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PLANNING COMMISSION MEETING November 5, 2019

FILE NUMBER:

PROPERTY OWNER:

APPLICANT:

TYPE OF APPLICATION:

UP #2019-004

Larry R. Williamson

Zayo Group, LLC

Use Permit

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LASSEN COUNTY PLANNING COMMISSION STAFF REPORT

November 5, 2019

FILE NUMBER: Use Permit #2019-004 Zavo Group, LLC APPLICANT: PROPERTY OWNER Larry R. Williamson

TYPE OF APPLICATION: Use Permit

The project site is located approximately 4.5 miles GENERAL LOCATION:

southeast of Ravendale, CA but does not have an assigned

address

069-040-26 ASSESSOR'S PARCEL NUMBER:

U-C-2 (Upland Conservation/Resource Management PROJECT SITE ZONING:

GENERAL PLAN: "Extensive Agriculture" land use designation in the Lassen

County General Plan, 2000

Exempt from the California Environmental Quality Act ENVIRONMENTAL DOCUMENT:

(CEOA) under Section 15303 of the 2019 CEOA

Guidelines

ASSIGNED STAFF: Stefano Richichi, Associate Planner

AUTHORITY FOR APPLICATION:

Use Permit Provision, Lassen County Code Section 18.112 et seq. established regulations. General Provisions, Uses Allowed by Use Permit, Lassen County Code Section 18.102.020

REGULATING AGENCIES:

Identified Permits/Approvals Agency

Planning Commission Use Permit Planning and Building Services Building Permit/

Authorization to Operate

<u>PROJECT DESCRIPTION</u>: The applicant is proposing to construct a 420-square-foot fiber-optic equipment shelter that is accessory to a proposed fiber optic line to be placed within the right-of-way of U.S. Highway 395. The fiber-optic equipment shelter regenerates the signal of said adjacent fiberoptic line and will be serviced by a back-up generator and surrounded by a security chain-link fence.

PROJECT SITE CHARACTERISTICS: The project site is located approximately 4.5 miles southeast of Ravendale, CA but does not have an assigned address. The northwestern portion of the subject parcel is within a Zone A flood zone (1-percent-annual chance flood event); however, the project site is not within the 100-year flood zone as described by the Federal Emergency Management Agency (FEMA).

ACCESS/REQUIREMENTS: Access to the project site is from U.S. Highway 395, which is not in the County Maintained Road System.

ZONING: The subject parcel is zoned U-C-2 (Upland Conservation/Resource Management District). According to Lassen County Code Section 18.102.020(b)(2), nonpublic utility lines for transmission

or distribution of electricity...telephone, television, or other utility may be permitted in all districts; provided that in any case necessitating right-of-way acquisition, a use permit shall be secured in each case prior to such acquisition."

Although Lassen County does not have permitting authority over the proposed fiber-optic line in the U.S. 395 right-of-way, the proposed fiber-optic equipment shelter is accessory to said fiber-optic line. Furthermore, because said line will be placed in the right-of-way, it "necessitates right-of-way acquisition" for the purposes of the Lassen County Code. Because said fiber-optic line, if Lassen County did have permitting authority over said line, would require a use permit application, and the equipment shelter is allowed only as accessory to said line, the proposed equipment shelter also requires a use permit.

SURROUNDING PROPERTY CHARACTERISTICS: Immediately surrounding parcels are zoned U-C-2 ((Upland Conservation/Resource Management District), except for the parcel to the southeast of the subject parcel, which is zoned U-C-A-P (Upland Conservation District, Agricultural Preserve Combining District). Development nearest to the subject parcel includes "a residence to the north. Also of note is that the United States Department of the Interior's Bureau of Land Management (BLM) manages land south (including the BLM's Ravendale Fire Station), west, and northeast of the subject parcel. See the zoning for immediately surrounding parcels as illustrated in Table 1 below:

	Zoning* (see notes at bottom)	Parcel Size (acres)	Land Use Designation (Lassen County General Plan, 2000)
Northeast	A-1	121.61, 309.59	"Extensive Agriculture"
Northwest	A-1	256.37,90.56	"Extensive Agriculture"
West	A-1	50.11, 453.57	"Extensive Agriculture"
Southeast	U-C-A-P	200	"Extensive Agriculture"

A-1 (General Agricultural District)

U-C-A-P (Upland Conservation District, Agricultural Preserve Combining District)

GENERAL PLAN: The subject parcel has an "Extensive Agriculture" land use designation in the Lassen County General Plan, 2000. See the related goals, objectives, implementation measures and descriptions from the Lassen County General Plan, 2000 in the memorandum to the Technical Advisory Committee in this packet for more information.

The Planning Commission will determine whether the proposed project is consistent with the *Lassen County General Plan*, 2000 (and the other above plans), unless the proposed project is appealed to the Board of Supervisors, in which case, said body would determine the above.

LOCAL GOVERNMENTAL SERVICES:

- Fire protection service is provided by CAL Fire
- Police protection is provided by the Lassen County Sheriff's Department

<u>LASSEN COUNTY CODE</u>: Lassen County Code Section 18.112.035 et seq. grants the Planning Commission the authority to approve, conditionally approve, or deny use permit applications in accordance with the findings set forth at Lassen County Code Section 18.112.100, found below:

18.112.035 Planning commission review of applications.

(b) If a use permit application is to be considered without a related general plan amendment and/or rezone application as described above, the planning commission shall have the authority to approve, conditionally approve or deny the use permit application, subject to the appeal provisions of this chapter. (Ord. 467-AC § 30, 2003; Ord. 467-H § 2, 1991).

18.112.100 Mandatory findings.

The following findings shall be made by the planning commission or board of supervisors, as applicable, in conjunction with any other findings which may be considered for the approval or denial of a use permit application:

- (1) That the project will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.
- (2) That the project is or is not consistent with the Lassen County general plan, or any applicable area plan or resource plan adopted as part of the general plan. (Ord. 467-H § 2, 1991).

ENVIRONMENTAL DOCUMENT and PUBLIC COMMENTS: The Environmental Review Officer (ERO) of Lassen County has determined that the proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15303 of the 2019 CEQA Guidelines.

<u>FINDINGS and/or RECOMMENDATIONS BY TAC</u>: The Technical Advisory Committee (TAC) met on October 3, 2019 and has developed recommended findings and conditions for consideration by the Planning Commission. The recommended findings and conditions can be found in the attached memos to the TAC. In addition, the recommended conditions can be found in Exhibit "A" of a draft resolution of approval that is included in this packet.

Of particular note is Condition 3, which requires that the applicant demonstrate that the California Department of Transportation (Caltrans) has approved the proposed fiber-optic line in the U.S. Highway 395 right-of-way before issuance of the building permit for the proposed equipment shelter. Caltrans has authority over U.S. Highway 395 and its right-of-way; this condition has been included because the proposed equipment shelter is allowed by use permit only as accessory to said fiber-optic line.

TECHNICAL ADVISORY COMMITTEE RECOMMENDED FINDINGS AND CONDITIONS October 3, 2019

Use Permit File #2019-004, Zayo Group, LLC (Larry R. Williamson)

Use Permits: □ County Planning Director □ County Public Works Director (present, provided findings but no conditions) □ County Surveyor (present, provided findings but no conditions) □ County Sanitarian (not present, no findings or conditions) □ County Fire Warden (not present, no findings or conditions) □ County Assessor (present, no findings or conditions)

RESOLUTION NO

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION APPROVING USE PERMIT 2019-004, ZAYO GROUP, LLC (LARRY R. WILLIAMSON)

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing held on November 5, 2019, has considered Use Permit #2019-004, filed by Zayo Group, LLC, to construct a 420-square-foot fiber-optic equipment shelter that is accessory to a proposed fiber optic line to be placed within the right-of-way of U.S. Highway 395. The fiber-optic equipment shelter regenerates the signal of said adjacent fiber-optic line and will be serviced by a back-up generator and surrounded by a security chain-link fence. The project site is located approximately 4.5 miles southeast of Ravendale, CA but does not have an assigned address (APN 069-040-26); and

WHEREAS, Lassen County Code Section 18.112.100 sets forth mandatory findings that the Lassen County Planning Commission must make when considering a use permit application; and

WHEREAS, the Environmental Review Officer has determined proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15303 of the 2019 CEQA Guidelines; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The foregoing recitals are true and correct.
- 2. The Lassen County Planning Commission finds as follows:
 - a. The proposed project is consistent with the *Lassen County General Plan*, 2000, and the provisions of Lassen County Code Section 18.112, which establish the regulations regarding the issuance of Use Permits.
 - b. That the project, as conditioned, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.
- 3. The Lassen County Planning Commission hereby adopts the Technical Advisory Committee findings dated September 19, 2019, and contained in the Planning Commission staff report.
- 4. The Lassen County Planning Commission hereby approves Use Permit Application #2019-004, filed by Zayo Group, LLC, subject to the conditions of approval set forth as Exhibit "A" attached hereto.

