

TRINITY COUNTY PLANNING COMMISSION

STAFF REPORT

PROJECT TITLE: Unmanned Outdoor Telecommunication Facility Conditional Use Permit

APPLICANT: AT&T Mobility/Nick Tagas

PROPERTY OWNER: Trinity County

REPORT BY: Skylar Fisher, Associate Planner

LOCATION: APN 014-180-028-000 (6000 State Highway 3/372 Hayfork Dump Rd., Hayfork, CA 96041)

ZONING DISTRICT: Public Facility

GENERAL PLAN DESIGNATION: Public Facility

PROJECT DESCRIPTION:

A request for approval of an unmanned wireless telecommunication facility. This will include a 90 ft monopole, ground equipment, including a diesel generator for emergency backup power, and a 2025 ft² compound with security fencing. The purpose of the project is to expand the network in the Hayfork area and assist first responders.

Location	Land Use	Zoning District	General Plan Designation
North	Airport	Public Facility	Public Facility
South	Agriculture Preserve	Agriculture Preserve	Agricultural
East	Residential/Federal	Rural Residential/Public Facility	Rural Residential/Public Facility
West	Residential/Industrial	Heavy Industrial/Manufacturing/ Industrial/Single Family Residential	Industrial/Single Family Residential – High Density

Table 1: Surrounding Land Uses to Project Site

SITE INFORMATION:

The proposed unmanned wireless telecommunication facility would be located at 6000 State Highway 3/372 Hayfork Dump Rd. The Hayfork Transfer Station is also located on the same site off of Hayfork Dump Rd. Given past concerns on the site about the cleanliness of the transfer station, a soils report was conducted to ensure there would be no safety concerns if the wireless telecommunication facility was constructed. The soils report was reviewed by relevant County staff and a determination was made that the report, in combination with the applicant conveying that

there will not be anything placed below grade or any excavation on site, indicates there is not a health or safety concern regarding the soils.

The proposed project is going to be located within Hayfork Airport Influence Area (AIA) Zone E. The zones within an AIA are established by the Trinity County Airport Land Use Compatibility Plan based upon Federal Aviation Administration (FAA) criteria. Generally, there is no concern regarding objects within Zone E if the height is below 150 ft tall unless it is located on high ground or is a solitary object more than 35 ft above the ground. To ensure that the proposed project would not be a hazard to the Hayfork Airport, the FAA was contacted to make a hazard determination and the Trinity County Airports Manager was contacted to find if it was necessary to hold a meeting of the Trinity County Airport Land Use Commission. The FAA made two determinations of no hazard to air navigation in relation to the 90 ft monopole and to a crane to be used as temporary construction equipment. Given the FAA determination and the location of the proposed project in Zone E, a determination was made to not hold an Airport Land Use Commission meeting.

PROJECT EVALUATION/DISCUSSION:

Project Consistency with the Trinity County Zoning Code

The provisions of the Public Facility district are found within Chapter 17.29 of the County Zoning Code. The general description of this district is to include governmental, utility, educational, and other uses which are strongly vested with public or social importance. Public utility structures are listed within Section 17.29.030 as a use allowed with a use permit.

Typically, the maximum building height within the Public Facility district is 40 ft. Chapter 17.30 General Provisions and Exceptions of the County Zoning Code includes height exceptions for this requirement. Chapter 17.30.050A states:

“Where chimneys, silos, cupolas, flag poles, monuments, gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances are permitted in the district, height limits may be exceeded upon securing a use permit in each case. Local distribution poles for public utilities shall be allowed in all districts and to greater heights than permitted for the districts without receiving a use permit.”

As the applicant is currently pursuing a use permit for the tower and surrounding compound, the height of the tower being taller than 40 ft is allowed if the use permit is approved by the Planning Commission.

Also found in Chapter 17.30, Section 17.30.030B states:

“Other public utilities including, but not limited to, water, telephone, and cable TV systems, may be permitted in any district upon first obtaining a use permit, provided that a use permit shall not be required for underground gas, water, telephone or cable TV systems located within a special district formed for such purposes. Also, a use permit shall not be required for individual service connections or extension.”

Given this provision of this section of the County Zoning Code, even if the project parcel was not located in the Public Facilities district, a telecommunication facility may be permitted upon first obtaining a use permit as this is a permitted use in any zoning district with a use permit.

In considering the conditional use permit, the following findings are recommended pursuant to the guidelines of Section 17.32.010 of the County Zoning Code:

1. Sound Principles of Land Use. A use permit shall be granted upon sound principles of land use.

Finding: As required by the County's Zoning Code, the applicant is applying for a conditional use permit to place a public utility structure. Evaluation of the project has determined that the project, as proposed and conditioned, is compatible with the general plan land use designation, County Zoning Code, and surrounding neighborhood character.

2. Not Injurious. A use permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance.

Finding: Land uses surrounding the project include residential, industrial, agriculture preserve, an airport, and federal land. The project, as proposed and conditioned, will not cause any detrimental effects to public health, safety, welfare or result in the creation of a public nuisance.

3. Plan Consistency. A use permit must comply with the objectives of the general or specific plan for the area in which it is located.

Finding: The project, as proposed and conditioned, is consistent with the goals and objectives of the County General Plan and the Public Facilities zoning district, as the proposed project consists of constructing a telecommunication facility which is consistent with the public utility structure use.

Project Consistency with the California Environmental Quality Act (CEQA)

The Trinity County Planning Department finds that this project is exempt from CEQA per CEQA Guidelines Section 15303. Class 3 Categorical Exemptions includes a list of classes of projects that have been determined not to have a significant effect on the environment and that are, therefore, exempt from the provisions of CEQA. Class 3 consists of construction and location of a limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt a California Environmental Quality Act (CEQA) determination of a Class 3 Categorical Exemption (Section 15303) for small new construction projects which includes the construction of new small facilities or structures;
2. Adopt the recommended findings listed in Resolution PC-2022-06; and
3. Approve Conditional Use Permit P-21-32 based on the recommended findings and subject to the conditions of approval listed in Exhibit A to Resolution PC-2022-06.

ATTACHMENTS:

- A. Draft Resolution PC-2022-06 and Conditions of Approval
- B. Project Site Maps
- C. Proposed Facility Diagram
- D. Location Map
- E. Aerial Map
- F. Zoning Districts Map
- G. General Plan Designations Map
- H. Hayfork Airport Compatibility Zones and County Zoning Districts Map
- I. Table 2-3 from Trinity County Airport Land Use Compatibility Plan: Primary Compatibility Criteria
- J. Trinity County Zoning Code Chapter 17.29
- K. Trinity County Zoning Code Section 17.32.010
- L. Trinity County Zoning Code Section 17.30.030
- M. Trinity County Zoning Code Section 17.30.050

RESOLUTION NO. 2022-06

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF TRINITY
APPROVING CONDITIONAL USE PERMIT
(AT&T Mobility, Unmanned Telecommunications Facility, P-21-32)**

WHEREAS, Nick Tagas, representing AT&T Mobility, filed an application for the approval of a Conditional Use Permit for a 90-foot monopole, ground equipment, including a diesel generator for emergency backup power, and a 2025-square-foot compound with security fencing on a 154-acre parcel. The tower will be located at 6000 State Highway 3, in Hayfork APN: 014-180-028-000.

WHEREAS, County staff has reviewed the submitted application and evidence and has referred the application and evidence to all governmental and utility agencies affected by the development to allow the opportunity for conducting site inspections and providing comments and recommendations; and

WHEREAS, after due notice of public hearing in accordance with applicable laws, the matter came on for hearing before the Planning Commission of the County of Trinity on June 23, 2022; and

WHEREAS, at said public hearing, due consideration was given to all oral and written comments regarding the request for approval of the Conditional Use Permit, and the Planning Commission concluded that the Conditional Use Permit should be granted subject to certain conditions hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Trinity makes the following findings:

1. Pursuant to the State CEQA Guidelines, the Planning Commission of the County of Trinity makes the following environmental findings:
 - A. The Trinity County Planning Commission finds the project exempt from the California Environmental Quality Act (CEQA) as a Class 3 Exemption (Section 15303) which applies for small new construction projects including the construction of small-scale facilities or structures.
2. Pursuant to Chapter 17.32 (Use Permits) of the County Code of Ordinances, the Planning Commission of the County of Trinity makes the following findings for the Use Permit:
 - A. Conditional Use Permit P-21-32 allows the construction of a for a 90-foot monopole, ground equipment, including a diesel generator for emergency backup power, and a 2025-square-foot compound with security fencing.
 - B. As conditioned the proposed commercial development will not be detrimental to the public health, safety or welfare, or result in the creation of a public nuisance.

