



AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley, AICP

ALUC Secretary

TUOLUMNE COUNTY SPECIAL MEETING FOR AIRPORT LAND USE COMMISSION A.N. FRANCISCO BUILDING

48 YANEY AVENUE, 4TH FLOOR CONFERENCE ROOM

October 26, 2023

5:30 p.m.

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209 533-5633
(209) 533-5616 (fax)
www.tuolumnecounty.ca.gov

You may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (CDD@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting.

1. CALL TO ORDER

2. MINUTES

Consideration of Minutes of the ALUC Meeting of September 7, 2023.

3. PUBLIC COMMENT

Members of the public may speak on any item not on the printed agenda. No action may be taken by the Commission.

4. PUBLIC HEARING

None

5. OLD BUSINESS

None

6. NEW BUSINESS

ALLEY, ALUC23-035 for the review of Conditional Use Permit CUP23-007 to allow the construction of a new 105± foot tall wireless communications tower and related equipment within at 40± foot by 40± foot fenced area on Assessor's Parcel Number 089-040-002. The project site is a 2.95± acre parcel zoned BP (Business Park) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The project site is located at 20815 and 20813 Longeway Road, approximately 680± feet northeast of the intersection of Soulsbyville Road and Longeway Road. The project site is located within a portion of Section 25, Township 2 North Range 15 East and Section 30, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. The site is located within Supervisorial District 2. Assessor's Parcel Number 089-040-002.

7. COMMISSION BUSINESS

None

8. COMMISSIONER/STAFF REPORTS

9. ADJOURNMENT

The Minutes, Staff Reports, and planning documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department, 48 Yaney Avenue, Sonora, California, and online at www.tuolumnecounty.ca.gov.

Any other materials related to the items referenced in this Agenda that are provided by the County to the Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department, 48 Yaney Avenue, Sonora, California, and will be available at the meeting. Any materials provided to the Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Tuolumne County Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28FR35.102-35.104 ADA Title 11)

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SECRETARY'S EVALUATION

DATE: September 12, 2023

SURFACE/MINERAL

RIGHTS OWNERS: Dave and Carol Alley

APPLICANT: Assurance Development for T-Mobile

PROJECT

NUMBER: ALUC23-035/Conditional Use Permit CUP23-007

PROJECT AND LOCATION

PROJECT

DESCRIPTION: ALUC23-035 for the review of Conditional Use Permit CUP23-007 to allow the construction of a new 105± foot tall wireless communications tower and related equipment within a 40± foot by 40± foot fenced area on Assessor's Parcel Number 089-040-002. The project site is a 2.95± acre parcel zoned BP (Business Park) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

LOCATION:

The project site is located at 20815 and 20813 Longeway Road, approximately 680± feet northeast of the intersection of Soulsbyville Road and Longeway Road. The project site is located within a portion of Section 25, Township 2 North Range 15 East and Section 30, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian. The site is located within Supervisorial District 2. Assessor's Parcel Number 089-040-002.

The proposed tower will be 95± feet in height with a 10-foot long lightning rod for a total height of 105 feet above ground level. The tower will be placed on a concrete pad, which will be level with grade. Ground level at the base of the proposed tower is 2,980± feet above mean sea level, for a total elevation of 3,085± feet above mean sea level.

ALUC Plan Review

1. The project site is not located within the airport influence area or within Compatibility Zone associated with the Columbia Airport or the Pine Mountain Lake Airport. The tower is proposed to be located approximately 8.2± miles southeast of the Columbia Airport and approximately 10.5± miles northwest of the Pine Mountain Lake Airport. Due to the project sites distances to the airports, the site is not located within the conical zone.
2. Paragraph (c)(1) of Policy 2.1.5.2 of the Tuolumne County Airport Land Use Compatibility Plan requires that any structure taller than 75 feet above ground level be reviewed by the ALUC, regardless of location. Therefore, the application for Conditional Use Permit CUP23-007 is being referred to the Airport Land Use Commission as required by Policy 2.1.5.2 of the Airport Land Use Compatibility Plan as the tower would be 105 feet in height.
3. The ALUC Commission has three choices of actions after reviewing the proposed project:
 - (a) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*.

