



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES
860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FORT BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

MEMORANDUM

DATE: JULY 3, 2019

TO: PLANNING COMMISSION

FROM: JULIA ACKER KROG, CHIEF PLANNER

SUBJECT: USE PERMIT #U_2017-0038 UPDATE FOR SPECIAL JULY 3, 2019 HEARING

At the previous Planning Commission meeting on May 16, 2019 the subject project was continued to the July 3, 2019 Planning Commission agenda to allow the applicant the opportunity to consider a reduced tower height such that no exceptions to the Mendocino County Guidelines for Development of Wireless Communication Facilities Standards would be required.

The agent for the project, Epic Wireless, provided to Planning Staff on May 29, 2019 that shortening the tower to 95 feet, or, reducing it in general would not be an option. AT&T requires a 170-foot Antenna Centerline due to the fact that tree heights in the area are between 125 and 165 feet. Epic Wireless noted that "even if dozens of trees in the nearby vicinity were topped, the complete surrounding area is blanketed with large trees with hilly terrain which would make the site insufficient. Since line of site to dwellings is required for this specific technology (broadband internet), having the antennas above the tree line is crucial."

Epic Wireless also noted that they looked at sites on the other side of the river and it appears that those sites would be faced with the same challenges at the current location. Epic Wireless noted that "the top of the ridge isn't necessarily accessible nor is there utility infrastructure available. The accessible areas would require setback waivers as well...assuming a willing property owner exists."

Therefore, staff maintains their previous recommendation to the Planning Commission as contained in the May 16, 2019 staff report, provided again below.

In case the Planning Commission wishes to deny the requested project based upon inconsistency with the Mendocino County Guidelines for the Development of Wireless Communication Facilities, staff has prepared an alternate resolution for denial which is attached to this memorandum as Attachment A.

RECOMMENDATION

By resolution, adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and grant Use Permit #U_2017-0038 for the Project as well as the requested setback reduction from the Wireless Communication Facilities Development Guidelines general standards, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

Attachments:

- A. U_2017-0038 Planning Commission Alternate Resolution for Denial

Resolution Number _____

County of Mendocino
Ukiah, California

JULY 3, 2019

U_2017-0038 - HARTSTONE BIBLE CONFERENCE

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A STATUTORY
EXEMPTION AND DENYING A MAJOR USE PERMIT FOR A 175 FT
TALL WIRELESS COMMUNICATION FACILITY

WHEREAS, the applicant, Hartstone Bible Conference and AT&T Mobility, filed an application for a major use permit with the Mendocino County Department of Planning and Building Services to construct a 175-foot tall lattice wireless communication tower and associated equipment, located 4± miles north of the town of Potter Valley, located on the west side of Van Arsdale Rd. (CR 242), 2± miles northwest of its intersection with Eel River Rd. (CR 240B), at 17856 Van Arsdale Rd., Potter Valley (APN 171-080-14 & 171-090-13); General Plan RL160/RR10; Zoning RL:160/RR:10; Supervisorial District 1; (the "Project"); and

WHEREAS, pursuant to Public Resources Code section 21080(b)(5), the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*; "CEQA") does not apply to projects which a public agency rejects or disapproves and CEQA Guidelines section 15270 provides that the projects which are disapproved are Statutorily Exempt; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, May 16, 2019, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record before it, makes the following findings;

1. The majority of the parcel is classified as Rural Residential by the Mendocino County General Plan. The portion of the parcel located along the western property boundary is classified as Range Land. No development is proposed within this area of the parcel. The proposed development is located entirely within the portion of the parcel classified as Rural Residential and is an allowed conditional use within the district with the granting of a major use permit.
2. The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of Division I of Title 20 of Mendocino County Code and preserves the integrity of the zoning district. The proposed development is located entirely within the portion of the parcel zoned Rural Residential and is an allowed conditional use within the district with the granting of a major use permit. The proposed development will not interfere with the continued use of the parcel.
3. The proposed wireless communication facility is not in conformance with the Wireless Communication Facilities Development Guidelines adopted by the Board of Supervisors on August 4, 2015 (Resolution No. 15-121), specifically the Standard identified in section (C)(1)(m), and does not meet reduction findings for the tower setback from adjacent residences contained in (C)(1)(m).

4. Use Permit Findings:

- a. That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan as described in Finding 1; and
 - b. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The existing access to the parcel will be improved to private road access standards, internal access roads will be developed that meet fire district standards, utilities will be extended to the site and drainage has been considered; and
 - c. That such use will, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county as it does not meet safety setback requirements to adjacent residential uses; and
 - d. That such use preserves the integrity of the zoning district as described in Finding 2.
5. The project is Statutorily Exemption pursuant to CEQA Guidelines section 15270, which states that CEQA does not apply to projects which an agency disapproves.

BE IT FURTHER RESOLVED that the Planning Commission hereby denies the requested major use permit without prejudice.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES F. FEENAN
Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ
Director

MARILYN OGLE, Chair
Mendocino County Planning Commission



**PLANNING COMMISSION
STAFF REPORT- MAJOR USE PERMIT**

**MAY 16, 2019
U_2017-0038**

SUMMARY

OWNER: HARTSTONE BIBLE CONFERENCE
17856 VAN ARSDALE RD
POTTER VALLEY, CA 95469

APPLICANT: AT&T MOBILITY
5001 EXECUTIVE PARKWAY
SAN RAMON, CA 94583

AGENT: EPIC WIRELESS GROUP, LLC
8700 AUBURN FOLSOM RD, SUITE 400
GRANITE BAY, CA 95746

REQUEST: Use Permit to authorize construction and operation of a wireless communication facility consisting of: 175 ft. tall lattice tower with various appurtenant equipment and ground equipment, a generator, and an equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching power and fiber to the site location. The proposed lattice tower will be located within a 1,680 sq. ft. fenced compound.

LOCATION: 4± miles north of the town of Potter Valley, located on the west side of Van Arsdale Rd. (CR 242), 2± miles northwest of its intersection with Eel River Rd. (CR 240B), located at 17856 Van Arsdale Rd., Potter Valley (APN 171-080-14 and 171-090-13).

TOTAL ACREAGE: 17.6± Acres

GENERAL PLAN: Range Land (RL160) and Rural Residential (RR10)

ZONING: Rural Residential (RR10)

SUPERVISORIAL DISTRICT: 1

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: JULIA ACKER

BACKGROUND

The Telecommunications Act of 1996 was signed into law on February 8, 1996. This act preserves the authority of a State or local governments over decisions regarding the placement, construction, and modifications of personal wireless services, subject to limitations. Section 704(7)(B)(iii) requires that any denial *shall be in writing and supported by substantial evidence contained in a written record*. Section 704(7)(B)(iv) prohibits denial on the basis of radio frequency emissions if those emissions are below the standards as determined by the Federal Communications Commission (FCC).

On August 4, 2015, the Mendocino County Board of Supervisors adopted *Guidelines for the Development of Wireless Communication Facilities* to regulate wireless communication facilities subject to a use permit. By adopting this resolution (Resolution No. 15-121), the Board of Supervisors acted to maintain the County's authority over decisions regarding development, operation, and maintenance of wireless facilities.

AT&T is participating in a Federal Government funded program called Connect America Fund (CAF). CAF is intended to provide underserved areas throughout the United States with hi-speed broadband internet. The CAF project is required to provide broadband internet services capable of 10 Mbps download and 1 Mbps upload speeds. Mendocino County has many areas not served by hi-speed broadband internet and this project would establish hi-speed broadband internet to an underserved community.

PROJECT DESCRIPTION: Use Permit to authorize construction and operation of a wireless communication facility consisting of: 175 ft. tall lattice tower with various appurtenant equipment and ground equipment, a generator, and an equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching power and fiber to the site location. The proposed lattice tower will be located within a 1,680 sq. ft. fenced compound.

AT&T's objective for the project is to provide wireless hi-speed broadband internet to nearby residences consistent with the CAF program and secondarily to provide enhanced cellular services to this area to fill a mobility coverage gap in the area.

APPLICANT'S STATEMENT:

"(P) New Site Build Unmanned Telecommunications Facility
40'x42' Fenced Compound with a 6'-0" high chain link fence w/ vinyl slats.
Gravel access route to site
Install pre-manufactured walk in equipment cabinet and associated interior equipment.
Install (1) GPS Unit
Install 175'-0" Lattice Tower
Install (12) Antennas, (4) per sector
Install (24) RRUs
Install (5) Surge Protectors
(2) Future 4' Microwave Dishes
Install 15KW DC Diesel Generator
Trench Power/Telco (Fiber) to site location
The Wireless Facility will serve the community with High Speed Broadband Wireless Internet, Mobile Phone Services, and enhanced public safety."

RELATED APPLICATIONS:

On-Site

- Use Permit #U 76-73
- Use Permit #U 61-74
- Use Permit #U 83-74
- Use Permit Renewal #UR 61-74
- Use Permit #U 30-76
- Rezone #R 172-76
- Boundary Line Adjustment #B 69-99 recognized APNs 171-080-14 and 171-090-13 as one legal parcel.
- Boundary Line Adjustment #B 77-02

SITE CHARACTERISTICS: The subject parcel is located 4± miles north of the town of Potter Valley, located on the west side of Van Arsdale Rd. (CR 242), 2± miles northwest of its intersection with Eel River Rd. (CR 240B). The site contains an existing retreat/recreational use consisting of the Hartstone Bible Camp. Sensitive resources have not been noted to exist on the project site.

SURROUNDING LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Rural Residential (RR10)	Rural Residential (RR10)	25.4± acres	Recreation
EAST	Rural Residential (RR10)	Rural Residential (RR10)	17.75± acres	Residential
SOUTH	Rural Residential (RR10)	Rural Residential (RR10)	34.5± acres	Recreation
WEST	Range Land (RL160)	Rural Residential (RR10)	1.5± acres	Residential

PUBLIC SERVICES:

Access: VAN ARSDALE ROAD (CR 242)
Fire District: POTTER VALLEY COMMUNITY SERVICES DISTRICT
Water District: NONE
Sewer District: NONE
School District: POTTER VALLEY

AGENCY COMMENTS: On August 24, 2018 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are listed below. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	Comments
Environmental Health- Ukiah	Comments
Building Services-Ukiah PBS	No Comment
Assessor	No Response
Air Quality Management District	Comments
Sonoma State University	Comments
CalFire	No Comment
CA Department of Fish and Wildlife	No Response
US Fish and Wildlife Service	No Response
Archaeological Commission	Comments
Potter Valley Community Services District	No Response
Sherwood Valley Band of Pomo Indians	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response

KEY ISSUES

1. General Plan and Zoning Consistency:

The majority of the parcel is classified as Rural Residential with a 10-acre minimum parcel size (RR10) by the Mendocino County General Plan. The portion of the parcel located along the western property boundary is classified as Range Land with a 160-acre minimum parcel size (RL160). No development is proposed within this area of the parcel. The proposed development is located entirely within the portion of the parcel classified as RR10 and is an allowed conditional use within the district with the granting of a major use permit. The subject parcel is a vacant parcel mainly used for walking trails by the guests of Hartstone Bible Camp. The proposed development will not interfere with the continued use of the parcel.

The project site is located within a Rural Residential Zoning District (RR10), which is intended to create and enhance residential areas where agricultural use compatible with a permanent residential use is desired. The subject parcel is a vacant parcel mainly used for walking trails by the guests of Hartstone

Bible Camp. The proposed development will not interfere with the continued use of the parcel. All development is proposed within the RR10 district and is an allowed conditional use with the granting of a major use permit. The proposed development is in conformance with development standards, yard setbacks, etc. for the zoning district.

Mendocino County Code (MCC) Section 20.236.005 states that “*Radio, telephone, and other communication and transmission structures, towers, and antennas ("towers and antennas") are conditional uses subject to approval of a conditional use permit in all zoning districts, except as otherwise provided in the Mendocino County Code.*” MCC Section 20.236.020(C) provides that towers not meeting certain development criteria (established for streamlined permitting of small scale towers) are subject to a major use permit. Thus this major use permit is being processed for the proposed tower.

