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**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Special Meeting of April 22, 2024

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The Plumas County Zoning Administrator convened in a special meeting on April 22, 2024, at 9:09 a.m. in the Permit Center Conference Room, Quincy. Interim Zoning Administrator, Jim Graham, presiding. Planning Director, Tracey Ferguson, and Associate Planner, Marco Velazquez, are in attendance.

*Interim Zoning Administrator, Jim Graham, changes the order of the items on the agenda and takes up the special use permit for Kimberly Norberg and Samantha Hamilton first.*

**I. PUBLIC COMMENT OPPORTUNITY**

No public comment is presented.

**II. SPECIAL USE PERMIT: NORBERG, KIMBERLY (owner) / HAMILTON, SAMANTHA (applicant); APN 100-481-016; T.28N/R.7E/S.7,8 MDM**

The request to allow the keeping of a lamb in a residential zone for a 4-H project, which is projected to end on July 30, 2024, located at 273 Farrar Drive, Chester, is presented. Associate Planner, Marco Velazquez, gives a presentation as reflected in the staff report. Interim Zoning Administrator, Jim Graham, questions if the applicants have read and agree with the proposed conditions of approval. Kimberly Norberg questions the condition that requires the permit to be signed and returned within 40 days. Planning Director, Tracey Ferguson, explains the process for having the special use permit signed.

The public hearing is opened at 9:14 a.m. A member of the public comments about the single-family homes in the neighborhood being comprised of an ageing population, with a number of citizens residing in these homes currently being treated for various medical conditions. He notes that nobody is against the project, because it's a 4-H program, but the concerns are predominantly noise and odor. The challenge is when a single lamb bleats for attention and sets off the neighborhood dogs. The commentor notes that the caregivers of the ailing residents have voiced their concerns to him, but they don't want to put it in writing. The commenter agrees with the proposed conditions of approval, adding that the general consensus of the neighborhood is they are understanding if the 4-H member is thorough with the daily work of the keeping of the lamb. He is supportive and sees no reason to deny the use permit. The commenter asks that the applicant please be respectful of the impact the lamb will have on the residential neighborhood. There being no further comments, the hearing is closed at 9:18 a.m.

**DECISION**

Interim Zoning Administrator, Jim Graham, finds the project exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) making findings A and B; and approves the special use permit subject to the conditions of approval outlined in Exhibit 8 of the staff report, 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, might have any significant adverse impact on the environment; and
- B) 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 keeping of a 4-H lamb at 273 Farrar Drive, Chester, APN 100-481-016-000, shall be in conformance with the special use permit application submitted on January 19, 2024.
2. The project will end on July 30, 2024, with the lamb taken off the property.
3. The applicant's three (3) dogs will be companion animals for the lamb to help keep the lamb calm and prevent noise.
4. The 4-H member, to the best of their ability, will mitigate and monitor the lamb for noise nuisance and remedy the issues of concerns of noise as quickly as possible.
5. Any violation of any of the conditions of approval of the special use permit shall be punishable as set forth in Article 12, Administration and Enforcement, of Chapter 2, Zoning, of Title 9, Planning and Zoning, of the Plumas County Code.
6. The special use permit is to be signed by the applicant/property owner and returned to the Planning Department within forty (40) days of the date of approval or the permit will be voided.

### **PLUMAS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT**

7. Animal waste must be removed and disposed of in a trash container with a tightly fitted lid at least 3 times per week, or more frequently if so ordered by the Health Officer, to prevent a private or public nuisance or health threat, such as fly breeding conditions and offensive odors per Plumas County Code Sec. 6-10.117.
8. Animal waste must be removed from the premises at least once per week to an approved landfill or transfer site per Plumas County Code Sec. 6-10.104(a).
9. All grains or other loose feed must be stored in containers with tight fitting lids to prevent the entrance of vermin per Plumas County Code Sec. 6-10.108.

## **FINDINGS**

- A) The project, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms to applicable State and County codes.
- 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.

