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**PLUMAS COUNTY  
ZONING ADMINISTRATOR**

Minutes of the Regular Meeting of December 14, 2022

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The Plumas County Zoning Administrator convened in a meeting on December 14, 2022, at 10:05 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. MODIFICATION OF RECORDED MAP BY CERTIFICATE OF CORRECTION: SORENSON, PAUL & LIN, LENA; APN 008-430-005; T.25N/R.16E/S.32 MDM**

The request for a modification of recorded map by certificate of correction to relocate the building envelope on lot 4 as shown on recorded map 10M129 (Ramelli Creek Ranch), located at 10267 Frenchman Lake Road, Chilcoat, is presented. Tim Evans, Senior Planner, gives a presentation as reflected in the staff report. Paul Sorenson, applicant, is present and comments that one of the conditions of approval requires a timberland conversion permit to be submitted to Cal Fire's Review Team; however, the Beckwourth Complex Fire burned through the property after they bought the parcel, and a lot of the trees are already burned up. Additionally, there are no trees in the proposed building envelope. The public hearing is opened at 10:16 a.m. There being no comments, the hearing is closed at 10:16 a.m.

Zoning Administrator, Tracey Ferguson, states the existing building envelope on the recorded map is 100' x 100' (10,000 sq. ft.). The request today to relocate the building envelope also reduces the size of the building envelope to 32' x 50' (1,600 sq. ft.). Ferguson questions the size of the desired residential dwelling footprint. Sorenson replies 1,600 sq. ft. which matches exactly the proposed building envelope. Ferguson notes that there may be unintended consequences with the size of the proposed building envelope request, such as not being able to build any other structures within the building envelope, should the applicant want to do so, including anything over 120 sq. ft. such as a barn or garage or other storage structure. Continuing, Ferguson states that the applicant can either request the hearing be continued so the engineer can reassess the building envelope size to meet the possible future needs of the applicant or come back at a future date and go through the modification of recorded map by certificate of correction process again to request the building envelope be enlarged, should the need arise. In addition, Ferguson notes that the "proposed" well house shown on the map needs to be investigated, as the applicant stated it has already been built. Sorenson replies he would like to reassess. Ferguson continues the hearing to January 11, 2023.

**III. SPECIAL USE PERMIT AND ADOPTION OF MITIGATED NEGATIVE DECLARATION #684: CENTRAL PLUMAS RECREATION AND PARK DISTRICT; APN 115-130-015; T.24N/R.9E/S.14 MDM**

The proposal to establish a community bike park in 7-R zoning (Single-Family Residential), located at 129 Kelsey Lane, Quincy, is presented. Tim Evans, Senior Planner, gives a presentation as reflected in the staff report. James Shipp, General Manager of the Central Plumas Recreation and Park District, states he has no questions. The public hearing is opened at 10:42 a.m. There being no comments, the hearing is closed at 10:42 a.m. Zoning Administrator, Tracey Ferguson, states no public comments were received from neighboring property owners.

Ferguson amends Condition #8 to remove *"/or"* from *"and/or"* and remove the slash between *"grading/drainage"* and insert *"and"* in its place.

Condition #10 is amended based on the bike park maximum hourly occupancy of 30 people. In addition, the sentence *“The portable toilet shall be ADA accessible and unisex, with one (1) water closet and one (1) urinal, and may include hand washing capability.”* is added at the end of Condition #10.

## **DECISION**

Tracey Ferguson, Zoning Administrator, adopts Mitigated Negative Declaration No. 684, making Findings A through C; and approves the special use permit subject to the conditions of approval, as amended, making Findings A through D as follows:

## **ENVIRONMENTAL DETERMINATION FINDINGS**

- A) There is no substantial evidence in the whole record supporting a fair argument that the proposed project, as conditioned that includes the mitigation measures from Mitigated Negative Declaration Number 684, would have a significant impact on the environment; and
- B) Mitigated Negative Declaration 684 reflects the independent judgment of the Plumas County Zoning Administrator; and
- C) The custodian and location of the documents which constitute the record of these proceedings is Plumas County Planning and Building Services, 555 Main Street, Quincy, California.

