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**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Meeting of October 13, 2010

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The Plumas County Zoning Administrator convened in a meeting on October 13, 2010, at 10:01 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Randy Wilson, presiding. Senior Planners, James Graham & Rebecca Herrin, are in attendance.

**I. AGENDA**

The agenda is approved as submitted.

**II. PUBLIC COMMENT OPPORTUNITY**

No public comment presented.

**III. TENTATIVE PARCEL MAP & MODIFICATION PERMIT: WOLF MEADOWS RANCH, LLC; APNs 025-091-004, 005, & 006; T.22N/R.R.13E/S.3, 33, & 34 MDM**

The proposal to divide 216.09 acres into 4 parcels of 73.13, 63.56, 71.03, and 22.33 acres, with a remainder of 8.37 acres, in conjunction with a Modification Permit to allow the existing primary roadway to be used to access the proposed development, located at 73077 Highway 70, Delleker, is presented. Rebecca Herrin, Senior Planner, gives a presentation on the project and explains that the Modification Permit is to modify the width of the primary access road, which is substandard for the zoning, and also to modify the emergency access road, which connects to Maxwell Camp Subdivision. Randy Wilson, Zoning Administrator, questions if staff would support not paving the emergency access road. Herrin replies she would because paving is not warranted due to the short length and limited access, noting that there are other emergency ways in and out of the property. The applicant states he is in agreement with the conditions of approval and modifying Condition #8 to not require paving of the emergency access road. Wilson questions if the Eastern Plumas Rural Fire Protection District wants the property annexed. Herrin replies that the District would like the property annexed if it is further developed. The applicant agrees to annex the property. The public hearing is opened at 10:09. There being no comments, the hearing is closed at 10:09. Wilson states that in order to make the change to Condition #8, Finding D also needs to be changed. A break is called at 10:10. Meeting reconvenes at 10:14. Wilson states Finding D needs to be modified as follows: After the words, "The modification of development standards is denied" add "except for the request to not pave the emergency access road". And at the end of the finding, add: "The emergency access road is not required to be paved as the access will not be used on a regular basis and applying the Class 9 standard to this road will meet public safety concerns." Herrin states additional findings will need to be added, which state: "The modification is consistent with the General Plan because the division is provided by primary access that meets the General Plan standards. The modification is justified to achieve an integrated plan which precludes adverse economic, social, or environmental effects because primary access is provided to the property. The emergency access will provide safe emergency public access for the division. The modification is not socially, economically or environmentally incompatible with the surrounding area. The owner of the property concurs in the request with ultimate responsibility for the modification. No exceptions from the provisions of the SRA Fire Safe Regulations are requested and the requirements of Section 9-9.202 of Chapter 9 of Title 9 of the Code will be met."

## **DECISION**

Wilson states he will take the actions recommended by staff and, 1) After reviewing and considering the proposed Mitigated Negative Declaration, adopt Mitigated Negative Declaration #647 pursuant to Section 15074 of the California Environmental Quality Act Guidelines, making Findings A through C as stated in the Staff Report, and 2) Approve the request for the emergency access and approve the Tentative Parcel Map subject to the conditions of approval outlined in Exhibit 4 with the amendment of Condition #8, with Findings A through L and the amendment of Finding D as previously stated.

## **ENVIRONMENTAL DETERMINATION FINDINGS**

- A. That there is no substantial evidence in the record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment; and
- B. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Plumas County Zoning Administrator, and that the mitigation measures will reduce potentially significant impacts to less than significant levels; and
- C. That 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.

## **CONDITIONS**

1. The Final Parcel Map shall be prepared in conformance with the Tentative Parcel Map prepared by Hamby Surveying dated February, 2008.
2. The Final Parcel Map shall be recorded prior to October 13, 2012, or an Extension of Time shall be filed.
3. The stringer meadows, as shown in Exhibit 5 of Mitigated Negative Declaration 647, shall be delineated on an additional information map. A setback of 100 feet from the edge of the meadows shall also be shown and the entire area shall be a building and development exclusion area **(Mitigation Measures 4.1.1 and 4.3)**.
4. An additional information map shall be recorded that contains the following notes. These notes shall also be shown on all required improvement plans. **(Mitigation Measures 4.1.2 through 4.1.4):**

“To avoid potential impacts or interference with the movement of a resident or migratory deer population and black bear use patterns, the following mitigation measures shall be required:

“**4.1.2:** Activities, such as stream restoration or culvert repair on existing roads, shall obtain the proper permits from the California Department of Fish and Game.