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

As continued from the April 10, 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, explains that at the previous hearing there were questions about the site plan and actual venue event area and it was determined that a site visit was needed with County staff

and the applicant to fully understand the property conditions, the dimensions of the parking area, the actual wedding site areas, and distance of nearest residence.

Ferguson states that she conducted a site visit with the applicant, Liz Joy, on Wednesday, April 17, 2024, and prepared a revised set of proposed conditions of approval as a result of that visit. Ferguson goes on to explain that instead of 2.5 acres, the event venue area is a 4-acre area in the southeastern corner of the property, bordered by a walking path and includes the pond and gazebo. Continuing, Ferguson states Condition #2 is modified to clarify that event guests will only have access to the 4-acre “permitted event venue area.” Lastly, Ferguson explains there is no social compatibility issue with the closest neighbor and Condition #3a is modified to state the event venue area will be located 200 feet from the nearest adjacent residence.

Interim Zoning Administrator, Jim Graham, questions if the site plans shown in Exhibits 3 and 4 of the staff report need to be changed to reflect the project description modifications. Ferguson replies Exhibits 3 and 4 of the staff report would be superseded by the site plan directed under Condition #3. Graham directs Condition #1 to be amended to include the clause “. . . unless modified by the conditions of approval.” Continuing, Ferguson clarifies that Conditions #3, #5, and #8, the conditions requiring a properly scaled site plan be approved by the Planning Department, a Fire Safety-Fire Prevention Plan be approved by the Beckwourth Peak Fire Protection District, and a Traffic Management Plan be approved by the Public Works Department are all required prior to the first wedding event in 2024. With the first wedding event possibly being held in the fall of 2024, there is time to work on those conditions. Additionally, Condition #10 was amended to state that the dirt parking areas **may be** surfaced with wood chips.

The public hearing is opened at 9:29 a.m. Tom McGowan, District 3 Supervisor, states he feels everything has been addressed, noting that lodging is not allowed. McGowan questions the noise limitation, as that is the biggest concern he has heard countywide. Ferguson responds that Condition #11 speaks to a community noise exposure level of 70 LDN or CNEL (dB) as measured at the property line. Continuing, Ferguson explains that events are limited to between 9 a.m. and 11 p.m. and the music is turned off at 10:30 p.m., among other requirements. McGowan responds that there should be no problems if the 10:30 p.m. guideline is adhered to. There being no further comments, the hearing is closed at 9:31 a.m.

## **DECISION**

Interim Zoning Administrator, Jim Graham, finds the project exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) making findings A and B; and approves the special use permit subject to the conditions of approval outlined in Exhibit 16 of the staff report, 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, might have any significant adverse impact on the environment; and
- B) 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 place of assembly shall be in substantial conformance with the special use permit application and site plan submitted on November 10, 2022, the supplemental information submitted on February 10, 2023, and additional site plan submitted on March 8, 2024, including a maximum of twelve (12) wedding events annually, January through December, with a maximum of 120 guests per event and where any single event shall not exceed three (3) consecutive days in length, unless modified by the conditions of approval.
2. Event guests shall only have access to the 4-acre area designated as the “permitted event venue area,” which is in the southeastern area of the parcel and is generally bordered by a walking path and includes the pond and gazebo. Signage shall be placed and/or fencing shall be constructed around the “permitted event venue area” to ensure event guests are utilizing only the designated venue area.
3. Prior to the first wedding event in 2024, a properly scaled site plan shall be submitted to, and approved by, the Planning Department. The plan shall meet the Planning & Building Services minimum plot plan requirements, showing ingress/egress, and detailing the following:
  - a. The place of assembly use activities, excluding parking areas, shall be located at least two hundred (200) feet from the nearest adjacent residence.
  - b. Parking area(s) shall be located at least twenty (20) feet from the boundary of any adjacent parcel (Plumas County Code Sec. 9-2.4405(c)(2)). Parking spaces and maneuvering aisles within the parking area shall meet the minimum size requirements of Plumas County Code 9-2.414, Parking and Loading. The designated parking area(s) shall accommodate a minimum of 60 onsite parking spaces.
  - c. General location of portable toilets.
  - d. General location of refuse waste dumpster.
4. Any signage proposed for the place of assembly shall adhere to the applicable requirements of Plumas County Code Sec. 9-2.1607, Signs (S-3), 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. Signage shall not be permitted within the State highway right-of-way. All on-site signage shall not exceed that necessary to identify the venue. If signs are to be placed within any County road right-of-way, an Encroachment Permit must be obtained from the Department of Public Works.
5. Prior to the first wedding event in 2024, a Fire Safety/Fire Prevention Plan approved by the Beckwourth Peak Fire Protection District must be submitted to the Planning Department (Plumas County Code Sec. 9-2.4405(b)) that provides a plan for fire safety and fire prevention, as well as for emergency medical response services.
6. Applicant shall review the US Forest Service Federal Land Policy and Management Act – Private Road Easement (Official Records, Volume 511, Page 76 through 80 and Exhibit “A”) granted on September 28, 1989, across APN 025-190-019-000 (owned by the US Forest Service) for access to APN 025-190-011-000 (wedding event venue property), including paragraph “D” and Exhibit “A.” The applicant shall do what is necessary to ensure conformance with the access easement for purposes of ingress/egress to the “permitted event venue area” and when satisfying Condition #3 and Condition #24 of this Special Use Permit.

