



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

JULIA KROG, DIRECTOR
JOHN BURKES, ASSISTANT DIRECTOR
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pbs@mendocinocounty.gov
www.mendocinocounty.gov/pbs

April 18, 2024

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Planning Commission, at their regular meeting to be held on Thursday, May 2, 2024, at 9:30 a.m., will conduct a public hearing on the following project at the time listed or as soon thereafter as the item may be heard. This meeting will take place in the **Board of Supervisors Chambers, 501 Low Gap Road, Ukiah California**, and Virtual attendance will be available via Zoom. Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>. In lieu of personal attendance, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.gov or via Telecomment. The telecomment form may be found at: <https://www.mendocinocounty.gov/government/planning-building-services/meeting-agendas>.

CASE#: UR_2023-0008

DATE FILED: 10/30/2023

OWNER: Thomas Paul McGuire

APPLICANT: California Rural Service Area #1

AGENT: Tracey Malone (Faulk & Foster)

REQUEST: Renewal of Use Permit Modification UM 12-2002/2012 to allow an existing cellular antenna facility to remain. The renewal would be granted for a ten-year period.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 3± miles northeast of the City of Fort Bragg, lying on the east side of Bald Hill Road (CR 421A), 1.95± miles northeast of its intersection with Pudding Creek Road (CR 421); located at 21929 Bald Hill Rd., Fort Bragg; APN: 069-270-14. Towers at this location are addressed separately.

SUPERVISORIAL DISTRICT: 4 (Gjerde)

STAFF PLANNER: Steven Switzer

The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.gov/government/planning-building-services/meeting-agendas/planning-commission>.

Your comments regarding the above project(s) are invited. Written comments should be submitted to the Department of Planning and Building Services Commission Staff, 860 North Bush Street, Ukiah, California. The public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.gov by May 1, 2024, or orally via telecomment. All public comment will be made available to the Planning Commission, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.gov/government/planning-building-services/meeting-agendas/planning-commission>.

The Planning Commission's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal is the 10th day after the Planning Commission's decision. To file an appeal of the Planning Commission's decision, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Department of Planning and Building Services or the Planning Commission at, or prior to, the public hearing. All persons are invited to present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling 707-234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 707-234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Planning Commission's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

JULIA KROG, Director of Planning and Building Services



**PLANNING COMMISSION
STAFF REPORT – USE PERMIT RENEWAL**

**MAY 2, 2024
UR_2023-0008**

PROJECT PLANNER CONTACT

Steven Switzer
860 N Bush St
Ukiah, CA 95482
Phone: 707-234-6650
Fax: 707-961-2427
switzers@mendocinocounty.gov

PROJECT SUMMARY

OWNER: Thomas Paul McGuire
750 Orchard Dr
Paso Robles, CA 93446

APPLICANT: California Rural Service Area #1
1811 Auburn Ave
Monroe, LA 71201

AGENT: Tracey Malone (Faulk & Foster)
1811 Auburn Ave
Monroe, LA 71201

REQUEST: Renewal of Use Permit Modification UM 12-2002/2012 to allow an existing cellular antenna facility to remain. The renewal would be granted for a ten-year period.

LOCATION: 3± miles northeast of the City of Fort Bragg, lying on the east side of Bald Hill Road (CR 421A), 1.95± miles northeast of its intersection with Pudding Creek Road (CR 421); located at 21929 Bald Hill Rd., Fort Bragg; APN: 069-270-14. Towers at this location are addressed separately.

TOTAL ACREAGE: 314± Acres

GENERAL PLAN: Range Lands (RL160)
General Plan, Chapter 2 – Development Element

ZONING: Rangeland (RL160)
Mendocino County Code Title 20, Division I

CODE REFERENCE: Wireless Communication Facility
Mendocino County Code (MCC) Chapter 20.236

SUPERVISORIAL DISTRICT: 4 (Gjerde)

ENVIRONMENTAL DETERMINATION: Categorically Exempt

RECOMMENDATION: Approve with Conditions

PROJECT BACKGROUND & INFORMATION

PROJECT DESCRIPTION: Renewal of Use Permit Modification UM 12-2002/2012 to allow an existing cellular antenna facility to remain. The renewal would be granted for a ten-year period.

UM 12-2002/2012 was issued for a period of ten years and expired on May 17, 2022.

There are no proposed changes to the 150-foot-tall lattice tower or ground equipment; nor are there any requests for physical modifications to the Wireless Communications Facility (WCF) owned and operated by US Cellular with this Use Permit Renewal.

SITE CHARACTERISTICS: The subject parcel hosts the subject 150-foot-tall self-support tower and a radio broadcasting facility in addition to a 50 ft. tall monopole cellular tower facility. The applicant has indicated that access by company representatives will be required at a minimum of twice a month to service the facility. The facility is located within a previously developed leased 2,400± square foot area secured by a 6-foot-high chain link fence around its perimeter. The facility will remain unmanned and will operate 24 hours a day, 7 days a week. Surrounding land uses are agricultural and residential with adjacent parcels ranging from 0.8± to 160± acres in size. The adjacent General Plan designation and Zoning to the north and south is Rangeland. The General Plan designation to the east is Forest Lands (FL) and Timberland Production Zoning (TPZ). The General Plan designation to the west is Rural Residential (RR).

Public Services:

Access: Bald Hill Road (CR 421A)
Fire District: Fort Bragg Rural Fire Protection District
Water District: NONE
Sewer District: NONE
School District: Fort Bragg Unified

RELATED APPLICATIONS:

- **U 157-78:** Use Permit approved by the Planning Commission in January 1979 for a 25-year term allowed a radio communications facility consisting of a 90 feet tall antenna tower and a 70 square foot equipment building.
- **V 37-78:** Variance approved in conjunction with #U 157-78, allowed the tower to exceed the 60 feet height limit by 30 feet.
- **FB 577303:** Building Permit issued to allow for the construction of a new 150 feet tall cellular antenna tower.
- **U 22-99:** Use Permit allowed GTE Wireless to install four 15 feet tall whip antennas at the top of the adjacent tower 50 feet tall tower increasing the total height to 70 feet.
- **U 12-2002:** Use Permit allowing Edge Wireless to install nine panel antennas and two microwave dishes to an existing 150 feet tall lattice tower.
- **UM 22-99/2007:** Use Permit Modification approved by the Planning Commission on July 19, 2007, permitting Verizon Wireless to mount a six (6) foot diameter microwave dish on the 50 feet tall monopole.
- **UM 22-99/2009:** Use Permit Modification was approved by the Planning Commission on March 18, 2010, permitting Verizon Wireless to add 9 panel antennas to the 50 ft. tall monopole.
- **UM 12-2002/2012:** Use Permit was approved by the Planning Commission on May 17, 2012, permitting AT&T to add new 6 ft. diameter microwave dish to an existing 150 feet tall lattice tower.
- **AP 5-2014:** Administrative Permit was approved on July 17, 2014, by the Zoning Administrator permitting AT&T to replace three (3) panel antennas with six (6) new panel antennas on an existing 150 feet tall lattice tower.
- **AP_2015-0026:** Administrative Permit - Administrative Permit to add a 6 ft. in diameter microwave dish at the 44-foot level of an existing 50 foot tall Wireless Communication Facility (WCF).

- **AP_2016-0028:** Administrative Permit was approved on June 17, 2017, by the Zoning Administrator allowing US Cellular to install four new antennae along with RRUs and other appurtenant equipment to the existing 150-foot-tall lattice tower.
- **AP_2018-0092:** Administrative Permit was approved by the Zoning Administrator allowing Crown Castle to install three new antennae and three new RRUs to the existing 150-foot-tall lattice tower.
- **AP_2019-0084:** Add two (2) new antennas and a 4-foot by 4-foot cabinet to hold support equipment on the existing 50-foot-tall tower.
- **UR_2020-0008:** Renewal of previously Modified Use Permit (UM 22-99/2010) to administratively change the expiration date to April 21, 2031, for the 50-foot-tall tower.
- **AP_2020-0032:** Administrative Permit to modify telecommunications facility and install one (1) diesel backup generator on new 48 square feet concrete slab, and one (1) automatic transfer switch within existing chain link fence enclosure for the existing 50-foot-tall tower.
- **AP_2021-0015:** Remove/Replace RRU & Antenna on 150-foot-tall tower
- **AP_2022-0049:** modifications to the 50-foot-tall tower

AGENCY COMMENTS: On December 20, 2023, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below.

REFERRAL AGENCIES	COMMENT
Agriculture Commissioner	No Response
Air Quality Management	No Response
Assessor	No Response
Building Inspection - Fort Bragg	No Comment
Cloverdale Rancheria	No Response
Department of Forestry/ CalFire -Land Use	No Response
Department of Forestry/ CalFire -Resource Management	No Response
Department of Transportation	No Comment
Environmental Health - Fort Bragg	No Response
Fort Bragg Rural Fire District	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

PROJECT ANALYSIS

GENERAL PLAN AND ZONING DISTRICT CONSISTENCY: The project site is located on a parcel designated under Mendocino County General Plan Chapter 3: Development Element, Policy DE-17, Land Use Category: RL –Range Lands. The parcel is also zoned Rangeland (RL). The RL classification intends to:

... to be applied to lands which are suited for and are appropriately retained—for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels, and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.¹

For the RL Classification, general uses include residential uses, agricultural uses, forestry, cottage industries, residential clustering, uses determined to be related to and compatible with ranching,

¹ Mendocino County General Plan, Ch. 3, Policy DE-17

conservation, processing and development of natural resources, recreation, and utility installations.

The proposed use, Major impact services and utilities, is permitted in the RL zoning district upon issuance of a Major Use Permit. Accordingly, Use Permit UM 12-2002/2012 was approved by the Mendocino County Planning Commission authorizing the modifications to an existing wireless communication facility approved by U 12-2002. At the time of approval, UM 12-2002/2012 was found to be consistent with the General Plan RL Classification and RL zoning district. Subsequent modifications have also been found to be consistent with the General Plan and zoning ordinances as well, see the *Related Applications* section of this report. Considering that the General Plan Classification and zoning of the property has not changed since prior approvals and no modifications are being considered with this request, staff finds that the proposed renewal and continued use of the telecommunication facility is consistent with applicable goals and policies of the General Plan and zoning ordinance.

WIRELESS COMMUNICATION FACILITY DEVELOPMENT GUIDELINES: Staff evaluated the proposed project for consistency with the Wireless Communication Facilities Development Guidelines adopted by the Board of Supervisors on August 4, 2015 (Resolution No. 15-121). The existing facility pre-dates the adoption of the Wireless Communication Facilities Development Guidelines. The existing facility has been found to be consistent with the Guidelines for past modifications including several Administrative Permits listed above. Because no further changes are proposed at this time, this renewal is also found to be consistent with the Guidelines. Staff has recommended a condition of approval to require that future modifications to the facility be operated and maintained in conformance with these standards.

Further, the project is consistent with California Government Code Section 65850.6 and Section 6409 of the Federal Middle Class Tax Relief and Job Creation Action of 2012. Staff determined that renewal of the existing wireless facility is consistent with the applicable sections in that the application does not propose to alter the overall height or building mass of the tower.

USE PERMIT FINDINGS:

1. Pursuant to Mendocino County Code (MCC) Section 20.196.020(A), the establishment, maintenance, and operation of the proposed use and structure being applied for is in conformity to the General Plan. The project involves renewal and continued use of an existing telecommunication facility established under use permit UM 12-2002/2012. Modifications to the facility have been approved under subsequent administrative permits. Continued use of the facility in accordance with the recommended conditions of approval would be in conformity to the General Plan, including Policy DE-206 which encourages development of appropriate utility infrastructure; and
2. Pursuant to MCC Section 20.196.020(B), adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. Access is provided by a private extension connecting to Bald Hills Road (CR 421A). A private utility company and backup diesel generator provides the electrical services. The subject 150-foot-tall tower and equipment building are located within a 2,400 square foot leased area enclosed and secured with a 6-foot-high chain link fence. All utilities, access roads, drainage, and other facilities are existing, and no modifications are proposed; and
3. Pursuant to MCC Section 20.196.020(C), such use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county. There have been no known formal complaints related to the telecommunication facility. Continued use in accordance with renewal of the use permit is not expected to create a nuisance. Operation of the telecommunication facility is not expected to create significant noise, light, odor, or hazardous materials; and

4. Pursuant to MCC Section 20.196.020(D), such use preserves the integrity of the zoning district. The telecommunication facility occupies only a small portion of the property, 2,400± square foot leased area within the 314± acre subject parcel, with the remaining acreage devoted to residential and agricultural activities. Continuance of the governing Use Permit UM 12-2002/2012 would not adversely affect the intent of the RL district. Further, the existing facility provides a public benefit by strengthening telecommunication infrastructure; and
5. The project is consistent with governing Use Permit conditions. Staff reviewed the application along with supplemental materials and determined that the project as proposed is consistent with conditions of approval previously adopted for Use Permit UM 12-2002/2012 governing the site.

