



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

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

November 3, 2020

Department of Transportation
Building Inspection - Ukiah
Assessor

Air Quality Management
CALFIRE – Prevention
Leggett Valley Fire District

Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: AP_2020-0039
DATE FILED: 10/13/2020
OWNER: SCOTT & MELISSA A. ROSENTHAL
APPLICANT: T-MOBILE WEST LLC
AGENT: LYNDA MCCLUNG - SYNERGY
REQUEST: Administrative Permit to modify telecommunications facility to install one (1) deisel generator on concrete slab inside existing enclosure, and one (1) automatic transfer switch.
LOCATION: 1± mile south of Leggett town center, lying on the west side of State Highway 271, 0.3± miles north of its intersection with State Highway 101, located at 66250 State Highway 271, Leggett (APN: 053-400-43).
ENVIRONMENTAL DETERMINATION: Categorically Exempt
SUPERVISORIAL DISTRICT: 4
STAFF PLANNER: MARK CLISER
RESPONSE DUE DATE: November 17, 2020

PROJECT INFORMATION CAN BE FOUND AT:

https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- No comment at this time.
Recommend conditional approval (attached).
Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
Recommend denial (Attach reasons for recommending denial).
Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
Other comments (attach as necessary).

REVIEWED BY:

Signature Department Date

CASE: AP_2020-0039

OWNER: SCOTT & MELISSA ROSENTHAL

APPLICANT: T-Mobile West LLC

AGENT: Lynda McClung - Synergy

REQUEST: Administrative Permit to modify telecommunications facility to install one (1) deisel generator on concrete slab inside existing enclosure, and one (1) automatic transfer switch.

LOCATION: 1± mile south of Leggett town center, lying on the west side of State Highway 271, 0.3± miles north of its intersection with State Highway 101, located at 66250 State Highway 271, Leggett (APN 053-400-43).

APN/S: 053-400-43-00

PARCEL SIZE: 45.32± acres

GENERAL PLAN: RC:

ZONING: RC:40K

EXISTING USES: Residential; Commercial

DISTRICT: 4 (Gjerde)

RELATED CASES: U_2010-0010 (Use Permit to authorize construction and operation of a wireless communication facility); BU_2012-0540 (cell tower 120' tall 9 antennas 3 cabinets); BU_2018-1938 (install 3 new antennas, 3 new radios,1 hybrid)

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
NORTH:	Rural Community (RC)	Rural Community (RC:40K)	4±; 1.9±; 4± acres	Commercial; Residential
EAST:	Rural Community (RC)	Suburban Residential (SR:40K)	36± acres	Residential
SOUTH:	Forest Lands (FL)	Suburban Residential (SR:40K)	40± acres	Vacant
WEST:	Forest Lands (FL); Rural Commu	Timber Production Zone (TPZ:16)	225±; 19±; acres	Institutional

REFERRAL AGENCIES

LOCAL

- Air Quality Management District
- Assessor's Office
- Building Division Ukiah
- Department of Transportation (DOT)

- Leggett Valley Fire District

STATE

- CALFIRE (Land Use)

TRIBAL

- Cloverdale Rancheria
 - Redwood Valley Rancheria
 - Sherwood Valley Band of Pomo Indians
-

ADDITIONAL INFORMATION: Subject parcel and adjacent parcels to east, south, and west are in Flood Plain Combining District (FP)

STAFF PLANNER: MARK CLISER

DATE: 10/30/20

ENVIRONMENTAL DATA

1. MAC:

GIS

NA

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

High

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

Leggett Valley Fire District

4. FARMLAND CLASSIFICATION:

GIS

NA

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

YES

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

NA

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Western

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

NA

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

NA

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

YES

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

NA

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

NA

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

NA

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

NA

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

NA

21. STATE CLEARINGHOUSE REQUIRED:

Policy

NA

22. OAK WOODLAND AREA:

USDA

NA

23. HARBOR DISTRICT:

Sec. 20.512

NA



Planning and Building Services

Case No:	_____
CalFire No:	_____
Date Filed:	_____
Fee:	_____
Receipt No:	_____
Received By:	_____
<i>Office use only</i>	

APPLICATION FORM

APPLICANT

Name: T-Mobile West LLC Phone: _____

Mailing Address: 1855 Gateway Blvd., Suite 900

City: Concord State/Zip: CA/ 94520 email: _____

PROPERTY OWNER

Name: Scott & Melissa Rosenthal Phone: _____

Mailing Address: 66150 Drive Thru Tree Road

City: Legget State/Zip: CA/ 95585 email: _____

AGENT

Name: Lynda McClung - Synergy, a Division of Advantage Engineers Phone: 714-328-3385

