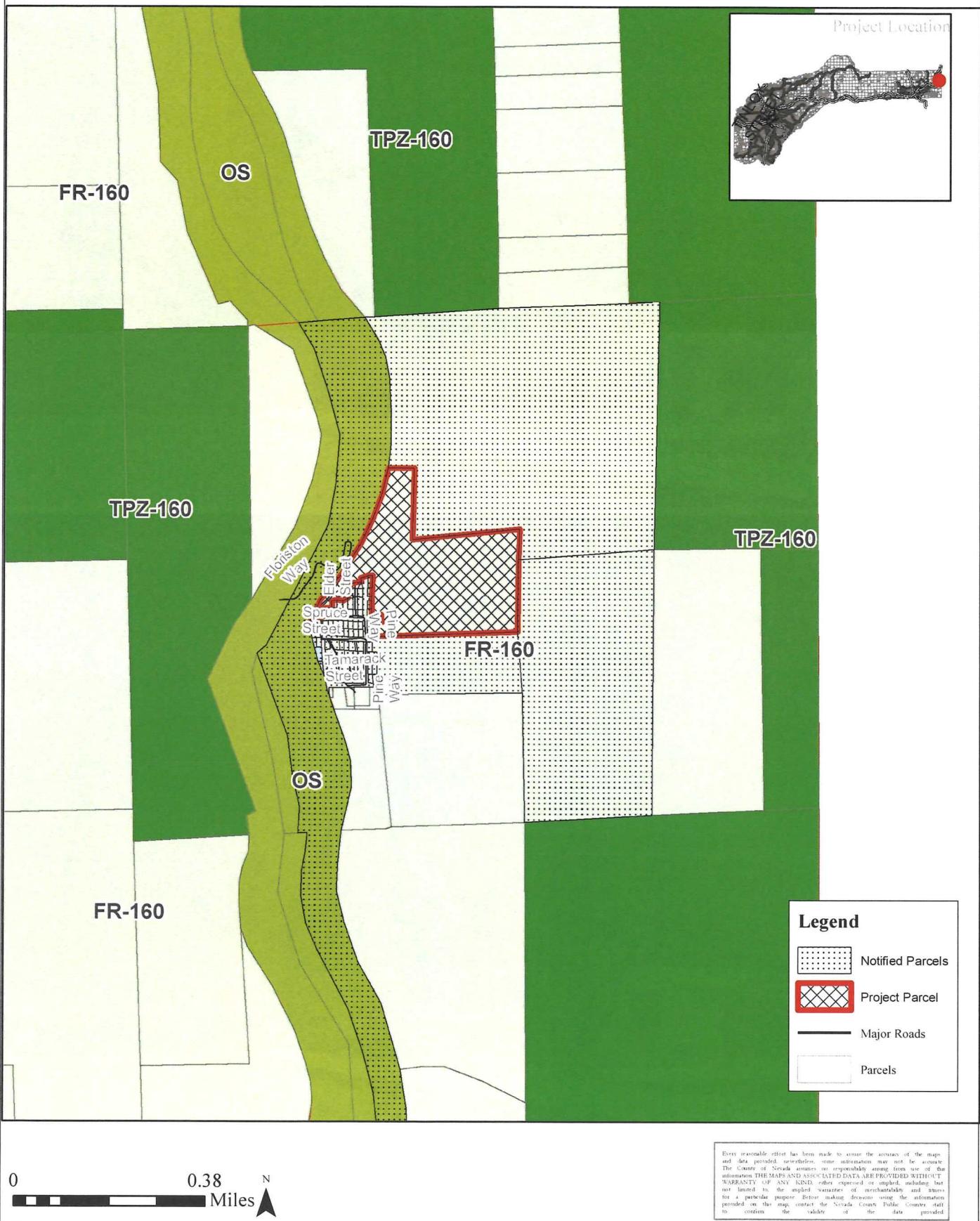


Existing



Proposed

PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001  
**Crown Castle Cell Tower Use Permit**  
**Zoning, Vicinity and Public Notice Map**













<p><b>CROWN CASTLE</b> 1500 Corporate Drive Canonsburg, PA 15317</p> <p><b>SURVEY PERFORMED FOR:</b></p> <p><b>GEOLINE SURVEYING, INC.</b> 13430 NW 10th Terrace, Suite A, Aventura, FL 33160 Tele: (305) 418-0500 Fax: (305) 462-9886</p> <p><b>SURVEY COORDINATED BY:</b> 2000 SMITH SURVEYING ENGINEERING 1000 16th Street, Suite 200, Lakewood, CO 80401-3008 Tele: (303) 383-2171 Fax: (303) 1343-1218 DRAFT: [REDACTED] DATE: [REDACTED]</p> <p><b>SURVEYOR'S CERTIFICATION:</b> I, the undersigned, certify that the information contained in this survey is true and accurate to the best of my knowledge, including the boundaries, subdivisions and related features and tower title and location. SURVEYOR NAME: DIMITRIANNA ALBA</p>																													
<p><b>DATE:</b> [REDACTED]</p> <p><b>SIGNATURE:</b> [REDACTED]</p>																													
<p><b>LEASE AREA ZONING:</b> FR-160 FOREST</p> <p><b>LEASE AREA FLOOD NOTE:</b> SUBMISSION REQUESTED ON 10/27/2010 TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) RELATED TO THE 2003 NATIONAL FLOOD INSURANCE STUDY (NFIS) MAP FOR COMMUNITY NO. 0602010, NAME NO. 00001, DATE MARCH 3, 2010. SHOWS THAT THE SITE LOCATION OF THIS SITE IS LOCATED WITHIN ZONE X, WHICH INDICATE THAT A RARE FLOOD IS LIKELY TO OCCUR WITHIN A 1% ANNUAL CHANCE.</p>																													
<p><b>BASIS OF SURVEY:</b> ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE CALIFORNIA COORDINATE SYSTEM IN UTM ZONE 2.</p> <p><b>NOTES:</b> 1. SURVEY DATA PROJECTED IN UTM ZONE 2. 2. SURVEY DATA PROJECTED IN CALIFORNIA COORDINATE SYSTEM OF 1983 (CCBS) ZONE 2. INTERNATIONAL ASSOCIATION OF OIL &amp; GAS PRODUCER'S (IAPG) STANDARD SURVEYING PRACTICE. 3. UTILITIES SHOWN ARE BASED ON TOPOGRAPHIC MAPS AND INFORMATION PROVIDED BY BURIED UTILITIES DEPICTED HEREON WERE DEPICTED AND SUBSURFACE UTILITIES WERE NOT LOCATED. DUE TO THE TYPE AND LOCATION OF THE BURIED UTILITIES DEPICTED, IT IS UNLIKELY THAT THESE UTILITIES ARE IDENTIFIED AS A PART OF THIS SURVEY. 4. ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE SHOWN AS SYMBOLS AND DEPICTED TO SCALE. 5. NO ACREAGE SYMBOLS ARE DEPICTED ON THIS SURVEY. 6. THIS SURVEY DOES NOT REPRESENT A BOUNDARY LINE. THE LINE OF THE 2003 NFIS IS SHOWN AS A DASHED LINE.</p>																													
<p><b>OWNER:</b> JAMES B. MAWHAR AND DEBORAH A. MAWHAR HUSBAND AND WIFE AS, COMMUNITY PROPERTY DEED REFERENCE: DOCUMENT NO. 20190021431</p> <p><b>APN:</b> 048-130-026-000</p> <p><b>CA ZONE 2</b> NAD 83 COORDINATES N: 2276675.42 E: 7121146.62</p> <p><b>LEASE PREMISES</b> P.O.B. - P.O.C. - LEASED PREMISES ACCESS &amp; UTILITY EASEMENT AERIAL EASEMENT (±314 S.F.)</p> <p><b>CA ZONE 2</b> NAD 83 COORDINATES N: 2276650.29 E: 7121139.93</p> <p><b>CA ZONE 2</b> NAD 83 COORDINATES N: 2276669.20 E: 7121129.44</p> <p><b>CA ZONE 2</b> NAD 83 COORDINATES N: 2276654.16 E: 7121125.44</p> <p><b>12' WIDE ACCESS &amp; UTILITY EASEMENT</b></p> <p><b>10' WIDE UTILITY EASEMENT</b></p> <p><b>5' 0" 10' 20'</b></p> <p><b>GRAPHIC SCALE</b></p> <p><b>1" = 10'</b></p>																													
<p><b>REVIEWED</b></p> <table border="1"> <thead> <tr> <th>REVIEW DATE</th> <th>REVIEWER</th> <th>DESCRIPTION</th> <th>DRAWN</th> </tr> </thead> <tbody> <tr> <td>03/11/2010</td> <td>03/11/2010</td> <td>03/11/2010</td> <td>LS</td> </tr> <tr> <td>12/01/2009</td> <td>12/01/2009</td> <td>12/01/2009</td> <td>LS</td> </tr> <tr> <td>13/02/09/24</td> <td>13/02/09/24</td> <td>13/02/09/24</td> <td>LS</td> </tr> <tr> <td>14/03/28/24</td> <td>14/03/28/24</td> <td>14/03/28/24</td> <td>LS</td> </tr> </tbody> </table> <p><b>SITE INFORMATION:</b></p> <table border="1"> <thead> <tr> <th>Name</th> <th>BUN</th> <th>Address</th> <th>County</th> </tr> </thead> <tbody> <tr> <td>SA379 FLORISTON/FLORISTON</td> <td>827390</td> <td>22258 UNIPER ST FLORISTON CA 36111</td> <td>NEVADA COUNTY</td> </tr> </tbody> </table> <p><b>SITE LOCATED IN:</b> SECTION 30 - 18N, R. 16E., M.D.M. SHEET TITLE: SITE BOUNDARY</p> <p><b>AS-BUILT SURVEY</b></p> <p><b>SHT NAME: 4-04</b> <b>SHT NO: 4</b> <b>OF 6</b></p>		REVIEW DATE	REVIEWER	DESCRIPTION	DRAWN	03/11/2010	03/11/2010	03/11/2010	LS	12/01/2009	12/01/2009	12/01/2009	LS	13/02/09/24	13/02/09/24	13/02/09/24	LS	14/03/28/24	14/03/28/24	14/03/28/24	LS	Name	BUN	Address	County	SA379 FLORISTON/FLORISTON	827390	22258 UNIPER ST FLORISTON CA 36111	NEVADA COUNTY
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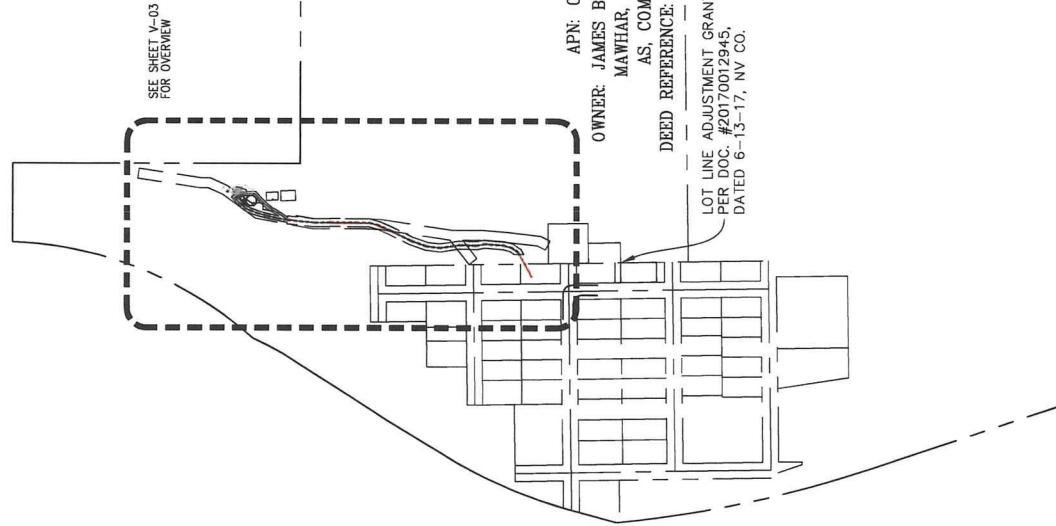




### PROPERTY INFORMATION

#### PARENT PARCEL

(1) JAMES B. MAWHAR AND DEBORAH A. MAWHAR, HUSBAND AND WIFE, AS, COMMUNITY PROPERTY  
APN: 048-130-026-000  
ADDRESS: 2258 JUNIPER ST  
FLORISTON CA 96111



<p><b>CROWN CASTLE</b> 1500 Corporate Drive Canonsburg, PA 15317</p> <p><b>SURVEY PERFORMED FOR:</b></p> <p><b>SURVEY COORDINATED BY:</b></p> <p>GEOLINE SURVEYING, INC. 13430 NW 10th Terrace, Suite A, Alachua, FL 32615 Phone: (386) 418-0500 Fax: (386) 462-9886</p> <p><b>SURVEY PERFORMED BY:</b></p> <p>2000 SMITHCO SURVEYING, INC. 13430 NW 10th Terrace, Suite A, Alachua, FL 32615 Phone: (386) 383-2171 Fax: (661) 383-1248 Email: 2000@2000smthco.com</p> <p><b>SURVEYOR'S CERTIFICATION:</b> I, the undersigned, a registered professional surveyor, do hereby certify that the survey and map contained in this instrument are a true and accurate representation of the property described and the boundaries and corner points shown thereon.</p> <p><b>SURVEYOR'S NAME:</b> DABRAGANV, ALBA</p>	
<p><b>SIGNATURE</b> _____ <b>DATE</b> _____</p> <p><b>LEASE AREA ZONING:</b> FR-150, FOREST</p> <p><b>LEASE AREA FLOOD NOTE:</b> THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RISK MAP FOR COMMUNITY NO. 26020, PANEL NO. 03002, ZONE C, MARCH 3, 2010, SHOWS THAT THE SITE LOCATION OF THIS SITE IS LOCATED IN A FLOOD HAZARD ZONE X, WHICH IS DEEMED TO BE 20% ANNUAL CHANCE FLOOD ZONE.</p> <p><b>BASIS OF NORTH:</b> ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE CAL. UNION COORDINATE SYSTEM OF 1965, LINE 2.</p> <p><b>NOTES:</b> 1. SURVEY PERFORMED ON 10/27/2015. 2. SURVEYOR'S DATA PROVIDED IN CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83) ZONE 2 (INTERNATIONAL ASSOCIATION OF OIL &amp; GAS PRODUCERS (IPEG) COORDINATE SYSTEM). SURVEYOR'S DATA ARE BASED ON THE NAD 1983 CONUS COORDINATE SYSTEM. 3. BURIED UTILITIES DEPICTED HEREIN WERE DECODED AND LOCATED BY THE SURVEYOR. THE SURVEYOR IS NOT RESPONSIBLE FOR THE PRECISE LOCATION OF THE BURIED UTILITIES. 4. THE SURVEYOR IS NOT RESPONSIBLE FOR THE PRECISE LOCATION OF THE BURIED UTILITIES. 5. ALL VISIBLE, OWN EQUIPMENT, AND IMPROVEMENTS ARE NOT ALL SYMBOLS ARE DECODED TO SCALE. 6. THIS SURVEY DOES NOT REPRESENT A BOUNDARY.</p> <p><b>REVISION:</b> 01/17/02/23 UPDATE 12 01/7/24 REDINES 13 02/8/24 REDINES 14 03/26/24 IN-HOUSE REVISIONS</p> <p><b>SITE INFORMATION:</b> Name: SA379 FLORISTON/FLORISTON BUN: 827190 Address: 22258 JUNIPER ST County: NEVADA COUNTY</p> <p><b>SITE LOCATED IN:</b> SECTION 301, T18N, R18E, M.D.M.</p> <p><b>TOWER SURVEY</b></p> <p><b>SHEET TITLE: PROPERTY OVERVIEW</b></p> <p><b>SHT NAME: V-02</b> <b>SHT NO: 2</b> <b>OF 5</b></p>	









## FLORISTON

827190  
22258 JUNIPER ST.  
FLORISTON, CA 96111

The logo for Crown Castle, featuring the word "CROWN" stacked vertically above the word "CASTLE" in a bold, sans-serif font. To the right of the text is a stylized "CC" monogram where the two "C"s are intertwined.

