

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 22-083

Record Number PLN-14376-CDP

Adjacent to Assessor Parcel Number: 517-041-016

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the PG&E After-the-Fact Coastal Development Permit (14376)

WHEREAS, PG&E submitted an application and evidence in support of approving a Coastal Development Permit to allow for the removal, replacement, and installation of three utility poles in order to allow for sufficient clearance of vehicles using the adjacent property driveway; and

WHEREAS, the project is categorically exempt from environmental review pursuant to Section 15303(d) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments, and recommendations; and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on **July 7, 2022**; reviewed, considered, and discussed the application for a Coastal Development Permit; and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

1. FINDING:

Project Description: A Coastal Development Permit to authorize and modify an existing electric distribution facility previously constructed without permits. Proposed modifications to the facility consist of the following: removal of one 45-foot-tall utility pole, replacement of two 45-foot-tall utility poles with 55-foot-tall poles, installation of a new 55-foot-tall pole and 3 platform mounted voltage regulators. The poles were installed within the County right-of-way and near the driveway that serves parcel 517-041-016. An existing utility pole is located 8-feet south of the existing driveway and will remain in place. The design standards for allowable pole sizes for platform mounted voltage regulators has changed to a 55-foot-tall pole, while the previous standards allowed for a 45-foot-tall pole. All poles must be the same height to allow the electric distribution line to be at the same height. PG&E is proposing to install three (3) 55-foot-tall poles in accordance with these standards. These new poles would be 10-feet taller than the existing 45-foot-tall poles. Additionally, the height of the conductor and distribution line would change from 39-feet to 47-feet. The voltage regulators and other equipment will remain at approximately the same height. The development does not qualify for the repair and maintenance exclusion under Coastal Act Section 30610(d) because the new poles are an expansion of the existing pole layout that supports the existing electric distribution line. No major vegetation removal occurred as part of the installation of the existing poles.

EVIDENCE: a) Project File: PLN-14376-CDP

2. FINDING: **CEQA:** The requirements of the California Environmental quality Act have been met.

EVIDENCE: a) The project is exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines (projects which are disapproved).

FINDINGS FOR DENIAL OF THE COASTAL DEVELOPMENT PERMIT (CDP)

3. FINDING: The proposed development and conditions under which it may be operated or maintained will be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

EVIDENCE: a) The distribution and voltage regulator facility would be located along a narrow roadway which presents conflict with vehicle traffic, both traveling along Patrick's Point Drive and entering the existing adjoining properties.

b) The above ground electrical facility would constitute a potential fire hazard. The adjoining property is Coniferous Pine Forest which is highly flammable. Placing switch gear in close proximity to flammable forested areas increase the potential for wildfire.

4. FINDING: The above ground utility is in a location which is highly scenic, and the location of the elevated switch gear and utility poles detracts from the scenic nature of the area.

EVIDENCE: a) Most of Patrick's Point Drive is designated as Trinidad Coastal Scenic Area.

b) In areas adjacent to and visible from these designated scenic areas (which the subject facility is) certain standards are applied including the development be limited to underground utilities, telephone lines and above ground telephone lines.

c) Despite requests from the Planning Commission at its May 12, 2022, meeting for information demonstrating potential alternatives and the feasibility of undergrounding of the facility, the applicant failed to demonstrate that there were no other feasible locations or designs for this facility.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Denies the Coastal Development Permit for PG&E; and

Adopted after review and consideration of all the evidence on **July 7, 2022**,

The motion was made by COMMISSIONER O'Neill and second by COMMISSIONER Newman and the following ROLL CALL vote:

AYES: COMMISSIONERS: Commissioner Bongio, Commissioner Mulder, Commissioner Newman,
Commissioner O'Neill, Commissioner Mitchell, Commissioner McCavour
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS: Commissioner Levy
ABSTAIN: COMMISSIONERS:
DECISION: Motion Carries 6/0/1

I, John H. Ford, Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Planning Commission at a meeting held on the date noted above.



John H. Ford, Planning Commission
Planning and Building Department