Mailing Address: 7543 Woodley Avenue, Suite 201

City: Van Nuys State/Zip: CA/ 91406 email: lmcclung@synergy.cc

Parcel Size: _____ (Sq. feet/Acres) Address of Property: 66150 Drive Thru Tree Road, Legget, CA 95585

Assessor Parcel Number(s): 053-400-43

TYPE OF APPLICATION:

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Administrative Permit | <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Agricultural Preserve | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Use Permit-Cottage |
| <input type="checkbox"/> Airport Land Use | <input type="checkbox"/> Land Division-Minor | <input type="checkbox"/> Use Permit-Minor |
| <input type="checkbox"/> CDP- Admin | <input type="checkbox"/> Land Division- Major | <input type="checkbox"/> Use Permit-Major |
| <input type="checkbox"/> CDP- Standard | <input type="checkbox"/> Land Division-Parcel | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Land Division-Resubdivision | <input type="checkbox"/> Other |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Modification of Conditions | |
| <input type="checkbox"/> Exception | <input type="checkbox"/> Reversion to Acreage | |

I certify that the information submitted with this application is true and accurate.

Lynda McClung

9/28/2020

**See Project Overview and Owner Authorization

Signature of Applicant/Agent

Date

Signature of Owner

Date

RECEIVED
OCT 05 2020

3. If the project is commercial, industrial or institutional, complete the following:

Estimated employees per shift: ²⁻³ _____

Estimated shifts per day: ¹ _____

Type of loading facilities proposed: Install generator, concrete pad, and automatic transfer switch

4. Will the proposed project be phased? Yes No If yes, explain your plans for phasing:

5. Will vegetation be removed on areas other than the building sites and roads? Yes No Explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives? Yes No If yes, explain:

installing diesel fueled generator.

7. How much off-street parking will be provided?

	Number	Size
Number of covered spaces	<u>N/A</u>	_____
Number of uncovered spaces	<u>N/A</u>	_____
Number of standard spaces	<u>N/A</u>	_____
Number of handicapped spaces	<u>N/A</u>	_____
Existing Number of Spaces	<u>N/A</u>	
Proposed Additional Spaces	<u>N/A</u>	
Total	<u>N/A</u>	

8. Is any road construction or grading planned? Yes No If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

9. For grading or road construction, complete the following:

- A. Amount of cut N/A cubic yards
- B. Amount of fill N/A cubic yards
- C. Maximum height of fill slope N/A feet
- D. Maximum height of cut slope N/A feet
- E. Amount of import or export N/A cubic yards
- F. Location of borrow or disposal site N/A

10. Does the project involve sand removal, mining or gravel extraction? Yes No
 If yes, detailed extraction, reclamation and monitoring plans may be required?

11. Will the proposed development convert land currently or previously used for agriculture to another use?
 Yes No
 If yes, how many acres will be converted? _____ acres. An agricultural economic feasibility study may be required.

12. Will the development provide public or private recreational opportunities? Yes No
 If yes, explain below:

13. Is the proposed development visible from State Highway 1 or other scenic route? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	14. Is the proposed development visible from a park, beach or other recreational area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking : Yes No
 Filling: Yes No
 Dredging: Yes No

Placement of structures in:
 open coastal waters
 wetlands
 estuaries
 lakes

If so, amount of material to be dredged or filled? _____ cubic yards.
 Location of dredged material disposal site? _____

Has a U.S. Army Corps of Engineers permit been applied for? Yes No

16. Will there be any exterior lighting? Yes No If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.

17. Utilities will be supplied to the site as follows:

A. Electricity:
 Utility Company (service exists to the parcel)
 Utility Company (requires extension of service to site: _____ feet _____ miles)
 On Site Generation - Specify: _____

B. Gas:
 Utility Company/Tank
 On Site Generation - Specify: _____
 None

C. Telephone: Yes No

18. What will be the method of sewage disposal?
 Community sewage system - Specify supplier _____
 Septic Tank
 Other - Specify: N/A

19. What will be the domestic water source:
 Community water system - Specify supplier _____
 Well
 Spring
 Other - Specify: N/A

20. Are there any associated projects and/or adjacent properties under your ownership?
 Yes No If yes, explain (e.g., Assessor's Parcel Number, address, etc.):

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, state and federal agencies:
Building permit

22. Describe the location of the site in terms of readily identifiable landmarks (e.g., mailboxes, mile posts, street intersections, etc.):
This location is in a isolated area surrounded by trees.

