

SIERRA COUNTY PLANNING COMMISSION MEETING MINUTES January 14, 2021

1. -CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Chair Filippini called the regular meeting to order at 11:17 am.

Present: Commissioners Filippini, Baldrige, Christensen, Kelley, and Fisher

Staff Present: Planning Director, Tim Beals; Assistant Planning Director/Planner,

Brandon Pangman; Planner II, Corri Jimenez, and Administrative Secretary Jill Molaris.

2. APPROVAL OF AGENDA

January 14, 2021, Agenda

APPROVED: Motion: Kelley/Christensen/Vote: 5/0

3. APPROVAL OF MINUTES

Minutes from October 15, 2020, to be reviewed for approval at next meeting.

Minutes from March 18, 2020, and November 12, 2020, meetings not yet available.

4. CORRESPONDENCE

4.1 Letter from Department of Housing and Community Development (HCD) regarding Sierra County's 6th Cycle (2019-2024) Adopted Housing Element.

Chair opened Item 4.1 as described above. Mr. Pangman provided information regarding the letter from HCD and the Adopted Housing Element Update to the General Plan and went on to explain Item 4.2, as noted below.

4.2 Letter from HCD approving Sierra County's SB-2 Planning Grants Program.

Mr. Pangman explained how certification of the Housing Element Update for the General Plan opened eligibility for grants. Sierra County was awarded a 120k Planning Grant, the focus of the grant is to create an affordable housing plan to support future development. Mr. Pangman stated the grant money is not to build new homes, rather it is earmarked for consultants to assist in creating General Plan and zoning code updates, background studies and so forth that might help support future affordable housing.

Also discussed were LEAP Grants (Early Action Plan) and REAP (Regional Early Action Plan) Grants which had been applied for. Mr. Pangman explained again, these are Planning grants, not on the ground infrastructure. Mr. Pangman mentioned possible projects: Loyaltan Mobile Home Park being one example

Chair thanked Mr. Pangman and Planning staff for their work and success.

5. PUBLIC COMMENT OPPORTUNITY

There were no public comments.
Chair closed Agenda Item 5.

6. WORKSHOPS

None.

7. PUBLIC HEARINGS

Chair opened agenda Item 7.1 as it reads below:

7.1 AAT&T Cell Tower-Conditional Use Permit-Site Plan Review: (Applicant: AT&T; Property Owner: Peter and MaryAnne Bryan) Consideration of a Conditional Use Permit and Site Plan Review for a new cell tower and equipment shelter at 160 Galloway Street (APN 002-150-010), a 38.07-acre private parcel just south of Downieville, on the hillside overlooking town. The property is zoned General Forest (GF) District and is in the Scenic Corridor (-SC) Overlay zone. The site is accessed from Galloway Street via Nevada Street and Front Street.

The proposed project consists of installation of a new telecommunication facility within a 35x35 foot square AT&T lease area on the Bryan property, including a 120' lattice-style tower with nine (9) panel antennas and 24 remote radio heads installed, and an 8x8 square foot walk-in equipment cabinet and emergency backup generator within a fenced-in area at the base of the tower. The project area, including minor grading to allow access to and construction of the proposed facilities, will cover 0.34 acres.

Planning staffs proposed environmental assessment: Initial Study/Mitigated Negative Declaration (IS/MND), under the California Environmental Quality Act (CEQA) Guidelines Sections 15063 and 15071. The comment period for the Draft IS/MND was from November 25 through December 30, 2020.

Chair recognized and asked Mr. Pangman to introduce the above Item.

Mr. Pangman summarized the entitlement requests: Conditional Use Permit (CUP) and Site Plan Review stating the purpose of both permit applications, however, the CUP and Site Plan review were taken together and considered as a single action.

Mr. Pangman continued, providing details of the project. Mr. Pangman also explained why this project - AT&T Cell Tower - is not exempt from CEQA.

Project details, research, surveys, consultants, revisions, and other project details were provided by Mr. Pangman. Mr. Pangman continued, entering into Administrative Record Staff Report No. 1221 and Exhibits 1-12.

