

SUPPLEMENTAL INFORMATION #1

For Zoning Administrator Agenda of:
July 15, 2021

<input checked="" type="checkbox"/>	Consent Agenda Item	No. C-10
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

Re: Nolfon, Coastal Development Permit

Record Number: PLN-2020-16854

Application Number: 16854

Assessor Parcel Numbers: 209-291-001, 209-291-017 & 209-351-022
28101 Avenue of the Giants, Redcrest area

Attached for the Zoning Administrator's record and review is the following supplementary information item:

Zoning Administrator Resolution

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number 21-

Record Number PLN-2020-16854

Assessor Parcel Numbers: 209-291-001, 209-291-017 & 209-351-022

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the AT&T Conditional Use Permit.

WHEREAS, AT&T submitted an application and evidence in support of approving a Conditional Use Permit to allow for the construction of a new 150-foot tall freestanding faux mono-pine tower to be located with ground-mounted equipment, with the ability to support four wireless carriers; and

WHEREAS, the County Planning Division, the lead agency, has determined that the project is exempt from review pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures); and

WHEREAS, the Humboldt County Zoning Administrator held a duly noticed public hearing on **July 15, 2021**; 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 Zoning Administrator makes all the following findings:

1. FINDING:

Project Description: The proposed project consists of a Conditional Use Permit application for the construction of a new 150-foot tall, freestanding tower (faux tree "mono-pine"), to be located on a concrete foundation and with ground-mounted equipment. The mono-pine would be able to host up to four different wireless carriers. The facility would be located within a 40 x 40-ft fenced ground-lease area, located approximately 85 ft from the east property line, 20 ft from the north property line, and 540 ft from the south property line, north of the Avenue of the Giants (State Highway 254) frontage. No trees would be removed as part of the project, as the 40 x 40 ft project footprint would be located within a flat, previously-graded agricultural driveway area south of the entry access roadway (Homes Flat Road). The current use of the site is agricultural and recreation (including the Ancient Redwoods RV Park, the "Immortal Tree" redwood tree, and gift shop). Access to the tower facility would be from a gated driveway connection to Holmes Road to the north. The mono-pine would be 150 feet in height, using a freestanding, faux pine tree design. The wireless facility would include antennas (4 groupings of 12 antennas, placed at the upper reaches of the tower, and capable of supporting 4 wireless providers). The 40 x 40-ft ground-lease area would be enclosed with a 6-ft tall chain link fence topped with barbed wire. The tower would be located in the fenced area, along with equipment cabinets and equipment pads, fuel tank and a standby future generator (will only run during routine testing or during an emergency loss of

power). Noted is that the equipment shelter, fuel tank and generator are proposed to be placed atop a 15 ft-5 in tall steel platform that is 12 x 24 ft (288 sq ft) in size; the platform would allow for elevation of key equipment above the floodplain affecting the project site. The 8 x 8 ft equipment shelter would be approximately 9 ft tall, with the generator 7 ft- 6 in high and its exhaust pipes 12 ft above the platform.

EVIDENCE: a) Project File: PLN-2020-16854

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

EVIDENCE: a) The County Planning Division, the lead agency, has determined that the project is exempt from review pursuant to Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures) because the project is being undertaken by a regulated public utility with the purpose of increasing wireless coverage by filling gaps in the area's cellular network through construction of a new cellular tower (faux mono-pine). The tower will be of sufficient height to support co-location by up to four wireless carriers.

b) The proposed tower location 40 x 40 ft ground lease space and access driveway have been previously disturbed by grading and agricultural activities.

3. FINDING: The proposed development is in conformance with the County General Plan. Telecommunications Element provisions include:

EVIDENCE: a) §6.5 F: Design and Screening.
1)Support structures shall be designed and painted to minimize visibility with a preference towards each of the following in the order so listed: 1) use of existing structures, 2) stealth designs for concealment, and 3) monopoles.
The proposed tower utilizes a stealth design, faux mono-pine tower, to better blend with the surrounding rural residential and agricultural area. The tower will be able to accommodate four wireless carriers.
2)Component parts, equipment cabinets, buildings and security fencing shall be designed to achieve a minimum profile through painting, screening, landscaping, and architectural compatibility with surrounding structures.
The proposed tower utilizes a stealth design (faux mono-pine).
3)Photo simulations or balloon tests with views from various vantage points shall be used to show visual impact of the proposed facility. Photo simulations are furnished in the attachments.

