

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

Resolution Number 21-109

Record Number PLN-2020-16175

Assessor's Parcel Number: 201-292-001

Resolution by the Planning Commission of the County of Humboldt to deny the Stott Outdoor Advertising Billboard, Conditional Use Permit.

WHEREAS, Stott Outdoor Advertising, submitted an application for a Conditional Use Permit for the new development of a 480 square foot double-faced, off-premise billboard; and

WHEREAS, Section 55.4.5.1.4(c) of the Humboldt County Code provides that, "the Hearing Officer shall have the discretion to deny any discretionary permit application if it is found, based on substantial evidence in the record, proposed activity is not consistent with the General Plan; and

WHEREAS, the proposed billboard project is inconsistent with the development intent of the Commercial Recreation (CR) designation of General Plan Chapter 4 because the CR land use designation is intended for commercial recreation facilities and accommodations, and recreation/tourist-oriented sales and services geared to local and visitor needs and the sign does not meet this criterion; and

WHEREAS, the proposed billboard project is inconsistent with Section 10.7 Scenic Resources of General Plan Chapter 10, Conservation and Open Space because it does not comply with the intent of policies SR-S6 and SR-P3 to protect scenic resources, and policies SR-P4, SR-S2 and SR-S3 which prohibit the construction of new, off-premise billboards; and

WHEREAS, the proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects which are Disapproved) of the CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on August 5, 2021 and reviewed, considered, and discussed the application for a Conditional Use 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:** The applicant is requesting a Conditional Use Permit for a new illuminated off-premise billboard sign located on a parcel zoned for Commercial Highway with a Q Overlay. The proposed billboard size is 50 feet in height, 40 feet x 12 feet (480 sq ft) advertising space, double-sided and illuminated from dusk to midnight daily by two energy-efficient LED luminaries. A single steel column set in concrete footings will support the billboard. The parcel is located within Airport Zone B1 and approximately 2600 feet north-west of the Rhonerville Airport. The proposed location of the sign is approximately 250 ft. east of the Caltrans right of way, approximately 300 feet from the east edge of Highway 101.

EVIDENCE: a) Project File: PLN-2020-16175

2. **FINDING:** **CEQA.** the proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects which are Disapproved) of the CEQA Guidelines

EVIDENCE: a) CEQA Guidelines Section 15270

FINDINGS FOR CONDITIONAL USE PERMIT

3. **FINDING:** The proposed billboard project is not consistent with *General Plan Chapter 4, Land Use; and Chapter 10, Scenic Resources*

EVIDENCE:

**Land Use
Element
Chapter 4
CR –
Commercial
Recreation**

a) The CR designation is intended for commercial recreation facilities and accommodations and recreation/tourist-oriented sales and services geared to local and visitor needs. The billboard is an inconsistent use with the development intent of the CR designation because the CR land use designation is intended for commercial recreation facilities and accommodations, and recreation/tourist-oriented sales and services geared to local and visitor needs. The proposed billboard sign does not meet this criterion.

**Conservation
and Open
Space Element
Chapter 10
Scenic
Resources
Section 10.7-3**

b) The proposed billboard project is inconsistent with the following Goals and Policies of this General Plan element because it does not comply with the intent of policies SR-S6 and SR-P3 to protect scenic resources, and policies SR-P4, SR-S2 and SR-S3 which prohibit the construction of new, off-premise billboards:

SR-G1; Conservation of Scenic Resources. Protect high-value scenic forest, agriculture, river, and coastal areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.

SR-G2. Support for a Designated Scenic Highway System. A system of scenic highways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County without detracting from allowed uses.

- SR-P3. Scenic Highway Protection. Protect the scenic quality of designated Scenic Highways for the enjoyment of natural and scenic resources, coastal views, landmarks, or points of historic and cultural interest.
- SR-P4. Term of Off-Premise Billboards and Prohibition. Limit the term of new and existing off-premise billboards by ordinance to provide for removal consistent with the Outdoor Advertising Act. Prohibit the construction of new off-premise billboards along mapped Scenic Highways and coastal views.

4. FINDING: There is a substantial public interest in the denial of the sign.

- EVIDENCE:**
- a) The County General Plan calls for Highway 101 to be treated as a Scenic Highway and calls for it to be treated as a scenic highway.
 - b) Approving off-premise signage along Highway 101 is not compatible with the scenic highway designation.
 - c) There are few existing buildings on the subject property.
 - d) Approval of additional off-site signs along a highway intended to be designated as a scenic highway could jeopardize the ability to receive the designation as a scenic highway.

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
- Deny the Conditional Use Permit for Stott Outdoor Advertising, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on August 5, 2021

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

AYES: COMMISSIONERS: Noah Levy, Peggy O'Neill, Brian Mitchell, Melanie McCavour
NOES: COMMISSIONERS: Alan Bongio, Thomas Mulder, Mike Newman
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
DECISION: Motion carries 4/3

I, John Ford, Secretary to the 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 Commission at a meeting held on the date noted above.



John Ford, Director
Planning and Building Department