



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street, Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: August 5, 2021

To: Humboldt County Planning Commission

From: Brian Millar, Contract Planner

Subject: **PWM, Inc., Conditional Use Permit for New 130-Foot Tall Lattice Tower**
Record Number PLN-2021-17005
Assessor's Parcel Numbers (APN) 506-231-010
3318 Foster Avenue, Arcata Bottoms area

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	4
Maps	
Aerial Map	8
Attachments	
Attachment 1: Recommended Conditions of Approval	9
Attachment 2: Planning Commission Staff Report from July 15, 2021	Separate
Attachment 3: Public Comments	14

Please contact Brian Millar by phone at (530) 902-9218 or by email at: brian@landlogistics.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date August 5, 2021	Subject Conditional Use Permit	Contact Brian Millar, Contract Planner
--------------------------------	-----------------------------------	---

Project Description: The project is a Conditional Use Permit application proposing the construction of a new 130-foot tall freestanding lattice tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to four different wireless carriers.

Project Location: The project is located in the Arcata Bottoms area, on the north side of Foster Avenue, approximately 800 feet north from the intersection of Forster Avenue and Dolly Vardon Road, on the property known as Assessor Parcel Number 506-231-010.

Present Plan Land Use Designation: Agricultural Exclusive (AE) Density: 20 to 60 acres per unit. Slope Stability: Relatively Stable (0)

Present Zoning: Agricultural Exclusive (AE); Heavy Industrial (MH) Qualified (Q)

Assessor Parcel Number: 506-231-010

Record Number: PLN-2021-17005

Applicant

PWM, Inc.
Thomas McMurray, Jr.
PO Box 1032
Eureka, CA 95502

Owners

Arcata Land Company
Leendert Devries
3160 Upper Bay Road
Arcata, CA 95502

Agent

Same as Applicant

Environmental Review: Categorical Exemption, Class 3

Major Issues: None.

State Appeal Status: Project is not appealable to the California Coastal Commission.

PWM, Inc., Use Permit
Record Number: PLN-2021-17005
Assessor's Parcel Number: 506-231-010

Recommended Action

1. Describe the application as part of the Consent Agenda;
2. Survey the audience for any person who would like to discuss the application;
3. If no one requests discussion, make the following motion to approve the application as part of the consent agenda:

Find that the Planning Commission has considered the Categorical Exception for the project as described by Section 15303 of the State CEQA Guidelines; make the required findings for approval of the Use Permit; and approve the PWM, Inc., Use Permit as recommended by staff and subject to the recommended conditions.

Executive Summary:

Background

This item was considered by the Planning Commission at its July 15, 2021 meeting. After concluding a public hearing on the application, the Commission provided direction to staff indicating support of the project, and the agenda item was continued to the August 5, 2021 meeting where the Commission would take action on the project.

Background information related to the project site and application details, along with public comments, were provided to the Commission with its July 15, 2021 packet materials. The proposed project consists of a Conditional Use Permit application for the construction of a new 130-foot tall, freestanding lattice tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to four different wireless carriers. The tower facility would be located within a 50 x 60-ft ground-lease area. The tower would be 130 feet in height, with a series of mounted antennas (consisting of 12 antenna panels per grouping) placed at mounting heights of 85 feet, 100 feet, 115 feet and 130 feet. Each antenna panel grouping would be able to support a separate wireless carrier. The 50 x 60-ft ground-lease area would be enclosed with a proposed 6-ft tall chain link fence.

RECOMMENDATION:

Based upon the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, Planning staff has found that the project is Categorically Exempt from CEQA review, and that the applicant has submitted evidence in support of making all of the required findings for approving the proposed 130-foot tall lattice tower per the Recommended Planning Commission Action.

Alternative: The Planning Commission could recommend denial of the proposed Use Permit if the Planning Commission finds that the submitted evidence does not support making all of the required findings. However, based on this staff report, planning staff believes the submitted evidence does support making all of the required findings and does not recommend further consideration of this alternative.

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

Resolution Number 21-

Record Number PLN-2021-17005

Assessor Parcel Number: 506-231-010

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the PWM, Inc., Use Permit.

WHEREAS, PWM, Inc., submitted an application and evidence in support of approving a Conditional Use Permit to allow for the construction of a new 130-foot tall freestanding lattice tower to be located on a concrete foundation and 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 Planning Commission held a duly noticed public hearing on **July 15, 2021**; reviewed, considered, and discussed the application for a Use Permit; and reviewed and considered all evidence and testimony presented at the hearing. After the conclusion of the public hearing, the Planning Commission continued consideration of the application to its meeting of **August 5, 2021**.

