

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT



STAFF REPORT

TO East Board of Zoning Adjustments
HEARING DATE March 27, 2014

GENERAL INFORMATION

PLANNING FILE #	PLN 2013-00209
OWNER	Ronald Stanley
APPLICANT	Leah Hernikl, Agent for AT&T Mobility
PROPOSAL	Continued operation of an existing AT&T telecommunication facility with no proposed changes.
LOCATION & SIZE OF PARCEL	10633 Dublin Canyon Rd., unincorporated Pleasanton The parcel is approximately 58.11 square feet in size.
APN	Assessor Parcel Numbers bearing: 941-2750-001-11 & 941-2750-001-13
ZONING DISTRICT	The parcels are located in an "A" Agriculture district.
GENERAL PLAN DESIGNATION	The properties are within the <i>East County General Plan</i> and classified as Resource Management.
ENVIRONMENTAL REVIEW	Categorically Exempt from the provisions of the California Environmental Quality Act, Class 1, Section 15301, and "Existing Facilities".

STAFF RECOMMENDATION

Approval of PLN 2013-00209 to allow continued operation of an existing AT&T unmanned telecommunication facility with no changes subject to 18 conditions of approval.

EBZA board member recommended continuation to continue for next hearing date for staff to research one undetermined antenna.

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Staff research requested by EBZA board members from the February 27, 2014 hearing

Staff has determined that there are currently four telecommunication carriers: Nextel-Sprint, AT&T, T-Mobile and Verizon on this site.

Sprint-Nextel Telecommunication Facility

Sprint-Nextel telecommunication facility's last Conditional Use Permit, PLN 2013-00035, permitted three separate monopoles at 16' in height each with panel antennas and remote receiving units on May 23, 2013 with an expiration on July 26, 2017. Sprint-Nextel was also permitted 57-feet in height and 2-feet 1-1/4 inches in diameter monopole under Conditional Use Permit, C-8564 on March 22, 2007 with permit expiration on March 22, 2017. On October 27, 2005, Conditional Use Permit, C-8266, approved continued operation of a Nextel telecommunication, expiration on October 27, 2015. Approval of this permit authorizes the continued use of a radio transmission facility (cellular telephone antenna facility) operated by Nextel (now Sprint-Nextel) comprised of a 67-foot monopole with six antennas mounted at a height of 66 feet and 10' x 15' equipment shelter located at the base of the pole area and permit expiration on October 27, 2015. On December 1, 1993, Conditional Use Permit, C-6347, allowed Smart SMR of California (now Sprint-Nextel) to construction installation of a new 45' high monopole with an antenna configuration extending the height of the monopole by 6 feet telecommunication, equipment cabinets and panel antennas.

AT&T Telecommunication Facility

On November 18, 2003, Conditional Use Permit, C-8193, approved the continued use of a radio transmission tower and equipment facility (cellular telephone antenna facility, AT&T) in an "A" Agricultural District with 18 conditions of approval and permit expiration on November 13, 2013. The telecommunication facility includes two poles with a crossbar where the antennas and remote receiving units are mounted and one stand alone antenna that is 29'-10" in height. The original approval of this facility is unknown.

T-Mobile Telecommunication Facility

The most recent Conditional Use Permit, PLN 2012-00212, was approved on May 23, 2013 allowed continued operation of a T-Mobile telecommunication facility and permitting the removal and replacement of four existing antennas with 18 conditions of approval. Permit expiration on July 26, 2017. The prior Conditional Use Permit, on March 22, 2007, C-8564, approved continued operation of a radio transmission facility (cellular telephone antenna facility) operated by Sprint/Nextel The pole would be no more than 57-feet in height and 2-feet 1-1/4 inches in diameter. Permit expiration on March 22, 2017.

Verizon Telecommunication Facility

On May 26, 2006, Conditional Use Permit, C-8496, allowed continued operation of a telecommunication facility operated by Crown Castle (carrier: Verizon) and a ten year expiration term.

