



Unapproved COMMUNITY RESOURCES AGENCY

David Gonzalves, C.B.O.
Director

Administration - Building - County Surveyor - Engineering - Environmental Health - Fleet Services - GIS - Housing - Planning - Roads - Solid Waste

TUOLUMNE COUNTY PLANNING COMMISSION MEETING MINUTES February 20, 2019

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PRESENT: Commissioners Cole Przybyla, Dick Pland, and Mike Gustafson, Charlotte Frazier, Larry Beil, and Matt Nutting

ABSENT: Commissioner Jerry Baker

STAFF: Quincy Yaley, Community Resources Agency Assistant Director of Development; Natalie Rizzi, Planner I; Taryn Vanderpan, Administrative Assistant

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CALL TO ORDER/WELCOME:

Acting Chair Przybyla called the meeting of February 20, 2019, to order at 6:00 p.m. and led the Commission and audience members in the Pledge of Allegiance.

Acting Chair Przybyla welcomed everyone. He asked if anyone needed an Agenda or any agenda materials for the meeting. Seeing no one, He explained the procedures for conducting the public hearing and stressed that people who address the Commission are not required to identify themselves.

PLANNING COMMISSION BUSINESS:

1. Reports:

None

2. Report from the Board of Supervisors Planning Committee Representative

Commissioner Baker was absent; therefore there was nothing to report.

3. Report from the Agricultural Advisory Committee Representative

Commissioner Pland said that there was no meeting; therefore there was nothing to report.

4. Minutes of the meeting of December 19, 2018

It was moved and seconded to approve the minutes as presented.

Acting Chair Przybyla called for the vote. Ayes, 6; 0 Noes, 0; Abstain,

Motion carried: 6 - 0 - 0 with Commissioner Baker being absent.

PUBLIC COMMENT:

Acting Chair Przybyla opened the 15 minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the Agenda. No members of the public addressed the Commission.

PUBLIC HEARING:

1. **MOYLE**, Ordinance for Zone Change RZ18-002 to rezone a 60.01± acre parcel from AE-37 (Exclusive Agricultural, Thirty Seven Acre Minimum) to RE-2 (Residential

Estate, Two Acre Minimum) under Title 17 of the Tuolumne County Ordinance Code.

The project site is located at 16716 and 16720 Draper Mine Road, approximately 1,370± feet northwest of the intersection of Draper Mine Road and Soulsbyville Road. The parcel is located within Section 36, Township 2 North, Range 15 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 043-290-030. Supervisorial District 2.

Natalie Rizzi, Planner I, gave a PowerPoint presentation on the project description and location.

Acting Chair Przybyla asked the Commission if they had any questions of staff.

Commissioner Beil inquired about the project notification which stated that the project includes Open Space zoning in the project description.

Ms. Yaley stated that there is no Open Space being proposed as part of this project. She confirmed that the Commission that the project was noticed in the Union Democrat correctly. She explained that with direction from the Board, staff worked with the applicant to prepare an alternative to Open Space zoning. She explained the Vegetation Management Plan developed by staff balances the needs for wildlife protection as well as the needs for clearing fire safety.

Commissioner Beil questioned why the concerns raised by adjoining property owners in respect to fire safety were not addressed in the Agenda Report.

Ms. Rizzi noted that fire hazard were addressed through the Vegetation Management Plan, which allows for reducing fuel and removing dead trees, and keeps the site in compliance with State and County regulations in reference to fire safety setbacks.

Ms. Yaley noted that fire safety issues are summarized under the Advisory Agency section of the Agenda Report. She explained that the county's Fire Prevention Bureau reviews and provides comments to Planning staff that are then incorporated into the Conditions of Approval for the Parcel Map. She noted that the Building and Fire Departments are then responsible for ensuring the project complies with the Wildland Urban Interface standards.

Acting Chair Przybyla opened the public comment period and asked if there was anyone who wished to speak in favor of the project.

Jack Moyle, David Ragland, Timothy Hughes, and Lee Moyle spoke in favor of the project.

Acting Chair Przybyla asked if there was anyone else who wished to speak in favor of the project. Seeing no one, he asked if there was anyone who wished to speak in opposition, seeing no one, he asked if there was anyone who wished to speak neutrally. Seeing no one, he closed to public comment period.

It was moved by Commissioner Frazier and seconded by Commissioner Pland to recommend approval of Rezone RZ18-002 based on Findings A through D.

Acting Chair Przybyla called for the vote.

