



AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley, AICP
ALUC Secretary

TUOLUMNE COUNTY AIRPORT LAND USE COMMISSION A.N. FRANCISCO BUILDING

48 YANEY AVENUE, 4TH FLOOR CONFERENCE ROOM

January 4, 2024

6:00 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 October 26, 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

NASH, Building Permit B2023-01654 to allow construction of a single-family dwelling with attached garage, covered patio, and porch totaling 6,667 square feet on two parcels (to be merged) totaling 4.89 acres, zoned RE-1:MX:AIR (Residential Estate, One Acre Minimum: Mobilehome Exclusion: Airport Combining) under Title 17 of the Tuolumne County Ordinance Code.

Lots 6 and 7, Airport Estates, Pine Mountain Lake (Ferretti Road). A portion of Section 13, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Numbers 093-290-006 and 093-290-007. In Airport Land Use Compatibility Zone B1 of the Pine Mountain Lake Airport.

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: October 27, 2023

SURFACE/MINERAL
RIGHTS OWNERS: Steve Nash

APPLICANT: Steve Nash
PROJECT
NUMBER: ALUC23-037

PROJECT AND LOCATION

PROJECT
DESCRIPTION: Building Permit B2023-01654 to allow construction of a single-family dwelling with attached garage, covered patio, and porch totaling 6,667 square feet on two parcels (to be merged) totaling 4.89 acres, zoned RE-1:MX:AIR (Residential Estate, One Acre Minimum: Mobilehome Exclusion: Airport Combining) under Title 17 of the Tuolumne County Ordinance Code.

LOCATION: Lots 6 and 7, Airport Estates, Pine Mountain Lake (Ferretti Road). A portion of Section 13, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Numbers 093-290-006 and 093-290-007. In Airport Land Use Compatibility Zone B1 of the Pine Mountain Lake Airport.

1. An application was submitted to permit the construction of a single-family dwelling incorporating 4,491 square feet of living space, 1,237 square feet of garage space, 871 square feet of covered patio space, and 68 square feet of porch space totaling 6,667 square feet in Zone B1 of the Pine Mountain Lake Airport. The proposed house will be approximately 22.0 feet in height above grade at the highest point of the building, with a flat-roof design. This project is within the existing Airport Estates subdivision, and occupies Lots 6 and 7 of that subdivision. One lot contains a steel storage building located downslope and away from the airport side, accessed from Ferretti Road via an asphalt paved driveway. This existing driveway connects to the existing taxiway that was constructed traversing the north side of the Airport Estates property.

ALUC Plan Review

2. The project site is located within Compatibility Zone B1 associated with the Pine Mountain Lake (PML) Airport. The proposed house has an approximate base elevation of 2,944 feet above mean sea level and will be located within the 60dB noise contour associated with the PML Airport. The house site is to be located approximately 325 feet way from the edge of Runway 9-27 and approximately 170 feet off the southern edge of the taxiway that parallels Runway 9-27. There is a Deed Recordation on parcel 093-290-006 for the Airport proximity notice (2023001616), recorded March 3, 2023. An Airport Proximity Deed Recordation will need to be recorded for APN 093-290-007. The County Surveyor has indicated that a merger or lot line adjustment between the two existing parcels will ultimately need to be performed, so that lot lines or easements do not go through the proposed structures. A new airport proximity Deed Recordation will be recorded on the resultant ultimate parcel.