On August 1, 1984, Conditional Use Permit, C-4701, approved construction and operation of a 110' high radio transmitting-receiving tower and 20 foot x 28 foot x 13 foot (high) equipment building as part of a cellular mobile telephone network (GTE Mobil net, now: Verizon) subject to four conditions of approval.

On April 16, 1986, Conditional Use Permit, C-5032, approved the construction and operation of a 110' high radio transmitting and receiving tower and a 360 square foot equipment cabinet, 12 foot high equipment building as part of a cellular mobile telephone network subject to six conditions and to expire April 16, 1996. The applicant, BACTC (now: Verizon), constructed the equipment building but opted to install pipe-mounted antennas on the building and did not install the 110 feet monopole.

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On March 13, 1996, Conditional Use Permit, C-6764, approved GTE Mobil net (now: Verizon) continued operation of a 110 foot high radio transmitting-receiving tower and a 20 foot x 28 foot x 13 foot (high) equipment building as part of a cellular mobile telephone network, including a global positioning system (GPS) antenna subject to four conditions with permit expiration on March 13, 2006.

PARCEL ZONING HISTORY

On March 11, 1964, Variance V-2807, permitted a billboard on the site for two years.

On February 7, 1966, Conditional Use Permit, C-1591, conditionally approved construction and operation of a mechanical ski and equipment rental facility with an accessory restaurant on a portion of the property.

On April 20, 1966, Variance, V-3653, denied continued use of the billboard.

On February 6, 1980, Conditional Use Permit, C-3516 and C-3556, conditionally approved a 30 dog kennel and a mobile home to be occupied by a person engaged in the operation of the kennel. The kennel was subject to conditions that required the premises be maintained in compliance with the County Kennel Ordinance that the kennel to not be available to the public for boarding or training purposes and animals shall be restrained to subject property.

On November 2, 1983, Conditional Use Permit, C-4552, approved continued occupancy of an additional dwelling by persons directly employed in agriculture use of the property.

On August 1, 1984, Conditional Use Permit, C-4701, approved construction and operation of a 110' high radio transmitting-receiving tower and 20 foot x 28 foot x 13 foot (high) equipment building as part of a cellular mobile telephone network (GTE Mobil net, now: Verizon) subject to four conditions of approval.

On April 16, 1986, Conditional Use Permit, C-5032, approved the construction and operation of a 110' high radio transmitting and receiving tower and a 360 square foot equipment cabinet, 12 foot high equipment building as part of a cellular mobile telephone network subject to six conditions and to expire April 16, 1996. The applicant, BACTC (now: Verizon), constructed the equipment building but opted to install pipe-mounted antennas on the building and did not install the 110 feet monopole.

On December 4, 1986, Conditional Use Permit, C-6934, approval granted to allow 1) continued operation of a kennel and 2) continued occupancy of a mobile home by persons directly employed in the agricultural use of property with permit expiration on December 4, 1996.

On January 15, 1987, Conditional Use Permit, C-6966, approved a radio transmission tower with expiration on November 15, 1997.

On December 16, 1986, Conditionally Use Permit, C-5181, approved continued occupancy of an additional dwelling for persons directly employed in the agriculture use of the property with expiration on December 10, 1989.

On January 26, 1990, Conditional Use Permit, C-7535, approval granted to allow 1) continued operation of a kennel and 2) continued occupancy of a mobile home by persons directly employed in the agricultural use of property with permit expiration on January 26, 2000.

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On December 1, 1993, Conditional Use Permit, C-6347, approved Smart SMR of CA (Now: Sprint-Nextel) installation of a new 45' high monopole with an antenna configuration extending the height of the monopole by 6 feet and equipment cabinets will be located at ground level. near an existing equipment buildings located near the two existing facilities on the site. A total of 6 antennas and 3 equipment cabinets are proposed for the site. Four of the antennas are panel antennas 6 inches wide by 3.5 inches deep by 4' tall. An additional 2 omni antennas will be utilized. These omni antennas would be approximately 6' tall and will be mounted above the the panel antennas. The self-contained equipment cabinet are 51 inches wide by 28 inches deep by 63 inches tall, and are equipment with a fire suppression system. The proposed facility will both transmit and receive radio signals as part of a regional network. A ten year expiration period was granted.