2. Wireless Communication Facilities Development Guidelines:

Staff evaluated the proposed project for consistency with the Wireless Communication Facilities Development Guidelines. Staff has incorporated several conditions of approval to ensure that the facility is operated and maintained in conformance with these standards. It is important to note that the proposed location of the tower is not in conformance with the general standards contained in (C)(1)(m) of the Wireless Communication Facilities Development Guidelines but the standards do provide circumstances under which a reduction to the required setback may be granted. The required setback for new towers is 110% of the overall height of the tower from any property line and a minimum 500% of the overall height from any residence or school. These setbacks may be reduced under certain circumstances including agreement from all property owners affected by the reduction or that the reduced setback enables greater mitigation of adverse visual or other environmental impacts. The application is non-compliant with the 500% setback of the overall height from any residence. The applicant was unable to obtain approval from all affected property owners for the proposed reduction, although some did sign waivers. Staff does find that the proposed location provides more visual mitigation of the tower than other locations on the parcel that may meet required setbacks from adjacent residences. A condition of approval is recommended requiring that within sixty (60) days of completion of construction the applicant provides written verification from a licensed engineer of the actual height of the tower.

Staff recommends that the Planning Commission grant the requested reduction to the required setback from adjacent residences contained in (C)(1)(m) of the Wireless Communication Facilities Development Guidelines and find the proposed wireless communication facility to be in conformance with the Wireless Communication Facilities Development Guidelines adopted by the Board of Supervisors on August 4, 2015 (Resolution No. 15-121).

Alternatively, the Planning Commission could require that the proposed tower be reduced in height to ensure its consistency with the Wireless Communication Facilities Development Guidelines setback criteria.

3. Use Permit Findings:

MCC Section 20.196.020 (A) *That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan;*

The proposed development is located entirely within the portion of the parcel classified as RR10 and is an allowed conditional use within the district with the granting of a major use permit. The subject parcel is a vacant parcel mainly used for walking trails by the guests of Hartstone Bible Camp. The proposed development will not interfere with the continued use of the parcel. If developed in conformance with the recommended Conditions of Approval, the project is found to be consistent with the Mendocino County General Plan.

MCC Section 20.196.020 (B) *That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;*

Minimal grading and ground disturbance is required to accommodate the proposed project as the site is relatively level. Grading activities include site development and trenching to underground utilities. Internal

gravel access roads will be developed to access the facility location. The project Applicant estimates approximately 14.5 cubic yards balanced with 13.5 cubic yards of fill on the site. The spoils, which totals approximately 1 cubic yard of soil, will be spread evenly around the site. Conditions of Approval are included to ensure that the proposed project is developed in conformance with Mendocino County Code requirements and to prevent soil erosion.

The parcel is currently accessed off Van Arsdale Road (CR 242). The application was referred to the Mendocino County Department of Transportation (MCDOT) for comments. MCDOT responded on August 31, 2018 that the project will be required to construct a private road driveway approach onto the County Road in conformance with MCDOT standards. Appropriate turnouts are shown on the site plan to ensure there is adequate emergency access to the site for fire and medical personnel. Conditions of Approval have been included to address comments received from MCDOT and responsible agencies.

MCC Section 20.196.020 (C) That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect;

The proposed wireless communication facility will not constitute a public nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area of the proposed use if constructed in conformance with the recommended Conditions of Approval. As described in the Wireless Communication Facilities Development Guidelines section of this report, the proposed facility is requesting a waiver of the required 500% setback of the overall tower height to various residences. Many adjacent residences have signed setback waiver forms, but not all have done so.

MCC Section 20.196.020 (D) That such use preserves the integrity of the zoning district.

The project site is located within a Rural Residential Zoning District (RR10), which is intended to create and enhance residential areas where agricultural use compatible with a permanent residential use is desired. The subject parcel is a vacant parcel mainly used for walking trails by the guests of Hartstone Bible Camp. The proposed development will not interfere with the continued use of the parcel and is an allowed conditional use within the zoning district. Given the small size of the proposed development on the parcel, 1,680 square-feet, the proposed development will not affect the future development of uses on the parcel. Therefore, the proposed use will preserve the integrity of the zoning district.

4. Environmental Protection:

Staff has completed an Initial Study for the proposed project in accordance with the California Environmental Quality Act (CEQA) and determined that the project could have some potential significant impacts on the environment, but can be considered less than significant with mitigation incorporated. As discussed in the Initial Study, conditions have been identified to mitigate impacts to the environment to a less than significant level. Staff recommends that the Planning Commission adopt a Mitigated Negative Declaration for the project.

RECOMMENDATION

By resolution, adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and grant Use Permit #U_2017-0038 for the Project as well as the requested setback reduction from the Wireless Communication Facilities Development Guidelines general standards, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.

4/25/2019
DATE


JULIA ACKER KROG
CHIEF PLANNER

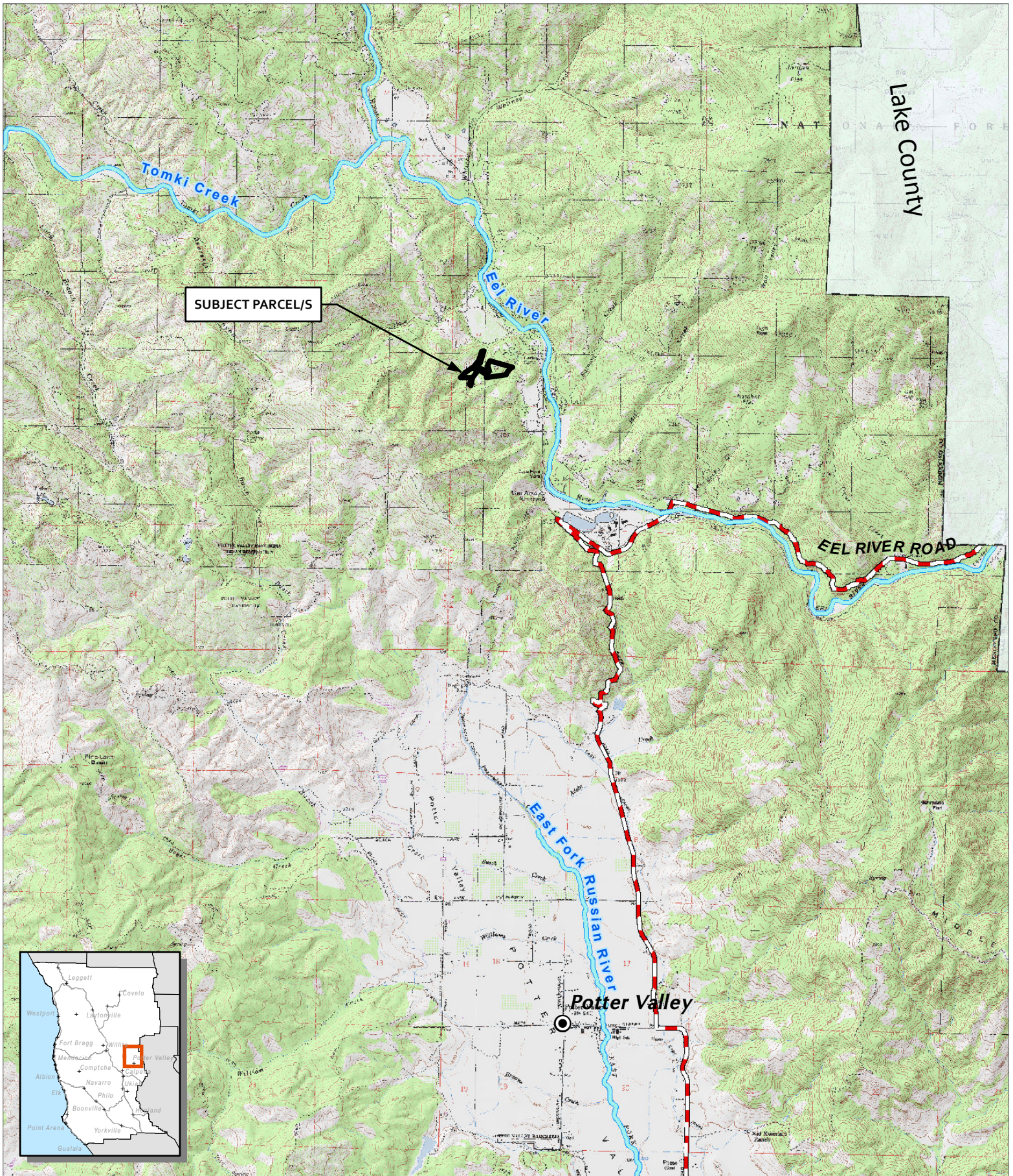
Appeal Period: 10 Days
Appeal Fee: \$1616.00

ATTACHMENTS:

- A. Location Map
- B. Topographic Map
- C. Aerial Imagery
- D. Site Plan
- E. Elevations
- F. Photo Simulation 1
- G. Photo Simulation 2
- H. Photo Simulation 3
- I. Photo Simulation 4
- J. Adjacent Owner Map
- K. Zoning Map
- L. General Plan Map
- M. Fire Hazards Map
- N. Soils Map

RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A):

Initial Study available online at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>



CASE: U 2017-0038
 OWNER: Hartstone Bible Conference

APN: 171-080-14

APLCT: AT&T Mobility

AGENT: Epic Wireless Group, LLC / Jared Kearsley

ADDRESS: 17856 Van Arsdale Road, Potter Valley



Major Towns & Places



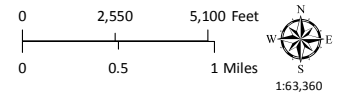
Major Roads



California Counties



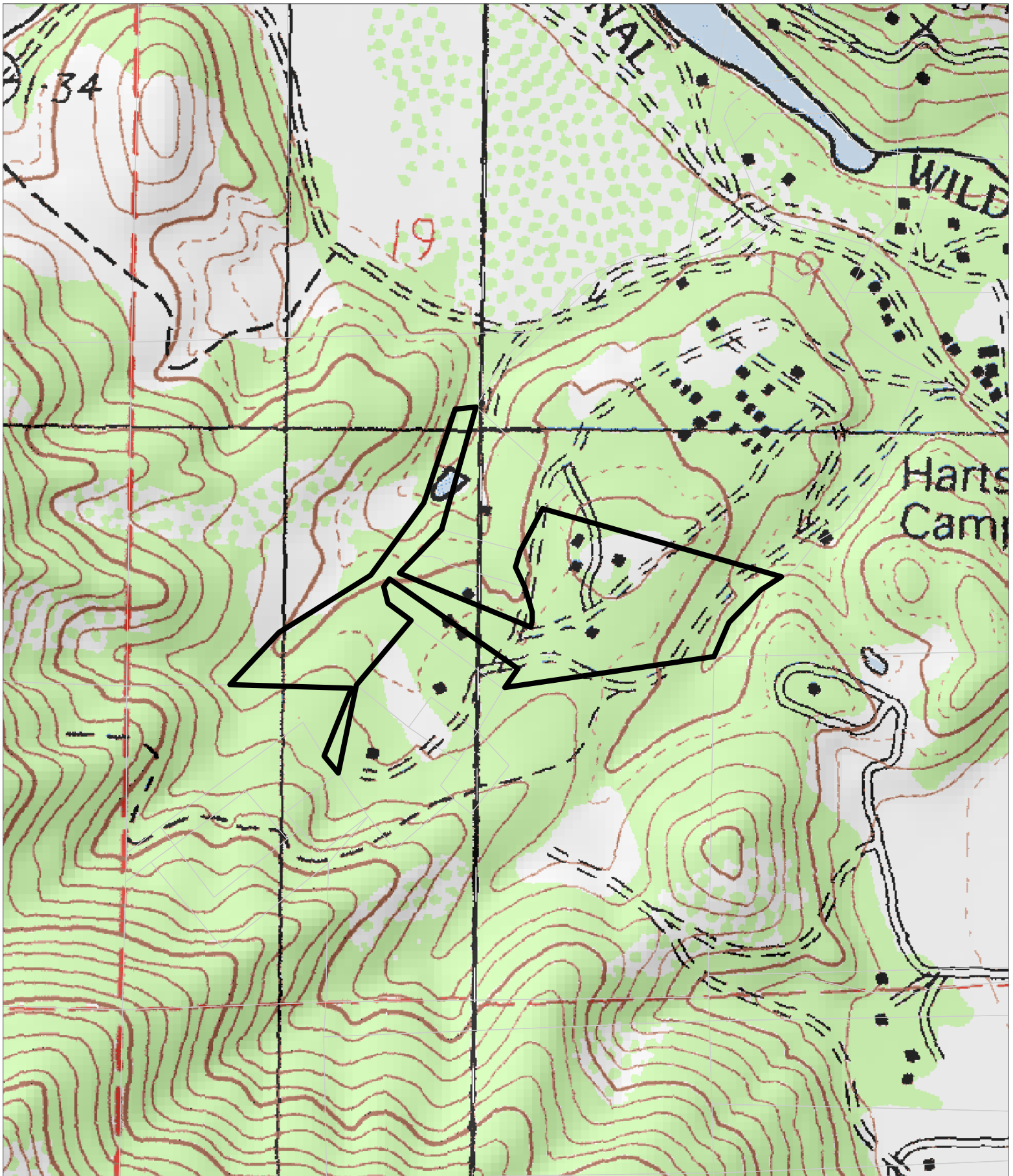
Major Rivers



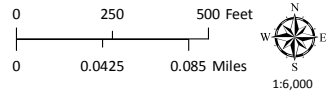
LOCATION MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT A