7. The event venue parcel shall comply with the turnaround and driveway standards specified in Plumas County Code Sec. 9-4.503 and Sec. 9-4.604(l), and the driveway shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").
8. Prior to the first wedding event in 2024, a Traffic Management Plan shall be submitted to and approved by the Department of Public Works (Plumas County Code Sec. 9-2.4405(d)) for events exceeding one hundred (100) guests. The Traffic Management Plan shall include appropriate techniques to provide safe ingress/egress from event facilities without resulting in substantial congestion of the County roadway, Rocky Point Road, or otherwise cause traffic-related hazards. Such techniques may include but may not be limited to: (1) Temporary caution and directional signage (shall be removed immediately following each event); (2) Clearly defined points of ingress/egress; (3) Cones or other clear markers placed to help direct vehicle flow (shall be removed immediately following each event); (4) define parking areas and driveways; and (5) Flag persons to help direct vehicle flow and minimize congestion.
9. All event parking shall be located onsite with a minimum of one (1) off-street parking space provided for every two (2) guests in attendance, per event. No offsite parking shall be permitted, including within any County or State right-of-way.
10. Dirt parking areas may be surfaced with woodchips to reduce dust and be reasonably maintained free of vegetation. Alternatively, areas covered with grass or pasture may be used for parking provided the grass is trimmed to a height of no more than three (3) inches or as needed to reduce the risk of fire. Compacted dirt, decomposed granite, gravel, or other permeable surface may be utilized only if the area is sufficiently treated with dust suppression measures to prevent dust emission and/or airborne transmission of fugitive dust from the site.
11. The event shall only occur between the hours of 9:00 a.m. and 11:00 p.m., excluding set up and clean up time. If music is provided, the bass (pronounced "base") shall be turned down no later than 9:30 p.m. and speakers/amplifiers shall be positioned in a direction pointing away from any adjacent personal residences. All music shall be turned off no later than 10:30 p.m. At no time during the event hours shall noise generated by the event exceed the outdoor Community Noise Exposure level of 70-Ldn or CNEL (dB) as measured at any property line.
12. All lighting shall be only that necessary to provide for the safety of the guests attending the event. Lighting shall be low-level, low intensity and directed downwards toward the area that is being lighted and focused away from adjacent properties and roads to reduce light pollution, glare, and spillage (Plumas County Code 9-2.4405(k)).
13. Temporary power cords shall not be affixed to temporary structures, extended through walls, or subjected to environmental or physical damage. Cords shall be secured to prevent tripping hazards. Large diameter cords shall be provided with cord bridges or ramps to facilitate the crossing of wheelchairs, strollers, and similar wheeled equipment (Plumas County Code 9-2.4405(l)).
14. 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.
15. 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**

16. A building permit issued by the Building Department is required prior to erecting each individual temporary structure, tent, umbrella structure, and other membrane structures that covers an area greater than 200 square feet. The temporary structure/tent must comply with all applicable sections of the current California Building code, Fire code, Electrical code, and the California State Fire Marshall regulations. A properly scaled site plan with the location of the proposed temporary structure/tent must be submitted with the building permit application showing the location is within the “permitted event venue area.”

