
**PLUMAS COUNTY
PLANNING COMMISSION**
Minutes of the Meeting of May 5, 2016

PLANNING COMMISSION MEMBERS:

Dr. Robert Abbott, *Commissioner* (District 1)
Dr. Shauna Rossington, *Vice Chair* (District 2)
Richard Rydell, *Commissioner* (District 3)
Larry Williams, *Chair* (District 4)
John Olofson, *Commissioner* (District 5)

I. CALL TO ORDER

The Plumas County Planning Commission (the *Commission*) convenes in a meeting on May 5, 2016, at 10:00 a.m. in the Planning and Building Services Conference Room, Quincy, CA; Vice Chair, Dr. Shauna Rossington, presiding, as the Chair, Larry Williams, is absent.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: John Olofson, Dr. Robert Abbott, Dr. Shauna Rossington, Richard Rydell (attending telephonically)

Commissioners Absent: Larry Williams

Also in attendance (Supervisors, consultants, and staff)

Supervisor Jeff Engel
Randy Wilson, Planning Director
Rebecca Herrin, Senior Planner

IV. PUBLIC COMMENT OPPORTUNITY

No public comment is given.

V. APPROVAL OF MINUTES OF APRIL 7, 2016

Shane Vargas, of the California Department of Forestry and Fire Protection (CALFIRE), requests a clarification to the minutes, specifically the statement that he “explains that if the fire safe regulations are adopted into the County Code, CalFire then has no jurisdiction and the County would need to enforce the regulations.” Vargas states that he does not have authority to enforce County Codes, but he does enforce PRC 4290 for the State.

VI. PLANNING DIRECTOR’S REPORT

Randy Wilson, Planning Director, reports that he continues to work on the Integrated Regional Water Management plan (IRWM) and that there will be a meeting on May 20, 2016.

The Plumas County Coordinating Council has a meeting scheduled for that afternoon at 1:00 pm to discuss Federal and State issues.

Wilson states that inquiries to the Planning Department regarding building permits, businesses, etc., have increased.

Commissioner Rydell questions the email sent by Wilson about new requirements for General Plans. Wilson responds that he has been in contact with Jonathan Kusel and the new requirements do not apply to rural counties, but it has yet to be determined how this will impact Plumas County. This issue will be revisited with the next Housing Element update.

Planning is working at keeping up with legislative changes.

Commissioner Rydell states that the Housing Element needs to be updated.

Wilson responds that it is not a high priority item, although Plumas County's Housing Element is relatively simple; the update is tied to Community Development Block Grant (CDBG) funding and currently there are no new proposals to use these funds.

Commissioner Abbott enquires about a schedule for the cannabis ordinance. Wilson responds that there is no date yet for the meetings. He will be attending a meeting in Sacramento with Tim Gibson, the county's Agricultural Commissioner. The meeting will be with the new head of the Bureau of Medical Marijuana Regulation. There is new legislation on the horizon regarding refinements in the MMSA, such as taxation and intoxicated driving, but Wilson does not anticipate changes in the permitting structure for commercial delivery and dispensing, even if recreational use is approved in November. There is at least one ballot member qualified to be on the ballot in November. Personal use grows will still need to be dealt with. The landscape is changing and this will need to be kept in mind when writing the ordinance. Wilson reiterates that the County has the ability to tax the commercial side.

Wilson is encouraging people to wait for the ordinance before making investment into potential opportunities for commercial growing and use.

VII. PLANNING COMMISSION REVIEW OF PLUMAS COUNTY ORDINANCES IMPLEMENTING THE CA FIRE SAFE REGULATIONS (TITLE 14, CALIFORNIA CODE OF REGULATIONS BEGINNING WITH SECTION 1270)

Wilson introduces Jim Green, who is the new Plumas County Building Official. Green is in attendance as these regulations involve building permit issues.

Green explains that he has had experience in other jurisdictions, but he was involved in plan review with the City of Reno. Reno allows cannabis "grow houses", some as large as 45,000 square feet, and these do not tend to be hazardous, but the oil extraction business is becoming more lucrative and these types of facilities come with major fire hazards. Wilson adds that Green's experience is an added plus.