“**4.1.3:** The introduction of non-native invasive species shall be restricted to the immediate vicinity of the individual houses. Excluding the footprint of the houses and outbuildings on each parcel, habitat modification shall be limited to no more than one acre with the remaining acreage left in its natural state. Developers or parcel owners may modify the habitat with native species that are not preferred forage species for deer.

“4.1.4: Perimeter fencing shall be limited to that type allowing deer and other wildlife passage. Deer-proof and wildlife-proof fencing shall be allowed only in the immediate vicinity of the individual homes and outbuildings to protect valuable ornamentals and other types of gardens. Recommended fencing to allow deer free passage is a wire fence consisting of no more than four strands. The bottom strand should be smooth wire no lower than 18 inches above ground. The remaining strands may be barbed wire with the top strand no higher than 36 inches above the ground. The remaining strands may be barbed wire with the top strand no higher than 36 inches above the ground. Welded wire, hog wire, corral type fences and other wildlife-proof fencing materials shall not be allowed.”

“4.2.1: Landscape using vegetation that does not attract black bear. Use a combination of plant species that are not preferred forage species for bear.”

5. The applicant shall record Codes, Covenants and Restrictions prior to final map recordation. The following mitigations shall be included in the Codes, Covenants and Restrictions for Parcels 1 through 4 and shall be listed on the additional information map recorded as part of the final map: **(Mitigation Measure 4.1.5 and 4.2.2)**

“a. Dogs shall be on leashes, or under direct control of owners, at all times while on the properties to preclude harassment and killing of deer and other wildlife.

“b. Feeding of any wildlife species shall be strictly prohibited.

“c. Feed household pets, such as dogs and cats, inside. Pet dishes or food shall not be left outside to become an attractant to wildlife species.

“d. Household garbage containers should only be placed at curbside on the morning that they will be collected. Full containers shall not be placed at curbside the night before collection. Empty containers shall be retrieved as soon as possible.

“e. The Homeowners Association shall be encouraged to resolve any wildlife issues in conjunction with the California Department of Fish and Game. The CDFG can provide a variety of cost effective solutions to limit or resolve detrimental interactions between wildlife and human needs.”

6. An additional information map shall be recorded that shows the area encompassed by Wolf Meadows Site 1 (“Heritage Resource Survey for the Wolf Meadows Ranch General Plan Amendment. 111 acres near Delleker, Plumas County. November, 2006, Diane McCombs, M. A. McCombs Archaeology”) as a grading and development exclusion area. This additional information map shall be recorded concurrently with the Final Map and reflected where applicable on all building and site development plans to ensure protection **(Mitigation Measure 5.1.1)**.

7. A note shall be placed on the additional information map recorded concurrently with the Final Map and on all building and site development plans that states: **(Mitigation Measure 5.1.2)**

“Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in

an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.”

8. The portion of Wolf Meadows Lane that crosses the remainder parcel shall be improved to a Class 7 County Road Standard. The portion of Wolf Meadows Lane that serves Parcels 1 through 4 shall be constructed to a Class 9 County Road Standard. The portion of the “Gated Emergency Access to Maxwell Camp Drive” that crosses former Lot 2, as shown on Book 8 of Maps at Page 88, shall be constructed to a County Class 9 Road Standard.
9. Access and utility easements shall be dedicated on the Final Map.
10. A road maintenance agreement, in a form satisfactory to the Engineering Department, shall be recorded concurrently with the Final Map.
11. Improvement plans shall be prepared by an R.C.E. licensed in the State of California for any required road improvements. These plans shall be reviewed and approved by the County Engineer.
12. An encroachment permit shall be obtained from the California Department of Transportation for Wolf Meadows Lane prior to the recordation of the Final Map.
13. A note shall be placed on the additional information map that contains the following language:

“The California Department of Transportation may require widening and/or turn lanes to be provided on State Highway 70 at the time of development of more than fifteen (15) parcels accessed from Wolf Meadows Lane.”
14. A note shall be placed on the additional information map that contains the following language:

“Under 1275.00 *et seq.* of the SRA Fire Safe Regulations and the provisions of Article 10 of Chapter 4 of Title 9, commencing with Section 9-4.1001 of the Plumas County Code, emergency water for fire protection shall be required for each dwelling before final inspections for building construction.”
15. Prior to the recordation of the final map, an additional information map shall be submitted to the Engineering Department and reviewed and approved by the Environmental Health division that meets the requirements of Plumas County Code, Title 6, Chapter 11.

## **FINDINGS**

- A) This project, as conditioned, will satisfy required development standards for Moderate Opportunity, Rural, Agricultural Buffer, Secondary Suburban and Suburban Areas because the development will be served by roads which meets the required County Road Standard and all required utilities and services are available.
- B) This project, as conditioned, will be consistent with the S-3 (Secondary Suburban) designation because:
  - i) The minimum required lot size of 3 acres is maintained.
  - ii) The minimum required width of 150 feet is maintained.

- C) This project, as conditioned, will be consistent with the R-10 (Rural, Agricultural Buffer) because:
  - i) The minimum required lot size of 10 acres is maintained.
  - ii) The minimum required width of 300 feet is maintained.
  
- D) It is found that this project is consistent with the general plan and zoning because the general plan calls for Moderate Opportunity area, Rural, Agricultural Buffer, Secondary Suburban and Suburban uses on the site and the zoning designations are S-1 (Suburban), S-3 (Secondary Suburban), and R-10 (Rural) which are compatible with existing and proposed uses. The Moderate Opportunity area, Suburban, Secondary Suburban, Rural and Agricultural Buffer development standards will be met. The Modification of Development Standards application is denied, except for the request to not pave the emergency access road, because the development standards of the General Plan require that all roads serving developments must meet County Road Standards and an exception to those standards, in this case, is not justified. Comments received from the Plumas County Department of Public Works, California Department of Transportation and the Eastern Plumas Rural Fire Protection District indicate that public safety concerns are not satisfied through the use of substandard access roads. The emergency access road is not required to be paved as the access will not be used on a regular basis and applying the Class 9 standard to this road will meet public safety concerns.
  
- E) 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.
  
- F) The proposed construction is consistent with the existing General Plan because the Moderate Opportunity area 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 of the large size of the proposed parcels that does not preclude future development options.
  
- G) There is little or no probability that the project will be detrimental to or interfere with the future adopted general plan because of the large parcel sizes and use of existing roads serving the property that will not lead to a higher level of development that will preclude future planning options.
  
- H) The modification is consistent with the General Plan because the division is provided by primary access that meets the General Plan standards.
  
- I) The modification is justified to achieve an integrated plan which precludes adverse economic, social, or environmental effects because primary access is provided to the property. The emergency access will provide safe emergency public access for the division.
  
- J) The modification is not socially, economically or environmentally incompatible with the surrounding area.
  
- K) The owner of the property concurs in the request with ultimate responsibility for the modification.
  
- L) No exceptions from the provisions of the SRA Fire Safe Regulations are requested and the requirements of Section 9-9.202 of Chapter 9 of Title 9 of the Code will be met.