**Streamline Engineering**  
and Design Inc.

PRELIMINARY:  
NOT FOR  
CONSTRUCTION  
KEVIN R. SORENSEN  
S4669

PROPERTY OWNER: JAMES B.  
VAWHAR AND DEBORAH A.  
VAWHAR, HUSBAND AND WIFE  
AS, COMMUNITY PROPERTY  
DEED REFERENCE: DOCUMENT  
NO. 20190021431  
(PIN 23-0023, CUP23-0002,  
EIS23-0001)

PROPERTY OWNER: JAMES B.  
MAWHAR AND DEBORAH A.  
MAWHAR, HUSBAND AND WIFE  
AS, COMMUNITY PROPERTY  
DEED REFERENCE: DOCUMENT  
NO. 20190021431

## OVERALL SITE PLAN

Bin Range	Frequency
0-150	0
150-300	0
300-450	0
450-600	0
600-750	0
750-900	0
900-1050	0
1050-1200	0
1200-1350	0
1350-1500	1600
1500-1650	0

2000-2001

## FLORISTON

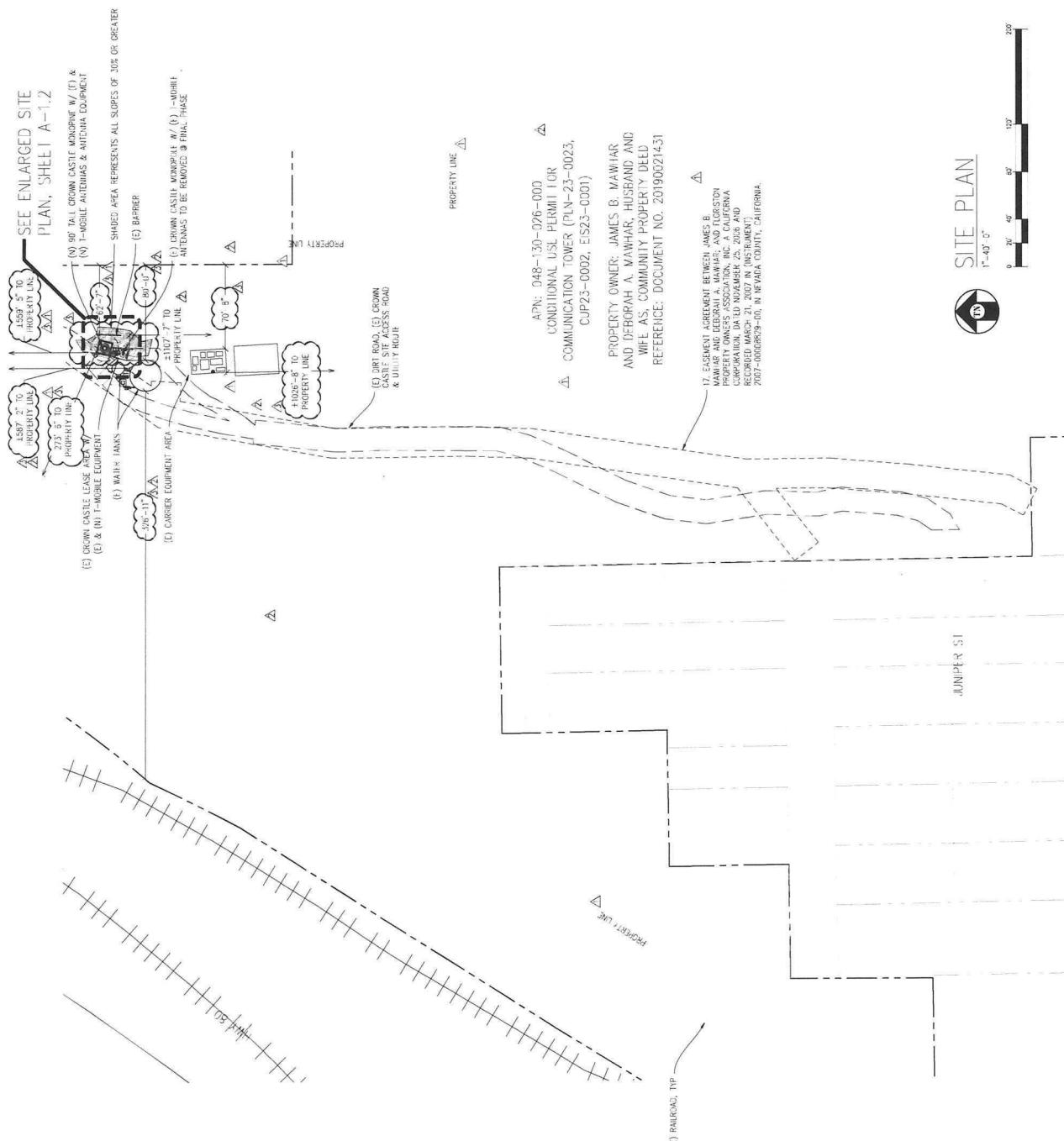
827190  
22258 JUNIPER ST.  
ELORISTON, CA 96111

ONE PARK PLACE, SUITE 300  
DUBLIN, CA 94568

A business card for Streamline Engineering and Design, Inc. The card features a large, stylized graphic of a suspension bridge in the background. The company name is at the top, followed by the address, phone number, and email. The bottom half of the card is a solid color with the company name and logo.

PRELIMINARY:  
NOT FOR  
CONSTRUCTION

SHEET TITLE: SITE PLAN SHEET NUMBER: A-1.1



## FLORISTON

827190  
22258 JUNIPER ST  
FLORISTON, CA 961

FLORISTON, CA 96111

The logo for Crown Castle, featuring the company name in a bold, sans-serif font above a stylized 'CC' monogram.

ONE PARK PLACE, SUITE 300  
UBLIN, CA 94568

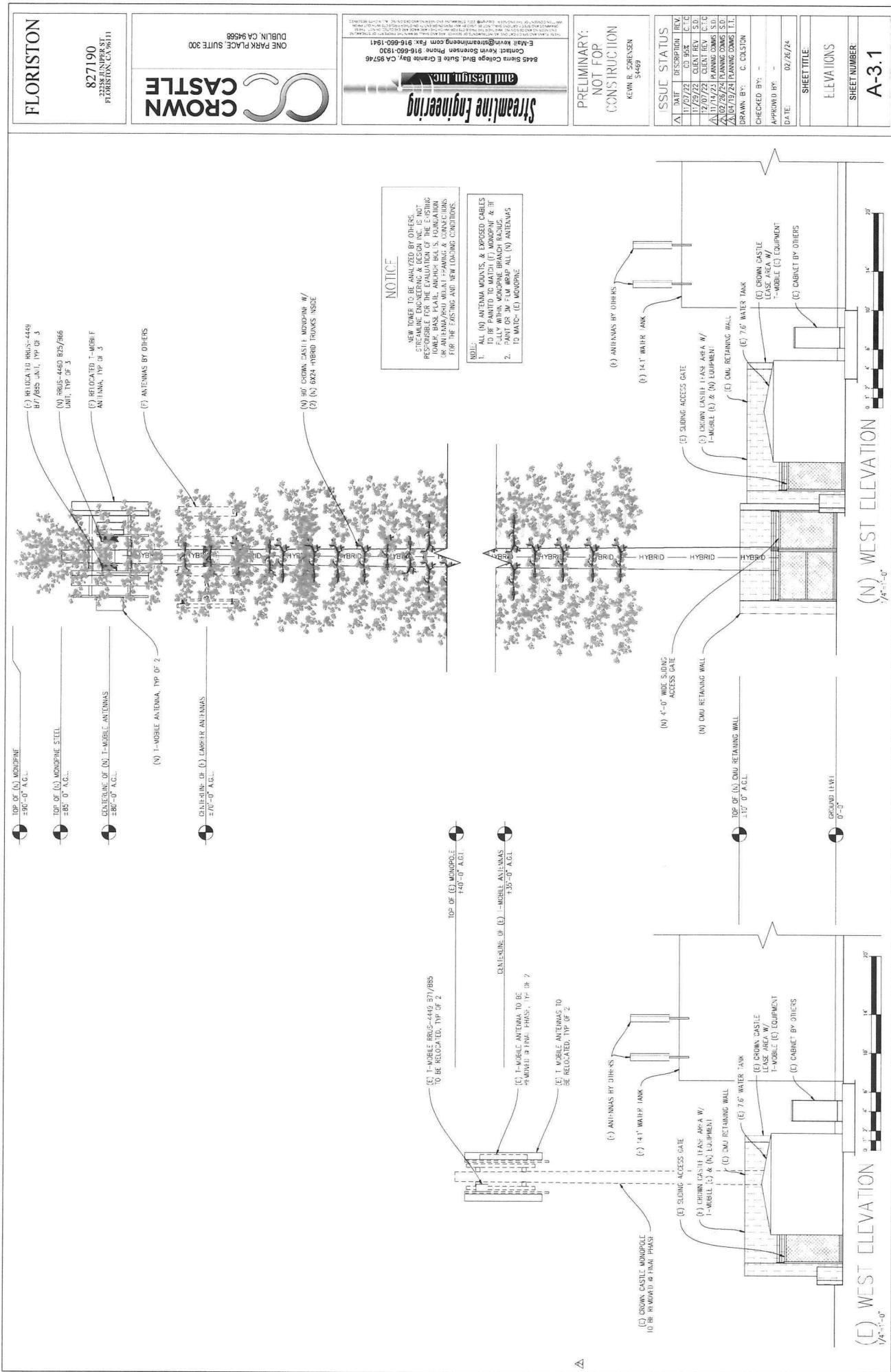
845 Sierra College Blvd, Suite E Granite Bay, CA 95746  
Centrik-Kevin Strategic Phone: 916-660-1930  
E-Mail: Kevin@separatinengineering.com Fax: 916-660-1941

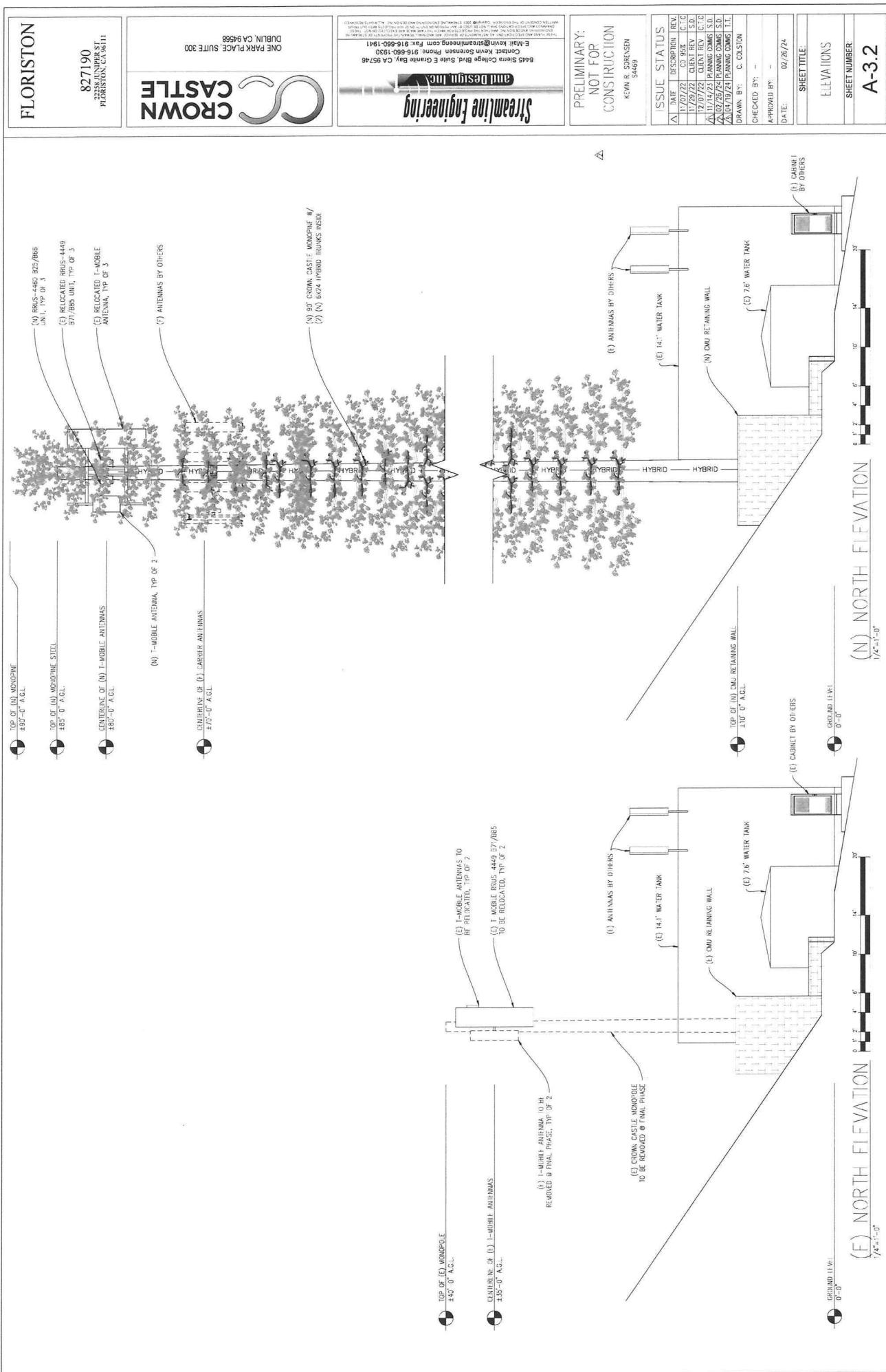
PRELIMINARY:  
NOT FOR  
CONSTRUCTION  
KEVIN R. SORENSEN

ISSUE STATUS	DATE	DESCRIPTION	REC'D
11/11/07/22	CO 95%	C.I.	
11/11/29/22	CLIENT REV	S.C.	
12/07/29/22	CLIENT REV	S.C.	
11/11/14/23	PLANNING COMM'S	S.D.	
02/26/24	PLANNING COMM'S	I.T.	
04/19/24	PLANNING COMM'S	I.T.	

