



# AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley, AICP  
ALUC Secretary

## TUOLUMNE COUNTY AIRPORT LAND USE COMMISSION VIA ZOOM July 7, 2022 6:00 p.m.

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

### PUBLIC PARTICIPATION PROCEDURES

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

In order to protect public health and the safety of Tuolumne County citizens, the Tuolumne County Airport Land Use Commission 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 the Airport Land Use Commission meeting, follow the instructions below.

For detailed Zoom instructions go to the Agenda Packet at

<https://www.tuolumnecounty.ca.gov/AgendaCenter/Airport-Land-Use-Commission-3>

Use the link to join the webinar: <https://us02web.zoom.us/j/81581642846>

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email ([CDD@tuolumnecounty.ca.gov](mailto:CDD@tuolumnecounty.ca.gov)) for retention as part of the administrative record. Comments will not be read during the meeting.

#### 1. CALL TO ORDER

#### 2. Adopting Resolution ALUC2022-001 authorizing remote teleconference meetings of ALUC for the period of July 7, 2022 to August 7, 2022

#### 3. MINUTES

Consideration of Minutes of the ALUC Meeting of November 16, 2021.

#### 4. PUBLIC COMMENT

Members of the public may speak on any item not on the printed agenda. No action may be taken by the Commission.

#### 6. PUBLIC HEARING

1. **VUYOVICH**, Building Permit B2022-00394 to allow construction of a garage/barn (1,680 square feet) on a 2.38 acre parcel zoned A-10:MX:AIR (General Agricultural Ten Acre Minimum:Mobilehome Exclusion Combining:Airport Combining) under Title 17 of the Tuolumne County Ordinance Code.

Chili Gulch Road, Columbia. A portion of Sections 10 and 15, Township 2 North, Range 14 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 032-120-037. In Zone B1 of the Columbia Airport.

2. **JOHANSON**, Conditional Use Permit CUP22-004 to allow development of an Aircraft Hanger/Commercial Building on a parcel zoned C-1:MX:AIR (General Commercial:Mobile Home Combining:Airport Combining) under Title 17 of the Tuolumne Ordinance Code (TCOC).

The project site is located at 20970 Elderberry Way, at the Pine Mountain Lake Airport in the community of Groveland. Within a portion of Section 14, Township 1 South, Range 16 East Mount Diablo Baseline and Meridian. The project site is located within Supervisorial District 4. Assessor's Parcel Number 093-080-005.

5. **OLD BUSINESS**

None

6. **NEW BUSINESS**

None

7. **COMMISSION BUSINESS**

None

8. **COMMISSIONER/STAFF REPORTS**

9. **ADJOURNMENT**

The Minutes, Staff Reports, and planning documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department, 48 Yaney Avenue, Sonora, California, and online at [www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov).

Any other materials related to the items referenced in this Agenda that are provided by the County to the Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department, 48 Yaney Avenue, Sonora, California, and will be available at the meeting. Any materials provided to the Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Tuolumne County 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 (28FR35.102-35.104 ADA Title 11)



# COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP  
Director

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

TO: Tuolumne County Committee and Commission Members

FROM: Quincy Yaley, AICP Community Development Department Director

RE: COVID-19 Meeting Procedures

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)

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: Jul 7, 2022 06:00 PM Pacific Time (US and Canada)

Topic: ALUC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81581642846>

Or One tap mobile :

US: +16699006833,,81581642846# or +12532158782,,81581642846#

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 +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 815 8164 2846

International numbers available: <https://us02web.zoom.us/j/81581642846>

1 **Airport Land Use Commission (ALUC)**

2 **County of Tuolumne**

3  
4 **FINDINGS OF THE AIRPORT LAND USE COMMISSION (ALUC)**  
5 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS**  
6 **OF THE AIRPORT LAND USE COMMISSION (ALUC)**  
7 **FOR THE PERIOD July 7, 2022 TO August 7, 2022**  
8 **PURSUANT TO THE RALPH M. BROWN ACT.**  
9

10 **WHEREAS**, all meetings of Airport Land Use Commission (ALUC) and its legislative bodies are  
11 open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any  
12 member of the public may attend, participate, and view the legislative bodies conduct their business; and

13 **WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote  
14 teleconferencing participation in meetings by members of a legislative body, without compliance with the  
15 requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and  
16 requirements; and

17 **WHEREAS**, a required condition of Government Code section 54953(e) is that a state of emergency  
18 is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of  
19 conditions of disaster or of extreme peril to the safety of persons and property within the state caused by  
20 conditions as described in Government Code section 8558(b); and

21 **WHEREAS**, a further required condition of Government Code section 54953(e) is that state or local  
22 officials have imposed or recommended measures to promote social distancing, or, the legislative body  
23 holds a meeting to determine or has determined by a majority vote that meeting in person would present  
24 imminent risks to the health and safety of attendees; and

25 **WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency  
26 declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California  
27 Emergency Services Act (Government Code section 8625); and,

28 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which

1 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a  
2 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did  
3 not rescind the proclaimed state of emergency; and,

4       **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set  
5 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and  
6 other Executive Orders but did not rescind the proclaimed state of emergency; and,

7       **WHEREAS**, as of the date of this Findings, neither the Governor nor the state Legislature have  
8 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency  
9 either by proclamation or by concurrent Findings the state Legislature; and,

10       **WHEREAS**, the California Department of Industrial Relations has issued regulations related to  
11 COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of  
12 Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the  
13 measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel  
14 more than six feet, especially indoors; and,

15       **WHEREAS**, the [Airport Land Use Commission (ALUC)] finds that state or local officials have  
16 imposed or recommended measures to promote social distancing, based on the California Department of  
17 Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the  
18 California Code of Regulations, Section 3205(5)(D); and,

19       **WHEREAS**, as a consequence, the Airport Land Use Commission (ALUC) does hereby find that  
20 it shall conduct its meetings by teleconferencing without compliance with Government Code section 54953  
21 (b)(3), pursuant to Section 54953(e), and that such legislative bodies shall comply with the requirements to  
22 provide the public with access to the meetings as prescribed by Government Code section 54953(e)(2).

23 ///

24 ///

25 ///

26 ///

27       **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Airport Land Use  
28 Commission (ALUC) , County of Tuolumne, State of California, in regular session assembled on November

1 8, 2021 does hereby resolve as follows:

2       Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this  
3 Findings by this reference.

4       Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social  
5 Distancing. The Airport Land Use Commission (ALUC) hereby proclaims that state officials have imposed  
6 or recommended measures to promote social (physical) distancing based on the California Department of  
7 Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the  
8 California Code of Regulations, Section 3205(5)(D).

9       Section 3. Remote Teleconference Meetings. The Airport Land Use Commission (ALUC) is  
10 hereby authorized and directed to take all actions necessary to carry out the intent and purpose of these  
11 Findings including, conducting open and public meetings in accordance with Government Code section  
12 54953(e) and other applicable provisions of the Brown Act.

13       Section 4. Effective Date. These Findings shall take effect immediately upon its adoption and  
14 shall be effective until the earlier of (i) December 13, 2021, or (ii) such time the Airport Land Use  
15 Commission (ALUC) adopts a subsequent Findings in accordance with Government Code section  
16 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without  
17 compliance with Section 54953(b)(3).

18       ADOPTED this 7<sup>TH</sup> day of July, 2022 by Airport Land Use Commission (ALUC), by the following  
19 vote:

20  
21 YES:

22 NO:

23 ABSENT:

24 ABSTAIN:

25  
26  
27  
28



# AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley,  
ALUC Secretary

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## SECRETARY'S EVALUATION

DATE: April 18, 2022

SURFACE/MINERAL  
RIGHTS OWNERS: Steven Vuyovich

APPLICANT: Steven Vuyovich  
PROJECT  
NUMBER: ALUC22-011

### PROJECT AND LOCATION

PROJECT  
DESCRIPTION: Building Permit B2022-00394 to allow construction of a garage/barn (1,680 square feet) on a 2.38 acre parcel zoned A-10:MX:AIR (General Agricultural Ten Acre Minimum:Mobilehome Exclusion Combining:Airport Combining) under Title 17 of the Tuolumne County Ordinance Code.

LOCATION: Chili Gulch Road, Columbia. A portion of Sections 10 and 15, Township 2 North, Range 14 East, Mount Diablo Baseline and Meridian. Assessor's Parcel Number 032-120-037. In Zone B1 of the Columbia Airport.

1. An application was submitted to propose the construction of a 30-foot by 56-foot (1,680 square feet) garage/ barn for agricultural use on a vacant parcel in Zone B1 of the Columbia Airport. The proposed garage/barn will be approximately 21.5 feet in height and constructed of timber with metal siding.

### ALUC Plan Review

2. The project site is located within Compatibility Zone B1 associated with the Columbia Airport. The proposed garage/barn has an approximate base elevation of 2,140 feet above mean sea level and will be located within the 50-55dB noise contour associated with the Columbia Airport.
3. Since the garage/barn is within Zone B1, ministerial permits, such as a building permit, must be sent to the ALUC Commission (Policy 2.1.5.2(b)(1)).
4. The ALUC Commission has three choices of actions after reviewing the proposed project:
  - (a) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*.
  - (b) Find the plan, ordinance, or regulation consistent with the *Compatibility Plan*, subject to modifications which the Commission may specify.
  - (c) Find the plan, ordinance, or regulation inconsistent with the *Compatibility Plan*. In making a finding of inconsistency, the Commission may note the conditions under which the plan, ordinance, or regulation would be consistent with the *Compatibility Plan*. (Policy 2.2.2.3 and 2.2.3.3)
5. The primary criteria for assessing whether a potential land use development is to be judged compatible with a nearby airport are set forth in the Primary Compatibility Criteria matrix, Table 2A on page 2-18 of the *Compatibility Plan*. These criteria are to be used in conjunction

with the compatibility map and policies for each airport as presented in Chapter 3 (Policy 2.2.4.1). These criteria for the B1 Zone are listed below:

Zone	Location	Residential (du/ac) <sup>1</sup>	Other uses (people/ac) <sup>2</sup>	Prohibited Uses	Other Development Conditions
<b>B1</b>	Approach Departure Zone and Adjacent to Runway	0.1 (10-acre parcel)	25	<ul style="list-style-type: none"> <li>* Children's schools, day care centers, libraries</li> <li>Hospitals, nursing homes</li> <li>* Highly noise-sensitive uses (e.g., outdoor theaters)</li> <li>* Aboveground bulk storage of hazardous materials<sup>5</sup></li> <li>* Hazards to flight<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>* Locate structures away from extended runway centerline</li> <li>* Additional NLR required for some uses<sup>6</sup></li> <li>* Airspace review required for all objects (B1 zone)</li> <li>* Deed notice recordings<sup>3</sup></li> </ul>

Table 2A – Primary Compatibility Criteria

6. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land uses which may cause visual, electronic, or bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. During review of projects submitted to it, the Airport Land Use Commission shall review such applications for hazards to flight. Specific characteristics to be avoided include:
  - glare or distracting lights which could be mistaken for airport lights.
  - sources of dust, steam, or smoke which may impair pilot visibility.
  - sources of electrical interference with aircraft communications or navigation.
  - any use, especially landfills and certain agricultural uses, which may attract large flocks of birds.
  
7. The project does not propose any land uses identified as incompatible in Table 2A of the *Compatibility Plan*. Further, the proposed barn/garage does not create any hazards to flight identified in Policy 2.5.3.5. The project is consistent with the *Compatibility Plan*.

### Ordinance Code Review

8. Assessor's Parcel Number 032-120-037 also contains the Airport Combining (:AIR) district. The regulations pertaining to the :AIR district are codified in Chapter 17.49 of the Zoning Ordinance. Section 17.49.030 of the Ordinance Code states that development, as defined in Section 18.24.040 of the Ordinance Code, within the :AIR district shall be consistent with the Tuolumne County Airport Land Use Compatibility Plan and Chapters 18.24 and 18.28 of this code. Pursuant to Section 18.24.040(A) of the Ordinance Code, building permits are subject to Chapter 18.24.
  
9. Section 18.24.050 of the Ordinance Code states as follows:
 

*The Airport Land Use Commission may find the application or proposal consistent with the Tuolumne County Airport Land Use Compatibility Plan, consistent with the plan subject to modifications or conditions which the Airport Land Use Commission may specify, or inconsistent with the plan. In finding the application or proposal consistent with the plan, the Airport Land Use Commission shall determine the following:*

  - A. *The project is within the height limits established by the Federal Aviation Administration, or is otherwise authorized by the Federal Aviation Administration pursuant to its regulations;*

# VUYOVICH

- B. *The use is consistent with the adopted Tuolumne County Airport Land Use Compatibility Plan, or will be consistent subject to conditions imposed by the Airport Land Use Commission;*
- C. *The use will not result in hazards to flight, specifically it will not generate any of the following:*
1. *Glare or distracting lights which could be mistaken for airport lights;*
  2. *Sources of dust, steam, or smoke which could impair pilot visibility;*
  3. *Sources of electrical interference with aircraft communications or navigation;*
  4. *Any use, especially landfills and certain agricultural uses, which may attract large flocks of birds; or*
  5. *Hazards to flight which would otherwise endanger the landing, taking off, or maneuvering of aircraft intended to use the airport.*
10. The project is consistent with the height limits established by the FAA, is consistent with the *Compatibility Plan*, and will not result in hazards to flight. The project is consistent with Tuolumne County Ordinance Code.

## **Federal Aviation Regulations**

11. Section 77.9 of the Federal Aviation Regulations (FAR Part 77) requires that each sponsor proposing construction or alteration that would result in the following must notify the Administrator of the FAA:
- Any construction or alteration exceeding 200 ft above ground level.
  - Any construction or alteration:
    - within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft.
    - within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft.
    - within 5,000 ft of a public use heliport which exceeds a 25:1 surface.
12. Pursuant to Section 77.17, the notification shall use FAA Form 7460-1 and must be submitted at least 45 days prior to the start of the construction or alteration. Persons failing to comply with the provisions of FAR Part 77 are subject to Civil Penalty under Section 902 of the Federal Aviation Act of 1958, as amended and pursuant to 49 U.S.C. Section 46301(a).

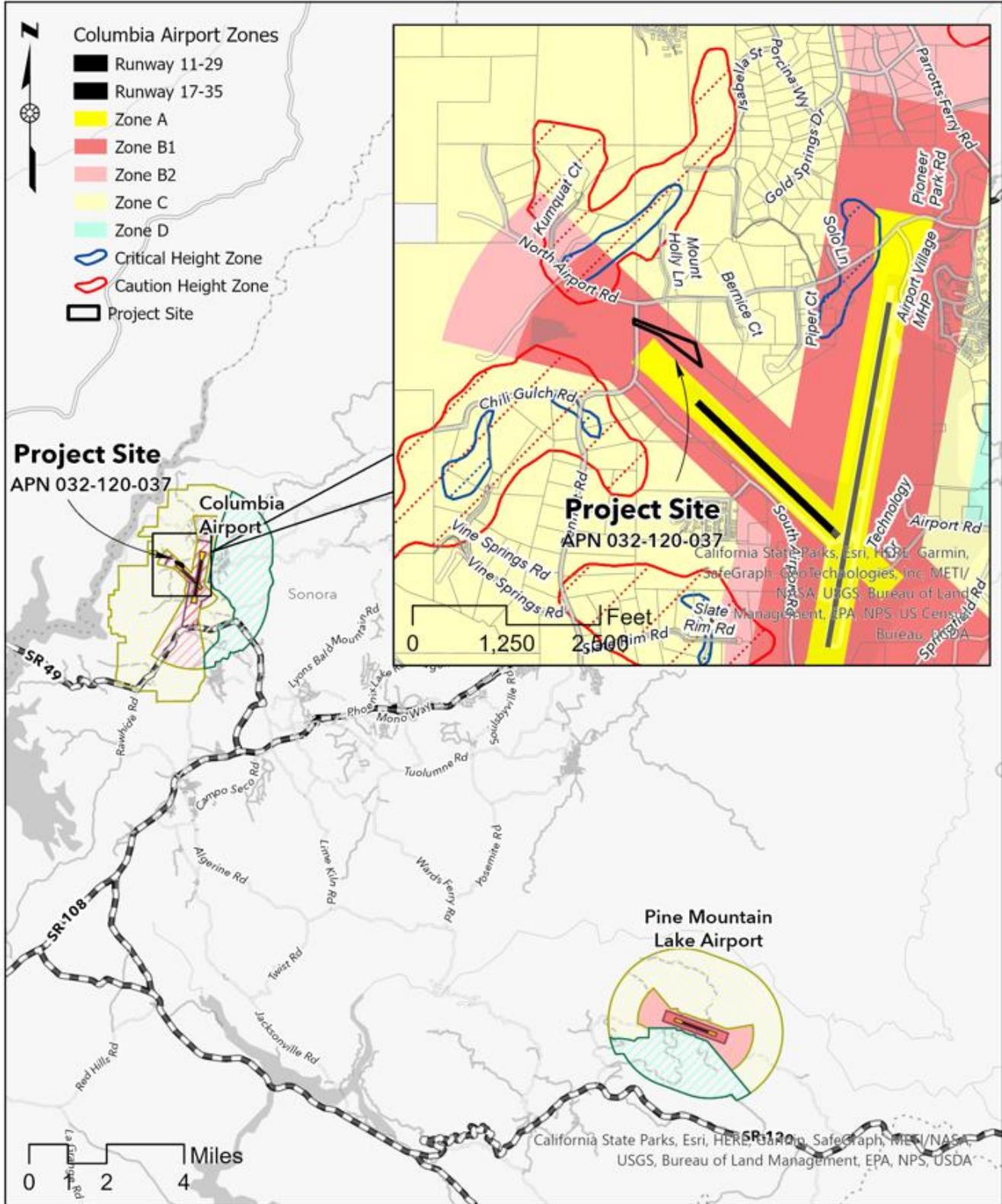
## SECRETARY'S CERTIFICATION

### COMPATIBILITY PLAN:

Pursuant to Section 18.24.050 of the Tuolumne County Ordinance Code, I hereby certify as follows:

- A. The project is within the height limits established by the Federal Aviation Administration (FAA), or is otherwise authorized by the FAA pursuant to their regulations and conditions listed under Paragraph C.
- B. Subject to the conditions listed in Paragraph C, I certify that the use is not anticipated to:
- Create electrical interference with radio communication between the Airport and aircraft.
  - Make it difficult for flyers to distinguish between Airport lights and others.
  - Result in glare in the eyes of flyers using the Airport.
  - Impair visibility in the vicinity of the Airport.
  - Otherwise endanger the landing, taking off, or maneuvering of aircraft intended to use the Airport, excepting the penetration of height restrictions noted above.
- C. The use is consistent with the adopted Tuolumne County Airport Land Use Compatibility Plan, subject to the following conditions:
1. No new structure constructed or new vegetation, such as trees, located on the project site shall exceed a height of 40'. The height of a structure includes any antenna, chimney, or other attachments.
  2. Any new structure, development, or use on the project site shall be constructed, painted, designed, or operated in such a way as to avoid:
    - a. Glare or distracting lights which could be mistaken for airport lights;
    - b. Sources of dust, steam, or smoke which may impair pilot visibility;
    - c. Sources of electrical interference with aircraft communications or navigation; and
    - d. Any use which may attract large flocks of birds.
  3. File a *Notice of Proposed Construction or Alteration* (Form 7460-1) with the Federal Aviation Administration (FAA) in accordance with 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718, at least forty five (45) days prior to the start of construction of any new structures on the project site if necessary. A copy of the form shall be submitted to the Community Resources Agency. Alternatively, the form may be completed on-line at: <http://forms.faa.gov/forms/faa7460-1>.

ALUC 22-001

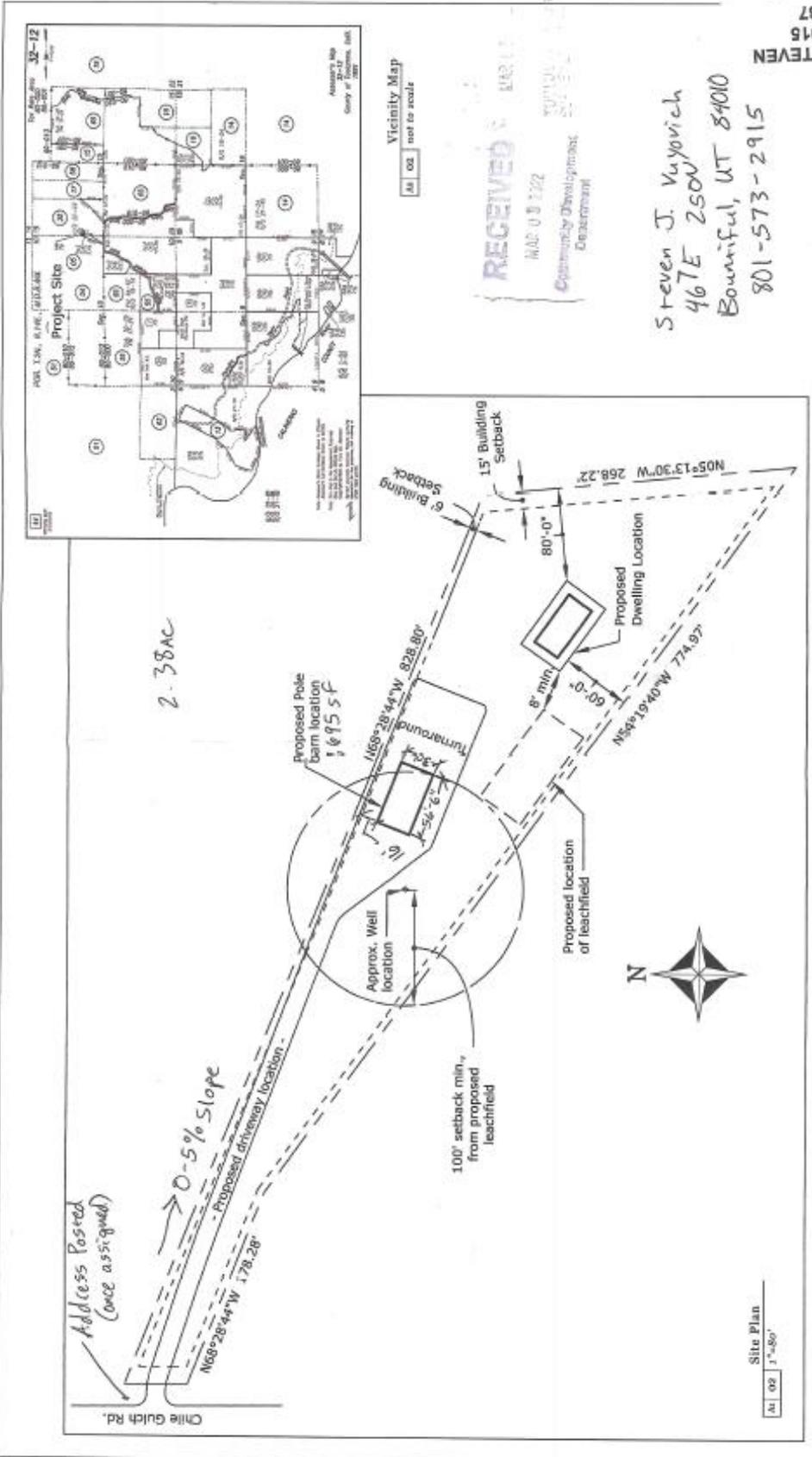


# VUYOVICH

VUYOVICH, STEVEN  
 B2022-2915  
 32-120-37  
 DUE: 03/17/2022

Steven J. Vuyovich  
 467E 250V  
 Bountiful, UT 84010  
 801-573-2915

RECEIVED  
 MAR 03 2022  
 Community Development  
 Department



Vuyovich Pole Barn  
 Parcel A-2 of R/S 27-19  
 APN: 032-120-037  
 Tuolumne, CA

Argos Timber Works  
 18555 Clifton Rd.  
 Jackson CA, 95642  
 CA 1002646



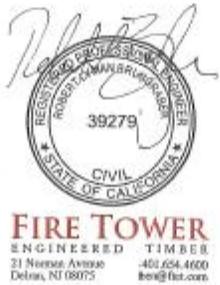
Site Plan



East Elevation  
As 12 scale: 1/8"=1'



West Elevation  
As 12 scale: 1/8"=1'



**Cladding:**

**Siding:**  
Corrugated Metal Panels and Trims.

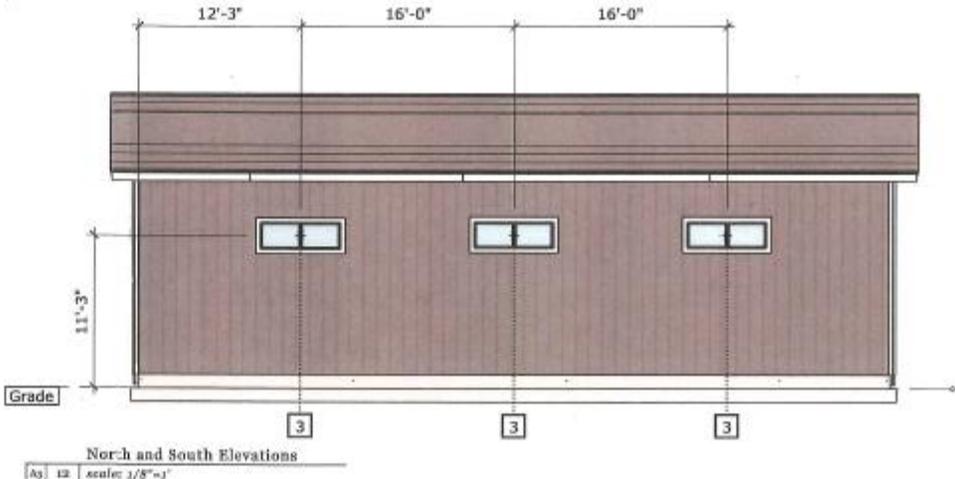
**Roof:**  
Corrugated Metal Panels.

Secure metal panels to wood framing w/#10 screws @ 12" O.C. around panel edges and @ 12" O.C. in field on long wall.

Secure metal panels to wood framing w/#10 screws @ 3.0" O.C. around panel edges and @ 12" O.C. in field on narrow wall.

**Window And Door Schedule:**

	Total	Doors
1	1	3-0 LH Exterior In-Swing
1	1	3-0 RH Exterior In-Swing
2	2	14-14 Roll-up Exterior
	Total	Windows
3	6	6-0-2-0 XO



North and South Elevations  
As 12 scale: 1/8"=1'

Exterior elevations



Argos Timber Works  
18555 Clinton Rd,  
Jackson CA, 95642  
CA 1002646

Vuyovich Pole Barn  
Parcel A-2 of R/S 27-19  
APN: 032-120-037  
Tuolumne, CA

A 12



# AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley,  
ALUC Secretary

48 Yaney Avenue, Sonora  
Mailing: 2 S. Green Street  
Sonora, CA 95370  
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## SECRETARY'S EVALUATION

DATE: June 21, 2022

SURFACE/MINERAL  
RIGHTS OWNERS: Jason & Krystall Johanson

APPLICANT: Land + Structure

PROJECT  
NUMBER: Conditional Use Permit CUP22-004/ALUC22-013

### PROJECT AND LOCATION

PROJECT Conditional Use Permit CUP22-004 to allow development of an Aircraft Hanger/Commercial Building on a parcel zoned C-1:MX:AIR (General Commercial:Mobile Home Combining:Airport Combining) under Title 17 of the Tuolumne Ordinance Code (TCOC).

LOCATION: The project site is located at 20970 Elderberry Way, at the Pine Mountain Lake Airport in the community of Groveland. Within a portion of Section 14, Township 1 South, Range 16 East Mount Diablo Baseline and Meridian. The project site is located within Supervisorial District 4. Assessor's Parcel Number 093-080-005.

### Project Description

1. Conditional Use Permit CUP22-004 would allow the development of a 9,180+/- square foot, commercial building which would include an aircraft hangar, a restaurant café, and business offices. pursuant to Section 17.24.030(A) of the TCOC. The restaurant café would serve beer and wine within 200 feet of a residential zoned area, which requires a Conditional Use Permit. The hangar would be 4,880 square feet, the offices 2,500 square feet, and the café 1,800 square feet.
2. The project site is located within Airport Compatibility Zone B1 associated with the Pine Mountain Lake Airport (elevation 2,933 MSL) and therefore requires review by the Commission. The ALUC Commission has three choices of actions after reviewing the proposed project, which includes a review of the ALUCP, TCOC, and FAA Regulations:
  - (a) Find that the proposed project is consistent with the *Compatibility Plan*.
  - (b) Find the proposed project is consistent with the *Compatibility Plan*, subject to modifications which the Commission may specify.
  - (c) Find the proposed project is inconsistent with the *Compatibility Plan*. In making a finding of inconsistency, the Commission may note the conditions under which the proposed commercial building would be consistent with the *Compatibility Plan*. (Policy 2.2.2.3 and 2.2.3.3)

### Review of ALUC Plan Compatibility

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2. Presently, much of the parcel is asphalt paved and is utilized as an aircraft tie-down apron. The proposed commercial building has a base elevation of 2,916' +/- above mean sea level and will be located within the 55dB noise contour associated with the Pine Mountain Lake Airport. The structure would be located on the rear property boundary of its parcel, immediately adjacent to the airport operation area with taxi way access. The proposed project includes gating and fencing, to isolate the public side of the building (café, offices, public parking lot) from the airport operation side (hangar). The site is not located in a critical height zone or height caution zone.
3. The site is currently undeveloped, mostly asphalt paved, and is utilized as an aircraft tie-down apron. The commercial building would be approximately 24 feet in height along the peak of the roof, the roof would extend to an elevation of 2,940' +/- above mean sea level.
4. The criteria for assessing whether a potential land use development is to be judged compatible with a nearby airport are listed in the Primary Compatibility Criteria matrix, Table 2A on page 2-18 of the *Compatibility Plan*. These criteria are to be used in conjunction with the compatibility map and policies for each airport as presented in Chapter 3 (Policy 2.2.4.1). These criteria for the B1 Zone are listed below in ALUCP "Table 2A":

Zone	Location	Maximum Densities		Additional Criteria	
		Residential (du/ac) <sup>1</sup>	Other Uses (people/acre) <sup>2</sup>	Prohibited Uses	Other Development Conditions
A	Runway Protection Zone or within Building Restriction Line	0	10	<ul style="list-style-type: none"> <li>* All structures except ones required by aeronautical function</li> <li>* Assemblages of people</li> <li>* Objects exceeding FAR Part 77 height limits</li> <li>* Aboveground bulk storage of hazardous materials</li> <li>* Hazards to flight<sup>4</sup></li> </ul>	* Deed notice recordation <sup>3</sup>
B1	Approach Departure Zone and Adjacent to Runway	0.1 (10-acre parcel)	25	<ul style="list-style-type: none"> <li>* Children's schools, day care centers, libraries</li> <li>* Hospitals, nursing homes</li> <li>* Highly noise-sensitive uses (e.g., outdoor theaters)</li> <li>* Aboveground bulk storage of hazardous materials<sup>5</sup></li> <li>* Hazards to flight<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>* Locate structures away from extended runway centerline</li> <li>* Additional NLR required for some uses<sup>6</sup></li> <li>* Airspace review required for all objects (B1 zone)</li> <li>* Deed notice recordations<sup>3</sup></li> </ul>
B2	Extended Approach/Departure Zone	0.33 (3-acre parcel)	50	<ul style="list-style-type: none"> <li>* Children's schools, day care centers, libraries</li> <li>* Hospitals, nursing homes</li> <li>* Hazards to flight<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>* Deed notice recordations<sup>3</sup></li> </ul>
C	Common Traffic Pattern	0.33 (3-acre parcel)	75	<ul style="list-style-type: none"> <li>* Children's schools, day care centers, libraries</li> <li>* Hospitals, nursing homes</li> <li>* Hazards to flight<sup>4</sup></li> </ul>	* Deed notice recordations <sup>3</sup>
D	Other Airport Environs	No Limit	No Limit	* Hazards to flight <sup>4</sup>	* Deed notice recordations <sup>3</sup>
	Critical Height Zone Overlay <sup>7</sup>	Same as Underlying Compatibility Zone		Tall objects on high terrain <sup>8</sup>	* Deed notice recordations <sup>3</sup>
	Height Caution Zone Overlay <sup>7</sup>	Same as Underlying Compatibility Zone		Same as Underlying Compatibility Zone	<ul style="list-style-type: none"> <li>* Airspace review required for objects taller than 50 ft. AGL<sup>9</sup></li> <li>* Deed notice recordations<sup>3</sup></li> </ul>

Table 2A Primary Compatibility Criteria

## Table 2A – Primary Compatibility Criteria

5. Table 2A lists an allowance of 25 people unit per 1-acre parcel within Zone B1. Approval by the ALUC would be required for the higher density of people in the commercial building. A Code review was performed with County Building Department staff to estimate the potential

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occupancy load, based on building use components and their associated estimated square footage, and California Building Code occupancy indices. Based on this review estimate, approximately 230 people per acre was estimated as the maximum potential occupancy density for this project, well over the 25 people per 1-acre allowed within Zone B1. The ALUC would need to approve this higher density with in the B1 zone. The future building permit will be submitted to the ALU for review. Item 9 of Table 2A of the *Compatibility Plan* states that objects up to 50 feet tall are acceptable.

- The proposed commercial building would be constructed within the 55 dB CNEL noise zone. Table 2B from the ALUCP shown below identifies commercial buildings as a “normally acceptable” use with 55-60 CNEL dB. It indicates that a light interference with outdoor activities may occur. Conventional construction methods will eliminate most noise intrusions upon indoor activities.

Land Use Category	CNEL (dB)				
	50-55	55-60	60-65	65-70	70-75
<i>Residential</i>					
single-family, nursing homes, mobile homes	+	0	-	--	--
multi-family, apartments, condominiums	++	+	0	--	--
<i>Public</i>					
schools, libraries, hospitals	+	0	-	--	--
churches, auditoriums, concert halls	+	0	0	-	--
transportation, parking, cemeteries	++	++	++	+	0
<i>Commercial and Industrial</i>					
offices, retail trade	++	+	0	0	-
service commercial, wholesale trade,	++	++	+	0	0
warehousing, light industrial general manufacturing, utilities, extractive industry	++	++	++	+	+

Land Use Acceptability	Interpretation/Comments
++ <i>Clearly Acceptable</i>	The activities associated with the specified land use can be carried out with essentially no interference from the noise exposure.
+ <i>Normally Acceptable</i>	Noise is a factor to be considered in that slight interference with outdoor activities may occur. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
o <i>Marginally Acceptable</i>	The indicated noise exposure will cause moderate interference with outdoor activities and with indoor activities when windows are open. The land use is acceptable on the conditions that outdoor activities are minimal and construction features which provide sufficient noise attenuation are used (e.g., installation of air conditioning so that windows can be kept closed). Under other circumstances, the land use should be discouraged.
- <i>Normally Unacceptable</i>	Noise will create substantial interference with both outdoor and indoor activities. Noise intrusion upon indoor activities can be mitigated by requiring special noise insulation construction. Land uses which have conventionally constructed structures and/or involve outdoor activities which would be disrupted by noise should generally be avoided.
-- <i>Clearly Unacceptable</i>	Unacceptable noise intrusion upon land use activities will occur. Adequate structural noise insulation is not practical under most circumstances. The indicated land use should be avoided unless strong overriding factors prevail and it should be prohibited if outdoor activities are involved.

**Table 2b Noise Compatibility Criteria**

- Hazards to flight are prohibited within Compatibility Zone B1. Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land uses which may cause visual, electronic, or bird strike hazards to aircraft in flight shall not be permitted within any airport’s influence area. During review of

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projects submitted to it, the Airport Land Use Commission shall review such applications for hazards to flight. Specific characteristics to be avoided include:

- glare or distracting lights which could be mistaken for airport lights.
- sources of dust, steam, or smoke which may impair pilot visibility.
- sources of electrical interference with aircraft communications or navigation.
- any use, especially landfills and certain agricultural uses, which may attract large flocks of birds.

Conditional Use Permit CUP22-004 would not introduce any hazards to flight as indicated above.

## Review of Ordinance Code

8. Assessor's Parcel Number 093-080-005 also contains the Airport Combining (:AIR) district. The regulations pertaining to the :AIR district is codified in Chapter 17.49 of the Zoning Ordinance. Section 17.49.030 of the Ordinance Code states that development, as defined in Section 18.24.040 of the Ordinance Code, within the :AIR district shall be consistent with the Tuolumne County Airport Land Use Compatibility Plan and Chapters 18.24 and 18.28 of this code. Pursuant to Section 18.24.040(A) of the Ordinance Code, Conditional Use Permits and building permits are subject to Chapter 18.24.
9. Section 18.24.050 of the Ordinance Code states as follows:

*The Airport Land Use Commission may find the application or proposal consistent with the Tuolumne County Airport Land Use Compatibility Plan, consistent with the plan subject to modifications or conditions which the Airport Land Use Commission may specify, or inconsistent with the plan. In finding the application or proposal consistent with the plan, the Airport Land Use Commission shall determine the following:*

- A. *The project is within the height limits established by the Federal Aviation Administration, or is otherwise authorized by the Federal Aviation Administration pursuant to its regulations;*
- B. *The use is consistent with the adopted Tuolumne County Airport Land Use Compatibility Plan, or will be consistent subject to conditions imposed by the Airport Land Use Commission;*
- C. *The use will not result in hazards to flight, specifically it will not generate any of the following:*
  1. *Glare or distracting lights which could be mistaken for airport lights;*
  2. *Sources of dust, steam, or smoke which could impair pilot visibility;*
  3. *Sources of electrical interference with aircraft communications or navigation;*
  4. *Any use, especially landfills and certain agricultural uses, which may attract large flocks of birds; or*
  5. *Hazards to flight which would otherwise endanger the landing, taking off, or maneuvering of aircraft intended to use the airport.*

10. The project is consistent with the height limits established by the FAA, is consistent with the *Compatibility Plan*, and will not result in hazards to flight. The project would be consistent with Tuolumne County Ordinance Code upon approval of Conditional Use Permit CUP22-004 for a commercial building exceeding 1,200 square feet, with a height of 24 feet.

## Review of Federal Aviation Regulations

11. Section 77.9 of the Federal Aviation Regulations (FAR Part 77) requires that each sponsor proposing construction or alteration that would result in the following must notify the Administrator of the FAA:
  - Any construction or alteration exceeding 200 ft above ground level.
  - Any construction or alteration:
    - within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft.
    - within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft.
    - within 5,000 ft of a public use heliport which exceeds a 25:1 surface.
12. Pursuant to Section 77.17, the notification shall use FAA Form 7460-1 and must be submitted at least 45 days prior to the start of the construction or alteration. Persons failing to comply with the provisions of FAR Part 77 are subject to Civil Penalty under Section 902 of the Federal Aviation Act of 1958, as amended and pursuant to 49 U.S.C. Section 46301(a).

## Secretary Recommendation

13. The ALUC Commission has three choices of actions after reviewing the proposed project:
  - (a) Find that the proposed project is consistent with the *Compatibility Plan*.
  - (b) Find the proposed project is consistent with the *Compatibility Plan*, subject to modifications which the Commission may specify.
  - (c) Find the proposed project is inconsistent with the *Compatibility Plan*. In making a finding of inconsistency, the Commission may note the conditions under which the proposed commercial building would be consistent with the *Compatibility Plan*. (Policy 2.2.2.3 and 2.2.3.3)
14. The ALUC Secretary has reviewed the project and is recommending that the project be found consistent with the *Compatibility Plan*.

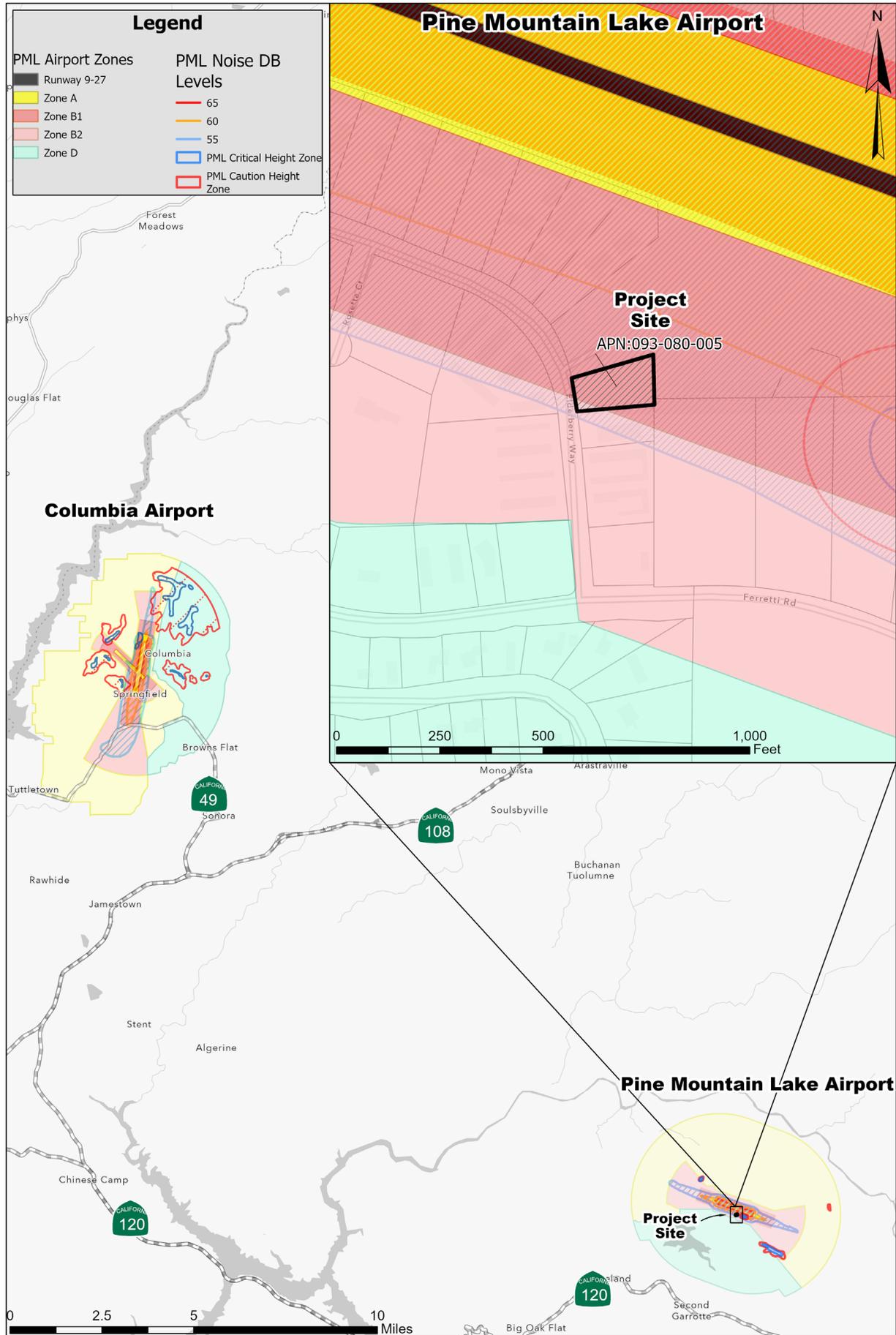
## SECRETARY'S CERTIFICATION

### COMPATIBILITY PLAN:

Pursuant to Section 18.24.050 of the Tuolumne County Ordinance Code, I hereby certify as follows:

- A. The project is within the height limits established by the Federal Aviation Administration (FAA), or is otherwise authorized by the FAA pursuant to their regulations and conditions listed under Paragraph C.
- B. Subject to the conditions listed in Paragraph C below, I certify that the use is not anticipated to:
  - Create electrical interference with radio communication between the Airport and aircraft.
  - Make it difficult for flyers to distinguish between Airport lights and others.
  - Result in glare in the eyes of flyers using the Airport.
  - Impair visibility in the vicinity of the Airport.
  - Otherwise endanger the landing, taking off, or maneuvering of aircraft intended to use the Airport, excepting the penetration of height restrictions noted above.
- C. The use is consistent with the adopted Tuolumne County Airport Land Use Compatibility Plan, subject to the following conditions:
  1. No new structure constructed or new vegetation, such as trees, located on the project site shall exceed a height of 50'. The height of a structure includes any antenna, chimney, or other attachments.
  2. Any new structure, development, or use on the project site shall be constructed, painted, designed, or operated in such a way as to avoid:
    - a. Glare or distracting lights which could be mistaken for airport lights;
    - b. Sources of dust, steam, or smoke which may impair pilot visibility;
    - c. Sources of electrical interference with aircraft communications or navigation; and
    - d. Any use which may attract large flocks of birds.
  3. File a *Notice of Proposed Construction or Alteration* (Form 7460-1) with the Federal Aviation Administration (FAA) in accordance with 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718, at least forty-five (45) days prior to the start of construction of any new structures on the project site if necessary. A copy of the form shall be submitted to the Community Development Department. Alternatively, the form may be completed on-line at: <http://forms.faa.gov/forms/faa7460-1>.

## CUP22-004











# AIRPORT LAND USE COMMISSION

Columbia Airport and Pine Mountain Lake Airport

Quincy Yaley, AICP.  
ALUC Secretary

## TUOLUMNE COUNTY AIRPORT LAND USE COMMISSION MINUTES November 16, 2021

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**PRESENT:** Chair, Mark Bautista, Commissioners; Leon Liebster, Ed Sunday, and Scott Rexwinkle

**ABSENT:** Commissioner Dennis Smith

**STAFF:** Natalie Rizzi, Land Use Technician

### 1. CALL TO ORDER/ROLL CALL:

Chair Bautista called the meeting to order at 6:02 p.m.

County Member Rizzi asked staff to roll call the Commission

Chair Bautista: Present  
Vice-Chair Liebster: Present  
Commissioner Rexwinkle: Present  
Commissioner Sunday: Present  
Commissioner Smith: Absent

### 2. Adopting Resolution ALUC2021-001 authorizing remote teleconference meetings of ALUC for the period of November 16, 2021 to December 16, 2021.

Chair Bautista asked for clarification for adopting the ALUC resolution.

Ms. Rizzi discussed the need to pass a resolution every 30 days.

It was moved by Chair Bautista and seconded by Commissioner Sunday to adopt the resolution ALUC2021-001.

Chair Bautista: Present  
Vice-Chair Liebster: Present  
Commissioner Rexwinkle: Present  
Commissioner Sunday: Present  
Commissioner Smith: Absent

Chair Bautista called for the vote: Ayes, 4; Noes, 0; Abstain, 0.

Motion carried: 4 – 0 – 0 with Commissioner Smith being absent.

### 3. APPROVAL OF THE MINUTES:

Chair Bautista noted two corrections to the minutes.

It was moved by Commissioner Rexwinkle and seconded by Commissioner Sunday to approve the

minutes of August 5, 2021 with corrections.

Chair Bautista: Aye  
Commissioner Rexwinkle: Aye  
Commissioner Liebster: Aye  
Commissioner Sunday: Aye  
Commissioner Smith: Absent

Chair Bautista called for the vote: Ayes, 4; Noes, 0; Abstain, 0.

Motion carried: 4 – 0 – 0 with Commissioner Smith being absent.

#### **4. PUBLIC COMMENT:**

Chair Bautista opened the 15 minute public comment period, at which time anyone may come forward and address the Commission on any item not on the Agenda.

Seeing no one, the public comment period was closed.

#### **5. PUBLIC HEARING:**

- A. NASH-BLOM**, Conditional Use Permit CUP21-009 to allow the development of a 5,756± square foot, 50-foot tall second residence on a 1.33± acre parcel zoned RE-1:MX:AIR (Residential Estate, One Acre Minimum: Mobile Home Exclusion Combining: Airport Combining) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The project site is located at 21201 Jimmersall Lane, approximately 1,000± feet southwest of the intersection of Clements Road and Jimmersall Lane in Groveland. Within a portion of Sections 12 and 13, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian. The project site is located within Supervisorial District 4. Assessor's Parcel Number 093-250-014.

Ms. Rizzi gave an overview of the description and location of the proposed project.

Chair Bautista opened the public comment period and asked if there was anyone who wished to speak on the proposed project.

Mr. Nash, project applicant, discussed the proposed project and the reasonings for the building location.

Chair Bautista asked if there was anyone else from the public who wished to speak. Seeing no one, he closed the public comment period and referred the item back to the Commission.

Commissioner Rexwinkle asked for background on why the project previously came before the Commission with no motion made.

Chair Bautista explained that this project previously came before the Commission as an idea to get feedback prior to the applicant applying for the Conditional Use Permit. He noted the Commission discussed the structure height in proximity to the runway.

Discussion ensued on multiple units being built on single parcels.

It was moved by Commissioner Sunday and seconded by Commissioner Rexwinkle to recommend approval of Conditional Use Permit CUP21-00 based on the project being consistent with the Airport Land Use Compatibility Plan.

Chair Bautista called for a roll call vote.

Commissioner Rexwinkle: Aye  
Commissioner Liebster: Aye  
Commissioner Sunday: Aye  
Chair Bautista: Aye  
Commissioner Smith: Absent

Chair Bautista called for the vote. Ayes, 4; Noes, 0; Abstain, 0

Motion Carried: 4 – 0 – 0 with Commissioner Smith being absent.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**COMMISSION BUSINESS:**

None

**COMMISSIONER/STAFF REPORTS**

Chair Bautista asked Ms. Rizzi to add “discussion of lot line adjustments and lot mergers” to the next agenda.

**ADJOURNEMNT**

Chair Bautista adjourned the meeting.

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