**IV. TENTATIVE SUBDIVISION MAP & PLANNED DEVELOPMENT PERMIT: TANTAU, WILLIAM & SALLY; APNs 133-080-031, 032, 036, & 037; T.22N/R.13E.S.29 & 30 MDM**

The proposal to divide 89.17 acres into 5 lots and a remainder parcel for residential use in conjunction with a Planned Development Permit requesting exceptions to the zoning code as follows: 1) A single 10,000 gallon water tank in lieu of the 2,500 gallons for each parcel; 2) Modification of the dead-end road length limit from 1,320 feet to 1,870 feet; and 3) Use of a “T” turnaround in lieu of the normally required circular turnaround for the first phase of development, is presented. James Graham, Senior Planner, states there have been a couple of modifications to the request since the Staff Report was prepared: 1) Instead of a single 10,000 gallon water tank, the use of two 5,000 gallon water tanks is proposed, and 2) The first phase of the development may or may not occur, but shall be at the owner’s option. Graham gives a Power Point presentation elaborating on the details of the project as reflected in the Staff Report. Graham points out that the Department of Fish & Game has requested a note on the additional information map be added regarding notification on wetlands and streams, which could be folded into Condition #19: “Notification to the Department of Fish & Game is required pursuant to Fish & Game Code Section 1600 *et seq.* for any work planned in or near streams that flow at least intermittently through a bed or channel. This includes ephemeral streams or water courses. Subsequent to notification, a lake or streambed alteration agreement may be required.” Graham notes that this note clarifies existing language within Mitigation Measure 4F reflected by Condition #19. Following discussion, the proposed note is changed to: “***With respect to parcel 4, any driveway crossing*** shall be subject to notification to the Department of Fish & Game as required by Fish & Game Code Section 1600 *et seq.* for any work planned in or near streams that flow at least intermittently through a bed or channel. This includes ephemeral streams or water courses. Subsequent to notification, a lake or streambed alteration agreement may be required.” After questioning by Jack Bridge, applicant’s representative, Randy Wilson, Zoning Administrator, states the last sentence of Condition #3 should be amended by adding “. . . which is consistent with the boundary as shown on the tentative subdivision map.” Wilson questions the status of this project in terms of annexation into the fire district. Wilson suggests adding a condition that the project be annexed as a condition of the final map. Bridge states he doesn’t want the annexation holding up the map. Wilson suggests adding a finding that the property owners are pursuing annexation into the Graeagle Fire Protection District and have submitted an application for annexation to LAFCo. Additionally, Wilson suggests the applicants apply for a Certificate of Compliance on the designated remainder parcel so it is a recognized lot under the Subdivision Map Act. The public hearing is opened at 11:03. There being no comments, the hearing is closed at 11:03.

**DECISION**

Wilson states he will take the actions recommended by staff, and 1) Modify Mitigated Negative Declaration #653 with the modifications stated in the Staff Report, 2) After reviewing and considering Mitigated Negative Declaration #653, adopt Mitigated Negative Declaration #653 pursuant to Section 15074 of the State CEQA Guidelines, with Findings A through D, making note that Finding A reflects changes to Mitigation measures 4B, 4C, and 4F and these changes are equal to the original mitigation measures in addressing significant impacts, and 3) Approve the tentative subdivision map and planned development permit subject to the conditions of approval outlined in Exhibit 4, with an amendment to Conditions #3 & #19, with Findings A through H, noting that Finding H states that the property owners are pursuing annexation into the Graeagle Fire Protection District and have submitted an application to LAFCo.

## **MODIFICATIONS TO MITIGATED NEGATIVE DECLARATION #653**

- a. All references to 4 lots should be 5 lots.
- b. Phasing of the development shall be at the owner's option. The "T" turnaround may be eliminated if the road is extended all the way to the cul-de-sac.
- c. Mitigation 4B, 4C, and 4F – is replaced as set forth in Condition #15, #16, and #19 of the Staff Recommendation.
- d. On page 7, 5th paragraph: Modify the language as follows: Employment of this **alternative** mitigation measure shall be performed prior to recordation of the final map to ensure that necessary mitigation protection measures are reflected on an additional information map to the satisfaction of the Planning Department.
- e. Eliminate all references to density transfer as all parcels satisfy minimum parcel size requirements.

## **ENVIRONMENTAL DETERMINATION FINDINGS**

- A) The modification to Mitigation 4B, 4C, and 4F are intended to facilitate practical and effective implementation through the Conditions of Approval. This change will avoid or reduce the significant effects to at least the same degree as the original mitigation measure.
- B) 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.
- C) 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.
- D) 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.