3. Since the house is to be located within Zone B1, ministerial permits, such as a building permit, must be sent to the ALUC Commission (Policy 2.1.5.2(b)(1)).
4. 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)
5. The primary criteria for assessing whether a potential land use development is to be judged compatible with a nearby airport are set forth in the Primary Compatibility Criteria matrix, Table 2A on page 2-18 of the *Compatibility Plan*. These criteria are to be used in conjunction with the compatibility map and policies for each airport as presented in Chapter 3 (Policy 2.2.4.1). These criteria for the B1 Zone are listed below:

Zone	Location	Residential (du/ac) ¹	Other uses (people/ac) ²	Prohibited Uses	Other Development Conditions
B1	Approach Departure Zone and Adjacent to Runway	0.1 (10-acre parcel)	25	* Children's schools, day care centers, libraries - Hospitals, nursing homes * Highly noise-sensitive uses (e.g., outdoor theaters) * Aboveground bulk storage of hazardous materials⁵ * Hazards to flight⁴	* Locate structures away from extended runway centerline * Additional NLR required for some uses⁶ * Airspace review required for all objects (B1 zone) * Deed notice recordings³

Table 2A – Primary Compatibility Criteria

The house does not constitute a prohibited use per the County's zoning ordinance or the *Compatibility Plan*. The site is not located within the extended runway centerline of Runway 9-27, sited 325 feet away from the edge of Runway 9-27, perpendicular to it nearer the eastern end.

6. 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.
7. The project does not propose any land uses identified as incompatible in Table 2A of the *Compatibility Plan*. Further, the proposed house does not create any hazards to flight identified in Policy 2.5.3.5. The project is consistent with the *Compatibility Plan*.

NASH

8. The project's proposed structure falls within the mapped Height Caution Zone but is outside of the nearby mapped Critical Height Zone of the PML Airport. The proposed structure is designed with a flat roof, and is anticipated to be a maximum of 22'-0" above grade at its highest point. Per Policy 2.4.3.2(a)(1) of the *Compatibility Plan*, all locations within Compatibility Zones B1 are considered to be within the Critical Height Zone, and per Policy 2.4.3.2(a)(3), all proposed projects located within the Critical Height Zone are subject to ALUC review.
9. Per Table 2A and Policy 2.4.3.2(a)(3), based on its presence in Compatibility Zone B1, the project is subject to airspace review for its structures. CDD staff have prepared this analysis, to see if the proposed structure of the project falls beneath the FAR Part 77 surface plane for the Pine Mountain Lake Airport. The proposed location of the structure is approximately 330 feet way from the edge of Runway 9-27 and approximately 160 feet off the southern edge of the taxiway that parallels Runway 9-27, within the footprint of the FAR Part 77 7:1 transitional surface adjacent to the runway. Based on this hinge point constituting the toe of the 7:1 approach slope, and a ground base elevation of 2,944 feet above mean sea level at the end of Runway 35, and a building peak elevation of 2,966 feet above mean sea level as shown on plan submitted with the project, the highest point of the proposed structure should be approximately 2.3 feet below the surface plane of the 7:1 transitional surface adjacent to the runway. Please see Exhibit D attached elsewhere in this report for a diagram.
10. The proposed dwelling structure would be constructed within the 60 dB CNEL noise zone. Table 2B of the *Compatibility Plan* identifies single-family residential dwellings as a "marginally acceptable" use within the 50-55 CNEL dB. This structure's suitability within the noise contour is not ideal, but it is evident that design details can address sound attenuation concerns, and further, the project drawings indicate the future addition of a hangar for the owner, so it would appear that they are not averse to aircraft or the noise generated by aircraft operation, hence their investment in constructing a dwelling immediately adjacent to an active airport runway.

Land Use Category	CNEL (dB)				
	50-55	55-60	60-65	65-70	70-75
<i>Residential</i>					
single-family, nursing homes, mobile homes	+	0	-	--	--
multi-family, apartments, condominiums	++	+	0	--	--
<i>Public</i>					
schools, libraries, hospitals	+	0	-	--	--
churches, auditoriums, concert halls	+	0	0	-	--
transportation, parking, cemeteries	++	++	++	+	0
<i>Commercial and Industrial</i>					
offices, retail trade	++	+	0	0	-
service commercial, wholesale trade,	++	++	+	0	0
warehousing, light industrial	++	++	++	+	+
general manufacturing, utilities, extractive industry					

