



Mendocino County

Legislation Details (With Text)

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File created: 10/7/2020 **In control:** Planning and Building Services
On agenda: 10/20/2020 **Final action:**
Title: Noticed Public Hearing - Discussion and Possible Action Regarding an Appeal of Planning Commission Approval of Use Permit 2019-0011, for a new Wireless Communication Facility in Willits (Sponsor: Planning and Building Services)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 00. U_2019-0011(Nixon) Combined Maps (FINAL), 2. 0. U_2019-0011 Memo to BOS on Appeal FINAL, 3. 01. U_2019-0011 - Appeal Form, 4. 02. U_2019-0011(Nixon) Staff Report - (FINAL), 5. 03. U_2019-0011 (Nixon) Resolution (PC_2020-0007), 6. 04. U_2019-0011 Initial Study, 7. 05. U_2019-0011 PC Memo 3-19-20, 8. 06. U_2019-0011 Revised Existing Coverage, 9. 07. U_2019-0011 Revised Proposed Coverage, 10. 08. U_2019-0011 PC Memo 4-16-20, 11. 09. U_2019-0011 Coverage Map Area Analysis, 12. 10. U_2019-0011 June 4 Memo and Denial Reso, 13. 11. PC Minutes 6-4-20, 14. 12. U_2019-0011 (Nixon) All Public Comments Combined, 15. MCEO Affidavit 6511800, 16. Appellant Presentation, 17. Petition, 18. 09-01-20 Cameron Correspondence, 19. 10-13-20 LLFPD Correspondence, 20. 10-15-20 Wagner Correspondence, 21. 10-16-20 Brunner Correspondence, 22. 10-16-20 Bural Correspondence, 23. 10-16-20 Herman Correspondence, 24. 10-16-20 Holleman Correspondence, 25. 10-16-20 Ortiz Correspondence, 26. 10-16-20 Robertson Correspondence, 27. 10-16-20 Smith Correspondence, 28. 10-16-20 Youngstrom Correspondence, 29. 10-19-20 Boughn Correspondence, 30. 10-19-20 Cardana-Gabrielson Correspondence, 31. 10-19-20 Cell Tower Petition Correspondence, 32. 10-19-20 Cronk Correspondence, 33. 10-19-20 Geller Correspondence, 34. 10-19-20 Gomez Correspondence, 35. 10-19-20 Grasse Correspondence, 36. 10-19-20 Jeavons Correspondence, 37. 10-19-20 Maki Correspondence, 38. 10-19-20 Mallace Correspondence, 39. 10-19-20 Meyers Correspondence, 40. 10-19-20 Meyers Zakarait Correspondence, 41. 10-19-20 Mitchell Correspondence, 42. 10-19-20 Powers Correspondence, 43. 10-19-20 Ray Correspondence, 44. 10-19-20 Roth Correspondence, 45. 10-19-20 Sauers Correspondence, 46. 10-19-20 Schon-Brunner Correspondence, 47. 10-19-20 Schulz Correspondence, 48. 10-19-20 Smith Correspondence, 49. 10-19-20 Tiffer Correspondence, 50. 10-19-20 Wadman Correspondence, 51. 10-19-20 Williams Correspondence, 52. 10-19-20 Morawski Correspondence, 53. 10-19-20 Schulz Correspondence, 54. Ortiz - Supporting Documents, 55. Exhibits in Support, 56. Memorandum in Support, 57. 10-19-20 Soss Correspondence, 58. 10-19-20 White Correspondence (2), 59. 10-19-20 White Correspondence, 60. 10-19-20 Youth Support Letter Correspondence, 61. 10-19-20 Beebe Correspondence, 62. 10-19-20 CR Jeavons Correspondence, 63. 10-19-20 Durkee Correspondence, 64. 10-19-20 Morey Correspondence, 65. 10-19-20 Powers Correspondence, 66. 10-19-20 Sears Correspondence, 67. 10-19-20 E. Youngstrom Correspondence, 68. 10-19-20 Youngstrom Correspondence, 69. 10-20-20 J. Klee Correspondence, 70. 10-20-20 Klee Correspondence, 71. 10-20-20 Meyers Correspondence, 72. 10-20-20 Phallen-Fike Correspondence, 73. 10-20-20 Weibel Correspondence, 74. Revised - CCL05298_Valley Oaks Park_Photo Simulations_7.09.19

Date	Ver.	Action By	Action	Result
10/20/2020	1	Board of Supervisors		

To: Board of Supervisors

From: Planning and Building Services

Meeting Date: October 20, 2020

Department Contact: Mark Cliser
Department Contact: Brent Schultz

Phone: 234-6650
Phone: 234-6650

Item Type: Noticed Public Hearing

Time Allocated for Item: 1.5 hours

Agenda Title:

Noticed Public Hearing - Discussion and Possible Action Regarding an Appeal of Planning Commission Approval of Use Permit 2019-0011, for a new Wireless Communication Facility in Willits
(Sponsor: Planning and Building Services)

Recommended Action/Motion:

Deny the appeal and affirm the Mendocino County Planning Commission's approval of the project.

Previous Board/Board Committee Actions:

The Board of Supervisors adopted Ord. No. 3953 in 1996 establishing Chapter 20.236 (Towers and Antennas) in Division I of Title 20 of County Code. The Board of Supervisors adopted Ord. No. 4341, on August 4, 2015 making amendments to Chapter 20.236 (Towers and Antennas). The Board of Supervisors adopted Resolution No. 15-121 on August 4, 2015 adopting the Guidelines for the Development of Wireless Communication Facilities to guide the evaluation of applications for, and the development, operation, and maintenance of wireless communications facilities.

Summary of Request:

On June 12, 2020 the Neighbors and Friends of Pine Mountain filed an appeal of the approved Use Permit 2019-0011. The Appeal challenges the approval by the Planning Commission "based upon the entire record, both written and oral, including but not limited to each and every issue raised in the written record and at the Public Hearings, including but also not limited to, procedural issues, claims and statements made in writing and/or at the Hearings, Findings of Fact, Conditions of Approval, CEQA issues including failure to mitigate significant impacts, and failure to provide an adequate venue for public participation at the Public Hearings."

Alternative Action/Motion:

Grant the appeal and deny Use Permit 2019-0011.

Supervisory District: District 3

vote requirement: Majority

Supplemental Information Available Online At:

<https://www.mendocinocounty.org/government/planning-building-services/public-notice>

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: October 22, 2020

Final Status: **Approved with Direction**

