



**DATE:** November 6, 2006  
**TO:** File/Record/Applicant  
**FROM:** Tim Neely, Director RDMD/ Planning and Development Services  
**SUBJECT:** Planning Application PA060076 for Site Development Permit  
**APPLICANT:** Mike Marshall (Applicant).

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**I. NATURE OF PROJECT:**

The applicant is proposing to establish a wireless telecommunication facility and its associated cell antennas to be placed onto an existing water tank at the Santa Margarita Reservoir site that currently has existing carriers on it. This proposal would add 6 panel antennas approximately 4' in length plus supporting equipment on the ground.

Once the antennas are placed upon the facility, the equipment is in place and the telephone switching equipment is installed and calibrated, routine site visits will be limited. The proposal will not interfere with surrounding property uses and will not interfere with any communication devices such as telephone, radios, or televisions. The Coto de Caza Association approved this proposal on September 14, 2006. The project will thus require a site development permit to establish proposed use (Sections 7-9-150.3(d) of the Orange County Zoning Code).

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**II. REFERENCE:** Authority for Administrative action is given by Orange County Zoning Code sections and 7-9-150 "Discretionary Permits and Procedures".

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**III. ENVIRONMENTAL DOCUMENTATION:**

The proposed project is categorically exempt under CEQA, Sections 15301: Class 1 – Existing facility. Appendix A contains the required CEQA Findings.

**IV. CERTIFICATION:**

I hereby certify that the subject proposal has been Conditionally Approved as shown in Appendix A Finding and Appendix B Conditions of Approval.

Tim Neely, Director  
RDMD/Planning and Development Services Department

By: \_\_\_\_\_  
Ron Tippet, Chief  
PDS/Environmental Planning Services

**ATTACHMENTS:**

Appendix A - Findings

Appendix B - Conditions of Approval

**APPEAL PROCEDURE**

Any interested person may appeal the decision of the Director on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$ 760.00 filed at the Development Processing Center.

## Appendix A Findings PA060076

1 **[AA01**  
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### GENERAL PLAN

**PA060076**

That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.

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2 **[AA02**  
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### ZONING

**PA060076**

That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.

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3 **[AA03**  
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### COMPATIBILITY

**PA060076**

That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

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4 **[AA04**  
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### GENERAL WELFARE

**PA060076**

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

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5 **[AA05**  
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### PUBLIC FACILITIES

**PA060076**

That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).

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6 **[ED04**  
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### CATEGORICALLY EXEMPT

**PA060076 (Custom)**

That the proposed project is Categorically Exempt (Class 1) from the provisions of CEQA.

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**Appendix B**  
**Conditions of Approval**  
**PA060076**

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1 [Z01 CP CP NA            BASIC/ZONING REG            PA060076  
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This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

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2 [Z02 CP CP NA            BASIC/TIME LIMIT            PA060076  
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This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

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3 [Z03 CP CP NA            BASIC/PRECISE PLAN            PA060076  
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Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

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4 [Z04 CP CP NA            BASIC/COMPLIANCE            PA060076  
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Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

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5 [Z05 CP CP NA            BASIC/OBLIGATIONS            PA060076  
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Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County

for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

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**6 [Z06 CP CP NA BASIC/APPEAL EXACTIONS PA060076 ]**

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

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**7 [ S S U SHERIFF DEPARTMENT PA060076 (Custom) ] CLEARANCE OF OPERATIONS**

Prior to activation of the facility, the applicant shall submit a letter to the building department indicating that the Orange County Sheriff Department has reviewed this proposal and concur that the proposed communication facility will not cause interference in operation with their respective communication systems.

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**8 [FPC11 F F SGB HAZARDOUS MATERIALS PA060076 (Custom) ] [Com] Service Code: 1.39**

Prior to the issuance of a grading or building permit, the applicant shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be classified according to the Uniform Fire Code and a document submitted to the Fire Chief with a summary sheet listing the totals for storage and use for each hazard class. Please contact the Orange County Fire Authority at (714) 744-0499 or visit the Orange County Fire Authority website to obtain a copy of the "Guideline for Completing Chemical Classification Packets."

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**9 [N10 BP BP G CONSTRUCTION NOISE PA060076 (Custom) ]**

A. Prior to the issuance of any construction permits, the project proponent shall produce evidence acceptable to the Manager, Building Permits Services, that:

- (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers.

- (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).

- (3) Stockpiling and/or vehicle staging areas shall be located as far as

practicable from dwellings.

B. Notations in the above format, appropriately numbered and included with other notations on the front sheet of the project's permitted plans, will be considered as adequate evidence of compliance with this condition.