23. Are there existing structures on the property? Yes No
If yes, describe below, and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.
There is an existing T-Mobile lattice tower and equipment cabinet. The proposed generator will be located next to the
equipment cabinet, enclosed behind the existing chain link fence and wall.

24. Will any existing structures be demolished or removed? Yes No
If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.

25. Project Height. Maximum height of existing structures _____ feet. Maximum height of proposed structures ~8 _____ feet.

26. Gross floor area of existing structures ¹²⁰⁰ square feet (including covered parking and accessory buildings). Gross floor area of proposed structures ⁴⁷ square feet (including covered parking and accessory buildings).

27. Lot area (within property lines): 1200 square feet acres.

28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful.
The area is isolated surrounded by trees. There is an existing telecommunications facility.

29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.
The area is isolated for most part, there are some houses around it but not within a close proximity. The area is surrounded by trees.

30. Indicate the surrounding land uses:

	North	East	South	West
Vacant				
Residential Agricultural				
Commercial Industrial				
Institutional Timberland				
Other	RC	RC	RC	RC

CERTIFICATION AND SITE VIEW AUTHORIZATION- SUBMIT ONLY ONE COPY

1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the County.
2. I hereby grant permission for County Planning and Building Services staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

Lynda McClung

9/28/2020

Owner/Authorized Agent

Date

NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.

AUTHORIZATION OF AGENT

I hereby authorize Lynda McClung to act as my representative and to bind me in all matters concerning this application.

****See Project Overview and Owner Authorization**

Owner

Date

MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page 1 of the application form.

Name Lynda McClung Synergy, a division of Advantage Engineers LLC	Name	Name
Mailing Address 7543 Woodley Avenue Van Nuys, CA 91406	Mailing Address	Mailing Address

INDEMNIFICATION AND HOLD HARMLESS

ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4, 1991, requires applicants for discretionary land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

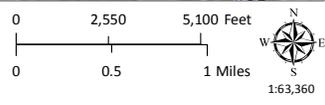
Applicant: Lynda McClung

Date: 9/28/2020



CASE: AP 2020-0039
 OWNER: ROSENTHAL, Scott
 APN: 053-400-43
 APLCT: T-Mobile West, LLC
 AGENT: Lynda McLung
 ADDRESS: 65990 Cedar Creek Road, Leggett

-  Major Towns & Places
-  Major Rivers
-  Highways

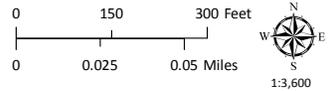


LOCATION MAP



CASE: AP 2020-0039
OWNER: ROSENTHAL, Scott
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AGENT: Lynda McLung
ADDRESS: 65990 Cedar Creek Road, Leggett