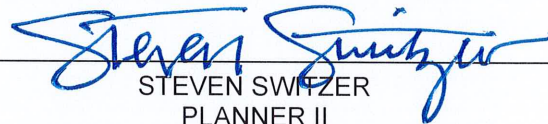
ENVIRONMENTAL DETERMINATION: Pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15301 of California Environmental Quality Act (CEQA) Guidelines, the Secretary for Resources has found that Class 1 consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use is categorically exempt from CEQA. Considering the project request is to renew the governing Use Permit for the continued use of an existing Wireless Communications Facility, the project would qualify for this exemption. Therefore, Staff finds that the project would not have a significant effect on the environment and is declared to be categorically exempt from the further environmental review within the meaning of CEQA.

PROJECT RECOMMENDATION

By resolution, approve Use Permit Renewal (UR_2023-0008), as proposed by the applicant, based on the facts and findings and subject to the conditions of approval contained in Exhibit A of the Resolution.

4.9.2024

DATE

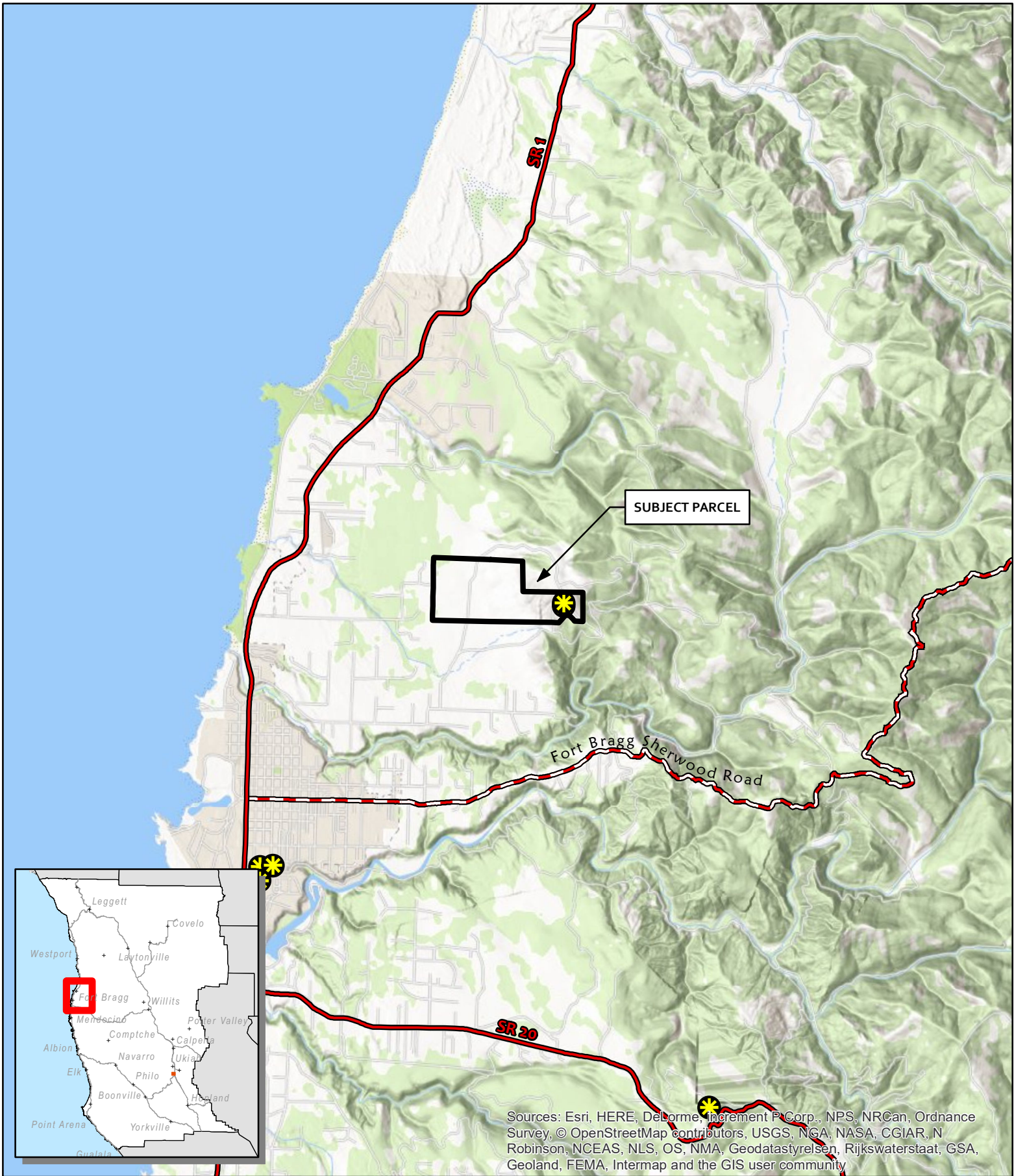

STEVEN SWITZER
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$2,674.00

ATTACHMENTS:

- | | |
|---------------------------------|---------------------------------------|
| A. Location Map | J. MS4 Stormwater Map |
| B. Aerial Map | K. Coastal Ground Water Resources Map |
| C. Topographical Map | L. Slopes Map |
| D. Site/Tentative Map | M. Soils Map |
| E. Zoning Map | N. Mendocino Cypress Map |
| F. General Plan Map | O. Williamson Act Map |
| G. Fire Hazards Map | P. Farmlands Map |
| H. Wildland-Urban Interface Map | Q. Crop Map |
| I. Wetlands Map | R. School District Map |

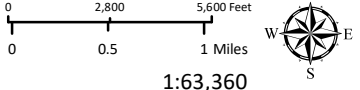
RESOLUTION AND CONDITIONS OF APPROVAL (Exhibit A)



Sources: Esri, HERE, DeLorme, InCREMENT P, Corp., NPS, NRCAN, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

CASE: UR 2023-0008
OWNER: McGuire Family Trust
APN: 069-270-14
APLCT: California Rural Service
AGENT: Faulk & Foster
ADDRESS: 22501 Bald Hill Rd

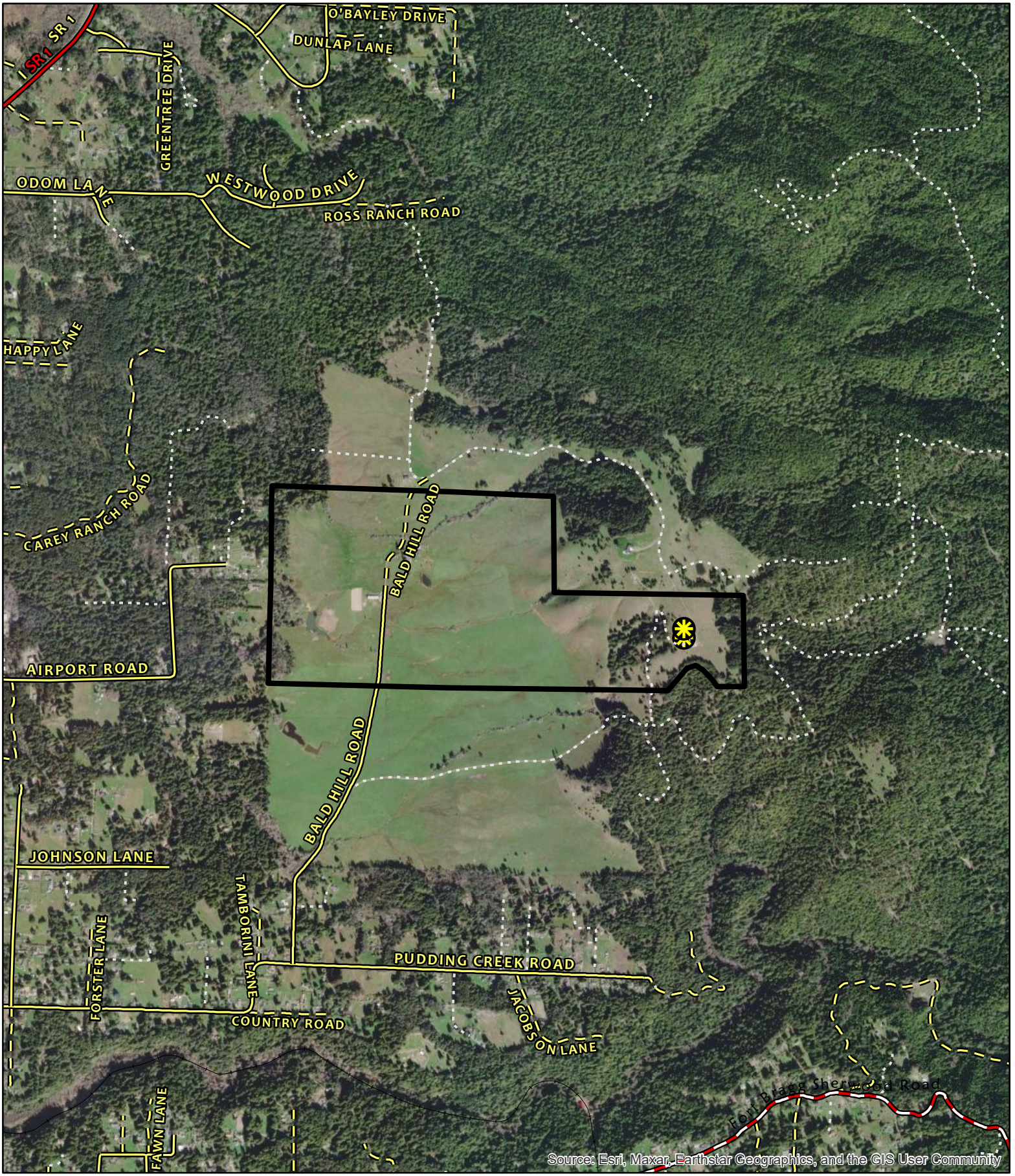
-  Highways
-  Major Roads
-  Approved Wireless Sites



1:63,360

LOCATION

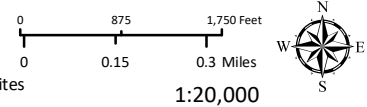
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Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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- Highways
- Public Roads
- Railroads
- Major Roads
- Private Roads
- Approved Wireless Sites
- Highways (2017)
- Driveways/Unnamed Roads



1:20,000




AERIAL IMAGERY


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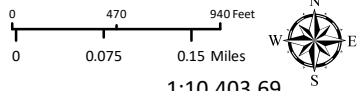


Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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-  Public Roads
-  Private Roads
-  Driveways/Unnamed Roads

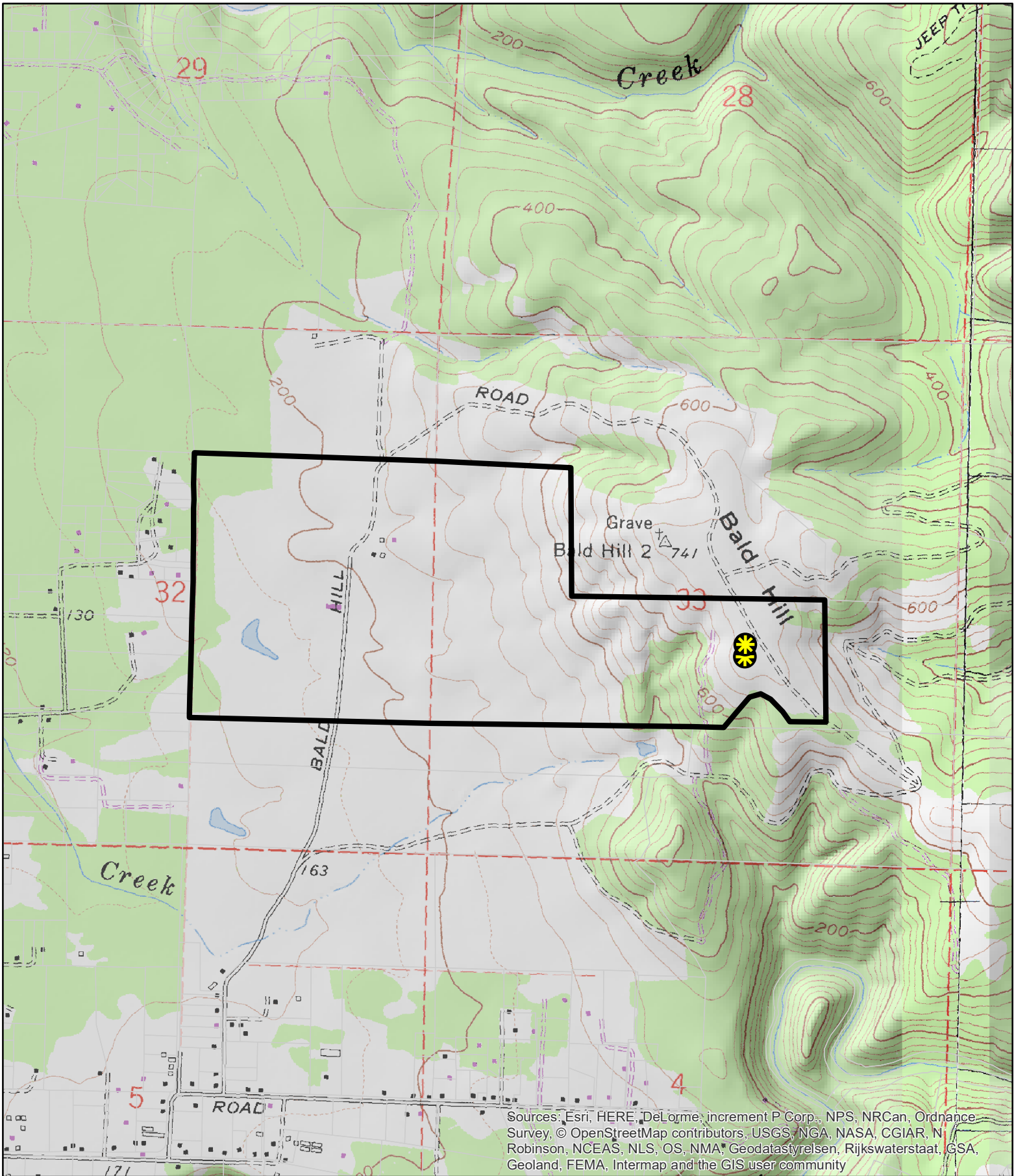
 Approved Wireless Sites



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AERIAL IMAGERY

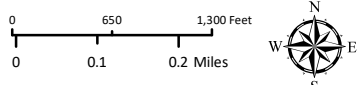
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-  Assessors Parcels
-  Approved Wireless Sites