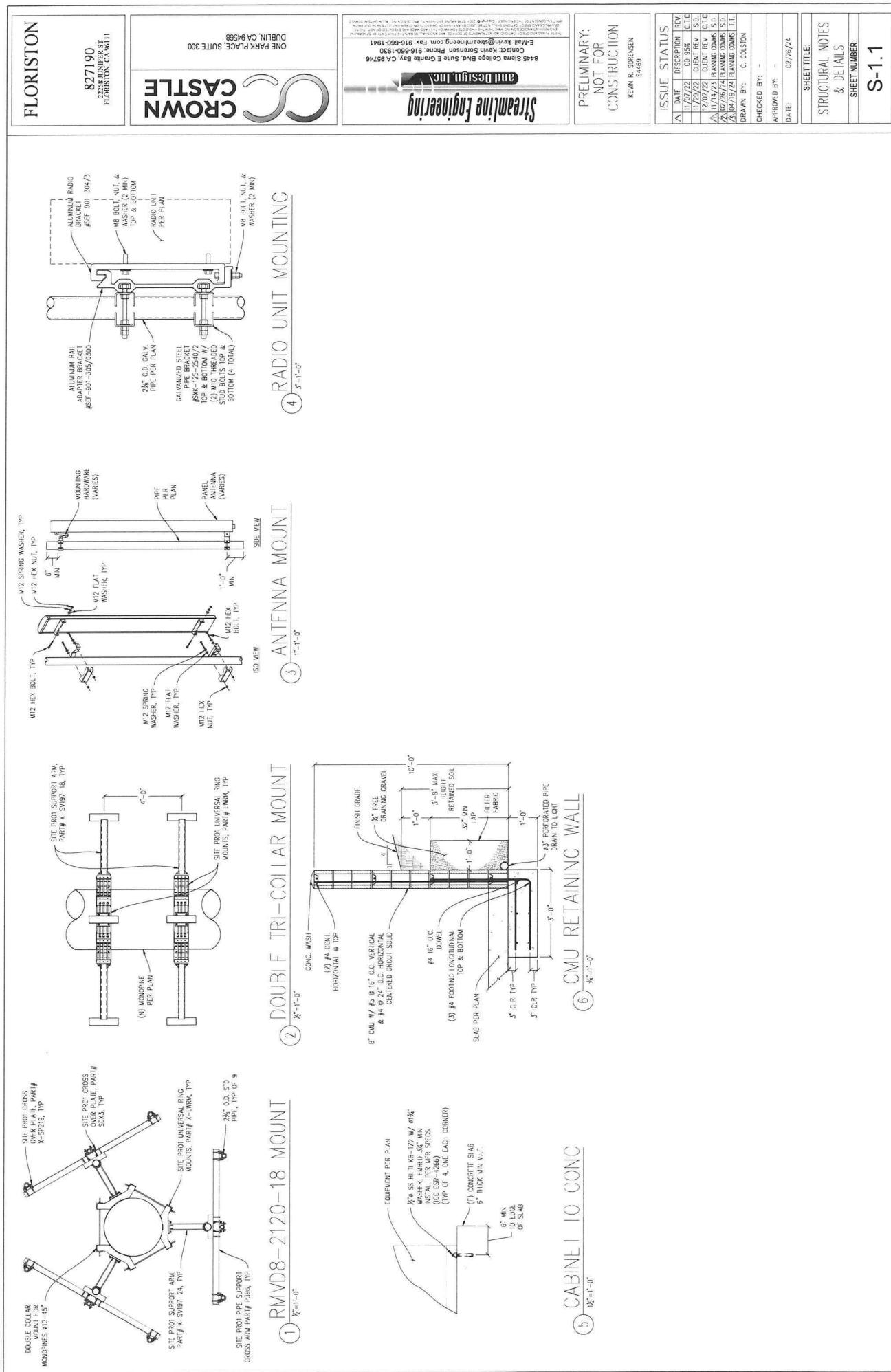
ENLARGED SITE PLAN  
SHEET NUMBER: **A-1.2**











#### ELECTRIC LEGEND

ELECTRICAL NOTES

## FLORISTON

827190  
22258 JUNIPER ST  
MORISIION, CA 96111

ONE PARK PLACE, SUITE 300  
DUBLIN, CA 94568

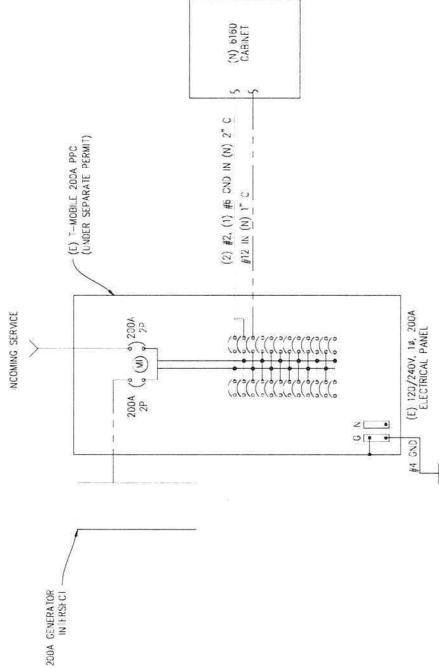
PRELIMINARY:  
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CONSTRUCTION

07/26/24  
SHEET TITLE: WEEKLY LINE DIAGRAM SCHEDULE  
SHEET NUMBER: E-11

## PANEL SCHEDULE

MANUFACTURE : PANEL A		SC. LEVEL : 22/2020		VOL. TS. 120V/240V / 16 BUS AMPS. : 200A	
LOCATION : INSIDE	LOCATION : INSIDE	LOAD VA	LOAD DESCRIPTION	LOAD AMP / POLE	LOAD DESCRIPTION
WALL	WALL	LOAD VA	GENERATOR	BKR / CIRCUIT NO	BKR / CIRCUIT NO
0	0	0	0	0	0
300	180	0	TECH LIGHT	20/1	3
			GFI RECEPTACLE	20/1	4
			BLANK	9	5
			BLANK	10	6
			BLANK	11	7
			BLANK	12	8
			BLANK	13	9
			BLANK	14	10
			BLANK	15	11
			BLANK	16	12
			BLANK	17	13
			BLANK	18	14
			BLANK	19	15
			BLANK	20	16
			BLANK	21	17
			BLANK	22	18
			BLANK	23	19
			BLANK	24	20
			BLANK	25	21
300	180	180	PHASE TOTALS	26	22
					PHASE TOTALS
					6600
					6500
					6500

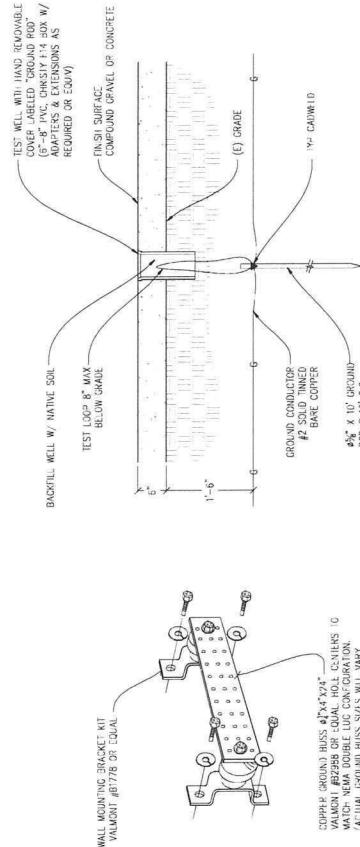
NOTE: EXISTING LOADS HAVE NOT BEEN FIELD VERIFIED. THEY ARE APPROXIMATE BASED ON EXISTING CB SIZES. CONTACT THE ENGINEER IF THE LOADS DIFFER FROM THAT WHICH IS SHOWN ON THE PLANS.



SINGE LINE DIAGRAM

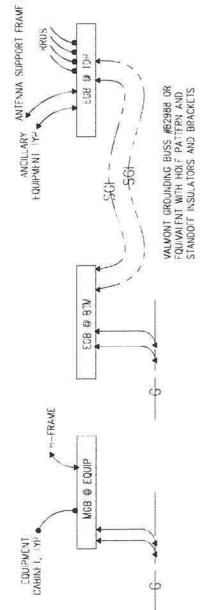
ELECTRIC LEGEND

	Mechanical Infronk
	WRENCH
	SERVICE GIGLIO
	WIRED CONNECTION
	TIMER SWITCH, WATERPROOF
	OUTDOOR LIGHT
	GFI OUTLET, WATERPROOF



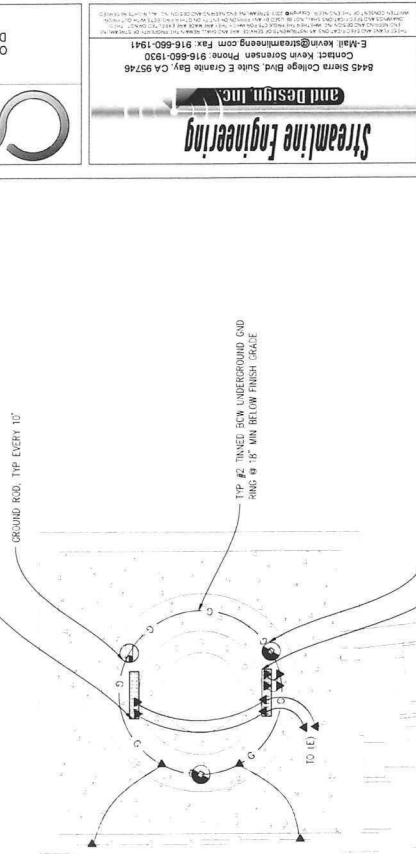
→ GROUND BLISS DETAIL  
BASED ON THE NUMBER OF GROUND CONNECTIONS)

1-E. GROUND ELECTRODE SYSTEM SHALL CONSIST OF DRIVEN GROUND RODS. 1-E. GROUND RODS SHALL BE 8' X 10' COPPER CLAD STEEL, SPACED AT 10' INTERVALS. WAX RODS SHALL BE SOLID TINNED BARE COPPER GROUND WIRE BURIED A MINIMUM 18" BELOW INTERCONNECTION WITH 1-E. GROUND BARE COPPER GROUND WIRE.



TEST WEI | DETAIL

1-E. GROUND ELECTRODE SYSTEM SHALL CONSIST OF DRIVEN GROUND RODS. THE GROUND RODS SHALL BE 8' X 10" COPPER CLAD STEEL, SPACED 10' INTRASITE, 10' OUTERSITE. RODS SHALL BE INTERCONNECTED WITH #2 SOLID TINNED BARE COPPER GROUND WIRE, BURIED A MINIMUM 18" BELOW GROUND SURFACE. GROUND SYSTEM SHALL BE RECONNECTED TO THE GROUND SYSTEM OF THE PREVIOUSLY INSTALLED SYSTEM.



PRELIMINARY:  
NOT FOR  
CONSTRUCTION  
KEVIN R. SORENSEN  
SAFEGO

EFFECTIVE GROUNDING PLAN





Community Development Agency  
**Planning Department**

[Planning@nevadacountyca.gov](mailto:Planning@nevadacountyca.gov)  
[www.nevadacountyca.gov/Planning](http://www.nevadacountyca.gov/Planning)

950 Maidu Avenue, Suite #170  
PO BOX #599002  
Nevada City, CA 95959  
PH: (530) 265-1222 ext. 2  
FAX: (530) 265-9854

## Planning Commission Memorandum

Date: November 12, 2025

To: Nevada County Zoning Administrator

From: Zachary Ruybal, Associate Planner *ZKR*

Subject: Floriston Wireless Telecommunications Facility Project – PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 Comments Received

Attachment: Comments Received & Proposed New/Revised Conditions of Approval

---

Dear Zoning Administrator:

Since the time of the public notice and release of the Staff Report for the Floriston Wireless Telecommunications Facility project, Staff has received a total of five (5) comment letters from the Floriston Property Owners Association (FPOA), the contractor overseeing the Floriston Water Treatment Facility project, and concerned neighbors. Please see the attached comments for your review and please include these comments as a part of the public record for the project. The amended Conditions of Approval are attached to this document as well. The main concerns included amongst the public comment letters for the proposed project include concerns regarding the potential impacts related to potential impacts to the Floriston Water Treatment Facility project, the access road, construction on slopes exceeding 30% slope, and noise.

As discussed in the Staff Report, the proposed project does not propose any generators and the noise associated with the proposed project would be for construction activities only, which are exempt from the Nevada County Noise Ordinance requirements. Additionally, Condition of Approval A.14 is provided to limit the hours of construction from 7:00 a.m. to 7:00 p.m. Monday through Saturday only, with no work being allowed on Sundays. Additionally, due to the proposed project proposing the wireless telecommunications facility as an unmanned facility, the proposed project is not expected to contribute to a substantial increase in traffic. Construction related traffic would be temporary and minor because development of the site for a single replacement cell tower is not considered a major project. As an unmanned facility, operational traffic would only consist of weekly or bi-monthly visits by a technician. The addition of future carriers would result in similarly minor construction traffic and technician visits.

As a part of the proposed project, a Steep Slopes Management Plan prepared by Susah Dahl with T&S Engineering provided Best Management Practices to be implemented during the construction of the proposed wireless telecommunications facility. These Best Management Practices to be implemented have been included as a Condition of Approval to allow ground disturbance within areas that exceed 30% slope (Condition A.7). Additionally, there have been numerous concerns brought forth regarding the proposed projects' potential impact on the Floriston Water Treatment Facility project that is

currently in the construction phase. During the Initial Distribution process, the Lahontan Regional Water Quality Control Board was routed the proposed project for review and to provide any comments/conditions they would like to include or items they would like to be addressed in a resubmittal. The Nevada County Planning Department did not receive any comments, concerns, or conditions from the Lahontan Regional Water Quality Control Board throughout the process. In order to ensure that proposed wireless telecommunication facility does not conflict with or compromise the existing private/public water infrastructure associated with the Floriston Water Treatment Facility project, a Condition of Approval has been included which requires that applicant obtain and submit documentation from the State of California (or its administering agency) verifying that the proposed project will not interfere with the operation or purpose of the Floriston Community Water System. Additionally, the water vaults and infrastructure associated with the Floriston Community Water System project shall be shown on the Site Plan for all future submittals for any/all permits (Condition A.17).

Pursuant to Title 12, Chapter 3, Section 12.03.080 Communication Towers and Facilities of the Nevada County Code requires that towers that are located a distance that is less than 100% of their height from a property line, a habitable structure or other tower, shall include a report by a structural engineer licensed by the State of California, certifying that the proposed tower is designed to withstand without failure the maximum forces expected from wind, earthquakes, and ice, when the tower is fully loaded with antennas, transmitters and other equipment and camouflaging. In the past, the Nevada County Planning Department has approved wireless telecommunication facilities within 100% of the proposed towers height to above grade water tanks; however, one of the main concerns regarding the Floriston Water Treatment Facility project potential impacts is the proposed towers proximity to the existing above ground water tanks on the project parcel. While the Nevada County Code does not require a Fall Certification Letter for these types of utilities, a Condition of Approval has been included to require the applicant to provide a Fall Certification Letter to ensure that existing facilities and infrastructure will not be impacted as a part of the proposed project (Condition A.18).

**October 10, 2025 Re:** CUP Permits PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001  
— Proposed Crown Castle / T-Mobile CCI Cell Tower Project, Floriston, California

The following dialogue is a response from the FPOA Project Management Group, Kennedy Jenks, engaged/contracted to oversee the Floriston Water Treatment Facility, the subject of the recent State of California Grant to the Town of Floriston, CA. The Numbered Items are a few critical informational items absent from the CCI-T-Mobile Project Description and consideration of the Project and its unmitigable impacts.