- (b) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*, subject to modifications which the Commission may specify.
 - (c) Find the plan, ordinance, or regulation inconsistent with the *Compatibility Plan*. In making a finding of inconsistency, the Commission may note the conditions under which the plan, ordinance, or regulation would be consistent with the *Compatibility Plan*. (Policy 2.2.2.3 and 2.2.3.3)
- 4. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land uses which may cause visual, electronic, or bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. During review of projects submitted to it, the Airport Land Use Commission shall review such applications for hazards to flight. Specific characteristics to be avoided include:
 - glare or distracting lights which could be mistaken for airport lights.
 - sources of dust, steam, or smoke which may impair pilot visibility.
 - sources of electrical interference with aircraft communications or navigation.
 - any use, especially landfills and certain agricultural uses, which may attract large flocks of birds.
- 5. The project does not propose any land uses identified as incompatible in Table 2A of the *Compatibility Plan*. Further, the proposed tower does not create any hazards to flight identified in Policy 2.5.3.5. The project is consistent with the *Compatibility Plan*.
- 6. The site does not fall within the mapped Critical Height or Height Caution Zones of either airport. The project site is not located within a noise contour associated with either airport.

Ordinance Code Review

- 7. The project site is zoned BP and does not contain the Airport Combining (:AIR) district. Therefore, Conditional Use Permit CUP23-007 is not subject to the regulations contained in Chapter 17.49 of the TCOC. Section 18.24.040(B) of the Ordinance Code requires any discretionary entitlement for construction or alteration of a structure, including antennas, taller than 75 feet above ground level to be reviewed by the Airport Land Use Commission in accordance with Chapter 18.24. Therefore, Conditional Use Permit CUP23-007 is being referred to the Airport Land Use Commission.
- 8. Section 18.24.050 of the Ordinance Code states as follows:

The Airport Land Use Commission may find the application or proposal consistent with the Tuolumne County Airport Land Use Compatibility Plan, consistent with the plan subject to modifications or conditions which the Airport Land Use Commission may specify, or inconsistent with the plan. In finding the application or proposal consistent with the plan, the Airport Land Use Commission shall determine the following:

 - A. *The project is within the height limits established by the Federal Aviation Administration, or is otherwise authorized by the Federal Aviation Administration pursuant to its regulations;*
 - B. *The use is consistent with the adopted Tuolumne County Airport Land Use Compatibility Plan, or will be consistent subject to conditions imposed by the Airport Land Use Commission;*

- C. *The use will not result in hazards to flight, specifically it will not generate any of the following:*
1. *Glare or distracting lights which could be mistaken for airport lights;*
 2. *Sources of dust, steam, or smoke which could impair pilot visibility;*
 3. *Sources of electrical interference with aircraft communications or navigation;*
 4. *Any use, especially landfills and certain agricultural uses, which may attract large flocks of birds; or*
 5. *Hazards to flight which would otherwise endanger the landing, taking off, or maneuvering of aircraft intended to use the airport.*
9. The project is consistent with the height limits established by the FAA, is consistent with the *Compatibility Plan*, and will not result in hazards to flight. The project is consistent with Tuolumne County Ordinance Code.

Federal Aviation Regulations

10. Section 77.9 of the Federal Aviation Regulations (FAR Part 77) requires that each sponsor proposing construction or alteration that would result in the following must notify the Administrator of the FAA:
- Any construction or alteration exceeding 200 ft above ground level.
 - Any construction or alteration:
 - within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft.
 - within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - within 5,000 ft of a public use heliport which exceeds a 25:1 surface.
11. The project does not meet any of the triggers identified in #10 above as the nearest airport is approximately 8.2± miles from the project site. The proposed tower would be 95± feet in height with a 10-foot long lightning rod for a total height of 105± feet above ground level. Therefore, the FAA notification required under Section 77.17, Form 7460-1, is not required and was not made a condition of approval.

