

**TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT**

PROJECT TITLE: 101 Netlink Telecommunication Tower

APPLICANT: Seth Johannesen

PROPERTY OWNER: Edward Elhauge

REPORT BY: Deputy Director of Planning, Lisa Lozier

LOCATION: 6001 State Highway 36, Mad River, CA 95552 (APN 018-050-075-000)

GENERAL PLAN DESIGNATION: Resource (RE)

ZONING DISTRICT: Agriculture – Forest District with a 40-acre minimum (AF40)

SITE CHARACTERISTICS: The project site is a 140-acre parcel bisected by State Highway 36, more specifically located at 6001 State Highway 36, in Mad River and designated as Trinity County Assessor Parcel 018-050-075-000. Access to the project site was originally established for a home site and the proposed communications tower will be accessed from the existing driveway.

PROJECT DESCRIPTION: The applicant is proposing to construct a single, 100-foot self-supporting, lattice-style tower on a 140-acre parcel in the Mad River area of Trinity County. The tower will be constructed on a 12-foot by 12-foot square foot base with a small 4-foot by 3-foot by 1-foot tall electronics cabinet. The total lease area is 144 square feet, consistent with the base of the tower. The lattice structure measure 2.5 feet on each side. The proposed structure will be located approximately 140 feet from the traveled road way of State Highway 36. The tower will be set at the approximate tree line and will extend approximately 30 feet above the surrounding trees. State Highway 36 is not designated a scenic corridor. The proposed location will not obstruct any scenic views.

STAFF/AGENCY COMMENTS: Project referrals were sent out to the various County departments and applicable government agencies. A summary of the comments received are Listed below.

Summary of Staff/Agency Comments

| Department/Agency | Comment | Comments Addressed |
|---|----------------|---------------------------|
| County Department of Transportation (DOT) | No Comment | NA |

| Department/Agency | Comment | Comments Addressed |
|--|--|-------------------------------------|
| County Environmental Health Department | No Comment | NA |
| County Building Department | The building department provided comments stating that the proposed tower would require a building permit. | Included as condition of approval. |
| County Assessor | The County Assessor provided comments stating that the, at the time the request for comment was received, the property owner still needed to pay the 2019-2020 property taxes. No response required. | NA |
| County Sheriff | No comment. | NA |
| Calfire | Maintain road way and road way width to the project site. | Included as conditions of approval. |
| PG&E | No Comment | NA |
| Caltrans | Recommends maintaining a minimum distance from the existing highway traveled way (ETW) which would be equivalent to the height of the tower plus 25 feet. | Included as conditions of approval. |
| Forest Service | No Comment | NA |
| Hoopa Valley Tribe | No Comment | |
| Nor-Rel-Muk Nation | No comment. | NA |
| Redding Rancheria | No comment. | NA |
| Wintu Tribe of Northern Californial | No comment. | NA |
| Round Valley Reservation/Covelo Indian | No comment. | NA |
| Round Valley Reservation Covelo Indian Community | No Comment | NA |
| Bear River Band of Rohnerville Rancheria | No Comment | NA |
| Shasta Indian Nation | No Comment | NA |
| Shasta Nation | No Comment | NA |
| Tsnungwe Council | No Comment | NA |

Department/agency comments received for the project are addressed through conditions of approval.

PUBLIC COMMENTS RECEIVED: As of the writing of this staff report, no public comments have been received in regard to this project.

GENERAL PLAN CONSISTENCY: The Trinity County General Plan designation for the project site as Resource (RE) and does not include any environmental overlays. The Resource district are designated for natural resource production such as Timber. The project as proposed would not interfere with timber production on the project site. Policies for the Mad River and Ruth lake area encourage commercial development which provides essential services for residents. The project as proposed, is found to be consistent with the General Plan and the Mad River and Ruth area objectives of the General Plan.

ZONING CODE COMPLIANCE: The project site is located in the Agriculture - Forest District (AF) district which is consistent with the General Plan designation of Resource (RE). The purpose of this district is to set development standards for lands suitable for forestry management which are not zoned for Timber Production (TPZ). Cell Towers are listed as a use which may be initiated with the approval of a use permit. For projects located on parcels greater than 40 acres, a registered Professional Forester shall provide documentation that the proposed use will not negatively detract from the ability to grow and harvest timber and timber products as a part of the use permit application. A project site review was prepared by Todd Truesdell, Registered Professional Forester #2969 on April 27, 2020. The site review concludes that the due to the placement and footprint size, construction and use of the proposed tower at this location will not negatively detract from the ability to grow and harvest timber and timber products on the parcel.