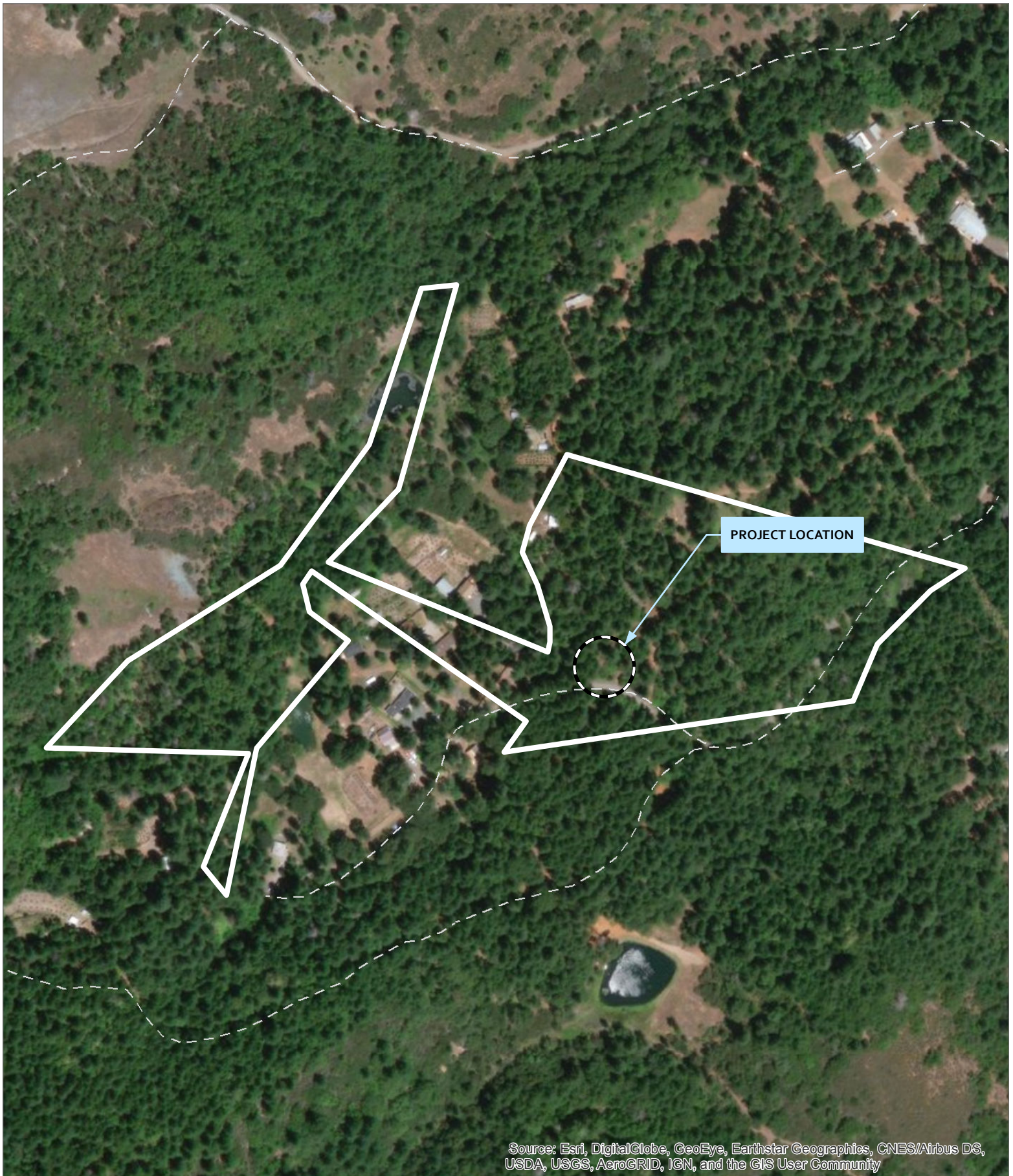
CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley



TOPOGRAPHIC MAP
CONTOUR INTERVAL IS 40 FEET

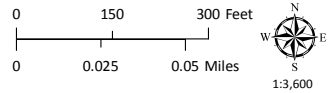
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT B



CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

— — — Driveways/Unnamed Roads

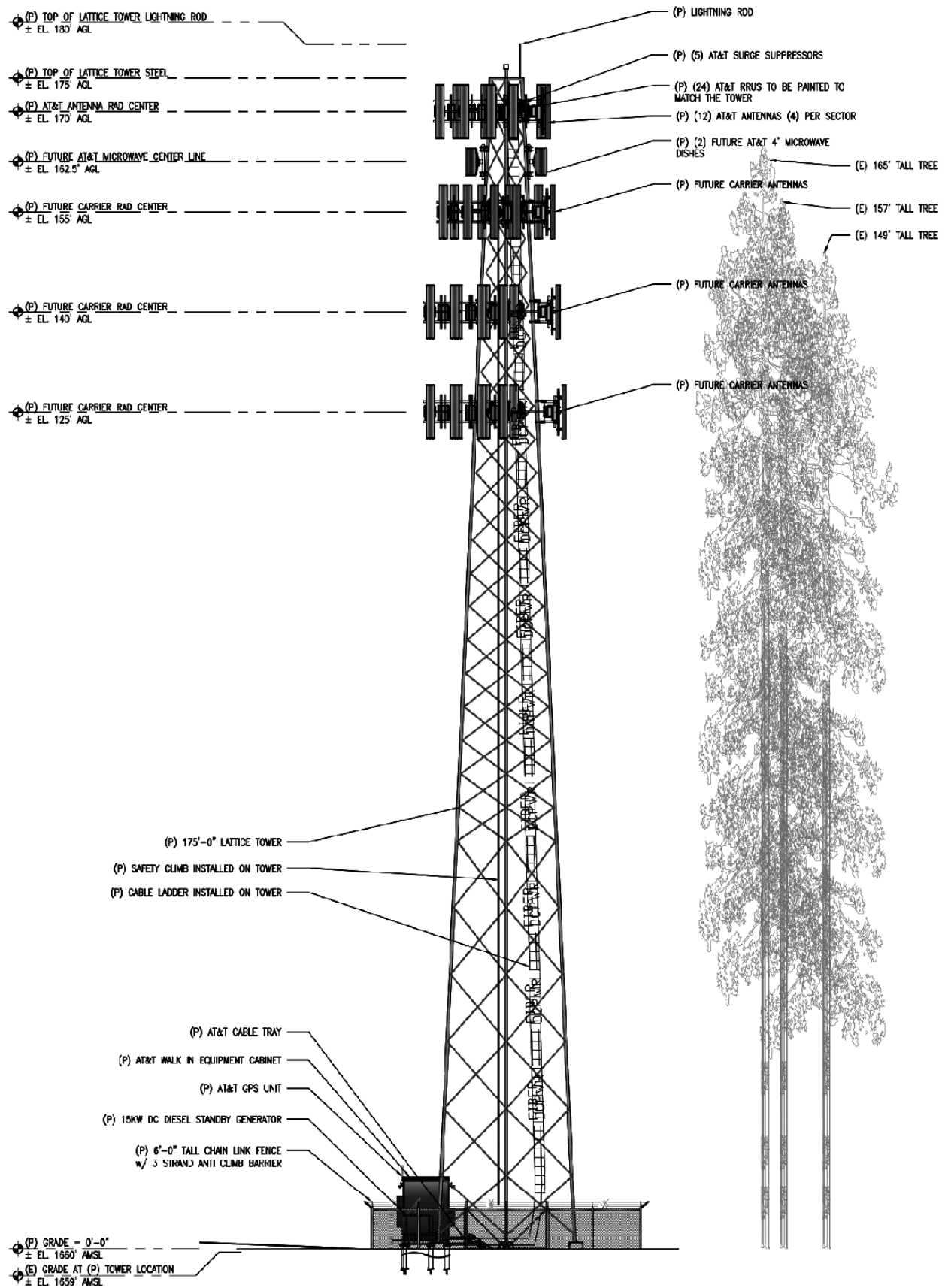


AERIAL IMAGERY

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT C

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**



CASE: U 2017-0038
 OWNER: Hartstone Bible Conference
 APN: 171-080-14
 APLCT: AT&T Mobility
 AGENT: Epic Wireless Group, LLC / Jared Kearsley
 ADDRESS: 17856 Van Arsdale Road, Potter Valley

NO SCALE

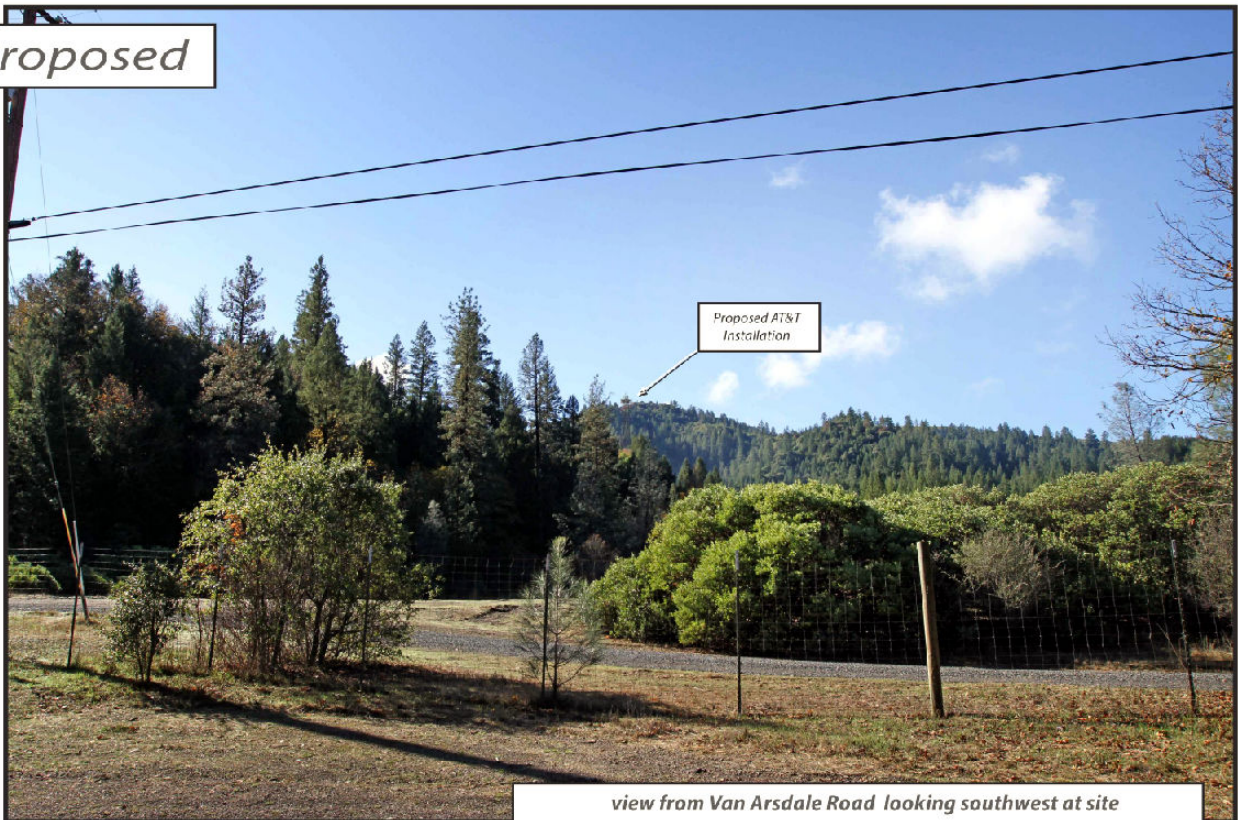
ELEVATIONS
 ATTACHMENT E

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

Existing



Proposed



view from Van Arsdale Road looking southwest at site

AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507



AT&T Wireless

CCL05066 Hartstone Bible Camp
17856 Van Arsdale Road, Potter Valley, CA
Photosims Produced on 11-15-2017

CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

NO SCALE

PHOTOSIM

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT F

Existing



Proposed



view Adjacent to Van Arsdale Road looking southeast at site

AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

 **AT&T Wireless**

CCL05066 Hartstone Bible Camp
17856 Van Arsdale Road, Potter Valley, CA
Photosims Produced on 11-15-2017

CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

NO SCALE

PHOTOSIM

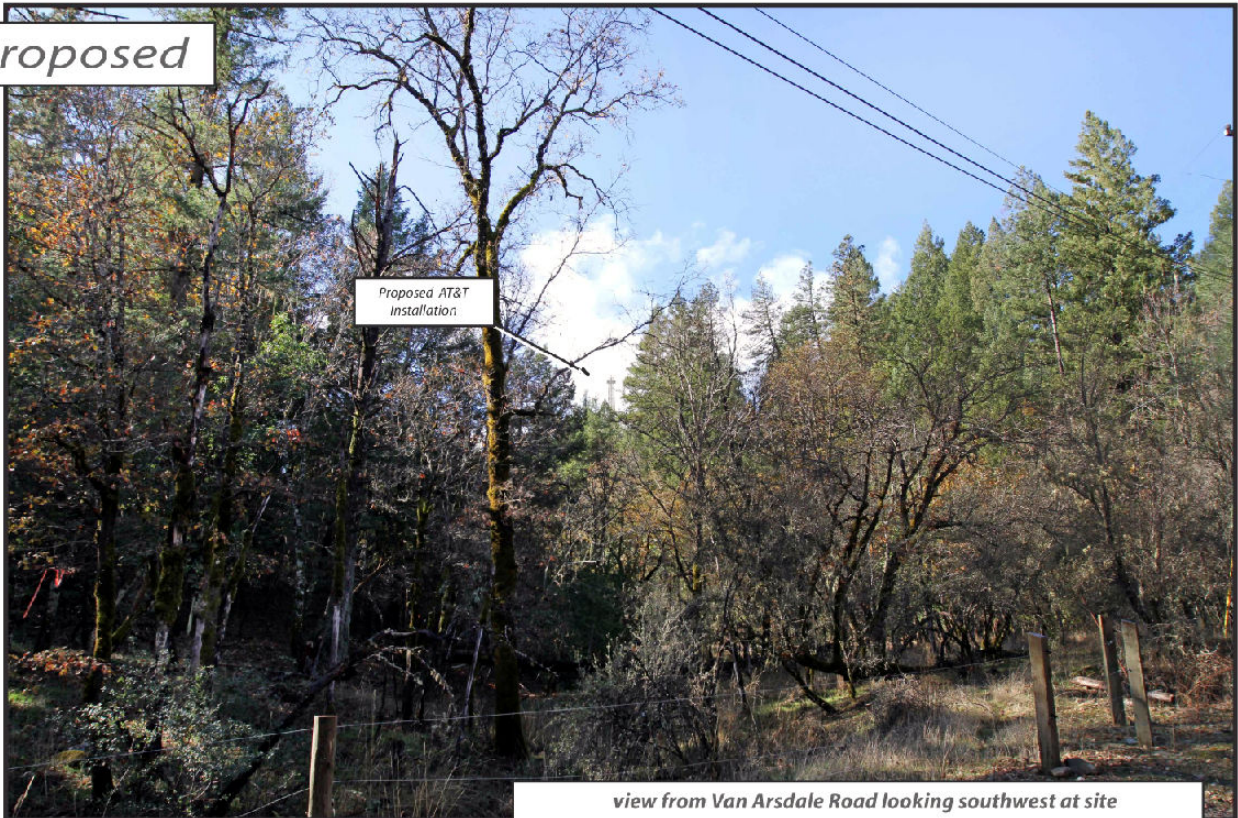
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT G

Existing



Proposed



view from Van Arsdale Road looking southwest at site

AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

 **AT&T Wireless**

CCL05066 Hartstone Bible Camp
17856 Van Arsdale Road, Potter Valley, CA
Photosims Produced on 11-15-2017

CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

NO SCALE

PHOTOSIM

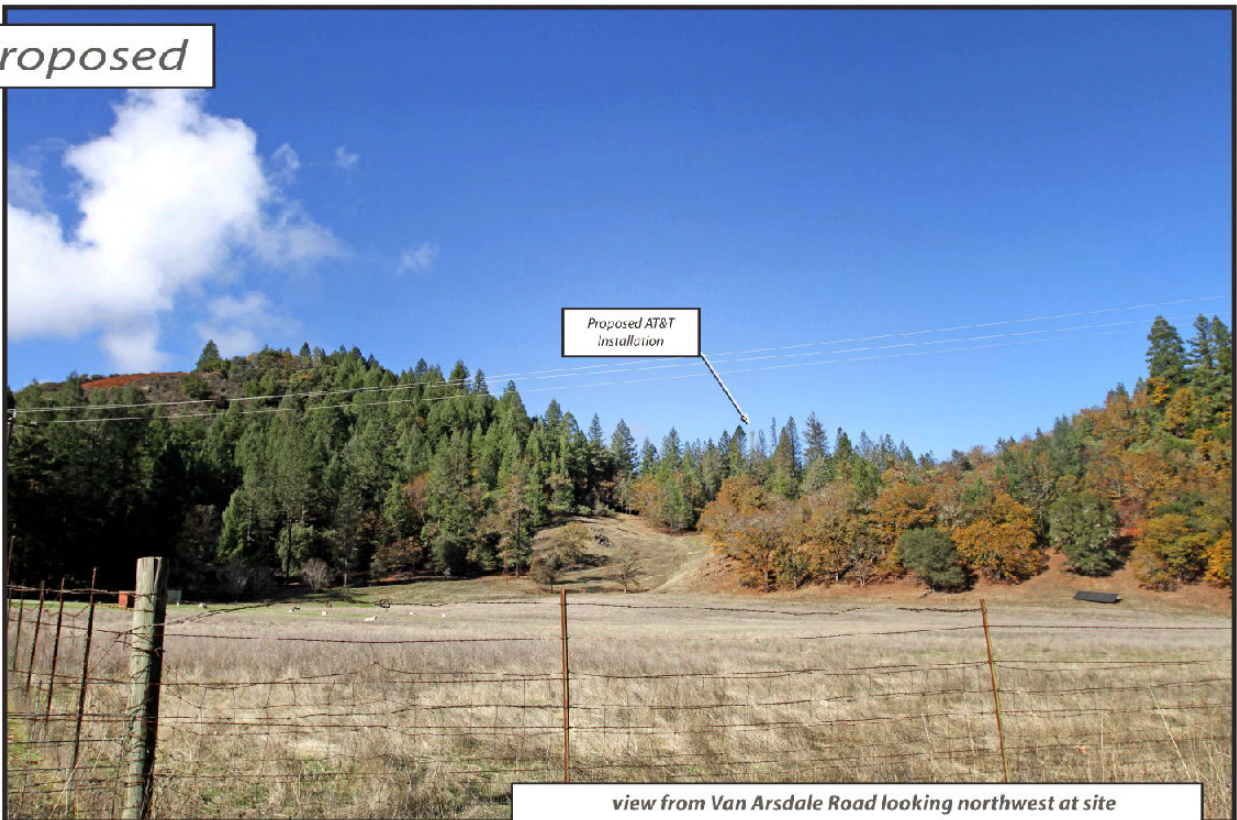
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT H

Existing



Proposed



AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

 **AT&T Wireless**

CCL05066 Hartstone Bible Camp
17856 Van Arsdale Road, Potter Valley, CA
Photosims Produced on 11-15-2017