1:15,000
TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

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BIRD'S EYE AERIAL OVERVIEW

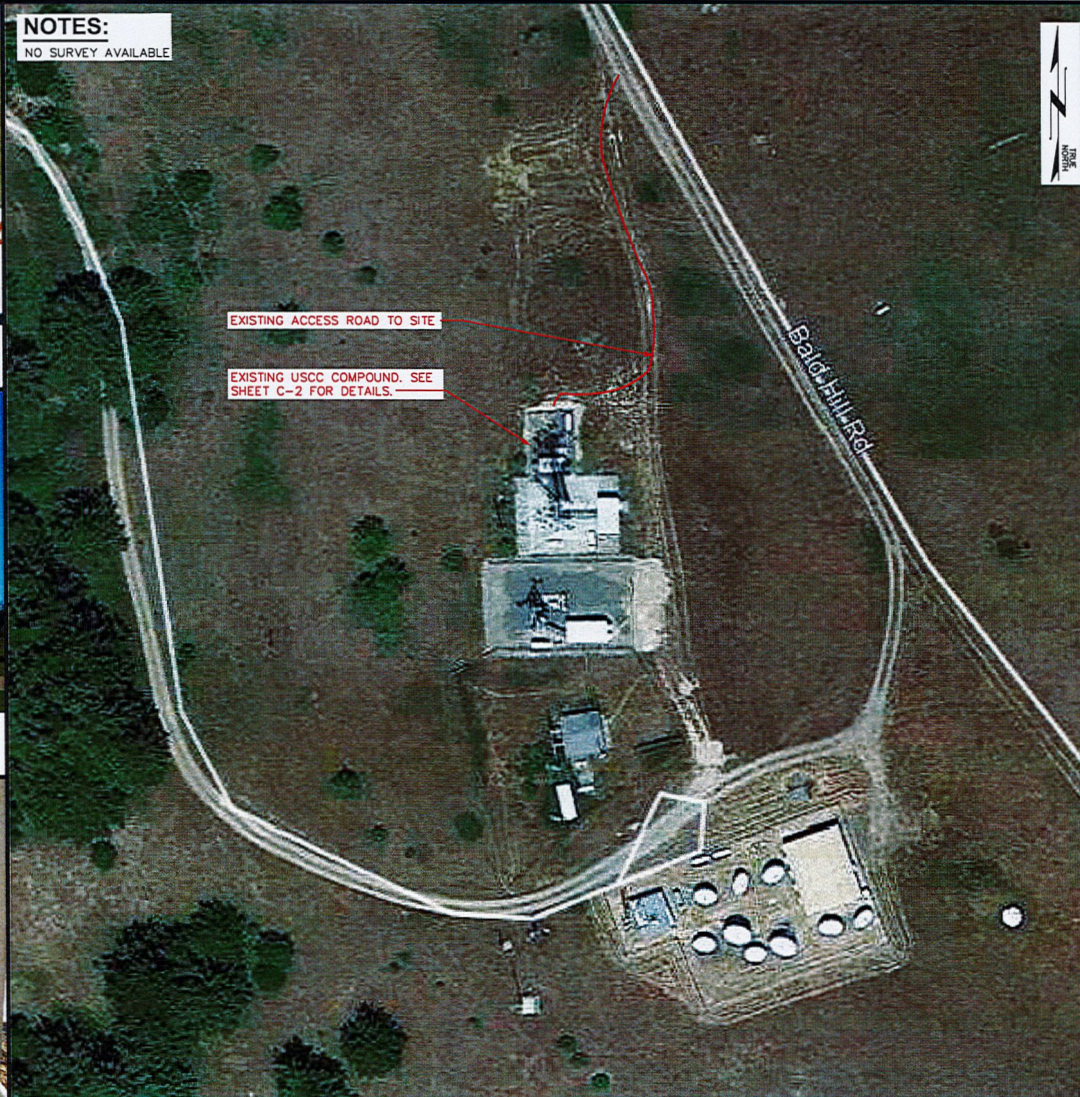


SITE OVERVIEW




COMPOUND SIGNAGE

NOTES:
NO SURVEY AVAILABLE



SITE PLAN
SCALE: N.T.S



PLANS PREPARED FOR:

 8410 W BRYN MAWR SUITE 700
 CHICAGO, IL 60631
 (773) 399-8900

PROJECT INFORMATION:
568352
FT. BRAGG
 22501 BALD HILL ROAD
 FORT BRAGG, CA 95437
 (MENDOCINO COUNTY)

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
 500 E. 84TH AVE, SUITE C10
 THORNTON, CO 80229
 OFFICE: (303) 566-9914
 www.tepgroup.net

SEAL:

 February 8, 2023

6	02-08-23	CONSTRUCTION
5	08-26-22	PRELIMINARY
4	05-20-21	CONSTRUCTION
REV	DATE	ISSUED FOR:

DRAWN BY: R5R | CHECKED BY: G5K

SHEET TITLE:
SITE PLAN

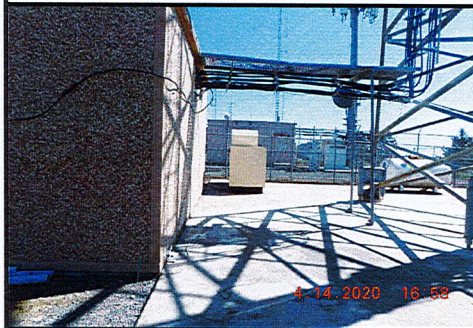
SHEET NUMBER: **C-1** | REVISION: **6**
 TEP#: 21708,736156



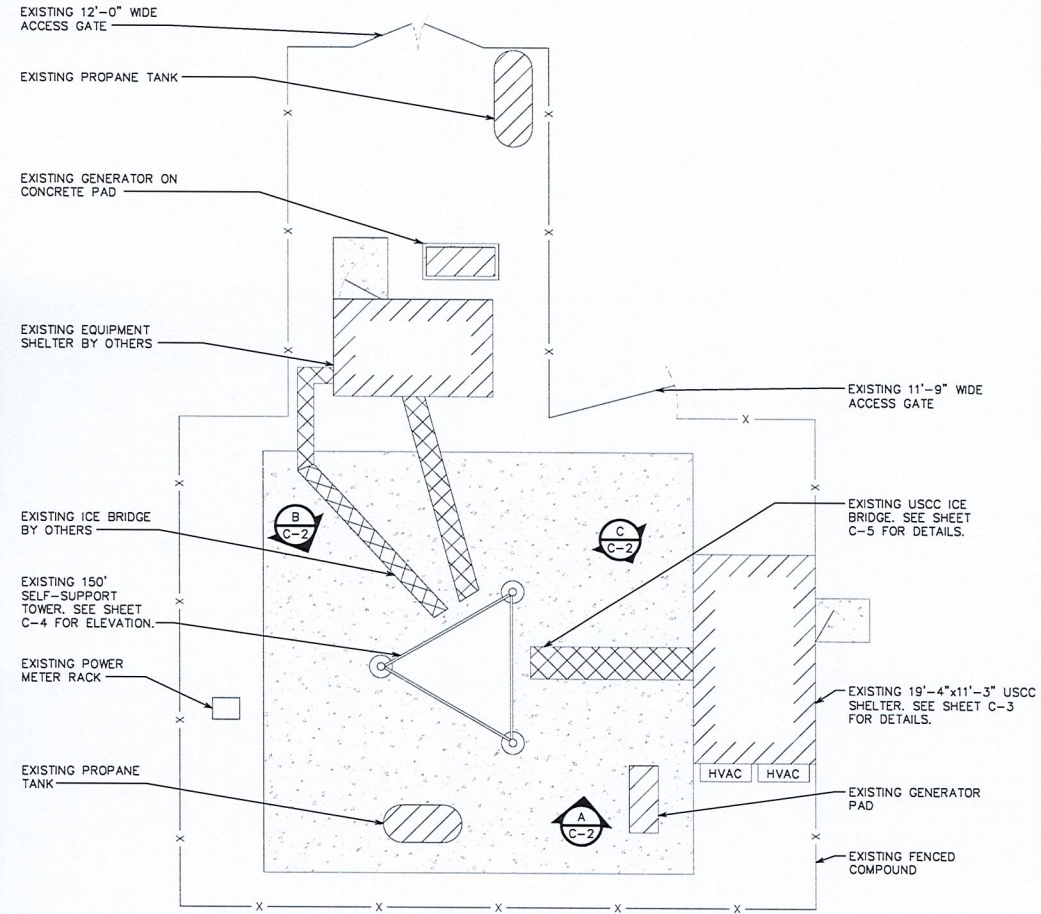
COMPOUND VIEW "A"



COMPOUND VIEW "B"

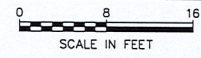


COMPOUND VIEW "C"



COMPOUND DETAIL

SCALE: 3/32" = 1'-0"




PLANS PREPARED FOR:

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6	02-08-23	CONSTRUCTION
5	08-26-22	PRELIMINARY
4	05-20-21	CONSTRUCTION
REV	DATE	ISSUED FOR:

DRAWN BY: RSR CHECKED BY: GSK

SHEET TITLE:
**COMPOUND
 DETAILS**

SHEET NUMBER: **C-2** REVISION: **6**
 TEP #: 21708.736156



APN: 069-270-14-00 Situs Address: 22501 BALD HILL RD FORT BRAGG CA 95437-8177 APN Map: [View](#)

General Information

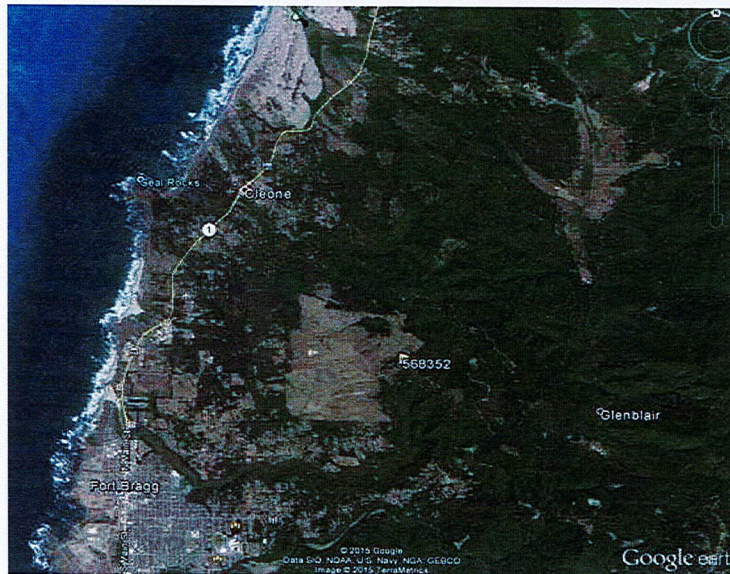
APN:	069-270-14-00	Use Type:	AGRICULTURAL
Situs Address:	22501 BALD HILL RD FORT BRAGG CA 95437-8177	Tax Rate Area:	076-041
Mailing Address:	22501 BALD HILL RD FORT BRAGG CA 95437		
Legal Description:			