Resolution No. PC-2022-06

June 23, 2022

- C. The issuance of the Conditional Use Permit for the proposed commercial development will comply with the objectives of the County General Plan.
3. The Planning Commission of the County of Trinity hereby approves the Conditional Use Permit P-21-32, subject to the conditions set forth in Exhibit "A", attached hereto and made a part hereof.

DULY PASSED AND ADOPTED this 23rd day of June, 2022 by the Planning Commission of the County of Trinity by motion / seconded and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

William Sharp, Chairman
Planning Commission
County of Trinity, State of California

ATTEST:

By:

Edward Prestley
Secretary of the Planning Commission
County of Trinity, State of California

Resolution No. PC-2022-06
June 23, 2022

RESOLUTION PC-2022-06 EXHIBIT “A”

CONDITIONS OF APPROVAL

AT&T Mobility, Unmanned Telecommunications Facility
(P-21-32)

Building Department

1. Building permits must be obtained from the Building Department for the proposed improvements

Planning Department

1. No deviation from a project for which a use permit is granted may be made where such deviation is from an aspect of the project submitted to the planning commission and considered by it in granting the use permit unless: (1) prior approval for deviation is granted by the planning director; or (2) a modification of the use permit is approved by the planning commission

END OF CONDITIONS

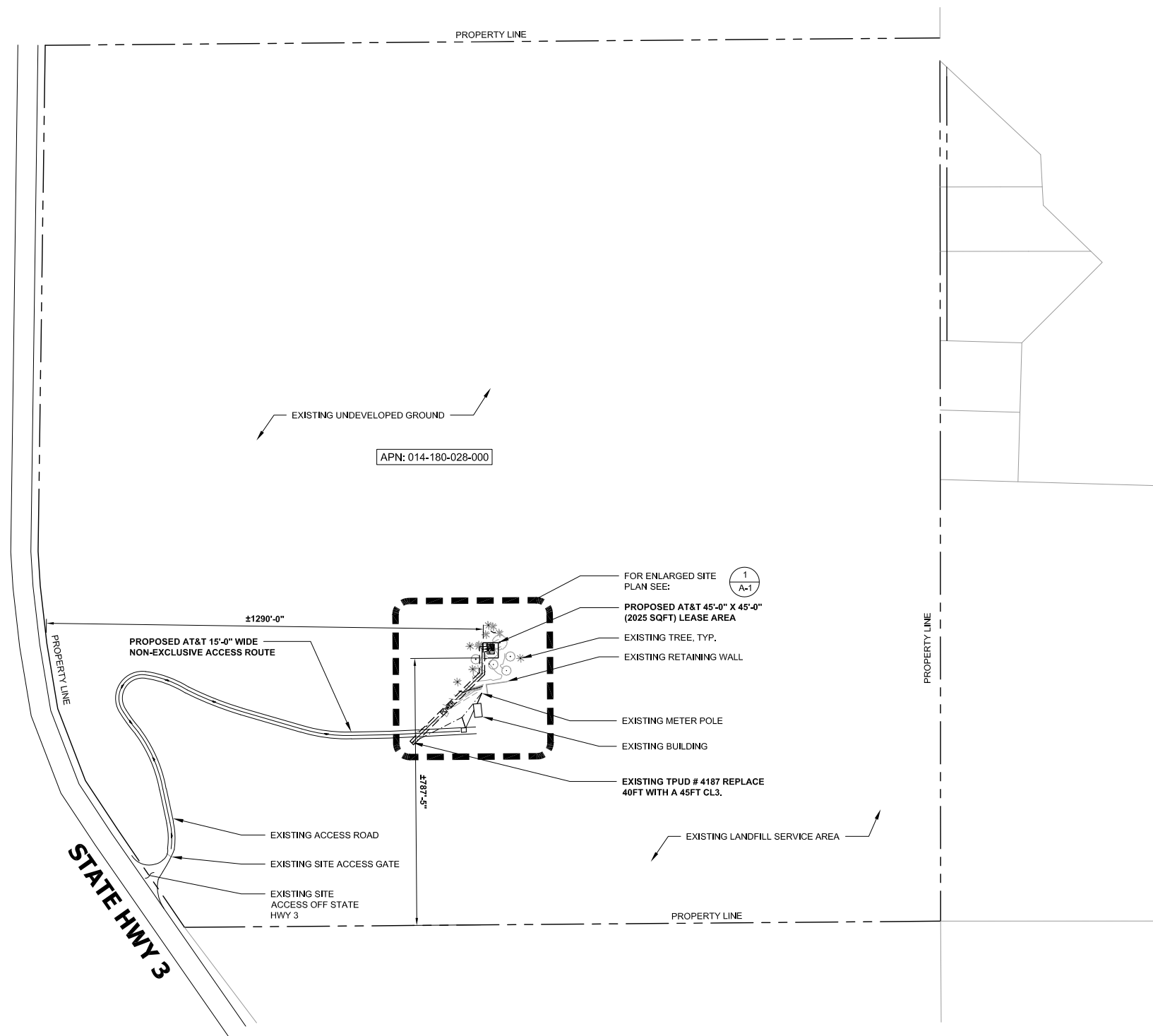
NOTE: Approval of this use permit will expire on June 23, 2025. Any request for an extension and accompanying fees must be received by the Trinity County Planning Department 30 days prior to this expiration date.

NOTES:

1. THE WIRELESS COMMUNICATION FACILITY COMPLIES WITH FEDERAL STANDARDS FOR RADIO FREQUENCY IN ACCORDANCE WITH THE TELECOMMUNICATION ACT OF 1996 AND SUBSEQUENT AMENDMENTS AND ANY OTHER REQUIREMENTS IMPOSED BY STATE OR FEDERAL REGULATORY AGENCIES.
2. NO EXISTING PARKING STALLS ARE BEING ADDED OR REMOVED AS PART OF THE PROPOSED INSTALLATION.
3. THE BELOW GRADING INFORMATION IS AN ESTIMATE:
 - TRENCH IS TO BE 3'-0" DEEP AND 16" WIDE - ALL SPOILS TO BE PLACED BACK INTO TRENCH & COMPACTED TO 90%
 - CONCRETE FOOTING IS TO BE 18 YARDS WITH A 5'-0" DIA.
 - CONCRETE PAD IS TO BE 9 YARDS TOTAL DISPLACEMENT - HALF ABOVE GRADE; DIRT TO BE IMPACTED 5 YARDS UNDER
 - ALL SPOILS TO BE REMOVED FROM PROJECT SITE

DISCLAIMER:

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LEGEND

- PROPERTY LINE - SUBJECT PARCEL
- PROPOSED LEASE AREA
- EXISTING SETBACK LINE
- x- EXISTING FENCE LINE
- EXISTING ROAD
- [Hatched Box] EXISTING BUILDING

DIGALERT
 Call Toll Free
1-800-422-4133
 2 Working Days Before You Dig
 ENGINEERING SERVICE ALERT
 OF SOUTHERN CALIFORNIA

ISSUED FOR:
HAYFORK
 372 HAYFORK DUMP ROAD
 HAYFORK, CA 96041

5001 EXECUTIVE PARKWAY
 SAN RAMON, CALIFORNIA 94583

WIRELESS GROUP LLC
 Connecting a Wireless World

1387 CALLE AVANZADO
 SAN CLEMENTE CA 92673 (949) 391-8824

AT&T SITE NO:	CVL02178
PROJECT NO:	13391400
DRAWN BY:	SD
CHECKED BY:	EF

REV	DATE	DESCRIPTION	BY
2	03/16/2022	100% ZD'S REVISED	SP
1	10/28/2021	100% ZD'S REVISED-MW	BM
0	08/17/2021	100% ZD'S FOR SUBMITTAL	BM
A	07/12/2021	90% ZD'S FOR REVIEW	SD

