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**PLUMAS COUNTY  
ZONING ADMINISTRATOR**  
Minutes of the Regular Meeting of March 8, 2023

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The Plumas County Zoning Administrator convened in a meeting on March 8, 2023, at 10:20 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. REVIEW OF SPECIAL USE PERMIT: PLUMAS DISTRICT HOSPITAL; APNs 115-192-001 & 115-192-002; T.24N/R.9E/S.15 MDM**

Per Condition #4 of the Special Use Permit granted on March 10, 2021, for a child day care facility, a review of the social compatibility of the project to ensure the project is not creating any nuisances or interfering with the surrounding community is required on or before March 10, 2023. Tim Evans, Senior Planner, gives a presentation as reflected in the staff report. Evans notes that two emails from property owners in the vicinity were received by the Planning Department the morning of the public hearing.

Darren Beatty, Chief Operating Officer; Tiffany Leonhardt, Director of Business Development; and Alli Ramelli, Director of Childcare, representing Plumas District Hospital, are attending the meeting via a conference line. Tracey Ferguson, Zoning Administrator, states no further conditions are being proposed at this time, noting the public hearing is a review of Condition #4 under the approved Special Use Permit. Ferguson questions if anyone from Plumas District Hospital has any questions or comments. Beatty comments that the child day care has proven essential in order to provide much-needed day care services for clinical and non-clinical staff working at the hospital, which has enabled them to provide continued care to the public. Beatty adds that he sincerely appreciates the last two years of operation at the child day care facility and the neighbors, as well as the Planning Department, to allow Plumas District Hospital the opportunity to maintain child day care services to the community.

The public hearing is opened at 10:26 a.m.

Marcy DeMartile, a property owner who shares a common fence with the majority of the play area for the child day care facility, is present and states there has been nothing adverse, no destruction, and no issues at all with the day care facility use. In listening to the interaction in the play area with the teachers and children, it is very respectful and interactive. DeMartile commends Alli and the entire staff, in addition to the facility service aspect of the operation such as keeping trash picked up, snow removal, and maintenance to the yard. DeMartile feels it has truly been an asset to the neighborhood of Bellamy Tract.

Ferguson reads aloud the comments received by email from neighbor Leslie Mink, a property owner across the street from the child day care facility. In her email, Mink questions the occupancy of the facility and outlined six main concerns: 1) stormwater runoff, 2) parking, 3) light pollution, 4) landscape maintenance, 5) traffic, and 6) noise. Ferguson also reads aloud the comments received by email from Tonia Sherman, a direct neighbor who shares a fence with the facility. In her email, Sherman states she feels they did a beautiful job with the remodel and construction of the center, which not only improved the neighborhood, but also her property, as the hazard trees on the Plumas District Hospital property were safely removed. As far as the operation of the day care center, Sherman shares that they enjoy hearing the children playing and have absolutely no issues with them or the employees. Sherman feels the project has been a success. There being no further comments, the hearing is closed at 10:32 a.m.

In response to questioning by Ferguson, Leonhardt states their licensing capacity has changed and they are at a maximum capacity of 36 children per day (down from 38, as approved under the Special Use Permit). They are serving approximately 30 families, and on their busiest days they have no more than 28 children. Ferguson requests that Leonhardt provide the Planning Department documentation of the change in their licensing to include in the Special Use Permit file. Additionally, the permit allows six teaching staff and one director. Ferguson questions the current staffing level. Ramelli responds that they will be adding another staff member, which would bring the total to seven teachers and one director. Leonhardt clarifies that the new staff member is a split-shift employee. Ferguson responds staffing levels will need to be reviewed by the Planning Department outside of this hearing process to ensure there are no conflicts with what was approved under the Special Use Permit.

Parking on Valley View Drive is discussed. Leonhardt states that staff is instructed to reserve the childcare parking lot for parents for pickup and drop off, for child safety reasons. Staff is instructed to park further down Valley View Drive in the hospital's main parking lot area. Staff is also instructed to avoid parking on Ms. Mink's property adjacent to Valley View Drive. Continuing, Leonhardt notes that there are times when cars are parked on Valley View Drive that are not staff, or anyone affiliated with Plumas District Hospital. Ferguson states the intent of the approved onsite parking under the Special Use Permit is for staff, so if it's being utilized in a different way the Special Use Permit will need to be reviewed outside of this hearing process. Beatty states that the County easement on Valley View Drive is rather large, so any parking there on the shoulder is likely on County road right-of-way property.

Regarding stormwater runoff, Beatty explains that drainage hasn't changed a lot in the last 20 years, nor has it changed as a result of this project. Beatty feels it's a County Public Works' issue to address as the Gansner Creek drainage is overgrown.

