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HUMBOLDT COUNTY
PLANNING COMMISSION

Dear Humboldt County Planning Department,

I am writing today in hopes that you can help correct a situation pertaining to land zoning and better define what is considered compatible use.

Early in December of 2009, I came home for lunch to find that a cell tower had been erected on land that is approximately 1000 feet from my property. This cell tower can be seen from my back yard, kitchen window, dining room window and worst of all when I sit in my hot tub, relaxing from a hard day – there it is standing taller than any trees in the neighborhood and very much out of place.

I was shocked because there was no notification. I work in the resource field specifically I am an RPF and work for the State of CA. California Code of Regulations require that all affected parties within 300 feet of planned timber harvest be notified as well as all landowners within 1000 downstream feet who may have domestic water sources potentially affected. I use this example to demonstrate the concept of notifying potentially affected parties when a project is considered in an area that has the potential to negatively affect the public.

I immediately contacted the Fortuna Planning Department (even though I knew the property that the cell tower was erected on was within county jurisdiction). I wanted to begin my fact finding locally. I was told of course that the property upon which this cell tower had been erected was indeed on county property and that I needed to contact the Humboldt County Planning Department. I did and spoke to a helpful employee at your Department.

Here is what I discovered much to my surprise and subsequent disappointment.

1. Cell tower property is zoned agricultural land and as such no notifications to adjacent landowners are required.
2. It's up to the Planning Department to determine "compatible use".
3. The land owner only needed to apply for a general building permit once the county deemed that a cell tower is compatible with raising cattle.

While the intelligent person in me understands this "ordinance", I believe it's high time this ordinance be reviewed and updated – what may have been fine twenty years ago when no homes were located within 1000' of this particular agriculture zoned property is not responsible land management for the 21 century.

I have also contacted the Humboldt County Airport Manager two times and have yet to even be given the courtesy of a return phone call. I contacted Jackie because I understand at a minimum the FAA should have been contacted as the cell tower is also within the airport buffer zone for airplane take off. I have no way of knowing if the County acted responsibly as I have not gotten an answer.

Ideally, the County would see the error of their way and require the landowner to remove the tower or relocate it to another portion of their property that is not within 1000 feet of

adjoining homes. I doubt that would happen, so my best hope for writing you is that this outdated ordinance be updated to consider activities on agriculture lands adjacent to city limits. To define compatible use on that property in relation to homes within the view shed and to require a thorough review and public input prior to erecting cell towers or any other type of building that would detract from the view shed of the adjacent owners properties.

In closing, I appreciate your Department taking the lead and insuring that this does not happen to any other citizen's of Fortuna who lives close to the city limits.

Sincerely,



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