

PLANNING COMMISSION
April 11, 2024

FILE NUMBER: 2023-006
PROPERTY OWNER: Ingram-Verizon
TYPE OF APPLICATION: Use Permit

Staff Report.....001

Project Maps005

Draft Resolution Approving010

Draft Disapproving Resolution.....015

Please find the following on our website under Environmental Documents, Noticing and Attachments (<https://www.lassencounty.org/dept/planning-and-building-services/environmental-documents-noticing-and-attachments>):

- Initial Study #2023-002 (with attachments)
 - Attachment 1, Project Applications and Supporting Information
 - Attachment 2, Notice of Early/Informal Consultation dated December 14, 2023

LASSEN COUNTY PLANNING COMMISSION
STAFF REPORT
April 11, 2024

FILE NUMBER:	Use Permit #2023-006
PROPERTYOWNER/ADMINISTRATOR:	Jason Ingram
OPERATOR/APPLICANT	Sac Wireless (Courtney Standridge)
TYPE OF APPLICATION:	Use Permit-Communication tower
GENERAL LOCATION:	Approximately 10 miles South of Herlong, CA and 4 miles North of Doyle, CA.
ASSESSOR'S PARCEL NUMBER(S):	139-280-015
PROJECT SITE ZONING:	A-1 (General Agricultural District)
GENERAL PLAN:	Extensive Agriculture
ENVIRONMENTAL DOCUMENT:	Initial Study
APPEAL:	Board of Supervisors, Lassen County Environmental Review Guidelines Section 6(f), 10 days
STAFF CONTACT:	Chris Martin, Natural Resources Coordinator

AUTHORITY FOR APPLICATION:

Lassen County Code Section 18.102.020 (General Provisions-Nonpublic Utilities). Allows placement of non-public utilities in all districts upon approval of a use permit. Lassen County Code Section 18.108.290 (Special-Provisions-Wireless Service Facilities), and the Lassen County Code Section 18.112.010 (Use Permits)

REGULATING AGENCIES:

<u>Agency</u>	<u>Identified Permits / Approvals</u>
Planning Commission	Approval of Use Permit Applications
Lassen County Building Department	Building Permits

PROJECT DESCRIPTION:

The project consists of construction of a 130-foot monopole telecommunications tower, a diesel backup generator, and other associated ground-based equipment within a proposed 30-foot by 30-foot lease area. A fiber conduit route is proposed to extend from the proposed lease area approximately 150 feet east to a proposed fiber vault then approximately 840 feet east to another proposed fiber vault. A power conduit route is proposed to extend from the proposed lease area approximately 915 feet east to an existing pole-mounted transformer. Access is granted via a proposed 15-foot wide easement extending approximately 990 feet east from the proposed lease area to Hackstaff Road.

PROJECT AND SUROUNDING SITE CHARACTERISTICS:

The project site is located at 438-650 Hackstaff Rd., approximately 10 miles South of Herlong, CA and 4 miles North of Doyle, CA. The applicant proposes to lease a 30 foot by 30 foot site on the 36-acre developed, occupied parcel. The lease area is undeveloped.

SURROUNDING PROPERTIES:

Parcels in the vicinity consist of agricultural residential parcels to the north, northeast, east, southeast, south, west, and northwest, and an agricultural parcel to the southwest:

	Zoning (see notes at bottom)	Parcel Size (acres)	Land Use Designation (Lassen County General Plan, 2000)
North	A-1*, A-2-B-40**	80, 156.13	“Extensive Agriculture”
South	A-1*	99.95	“Extensive Agriculture”
West	A-1*	437.00	“Extensive Agriculture”
East	A-1*	160.00	“Extensive Agriculture”

*The A-1 zoning district is the “General Agricultural District” as defined in Chapter 18.50 of the Lassen County Code

**The A-2-B-40 zoning district is the “Agricultural Residential 40-Acre Building Site Combining District” as defined in Chapter 18.70 of the Lassen County Code

DISCUSSION:

- (a) The proposed project would not physically divide any established community.
- (b) The subject parcel is zoned A-1 (General Agricultural District) and has an “Extensive Agriculture” land use designation per the *Lassen County General Plan, 2000*. According to Lassen County Code Section 18.108.290 allows for a wireless tower with an approved Use Permit. An issuance of a Use Permit, along with adherence with Lassen County Code, will insure that there is no conflict with any land use policy or ordinance of the County adopted for the purpose of avoiding or mitigating an environmental effect.
- (c) The proposed project does not conflict with any known applicable habitat conservation plan or natural community conservation plan.