Land Use Acceptability	Interpretation/Comments
++ <i>Clearly Acceptable</i>	The activities associated with the specified land use can be carried out with essentially no interference from the noise exposure.
+ <i>Normally Acceptable</i>	Noise is a factor to be considered in that slight interference with outdoor activities may occur. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
o <i>Marginally Acceptable</i>	The indicated noise exposure will cause moderate interference with outdoor activities and with indoor activities when windows are open. The land use is acceptable on the conditions that outdoor activities are minimal and construction features which provide sufficient noise attenuation are used (e.g., installation of air conditioning so that windows can be kept closed). Under other circumstances, the land use should be discouraged.
– <i>Normally Unacceptable</i>	Noise will create substantial interference with both outdoor and indoor activities. Noise intrusion upon indoor activities can be mitigated by requiring special noise insulation construction. Land uses which have conventionally constructed structures and/or involve outdoor activities which would be disrupted by noise should generally be avoided.
-- <i>Clearly Unacceptable</i>	Unacceptable noise intrusion upon land use activities will occur. Adequate structural noise insulation is not practical under most circumstances. The indicated land use should be avoided unless strong overriding factors prevail and it should be prohibited if outdoor activities are involved.

Table 2b Noise Compatibility Criteria

2-25

Ordinance Code Review

11. The zoning of Assessor's Parcel Numbers 093-290-006 and 093-290-007 contains the Airport Combining (:AIR) district. The regulations pertaining to the :AIR district are codified in Chapter 17.49 of the Zoning Ordinance. Section 17.49.030 of the Ordinance Code states that development, as defined in Section 18.24.040 of the Ordinance Code, within the :AIR district shall be consistent with the Tuolumne County Airport Land Use Compatibility Plan and Chapters 18.24 and 18.28 of this code. Pursuant to Section 18.24.040(A) of the Ordinance Code, building permits are subject to Chapter 18.24.

12. 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;*

NASH

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.*
13. 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

14. 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.
15. Pursuant to Section 77.17, the notification shall use FAA Form 7460-1 and must be submitted at least 45 days prior to the start of the construction or alteration. Persons failing to comply with the provisions of FAR Part 77 are subject to Civil Penalty under Section 902 of the Federal Aviation Act of 1958, as amended and pursuant to 49 U.S.C. Section 46301(a).

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 conditions:
1. No new structure constructed or new vegetation, such as trees, located on the project site shall exceed a height of 40'. The height of a structure includes any antenna, chimney, or other attachments.
 2. 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.
 3. File a *Notice of Proposed Construction or Alteration* (Form 7460-1) with the Federal Aviation Administration (FAA) in accordance with 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718, at least forty five (45) days prior to the start of construction of any new structures on the project site if necessary. A copy of the form shall be submitted to the Community Resources Agency. Alternatively, the form may be completed on-line at: <http://forms.faa.gov/forms/faa7460-1>.