## **MAP CONDITIONS**

### **Planning Department Conditions**

1. The final map shall be in substantial conformance with the revised tentative subdivision map dated July 22, 2010, except as modified by the following conditions.
2. The Final map shall be recorded prior to July 22, 2012, or an extension of time application shall be filed to extend the expiration date.
3. The boundary between the Agricultural Buffer and Secondary Suburban area is uncertain as established by the provisions of Plumas County Code Section 9-2.304 *et seq.*, and therefore, is subject to interpretation. This boundary, based on vegetation and slope, would correspond to the meadow – upland boundary more precisely if the line between these two areas were adjusted to the west as shown on Exhibit 11 of Negative Declaration #653. Therefore, the zoning boundary maps

shall be adjusted to reflect this interpretation, which is consistent with the boundary as shown on the tentative subdivision map.

4. Prior to recordation of the final map, the applicant shall obtain a Caltrans encroachment permit and improve the connection to current requirements for a Type "C" road connection.
5. A dust control plan, approved by the Northern Sierra Air Quality Management District, shall be submitted to the Engineering Department, as part of the improvement plans, when site disturbance exceeds one acre. All elements of the plan shall be adhered to during appropriate phases of project development and reflected on all improvement plans as appropriate.
6. If the project chooses to phase the map as described, a 30' x 20' snow storage easement at the turnaround is required per PCC Sec. 9-4 .503(c). This easement shall be abandoned upon recordation of the second phase.
7. The proposed Tantau Road easement shall be revised to encompass all cut and fill areas for road construction.
8. Construction / Maintenance details on effluent line that serves parcels 3 & 5 noted on final map to the satisfaction of the Environmental Health Department.
9. An easement for off-site sewage disposal is required for Parcel 2 and shall include an additional 4000 square feet of disposal field, to be noted on final map, due to high ground water reading of 52".
10. All improvements within the "Designated Remainder" shall be shown on the improvement plans to the satisfaction of the County Engineer.
11. A centerline profile for the roadway shall be provided as part of the improvement plans to the satisfaction of the County Engineer.
12. A General Construction Stormwater Permit shall be required prior to commencement of construction activities. This permit shall require the preparation of a Storm Water Pollution Prevention Plan. This plan shall identify potential pollutants (such as Sediment and earthen materials, chemicals, building materials, etc.) and to describe best management practices that will be employed at the site to eliminate or reduce those pollutants from entering into surface waters.
13. Water Quality certification for identified wetlands shall be completed prior to recordation of the final map. Final wetland boundaries shall be reflected on an additional information map.
14. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required:

The following mitigation measure is recommended in order to reduce impacts to the following mammal species: Pallid Bat *Antrozous pallidus*, Silver-haired Bat *Lasionycteris noctivagans*, Long-eared Myotis *Myotis evotis*, Long-legged Myotis, *Myotis volans*.

Mitigation Measure 4A. Place notes on all required improvement plans and on an additional information map, which is to be recorded concurrently with the Final Map that states the following:

“Tree removal shall be limited to September or October, or bat roost surveys shall be conducted by a qualified biologist and the subject trees cleared for removal.”

Plan Requirements: The above-referenced notes shall be placed on all required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map. The Planning Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are employed during individual lot grading and building construction activities.

15. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required:

The following mitigation measure is recommended in order to reduce impacts to the following bird species: Long-eared Owl *Asio otus*, Flammulated Owl *Otus flammeolus*, Lewis’s woodpecker *Melanerpes lewis*, White-headed Woodpecker *Picoides albolarvatus*, Olive-sided Flycatcher *Contopus cooperi*.

Mitigation Measure 4B. Place notes on all required improvement plans and on an additional information map, which is to be recorded concurrently with the Final Map that states the following: “Tree removal shall be limited to September or October, or perform breeding bird surveys if tree removal occurs between March and September. Surveys shall be conducted by a qualified biologist and the subject trees cleared for removal.”

Plan Requirements: The above-referenced notes shall be placed on all required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map. The Planning Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are employed during individual lot grading and building construction activities.

16. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required:

Mitigation 4C is recommended in order to reduce impacts to the Rufous Hummingbird, *Selasphorus rufus*.

Mitigation Measure 4C. Place notes on all required improvement plans and on an additional information map, which is to be recorded concurrently with the Final Map that states the following:

“Tree and vegetation removal shall be limited to September or October, or perform breeding bird surveys if tree removal occurs between March and September. Surveys shall be conducted by a qualified biologist and the subject trees and vegetation cleared for removal.”

Plan Requirements: The above-referenced notes shall be placed on all required improvement plans and on an additional information map, which is to be recorded concurrently with the Final Map.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map. The Planning Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are employed during individual lot grading and building construction activities.

17. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required:

Mitigation Measure 4D. Covenants, codes & restrictions (CC&Rs) shall be developed and recorded concurrently with recordation of the final map and shall include measures to prevent dogs from roaming free (CDFG Code Section 3960), prevent residents from feeding deer (Title 14; Section 251.3), shall require homeowners adjacent to wetland and buffer areas to not place lawn clippings, oil, chemicals or trash of any kind within this setback buffer and that vegetation removal or alteration is prohibited, and measures which require that residents’ garbage containers be bear-proofed or that garbage be stored in a secure location.

Plan Requirements: The CC&Rs shall be recorded concurrently with the Final Map.

Timing: These measures shall be implemented on an on-going basis.

Monitoring: Once recorded, the Plumas County Planning Department has no authority to enforce these conditions. As the conditions reflect the requirements set forth by State law, enforcement shall be deferred to agents of the state with the authority to enforce these provisions.

18. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required:

Mitigation Measure 4E. Place notes on an additional information map, which is to be recorded concurrently with the Final Map, that states the following: “Perimeter fencing shall be restricted to 3-4 strand wire with a bottom strand a minimum of 16 inches above the ground and not exceeding 48 inches in total height. The bottom strand should be barbless wire. Other fence designs that allow for unobstructed animal movement would also be acceptable, pending review and approval by the California Department of Fish & Game.” In addition, a note shall be added which requires that the

fencing requirements shall be included as a note on all building permits to ensure that individual property owners are made aware of this requirement.

Plan Requirements: The above-referenced notes shall be placed on an additional information map which is to be recorded concurrently with the Final Map.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on an additional information map which is to be recorded concurrently with the Final Map. The Planning Department will ensure that these measures are employed during the lot development phase of the project as applicable.

19. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required: Mitigation Measure 4F. To protect streams and wetland areas from development impacts, the project design shall avoid and minimize impacts to these aquatic features. All plans and building permit plot plans shall clearly indicate the presence of any such features as determined by a qualified wetland biologist. Any fill of wetlands or streams will be limited to those areas as shown on the revised tentative map dated July 22, 2010 and subject to permits as required under laws and regulations administered by the Corps of Engineers, the Central Valley Regional Water Quality Control Board, and the Department of Fish and Game. Unless otherwise shown on the revised tentative map dated July 22, 2010, no fill or grading shall occur within wetlands or streams. Any construction within 100 feet of wetlands or perennial streams or within 50 feet of intermittent streams will employ the following mitigation measures:

The identified wetland and buffer areas shall be subject to the following restrictions:

- a. Construction fencing shall be installed between the areas of grading and aquatic features to keep equipment from entering these features.
- b. No equipment storage or material storage shall occur within wetlands.
- c. Silt fencing will be installed between areas where grading is occurring and the aquatic features to keep silt from entering these features.
- d. Any work authorized within streams will be done during the dry season when surface water is not present.
- e. Vegetation within the areas adjacent to aquatic features shall remain intact to the extent feasible and, following grading, erosion control measures will be installed until native vegetation is re-established.
- f. Any temporary construction roads shall be designed to minimize erosion and alteration of surface water hydrology and shall be removed, restored to original grade, and revegetated.

Plan Requirements: Methods implementing the above standards shall be incorporated on all required improvement plans and individual building permits. The above-referenced notes shall be placed on all required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map.