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SHEET TITLE
SITE PLAN

SHEET NUMBER
A-0



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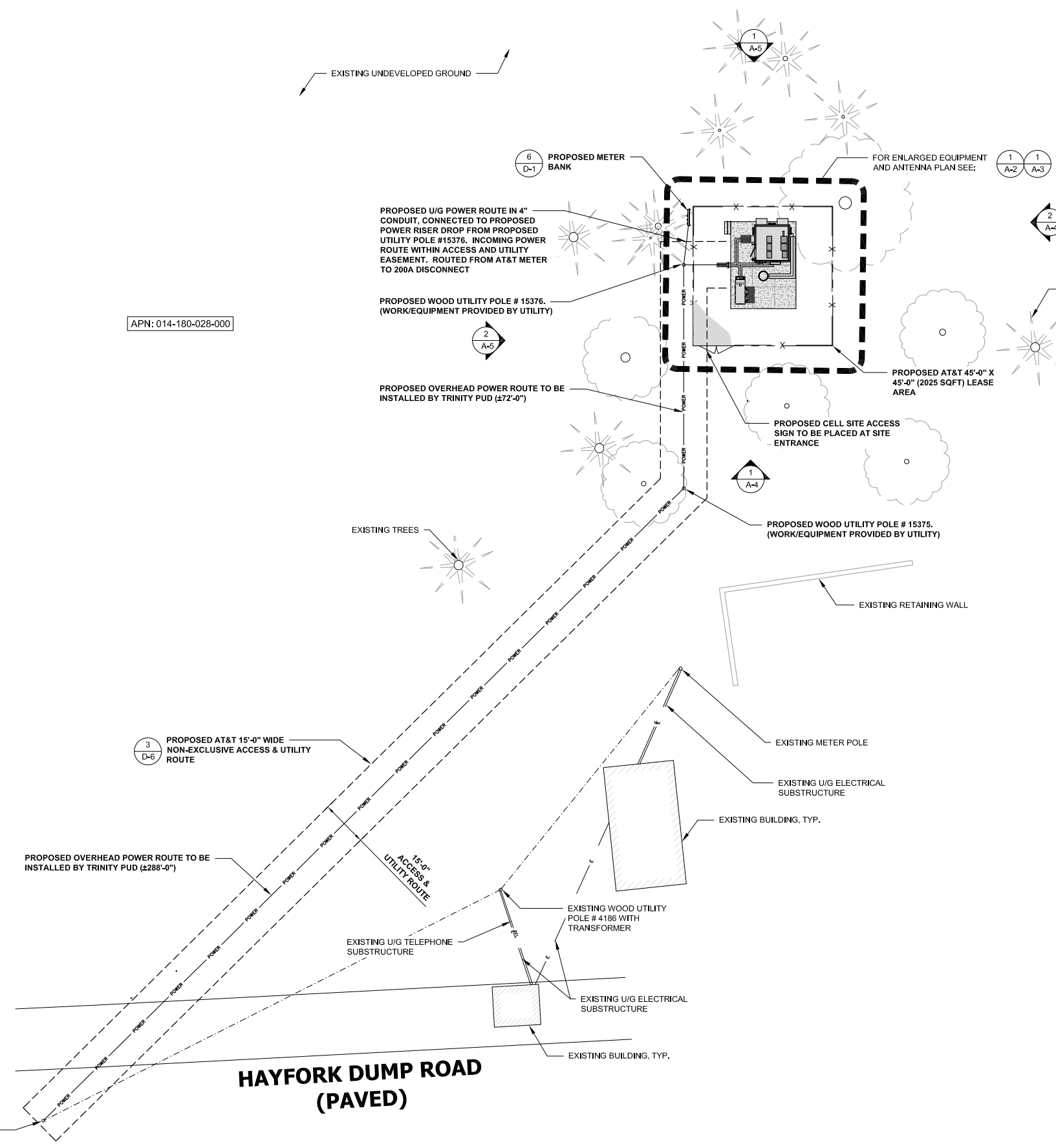


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LEGEND

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- - - PROPOSED LEASE AREA
- - - EXISTING SETBACK LINE
- X - EXISTING FENCE LINE
- EXISTING ROAD
- E - EXISTING U/G ELECTRICAL
- TEL - EXISTING U/G TELEPHONE
- [Hatched Box] EXISTING BUILDING

APN: 014-180-028-000



ISSUED FOR:
HAYFORK

372 HAYFORK DUMP ROAD
HAYFORK, CA 96041



5001 EXECUTIVE PARKWAY
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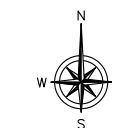
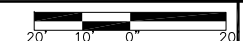
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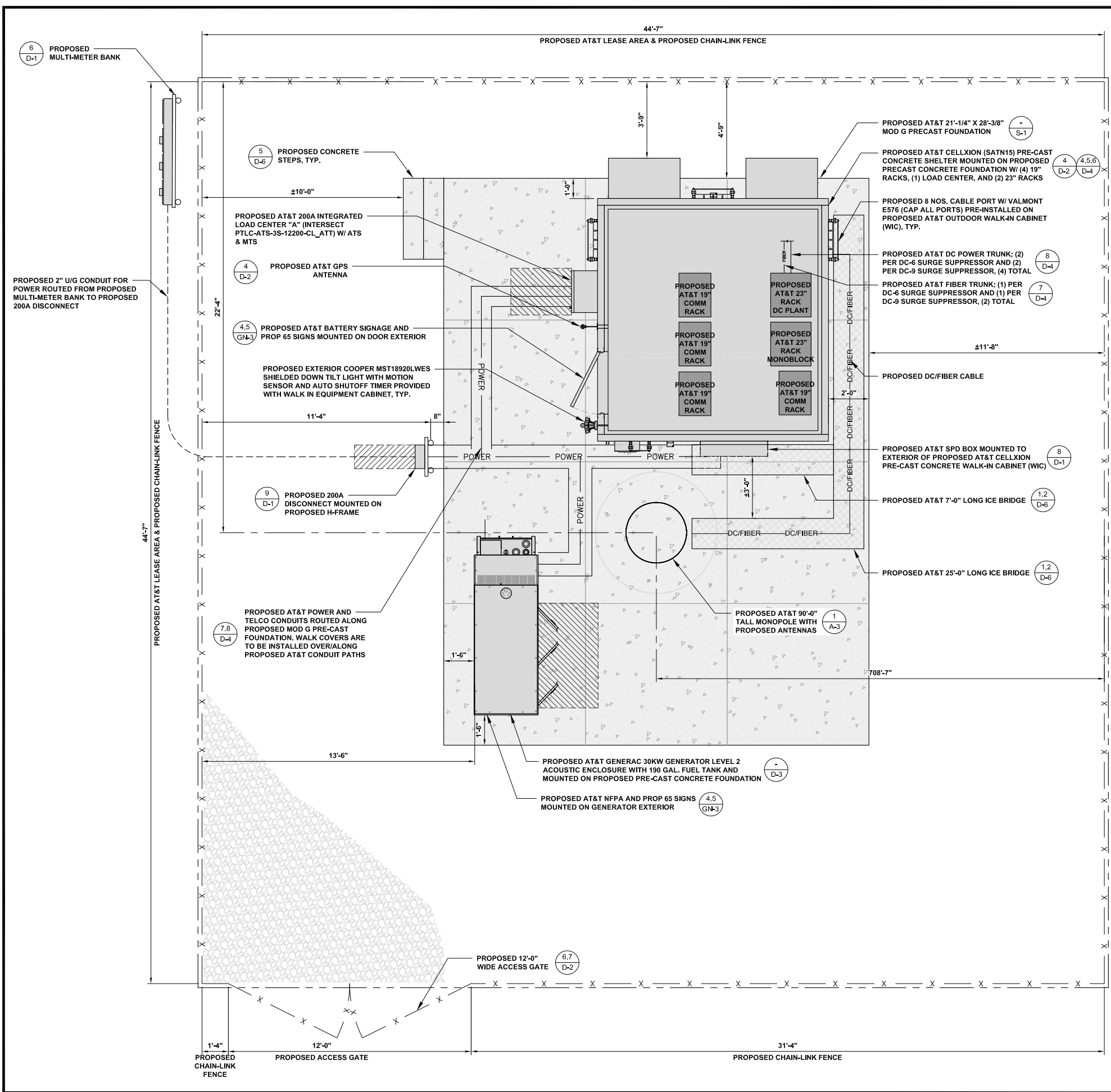
SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
A-1