ENVIRONMENTAL REVIEW: The Trinity County Planning Commissions finds the project exempt from the California Environmental Quality Act (CEQA) Class 3 Exemption, 15303 which applies for small new construction projects including the construction of small-scale facilities or structures.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission Adopt a resolution to:

- a) Adopt the California Environmental Quality Act (CEQA) determination of a Class 3 Categorical Exemption 15303; for small new construction projects which includes the construction of small-scale facilities or structures;
- b) Adopt the recommended findings listed in Resolution PC-2021-12;
- c) Approve Conditional Use Permit 20-19 based on the recommended findings and subject to the conditions of approval listed in Exhibit A to Resolution PC-2021-12

ATTACHMENTS:

- 1) Resolution No. PC- 2021-12 and Conditions of Approval
- 2) Project Location Map
- 3) Project Visual Simulations

RESOLUTION NO. 2021-12

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF TRINITY
APPROVING CONDITIONAL USE PERMIT
(101 Netlink Communication Tower, P-20-19)**

WHEREAS, Seth Johannesen filed an application for the approval of a Conditional Use Permit for a single, 100-foot self-supporting, lattice-style tower on a 140-acre parcel in the Mad River area of Trinity County. The tower will be constructed on a 12-foot by 12-foot square foot base with a small 12-square-foot electronics cabinet. The total lease area is 144 square feet, consistent with the base of the tower. The lattice structure measure 2.5 feet on each side. The tower will be located at 6001 State Highway 36, in Mad River APN: 018-050-075-000.

WHEREAS, County staff has reviewed the submitted application and evidence and has referred the application and evidence to all governmental and utility agencies affected by the development to allow the opportunity for conducting site inspections and providing comments and recommendations; and

WHEREAS, after due notice of public hearing in accordance with applicable laws, the matter came on for hearing before the Planning Commission of the County of Trinity on October 14, 2021; and

WHEREAS, at said public hearing, due consideration was given to all oral and written comments regarding the request for approval of the Conditional Use Permit, and the Planning Commission concluded that the Conditional Use Permit should be granted subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Trinity makes the following findings:

1. Pursuant to the State CEQA Guidelines, the Planning Commission of the County of Trinity makes the following environmental findings:
 - A. The Trinity County Planning Commissions finds the project exempt from the California Environmental Quality Act (CEQA) Class 3 Exemption, 15303 which applies for small new construction projects including the construction of small-scale facilities or structures.
2. Pursuant to Chapter 17.32 (Use Permits) of the County Code of Ordinances, the Planning Commission of the County of Trinity makes the following findings for the Use Permit:
 - A. Conditional Use Permit P-20-19 allows the construction of a single, 100-foot self-supporting, lattice-style tower. The tower will be constructed on a 144-square-foot (12' X 12') base- with a small, 12-square-foot electronics cabinet located on the base. The total lease area is 144 square feet, consistent with the base of the tower. The lattice structure measures 2.5 feet on each side.
 - B. As conditioned the proposed commercial development will not be detrimental to the public health, safety or welfare, or result in the creation of a public nuisance.
 - C. The issuance of the Conditional Use Permit for the proposed commercial development will comply with the objectives of the County General Plan.

Resolution No. PC-2021-12
October 14, 2021

3. The Planning Commission of the County of Trinity hereby approves the Conditional Use Permit P-20-19, subject to the conditions set forth in Exhibit "A", attached hereto and made a part hereof.

DULY PASSED AND ADOPTED this 14th day of October, 2021 by the Planning Commission of the County of Trinity by motion / seconded and the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

DUNCAN MCINTOSH, Chairman
Planning Commission
County of Trinity, State of California

ATTEST:

By: _____
KIMBERLY HUNTER
Secretary of the Planning Commission
County of Trinity, State of California

RESOLUTION PC-2021-12 EXHIBIT "A"

CONDITIONS OF APPROVAL

101 Netlink, Communications Tower
(P-20-19)

Building Department

1. Building permits must be obtained from the Building Department for the proposed improvements.

Planning Department

2. The lattice tower must maintain a neutral, no glare exterior appearance.

California Department of Forestry and Fire Protection

3. Maintain the roadway and the 15-foot roadway width to the project site.

California Department of Transportation

4. The current owner of the property must either obtain or verify that a valid Caltrans encroachment permit has been obtained and approved to assign maintenance responsibility for the driveway connection to the highway.
5. The project location must maintain a minimum distance from the existing highway traveled way (ETW) for the placement of the cell tower that is beyond the height of the tower. A minimum slope length of the tower height plus 25 feet is recommended.

