

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

Resolution Number: 26-

Record Number: PLN-2025-19320

Assessor's Parcel Number: 511-042-004

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the New Cingular Wireless PCS, LLC Conditional Use Permit, Special Permit and Coastal Development Permit.

WHEREAS, Cingular Wireless PCS, LLC has submitted an application and evidence in support of approving a Conditional Use Permit, Special Permit and Coastal Development Permit for a new wireless communication facility; 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 Planning Division as the Lead Agency has determined that the project qualifies for categorical exemptions found in Sections 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit, Special Permit and Coastal Development Permit (Record Number PLN-2025-19320); and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on September 3, 2026 and reviewed, considered, and discussed the application for the Conditional Use Permit, Special Permit and 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:

FINDINGS FOR ALL PERMITS

1. FINDING:

PROJECT DESCRIPTION: A Conditional Use Permit (CUP), Special Permit and Coastal Development Permit (CDP) is requested to authorize the erection and operation of a 89-foot tall Wireless Communications Facility. The structure would be located within an approximately 414 square-foot fenced lease area and will be capable of hosting equipment for one other wireless carrier.

Stealththing is included to help disguise the facility and obscure the visibility of antennas and other equipment by making the structure look like an evergreen tree complete with faux branches on its “trunk”. The applicant plans to install a variety of equipment on the tower, including 12 AT&T Antennas, RRUs, cabling and fiber, as well as an equipment shelter and a 30kW generator. The parcel is currently developed with two residences and accessory structures. The parcel is located within the Coastal Zone; therefore, a Coastal Development Permit (CDP) is also required. A Special Permit is required to exceed the height limit.

EVIDENCE: a) Project File: PLN-2025-19320

2. FINDING: CEQA: The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the project and finds the proposed project is exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines.

EVIDENCE: a) The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

b) This project seeks to construct an 89-foot wireless tower and related ground-based equipment compound within an approximately 414 square foot lease area.

c) Although the tower is within the flight path of the nearby public airport (California Redwood Coast-Humboldt County Airport), the applicant has completed consultation with the FAA and received a determination of No Hazard to Aviation via Form 7460-1. The top of the tower will be approximately 89 feet above ground level (approx. 181 feet above mean sea level). This is approximately 6 feet below the ceiling established for airspace protection, which at this location is approximately 95 feet above ground.

The Humboldt County Department of Aviation approved an Application for Variance pursuant to Humboldt County Code 333-8(b) on June 26, 2026. Section 333-8(b) specifies that when

the Federal Aviation Administration has determined that the structure's penetration of the airport protected airspace is not a hazard to flight, the variance may be administratively approved by the Director of the Department of Aviation (Attachment 2G).

- d) A project can be disqualified from using a Categorical Exemption if any of the exceptions listed in 15300.2 apply, however, none of these exceptions apply to the proposed project.

GENERAL PLAN CONFORMANCE

3. FINDING:

§3.25 Housing (MCKAP)

The proposed development is in conformance with all applicable Housing policies and standards in the McKinleyville Area Plan and Humboldt County General Plan.

EVIDENCE:

- a) The conditional use permit is for a wireless telecommunications facility on an existing residential zoned parcel. The parcel currently contains two residences and several agriculturally based structures. There is no conflict with the Housing Element. Additionally, the project is located close to a public airport (California Redwood Coast-Humboldt County Airport) and is subject to restrictions on residential land use and density under the Humboldt County Airport Land Use Compatibility Plan.

4. FINDING:

§3.31 Rural Land Use (MCKAP)

The proposed development is in conformance applicable policies and standards in the McKinleyville Area Plan concerning Rural Land Use.

EVIDENCE:

- a) The proposed project aligns with the rural land use goals and policies by providing an important piece of communication infrastructure within an already developed area of McKinleyville. This facility will add to the capacity of local homes, businesses, emergency responders etc., by ensuring effective communication options in existing populated areas, and concentrating growth in areas around existing development, thereby minimizing the cost of providing services and conserving energy.