ENLARGED SITE PLAN

24"x36" SCALE: 1" = 20'-0"
11"x17" SCALE: 1" = 40'-0"





- NOTE:**
- TOTAL PROPOSED AT&T GROUND LEASE AREA= 2025 SQ. FT.
 - THE SHELTER SURROUNDING THE CELLULAR EQUIPMENT IS TO BE CONSTRUCTED OF NON-COMBUSTIBLE MATERIALS AND THE ACCESS DOOR TO THE CELLULAR EQUIPMENT ENCLOSURE IS TO BE NON-COMBUSTIBLE AND SHOULD BE SOLID METAL
 - PROPOSED AT&T DC POWER TRUNK; (2) PER DC-9; (1) DC-9 PER SECTOR, (3) DC-9 TOTAL; (6) DC POWER TRUNK TOTAL

HAYFORK WALKTHROUGH NOTES:

BLDG INTERIOR HEIGHT 9' 3" 12X11
 20-25 FEET INSIDE, 12 FEET ICE BRIDGE, 70 FEET UP
 WAVEGUIDE INSIDE MONOPOLE
 NEED ACCESS PORT ON MONOPOLE AT 70 FEET FOR WAVEGUIDE
 VERT -VERT-HORIZ (MORRIS) HORZ @ OREGON

TELCO REQUIREMENTS OF MOBILITY -DAN TO PROVIDE REDLINE AND REQUIREMENTS

PROPOSED RACK LOWER RIGHT OF BUILDING BELOW AT&T 23" RACK
 MONOBLOCK ON DRAWING
2X -48V DC POWER DROPS DONE BY MOBILITY TO TELCO BAY
SKYLER TO PROVIDE BREAKER SIZE AND CABLE SIZE TO MOBILITY
 486W, + RMM-800 + 3930
 166W EACH MPT PLUS
 MSS 154W
 SKYLER WILL TERMINATE DROPS ON FUSE PANEL FOR A AND B LOAD
1X 120 VAC POWER DROP FOR DEHYDRATOR IN TELCO BAY TO JUNCTION ABOVE TELCO BAY
20A DEDICATED AC BREAKER INSTALLED BY MOBILITY
 SKYLER TO INSTALL AC CONDUIT FROM TOP OF BAY TO 4 OUTLET STRIP BEHIND BAY.
MOBILITY TO PROVIDE AISLE GROUND TO TELCO BAY
 SKYLER TO TIE BAY INTO AISLE GROUND
SKYLER TO SEND SPEC ON GROUNDING
 SKYLER TO INSTALL RADIO TELCO BAY AND WIRE ALL EQUIPMENT INSIDE TELCO BAY
DOES MOBILITY DESIGNATE RELAY RACKS?
 IF NOT: DESIGNATE TELCO BAY AS 010100.01

EQUIPMENT

RADIO COMES WITH 19IN RACK 7 FOOT BAY FROM NOKIA
 GMT FUSE PANEL
 MPT SHELF 4 FUSE POS 2A/2B
 MPT SHELF PREINSTALLED TOWARD TOP OF BAY
 MSS-8 SHELF 1 FUSE POS 1A/1B
 MSS-8 PREINSTALLED AROUND POS 24 (MIDDLE OF BAY)
 1RU SPACE
 4 POS VAM PANEL -2X 50/50, 2X 90/10 PANEL 1
 1RU SPACE
 CN3930 -EMT SHELF 2 FUSE POS 3A/3B
 AVAILABLE OPEN SPACE -MINIMUM 3 RU
 RMM-800 SHELF 3 FUSE POS 4A/4B
 1RU SPACE
 3RU BLANKING PANEL -2 PORT AIR MANIFOLD, 1 UNTERMINATED PORT, 1 WG PORT
 APD-70 9.5 IN 6RU INSTALLED AT BOTTOM OF BAY

CABLING

2" YELLOW FIBER PANDUIT -6' BOTH SIDES OF BAY
 FIBER MSS-8 1.8/2.8 INTO 50/50 SPLITTER POS 1
 FIBER 50/50 SPLITTER OUTPUT TO RMM-800 P1
 FIBER SLOT 5 PORT 5, WIRE TO 90/10 SPLITTER POS 2
 FIBER 90/10 OUT TO 3930 P9
 CAT5 ETHERNET 3930 MGMT PORT TO RMM-800 ETHERNET P3
 CAT5 SERIAL 3930 CONSOLE PORT TO RMM-800 ASYNC 1
 CAT 5 ETHERNET RMM-800 SITE BUS SENSOR BY MPTS
 CAT5 DISCRETES APD70 DEHYDRATOR TO POS 1-4 ON RMM-800
 STANDOFFS BEHIND BAY RMM-800 TO APD-70 DEHYDRATOR
 ORDER WRITING SHELF, TECH TO DETERMINE WHERE NEEDED.

ISSUED FOR:
HAYFORK
 372 HAYFORK DUMP ROAD
 HAYFORK, CA 96041



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SHEET TITLE
EQUIPMENT PLAN

SHEET NUMBER
A-2

EQUIPMENT PLAN

24"x36" SCALE: 3/8" = 1'-0"
 11"x17" SCALE: 3/16" = 1'-0"



ISSUED FOR:
HAYFORK

372 HAYFORK DUMP ROAD
HAYFORK, CA 96041



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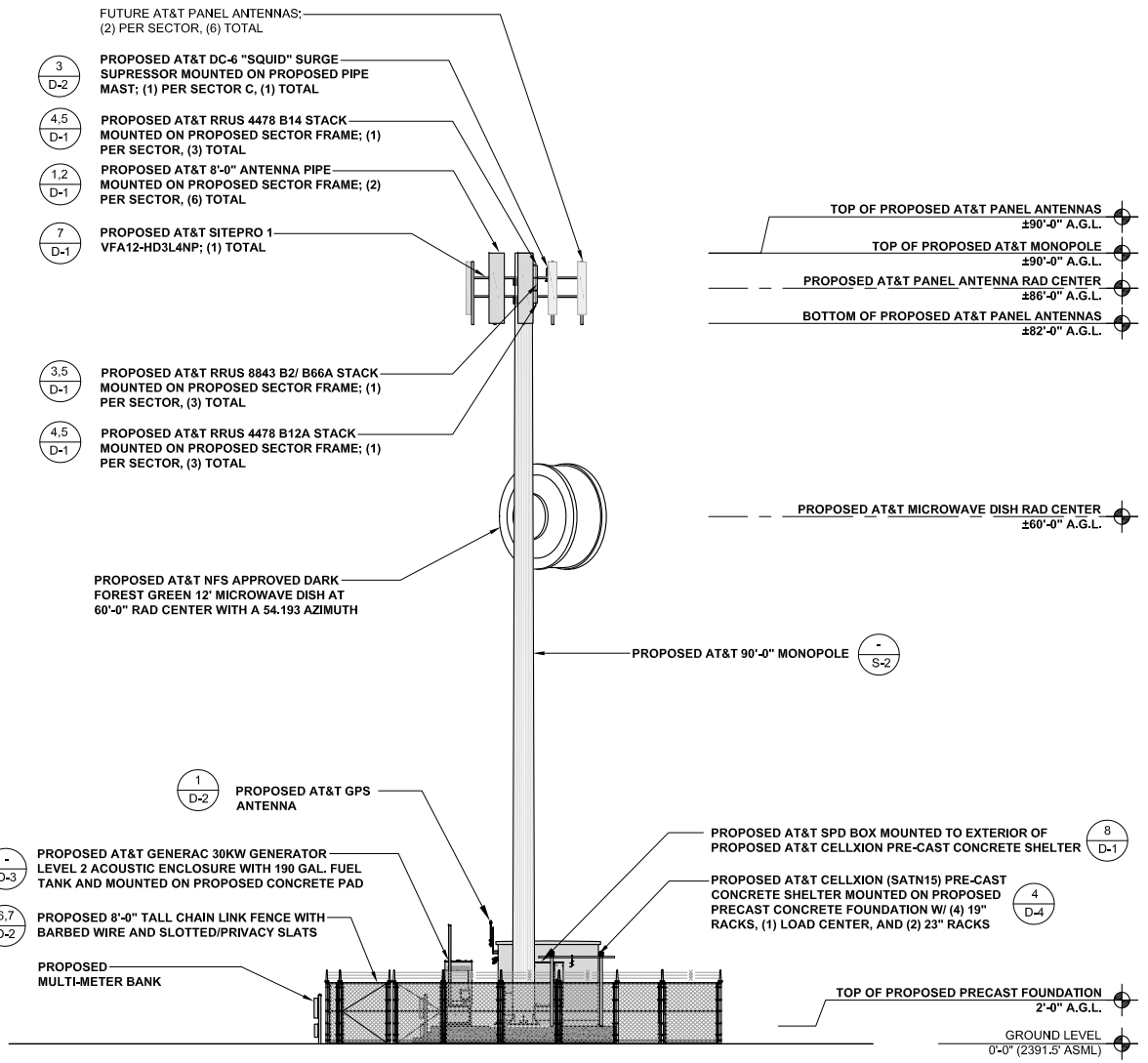
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SHEET TITLE
ELEVATIONS