On January 5, 1994, Conditional Use Permit, C-6369, approved continued occupancy of an additional dwelling for persons directly employed in the agricultural use of the property.

On August 30, 1995, Conditional Use Permit, C-6640, approved installation and operation of a radio communication facility (PacBell, now: AT&T).

On March 13, 1996, Conditional Use Permit, C-6764, approved GTE Mobil net (now: Verizon) continued operation of a 110 foot high radio transmitting-receiving tower and a 20 foot x 28 foot x 13 foot (high) equipment building as part of a cellular mobile telephone network, including a global positioning system (GPS) antenna subject to four conditions with permit expiration on March 13, 2006.

On December 4, 1996, Conditional Use Permit, C-6934, approval granted to allow 1) continued operation of a kennel and 2) continued occupancy of a mobile home by persons directly employed in the agricultural use of property with permit expiration on December 4, 1999.

On December 4, 1996, Conditional Use Permit, C-6934, approval granted to allow 1) continued operation of a kennel and 2) continued occupancy of a mobile home by persons directly employed in the agricultural use of property with permit expiration on December 4, 1999.

On January 26, 2000, Conditional Use Permit, C-7535, approval granted to allow 1) continued operation of a kennel and 2) continued occupancy of a mobile home by persons directly employed in the agricultural use of property with permit expiration on January 26, 2003

On April 29, 1994, Conditional Use Permit, C-8156, approved a paintball (outdoor recreation facility), expiration on April 29, 2004.

On November 18, 2003, Conditional Use Permit, C-8193, approved the continued use of a radio transmission tower and equipment facility (cellular telephone antenna facility, AT&T) in an "A" Agricultural District with 18 conditions of approval and permit expiration on November 13, 2013.

On October 27, 2005, Conditional Use Permit, C-8266, approved continued operation of a Sprint-Nextel telecommunication, expiration on October 27, 2015. Approval of this permit authorizes the continued use of a radio transmission facility (cellular telephone antenna facility) operated by Sprint-Nextel comprised of a 67-foot monopole with six antennas mounted at a height of 66 feet and 10' x 15' equipment shelter located at the base of the pole area and permit expiration on October 27, 2015 .

On October 27, 2005, Conditional Use Permit, C-8447, approved T-Mobile continued use of a radio transmission facility (cellular telephone antenna facility) operated by T-Mobile CA/NV comprised of a 20-foot monopole with an antenna configuration extending the height of the monopole by 6-feet, two 4'-3" wide by

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2'4" deep and 5'-3" tall equipment cabinets and one 14.5" wide by 6" deep by 25" tall electrical box located at the base of the pole area and permit expiration on October 27, 2015.

On May 26, 2006, Conditional Use Permit, C-8496, to allow continued operation of a telecommunication facility operated by Crown Castle (carrier: Verizon) and a 10 year expiration date.

On March 22, 2007, Conditional Use Permit, C-8564, approved continued operation of a radio transmission facility (cellular telephone antenna facility) operated by Sprint-Nextel The pole would be no more than 57-feet in height and e 2-feet 1-1/4 inches in diameter. There would be one equipment cabinet and one back-up generator located within an enclosed area. A six-foot high chain-link fence surrounds the pole and equipment cabinets permit expiration on March 22, 2017.