#####

To the FPOA Board:

“I read the document you sent and reviewed the pertinent drawings therein. In addition to my sending on Friday a markup of the Crown Castle As-Built Survey sheet 5 of 5 drawing with new RW Flowmeter Vault location that they do not know about or show, I have the following additional observations:

1. The new RW Flowmeter Vault thankfully is called to be traffic-rated for H20 loads. However, I do not know anything about the rating of FPOA’s other existing valve vaults in the area, so protection of them should be a key requirement. I do note under Project General Notes on Sheet T-1.2 in the Crown Castle drawings attached to the Zoning Administrator Staff Report, that Note 13 calls for protecting existing sewer, water and other utilities.
2. The red colored line annotated “UG/E” for a T-Mobile conduit serving the site as shown on As-Built Survey drawings in the Crown Castle drawings in the Zoning Administrator Staff Report is an existing conduit that will have cables inside replaced, but no new conduit will be added in the road.
3. FPOA’s new RW Flowmeter Vault should be added to sheets A-1.2 and C1.0 in the Crown Castle drawings in the Zoning Administrator Staff Report as a minimum going forward.
4. Page 9 of the Zoning Administrator Staff Report under the paragraph called Telecommunications Tower Setback refers to towers located “less than 100% of the height from a property line, a habitable structure or other tower, shall include a report by a structural engineer licensed in the State of California, certifying that the proposed tower is designed to withstand without failure the maximum forces expected from wind, earthquakes or ice...”. The Zoning Administrator deems this site not applicable to this requirement. However, I believe FPOA should point out that its water facilities are deemed “essential facilities” critical to the community’s

water system and that its above grade tanks in the area are located within 100% of the proposed tower's height and thus the tower should be designed to meet the stated requirements as such in order to protect the tanks.

5. Page 14 of the Zoning Administrator Staff Report includes approval recommendations II-E, F and G that do not adequately address the potential impacts of the proposed tower on the existing essential community water system above grade tanks unless higher design standards are employed than stated in the Report in order to protect these "essential facilities". Furthermore, on page 15, item II-K is only acceptable if the referred to Attachment 1 also includes conditions for adequate tower design and construction protection of FPOA's water system facilities in the area including the two above grade water tanks located less than 100% of the proposed tower's height, as described herein.
6. Construction Note 3 on Crown Castle drawing T-1.2 needs the called-out compliance requirement for "2019 CBC" to be updated to the current adopted CBC version in effect when the design is permitted for construction.

I hope this helps FPOA in expressing its concerns regarding the proposed 90' tower.

Submitted by:

Doug Henderson | Kennedy Jenks  
Direct: (415) 244-5894  
[DougHenderson@KennedyJenks.com](mailto:DougHenderson@KennedyJenks.com)

---

---

Gary G. Mapa, Property Owner Floriston, CA

Also, Disclosure: Vice-President, FPOA

The above information is being submitted by me as an individual.



**Gary G. Mapa**, Broker, CA DRE #00597441  
Real Estate Solutions  
Site Acquisition Resultants, Inc.  
POB 621, Applegate, CA 95703  
**530-320-9097** (Cell) 530-878-7260 (Fax)  
kj6kfi [gmapa@reatta.com](mailto:gmapa@reatta.com)



Floriston Property Owners Association  
22261 Juniper St.,  
Floriston, CA 96111

November 8, 2025

Nevada County Planning Department  
950 Maidu Ave.  
Ste. 170  
Nevada City, CA 95959

**Re:** CUP Permits PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 — Proposed Crown Castle / T-Mobile CCI Cell Tower Project, Floriston, California

Attn Nevada County Planning Department:

The **Floriston Property Owners Association (FPOA)** has valid and justifiable concerns regarding the proposed **CCI Cell Tower Project** (CUP Permits: PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001) submitted by **Crown Castle** on behalf of **T-Mobile**.

As a rural mountain community, we recognize the importance of reliable cellular service and appreciate the coverage that T-Mobile currently provides. However, of greater importance — and of ongoing concern and commitment to our community — is the **adequate supply, quality, and maintenance of reliable, potable water** for the **43 properties** that comprise the Town of Floriston.

FPOA's foremost obligation is to ensure that our **\$6.7 million state-funded water system** is not placed in jeopardy by construction activities associated with the proposed Crown Castle Communications Infrastructure (CCI) Project. To date, the Conditional Use Permit (CUP) record contains **no documentation or discussion** addressing mitigation for potential damage to the FPOA water facilities during construction, following completion, or during any future modification or demolition of the telecommunications site located in the immediate vicinity of our water system infrastructure.

**Risk management** is essential to the protection and long-term sustainability of this critical public utility. Cellular tower lease terms typically extend for **20 years or more**, with multiple

five-year renewal options. Therefore, any unmitigated risk to the pre-existing FPOA water system could persist for the full duration of such leases and their extensions.

The **proposed 90-foot structure**, with its associated equipment area and substantial foundation, is located directly adjacent to the FPOA's sole water source and vital water infrastructure. Any damage to this infrastructure could result in the **loss of running water for more than forty property owners** within the Town of Floriston.

No plans or conditions have been presented to mitigate potential loss or damage to the water system. Meanwhile, construction of the **new \$6.7 million water system**, funded by the State of California, is already underway.

The surveys, plans, and other documentation submitted for this CCI-T-Mobile facility do **not reference or account for the approved State-funded water-system upgrades** that are being implemented at this location and throughout the Floriston community. The proposed tower, concrete pad, and foundation pilings are located within a few feet of existing and newly installed FPOA infrastructure.

These conditions create justifiable concern about the potential for **unavoidable impacts and damage** caused by heavy construction equipment during all phases of this project, as well as by subsequent expansions or decommissioning associated with ongoing wireless-infrastructure operations. The CUP materials do not address **mitigation procedures** for damage incidents, nor do they emphasize maintaining **safe and reasonable access** for town residents to their homes and to essential community facilities — including the FPOA water-system/assets protected under the State of California grant.

Also unaddressed in the CUP package is the **critical geotechnical context** of the site — namely, the **30-plus-degree slope** and the intrusive excavation required for the monopine foundation and concrete pad. The proposed project is located in an area with a **documented history of slope instability**, including slides that have affected both the proposed tower area and nearby sections of Interstate 80. Any destabilization of the hillside adjacent to the project could increase the likelihood of rock, mud, or snow slides, posing severe risks to the FPOA water-system infrastructure.

It is understood that **noise, vibration, construction traffic, and related activities** will impact the project site and the surrounding community. It is imperative that the project proponents and all responsible parties — including project managers, contractors, and subcontractors — provide **advance written notice** to FPOA and town residents regarding all construction activities, schedules, and potential impacts to Floriston's roads, water and sewer systems, and electrical utilities.

To date, **no documentation of access rights or easements** granted to Crown Castle, T-Mobile, or their contractors has been provided to FPOA, nor do such authorizations appear in the CUP project description.

Given the **absence of essential safeguards**, including geotechnical evaluation, risk mitigation, infrastructure protection, and lawful access arrangements, the **Floriston Property Owners Association firmly opposes** the proposed **CCI-T-Mobile Project** under this Conditional Use Permit.

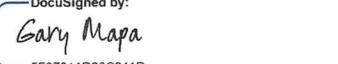
The Association does **not support this project in any form** and considers its construction to represent an **unacceptable threat** to Floriston's public safety, water infrastructure, and community welfare.

Respectfully submitted,

Shannon Hawthorne, President

Signed by:  
  
C292AA0D27DC4D1...

Gary Mapa, Vice President

DocuSigned by:  
  
5F37011D000C041D...

Anthony Saraceno, Treasurer

DocuSigned by:  
  
A2ECEE9AE5B9440...

Libbie Henrie, Secretary

Signed by:  
  
37A95187655C47C...

Myles Beyer, Road Water & Sewer

Signed by:  
  
E11A37BB677449B...

## **Zachary Ruybal**

---

**From:** Gary Mapa <gmapa@reatta.com>  
**Sent:** Wednesday, November 5, 2025 8:09 AM  
**To:** Planning  
**Cc:** Alicia Chaturvedula; CommunityDevelopment; Gary Mapa  
**Subject:** COMMENT: PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Please submit the following comment to the Hearing Panel:

### **CEQA Justification – Protection of Existing Public Infrastructure and Subordination of Interests**

Pursuant to CEQA Guidelines §§15064(e), 15065(a), and 15126.2(a), the Lead Agency must evaluate whether a proposed project could cause significant environmental effects through direct or indirect disruption of existing public services, infrastructure, or adopted plans. The proposed 90-foot monopole communications facility is located within or adjacent to lands encumbered by a State of California grant awarded to the Town of Floriston for the construction and operation of the Floriston Community Water System, a public works project essential to the community's potable water supply. The State's investment, in excess of six million dollars, constitutes a recorded public interest that predates and is superior to any new private leasehold or easement interest associated with the proposed communications facility.

As such, any activity that could interfere with or impair the continued operation or maintenance of the water system may be deemed a potentially significant impact under CEQA Guidelines §15065(a)(4), which requires a finding of significance if a project could cause substantial adverse effects on human beings, directly or indirectly. Further, under §15126.2(a), a project's environmental analysis must consider both primary and secondary effects, including reasonably foreseeable indirect impacts to infrastructure systems required for public health and safety.

To ensure that the proposed monopole facility does not conflict with or compromise the existing private/public water infrastructure, the County shall require, as a condition of approval, that the applicant obtain and submit documentation from the State of California (or its administering agency) confirming either (a) subordination of the State's recorded grant interest to the communications facility, or (b) written consent verifying that the project will not interfere with the operation or purpose of the Floriston Community Water System. This measure satisfies CEQA's requirements under §15064(e) by eliminating a reasonably foreseeable indirect impact and ensures consistency with CEQA's intent to protect existing public facilities and the public investment in essential community infrastructure.

Implementation of this condition may reduce the potential impact to a **less-than-significant level**, ensuring that project approval will not conflict with existing state-funded infrastructure, recorded property rights, or public health and safety standards.

Submitted as a Floriston property owner.

#####

**Gary G. Mapa, Broker, CA DRE #00597441**  
Real Estate Solutions  
Site Acquisition Resultants, Inc.  
POB 621, Applegate, CA 95703  
**530-320-9097 (Cell) 530-878-7260 (Fax)**  
kj6kfi [gmapa@reatta.com](mailto:gmapa@reatta.com)

[www.sarsas.org](http://www.sarsas.org) Co-Founder, Pres.  
**Save Auburn Ravine Salmon and Steelhead**  
**This is what I do!**  
**What have you done to contribute lately?**

## Zachary Ruybal

---

**From:** Alicia Chaturvedula  
**Sent:** Tuesday, November 4, 2025 3:52 PM  
**To:** Planning  
**Cc:** Vera De Ferrari  
**Subject:** FW: PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**From:** Gary Mapa <gmapa@reatta.com>  
**Sent:** Tuesday, November 4, 2025 3:45 PM  
**To:** CommunityDevelopment <ComDevAgency@nevadacountyca.gov>  
**Cc:** Gary Mapa <gmapa@reatta.com>; Shannon Hawthorne <shawthorne0@gmail.com>  
**Subject:** PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower

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Seven Days is not sufficient time to review the documents and evaluate additional impacts to the Floriston Community (FPOA), as have previously been experienced, and certainly anticipated to be multiplied beyond the present negative impacts. The location of the existing communication facilities in relationship to the FPOA Spring Water Storage facility serves the entire community of Floriston and these individuals and families can not be put at risk.

A ninety foot structure at this location will require a massive foundation, the drilling or excavation of, in of itself, may/can create damage to the FPOA Water Tank and the spring water supply itself. There are too many issues that affect the safety and lives of the Floriston residents.

The propagation of the transmission of signals from the proposed tower is also of question. Documentation of the need to raise the rad centers from the existing antenna array elevations to nearly double needs to be proven and justified, unless all carriers are transitioning to one support structure, thus requiring the removal of the existing facilities in their entirety, including foundations.

Access to the location of the proposed/existing communication towers is by narrow, hillside traveled lane with no turnouts. Fire and other safety related vehicles will not have sufficient width and turn-around (Hammerhead or otherwise) for their respective vehicles.

These are just an introduction to my concerns. There are more, and after reviewing all the drawings, studies, reports and title documents, including rights of access by all users of the proposed "project", we can better respond to this CCI project.

Thank You.

I look forward to reviewing the documents that "may be released" tomorrow, so we can determine what additional information is needed to best protect the health and safety of the Floriston Community.

I included the FPOA Board President, Shannon Hawthorne, in this email.

**Gary G. Mapa, Broker, CA DRE #00597441**  
Real Estate Solutions  
Site Acquisition Resultants, Inc.  
POB 621, Applegate, CA 95703  
**530-320-9097** (Cell) 530-878-7260 (Fax)  
kj6kfi [gmapa@reatta.com](mailto:gmapa@reatta.com)

[www.sarsas.org](http://www.sarsas.org) Co-Founder, Pres.  
**Save Auburn Ravine Salmon and Steelhead**  
**This is what I do!**  
**What have you done to contribute lately?**

11/04/2025

Regarding Nevada County Zoning Administrator  
Regular Meeting Notice of Public Hearing  
Wednesday November 12th, 2025 at 1:30 Pm

RE: PLN23-0023, CUP23-0002, MTG24-0018; EIS23-001

Dear Administrators,

I am writing to you to challenge the Conditional Use Permit and Steep Slopes Management Plan for T-Mobile cabinet replacement on behalf of the Town of Floriston.

Floriston is an independent, incorporated town which does not receive public monies for our water system, or sewer and road maintenance and repair. It is posted at both ends of town that our roads are private and by permission only.

In 2017, RCAC designated Floriston a disadvantaged community where the MHI was about \$40,000.00.

In approx. 1999, our dirt roads were covered with grindings at a minimal cost to our community. Over 25 years later, these roads are in terrible condition.

It has been bid, that the cost of paving our roads is \$1,250,000.00. or at cost of \$28,000.00 per household. So far we have been unable to find a resource for either a loan or grant. We are still paying off our \$250,000.00 loan to repair our sewer system of which we have only paid 1/2 of the 30 year payments.

I write to you to help you understand that cell companies, including T-Mobile, Crown Castle and others have set up equipment 15' into our road on Pine Street in Floriston without permission, have run wiring across our property to access the parcel in question and are using our roads with heavy equipment without compensation.

We have tried contacting the companies for road use compensation and correction of the equipment locality without satisfaction.

Therefore, I would request that you not grant this permit use until these conditions are rectified.

Sincerely,  
Karen Seelhoff



Previous Secretary, Treasurer, and President  
Concerned Resident and Member:

Floriston Property Owners Association  
22261 Juniper St.,  
Floriston, CA 96111

775-224-4253

**From:** [Zachary Ruybal](#)  
**To:** [Gary Mapa; Planning](#)  
**Cc:** [CommunityDevelopment; CDA Records](#)  
**Subject:** RE: PUBLIC RECORDS ACT REQUEST. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower  
**Date:** Wednesday, November 5, 2025 8:23:00 AM  
**Attachments:** [Public\\_827190 - SA379 Floriston Floriston EME Compliance TMO order 621788\\_10252023 PE.pdf](#)  
[image001.png](#)  
[Bio Report Floristan Cell Tower Replacement 1-31-2023.pdf](#)  
[827190 alternate site analysis reasoning.doc](#)  
[SC09379A Nevada County\\_COVERAGE PLOT \(1\).pptx](#)  
[1. PLN23-0023; CUP23-0002 COA.pdf](#)  
[4. Plan Set.pdf](#)  
[2. Photo Simulations.pdf](#)  
[0. Staff Report - PLN23-0023; CUP23-0002 \(Signed\).pdf](#)  
[Steep Slopes MGT Plan.pdf](#)  
[Email from County Surveyor.pdf](#)  
[NCIC Letter NEV-23-70.pdf](#)

---

Good morning Mr. Mapa,

Pursuant to your Public Records Act request, please see all of the attached documents that were a part of the application for the proposed cell tower replacement in Floriston (PLN23-0023). If you have any additional questions, please don't hesitate to reach out to me. Thank you!