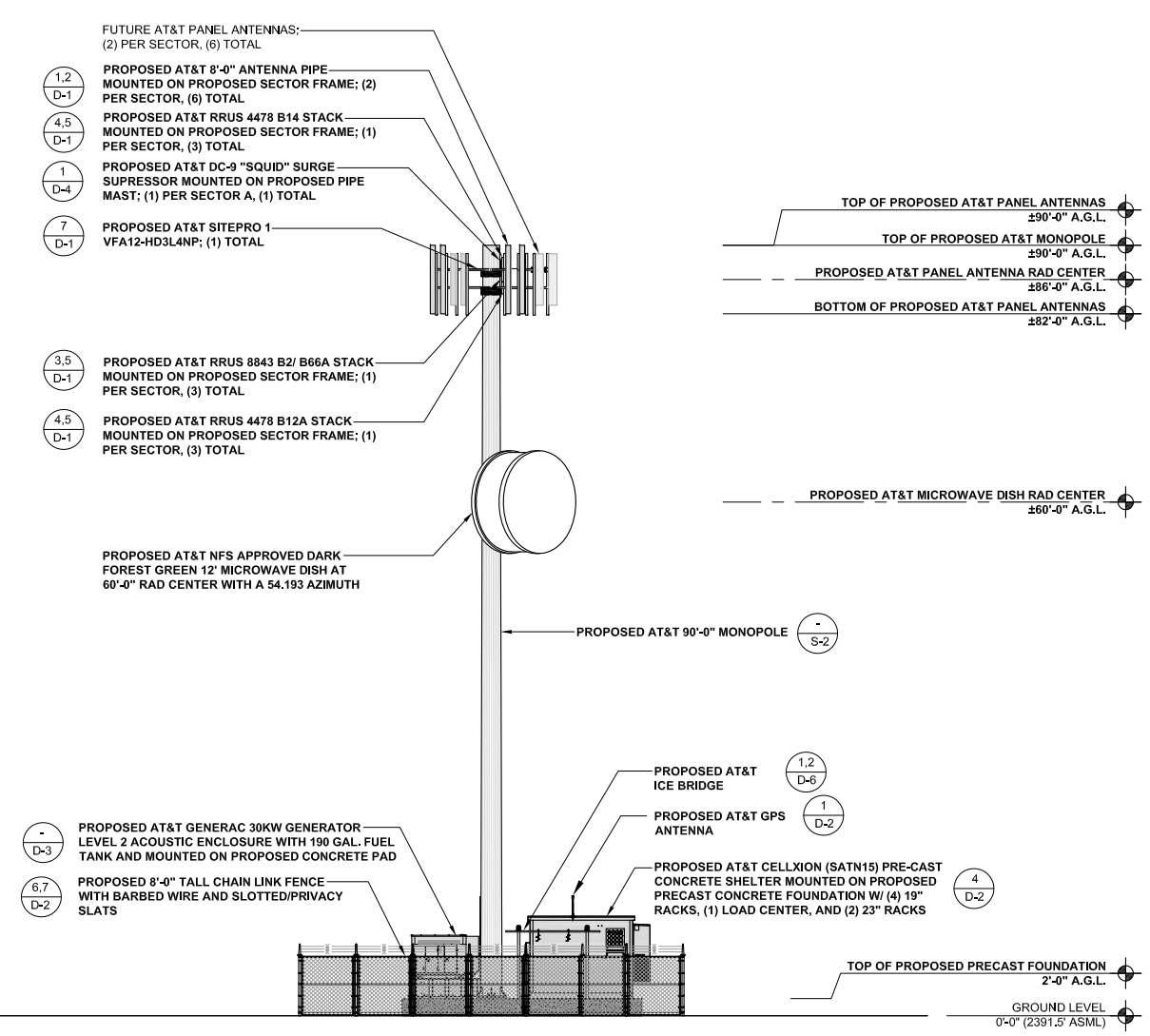
SHEET NUMBER
A-4



PROPOSED SOUTH ELEVATION

24"x36" SCALE: 3/32" = 1'-0"
11"x17" SCALE: 3/64" = 1'-0"
8' 4' 0' 8'