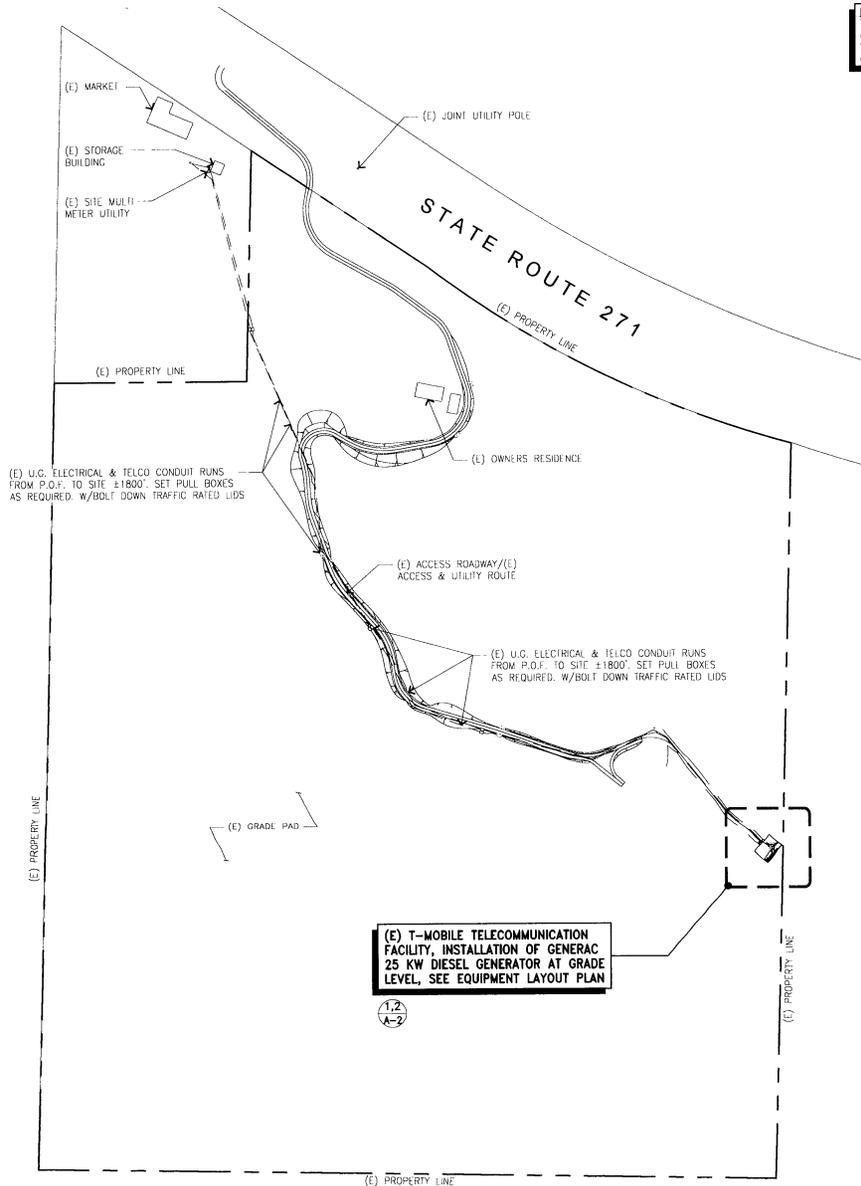
-  Named Rivers
-  Public Roads



AERIAL IMAGERY

MENDOCINO COUNTY PLANNING DEPARTMENT - 01/21/2020

NOTE:
 THESE DRAWINGS HAVE BEEN CREATED BY INFORMATION GATHERED FROM
 (E) AS-BUILTS PROVIDED BY T-MOBILE AND WITHOUT A SURVEY. PLEASE
 VERIFY IN FIELD ALL DIMENSIONS, LENGTHS, PROPERTY LINES AND
 CONDUIT RUNS.

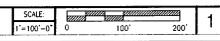


(E) T-MOBILE TELECOMMUNICATION FACILITY, INSTALLATION OF GENERAC 25 KW DIESEL GENERATOR AT GRADE LEVEL, SEE EQUIPMENT LAYOUT PLAN

1.2
A-2



OVERALL SITE PLAN



T-Mobile
 1855 GATEWAY BLVD, SUITE 900
 CONCORD, CA 94520

PROJECT INFORMATION:
 (HARDENING NATIONAL-25kW DIESEL)
 SF40874B
 REDWOOD MERCANTILE
 66150 DRIVE THRU TREE ROAD
 LEGGET, CA 95505
 MENDOCINO COUNTY

CURRENT ISSUE DATE:
 09/22/20

ISSUED FOR:
CONSTRUCTION

REV.	DATE	DESCRIPTION	BY
A	04/07/20	70% CD	PAM
A	07/29/20	90% CD, ISSUED FOR REVIEW	PAM
A	09/22/20	100% CD	PAM

PLANS PREPARED BY:
Synergy
 a division of
 7543 Woodley Ave., #201, Van Nuys, CA 91406
 Office: (818) 840-0808 Fax: (818) 840-0708

