
PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Regular Meeting of April 10, 2024

The Plumas County Zoning Administrator convened in a meeting on April 10, 2024, at 10:05 a.m. in the Permit Center Conference Room, Quincy. Interim Zoning Administrator, Jim Graham, presiding. Planning Director, Tracey Ferguson, is in attendance.

I. PUBLIC COMMENT OPPORTUNITY

No public comment is presented.

II. CONTINUED PUBLIC HEARING - SPECIAL USE PERMIT: JOY, BENJAMIN & ELIZABETH; APN 025-190-011; T.23N/R.14E/S.28 MDM

As continued from the March 13, 2024, Zoning Administrator meeting, the request for a special use permit for a “place of assembly” to be used as a wedding and event venue on property that is zoned Secondary Suburban (S-3), Mobile Home Combining (MH), Flood Plain Combining (FP), and Special Plan Scenic Road (SP-ScR), located at 78130 Highway 70, Portola, is presented. Tracey Ferguson, Planning Director, gives a presentation as reflected in the staff report. Applicant, Elizabeth Joy, is present and states she agrees with the conditions of approval contained in the staff report. Joy notes her husband had a question about using woodchips for the parking area because he is concerned about the potential for a fire with a combustible parking area surface such as woodchips. They have fire suppression equipment but wanted feedback on the parking area requirements. Zoning Administrator, Jim Graham, speaks to the importance of satisfying Condition #6 regarding the private road easement across Forest Service land to access the wedding event venue property to ensure there is no conflict. Ferguson points out there are a number of conditions that need to be satisfied quickly prior to the first wedding event in 2024, or by May 10, 2024, whichever is sooner, such as providing a complete site plan (Condition #2), a Fire Safety/Fire Prevention Plan (Condition #5), which needs to be approved by the Beckwourth Peak Fire Protection District, and a Traffic Management Plan (Condition #8), which needs to be approved by the Department of Public Works. In addition, Ferguson recommends amending Condition #10 to change “Dirt parking areas ‘*shall be*’ to ‘*may be*.’” Ferguson clarifies that the parking area can be dirt but it must be dusted down or contain vegetation that is trimmed to a height of no more than three (3) inches. Graham states he is fine with making the change to Condition #10.

Discussion follows regarding the 2.5-acre area that is designated as the “permitted event venue” located southeast of the pond. Ferguson explains that Condition #3.a. requires a 200-foot buffer from the boundary of the adjacent parcel to the east. The condition speaks to the need for social compatibility with adjacent residential use. Ferguson goes on to explain that when you take 200 feet off the property line, it shifts the event venue area over and cuts into a lot of the area the Applicant may want for the event venue. Continuing, Ferguson explains that should the Applicant want to include the pond area, a modification to Condition #2 would be needed. Ferguson notes the 200-foot buffer is taken from the Plumas County Code (Sec. 9-2.4405(c)(1)) Commercial Social Event, Limited ordinance, which this project isn’t subject to, but the County looks to that ordinance as a “best practice” when looking at conditioning event venue place of assembly projects such as this one.

To further understand the Applicant’s objectives for the venue area and to determine the exact location of the “permitted event venue” area, considering the proposed conditions, Ferguson suggests continuing the item. Graham continues the item to the special meeting of the Zoning Administrator to be held on April 22, 2024, at 9:00 a.m. and a site visit will be coordinated with the Applicant.

III. TENTATIVE PARCEL MAP: SCARLETT PUMPERNICKEL PROPERTIES, LLC; APN 103-430-007; T.28N/R.7E/S.13 & T.28N/R.8E/S.18 MDM

The proposal to divide 22.50 acres, designated as a remainder parcel of the Bailey Creek Phase 4, Unit 2 Subdivision Map (10M92), zoned single-family residential (3-R) into two parcels of 13.80 and 8.70 acres for single-family residential use, located along/adjacent to Marina Drive and Clifford Drive, Lake Almanor, is presented. Tracey Ferguson, Planning Director, gives a presentation as reflected in the staff report. Ferguson reiterates, as noted in the staff report, that the ultimate plan for the property is not single-family residential, but rather a commercial storage use, which would require a General Plan Amendment/Zone Change to change the zoning to Recreation Commercial (R-C) and that "Storage" is a permitted use in the R-C zoning, subject to issuance of a special use permit. Additionally, Ferguson suggests amending Condition #3 to ensure it will be part of the Additional Information sheet. The Applicant, Brett Womack, states he agrees with the proposed conditions of approval contained in the staff report. Zoning Administrator, Jim Graham, amends Condition #3 by adding a sentence at the end, which states, "All dust suppression measures shall be noted on an Additional Information sheet."