1

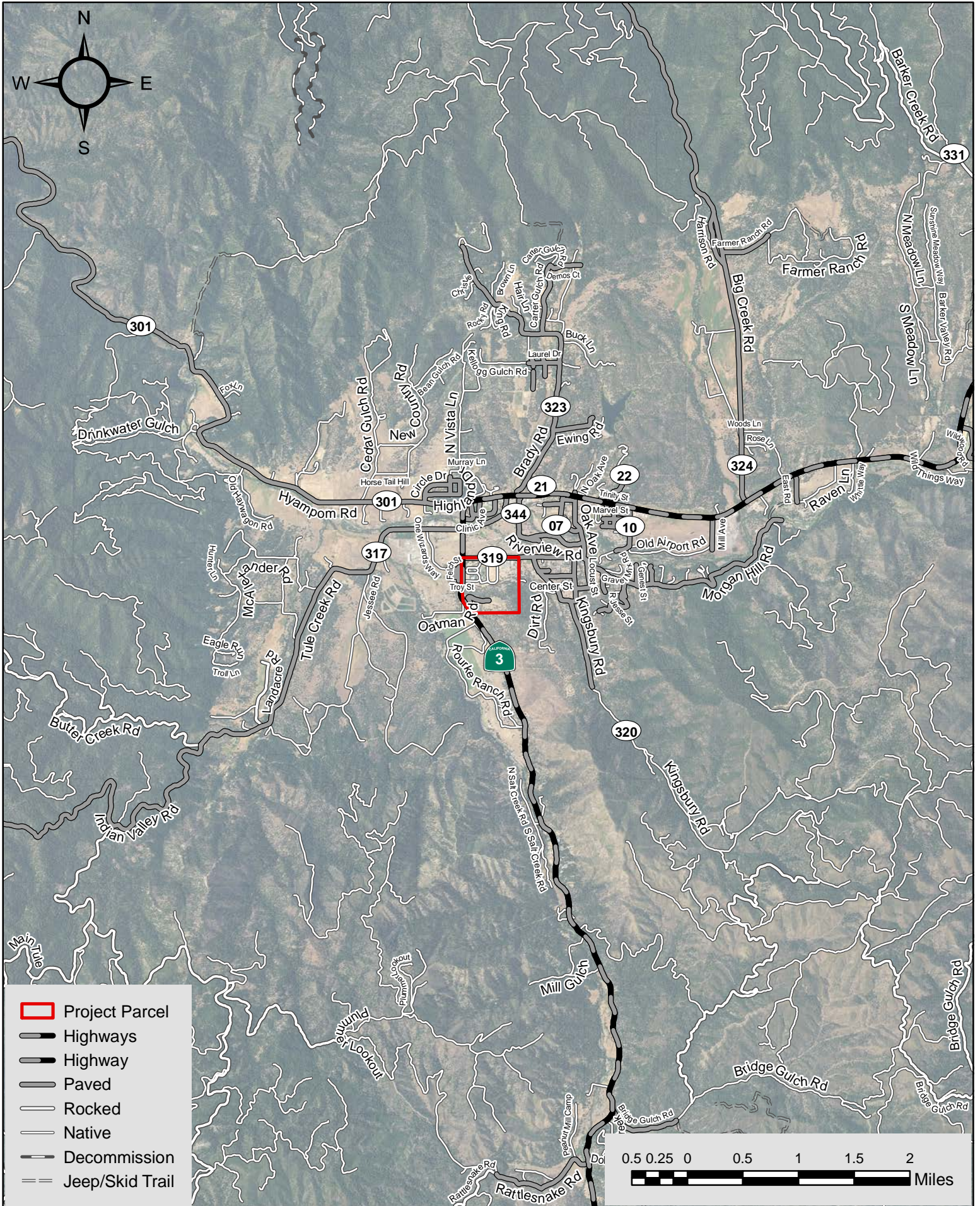


PROPOSED EAST ELEVATION

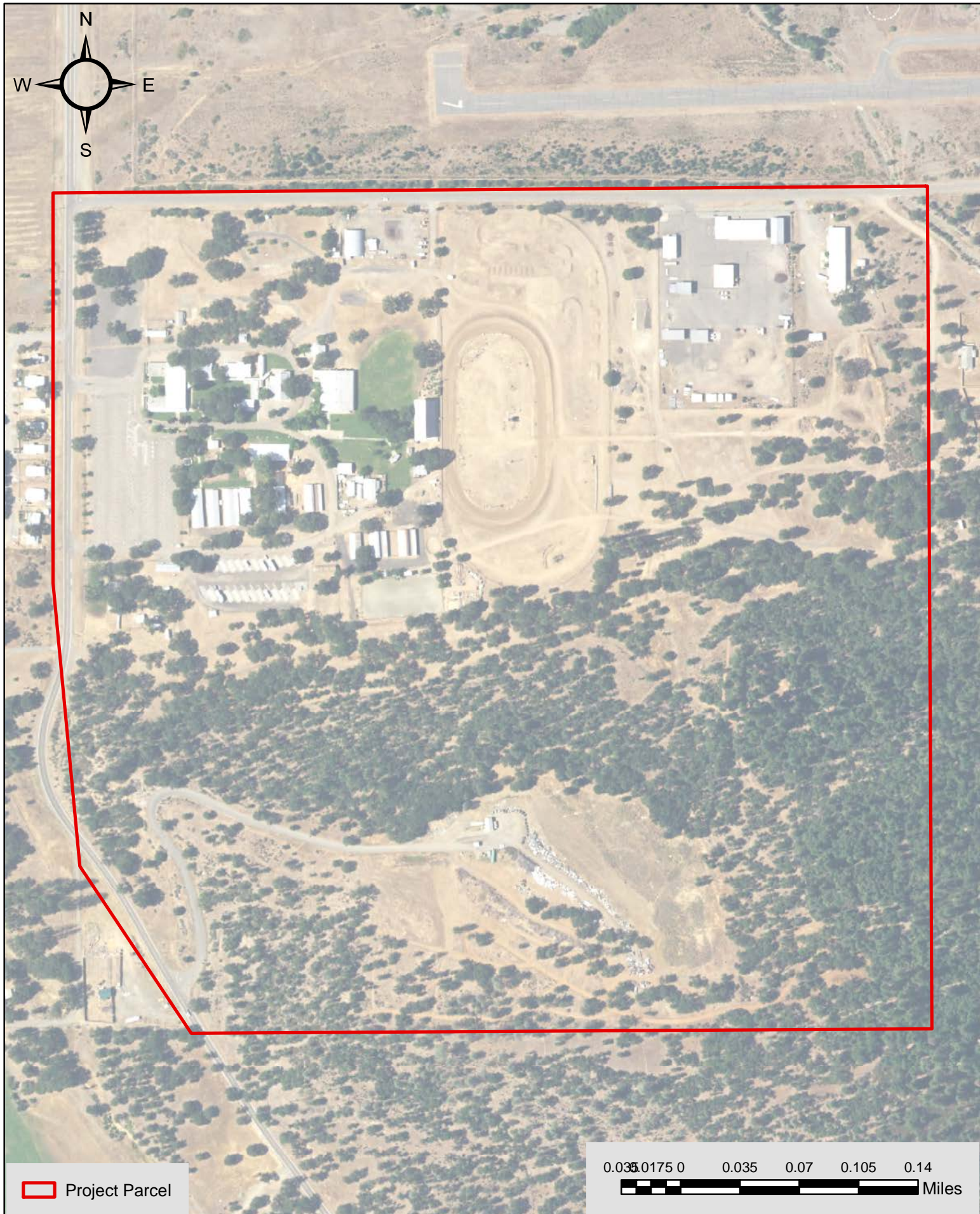
24"x36" SCALE: 3/32" = 1'-0"
11"x17" SCALE: 3/64" = 1'-0"
8' 4' 0' 8'

2

P-21-32 Location Map



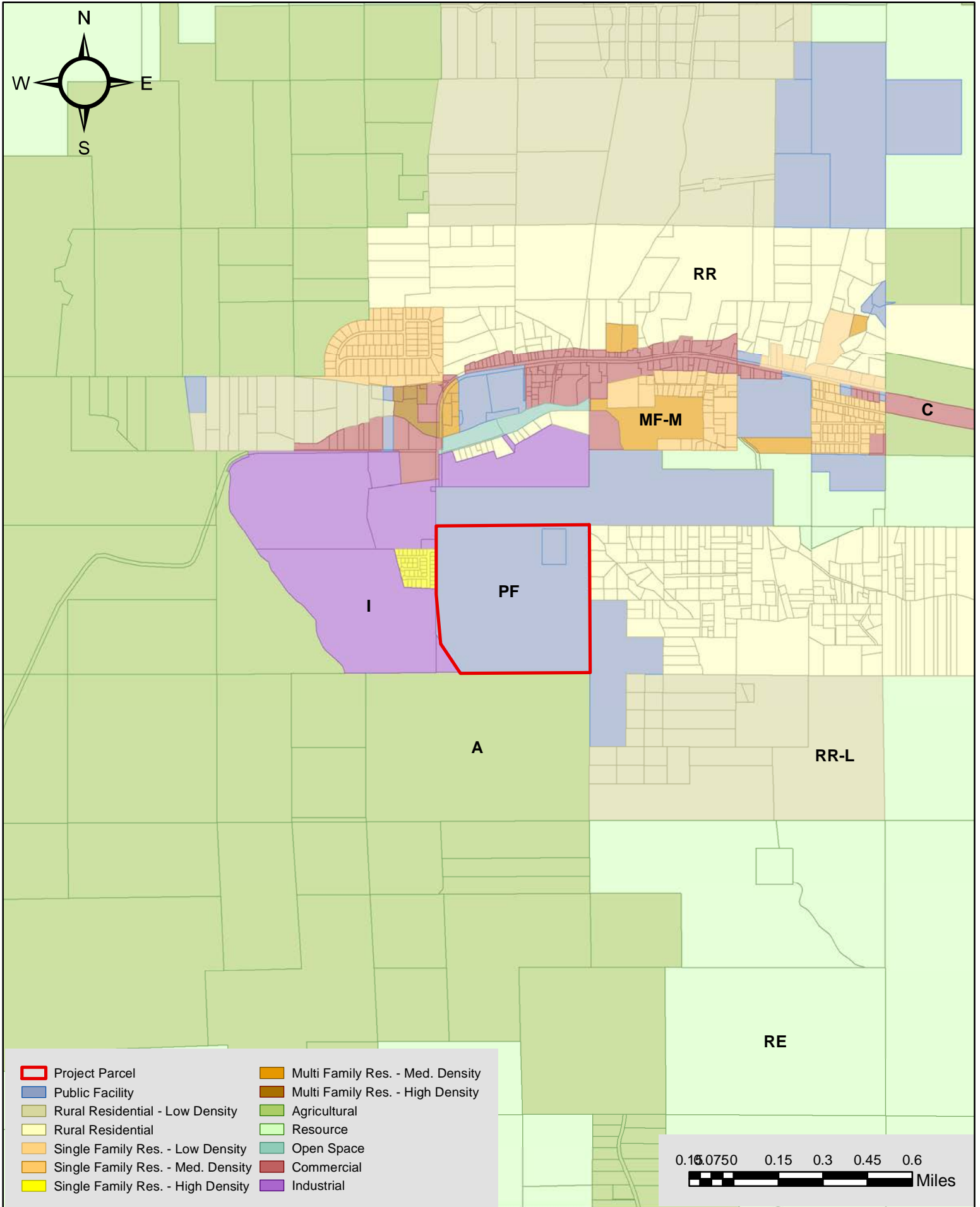
P-21-32 Aerial Map



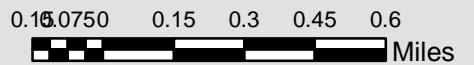
 Project Parcel

0.035 0.07 0.105 0.14
Miles

P-21-32 General Plan Designations Map



- | | |
|-----------------------------------|----------------------------------|
| Project Parcel | Multi Family Res. - Med. Density |
| Public Facility | Multi Family Res. - High Density |
| Rural Residential - Low Density | Agricultural |
| Rural Residential | Resource |
| Single Family Res. - Low Density | Open Space |
| Single Family Res. - Med. Density | Commercial |
| Single Family Res. - High Density | Industrial |