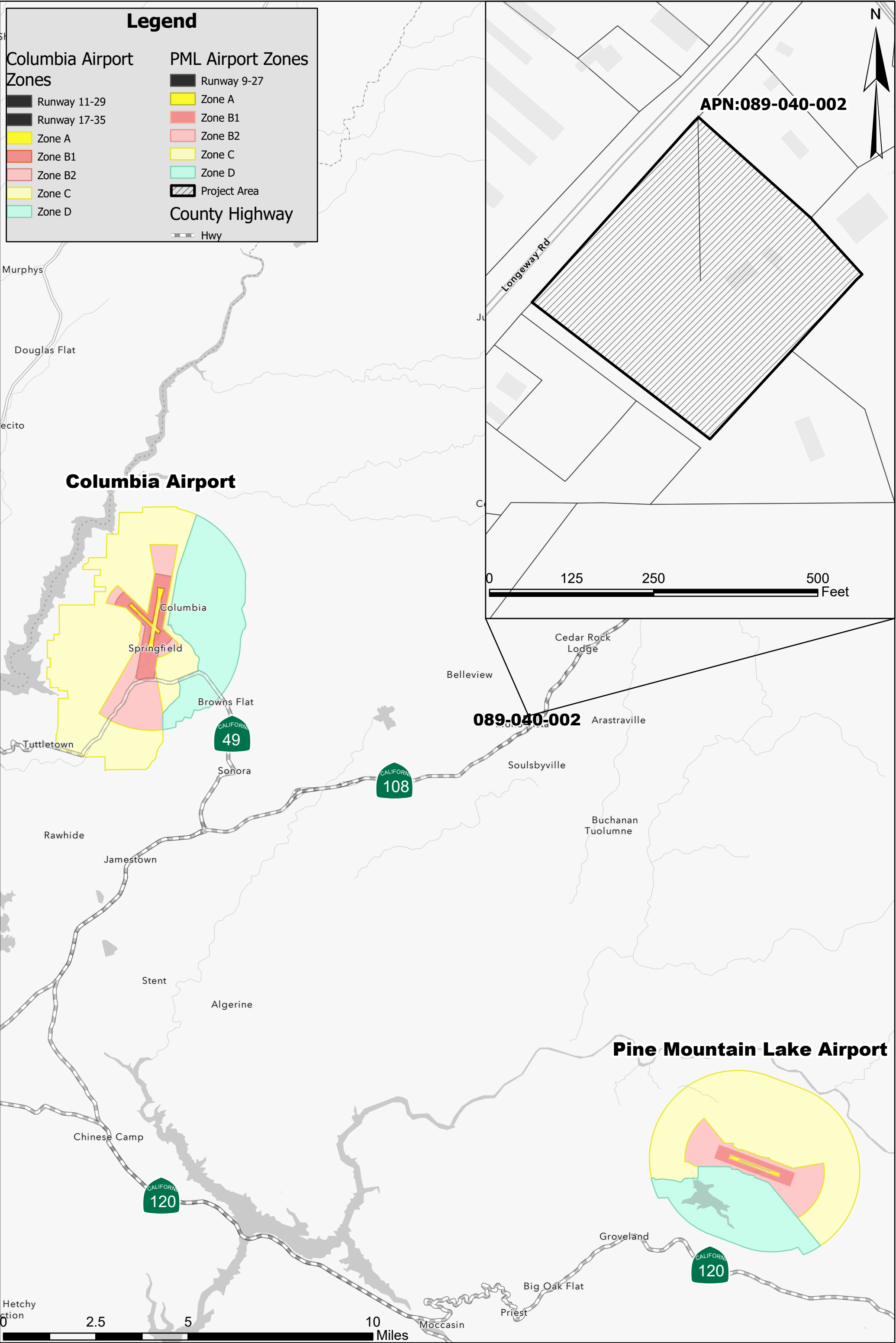
SECRETARY'S CERTIFICATION