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

1. FINDING:

Project Description: The proposed project consists of a Use Permit application for the construction of a new 130-foot tall, freestanding lattice tower, to be located on a concrete foundation and with ground-mounted equipment. The tower would be able to host up to four different wireless carriers. The tower facility would be located within a 50 x 60-ft ground-lease area, located approximately 800 feet north of Foster Avenue, and just west of existing warehouses in an area currently used for equipment placement and vehicle parking. Access to the tower facility would be from an existing driveway at the site. The tower would be 130 feet in height, with a series of mounted antennas (consisting of 12 antenna panels per grouping) placed at mounting heights of 85 feet, 100 feet, 115 feet and 130 feet. Each antenna panel grouping would be able to support a separate wireless carrier. The 50 x 60-ft ground-lease area would be enclosed with a proposed 6-ft tall chain link fence. The tower would be located in the fenced area, along with equipment, including four equipment cabinets and equipment pads (for each wireless carrier), propane tank and standby future generators (will only run during routine testing during day-time hours or during an emergency loss of power). The applicant states that the new tower "will improve, extend and provide wireless

service to Arcata, Valley West Shopping Center, Giuntoli Lane, US 101 North-McKinleyville, Highway 299 and the surrounding areas."

EVIDENCE: a) Project File: PLN-2021-17005

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. The tower will be of sufficient height to support co-location by up to four wireless carriers. The tower and its ground-mounted equipment would be located in a 50 x 60-ft area that has been previously developed and used for equipment placement, and vehicle access and parking.

FINDINGS FOR CONDITIONAL USE PERMIT

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.
As a Self-Support Lattice Tower, the tower will be able to accommodate four (4) 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 site is located adjacent to, on and incorporated into existing buildings and structures.
3)Photo simulations or balloon tests with views from various vantage points shall be used to show visual impact of the proposed facility. Seven photo simulations created after a balloon test 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 location of the Proposed Sun Valley Group Site is partially shielded by trees, adjoining existing building heights, and is generally difficult to see from most public roads, developed areas of the City of Arcata, and surrounding improvements.

§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 applicant has built multiple co-location facilities in compliance with specific development and performance standards within Humboldt County, and would be subject to compliance with County development standards and Use Permit conditions of approval for this project.

§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."

This is a developed industrial site with existing roads, power facilities, previously graded and improved. Any excess soil will be stored on the property.

- 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 industrial use.

4. FINDING:

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

EVIDENCE:

- a) The project area is zoned MH/Q (Heavy Industrial, Qualifying combining district).
- b) Quasi-public uses, including public utility uses, are permitted in any U, AG, AE, R-4, C or M zone without a Use Permit (County Code Section 85.1), however, the project site's Q combining zone provisions require that a Use Permit be obtained.
- c) The proposed tower location meets all required setbacks.
- 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:

All referral agencies that have reviewed the project recommended approval or conditional approval of the proposed development. The

proposed use is located in a MH/Q zone, and allows the use subject to approval of a 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 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 Use Permit conditions of approval, will minimize aesthetic impacts through use of appropriate tower colors.

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 Planning Commission 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 **August 5, 2021**

The motion was made by COMMISSIONER and second by COMMISSIONER and the following ROLL CALL vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