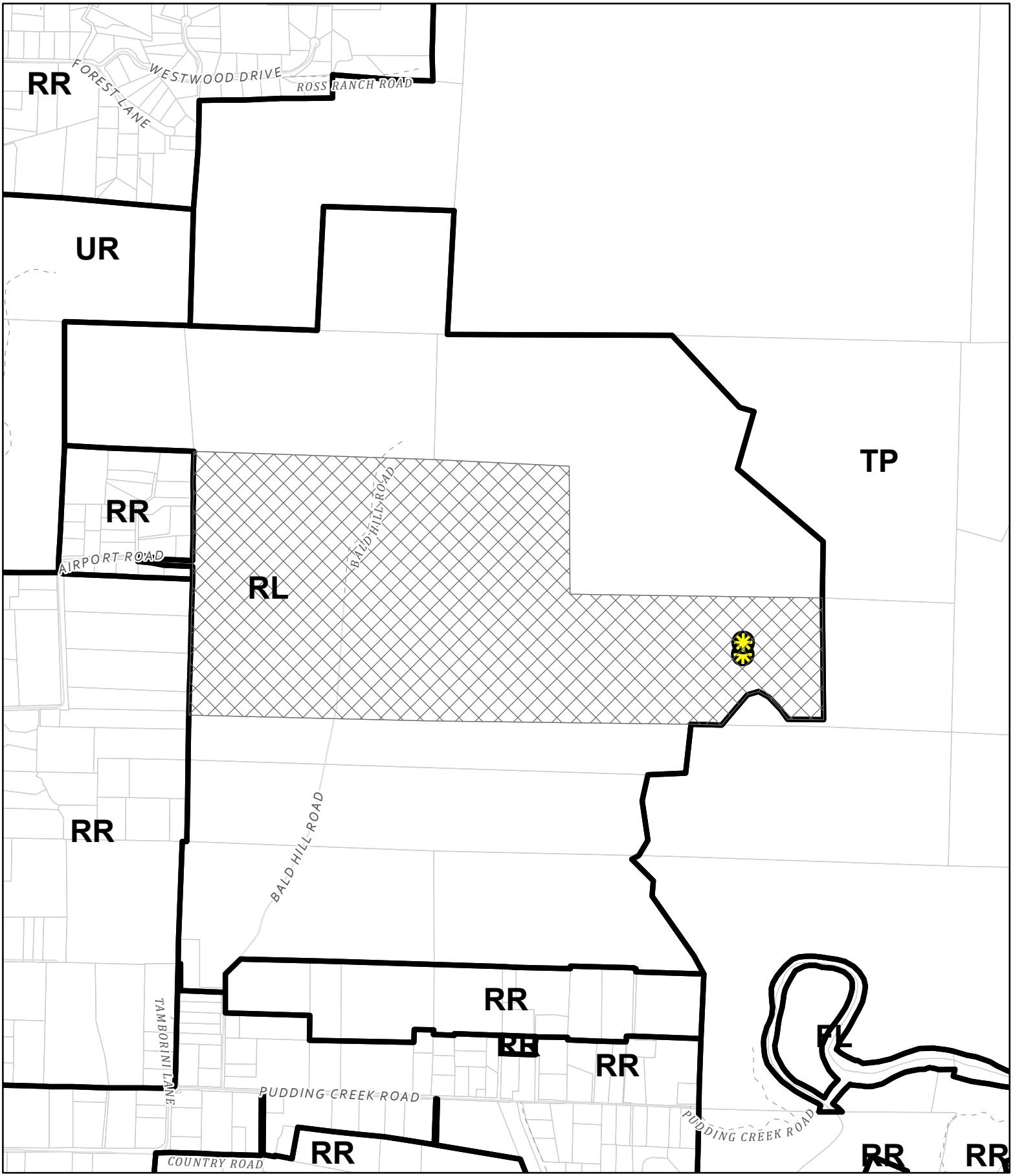
Assessment

Year Assd:	2014
Land:	\$89,194
Structure(s):	\$128,231
Other:	\$7,930
Total Land and Improv:	\$225,355
HO Exempt?:	Y
Exemption Amt:	\$7,000






Recent Sale History

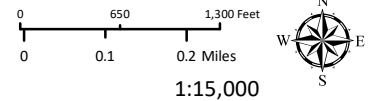
Recording Date:	05/31/2012
Document #:	08142
Transfer Amount:	





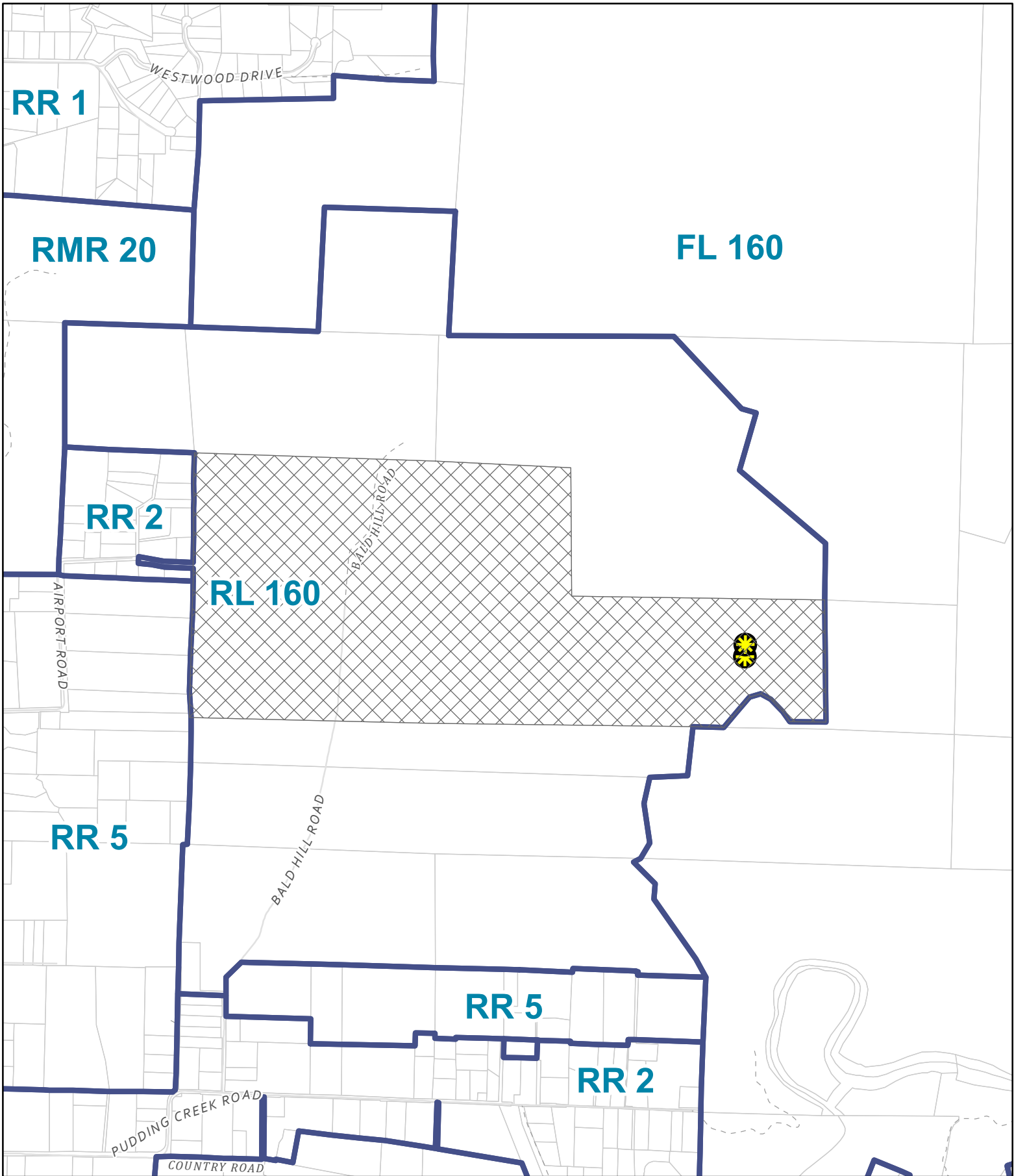
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-  Zoning Districts
-  Assessors Parcels
-  Public Roads
-  Private Roads
-  Approved Wireless Sites







ZONING

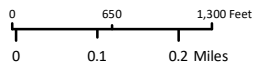
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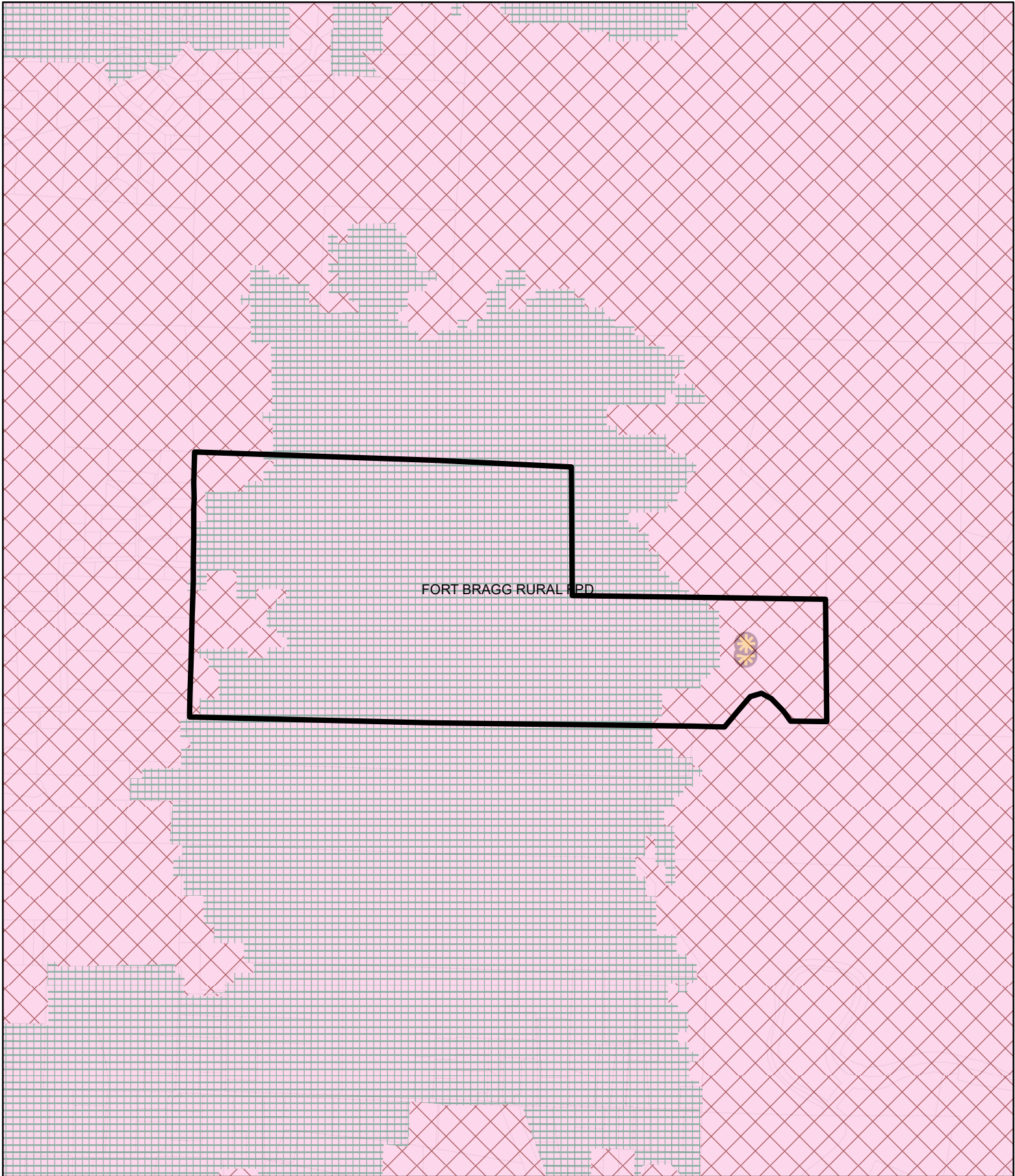
 Approved Wireless Sites



1:15,000

GENERAL PLAN






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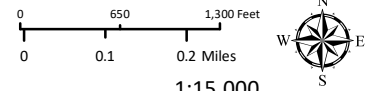