The following note shall be added to the additional information map: "With respect to parcel 4, any driveway crossing shall be subject to notification to the Department of Fish & Game as required by Fish & Game Code Section 1600 *et seq.* for any work planned in or near streams that flow at least

intermittently through a bed or channel. This includes ephemeral streams or water courses. Subsequent to notification, a lake or streambed alteration agreement may be required.”

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map. The Planning Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are employed during individual lot grading and building construction activities.

20. To avoid potential impacts to cultural resources resulting from the proposed project, the following mitigation measures shall be required:

Mitigation Measure 5A. Preserve prehistoric site Tantau #1 intact by means of an impact avoidance strategy. Impact avoidance and site preservation are compatible with the proposed Tantau Development due to the minimal potential for increased pedestrian traffic within the site area as high density residential development is not being proposed.

In order to ensure preservation, however, the boundaries of the site should be flagged and accurately located by a survey, and the area flagged as an impact avoidance zone on all improvement plans and additional information map.

Plan Requirements: The required note shall be placed on an additional information map which is to be recorded concurrently with the Final Map and on all required improvement plans.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required note is placed on a separate informational map which is to be recorded concurrently with the Final Map. Should cultural resources be discovered, the Department of Planning and Building Services shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action.

As an alternative to the avoidance/preservation mitigation above, the site may be formally evaluated for the specific attributes and qualities which would render the prehistoric site significant under CEQA. Such a formal evaluation should involve archaeological data collection work (i.e., archaeological testing), which testing would include recovery of a sample of cultural material sufficient to evaluate site depth, age and make-up of the components of the site, and characterization of artifacts and cultural constituents in terms of major data categories present. The overall objectives of such archaeological testing would be to identify those research questions for which this site contains relevant information, with the research questions representing those presently being expressed by the body of professional archaeologists in the region. Any testing program should culminate in a professional report that contains explicit recommendations for any mitigation-level data recovery work that might be justified or warranted on the basis of the specific findings of the program of archaeological testing.

Employment of this mitigation measure shall be performed prior to recordation of the final map to ensure that necessary mitigation protection measures are reflected on an additional information map to the satisfaction of the Planning Department.

21. To avoid potential impacts to cultural resources resulting from the proposed project, the following mitigation measures shall be required:

Mitigation Measure 5B. Place a note on a separate informational map which is to be recorded concurrently with the Final Map and on all building and site development plans that states: "Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains."

Plan Requirements: The required note shall be placed on an additional information map which is to be recorded concurrently with the Final Map and on all required improvement plans.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required note is placed on a separate informational map which is to be recorded concurrently with the Final Map. Should cultural resources be discovered, the Department of Planning and Building Services shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action.

22. To minimize geologic related impacts to a less than significant level, the following mitigation measure is required:

Mitigation Measure 6A. Place notes on all required improvement plans and on an additional information map, which is to be recorded concurrently with the Final Map, that reflects the erosion control and runoff mitigation measures set forth on pages 7 through 18 of the Geotechnical Investigation Tantau Residential Development, dated November 2008, Any necessary erosion control or drainage modifications encountered during site development shall be evaluated and approved by the County Engineer.

Plan Requirements: The above-referenced notes shall be placed on all required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map. The Engineering Department will ensure that these measures are employed during the construction phase of the project and the Department of

Planning and Building Services shall ensure that the above measures are employed during individual lot grading and building construction activities.

23. To minimize geologic related impacts to a less than significant level, the following mitigation measure is required:

Mitigation Measure 6B. Place notes on all required improvement plans and on an additional information map, which is to be recorded concurrently with the Final Map, that reflects the mitigation measures set forth on pages 7 and 18 of the Geotechnical Investigation for the Tantau Residential Development, dated November 2008, Any necessary erosion control or drainage modifications encountered during site development shall be evaluated and approved by the County Engineer.

Plan Requirements: The above-referenced notes shall be placed on all required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on an additional information map which is to be recorded concurrently with the Final Map. The Engineering Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are employed during individual lot grading and building construction activities.

