
**PLUMAS COUNTY
ZONING ADMINISTRATOR**

Minutes of the Regular Meeting of November 9, 2022

The Plumas County Zoning Administrator convened in a meeting on November 9, 2022, at 10:02 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Tracey Ferguson, presiding. Senior Planner, Tim Evans, is in attendance.

I. PUBLIC COMMENT OPPORTUNITY

No public comment is presented.

II. TENTATIVE PARCEL MAP: WEHRMAN, LANCE; APN 125-420-060; T.22N/R.13E/S.3 MDM

The request to divide 3.36 acres into two parcels of 1.90 and 1.46 acres for commercial use, located at 73815 S. Delleker Road, Delleker, is presented. Tim Evans, Senior Planner, gives a presentation as reflected in the staff report. Dan Bastian, of Bastian Engineering, is present and representing the applicant. Bastian speaks to proposed Condition #1 under Public Works regarding the requirement for a record of survey to monument the exterior corners of the parcel. Bastian feels the issue of exterior corners could be resolved by the fact that the boundary of the property has been monumented by at least two recorded maps and so there should be no reason why a record of survey would be needed to establish the boundary. Bastian requests the condition be removed.

The public hearing is opened at 10:08 a.m. There being no comments, the hearing is closed at 10:08 a.m.

Tracey Ferguson, Zoning Administrator, states the conditions will need to be renumbered to be consecutive.

Public Works Condition #1 is discussed. Evan Hasse, Engineering Department staff, states after further consideration by the Engineering Department the condition requiring a record of survey should be removed. Continuing, Hasse comments the intent of the condition is advisory, that is, if in the event any of the four exterior parcel boundary monuments needed to be re-established, it will require a record of survey. Bastian reiterates the boundary of the parcel has been established by two recorded maps and that a record of survey would normally only be done if you didn't have an established boundary. Hasse adds that if Bastian is needing to re-monument the exterior corners as part of the parcel map, then based on his understanding, that would constitute the need for a record of survey; but if those monuments are there and there is no need to re-monument, a record of survey wouldn't be needed. Bastian adds that he's pretty sure he's going to have to set one or more of the parcel corners, but notes that the final map that he provides will include constructive notice to the fact that he is setting a boundary corner(s). Hasse reiterates that a record of survey would be required if there are new boundaries. Bastian raises the point that the condition language is otherwise covered under state law, and through the final map process, the Engineering Department would still have the ability to require a record of survey, if needed. Hasse states it can be resolved at a staff level, rather than with a condition. Ferguson concludes **Condition #1 under Public Works is deleted**. State law will be followed, and Engineering Department staff will work with Bastian during the final map process to reconcile the exterior corners of the parcel, as needed.

Condition #6 (formerly #2) under Public Works requiring lot corners be located and flagged is discussed and amended to add the word "**New**" before "lot corners" at the beginning of condition.

Public Works Condition #9 (formerly #5) is discussed and amended to read ". . . a note shall be placed on the **Final Parcel Map** that states . . ." in lieu of having an additional information map. And Condition #9 (formerly #5) is further amended to add the word "**Final**" in front of Parcel Map on the last line.

The two Planning Department proposed conditions are discussed and no changes are made.

The three proposed Environmental Health Department Conditions are discussed and no changes are made.

DECISION

Ferguson finds the project exempt from the requirements of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3), making Findings A and B; and approves the tentative parcel map subject to the conditions of approval, as amended, making Findings A through F as follows:

ENVIRONMENTAL FINDINGS

- A. That it can be seen with certainty, based upon review of the initial environmental assessment, that there is no possibility that the project may have a significant impact on the environment. An Initial Study checklist was completed for the project; and
- B. The custodian and location of the documents which constitute the record of these proceedings is the Plumas County Planning Department, 555 Main Street, Quincy, California.

CONDITIONS

Plumas County Planning Department

- 1. The Final Parcel Map shall be in substantial conformance with the Tentative Parcel Map prepared by Bastian Engineering dated April 2022 and received by the Planning Department on April 5, 2022, except as modified by these conditions, and noting the following:
 - A. The improvements proposed for the proposed project will include a new (separate) water and sewer service from Grizzly Lake Community Services District for Lot 2, not “Lot B” as denoted on the Tentative Parcel Map.
- 2. The Final Parcel Map shall be recorded prior to November 9, 2024, or an Extension of Time shall be filed.

