



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

TO: Commissioner Mike Goodsell
Commissioner Eddie Ceden
Commissioner Dennis Logue
Commissioner Sylvia Chavez
Commissioner Jerry Arguelles

FROM: Jim Minnick, Secretary
Planning & Development Services Director

SUBJECT: Public Hearing for the consideration of a proposed 40-foot tall monopole (Conditional Use Permit #21-0009) located at 313 E. Main St, Niland, CA (APN 021-073-007-000) to determine Consistency with the Airport Land Use Compatibility Plan (ALUCP). [Jeanine Ramos, Planner I] (ALUC 04-21)

DATE OF REPORT: July 21, 2021

AGENDA ITEM NO: 2

HEARING DATE: July 21, 2021

HEARING TIME: 6:00 p.m.

HEARING LOCATION: County Administration Center
Board of Supervisors Chambers
940 Main Street
El Centro, CA 92243

STAFF RECOMMENDATION

It is Staff's recommendation that the Airport Land Use Commission finds the proposed 40-foot monopole, located at 313 E. Main Street, Niland, CA to be consistent with the 1996 Airport Land Use Compatibility Plan.

SECRETARY'S REPORT

Project Location:

The proposed monopole will be located at 313 E. Main Street, Niland, CA, within the town site of Niland. The property is identified as Assessor's Parcel Number (APN) 021-073-007-000 and is further described as the west 50 ft. of Lots 16, 17, and 18, of Block 35, within the Townsite of Niland, Latitude 33° 14' 23.6N – Longitude 115° 30' 33.3W.

Project Description:

The applicant and property owner is AT&T California d.b.a. Pacific Telephone & Telegraph Company, represented by BJB Architecture & Engineering. They are proposing to install a 40-foot, monopole, antenna, and waveguide in the rear yard to extend services to the United States Department of Defense Special Operations Forces Desert Warfare Training Facility.

The monopole will be placed south of the existing AT&T brick building within a fenced equipment yard located south of East Main Street, between Memphis Avenue and Commercial Avenue. The cabinet electrical and connection equipment will be placed within the existing AT&T brick building. The monopole will have one microwave dish that will be used for data transmission services. Utilities will be connected to the AT&T brick building.

The proposed monopole has been submitted for the Airport Land Use Commission's review and determination of consistency with the 1996 Airport Land Use Compatibility Plan, although the proposed site is not located or within the vicinity of any of the Imperial County Airports.

General Plan/ALUCP Analysis:

The proposed monopole is located within the Niland Urban Area and is not located near any County Public Airport or airstrip. The nearest airport is the Calipatria Municipal Airport which is located about 7.5 miles south of the project site.

The project site is zoned M-1 (Light Industrial) per the Imperial County Land Use Ordinance Title 9, Division 25, Section 92511A.00.

The Airport Land Use Compatibility Plan (ALUCP), Chapter 2, Policies, Section 2.3.1, provides "Types of Actions Reviewed" by the Commission, which shall include:

"Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities" (Section 2.1.3.3h, pg. 2-4)

The proposed conditional use permit has been submitted for the Airport Land Use Commission's review and determination of consistency with the 1996 Airport Land Use Compatibility Plan (ALUCP) due to the nature of the application (telecommunications tower).

A. VICINITY MAP

PROJECT LOCATION MAP



AT&T CALIFORNIA D.B.A. PACIFIC
TELEPHONE & TELEGRAPH CO.
APN 021-073-007-000

- PROJECT LOCATION
- TOWER LOCATION



B. PROJECT

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME AT&T California d.b.a. Pacific Bell	EMAIL ADDRESS dr7282@att.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 2700 Watt Ave. Sacramento, CA	ZIP CODE 95821	PHONE NUMBER (916) 296-0282
3. APPLICANT'S NAME Daniel Redmond	EMAIL ADDRESS dr7282@att.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 7121 Paul Do Mar Way, Elk Grove, CA	ZIP CODE 95757	PHONE NUMBER (916) 296-0282
4. ENGINEER'S NAME Clifford H. Johnson	CA. LICENSE NO. 2602	EMAIL ADDRESS cjohnson@bjginc.com
5. MAILING ADDRESS (Street / P O Box, City, State) 449 S. Virginia St, Fourth Floor, Reno, NV	ZIP CODE 89501	PHONE NUMBER (775) 827-1010
6. ASSESSOR'S PARCEL NO. 021-073-007	SIZE OF PROPERTY (in acres or square foot) 7,800 sq. ft.	ZONING (existing) M-1
7. PROPERTY (site) ADDRESS 315 E. Main St., Niland, CA 92257		
8. GENERAL LOCATION (i.e. city, town, cross street) Near the intersection of E. Main St. and Commercial Ave. in Niland, CA		
9. LEGAL DESCRIPTION West 50 ft. of Lot 16, 17, and 18 of Block 35. Townsite of Niland. Document # 19001999999		

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	The existing AT&T building and property provides local telephone and ethernet services to Niland, CA. The proposed modification will add a monopole, antenna, and waveguide in the rear yard to extend services to the US DOD SOF Desert Warfare Training Facility.
11. DESCRIBE CURRENT USE OF PROPERTY	Telecommunications
12. DESCRIBE PROPOSED SEWER SYSTEM	n/a
13. DESCRIBE PROPOSED WATER SYSTEM	n/a
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	n/a
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? Zero (0), access to site only for maintenance/routine work