On December 11, 2008, Conditional Use Permit, C-8616 approval granted to allow 1) continued operation of a kennel and 2) continued occupancy of a mobile home by persons directly employed in the agricultural use of property with permit expiration on January 26, 2003

On July 26, 2007, Conditional Use Permit, C-8634, allowed the operation of a radio transmission facility (cellular telephone antenna facility, Sprint). The proposed facility consists of a 40' high monopole with a 6'-0" antenna configuration within that height. Five equipment cabinets are in a 12' X 12' area enclosed by a 6' high chain link fence located at ground level near existing equipment buildings on the site, and approximately 55' from the base of the pole. There are a total of 3 antennas on a single pole and 5 equipment cabinets. The antennas are panel antennas 6'-4" high, 6" wide by 2" deep, housing both the transmitting and receiving equipment. The equipment cabinets are 60" high, 31" wide by 30" deep. Permit expiration on July 26, 2017.

On May 23, 2013, Conditional Use Permit, PLN 2013-00035, allowed Sprint-Nextel telecommunication facility to remove and replace of three panel antennas on three separate monopoles at 16 feet in height and three new remote receiving units (RRUs) to be installed at the mid-section of the pole with 21 conditions of approval. Permit expiration on July 26, 2017.

On May 23, 2013, Conditional Use Permit, PLN 2012-00212, allowed the continued operation of a T-Mobile telecommunication facility and permitting the removal and replacement of four existing antennas with 18 conditions of approval. Permit expiration on July 26, 2017.

SITE AND CONTEXT DESCRIPTION

This is an irregular-shaped property approximately 3,300' wide varying from 686' to 1,058' in depth that is roughly 58 acres in size. The topography consists of rolling hills that are generally grass-covered with scattered trees. An access road traverses the site and climbs from Dublin Canyon Road up to the south property line where there is a large single family dwelling, a kennel and an existing mobile home on temporary foundation. A large, electronic gate encloses secures the access road. The site affords wide vistas of the Livermore Valley and the distant hills to the north and the east. The three other telecommunication carriers on the site are: T-Mobile, Sprint-Nextel, and Verizon Wireless. On July 26, 2013, Conditional Use Permit, PLN2013-00035, approved continued operation of a Sprint Nextel telecommunication facility with minor modifications, expiring July 26, 2017. T-Mobile was allowed continued operation of a telecommunication facility and change out and replacement of four antennas on May 23, 2013, expiring May 23, 2023.

To the north, across Dublin Canyon Road, is the Highway I-580 right-of-way. To the south, east and west sides of the property are large agricultural and rural residential parcels. A few scattered dwellings front on Dublin Canyon Road to the west and east of this property.

PROJECT DESCRIPTION

The proposal request is for continued operation of AT&T telecommunication facility consisting of four antennas mounted on the top of a 29' pole with an equipment cabinet beneath enclosed by a 6' high chain link fence. On November 13, 2003, the previous Conditional Use Permit, C-8193, allowed for the continued operation of an unmanned AT&T telecommunication facility for ten years, expiration November 13, 2013. The applicant is requesting continued operation of an existing telecommunication facility with no changes to the service capacity and equipment. This facility has been in continued operation since 1986. Vehicle access to the site is provided from Dublin Canyon Road onto an access road for maintenance and emergencies.

Alameda County Departments that have submitted referral responses have no objections to the continued operation of this unmanned AT&T telecommunication facility. At this time, no public comments on this project have been made.

REFERRAL RESPONSES

On December 18, 2013, the Alameda County Department of Public Works responded with no comments.

On December 18, 2013, the Alameda County Building Department responded with no comments.

On December 17, 2013, the Alameda County Fire Department provided the following comment that shall occur within 30 days of inspection:

1. The fire extinguisher has been serviced and has a current tag.
2. The Knox box keys are current in the Knox box.
3. The emergency contact information is current on the sign.
4. The weeds surrounding the shelter, propane tank, and fenced area have been maintained free of weeds.

At the time of this writing, no response has been provided by the Alameda County Sheriff's Department.

STAFF ANALYSIS
CONFORMANCE WITH GENERAL PLAN

Telecommunication projects defer to the Alameda County Development Standards for Siting of Telecommunication Facilities adopted by the Board of Supervisors on October 2, 1997.