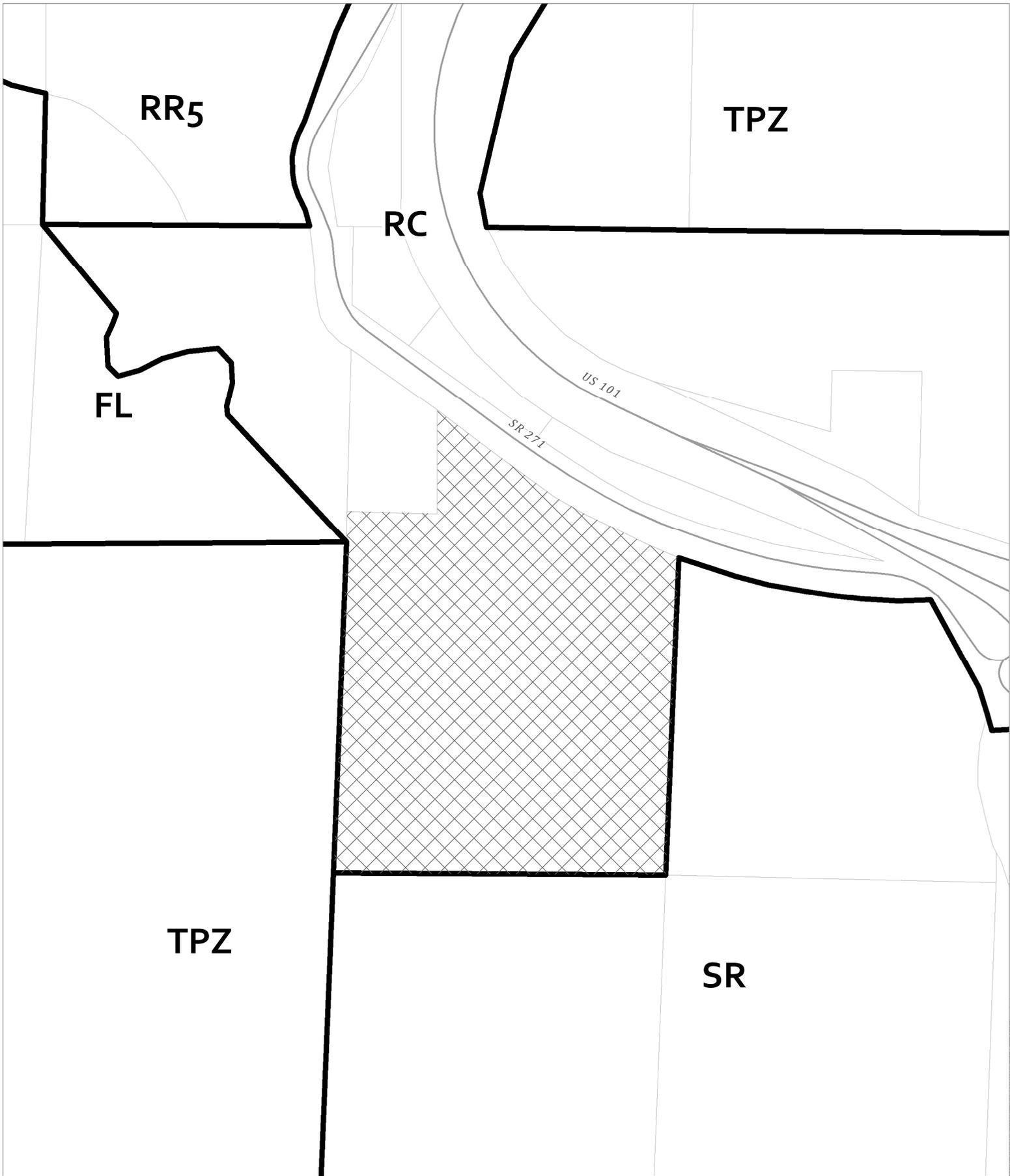
CONSULTANT:
Synergy
 a division of
 7543 Woodley Ave., #201, Van Nuys, CA 91406
 Office: (818) 840-0808 Fax: (818) 840-0708