END OF CONDITIONS

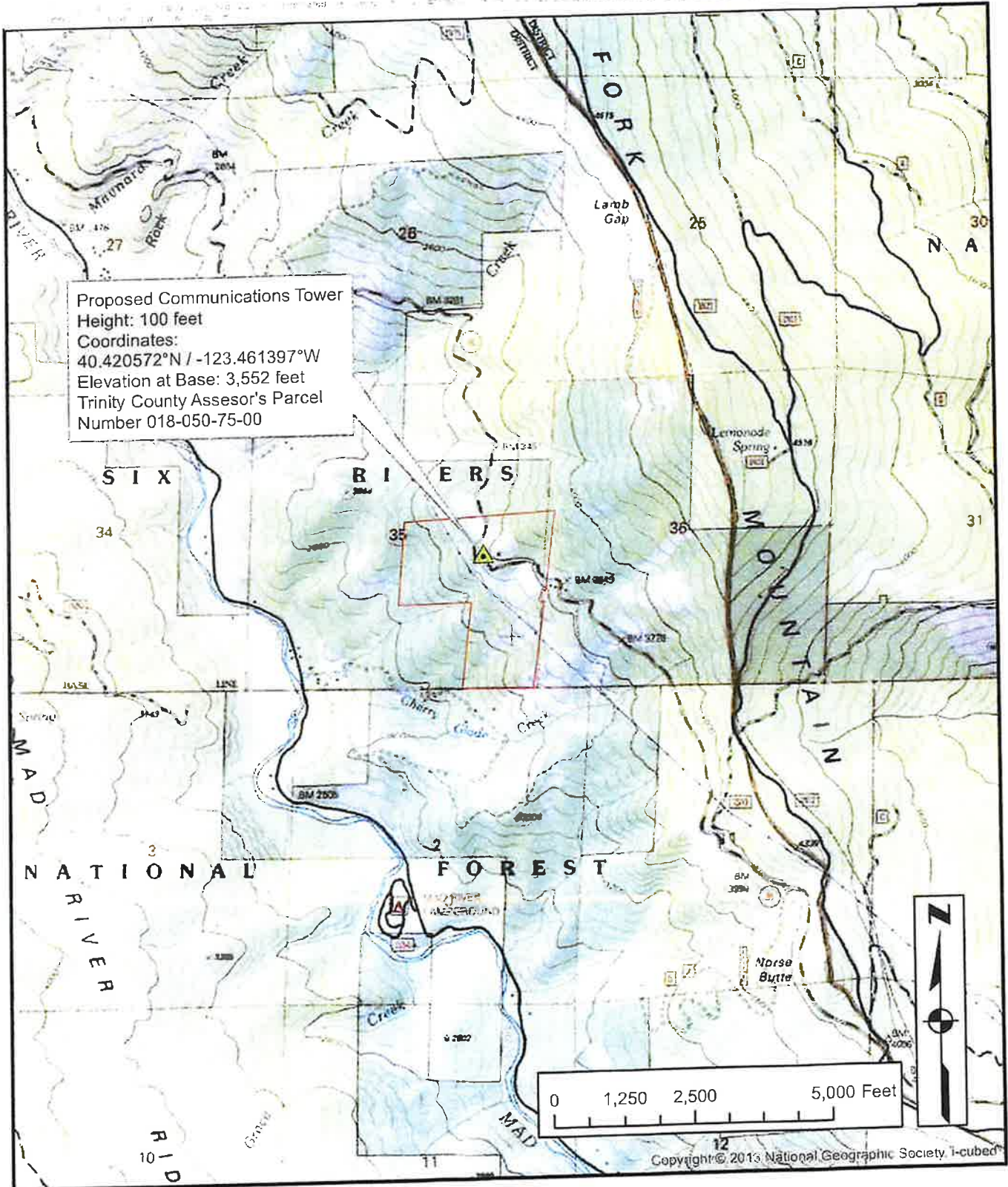
NOTE: Approval of this use permit will expire on October 14, 2023. Any request for a time extension and accompanying fees must be received by the Trinity County Planning Department 30 days prior to this expiration date.