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

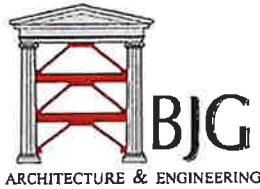
I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Daniel Redmond Prof. Network Design Eng. 03/15/2021
 Print Name DRW Date _____
 Signature _____
 Print Name _____ Date _____
 Signature _____

APPLICATION RECEIVED BY: _____	DATE _____	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY: _____	DATE _____	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O. E. S.
		<input type="checkbox"/> _____

CUP #
21-0009

03/17/21 mail 8



March 10, 2021

I.C. Planning and Development Services Dept.
801 Main Street
El Centro, CA 92243

Re: Conditional Use Permit – Niland
BJG Project No. 20200064

Dear ICPDS:

We offer the following documents and application for the purpose of obtaining a Conditional Use Permit for new work proposed on parcel number: 021-073-007 in Niland, CA.

The documents included are:

1. Conditional Use Permit application
2. Drawings, two (2) copies each:
 - a. Site Plan and Vicinity
 - b. Enlarged Plan, Elevations, and Details.
3. Photosimulation views of the proposed work described on the plans.
 - a. Four (4) color views, existing vs. proposed

With regard to the fee payment, we ask ICPDS to please call BJG and speak with Cliff Johnson or Monica Stevenson for the payment via credit card. We understand there will be a processing fee of 2.9% added to the fee total.

Thank you for your time and consideration of the Conditional Use Permit application.

Sincerely,

BJG ARCHITECTURE & ENGINEERING

Clifford H. Johnson, SE

Enclosures:
Application
Drawing set, two (2) copies
Photosimulation packet

RECEIVED

MAR 17 2021

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**



February 19, 2021

Imperial County Planning & Development Services Department
801 Main Street
El Centro, CA 92243

Sent via: US mail

RECEIVED

FEB 22 2021

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Re: Invitation to Comment (Resent with Updated Address)
Proposed New Tower Build
Site Name: Niland Central Office
315 Main Street, Niland, Imperial County, CA 92577
GE²G Project Number: 311464

Dear Imperial County Planning & Development Services Department,

On behalf of AT&T Geist Engineering and Environmental Group, Inc. (GE²G), has prepared this invitation to comment pursuant to Section 106 of the National Historic Preservation Act. This invitation to comment is about a proposed new tower build. The purpose of this Invitation to Comment is to help determine if your organization or a party you know would like to issue any comments on the proposed facility potential effects to known archaeology resources, traditional cultural resources, and/or historical properties. GE²G is only seeking specific comments about the potential for the TeleSpan Communications project undertaking new tower build to effect historical properties.

Project Description: AT&T proposes to place a new ~40-foot-tall monopole at the rear of the existing AT&T brick building. The tower will be placed south of AT&T brick building within a fenced equipment yard located south of East Main Street between Memphis Avenue and Commercial Avenue. The cabinet electrical and connection equipment will be housed within the existing AT&T brick building which is older than 45-years old. The monopole tower will receive one microwave dish that will be used for data transmission services. The utilities will be connected from the adjacent AT&T brick building. Ground disturbance and excavations will be completed for this project.

Comments:

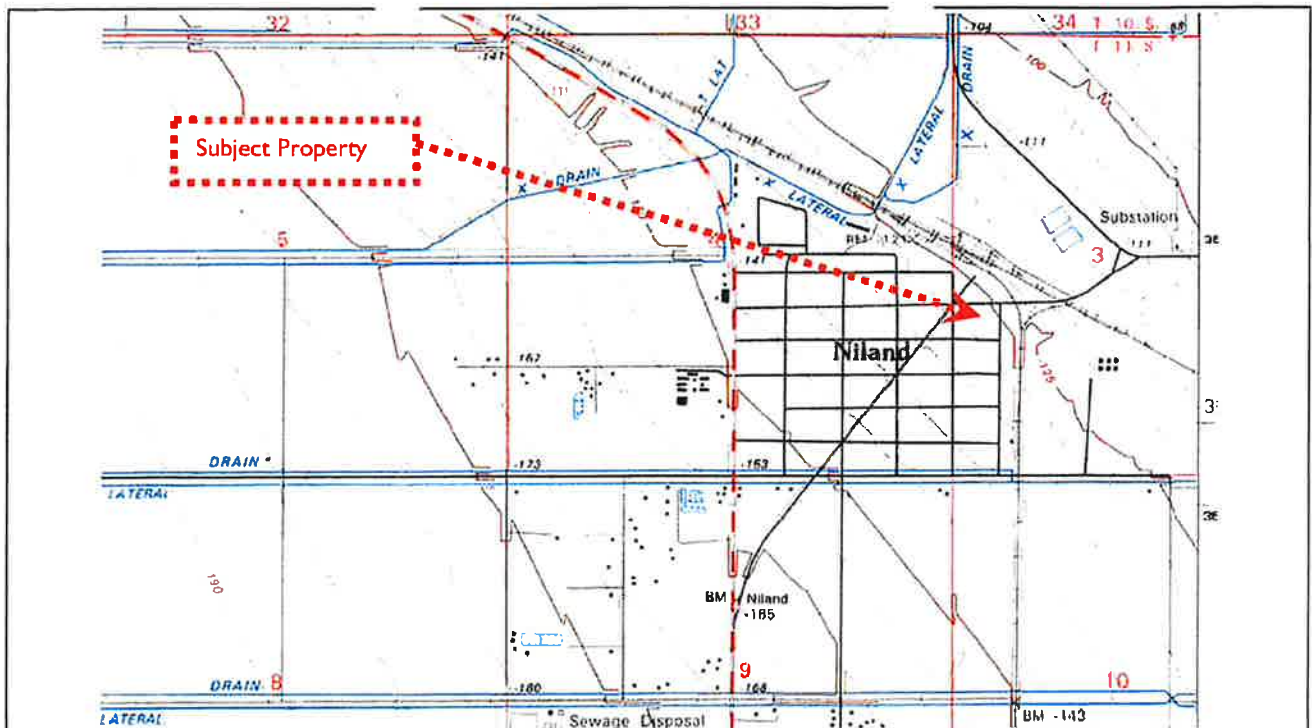
Comments on this proposed undertaking on effects to historical properties or resources may be referred to GE²G via phone 510-238-8851, email sgeist@geistenvironmental.com or in writing to GE²G, 4200 Park Boulevard #149, Oakland California 94602 (please reference GE²G project number 311464 with any correspondence). Any comments within the next 30-days would be greatly appreciated. If you have any inquiries or would like any additional information, please contact me at (510) 238-8851.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stephen T. Geist', is written over a faint, light blue circular stamp or watermark.