view from Van Arsdale Road looking northwest at site

CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14

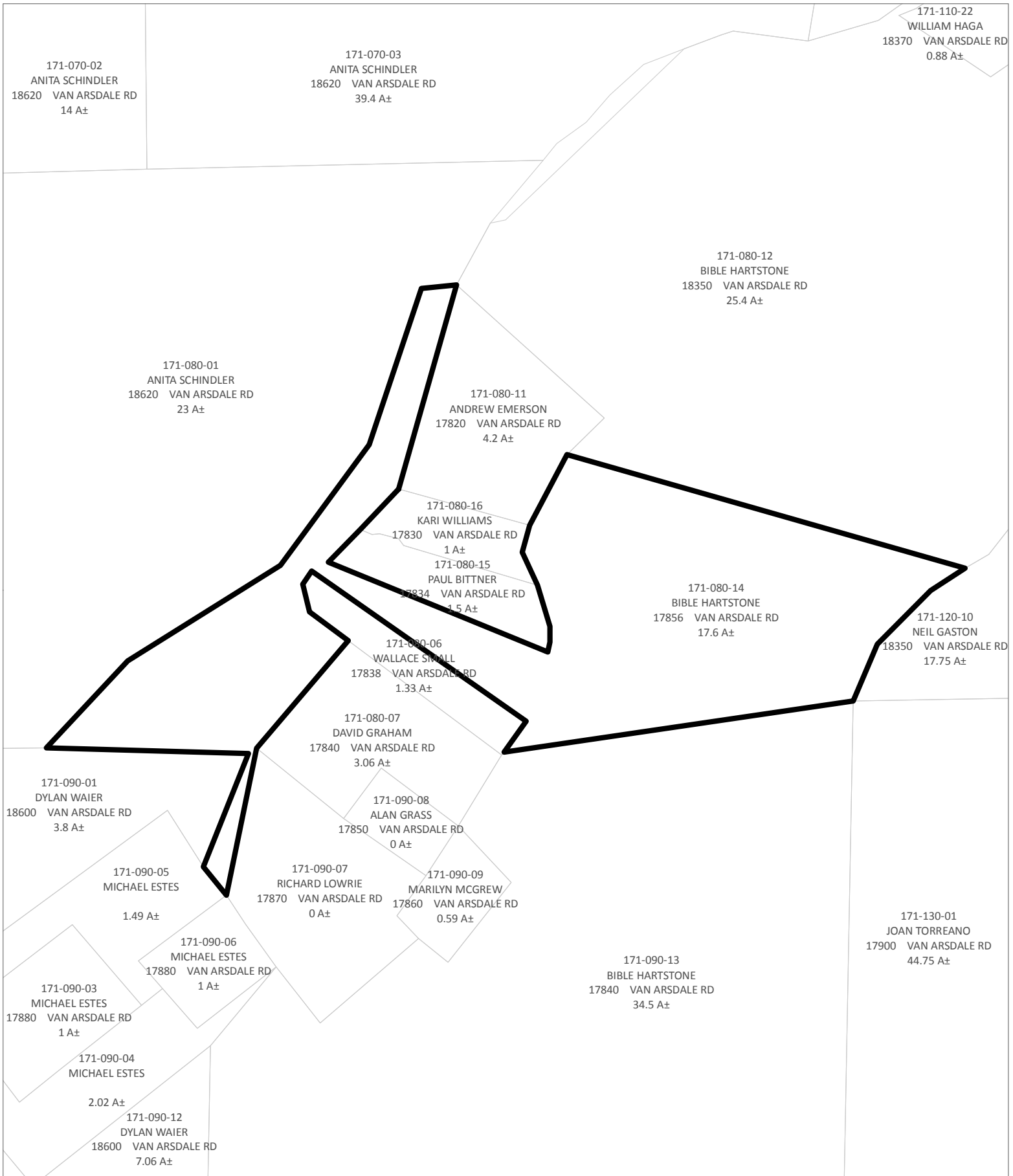
NO SCALE

APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

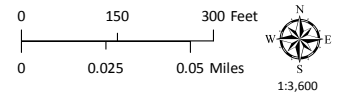
PHOTOSIM

**THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES**

ATTACHMENT I



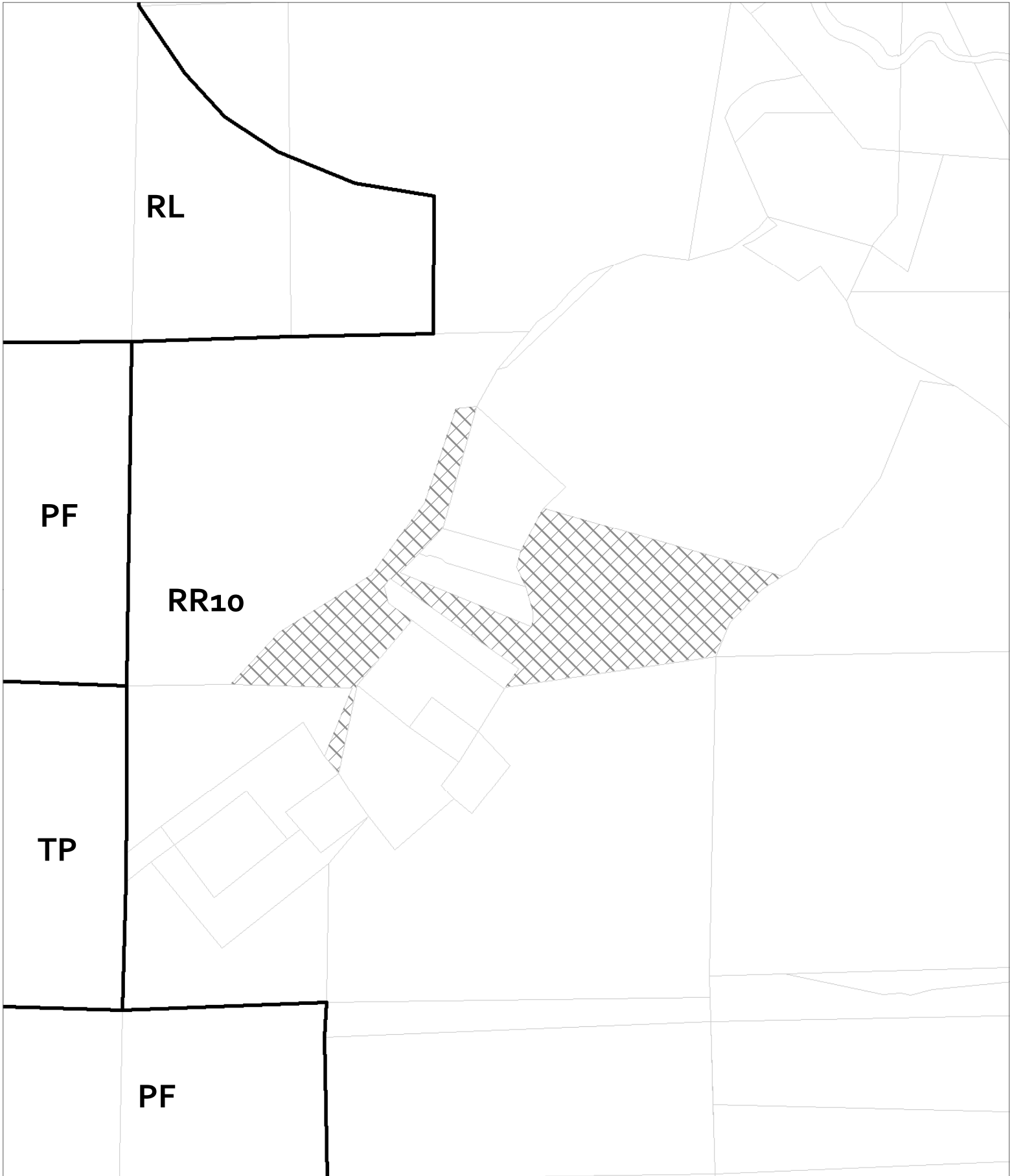
CASE: U 2017-0038
 OWNER: Hartstone Bible Conference
 APN: 171-080-14
 APLCT: AT&T Mobility
 AGENT: Epic Wireless Group, LLC / Jared Kearsley
 ADDRESS: 17856 Van Arsdale Road, Potter Valley



ADJACENT PARCELS

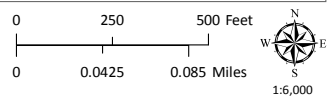
ATTACHMENT J

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
 DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES



CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

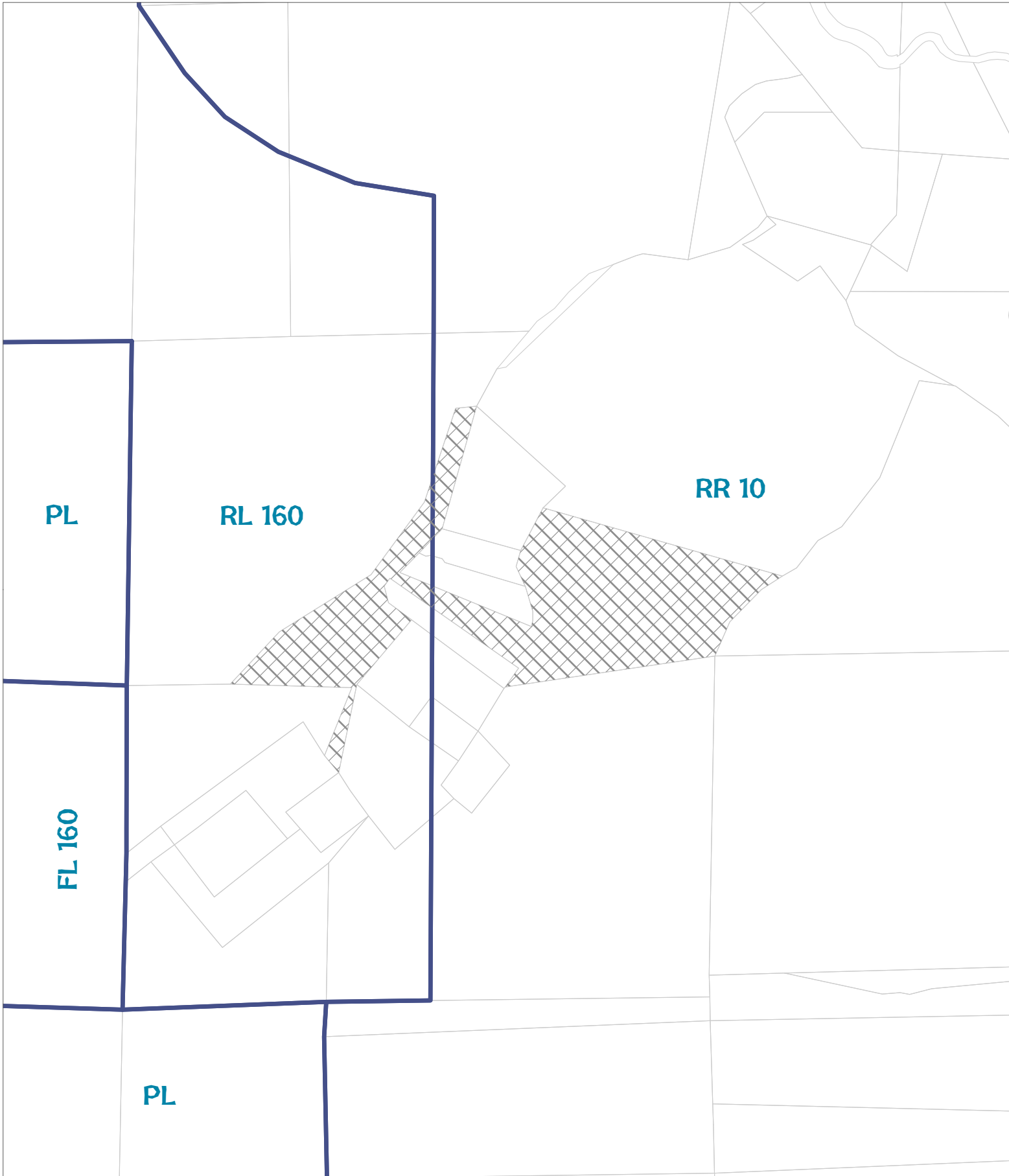
 Zoning Districts




ZONING DISPLAY MAP

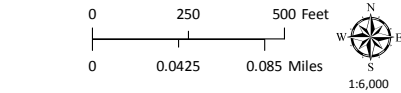
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT K



CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

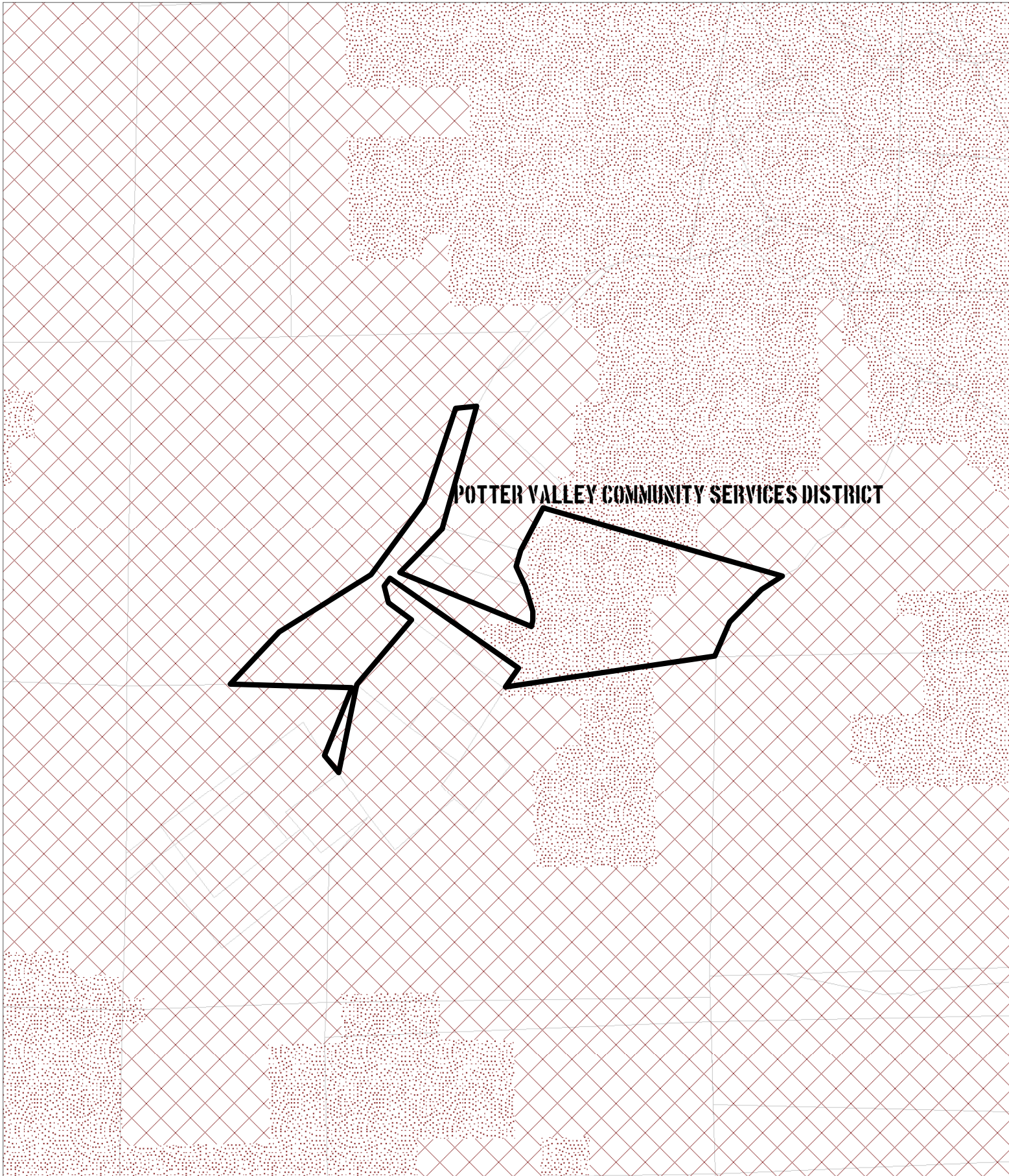
 General Plan Classes






GENERAL PLAN CLASSIFICATIONS

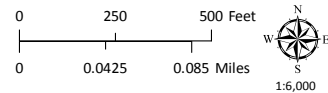
THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT L