ENVIRONMENTAL DOCUMENT:

An Initial Study was prepared, which identifies potentially significant impacts in the following categories, and mitigation measures have been identified to reduce said impacts to a less than significant level:

- Aesthetics

Due to the potentially significant impact being reduced to less than significant with mitigation measures incorporated, the ERO has prepared a Mitigated Negative Declaration. Please refer to the Initial Study and attachments for additional information.

Pursuant to section 15074(b), prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together

with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

A Notice of Intent to Adopt a Negative Declaration for this project was filed pursuant to Section 15072 and 15073 of the CEQA Guidelines. The Department received no agency comments and 1 comment from members of the public. There were no new and avoidable significant impacts identified through this process, and the Environmental Review Officer for the County has determined that recirculation of the documents is not required. Both the Initial Study with attachments is available on the Department of Planning and Building Services Website.

Response to Tim and Elaine Day:

- Lassen County Code Section 18.108.290 allows for a wireless tower with an approved Use Permit.
- The property owned by Tim and Elaine Day is unimproved. This Department has not received any comments from property owners with residences on property.
- The following findings shall be made by the planning commission or board of supervisors, as applicable, in conjunction with any other findings which may be considered for the approval or denial of a use permit application:
 - (1) That the project will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.

PLANNING COMMISSION ACTION:

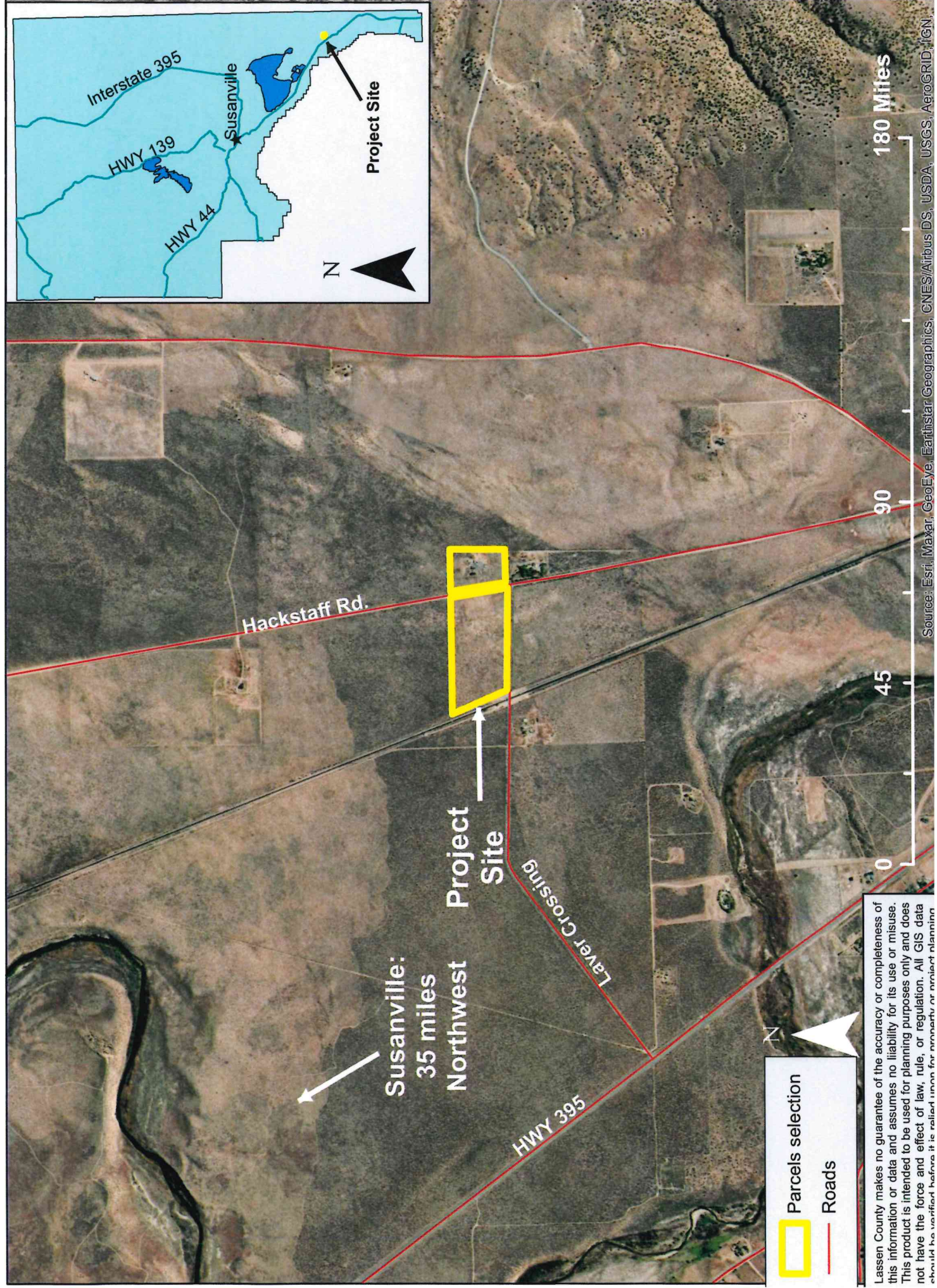
The Planning Commission is required to form their own conclusions regarding the above findings and the public interest. However, in this case, it is the conclusion of the Department that Initial Study #2023-002 clearly demonstrates that:

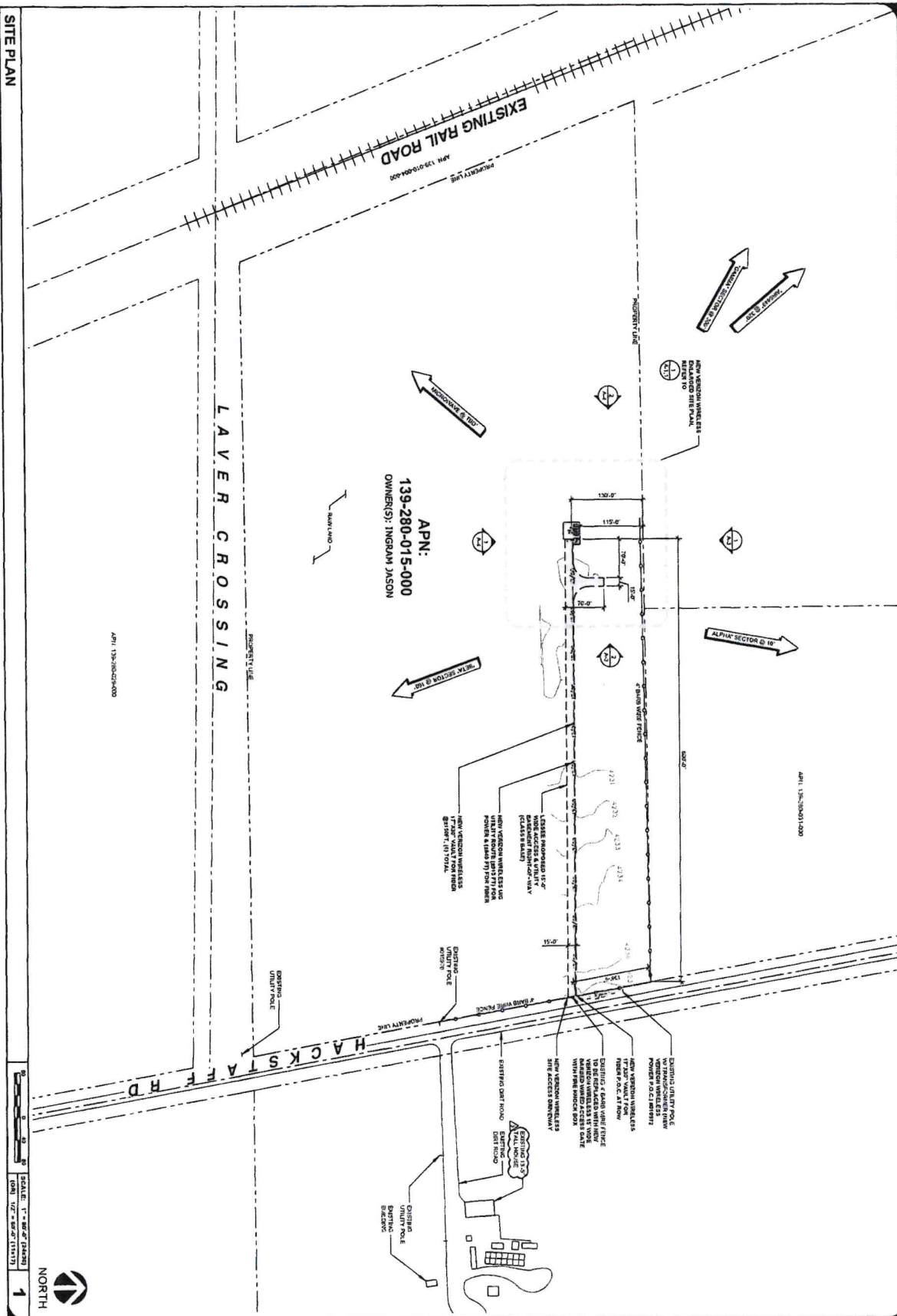
1. The project is consistent with Lassen County Title 18 (Zoning), and the *Lassen County General Plan, 2000*.
2. There is no indication that the proposal would induce departure from any applicable regulations of the Lassen County Code.
3. As mitigated/conditioned the project includes adequate provisions for visual resources.