## **CONDITIONS**

### **Plumas County Planning Department**

- 1. The special use permit for the community bike park (“park” use) is approved in conformance with the special use permit application submitted on June 14, 2021, grading and drainage plan dated March 17, 2022, and the site plan dated November 1, 2022.
- 2. The community bike park shall not exceed a maximum hourly occupancy of 30 people and a maximum daily occupancy of 120 people.
- 3. The community bike park shall be closed during the winter season and hours of operation shall be limited to sunrise to sunset.
- 4. Any signage proposed for the park shall adhere to the applicable requirements of Plumas County Code Sec. 9-2.1307, *Signs (2-R, 3-R, 7-R)*, and Plumas County Code Sec. 9-2.416, *Signs*, and a sign permit shall be obtained from the Planning Department prior to the installation of any business signs.
- 5. The violation of any condition of a special use permit shall be a violation of the provisions of this chapter and shall be punishable as set forth in Article 12 of Chapter 2 of Title 9 of the Plumas County Code.
- 6. The special use permit is to be signed by the property owners and applicants and returned within forty (40) days of the date of approval or the permit will be voided.

### **Plumas County Building Department**

- 7. Applicant shall submit all necessary grading permit applications to the Plumas County Building Department within twenty-four (24) months of the approval of this special use permit.
- 8. To the satisfaction of the Building Department, the site plan and grading and drainage plan submitted shall address all necessary accessibility (ADA) requirements.
- 9. The community bike park shall be constructed in conformance with the grading and drainage plan that is satisfactory to the Building Department and Department of Public Works.

## **Plumas County Environmental Health**

10. At least one (1) water closet and one (1) urinal shall be provided for the first thirty (30) males in attendance. One (1) water closet shall be provided for the first twenty-five (25) females or portion thereof, and two (2) water closets for twenty-six (26) to thirty (30) females in attendance. The portable toilet shall be ADA accessible and unisex, with one (1) water closet and one (1) urinal, and may include handwashing capability.

## **Northern Sierra Air Quality Management District**

11. If any diesel generator is proposed, the applicant should contact the Northern Sierra Air Quality Management District (NSAQMD) regarding the need for an Authority to Construct/Permit to Operate.

## **Mitigation Measures from Mitigated Negative Declaration #684**

12. **Mitigation Measure 3A:** A Dust Control Plan shall be submitted to the Plumas County Planning Department at the time of application of a grading permit, which is satisfactory to the Northern Sierra Air Quality Management District (NSAQMD) meeting the requirements of Rule 226 and shall include the following elements:
  - Pursuant to California Vehicle Code (Section 23114) (California Legislative Information 2016), all trucks hauling soil and other loose material to and from the construction site shall be covered or shall maintain at least 6 inches of freeboard (i.e., minimum vertical distance between top of load and the trailer).
  - Any soils that are removed during construction shall be stored onsite in piles not to exceed 4 feet in height. These spoil piles shall be clearly marked and flagged. Spoil piles that will not be immediately returned to use shall be revegetated with a non-persistent erosion control mixture.
  - Equipment and manual watering shall be conducted on all stockpiles, dirt/gravel roads, and exposed or disturbed soil surfaces, as necessary, to reduce airborne dust.
  - Central Plumas Recreation and Park District or its contractor shall designate a person to monitor dust control and to order increased watering as necessary to prevent transport of dust offsite. This person shall also respond to any citizen complaints.
13. **Mitigation Measure 4A:** The following measures are recommended to avoid or minimize the potential for project related impacts on migratory birds, including the special status yellow-breasted chat and the yellow warbler:
  1. Project activities should be scheduled to avoid the nesting season to the extent feasible. The typical nesting season in northern California extends from February 15 through September 15. Project activities should be scheduled to occur outside of the nesting season. If the nesting season cannot be completely avoided, the following measures shall be implemented:
    - a. A qualified biologist shall conduct a minimum of one pre-construction survey for nesting migratory birds within the project area and a 250-foot buffer around the project area. The survey shall be conducted no more than 14 days prior to the initiation of activities in any given area. The pre-construction survey shall be used to ensure that no active bird nests occurring within or immediately adjacent to the project would be disturbed during project implementation. If an active nest(s) is found, a qualified biologist shall determine the extent of a construction-free buffer zone to be established around the nest(s). If it is anticipated that project activities will encroach on the buffer, a biological monitor will be present to ensure that the nesting birds are not disturbed by the construction activities.