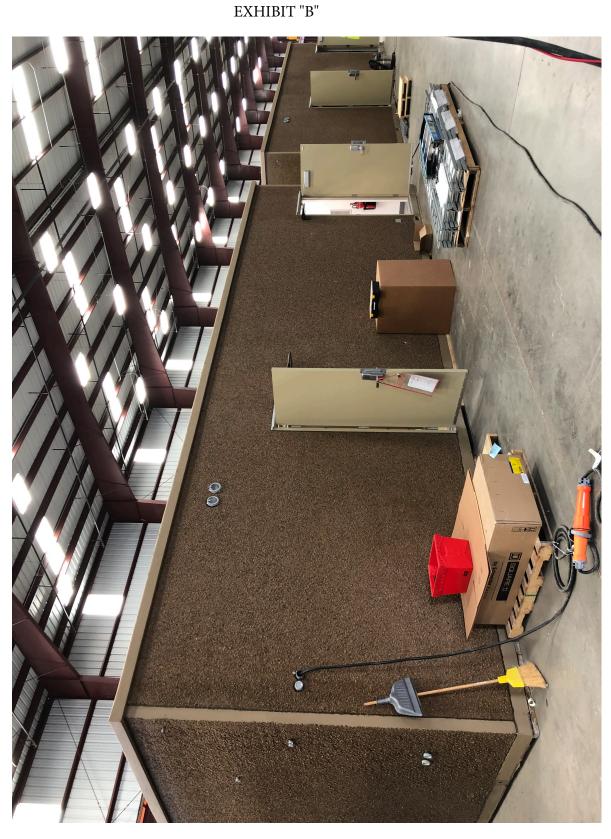
RESOLUTION NOPage 2 of 4	
PASSED AND ADOPTED at a regular mee Lassen, State of California, on the 5 th day of	eting of the Planning Commission of the County of November 2019, by the following vote:
AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
	Chairman Lassen County Planning Commission
ATTEST:	
Maurice L. Anderson, Secretary	
Lassen County Planning Commission	

RESOLUTION NO	
Page 3 of 4	

EXHIBIT "A" CONDITIONS OF APPROVAL USE PERMIT #2019-004

- 1. Noncompliance with any of the following use permit conditions shall constitute grounds for revocation of the use permit (pursuant to Lassen County Code Section 18.112.060).
- 2. The Use Permit shall be granted for the use as approved by the Planning Commission. Substantial revisions and/or expansions of the project will require a new Use Permit, subject to the approval of the Planning Commission. See Exhibit "B" for reference.
- 3. The applicant must demonstrate that the California Department of Transportation (Caltrans) has approved the proposed fiber-optic line in the U.S. Highway 395 right-of-way before issuance of the building permit for the proposed equipment shelter.
- 4. The applicant must maintain the original appearance of the equipment shelter as shown on the submitted elevations and pictures.

ZAYO SPANISH SPRINGS, CA FIBER-OPTIC UTILITY SHELTER MATERIAL BOARD



FINISHED BUILDING

RESOLUTION NO.

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION DISAPPROVING USE PERMIT 2019-004, ZAYO GROUP, LLC (LARRY R. WILLIAMSON)

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing held on November 5, 2019, has considered Use Permit #2019-004, filed by Zayo Group, LLC, to construct a 420-square-foot fiber-optic equipment shelter that is accessory to a proposed fiber optic line to be placed within the right-of-way of U.S. Highway 395. The fiber-optic equipment shelter regenerates the signal of said adjacent fiber-optic line and will be serviced by a back-up generator and surrounded by a security chain-link fence. The project site is located approximately 4.5 miles southeast of Ravendale, CA but does not have an assigned address (APN 069-040-26); and

WHEREAS, Lassen County Code Section 18.112.100 sets forth mandatory findings that the Lassen County Planning Commission must make when considering a use permit application; and

WHEREAS, the Environmental Review Officer of the County of Lassen has determined that the California Environmental Quality Act does not apply to projects that are disapproved, pursuant to Section 15270 of the 2019 California Environmental Quality Act Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The foregoing recitals are true and correct.
- 2. The Lassen County Planning Commission finds as follows:
 - a. The proposed project is not consistent with the *Lassen County General Plan*, 2000, and the provisions of Lassen County Code Section 18.112, which establish the regulations regarding the issuance of Use Permits.
 - b. That the project, as conditioned, will, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.
- 3. The Lassen County Planning Commission hereby adopts the Technical Advisory Committee findings dated September 19, 2019, and contained in the Planning Commission staff report.
- 4. The Lassen County Planning Commission hereby disapproves Use Permit Application #2019-004, filed by Zayo Group, LLC.

RESOLUTION NOPage 2 of 2	
PASSED AND ADOPTED at a regular mee Lassen, State of California, on the 5 th day of	ting of the Planning Commission of the County of November 2019, by the following vote:
AYES:	
NOES:	
ABSTAIN:	
ABSENT:	
	Chairman Lassen County Planning Commission
ATTEST:	
ATTEST:	
Maurice L. Anderson, Secretary Lassen County Planning Commission	

· Building Permits

Code Enforcement

Surveyor

Surface Mining

September 19, 2019

Maurice L. Anderson, Director 707 Nevada Street, Suite 5 Susanville, CA 96130-3912

Phone: 530 251-8269 Fax: 530 251-8373

email: landuse@co.lassen.ca.us website: www.co.lassen.ca.us

> Zoning & Building Inspection Requests Phone: 530 257-5263

TO:

Technical Advisory Committee

Agenda Date: October 3, 2019

FROM:

Maurice L. Anderson, Director

RE:

USE PERMIT #2019-004, Zayo Group, LLC (Larry R. Williamson). Proposal to construct a 420-square-foot fiber-optic equipment shelter that is accessory to a proposed fiber optic line to be placed within the right-of-way of U.S. Highway 395. The fiberoptic equipment shelter regenerates the signal of said adjacent fiber-optic line and will be serviced by a back-up generator and surrounded by a security chain-link fence. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15303 of the 2019 CEQA Guidelines. The subject parcel is zoned U-C-2 (Upland Conservation/Resource Management District) and has an "Extensive Agriculture" land use designation in the Lassen County General Plan, 2000. The project

site is located approximately 4.5 miles southeast of Ravendale, CA but does not have an assigned address. APN: 069-040-26. Staff Contact: Stefano Richichi, Associate Planner

The Planning Division of the Lassen County Department of Planning and Building Services finds as follows:

- 1. The subject parcel is zoned U-C-2 (Upland Conservation/Resource Management District).
- 2. The subject parcel has an "Extensive Agriculture" land use designation in the Lassen County General Plan, 2000.
- 3. The northwestern portion of the subject parcel is within a Zone A flood zone (1-percent-annual chance flood event); however, the project site is not within the 100-year flood zone as described by the Federal Emergency Management Agency (FEMA).
- 4. The subject parcel is in a "Scenic Highway Corridor" per the Lassen County General Plan, 2000.
- 5. The applicant is proposing to construct a 420-square-foot fiber-optic equipment shelter that is accessory to a proposed fiber optic line to be placed within the right-of-way of U.S. Highway 395.
- 6. According to Lassen County Code Section 18.102.020(b)(2), nonpublic utility lines for transmission or distribution of electricity...telephone, television, or other utility may be permitted in all districts; provided that in any case necessitating right-of-way acquisition, a use permit shall be secured in each case prior to such acquisition."

Page 2 of 4

- 7. Although Lassen County does not have permitting authority over the proposed fiber-optic line in the U.S. 395 right-of-way, the proposed fiber-optic equipment shelter is accessory to said fiber-optic line. Furthermore, because said line will be placed in the right-of-way, it "necessitates right-of-way acquisition" for the purposes of the Lassen County Code. Because said fiber-optic line, if Lassen County did have permitting authority over said line, would require a use permit application, and the equipment shelter is allowed only as accessory to said line, the proposed equipment shelter also requires a use permit.
- 8. Pursuant to Lassen County Code Section 18.112.030, the Technical Advisory Committee shall review all use permit applications (and amendments) and shall prepare recommended conditions of approval for consideration by the County (in this case, the Planning Commission).
- 9. The land use element of the Lassen County General Plan, 2000 describes the "Extensive Agriculture" land use designation as follows:

Extensive Agriculture

The Extensive Agriculture designation primarily represents typical rangeland areas with grazing and general rangeland values, natural wildlife habitat, open space and scenic values, and/or low intensity outdoor-oriented recreational values. It also includes general forest areas, timber production areas and related uses. Large parcel sizes are required to support and protect resource values. Except in special "open space" areas, it may accommodate limited dispersed residential uses; however, such uses will typically be related and secondary to agricultural and other resource-based land uses, including dispersed recreation and mining. Subject to County permit requirements and the provisions of related elements of the General Plan, areas designated Extensive Agriculture may also accommodate natural resource-related production facilities, including but not limited to: mineral extraction and processing, including asphalt and similar plants; saw mills and logging operations; and facilities for the processing of agricultural products.

The "Extensive Agriculture" designation has generally incorporated and replaced the "Grazing and Sagebrush Environment" designation used in the 1968 General Plan and in some area plans. Where the term "Grazing and Sagebrush Environment" continues to be used, it shall be considered to be synonymous with "Extensive Agriculture." The Extensive Agriculture designation has also incorporated areas which were designated "General Forest Environment."

To the extent that residential uses are allowed, building intensity will generally not exceed .025 [Dwelling Units per Acre]. Population density will generally average .067 [Persons per Acre]. Exceptions to these averages would include limited farm labor housing facilities.

Corresponding Zoning: "U-C", Upland Conservation District; "U-C-2", Upland Conservation/Resource Management District; "T-P-Z", Timber Production Zone.

10. The following goals, objectives, implementation measures and descriptions from the *Lassen County General Plan*, 2000, also pertain to the proposal:

Designation of Land Uses

- Implementation Measure LU-A: The County shall utilize the zoning provisions of the Lassen County Code to adopt and enforce corresponding zoning districts, and to consider the approval of related use permits and land divisions, which implement and are compatible with the policies, general land uses and programs specified in this Land Use Element and in area plans adopted as part of the General Plan.
- Implementation Measure LU-B: The County recognizes the need and legal requirements for making land use decisions which are consistent with the General Plan.

1. ISSUE: Land Use Compatibility

- GOAL L-4: Compatibility between land use types by providing for complementary mixtures and patterns of land uses.
- LU-6 POLICY: The County recognizes general plan land use designations and consistent zoning as the appropriate and primary tools for attempting to achieve and maintain compatibility of land uses within the context of the County's land use authority and local control.

6. ISSUE: Commercial Land Uses

 GOAL L-12: Increase community wealth and the provision of needed commercial services through economic growth and diversification by sustaining and facilitating the expansion of existing commercial operations and by encouraging new commercial ventures.