DRAWN BY: PAM
 CHK.: SYNERGY
 APV.: AB



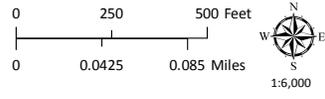
SHEET TITLE:
 OVERALL SITE PLAN

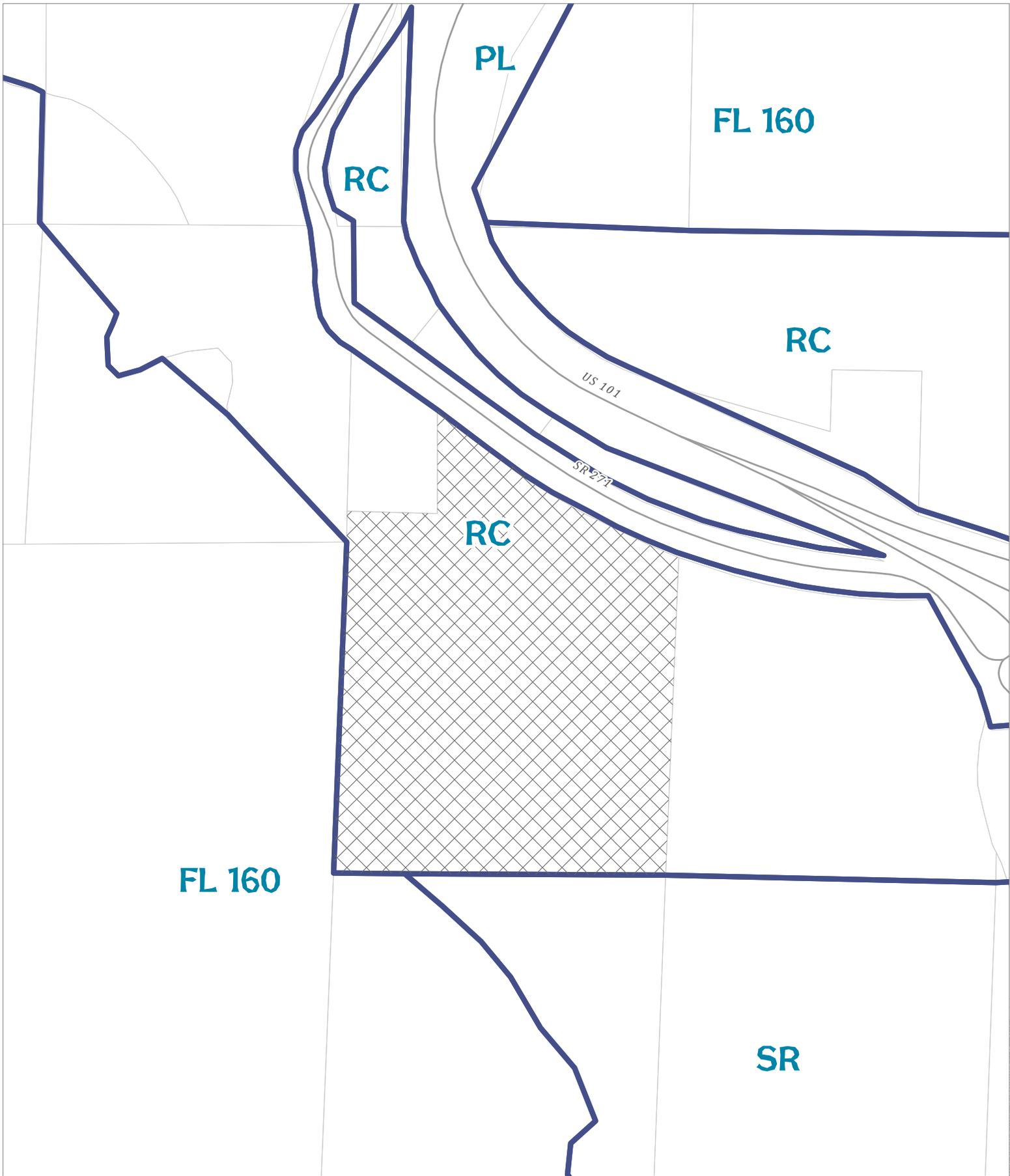
SHEET NUMBER: **A-1** REVISION: **C**
 SF40874B



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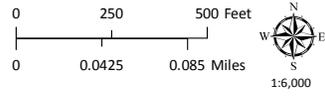
-  Zoning Districts
-  Public Roads
-  Assessors Parcels





