
**PLUMAS COUNTY
PLANNING COMMISSION**
Minutes of the Meeting of June 7, 2018

PLANNING COMMISSION MEMBERS:

Dr. Robert Abbott, *Chair (District 1)*

Jeff Greening, *Commissioner (District 3)*

Larry Williams, *Commissioner (District 4)*

John Olofson, *Vice-Chair (District 5)*

I. CALL TO ORDER

The Plumas County Planning Commission (the *Commission*) convenes in a meeting on June 7, 2018, at 10:00 a.m. in the Planning and Building Services Conference Room, Quincy, CA. Chair Dr. Robert Abbott presides.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: Dr. Robert Abbott, Jeff Greening, Larry Williams, John Olofson

Commissioners Absent: none

Also in attendance (*Supervisors and staff*)

Tim Evans, Assistant Planner

Rebecca Herrin, Assistant Planning Director

Randy Wilson, Planning Director

Gretchen Stuhr, Deputy County Counsel III

IV. CONSENT ITEMS

A. Items to be continued or withdrawn from the agenda

None.

V. PLANNING COMMISSIONERS' REPORTS/COMMENTS

Commissioner Greening comments that Frontier Communications is no longer allowing any new landline telephone connections in the Almanor Basin.

VI. PUBLIC COMMENT OPPORTUNITY

Andrew Cardin states that he was not aware of this.

VII. PLANNING DIRECTOR'S REPORT

Randy Wilson presents the report.

The Board of Supervisors agenda has an item for June 12, 2018 for appointment of Harry Rogers to the Planning Commission for District 2.

Wilson discusses the report on the MAUCO initiative ordinance that he coordinated, wrote and presented to the Board of Supervisors. He encourages the Commissioners to look at the impacts section which evaluated potential fiscal impacts, impacts to the County general fund, and

section which evaluated potential fiscal impacts, impacts to the County general fund, and conflicts with the general plan and zoning codes. Thirteen county departments and officials provided input for the report which was prepared as per Election Code 9111. The Board accepted the report and voted to send the Initiative to the ballot in November.

Also on the June 5, 2018 Board of Supervisors agenda was a discussion of the Planning Commission's charge to review the various commercial cannabis ordinance proposals. The Board direction is for the Commission not to address commercial cannabis until after the November election when the MAUCO initiative ordinance will be on the ballot. This frees up the Commission to work on other priorities.

Commissioner Olofson inquires about copies of the Initiative Report. Wilson responds that he will have copies available for the Commissioners.

Wilson adds that the Airport Land Use Commission held a meeting on May 24, 2018. The Commission reviewed the proposed Telecommunications Ordinance and had no real substantive comments or concerns. The Ordinance is now cleared through the Commission as a required step in the process. This was George Terhune's last meeting and was a good meeting.

The Airport Land Use Commission also reviewed a proposal for a recreational trail in the Almanor Basin that crosses Chester-Rogers Field airport property. The Commission spent some time in discussion with the proponents to make sure that there were no potential impacts to airport operations.

On the upcoming Board of Supervisors agenda for June 12, 2018 is a zoning ordinance to complete a General Plan Amendment originally approved in 2006 and an amendment to a map prepared by the CA Department of Water Resources defining a groundwater basin boundary in the Sierra Valley. Plumas County is a Groundwater Sustainability Agency (GSA). Wilson has been working to remove an area not connected to the groundwater basin from the official map. The report can be found on the Board of Supervisors website.

VIII. ZONING CODE UPDATE: DRAFT TELECOMMUNICATIONS ORDINANCE:
Discussion/workshop

Randy Wilson opens the workshop. This version of the draft ordinance has not yet been reviewed by the Commission. Tim Evans, Assistant Planner, is completing a CEQA Initial Study. An exemption may not be able to be used for this ordinance; possibly a Negative Declaration or a Mitigated Negative Declaration can be used instead. Wilson is hoping that by the second meeting in July a recommendation to the Board can be approved by the Commission.

Deputy County Counsel Gretchen Stuhr explains that local jurisdictions are precluded by federal law from setting limits on emissions and are also precluded from making any zoning decisions based on emissions. Other issues, such as those pertaining to aesthetics, can determine permitting decisions, but not any based on emissions created by the facilities.