CASE: U 2017-0038
OWNER: Hartstone Bible Conference
APN: 171-080-14
APLCT: AT&T Mobility
AGENT: Epic Wireless Group, LLC / Jared Kearsley
ADDRESS: 17856 Van Arsdale Road, Potter Valley

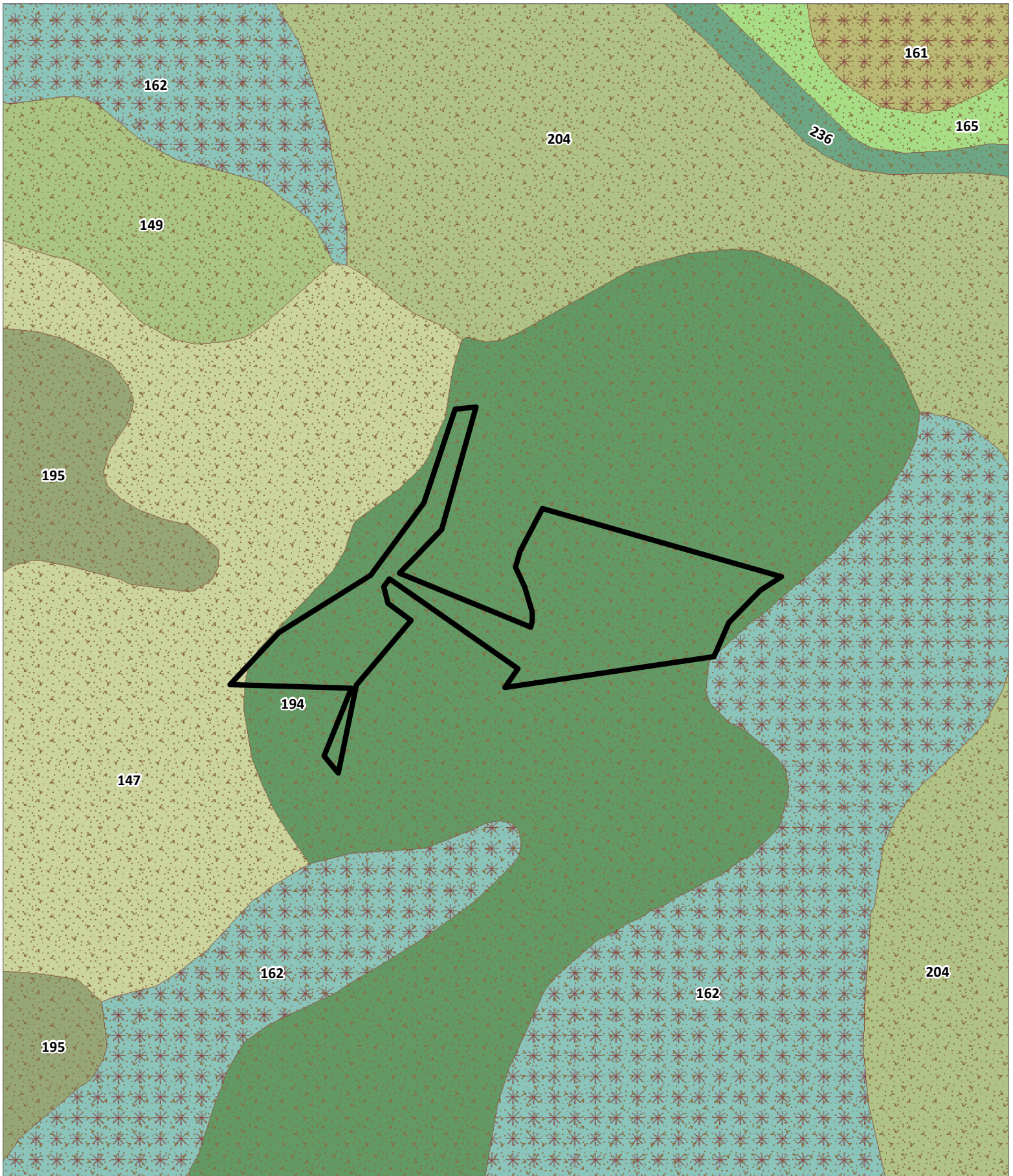
-  County Fire Districts
-  Very High Fire Hazard
-  High Fire Hazard



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT M



Section I	Description Of Project.
	<p>DATE: April 4, 2019 CASE#: U_2017-0038 DATE FILED: 12/22/2017 OWNER: HARTSTONE BIBLE CONFERENCE APPLICANT: AT&T MOBILITY PROJECT COORDINATOR: JULIA ACKER KROG REQUEST: Use Permit to authorize construction and operation of a wireless communication facility consisting of: 175 ft. tall lattice tower with various appurtenant equipment and ground equipment, a generator, and an equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching power and fiber to the site location. The proposed lattice tower will be located within a 1,680 sq. ft. fenced compound. ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration LOCATION: 4± miles north of the town of Potter Valley, located on the west side of Van Arsdale Rd. (CR 242), 2± miles northwest of its intersection with Eel River Rd. (CR 240B), located at 17856 Van Arsdale Rd., Potter Valley (APN 171-080-14 and 171-090-13).</p>
Section II	Environmental Checklist.
	<p><i>"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.</i></p>

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities / Service Systems
	<input type="checkbox"/> Mandatory Findings of Significance	

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off site as well as on-site; cumulative as well as project level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) Discussion: The site is not designated as a scenic vista and due to the fact that the site is already a developed parcel and most of the parcel is not visible from public vantage points there will be no impact on any scenic vistas as a result of the project.
- b) Discussion: State Route 20, which is the nearest State Highway to the project location, is not designated as a state scenic highway. Scenic resources such as trees and rock outcroppings will not be damaged as a result of the project given that the site is already developed and proposed new development will not require tree removal. Therefore, there will be no impact on scenic resources as a result of the project.
- c) Discussion: The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings due to the fact that the parcel is already developed and forested. Proposed new development will be visible from public vantage points but is surrounded by existing trees and vegetation that obscure its visibility. No vegetation removal other than the lease area footprint is proposed. Several mitigation measures are recommended to ensure the facility is constructed in a manner consistent with the Guidelines for the Development of Wireless Communication Facilities for Mendocino County. Therefore, impacts will be less than significant with mitigation incorporated.
- d) Discussion: Two lights are proposed for the wireless communications facility. The proposed lights are shielded down tilt lights with motion sensors and automatic shutoff timer located on the walk-in equipment cabinet. The proposed two additional lights will not cause a substantial amount of new light or glare that will affect nighttime views in the area. Therefore, impacts will be less than significant.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will take place on land that is not designated as Prime or Unique Farmland. Therefore, there will be no impact on Prime, Unique or Farmland of Statewide Importance as a result of the project.
- b) Discussion: The site is zoned Rural Residential. The proposed tower is located entirely within the portion of the parcel zoned Rural Residential. No Williamson Act contracted lands are adjacent to the project site. The proposed project will not conflict with any existing zoning or policies protecting agricultural resources. Therefore, there will be no impact as a result of the project.
- c) – d) Discussion: The site is zoned Rural Residential. The proposed development is located entirely within the Rural Residential zoning district. Timber Production Zones are not located adjacent to the parcel boundaries and there will be no loss or conversion of forest land to non-forest use. Therefore, there will be no impact.
- e) Discussion: As noted in the above answers to a) through d) the project will not result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. The site has an existing residential and recreational/retreat use, the area of the parcel proposed for development is zoned Rural Residential, and this application will not encroach upon any resource designated lands.

<u>III. AIR QUALITY.</u> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The project will not conflict with or obstruct implementation of any air quality plan as there are no components of the project that would conflict with any existing air quality plans. Additionally, Conditions of approval are recommended that will ensure that the project will achieve compliance with Mendocino County Air Quality Management District (AQMD) standards.
- b) – c) Discussion: The AQMD is in attainment for all State standards with the exception of particulate matter less than 10 microns in size (PM10). The most common source of PM10 is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM10 attainment plan was finalized in 2005 that provides regulations for construction and grading activities and unpaved roads. The proposed project has the potential to increase PM10 in the immediate vicinity of the site during access road construction. The proposed construction of internal access roads, if constructed in conformance with the conditions of approval, is not expected to contribute substantially to PM10 levels such that a significant impact would result. Local impacts to the area during construction would be less than significant using standard dust control measures. Conditions of Approval are recommended that will ensure that the project will achieve compliance with AQMD standards.
- d) – e) Discussion: Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The project is located within a primarily low density residential area. The project will not result in substantial pollutant concentrations and will not generate objectionable odors that would affect a substantial number of people.

<u>IV. BIOLOGICAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service as none have been identified on the parcel. The subject application was referred to both agencies but no comments were received from either agency.
- b) Discussion: There are ponds located on adjacent parcels and it appears from review of aerial photographs that a pond exists on the furthest northwest corner of the subject parcel approximately 1,000 feet from the area of proposed development and on APN 171-090-13. There is no riparian habitat or other sensitive natural community identified on the portion of the parcel proposed for development or in close proximity to the area of proposed development; therefore there will be no substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. The subject application was referred to both agencies but no comments were received from either agency.
- c) Discussion: There are no wetlands located on the area of the parcel proposed for development; therefore, there will be no impact. There are ponds located on adjacent parcels and it appears from review of aerial photographs that a pond exists on the furthest northwest corner of the subject parcel approximately 1,000 feet from the area of proposed development and on APN 171-090-13.
- d) Discussion: The proposed project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species as the site is already developed with the existing use and the proposed application proposes limited new development in disturbed areas. No wildlife species of concern have been identified within the project area. Therefore, there will be no impact.
- e) Discussion: The proposed project does not conflict with any local policies or ordinances protecting biological resources or tree preservation policies.
- f) Discussion: The proposed project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved habitat conservation plan as there are none that exist that would be applicable to the project site. Therefore, there will be no impact.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) – c) Discussion: The Mendocino County Archaeological Commission accepted the submitted Revised Cultural Resources Investigation prepared by Archaeological Resources Technology dated November 26, 2018 at its February 13, 2019 meeting and recommended that only the standard discovery clause condition be applied to the proposed project as no sites were identified in the Investigation. A Standard Condition advises the property owner of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

d) Discussion: The proposed project will not disturb any known human remains as no remains or cemeteries have been documented on the project site. Therefore, there will be no impact.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Discussion: This project does not conflict with any state or local seismic hazard policy or plan. The site, like the rest of Mendocino County, is subject to some seismic-related ground shaking if an earthquake were to occur but again the proposed project does not conflict with any applicable policies or plans. No

landslides have been documented on the project site and given the relatively flat nature of the site there is no concern related to landslides resulting from the project.

- b) Discussion: Minimal grading and ground disturbance is required to accommodate the proposed project as the site is relatively level. Grading activities include site development and trenching to underground utilities. Internal gravel access roads will be developed to access the facility location. The project Applicant estimates approximately 14.5 cubic yards balanced with 13.5 cubic yards of fill on the site. The spoils, which totals approximately 1 cubic yard of soil, will be spread evenly around the site. Conditions of Approval are included to ensure that the project is developed in conformance with Mendocino County Code requirements and to prevent soil erosion.

Potential development impacts will be kept to a minimum with the uniform application of standard construction site erosion control requirements recommended in the conditions of approval, and those regulations found in MCC Chapter 16.30 Stormwater Runoff Pollution Prevention Procedure. Additionally, conditions of approval are recommended to ensure that disturbed areas are re-seeded after disturbance to reduce potential soil loss.