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1-800-515-5054 www.lacoassociates.com

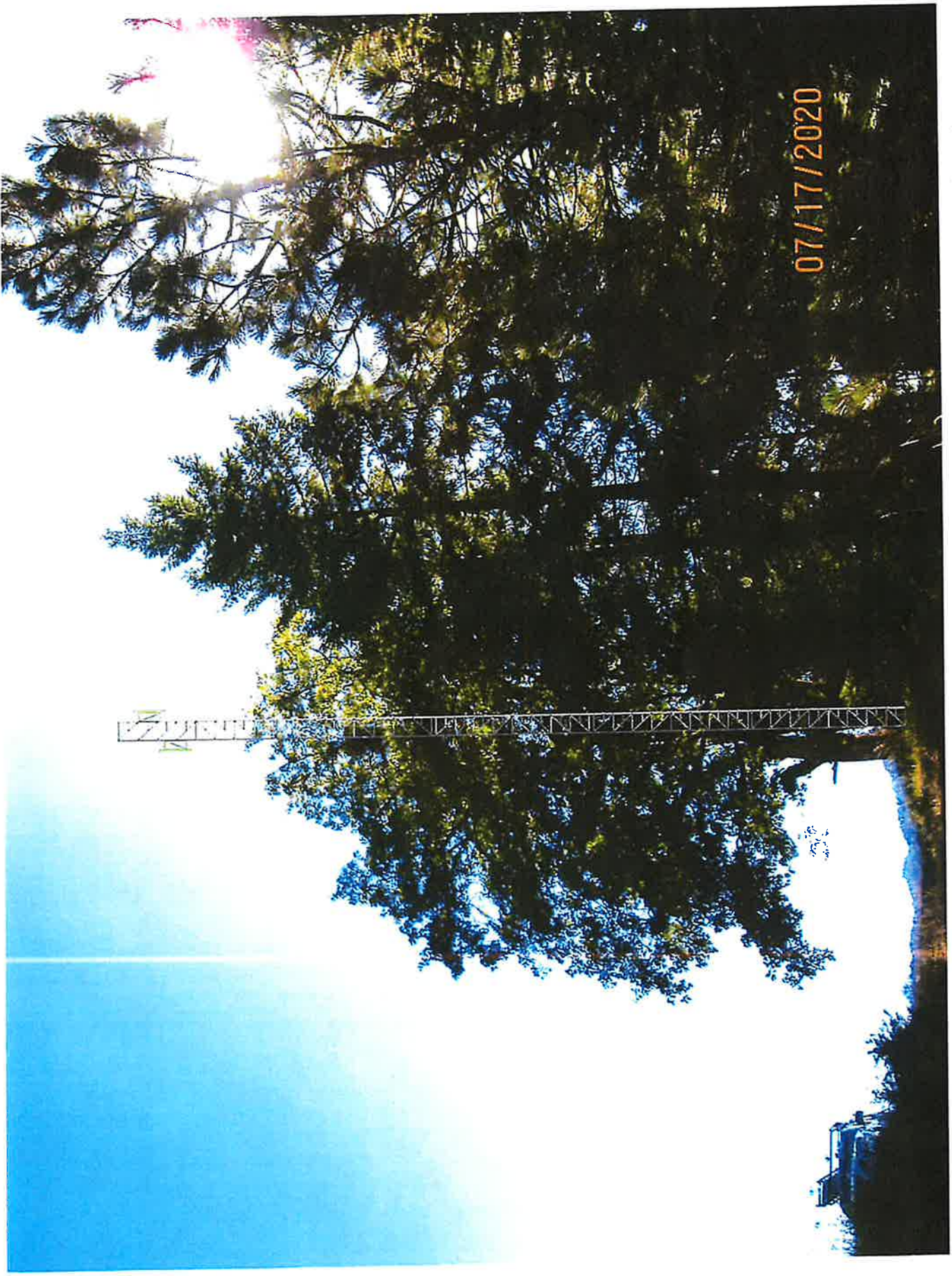
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|----------|---|-------|-----------|---------|---------|
| PROJECT | Trinity Tower | BY | CRP | FIGURE | 1 of 1 |
| CLIENT | Seth Johannesen | CHECK | EAB | | |
| LOCATION | Trinity County APN 018-050-75-00 Mad River, California | DATE | 1/30/2020 | JOB NO. | 9349.01 |