Scenic Corridor

• Scenic Corridors identify areas bordering major highways which have significant or sensitive scenic values due to the existence of significant features and the level of public exposure to those areas. This designation always overlays a primary land use designation. Although special standards may apply to development within such corridors (e.g. design review criteria), uses allowed and corresponding zoning and development standards, including building intensity and population density, area factors of the primary land use designations.

Page 4 of 4

11. The Planning Commission will determine whether the proposed project is consistent with the *Lassen County General Plan, 2000*, unless the proposed project is appealed to the Board of Supervisors, in which case, said body would determine the above.

The Planning Division of the Lassen County Department of Planning and Building Services recommends the following conditions be placed on the project if approved:

- 1. Noncompliance with any of the following use permit conditions shall constitute grounds for revocation of the use permit (pursuant to Lassen County Code Section 18.112.060).
- 2. The Use Permit shall be granted for the use as approved by the Planning Commission. Substantial revisions and/or expansions of the project will require a new Use Permit, subject to the approval of the Planning Commission.
- 3. The applicant must demonstrate that the California Department of Transportation (Caltrans) has approved the proposed fiber-optic line in the U.S. Highway 395 right-of-way before issuance of the building permit for the proposed equipment shelter.
- 4. The applicant must maintain the original appearance of the equipment shelter as shown on the submitted elevations and pictures.

DEPARTMENT of PUBLIC WORKS



LARRY MILLAR, Director Public Works/Road/Transportation County Engineer

707 Nevada Street, Suite 4 Susanville, CA 96130

\$\frac{1}{25}\$ 530) 251-8288 FAX: (530) 251-2675

TAC 2019/257

September 27, 2019

TO:

County Planning and Building Services

FROM:

Larry Millar

Department of Public Works, Road Department

SUBJECT:

Use Permit 2019-005 Zayo Group, LLC (Larry R. Williamson)

Technical Advisory Meeting, October 3, 2019

FINDINGS:

Access to the parcel is from U.S. Highway 395, which is not in the County

Maintained Road System.

CONDITIONS:

None

Maurice L. Anderson, Director

· Surface Mining

707 Nevada Street, Suite 5

Susanville, CA 96130-3912 Phone: 530 251-8269 Fax: 530 251-8373

email: landuse@co.lassen.ca.us website: www.co.lassen.ca.us

> Zoning & Building Inspection Requests

Phone: 530 257-5263

September 20, 2019

TO:

Technical Advisory Committee

Agenda Date: October 3, 2019

FROM:

Don Willis, Lassen County Surveyor

RE:

Use Permit No. 2019-004 – Zayo Group, LLC (applicant)

Larry R. Williamson (owner)

Assessor's Parcel Number: 069-040-26.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

- 1. The subject property is currently owned by Larry R. Williamson, an unmarried man, as shown at a Grant Deed recorded on November 13, 2014, as Document Number 2014-04951 of the Official Records of Lassen County, California. This property is further known as Assessor's Parcel Number 069-040-26 and is located in portions of Sections 5, 6 and 7, Township 33 North, Range 15 East, Mount Diablo Base and Meridian.
- 2. The legal description for the property noted in Findings Item Number One above describes four separate parcels. The subject parcel is described within Parcel Four of Mr. Williamson's vesting deed as the SW1/4 of the SW1/4 of Section 5, the SE1/4 of the SE1/4 of Section 6 and the E1/2 of the NE1/4 of Section 7, all in Township 33 North, Range 15 East, Mount Diablo Base and Meridian.
- 3. Each of the four parcels described in Mr. Williamson's vesting deed has a separately recorded Certificate of Compliance document that has been recorded in the Official Records of Lassen County. The Certificate of Compliance for the subject parcel was recorded on August 11, 1994, in Book 601, Page 872, of the Official Records of Lassen County. The recording of this document validates the parcel as being created in compliance with the provisions of the Subdivision Map Act and local ordinances.
- 4. The subject parcel abuts U.S. Highway 395 as demonstrated by the legal description within a Grant Deed recorded at Book 50, Page 207, of the Official Records of Lassen County. This deed granted a 0.40 acre portion of land located in the SE1/4 of the NE1/4 of said Section 7 from private ownership to the State of California for State Highway purposes.

Technical Advisory Committee Agenda Date: October 3, 2019 Lassen County Surveyor's Findings and Conditions Page 2 of 2

LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS FOR USE PERMIT NO. 2019-004 (ZAYO GROUP, LLC/LARRY R. WILLIAMSON):

1. None.

Respectfully Submitted,

Don Willis

Don Willis, L.S. 7742 Lassen County Surveyor June 3, 2019

Maurice L. Anderson, Director 707 Nevada Street, Suite 5 Susanville, CA 96130-3912

Surface Mining

Phone: 530 251-8269 Fax: 530 251-8373

email: landuse@co.lassen.ca.us website: www.co.lassen.ca.us

Zoning & Building Inspection Requests Phone: 530 257-5263

Larry Williamson P.O. Box 967 Lafayette, CA 94546

Rex Atkinson 8730 Powderhorn Way Indianapolis, IN 46256

RE: Use Permit #2019-004 and Initial Study #2019-002, Williamson

This letter is to inform you that this Department has determined that the above-referenced applications are incomplete and is providing you an opportunity to submit supporting information necessary for this Department to accept said applications as complete, under Government Code Section 65943.

At this time, there are two (broad) items that must be addressed:

1. Authority for Application

It appears that Zayo Group, LLC (Zayo) is in fact the applicant for your applications, while Mr. Rex Atkinson would be the agent. Zayo holds the certificate of public convenience and necessity issued by the California Public Utilities Commission (CPUC), and it appears that CPUC has also prepared the environmental document required under the California Environmental Quality Act for Zayo; the submitted preliminary building plans are also in Zayo's name. Therefore, the application must be modified to show Zayo as the applicant, with Mr. Atkinson as the agent. An authorized Zayo representative must sign the application.

Furthermore, although Mr. Dave Snyder of Zayo has authorized Five Nine Design Group to apply on Zayo's behalf, it is unclear whether Mr. Snyder himself has the authority to do so. This Department has consulted both information from the California Secretary of State and the California Public Utilities Commission (see attached) in an attempt to demonstrate Mr. Snyder's authority, but has not found Mr. Snyder's name among the authorized contacts. Please submit documentation showing Mr. Snyder has the authority to authorize Five Nine Design Group to act on behalf of Zayo.

Lastly, while Mr. Atkinson has signed the above-referenced applications on behalf of Five Nine Design Group, this Department must know that Mr. Atkinson has the authority to apply on Five Nine Design Group's behalf. Please submit documentation stating as such.

In short, it appears that Zayo is in fact the applicant, while Mr. Atkinson is the agent for the above project; your application must be updated to reflect this. Additionally, please provide evidence to demonstrate that the above persons have the authority to sign and submit applications on behalf of their respective organizations.

2. Plot Plan

In addition, the map submitted with your application showing the proposed route of the fiber optic line is currently deficient. The map appears to have been copied from Google Maps; Lassen County Code Section 18.102.020(b)(2) requires that your use permit application be "accompanied by plans, showing on current [U.S. Geological Survey] Quadrangle or equivalent maps, the right-of-way route proposed" for the related fiber optic cable. For illustration, 7.5-minute quadrangle maps have a scale of 1:24,000. Please provide such maps depicting the proposed route of the fiber optic line to this Department.

Again, this Department cannot accept your application as complete (as described at Government Code Section 65943) at this time until the above items are satisfied. In order to process your application properly, this Department needs as specific information as possible. Once the above is submitted and your application is accepted as complete, additional information and/or submittals may be required during the processing of your application.

Please contact Associate Planner Stefano Richichi at (530) 251-8269 or srichichi@co.lassen.ca.us if you have further questions.

Sincerely,

Maurice L. Anderson,

U Director

MLA:smr

Encolsures: Statement of Information from California Secretary of State

Utility Contact System Search from California Public Utilities Commission

S:/PLA/Planning/2019/UP #2019-004, Williamson/Hold Letter



LLC-12

19-A07842

FILED

In the office of the Secretary of State of the State of California

IMPORTANT — Read instructions before completing this form.

Filing Fee – \$20.00 Copy Fees – First page \$1.00; each attachment page \$0 Certification Fee - \$5.00 plus copy fees 1. Limited Liability Company Name (Enter the exact name of the ZAYO GROUP, LLC 2. 12-Digit Secretary of State File Number 201102810347 4. Business Addresses a. Street Address of Principal Office - Do not list a P.O. Box 1805 29th Street STE 2050	JAN 07, 2019 This Space For Office Use Only ornia using an alternate name, see instructions.) Try or Place of Organization (only if formed outside of California) ations) State Zip Code				de			
b. Mailing Address of LLC, if different than item 4a		Boulder City (no abbrevia	ations)		CO	8030 Zip Co		
1805 29th Street STE 2050		Boulder			CO	8030	1	
c. Street Address of California Office, if Item 4a is not in California - Do not lis	t a P.O. Box	City (no abbrevia	ations)		State	Zip Co	de	
5. Manager(s) or Member(s) If no managers have been apport must be listed. If the manager/man entity, complete Items 5b and has additional managers/member a. First Name, if an individual - Do not complete Item 5b	ember is an in 5c (leave Item	idividual, complete n 5a blank). Note ame(s) and addres	e Items 5a and : The LLC car	I 5c (leave Item 5b blank). I nnot serve as its own manag _LC-12A (see instructions).	If the ma	nager/m	ember is f the LLC	
Daniel		Middle Name		Last Name Caruso			Suffix	
b. Entity Name - Do not complete Item 5a		1.000					,	
c. Address 1805 29th Street STE 2050		City (no abbrevia Boulder	ations)		State			
6. Service of Process (Must provide either Individual OR Corporati	ion.)							
INDIVIDUAL - Complete Items 6a and 6b only. Must include agen	t's full name ar	nd California stree	et address.					
a. California Agent's First Name (if agent is not a corporation)		Middle Name		Last Name			Suffix	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box City (no abbreviations)						Zip Code		
CORPORATION - Complete Item 6c only. Only include the name	of the registere	ed agent Corporat	ion.					
c. California Registered Corporate Agent's Name (if agent is a corporation) – [ltem 6a or 6b						
C T CORPORATION SYSTEM (C0168406)							
7. Type of Business								
a. Describe the type of business or services of the Limited Liability Company Telecom							41	
8. Chief Executive Officer, if elected or appointed				•				
a. First Name Daniel		Middle Name		Last Name Caruso			Suffix	
b. Address 1805 29th Street STE 2050 City (no abbreviations) Boulder					State	2ip Co		
9. The Information contained herein, including any attachments, is true and correct.								
01/07/2019 Charles Forst Dir. Regulatory Reporting								
Date Type or Print Name of Person Completing		.d &= \$16.5 d =	Title	Signature				
Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)							ame or a	
Name:		7						
Company:								
Address:								
City/State/Zip:]						



LLC-12A Attachment

19-A07842

A. Limited Liability Company Name
ZAYO GROUP, LLC

This Space For Office Use Only

			And the second s
В.	12-Digit Secretary of State File Number	C.	State or Place of Organization (only if formed outside of California)
	201102810347		DELAWARE
		ı	

D. List of Additional Manager(s) or Member(s) - If the manager/member is an individual, enter the individual's name and address. If the manager/member is an entity, enter the entity's name and address. Note: The LLC cannot serve as its own manager or member.