EXHIBIT A: SITE MAP

ALUC23-037

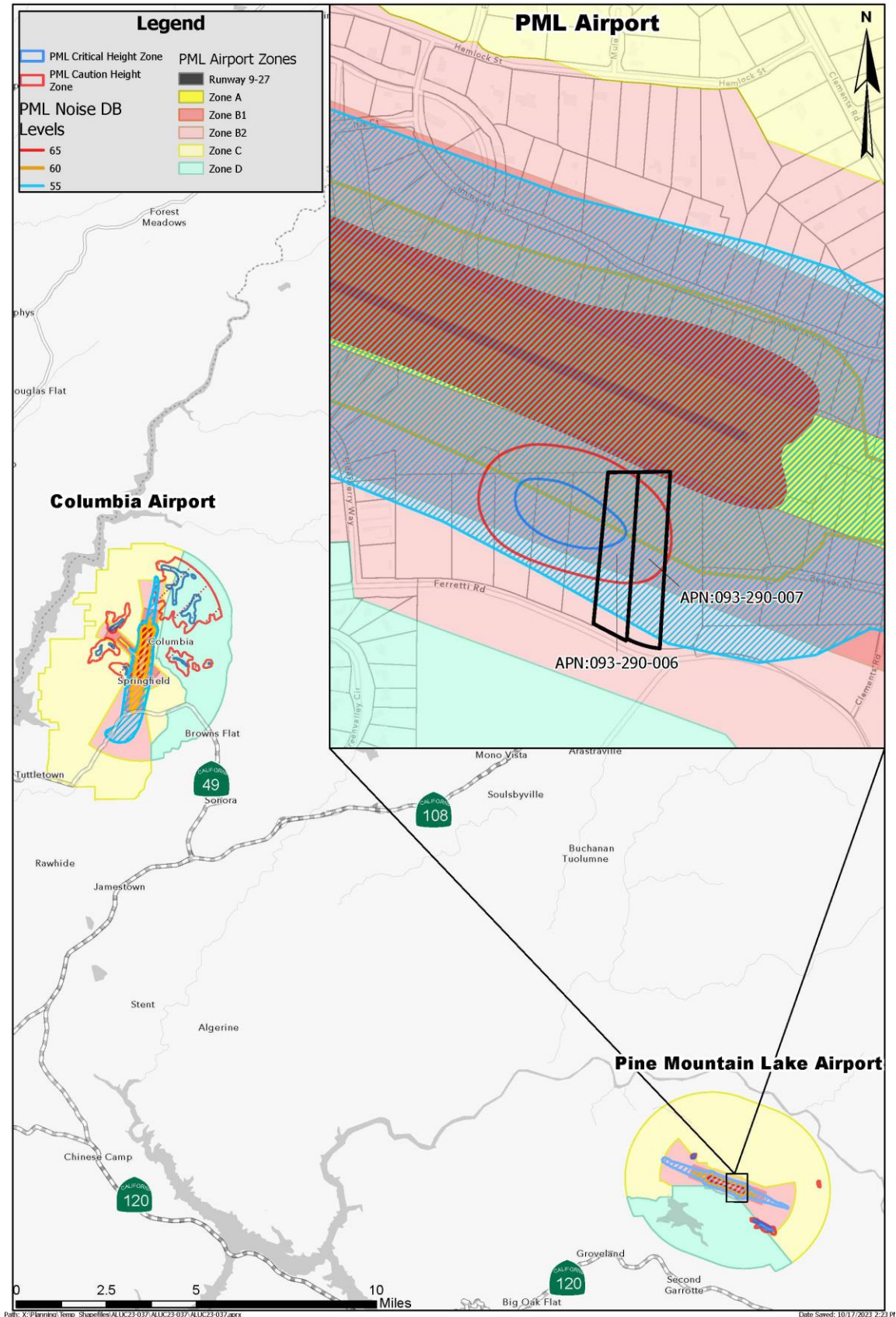