The public hearing is opened at 10:51 a.m. There being no comments, the hearing is closed at 10:51 a.m.

DECISION

Zoning Administrator, Jim Graham, finds the project exempt from the California Environmental Quality Act under CEQA Guidelines Section 15061(b)(3), making Findings A & B; and approves the Tentative Parcel Map subject to the conditions of approval outlined in Exhibit 15 of the Staff Report, with the amendment of Condition #3, making Findings A through F as follows:

ENVIRONMENTAL DETERMINATION 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 Department of Planning

- 1. The Final Parcel Map shall be in substantial conformance with the Tentative Parcel Map (Sheet 1 of 1) prepared by NST Engineering, Inc. dated February 2023, and received by the Planning Department on February 14, 2023, except as modified by these conditions:
 - a. Proposed Parcel 1 notation "EXISTING DESIGNATED REMAINDER PER 10 M 92 – 96" shall be modified to read: "EXISTING DESIGNATED REMAINDER PER 10 M 92 – 97"
 - b. Proposed Parcel 2 notation "PROPOSED 24FT ACCESS ROAD" shall be modified to reflect the access being a "DRIVEWAY" (not a "ROAD") (Plumas County Code Sec. 9-4.413 – Class 11 Driveways) pursuant to Plumas County Code, Sec. 9-4.501, particularly subsections (b) and (d), for Class 11.
 - c. An Additional Information sheet shall be prepared with the following information:
 - i. Include note stating should development occur, all applicable sections of California Code of Regulations, Title 14. Natural Resources, Division 1.5. Department of Forestry and Fire Protection, Chapter 7. Fire Protection, Subchapter 2. State Minimum Fire Safe Regulations found in Public Resource Code 4290 shall be applied.

- ii. Include note stating structures constructed in the State Responsibility Area (SRA) are required to comply with Public Resource Code 4291 and the defensible space regulations in California Code of Regulations, Title 14. Natural Resources, Division 1.5. Department of Forestry and Fire Protection, Chapter 7. Fire Protection, Subchapter 3. Fire Hazard.
2. The Final Parcel Map shall be recorded prior to April 10, 2026, or an Extension of Time shall be filed.

Northern Sierra Air Quality Management District (NSAQMD)

3. Appropriate dust suppression measures as per the Northern Sierra Air Quality Management District's rules and regulations shall be implemented to prevent dust emission and/or airborne transmission of fugitive dust from construction improvements. All dust suppression measures shall be noted on an Additional Information sheet.

Plumas County Department of Public Works and Engineering Department

4. The Final Map shall be revised to notate areas with a slopes between 10-15% and slopes greater than 15%.
5. Prior to recordation of the final map, a Will Serve letter shall be obtained from the Walker Ranch Community Service District (WRCS D). It is the responsibility of the developer to further identify and install any new connection requirements necessary to serve water and sewer to the new parcels. This includes any underground connections to the main lines necessary for WRCS D and its operators to set the water meter and/or connect the sewer lines.
6. Prior to recordation of the final map, a Will Serve letter shall be obtained from Pacific Gas and Electric Company.
7. An Additional Information sheet shall be prepared with all applicable notes from Book 10 of Maps Page 97 to the satisfaction of the County Engineer, as follows:

THE ISSUANCE OF BUILDING AND GRADING PERMITS IS SUBJECT TO THE PROVISIONS OF THE APPROVED EROSION CONTROL, GRADING AND DUST CONTROL PLANS

