
PLUMAS COUNTY PLANNING COMMISSION

Minutes of the Meeting of October 18, 2018

PLANNING COMMISSION MEMBERS:

Dr. Robert Abbott, Chair (District 1)
Moorea Hoffman Stout, Commissioner (District 2)
Jeff Greening, Commissioner (District 3)
Larry Williams, Commissioner (District 4)
John Olofson, Vice-Chair (District 5)

I. CALL TO ORDER

The Plumas County Planning Commission (the *Commission*) convenes in a meeting on October 18, 2018, at 10:00 a.m. in the Planning and Building Services Conference Room, Quincy, CA. Chair Dr. Robert Abbott presides.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: Dr. Robert Abbott, Jeff Greening, Larry Williams, John Olofson
Commissioners Absent: Moorea Hoffman Stout

Also in attendance (Supervisors and staff)

Supervisor Sherrie Thrall
Randy Wilson, Planning Director
Rebecca Herrin, Assistant Planning Director
Tim Evans, Assistant Planner
Gretchen Stuhr, Deputy County Counsel III

IV. CONSENT ITEMS

A. Items to be continued or withdrawn from the agenda

None.

B. Approve minutes of the meetings of August 16, 2018 and September 6, 2018

M/S/C: Williams/Greening/4-0 to approve the minutes.

V. PLANNING COMMISSIONERS' REPORTS/COMMENTS

None.

VI. PUBLIC COMMENT OPPORTUNITY

There are no public comments on items not on the agenda.

VII. PLANNING DIRECTOR'S REPORT

There is no Planning Director's report.

VIII. PUBLIC HEARING ITEM: PROPOSED ORDINANCE AMENDING TITLE 9 OF THE PLUMAS COUNTY CODE BY ADDING ARTICLE 41 TO CHAPTER 2 OF TITLE 9 (RECOMMENDATION TO THE BOARD OF SUPERVISORS ON ENVIRONMENTAL REVIEW UNDER CEQA GUIDELINES AND ON ADOPTION OF THE TELECOMMUNICATIONS ORDINANCE)

Assistant Planner Tim Evans explains the staff report and recommendation to the Commission. A powerpoint presentation on the proposed ordinance is presented which includes communications regulation history, analysis of the proposed ordinance, California Environmental Quality Act (CEQA) compliance and determination and actions for consideration:

Staff Recommends the Planning Commission:

- I. Hold the public hearing.
- II. Adopt Resolution 2018-2 making recommendations to the Board of Supervisors to
 - A. Adopt Negative Declaration No. 674
 - B. Adopt the Ordinance as proposed.

Telecommunications facilities are currently exempt from zoning review in the Plumas County Code. This ordinance will provide review and enforcement for new and replacement facilities.

General Plan policy 1.9.1 provides guidance for development of the ordinance:

1.9.1 Communication Tower Location Criteria

The County shall provide site development criteria in the County's Zoning Code.

The proposed ordinance will serve to implement this General Plan policy. The Negative Declaration shows that there are no significant environmental impacts created by adoption of the Ordinance to regulate telecommunications facilities. This statement is met with laughter from the audience.

Planning Director Randy Wilson emphasizes that there have been no regulations on telecommunications facilities and equipment since 1985. This is an attempt to regulate local facilities with the limited authority granted to local governments by the Federal Communications Commission. A recent decision was issued by the FCC regarding 5G small cell placement removes most local control for approval of such facilities and equipment. This decision was not included in the proposed ordinance. If need be, it can be addressed at a later time as the process is evolving. There have been lawsuits filed on these regulations and the outcomes of these lawsuits may change the regulations.

Commissioner Williams explains that the local authority to regulate is extremely limited. Neither the state nor the local government can even declare a moratorium. Wilson adds that the Commission has wrestled with these issues.

Gretchen Stuhr explains that the County cannot regulate emissions. The County is restricted to regulating such things as aesthetics and some zoning matters. She stresses that the County cannot preclude deployment of telecommunications facilities as per Federal regulations.

Wilson asks if there are any other questions of staff.

Chair Abbott explains the process to be followed during the public hearing. Each speaker must come up to the table facing the Commission. While filling out a form to be recognized is not required, it is recommended as it will help the process run smoothly and allow the speakers to be properly identified in the minutes. Each speaker will have no more than three minutes to provide comments.

Josh Hart, Coordinator for Citizens for Safer Communications, speaks first. His committee has members from Chester to Chilcoot who are alarmed by this ordinance. The regulations are insufficient. Hart is a certified planner and criticizes the process that the Ordinance went through. The process should have involved a consultation with the public first, by means of an open house. This hearing is after the fact (development of the Ordinance). The Commission has written the Ordinance with the telecommunications industry and has suppressed citizen participation. The public has been excluded from the process, similar to what happened with the cannabis ordinance. While Hart agrees that the County must follow Federal law, the County can insist on the least intrusive means of providing facilities. The County can do this by such means as regulating power supply to the facilities. This is a matter of protection of health and safety and the beauty of the County. ADA (Americans with Disabilities Act) is Federal Law and applies to those injured by radiation. He states that most facilities are permitted subject to the issuance of a Zoning Clearance Certificate with no public oversight.

(When informed by Chair Abbott that his three minutes are up, Mr. Hart refuses to yield the floor and keeps talking. Chair Abbott calls a recess.)

