

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of May 12, 2026

RESOLUTION NO. 26-_____

Record No. LRP-2023-18253

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS TO ADOPT THE COASTAL VERSION OF THE WIRELESS COMMUNICATIONS FACILITIES ORDINANCE AMENDING SECTIONS 313-91, 313-138, AND 313-171 OF CHAPTER 3 OF DIVISION 1 OF TITLE III OF THE HUMBOLDT COUNTY CODE.

WHEREAS, U.S. Code Title 47 Section 332(c)(7)(A) preserves local zoning authority over decisions regarding the placement, construction, and modification of personal wireless service facilities while the local zoning authority complies with each of the substantive procedural requirements set forth within U.S. Code Title 47 Section 332(c)(7)(B); and

WHEREAS, U.S. Code Title 47 Section 1455(a) limits local zoning authority to deny eligible facilities requests for a modification of an existing wireless tower, including co-locations of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment; and

WHEREAS, California Government Code Section 65850, et seq. authorizes counties to regulate land use, and to adopt and amend general plans and zoning and building ordinances for such purposes, and sets forth procedures governing the adoption and amendment of such ordinances; and

WHEREAS, California Government Code Sections 65850.6 requires discretionary co-locations of facilities initially approved by ministerial action; and

WHEREAS, Humboldt County initiated the zoning ordinance changes herein to implement its General Plan Telecommunications Element, which directs the County to develop a Wireless Telecommunications Facilities Ordinance as set forth in Implementation Measure T-IM1; and

WHEREAS, the ordinance amendment was developed to achieve consistency with the requirements of the Coastal Act, to meet the needs of County residents as determined through workshops and comments, and to incorporate recommendations of the California Coastal Commission; and

WHEREAS, on November 29, 2022, the Board of Supervisors adopted the Coastal Wireless Telecommunications Facilities Ordinance No. 2704 and directed staff to transmit the ordinance to the California Coastal Commission for certification; and

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WHEREAS, on December 11, 2025, the Coastal Commission conditionally certified the Coastal Wireless Telecommunications Facilities Ordinance if modified in accordance with the suggested changes set forth in the Adopted Findings report of that same date, which are incorporated in the revised ordinance; and

WHEREAS, on Tuesday, April 28, 2026, a Notice of Public Hearing on proposed zoning amendments regarding wireless telecommunications facilities in the coastal zone was published in the Eureka Times-Standard, a newspaper of general circulation in Humboldt County, for the Board of Supervisors meeting of May 12, 2026; and

WHEREAS, the Humboldt County Board of Supervisors held a public hearing on the California Coastal Commission Certified Coastal Wireless Telecommunications Facilities Ordinance on May 12, 2026.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors makes all the following findings:

CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1. FINDING: The requirements of the California Environmental Quality Act have been met. The Humboldt County Board of Supervisors has considered the project and finds the proposed project is exempt from environmental review pursuant to Section 15251(f), Exemption for Certified State Regulatory Programs, of the State CEQA Guidelines.

EVIDENCE: a) Section 15251(f), Exemption for Certified State Regulatory Programs of the State CEQA Guidelines, identifies that approval of the ordinance by the California Coastal Commission is the functional equivalent of the environmental review process required by CEQA. The ordinance was certified by the California Coastal Commission on December 11, 2025.

PUBLIC INTEREST

2. FINDING: Humboldt County Code Section 312-50.3.1 stipulates that amendments to the zoning code must be in the public interest. The proposed amendment is in the public interest.

EVIDENCE: a) The ordinance provides a uniform and comprehensive set of standards for the development and installation of wireless

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telecommunications facilities which is in the public interest as it ensures the compatibility of communications facilities with nearby land uses, incentivizes unobtrusive design and siting of wireless facilities, and establish clear standards for such facilities.

- b) The type of facility and project area will determine the potential for permitting pathways, utilizing the tier system. New projects in resource use zones would be subject to project-specific environmental review. The proposed regulations encourage co-location with existing facilities and placement of new facilities in commercial zone districts and industrial use zones.

CONSISTENCY WITH THE GENERAL PLAN

3. FINDING: Humboldt County Code Section 312-50.3.2 states that amendments to the zoning code must be consistent with the General Plan. The proposed Coastal Wireless Telecommunications Facilities Ordinance is consistent with the General Plan.

EVIDENCE: a) The purpose of the ordinance is to provide a reasonable, uniform and comprehensive set of standards and procedures for the deployment, construction, installation, co-location, modification, operation and removal of wireless telecommunications facilities within the coastal unincorporated areas of Humboldt County, consistent with and to the extent permitted under Federal and State Law. Implementation of these regulations is an effort to protect and promote the public health, safety and welfare of the residents of the unincorporated areas of Humboldt County, to protect aesthetic values, to achieve reliable communications, including high speed broadband, to every resident, business and institution, to encourage siting in preferred locations to expand service to unserved and underserved areas, to help minimize visual blight and preserve the County's rural character, including the protection of scenic, natural and cultural resources, and to minimize the intrusion of these uses into residential areas.