FORT BRAGG RURAL PD



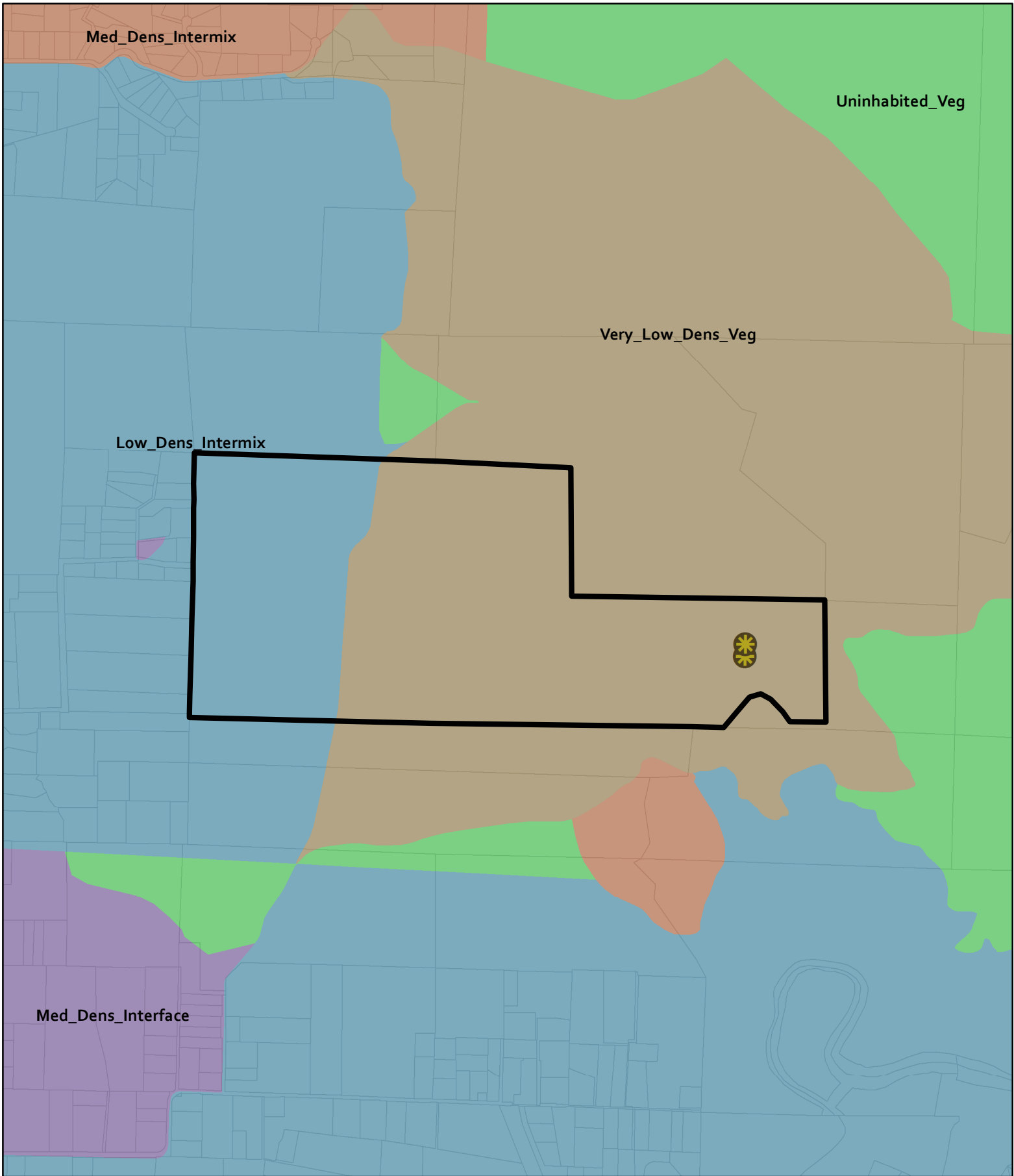
CASE: UR 2023-0008
OWNER: McGuire Family Trust
APN: 069-270-14
APLCT: California Rural Service
AGENT: Faulk & Foster
ADDRESS: 22501 Bald Hill Rd

-  High Fire Hazard
-  Moderate Fire Hazard
-  County Fire Districts
-  Assessors Parcels
-  Approved Wireless Sites





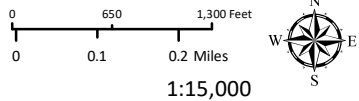
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FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA

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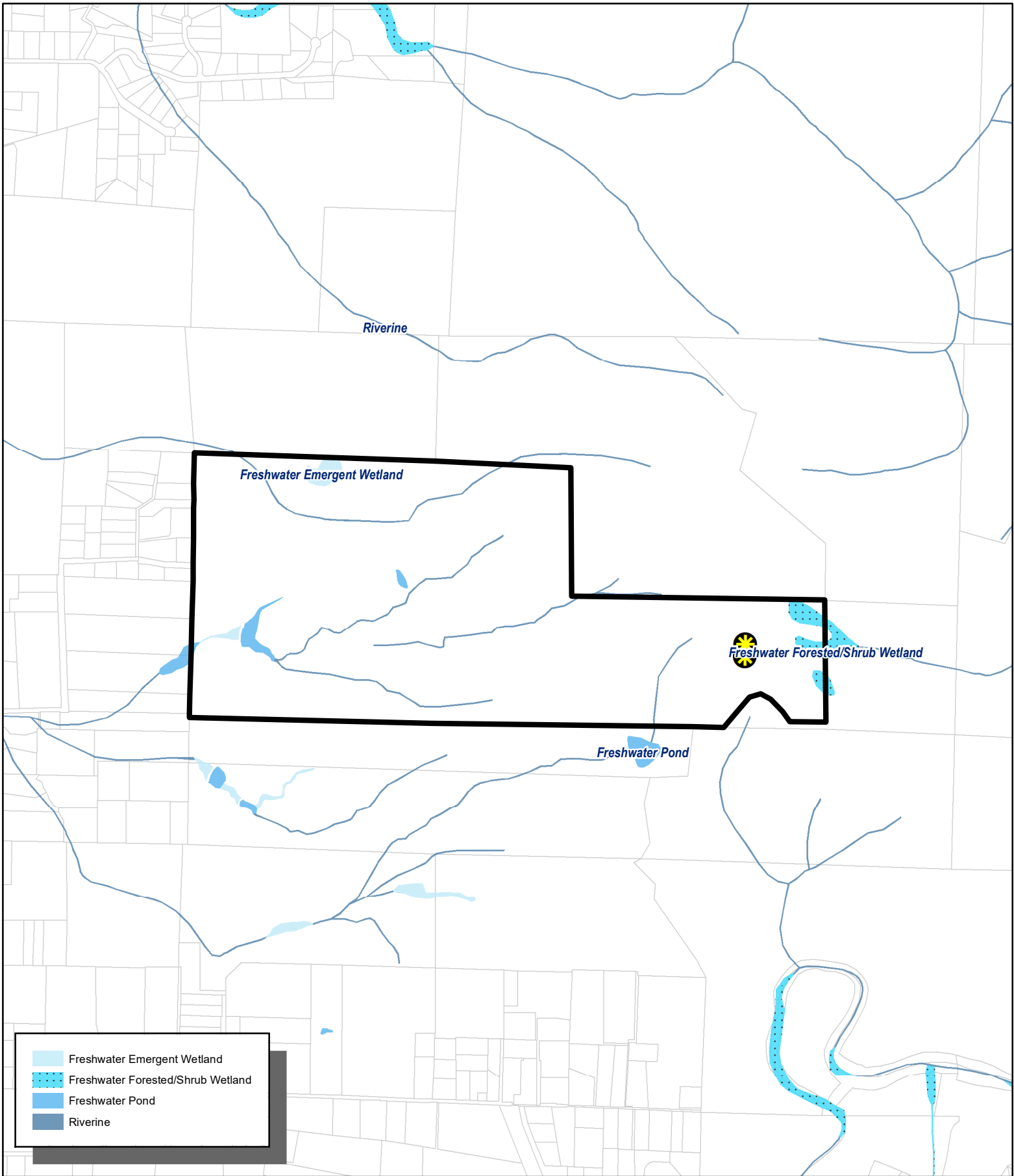
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



-  Assessors Parcels
-  Approved Wireless Sites





WILDLAND-URBAN INTERFACE

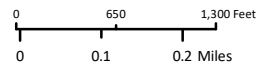
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-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Riverine

 Assessors Parcels

 Approved Wireless Sites

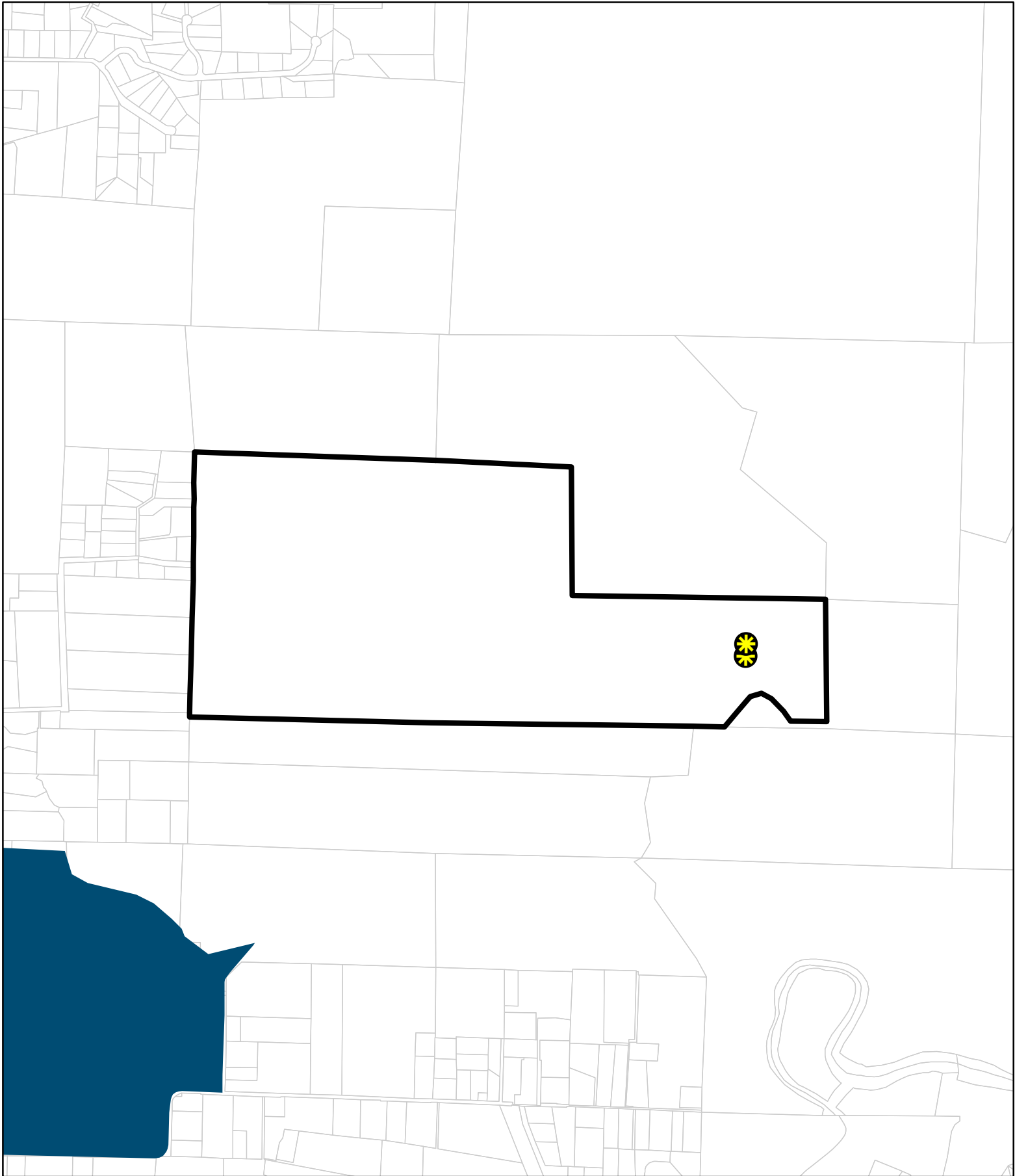


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WETLANDS

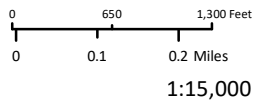
CASE: UR 2023-0008
OWNER: McGuire Family Trust
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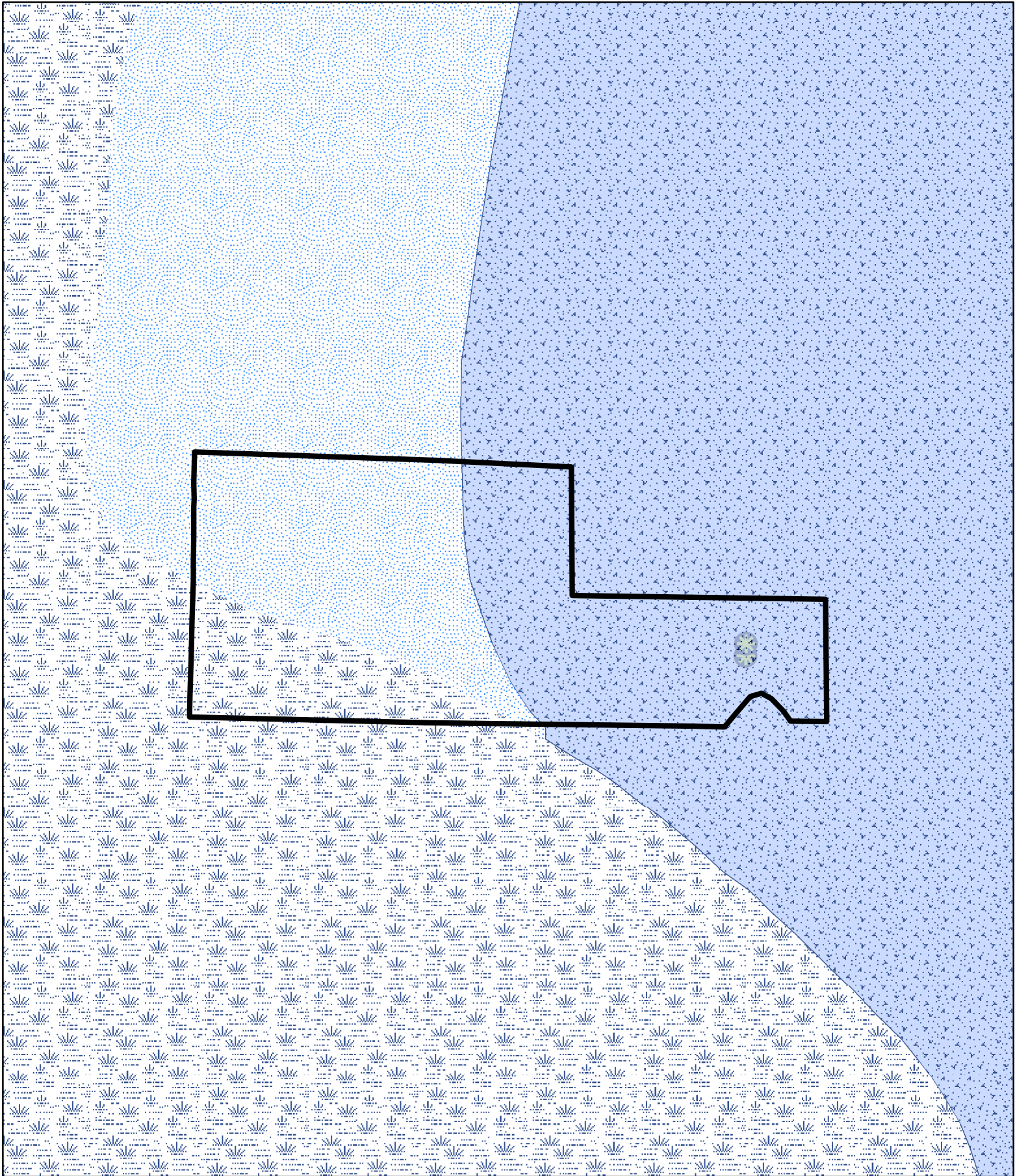
CASE: UR 2023-0008
OWNER: McGuire Family Trust
APN: 069-270-14
APLCT: California Rural Service
AGENT: Faulk & Foster
ADDRESS: 22501 Bald Hill Rd

-  Fort Bragg Stormwater Areas
-  Assessor's Parcels
-  Approved Wireless Sites







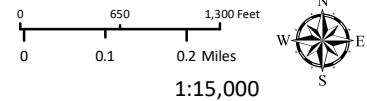
MS4 STORMWATER

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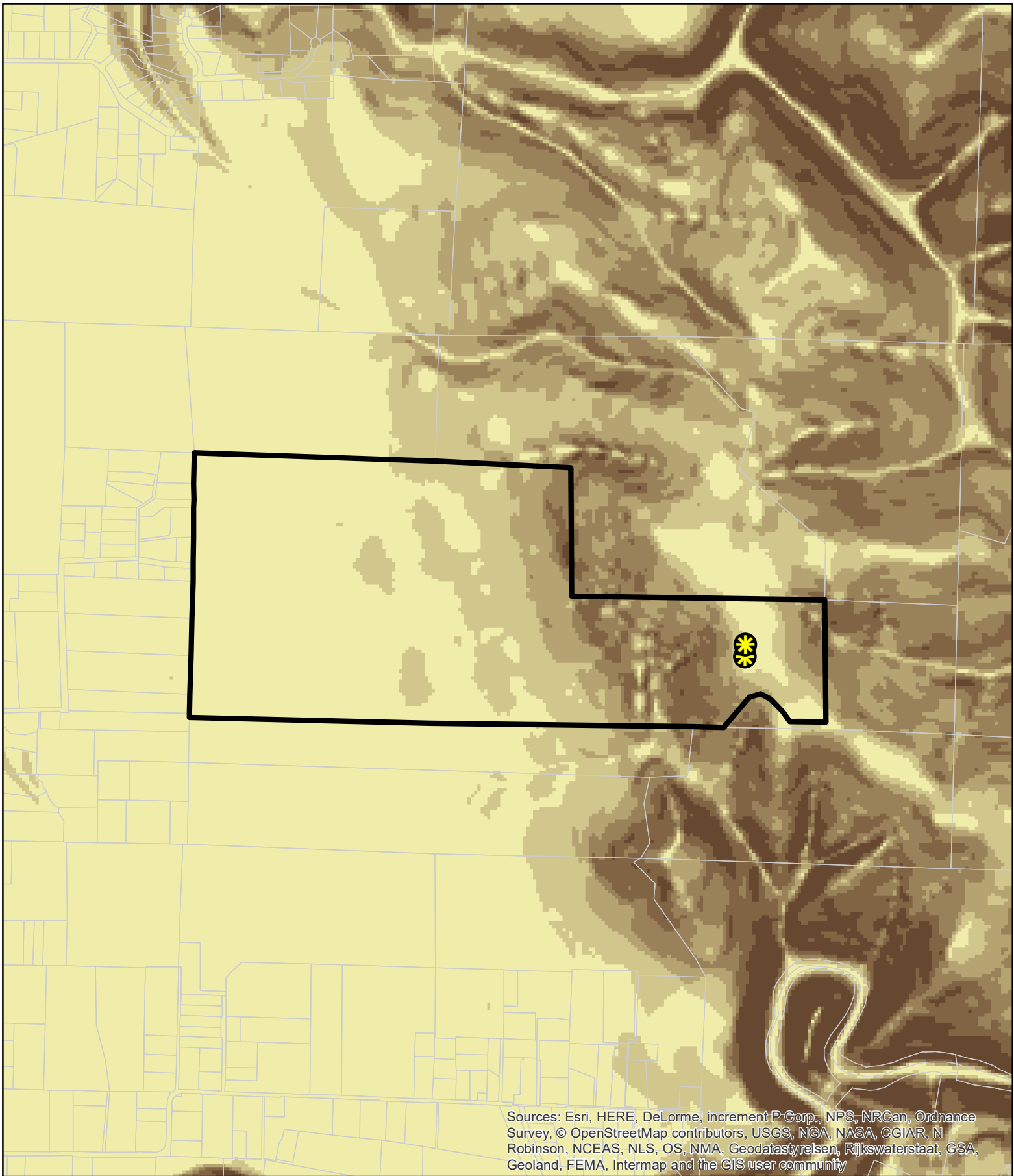
CASE: UR 2023-0008
OWNER: McGuire Family Trust
APN: 069-270-14
APLCT: California Rural Service
AGENT: Faulk & Foster
ADDRESS: 22501 Bald Hill Rd

-  Critical Water Resources Bedrock
-  Marginal Water Resources
-  Sufficient Water Resources
-  Approved Wireless Sites



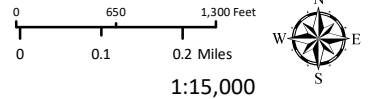
COASTAL GROUND WATER RESOURCES

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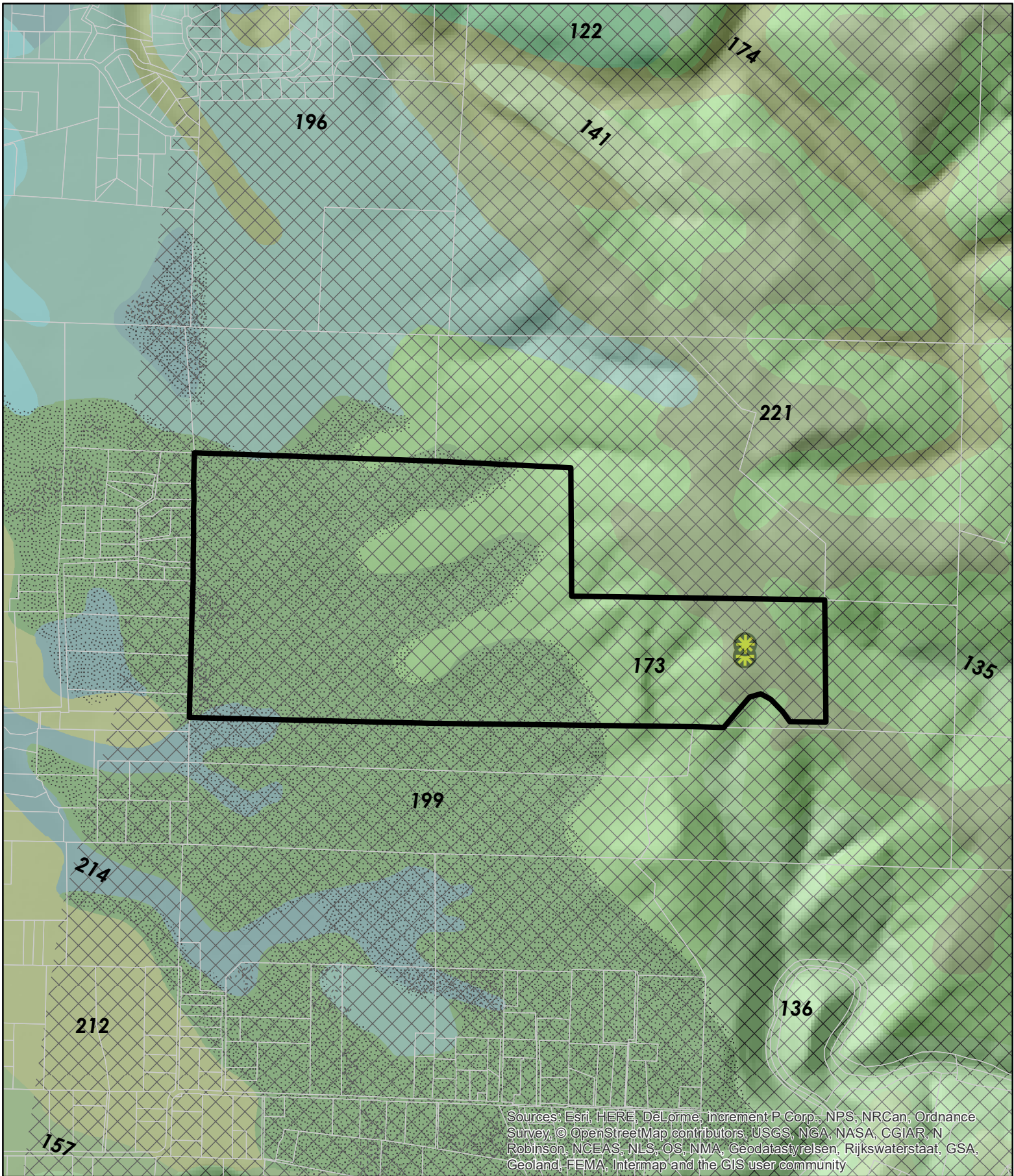
Sources: Esri, HERE, DeLorme, increment P Corp., NPS, NRCAn, Ordnance Survey, © OpenStreetMap contributors, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasysteisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