24. To minimize hydrology and water quality impacts to a less than significant level, the following mitigation measures are required:

Mitigation Measure 9A.

Prior to recordation of the final map, engineered improvement plans, a hydrology report, and a geotechnical report, which incorporate, as appropriate, the design considerations set forth in the Erosion Control and Runoff Evaluation prepared by Allen Gray dated December 1, 2008, Exhibit 10, shall be prepared and approved by the County Engineer for the proposed roadway.

Plan Requirements: The design considerations set forth in the Erosion Control and Runoff Evaluation prepared by Allen Gray dated December 1, 2008, shall be incorporated as appropriate into the project improvement plans and approved by the County Engineer.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on all applicable building permit plans. The Engineering Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are followed during building permit review and approval.

25. To minimize hydrology and water quality impacts to a less than significant level, the following mitigation measures are required:

Mitigation Measure 9B.

Prior to approval of a building or grading permit for individual residential units, an engineered grading plan shall be prepared which incorporates, as appropriate, the design considerations set forth in the Erosion Control and Runoff Evaluation prepared by Allen Gray dated December 1, 2008, Exhibit 10. These design considerations shall be reflected on an additional information map to the satisfaction of the Plumas County Planning Department.

Plan Requirements: The design considerations set forth in the Erosion Control and Runoff Evaluation prepared by Allen Gray dated December 1, 2008, shall be incorporated as appropriate into the project improvement plans and approved by the County Engineer.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Plumas County Department of Planning and Building Services shall ensure that the required notes are placed on required improvement plans and on all applicable building permit plans. The Engineering Department will ensure that these measures are employed during the construction phase of the project and the Department of Planning and Building Services shall ensure that the above measures are followed during building permit review and approval.

**PLANNED DEVELOPMENT CONDITIONS:**

1. The design of the centralized emergency water for fire protection shall be reviewed and approved by Cal-Fire and the Graeagle Fire Protection District prior to recordation of the final map.

**FINDINGS**

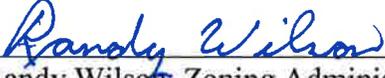
- A) This project is consistent with the Plumas County General Plan, applicable development standards, policies and constraints, as set forth above and in Negative Declaration #653.
- B) This project consistent with the Plumas County Zoning Code as set forth above and in Negative Declaration #653.
- C) The Planned Development Permit achieves an integrated plan which reduces adverse environmental impacts by limiting grading impacts associated with the construction of a looped roadway. The Planned Development also proposes the potential use of a "T" turnaround and a modification of the dead end road length limit. These modifications have been reviewed by Cal-Fire and the Graeagle Fire Protection District and have been found to achieve the same practical effect as having a circular turnaround and a road which satisfies the dead-end road length limit. The justification for the "T" turnaround is that it is temporary and satisfies Cal-Fire standards. The justification for the dead-end road length limit is that the roadway has the potential to serve only 5 lots.
- D) The applicant intends to complete this project in a reasonable time as set forth by the timelines for recordation established by the subdivision map act.

- E) 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.
- F) There is a reasonable probability that the Tentative Subdivision Map and associated Planned Development Permit will be consistent with the future adopted General Plan because:
1. The project is located in a Moderate opportunity area adjacent to the community of Clio; and
  2. The planned development permit achieves an integrated plan which reduces adverse environmental impacts by limiting grading to the more gentle slopes adjacent to the meadow, thereby eliminating excessive grading and preserving the aesthetic qualities of the property, and
- G) There is little or no probability that the project will be detrimental to or interfere with the future adopted General Plan because the project is well defined and limited in scope and does not commit to uses not otherwise defined by the project. The project, while not required to be within an area served by a Fire Protection District, is conditioned to do so. No precedent for development in other parts of the County is set through implementation of this project.
- H) The property owners are pursuing annexation into the Graeagle Fire Protection District and have submitted an application for annexation to LAFCo.

***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 11:05 a.m. The next regularly scheduled Zoning Administrator meeting is set for November 10th at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.

  
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Randy Wilson, Zoning Administrator

  
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Heidi Wightman, Department Fiscal Officer II