CONFORMANCE WITH THE ZONING ORDINANCE

This site is located in the "A" Agricultural district which allows telecommunication facilities in the zoning district with a Conditional Use Permit.

Telecommunication Ordinance

Policy A-2 states: "Telecommunications facilities may be allowed subject to a Conditional Use Permit in all areas except the H-1 (Highway Frontage) District and those PD (Planned Development) Districts, which specifically prohibit their use."

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The subject site is in an "A" Agricultural district where telecommunication facilities are permitted with a Conditional Use Permit.

Policy C-2: "All ground mounted telecommunication facilities shall use existing access road where available."

An access road off of Dublin Canyon Road allows a direct route to the site for maintain and emergencies.

Policy D-6 states: "Towers and monopoles shall also be painted using a non reflective, matte-finish, earth tone color, unless otherwise indicated. The exact color shall be determined and finalized after an on-site inspection by staff. The bottom part of the tower or monopole may require additional camouflaging techniques, depending on the location. All ground mounted facilities that are primarily viewed against soils, trees or grasslands shall be painted using colors matching these elements. Antennas shall be painted and textured to match the existing structure".

The antennas and monopole are painted a non reflective color to blend surrounding environment and repainted when necessary as a condition of approval.

Policy D-13: "All antennae, towers, equipment cabinets, structures and accessory structures shall be maintained in good condition over the term of the permit. This shall include keeping equipment cabinets and structures graffiti free and maintaining security fences in good condition".

A standard condition of approval requires that the telecommunication facility (including all equipment) must be maintained in good condition and remain graffiti free.

Policy H-7: "All telecommunication facilities shall incorporate appropriate techniques to camouflage, disguise and/or blend them into the surrounding environment (stealth, techniques) to minimize visual impacts.

This is an existing telecommunication facility with no proposed changes. Regular maintain and repainting of the telecommunication equipment are part of the conditions of approval.

GENERAL DISCUSSION

The telecommunication facility was first approved on April 16, 1986, Conditional Use Permit, C-5032, approved the construction and operation of a 110' high radio transmitting and receiving tower and a 360 square foot equipment cabinet, 12 foot high equipment building as part of a cellular mobile telephone network subject to six conditions (high radio transmitter was not constructed). The last Conditional Use Permit, C-8193, was approved on November 13, 2003, allowed AT&T Wireless continued operation of a radio transmission tower and equipment facility (telecommunication facility) with 18 conditions. The Condition Use Permit was granted a 10 year period, expiring November 13, 2013.

The project proposal is for continued operation of an unmanned telecommunication with no changes. No objections have been made by Alameda County departments who have responded with referral comments and the general public. The AT&T Wireless facility consists of a 29' monopole with four antennas mounted at the top of pole, remote receiving units, an equipment shelter, fuel tank and emergency generator surrounded by a 6 foot chain link fence.

**TENTATIVE FINDINGS BASED ON INFORMATION AVAILABLE PRIOR TO THE
PUBLIC HEARING**

1. Is this use required by the public need?

Yes.

Telecommunication facilities provide an important service for the general public and especially emergency personnel to respond to critical medical and safety needs. This is particularly true in more remote areas of the county where public contact and lack of direct access to major roadways is limited.

2. Will the use be properly related to other land uses and transportation and service facilities in the vicinity?

Yes.

Highway 580 and Dublin Canyon Road are the closest roadways to this site that allow transportation access in the county. Three other telecommunication carriers (Sprint-Nextel, Verizon, T-Mobile) are also located on this site that provide the public communication service in the area.

3. Will the use, if permitted, under all circumstances and conditions of this particular case, materially affect adversely the health or safety of persons residing in the vicinity, or be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood?

No.

The applicant proposal is continued of an existing AT&T telecommunication facility with no changes. The potential health and safety will not increase since there are no requests for an increase of telecommunication equipment. Direct vehicle is from Dublin Canyon Road with an access road on site to the telecommunication facility for routine maintenance and in case of emergencies.