- b. If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrates (e.g., trees and shrubs) that will be removed by the project shall be removed before the onset of nesting season if feasible.
14. **Mitigation Measure 4B:** The following avoidance and mitigation measures are recommended during project construction to reduce the potential spread of invasive species:
  1. All equipment used for construction activities off of paved surfaces will be weed-free prior to entering the project site.
  2. If project implementation calls for mulches or fill, they will be weed free.
  3. Any invasive plant species removed during construction will be properly disposed of to ensure the species does not spread to other areas.
15. **Mitigation Measure 5A:** Should any evidence of prehistoric cultural resources be observed (freshwater shells, beads, bone tool remnants or an assortment of bones, soil changes including subsurface ash lens or soil darker in color than surrounding soil, lithic materials such as flakes, tools or grinding rocks, etc.), or historic cultural resources, structures and remains with square nails, refuse deposits or bottle dumps, often associated with wells or old home-sites, privies, all work shall immediately cease and a qualified archaeologist shall be consulted to assess the significance of the cultural materials.
16. **Mitigation Measure 5B:** In the event of an accidental discovery or recognition of any human remains, the Plumas County Sheriff/Coroner shall be notified and construction activities at the affected work site shall be halted. If the coroner determines the remains to be Native American: (1) the Plumas County Sheriff/Coroner shall contact the Native American Heritage Commission (NAHC) within 24-hours, and (2) the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The treatment and disposition of human remains that might be discovered during excavation shall be in accordance with applicable laws and regulations.
17. **Mitigation Measure 7A:** In the unlikely event that potentially significant paleontological materials (e.g., fossils) are encountered during construction of the project, all work shall be halted in the vicinity of the paleontological discovery until a qualified paleontologist can visit the site of discovery, assess the significance of the paleontological resource, and provide proper management recommendations. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted. The treatment and disposition of paleontological material that might be discovered during excavation shall be in accordance with applicable laws and regulations.
18. **Mitigation Measure 10A:** At the time of submittal of the grading permit to the Plumas County Building Department, a grading and drainage plan shall be submitted, which is satisfactory to the Plumas County Building Department and Department of Public Works.
19. **Mitigation Measure 13A:** Project construction shall only occur between the hours of 7 a.m. and 7 p.m., Monday through Friday and 8 a.m. and 5 p.m. on weekends and on federally recognized holidays.

## **FINDINGS**

- A) The project, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms to applicable State and County codes and regulations.
- B) The project is socially compatible with the surrounding area because the conditions are designed to ensure that the project will not create any nuisances or interfere with the surrounding community.




- C) The project is economically compatible with the surrounding area because the use will not interfere with the economic use of properties in the vicinity in conformance with zoning requirements adopted for the promotion of the public health, safety, and general welfare.
- D) The project is consistent with the General Plan and zoning subject to the conditions imposed by the issuance of a special use permit.

***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 11:01 a.m. The next regularly scheduled Zoning Administrator meeting is set for January 11, 2023, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.

  
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Heidi Wightman, Dept. Fiscal Officer II

  
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Tracey Ferguson, AICP, Zoning Administrator