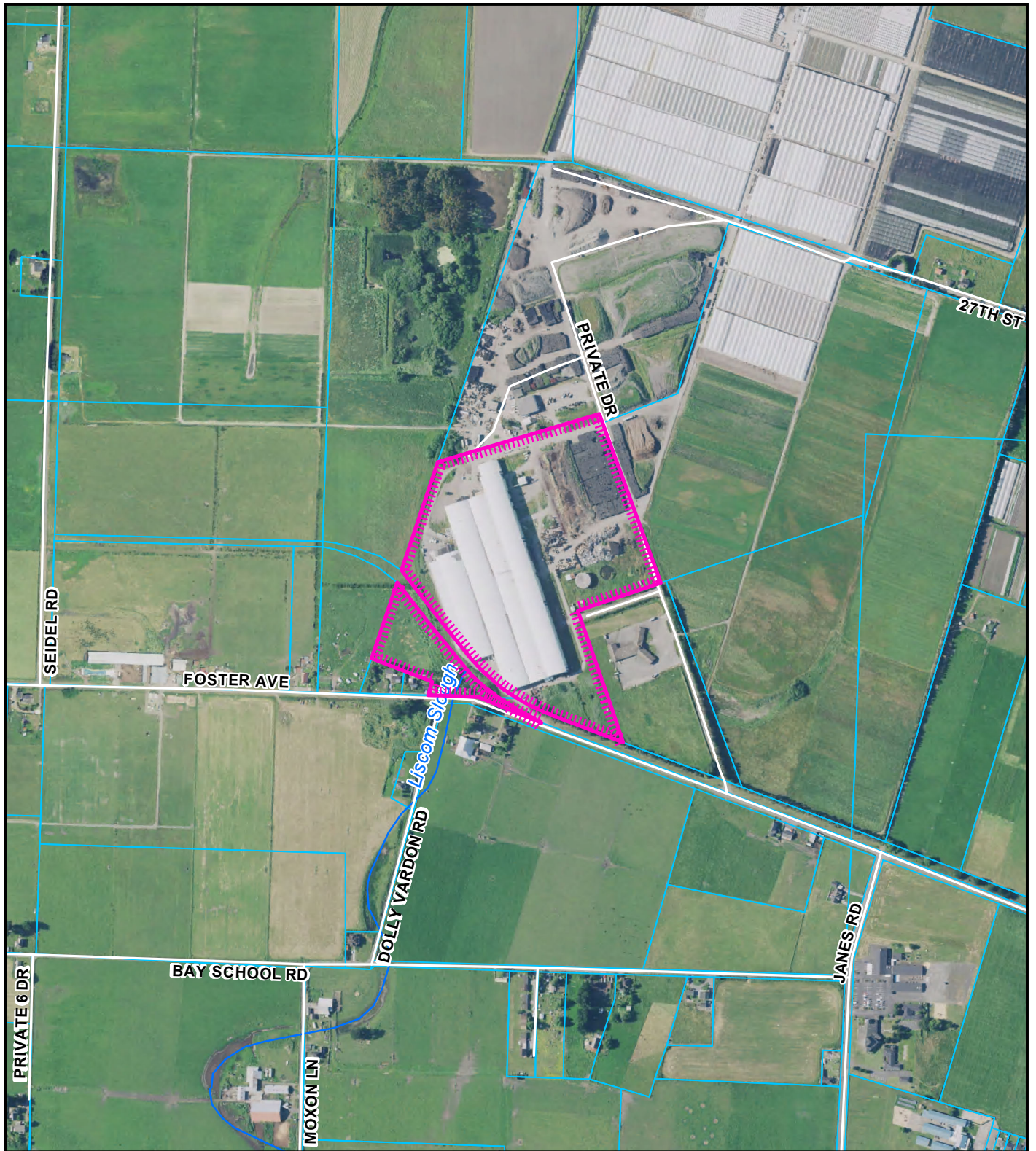
ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries

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

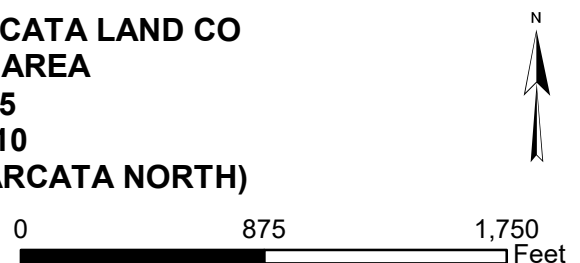
John H. Ford, Director
Planning and Building Department



AERIAL MAP
PROPOSED CELL TOWER ARCATA LAND CO
ARCATA BOTTOMS AREA
PLN-2021-17005
APN: 506-231-010
T06N R01E S19; S30 HB&M (ARCATA NORTH)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

Conditions of Approval for the Use Permit

APPROVAL OF THE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS

Conditions of Approval:

1. The project shall be developed, operated and maintained in accordance with the approved Project Description, Site Plan, Operations Plan, and these Conditions of Approval. Changes to the project other than Minor Deviations as provided in §312-11.1 HCC shall require modification of this permit.
2. Applicant/Owner shall submit plans by a California-licensed engineer for the Building Permit. Building plans submitted shall be consistent with conditions of approval that have been approved by the Zoning Administrator.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this fee to the project.
5. The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.
6. All work subject to Construction and Demolition and Inert debris as provided in California Code of Regulations T14 Chapter 5, Articles 5.9 (Transfer/Processing) and 6.0 (Disposal) will be performed in compliance with those regulations.
5. Before the import of any Construction and Demolition and Inert debris (CDI) not generated by the demolition or construction on any parcel subject to this project, the applicant will consult with DEH Solid Waste Local Enforcement Agency (LEA) program staff for regulatory parameters.
6. Before building permit final inspection and sign-off, the Applicant shall request an inspection by the Planning Department. The Review for Conformance with Conditions fee shall be paid upon request of the inspection. This fee is in accordance with the County's adopted Schedule of Fees and Charges.
7. The new tower, all antennas, including radomes, and appurtenances shall be fabricated or painted in a color that generally blends with the skyline (light gray or off-white) so as to minimize

the tower profile and visual impacts. The color(s) used shall be approved by the Planning Director.

8. The exterior of the anti-climb chain link fencing shall have informational signage posted with emergency contact information and for access to restricted areas. The fence at the ground level shall include a brown or green slated chain link fence.
9. Ground disturbing construction and grading shall employ fugitive dust control strategies (e.g., watering or similar methods) to prevent visible emissions from exceeding North Coast Air Quality Management District (NCAQMD) regulations and prevent public nuisance. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.
10. The Conditional Use Permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date"); except where use in reliance on the permit has commenced prior to such anniversary date. The period within which use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
11. Applicant must apply for and obtain an encroachment permit for commercial driveway on Foster Avenue. The permit will require the applicant to construct a driveway entrance surfaced with asphalt concrete or as approved by the Department of Public Works. [reference: County Code§ 411-11 (a)(b)]
12. The permit will require the driveway entrance to be surfaced with asphalt concrete or Portland cement concrete. The paved area shall extend a minimum of 50 feet back from the edge of the existing roadway pavement and be flared a minimum of 30 feet at the intersection **with** the County road. The driveway shall intersect the County road at a 90° angle. The driveway grade shall not exceed 2% in the first 20 feet. [reference: County Code sections 314-109.1.2.2.5 and 411-51 (b)(3)]
13. The County road is not constructed to allow on-street parking. All parking must be developed on-site, or applicant must construct a parking lane along the county road in a manner approved by this Department. All parking required by Code must be constructed prior to occupancy of building or "final" issued for building permit. [reference: County Code section 314-109.1 *et seq.*]
14. Site visibility must be maintained at the driveway approach in conformance with County Code. [reference: County Code section 341-1 *et seq.*]
15. Applicant shall be responsible to correct any involved drainage problems to the satisfaction of the Department.

On-going Requirements/Development Restrictions which Must be Satisfied for the Life of the Project:

1. The painted tower and matching panel antennas, and any future panel or microwave dish antennas, including radomes shall be maintained for the life of the project. The color(s) used shall be approved by the Planning Director.
2. All new and existing outdoor lighting within the lease area shall be compatible with the existing setting and directed downward and within the property boundaries.
3. Work/construction hours are between 8:00 am - 5:00 pm, Monday - Friday.

4. Routine generator testing shall be conducted during daylight hours between 9 am and 4pm, Monday through Friday.
5. Applicant shall ensure that noise generated by the operations shall not exceed 55 Ldn at all property lines.
6. Applicant shall submit a request for Agency Review for substantial conformance on any proposed changes of the operation, including but not limited to additional users (co- location), and change of antennas/microwave dishes. The fee for this request is listed on the County of Humboldt Fees and Charges Worksheet, approved annually (typically December and implemented the next year) by the Board of Supervisors.
7. The Department shall require a cumulative RF Report addressing each addition of a wireless carrier and related use of equipment, or a single RF Report addressing all four wireless carriers anticipated to utilize the tower, and for any future changes to antenna configuration or co- location by another carrier, if proposed.
8. The applicant shall submit a report every five (5) years regarding the structural integrity of the tower to the satisfaction of the Building Inspection Division. The report shall be prepared and certified by a qualified licensed engineer. This condition will be administered by the Planning and Building Department - Building Inspection Division.
9. In the event the permitted use of the communication tower has been discontinued for a period of 90 consecutive days, the tower shall be deemed abandoned. After a tower has been considered abandoned, the owner/applicant shall have an additional 90 days to reactivate the permitted use of the tower; or transfer the tower to another owner/operator who makes actual use of the tower. If use has not been reactivated within the prescribed time period, all approvals shall automatically expire. Within 12 months of tower being deemed abandoned, the tower shall be dismantled and removed to an approved location along with all appurtenant structures. Dismantlement and removal shall be the responsibility of the applicant and property owner.
10. The applicant shall contact the local fire service provider (Arcata Fire District) and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

Informational Notes:

1. If buried archaeological, cultural or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage

Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at (916)653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at (707) 445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant is ultimately responsible for ensuring compliance with this condition.