Respectfully,

*Zachary Ruybal*  
*Associate Planner*



[Planning Department](#)  
950 Maidu Ave. Suite 170  
PO Box 599002, Nevada City, CA 95959-7902  
Main 530.265.1222 Direct 530.470.2488

*\*Please note that I am out of the office every other Friday as follows: 4/14, 4/28, 5/12, 5/26, etc.*

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**From:** Gary Mapa <[gmapa@reatta.com](mailto:gmapa@reatta.com)>  
**Sent:** Tuesday, November 4, 2025 4:43 PM  
**To:** Planning <[Planning@nevadacountyca.gov](mailto:Planning@nevadacountyca.gov)>  
**Cc:** Gary Mapa <[gmapa@reatta.com](mailto:gmapa@reatta.com)>; CommunityDevelopment <[ComDevAgency@nevadacountyca.gov](mailto:ComDevAgency@nevadacountyca.gov)>  
**Subject:** PUBLIC RECORDS ACT REQUEST. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower

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## PUBLIC RECORDS ACT REQUEST

**Date:** November 4, 2025

**To:**

Nevada County Planning Department  
Attn: Planning Commission Clerk / Custodian of Records  
950 Maidu Avenue, Nevada City, CA 95959  
Email: [planning@nevadacountyca.gov](mailto:planning@nevadacountyca.gov),

**From:**

Attn: Gary G. Mapa, as, and in, the Capacity of an Individual Property Owner  
PO Box 621, Applegate, CA 95703  
[gmapa@reatta.com](mailto:gmapa@reatta.com)  
530-320-9097

---

**Subject: Public Records Act Request – Crown Castle Proposed 90' Monopole  
Adjacent to Floriston. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell  
Tower**

Dear Records Custodian,

Pursuant to the California Public Records Act (Government Code §§ 6250–6270),

I, Gary G. Mapa, an Individual and Property Owner in the Town of Floriston, Nevada County, CA, FPOA, respectfully request copies of all public records relating to the **Crown Castle Inc. proposal to construct a 90-foot monopole telecommunications tower adjacent to the Town of Floriston, Nevada County**, including but not limited to:

1. **Application materials and submittals** from Crown Castle or its agents, including all plan sets, site plans, elevations, grading and drainage plans, access plans, and exhibits.
2. **All geotechnical, hydrology, and environmental (CEQA) documents**, including Initial Study, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR), if prepared or under review.
3. **All staff reports, internal memoranda, emails, and correspondence** between County staff, consultants, and the applicant regarding this project.

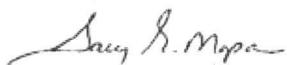
4. **Any records of prior permits, use permits, or approvals** for the three existing communication towers in the same vicinity.
5. **All maps, diagrams, or GIS data** showing project location, access roads, or proximity to the Floriston water system (tank and conduits).
6. **Any notices of public hearing, staff-level determinations, or communications** related to the upcoming Planning Commission hearing.

Please provide these records **in electronic form (PDF preferred)** via email or download link, if available. If some records are exempt, or not yet finalized, please provide a written response citing the specific legal exemption under Government Code § 6254 or other applicable authority, and release all segregable portions.

If the volume of records is extensive, I am willing to discuss narrowing or staging delivery but request an initial acknowledgment **within 10 calendar days** as required by Government Code § 6253(c).

Thank you for your prompt attention. Please confirm receipt of this request and the date on which we can expect a determination.

Sincerely,



**Gary G. Mapa, as an Individual**

(Disclosure: I presently serve as Vice President of the Floriston Property Owners Association and am acting as an individual property owner with my personal, individual concerns). Until the Board of Directors may convene and formally issue a resolution, relative to this Project, I will proceed as an individual.

#####

**Gary G. Mapa, Broker, CA DRE #00597441**  
Real Estate Solutions  
Site Acquisition Resultants, Inc.  
POB 621, Applegate, CA 95703  
**530-320-9097 (Cell) 530-878-7260 (Fax)**  
kj6kfi [gmapa@reatta.com](mailto:gmapa@reatta.com)

[www.sarsas.org](http://www.sarsas.org) Co-Founder, Pres.  
**Save Auburn Ravine Salmon and Steelhead**  
**This is what I do!**  
**What have you done to contribute lately?**

**From:** [Zachary Ruybal](#)  
**To:** [CDA Records; Planning](#)  
**Subject:** RE: PUBLIC RECORDS ACT REQUEST. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower  
**Date:** Wednesday, November 5, 2025 10:13:00 AM  
**Attachments:** [image001.png](#)

---

Hi Liz,

Thank you for adding the request and response to Mr. Mapa's GovQa account, I appreciate it!

Respectfully,

**Zachary Ruybal**  
*Associate Planner*



[Planning Department](#)

950 Maidu Ave. Suite 170  
PO Box 599002, Nevada City, CA 95959-7902  
Main 530.265.1222 Direct 530.470.2488

*\*Please note that I am out of the office every other Friday as follows: 4/14, 4/28, 5/12, 5/26, etc.*

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**From:** CDA Records <[CDA.Records@nevadacountyca.gov](mailto:CDA.Records@nevadacountyca.gov)>  
**Sent:** Wednesday, November 5, 2025 10:13 AM  
**To:** Zachary Ruybal <[Zachary.Ruybal@nevadacountyca.gov](mailto:Zachary.Ruybal@nevadacountyca.gov)>; Planning <[Planning@nevadacountyca.gov](mailto:Planning@nevadacountyca.gov)>  
**Cc:** CDA Records <[CDA.Records@nevadacountyca.gov](mailto:CDA.Records@nevadacountyca.gov)>  
**Subject:** RE: PUBLIC RECORDS ACT REQUEST. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell Tower

Thanks for letting us know Zach, and fulfilling the records request.

I have added the request and responsive records to Mr. Mapa's GovQa account, which has 4 previous requests related to cell towers.

Feel free to pass on Mr. Mapa's future requests if they require some effort to gather the responsive requests.

We're here to help!

-Liz

**From:** Zachary Ruybal <[Zachary.Ruybal@nevadacountyca.gov](mailto:Zachary.Ruybal@nevadacountyca.gov)>  
**Sent:** Wednesday, November 5, 2025 8:24 AM  
**To:** Gary Mapa <[gmapa@reatta.com](mailto:gmapa@reatta.com)>; Planning <[Planning@nevadacountyca.gov](mailto:Planning@nevadacountyca.gov)>  
**Cc:** CommunityDevelopment <[ComDevAgency@nevadacountyca.gov](mailto:ComDevAgency@nevadacountyca.gov)>; CDA Records <[CDA.Records@nevadacountyca.gov](mailto:CDA.Records@nevadacountyca.gov)>  
**Subject:** RE: PUBLIC RECORDS ACT REQUEST. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001  
CCI Cell Tower

Good morning Mr. Mapa,

Pursuant to your Public Records Act request, please see all of the attached documents that were a part of the application for the proposed cell tower replacement in Floriston (PLN23-0023). If you have any additional questions, please don't hesitate to reach out to me. Thank you!

Respectfully,

*Zachary Ruybal*  
*Associate Planner*



Planning Department

950 Maidu Ave. Suite 170  
PO Box 599002, Nevada City, CA 95959-7902  
Main 530.265.1222 Direct 530.470.2488

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**Sent:** Tuesday, November 4, 2025 4:43 PM  
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**Cc:** Gary Mapa <[gmapa@reatta.com](mailto:gmapa@reatta.com)>; CommunityDevelopment <[ComDevAgency@nevadacountyca.gov](mailto:ComDevAgency@nevadacountyca.gov)>  
**Subject:** PUBLIC RECORDS ACT REQUEST. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI

Cell Tower

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## PUBLIC RECORDS ACT REQUEST

**Date:** November 4, 2025

**To:**

Nevada County Planning Department

Attn: Planning Commission Clerk / Custodian of Records

950 Maidu Avenue, Nevada City, CA 95959

Email: [planning@nevadacountyca.gov](mailto:planning@nevadacountyca.gov),

**From:**

Attn: Gary G. Mapa, as, and in, the Capacity of an Individual Property Owner

PO Box 621, Applegate, CA 95703

[gmapa@reatta.com](mailto:gmapa@reatta.com)

530-320-9097

---

**Subject: Public Records Act Request – Crown Castle Proposed 90' Monopole  
Adjacent to Floriston. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001 CCI Cell  
Tower**

Dear Records Custodian,

Pursuant to the California Public Records Act (Government Code §§ 6250–6270),

I, Gary G. Mapa, an Individual and Property Owner in the Town of Floriston, Nevada

County, CA, FPOA, respectfully request copies of all public records relating to the

**Crown Castle Inc. proposal to construct a 90-foot monopole telecommunications  
tower adjacent to the Town of Floriston, Nevada County**, including but not limited to:

1. **Application materials and submittals** from Crown Castle or its agents, including all plan sets, site plans, elevations, grading and drainage plans, access plans, and exhibits.
2. **All geotechnical, hydrology, and environmental (CEQA) documents**, including Initial Study, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR), if prepared or under review.
3. **All staff reports, internal memoranda, emails, and correspondence** between County staff, consultants, and the applicant regarding this project.

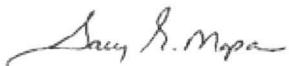
4. **Any records of prior permits, use permits, or approvals** for the three existing communication towers in the same vicinity.
5. **All maps, diagrams, or GIS data** showing project location, access roads, or proximity to the Floriston water system (tank and conduits).
6. **Any notices of public hearing, staff-level determinations, or communications** related to the upcoming Planning Commission hearing.

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If the volume of records is extensive, I am willing to discuss narrowing or staging delivery but request an initial acknowledgment **within 10 calendar days** as required by Government Code § 6253(c).

Thank you for your prompt attention. Please confirm receipt of this request and the date on which we can expect a determination.

Sincerely,



**Gary G. Mapa, as an Individual**

(Disclosure: I presently serve as Vice President of the Floriston Property Owners Association and am acting as an individual property owner with my personal, individual concerns). Until the Board of Directors may convene and formally issue a resolution, relative to this Project, I will proceed as an individual.

#####

**Gary G. Mapa, Broker, CA DRE #00597441**  
Real Estate Solutions  
Site Acquisition Resultants, Inc.  
POB 621, Applegate, CA 95703  
**530-320-9097 (Cell) 530-878-7260 (Fax)**  
kj6kfi [gmapa@reatta.com](mailto:gmapa@reatta.com)

[www.sarsas.org](http://www.sarsas.org) Co-Founder, Pres.  
**Save Auburn Ravine Salmon and Steelhead**  
**This is what I do!**  
**What have you done to contribute lately?**

## Zachary Ruybal

---

**From:** Kevin Nelson  
**Sent:** Monday, July 7, 2025 3:08 PM  
**To:** Lisa Elliot  
**Cc:** Zachary Ruybal  
**Subject:** RE: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

Hi Lisa,

Yes, this will now suffice for the Use Permit approval. I will get my final approval comments to Zachary by tomorrow.

Thank you,



*Kevin J. Nelson, PLS, PE*  
County Surveyor / Public Works Engineer  
Department of Public Works  
Office: 530-265-7022  
[kevin.nelson@nevadacountyca.gov](mailto:kevin.nelson@nevadacountyca.gov)

950 Maidu Avenue | Suite 170 | Nevada City, CA 95959

**From:** Lisa Elliot <[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)>  
**Sent:** Monday, July 7, 2025 9:29 AM  
**To:** Kevin Nelson <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Subject:** FW: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;  
**Importance:** High

*Hi Kevin*

*Following up on the below.*

*Lisa Elliott  
Streamline Engineering  
Site Acquisition Specialist  
209.605.2736  
[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)*

**From:** Lisa Elliot  
**Sent:** Wednesday, July 2, 2025 1:30 PM  
**To:** 'Kevin Nelson' <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Subject:** RE: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

*Hi Kevin*

*Let me know if this addresses the issue.*

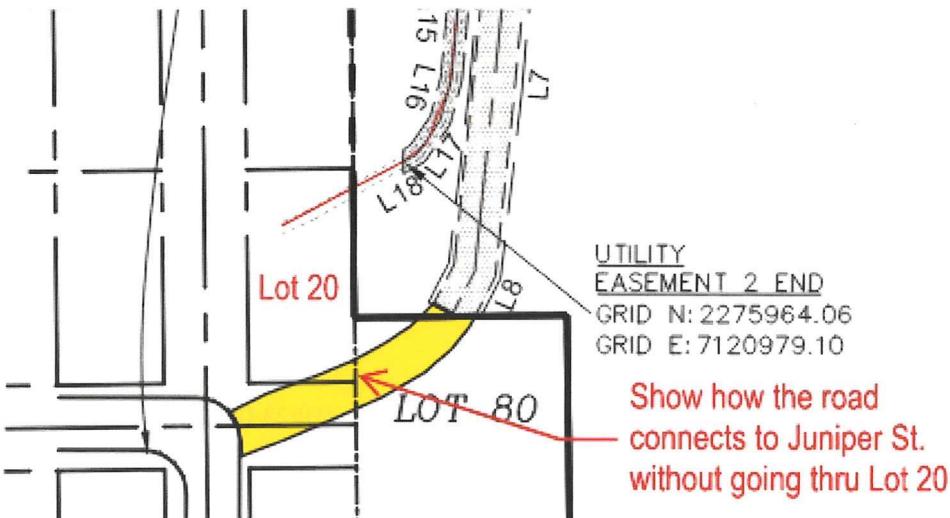
*Lisa Elliott  
Streamline Engineering*

Site Acquisition Specialist  
209.605.2736  
[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)

**From:** Kevin Nelson <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Sent:** Monday, May 19, 2025 1:45 PM  
**To:** Lisa Elliot <[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)>  
**Subject:** RE: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

Hi Lisa,

Yes, this is the clip I sent previously showing that the road appears to still be cutting thru the southeast corner of Lot 20. Your Survey Maps that you sent end at the easterly boundary of the Floriston Subdivision. Please show how the road goes thru Lot 80 and connects to Juniper Street without cutting thru Lot 20 as depicted in a similar clip below from your Survey Maps.



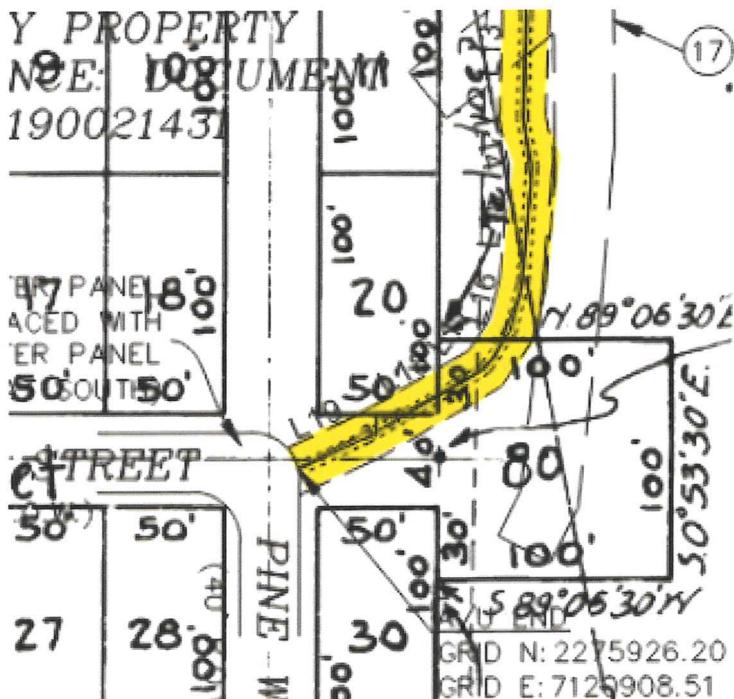
Kevin J. Nelson, PLS, PE  
County Surveyor / Public Works Engineer  
Department of Public Works  
Office: 530-265-7022  
[kevin.nelson@nevadacountyca.gov](mailto:kevin.nelson@nevadacountyca.gov)

950 Maidu Avenue | Suite 170 | Nevada City, CA 95959

**From:** Lisa Elliot <[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)>  
**Sent:** Monday, May 19, 2025 12:22 PM  
**To:** Kevin Nelson <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Subject:** FW: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

Hi Kevin

Can you confirm you are using in the snip below? As our attached survey is not showing access through lot 20.