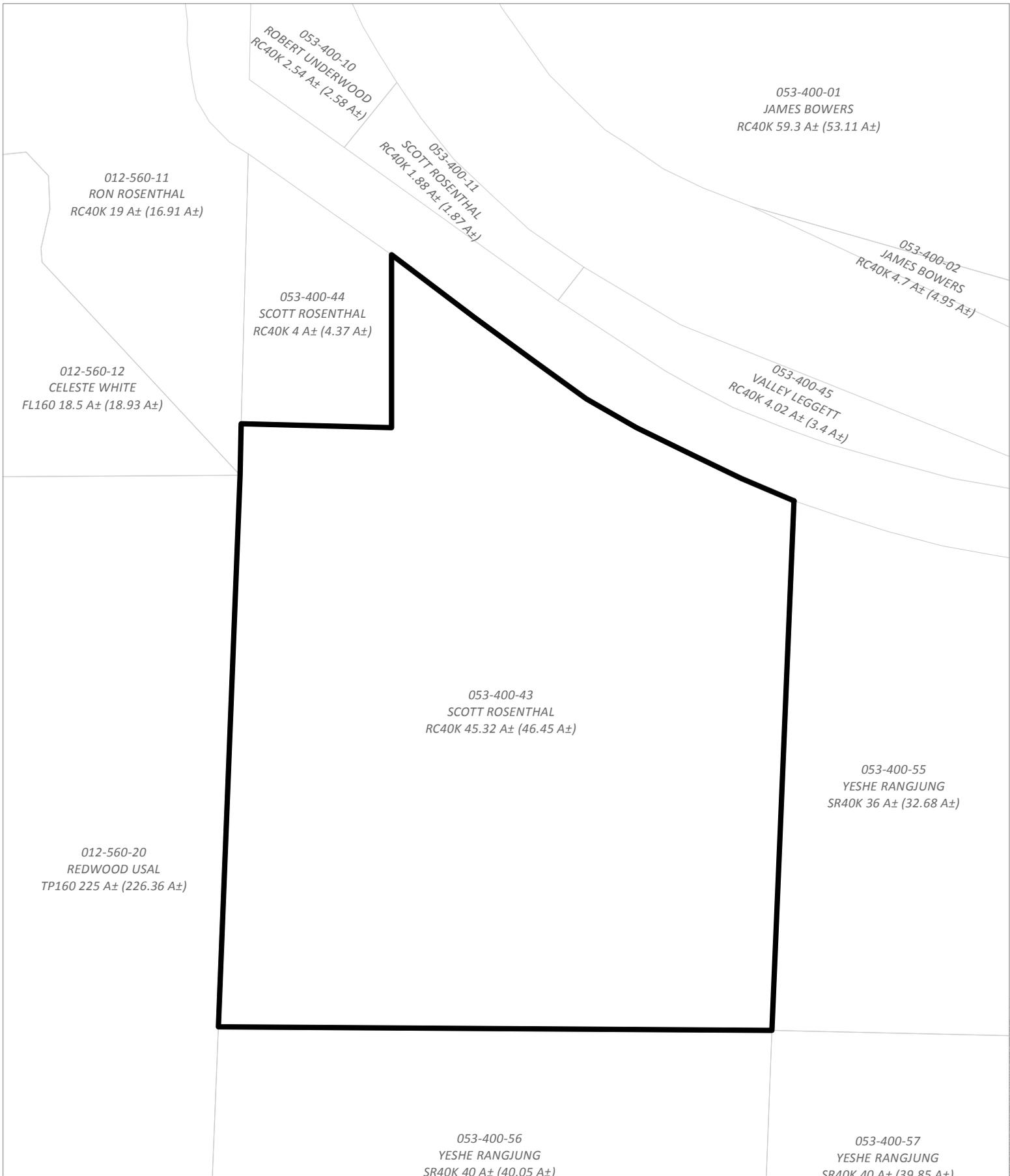
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-  General Plan Classes
-  Public Roads
-  Assessor's Parcels



