
**PLUMAS COUNTY
PLANNING COMMISSION**

Minutes of the Meeting of May 16, 2019

PLANNING COMMISSION MEMBERS:

Dr. Robert Abbott, *Chair (District 1)*

Moorea Hoffman Stout, *Commissioner (District 2)*

Jeff Greening, *Commissioner (District 3)*

Larry Williams, *Commissioner (District 4)*

John Olofson, *Vice-Chair (District 5)*

I. CALL TO ORDER

Vice-Chair John Olofson calls the meeting to order at 10:00 am.

II. SALUTE TO THE FLAG

III. ROLL CALL

Commissioners Present: Jeff Greening, Larry Williams, John Olofson, Moorea Hoffman Stout

Commissioners Absent: Dr. Robert Abbott

Also in attendance (*Supervisors and staff*)

Randy Wilson, Planning Director

Rebecca Herrin, Assistant Planning Director

Tim Evans, Assistant Planner

Gretchen Stuhr, Deputy County Counsel III

IV. CONSENT ITEMS

A. M/S/C: Williams/Greening/3-0 to add the minutes of the meetings of April 4, 2019, April 18, 2019 and May 2, 2019 to the agenda.

B. M/S/C: Williams/Greening/3-0 to approve the minutes of the meetings of April 4, 2019, April 18, 2019 and May 2, 2019.

V. PLANNING COMMISSIONERS' REPORTS/COMMENTS:

Commissioner Williams congratulates Plumas News reporter Victoria Metcalf for her recent award.

VI. PUBLIC COMMENT OPPORTUNITY

There are no public comments.

VII. CONTINUED PUBLIC HEARING ITEM: PROPOSED ORDINANCE ADOPTING TITLE 9, CHAPTER 2, ARTICLE 43: BACKYARD CHICKENS

This public hearing was continued from May 2, 2019. Associate Planner Tim Evans goes over the changes made to the ordinance at the May 2, 2019 meeting.

Bill Coates, from the public, questions the prohibition on the sale of eggs. His daughter sold eggs from her 4-H chickens. Planning Director Randy Wilson responds that is not legal.

An unknown member of the audience asks the Commission what authority it has to control the keeping of chickens on private property. He states that the proceedings are lacking due process and that the Commission is taking away private property rights. He cites several instances of case law (such as Miller v. U.S and Murdoch v. Pennsylvania) and provides written documentation to the Clerk. He also states that there is a foreign agenda in the Plumas County General Plan.

Janet Crain has had chickens for thirty years. She has a permit to sell eggs. She is concerned that the ordinance does not allow a dirt floor in the coop. Staff responds that the ordinance has been updated and does allow a dirt floor. She appreciates the County's effort to allow backyard chickens, but feels that the less regulation, the better.

Vice-Chair Olofson asks for any further comments. He then calls for a motion.

M/S/C: Williams/Greening/4-0 to adopt the resolution as written making recommendations that the ordinance allowing backyard chickens in Single-Family Residential zones is exempt from the requirements of CEQA and to adopt the ordinance.

VIII. WORKSHOP/DISCUSSION: Draft Commercial Cannabis ordinance

Updated version as per May 2, 2019 is discussed.

Commissioner Williams states that he has heard comments from people without fenced backyards that feel legal rights are being taken away because they will have to spend money on fencing. Commissioner Greening responds that a dog pen with a slatted fence provides a cheap, practical solution. Commissioner Williams asks if fencing enforcement will be complaint-driven and Wilson responds that it will be.

Kathy Felker asks if there are any limit on the number of dispensaries or retail operations. Assistant Planner Rebecca Herrin responds that there is a requirement for a minimum setback of 1,200 feet from the nearest school property which is more restrictive than the state. There is no county limit on the number of operations, but special use permit requirements will most likely limit the number locally. The State will also limit the total number by jurisdiction as they do with alcoholic beverage licenses. Wilson adds that school locations, such as the Charter school locations in downtown Quincy, will limit operations. There is also no guarantee of approval of the special use permit and any decision is appealable.

There is no on-site consumption allowed in a retailer/dispensary as per state law and as in the proposed ordinance.

Christy Goodman states that the County has curtailed reckless investment through the ban on cannabis cultivation. Personal grows are not profitable. She feels that the County has not supported local business, such as her campground in the Lake Davis area, which could have been a cottage business. She sees this as a starting point.

Wilson explains the public hearing process.

M/S/C: Greening/Williams/4-0 to schedule the public hearing for the proposed commercial cannabis ordinance for June 20, 2019 at 10:00 am.

IX. INFORMATIONAL ITEMS/ON-GOING PROJECT UPDATES:

Wilson reports that he and Herrin visited the new property recently acquired by the Feather River Land Trust in Sierra Valley. They are proposing to construct a visitor's center with trails meeting accessibility standards for hiking and wildlife viewing. The FRLT has an architectural firm working with them. Wilson explains that one of the proposed activities will be star viewing parties because of the low light on the property and the ability to have people congregate and camp in the existing horse and cattle corrals.

Wilson adds that the Board of Supervisors will be interviewing 6-8 candidates for his replacement as Planning Director.

Commissioner Stout apologizes for arriving late. She shares that she has been taking care of family matters in the Bay Area and it has been difficult for her to attend Commission meetings. She asks if the Commission would like her to resign as she doesn't want her absence to negatively impact the progress of the Commission. Deputy County Counsel Gretchen Stuhr explains that she can participate remotely in the meetings through conference call.

X. CORRESPONDENCE:

None.

XI. FUTURE AGENDA ITEMS

Agenda items for discussion at the meeting of June 6, 2019 will be the initiation of the Plumas County General Plan Housing Element and the presentation and discussion of the General Plan Annual Progress Report for 2018. Vice-Chair Olofson adds that he would like a list of zoning code update priorities to determine what the Commission should tackle next.

XII. ADJOURNMENT:

M/S/C: Williams/Greening/4-0 to adjourn the meeting. The next regularly scheduled meeting of the Commission will be held on June 6, 2019.



John Olofson, Vice-Chair
Plumas County Planning Commission



Rebecca Herrin, Assistant Planning Director