2. FENCES/GATES: Pursuant to County Code Section 411-11 G) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department - Building Division at 707.445.7245 prior to constructing any fences or gates.

ATTACHMENT 2

Planning Commission Staff Report for July 15, 2021

ATTACHMENT 3
Public Comments

Sun Valley Group Communication Tower Zoning Letter

July 14, 2021

1777 Sentry Pkwy, Bldg. 11, Suite 201
Blue Bell, PA 19422

July 14, 2021

Mr. Cliff Johnson, Supervising Planner
Humboldt County Planning and Building Department
3015 H Street
Eureka, California 95501

RE: Sun Valley Group vs. AT&T CCL02143 Humboldt County Arcata Bottoms Communication Tower comparison

Dear Mr. Johnson

With respect to the two (2) proposed communication towers within the Humboldt County Arcata Bottoms boundary namely:

Site 1 – Sun Valley Group, 3160 Upper Bay Rd., Arcata, CA 95521

Site 2 – CCL02143 ARCATA (AT&T), Foster Ave., Arcata CA 95521

Note that based on ATOLL Planning Software simulations conducted by Further Enterprise Solutions (FES), Site 1 (Sun Valley Group) is recommended over Site 2 (CCL02143 ARCATA). The Sun Valley Group site would provide reliable indoor coverage to the low-, medium- and high-density residential areas traversed by Lamp here, Mad River and Upper Bay Roads to the North; 27th, 29th & 17th Streets, Wyatt Lane, Roberts Way, Foster, and Stewart Avenues to the East; Foster Avenue, Bay school, Dolly Vardan, Vaissade and Pacheco Roads, Moxon Lane and Mariann Court to the South. Furthermore, it would provide reliable outdoor coverage to the residential areas of Alliance and the immediate vicinities traversed by Highways 101 & 255.

In terms of simulated Long-Term Evolution (LTE) coverage, Sun Valley Group provides 114.3% greater LTE700 footprint with larger indoor and outdoor coverage areas at 145.98% and 112.63% respectively compared to CCL02143 ARCATA. While LTE 2100 simulations show 119.3% greater footprint compared to CCL02143 ARCATA, indoor and outdoor coverage areas are 157.66% and 117.65% respectively larger with Sun Valley Group site.

With the above advantages of Sun Valley Group over CCL02143 ARCATA (AT&T), it appears the Sun Valley Group site would be a better site option to provide wireless connectivity to the Arcata target coverage area. The bigger LTE footprint from Sun Valley Group would enable the mostly residential dwellings and business establishments to access various wireless services and applications from the Wireless Service Providers (WSP).

For further details, Appendix 1 presents site coverage comparisons between Sun Valley Group and CCL02143 ARCATA (AT&T) with LTE coverage simulations in ATOLL 3.4.1. Appendix 2 contains KMZ files for viewing the LTE coverage plots of both Sun Valley Group and CCL02143 ARCATA (AT&T) sites in Google Earth.

Thank You and Best Regards,

Peter Mann

FES - Further Enterprise Solutions

1777 Sentry Pkwy, Bldg 11, Suite 201

Blue Bell, PA 19422

Pmann@furtherllc.com

Cell# 530 301 6420

Attachments:

Appendix 1: Arcata California Tower Site Coverage Summary (PDF)



Appendix1_Arcata_
Tower Options_13JL

Appendix 2: Arcata California Tower Google Earth KMZ files (ZIP)



Appendix2_Google
Earth_KMZ Plots_13J

McClenagan, Laura

From: Ramona Fair <msmadrone@gmail.com>
Sent: Friday, July 09, 2021 1:28 PM
To: Planning Clerk
Subject: PLN-2021-17005 & PLN-2020-16754

Follow Up Flag: Follow up
Flag Status: Completed

July 9, 2021

Dear Humboldt County Planning Commissioners,

Re; New Cingular Wireless PCS, Special Permit and PWM Inc., Conditional use permit and Special Permit Record Numbers PLN-2020-16754 and PLN-2021-17005

I am opposed to the approval of any of the 2 cell towers proposed for the Arcata Bottoms, off Foster Ave.