EXHIBIT B: SITE PLAN

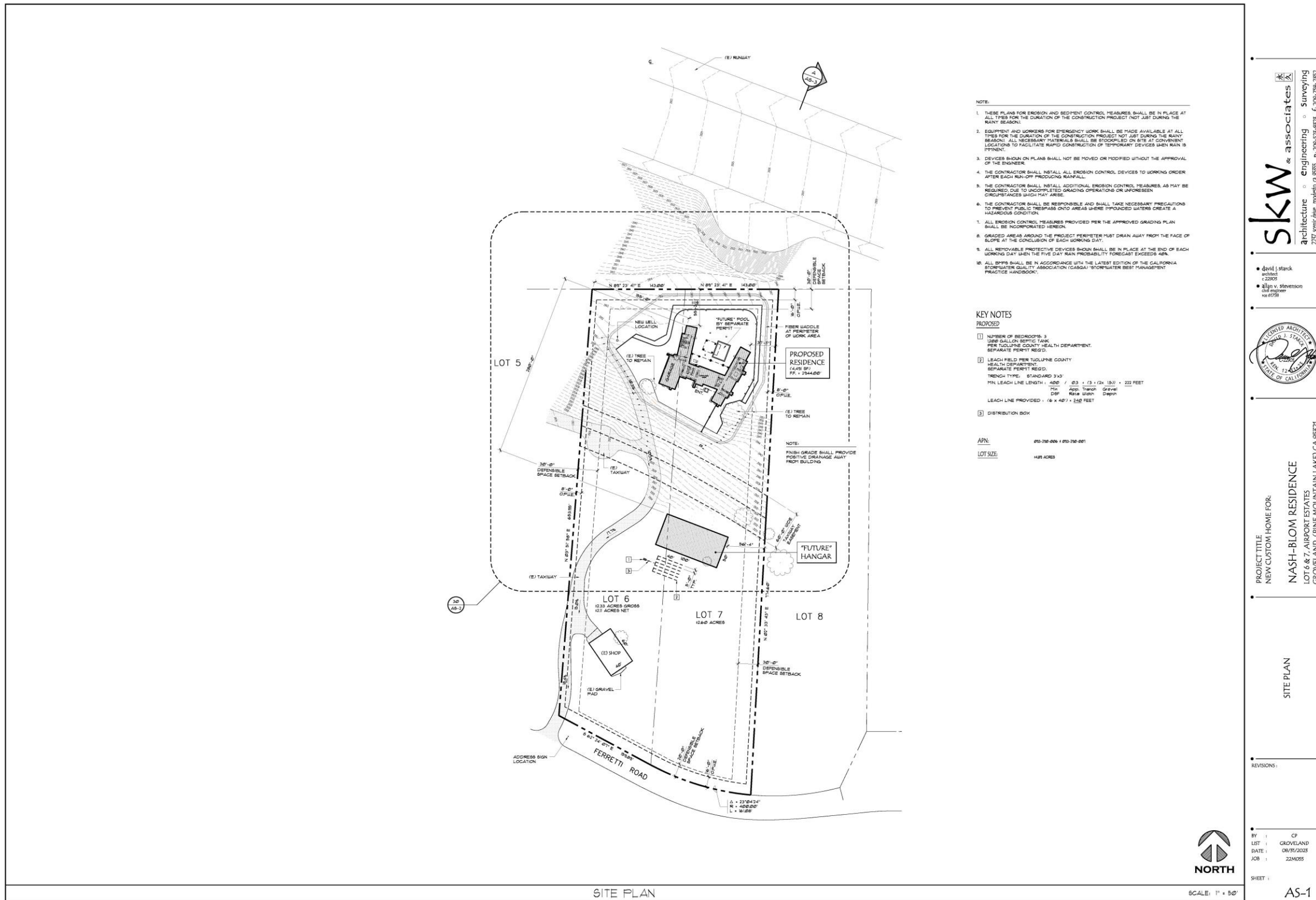