§6.5 E., Location and siting:

- 1)Avoid siting along ridgelines unless screened from public view
- 2)Avoid siting within views of scenic highways, public parks, recreation or cultural facilities or other public lands and coastal scenic or view areas
- 3)Setbacks shall be required between telecommunication facilities

and residential dwelling units, public or private schools, and child daycare facilities.

The proposed tower utilizes a stealth design, faux mono-pine, to better blend with the surrounding rural residential and agricultural area and to reduce visual intrusiveness of the tower from off-site residences. The project site is not near a designated scenic highway.

§6.5 A: Tiered Permitting: "Utilize permit processes that vary depending upon the physical characteristics of the facility, its location, and its compliance with specific development and performance standards"

The project would be subject to compliance with County development standards and Conditional Use Permit conditions of approval.

§6.5 B., Performance Standards: "Standards for siting design, visibility, construction impacts, on-going operation, and other characteristics that affect the compatibility and environmental and safety impacts of proposed facilities."

The project would be subject to compliance with conditions of approval, addressing project construction as well as on-going operations and maintenance.

- b) The project complies with the County's Housing Element as it will not add to nor subtract from the County Housing Inventory. No housing is located on the project site, which is in agricultural and recreational use.

4. FINDING:

The proposed development is consistent with the purposes of the existing zone in which the site is located, and the proposed development conforms to all applicable standards and requirements of these regulations.

EVIDENCE:

- a) Ordinance 2209, implementing Ordinance for the Avenue of the Giants Community Plan, identifies that any commercial or industrial operations may be permitted with Conditional Use Permit approval.
- b) The proposed tower would be located on lands designated FP-Q, which require a CUP prior to development of non-agricultural uses. Provisions of the Community Plan state, "*Considerations in issuing a Conditional Use Permit include minimizing impacts to adjacent agricultural lands and neighbors, and whether access to the area should be allowed off Holmes Flat Road or should be restricted to the south side of Chadd Creek, requiring a bridge.*"
The applicant states that the new tower will help address existing gaps in wireless coverage for the area. The faux mono-pine design will help blend the visibility of the tower with the forested surrounding area and reduce aesthetic intrusiveness of what otherwise could be a standard freestanding lattice tower or monopole design.
- c) The proposed tower location meets all required setbacks, including

20 ft from the front and side property lines, and 10 ft from the rear property lines. As proposed the equipment platform would be no closer to any property line than approximately 30 ft (from the north, entry driveway location), and with the tower footprint approximately 45 ft from the north property line.

- d) The proposed project is consistent with County policies and standards for new telecommunications facilities, including with respect to co-location of telecommunications facilities; facility design; ongoing operations; and consideration of alternative locations to provide necessary wireless coverage.

5. FINDING:

The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

EVIDENCE:

- a) All referral agencies that have reviewed the project recommended approval or conditional approval of the proposed development. The proposed use is located in an FP-Q zone, and allows the use subject to approval of a Conditional Use Permit. The project would be subject to obtaining County approval of a building permit, and would include review of engineer-designed construction plans. The applicant will be required to design the ground-mounted equipment in compliance with the provisions of the Flood Damage Prevention Ordinance. The structural integrity of the tower will be monitored as required by the conditions of approval. The project will be required to comply with federally-mandated thresholds for human exposure to radio frequency emissions. The project, as proposed and pursuant to the Conditional Use Permit conditions of approval, will minimize aesthetic impacts through use of appropriate tower design (faux tree). A condition of approval also addresses the need for the applicant to finalize any remaining issues related to the grading of lands immediately south of the proposed tower location prior to tower construction.

6. FINDING:

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE:

- a) The project does not include any residential development. The site is zoned, planned for and in heavy industrial use.

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as

Attachment 1 and incorporated herein by reference; and
Adopted after review and consideration of all the evidence on **July 15, 2021**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John H. Ford
Planning and Building Department