First Name Matt	Middle Name	Last Name Steinfort			Suffix
Entity Name					
Address 1805 29th Street STE 2050	City (no abbreviations) Boulder		State CO	Zip (8030	Code)1
First Name	Middle Name	Last Name			Suffix
Entity Name					
Address	City (no abbreviations)		State	Zip (Code
First Name	Middle Name	Last Name			Suffix
Entity Name					
Address	City (no abbreviations)		State	Zip (Code
First Name	Middle Name Last Name				Suffix
Entity Name					
Address	City (no abbreviations)		State	Zip (Code
First Name	Middle Name Last Name				Suffix
Entity Name					
Address	City (no abbreviations)		State	Zip (Code
First Name	Middle Name	Last Name			Suffix
Entity Name					
Address	City (no abbreviations)		State	Zip	Code
First Name	Middle Name	Last Name			Suffix
Entity Name					
Address	City (no abbreviations)		State	Zip	Code



Utility Contact System Search

The Utility Contact System (UCS) is the Communications Division's database for the primary regulatory contact for each telephone corporation operating in California. The Communications Division sends important regulatory notices to the regulatory contact for each telephone corporation via e-mail, so it is important for primary regulatory contacts to update their UCS record if their e-mail address changes.

Telephone corporations may update UCS contact information using the form on the following page: <u>Carrier Reporting Requirements</u>

A description of the different utility types (granted authorities) are listed on the following page: <u>Utility Type Descriptions</u>

Search Utility Name zayo Search Utility Number Search Clear

Utility Name	Alias (DBA Name)	Utility Number	Street Address	City A	State	Zip	Phone Number	Email	Utility Type	CPCN Approval Date
Zayo Group, LLC		6102	1621 18TH STREET	DENVER	со	80202	(303) 854-5210	charles.forst@zayo.com	CLC	08-21-2008
Zayo Group, LLC		6102	1621 18TH STREET	DENVER	со	80202	(303) 854-5210	charles.forst@zayo.com	IEC	08-21-2008
Zayo Group, LLC		6102	901 FRONT. STREET, SUITE 200	LOUISVILLE	со	80027	(509) 661-2110	khedine@gohighspeed.com	IEC	08-21-2008
Zayo Group, LLC		6102	250 EAST PENNY ROAD	WENATCHEE	WA	98801	(509) 661-2110	gmcglynn@inti.us	IEC	08-21-2008
Zayo Group, LLC		6102	250 EAST PENNY ROAD	WENATCHEE	WA	98801	(509) 661-2110	gmcglynn@inti.us	CLC	08-21-2008

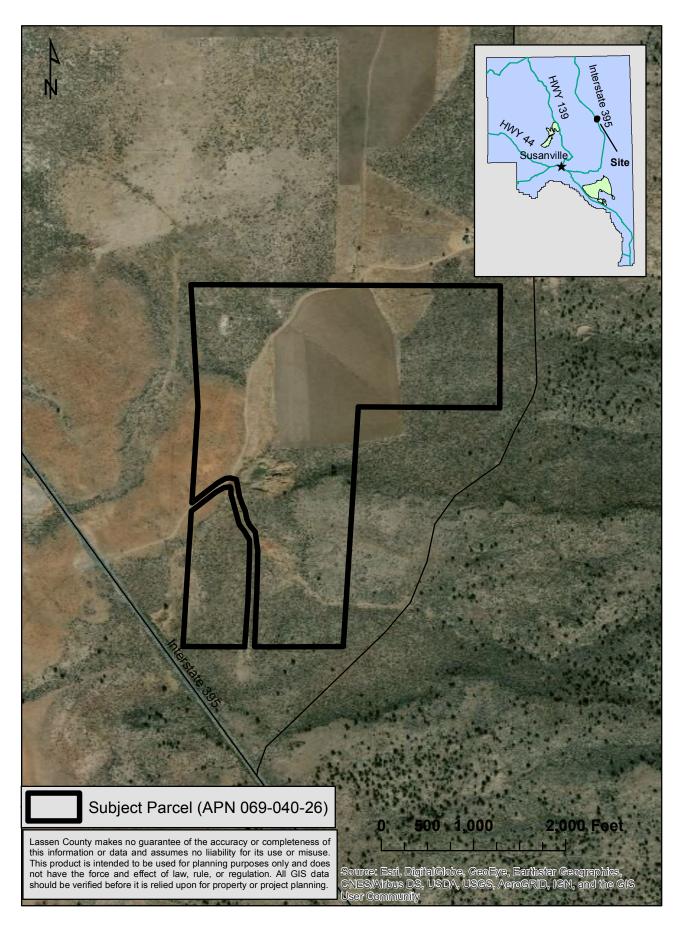
Comments & Feedback

APEX_PUBLIC_USER

Privacy Policy

1-5

Use Permit #2019-004, Zayo (Williamson)





USE PERMIT APPLICATION

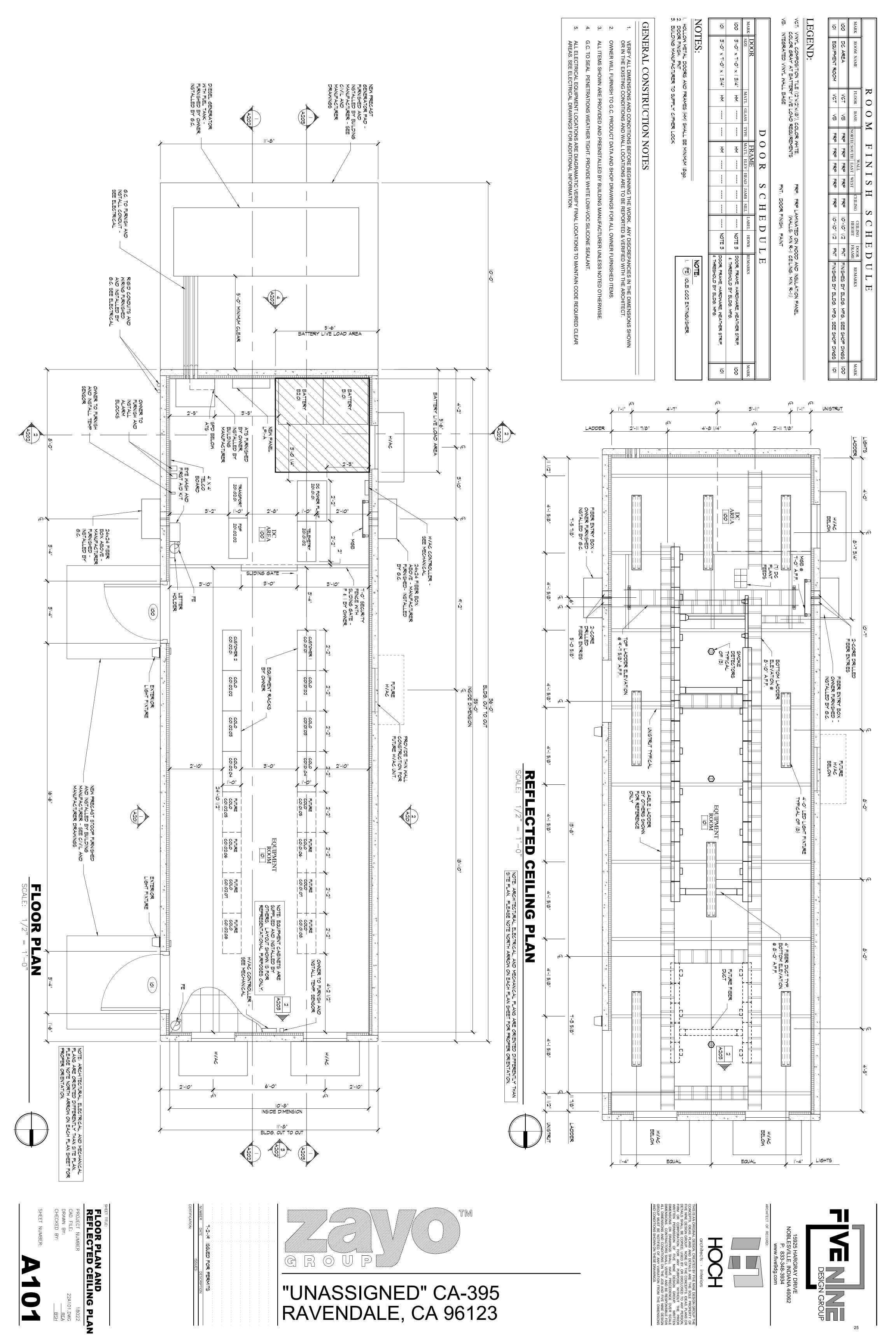
FILING FEE: CLASS 1 \$397 CLASS 2 \$571 CLASS 3 \$2,381 DEPARTMENT OF PLANNING AND BUILDING SERVICES