Zone	Location	Maximum Densities / Intensities				Req'd Open Land ³	Additional Comments	
		Residential (du/ac) ¹	Other Uses (People/ac) ²				Prohibited Uses ⁴	Other Development Conditions ⁵
			Avg ⁶	Single Acre ⁷	with Bonus ⁸			
A	Runway Protection Zone, and Object Free Area	0	10	10	10	All remaining land	<ul style="list-style-type: none"> All structures except ones with location set by aeronautical function Assemblages of people Objects exceeding FAR Part 77 height limits Storage of hazardous materials Hazards to flight⁹ 	<ul style="list-style-type: none"> Avigation easement dedication
B1	Inner Approach / Departure area	.1 (10-acre parcel)	40	80	60	30%	<ul style="list-style-type: none"> Children's schools, day care centers, libraries Hospitals, nursing homes Noise-sensitive outdoor nonresidential use¹⁶ Critical community infrastructure facilities¹³ Above ground bulk storage of hazardous materials¹⁰ Hazards to flight⁹ Bldgs with >2 above-ground habitable floors 	<ul style="list-style-type: none"> Aviation easement dedication Locate structures maximum distance from extended runway centerline Maximum of 45db CNEL in residential and office buildings¹¹ Airspace review required for objects >35 feet tall¹²
B2	Extended Approach / Departure area, and Turning areas	.4 (2.5 acre parcel)	60	120	120	20%	<ul style="list-style-type: none"> Children's schools, day care centers, libraries Hospitals, nursing homes Highly noise-sensitive uses Hazards to flight⁹ Bldgs with >2 above-ground habitable floors 	<ul style="list-style-type: none"> Aviation easement dedication Locate structures maximum distance from extended runway centerline Maximum of 45db CNEL in residential and office buildings¹¹ Airspace review required for objects >70 feet tall¹²
C	Runway Sideline	.2 (5-acre parcel)	80	160	160	30%	Same as B1	Same as B1
D	Primary Traffic Pattern	Single Family: 4 du/ac Multi- ¹⁸ Family: ≥8 du/ac	150	450	300	10%	<ul style="list-style-type: none"> Noise-sensitive outdoor nonresidential use¹⁶ Hazards to flight⁹ 	<ul style="list-style-type: none"> Deed notice required Airspace review required for objects >70 feet tall¹⁴ Children's schools, hospitals, nursing home discouraged¹⁵
E	Other Airport Environs	No limit	No limit ¹⁷		No	Req't	<ul style="list-style-type: none"> Hazards to flight⁹ 	<ul style="list-style-type: none"> Airspace review required for objects >150 feet tall¹⁴ Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks¹⁷

Table 2-3 Primary Compatibility Criteria

Primary Criteria Footnotes:

- 1 Residential development should not contain more than the indicated number of dwelling units (both primary and secondary) per gross acre. Clustering of units is encouraged. See Policy 8.4.7 "Limitations on Clustering".
- 2 Usage calculations shall include all people who may be on the property (e.g., employees, customers/visitors, etc.) both indoors and outside. These criteria are intended as general planning guidelines to aid in determining the acceptability of proposed land uses.
- 3 Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects. See supporting compatibility policies on safety for a definition of open land. Policy 8.4.6 "Open Space Requirement"
- 4 The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.
- 5 Airport proximity and the existence of aircraft overflights should be disclosed as part of all real estate transactions involving property within an Airport Influence Area. Easement dedication and deed notice requirements apply only to new development.
- 6 The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used, and for which extra safety precautions can be taken as appropriate.
- 7 Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 8.4.7 "Limitations on Clustering"
- 8 An intensity bonus may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. See policy 8.4.11 "Risk Reduction Through Building Design".
- 9 Hazards to flight include physical, visual, and electric forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is prohibited. See policies in Policy 8.5 "Airspace Protection Compatibility" and 8.7 "Wildlife Compatibility".
- 10 Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable materials is also exempted. See Policy 8.4.10 "Land Uses of Special Concern".
- 11 See the supporting compatibility policy on interior noise, Policy 8.2.5 "Interior Noise Levels"
- 12 Objects up to the specified height are permitted. However the FAA may require marking and lighting of certain objects. See Policy 8.5.2 "ALUC Review of Height of Proposed Objects".
- 13 Critical community facilities including power plants, electrical substations, and public communications facilities. See Policy 8.4.10(d).
- 14 This height criteria is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not to be obstructions. See policies in 8.3 "Height Compatibility".
- 15 Discouraged uses should generally not be permitted unless no feasible alternative is available.
- 16 Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheatres and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
- 17 Although no explicit upper limit on usage intensity is defined for Zone E, land uses of the types listed-uses that attract very high concentrations of people in confined areas-are discouraged in locations below or near the principal arrival and departure flight tracks. This limitation notwithstanding, no use shall be prohibited in Zone E if its usage intensity is such that it would be permitted in Zone D.
- 18 Two options are provided for residential densities in Zone D. Option 1 has a density limit of 4 dwelling units per acre (i.e., an average parcel size of 1/4 gross acre). Option 2 requires that the density be a *minimum* of 8 dwelling units per acre (i.e., multifamily). The choice between these two options is at the discretion of the local land use jurisdiction. See Table 2-2 for an explanation of the rationale. All other criteria for Zone D apply to both options.

Table 2-3 "Primary Compatibility Criteria" (continued)

Chapter 17.29 PUBLIC FACILITIES OR "PF" DISTRICT

Sections:

17.29.010 General description.

The public facilities district includes governmental, utility, educational, and other uses which are strongly vested with public or social importance.

17.29.020 List of uses permitted on a parcel in a public facilities district.

- A. Administrative offices (government).
- B. Counseling service (government).
- C. Day care center (government).
- D. Library.
- E. Park (less than one acre).
- F. Playground.
- G. Post office.

17.29.030 List of uses permitted only after obtaining a use permit.

- A. Animal shelter.
- B. Airport.
- C. Business incubator with six criteria (see Resolution PC-2000-03).
- D. County correctional facility (jail).
- E. Fairgrounds.
- F. Fire hall.
- G. Heliport.
- H. Hospital.
- I. Park (over one acre).
- J. Public parking facility.
- K. Public utility structures.
- L. Public maintenance and storage facility or yard.
- M. Refuse disposal facility.
- N. Residential caretaker unit (see special regulations in Section 17.30.120).
- O. School.
- P. Sheriff's station.

Q. Business Incubator. If these six criteria are met:

1. It is funded primarily by public funds.
2. The land and buildings are owned by a public entity.
3. It is administered and operated directly by the public entity or indirectly by a non-profit corporation under contract with the public entity.
4. It provides job and business training to a target group of persons. This target group shall include underemployed persons, unemployed persons, and/or displaced worker.
5. It is open to any business, which meets the facilities selection criteria, on a space available basis.
6. Incubator space and services are limited to five years or less. Annual extensions may be granted on a case-by-case basis if the business operator can demonstrate special circumstances and compliance with the approved business plan. Time extensions shall require approval of the operating agency and the planning director.