4. Will the use be contrary to the specific intent clauses or performance standards established for the District in which it is to be considered?

No.

Telecommunication facilities are permitted with a Conditional Use Permit under Alameda County Zoning Ordinance Section 17.06.040. H and the Alameda County Development Standard for Siting of Telecommunication Facilities Policy A.2: "Telecommunications facilities may be allowed subject to a Conditional Use Permit in all area except the H-1 (Highway Frontage) District, which specifically prohibit their use."

PRE-HEARING RECOMMENDATION

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Staff recommends approval of the application based on "Exhibit A" dated December 3, 2013 on file with the Planning Department, and subject to the following conditions:

1. The AT&T Wireless telecommunication facility consists of a 29' monopole with four antennas mounted at the top of pole, remote receiving units, an equipment shelter, fuel tank and emergency generator surrounded by a 6 foot chain link fence.
2. Regulatory Program Fee. Prior to the applicant shall pay a cash sum of \$670.00 the Alameda County Planning Department (payable to Treasurer, County of Alameda) to help cover the Department's costs in administering its wireless communications regulatory program.
3. The applicant shall maintain updated direct contact information for an AT& T representative or its successors at all times on file with the Alameda County Planning Department.

GENERAL CONDITIONS

4. Public Safety Interference. The approved facility shall not interfere with any public safety communications, and shall comply with the following regulations:
 - a. The carrier will provide an intermodulation report from a certified radio frequency engineering firm. This report must clearly conclude that no interference will be caused to public safety frequencies in use at said site.
 - b. In the event the carrier causes interference in violation of FCC rules and regulations, the carrier agrees to immediately correct any situation involving interference with public safety communication and to take all necessary steps to mitigate any type of harmful interference, regardless of the status of the FCC licenses, immediately upon notification by the County that a problem exists. If the harmful effects of the carrier's radio frequency transmitters are not mitigated, the County will consider this as a violation of the conditions of this permit and may take any lawful action to ensure that the interferences ceases immediately.
5. Fire Department Approval. Applicant shall contact the Alameda County Fire Department, Fire Prevention Bureau, to obtain a fire clearance certificate. The Bureau may be reached by telephone at (510) 670-5853.
6. Public Agency Approval. Receive and maintain compliance with the requirements of the following agencies:
 - a. Alameda County Public Works Agency, Building Inspection Department
 - b. Alameda County Public Works Agency, Land Development Department
 - c. Alameda County Sheriff's Department
 - d. California State Public Utilities Commission
 - e. United States Federal Communications Commission
7. The project sponsor or its successors shall be responsible for payment of all reasonable costs associated with the necessary inspections of the conditions of approval contained in the authorization of the facility, including costs incurred by the Community Development Agency, the County Fire

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Department, the Building Inspection Division, the Public Works Agency or any other applicable Federal, State or County department or agency.