Lisa Miller speaks next. She owns property in Blairsden and has been coming to Plumas County for eight years. She is trying to relocate in order to get away from RF emissions. There is nothing in the Ordinance regarding wired technologies. Miller recently retired from her job in Marin County at a high school. She has been diagnosed with "electro hypersensitivity". She feels that humans are the "canaries in the coal mine" when it comes to exposure to emissions. When the campus at which she worked went from wired to wireless communications, she noticed the increase in headaches, learning problems, and sleep problems in her students. Miller asks the Commission to revise the Ordinance to support wired technology. The World Health Organization has identified emissions as a Class 2B carcinogen. If the cell towers are increased, we will be flooded with radiation. She encourages the Commission to "be brave".

Heidi submitted a public comment form:

"1. Current draft of telecom ordinance is unfair to residents & communities & was written by industry. 5G is about \$, not about access or emergency SVS. It is about more data-more \$ for industry."

Heidi is a taxpayer, homeowner and voter in the County. She feels that health is wealth. She is a member of Plumas Residents for Safer Communications. She personally knows of four people in Plumas County looking for safe housing; some are living in tents. We are the "canaries in the coal mine". The draft Ordinance was written by industry and there are negative health impacts. 5G cannot be allowed. She urges the Commission not to give away rights to greedy industry. This is not about safety or access, it is about profit.

Virginia Cottone speaks to the Commission. She is also a member of Plumas Residents for Safer Communications. Cottone encourages strengthening the Ordinance. She has had a brain

tumor in the location where her cell phone was held. The tumor was not cancerous, but will need to be monitored for the rest of her life. As the tobacco industry showed, there are problems with industry and health issues. This is precautionary; improve safety now and don't go fifty years down the road before health issues are identified. Cottone encourages the Commission to increase setbacks, or whatever can be done to protect health and safety.

Rose Buzzetta speaks next. She has lived in Plumas County for 42 years and left the Los Angeles area due to health concerns. She states that the Commission should take care of the public to prevent suffering. She feels that this issue is similar to DDT poisoning in the past. Buzzetta asks why we have to accept the regulations that the FCC passes down. Radiation is poisonous. Buzzetta states that she pays their salaries. She asks the Commission to be receptive and creative and to create an intelligent document.

Chair Abbott asks if anyone else would like to speak.

Dawn speaks to the Commission. She thanks the Commission for an opportunity to express her concerns. It took her ten years to return to Plumas County, after living here for eight years. She is disabled; the lights in the conference room bother her. She deliberately purchased property outside of town. She is concerned for the health of children and for impacts to schools. If the FCC is tying the County's hands, she asks how Petaluma has limited telecommunications facilities. There must be solutions to protect vulnerable people. Working people cannot come to this meeting. She begs the Commission for a solution.

Althea speaks next. She is hypersensitive. She moved from Tiburon because her symptoms were relieved in Plumas County. Currently she is sleeping in a tent because she cannot find housing. She can't visit her family due to health impacts. She is isolated most of the time. This is evidence of what is happening due to wireless facilities.

Lance Barker reads from his cell phone with comments from someone unable to attend the meeting. The Ordinance is inadequate to protect residents. More public comment is necessary. It is hard to find the draft Ordinance on the website. Limits need to be strict; there should be no exemptions on height. Reports with data should be published in the newspaper each year. There should be a fee collected for Public Health. There should be a review of priority use of wired technology. The CEQA checklist provided with the Negative Declaration is inadequate. There are cumulatively considerable impacts that have not been analyzed.

Barker asks the Commissioners if they believe that there are people who are sensitive to the impacts created by wireless facilities. Gretchen Stuhr explains that this is a public hearing and that the Commissioners are not required to answer with their personal opinions.

There being no further public comment, Chair Abbott closes the public hearing at 10:55 am.

Commissioner Williams states that he does not see a reason to address 5G in this ordinance as he does not feel it is a consideration. Plumas County is still waiting for the last mile of fiber communication to be installed. Commissioner Greening agrees that is speculation at this point.

M/S/C: Greening/Olofson/3-1 to approve the resolution and to pass the Ordinance on to the Board of Supervisors for public hearing and adoption.

IX. INFORMATIONAL ITEMS/ON-GOING PROJECT UPDATES:

None.

X. CORRESPONDENCE:

There is no correspondence.

XI. FUTURE AGENDA ITEMS:

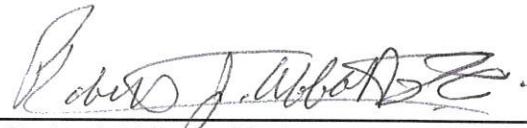
Wilson reminds the Commission that the next meeting will be a public hearing on the Drought Tolerant Landscape Ordinance. This issue was continued with the public hearing open.

There will be a staff recommendation on future agenda items and ordinances to consider.

Discussion ensues about process for meeting notification to ensure that Commissioners will be attending the meeting and that there will be a quorum. Wilson adds that it is his responsibility to cancel the meeting if weather (safety) is a concern. Commissioner Olofson stresses that we need to keep to the 1st and 3rd meeting schedule in order to move forward.

XII. ADJOURNMENT:

M/S/C: Williams/Greening/4-0 to adjourn the meeting at 11:12 am to the next regularly scheduled meeting on November 1, 2018.



Dr. Robert Abbott, Chair
Plumas County Planning Commission



Rebecca Herrin, Assistant Planning Director