- 5. FINDING:** §3.20 Urban Land Use (MCKAP)
The proposed development is in conformance applicable policies and standards in the McKinleyville Area Plan concerning Urban Land Use.
- EVIDENCE:** a) The proposed project is located within McKinleyville’s Urban Expansion Area and is considered “rural” in terms of development purposes. The residential benefits of the parcel will not be impacted by the proposed facility as the tower and equipment will visually blend into the area with the stealth design aspects and will provide fencing to ensure safety for residents and the other visitors to the property.
- 6. FINDING:** §14.4 Safety Element Goals & Policies (HCGP) and §3.28 Hazards (MCKAP)
The proposed development is in conformance applicable policies and standards in the General Plan and McKinleyville Area Plan concerning Public Safety & Hazards.
- EVIDENCE:** a) The Mad River Alquist Priolo Fault Hazard Zone is located approximately 2200 feet from the proposed tower facility. While outside of the hazard zone, the applicant may choose to perform geologic testing prior to construction.
- b) The closest mapped flood zone is located immediately south of the tower site where Norton Creek runs to under Highway 101, approximately 1450 feet. There is no issue of flooding currently at this site location.
- c) The property is located within the boundaries of the Arcata Fire Protection District. The Arcata Fire District responded to the referral request and recommended approval with no other comments.
- d) Although the tower is within the flight path of the nearby public airport (California Redwood Coast-Humboldt County Airport),

the applicant has completed consultation with the FAA and received a determination of No Hazard to Aviation via Form 7460-1. The top of the tower will be approximately 89 feet above ground level (approx. 181 feet above mean sea level). This is approximately 6 feet below the ceiling established for airspace protection, which at this location is approximately 95 feet above the ground.

7. FINDING:

§313-29.1 Noise

The proposed development is in conformance applicable policies and standards in the Humboldt County Code concerning Noise.

EVIDENCE:

- a) The proposed facility is setback approximately 115 feet from the nearest residence and a backup generator is proposed (§313-91.2.5.1). The generator is subject to be in compliance with the noise standards of the Wireless Telecommunications Ordinance and Conditions of Approval, which restrict noise levels to 50dB during operation (§314-91.2.5.9).

8. FINDING:

§313-16-.3 Airport Safety

The proposed development is in conformance applicable policies and standards in the Humboldt County Code for Area Airport Safety.

EVIDENCE:

- a) The FAA conducted an aeronautical study which revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation. No tower lighting is required. The proposed facility complies with the Airport Land Use Compatibility Plan for the Humboldt County Airports Master Plan, and the proposed facility is compatible with the adjacent Humboldt County airport.

9. FINDING:

§3.24 Sensitive and Critical Habitats (MCKAP)

The proposed development is in conformance applicable policies and standards in the McKinleyville Area Plan for the protection of Sensitive and Critical Habitats.

EVIDENCE:

- a) Streams, streamside management areas (SMA's), wetland areas and other sensitive areas are identified by the County Framework Plan as sensitive habitats. It has been determined that there are no streams, ponds, or wetlands on the property.

- b) According to the CNDDDB, the property is shown to be within the range of the Lyngbye's Sedge (*Carex lyngbyei*) and the Northern Clustered Sedge (*Carex arcta*). During the referral period, California Department of Fish and Wildlife staff completed a visit to the property and concluded that the road shoulders supported scattered native species expected to be found in remnant coastal prairies, but the pasture itself was very heavily grazed and dominated by non-native grasses and forbs. No further surveys were requested.
- c) According to the Biological Assessment prepared by Environmental Assessment Specialists, Inc, a field survey was performed at the property on May 1, 2025. The survey was conducted on foot and documented existing conditions, looking for the presence or potential occurrence of any sensitive species. No native trees or shrubs were found to occur within the portion of the property targeted to be developed for the tower and lease area. The biologist determined that no portions of the area proposed for development footprint contain the necessary habitat suitability elements to support listed sensitive wildlife species. The area chosen was found to be previously disturbed by horse grazing and therefore determined not to contain the necessary habitat suitability elements to support listed sensitive wildlife species.

10. FINDING:

Chapter 6, Telecommunications (HCGP)

The proposed development is in conformance applicable policies and standards of the General Plan Telecommunications Element.

EVIDENCE:

- a) The proposed project is complimentary to the goals and policies, standards, and implementation measures outlined in the General Plan - the facility would provide high-speed wireless broadband access and improved communication services to residents, businesses, and institutions, thereby improving connectivity within the County; the proposed facility would enhance reliable and modern communications service, aiding in emergency response and public safety efforts; the facility's design minimizes visual impact and integrates with the existing environment, preserving the County's rural character.