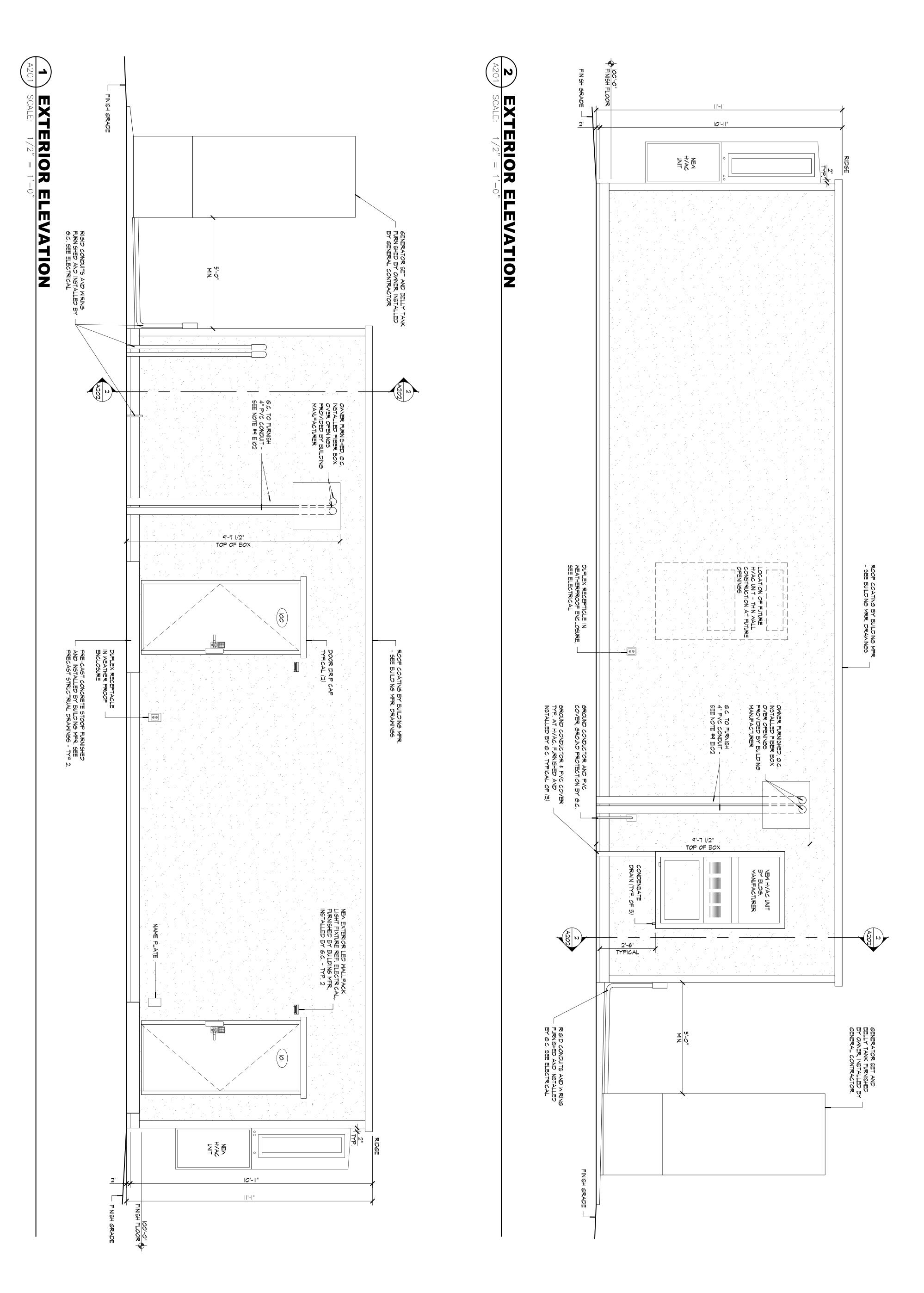
707 Nevada Street, Suite 5 · Susanville, CA 96130-3912 (530) 251-8269 · (530) 251-8373 (fax) www.co.lassen.ca.us

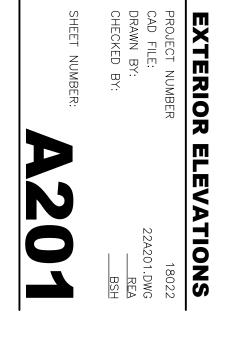
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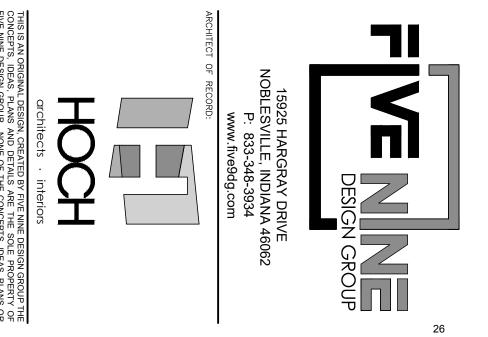
Form must be treed or printed a	landa i 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					
This application consists of one	learly in black or blue ink. All sec page; only attach additional sheets	ctions must be completed in full.	LASSEN COUNTY DEPARTMENT OF			
Property Owner/s		Property Owner/s	PLANKING AND BUILDING SCHVICE			
Name: Larry R Williamson		Name:				
Mailing Address: PO Box 967		Mailing Address:	0			
City, ST, Zip: Lafayette CA 94	546	City, ST, Zip:				
Telephone: 530-200-4666	Fax: 530-528-8377	Telephone:	Fax:			
Email: williamsonre@gmail.co		Email:				
Applicant/Authorized Represe	ntative*	Agent (Land Surveyor/Engineer	r/Consultant)			
Same as above:		Correspondence also sent to: X				
Name: Zayo Group, LLC (Dav	re Snyder)	Name: Rex Atkinson				
Mailing Address: 1621 18th Str	eet	Mailing Address: 8730 Powder	norn Way			
City, ST, Zip: Denver, CO 802	202	City, ST, Zip: Indianapolis, IN				
Telephone: 720-495-4600	Fax:	Telephone: 812-987-5316	Fax: 833-348-3934			
Email: Dave.Snyder@Zayo.c	om	Email: rex@five9dg.com License #:				
Project Address or Specific Lo	cation: Situs CA 395 Ravenda	le, CA 96123				
Deed Reference: Book: 57	Page: 15	Year: 2014 Doc#: 20	14-04951			
Zoning: U-C-2 Upland Conservati	on / Resource Management District	General Plan Designation: Agric	culture			
Parcel Size (acreage): 0.25 Ac	cres Lease Area (160 Acres)	Section: Lease7 (6,5) Township: 33	3N Range: 15E			
Assessor's Parcel Number(s):	069 - 040 - 2611					
Project Description:						
for the annual distance of the same of the	, fiber-optic equipment shelter.	The fiber-optic equipment shelter	regenerates the signal			
	yo fiber-optic line. The shelter is	s serviced by a back-up generato	r and surrounded by a			
security fence.	A CONTRACTOR OF THE CONTRACTOR					
SIGNATURE OF PROPERTY	OWNER(S): I HEREBY	*SIGNATURE OF APPLICANT	/ATIPHODIZED			
ACKNOWLEDGE THAT: I ha	ve read this application and state	*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE (Representative may sign application on behalf				
that the information given is both tru knowledge. I agree to comply with a concerning this application.	e and correct to the best of my all County ordinances and State laws	of the property owner only if Letter of provided).	Authorization from the owner/s is			
Jany R. Willes	Date: 06/04/2019	Dave Sh	Date: 08/28/2019			
	Date:		Date:			