Regarding light pollution, Ramelli explains that the porch light has always been there, but they recently installed a motion light, and she was not aware that it stays on all night. They also installed solar landscape stakes along the driveway to provide light for the after-hours janitorial staff. Ferguson responds that not knowing the design of the porch light, she will need to see it for herself, noting that there is a code and ordinance that lighting should be directed down and away from residential property.

Regarding landscape maintenance and the assertion that contractors were using Ms. Mink's yard as a dumping ground for leaves, Beatty responds that it is not true and furthermore that the edge of the right-of-way needs to be determined. In her email, Mink also asserts that the snow removal people are dumping or plowing snow from the day care's parking lot into her yard. Mink requests yard maintenance be done after 8 a.m. on weekends.

Regarding traffic, Leonhardt states that some of the traffic on Valley View Drive is not connected to the child day care facility. For example, concurrent with the day care opening, they were doing drive thru COVID testing (about 120 tests per day.) In response to questioning by Ferguson, Ramelli explains that between 7:50 a.m. to 8:30 a.m. children are being dropped off, it's not all at once, it's staggered. There is little to no activity until 4:15 p.m. to 5:15 p.m. when pickup occurs. Ramelli continues, in regard to parking, that parents park in the onsite parking lot, to drop off and pick up, so the balance of the day the lot is vacant. In practice, the onsite parking is used for parents more so than staff. Beatty adds that there is additional oversight from the State Department of Social Services and the license they hold. Safety of the children will always be put first, which is why they've prioritized the onsite parking lot for parents.

Regarding noise, Beatty states his office window shares a direct view of the daycare's backyard and he does not find the noise distracting whatsoever, he finds it pleasant. He welcomes and enjoys it. Leonhardt adds that the children are not outside all day. Ramelli states the playground times are weather dependent but are generally 9:00 a.m. to 11:00 a.m. Continuing, 11:00 a.m. to 2:00 p.m. is naptime so there is no activity outside. Between 3:00 p.m. and 5:15 p.m. the staff and children are outside again.

## **DECISION**

Ferguson states she will continue the hearing to April 12<sup>th</sup> at 10:00 a.m. to allow adequate time for staff to follow up and research specific items and bring it back with potential new conditions to address valid concerns related to the social compatibility to ensure the project is not creating any nuisances or interfering with the surrounding community. Ferguson stresses that the continuance of the public hearing in no way impedes activities allowed under the approved Special use Permit and the continued operation of the child day care facility. Leonhardt questions how the research will be initiated and what part Plumas District Hospital plays. Ferguson responds that staff will address the neighbor's comments and will email Leonhardt with any questions. There will be a public hearing period at the next meeting.

### **III. PLANNED DEVELOPMENT PERMIT: COLLINS PINE COMPANY; APN 100-470-003; T.28N/R.7E/S.7 MDM**

The request for a planned development permit for a density transfer to allow multiple dwelling units on a parcel zoned 7-R (single-family residential), which will be used as transitional housing for employees, located at 540 Main Street, Chester, is presented. Tim Evans, Senior Planner, gives a presentation as reflected in the staff report. Evans notes public comments, as shown in Table 1 in the staff report, were received from three property owners in the vicinity. The comments questioned the location of the housing, whether the units will be apartments or duplexes, if additional units will be built with a planned development permit, what the project entails, and when the public hearing will be held. Evans states the questions were answered with staff responses sent directly to the commentors prior to today's meeting.

Terry Collins of Collins Pine Company is present and states their intention is to retain the option to build a duplex on each of the four building sites shown on the site plan, which brings the total up to 8 residential units. Tracey Ferguson, Zoning Administrator, clarifies and asks for confirmation that Collins Pine wants the flexibility of having up to 8 units within four building sites in any configuration, that is, single-family dwellings and/or duplexes. Collins confirms that is correct. Condition #4 regarding the extension of Chateau Way is discussed. Evans explains that a Class 11 driveway can only serve up to three dwelling units; beyond three it's considered a road (Class 7). Condition #4 is written in such a way to provide the flexibility of having roads and driveways. Collins points out that there is a telephone pole right in the middle of where Chateau Way is shown on the site plan to extend, so the Class 7 road would need to be moved to one side. Therefore, it won't be exactly as shown on the site map submitted with the application. Ferguson comments that there needs to be agreement between Conditions #1 and #4. In other words, the building plans need to conform to the site plan as stated in Condition #1. Ferguson suggests adding a clause to Condition #1 to address the issue, such as "notwithstanding Condition #4" to provide clarification. Conditions #3 and #8 regarding the time when construction will begin and be completed are discussed, as well as Finding A. Ferguson points out the phrase "employee housing" in Environmental Determination Finding B. Ferguson explains that "employee housing" as defined in the Plumas County Code is a *use* that is not permitted in the 7-R zoning. Ferguson states that any references to "employee housing" will be re-worded as not to confuse to state "dwelling units to house employees" because the intent is to provide rental housing for employees, not to provide "employee housing" as a defined use in the Plumas County Code.