17. At least one (1) accessible (ADA) portable toilet, which can be unisex, shall be provided.

## **PLUMAS COUNTY ENVIRONMENTAL HEALTH**

18. Drinking Water:

- a. Provide a sufficient quantity of commercially bottled drinking water for attendees to ensure proper hydration.
- b. As the water system at the venue is not under operating permit that authorizes the service of water to the public, please do not provide, or allow attendees access to, any water system at the venue for drinking water purposes, including filling their RV water tanks or portable water containers.

19. Wastewater:

- a. Do not allow attendees to dispose of any wastewater to the ground, or into a waterway, or into a water impoundment (pond or lake).
- b. Using the services of a Plumas County licensed septic hauler, provide a temporary holding vault of sufficient size for attendees to dispose of all wastewater generated from activities such as cooking, bathing, handwashing, dishwashing, clothes washing, or other non-toilet waste water generating activities.
- c. Ensure all recreational vehicles (RVs) retain all graywater and toilet wastes on-board for disposal at an approved off-site RV dump station.

20. Water closets and urinals:

- a. For male attendees, provide at least:
  - i. One (1) portable toilet with urinal and at least one (1) handwash station (with single-service hand soap and paper towels) for the first one hundred (100) males or portion thereof in attendance; and
  - ii. Two (2) portable toilets with urinals with at least one (1) additional handwash station (with single-service hand soap and paper towels) for up to two hundred (200) males.
- b. For female attendees, provide at least:
  - i. One (1) portable toilet with at least one (1) handwash station (with single-service hand soap and paper towels) for the first twenty-five (25) females or portion thereof in attendance;
  - ii. Two (2) portable toilets for up to fifty (50) females;
  - iii. Three (3) portable toilets with at least one (1) additional handwash station (with single-service hand soap and paper towels) for up to one hundred (100) females; and
  - iv. Four (4) portable toilets for up to two hundred (200) females.

21. Refuse waste and recyclables:

- a. Provide a sufficient number of clean waste receptacles with tight-fitting lids for daily retention of refuse and recyclable materials.
- b. Containers must be designed and maintained so as to prevent odors, leakage, overflow, or the attraction of flies.
- c. Ensure the contents in the receptacles are transferred at least once at the end of each day to one or more larger holding bin(s) with a tight-fitting and lockable lid(s) for overnight storage to avoid the attraction of animals such as bears.
- d. All refuse, food and beverage recyclables shall be removed from the premises as soon as possible, and no later than seven (7) days following the event.

22. Food:

- a. If the venue provides food for attendees, all food services must be under valid permit issued by Pumas County Environmental Health.
- b. If food is provided by the attendees for their private event, no Environmental Health permitting is required.

23. Alcoholic beverages:

- a. If the venue provides alcoholic beverages for attendees, all beverage services must be under valid permit issued by Pumas County Environmental Health, and all requirements of the Alcoholic Beverage Control Act shall be followed during the event.
- b. If alcoholic beverages are provided by the attendees for their private event, no Environmental Health permitting is required.

**PLUMAS COUNTY PUBLIC WORKS**

24. The encroachment onto Rocky Point Road shall be improved with a paved asphalt apron to the satisfaction of the Department of Public Works. The paved asphalt apron shall be a minimum of ten (10) feet wide and be constructed under an encroachment permit issued by the Department of Public Works.

**CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)**

25. No access from State Highway 70 is permitted to serve the parcel (APN 025-190-011-000) due to Access Control Right of Way.

**NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT (NSAQMD)**

26. 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 the roadway(s) and parking area(s) serving the place of assembly (Plumas County Code Sec. 9-2.4405(c)(3)).

**FINDINGS**

- A) The project, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms to applicable State and County codes.
- 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 special meeting adjourns at 9:32 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