Plumas County Environmental Health

- 3. Potable water supply and sewage disposal services shall be provided by Grizzly Lake Community Services District for both proposed parcels.
- 4. Prior to the recordation of the Final Parcel Map, new (separate) potable water supply and sewage disposal services shall be provided to Lot 2 from the Grizzly Lake Community Services District.
- 5. Prior to recordation of the Final Parcel Map, a will serve letter, or other documentation satisfactory to the Environmental Health Department, from Grizzly Lake Community Services District shall be submitted to the Environmental Health Department confirming adequate capacity for an additional connection for potable water supply and sewage disposal to Lot 2.

Plumas County Department of Public Works

- 6. New lot corners as shown on the Tentative Parcel Map shall be located and flagged per the Tentative Parcel Map prior to field inspection by County staff.
- 7. The Final Parcel Map shall denote the County road as “Delleker Road (County Road DE01)”.
- 8. All easements listed in the Title Report shall be shown on the Final Parcel Map to the satisfaction of the Engineering Department.
- 9. Prior to the recordation of the Final Parcel Map, easements shall be obtained for any utilities (e.g., water, electrical, sewer, etc.) that cross over the property lines as shown on the Tentative Parcel Map.

Where an easement(s) cannot be obtained due to same ownership of the parcels, in lieu of obtaining the easement(s), a note shall be placed on the Final Parcel Map that states:

“Upon the change of ownership of either parcel, proper easements shall be established for any utilities (e.g., water, electrical, sewer, etc.) that cross over the property lines as shown on the Final Parcel Map.”

FINDINGS

- A) The project, as conditioned, will satisfy required development standards, per Plumas County Code, for Periphery Commercial (C-2) zoning because:
 - 1. The development will be served by roads which meet the required County Road Standard and all required utilities and services are available or can be made available.
 - 2. The project site is located within the service boundaries of the Eastern Plumas Rural Fire Protection District, which provides structural fire protection and suppression services within reasonable service distance from existing fire protection facilities.
 - 3. Electrical power is provided to all parcels.
- B) The project, as conditioned, will be consistent with the Periphery Commercial (C-2) zoning because each parcel will meet the minimum standards for size, width, and use. In addition, both resulting parcels are developed, with one (1) commercial structure on one resulting parcel and two (2) commercial structures on the other resulting parcel. Therefore, land division does not result in any conflict with zoning and density standards.
- C) It is found that this project is consistent with the General Plan and zoning because the General Plan calls for Periphery Commercial uses on the site and the zoning designation is C-2 (Periphery Commercial), which is compatible with existing and proposed uses.
- D) 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; and 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.
- E) It is found that the design and location of each lot, and the project as a whole, are consistent with the applicable regulations adopted by the California Department of Forestry and Fire Protection adopted pursuant to Sections 4290 and 4291 of the Public Resources Code. In addition, the approval of the Request for Exception to Standards from Cal Fire addressed the dead-end road length limit set forth in the SRA Fire Safe Regulations.
- F) It is found that ingress and egress for the subdivision would be provided via Delleker Road (County Road DE01), a paved, maintained County road, which is consistent with the General Plan and meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code.

Zoning Administrator Notation: Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) calendar days of the decision. If the tenth day lands on a Saturday, Sunday, or County holiday, the end of the appeal period will be the next working day. The appeal shall be based on relevant information stated or submitted at or prior to this meeting by (a) the applicant; (b) any owner of real property within 300 feet of the exterior boundaries of the property involved who was present at the hearing or who presented written testimony before the Zoning Administrator, or who may be adversely affected by the decision of the Zoning Administrator; (c) such other person whom the Board determines to have been adversely affected by the decision; or (d) any County department head whose department has

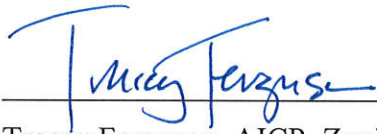
an interest in the decision (Plumas County Code, Title 9, Chapter 2, Article 10, Section 9-2.1001). Appeals shall be filed with the Clerk of the Board of Supervisors, paying the fee according to the Planning & Building Services Fee Schedule.

ADJOURN

There being no further business, the meeting adjourns at 10:50 a.m. The next regularly scheduled Zoning Administrator meeting is set for December 14, 2022, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.



Heidi Wightman, Dept. Fiscal Officer II



Tracey Ferguson, AICP, Zoning Administrator