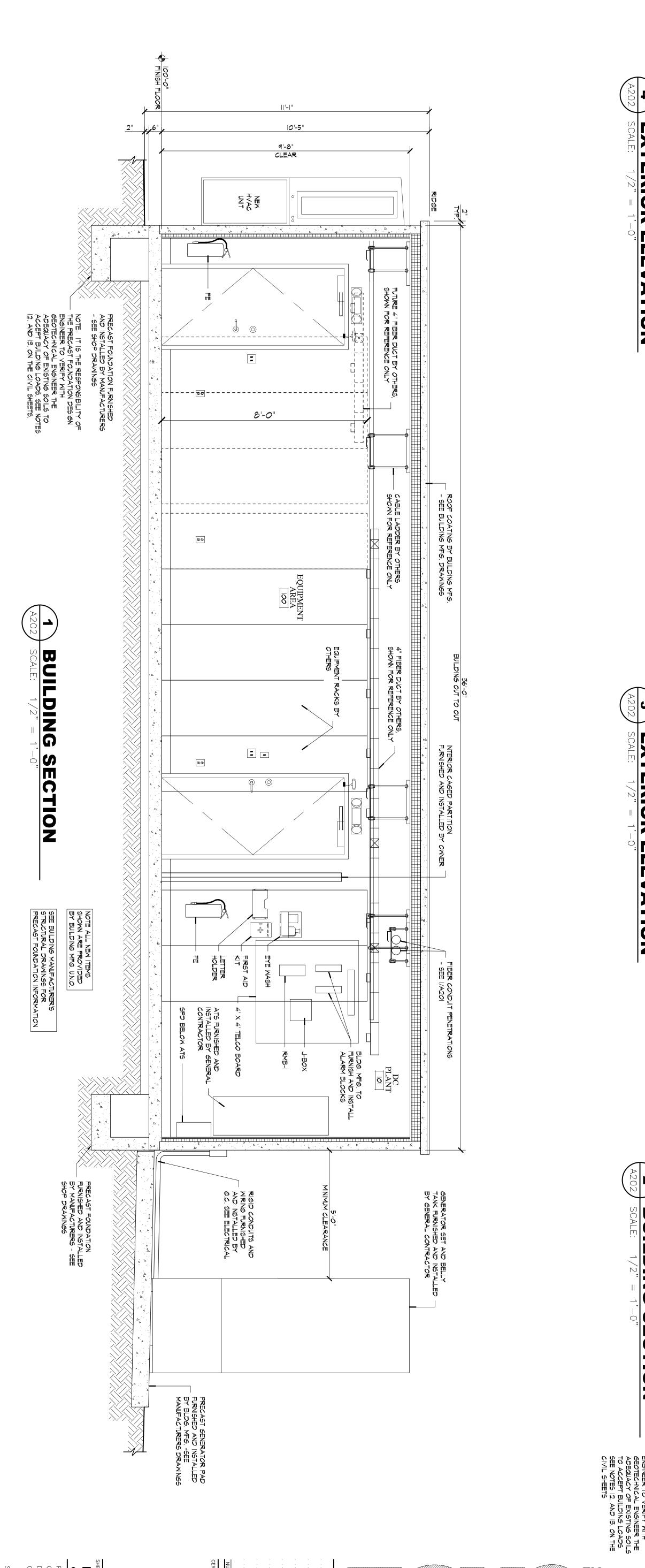


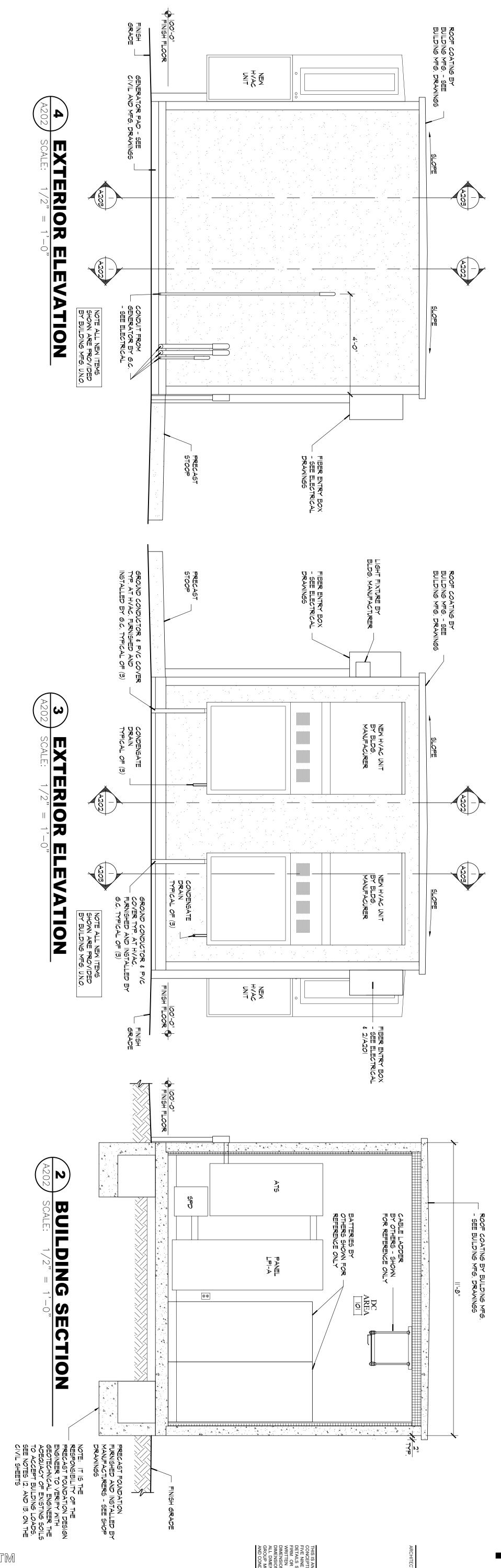






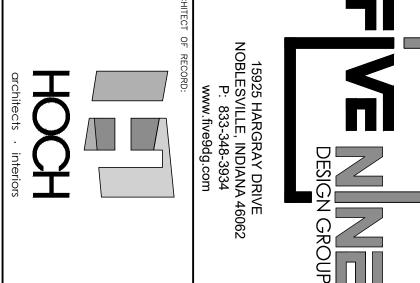






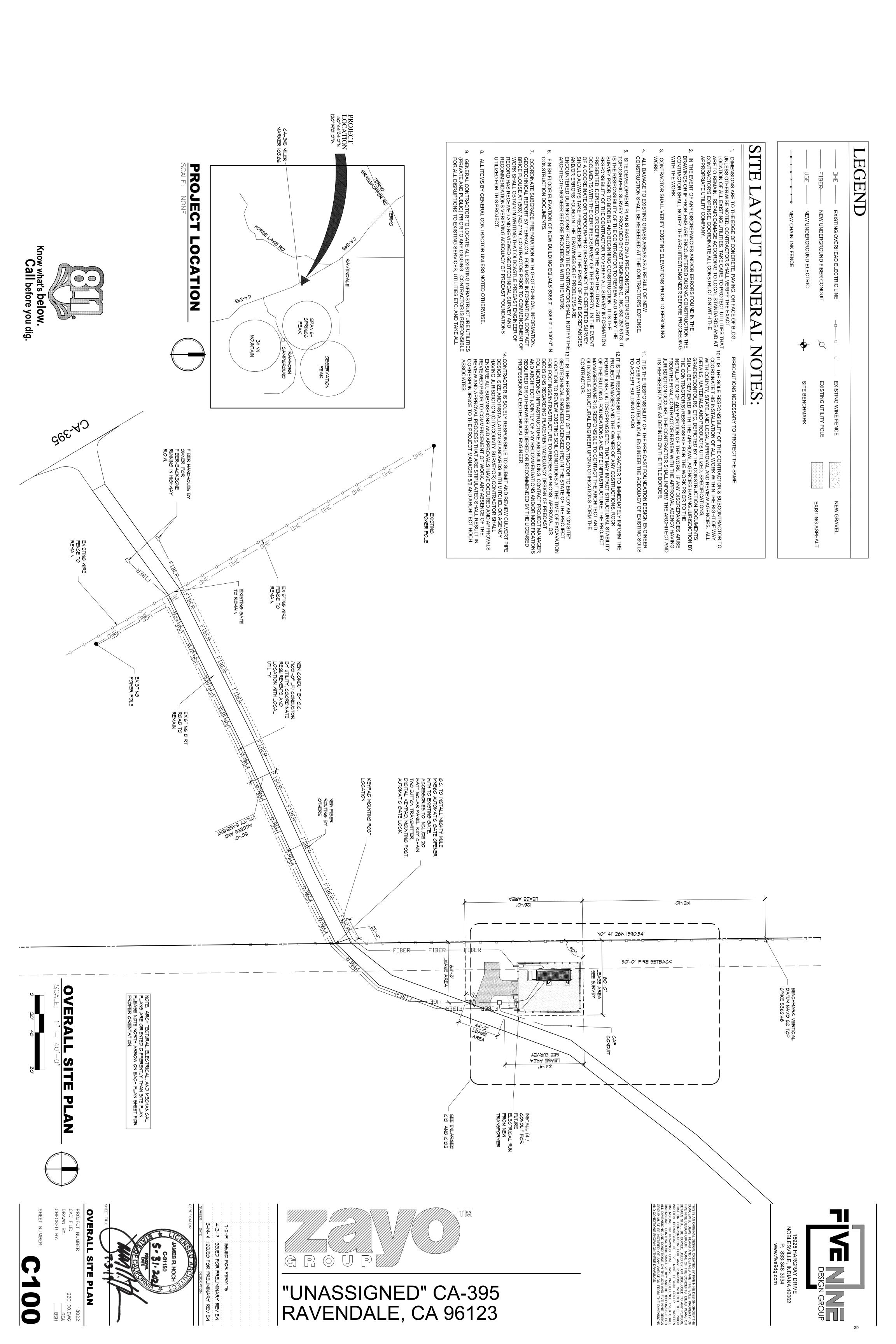


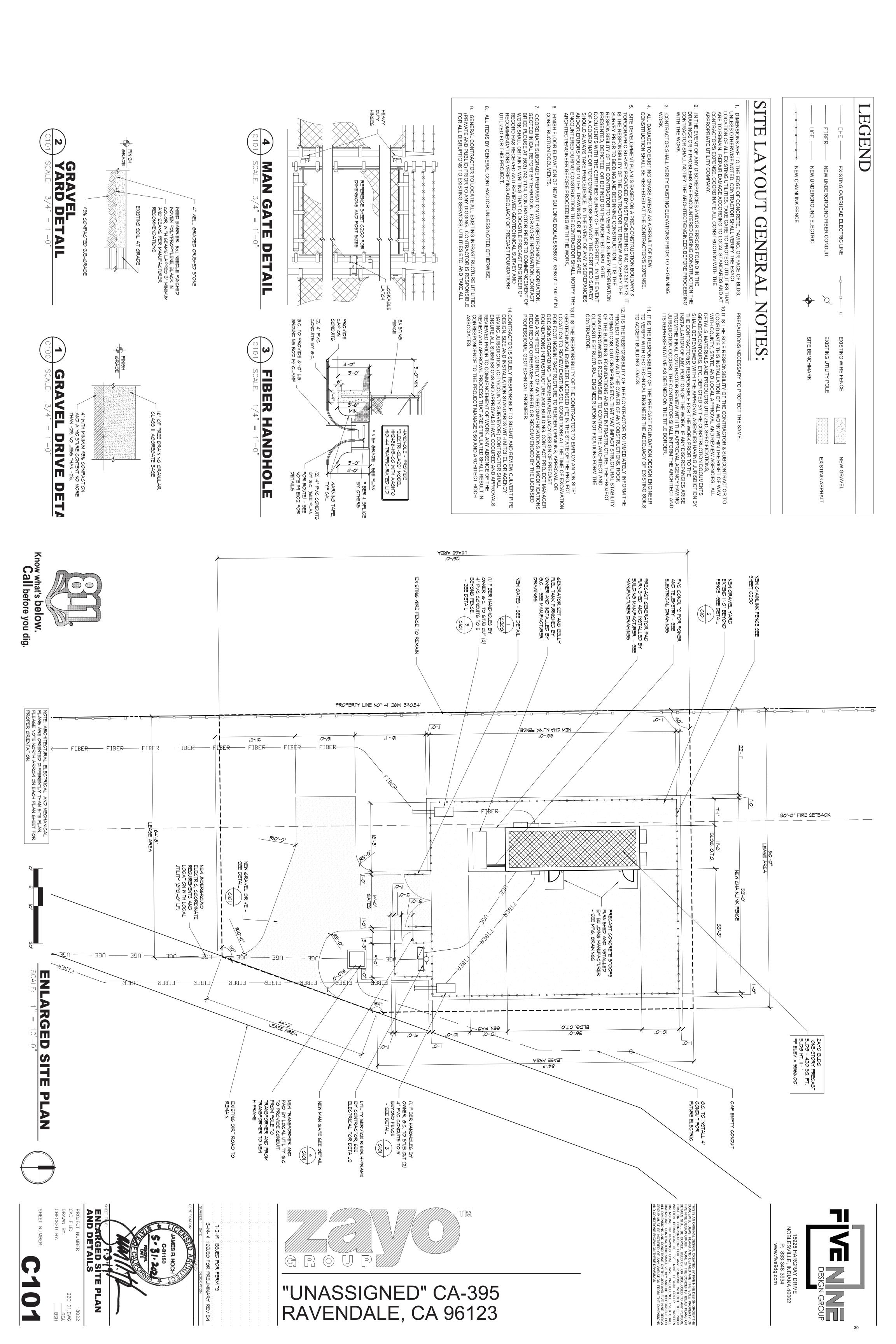




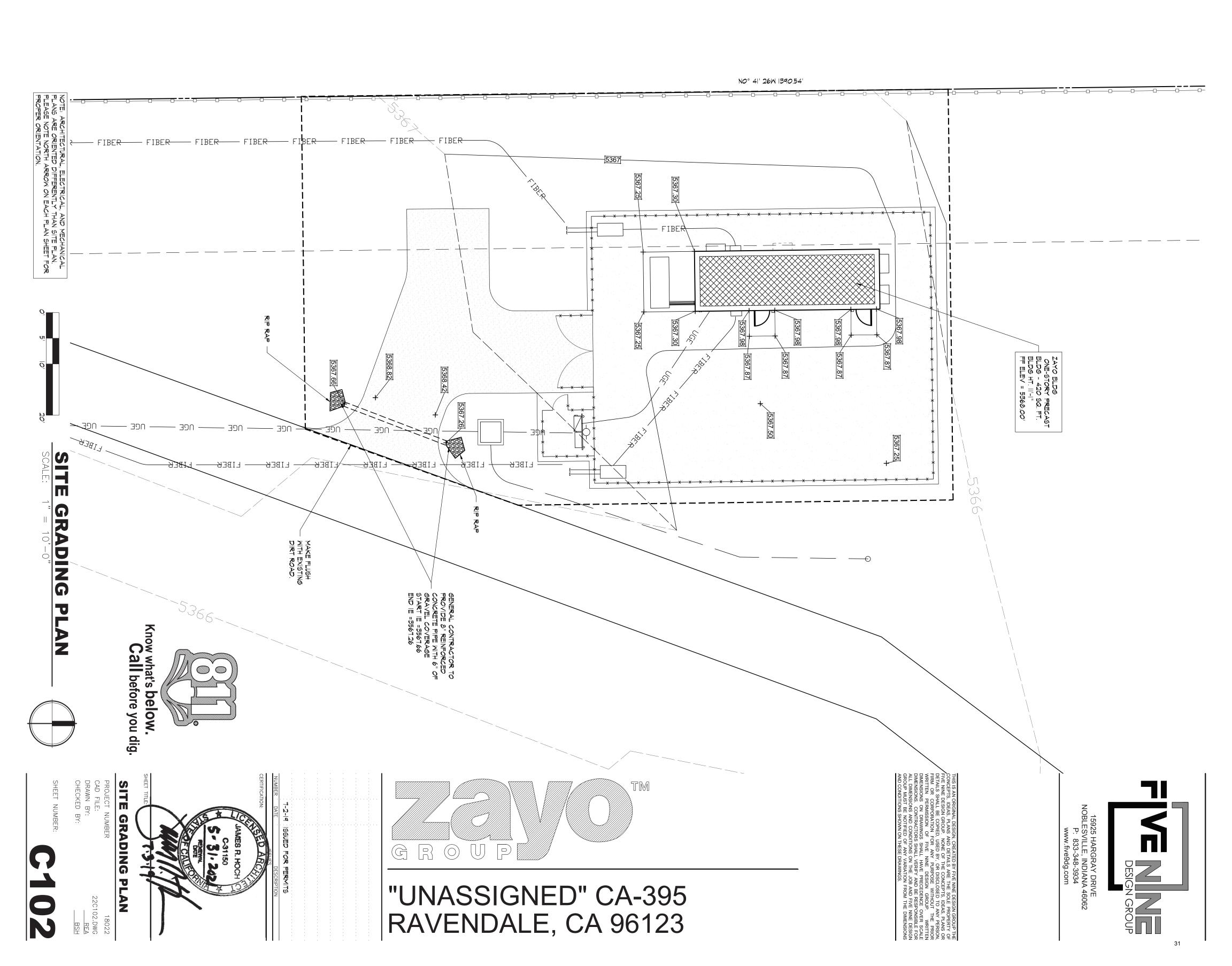
SCALE 1' CON VERTICAL DATUM NAVD88 CONTOURS Beginning at a point on the West line of the East ½ of the Northeast R 15 E, MDB&M distant thereon S 0°41′26" E 1430.46 feet from the nc East ½ as shown on that Amended Record of Survey No. 10-3405 for Filed March 13, 2006 in Book 40 at Pages 51 to 55, Lassen County Re N 148082233.0149, E 2383338.3624; thence along said West line N 0°4 coordinates N 14808342.6106, E 283355.3943; thence leaving said line coordinates N 14808354.2583, E 2383433.7708; thence S 19°41′10" W 14808233.7989, E 2383403.0485; thence S 89°18′34" W 64.69 feet to Lease Containing 0.22 GES YAWHOHH . 2.U ---- Area 40' Description acres -5365more ONERHEAD POWER 9 less. 1/4 COR.6 T33N, R15E DIRT ROAD the Northeast 1/4 of Section 7, T 33 N, et from the northwest corner of said .10—3405 for Tuscarora Gas Transmission C ssen County Records, at coordinates West line N 0°41'26" W 126.02 feet at aving said line N 89°18'34" E 80.02 feet at S 19°41'10" W 44.03 feet at