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ESTIMATED SLOPE

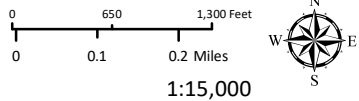
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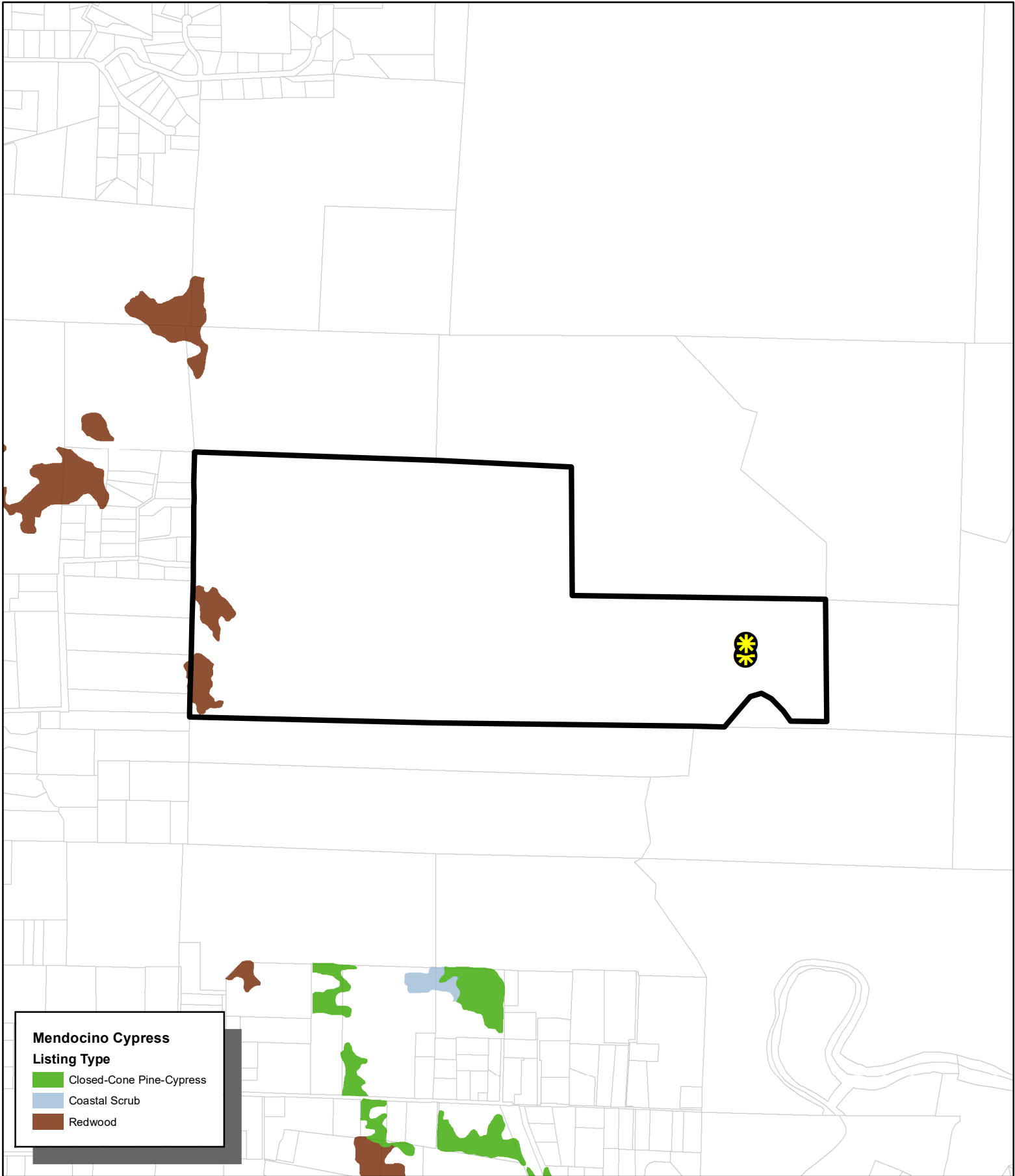
CASE: UR 2023-0008
OWNER: McGuire Family Trust
APN: 069-270-14
APLCT: California Rural Service
AGENT: Faulk & Foster
ADDRESS: 22501 Bald Hill Rd

-  Assessors Parcels
-  Bishop Pine
-  Mendocino Cypress 110922
-  Approved Wireless Sites
-  Shinglemill-Gibney Complex



WESTERN SOIL CLASSIFICATIONS

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Mendocino Cypress Listing Type

- Closed-Cone Pine-Cypress
- Coastal Scrub
- Redwood

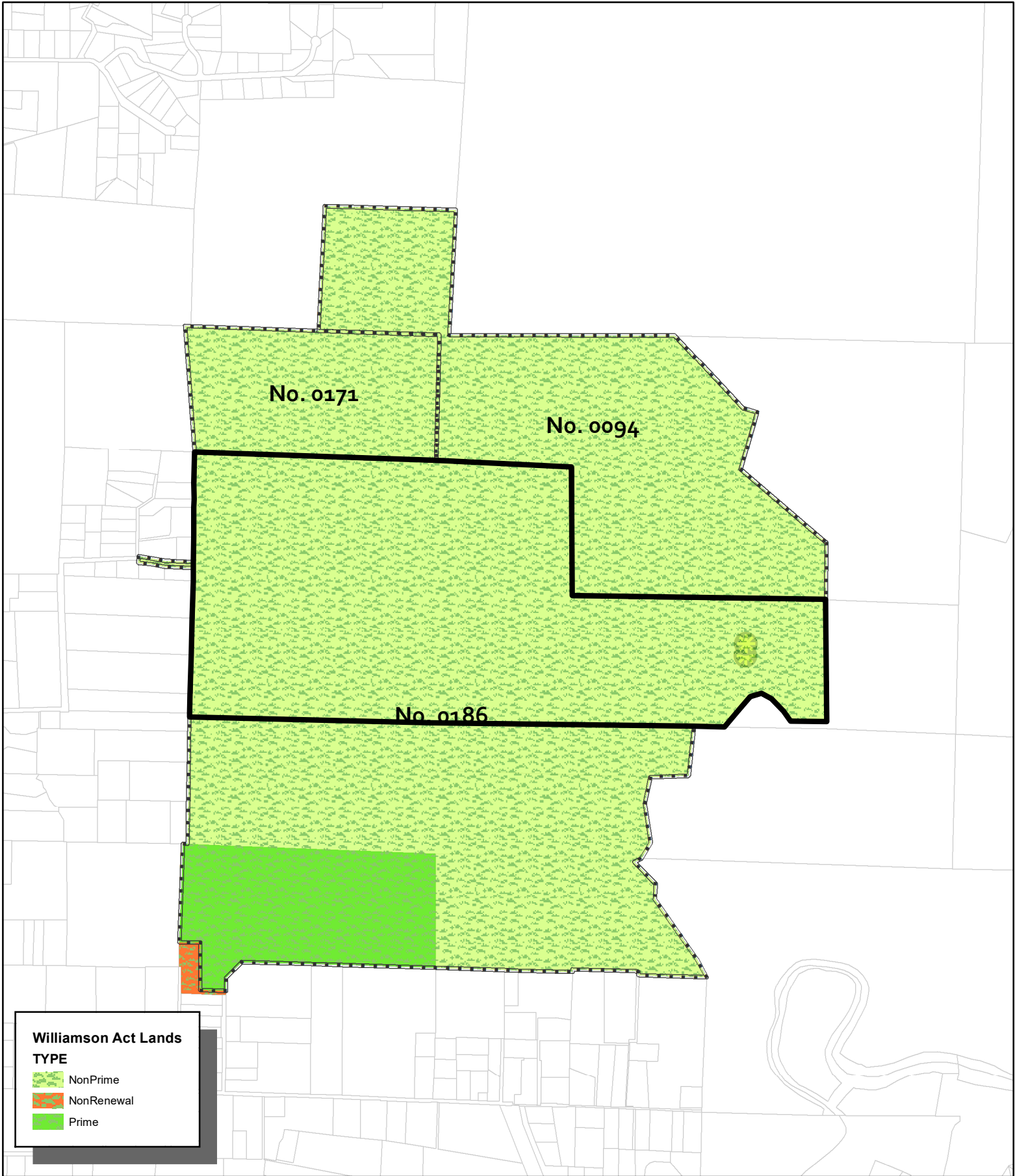
- Assessors Parcels
- ★ Approved Wireless Sites

0 650 1,300 Feet
 0 0.1 0.2 Miles
 1:15,000




CASE: UR 2023-0008
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ADDRESS: 22501 Bald Hill Rd

MENDOCINO CYPRESS



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Williamson Act Lands
TYPE

-  NonPrime
-  NonRenewal
-  Prime

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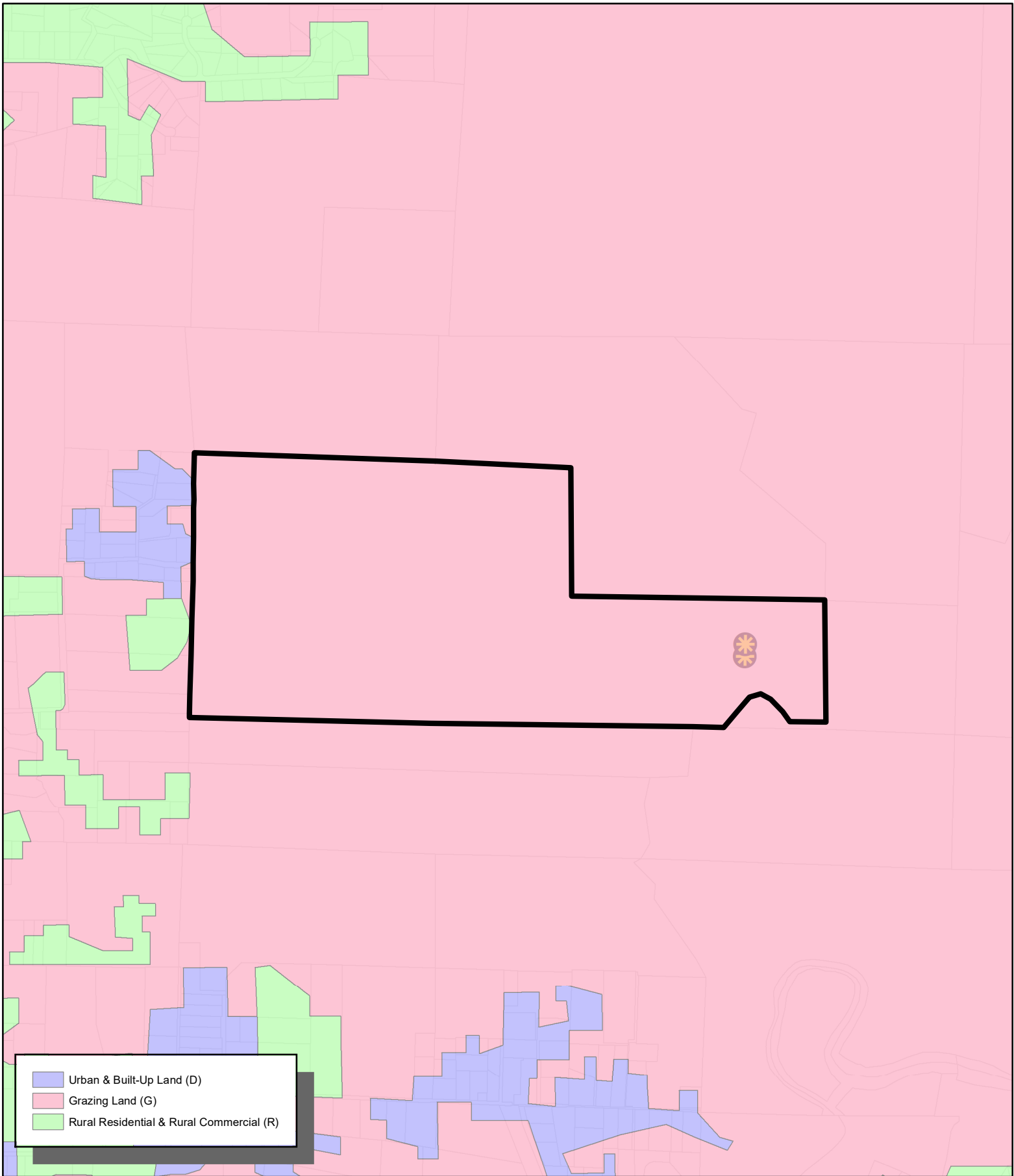
-  Assessors Parcels
-  Approved Wireless Sites

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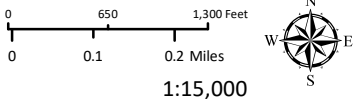
WILLIAMSON ACT

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- Urban & Built-Up Land (D)
- Grazing Land (G)
- Rural Residential & Rural Commercial (R)

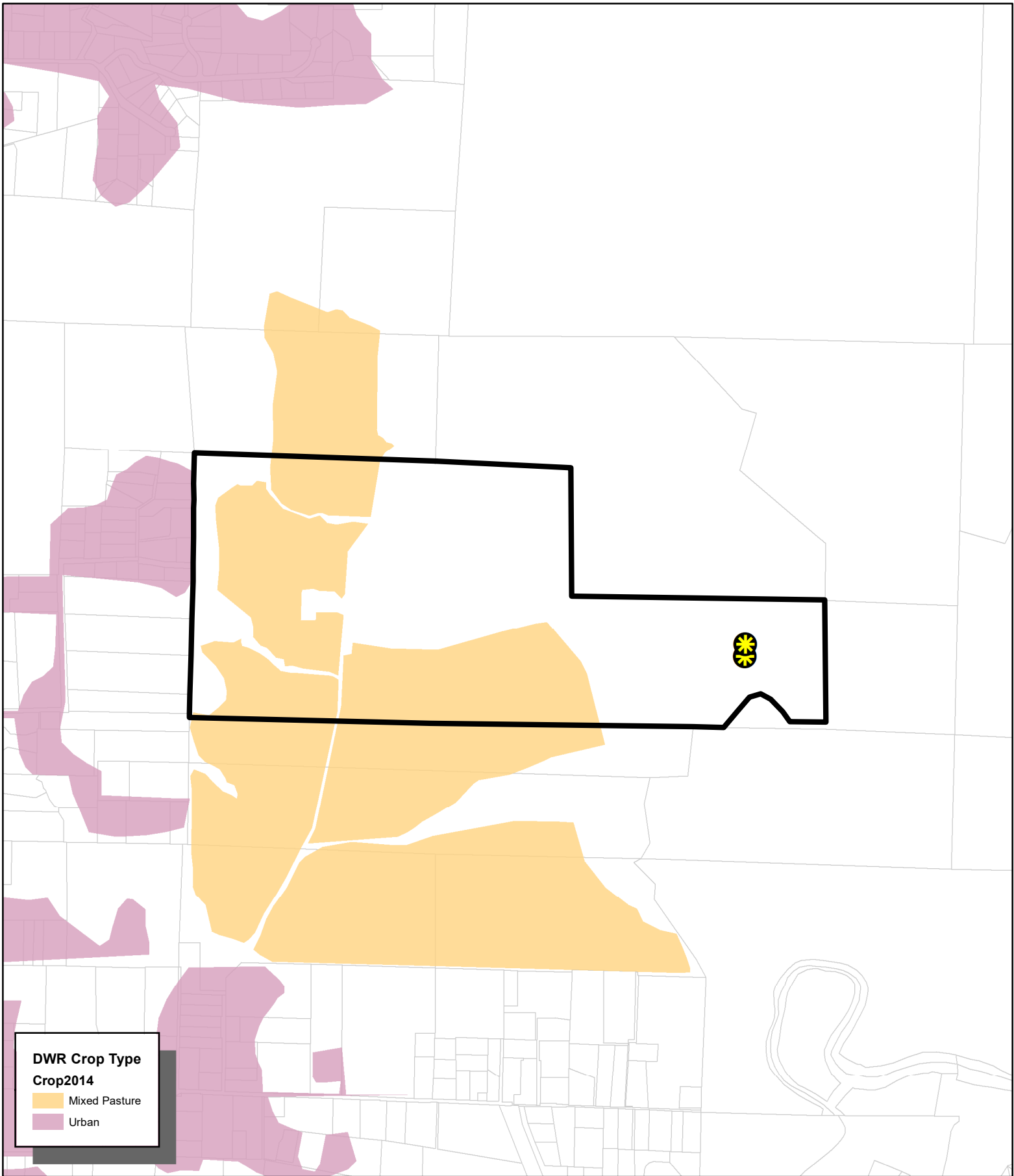
- Assessors Parcels
- Approved Wireless Sites