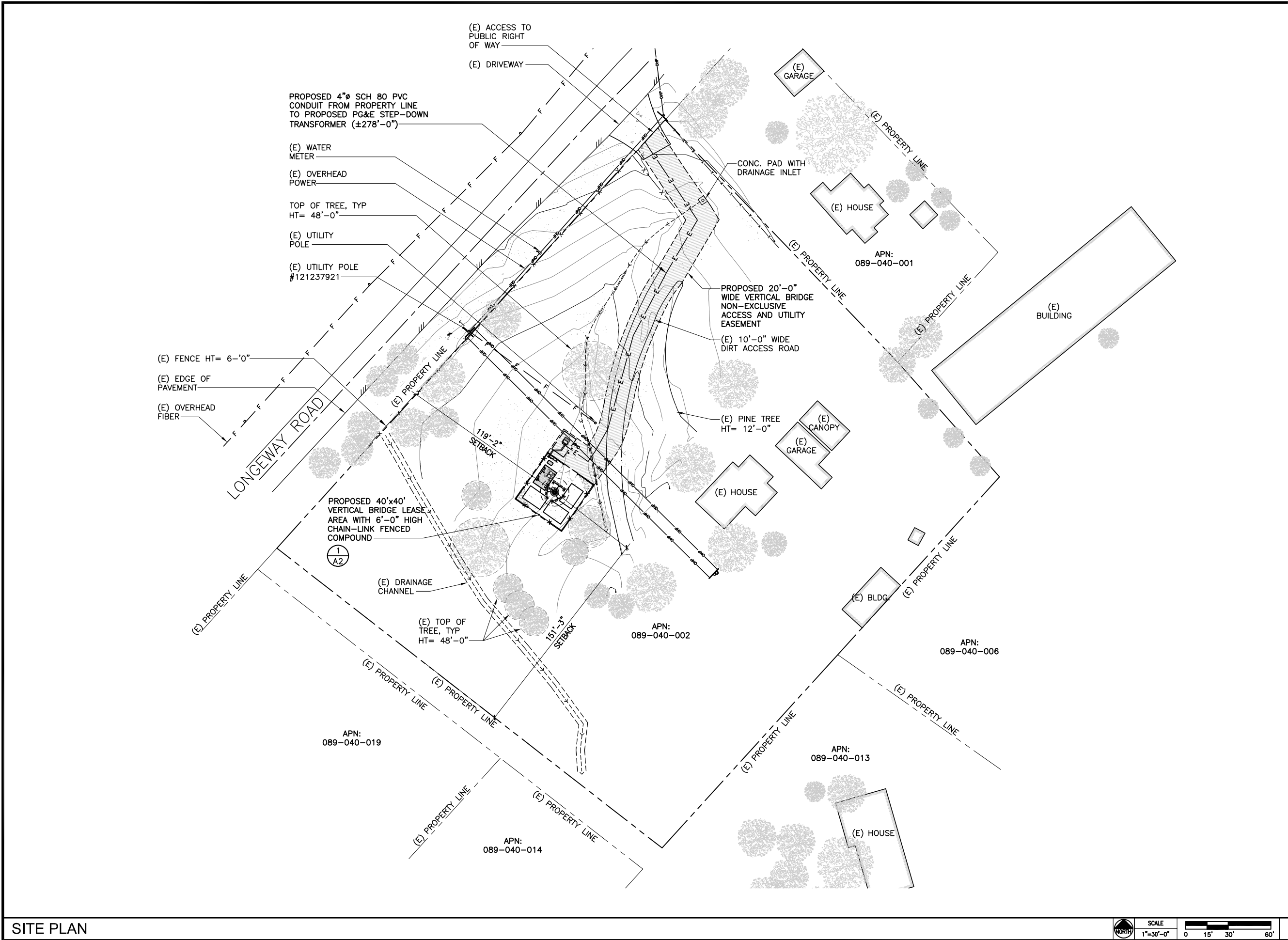
COMPATIBILITY PLAN:

Pursuant to Section 18.24.050 of the Tuolumne County Ordinance Code, I hereby certify as follows:

- A. The project is within the height limits established by the Federal Aviation Administration (FAA), or is otherwise authorized by the FAA pursuant to their regulations and conditions listed under Paragraph C.
- B. Subject to the conditions listed in Paragraph C, I certify that the use is not anticipated to:
 - Create electrical interference with radio communication between the Airport and aircraft.
 - Make it difficult for flyers to distinguish between Airport lights and others.
 - Result in glare in the eyes of flyers using the Airport.
 - Impair visibility in the vicinity of the Airport.
 - Otherwise endanger the landing, taking off, or maneuvering of aircraft intended to use the Airport, excepting the penetration of height restrictions noted above.
- C. The use is consistent with the adopted Tuolumne County Airport Land Use Compatibility Plan, subject to the following condition:
 - 1. Any new structure, development, or use on the project site shall be constructed, painted, designed, or operated in such a way as to avoid:
 - a. Glare or distracting lights which could be mistaken for airport lights;
 - b. Sources of dust, steam, or smoke which may impair pilot visibility;
 - c. Sources of electrical interference with aircraft communications or navigation; and
 - d. Any use which may attract large flocks of birds.

ALUC23-035/CUP23-007





SITE PLAN

CLIENT



750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION



1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

1	PLANNING COMMENTS	APP	08/02/23
0	ISSUED FOR ZONING	APP	05/22/23
A	ISSUED FOR REVIEW	JR	05/09/23
NO.	SUBMITTAL / REVISION	BY	DATE

DRAWN: JR

DESIGNED: JR

CHECKED: APP

PROJECT NUMBER:

US-CA-7303

PROJECT TITLE:

US-CA-7303
SC60226B
SOULSBYVILLE
20813 LONGEWAY RD.
SONORA, CA 95370

ENGINEER STAMP:

DRAWING TITLE:

SITE PLAN

DRAWING SCALE:

AS NOTED

ZD

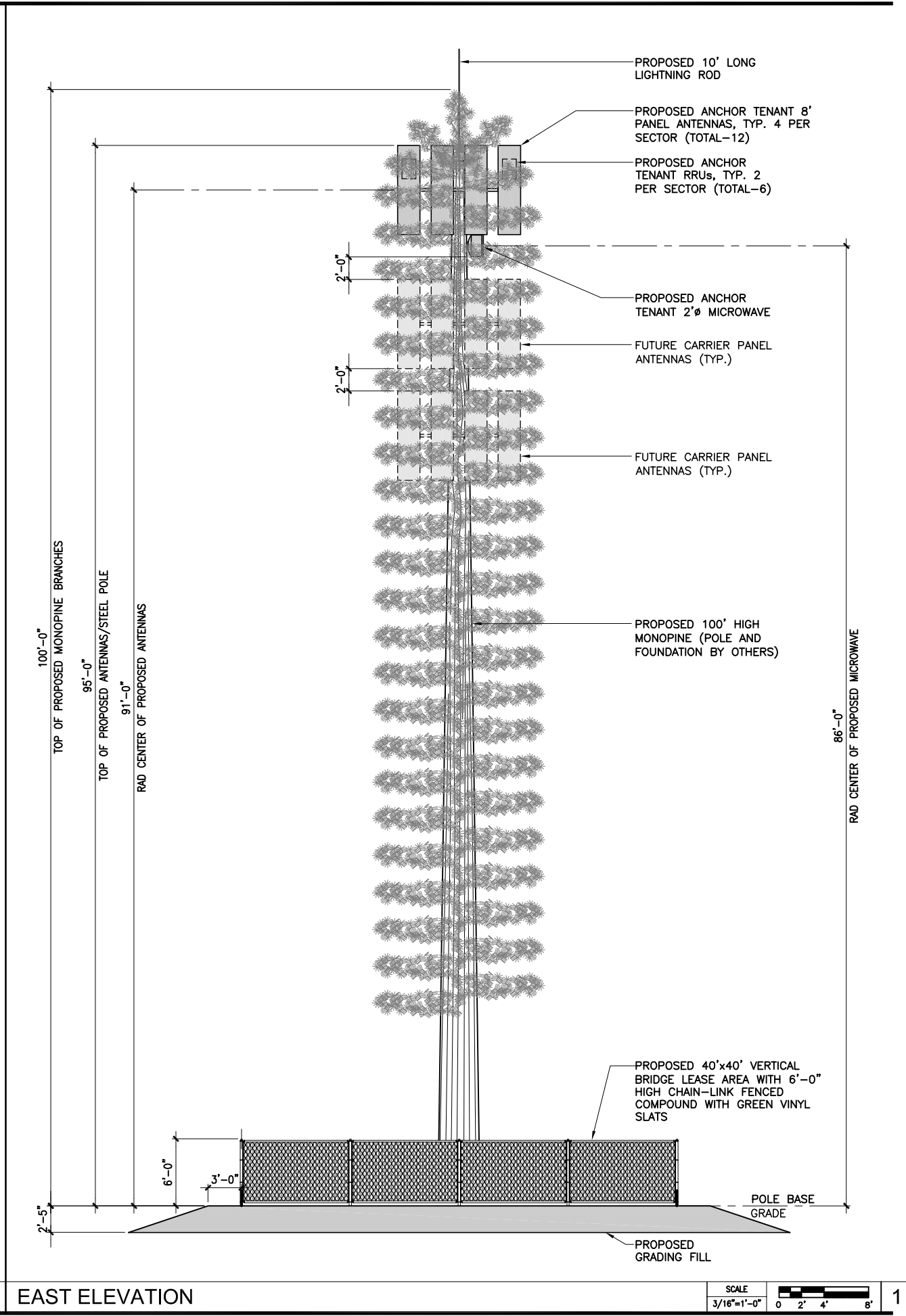
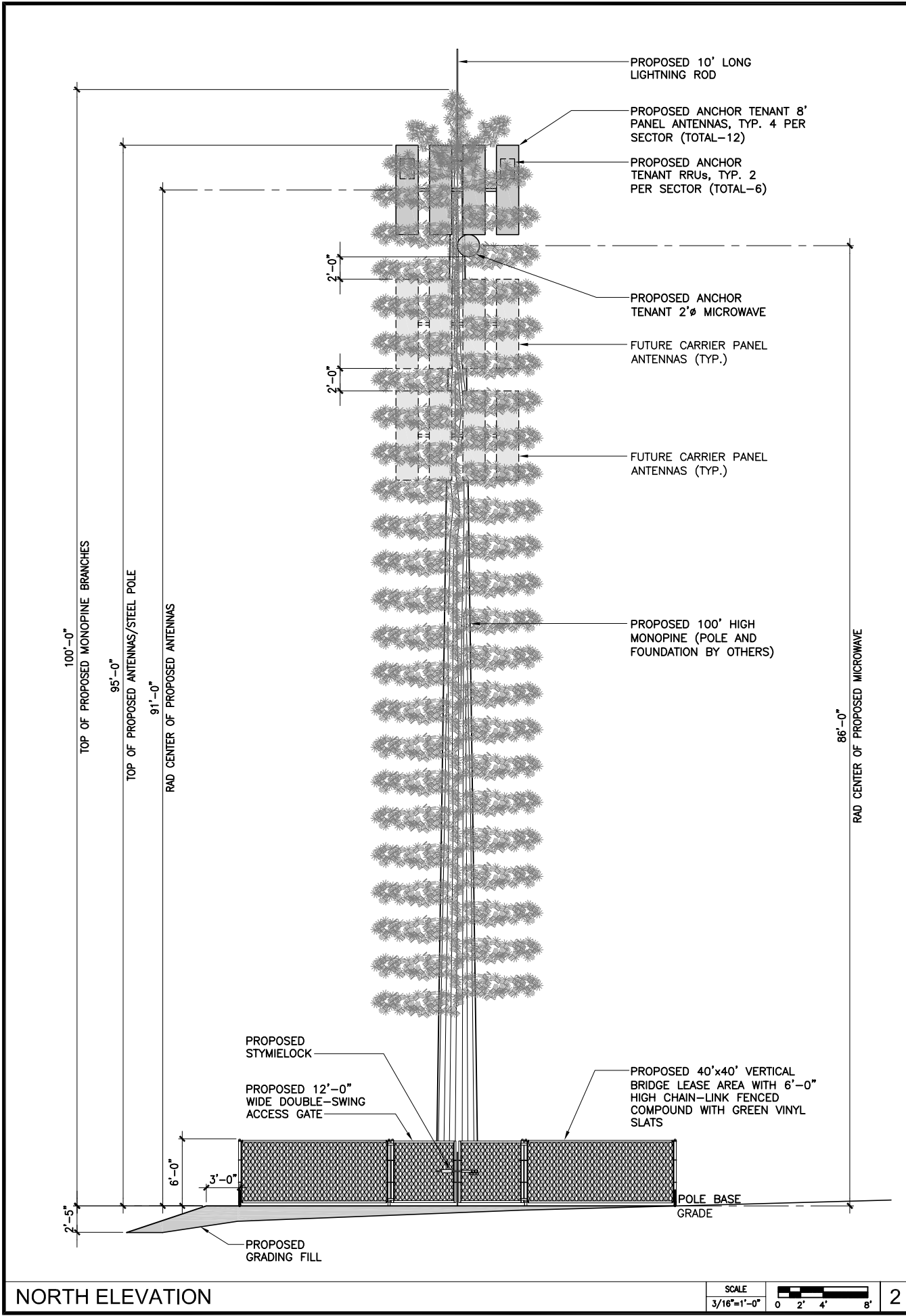
DATE:

05/09/23

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DRAWING NUMBER:

A1



CLIENT



750 PARK OF COMMERCE DR.
SUITE 200 | BOCA RATON, FL | 33487
561.948.6367

SITE ACQUISITION



1499 HUNTINGTON DR. | SUITE 305
SOUTH PASADENA, CA | 91030
626.765.5079

1	PLANNING COMMENTS	APP	08/02/23
0	ISSUED FOR ZONING	APP	05/22/23
A	ISSUED FOR REVIEW	JR	05/09/23
NO.	SUBMITTAL / REVISION	BY	DATE

DRAWN: JR
DESIGNED: JR
CHECKED: APP

PROJECT NUMBER:
US-CA-7303

PROJECT TITLE:
**US-CA-7303
SC60226B
SOULSBYVILLE**
20813 LONGEWAY RD.
SONORA, CA 95370

ENGINEER STAMP:

DRAWING TITLE:
ELEVATIONS

DRAWING SCALE:
AS NOTED

ZD

DATE:
05/09/23

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APPLICABLE STATE AND / OR LOCAL LAWS

DRAWING NUMBER:
A4



AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley, AICP.
ALUC Secretary

TUOLUMNE COUNTY AIRPORT LAND USE COMMISSION MINUTES

48 Yaney Avenue, Sonora
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September 7, 2023

PRESENT: Chair, Mark Bautista, Vice-Chair, Leon Liebster, Commissioners Scott Rexwinkle, Ed Sunday, Mark Banks

ABSENT: Commissioner Mark Plummer

STAFF: Dave Ruby, AICP, Planning Manager; Drew Njirich, County Airports Manager

1. CALL TO ORDER/ROLL CALL:

Chair Bautista called the meeting to order at 6:04 p.m.

Chair Bautista asked staff to roll call the Commission

Chair Bautista: Present
Vice-Chair Liebster: Present
Commissioner Banks: Present
Commissioner Sunday: Present
Commissioner Rexwinkle: Present
Commissioner Plummer: Absent

Chair Bautista indicated that there was a quorum.

