

---

**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Meeting of February 10, 2010

---

The Plumas County Zoning Administrator convened in a meeting on February 10, 2010, at 10:13 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Randy Wilson, presiding. Senior Planner, James Graham, is in attendance.

**I. AGENDA**

The agenda is approved as submitted.

**II. PUBLIC COMMENT OPPORTUNITY**

No public comment is presented.

**III. RECONSIDERATION OF TENTATIVE PARCEL MAP & PLANNED DEVELOPMENT PERMIT: BANCHIO, MICHAEL & COLEEN; APN 004-210-055; T.26N/R.10E/S.22 MDM;**  
*Planner: James Graham*

Randy Wilson, Zoning Administrator, presents the proposal for a reconsideration of an approved tentative parcel map to reduce the number of parcels from 4 to 3 in order to reduce the length of required road improvements, and a Planned Development Permit to allow the use of a "T" turnaround in lieu of the normally required circular turnaround. This project is located at 9547 and 9613 North Valley Road, Taylorsville.

James Graham, Senior Planner, states this project was originally approved approximately two years ago. The amended tentative map was circulated to various County departments and State agencies and all of their comments have been incorporated as conditions of approval attached as Exhibit 4. Staff is recommending approval as set forth in the Staff Report. Wilson questions if CalFire had any comments. Graham replies that they approve the use of a "T" turnaround as shown on the tentative map. Wilson declares the hearing open at 10:15 a.m. Michael Banchio, owner/applicant, questions why they are now required to obtain an encroachment permit. Graham replies that it may not have been stated as a condition when the map was originally approved, but any time the use and intensity of a road that connects to a County roadway is changed, an encroachment permit is required. It wasn't stated previously, but it is a requirement, and to make it clear it was added as a condition of approval. Banchio also questions why he had to pay an additional fee for the "T" turnaround. Graham replies that the use of a "T" turnaround is only permitted through a Planned Development Permit, and there is a fee associated with it because it required further consultation with CalFire. Wilson adds that, administratively, the only way to give relief to the standards is through the Planned Development Permit process and that's why there is a fee. If a circular turnaround was built, a Planned Development Permit would not have been required. Graham explains that modification to normal development standards can only be accomplished through the use of a Planned Development Permit, and extra consultation with agencies is required. Under County Code, all roads, regardless of their length, require a turnaround. Driveways do not unless they are over 150' in length. This is considered a road and not a driveway because it's serving newly created lots. By development standards of County Code and the General Plan, all newly created lots have to be served by a roadway.

Wilson reviews each condition of approval to be sure they are fully understood by the applicants. With regard to Condition #4, Wilson questions if it is referring to grading activities associated with building permits or the actual improvement of the road. Graham replies that it is referring to building permits because improvement of the road is part of the improvement plans and would be constructed before the map could be recorded. Wilson amends Condition #4 to read “. . . grading activities *associated with building permits and driveways*. . .” With regard to Condition #9, Katy Stadter of the Engineering Department states she spoke with the Public Works Department and they feel the condition is no longer applicable. Wilson deletes Condition #9. There being no further comments, the hearing is closed at 10:31 a.m.

## **DECISION**

Wilson states he will take the actions recommended by staff: 1) After review and consideration, adopt Mitigated Negative Declaration #619 pursuant to Section 15074 of the state CEQA Guidelines, subject to Findings A through C, 2) Approve the Planned Development Permit subject to the conditions of approval outlined in Exhibit #4; and 3) approve the tentative parcel map subject to the conditions of approval outlined in Exhibit 4 with the deletion of Condition #9 and amendment of Condition #4 of the Staff Report with Findings A through D, making note that Finding D addresses OPR extension. Wilson notes there is a 10-day appeal period on these actions.

## **ENVIRONMENTAL DETERMINATION FINDINGS**

- A) It is found, on the basis of the Initial Study and the comments received, that there is substantial evidence, in light of the whole record, that the project will have potentially significant effect on the environment, but mitigations incorporated into the project plans will avoid the effects or mitigate the effects to a point where clearly no significant effects will occur.
- B) The proposed Mitigated Negative Declaration reflects the independent judgment of the Zoning Administrator and that the mitigation measures, agreed to by the applicant, will reduce potentially significant impacts to less than significant levels.
- C) The location and custodian of the documents which constitute the record of these proceedings is the Plumas County Planning Department, 555 Main Street, Quincy, California.

## **PLANNED DEVELOPMENT PERMIT FINDINGS**

- A) The “T” turnaround is justified because the modification is part of an integrated plan which reduces environmental impacts by reducing the amount of surface disturbance needed to achieve a turnaround which satisfies the requirements of Cal-Fire and the Indian Valley Community Service District with regard to adopted 4290 fire safe regulations.
- B) The applicant intends to complete the development in a reasonable time as set forth by the recordation time limits imposed by the subdivision map act.
- C) The proposed development conforms with the requirements of the General Plan as the project conforms with all policies and constraints and is consistent with the development standards for Moderate Opportunity areas as set forth below:

Areas designated as "Moderate Opportunity Areas – Secondary Suburban" shall conform to the following minimum development standards. If these services and roads are not already in existence, they will be required to be provided before development.