STAFF RECOMMENDATION:

Staff has reviewed the Use Permit and has found it to be consistent with Lassen County Code, Section 18.108.290. Staff recommends that, if the Planning Commission concludes that approval is appropriate, they adopt the attached resolution approving Use Permit #2023-006, with conditions, and adopt the Mitigated Negative Declaration as the environmental document for this project. If the Planning Commission determines that the project is not in the public interest and concludes that approval is not appropriate, Staff have also included a disapproving resolution.

Use Permit #2023-006 Ingram





REV	DATE	DESCRIPTION	REV
0	03/28/2023	ISSU TORONTO	ISS
1	09/06/2023	REV TORONTO	REV
2	06/03/2024	REVISED TORONTO	REV
3	09/26/2024	REVISED TORONTO	REV

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF
DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO
VERICON WIRELESS



2785 MITCHELL DRIVE, BLDG 9
WALNUT CREEK, CA 94598

NORTH DOYLE
PID 16994782
MDG L ID# 5000919248
438 HACKSTAFF RD
DOYLE, CA 96109

A-1

SHEET TITLE
SITE PLAN

NORTH
1

NOTES:

APR. 139-280-015-000

OWNER: MICHAEL JASON

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT INDICATE THE LOCATION OF ANY BOUNDARY. IT IS A PRELIMINARY SURVEY BASED ON INFORMATION OBTAINED FROM VARIOUS SOURCES OF RECORD AND FIELD DATA. THE INFORMATION SHOWN HEREON IS NOT GUARANTEED TO BE ACCURATE AND SHOULD NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE APPROPRIATE AGENCIES.

THE ELEVATIONS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN OBTAINED BASED SOLELY ON THE INFORMATION SHOWN HEREON. THE ELEVATIONS HAVE BEEN OBTAINED FROM THE FOLLOWING SOURCES: (1) FIELD MEASUREMENTS; (2) AERIAL PHOTOGRAPHS; (3) OTHER SOURCES. THE ELEVATIONS HAVE BEEN OBTAINED FROM THE FOLLOWING SOURCES: (1) FIELD MEASUREMENTS; (2) AERIAL PHOTOGRAPHS; (3) OTHER SOURCES. THE ELEVATIONS HAVE BEEN OBTAINED FROM THE FOLLOWING SOURCES: (1) FIELD MEASUREMENTS; (2) AERIAL PHOTOGRAPHS; (3) OTHER SOURCES.