coordinates W 64.69 feet to the point of beginning. MDB&M (N87° 54' 52"E 5367-1328.54') Q+ Co. N: 14808342.6106 E: 2383355.3943-N: 148082233.0192 E: 2383338.3624— 1/16 COR 1/16 COR. (NO° 41' 26"W 1390.54') Sign 1390.54') (NO° 41' 26"W \$19° 41' 10"W \$19° 41' 10"W 44.03' 44.03' 15° 41' 10"W 44.03' 15° 41' 10"W 44.03' 45° 41' 10"W 44.03' 45° 41' 10"W 44.03' 44.03' 45° 41' 10"W 44.03' 44.03' 45° 41' 10"W 46° 41' 10"W BENCHMARK: VERTICAL DATUM NAVD 88 TOP SPIKE=5362.48 N:14808555.0070 E:2383335.5544 +5363.4 -5365.5 -S89° 18' +5366.4 ZAYO'S LEASE AREA 6.02' 0.22 A.C./ 80.02 -,+1.78" E 84.74" N:14808354.2583 E:2383433.7708/ -20. tl, 50,E N: 14808233.7989 E: 2383403.0485 (N89° 40' +5362.2 N:14808275.2578 -E:2383417.8815 ----5365-30"E 1302.20') RECORD BEARINGS U.S.A U.S.A V: 069-040-08 V. , vs. . (, t+ , 0N) 1328.54') APRIL 2019 AND HVH (N1° 04' 37"W 1305.53') 40 MAPS 51-55
IN SECTIONS 7, T33N, R15E MDB&M
THE UNINCORPORATED AREA OF LASSEN COUNTY, CALIFORNIA (NO. 41, 50, M 1280.54) DISTANCES TOPOGRAPHY FOR LEASE AREA SCALE: 1" Engineering,
1495 Riverside Drive
Susanville,CA 96130
(530) 257-5173 PER DESIGN 40 7 6 SURVEY (20.00, t\.E 1t10.93,) (20.00, 41,,E 1410.93) 1/4 COR. MAPS 40, Inc. SITE : 51 - 55. GROUP MAP 유 500' (21.10, 21,E 1204.32')