17.29.040 For subdivision purposes, the minimum parcel size required.

The minimum lot area shall be one recorded lot or parcel not less than two thousand square feet in area. Each lot shall be not less than eighty feet in depth. Each lot shall have a minimum width of twenty-five feet. Due to the wide variety of public facility uses it will be necessary to determine lot size based upon intended use.

17.29.050 Building height.

The maximum building height shall be forty feet, but not more than two stories.

17.29.060 Front yard.

No minimum front yard setbacks are required except that:

- A. On lots fronting on street within two hundred feet of a residential use or zone on the same side of the street, the front yard setback for all buildings shall not be less than twenty feet in depth. The entire front yard setback, exclusive of driveways and necessary sidewalks shall be landscaped.

17.29.070 Side yard.

No minimum side yard setbacks are required except that:

- A. On corner lots within two hundred feet of a residential use or zone on the same side of the street, the side yard setback for all buildings shall be not less than ten feet in depth. The entire setbacks, exclusive of driveways and necessary walkways, shall be landscaped.

17.29.080 Rear yard.

The rear yard of a lot shall not be less than twenty feet in depth, except that lots abutting an alley may be ten feet in depth.

17.29.090 Maximum lot coverage.

No requirement, except as set forth in other provisions of this title.

17.29.100 Relationship to other zoning districts.

In the event of conflict with the requirements set forth in other zoning districts relative to uses permitted either by right or upon securing a use permit, the requirements of this chapter shall prevail.

17.32.010 General description.

A use permit is a zoning instrument utilized to review uses which are of such a nature as to warrant special consideration. These uses generally have a distinct impact on the area in which they are located, or are capable of creating special problems for bordering properties unless given special attention. A use permit is granted at the discretion of the planning commission or the planning director and is not the automatic right of any applicant. In considering an application for a use permit, the following guidelines shall be observed.

- A. Sound Principles of Land Use. A use permit shall be granted upon sound principles of land use.
- B. Not Injurious. A use permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance.
- C. Plan Consistency. A use permit must comply with the objectives of the general or specific plan for the area in which it is located.

17.30.030 Utilities.

A. Transmission Facilities.

1. Purpose. It is the intent of this chapter to implement with a single procedure Section 12808.5 of the California Public Utilities Code and Sections 53091 and 53096 of the California Government Code which authorizes the county to review and to approve or disapprove the location and construction of facilities for the transmission of electrical energy, operating at thirteen thousand volts or more (13KVA), such as substations, transmission lines and poles, and accessory structures.

It is the purpose of this section to provide for these facilities in the county's communities in the most compatible and least obtrusive manner, while insuring that electrical energy is made available to every part of the county. The procedural rules set forth herein are designed to insure that sufficient information is provided in decision on applications submitted.

2. Definitions. For purposes of this section, the following definitions shall apply:
 - a. "Direct impact" shall mean interference with the use of enjoyment of a person's property, real or personal, such as visual impacts, noise impact and interference.
 - b. "Feasible" shall mean capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.
 - c. "High voltage transmission facilities" shall mean electrical transmission lines, poles, and accessory structures operated at the electrical potential of thirteen thousand volts or greater, and substations where at least one of the transmission lines connecting with the facility is operated at the electrical potential of thirteen thousand volts or greater.
 - d. "Substation" shall mean a facility which transforms electrical energy to a lesser voltage for the purposes of sub-regional or localized distribution, or which functions as a transition point from overhead to underground acts as the point of convergence for two or more transmission lines.
3. Procedure.
 - a. Location. High voltage transmission facilities may be located in any zone subject to the provisions of this chapter.
 - b. Permit Required. A use permit is required to construct and locate a high voltage transmission facility in any zone. Application for a transmission facility permit shall be filed with the planning commission and shall be subject to a filing and investigation fee.
 - c. Information to Accompany Permit Application. An application for a use permit shall be accompanied by plans and the environmental document prepared and certified pursuant to the California Environmental Quality Act Public Resources Code Section 21000 et seq., sufficient in detail to allow the Planning Commission to determine the exact nature and extent of the use. The application shall include at a minimum the following information:
 - i. The expected electrical requirements of the areas within the district or area which will be affected by the project;
 - ii. The locations and capacities of the high voltage transmission facilities proposed, together with a description of basic technical and design concepts that favor the selection of the chosen locations and list of feasible alternative sites;
 - iii. An assessment of the type and magnitude of the direct impacts of the proposed project and of each alternative;
 - iv. Mitigation measures:

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- (A) The measures to be implemented to compensate for or mitigate the direct impacts of the project;
 - (B) Where any portion of a proposed project is adjacent to residentially zoned or residentially used property, or an environmentally sensitive area, a discussion of feasible routing alternatives;
 - v. Any other information the planning director deems necessary to allow the planning commission to determine the exact nature and extent of the proposed project and any impacts of the project.
 - d. Hearings.
 - i. Within thirty days after an application for a use permit is filed and accepted as complete the planning commission shall hold a public hearing thereon. The procedural requirements for the hearing shall be governed by Chapter 17.32 of this title; provided, that said hearing may be initiated only by the permit applicant.
 - ii. Mailed notice of the hearing shall be provided at least ten days prior to the hearing to the owners of all property within three hundred feet of the property subject to the permit; provided, that if such mailed notice would result in notice to more than two hundred fifty persons, as an alternative to such mailed notices, notice may be given by placing an advertisement in a newspaper of general circulation within the area affected by the proposed facilities.
 - iii. The planning commission shall approve, approve an alternative, or deny the permit.
 - iv. Review Criteria and Findings. The planning commission shall evaluate applications for such use permits in accordance with intent and purpose statement contained in Section 17.30.010 of this chapter and any applicable land use plans and policies adopted by the board of supervisors.
 - v. Any decision of the planning commission on a transmission facilities permit application shall be based on findings concerning:
 - (A) The consistency of the proposed facilities with the county's general plan and specific plans.
 - (B) Whether there are feasible alternatives to the proposal.
 - (C) Such other factors related to the public health, safety and welfare.
 - (D) Environmentally sensitive areas.
 - B. Other Public Utilities. Other public utilities including, but not limited to, water, telephone, and cable TV systems, may be permitted in any district upon first obtaining a use permit, provided that a use permit shall not be required for underground gas, water, telephone or cable TV systems located within a special district formed for such purposes. Also, a use permit shall not be required for individual service connections or extension.
 - C. Power Generation and Transmission Facilities. All power generating or transmitting facilities shall conform to the following development and performance standards:
 - 1. Noise. All power generating facilities shall be constructed, adjusted or insulated to conform with the noise standards established in Section 17.30.100(C) of this chapter.
 - 2. Enclosures. All power generating equipment shall be completely enclosed within a building or a fence at least six feet in height. Plans for such enclosures shall be submitted with the permit application.

17.30.050 Height.

- A. Where chimneys, silos, cupolas, flag poles, monuments, gas storage holders, radio and other towers, water tanks, church steeples and similar structures and mechanical appurtenances are permitted in the district, height limits may be exceeded upon securing a use permit in each case. Local distribution poles for public utilities shall be allowed in all districts and to greater heights than permitted for the districts without receiving a use permit.
- B. In any district with a height limit of less than fifty feet, public buildings, schools, churches, hospitals, and other institutions permitted in each district may be erected to a height exceeding that permitted in the district, provided that the gross floor area ratio to building site ratio shall not be increased unless specifically permitted in the district, and provided that the light angle of seventy degrees shall be established and maintained.
- C. Upon securing a use permit, any building in any C, R-3, or M district may be erected to a height exceeding that herein specified for such district provided that the floor area ratio to building site area does not exceed that specified in the district.
- D. Upon the securing of a use permit as provided herein any building may be erected to a height exceeding that herein, before specified for the respective districts, provided that the gross floor area of such buildings shall not exceed that possible for a building in such respective district erected within the height limit herein before specified for such district.
- E. Accessory buildings in R, A, H, and RR districts shall be limited to a maximum height of twenty-five feet, provided that additional height may be permitted upon securing a use permit; and provided further, that this provision shall not apply to heights of agricultural structures in A, RR, or SC districts.
- F. Where the average slope of a lot is greater than the ratio of one foot rise or fall in seven feet of distance from the established street elevation at the property line, one story in addition to the number permitted in the district in which said lot is situated shall be permitted on the downhill side of any building, provided that the height of the building shall not be increased above the limit specified for said district.