CONFORMANCE WITH ZONING REGULATIONS

11. FINDING: The proposed development is consistent with the purposes of the existing zone in which the site is located.

EVIDENCE: a) The subject parcel, APN 511-042-004, qualifies as a legal parcel as it received a renewed Mobile Home Use Permit from Humboldt County on January 19th, 1973.

b) The RS zone allows for the following conditional uses: private institutions, essential services, manufactured home parks, and any use not specifically enumerated if they are similar to and compatible with the permitted uses of the zone. New wireless facilities in Residential Zone Districts are permitted subject to issuance of a Conditional Use Permit.

c) The proposed project meets all minimum lot and yard setback requirements and would not exceed the maximum ground coverage; the maximum building height for this zone is 35 feet but applicant has provided evidence regarding the tower height necessity. To ensure that RF signals extend beyond the “clutter” of nearby trees, buildings, hills, etc., antennas must be installed to a certain height. Per the applicant, the 89-foot antenna tip height is the minimum necessary to ensure that AT&T can meet its technical service objectives, including providing reliable coverage and enabling seamless signal handoff between neighboring AT&T-Mobile facilities. With trees in the immediate vicinity reaching between 72 and 76 feet tall, the tower would blend into the surrounding area and pose little visual concern.

d) “AP” combining zone (Airport Safety Review): The FAA conducted an aeronautical study which revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation. No tower lighting is required. The proposed facility complies with the Airport Land Use Compatibility Plan for the Humboldt County Airports Master Plan, and the proposed facility is compatible with the adjacent Humboldt County airport.

The Humboldt County Department of Aviation approved an Application for Variance pursuant to Humboldt County Code

333-8(b) on June 26, 2026. Section 333-8(b) specifies that when the Federal Aviation Administration has determined that the structure's penetration of the airport protected airspace is not a hazard to flight, the variance may be administratively approved by the Director of the Department of Aviation (Attachment 2G).

- e) "N" combining zone (Noise Impact): The proposed facility is setback approximately 115 feet from the nearest residence and a backup generator is proposed. The generator is subject to be compliant with the noise standards of the Wireless Telecommunications Ordinance and Conditions of Approval, which restrict noise levels to 60dB during operation (§314-91.2-.5.9).

12. FINDING: The proposed wireless telecommunications facility is consistent with the Wireless Telecommunications Facilities zoning regulations outlined in Section 313-91.

EVIDENCE:

- a) General Regulations: The proposed facility is roughly 30 feet from the property line and 115 feet from the nearest residence, conforming to minimum setback requirements; The proposed facility is not located in a County right-of-way; As proposed, the facility would adhere to noise standards, with conditions provided in Attachment 1A; Per the plans included with the application, the entire site will be enclosed/secured by a chain link fence, and the fence will be tall enough to mask the height of the equipment; Subject parcel is not located within an underground utility district; The FAA conducted an aeronautical study which revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation.
- b) Special Provisions in Residential Zones: The proposed wireless telecommunications tower is a monopole designed as a faux tree (monopine); a 30kW compact backup generator is proposed at this time, and the equipment cabinets will not exceed required noise standards (50 dB or ambient, whichever is greater).
- c) Design Standards:
 - i) The proposed wireless telecommunications facility is not

located on a historical building or on the façade of a building.

- ii) The facility will use a faux tree design to disguise the cell tower amongst nearby existing trees ranging in height from 72 feet to 76 feet tall. Fence height will be sufficient to shield all equipment cabinets and other appurtenant structures from public view.
 - iii) Facility equipment will be treated with an anti-glare finish, and the tower-mounted equipment will be designed to blend with the faux tree elements.
 - iv) The equipment base will be visible from adjacent right-of-way (Lily Ave 30 feet away) and the leased area will be fenced to provide additional screening; the antennas selected for the project will be installed in a way that allows them to be obscured by the branches of the faux tree design. The site is not located within a designated coastal scenic or coastal view area and will not impact views to or along the ocean.
 - v) Site lighting and identification signage will adhere to the requirements of the zoning regulations and is conditioned in Attachment 1A.
- d) Application Requirements: The applicant has provided the required application materials which are on file with the Department. They include project narratives, maps, technical studies, photo-simulations, and other information submitted by the applicant.
- i) Preventing Loss of Network Coverage: The proposed facility would provide in-building wireless coverage to the residential neighborhoods within the vicinity of Murray Road, Airport Road, and Highway 101 in northern McKinleyville, including the Humboldt County Airport which would lose coverage served by AT&T Mobile's network due to the ending of the current lease with the tower location owner. The coverage objective was determined through a combined analysis of radio frequency engineering design and current coverage and standards. The applicant provided radio frequency analyses and numerous maps of existing service areas and the targeted improvements from the proposed new tower (and alternatives).