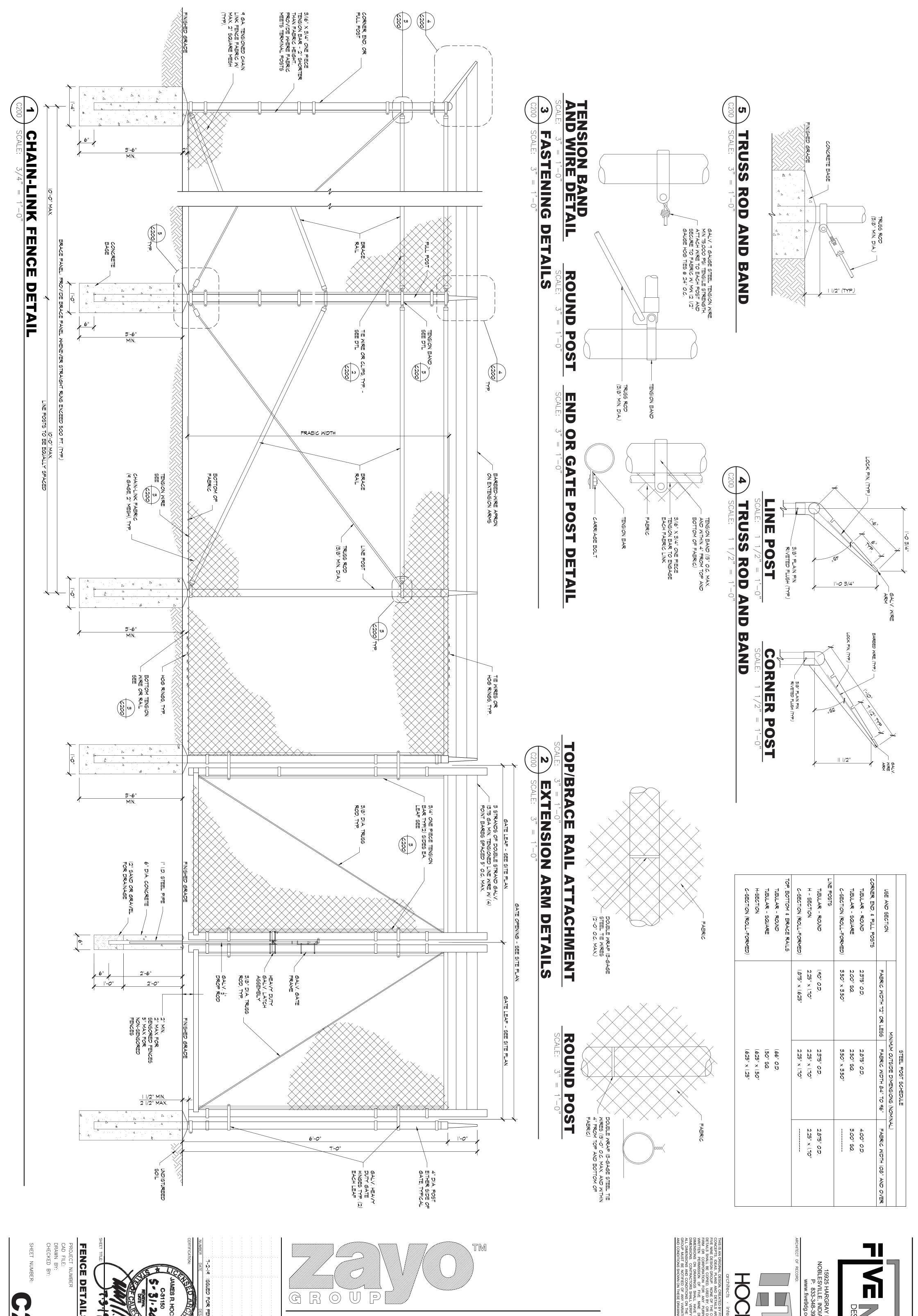
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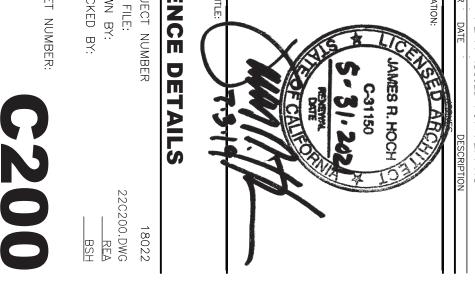




——— □HE ——— EXISTING OVERHEAD ELECTRIC LINE —□——□	EXISTING WIRE FENCE	NEW GRAVEL
——— FIBER——— NEW UNDERGROUND FIBER CONDUIT OUGE ———— NEW UNDERGROUND ELECTRIC	EXISTING UTILITY POLE SITE BENCHMARK	EXISTING ASPHALT
SITE LAYOUT GENERAL N	OTES:	
1. DIMENSIONS ARE TO THE EDGE OF CONCRETE, PAVING, OR FACE OF BLDG, UNLESS OTHERWISE NOTED. CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN. REPAIR DAMAGE ACCORDING TO LOCAL STANDARDS AND AT CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE WAPPROPRIATE UTILITY COMPANY. DE	PRECAUTIONS NECESSARY TO PROTECT THE SAME. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR & SUBCONTRACTOR TO COORDINATE THIS INSTALLATION OF ALL WORK WITHIN THE RIGHT OF WAY WITH COUNTY, STATE, AND LOCAL APPROVAL AND REVIEW AGENCIES. ALL DETAILS, MATERIALS AND PRODUCTS UTILIZED, SPECIFICATIONS,	CONTRACTOR TO RIGHT OF WAY GENCIES. ALL
 IN THE EVENT OF ANY DISCREPANCIES AND/OR ERRORS FOUND IN THE DRAWINGS OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK. 	GRADES/CONTOURS, ETC. DEPICTED BY THE CONSTRUCTION DOCUMENTS SHALL BE REVIEWED WITH THE APPROVAL AGENCIES HAVING JURISDICTION BY THE CONTRACTOR(S) RESPONSIBLE FOR THE WORK PRIOR TO THE INSTALLATION OF ANY PORTION OF THE WORK. IF ANY DISCREPANCIES ARISE FROMTHE FINAL CONTRACTOR REVIEW WITH THE APPROVAL AGENCY HAVING	N DOCUMENTS G JURISDICTION BY TO THE REPANCIES ARISE . AGENCY HAVING
 CONTRACTOR SHALL VERIFY EXISTING ELEVATIONS PRIOR TO BEGINNING WORK. 	JURISDICTION OCCURS, THE CONTRACTOR SHALL INFORM THE ARCHITECT AND ITS REPRESENTATIVE AS DEFINED ON THE TITLE BORDER.	HE ARCHITECT AN
 ALL DAMAGE TO EXISTING GRASS AREAS AS A RESULT OF NEW CONSTRUCTION SHALL BE RESEEDED AT THE CONTRACTOR'S EXPENSE. 	. IT IS THE RESPONSIBILITY OF THE PRE-CAST FOUNDATION DESIGN ENGINEER TO VERIFY WITH GEOTECHNICAL ENGINEER THE ADEQUACY OF EXISTING SOILS TO ACCEPT BUILDING LOADS.	DESIGN ENGINEER OF EXISTING SOILS
. x °	יוד ופ דאב RESPONSIBII ITY OF THE CONTRACTOR TO IMMEDIA	NTELY INFORM THE
VERIFY THE 12 IT IS THE IT IS THE INFORMATION /SITE IN THE EVENT TIFIED SURVEY DISCREPANCIES	12.IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO IMMEDIATELY INFORM THE PROJECT MANAGER AND THE OWNER OF ANY OBSTRUCTIONS, ROCK FORMATIONS, OUTCROPPINGS ETC. THAT MAY IMPACT STRUCTURAL STABILITY OF THE BUILDING, FOUNDATIONS AND SITE INFRASTRUCTURE. THE PROJECT MANAGER/OWNER IS RESPONSIBLE TO CONTACT THE ARCHITECT AND OLDCASTLE STRUCTURAL ENGINEER UPON NOTIFICATIONS FORM THE CONTRACTOR.	ATELY INFORM THE US, ROCK JS, ROCK JCTURAL STABILITY JE. THE PROJECT ITECT AND FORM THE
AND/OR ERRORS FOUND IN THE DRAWINGS OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE 13.IT ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK.	3.IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO EMPLOY AN "ON SITE" GEOTECHNICAL ENGINEER LICENSED (PE) IN THE STATE OF THE PROJECT I OCATION TO REVIEW EXISTING SOIL CONDITIONS AT THE TIME OF EXCAVATION	' AN "ON SITE" THE PROJECT ME OF FXCAVATIO
	FOUNDATIONS INFRASTRUCTURE AND BUILDING. CONTACT PROJECT MANAGER FOUNDATIONS INFRASTRUCTURE AND BUILDING. CONTACT PROJECT MANAGER FOUNDATIONS INFRASTRUCTURE AND BUILDING. CONTACT PROJECT MANAGER	PRECAST PROJECT MANAGE
7. COORDINATE SUBGRADE PREPARATION WITH GEOTECHNICAL INFORMATION. GEOTECHNICAL REPORT BY TERRACON. FOR MORE INFORMATION, CONTACT BRICE PLOUSE AT (503) 742-7174. CONTRACTOR PRIOR TO COMMENCEMENT OF WORK SHALL OBTAIN IN WRITING THAT OLDCASTLE PRECAST ENGINEER OF	AND ARCHITECT (JOINTLY OF ANY RECOMMENDATIONS AND/OR MODIFICATIONS REQUIRED OR OTHERWISE RENDERED OR RECOMMENDED BY THE LICENSED PROFESSIONAL GEOTECHNICAL ENGINEER.	3Y THE LICENSED
	14. CONTRACTOR IS SOLELY RESPONSIBLE TO SUBMIT AND REVIEW CULVER! PIPE DESIGN, SIZE AND INSTALLATION STANDARDS WITH MITCHEL OR AGENCY HAVING JURISDICTION (CITY/COUNTY SURVEYOR) CONTRACTOR SHALL	VIEW CULVERI TIT
8. ALL ITEMS BY GENERAL CONTRACTOR UNLESS NOTED OTHERWISE.	REVIEWED PRIOR TO THE DRO IECT MANAGER 5/9 AND ARCHITECT HOCH	CHITECT HOCH
9. GENERAL CONTRACTOR TO LOCATE ALL EXISTING INFRASTROCTORS OF ITEMS (PRIVATE AND PUBLIC) PRIOR TO ANY DIGGING. CONTRACTOR IS RESPONSIBLE FOR ALL DISRUPTIONS TO EXISTING SERVICES, UTILITIES ETC. AND TAKE ALL	ASSOCIATES.	









"UNASSIGNED" CA-395 RAVENDALE, CA 96123