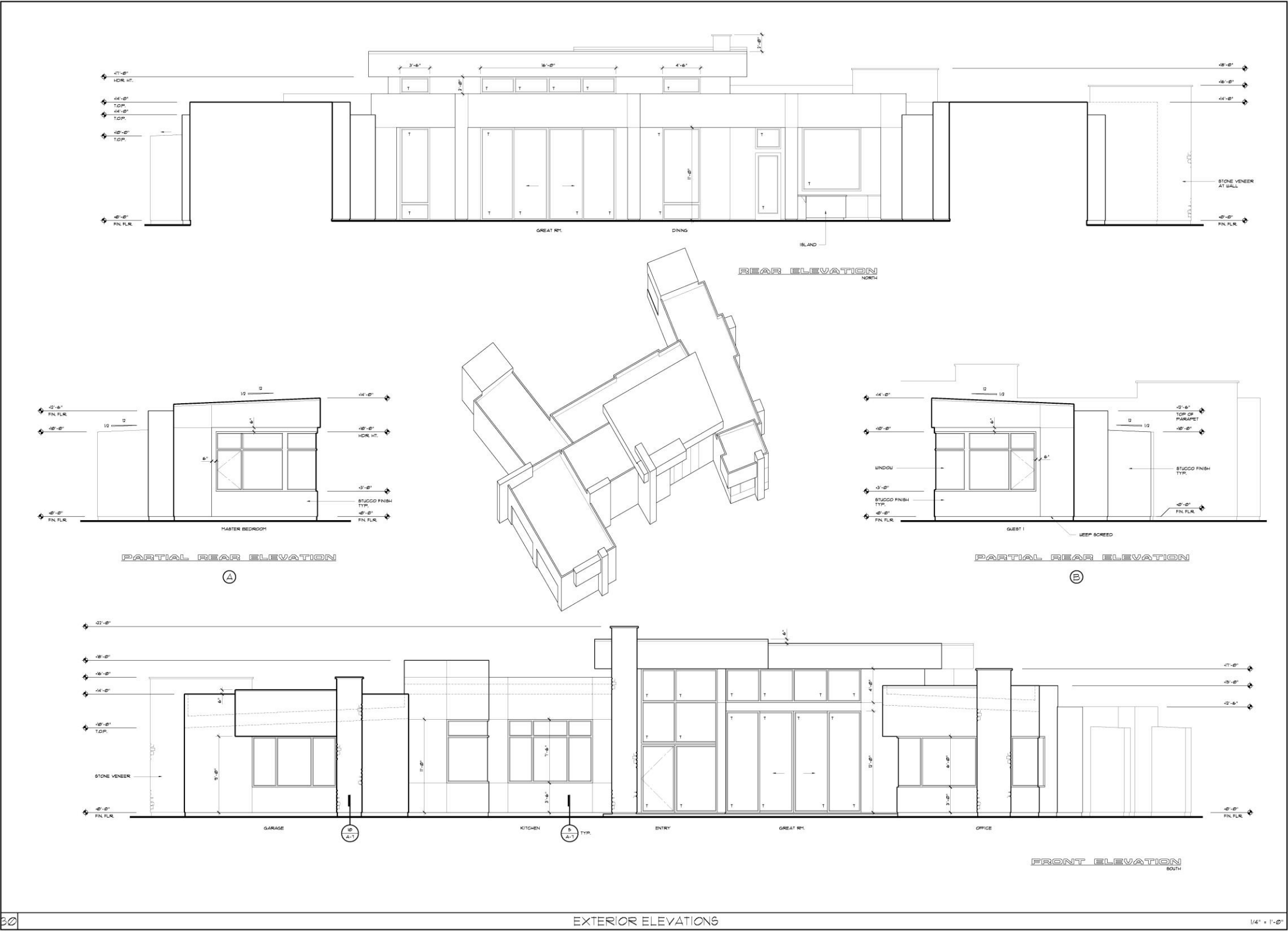