There has been a lack of proper, fair and reasonable notification on these proposals; Several of my immediate neighbors who live within the 300' setback of the Sun Valley, aka Arcata Land Co, propertyline were Never notified as required by the County.

I received a notice by mail that arrived on Saturday June 19. That allowed me only 3 business days to gather information, submit to Planning and notify neighbors before the July 1 hearing. That then gave only another 3 business days for people to submit their public comments to Planning. Also, that gave a total of only 9 business days between receiving notification in the mail and the July 1 hearing. That is inadequate.

There needs to be more notification and time for public response. Also, it's Summertime and the schools in the area are out of session, therefore it's impossible for parents and staff to get the information they need and to respond in a timely manner. Also, the Many people who enjoy the Arcata Bottom for recreation need more notification and time for response.

Back in 2003, cell towers were proposed for the same area/s and there was a robust opposition from nearby residents, schools and community members. Petitions were circulated and signed. There were many hearings with County Planning and the Board of Supervisors. It was determined that there would be No approval of cell towers until Humboldt County drafted/created an Telecommunications Ordinance, one that included community input & workshops to help create one. This has Still not been done. It is unacceptable and an insult to public trust bestowed upon you to consider cell tower proposals again without having an Ordinance in place.

There are many issues that were, and still are, of great concern over such cell towers:

*Unsafe radiofrequency radiation exposure to nearby residents, schools, farms and wildlife; FCC guidelines for EMF exposure are outdated and under researched. The W.H.O. recently released scientific findings that constant exposure to that type of radiation Does cause cancer. There are many science based research studies in Europe and abroad that confirm that. Precautionary setbacks should be at 1500'-2500' minimum from all residences and schools.

*There is a lack of monitoring protocols for safety.

*There needs to be an initial study to assess the environmental impacts.

*Visual Clutter/Blight; A 130' cell tower reaching far above buildings would be visible from All directions for miles away even if the lower portion were partially hidden behind buildings. This is in conflict with the visual vernacular of the Arcata Bottom Ag and farm lands, old mill buildings, barns and rural surroundings.
There are NO water towers anywhere around here. This isn't the midwest. That water tower design is inappropriate for the area.

*Property devaluation and takings; County zoning regulations prohibit proposed developments from being detrimental to public health, safety or welfare or materially injurious to properties in the vicinity.

*Cell phone service out in the Arcata Bottom is fine! Proposing to place towers way out here to provide service to further reaching areas is inappropriate. Also, please don't use the "nimby" accusation to invalidate our concerns; would any of you be ok with a huge cell tower going up right near your home/s?

Based on all of the information provided here within, I'm requesting a continuation of these proposals until the County implements the development of an ordinance.

Sincerely,

Ramona Fair

McClenagan, Laura

Subject: FW: PWM Sun Valley Site

From: Thomas McMurray <tjmcjr@outlook.com>

Sent: Monday, July 12, 2021 12:07 PM

To: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Brian Millar <brian@landlogistics.com>

Cc: Thomas McMurray <tjmcjr@outlook.com>; Ainsley Parks (ainsleyparks@outlook.com) <ainsleyparks@outlook.com>; Lisa McMurray <lmcmurray7@outlook.com>

Subject: PWM Sun Valley Site

Hello: In the Lost Coast Journal Article, it states that:

INCORRECT? "Planning staff supports the use of the faux water tower design, which is "intended to better blend with the general agricultural setting by attempting to blend in as an accessory agricultural structure," the staff report states."

CORRECT? We cannot find this in the Staff Report. If it is there, could you please send us the page where it appears?

Also reported in the Lost Coast Journal and in the Staff Report, the direction and length from Foster Avenue is incorrect and gives a very different impression than the correct information per below. This 100 ft. and East appears in the AT&T report.

INCORRECT: "The second tower proposal for the area does not include any faux elements, but would simply be a 130-foot tall lattice tower atop a concrete foundation with ground-mounted equipment. The tower would be located on the east side of Foster Avenue, approximately 100 feet east from the intersection of Foster Ave and Dolly Vardon Road and would be able to host up to four different wireless carriers. The project would take up approximately 50 by 60 feet of ground area and would also be surrounded by a chain link fence. This proposal was submitted by Eureka-based company, PWM Inc."