Discussion ensues on the proposed new 5G networks and transmission differences between different types of facilities, based on bandwidth. Andrew Cardin explains that facilities that emit lower frequencies use waves with larger sine waves. With higher frequencies, there are tighter bandwidths that need more "line of sight" for transmission.

Keith Chambers explains that small cells work well in urban settings because the transmission covers smaller areas. He is not aware of use of small cells in rural areas due to access and siting issues. Wide areas need towers for transmission. Effective backhaul is key. It is possible that broadband could support networks with fiber backhaul working somewhat like a two-way radio. Unused bandwidth available through television stations may be available. Andrew Cardin adds that there are dual band cellphones that automatically switch between mountain top transmitters and 4G/5G when available for continuous coverage.

Commissioner Olofson feels that small cell criteria should be addressed in the Ordinance.

Keith Chambers discusses issues with small cells such as use of public utility rights-of-way with encroachment permits versus requirement for permitting through cities and counties, power needs which may be unknown, neighborhood aesthetics issues. He reiterates that federal law preempts zoning decisions based on radio frequency emissions. The county must maintain compliance with Federal Communications Commission regulations but cannot set local emissions standards.

Chambers adds that, if the County wants to encourage small cell development, the County should focus on land use and zoning concerns, community compatibility and other issues such as requirements for co-location.

Wilson states that he anticipates 5G in California as the Legislature recently passed a bill encouraging establishment of 5G that the Governor vetoed with direction to do more work on the local portion of the bill on issues arising from zoning and aesthetics concerns. He feels that the State will most likely address in the future. Gretchen Stuhr adds that a bill in the state legislature opened up rights-of-way to small cell location and restricted local government ability to charge and administer permits and that that the FCC is also promoting extension of service by small cells.

Andrew Cardin states that 5G makes sense in downtown Quincy, but not in outlying areas such as on Chandler Road. The federal and state agencies are pushing connectivity through various methods.

Page 1-definitions of Airport. Commissioner Greening feels this should be broadened to include airstrips and heliports. Cardin adds that CALTRANS Aeronautics and/or the Federal Aviation Administration (FAA) legally recognizes legitimate airstrips and heliports. Chambers agrees that the Ordinance should have an appropriate definition because of potential tower setback issues.

Continuing on with the Ordinance review:

Commissioner Olofson suggests addition of "composite" under (s) materials used for monopoles (page 3).

Page 5: Evans changed "structures" to "buildings" but some were not changed. Item (jj) "and/or to provide lighting".

Page 6: "Structures" to "buildings".

Page 9: Documentation “proving” to “demonstrating”.

Cardin suggests a performance security exemption for smaller facilities.

Page 7: Table 1: Building mounted should be Zoning Clearance Certificate throughout the zoning categories. Wilson suggests Zoning Clearance Certificates for pole mounted as well, leaving only New Tower or Pole requiring Special Use Permits.

Herrin suggests that all zoning categories be listed on page 14 standards for Building Mounted and Pole Mounted facilities.

Cardin states that on page 10, setbacks not apply to facilities placed in rights-of-way.

Olofson questions the language at the top of page 12 regarding height of HAM radio towers. Evans will check to see if there are exemptions and if building permits are required.

Page 13: Olofson suggests under (n) Security and Fencing: changing “equipment” to “measures”. Under (o) Maintenance: changing “utilized” to “used” and adding “all” before “related equipment”.

Page 14: (b)(3): “Under no circumstance shall any accessory structure building utilized for a facility be constructed or placed within a setback.”

Page 15: Section 9-2.4110. Facility Abandonment and Removal: Under (b) change “thirty (30) days” in both places in the paragraph to “ninety (90) days”. Stuhr adds that AT&T’s recommendation was for 90-120 days.

Wilson discusses the timeframe for ordinance adoption. Perhaps a public hearing can be scheduled at the second meeting in July or in early August.

IX. INFORMATIONAL ITEMS/ON-GOING PROJECT UPDATES:


None

X. CORRESPONDENCE:

There is no correspondence.

XI. ADJOURNMENT:

There being no further business, motion is made by Commissioner Williams, seconded by Commissioner Greening, with a unanimous affirmative vote recorded, to adjourn the meeting of June 7, 2018 at 12:20 p.m.



Dr. Robert Abbott, Chair
Plumas County Planning Commission



Rebecca Herrin, Assistant Planning Director