2. MINUTES

Mr. Ruby indicated that the draft Minutes from the last meeting were not prepared in time for this meeting and could not be considered at this time. Staff intends to bring to next meeting.

3. PUBLIC COMMENT

Chair Bautista opened the Public comment period and asked if there was anyone who wished to speak. Seeing no one, he closed the Public Comment period.

4. PUBLIC HEARING

None

5. OLD BUSINESS

None

6. NEW BUSINESS

ENGLER, ENGLER FAMILY LP, Building Permit B2023-01213 to allow construction of an 1,120-square foot garage structure on a 199-acre parcel zoned AE-37:AIR (Exclusive Agricultural, Thirty-Seven Acre Minimum: Airport Combining) and AE-37:AP:AIR (Exclusive Agricultural, Thirty-Seven Acre Minimum: Agricultural Preserve Combining: Airport Combining) under Title 17 of the Tuolumne County Ordinance Code.

Located at 21700 Springfield Road, Sonora. A portion of Sections 22 and 23, Township 2 North, Range 14 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 033-020-008. In Airport Land Use Compatibility Zone B1 of the Columbia Airport.

Mr. Ruby gave a presentation on the proposed project location and description.

The Commission noted that while the garage structure does not add to the occupancy load, it does add an additional building structure aligned on the centerline of Runway 17-35. They explained that this could potentially add risk of aircraft strikes, particularly if pilots were flying on instrument flights rules.

The Commission discussed the pros and cons of placing the garage close to the existing house and other outbuilding structures.

Drew Njirich, Airport Manager, confirmed that some plane incidents had historically occurred on the 199-acre parcel, away from the airport, but on an extension of the main runway.

The Commission suggested it would be beneficial for the County to purchase the parcel, to have more control over the land, vegetation management, and improvements. They reported that this could offer an opportunity to lengthen Runway 17-35, making the airport safer.

Chair Bautista reviewed the County Airport Land Use Compatibility Plan (ALUCP) for any guidance regarding the agricultural outbuildings. He reported that he could find no information regarding this special class of structures, which can cause hazards to aircraft, especially when in greater density. He also noted that agricultural buildings are different in nature than residential or commercial structures, which the ALUCP addresses adequately, as they do not have occupancy but are equally hazardous to crashing aircraft.

Mr. Ruby volunteered to speak to the consultants currently working on the ALUCP update, to see if there were any other jurisdictions' ALUCPs that address the hazards of agricultural outbuildings, and if so, would see if this could be incorporated into the ALUCP update.

It was moved by Vice-Chair Liebster and seconded by Commissioner Sunday to determine Building Permit B2023-01213 was consistent with the Secretary's Evaluation.

Chair Bautista asked staff to roll the vote.

Chair Bautista: Aye

Vice-Chair Liebster: Aye

Commissioner Banks: Aye

Commissioner Sunday: Aye

Commissioner Rexwinkle: Aye

Commissioner Plummer: Absent

Chair Bautista called for the vote. Ayes, 5; Noes, 0; Abstain, 0.

Motion carried: 5 – 0 – 0 with Commissioner Plummer absent.

7. COMMISSION BUSINESS

Chair Bautista indicated that there is no content for this portion of the meeting.

8. COMMISSIONER/STAFF REPORTS

Chair Bautista asked if there were any reports from the Commission or staff.

Mr. Ruby briefed the Commission on the status of the Airport Land Use Compatibility Plan Update. He reported on his meetings with the consultants to identify areas of change to the ALUCP that would make it more efficient to use, such as screening out of areas that are shielded by lower-lying topography, where above-ground construction would be protected by the topography. He stated that the draft ALUCP would be brought before the Review Committee for consideration and discussion.

9. ADJOURNMENT

Chair Bautista adjourned the meeting at 6:46 pm.

Respectfully,

Quincy Yaley, AICP
Airport Land Use Commission Secretary

QY:dr:tv

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