CORRECT: It is actually North of Foster Avenue and approx. 900 ft. from Foster Avenue and Dolly Varden Road.

THESE STATEMENTS SHOULD BE CORRECTED BY STAFF IN THEIR PRESENTATION DURING THE HEARING ALONG WITH THE OTHERS WE HAVE SUBMITTED PREVIOUSLY

Thank you, Tom

Thomas J. McMurray Jr.

PWM Inc. a Pacific Coast Towers Company

P.O. Box 6660 Eureka, California 95502

2039 Williams Street-FedEx/UPS only

Phone: 707-499-0901-Direct

tjmcjr@outlook.com

McClenagan, Laura

From: Ramona Fair <msmadrone@gmail.com>
Sent: Wednesday, July 21, 2021 4:30 PM
To: Planning Clerk; brian@landlogistics.com; Wilson, Mike; Madrone, Steve; Bass, Virginia; Bushnell, Michelle
Subject: proposed cell tower in Arcata Bottom PLN-2021-17005

July 21, 2021

Dear Humboldt Planning Commissioners, Brian Millar/Land Logistics, Humboldt BOS,

I'm writing today to express my great concern and disappointment over the seemingly unanimous (?) support that the Planning Commissioners showed on the July 15 zoom meeting for this project. I had also prepared a statement to read aloud via the call in method but after waiting in the queue while others spoke, when it should have been my turn, instead I heard a loud beep noise and was disconnected! I tried to call back immediately but you ended the call-in period stating that there were no other callers. I was definitely connected and could hear the meeting and other callers thru my phone while I waited my turn. This is unacceptable and I know for a fact that this has happened several times to other people calling in at different meetings. The technology has glitches and it denies us our rightful voice in important matters.

That just added insult to injury; back in 2003, I spent countless hours and a large sum of my own and thru donations gathering hundreds of signatures voicing opposition to cell towers out in the Arcata Bottom, attending the Planning meetings, an appeal to the BOS, hiring experts on radiofrequency radiation exposure hazards, testing cellular reception all around the area/s with all the different wireless carriers. How it ended, and I believed resolved, was the BOS said NO towers until a Telecommunications Ordinance was created with public input and workshops and then drafted and put in place for Humboldt County as part of the General Plan Update. I hope you can ALL appreciate my and all the many other people who worked hard on this issues' frustration and betrayal that here we are, 18 years later, with NO ordinance in place and other cell towers now being proposed again for the same area. This is UNFAIR. Just because time goes by and it's years later- that's not a valid excuse for not doing what was promised to the community and constituents. It is also unfair to expect myself or others to have to pick up this issue and fight again.

As I watched and listened to the July 15 meeting, it seemed apparent that you're not planning to acknowledge or heed to the decisions and outcome from 2003?

I also wrote in a letter to you a few weeks ago and never heard back from anyone.

PWM (applicant) already recently had a cell tower approved and built out in Arcata on South G. St. and it's still there but Empty. Why is this?? Why aren't they using that tower instead of asking to build another one? The wireless carriers could all co-locate on that one and it's in a more industrial area. City of Arcata states that 'towers must be at least 1000' from any residence and at least 1500' from schools and hospitals'. The Arcata Bottom is under the City of Arcata's 'sphere of influence'- why aren't these stipulations being considered?

Also, with General Plan Revisions, it's my understanding that the zoning for the Sun Valley parcel in question is changing/changed to more of AE instead of strictly mixed light industrial?? I believe a cell tower is in conflict with the zoning and the environment out here. Where's the EIR? * I've shared my thoughts in a previous email to you all.

I've talked with Lane DeVries, the owner of the property, and he said he has NO preference as to whether the tower is placed in the proposed location - WAY TOO CLOSE TO MY RESIDENCE- or on the far NE side of the taller building. Locating it there would be the furthest away from all residences and the buildings are taller and would hide it more. I'm asking you to Please look into this- I want to be able to live in my home of 20 years, enjoy my new granddaughter and have peace of mind that I'm not getting exposed to dangerous EMF radiation 24/7 so that people can have cellular internet inside their homes and businesses in the further reaches of Arcata. Btw, I have fine cell service out here and I use AT&T dial up internet & wifi and it works great for me,

my daughters' zoom meetings, etc. Again- there really have been no actual studies or proof that there is a NEED for more cell service out here. I welcome you to come on out and talk with my neighbors and I- they'll all confirm that.