EXHIBIT C: ELEVATIONS



skw & associates
architecture • engineering • surveying
2257 So. 4th Ave., Modesto, CA 95335 P: 209-523-8823 F: 209-798-2552

• david j. stark
architect
1-22008
• allan v. stevenson
civil engineer
no 61756

DAVID J. STARK
LICENSED ARCHITECT
NO. 12414
STATE OF CALIFORNIA

PROJECT TITLE
NEW CUSTOM HOME FOR:
NASH-BLOOM RESIDENCE
LOT 6 & 7, AIRPORT ESTATES
GROVELAND, (PINE MOUNTAIN LAKE) CA 95321

EXTERIOR ELEVATIONS

REVISIONS:

BY : CP
LIST : GROVELAND
DATE : 08/25/2025
JOB : 22M025

SHEET : A-3

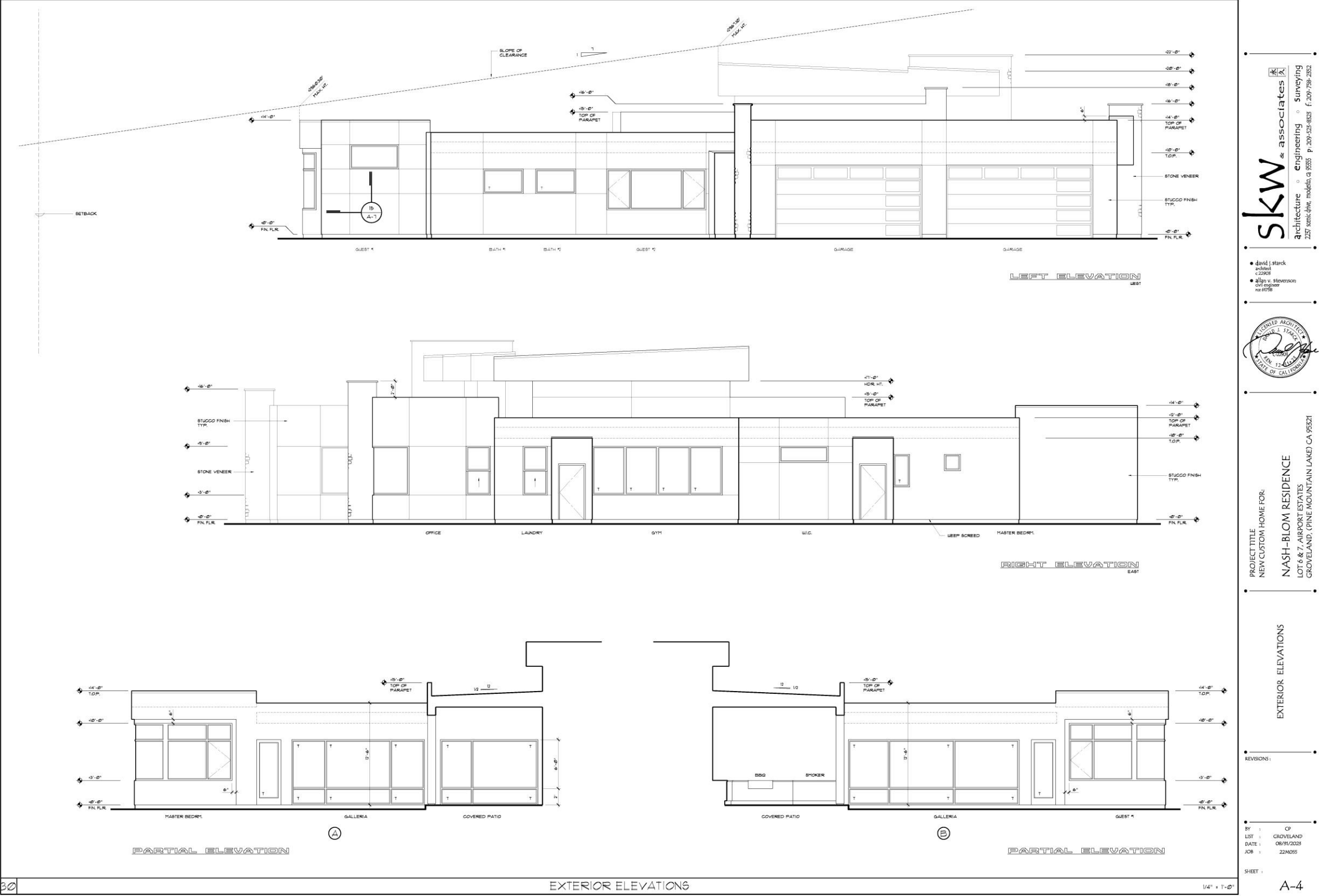
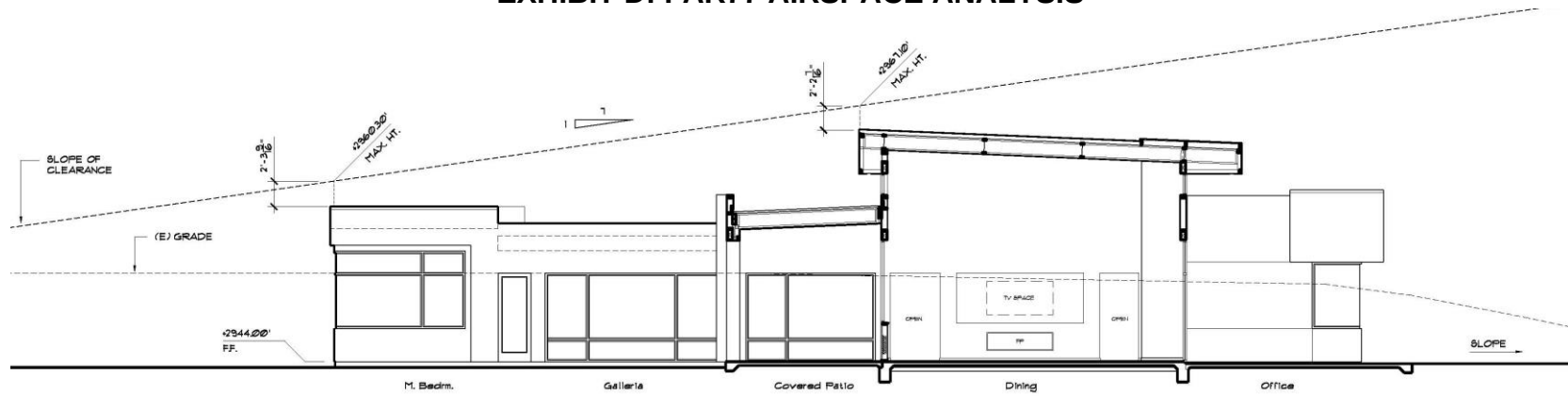