Motion Carried: 6 – 0 – 0 with Commissioner Baker being absent.

2. **SHOLTEN ET AL**, Ordinance for Zone Change RZ18-008 to rezone a 0.08± acre portion of a 6.02± acre parcel from O:AIR (Open Space:Airport Combining) to RE-1:D:MX:AIR (Residential Estate, One Acre Minimum:Design Control Combining:Mobile Home Exclusion Combining:Airport Combining) and a 0.08± acre portion of a 1.31± acre parcel from RE-1:D:MX:AIR to RE-2:D:MX:AIR (Residential Estate, Two Acre Minimum:Design Control Combining:Mobile Home Exclusion Combining:Airport Combining) under Title 17 of the

Tuolumne County Ordinance Code (TCOC).

The project site is located at 21831 and 21833 Sawmill Flat Road, southeast of the intersection of Parrots Ferry Road and Sawmill Flat Road in the community of Columbia. The project site is within a portion of Section 24, Township 2 North, Range 14 East, Mount Diablo Baseline and Meridian and is within Supervisorial District 1. Assessor's Parcel Numbers 33-040-31, 33-040-35, and 33-040-36.

Natalie Rizzi, Planner I introduced herself and gave a PowerPoint presentation of the project description and location.

Acting Chair Przybyla asked if the Commission had any questions of staff.

Commissioner Beil suggested that staff explain in the Agenda Reports why parcels are being zoned out of Open Space. He explained the importance of assuring the public that the area being removed was not valuable for cultural or biological resources.

Acting Chair Przybyla opened the public comment period and asked if there was anyone who wished to speak in favor of the project. Seeing no one, he asked if there was anyone who wished to speak in opposition of the project. Seeing no one, he asked if there was anyone who wished to speak neutrally on the project. Seeing no one, he closed the public comment period.

It was moved by Commissioner Gustafson and seconded by Commissioner Frazier to recommend approval of Rezone RZ18-008 based on Findings A through D.

Acting Chair Przybyla called for the vote:

Motion Carried: 6 – 0 – 0 with Commissioner Baker being absent.

3. TWAIN HARTE BIBILE CHURCH,

1. Conditional Use Permit CUP18-010 to allow the construction of a new 85± foot tall stealth wireless communications tower and related equipment within a 40± foot by 40± foot fenced compound. The project site is a 16.61± acre parcel zoned K:PD:MX (General Recreation:Planned Unit Development Combining:Mobile Home Exclusion Combining) and O:MX (Open Space:Mobile Home Exclusion Combining) under Title 17 of the Tuolumne County Ordinance Code (TCOC).
2. Variance VAR19-001 to allow the tower within 200 feet of Open Space zoning and a public trail as required by Section 17.53.090 of the TCOC. The tower would be placed approximately 135± feet from Open Space zoning and approximately 129± feet from a public trail.

The project is located at 18995 Twain Harte Drive in the community of Twain Harte, approximately 1,200± feet northwest of the intersection of State Highway 108 and Twain Harte Drive. The project site is within a portion of Section 9, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian, and is within Supervisorial District 3. Assessor's Parcel Number 048-680-057.

Natalie Rizzi, Planner I, gave a PowerPoint presentation on the projects description and location.

Acting Chair Przybyla asked if the Commission had any questions of staff. Seeing no one, he opened the public comment period and asked if there was anyone who wished to speak in favor of the project.

Gary Lloyd, John Merit, and Steven Thomason introduced themselves to the Commission and said that the proposed tower will substantially improve coverage in the area. They explained that the tower has the capability to allow four carriers and noted Verizon Wireless would be the first carrier to co-

locate on the proposed tower.

Acting Chair Przybyla asked if there was anyone else who wished to speak in favor. Seeing no one, he asked if there was anyone who wished to speak in opposition. Seeing no one, he asked if there was anyone who wished to speak neutrally. Seeing no one, he closed the public hearing and referred the item back to the Commission.

It was moved by Commissioner Pland and seconded by Commissioner to approve Conditional Use Permit CUP18-010 based on Findings A through F and based on Conditions 1 through 34 and approve Variance VAR19-001 based on Findings A through F.

Acting Chair Przybyla called for the vote.

Motion carried: 6 – 0 – 0 with Commissioner Baker being absent.

ADJOURNMENT:

Acting Chair Przybyla adjourned the meeting at 6:45 p.m.

Respectfully,

David B. Gonzalves, C.B.O.
Community Resources Director

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