- 1) A grading plan shall be submitted with each application for a grading permit or a building permit where ground disturbance will occur. This grading plan shall be consistent with the grading specifics outlined below.
- 2) Grading and terracing for building foundations shall be designed to blend into the natural contours of the site.
- 3) Slope rounding and contour grading shall blend with natural contours on those lots with slopes greater than 15%, all cut and fill for buildings shall have a minimum setback from the nose of the slopes as per the uniform building code (as adopted by Plumas County) section 7011 setbacks.
- 4) Ground disturbing construction shall be limited to April 1 through October 31. After earthwork has been completed, construction shall be landscaped, covered with straw or wood or other materials. woody material from chipping or brush, wood or construction debris can be used to cover exposed soil areas, on or before October 1 or on completion, whichever is later. Areas covered with landscaping or hydro-seeding shall be watered until a base layer of vegetation is established (one-inch for grasses). if substantial rainy periods occur between April 1 and October 31, ground disturbing construction operations shall use erosion control measures such as gravel filter stabilized construction entrances and sediment traps sufficient to eliminate adverse effects on surface waters. Site protection activities for water quality purposes will be allowed at any time.
- 5) For construction on natural slopes with gradients in excess of 15%, a design to minimize erosion prepared by an engineering geologist or geotechnical engineer is required.

- 6) Storm water runoff from roofs shall be diverted into and through infiltration trenches on each property. Overflow from these trenches shall be directed over vegetated areas before reaching roadside gutters. Plans showing how this will be done shall be submitted for approval with applications for building permits, under which roofs will be constructed, enlarged or modified and with applications for building permits for construction which would modify existing diversions.

EROSION CONTROL PLAN:

- A) Surplus or waste earthen material shall not be placed in drainage ways on the property.
- B) All loose piles of soil, silt, clay, sand, debris, or other earthen materials shall be protected in a reasonable manner, as set forth in the storm water pollution prevention plan, to prevent the discharge of these materials to waters of the state.
- C) After completion of construction activities, all surplus or waste earthen materials shall be removed from the site and deposited in an approved disposal location or stabilized onsite.
- D) All disturbed areas shall be stabilized by appropriate soil stabilization measures, as set forth in the storm water pollution prevention plan by October 15 of each year.
- E) Drainage swales disturbed by construction activities shall be stabilized by appropriate soil stabilization measures, as determined by the storm water pollution prevention plan.
- F) During construction, temporary gravel, hay bale, earthen, or sand bag dikes and /or nonwoven filter fabric fences shall be used, as necessary, to prevent discharge of earthen materials from the site during periods of precipitation or runoff.
- G) Impervious areas shall be constructed with infiltration trenches or similar protection facilities along the down gradient sides to infiltrate and retain the increase in runoff resulting from the new impervious areas.

FINDINGS

- A) The project, as conditioned, will satisfy required development standards, as per Plumas County Code, for Single-Family Residential ("3-R") zoning because:
 1. The development will be served by roads which meet the required County Road Standard and all required wet and dry utilities and services are available or can be made available.
 2. The project site is located within the service boundaries of the Peninsula 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 Single-Family Residential ("3-R") zoning because each parcel will meet the minimum standards for size, width, and use. Therefore, land division does not result in any conflict with zoning and density standards, and any future development will need to meet all County Code standards.
- C) It is found that this project is consistent with the General Plan land use designation of Single-Family Residential because the General Plan calls for residential uses on the site and the zoning designation is 3-R (Single-Family Residential).
- D) The site is physically suitable for development; the design of the parcels will not cause substantial environmental damage or substantially and avoidably injure wildlife or habitat; the design of the parcels will not 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 Section 4290 of the Public Resources Code.
- F) It is found that driveway ingress and egress for the subdivision would be provided via County maintained roads, including Marina Drive for Parcel 1 and Marina Drive at Terranova Drive for Parcel 2, which is consistent with the General Plan and meets the regulations regarding Plumas County Code Class 11 driveway standards and for fire equipment access, as applicable, adopted pursuant to Section 4290 of the Public Resources Code.

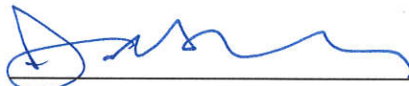
Zoning Administrator Notation: Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) calendar days of the decision. If the tenth day lands on a Saturday, Sunday, or County holiday, the end of the appeal period will be the next working day. The appeal 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 10:52 a.m. A special meeting of the Zoning Administrator is set for Monday, April 22, 2024, at 9:00 a.m. The next regularly scheduled Zoning Administrator meeting is set for May 8, 2024, at 10:00 a.m. at the Plumas County Fairgrounds, Mineral Building, located at 204 Fairground Road in East Quincy.



Heidi Wightman, Dept. Fiscal Officer II



Jim Graham, Interim Zoning Administrator