- c) Discussion: The soils present on the property do not comprise of soils that are unstable or would become unstable and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse as a result of the project. The site is not designated as an area with potential for liquefaction and is not located on an active fault.
- d) Discussion: The proposed site does not contain soils meeting the criteria of expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994); therefore, there will be no impact as a result of the project.
- e) Discussion: The site contains an existing septic system that has been determined by the Mendocino County Division of Environmental Health to be adequate to serve the existing development and the proposed development of a wireless communications facility will not require any additional sewage disposal. Therefore, the soils at the site are capable of supporting on-site sewage disposal.

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The primary source of potential greenhouse gas emissions from the project is the back-up generator that is proposed, which will only be turned on in case of power outage or emergency situations. These potential emissions are not considered significant.
- b) Discussion: There is no applicable plan or policy that this project will conflict with as the project will not result in a significant increase in greenhouse gas emissions given that there is minimal additional development proposed. The primary source of potential greenhouse gas emissions from the project is the back-up generator that is proposed, which will only be turned on in case of power outage or emergency situations.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) Discussion: The applicant is proposing to install a 15-kilowatt generator, to be used solely for providing emergency power during periods of energy transmission interruption and for routine testing along with a 54-gallon diesel storage tank. Fuel trucks will need to access the site to refuel diesel and the number of trips will depend on the number and length of primary line power outages. The periodic transport of diesel fuel to the site is not expected to create a significant hazard to the public or the environment.
- b) Discussion: Materials such as oil and diesel fuel used for the generator are subject to a Hazardous Materials Management Plan (HMMP) as approved by the County Department of Environmental Health (DEH). The plan identifies actions to be taken should a fuel or oil spill occur on site, including cleanup methods and appropriate agencies to contact in an emergency situation. Utilization of a generator as a back-up power source for wireless telecommunication facilities is common and staff is unaware of any fuel spill associated with any existing facilities in the County. An HMMP may not be required for this site given the small amount of fuel storage proposed; however, staff has included a condition of approval to ensure that one is prepared if it is in fact required by DEH. No mitigation required.

- c) Discussion: The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Additionally, there are no existing or proposed schools located within one-quarter mile of the project site. Therefore, there will be no impact as a result of the project.
- d) Discussion: The project site is not listed as a hazardous materials site on any list compiled pursuant to Government Code Section 65962.5; therefore, there will be no impact as a result of the project.
- e) Discussion: The project site is not located within an airport zone and there are no airports within close proximity; therefore, there will be no impact to safety for people residing or working in the project area.
- f) Discussion: The project site is not near any private airstrips; therefore, there will be no impact to safety for people residing or working in the project area.
- g) – h) Discussion: The proposed project will not impair the implementation nor physically interfere with an adopted emergency response plan or emergency evacuation plan. The parcel is located in an area classified with both a “Very High Fire Hazard” and a “High Fire Hazard” severity rating. The proposed tower is located in the area of the parcel classified with a “Very High Fire Hazard” severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Potter Valley Community Services District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #533-17). Potter Valley Community Services District did not provide any comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire. The proposed development consists of construction of a wireless communications tower and will not cause the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires than that existing at the site today.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will not violate any water quality standards or waste discharge requirements. The project application was referred to pertinent agencies for comment and no response as received expressing concerns with violation of water quality or waste discharge requirements. Therefore, there will be no impact as a result of the project.
- b) Discussion: The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The site has existing water facilities and no concern was expressed by the Mendocino County Division of Environmental Health as to potential for interference or depletion of groundwater supplies.
- c) Discussion: The proposed project will not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation or flooding on- or off-site. The property is already developed with the existing development and while the proposed new development under this application will require grading to accommodate it conditions of approval are recommended to keep impacts at less than significant levels. The proposed grading activities will not alter existing drainage patterns. Therefore, there will be a less than significant.
- d) Discussion: The proposed development will not substantially alter the existing drainage pattern of the site or area, no stream or river alteration will result from the project, nor will the project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, there will be no impact.
- e) – f) Discussion: The proposed project will not create or contribute runoff water which would exceed the capacity of existing or planned Stormwater drainage systems or provide substantial additional sources of polluted runoff. There are no existing or planned storm drainage systems that the proposed project would impact. Runoff from the site will not be significantly increased no be polluted as there is minimal additional areas of development proposed under the project. The proposed project would not result in any degradation of water quality within the vicinity of the project.

- g) – j) Discussion: The project site is not mapped to be located within a Flood Hazard zone and as such there would be no impact from the project in terms of placement of housing or other structures within a Flood Hazard zone. There is no levee or dam within proximity to the project site; therefore, the proposed project will not expose people or structures to any hazard associated with the failure of a levee or dam. The site is not mapped to be located within a seiche, tsunami, or mudflow hazard area.
- k) Discussion: The proposed project is not anticipated to create any pollutant discharges beyond those of existing use of the parcel. Therefore, the proposed project will not result in an increase in pollutant discharges to receiving waters.
- l) Discussion: The existing and proposed development at the site is served by existing septic facilities that are in conformance with the Mendocino County Division of Environmental Health standards. The proposed project does not include any development that could substantially impact groundwater quality.
- m) Discussion: There is no wetland, aquatic or riparian habitat on the parcel; therefore, there will be no impact.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed development will be located on an existing parcel in a low density residential area and will not physically divide an established community.
- b) Discussion: The proposed project is in conformance with all local regulations. Conditions of approval have been recommended to ensure that the proposed development is constructed in such a manner that any potential impacts are avoided.
- c) Discussion: The proposed project will not conflict with any habitat conservation plan or natural community conservation plan as there are none that exist that would be applicable to the resources identified on the project site. Therefore, there will be no impact.

<u>XI. MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: There are no known mineral resources within the project area; therefore, there will be no loss of availability of a known mineral resource as a result of the project.
- b) Discussion: There are no delineated locally-important mineral resources within the project boundaries; therefore, there will be no loss in locally-important mineral resource recovery sites.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) – b) Discussion: The proposed wireless communications facility and associated generator and grading proposed to accommodate the improvements will result in noise that may expose people to noise. No excessive noise or excessive groundborne vibration will result from the project that would violate a local general plan or noise ordinance as all development within the Mendocino County is subject to Exterior Noise Limit Standards specified in Appendix C of Title 20, Division I of Mendocino County Code. Therefore, potential impacts will be less than significant.
- c) – d) Discussion: Noise levels at the project site are not anticipated to permanently increase as a result of the proposed project. Noise during construction of new development may result in temporary impacts but will not be substantial as all development within the Mendocino County Coastal Zone is subject to Exterior Noise Limit Standards specified in Appendix C of Title 20, Division I of Mendocino County Code. Therefore there will be no impact as a result of the project.
- e) – f) Discussion: The site is not located within an airport zone and there are no private airstrips within close proximity to the project that would subject people residing or working in the project area to excessive noise levels; therefore, there will be no impact.

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project consists of construction of a wireless communications facility and associated internal access roads and related equipment. The proposed project will not induce substantial population growth as the project is not residential or commercial in nature nor does it extend major infrastructure that would induce population growth. Therefore, there will be no impact.
- b) – c) Discussion: The proposed project does not displace any existing housing. No residential structures are being removed as a result of the project. The project does not displace any people and therefore would not necessitate construction of replacement housing elsewhere. Therefore, there will be no impact.

<u>XIV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) Discussion: The proposed project will not result in adverse impacts associated with provision of governmental facilities or need for new or physically altered governmental facilities that may result in environmental impacts in order to maintain acceptable service ratios and response times for public services. This is primarily due to the fact that the property already contains an existing residential and recreational/retreat use type that has existed for many years and the proposed application will not result in an increase in use of the property beyond existing levels; therefore, there will be no impact to public services. The tower will be built to provide co-location opportunities for future carriers or public safety entities and so the project will be beneficial for public services in the area.

The parcel is located in an area classified with both a "Very High Fire Hazard" and a "High Fire Hazard" severity rating. The proposed tower is located in the area of the parcel classified with a "Very High Fire Hazard" severity rating. Fire protection services for wildland areas are provided by the California

Department of Forestry and Fire Protection (CalFire) and the Potter Valley Community Services District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #533-17). Potter Valley Community Services District did not provide any comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) – b) Discussion: The site is already developed with the existing residential and recreational/retreat use and this application does not seek to change any of the existing use but solely is to add a wireless communication facility to the parcel. Therefore, there will be no increase in the use of existing neighborhood and regional parks and recreational facilities as a result of the project and no recreational facilities are required that may adversely affect the environment.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

- a) – b) Discussion: The proposed project, which consists of construction of a new wireless communications facility and associated equipment, will not conflict with any plan, ordinance or policy that establishes measures of effectiveness for the performance of the circulation system. Additionally, the proposed project will not conflict with any applicable congestion management program. After construction is complete, maintenance workers are anticipated to visit the site approximately once per month, resulting in few additional vehicle trips per day than what presently exists from existing uses on the parcel. No change in service levels is anticipated as a result of the project.
- c) Discussion: The project site contains an existing use which does not impact air traffic patterns, the site is not located within an airport zone nor in close proximity to a private airstrip. As a result, the proposed project will not result in a change in air traffic patterns.
- d) Discussion: The proposed project will not increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, as the site is already developed with an existing use and this application proposes additional development that utilizes the existing access point onto Van Arsdale Road (CR 242), none of which will create a traffic hazard.
- e) Discussion: The proposed project will not result in inadequate emergency access. The primary concern for emergency access is remote areas is for wildland fires. The parcel is located in an area classified with both a "Very High Fire Hazard" and a "High Fire Hazard" severity rating. The proposed tower is located in the area of the parcel classified with a "Very High Fire Hazard" severity rating. Fire protection services for wildland areas are provided by the California Department of Forestry and Fire Protection (CalFire) and the Potter Valley Community Services District for structural protection. The project application was referred to the CalFire for input. CalFire responded stating that the applicant is required to adhere to 4290 Regulations (CalFire #533-17). Potter Valley Community Services District did not provide any comments on the project. A Condition of Approval is recommended to ensure compliance with recommendations provided by CalFire.

In addition, Mendocino County Department of Transportation commented that the applicant shall construct a private road driveway approach onto the County Road. This will ensure that the access point meets current standards furthering the ability for emergency responders to access the site.

- f) Discussion: The proposed project will not conflict with any adopted policies, plans or programs related to transportation and traffic or otherwise decrease the performance or safety of transportation facilities. The Mendocino County Department of Transportation provided no concerns or comments related to potential conflict of the project with any adopted policies, plans or programs.

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

b) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

- a) – b) Discussion: The Mendocino County Archaeological Commission accepted the submitted Revised Cultural Resources Investigation prepared by Archaeological Resources Technology dated November 26, 2018 at its February 13, 2019 meeting and recommended that only the standard discovery clause condition be applied to the proposed project as no sites were identified in the Investigation. A Standard Condition advises the property owner of the Discovery Clause, which prescribes the procedures subsequent to the discovery of any cultural resources during construction of the project.

Additionally, the project application was referred to various tribes that requested consultation on planning projects under Assembly Bill (AB) 52 and no additional comments or concerns were expressed by the tribes receiving the referral.

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

- a) – b) Discussion: The proposed project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, as no wastewater will be generated from the proposed project. Additionally, the project will not require the construction of new or expanded water or wastewater treatment facilities, as there are no centralized systems that serve the site and the project does not require water or wastewater service.
- c) Discussion: Storm water drainage is handled on-site and is generally just natural drainage of the site without improved storm water facilities. No new or expanded storm water drainage facilities are required as a result of the project that could cause a significant environmental effect.
- d) Discussion: No water supply is necessary for the proposed project; therefore, water supplies are found to be sufficient and no new or expanded entitlements are needed.
- e) Discussion: The project site is not served by a wastewater treatment provider and there is no district nearby that would feasibly be extending service to the parcel in the future. Additionally, no septic infrastructure is necessary to accommodate the proposed development.
- f) – g) Discussion: Curbside pick-up is available to the parcel, additionally several Solid Waste Transfer Stations are located near the project site and can accommodate the solid waste disposal needs of the site. No projected long-term increase in solid waste generation is anticipated as a result of the project, but there will be short-term increases associated with construction materials during construction of the proposed new development. Construction debris will be properly disposed of after completion of the proposed development. There will be no impact to capacity as a result of the project and the proposed project is in compliance with federal, state, and local statutes for solid waste disposal.