Let me know if you have any questions.

Thanks!

-Tara

TARA ZACCONE, PMP®

Project Manager – New Tower CX  
T: (724) 416-2983

## CROWN CASTLE

2000 Corporate Drive, Canonsburg, PA 15317  
[CrownCastle.com](http://CrownCastle.com)

**From:** Lisa Elliot <[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)>

**Sent:** Thursday, May 1, 2025 6:46 PM

**To:** Zacccone, Tara <[Tara.Zacccone@crowncastle.com](mailto:Tara.Zacccone@crowncastle.com)>

Cc: Dooh, Saleem <[Saleem.Dooh@crowncastle.com](mailto:Saleem.Dooh@crowncastle.com)>

**Subject: FW: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;**

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*Fui below.*

*Lisa Elliott  
Streamline Engineering  
Site Acquisition Specialist  
209.605.2736  
[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)*

**From:** Kevin Nelson <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Sent:** Thursday, May 1, 2025 3:42 PM  
**To:** Lisa Elliot <[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)>  
**Subject:** RE: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

Hi Lisa,

Thank you for this Settlement Order. Upon reviewing, I can make the connection of Lot 80 being part of the common area of the Association with the roads (and APN 048-150-001), however, it appears that there is still a portion that cuts thru the southeast corner of Lot 20 (see clip below). Is this accurate and correct? I don't believe this Court Order would cover Lot 20 as that is not owned by the Association.

If you can provide me with the plan that shows this road with the Association properties, I will be good with that.

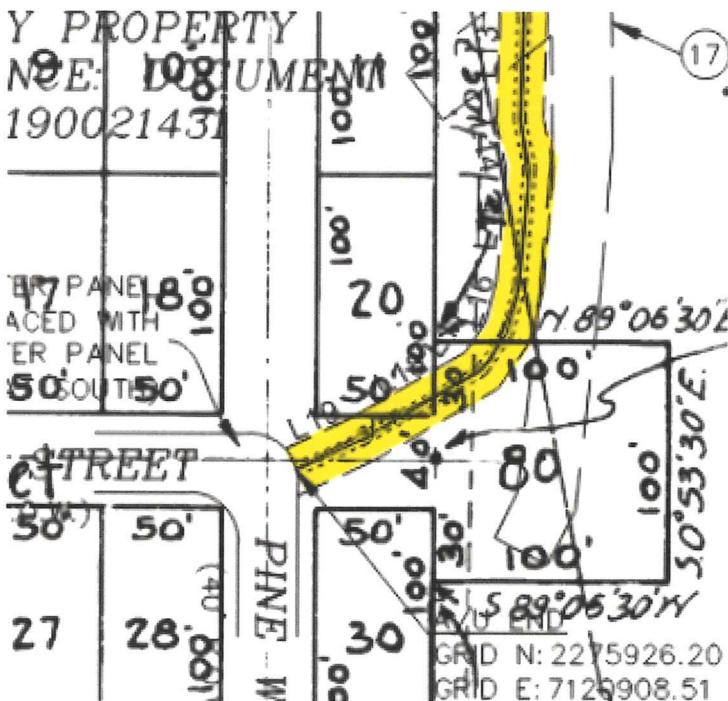
Let me know if any other questions.

Thank you,



*Kevin J. Nelson, PLS, PE*  
County Surveyor / Public Works Engineer  
Department of Public Works  
Office: 530-265-7022  
[kevin.nelson@nevadacountyca.gov](mailto:kevin.nelson@nevadacountyca.gov)

950 Maidu Avenue | Suite 170 | Nevada City, CA 95959



**From:** Lisa Elliot <[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)>  
**Sent:** Thursday, April 24, 2025 12:52 PM

**To:** Kevin Nelson <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Subject:** FW: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

*Forgot this attachment*

*Lisa Elliott*  
*Streamline Engineering*  
*Site Acquisition Specialist*  
*209.605.2736*  
[Lisa@streamlineeng.com](mailto:Lisa@streamlineeng.com)

**From:** Lisa Elliot  
**Sent:** Thursday, April 24, 2025 12:50 PM  
**To:** 'Kevin Nelson' <[Kevin.Nelson@nevadacountyca.gov](mailto:Kevin.Nelson@nevadacountyca.gov)>  
**Subject:** FW: 827190 Conditional Use Permit for New Communication Tower (PLN23-0023; CUP23-0002;

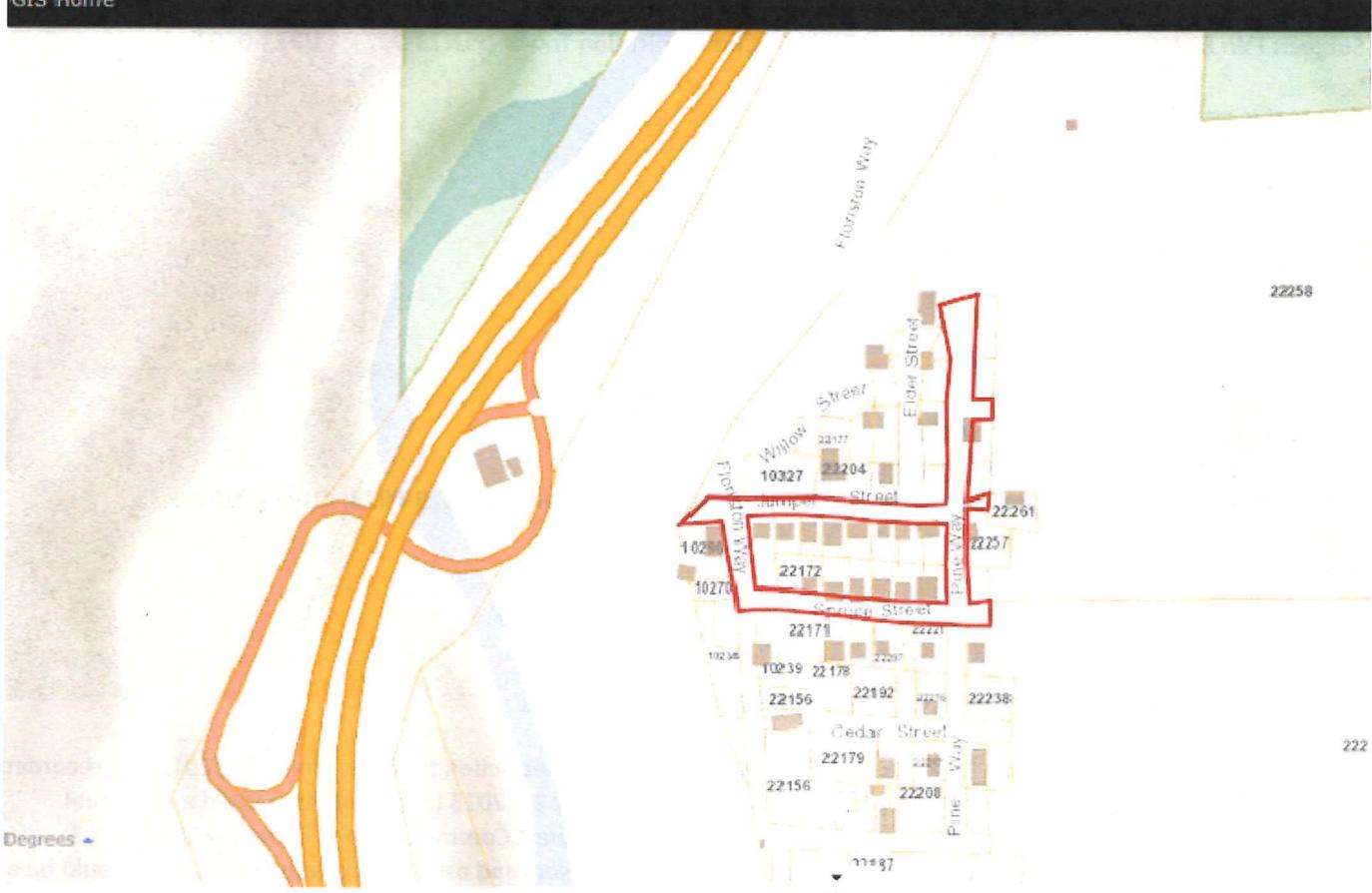
*Hi Kevin*

Per our legal review, we do not need an additional easement for Lot 80.

Please see the Easement Deed by Court Order in Settlement of Landowner Action that was filed 6/27/2013 and recorded with the Nevada County Recorder August 20, 2013 and again December 27, 2013 (attached). It granted a perpetual easement and right of way to Sprint Communications Company L.P., Qwest Communications Company LLC, Level 3 Communications LLC and WilTel Communications Inc. and their successors and assigns. I believe TMO CA-NV would be a successor to Sprint Communications Company L.P. by way of the Sprint/TMO merger. FPOA's property is listed as one of the "Easement Premises" on Exhibit 1 to the Easement Deed (APN 48-150-01). So if you can establish that APN 48-150-01 corresponds to a lot in Lot 80 you should be able to provide proof TMO has rights to ingress and egress across Lot 80.

The parcel number for lot 80 is 48-154-03 (or 048-154-003-000). Lot 80 has a common boundary with one (48-150-01) or more of the parcels of property described in Exhibit 1. You will need to show that 48-150-01 (which is a listed-on Exhibit 1 as an Easement Premises) has a common boundary with 48-154-03 or that 48-154-03 has a common boundary with any of the other parcels listed on Exhibit 1.

**48-150-01 is the streets shown below (outlined in red) and 48-154-03 (or 048-154-003-000 or identified as 22261 shown below) is lot 80. They share the common boundary located on the west side of lot 80.**



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**NEVADA COUNTY ZONING ADMINISTRATOR  
NEVADA COUNTY, CALIFORNIA**

**MINUTES** of the regular meeting of November 12, 2025, at 1:30p.m., Board of Supervisors Chambers, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California

**ZONING ADMINISTRATOR:** Brian Foss, Director of Planning Department

**CALL TO ORDER:** Meeting called to order at 1:30 p.m.

**CONSENT ITEMS:** None

## **PUBLIC HEARING:**

**1:30 p.m. PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001:** An application request to the Zoning Administrator for a Conditional Use Permit and Steep Slopes Management Plan to remove and replace an existing 41-foot monopole with a new 90-foot monopole, remove and replace an existing RBS 6201 cabinet with a new T-Mobile enclosure 6160 cabinet, and relocate two (2) existing antennas from the existing monopole to the new proposed monopole. **LOCATION:** 22258 Juniper Street, Floriston, CA 96111, in unincorporated eastern Nevada County, approximately 0.2 mile east of Interstate 80 and 9.7 miles northeast of historic downtown Truckee. **APN:** 048-130-026. **RECOMMENDED ENVIRONMENTAL DETERMINATION:** Find project exempt from California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15303. **RECOMMENDED PROJECT ACTION:** Approval of the Conditional Use Permit and Steep Slopes Management Plan. **PLANNER:** Zachary Ruybal, Associate Planner.

Director Foss called the meeting to order at 1:30 PM.

*[Minutes follow as direct transcript]*

Zoning Administrator Foss: It's 1:30, so we will call this meeting to order. This is the November 12<sup>th</sup>, 2025, Nevada County Zoning Administrator hearing. My name is Brian Foss; I'll be the Zoning Administrator for today's meeting. We do have an opportunity on the agenda for public comment for any items that are not on today's agenda, so not the cell tower, but if anyone wants to comment on something under the purview of the Zoning Administrator that's not on today's agenda, now is your opportunity to come to the podium. Seeing none, we have no consent item, so we'll go to our first public hearing item scheduled for 1:30, a Use Permit and Management Plan for a replacement of a cell tower. Zachary Ruybal is our planner. Go ahead with the staff report, please, Zach.

Planner Ruybal: Thank you, Mister Zoning Administrator. Good afternoon, everyone, and thank you for being here today. My name is Zachary Ruybal, and as Zoning Administrator mentioned, I'm an associate planner here at the Nevada County Planning Department and the project planner for the Floriston Wireless Telecommunications Facility project in front of the ZA today. The project is located in unincorporated eastern Nevada County at 22258 Juniper Street, which is APN 048-130-026 over in Floriston, California. In 1997, the Nevada County Planning Department approved a use permit to allow for the construction and operation of a 41-foot tall monopole for a wireless telecommunications facility, which is the facility that will be replaced as a part of this

50 project. Numerous administrative development permits have been approved on the parcel for  
51 colocation, equipment change-outs, and adding equipment, and therefore there are numerous  
52 building permits that were also approved and finalized in accordance with those administrative  
53 development permits. The part of the project is the conditional use permit, and the use permit  
54 portion is for the proposed facility to include the removal of an existing 41-foot-tall monopole and  
55 replace it with a new 90-foot tall monopole. There's a 130-square-foot extension to the existing  
56 200-square-foot ground lease area to accommodate this new monopole, so the total new lease area  
57 will be 390 square feet. All brackets, antennas, and RRUs are to be painted green to match the  
58 faux pine tree and will be fully within the monopole branch radius, so to limit the visual impacts  
59 and best blend in with the existing environment. The facility will be surrounded with a new 10-  
60 foot-tall CMU retaining wall around the north, east, and south portion of the enclosure and the six-  
61 foot-tall chain link sliding gate is located on the west side for access to the site. The other  
62 component of the project is a Steep Slopes Management Plan. A Steep Slopes Management Plan  
63 is required for any proposed grading in areas where slopes are greater than 30%, and the new  
64 proposed monopole will require a new graded pad, a concrete slab, and that CMU retaining wall,  
65 which will all encroach into that 30% slope area. A Steep Slopes Management Plan was completed  
66 by Susan Dahl with TNS Engineering, which provided best management practices for any and all  
67 construction or grading activities within slopes in excess of 30%, which are included in the draft  
68 Conditions of Approval as Condition A.7. All work is going to be required to be compliant with  
69 the Nevada County Grading Standards and/or the California Building Code requiring erosion  
70 control measures as needed to ensure that activities do not result in substantial erosion. The  
71 existing and surrounding land uses: the parcel is zoned Forest, with the minimum parcel size of  
72 160 acres, with the General Plan designation of Forest with the minimum parcel size of 160 acres  
73 as well. The project parcel is surrounded by residential development to the southwest consisting  
74 mainly of legal non-conforming single-family residences and accessory structures. The parcels to  
75 the north, east, and northwest are all zoned either Open Space or Forest with the minimum parcel  
76 size of 160 and they're all mostly undeveloped. The nearest residence is located approximately 400  
77 feet southwest from the proposed wireless communication facility lease area. The cellular tower  
78 as proposed would be a monopole design with the tower facility, brackets, antennas, and RRUs  
79 painted dark green to meet the requirements of blending in with the surrounding environment. The  
80 proposed facility consists of an 85-foot metal monopole structure with that five-foot faux foliage  
81 extension, making the total height of the proposed tower 90 feet tall. The chain link fencing does  
82 provide additional screening from the project equipment from the lease area from public view, and  
83 the proposed replacement tower does not propose any lighting and therefore would have no visual  
84 impact in lighting the garden. The figure to the right, as you can see *[referring to overhead slide]*,  
85 this is actually taken from Floriston Way. The top picture shows the existing 41-foot monopole  
86 that's to be replaced, and the bottom one shows a photo simulation of what that new 90-foot  
87 monopole would look like. You can see it blends in with the surrounding environment pretty well.  
88 The only noise that would be associated with the project is temporary noise and vibration increased  
89 during the construction phase, because the project proposed project does not include any  
90 generators, and therefore the noise would be minimal and would be only relevant to the  
91 construction phase of the project. Pursuant to the Nevada County Code, towers located a distance  
92 less than 100% of their height from a property line require a Fall Certification letter. The proposed  
93 tower lease area will be set back approximately 235 feet from the closest property line, which is  
94 well over 100% of the height of the tower, and therefore no Fall Certification was required. T-  
95 Mobile did identify a significant gap in its in-building commercial, in-building, in-vehicle, and  
96 outdoor wireless services in the Floriston area of Eastern Nevada County. The project site covers  
97 a substantial stretch of I-80 heading from Sacramento all the way to Reno, and there are large  
98 elevation changes along that interstate where the radio center increase could help improve coverage

