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**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Meeting of May 11, 2011

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The Plumas County Zoning Administrator convened in a meeting on May 11, 2011, at 10:11 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 presented.

**III. TENTATIVE SUBDIVISION MAP & PLANNED DEVELOPMENT PERMIT: RAMELLI CREEK – RAMELLI CREEK RANCH, LLC; APNs 008-280-020 & 008-280-021 (FRENCHMAN LAKE); T.25N/R.16E/S.29 & 32 MDM; Planner: James Graham**

The proposal to divide 241.2 acres into six lots for rural residential and agricultural use in conjunction with a planned development permit to modify the minimum parcel size through a density transfer to allow for clustering of the residential parcels in order to avoid environmental impacts, and to provide for the use of “T” turnarounds in lieu of circular turnarounds, located at 10500 Frenchman Blvd., approximately 3 miles north of Frenchman Lake, in Eastern Plumas County, is presented. James Graham, Senior Planner, gives a Power Point presentation elaborating on the details of the project as outlined in the Staff Report. Additionally, Graham states that several issues have come up since the previous meeting. The first issue is that the Environmental Health Department has asked for additional clarifying information regarding the lots that would require engineered sewage disposal systems. Graham notes that issue has been addressed in Conditions #17 and #18.

The second issue concerns an e-mail that was received from neighbor Mr. Distad regarding concerns about water rights and access to certain areas in the vicinity of the subdivision through easements. Ken Krater, project applicant, has spoken with Mr. Distad and explained the situation regarding water rights and easements. Graham notes that the easements follow Forest Service roads and are identified on the tentative map.

The third issue concerns a letter received from the Forest Service regarding two issues. The first issue is in regard to the road easement that provides access to Parcel 1. Graham explains that because of Subdivision Map Act requirements about acquiring the right to use property they do not own, it was decided to eliminate the building site from the project and include a note on the additional information map which states that Parcel 1 is restricted to agricultural use. Wilson questions how the restriction is removed once access is provided. Graham explains this is accomplished through a Modification of a Recorded Map. Wilson requests it be further noted that no building permits shall be issued on Parcel 1. Krater states he is in agreement. The second issue raised by the Forest Service concerns the impacts of the division on Frenchman Blvd., specifically dust abatement and chemical use, property fire protection, visual quality effects, road design and culverts coming off Forest Service roads, land status to address

maintenance, plowing, right-of-way, etc., level of service, and seasonal use. Graham states both he and Krater have been working with the Forest Service to address these issues and Krater sent them an e-mail addressing each concern. A written response was not received from the Forest Service indicating that they are satisfied that the issues have been addressed; however, they did receive a verbal acknowledgement that the response is adequate. Wilson states he is uneasy with just a verbal acknowledgement. Graham notes he has requested a written response a number of times. Krater adds that Janice Sangunitto, Acting Assistant Resource Officer with the Beckwourth Ranger District, told him they are satisfied with his e-mail response; however, they want to be kept in the loop to make sure nothing changes as the project progresses. Krater assured them he will definitely keep them informed every step of the way. Wilson suggests adding Finding I as follows: "All other issues raised in the Forest Service letter on this project dated 3/10/11 have been addressed by the applicant and planning staff. There is no written confirmation that the Forest Service is satisfied with this addressing of these issues; however, there is verbal confirmation by the Forest Service that these issues have been adequately addressed."

Wilson questions the dilapidated building and corral encroaching on Forest Service land. Krater states the Forest Service did not want them driving on a road without an easement in order to demo the structure. They want them to wait until they have gone through the NEPA process and have a valid easement and address it at that time. Wilson states that a condition regarding this issue is needed because the Forest Service is requesting this be addressed prior to map approval. Wilson suggests adding Finding H that states: "The dilapidated building identified as being partially on Lot 1 and partially on National Forest Service land is requested to be removed by the National Forest Service. This will occur when proper access to the building is obtained."

Continuing, Wilson states the date in Condition #2 should read May 11, 2013. Regarding Condition #7 concerning access over a Forest Service road which may be subject to closures, Wilson questions if that means the Forest Service can close the road and prohibit access. Krater replies that is not his understanding of how that road is designated by the Forest Service. It's referring to when the road isn't plowed in the winter. Graham clarifies that this is the language directly out of the Plumas County Code. It states this note shall be put on maps where lots are being provided access by Forest Service roads.

Wilson suggests adding Condition #27: "The Forest Service shall be contacted and approve any permitting requirements for driveways/roads accessing Forest Service roads prior to construction of such roads/driveways." Wilson also suggests changing Condition #25 to "No building permits shall be issued for Lot 1." Wilson questions if there is clear enough direction on how to remove the restraints placed on Lot 1. Graham replies that the restriction may be removed by applying for a Modification of Recorded Map by Certificate of Correction once proper access is obtained from the Forest Service.

In regard to the boundary issue between the agricultural and rural zoning areas, Graham presents an additional condition as follows: "The boundary between the General Agricultural and Rural zoning areas 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 as shown on Exhibit 8 of Negative Declaration #656. Therefore, the zoning boundary maps shall be adjusted to reflect this interpretation."

## **DECISION**

Wilson states he will take the actions recommended by staff, and 1) After reviewing and considering Mitigated Negative Declaration #656, adopt Mitigated Negative Declaration #656 pursuant to Section 15074 of the State CEQA Guidelines, with Findings A through C as stated in the Staff Report, and 2) Approve the tentative subdivision map and planned development permit subject to the conditions of approval outlined in Exhibit #4 of the Staff Report with amendment of Conditions #2 and #25, and the addition of Conditions #27 and #28, with Findings A through G as stated in the Staff Report and the addition of Findings H and I:

## **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 the 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.

## **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 #656.
- B) This project consistent with the Plumas County Zoning Code as set forth above and in Negative Declaration #656.
- C) The Planned Development Permit achieves an integrated plan which reduces adverse environmental impacts by clustering of the residential parcels to avoid environmental impacts and to provide for the use "T" turnarounds in lieu of circular turnarounds. The "T" turnaround satisfies Cal-Fire standards.
- 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 Limited Opportunity Area and is within the boundaries of the Sierra Valley Fire Protection, 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 designed to limited all identified environmental impacts identified by the Plumas County General Plan and initial study.
- H) The dilapidated building identified as being partially on Lot 1 and partially on National Forest Service land is requested to be removed by the National Forest Service. This will occur when proper access to the building is obtained.
- I) All other issues raised in the Forest Service letter on this project dated 3/10/11 have been addressed by the applicant and planning staff. There is no written confirmation that the Forest Service is satisfied with this addressing of these issues; however, there is verbal confirmation by the Forest Service that these issues have been adequately addressed.

***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 10:56 a.m. The next regularly scheduled Zoning Administrator meeting is set for June 8, 2011, 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