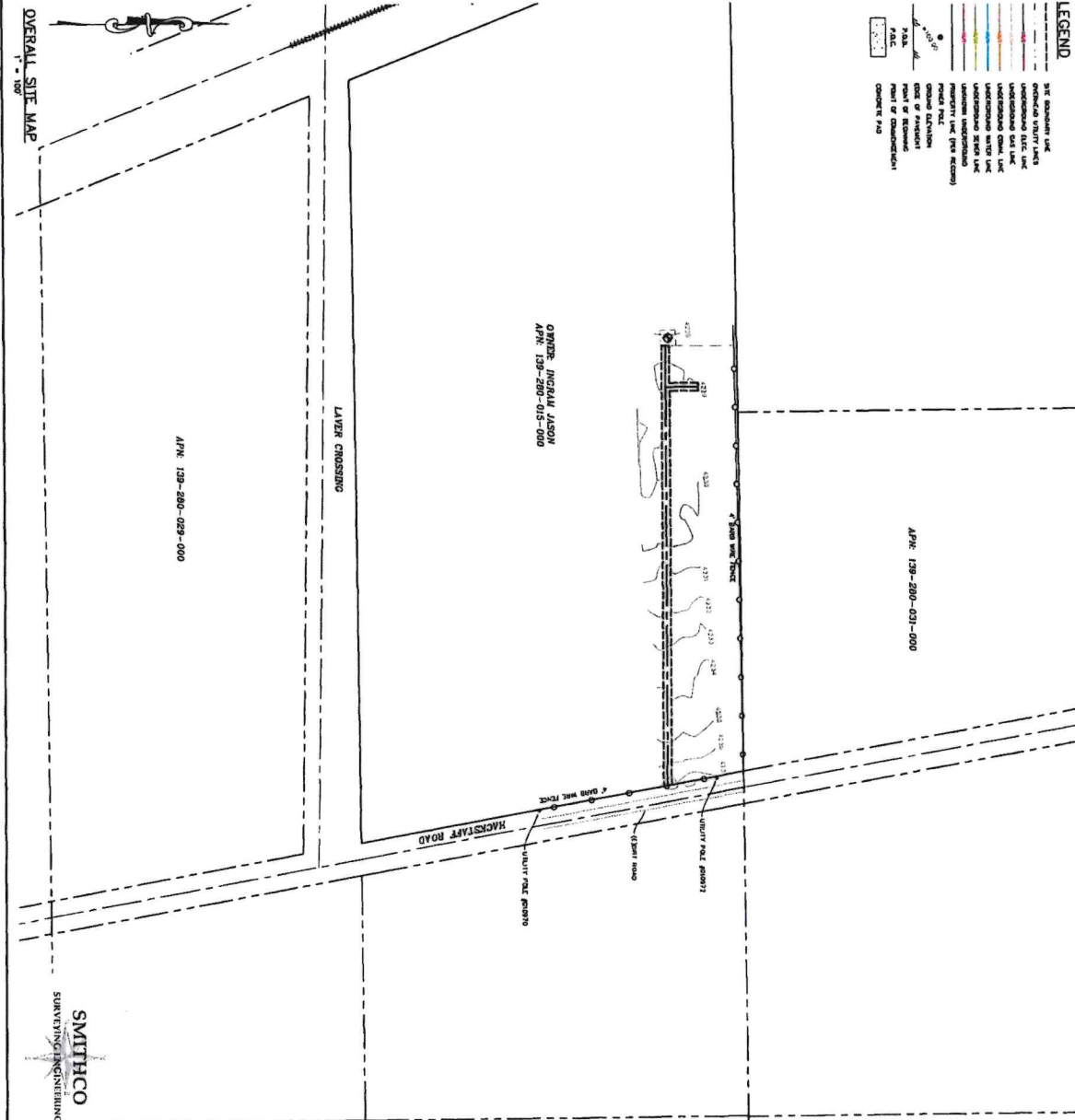
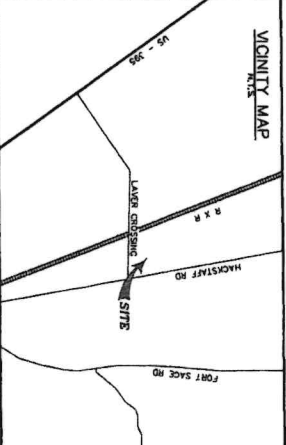
THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS OBTAINED BY GPS OBSERVATION.