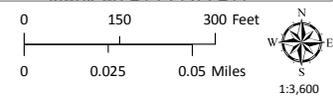
GENERAL PLAN CLASSIFICATIONS

MENDOCINO COUNTY PLANNING DEPARTMENT - 10/21/2020

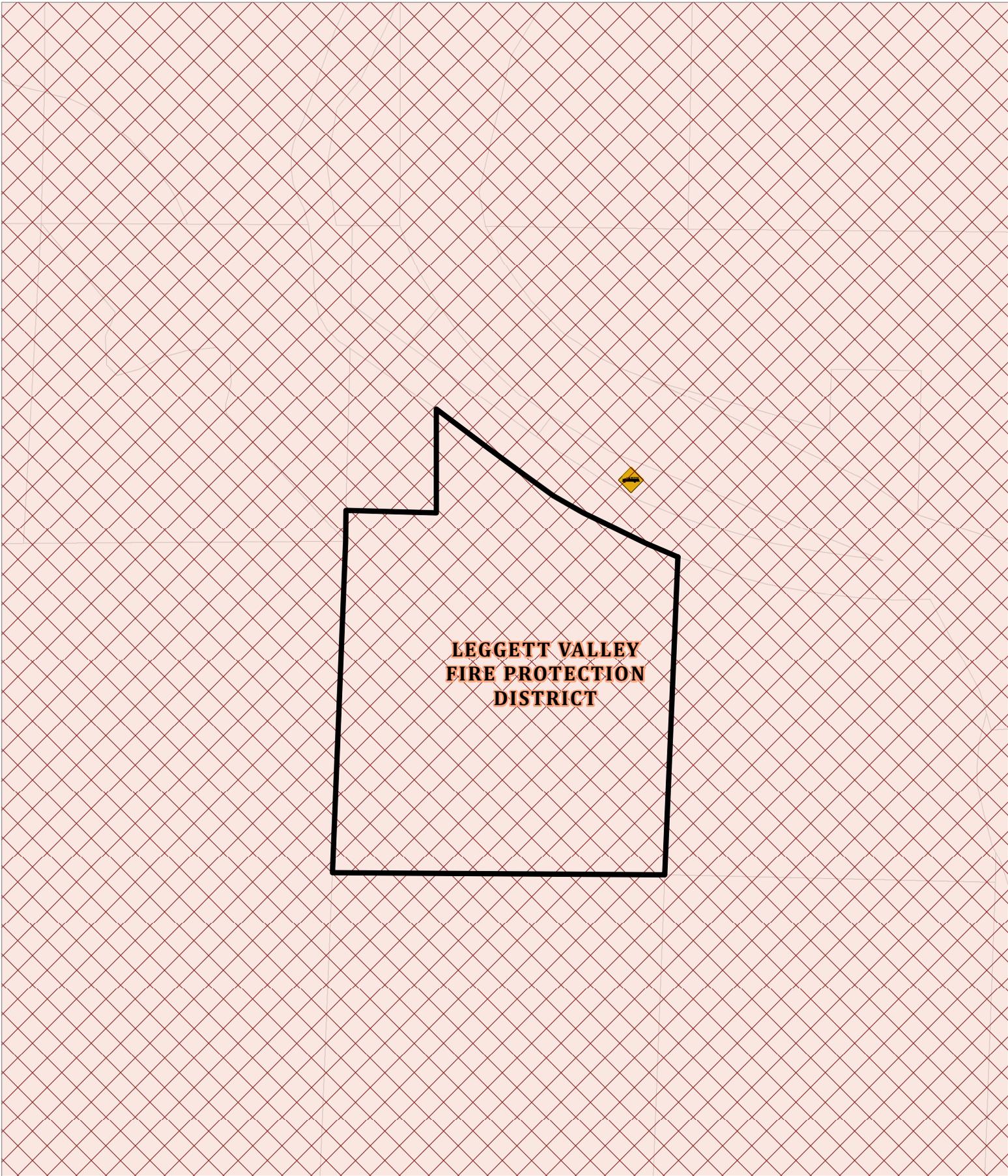


CASE: AP 2020-0039
 OWNER: ROSENTHAL, Scott
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 Assessors Parcels



ADJACENT PARCELS

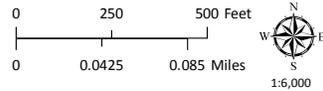


**LEGGETT VALLEY
FIRE PROTECTION
DISTRICT**

CASE: AP 2020-0039
 OWNER: ROSENTHAL, Scott
 APN: 053-400-43
 APLCT: T-Mobile West, LLC
 AGENT: Lynda McLung
 ADDRESS: 65990 Cedar Creek Road, Leggett

-  High Fire Hazard
-  Fire Stations
-  County Fire Districts

 Assessors Parcels



Project Overview and Owner Authorization

Site ID:	SF40874B
Site Address:	66150 Drive Thru Tree Rd. Legget, Ca. 95585
Date:	September 24 nd , 2020

Project Purpose

According to the Federal Communications Commission, more than 850 cell sites were offline during the 2019 California fire season. The vast majority of these cell sites are located in Northern California. Following the unprecedented power outages, California legislators requested that T-Mobile install emergency backup generators at high need facilities throughout California to ensure at least 72 hours of emergency power. To that end, T-Mobile contracted Synergy, a division of Advantage Engineers, to procure necessary government entitlements and install the generators as quickly as possible.

Owner Authorization

Property owners have been approached and consulted on generator placements based on high need areas (e.g., maximum coverage area and higher risk of power outages). To move forward with construction, contract amendments are being put in place to include the emergency generators. T-Mobile is only placing generators onto landlord property with their permission. Still, many contracts contain language specifically stating at least one of the following: (1) T-Mobile can file on an owner's behalf; (2) owners will cooperate with T-Mobile on applications; or (3) T-Mobile is permitted to provide backup power to keep facilities running.

However, with Covid-19 and the long fire season, it has been difficult to procure property owner signatures directly on applications, effectively slowing down the local government approval process. We respectfully request the jurisdiction intake our application for review and, if T-Mobile's letter of authorization and backup lease agreements are deemed insufficient, make the underlying property owner's signature a condition of approval prior to permit issuance. This will help us begin the permitting process and get generators on air more quickly to provide greater support.

Conclusion

T-Mobile and Synergy greatly appreciate your support and assistance as we move forward with this project. The current COVID-19 outbreak adds yet another obstacle, however we believe it demonstrates the need for the project to move forward expeditiously as more and more people become dependent on T-Mobile's network.

We hope you will intake this application and begin reviewing so that we can provide a much-needed service to your community. Thank you for your understanding and hard work during this difficult time. We appreciate you taking the time to review our application and look forward to working with you throughout this process. Take care and stay safe!

RECEIVED
OCT 05 2020

Planning & Building Services