Shane Vargas introduces Nick Wallingford, Fire Captain with CALFIRE's Land Use Planning Program out of the Redding regional office. He is here to help answer any questions about the certification process. Wallingford works with local jurisdictions on such projects as updating safety elements and PRC 4290 certification.

Wilson questions whether other counties have been recertified. Wallingford answers that very few counties have been recertified, but Shasta County is one. There is no time constraint on obtaining recertification.

Wilson explains that the Commission is continuing to struggle with some of the issues such as the 75,000 pound load requirement for driveways and with providing exceptions to the thirty foot required setback. Requiring that all driveways meet the 75,000 pound load will increase time and cost for building permits. Herrin adds that it may not be able to be enforced.

Supervisor Engel, who is involved in construction of driveways, indicates that this might drive up the cost of a driveway by 60% or more.

Wallingford explains the certification process whereby the County's ordinance must be approved by the Board of Forestry. SRA Fire Safe Regulations apply to permits in State Responsibility Areas (SRA) but not in Local Responsibility Areas (LRA). Most of the County is in a State Responsibility Area.

The previous ordinance required that driveways meeting standard be provided when structures were located more than 150 feet from private or public roadways. Commissioner Olofson questions the reason for the 150 feet. 150 feet is deemed to be the distance a fire hose can be pulled from the truck on the road to the structure. Distance in SRA regulations is measured along the ground, not in a straight line; therefore, if a driveway has switchbacks the real length is the length along the ground.

Discussion ensues between Commissioner Olofson and Wilson on the value and use of TDRs (Transfer of Development Rights) as a tool to construct buildings in other areas with less slope and less problems with driveways. TDRs are usually a tool at the subdivision stage and not generally used at the building stage, even if there were a program in place in Plumas County.

Wilson explains that the main issue is that there is no exception to the driveway requirement as existed in the previous ordinance and he feels that the 75,000 pound load requirement is overkill. The discussion at the Board of Supervisors will be interesting. A meeting with the appointed advisory committee of three local fire chiefs has not taken place yet.

Wilson questions Vargas if this issue were considered by the Board of Forestry prior to adoption of the new standards. Vargas replies that there was a process with public comment opportunities. The main goal was to assist the State in defending against wildland fires.

Herrin questions the reason for decertifying all local ordinances at one time. Vargas replies that the State wanted to achieve consistency in how the ordinances were written and enforced.

Wilson adds that he understands the issues with wildland fires from his experience in Nevada County. The site plan standards revision process took three years and involved surveyors, engineers, contractors. In Plumas County, it will be difficult to get applicants to provide adequate site plans, particularly site plans that will meet the new driveway standards.

Wallingford explains that all building permits are required to be sent to CALFIRE for review. Discussion ensues between Wilson and Green on the concerns with having another review process for building permits. Vargas explains that in other counties, a pre-permit site visit with

the contractor and the homeowner takes place and 4290 materials are given to the applicants. Vargas offers to review projects for possible exceptions and to provide a letter including mitigations for "same practical effect".

Commissioner Rossington states that the ordinance needs to be completed as soon as possible in order to begin the negotiations with the Board of Forestry. Herrin is asked to provide a draft ordinance for the May 19, 2016 meeting.

Wilson explains the building permit process, planning review and building plan check. Having CALFIRE review plans would increase the time period for building permit review as there is no deadline for review under the Permit Streamlining Act.

Commissioner Rossington expresses concern with safety issues that may arise between staff and the public and offers to help with that process.

V. **ADJOURNMENT**

There being no further business, Rossington calls for a Motion to adjourn the meeting. Motion is made by Dr. Abbott, seconded by Dr. Rossington, with a unanimous affirmative vote recorded, to adjourn the meeting of May 5, 2016, at 11:45 a.m. The next regularly scheduled Planning Commission meeting is set for May 19, 2016, at 10:00 a.m., in the Permit Center conference room.


Larry Williams, Chair
Plumas County Planning Commission


Rebecca Herrin, Senior Planner