



# COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP  
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

## AGENDA TUOLUMNE COUNTY BOARD OF SUPERVISORS PLANNING COMMITTEE COUNTY ADMINISTRATION CENTER 2 SOUTH GREEN STREET, FOURTH FLOOR BOARD OF SUPERVISORS CHAMBERS September 16, 2021 3:30 p.m.

48 Yaney Avenue, Sonora  
Mailing: 2 S. Green Street  
Sonora, CA 95370  
(209) 533-5633  
(209) 533-5616 (Fax)  
(209) 533-5909 (Fax – EHD)  
[www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov)

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Planning Committee to participate by teleconference; and under Order N-29-20, Accessibility Requirements, if you need swift special assistance during the Planning Committee meeting, please call 209-770-5423.

### PUBLIC PARTICIPATION PROCEDURES

In order to protect public health and the safety of Tuolumne County citizens, this meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in this meeting, please use the following link: <https://us02web.zoom.us/j/83451260002> For detailed Zoom instructions go to the Agenda Packet <https://www.tuolumnecounty.ca.gov/136/Board-of-Supervisors-Planning-Committee>

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email ([qyaley@co.tuolumne.ca.us](mailto:qyaley@co.tuolumne.ca.us)) for retention as part of the administrative record. Comments will not be read during the meeting. Comments must be received by the Community Development Department no later than 9:00 AM on the day of the noticed meeting.

#### 1. PUBLIC FORUM

The public may speak on any item not on the printed agenda. No action may be taken by the Committee. The amount of time allocated for the public forum is limited to 15 minutes.

#### 2. PLANNING COMMITTEE BUSINESS

- A. Consideration of the Minutes of the meetings of August 19, 2021.
- B. Reports – Staff and Committee Members

**\*\* Reports are a brief oral report from a committee or Commission member and/or County staff, and no Committee action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion.\*\***

## **2. OLD BUSINESS**

- A. Review of Draft Documents for the Title 17 Update Project.
- B. Discussion on returning to in person meetings.

## **3. NEW ITEMS**

None

### **Adjournment**

\* The Board of Supervisors Planning Committee serves as an advisory group to the Board of Supervisors for reviewing, commenting on and recommending new and/or modifications to existing policy related to land use and development regulations. In conducting its work, the Committee is to attempt to balance the needs of the individual with the needs of all county residents by encouraging economic growth and promoting the stewardship of the county's natural resources and cultural heritage.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).



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TO: Tuolumne County Committee and Commission Members

FROM: Quincy Yaley, AICP Community Development Department Director

RE: COVID-19 Meeting Procedures

48 Yaney Avenue, Sonora  
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In response to increasing risks of exposure to the coronavirus (COVID-19), all the Committee and Commission meetings will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission/Committees and County to adhere to social distancing requirements of the Brown Act and provide a way for the public to provide public comment live during the meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may choose to allow public comment on the project in an alternative fashion, rather than calling for those in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may take public comment on the project in any order in lieu of the calling for those in favor, opposition, neutral, rebuttals, and then surrebuttals.

The Committee and Commission may elect to allow the applicant or applicant representative a specific time to speak on the project prior to taking public comments on the item. This opportunity could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required to provide their name. County staff will notify the Chair of any individuals who wish to provide testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a “public hearing”, public comment is still required and can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each Committee and Commission member to be named by County Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated the motion and the name of the commissioner who seconds the motion. After a second is named, the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the zoom meeting. It is recommended that the Chair pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting to provide assistance to the public if they encounter problems using the Zoom platform. Staff requests that the Chair allow additional time as needed to ensure that members of the public can engage in the meeting.

## Zoom Instructions

Zoom links can be found in the agenda for each meeting. The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 60 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Planning manager at [QYaley@co.tuolumne.ca.us](mailto:QYaley@co.tuolumne.ca.us). If you would like your comments to be included in the record, please send comments to the above email address by 9:00 a.m. of the day of the noticed meeting.

If anyone is having technical difficulties with Zoom, they can visit Zoom's support page for helpful tips: <https://support.zoom.us/hc/en-us/categories/201146643>.

Below are step by step instructions on how to join and interact as an attendee via Zoom.

### JOINING A WEBINAR BY LINK

- To join the webinar, click the link that we provided in the agenda.
- If you are signed in, change your name if you do not want your default name to appear.
- If you are not signed in, enter a display name.

### MANUALLY JOINING A WEBINAR

- Use the 9-digit meeting ID/webinar ID provided in the agenda.
- Sign in to the Zoom Desktop or Mobile App
- Click or tap **Join a Meeting**
- Enter the 9-digit webinar ID, and click **Join** or tap **Join Meeting**
- If prompted, enter your name and email, then click **Join Webinar** or tap **Join**.
- You may change your name if you do not want your default name to appear, as you are not required to state your name.

### WAITING FOR HOST TO START THE WEBINAR

- If the host has not started broadcasting the webinar, you'll receive a message letting you know to "Please wait for the host to start the meeting".

### PUBLIC COMMENT

- During the public comment period you will have the option to "raise your hand" if you would like to comment on a proposed project or during the public comment portion of the meeting.
- Once you have clicked the "raise your hand" option, please wait until a staff unmutes your microphone.
- Once staff has unmuted you will have three minutes to speak.

- A staff member will verbally communicate to you and the Commissioners when you have 30 seconds remaining and then when your time is up.
- Once your allotted time is up, a staff member will mute and “lower your hand”.
- If you are participating from your smartphone, you will also have a “raise their hand” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment.
- If you are participating via telephone call, you will need to press \*9 (star 9) to “raise their hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment.

## END OF MEETING

- If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.

Hi there,

You are invited to a Zoom webinar.

When: Sep 16, 2021 03:30 PM Pacific Time (US and Canada)

Topic: BOSPC 9-16-2021

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83451260002>

Or One tap mobile :

US: +16699006833,,83451260002# or +12532158782,,83451260002#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 834 5126 0002

International numbers available: <https://us02web.zoom.us/j/83451260002>



# COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP  
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

## BOARD OF SUPERVISORS

## PLANNING COMMITTEE

## MINUTES

August 19, 2021

48 Yaney Avenue, Sonora  
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**PRESENT:** Chair Anaiah Kirk, Supervisor Jaron Brandon (joined meeting after it started), Committee Members Larry Beil, Robert Ingalls, Matt Nutting

**ABSENT:** Committee Member Jim Schmidt

**STAFF:** Quincy Yaley, Community Development Department Director

\* \* \* \* \*

### CALL TO ORDER/WELCOME:

Chairman Kirk called the meeting of August 16, 2021, to order at 3:30.

Chairman Kirk asked staff to complete a roll call for the Commission to see who was present.

Chairman Kirk: Present

Vice-Chair Brandon: Absent (joined meeting after attendance roll call)

Sam Segerstrom: Present

Robert Ingalls: Present

James Schmidt: Absent

Matt Nutting: Present

Larry Beil: Present

Chairman Kirk indicated that there was a quorum.

### 1. PUBLIC FORUM

Chairman Kirk asked if anyone in the audience wished to address the Committee during this portion of the meeting to speak on any issue not on the agenda. Seeing no one who wished to address the Committee at this time, he closed the public forum.

### 2. PLANNING COMMITTEE BUSINESS

#### A. Consideration of the minutes of the meeting of May 20, 2021 and July 15, 2021.

It was moved by Committee Member Ingalls and seconded by Committee Member Nutting to approve the minutes of May 20, 2021 and July 15, 2021 presented.

Chairman Kirk asked staff to roll call for the vote.

Chairman Kirk : Aye

Vice-Chair Brandon: Absent

Sam Segerstrom: Aye

Robert Ingalls: Aye

James Schmidt: Absent

Matt Nutting: Aye

Larry Beil: Aye

Chairman Kirk called for the vote. Ayes, 5; Noes, 0; Abstain, 0.

Motion passed: 5 – 0 – 0 with Vice-Chairman Brandon and Committee Member Schmidt being absent.

## **B. Reports- Staff and Committee Members**

None

\*\* Reports are a brief oral report from a committee or Commission member and/or County staff, and no Committee or Commissioner action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion.\*\*

Supervisor Brandon joined the meeting.

## **3. OLD BUSINESS**

### **A. Review of Draft Documents for the Title 17 Update Project.**

Ms. Yaley gave an overview of the Draft Title 17 Update Project. She noted that since the last meeting, staff has brought the Title 17 Update to the Board of Housing Policy Committee (BOSHPC), Tuolumne County Planning Commission (TCPC), and the Board of Supervisors (BOS). She noted today she would like to address the new and/or changing permitting procedures for zoning clearance, temporary use permits, minor modifications, emergency permits, and home occupation permits along with the Wireless Ordinance for Committee feedback. She noted she had received limited feedback from the industry with respect to tower design that would be most compatible with their technology. She explained that staff evaluates projects on a case by case basis with respect to modifications of projects. She noted that currently, there is no codified direction for what minor changes can be allowed between the project approval and construction. She explained that the current process is informal, which can be beneficial to have flexibility on staff level, however, staff also needs parameter that ensures all staff are applying it consistently.

A discussion ensued on future guidelines for home occupations in conjunction with business licenses.

Ms. Yaley reaffirmed the Committee's feedback for Home Occupations to be the following: 1) list in code prohibited home occupation businesses and 2) list performance/operational standards that home occupations must adhere to, and 3) not require a permit for home occupations.

Supervisor Kirk asked if an Air BnB (short term rentals) would be considered a home business and fall into the category or requiring a business license.

Ms. Yaley responded that the question would be, can short term rental businesses operated at home be considered a home-based business. If the answer is yes, then they would fall under the regulations of the County's ordinance code, including the operational standards, which would consider the number of trips and if the business is changing the character of the neighborhood.

Supervisor Kirk noted that he does not want an ordinance that excludes short term rentals but, wants to have something with substantial that will give short term rentals the opportunity to be more responsible.

A discussion ensued on short term rentals.

Commissioner Beil discussed the height requirements for the wireless ordinance. He suggested a two-level regulatory framework, so that if a proponent can achieve certain height standards the proponent would have a more streamlined process for attaining a permit. He raised concerns with a set height

limitation, as there may be exceptions for towers that need to be taller to reach their broadband signals. He noted that technology is constantly changing which makes it hard to envision what their needs will be in the future.

Supervisor Brandon suggested a height cap of around 10 percent over the tree line, outside of a fixed height restriction.

Ms. Yaley noted that this draft is still a work in progress and encouraged the Committee to continue to review the documents.

## **NEW ITEMS**

### **Discussion on returning to in person meetings.**

Ms. Yaley gave an overview of the expectation of returning to in-person meetings in October.

Chairman Kirk opened public comment and asked if there was anyone who wished to speak on the item. Seeing no one, he closed public comment and referred the item back to the Committee.

## **4. ADJOURNMENT**

Chairman Kirk adjourned the meeting.

Respectfully submitted,

Quincy Yaley, AICP

Community Development Department Director

QY:tv