Mr. Stephen T. Geist, President
GE²G

Topographic Map, Street Map, Aerial Map, Building picture and Drawings



**Figure 1: USGS Topographic Map Niland CA - dated 1992
Subject Property: Niland Central Office (source USGS)**

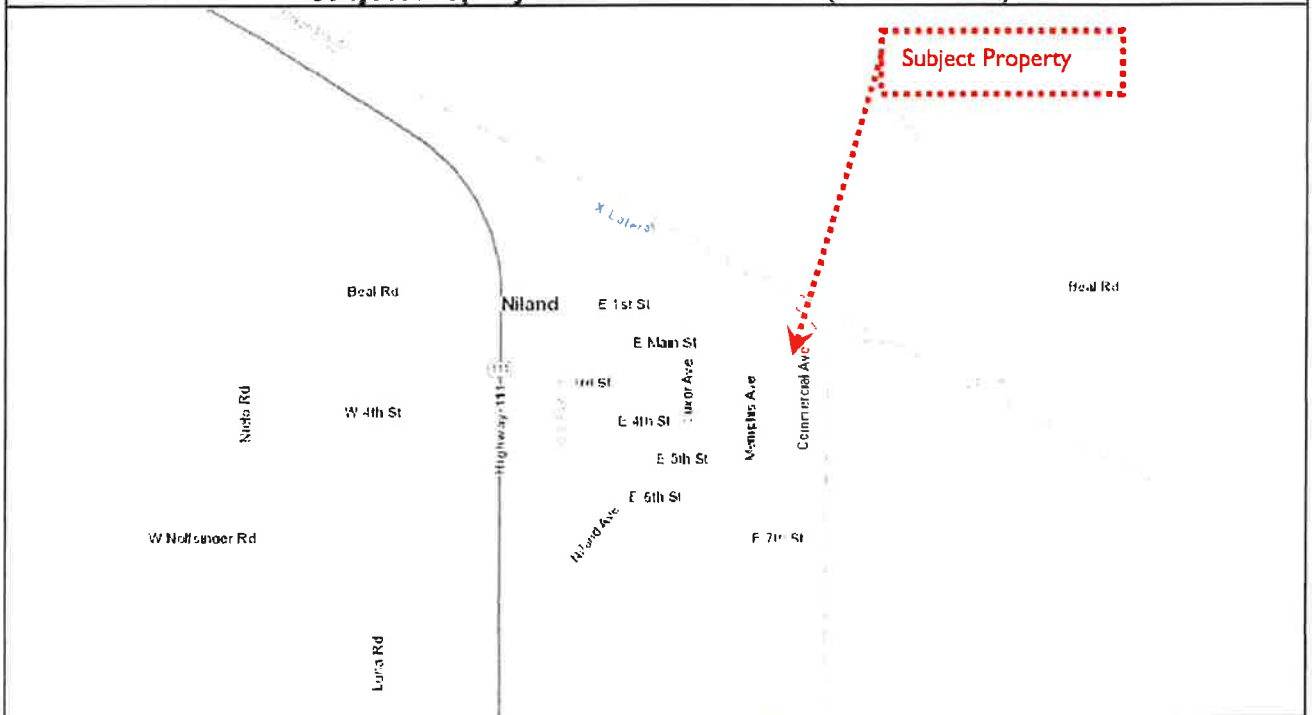


Figure 2: Street Map Subject Property: Niland Central Office (Source USGS)