If you insist on proceeding with the permitting of cell towers, ignoring final decisions made back in 2003, I ask that you please allow more time for more public input and better research on appropriate siting locations that serve and protect everyone's needs, not just wireless carriers or land owners profits.

Thank you,
Ramona Fair

McClenagan, Laura

Subject: FW: proposed cell tower at Sun Valley Property/PLN-2021-17005

From: Brian Millar <brian@landlogistics.com>
Sent: Tuesday, July 27, 2021 8:56 AM
To: Ramona Fair <msmadrone@gmail.com>
Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Moxon, Delilah <DMoxon@co.humboldt.ca.us>
Subject: Re: proposed cell tower at Sun Valley Property/PLN-2021-17005

Hello Ms. Fair,

Yes, your July 21st email has been received, and will be provided to the Planning Commission, along with your email you sent today.

The Commission can consider your email messages, including with respect to your thoughts on the siting of the proposed tower on the north/northeast side of the existing warehouse structures.

I am located out of the area, though had looked at the two project sites previously.

The Planning Commission is expected to act on the two tower applications (PWM, Inc. and AT&Ts) at their meeting of August 5th.

Thank you,
Brian Millar
Land Logistics

From: Ramona Fair <msmadrone@gmail.com>
Sent: Monday, July 26, 2021 4:51 PM
To: Brian Millar <brian@landlogistics.com>
Subject: proposed cell tower at Sun Valley Property/PLN-2021-17005

Hello Mr. Millar,

Did you receive my previous (group) email? I'm hoping that IF the proposed cell tower gets approved (in spite of the many provided reasons that it should not), that you will please consider locating it on the north/northeast side of the taller old mill buildings vs the west/southwest side which is closer to residences (mine included).

As I said earlier, I've met with the property owner Lane Devries and he has no issue with it locating in the alternative area there. Would you please be open to coming out here and walking around the area/s with me and looking at alternative sites on the property?

Of course I have no way of knowing where things are at right now with the approval/disapproval of the project?

Thank you,
Ramona Fair

From: [Brian Millar](#)
To: [Johnson, Cliff](#)
Cc: [Moxon, Delilah](#)
Subject: Fw: proposed cell towers in the Arcata Bottom
Date: Sunday, June 20, 2021 7:55:55 PM

Cliff and Delilah,

Email below is from a neighboring property owner for the PWM project...can this be included in the Planning Commission packet?

Do you have details on the previous project for a cell tower that is referenced from 2002, and should such information be included as background in the staff report? Lastly, is it OK for me to provide the AT&T plans to the neighbor as requested?

Thank you.

Brian Millar

Land Logistics

From: Ramona Fair <msmadrone@gmail.com>
Sent: Saturday, June 19, 2021 6:57 PM
To: Brian Millar <brian@landlogistics.com>
Subject: proposed cell towers in the Arcata Bottom

Hello Brian Millar,

I spoke with you briefly on the phone the other day about the proposed cell towers in the Arcata Bottom- I'm the closest neighbor to the property. I stopped by Planning and got a copy of the site plan for PLN-2021-17005 but they couldn't find PLN-2020-16754.

Are you able to please send me a site plan and/or more info on that one, specifically Where exactly the proposed site is?

As I said on the phone, I am Adamantly Against these, or Any towers going up out here. I've talked to neighbors, numerous people walking/jogging/etc. by here, the schools nearby, etc.- Nobody is ok with cell towers going up out here! We fought this Very Same battle back in 2002 and Won! Look it up. It's even the same front man again- Tom McDonald, trying to sneak these things in again out here. There is No need to put those things out here- cell service is great. They will be an eyesore And a hazard- it's proven that the EMF radiation Is harmful to people, especially constant exposure as those would be causing. There are exhaustive amounts of data if you Care to read it. There are many families with children that live out here and many farm animals. Can you or Humboldt County Planning guarantee that no harm would come to us by the radiation from said towers?? No you cannot.

Honestly, this is just another attempt on the part of Sun Valley/aka Arcata Land Group to profit from something that is a bad idea for the community & neighborhoods.

Anyways, I wanted to give you my opinion. I've forwarded the information on to local folks whose job it is to protect Arcatas' open ag land & spaces and the health & safety of its' community.

I'd appreciate any other info you have to share on the matter.

Thanks,

Ramona Fair