- ii) Alternatives Analysis: AT&T reviewed a total of ten (10) sites in which to locate a new cellular tower to replace the loss of the current location. The analysis considered numerous variables for each property, such as the distance from the area to be served by the tower, general interest from property owners and/or their ability to enter into a lease agreement, physical space constraints due to zoning setbacks, presence of wetlands and other sensitive plant & animal habitats, proximity to buildings, and others, lack of trees or other natural features to provide screening, rooftops of sufficient height, visual impacts related to scenic highways and other zoning ordinances, among others. The proposed site at 3386 Lily Avenue was selected as the least intrusive and most feasible alternative that would meet the intended service objectives.
- iii) Visual Impact Analysis: The cell tower will be concealed as a tree (monopine tower), with antennae and equipment incorporated into the design. The height of the monopine will be consistent with nearby trees. The facility will use non-reflective finishes on the equipment, and the perimeter fencing will be sufficiently tall to conceal all equipment within the facility. Photo simulations and maps were submitted with the application.
- iv) Noise/Acoustical Information: The equipment cabinets will not exceed required noise standards (50 dB or ambient, whichever is greater). The backup generator as proposed is subject to compliance with the noise standards of the Wireless Telecommunications Ordinance and Conditions of Approval, which restrict noise levels to 60dB during operation. The nearest residence is roughly 115 feet from the proposed facility. As a Condition of Approval (Attachment 1A), should more than one noise complaint arise, a noise sensor shall be installed and recorded data provided to the County upon request.
- v) Fire Hazards: The project site is within the Arcata Fire Protection District and has a moderate Fire Hazard Severity Zone rating. A letter from the Arcata Fire Protection District states that the proposed project has received approval.

- vi) Hazardous Materials: A 30kW compact backup generator will be onsite containing a 150 gallon storage tank for fuel. Under California Health and Safety Code, Section 25404 et seq., any business that contains on-site more than 55 gallons, 500 pounds, or 200 cubic feet of a hazardous material, or generates hazardous waste as part of their business activity, must report these activities and be inspected. The applicant is conditioned to complete a submission to the California Environmental Reporting System within 30 days of storing reportable quantities of hazardous materials or generating hazardous waste (COA #15A).
- vii) Access: The submitted site plan depicts the development of a 20'-wide graveled access road that connects the facility to Norton Road. The rocked road will improve an existing non-surfaced access road. Turnaround and parking areas adjacent to the fenced-in facility will also be provided per the site plan.
- viii) Height Requirements: The maximum building height in the RS zone is 35 feet. Evidence to support the 89-foot tower height was submitted with the application. Exceptions to the height limit in any zone may be granted with a Special Permit, normally conditioned upon proportional increases in the required yard. The exception can be authorized under the Use Permit, as provided for under the concurrent permitting provisions found in 312-3.3 of the zoning code. The height allows for consistent and reliable service, including the ability to make and receive calls and use data services effectively in the presence of "clutter" and varying signal conditions. The monopine tower will blend in with the surrounding environment and is located roughly 115 feet from the nearest residence, thus having little to no visual impact.

13. FINDING:

§312-17.1.4 Public Health, Safety and Welfare: There is no indication that the proposed wireless facility will be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The proposed wireless facility would be subject to obtaining County approval of a building permit and would include review of construction plans designed by a professional engineer. The proposed project incorporates stealth design and is substantially set back from adjacent public rights-of-way and nearby residences to minimize visual impact to the surrounding the community. The project site is on private property that will also be surrounded by a perimeter fence to separate facility operations from the general public. As proposed, the wireless facility and conditions under which it may be operated and maintained do not contain elements that would be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

14. FINDING: §312-17.1.5 Housing Element and Residential Densities: the proposed project will have no impact on the residential densities of this parcel.

EVIDENCE: a) The parcel is currently designated as Residential Single Family under the Mckinleyville Area Plan and was not included in the County's Housing Element Inventory; the proposed project would not modify the possibility of meeting the goals established by the County's housing inventory and is consistent with the goals, policies, and standards of the Humboldt County Housing Element.

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
- Approve the Cingular Wireless PCS, LLC Conditional Use Permit, Special Permit and Coastal Development Permit for a wireless telecommunications facility, subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **September 3, 2026**

The motion was made by COMMISSIONER _____ and seconded by COMMISSIONER _____ and the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

I, John H. 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 H. Ford, Director
Planning and Building Department