99 and capacity. Based on the analysis and evaluation, the proposed monopine at 22258 Juniper Street  
100 is the most feasible site to address the gap in coverage when topography radio frequency  
101 propagation, elevation, height, available electrical and telephone utilities, access, and a willing  
102 landlord are considered. Not to mention as well that this is a replacement tower, so it's not a brand-  
103 new tower; it would be replacing existing ones to allow for future colocation. The FCC has  
104 developed and adopted standards for human exposure to radiofrequency radiation (RF), with the  
105 support of expert scientists and engineers. The FCC evaluates proposed projects for compliance  
106 with the RF exposure guidelines, which were previously reviewed under NEPA. Federal law does  
107 prohibit the County from denying a new wireless telecommunication facility due to radio  
108 frequency signals if the Federal Communications Commission, or the FCC, has made the  
109 determination that the proposed wireless telecommunications facility is within the limits of  
110 required radio frequency signals. Again, local government cannot deny permits for reasons related  
111 to health or environmental concerns about radio frequency emissions if the wireless  
112 telecommunications facility is FCC-compliant. A Radio Frequency Site Compliance Report was  
113 provided as a part of the proposed project which identified that the proposed project is compliant  
114 with FCC rules and regulations. The proposed communication tower will be accessed via an  
115 existing private dirt access road within a 12-foot access and utility easement that connects directly  
116 to Juniper Street. As an unstaffed facility, operational traffic would only consist of weekly or  
117 biweekly visits by a technician, and the addition of future carriers would result in similarly minor  
118 construction traffic and technician visits as well. As mentioned, the project parcel is zoned Forest  
119 with the minimum parcel size of 160 with that General Plan designation of Forest with the  
120 minimum parcel size of 160. Pursuant to Table 12.02.030 found in Title 12, Chapter 2, Section  
121 12.02.030 of the Nevada County Code, communication towers are allowed in rural zoning districts  
122 with the approval of a use permit. Additionally, the project is consistent with the Public Facilities  
123 and Services Element Policy 3.4, the goal of which is to enable public services to be provided with  
124 the greatest degree of efficiency and cost effectiveness. The environmental impacts associated  
125 with the previously completed conditional use permits applications for the 41-foot and the 40-foot  
126 monopole wireless telecommunications facility were originally reviewed under the Mitigated  
127 Negative Declarations EIS 96-052 and EIS97-042. The project parcel has already been mostly  
128 developed in the proposed project area pursuant to previously approved wireless  
129 telecommunications facility projects, and therefore the proposed wireless telecommunications  
130 facility would not have the potential for causing any significant effect on the environment, making  
131 the project exempt from the environmental review under the California Environmental Quality Act  
132 guidelines Section 15303. During the review period, we did receive five comment letters from  
133 public members, and all five were letters of opposition. The main areas of concern were potential  
134 impacts to the Floriston Water Treatment Facility project, the access road, construction on slopes  
135 exceeding 30%, and noise. On November 12<sup>th</sup>, after receiving all the comments, a memo was  
136 completed and provided to the Zoning Administrator which did address the comments and  
137 concerns brought forth. As a part of the review, though, there was some language and there was  
138 some discussion about that water treatment facility project that's going on up in Floriston, and  
139 brought to our attention were issues potentially with the vaults and the water vaults being impacted.  
140 Therefore, in order to try to alleviate and mitigate those potential issues, two Conditions of  
141 Approval have been added since the time of the initial staff report and draft conditions were sent  
142 out. They're included in the updated Conditions of Approval as Conditions A17 and A18. I also  
143 have them here on the screen as well for view as well. *[Inaudible, to Zoning Administrator]* Yes,  
144 of course.

145  
146 Zoning Administrator Foss: Can you just complete your presentation and then we can put the slide  
147 back up? Thank you.

148  
149 Planner Ruybal: Therefore, Staff recommends that the Zoning Administrator find that the  
150 Conditional Use Permit application is categorically exempt from environmental review pursuant  
151 to Section 15303 - New Construction or Conversion of Small Structures, approve the proposed  
152 Steep Slopes Management plan prepared by Susan Dahl with T&S Engineering subject to the  
153 attached Conditions of Approval as shown in Attachment One as amended, and making findings  
154 A through F as shown in the staff report; and to approve the proposed Conditional Use Permit  
155 subject to the attached Conditions of Approval shown in Attachment One as amended, making  
156 findings A through K as shown in the staff report as well.

157  
158 Zoning Administrator Foss: All right, thank you, Zach. If you would go back and put up the  
159 proposed additional conditions. Can you kind of explain what they're intended to do and what  
160 they contain?

161  
162 Planner Ruybal: Yes, Zoning Administrator. The first one is requesting that prior to issuance of  
163 any of improvement plans or grading plans or Building permits, that the applicant shall reach out  
164 to the Lahontan Regional Water Quality Control Board - that's the State lead water agency in that  
165 area - to get some sort of verification, either through like an official letter or an e-mail, that states  
166 and verifies that the proposed cell tower project is not going to interfere with the operation or  
167 purpose of that Floriston community water system. We are also requesting that, as a part of that  
168 condition as well, that the vaults be placed on the site plans and used for future improvement plans  
169 and permits. The second one was, due to the proposed wireless communication facility being  
170 within 100% of the tower height from the above-ground water tanks, to ensure that the water tanks  
171 and the, basically the associated infrastructure won't be impacted, we were requesting that a Fall  
172 Certification Letter be prepared by a certified structural engineer licensed with the state of  
173 California.

174  
175 Zoning Administrator Foss: OK, can you put up a site plan, please? Can you kind of show where  
176 the new water project is and just kind of walk me through the site plan?

177  
178 Planner Ruybal: Yes, Zoning Administrator. I'm going to put up a different slide, then. So right  
179 here, on the screen, we do see this is that same site plan that I've shown you earlier. Up here, to  
180 the left, you see in this little red marker, this was provided by the Floriston Property Owners  
181 Association; it was sent over as a part of their comment letter that was received on Tuesday. You  
182 can see where the vaults are going to go, to the left, and they are outside of that new lease area.  
183 The lease area, you can see to the right of it, is demonstrated with a square box and their dotted  
184 line. You can see that the FPOA meter vaults are outside of the lease area, and therefore it shouldn't  
185 have any impact on the water filtration project.

186  
187 Zoning Administrator Foss: OK, and the rest of the things that are on the site: those are the above-  
188 ground water tanks, those are all existing? Then, do we know if that vault has been installed  
189 completely yet?

190  
191 Planner Ruybal: I'm not sure if the vault has been installed completely yet, but I do know that  
192 those two water tanks, yes, they are existing; they are both there, and they've been there for quite  
193 some time.

194  
195 Zoning Administrator Foss: Do you have the cursor that you can show the lease area?  
196

197 Planner Ruybal: Yes, so the lease area, it comes along here.

198  
199 Zoning Administrator Foss: OK, so the lease area is going to contain all the ground equipment,  
200 but obviously with the circle pattern that's shown, that is the branches that are radiating out from  
201 the monopole, which extend over the lease area, but in the air, correct?

202  
203 Planner Ruybal: That's correct.

204  
205 Zoning Administrator Foss: OK. And then what... let's see, this existing facility receives  
206 underground electric through that red line, I'm assuming, through an easement on the property,  
207 which is different than the access road, which I assume is to the West?

208  
209 Planner Ruybal: Yep, that's correct, Zoning Administrator. The one to the east is just a 10-foot-  
210 wide utility easement for utilities only; and then the one to the West, as you referenced, is for the  
211 access.

212  
213 Zoning Administrator Foss: OK, and the cell tower company has rights for, has been granted  
214 access, to use both easements?

215  
216 Planner Ruybal: Yes, Zoning Administrator, and actually that was one of the items that we are  
217 pushing back on quite a bit, and going back and forth with the applicants, and our County surveyor  
218 after going through it quite a bit was able to establish through deeds and through documentation  
219 that they do have access and utility rights through both of those easements.

220  
221 Zoning Administrator Foss: Thank you. I don't think I have any additional questions for staff at  
222 this time. Is the applicant or representative here? Would you mind coming to the podium and... ?

223  
224 Representative Elliott: Good afternoon.

225  
226 Zoning Administrator Foss: Thank you, and what's your name?

227  
228 Representative Elliott: Lisa Elliot with Crown Castle and Streamline Engineering.

229 Representative Gentry: Tyler Gentry with Crown Castle.

230  
231 Zoning Administrator Foss: Great, thank you both for coming. So, what can you tell me just about  
232 the overall facility itself, and then its relation to the water line project?

233  
234 Representative Elliott: Basically, I concur with Zach, our planner, and we don't know too much  
235 yet about the water project. We intend on finding out, but we just...that came to our attention  
236 Friday.

237  
238 Representative Gentry: And I would say that we don't have a problem with the condition as added.

239  
240 Zoning Administrator Foss: All right, I'm going to open up for public comment at this time.  
241 Anyone like to speak, please state your name, come up to the podium.

242  
243 Public speaker, Ms. Quaintance: My name is Jessica Quaintance. I am a Floriston property owner,  
244 and I am here representing a group of 14 additional property owners. I have a presentation that  
245 would take me about 15 minutes to present in its entirety. May I please hand you a copy?

246  
247 Zoning Administrator Foss: Three minutes.  
248  
249 Ms. Quaintance: Even though I'm speaking on behalf of an entire group?  
250  
251 Zoning Administrator Foss: Yes.  
252  
253 Ms. Quaintance: Excuse me?  
254  
255 *[Inaudible]*  
256  
257 *[Unknown speaker]* Just not enough time...  
258  
259 Ms. Quaintance: I have a signed authorization with everyone's signature giving me permission to  
260 speak on their behalf. Because of the short notice, we are very far away, no one else could make  
261 it, does it..?  
262  
263 Zoning Administrator Foss: Yeah, I can't grant you 15 minutes. You can have three to four  
264 minutes.  
265  
266 Ms. Quaintance: OK, can I please have more than three. Can I have five, please?  
267  
268 Zoning Administrator Foss: Yeah, we can give you five.  
269  
270 Ms. Quaintance: Can I please approach you with my presentation?  
271  
272 Zoning Administrator Foss: Sure.  
273  
274 Zoning Administrator Foss: Excuse me, we're running a hearing. Please sit down. Yes, you can  
275 handle it.  
276  
277 Ms. Quaintance: Is there a County Counsel present as well?  
278  
279 Zoning Administrator Foss: Tell me when it's been five minutes, please.  
280  
281 Ms. Quaintance: OK. Our biggest issues as town members are public safety and access to our  
282 sole water supply. This site is absolutely not categorically exempt from the California  
283 Environmental Quality Act. There are four exemptions that exist that apply, two of which are very  
284 relevant. Cumulative impact: you can flip through... there's a bunch of photos there. As you can  
285 see, their existing structure, which you said was permitted in 2007 is completely buried on the  
286 west-hand side. That is after the addition of a six-foot wall. Excuse me. The original wall was  
287 four feet tall. There's a pretty good picture on the cumulative impact page. It later (and you can  
288 see a bunch of evidence of landslide damage) had a six-foot extension; it is now completely buried.  
289 This site sits on a high-plasticity clay mountain side that is deteriorating. There are 200- to 250-  
290 pound PSI water lines sitting five feet from the proposed area, with a total amount of space from  
291 the face of their area to the mountainside which is greater than 30% grade. It's much greater. On  
292 the map that was included with the County documents, this shows that there's a property line to  
293 the west side that is within 62 feet, seven inches of the proposed tower. And so, now I'm curious  
294 how that makes it so Section 12.03.080 doesn't apply, which would mean that the failure... or, that

295 the tower would need to withstand, without failure, maximum forces expected from wind,  
296 earthquake, and the ice. Given the nature of high-plasticity clay, it is known to amplify seismic  
297 waves. We are within 20 miles of huge fault zones capable of unleashing very powerful  
298 earthquakes. If this mountainside were to fall down as a result of the cumulative impact or the  
299 excavation, the development, the leverage forces from having a 90-foot tower on top of high-  
300 plasticity clay with essentially 12 feet of space before it falls off, are huge. Floriston has pre-1914  
301 water rights. We access our water source from the only access road that goes directly in front of  
302 the site. If there were a catastrophic failure, it would block access to our water site, the ability to  
303 turn it off. It would block the road in and out of Floriston, as well as the railroad tracks that are  
304 326 feet below. Other issues: the noise concern and unauthorized encroachment issues.  
305 Previously, there was a power drop put on Floriston property. It is owned by the town of Floriston;  
306 they never gained consent or the proper permit to use our private property. So, that is an issue.  
307 They need to reach out to Floriston. It is ill-placed and causes many problems. Noise is a huge  
308 issue. At the site, they don't use generators. They put them in the middle of town on a town road,  
309 within 10 and 30 feet of the closest residence. When the power goes out, the generator gets filled  
310 up, they leave it running for 5 days, whether or not the power has come back on. This is a huge  
311 concern for residents. Nevada County Planning Department should not grant any more permits or  
312 variances that would further implicitly sanction Crown Castle's unpermitted use of Floriston  
313 property or other privately owned property. OK. Can I summarize with we request the denial of  
314 this permit without the environmental review required to get the exempt categorical exemption  
315 that they're requesting?

316  
317 Zoning Administrator Foss: OK, thank you. Would anybody else like to speak? Please come  
318 down to the microphone.

319  
320 Public Speaker: Are we allowed a certain amount of time?

321  
322 Zoning Administrator Foss: Three minutes.

323  
324 Public Speaker: Can I allocate my time to this lady?

325  
326 Zoning Administrator Foss: No.

327  
328 Public Speaker: We own 76 acres above it, and in the boundaries of this permit, it's blocking our  
329 only access.