8. RF/EMF Emissions. Facilities shall be operated in a manner so as not to contribute to ambient RF/EMF emissions in excess of the current FCC adopted RF/EMF emission standards. In the event that a project implementation report to the FCC includes a finding that RF emissions for the site exceed FCC standards in any uncontrolled location, the Board of Zoning Adjustments may require the applicant to correct the emission to the satisfaction of the FCC.
9. Co-location: The applicant and owner shall allow other existing and future wireless communications companies including public and quasi-public agencies using similar technology to co-locate antenna equipment and facilities, using the infrastructure at this site, wherever possible, provided that operations of existing users are not compromised, to the extent that all facilities shall minimize the number of buildings and antenna structures, and those facilities shall have a common access road, a common means of extending power and telephone lines, and a use of a common water tank or integrated water supply system when required. The applicant and other wireless carriers shall provide a mechanism for the construction and maintenance of shared facilities and infrastructure and shall provide for equitable sharing of cost in accordance with industry standards.
10. Liability. By exercise of this Conditional Use Permit, the Permittee agrees to defend, indemnify and hold harmless the County of Alameda, its officers, employees, agents and servants for any and all liability caused by the negligence or wrongful act of the Permittee arising out of the exercise of this Conditional Use Permit, and to pay all claims, damages, judgments, legal costs, adjuster fees, and attorney fees related thereto.
11. Status Reports. One year from the date of this approval, and on each five year anniversary thereafter, permittee shall submit to the Board of Zoning Adjustments a brief status report describing compliance with conditions of the permit including maintenance of equipment, fencing, landscaping, and antennas, a photograph of the site and verification that the facility is in compliance with an active FCC license. One report may be submitted for more than one site but shall clearly identify and describe each site separately.
12. Optional Review/Revocation/Revision. At any time during the term of this permit and after notice as provided for in the initial hearing, this matter may be set for rehearing by the Board of Zoning Adjustments for the purpose of making a determination whether the use of the site has ceased for a period of six months, and whether the permit should be therefore revoked. In addition, pursuant to Section 17.54.030, the permit may be revoked if the permit has otherwise been exercised unlawfully or contrary to any condition or limitation of its issuance. As a part of such rehearing and/or reconsideration of the permit, the Board may determine that conditions previously imposed should be modified or new conditions may include imposition of requirements such as painting antennas and support structures, and/or other treatment of the antennas and other appurtenances to insure public safety, compatibility with the surrounding neighborhood and with applicable policy. Any condition modified or added shall have the same force and effect as if originally imposed.
13. Transfer of Operations. Any entity that has acquired the facilities as authorized under this permit may maintain the benefits of the existing use permit provided that a letter of notification is submitted to the Board of Zoning Adjustments within six months after such transaction, and all conditions of approval for the subject facility are carried out by the new operator/permittee.

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14. Site Restoration. Permittee shall provide written notification to the Board of Zoning Adjustments upon cessation of operations on the site. The permittee/property owner shall remove all improvements authorized under this permit from the site and the property shall be returned to its pre-application condition within three months of cessation.
15. Project Guarantee. Application for Building Permits to implement any portion of this Conditional Use Permit or continued operation of an existing wireless telecommunications facility shall be accompanied by a financial guarantee, which shall be indexed annually for inflation, satisfactory to County Counsel, for the removal of the facility in the event that its use is abandoned or its use permit expires or is terminated. The amount of the guarantee per facility may be reduced or eliminated if, a) the applicant has more than one telecommunications facility in the County, and/or b) the property owner and lessee of the sites provides for removal of unused improvements through their lease agreements that are satisfactory to the County. If the owner or lessee does not remove any obsolete or unused facilities, as described in Condition #14 herein, the financial guarantee shall be used by the County to remove any obsolete or unused facilities. Applicant and/or property owner shall continue to be responsible for full site reclamation, and shall provide additional funding as may be necessary to fully restore the site. Any unused financial guarantee shall be relinquished to the applicant upon termination of the use and removal of facility or transfer of the lease accompanied by a financial guarantee by the new lessee or owner in compliance with zoning requirements in effect at that time.
16. Signage. Permittee shall provide signage as required by the permitting authority (e.g. Fire Department, Planning Department) including phone numbers of the utility provider for use in case of an emergency. Signs shall be posted on the entrance to the building closest to the equipment. The antennas, cabinets, fencing, or mountings shall not be used for advertising.
17. Maintenance. All antennas and equipment shall be maintained in good condition throughout the term of the permit. This shall include keeping the equipment cabinets, fencing, and other structures graffiti free and in good condition.
18. Expiration. Said Conditional Use Permit shall terminate in ten years, and shall remain revocable for cause in accordance with Section 17.54.030 of the Alameda County Zoning Ordinance.

H: /Zoning/2013/PLN2013-00209

ATTACHMENTS

Referral Responses
Applicant's Conditional Use Findings
Applicant's Project Statement
Photographs

PREPARED BY: Carole Kajita
REVIEWED BY: Phil Sawrey- Kubicek

PLANNER
SENIOR PLANNER