Implementation Measure T-IM1 of the 2017 Humboldt County General Plan states: Adopt a Communications Facilities Ordinance that ensures compatibility of communications facilities with nearby land uses, is proactive in the design and siting of wireless communications facilities, provides incentives for unobtrusive and

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compatible wireless antennas, and establishes clear standards for such facilities.

Standard T-S1 of the 2017 Humboldt County General Plan calls for siting of new communications facilities that comply with standards relating to: Tiered Permitting, Performance Standards, Site Co-location, Public Health and Safety, Location and Siting, Design and Screening, Removal of Unused Facilities, Independent Review, and Waiver or Modification of Standards.

CONSISTENCY WITH THE COASTAL ACT

4. FINDING:

The proposed changes to the Zoning Ordinance are in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. Chapter 3 of the Coastal Act sets forth policies regarding the following issues:

- a) Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access).
- b) Recreation (including protection of water-oriented activities, ocean- front land protection for recreational uses, aquacultural uses, and priority of development purposes).
- c) Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control).
- d) Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources).
- e) Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments).
- f) Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants).

EVIDENCE:

- a) **Access:** The ordinance requires coastal development permits (CDP) for wireless telecommunications facilities within the coastal zone, unless it meets requirements for the CDP to be waived under Section 30610(b) or 30610(d) of the Public Resources Code. A CDP provides the necessary discretion to local decision makers to ensure proposed

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facilities do not impair public access. Aside from CDPs, the framework for local agency permits is proposed to use a tiered approach to permitting communication facilities: the lowest tier ("Tier 1") applies a streamlined permit process to easily allow wireless telecommunication facilities that are least likely to have any impacts. Conversely, the highest tier ("Tier 3") requires a public review process through conditional use permits for projects most likely to have impacts.

- b) **Recreation:** The ordinance requires coastal development permits, and other permits depending on tier, for wireless telecommunications facilities within the coastal zone which provides the necessary discretion to local decision makers to ensure proposed facilities do not impair recreation uses.
- c) **Marine Resources:** The ordinance requires coastal development permits, and other permits depending on tier, for wireless telecommunications facilities within the coastal zone which provides the necessary discretion to local decision makers to ensure proposed facilities do not impair marine resources.
- d) **Land Resources:** The ordinance requires coastal development permits, and other permits depending on tier, for wireless telecommunications facilities within the coastal zone which provides the necessary discretion to local decision makers to ensure proposed facilities do not impair land resources.
- e) **Development:** Project review will be conducted as part of an application for any new development. The ordinance requires coastal development permits (unless waived) and County permits or clearances, depending on tier, for wireless telecommunications facilities within the coastal zone, which will provide the necessary discretion to local decision makers to ensure proposed facilities do not impair critical development.
- f) **Industrial Development:** Project review will be conducted as part of an application for any new development. The ordinance requires coastal development permits (unless waived) and County permits or clearances, depending on tier, for wireless telecommunications facilities within the coastal zone, which will provide the necessary discretion to local decision makers to ensure proposed facilities do not impair industrial development.

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CONSISTENCY WITH STATE HOUSING LAW

5. FINDING: Humboldt County Code Section 312-50.3.4 requires any proposed amendment must not reduce the residential density for any parcel below that utilized by the California Department of Housing and Community Development in determining compliance with housing element law unless specific findings are made.

EVIDENCE: a) As the Coastal Wireless Telecommunications Facilities Ordinance sets design guidelines for wireless telecommunications facilities, it will not reduce residential density for any parcel utilized by the California Department of Housing and Community Development in determining compliance with housing element law and will not limit the number of housing units which may be constructed on an annual basis.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby:

1. Adopts the findings set forth in this resolution; and
2. Repeals Ordinance 2704; and
3. Adopts the Coastal Wireless Telecommunications Facilities Ordinance as modified and certified by the California Coastal Commission; and
4. Directs the Planning Department to notify the Coastal Commission of the County's acceptance of the Commission's suggested modifications so that Commission Executive Director can determine that the acceptance is consistent with the Commission's action, and the Executive Director may report the determination to the Commission at the next regularly scheduled public meeting, at which point the modified Ordinance will become effective; and
5. Directs the Clerk of the Board to publish the Post-Adoption Summary (Attachment 3) of the Coastal Wireless Telecommunications Facilities Ordinance within 15 days of its adoption.

The foregoing Resolution is hereby passed and adopted after review and consideration of all the evidence on **May 12, 2026**.

Dated: _____

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Supervisor Mike Wilson, Chair
Humboldt County Board of Supervisors

Adopted on motion by Supervisor _____, seconded by Supervisor _____, and the following vote:

AYES: Supervisors --
NAYS: Supervisors --
ABSENT: Supervisors --
ABSTAIN: Supervisors --

STATE OF CALIFORNIA)
County of Humboldt)

I, TRACY DAMICO, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

By Kaleigh Maffei
Deputy Clerk of the Board of Supervisors of
the County of Humboldt, State of California