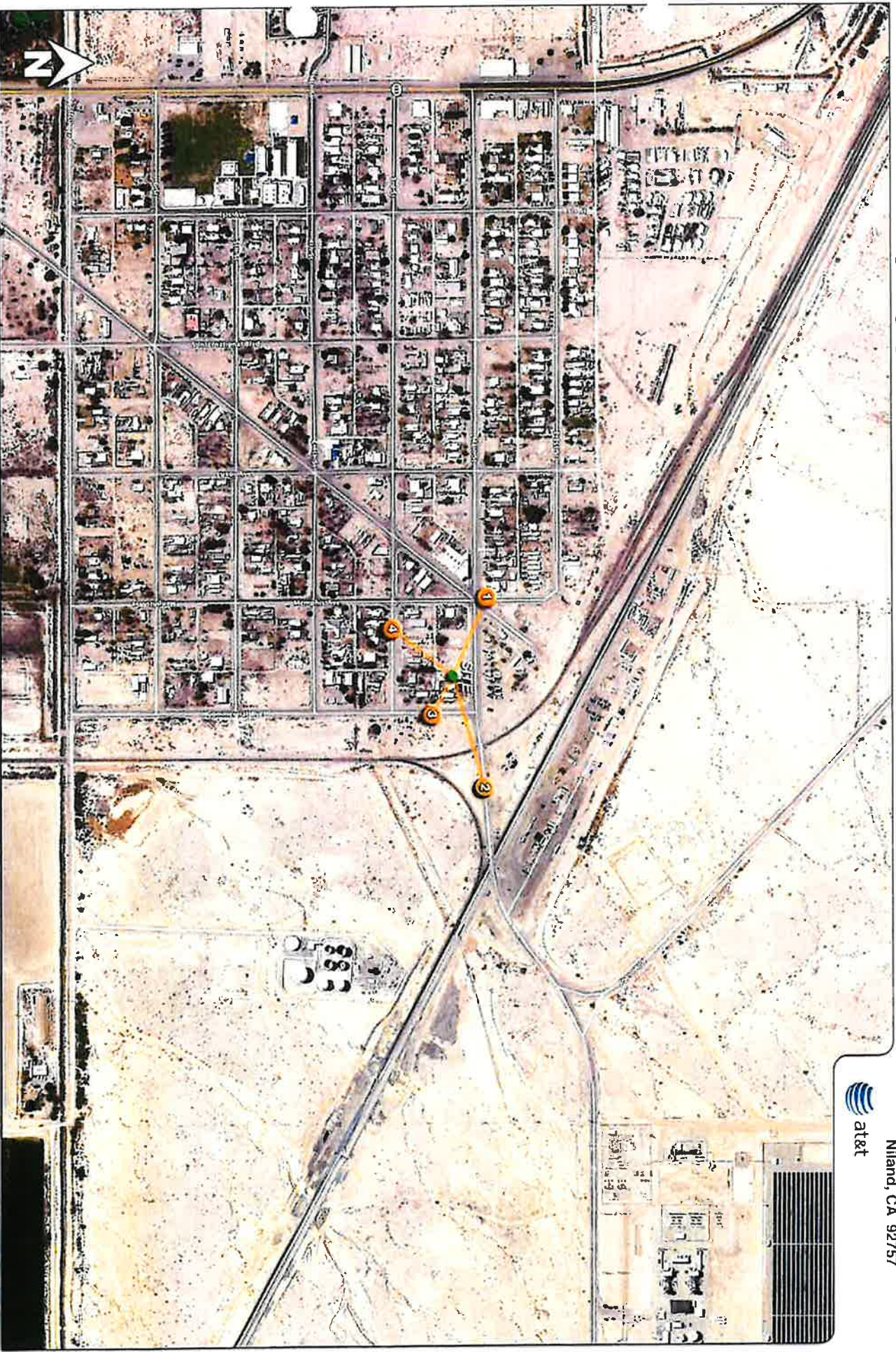
Figure 3: Aerial Subject Property: Niland Central Office (Source Google Maps)



Figure 4: Picture of Subject Property Host Front North Elevation of the Building: Niland Central Office (Source GE²G)

GEIST ENGINEERING AND ENVIRONMENTAL GROUP, INC.
4200 Park Boulevard #149, Oakland, California 94602
510.238.8851 (p) / sgeist@ge2g.com
Field Offices: Arizona, California, Colorado, Oregon, and Washington

Aerial photograph showing the viewpoints for the photosimulations.



AT&T Niland / SOF
315 E Main St
Niland, CA 92757


1



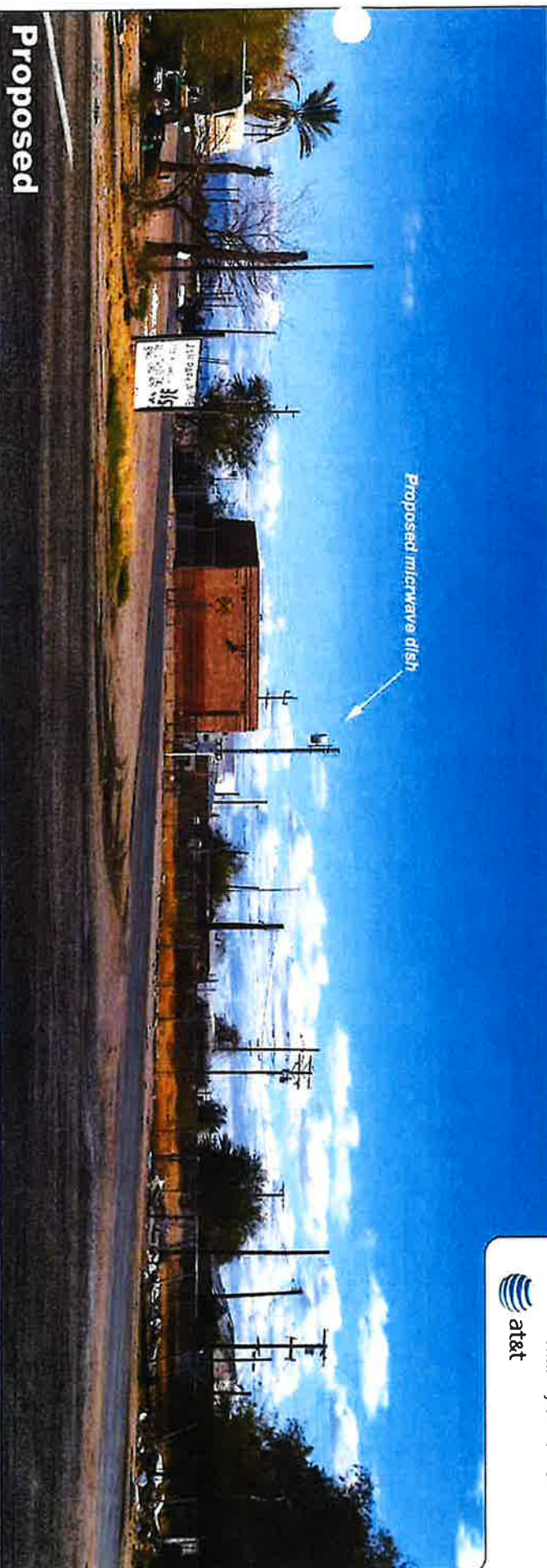
Existing

Photosimulation of the view looking southeast from Niland Ave across Main St.

AT&T Niland / SOF
315 E Main St
Niland, CA 92757



Proposed microwave dish



Proposed


2



Existing

Photomulation of the view looking west along Main Street at the railroad tracks.

AT&T Niland / SOF
315 E Main St
Niland, CA 92757




Proposed



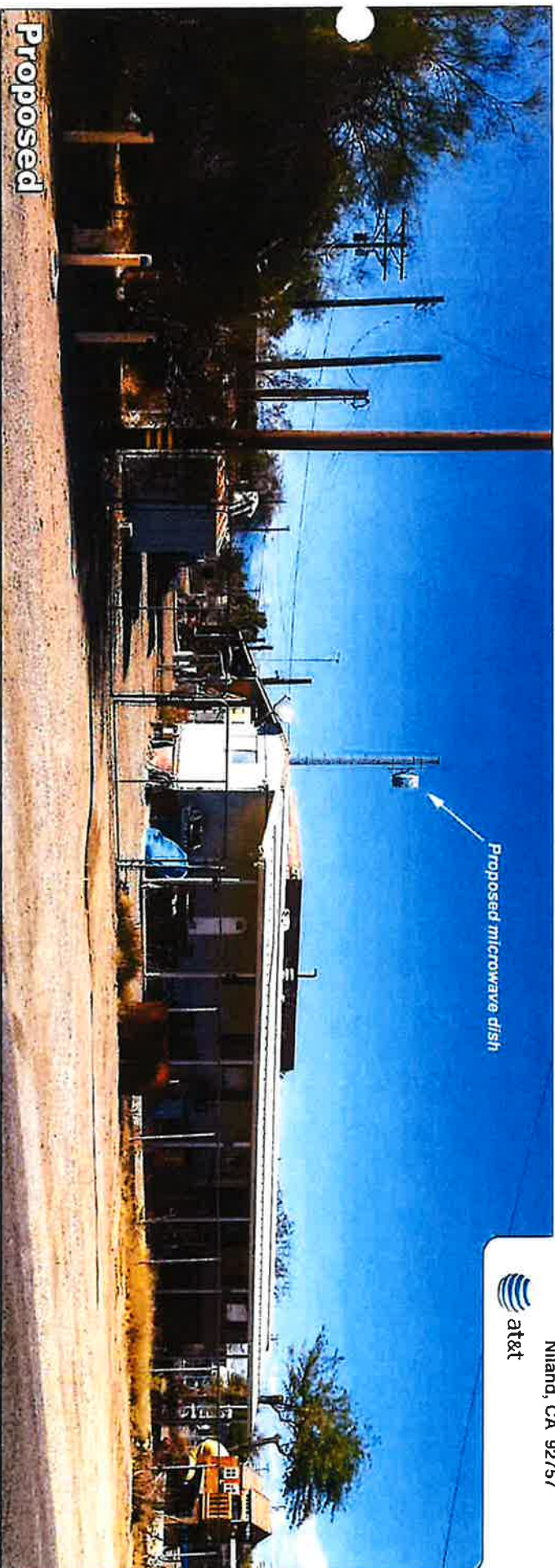
Existing

Photosimulation of the view looking northwest from Commercial Ave.

AT&T Niland / SOF
315 E Main St
Niland, CA 92757



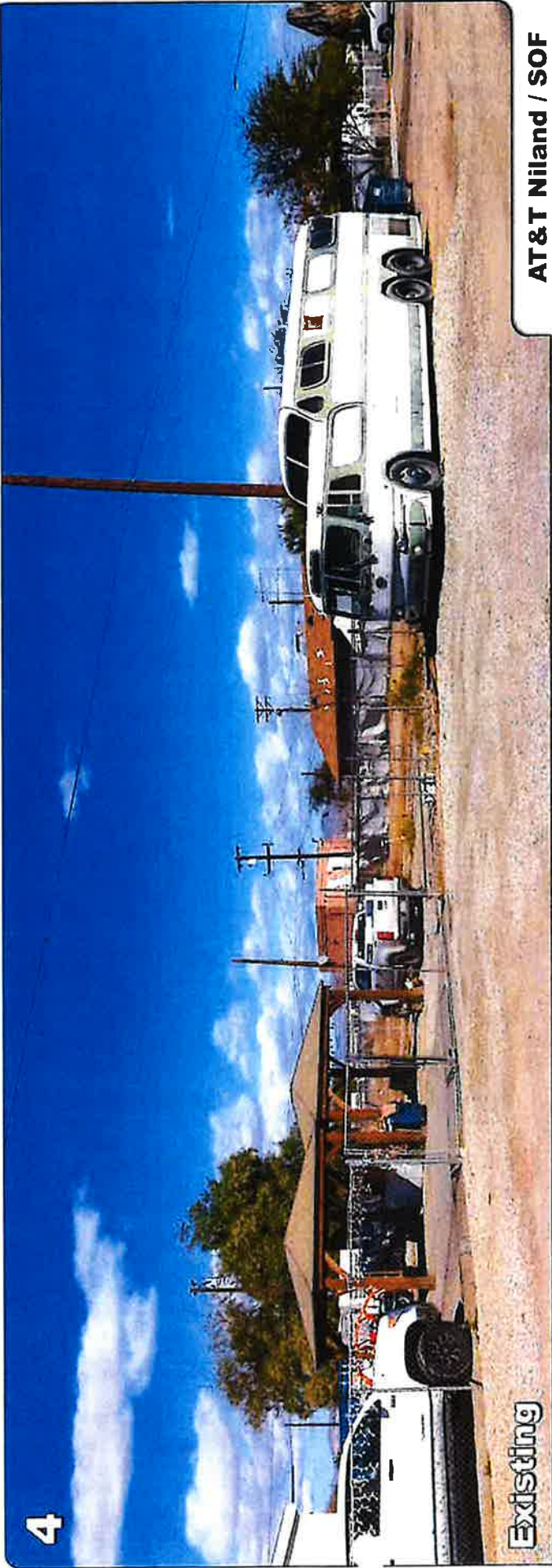
at&t



Proposed

Proposed microwave dish

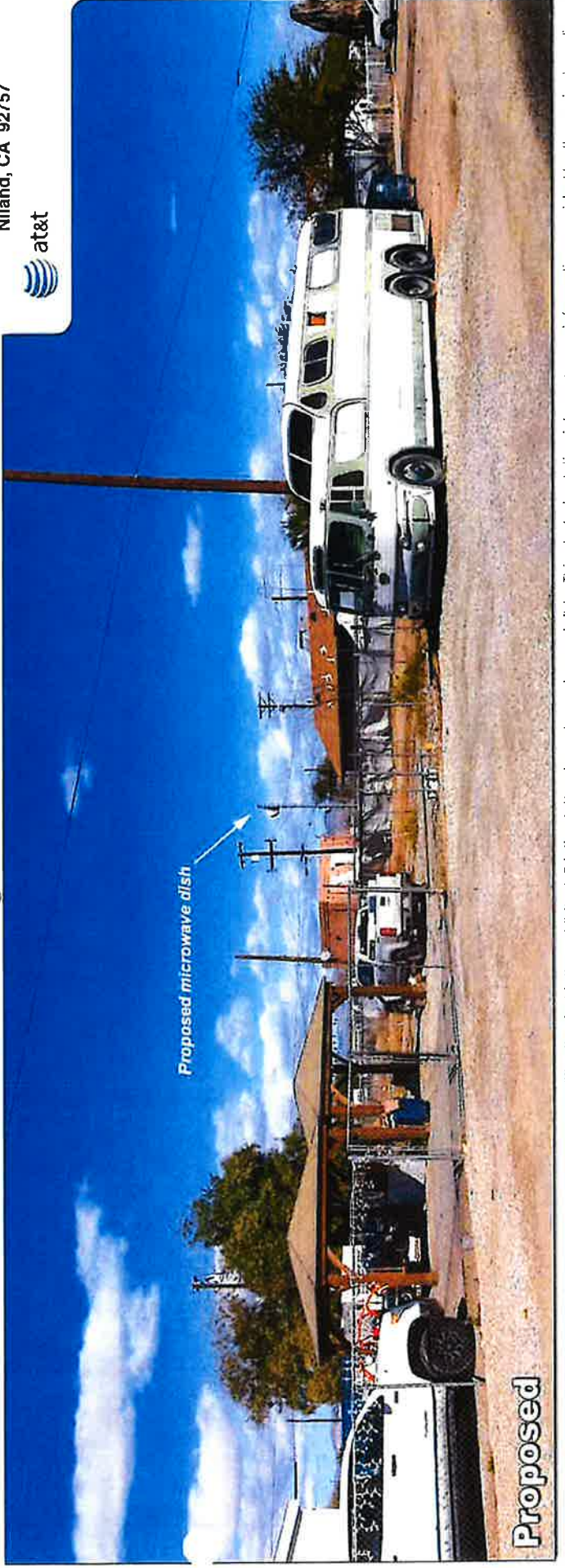
© Copyright 2021 PhotoSimU.com • www.photosim.com • Any modification is strictly prohibited. Printing letter size or larger is permitted. This photosimulation is based upon information provided by the project applicant.



Photosimulation of the view looking northeast from 3rd Street.

AT&T Niland / SOF

315 E Main St
Niland, CA 92757



C. ALUC SECTION

Policies

1. SCOPE OF REVIEW

1. Geographic Area of Concern

The Imperial County Airport Land Use Commission's planning area encompasses:

1. *Airport Vicinity* - All lands on which the uses could be negatively affected by present or future aircraft operations at the following airports in the County and lands on which the uses could negatively affect said airports. The specific limits of the planning area for each airport are depicted on the respective *Compatibility Map* for that airport as presented in Chapter 3.
 - (a) Brawley Municipal Airport.
 - (b) Calexico International Airport.
 - (c) Calipatria Municipal Airport.
 - (d) Holtville Airport.
 - (e) Imperial County Airport.
 - (f) Salton Sea Airport.
 - (g) Naval Air Facility El Centro.

2. *Countywide Impacts on Flight Safety* - Those lands, regardless of their location in the County, on which the uses could adversely affect the safety of flight in the County. The specific uses of concern are identified in Paragraph 2.
3. *New Airports and Heliports* - The site and environs of any proposed new airport or heliport anywhere in the County. The Brawley Pioneers Memorial Hospital has a heliport area on-site.

2. **Types of Airport Impacts**

The Commission is concerned only with the potential impacts related to aircraft noise, land use safety (with respect both to people on the ground and the occupants of aircraft), airspace protection, and aircraft over-flights. Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are beyond the scope of this plan. These impacts are within the authority of other local, state, and federal agencies and are addressed within the environmental review procedures for airport development.

3. **Types of Actions Reviewed**

1. *General Plan Consistency Review* - Within 180 days of adoption of the *Airport Land Use Compatibility Plan*, the Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies. Until such time as (1) the Commission finds that the local general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or (2) the local agency has overruled the Commission's determination of inconsistency, the local jurisdiction shall refer all actions, regulations, and permits (as specified in Paragraph 3) involving the airport area of influence to the Commission for review (Section 21676.5 (a)).
2. *Statutory Requirements* -As required by state law, the following types of actions shall be referred to the Airport Land Use Commission for determination of consistency with the Commission's plan *prior to their approval* by the local jurisdiction:

- (a) The adoption or approval of any amendment to a general or specific plan affecting the Commission's geographic area of concern as indicated in Paragraph 1 (Section 21676 (b)).
- (b) The adoption or approval of a zoning ordinance or building regulation which (1) affects the Commission's geographic area of concern as indicated in Paragraph 1 and (2) involves the types of airport impact concerns listed in Paragraph 2 (Section 21676 (b)).
- (c) Adoption or modification of the master plan for an existing public-use airport (Section 21676 (c)).
- (d) Any proposal for a new airport or heliport whether for public use or private use (Section 21661.5).

3. *Other Project Review* - State law empowers the Commission to review additional types of land use "actions, regulations, and permits" involving a question of airport/land use compatibility if either: (1) the Commission and the local agency agree that these types of individual projects shall be reviewed by the Commission (Section 21676.5 (b)); or (2) the Commission finds that a local agency has not revised its general plan or specific plan or overruled the Commission and the Commission requires that the individual projects be submitted for review (Section 21676.5 (a)). For the purposes of this plan, the specific types of "actions, regulations, and permits" which the Commission shall review include:

- a) Any proposed expansion of a city's sphere of influence within an airport's planning area.
- b) Any proposed residential planned unit development consisting of five or more dwelling units within an airport's planning area.
- c) Any request for variance from a local agency's height limitation ordinance.
- d) Any proposal for construction or alteration of a structure (including antennas) taller than 150 feet above the ground anywhere within the County.

- e) Any major capital improvements (e.g., water, sewer, or roads) that would promote urban development.
- f) Proposed land acquisition by a government entity (especially, acquisition of a school site).
- g) Building permit applications for projects having a valuation greater than \$500,000.
- h) Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

4. Review Process

1. *Timing of Project Submittal* - Proposed actions listed in Paragraph 3.1 must be submitted to the Commission for review prior to approval by the local government entity. All projects shall be referred to the Commission at the earliest reasonable point in time so that the Commission's review can be duly considered by the local jurisdiction prior to formalizing its actions. At the local government's discretion, submittal of a project for Airport Land Use Commission review can be done before, after, or concurrently with review by the local planning commission or other local advisory bodies.
2. *Commission Action Choices* - When reviewing a land use project proposal, the Airport Land Use Commission has a choice of either of two actions: (1) find the project *consistent* with the *Airport Land Use Compatibility Plan*; or, (2) find the project *inconsistent* with the Plan. In making a finding of inconsistency, the Commission may note the conditions under which the project would be consistent with the Plan. The Commission cannot, however, find a project consistent with the Plan subject to the inclusion of certain conditions in the project.

3. *Subsequent Review*- Once a project has been found consistent with the *Airport Land Use Compatibility Plan*, it need not be referred for review at subsequent stages of the planning process (e.g., for a general plan amendment and again for a zoning change) unless: (1) major changes to the project are made during subsequent review and consideration by the local jurisdiction; or (2) the local jurisdiction agrees that further review is warranted.

4. *Response Time* - The Airport Land Use Commission must respond to a local agency's request for a consistency determination on a project within 60 days from date of acceptance/referral (Section 21676 (d)). If the Commission fails to make the determination within that period, the proposed action shall be deemed consistent with the *Airport Land Use Compatibility Plan*. Regardless of Commission action or failure to act, the proposed action must also comply with other applicable local, state, and federal regulations and laws.

(a) Matters referred to the Commission for review shall be deemed complete upon the date when all materials and information necessary for processing a project have been confirmed as received by Commission staff. Staff will inform the applicant, or local jurisdiction, in writing within ten working days after receipt of an item for consideration, whether more information is necessary or if the item will then be deemed complete and scheduled for formal review by the Commission.

(b) Necessary information may include final plans, acoustical reports, FAA Aeronautical Studies when deemed necessary for Commission review by staff. This procedure does not apply to screen check or draft environmental impact report responses which staff will respond to within the specified review period. Such official written confirmation of acceptance of a referral by staff within ten working days shall initiate the sixty-day review period pursuant to Public Utilities Code, Section 21676(d). If the applicant, or local jurisdiction, is not contacted by Commission staff by the sixth business day, they should contact the Planning/Building Department to verify receipt of the original referral package. Upon receipt of a complete referral for Commission review and consideration, the Commission Secretary shall schedule and agendaize said referral for the appropriate Airport Land Use Commission meeting.

Table 2A Continued Compatibility Criteria

Imperial County Airport Land Use Compatibility Plan

NOTES

- | | |
|--|--|
| <p>1 Residential development should not contain more than the indicated number of dwelling units per gross acre. Clustering of units is encouraged as a means of meeting the Required Open Land requirements.</p> <p>2 The land use should not attract more than the indicated number of people per acre at any time. This figure should include all individuals who may be on the property (e.g., employees, customers/visitors, etc.). These densities are intended as general planning guidelines to aid in determining the acceptability of proposed land uses.</p> <p>3 See Policy 2.5.</p> | <p>4 These uses typically can be designed to meet the density requirements and other development conditions listed.</p> <p>5 These uses typically do not meet the density and other development conditions listed. They should be allowed only if a major community objective is served by their location in this zone and no feasible alternative location exists.</p> <p>6 See Policy 3.4</p> <p>7 NLR = Noise Level Reduction; i.e., the attenuation of sound level from outside to inside provided by the structure.</p> |
|--|--|

BASIS FOR COMPATIBILITY ZONE BOUNDARIES

The following general guidelines are used in establishing the Compatibility Zone boundaries for each civilian airport depicted in Chapter 3. Modifications to the boundaries may be made to reflect specific local conditions such as existing roads, property lines, and land uses. Boundaries for NAF El Centro are modified in recognition of the differences between civilian and military aircraft characteristics and flight tracks.

- A The boundary of this zone for each airport is defined by the runway protection zones (formerly called runway clear zones) and the airfield building restriction lines.

Runway protection zone dimensions and locations are set in accordance with Federal Aviation Administration standards for the proposed future runway location, length, width, and approach type as indicated on an approved Airport Layout Plan. If no such plan exists, the existing runway location, length, width, and approach type are used.

The building restriction line location indicated on an approved Airport Layout Plan is used where such plans exist. For airports not having an approved Airport Layout Plan, the zone boundary is set at the following distance laterally from the runway centerline:

Visual runway for small airplanes	370 feet
Visual runway for large airplanes	500 feet
Nonprecision instrument runway for large airplanes	500 feet
Precision instrument runway	750 feet

These distances allow structures up to approximately 35 feet height to remain below the airspace surfaces defined by Federal Aviation Regulations Part 77.

- B1 The outer boundary of the Approach/Departure Zone is defined as the area where aircraft are commonly below 400 feet above ground level (AGL). For visual runways, this location encompasses the base leg of the traffic pattern as commonly flown. For instrument runways, the

altitudes established by approach procedures are used. Zone B1 also includes areas within 1,000 feet laterally from the runway centerline.

- B2 The Extended Approach/Departure Zone includes areas where aircraft are commonly below 800 feet AGL on straight-in approach or straight-out departure. It applies to runways with more than 500 operations per year by large aircraft (over 12,500 pounds maximum gross takeoff weight) and/or runway ends with more than 10,000 total annual takeoffs.

- C The outer boundary of the Common Traffic Pattern Zone is defined as the area where aircraft are commonly below 1,000 feet AGL (i.e., the traffic pattern and pattern entry points). This area is considered to extend 5,000 feet laterally from the runway centerline and from 5,000 to 10,000 feet longitudinally from the end of the runway primary surface. The length depends upon the runway classification (visual versus instrument) and the type and volume of aircraft accommodated. For runways having an established traffic solely on one side, the shape of the zone is modified accordingly.

- D The outer boundary of the Other Airport Environs Zone conforms with the adopted Planning Area for each airport.

sm/Imprcit.