west view

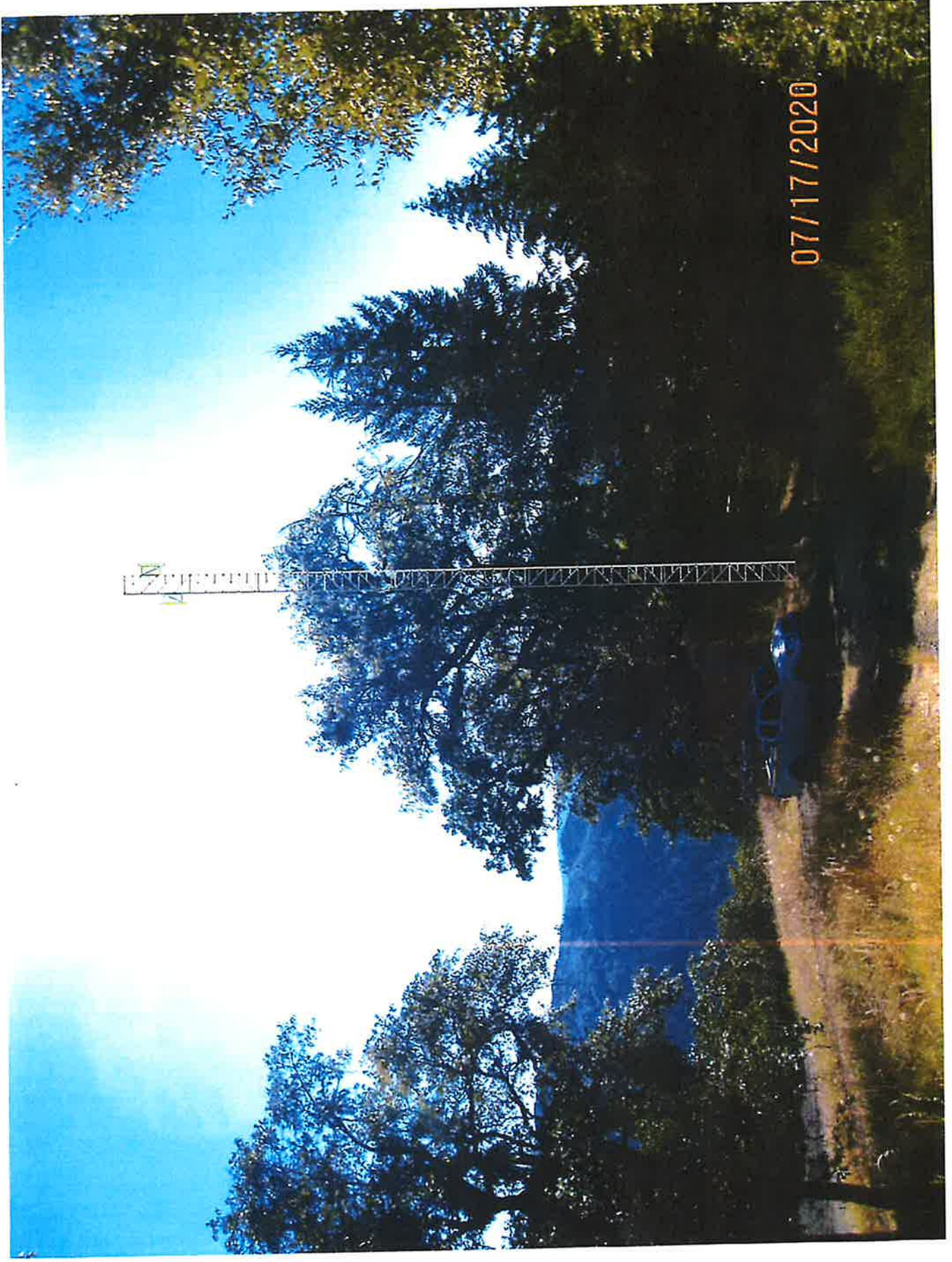
Attachment 3



South view



North view



EAST VIEW