## **DECISION**

Tracey Ferguson, Zoning Administrator, finds the project exempt from the California Environmental Quality Act under CEQA Guidelines Section 15061(b)(3), making Findings A through C, with an amendment of Finding B; and approves the planned development permit subject to the conditions of approval outlined in Exhibit 14 of the staff report, with an amendment of Condition 1, making Findings A through D, with an amendment of Findings A, C, and 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, might have any significant adverse impact on the environment; and
- B) The project is a planned development for the construction of up to eight (8) dwelling units to house employees that will be constructed to meet all building requirements; 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 planned development permit for the construction of up to eight (8) units is approved in conformance with the planned development permit application received on May 25, 2022, and the site plan received May 27, 2022, notwithstanding Condition #4.
2. Zoning requirements for the number of allowable dwelling units on a single parcel are modified by this permit. Construction of up to eight (8) units, detached, attached, or any combination thereof, are permitted under this Planned Development Permit.
3. Construction shall be completed by March 8, 2028, or an amendment of this Planned Development Permit shall be obtained prior to that date.
4. To the satisfaction of the Planning Director, the extension of Chateau Way serving the proposed building areas shall be constructed to the Class 7 Road standard pursuant to Plumas County Code Sec. 9-4.501(b) and the turnaround shall be constructed pursuant to Plumas County Code Sec. 9-4.503 or a combination of driveways from Chateau Way to each building area shall be constructed meeting the Class 11 Road standard pursuant to Plumas County Code Sec. 9-4.501(b).
5. The extension of Chateau Way or driveway(s) serving each building area shall be shown on the site plan for a building permit.
6. The violation of any condition of a planned development 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.
7. The planned development 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**

8. Applicant shall submit all necessary building permit applications to the Plumas County Building Department within thirty-six (36) months of the approval of this planned development permit.

### **Plumas County Environmental Health**

9. Potable Water Supply for the units shall be provided by the Chester Public Utilities District via the permitted Public Water System.
10. Sewage disposal for the units shall be provided via connection to the Chester Public Utilities District Sanitary Sewer.

## **FINDINGS**

- A) The applicant intends to complete the development within a reasonable time and that any development phasing is a condition of approval.

*Collins Pine Company intends to begin construction of four (4) units in 2023-24, with the remaining four (4) units being constructed in 2024-25. Planned Development Permit Condition #3 serves to address the phasing of the project.*

B) The proposed planned development conforms to the General Plan.

*The planned development will be consistent with the Plumas County 2035 General Plan as the general plan designation is Single-Family Residential and the zoning is 7-R (Single-Family Residential), which permits one (1) dwelling unit for each unit of minimum lot area within the area of the parcel subject to the issuance of a planned development permit. The density of seven (7) dwelling units per acre will not be exceeded as the parcel has 35 acres of 7-R zoning.*

C) Any modification or exception from the zoning and subdivision requirements, including density transfer, is justified to achieve an integrated plan which reduces adverse social or environmental impacts, or is part of a common interest development.

*Planned Development Permit Condition #2 specifies the modification (density transfer) granted by this permit. The modification of the zoning requirements is justified to achieve the construction of up to eight (8) dwelling units to house employees to reduce adverse social and environmental impacts.*

*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.*

*Clustering of up to eight (8) dwelling units to house employees on the parcel reduces environmental impacts as the units will not be spread throughout the 71.10-acre parcel.*

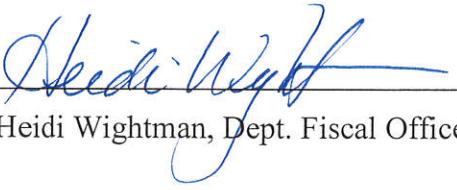
D) If any exceptions from the provisions of this Code which implement the SRA Fire Safe Regulations are required, that the requirements of Section 9-9.202 of Article 2 of Chapter 9 of Title 9 of this Code are met.

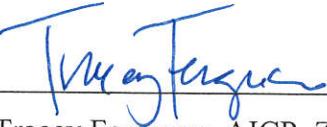
*The project is within the Local Responsibility Area (LRA) served by Chester Public Utility District (CPUD). Therefore, the project is not requesting an exception from codes which implement the State Responsibility Area (SRA) Fire Safe Regulations as the project is not located within the SRA or the Very High Fire Hazard Severity Zone (VHFHSZ) of the LRA.*

**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 11:57 a.m. The next regularly scheduled Zoning Administrator meeting is set for April 12, 2023, 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