330  
331 Mr. Mapa: My name is Gary, last name Mapa. I'm a lot owner in Floriston. Coincidentally, I'm  
332 also the vice president on the Floriston Board of Directors. A couple of things, procedurally, I'm  
333 not seeing in the original package information that I think is essential. One of them is, there's no  
334 copy of the management plan so we can look at it and see what's contained within the management  
335 plan - that's one. Another one is, I'm not seeing any propagation maps that justify that height. I'm  
336 not against that height, but I want to know what would cause T-Mobile to go from 30, 40 feet, to  
337 all of a sudden to 90 feet. So, what's the justification? Where's the propagation map that justifies  
338 that need. If there's that need, then let's talk about it. But what is the future plan? You don't do a  
339 90-foot tower without expectation of colocation of the maybe the other two carriers. Is that  
340 something that should be discussed at this meeting, so when they do a colocation, if they do, what  
341 kind of impact is that going to have on Floriston for future construction, future invasion of privacy,  
342 and anything that has to do with going from two more towers to one tower. So, that's an issue.  
343 When you look at the plan drawings and everything that was provided to the public, survey's dated

344 to 2000-whatever, so it isn't really, in my mind, a current survey; in fact, if there was the current  
345 survey, it would show the red area adding that other section. I take offense with the word "non-  
346 conforming use" when you're making reference to somebody's home. Is there justification for why  
347 they're non-conforming? I mean, a home is a home; it was built 50 years ago, so all of a sudden,  
348 it's non-conforming? To me, that's offensive, but maybe not an issue with regards to the tower.  
349 There was another big deal: State of California just last year approved a \$6,000,000.00 grant.  
350 \$6,000,000.00. To me, that's like an encumbrance on any equipment that Floriston has. Do we  
351 have any kind of subordination from the State of California that they're not concerned about what  
352 could happen if there were catastrophic event that could affect the \$6,000,000.00 that the State of  
353 California granted to this town? There's nothing in there that even questions the State of California  
354 having some type of right to approve that type of thing that could affect their grant. And I'm not  
355 seeing anything in there about the State of California. Should they subordinate their use to T-  
356 Mobile and Crown Castle. Where is it? If the tower comes down, the State of California grant  
357 money was just jeopardized. Oh, I'm out of time; thanks for being so generous with three minutes.  
358

359 Zoning Administrator Foss: Thank you. Anyone else? All right, if the applicant could come back  
360 up, and as I asked before, if you could kind of describe the project that you're intending, what the  
361 need for the additional height of the tower is, and how you plan to do the construction for the  
362 additional pad for the tower within your lease area, access-wise, providing power, etc.

363  
364 *[unknown speaker]*... The access and that information...

365  
366 *[unknown speaker]* Well, I feel like we already went....

367 Representative Gentry: Yeah, so, I'll hit the propagation in the height addition quickly, and you  
368 know, I can't speak on behalf of T-Mobile; I'm here as representative of Crown Castle, but T-  
369 Mobile did provide some propagation maps that were part of the presentation there. One thing I  
370 would say is, there seems to be significant additional coverage along the highway there and for  
371 most barriers, highway coverage is key. You know, it's prime safety concern anytime that you  
372 might not be able to have access to connectivity along the highway. The other piece of it that I'll  
373 add: carriers don't like to spend a ton of money, and this is quite a bit of money to add additional  
374 height to this tower here, so it's not that they're just doing it for no reason. For Crown Castle, T-  
375 Mobile has asked us to raise the RAD center here. Yes, there is a possible opportunity maybe for  
376 colocation in the future; we haven't been approached by another carrier for that eventuality. I  
377 think, hearing you guys' concerns, a tower able to withstand, or to have colocation, actually, might  
378 be favorable to you guys, so that you don't have to have more towers throughout the community.  
379 There is federal law that states you can't prohibit provision of service, so if it's not on a co-locatable  
380 tower here, it still would need to be somewhere else, if a carrier had a need in that certain area.  
381 You want to speak to some of the access requirements? Or can you, maybe, restate your question  
382 on the access portion of it?

383  
384 Zoning Administrator Foss: Yes. How do you plan to access the site and complete the  
385 construction?

386  
387 Representative Elliott: We plan to access the site on our access road that Zach pointed out on the  
388 site plan, and we actually sent a construction staging area plan to Zach as well.

389  
390 Zoning Administrator Foss: Can you walk me through it? Do you want to walk through staging  
391 plan?

393  
394 Representative Elliott: Well, I can't speak to construction; my construction manager would have  
395 to talk about the staging plan, but he did send over the sketch.

396  
397 Planner Ruybal: If you look over there, the yellow box to the right, that identifies where that  
398 staging area is proposed to be for the construction. And then the red lines right there, as you can  
399 see, those are where the erosion control measures are supposed to be, like the waddles and stuff  
400 like that. That yellow box really is just what identifies where they're proposing that construction  
401 staging area-type deal. Then that other side is just identifying the roadway, and then they have  
402 just the temporary construction area identified in that blue-type area.

403  
404 Representative Gentry: You know, making some inferences from this, it's so that you're not flying  
405 anything over the water tanks; you're staging the crane to the north of them.

406  
407 Zoning Administrator Foss: The red circle? That's where the tower is going to go?

408  
409 Representative Gentry: Yes.

410  
411 Zoning Administrator Foss: Yeah, just looking for a little help to walk through the site plan so I  
412 know what we're looking at here. OK, and Zach, can you summarize what the Management Plan  
413 conditions are?

414  
415 Planner Ruybal: Absolutely. The Management Plan conditions are: there was a group of best  
416 management practices that were put together by Susan Dahl from T&S Engineering. The  
417 following best management practices which are used to protect the natural vegetation, impacts to  
418 steep slopes, and minimize impacts to wildlife habitat are required to implement the following:  
419 a) proper design and construction of retaining wall and tower foundation;  
420 b) erosion and sediment control plan to include site-specific BMPs: fiber rolls and concrete  
421 washout; good housekeeping notes; notes to preserve existing vegetation; and notes to haul off any  
422 excavated material that has potential for shrinking and swelling; and  
423 c) to follow the recommendations in the Subsurface Exploration Report by Tower Engineering  
424 professionals that will be included as well.

425  
426 Zoning Administrator Foss: Can you show me on this map where the 30% slopes are that's going  
427 to be disturbed as part of the project?

428  
429 *[unknown speaker]* Do you have a program? For the things...

430  
431 Zoning Administrator Foss: Excuse me, sir.

432  
433 Planner Ruybal: As you can see right here, the area that's shaded represents slopes and 30% or  
434 greater, and so that's all that kind of area to the right. You can see where the tower is going to be  
435 and kind of where that CMU retaining wall: all of that area is located within that in excess of 30%  
436 slope.

437  
438 Zoning Administrator Foss: OK. And so, that's the area that the lease area is expanding to, to  
439 accommodate the future pad?

440  
441 Planner Ruybal: Yes, Zoning Administrator.

442  
443 Zoning Administrator Foss: OK, I understand. And then we have Conditions of Approval from  
444 the Building [Department]...I mean, we're going to potentially require building permits, grading  
445 permits, to make sure that everything is constructed according to code, including the foundation,  
446 the pad, and any structures themselves?

447  
448 Planner Ruybal: Yes, Zoning Administrator, that's correct; those are the Conditions of Approval.

449  
450 Zoning Administrator Foss: OK. And with the proposal to add the letter for...what's it called?  
451 The Fall Zone, or the...?

452  
453 Planner Ruybal: The Fall Certification letter.

454  
455 Zoning Administrator Foss: The Fall Certification letter. We have that as a requirement, which  
456 isn't typically required for something that's not within 100% of the tower from a property line.

457 Planner Ruybal: Yes, that's correct, Zoning Administrator, but as a part of the amended conditions,  
458 in order to try to ensure protection of that water filtration project, that was one of the added  
459 conditions was to require the Fall Certification letter.

460  
461 Zoning Administrator Foss: OK, and I know you mentioned that you had agreed to those  
462 conditions, but do you have any other comments regarding those additional Conditions of  
463 Approval, including some verification from Lahontan about the interference, and lack thereof, of  
464 interfering with their project with this project?

465  
466 Representative Gentry: Yeah, no problem with the conditions. I think, you know, best practices  
467 too, to include that in there, so that future modifications, any future additions, or changes to the  
468 site that can't be accounted for.

469  
470 Zoning Administrator Foss: Do you have anything else to add at this time?

471  
472 Representative Gentry: No, I think we'd just like to thank Zach and staff for their attention to this  
473 and the amount of detail they provided in collaboration with our team.

474  
475 Zoning Administrator Foss: OK, thank you, appreciate it. Right. Zach, did you have anything else  
476 to add? There was a concern about blocking access. You have anything to add about that?

477  
478 Planner Ruybal: I'm not familiar with anything about blocking access. As I mentioned a little bit  
479 earlier, part of the applicants did provide significant documentation and deeds that did show that  
480 they have easement area to access the project site, and so I'm not aware of any type of road  
481 blockage whatsoever.

482  
483 Zoning Administrator Foss: I mean, I'm looking at this as a replacement tower on a developed  
484 site. There's a number of utilities and infrastructure-type related equipment including two towers,  
485 the water tanks, underground water lines, electrical lines. I think when staff was on site, you saw  
486 the vault construction occurring about a month ago?

487  
488 Planner Ruybal: Yes, Zoning Administrator, that's correct. I did see all the excavation, everything  
489 that was being done for those water vaults.

491 Zoning Administrator Foss: And do we know if that's been completed? Is the applicant team  
492 aware of that? No? OK, so again, looking at it from: we're not looking at disturbing a new site  
493 that is undisturbed; we are expanding it. There is going to be additional grading within the steep  
494 slopes. But, the replacement of a tower, although it's a larger tower in the developed area, I think  
495 has been addressed with the Conditions of Approval. I do believe that it can qualify for the  
496 exemption. We're not looking at the off-site potential impacts with an off-site generator. They  
497 have a legal easement and a right to access the site. It's proposed to be an unmanned tower, which  
498 requires infrequent maintenance, maybe once or twice a month is usually pretty standard on cell  
499 towers. There's no lighting, there's no on-site generators, so usually those are the main issues in  
500 terms of cell tower concerns as lighting, noise, and visibility. Visibility-wise, from the nearest  
501 public area, it seems to blend. It's not meant to be completely invisible, but it is meant to be  
502 camouflaged to some degree, so it is not obviously sticking out, but, you know, no one's fooled  
503 completely by a fake tree; that's not the intent, to be completely invisible. So, given the additional  
504 Conditions of Approval regarding the verification and follow up that the projects are not going to  
505 adversely impact the state water project - it is contained within its lease area, it does have its legal  
506 access requirements. So, what I've seen, I don't see that there is an inherent or imminent conflict  
507 between the two uses, as long as everyone stays in the area that they're supposed to stay within.  
508 Again, any type of structure is going to have to meet Building Code requirements, will have  
509 structural engineering built to code, including the foundation, the grading, stabilizing the slope  
510 after construction, which are all standard requirements and are included in the Conditions of  
511 Approval that would apply to the project. So, given all of that and the added protections that staff  
512 added and worked with the applicant to ensure, as much as the County can, that one project would  
513 not impact the other, I would find that the proposed project does meet the County's Use Permit  
514 requirements and development standards. I'm going to take the recommendations as outlined by  
515 the staff report and:

- 516 1) find the Conditional Use Permit application CUP23-0002 is categorically exempt from  
517 environmental review pursuant to Section 15303 - New Construction or Conversion of  
518 Small Structures;
- 519 2) approve the proposed Steep Slopes Management plan prepared by Susan Dahl with T&S  
520 Engineering subject to the attached Conditions of Approval shown in Attachment One as  
521 amended to add those additional conditions that we talked about today to allow ground  
522 disturbance within areas that exceed 30% slope, making Findings A through F as shown in  
523 the staff report; and
- 524 3) approve the proposed Conditional Use Permit CUP23-0002 subject to the attached  
525 Conditions of Approval shown in Attachment One as amended, making Findings A through  
526 K, pursuant to Title 12, Chapter 5, Sections 12.05.060 and 12.05.052 of the Nevada County  
527 Code.

528  
529 ***Approved at Public Hearing***

530 Zoning Administrator Foss: With that, there is a 10-day appeal period. That brings us to the end  
531 of the hearing, so thank you all for attending. And that brings us to the end of that item, and we  
532 do not have any additional items on the agenda, so we will adjourn until the next regularly  
533 scheduled and noticed Zoning Administrator hearing.

534  
535 **ADJOURNMENT:** Zoning Administrator Brian Foss adjourned the meeting at 2:12 p.m.

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538 There being no further business to come before the Zoning Administrator, the meeting was  
539 adjourned at 2:12 p.m. to the next meeting to be held on December 17, 2025, in the Board  
540 Chambers, Eric Rood Administration Center, 950 Maidu Avenue, Nevada City, California.  
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543 **Note:** A recording of this hearing is permanently on file with the Planning Department, Eric Rood  
544 Administrative Center, First Floor. Please contact the Clerk of the Zoning Administrator to obtain  
545 a copy.  
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550 Passed and accepted this      day of      , 2025.  
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552 \_\_\_\_\_ Brian Foss, Ex-Officio Secretary

## NOTICE OF PUBLIC HEARING

Notice is hereby given that on Tuesday, January 13, 2026, at 1:30 p.m. or as soon thereafter as the matter may be heard, in the Board Chambers of the Eric Rood Administrative Center, at 950 Maidu Ave., California, 95959, the Nevada County Board of Supervisors will hold a public hearing to consider the following project:

**PLN23-0023; CUP23-0002; MGT24-0018; EIS23-0001:** A public hearing for the Board of Supervisors to consider an appeal by Gary Mapa regarding the November 12, 2025, Zoning Administrator's approval of a Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018) to remove and replace an existing 41-foot monopole with a new 90-foot monopine, remove and replace an existing RBS 6201 cabinet with a new T-Mobile enclosure 6160 cabinet, and relocate two (2) existing antennas from the existing monopole to the new proposed monopine. **LOCATION:** 22258 Juniper Street, Floriston, CA 96111, in unincorporated eastern Nevada County, approximately 0.2 mile east of Interstate 80 and 9.7 miles northeast of historic downtown Truckee. **APN:** 048-130-026.

**RECOMMENDED ACTION:** Deny the appeal and uphold the decision of the Zoning Administrator to approve the Conditional Use Permit (CUP23-0002) and Steep Slopes Management Plan (MGT24-0018) application proposing to remove and replace an existing 41-foot monopole with a new 90-foot monopine within a 390 square foot fenced lease area at 22258 Juniper Street, Floriston, CA, in eastern Nevada County. **PLANNER:** Zachary Ruybal, Associate Planner.

Documents pertaining to the property affected by the proposed action are available for public review and consideration at the following locations: at the Clerk of the Board's Office, 950 Maidu Avenue, Suite 200, Nevada City, CA 95959; and the Nevada County Planning Department, 950 Maidu Avenue, Suite 170, Nevada City, CA 95959.

You have a right to attend the public meeting to discuss the project, provide oral testimony, and/or submit written materials regarding these matters. Written materials and comments (an original and 9 copies) may be submitted to the Clerk of the Board at 950 Maidu Avenue, Nevada City, CA 95959; by emailing [BOS.PublicComment@nevadacountyca.gov](mailto:BOS.PublicComment@nevadacountyca.gov); or by submitting an e-comment online at [www.nevadacountyca.gov/boardmeetings](http://www.nevadacountyca.gov/boardmeetings) and must be received no later than 4:00 p.m. on January 12, 2026. As the date grows closer to the public hearing, please see the January 13, 2026, agenda for information on how to provide comments during the public hearing. Written or emailed public comments received by 4:00 p.m. the day prior to the meeting will be provided to the Board members electronically or in written format and will become part of the public record. The Board Chair may place reasonable restrictions on the time allowed to any person to speak on these matters.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

NEVADA COUNTY BOARD OF SUPERVISORS

BY:   
Chief Deputy Clerk of the Board

PUBLISH: January 2, 2026

THE SIERRA SUN