EXHIBIT D: FAR77 AIRSPACE ANALYSIS





AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley, AICP.
ALUC Secretary

TUOLUMNE COUNTY AIRPORT LAND USE COMMISSION MINUTES

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October 26, 2023

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

ABSENT: Commissioner Mark Banks

STAFF: Natalie Rizzi, Senior Planner; Taryn Vanderpan, Administrative Technician II

1. CALL TO ORDER/ROLL CALL:

Chair Bautista called the meeting to order at 5:31 p.m.

Chair Bautista asked staff to roll call the Commission

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

Chair Bautista indicated that there was a quorum.

2. MINUTES

It was moved by Vice-Chair Liebster and seconded by Commissioner Rexwinkle to approve the minutes of the September 7, 2023, minutes with corrections made by Chair Bautista.

Chair Bautista called for the vote.

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

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

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

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

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.

Natalie Rizzi, Senior Planner, gave a presentation on the proposed project location and description.

Chair Bautista asked if the Commission had any questions of staff.

The Commission asked for clarification on the height of the tower.

Ms. Rizzi indicated that the height of the tower was 90 ft. plus a 10 ft. rod, making the total tower 100 ft. tall.

Chair Bautista noted that he preferred the orange and white towers over the towers looking like trees.

Chair Bautista opened the public comment period and asked if there was anyone who wished to speak on the proposed project. Seeing no one, he closed the public comment period and referred the item back to the Commission.

It was moved by Vice-Chair Liebster, and seconded by Commission Plummer, to find ALUC23-035, as proposed, consistent with the adopted 2003 Tuolumne County Airport Land Use Compatibility Plan, subject to the conditions identified by the ALUC Secretary in her certification dated September 12, 2023.

Chair Bautista called for the vote.

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

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

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

7. COMMISSION BUSINESS

None

8. COMMISSIONER/STAFF REPORTS

None

9. ADJOURNMENT

Chair Bautista adjourned the meeting at 6:11 pm.

Respectfully,

Quincy Yaley, AICP
Airport Land Use Commission Secretary

QY:tv

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