UTM COORDINATES: 48° 02' 48.37" N, 114° 02' 12.34" W, UTM ZONE 18Q, UTM ELEVATION: 4228.07 MAM (BASED ON DATUM)

THE INFORMATION SHOWN ABOVE MEETS OR EXCEEDS THE REQUIREMENTS SET FORTH IN F.A.C. ORDER 2008-196 (for 1/4 SECTION) & 207 (entirely) and 3" (vertical). The horizontal datum (assumed) was obtained by GPS, measured and 3" (vertical). The horizontal datum (assumed) was obtained by GPS, measured and 3" (vertical). The horizontal datum (assumed) was obtained by GPS, measured and 3" (vertical).

LEGEND

- SURVEYED LINE
- BOUNDARY LINE
- UNDERGROUND LITE. LINE
- UNDERGROUND GAS. LINE
- UNDERGROUND WATER. LINE
- UNDERGROUND CABLE. LINE
- UNDERGROUND FIBER. LINE
- UNDERGROUND POWER. LINE
- PROPERTY LINE (PER RECORD)
- POCKET POINT
- GROUND ELEVATION
- POINT OF BEGINNING
- POINT OF DISCONTINUITY
- CONCRETE PAD



ISSUE STATUS

REV	DATE	DESCRIPTION	BY
1	04/18/23	PRELIMINARY	LA
2	05/24/23	REV. (LOCALS)	LA

DATE: 05-15-23
DRAWN BY: LA
CHECKED BY: LA
APPROVED BY: LA

PROFESSIONAL INFORMATION
MICHAEL JASON
REGISTERED PROFESSIONAL SURVEYOR
NO. 10000
STATE OF CALIFORNIA
EXPIRATION DATE: 12/31/2024
OFFICE: 2785 MITCHELL DRIVE, BLDG. 9
WALNUT CREEK, CA 94598
PHONE: (925) 945-1234
FAX: (925) 945-1235
EMAIL: MICHAEL@MICHAELJASON.COM

2785 MITCHELL DRIVE, BLDG. 9
WALNUT CREEK, CA 94598

NORTH
DOYLE

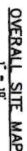
438 HACKSTAFF RD
DOYLE, CA 96109

LASSEN
COUNTY

SHEET TITLE:
SITE SURVEY
(FOR EXAMINATION ONLY)

C-1



[illegible]

PROPERTIES INFORMATION

NEUTRALIZATION CAPACITY: 1 kg. LTI
OF PRODUCT IS EQUIVALENT TO 100 G.
OF SODASH OR POTASH

USE: AS AN INHIBITOR OF ACID FORM
IN FOODS & CHEMICALS
OR SODASH PREPARATION

Avalon Company
3605 ACTHAY RD., SUITE A
SARASOTA, FL 34231
813-926-2200

verizon ✓
2785 MITCHELL DRIVE, BLDG. 9
WALNUT CREEK, CA 94598

NORTH
DOYLE

438 HACKSTAFF RD
DOYLE, CA 96109

LASSEN
COUNTY

SHEET TITLE:
SITE SURVEY
FOR EXAMINATION ONLY
C-2



RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION APPROVING USE
PERMIT APPLICATION #2023-006, INGRAM-VERIZON; APN 139-280-015

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted April 11, 2024, has considered Use Permit Application #2023-006, Ingram-Verizon, proposing a new 130-foot monopole telecommunications tower, 12 panel antennas, 12 radios, 2 raycaps, 1 microwave antenna, a diesel backup generator, and associated ground-based equipment; and

WHEREAS, the Environmental Review Officer of Lassen County has prepared an Initial Study and has given notice of preparation of a Mitigated Negative Declaration for adoption by the Planning Commission in accordance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that:
 - a. The proposed Use Permit application is consistent with the *Lassen County General Plan, 2000*, and that the proposed parcels are consistent with permissible uses under the A-1 zoning district, and the provisions of Lassen County Code Section 18.112, which establishes the regulations regarding the issuance of use permits.
 - b. That the project, as conditioned, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.
3. The Planning Commission hereby adopts the Mitigated Negative Declaration as the environmental document for the project.
4. The Planning Commission hereby adopts the recommended findings attached with the staff report for UP #2023-006, Ingram-Verizon.
5. The Planning Commission hereby approves Use Permit #2023-001, Ingram-Verizon, subject to the conditions set forth in Exhibit "A" attached hereto.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 11th day of April, 2024, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