**Roads** - A parcels must be served by a public or private road designed and constructed to County Private Road Standards (Class 9 – rocked) and connecting to a paved, maintained County Road or State Highway.

*All parcels will be provided access by the proposed roadway which will be constructed to the County's Class 9 road standard. This roadway connects to North Valley Road, a paved maintained County roadway.*

- D) The proposed development is consistent with the existing General Plan because the Moderate Opportunity development standards are met and the density is not exceeded. There is a reasonable probability that the project will be consistent with the future adopted general plan because it is unlikely that density of the property will be increased due to the lack of services to the property. It is unlikely that the density will be decreased, because the property is served indirectly by a paved maintained County Road and is within the Indian Valley Community Services District which provides fire protection services. There is little or no probability that the project will be detrimental to or interfere with the future adopted general plan for the reasons set forth above. Should the property be down-zoned, the existing development would become lawful non-conforming.

#### **TENTATIVE PARCEL MAP FINDINGS**

- A) This project is consistent with the Plumas County General Plan Development Standards for Moderate Opportunity Areas as set forth below:

Areas designated as "Moderate Opportunity Areas – Secondary Suburban" shall conform to the following minimum development standards. If these services and roads are not already in existence, they will be required to be provided before development.

**Roads** - A parcels must be served by a public or private road designed and constructed to County Private Road Standards (Class 9 – rocked) and connecting to a paved, maintained County Road or State Highway.

*All parcels will be provided access by the proposed roadway which will be constructed to the County's Class 9 road standard. This roadway connects to North Valley Road, a paved maintained County roadway.*

- B) The proposed parcel map is consistent with the zoning provisions for the Secondary Suburban (S-3) designation because:

- All parcels satisfy the minimum parcel size of 3 acres.
- All parcels satisfy the minimum width of 150 feet.

- C) The site is physically suitable for the type of development and the proposed density of development; the design of the parcels is not likely to cause substantial environmental damage or substantially and

avoidably injure fish or wildlife or their habitat; the design of the parcels is not likely to cause serious public health problems; the design of the parcels will not conflict with easements, acquired by the public at large, for access through or use of property with the proposed parcels; and the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

- D) The proposed development is consistent with the existing General Plan because the Moderate Opportunity development standards are met and the density is not exceeded. There is a reasonable probability that the project will be consistent with the future adopted general plan because it is unlikely that density of the property will be increased due to the lack of services to the property. It is unlikely that the density will be decreased, because the property is served indirectly by a paved maintained County Road and is within the Indian Valley Community Services District which provides fire protection services. There is little or no probability that the project will be detrimental to or interfere with the future adopted general plan for the reasons set forth above. Should the property be down-zoned, the existing development would become lawful non-conforming

### **TENTATIVE PARCEL MAP & PLANNED DEVELOPMENT PERMIT CONDITIONS**

1. The Final Parcel Map shall be recorded by February 10, 2012, or an extension of time filed prior to that date or the map approval shall be voided.
2. The final parcel map shall be in substantial conformance with the Tentative Parcel Map received July 2, 2009, except as modified by the following conditions.
3. Any necessary utility easements shall be granted to the satisfaction of the appropriate utility agency.
4. A note shall be added to an additional information map which notes the following: "Prior to commencement of grading activities **associated with building permits and driveways**, a dust control plan shall be developed as required by the Northern Sierra Air Quality Management District."
5. A "Building and Grading Exclusion Area" shall be shown on an Additional Information Map over the "Sensitive Archaeological Feature" referred to in the Heritage Resource Survey prepared by McCombs Archaeology dated August, 2006, on file with the Planning Department.
6. A note shall be added to an additional information map which notes the following: "The California Department of Forestry and Fire Protection shall be contacted prior to any tree removal on the site."
7. Information notes regarding individual sewage disposal facilities and wells shall be shown on the Additional Information Map subject to review and approval of the Plumas County Department of Environmental Health and in conformance with that department's memo dated May 23, 2007.
8. The road and "T" turnaround serving parcels 1, 2 and 3 shall be improved to a County Class 9 road standard. Improvement Plans shall be required for these improvements, and shall be reviewed and approved by the Plumas County Engineering Department prior to recordation of the parcel map. Improvements shall be installed in conformance with Plumas County Code Sections 9-3.701 and 9-3.702.
9. A note shall be placed on an additional information map which states that emergency water for fire

protection shall be provided before final inspection for building construction as set forth in Article 10 of Chapter 4 of Title 9 of the Plumas County Code.

10. All existing easements shall be shown on the final map to the satisfaction of the Engineering Department.

***Zoning Administrator Notation:*** Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) days of the decision. If the tenth day lands on the weekend, the end of the appeal period will be the next working day. The appeal will need to be based on relevant information stated or submitted at or prior to this meeting by a commenting public member or representative, or certain County department heads as stated by County Code. There is a filing fee for the appeal and the fee information is available from Planning and Building Services.

**ADJOURN**

There being no further business, the meeting adjourns at 10:34 a.m. The next regularly scheduled Zoning Administrator meeting is set for March 10, 2010, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.

  
Randy Wilson, Zoning Administrator

  
Heidi Wightman, Department Fiscal Officer II