Mr. Pangman began closing with the following:

Staff recommends that the Planning Commission adopt a Resolution, taking the following actions:

1. *Adopt the Analysis and Findings contained in this staff report.*
2. *Adopt the Mitigated Negative Declaration as the appropriate determination under CEQA for this project and adopt the corresponding Mitigation Monitoring Plan.*
3. *Approve the proposed Conditional Use Permit and Site Plan Review as presented in the applicant's project description and Revision '1' plans, as modified by the mitigation measures, and subject to the [following conditions of approval]:*

Listed were six (6) Conditions of Approval which Mr. Pangman explained.

Mr. Pangman concluded his presentation after asking if there were any questions.

Chair opened Public Comments giving those present via WebEx an opportunity to speak. Ms. Jimenez announced callers that were present. Chair invited applicant agents to speak first. Carl Jones, representation for Epic Wireless on behalf of AT&T was introduced.

Mr. Jones addressed the Board, thanking Mr. Brandon for his work on the project which began 2-years ago. Mr. Jones concluded his brief statement, welcoming any questions the Commission wanted to ask.

The Board had no questions for Mr. Jones.

Chair thanked Mr. Jones and invited the next speaker.

John Bryan, who is the son of the project's property owners, was present via WebEx. After thanking staff for their work, Mr. Bryan stated he had nothing else to say and muted his audio.

Chair thanked Mr. Bryan. Speaking next was Bryant Milesi, agent for AT&T. Mr. Milesi thanked the Planning Commission for considering the application and read what could have been a commercial script for AT&T cell service. Mr. Milesi also thanked Planning staff for their work and stated AT&T cell would provide FirstNet service to the area for First Responders, etc.

Mr. Milesi reassured Commissioner Fisher the dedicated hardline would continue to be available and maintained by AT&T. Mr. Milesi answered some questions, other questions he would bring to AT&T's Site Team for answers. Mr. Milesi would forward that information to the Commission/Planning.

Lee Brown, Office of Emergency Services spoke next, addressing the Commission regarding FirstNet, and related AT&T services.

Chair thanked Mr. Brown, and if there were no more questions from the Board, Chairman Filippini would close Public Comments and Item 7.1

Commissioner Kelley asked Mr. Pangman a couple questions, which Mr. Pangman answered and also stated the information is in Staff Report No. 1221.

Chair asked that the language used in the agenda packet be used for the following motion:

"I move that the Planning Commission adopt the findings contained in the staff report; adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan; and approve the project subject to the conditions of approval contained in Staff Recommendation no. 1221."

APPROVED: Motion: Fisher/Christensen Vote 5/0

Chair thanked Planning staff and moved to the next Agenda Items:

8. BUSINESS REQUIRING ACTION OR DISCUSSION

8.1 Electric Vehicle Charging Station Policy: Discussion and initial direction from the Planning Commission so a policy can be drafted by staff and returned to the Planning Commission for a future public hearing and recommendation to the Board of Supervisors.

Chair opened Item 8.1 asking Planning staff to give the Board an idea of what was needed by them (Planning Commission).

Mr. Beals introduced the Item and provided background and the need for a policy as required by State law, as well as recognizing what need the County might have/has for Electric Vehicle Charging Station (EVCS) facilities. Mr. Beals continued, providing details of the various contents that would need to go into a policy. After additional outlining Mr. Beals asked the Board to provide issues they feel should be addressed in creating a policy to amend the county code.

Discussion continued between staff and the Commission and included Agenda Item 8.2 as shown below.

8.2 Short-term Vacation Rental Policy: Discussion and initial direction from the Planning Commission on the potential regulation of “AirBnb,” “VRBO,” and similar short-term, transient occupancy rentals of private residences, so a policy can be drafted by staff and returned to the Planning Commission for a future public hearing and recommendation to the Board of Supervisors. A Workshop presentation is also being prepared by staff for a future Planning Commission regular meeting.

It was decided after some discussion Planning staff would continue researching and would draft an ordinance to be reviewed by the Board before being submitted to the Board of Supervisors.

9. PLANNING DIRECTOR’S STAFF REPORTS

None.

10. PLANNING COMMISSIONERS’ REPORTS

None.

11. ADJOURNMENT

Motion to Adjourn: Baldrige/Christensen. The meeting was adjourned at 1:47 p.m. with the next meeting being scheduled for February 11, 2021.

Respectfully submitted,

Jill Molaris
Administrative Secretary

Approved as Witnessed

Tim H. Beals
Commission Secretary