<u>XIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) Discussion: Based on the discussion in Section IV Biological Resources and throughout the report, there is no evidence that the project has the potential to degrade the quality of the environment.

service facilities based on environmental effects of radio frequency emissions as long as the facilities comply with FCC regulations for emissions.

The wireless communications facility will be within a compound that is surrounded by a locked chain link fence is not in a location likely to be accessed by anyone other than maintenance personnel. Appropriate signage will be posted disclosing that the facility is not to be accessed by anyone other than maintenance personnel.

DETERMINATION: On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

4/25/2019
DATE


JULIA ACKER KROG
CHIEF PLANNER

Resolution Number _____

County of Mendocino
Ukiah, California

MAY 16, 2019

U_2017-0038 - HARTSTONE BIBLE CONFERENCE

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A MITIGATED
NEGATIVE DECLARATION AND GRANTING A MAJOR USE PERMIT
FOR A 175 FT TALL WIRELESS COMMUNICATION FACILITY

WHEREAS, the applicant, Hartstone Bible Conference and AT&T Mobility, filed an application for a major use permit with the Mendocino County Department of Planning and Building Services to construct a 175-foot tall lattice wireless communication tower and associated equipment, located 4± miles north of the town of Potter Valley, located on the west side of Van Arsdale Rd. (CR 242), 2± miles northwest of its intersection with Eel River Rd. (CR 240B), at 17856 Van Arsdale Rd., Potter Valley (APN 171-080-14 & 171-090-13); General Plan RL160/RR10; Zoning RL:160/RR:10; Supervisorial District 1; (the "Project"); and

WHEREAS, an Initial Study and Mitigated Negative Declaration was prepared for the Project and noticed and made available for agency and public review on April 18, 2019 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, May 16, 2019, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Mitigated Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record before it, makes the following findings;

1. The majority of the parcel is classified as Rural Residential by the Mendocino County General Plan. The portion of the parcel located along the western property boundary is classified as Range Land. No development is proposed within this area of the parcel. The proposed development is located entirely within the portion of the parcel classified as Rural Residential and is an allowed conditional use within the district with the granting of a major use permit.
2. The proposed development is consistent with the purpose and intent of the zoning district applicable to the property, as well as the provisions of Division I of Title 20 of Mendocino County Code and preserves the integrity of the zoning district. The proposed development is located entirely within the portion of the parcel zoned Rural Residential and is an allowed conditional use within the district with the granting of a major use permit. The proposed development will not interfere with the continued use of the parcel.
3. The proposed wireless communication facility is in conformance with the Wireless Communication Facilities Development Guidelines adopted by the Board of Supervisors on August 4, 2015 (Resolution No. 15-121) except for standards contained in (C)(1)(m) related to setbacks from adjacent residences; however, the proposed tower meets reduction findings contained in (C)(1)(m)(iii).
4. **Use Permit Findings:**

- a. That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan as described in Finding 1; and
 - b. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities. The existing access to the parcel will be improved to private road access standards, internal access roads will be developed that meet fire district standards, utilities will be extended to the site and drainage has been considered and conditions of approval recommended to ensure no impacts will occur as a result of the project; and
 - c. That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county if constructed in conformance with the recommended mitigation measures and conditions of approval; and
 - d. That such use preserves the integrity of the zoning district as described in Finding 2.
5. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. An Initial Study has been prepared which identified potentially significant impacts, which can be reduced to less than significant levels with the incorporation of several mitigation measures. As a result, a Mitigated Negative Declaration has been prepared.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Program set forth in the Conditions of Approval. The Planning Commission certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested major use permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: ADRIENNE M. THOMPSON
Administrative Services Manager

By: _____

BY: BRENT SCHULTZ
Director

MARILYN OGLE, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM U_2017-0038 - (HARTSTONE/AT&T)

Use Permit to authorize construction and operation of a wireless communication facility consisting of: 175 ft. tall lattice tower with various appurtenant equipment and ground equipment, a generator, and an equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching power and fiber to the site location. The proposed lattice tower will be located within a 1,680 sq. ft. fenced compound.

APPROVED PROJECT DESCRIPTION: Use Permit to authorize construction and operation of a wireless communication facility consisting of: 175 ft. tall lattice tower with various appurtenant equipment and ground equipment, a generator, and an equipment cabinet. Associated improvements include establishment of access to the site via a gravel road and trenching power and fiber to the site location. The proposed lattice tower will be located within a 1,680 sq. ft. fenced compound.

CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by “”):**

Aesthetics

- 1.** The total height of tower including antennas and faux branches shall not exceed 175 feet in height above ground level. Within sixty (60) days of completion of the installation of the facility, the applicant shall confirm that the height is no greater than approved, and shall submit a written certification to the County of the actual height.
- 2.** No trees that provide visual screening of the communications facility shall be removed after project completion except to comply with fire safety regulations or to eliminate safety hazards. Tree trimming shall be limited to the minimum necessary for operation of the facility.
- 3.** If use of any portion of the proposed facility is discontinued for more than one year, all parts of the facility not in use, above grade, shall be completely removed from the site, and the site shall be restored to a natural-appearing condition.
- 4.** Prior to issuance of a building permit, the applicant shall provide an irrevocable letter of credit, bond, certificate of deposit, or other reasonable form of security satisfactory to County Counsel, sufficient to fund the removal of the facility and restoration of the site in the event that the applicant abandons operations or fails to comply with requirements for removal of facilities and restoration of the site.
- 5.** Exterior surfaces of structures and equipment shall have subdued colors and non-reflective materials selected to blend with their surroundings. Color samples shall be submitted to the Department of Planning and Building for approval.
6. Exterior light fixtures shall be designed or located so that only reflected, non-glaring light is visible from beyond the immediate vicinity of the site, and shall be turned off except when in use by facility personnel. No aircraft warning lighting shall be installed unless required by agencies with jurisdiction over such a determination.

Air Quality

7. Prior to the development phase of the project, the applicant shall contact the Mendocino County Air Quality Management District for a determination as to the need for a permit from the District for the proposed generator or any of the other proposed construction activities.
8. The new access road leading from the existing road to the project site shall be graveled at a bare minimum. Any rock material used for surfacing, including rock from onsite sources, must comply with regulations regarding asbestos content.
9. All grading activities must comply with District Regulation 1 Rule 430 regarding fugitive dust emissions.

Biological Resources

10. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Wildlife Code are submitted to the Mendocino County Department of Planning and Building Services. **Said fee of \$2,404.75 (fee will change after January 1st, 2020), shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the action by the Planning Commission.** Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**

Cultural Resources

11. In the event that archaeological resources are encountered on the site, further disturbance in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

Geology and Soils

12. As soon as practical following completion of any earth disturbance, vegetative ground cover or driveway surfacing equal to or better than existing shall be reestablished on all disturbed portions of the site. Project construction activities are limited to the project footprint. Trenches will need to be filled and resurfaced to match the original surface.
13. All grading and site preparation, at a minimum, shall adhere to the following “Best Management Practices”: The applicant shall submit to the Department of Planning and Building Services an acknowledgement of these grading and site preparation standards.
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.

- d. Temporary erosion control measures shall be in place at the end of each day's work, and shall be maintained until permanent protection is established.
- e. Erosion control measures shall include but are not limited to: seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering materials where necessary. Erosion control measures shall be in place prior to October 1st.
- f. All earth-moving activities shall be conducted between May 15th and October 15th of any given calendar year unless an Erosion and Sedimentation Prevention Plan, prepared by a registered civil engineer, has been submitted and approved by the Department of Planning and Building Services which outlines wet weather earthmoving and drainage control protocols. Such plan shall include all appropriate Best Management Practices that shall be installed in accordance with the approved Erosion and Sediment Prevention Plan prior to the start of construction during the rainy season.
- g. Pursuant to the California Building Code and Mendocino County Building Regulations a grading permit will be required unless exempted by the Building Official or exempt by one of the following:
 - i. An excavation that (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1,524 mm) in height and steeper than 1 unit vertical in 1.5 units horizontal (66.7% slope).
 - ii. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage.

Hazardous Materials:

- 14. Should fuel storage at the site exceed thresholds established for when preparation of a Hazardous Materials Management Plan is required, a Hazardous Materials Management Plan (HMMP) shall be submitted to the satisfaction of the Division of Environmental Health. Prior to the issuance of any building permits in reliance of this Use Permit, the applicant shall furnish evidence from the Division of Environmental Health that either a HMMP is not required or that one has been submitted to the satisfaction of the Division of Environmental Health.

Noise

- 15. The Generator shall be equipped with mufflers and spark arresters, and shall not produce noise levels exceeding 50 dBA at the nearest off site residence. Routine testing and maintenance shall be limited to weekdays between 8:30 a.m. and 4:30 p.m. Repairs and emergency use are not included in this limitation. If necessary the generator shall be enclosed by a noise barrier shelter designed by an acoustical engineer and remain oriented and screened to limit excessive noise to surrounding residences.

Public Services

- 16. The applicant shall complete Cal Fire standard fire safe requirements pursuant to Cal Fire #533-17. The applicant shall obtain written verification from Cal Fire stating that this condition has been met to the satisfaction of Cal Fire and submit it to the Department of Planning and Building Services.
- 17. The facility shall provide if requested, space for any public emergency service provider to locate communication equipment on the tower, provided no interference to function will result at a minimum or no fee.

Transportation/Traffic

18. Prior to commencement of construction activities or issuance of a building permit, the applicant shall construct a private road driveway approach onto Van Arsdale Road (CR 242) from the private road, in accordance with Mendocino County Road and Development Standards No. A51B, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
19. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County rights-of-way.

Wireless Guidelines

20. Prior to the final inspection by the Building Division of the Department of Planning and Building Services, an identification sign for each company responsible for operation and maintenance of facilities at the site, not larger than two square feet, shall be posted at a location from which it can be easily read from outside the perimeter of the communications facility, and shall provide the name, address, and emergency telephone number of the responsible company. The address assigned to the site by the Planning and Building Services Department shall be posted.
21. Antennas and antenna towers shall be inspected every ten years, and following significant storm or seismic events, by a structural engineer licensed in the state of California to assess their structural integrity, and a report of the engineer's findings shall be submitted to the Planning and Building Services Department. Costs of the inspection and report shall be borne by the applicant.
22. Prior to commencement of operations, all surplus construction materials and debris, including cleared vegetation, shall be removed from the site to a proper disposal facility. Thereafter the site shall be kept free of refuse.
23. By commencing work allowed by this permit, the applicant agrees to negotiate in good faith with third parties requesting shared use of the site and to require no more than a reasonable charge for collocation.
24. One or more warning signs consistent with FCC and ANSI regulations shall be displayed in close proximity to the antenna tower. The Wireless Communications Facility shall comply in all respects with the current standards of the American National Standards Institute (ANSI)
25. Equipment buildings and enclosures shall be equipped with automatic fire extinguishing systems acceptable to the responsible fire agency.

Standard Conditions

26. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code unless modified by conditions of the use permit.
27. The application along with supplemental exhibits and related material shall be considered elements of this entitlement and compliance therewith shall be mandatory, unless the Planning Commission has approved a modification.
28. This permit is subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit.

29. This permit shall be subject to revocation or modification by the Planning Commission upon a finding of any one or more of the following grounds:
- a. That the permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which the permit was granted have been violated.
 - c. That the use for which the permit was granted is conducted in a manner detrimental to the public health, welfare or safety, or is a nuisance.

Any revocation shall proceed as specified in Title 20 of the Mendocino County Code.

30. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit boundaries are different than that which is legally required by this permit, this permit shall become null and void.
31. This permit is issued for a period of ten years, and shall expire on **May 16, 2029**. The applicant has the sole responsibility for renewing this permit before the expiration date. The county will not provide a notice prior to the expiration date.
32. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.208.015 of the Mendocino County Code. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.