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## PLUMAS COUNTY PLANNING COMMISSION

Minutes of the Meeting of March 15, 2018

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### **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 March 15, 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)**

Supervisor Michael Sanchez, District 1  
Tim Evans, Assistant Planner  
Rebecca Herrin, Assistant Planning Director  
Randy Wilson, Planning Director

#### **IV. CONSENT ITEMS**

**A. Items to be continued or withdrawn from the agenda**  
None.

#### **V. PLANNING COMMISSIONERS' REPORTS/COMMENTS**

*There are no Planning Commissioners' reports/comments*

#### **VI. PUBLIC COMMENT OPPORTUNITY**

*There is no public comment.*

#### **VII. PLANNING DIRECTOR'S REPORT**

Planning Director Randy Wilson explains that today's meeting will include a workshop on the draft Telecommunications Ordinance. There has not been a meeting for a month and we have to be careful about loss of continuity.

The Ordinance will need to be reviewed by the Airport Land Use Commission (ALUC) prior to adoption. Ordinances that may have impacts with compatibility with the Airport Land Use Compatibility Plan (ALUCP) need review. The Commission has not met in a number of years.

When there were projects in the past, staff contacted the Chair of the ALUC. Wilson sent out emails yesterday and is waiting for a response. There may not be a quorum of members, in which case the Board of Supervisors may have to be involved.

Leigh Firestone has published a Notice of Intent to Circulate a Petition for a cannabis ordinance. A citizens group will submit a revision of the code. As it is unclear how the Planning Commission should deal with initiatives in their review, advice from County Counsel will be sought.

When initiatives are brought before the Board of Supervisors, there are three actions the Board may take: 1. The Board can choose to enact the ordinance 2. The Board can commission a study and study the ordinance for up to thirty days or 3. The Board can vote to send the initiative to the voters. Wilson explains that there could be up to five potential ordinances that could be brought before the Commission.

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

Keith Chambers' latest comments on the draft Ordinance (version dated March 9, 2018) are discussed. Sections 5.A. Proposal to add commercial exemption in addition to residential: "Telecommunications systems utilized as an accessory to residential and commercial uses, ..." Some businesses have the same equipment as residential so should be considered exempt. Commissioner Greening agrees with deleting the term "non-commercial" in the 3<sup>rd</sup> line of the same sentence as it is applied to "satellite television antennas and television antennas". Also the use of "receive-only" as applied to internet antennas in the 4<sup>th</sup> line of this same sentence should be deleted as internet antennas are bi-directional, that is "transmit and receive".

Rich Green adds that the term used by Plumas Sierra Rural Electric Cooperative is "fixed wireless internet antennas". New poles are rarely higher than thirty-five feet. Wilson asks if he advocates for the exemption. Green responds in the affirmative, if it is located in the right-of-way of the existing poleline or utility easement.

Wilson explains that the proposal is to exempt these wireless access points located on existing utility poles of any height or new poles of thirty-five feet in height with an opportunity to obtain a variance for a greater height. Discussion ensues on how to clarify the section. Supervisor Sanchez and Commissioner Greening discuss the addition of cross-references for clarification.

Under Section 5.C: Extending the length of time a temporary facility could be operated under an exemption, perhaps up to thirty days instead of the current ordinance language of 72 hours. The Commission agrees to extend to thirty days.

Under Section 10.C. Incorporate the March 9, 2018 revised language on page 22 into subsection 10.B. (take out C and move into B) and relabel those sections accordingly. The Commission agrees with this proposed change.

Next, discussion centers on language Commissioner Olofson suggested in his email of March 2, 2018. RE: Requirement for performance security section 7.E (and perhaps 7.G). Chambers that the alternatives as written are needed to provide a level of certainty to avoid uncertainty caused by the County approving some unknown type of agreement at a later date when the building permit was obtained.

Wilson suggests adding a fourth type "or some other security instrument indexed to inflation approved by the County".

On page 13, number 4:

"The applicant shall deliver to the County some other security instrument indexed to inflation acceptable to the County."

Assistant Planner Tim Evans has made the changes to Section 2 on page 13.

Commissioner Greening suggests a vote on options 1, 2, 3, 4 to give flexibility.

1. *The applicant shall post a performance bond in an amount and form determined by the Zoning Administrator that is sufficient to cover the cost of the facility removal in the event the facility is abandoned or subject to a revoked permit; or...No changes proposed. M/S/C: Williams/Abbott/3-1 to leave as is.*

2. *The applicant shall deliver to the County an instrument of credit or letter of credit, indexed for inflation and in a form acceptable to the County Counsel, issued by a financial institution subject to regulation by the state or federal government, guaranteeing payment to the County of the funds available pursuant to the instrument of credit or letter of credit upon demand of the County, to cover the County's cost of facility removal in the event the facility is abandoned or subject to a revoked permit; or...No changes proposed. M/S/C: Williams/Greening/4-0 to leave as is.*

3. *The permittee, operator(s), and, if on private property, the real property owner(s) shall enter into and cause to be recorded in the Official Records of Plumas County, a preliminary lien agreement against the facility, all related personal property, and, if applicable, all real private property on which the facility was located to cover the County's cost of facility removal in the event the facility is abandoned or subject to a revoked permit. The last-known permittee or its successor-in-interest, operator(s), and, if on private property, the real property owner(s) shall be jointly and severally liable for all costs incurred by the County in connection with facility removal, if the County has to do so; or...No changes proposed. M/S/C: Williams/Greening/3-1 to leave as is.*

4. *The applicant shall deliver to the County other security agreement, indexed for inflation and acceptable to the County. Proposal for added language: Williams/Greening/4-0*

Section 7.G: "As a condition of approval of any discretionary permit, the applicant(s) shall enter into a defense and indemnification with the County in a form acceptable to the County Counsel."

Commissioner Williams suggests adding "preliminary grading and drainage plans" to section 7.A.1(e). After discussion, it is decided to add to section 7.A.1(c) the wording "preliminary grading and drainage plans if necessary" to the requirements for special use permit application submittals.

Commissioner Greening suggest a re-indexing on page 4 due to the removal of item "R". On page 12, 2.C.(ii) addition of "of" to "A graphic depiction of all technical criteria..."

Assistant Planning Director Rebecca Herrin will review the document to determine if "Zoning Administrator" or "Planning Director" is the best position for administration of the ordinance.

Herrin will also add the Zoning Clearance Certificate procedure. The ordinance will be formatted and submitted to both County Counsel and the Airport Land Use Commission for review. Wilson adds that staff will bring back a clean copy for the next meeting.

**IX. INFORMATIONAL ITEMS/ON-GOING PROJECT UPDATES:**

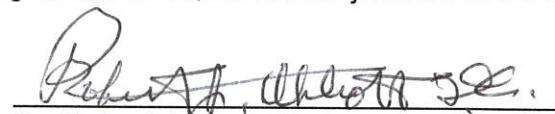
Commissioner Greening inquires if there are any new telecommunications sites under consideration. Wilson responds that there are no new sites, but there is one proposed to be placed on an existing facility in Greenville.

**X. CORRESPONDENCE:**

*There is no correspondence.*

**XI. ADJOURNMENT:**

There being no further business, the meeting of March 15, 2018 is adjourned at 11:45 a.m.



Dr. Robert Abbott, Chair  
Plumas County Planning Commission

  
Rebecca Herrin, Assistant Planning Director