CASE: UR 2023-0008
OWNER: McGuire Family Trust
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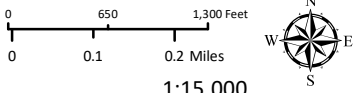
IMPORTANT FARMLANDS

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DWR Crop Type
Crop2014
 Mixed Pasture
 Urban

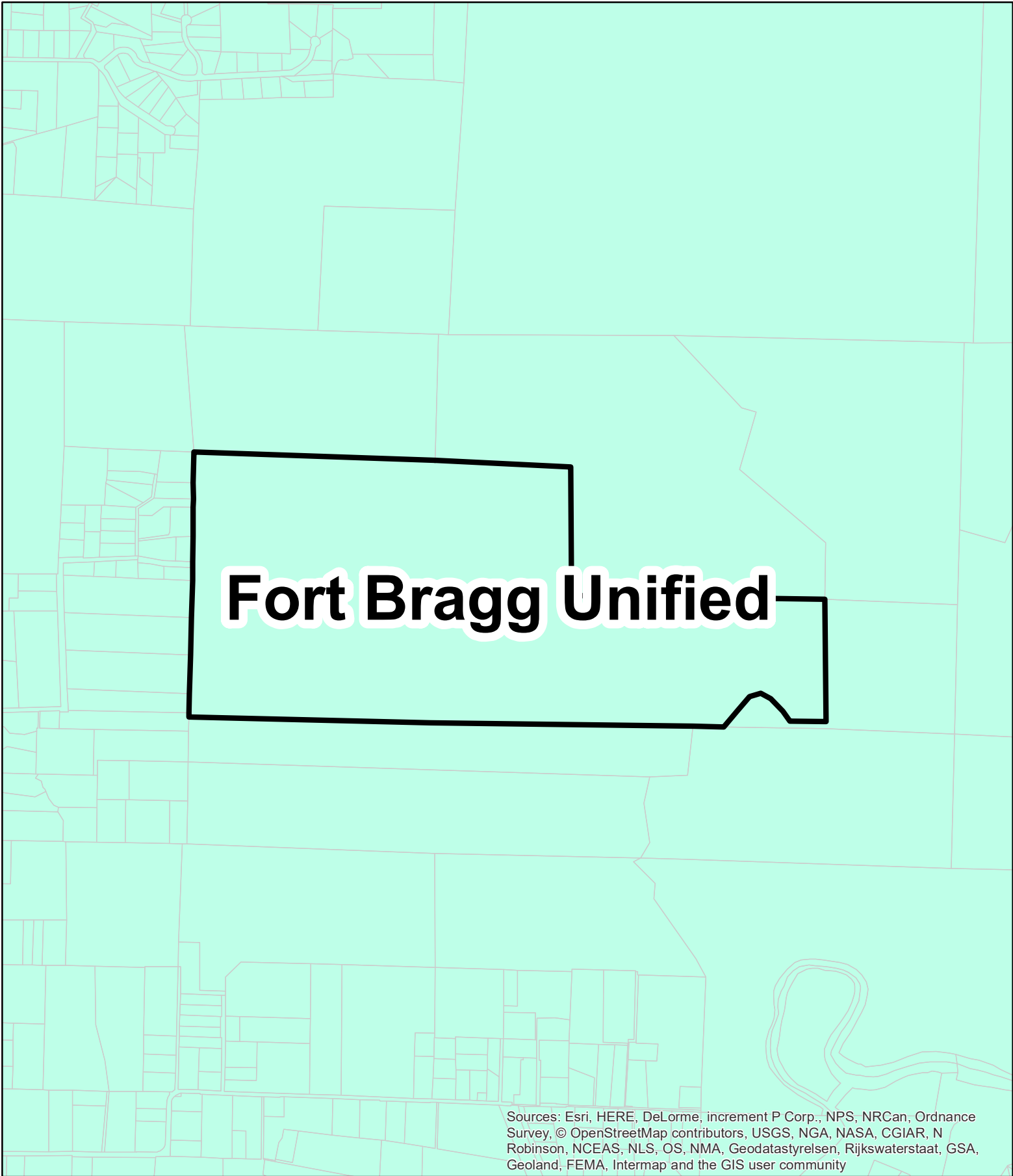
Assessors Parcels
 Approved Wireless Sites



CASE: UR 2023-0008
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CROP TYPES



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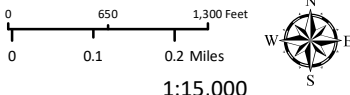


Fort Bragg Unified

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CASE: UR 2023-0008
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-  Assessors Parcels
-  Approved Wireless Sites



1:15,000
SCHOOL DISTRICT

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Resolution Number PC_2024-

County of Mendocino
Ukiah, California

MAY 2, 2024

UR_2023-0008 - California Rural Service Area #1

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, GRANTING RENEWAL OF A USE PERMIT FOR AN EXISTING WIRELESS COMMUNICATIONS FACILITY

WHEREAS, the applicant, California Rural Service Area #1, filed an application for a Use Permit Renewal with the Mendocino County Department of Planning and Building Services to renew a telecommunications facility that consists of a 150-foot-tall lattice tower and associated ground equipment, located 3± miles northeast of the City of Fort Bragg, lying on the east side of Bald Hill Road (CR 421A), 1.95± miles northeast of its intersection with Pudding Creek Road (CR 421); located at 21929 Bald Hill Rd., Fort Bragg; APN: 069-270-14; General Plan Range Lands (RL160); Zoning Rangeland (RL160); Supervisorial District 4; (the "Project"); and

WHEREAS, the California Natural Resources Secretary has found that certain classes of projects have been determined not to have a significant effect on the environment and are therefore exempt from the requirement for the preparation of environmental documents within the meaning of the California Environmental Quality Act (CEQA) and the project was found to be Categorically Exempt per 14 CCR §15301 *Existing Facilities*, Class 1(a); and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on May 2, 2024, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission, based upon the evidence in the record before it, makes the following findings:

1. **General Plan:** Pursuant to Mendocino County Code (MCC) Section 20.196.020(A), the establishment, maintenance, and operation of the proposed use and structure being applied for is in conformity to the General Plan. The project involves renewal and continued use of an existing telecommunication facility established under use permit UM 12-2002/2012. Modifications to the facility have been approved under subsequent administrative permits. Continued use of the facility in accordance with the recommended conditions of approval would be in conformity to the General Plan, including Policy DE-206 which encourages development of appropriate utility infrastructure; and
2. **Adequate Utilities, Access Roads, Drainage, & Other Necessary Facilities:** Pursuant to MCC Section 20.196.020(B), adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. Access is provided by a private extension connecting to Bald Hills Road (CR 421A). A private utility company and backup diesel generator provides the electrical services. The subject 150-foot-tall tower and equipment building are located within a 2,400 square foot leased area enclosed and secured with a 6-foot-high chain link fence. All utilities, access roads, drainage, and other facilities are existing, and no modifications are proposed; and

3. **Nuisances:** Pursuant to MCC Section 20.196.020(C), such use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county. There have been no known formal complaints related to the telecommunication facility. Continued use in accordance with renewal of the use permit is not expected to create a nuisance. Operation of the telecommunication facility is not expected to create significant noise, light, odor, or hazardous materials; and
4. **Zoning:** Pursuant to MCC Section 20.196.020(D), such use preserves the integrity of the zoning district. The telecommunication facility occupies only a small portion of the property, 2,400± square foot leased area within the 314± acre subject parcel, with the remaining acreage devoted to residential and agricultural activities. Continuance of the governing Use Permit UM 12-2002/2012 would not adversely affect the intent of the RL district. Further, the existing facility provides a public benefit by strengthening telecommunication infrastructure; and
5. **Governing Use Permit:** The project is consistent with governing Use Permit conditions. Staff reviewed the application along with supplemental materials and determined that the project as proposed is consistent with conditions of approval previously adopted for Use Permit UM 12-2002/2012 governing the site.
6. **Environmental:** Pursuant to Title 14, Division 6, Chapter 3, Article 19, Section 15301 of California Environmental Quality Act (CEQA) Guidelines, the Secretary for Resources has found that Class 1 consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use is categorically exempt from CEQA. Considering the project request is to renew the governing Use Permit for the continued use of an existing Wireless Communications Facility, the project would qualify for this exemption. Therefore, Staff finds that the project would not have a significant effect on the environment and is declared to be categorically exempt from the further environmental review within the meaning of CEQA.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested use permit renewal (UM 12-2002/2012), subject to the Conditions of Approval in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is filed pursuant to Section 20.208.015 of the Mendocino County Code.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES FEENAN
 Commission Services Supervisor

By: _____

BY: JULIA KROG
 Director of Planning & Building Services

 CLIFFORD PAULIN, Chair
 Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL

MAY 2, 2024

UR_2023-0008 -CALIFORNIA RURAL SERVICE AREA #1

Renewal of Use Permit Modification UM 12-2002/2012 to allow an existing cellular antenna facility to remain. The renewal would be granted for a ten-year period.

APPROVED PROJECT DESCRIPTION: Renewal of Use Permit Modification UM 12-2002/2012 to allow an existing cellular antenna facility to remain. The renewal would be granted for a ten-year period.

CONDITIONS OF APPROVAL:

1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.208.015 of the Mendocino County Code. This permit shall become effective after the ten (10) day appeal period has expired and no appeal has been filed.
2. **This permit shall expire on May 17, 2032.** The applicant has the sole responsibility for submitting a completed application for a use permit renewal before the expiration date. **The County will not provide a notice prior to the expiration date.**
3. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code.
4. The application along with supplemental exhibits and related materials shall be considered elements of this entitlement and compliance therewith shall be mandatory, unless a modification has been approved by the Planning Commission.
5. This permit shall be subject to revocation or modification by the Planning Commission upon a finding of any one (1) or more of the following:
 - a. That the permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which the permit was granted have been violated.
 - c. That the use for which the permit was granted is conducted in a manner detrimental to the public health, welfare, or safety, or is a nuisance.
 - d. A final judgement in a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
6. This permit is issued without a legal determination having been made upon the number, size, or shape of parcels encompassed within the permit boundaries. Should, at any time, a legal determination be made that the number, size, or shape of parcels within the permit boundaries are different than that which is legally required by this permit, this permit shall become null and void.
7. This permit shall be subject to the securing of all necessary permits for the proposed project from County, State, and Federal agencies having jurisdiction.
8. This permit shall be subject to the applicable conditions of approval set forth in the previous governing Use Permit UM 12-2002/2012. Within 30 days of approval, the applicant shall submit to Planning and Building Services a signed letter of acknowledgement stating that they have read all

Conditions of Approval for this permit as well as previously approved Use Permits and that this project will be consistent with all applicable conditions.

9. The applicant shall provide an updated irrevocable letter of credit, bond, certificate of deposit, or other reasonable form of security satisfactory to County Counsel, sufficient to fund the removal of the facility and restoration of the site in the event that the applicant abandons operations or fails to comply with requirements for removal of facilities and restoration of the site.
10. Future modifications to the subject facility shall conform to the Wireless Communication Facilities Development Guidelines adopted by the Board of Supervisors on August 4, 2015, unless conditionally approved by modification of this governing permit and shall be considered cumulatively to determine if request constitutes a "substantial change" to the facility under applicable federal law.