EXHIBIT "A"
RECOMMENDED CONDITIONS OF APPROVAL
USE PERMIT #2023-006, INGRAM-VERIZON

1. Noncompliance with any of the following use permit conditions shall constitute grounds for revocation of the use permit (pursuant to Lassen County Code Section 18.112.060).
2. The Use Permit shall be granted for the use as approved by the Planning Commission. Substantial revisions and/or expansions of the project will require a new Use Permit, subject to the approval of the Planning Commission.

Pre-operational Conditions
(Must be satisfied before issuance of the Authorization to Operate)

1. Obtain all necessary permits from California Regional Water Quality Control Board, Federal Aviation Administration, and Federal Communications Commission. Evidence of approval(s) shall be submitted to Lassen County Department of Planning and Building Services.
2. A financial assurance for site restoration shall be required. An itemized cost estimate addressing all costs associated with dismantling and removing all structures, and reclaiming the site by a third party, shall be prepared by a California licensed Engineer and submitted to Lassen County Planning and Building Services for review and approval. A financial assurance based on the approved cost estimate, payable to Lassen County, shall be submitted.

Operational Conditions
(Must be satisfied during operation of the use permit)

1. The applicant shall obtain all necessary building permits from the Lassen County Department of Planning and Building Services before the commencement of construction and shall construct all required improvements prior to operation.
2. The applicant shall implement best management practices during construction of the project to reduce air emissions. These best management practices shall include, but are not limited to, watering roads and graded areas, and reducing vehicle speed during operation.
3. Emergency notification signage no larger than 24"x 24" shall be located at the entrance gate of the facility. The sign will designate a 24-hour emergency phone number.
4. No advertising sign shall be placed on any portion of the tower/facility.

5. Unless otherwise authorized, if the site becomes inoperative or inactive for a 6 month period, or upon expiration of the building permit or use permit, revocation proceedings will commence.
6. The owner of the tower/facility shall maintain the facility in conformance with the conditions of the use permit.
7. The exterior color scheme for the tower, buildings, antennas, equipment, and fence will be dark brown and will utilize non-reflective finishes that blend with the surroundings.
8. Continuous lighting of the tower/facilities is prohibited. Exterior light fixtures shall be limited to those required for maintenance operations. All lights shall be manually controlled and shall only be lighted when authorized personnel are present. Bare bulbs shall not be visible from neighboring properties, shall be recessed within a shield/hood, and shall be directed toward the ground.
9. Service providers shall provide the County a copy of any notice to the Federal Communications Commission of intent to cease operations. All related facilities shall be removed within one year of cessation of operation at the owner's expense.
10. In the event that any archaeological or cultural resources are discovered during construction or any ground disturbing activities in association with this project, such work is to be halted in the immediate area of the discovery until a qualified archaeologist, who shall be retained at the project proponent's expense, is consulted to assess the find's significance and recommend appropriate mitigation measures. The project proponent shall implement any mitigation measures recommended by the archaeologist to reduce potentially significant impacts cultural resources to a less than significant level.

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION DISAPPROVING
USE PERMIT APPLICATION #2023-006, INGRAM-VERIZON; APN 139-280-015

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted April 11, 2024, has considered Use Permit Application #2023-006, Ingram-Verizon, proposing a new proposing a new 130-foot monopole telecommunications tower, a diesel backup generator, and associated ground-based equipment; and

WHEREAS, Pursuant to Section 15270 of the California Environmental Act (CEQA) Guidelines, CEQA does not apply to projects which are disapproved.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that:
 - a. The proposed Use Permit application is not consistent with the *Lassen County General Plan, 2000*, and that the proposed parcels are not consistent with permissible uses under the A-1 zoning district, and the provisions of Lassen County Code Section 18.112, which establishes the regulations regarding the issuance of use permits.
 - b. That the project, as conditioned, will, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare..
3. The Planning Commission hereby disapproves Use Permit #2023-006, Ingram-Verizon.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 11th day of April, 2024, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission