
**PLUMAS COUNTY
PLANNING COMMISSION**

Minutes of the Meeting of February 16, 2012

PLANNING COMMISSION MEMBERS

Mark Dotta, *Commissioner* (District 1)
Betsy Schramel, *Chair* (District 2)
Richard Rydell, *Commissioner* (District 3)

Larry Williams, *Commissioner* (District 4)
John Olofson, *Vice Chair* (District 5)



I. CALL TO ORDER

The Plumas County Planning Commission (*the Commission*) convenes in a meeting on February 16, 2012, at 10:04 a.m. in the Planning and Building Services Conference Room, Quincy, CA; Chair Betsy Schramel presiding.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: Schramel, Olofson, Dotta, Williams & Rydell (*Rydell attends telephonically at 7310 Winding Oaks Drive, Colorado Springs, CO, a public place where other members of the public can participate in the meeting*)

Commissioners Absent: None



Also in attendance (Supervisors, Consultants, County Staff):

Terry Swofford, *Supervisor*
Randy Wilson, *Director - Planning*
Rebecca Herrin, *Senior Planner*
Nancy Fluke, *Recording Secretary*

IV. ELECTION OF OFFICERS

Schramel opens discussion concerning the election of Planning Commission officers. Williams makes the motion to re-elect Schramel as the Chair of the Planning Commission. Olofson seconds the motion, and a unanimous affirmative voice vote is recorded. Dotta makes the motion to re-elect Olofson as the Vice Chair of the Planning Commission. Williams seconds the motion, and a unanimous affirmative voice vote is recorded.

V. CONSENT ITEMS:

A. ITEMS TO BE CONTINUED OR WITHDRAWN FROM THE AGENDA

Wilson states that John Benoit, Executive Officer – LAFCo, is in Quincy today and would be able to speak at this meeting if the Commissioners approve with at least a 4/5 roll call vote to amend the agenda. The Commissioners discuss and agree to add Benoit to the agenda (as *Item IX C*). The following roll call vote is recorded: Schramel – Aye, Olofson – Aye, Rydell – Aye, Dotta – Aye, Williams – Aye. Motion is passed.

Schramel calls for a motion to approve the amended agenda for February 16, 2012. Motion is made by Dotta, seconded by Williams, with a unanimous affirmative voice vote recorded.

B. APPROVAL OF MINUTES

Schramel calls for a motion to approve the revised minutes from September 22, 2011. Motion is made by Williams, seconded by Olofson, with a unanimous affirmative voice vote recorded.

Schramel calls for a motion to approve the minutes from December 15, 2011. Motion is made by Dotta, seconded by Williams, with a unanimous affirmative voice vote recorded.

Schramel calls for a motion to approve the minutes from January 5, 2012. Motion is made by Olofson, seconded by Dotta, with a unanimous affirmative voice vote recorded.

VI. COMMISSIONER REPORTS / COMMENTS

Olofson points out that he has provided copies of several interesting articles mostly pertaining to home agriculture; and Schramel shares a brochure that pertains specifically to Plumas County home agriculture efforts. Schramel also describes a brochure from the Feather River Land Trust titled, "*Sierra Valley Birders Guidebook*," and points out that Harry Reeves of the local Audubon Society provided the artwork for this resource.

VII. PUBLIC COMMENT OPPORTUNITY – *No comments*

VIII. TAYLOR LAKE PROPOSED LAND

Terri Simon-Jackson, Planning Staff Officer (PNF), provides a review of the handouts pertaining to the proposed Taylor Lake / Mammoth Mountain Ski Area land exchange. Simon-Jackson points out that there have been discussions regarding a Taylor Lake land exchange for roughly the past 30 years. Simon-Jackson adds that the whole process is quite lengthy. Following Simon-Jackson's comments regarding the land exchange proposal, a conversation ensues concerning other land exchange scenarios that have taken place in Plumas County.

IX. GENERAL PLAN UPDATE PROCESS

A. CONSULTANT TEAM'S REPORT

1. STATUS ON CONSULTANT PRODUCTS

Wilson states that the deadline has passed for comments to be received on the *Notice of Preparation to Prepare a Program Environmental Impact Report for the 2030 Plumas County General Plan Update*. Wilson adds that a few "stragglers" have arrived and they have been included in the comment packet that the Commissioners received. Wilson continues that the comments will be used by the consultant to frame the analysis for the General Plan update. Wilson provides a review of the summary handout prepared by the consultant, Ray Weiss, which includes the public scoping comments and the written comments on the Notice of Preparation. Discussion ensues with a focus on the comments from Katy Sanchez - *Native American Heritage Commission*, John Benoit - *Plumas LAFCo*, Harry Reeves - *Audubon Society*, Dr. W. Trent Saxton, DC, and Feiger & Breon - *Sierra Nevada Alliance*. Wilson elaborates further on the *Sierra Nevada Alliance* comments (memorandum dated 2/6/12) which he says was not sent directly to the Planning Department; however, it was forwarded to him and therefore it became public. Wilson states that he decided to include it in the comment packet because, as he understands it, there were discussions between someone (name not identified) at *Sierra Nevada Alliance (SNA)* with Stevee Duber of *High Sierra Rural Alliance (HSRA)* regarding the Plumas County General Plan; therefore, he feels it is valid to take time to discuss this memorandum in more detail. Wilson sees this memorandum as a comment on how our Draft General Plan deals with agriculture in relation to how the Sierra County General Plan deals with agriculture. Simon-Jackson asks Wilson what is meant by memorandum in the heading of this material. Harry Reeves, of the Audubon Society, states that he can provide background information regarding the memorandum. Reeves states that *SNA* has formed what they call a *coalition* of primarily environmentalists to deal with the Plumas County General Plan. Reeves continues that he is on their mailing list and at times in touch with them; however, he does not consider himself as being a member of any coalition. Reeves states that this memorandum was sent out to *SNA's* coalition mailing list as comment points to be made in comment letters by members of the coalition. Reeves explains that he was very careful in developing his own comments that were rather general, not like Sierra Pacific Industries' dream plan or the environmental dream plan. Reeves adds that the comments suggested by the coalition were specific and he didn't want to use those comments. Reeves says he feels the coalition's comments are in the public venue since they were sent out to the mailing list, and he believes it is proper to look at them. Wilson asks Reeves to clarify whether these comments were intended to be a template for people to use, and Reeves responds affirmatively. Wilson adds that he does not believe they have received any letters with comments worded similarly to the memorandum. Simon-Jackson asks Wilson to verify whether the memorandum is a public comment; and Wilson says because it was emailed to him, it then constituted a public comment; and he therefore entered it into the record as a valid public comment. Wilson reads from page two of the memorandum as follows:

During the scoping meeting held in January, there were suggestions to look at more development-intensive alternatives. The idea may have been to show how damaging unrestricted development could be.

Wilson states this was the point Michael Jackson, Attorney, made at the Scoping Meeting. Wilson continues reading as follows:

"This approach may be valid, but we are concerned that negotiations tend to end somewhere in the middle, so this approach might also swing the preferred alternative towards more development.

Williams comments, "Correct me if I'm wrong, but weren't we (the Commission) mandated to show a 'worst case scenario' as opposed to no environmental approach?" Wilson answers, "A 'reasonable range' of alternatives, yes." Williams adds, "It's something that we're required to do anyway." Wilson continues reading as follows:

SPI has submitted a letter asking for certain concepts to be considered as an alternative to the preferred alternative, and this has been agreed to, so we will both want to watch over that alternative closely and perhaps counter it in advance with another alternative of your own. Suggested Comment: Ask for a very development-constrained alternative, which will probably end up showing lessened environmental impacts in the DEIR and ideally swing the preferred alternative towards more concentrated development in the current planning areas. In particular, this alternative could strictly limit or even eliminate lot splits on lands zoned for timber production or agriculture. The Sierra County General Plan has some provisions to consider, and noting that a neighboring county has these provisions would imply that they could be feasible for Plumas County as well. Specifically, the Sierra County General Plan states in places:

Lot Splits

"As a result, the Land Use Diagrams designated the Sierra Valley floor and other agricultural areas Agricultural with no new lot splits allowed."

Wilson states that in our deliberation over the months, we talked about the 80 acre development on the Plumas County side of the Sierra Valley in developing the General Plan, and you ended up with a policy with the clustering in the least productive areas of the agricultural land; so in a way, you did consider this. Wilson asks the Commissioners if they want to discuss this more at this point. Dotta responds, no. Williams responds that he is comfortable with what they arrived at. Schramel responds that they looked at it from all directions. Simon-Jackson asks if they believe this group is asking to "upzone" as a part of the General Plan. Williams responds affirmatively. Wilson mentions that there was a decision by the Zoning Administrator on a project where they were dividing a project into 80 acre zoning and he ended up denying it because he didn't know what the resulting General Plan update would show. Wilson continues that it went to the Board of Supervisors on appeal and the project is now in a constant continuum pending the result of the Plumas County General Plan update. Wilson says the question on whether we were going to "downzone" to 640 acres has been a consideration and we've looked at these issues. For the record, Wilson adds that it appears they think the Planning Commission didn't look at these issues. Williams adds that the Commissioners have looked at these issues in depth many times. Olofson asks if this has to do with flood zones issues. Herrin comments that half of the Sierra Valley is in a conservation easement right now with no further development, plus there is the flood plain. Wilson adds that for the record, the Planning Commissioners have examined the issues of agriculture and agricultural viability and you recognize that agricultural viability is not a very simple thing. Wilson continues that high altitude agricultural has marginal returns at times and the policies you have recommended #1. to go to a

clustering scenario on the least productive side of the land, and #2. to allow those agricultural properties to have some broadened other uses, are all a part of your deliberations for the General Plan. Wilson adds that another thing he wants to put on the record is that the Planning Commission has had a very open General Plan Update process and that at any time, SNA and HSRA could have been a part of the process by attending meetings and stating their complaints to the Planning Commission. Wilson adds that even though they have been notified, they have not participated and voiced their concerns. Wilson continues his review of the memorandum at the paragraph on page two with the heading *Lot Splits* and reads as follows:

Lot Splits

"The Land Use Diagrams for each community were refined after input a public workshops in each community. The Community Core Areas include more intense land uses (such as commercial) and residential densities from Multiple Unit (8-12 units/acre) up to 10 acre lots. Community Influence Areas surround the Community Cores when appropriate and provide for larger lot sizes (over 10 acres to 40 acres) which require lesser level of public facilities but which would not be appropriate in resource production and protection areas. Outside this area, no new lots splits would be allowed. The intent is to:

- *Provide ample area for growth projected with the Community*
- *Core and Community Influence Areas*
- *Provide for the most cost effective provision of public facilities and services*
- *Avoid environmental constraints*
- *Build on existing communities and encourage compact, non-sprawling communities."*
[Sierra County GP p. 1-26]

Williams comments, "Well, isn't that what we did when we were trying to do the infill?" Schramel adds, "That is exactly what we did." Wilson continues to read as follows:

Sierra County does not allow lot splits in either their TPZ or General Forest zoning districts. Suggesting that Plumas consider the same in their EIR would provide a good comparison with what SPI has asked to be evaluated.

- **The definition of the term "development."**
 - *"Development" is used in a variety of ways throughout the General Plan, which could lead to some confusion. For example:*
 - *Under "Definitions," "The term 'development' in the General Plan means lot creation, condominium projects, or utilization of commercial, multi-family residential or industrial parcels" (p. 35).*
 - *Under the "Economics" element, "The Economics Element of the Plumas County General Plan is intended to articulate a set of long-range goals for economic development within the County and to provide a framework of policies that the County will enact in order to help achieve..." (p. 93)*
 - *Suggested comment: Encourage the preparers to more consistently define and use the term "development" in order to differentiate between lot creation, economic growth and building construction.*

Wilson comments that he isn't sure what that means. Reeves expresses his thoughts that SNA doesn't just want to change the definition of the word "development," they want the word to establish policy; whereas we want the word to define a situation. Wilson continues reading as follows:

- **Timber Production Zones (TPZ) and possible designation changes – implications for both development and land values.**
 - *TPZ vs General Forest designations – TPZ allows one residential unit per 160 acres and cannot be divided into lots smaller than 40 acres. General Forest also allows a wider range of uses on the land.*

- *Even if SPI chose not to try to sell off or develop additional parcels, changes in zoning or allowable units on TPZ parcels could increase land values, making it harder for land conservation organizations to acquire forested lands in the area or making the purchase of carbon credits (a relatively new way to protect forests) more expensive.*

Wilson inserts that rezoning to smaller parcel sizes could mean higher costs to those buying conservation easements; but remember, zoning does not give you the right to subdivide—there's another process involved. Wilson adds that even if you could do a subdivision in TPZ land, in terms of the zoning it doesn't give you the right to actually get it—you have to go through the subdivision process and you have to be consistent with all other policies of the General Plan, plus, it would have to have a CEQA review. Wilson continues reading as follows:

- *Suggested Comment: Ask the DEIR to evaluate the cumulative effects of rezoning TPZ designated lands to other designations, such as General Forest. Would this allow wider land uses, including residential and commercial development, affect air quality, water quality, traffic, emergency service response, noise, and the traditional uses that create long-term jobs and contribute to Plumas County's rural character?*

Olofson shares that he sees the hand of a particular Sierra County Planning Commissioner throughout this memorandum; and to keep things in perspective, the Plumas County Planning Commission should keep in mind that Sierra County's General Plan has a history of being problematic. Schramel contributes that at this point in time, growth isn't needed in Plumas County; but we should keep in mind that ultimately Plumas County has a right to its own General Plan.

- *Suggested Comment: Would allowing more lot splits in the TPZ zone or rezoning to General Forest mean that existing timber operations would be less economically viable, more difficult to manage, and/or have more conflicts with neighbors? Larger operations are generally easier to manage economically, and when even a few lots are split off in an area, it can lead to a less sustainable operation and, then a cascade of more lot formation and the associated environmental impacts.*
- *Suggested Comment: Ask whether changes in zoning or allowable units and uses on TPZ lands would increase land values and thus interfere with any established plans in the region to acquire additional lands for conservation. This may seem obscure, but the CEQA guidelines do recognize interference with an established land conservation plan as a potential significant impact on the environment.*
- **Lot splits of less than 5 lots** – concern regarding potential for this exemption to be significant and how to control it within the GP or EIR. The current draft of the GP would allow lot splits of less than 5 lots in certain zones to occur easily. While each of such splits might have negligible impact, their cumulative effect could be considerable.
 - *The population in Plumas County is projected to grow at 1% annually for the foreseeable future. This could mean as many as 100 new residences per year. If built within the areas planned for growth, environmental impacts will generally be lessened. If lot splits are allowed at levels currently supported by the General Plan outside the planning areas, this could be a serious strain on emergency services, economic sustainability, air quality, traffic, noise, and open space.*

Wilson and Herrin discuss the calculation that it would take 22 years to build-out the existing 2,200 existing un-built lots currently available. Williams comments that he doubts that the 1% annual growth rate would hold up, especially under the current economic conditions. Wilson adds that the County has lost approximately 1,000 people in the last ten years.

- *The adjacent Sierra County General Plan does not allow lot splits in Timber Production Zone (TPZ), General Forest, Agriculture or Grazing land or outside of the equivalent to Plumas' planning areas. This suggests that restricting lot splits is a reasonable and feasible way to reduce impacts from future development.*

Olofson states he honestly doesn't understand what this says, and adds that it is non-sensical if you've read our draft General Plan. Wilson states that there has been a very positive response to Plumas County's draft General Plan and it has been suggested that it could even serve as a template for other counties in the Sierra. Wilson continues that Plumas County is, above all, focused on what is right for Plumas County; and that if other Counties want to use our General Plan as a template, that's their choice. Simon-Jackson reminds that the context used for Sierra County's General Plan and Plumas County's General Plan may be totally different. Wilson talks about the difficulties making agriculture viable at the altitudes we live in, and that zoning alone won't keep agriculture in agriculture land. Herrin comments that she doesn't think the specific language in the memorandum is very good. Wilson adds that is all the more reason to review this material carefully. Herrin points out that SNA, or the coalition, doesn't know what has been discussed. Wilson continues reading as follows:

- *Suggested Comment: Ask the EIR consultants to evaluate and quantify the number and potential cumulative effects of the "less than five lot" lot splits in terms of impacts to open space, traffic, air quality, emergency services, etc.*
 - *If those impacts are determined to be potentially significant, then CEQA mandates that feasible mitigation measures be adopted to reduce or eliminate them. Thus, you can ask that feasible mitigation measures for those impacts be explored. Such mitigation measures could be performance based such as, for traffic, "Only lot splits that will generate no more VMT (vehicle miles traveled) than a similar lot split within the nearest planning area will be allowed." Or, for level of services, "Only lot splits that show that they will not increase distance-from-service compared to a similar lot split within the nearest planning area will be allowed."*

Williams asks if various agencies (i.e., fire, others) are made aware of a project, during the lot split process, and whether they are given an opportunity to comment. Wilson and Herrin answer affirmatively.

- *Because the lot splits are more rural and thus would typically generate more VMT and increase emergency response distances and times, most would not qualify under this mitigation standard.*
- *To get more sophisticated in response to inevitable complaints at such mitigation measures, you might suggest an alternate mitigation that the excess VMT or strain on emergency response of a rural lot split be allowed if measures are taken to reduce VMT response times by a similar amount elsewhere in the County (i.e., off-site mitigation). This might be done by paying into a program for safe pedestrian routes to school (an example for VMT) or similar programs. For emergency services, mitigation may include an impact fee to cover increased response costs, strict and enforced fuels reduction and fire-safe construction, landscaping and building design.*
- *Specific standards for secondary uses and structures "supporting" existing uses in agriculture and possibly other zoning districts.*
 - *During the GP process to date, people have expressed a desire to allow "accessory uses" for agricultural operations. We think of things like a farm stand in this category, which is fine, but experience shows that such accessory uses can come to dominate a property and cause significant impacts (an example might be a working ranch that adds a dude ranch lodging component, then enlarges that over time and proposes to add a nine-hole golf course or a music venue).*
 - *Here again, Sierra County provides an example. The following language is from the Sierra GP:*

Allowed

 - *Associated residences based on permitted lot size.*
 - *Agricultural uses, including production of timber.*
 - *Animal husbandry.*

- Commercial practices performed incidental to or in conjunction with agricultural operations including selling, processing, packaging, preparation for market and equipment storage and repair.
- Local non-commercial sand and gravel operations not exceeding 250 cubic yards and used upon the property from which the sand and gravel is being extracted.

Conditionally Allowed / Approval Criteria

- A limited range of small scale, ancillary activities related directly to the cultivation, harvest, processing, and sale of crops. Compatible ancillary uses shall not create significant visual, noise, or other nuisance for neighboring residents beyond those inherent in agricultural activities.

Any of the following characteristics will define a use as incompatible:

- Use of or construction of structures which do not have a traditional farm appearance.
- Use of more than 2000 square feet of structure for non-farm activities, excluding residential.
- Use of brightly colored awnings, multiple signs, or other features conveying a retail or "circus" appearance on-site or off-site.
- Outside, unscreened storage of more than five non-farm vehicles, resembling a storage, repair, or dismantling business.
- Regular use of purchased non-farm materials exceeding 30% of those used in processing or sales.
- Noise generation exceeding Noise Element standards.
- Bright and unshielded night lighting.
- Hazardous material storage not otherwise required for agricultural businesses.
- Prominent, unscreened non-farm parking and storage facilities.
- Local, non-commercial sand and gravel operations between 250 – 1,000 cu yards.

Williamson Act lands: Because the Williamson Act focuses on crop cultivation and harvest, and because it confers special tax benefits on affected lands, ancillary uses on these lands shall also:

- Enhance agricultural viability.
 - Enhance agricultural activities.
 - Exclude urban development on agricultural lands.
 - Generate revenues characteristic of agricultural operations while continuing to receive State subventions.
 - Maintain existing parcel sizes or create larger parcels.
 - Not be a use for which a suitable alternative site is available outside of Williamson Act contracted lands." (Sierra County GP, pp. 1-72, 1-73)
- *Suggested Comment: Ask the EIR consultants to evaluate impacts of such larger-scale ancillary structures, uses, and potential residential development under the current language. Suggest that language similar to Sierra County be in place to mitigate any potential impacts.*

Simon-Jackson questions whether putting this memorandum in the record at this meeting gives SNA standing considering the memorandum isn't addressed directly to Planning or the Planning Commission. Reeves comments, "One thing that I find disappointing is that Craig Freon who wrote this could easily be sitting here right now today and be a part of this discussion, and I don't really understand why they have chosen not to go that direction." Williams follows with the comment, "For one, we've extended the opportunity on multiple occasions. Dotta contributes, "It's easier to criticize something that you didn't participate in." Wilson states he wanted the EIR consultant to see this memorandum so they have a "heads up" and can look at it in the analysis. Wilson continues, "I wanted to discuss it (the memorandum) because I believe a lot of the points that are raised in this letter we have gone through in the process of developing this General Plan." Schramel says that she views the memorandum as just suggestions. Wilson adds that a relevant point is that this memorandum went out to a lot of people who could have used some of this language and they haven't.

Schramel thanks Wilson for bringing this to the Planning Commission's attention. Wilson stresses that this Planning Commission has had a very open process for the General Plan update. Wilson adds that apparently there has been a recent staff change at the SNA; however, waiting for new staff to get up to speed is not a valid excuse for holding up Plumas County's General Plan update. Williams contributes, "It's obvious they feel they have legitimate concerns, but they never came to voice these concerns and they don't know what we have discussed or how often we have discussed them." Reeves states, "One thing I would like to make clear for myself is, although I participated in trying to know what's going on with the Alliance, I at no time have told anybody that I am a part of their coalition—I don't think the coalition exists." Wilson reiterates that the doors have been open. Williams ask if the Attorney, Jim Moose, will be reviewing the comments. Wilson responds affirmatively.

B. PUBLIC INPUT OPPORTUNITY – *No comments*

**C. PRESENTATION FROM JOHN BENOIT, PLUMAS LAFCO EXECUTIVE OFFICER
– *Added during Item IV-A***

John Benoit opens discussion by asking the Commissioners if they have specific questions they want to ask. Schramel asks if there will be municipal service reviews for other areas of Plumas County similar to the one done for Eastern Plumas County. Benoit responds that there is currently one being prepared for the Lake Almanor Basin. Benoit explains how districts are formed and dissolved, and how the State has mandated that the *Spheres of Influence* and the Municipal Service Reviews need to be periodically updated. Benoit talks about the relationship between a city and the county, and how they need to have discussions concerning similar development standards. Benoit talks about the membership of the current Plumas LAFCo and how LAFCo is funded; plus he mentions how LAFCo relates to the General Plan and CEQA. Schramel thanks Benoit for being willing to speak to the Planning Commission on such short notice.

X. INFORMATIONAL ITEMS

A. PLANNING DIRECTOR'S REPORT

Wilson states that he recently attended the Planning Director's conference, and he specifically mentions discussion on the following topics: solar ordinances; sales tax benefitting local jurisdictions; the Military & Forest Service collaboration (i.e. M-Cat); frustrations over Housing & Community Development; and, a CEQA exemption pertaining to infill.

Wilson reports that the Feather River Regional Water Management Group will resume having regular meetings starting on February 23rd. As an aside, but still pertaining to water matters, Wilson mentions that if the definition changes for "*beneficial use*" of water, it could have an effect on water rights and could impact the ranchers of Plumas County.

1. BOARD OF SUPERVISORS MEETINGS

The Board of Supervisors approved a contract with Kennedy/Jenks Consultants (Engineers & Scientists) to write a grant to update the Integrated Regional Water Management Plan for the upper Feather River.

Herrin mentions that the Board of Supervisors approved the application for the Sustainable Communities grant, and that the Planning Department has submitted that application.

2. ON-GOING PROJECT UPDATES – *No report*

XI. CORRESPONDENCE - *None*

XII. FUTURE AGENDA ITEMS

Discussion takes place whether there is a need for the Planning Commission to meet on March 1st. The Commissioners agree to cancel the March 1st meeting.

Items suggested for future agendas:

- Biomass article
- Invite Feather River Land Trust to give a presentation
- Review the Visioning Presentations/Reports from 2007

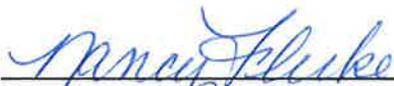
XIII. ADJOURNMENT

There being no further business, Schramel calls for a motion to adjourn the meeting of February 16, 2012. Motion is made by Olofson, seconded by Williams, with a unanimous affirmative voice vote recorded. The meeting adjourns at 12:47 p.m.

The next regularly scheduled Planning Commission meeting is set for March 15, 2012, at 10:00 a.m., in the Planning & Building Services Conference Room.



Betsy Schramel, Chair
Plumas County Planning Commission



Nancy Fluke, Recording Secretary
Plumas County Planning Department