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**PLUMAS COUNTY  
ZONING ADMINISTRATOR**

Minutes of the Meeting of October 9, 2019

Revised 11/13/19 due to a typographical error in Condition B.6)b)

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The Plumas County Zoning Administrator convened in a meeting on October 9, 2019, at 10:02 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Tracey Ferguson, presiding. Assistant Planning Director, Rebecca Herrin, is in attendance.

**I. AGENDA**

The agenda is approved as submitted.

**II. PUBLIC COMMENT OPPORTUNITY**

No public comment presented.

**III. REVERSION TO ACREAGE: TRAILHEAD SUBDIVISION, UNIT #1 – PLUMAS BANK (owner); APNs 103-480-001 through 103-480-044; T.28N/R.18E/S.18 MDM; NST ENGINEERING**

The request for a reversion to acreage for the real property development known as The Trailhead, Unit #1, located on Big Cove Road and Forest Meadows Loop, Lake Almanor Peninsula, is presented. Rebecca Herrin, Assistant Planning Director, gives a presentation as outlined in the Staff Report. Tracey Ferguson, Zoning Administrator, questions if the applicant has any questions. Kathy Beatty, representing Plumas Banks, states she does not. The public hearing is opened at 10:09 a.m. Public Works Director and County Engineer, Robert Perreault, brings up three issues: 1) The Walker Ranch CSD standby fees will be addressed independent of the reversion process; 2) there are improvements constructed on Big Cove Road within the County right-of-way at the main entrance to the subdivision. Perreault received a letter from Plumas Bank that proposes dedication of those additional improvements. Public Works is satisfied that the matter can be forwarded to the Board of Supervisors with a Public Works' recommendation that the Board accept those improvements as part of Big Cove Road; and 3) the engineer, Plumas Bank, and Public Works have an agreement that there were certain retention basins that did not get constructed because the project engineer demonstrated that the current off site drainage flows do not exceed the pre-development drainage flows, and that justification was suitable for agreeing that the retention basins did not need to be constructed. However, Public Works needs to be assured that any future owner understands that this is a constraint on the property and in order to do something different the future owner would have to go through Public Works with a proposed revised drainage plan. Perreault also noticed that there is language in the Staff Report pertaining to an additional information map such that the additional information map details would not be clearly enforceable. Rob Thorman of Public Works sent an e-mail to Deputy County Counsel, Gretchen Stuhr, and Perreault had follow-up discussions with Gretchen. It is Perreault's understanding that if the notation pertaining to control of drainage flows that appears on the additional information map is moved into the grant deed where the rights for certain utilities are being transferred, that would then attach to the property and Public Works would be satisfied that it was properly protected. Herrin responds that the reason she wasn't clear about the language referring to an increase in offsite drainage is because that's not how the language reads. Herrin asks for confirmation from Stuhr that a deed restriction is the correct mechanism. Herrin recommends also adding it as a note on the additional information map to notify future owners. Stuhr responds that she agrees. There being no further comments, the hearing is closed at 10:23 a.m.

## DECISION

Tracey Ferguson, Zoning Administrator, determines the project exempt from the requirements of the California Environmental Quality Act under Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant adverse impact on the environment. Plumas County EIR #55 and mitigations per the Planned Development Permit for Walker Ranch will apply to all future development, including building and grading permits, of the property as reverted.

Condition (B) regarding map notes 1 through 5 on Sheet 1 of the reversion map dated August 2019 as submitted by NST Engineering is discussed. After discussion, map note #1 is modified to delete "road or" and leaving the word "driveway". Perreault notes that leaving the word "road" in the note makes it clear that the existing road, which is how Public Works looks at that travel way, will not be subject to improvement or maintenance by Plumas County. The position of Public Works is that the note as written is adequate. After Herrin reads the Plumas County Code definition of "Driveway", Gretchen Stuhr comments that when the map is recorded, it will be one parcel and will clearly fall within the definition of "Driveway", and not a road. Continuing, Stuhr states once all the deeds are transferred and everything is completed, it will clearly be a driveway and not a road. Ferguson states map notes #2 and #3 are fine. Regarding map note #4, Ferguson questions if formal acceptance of improvements has occurred for sewer, water mains, and laterals. Perreault responds that he does not believe that there has been a formal vote before the Walker Ranch CSD governing board, but the Walker Ranch CSD has considered the mains to be substantially completed and suitable for use. Perreault notes the Walker Ranch CSD did not accept any of the laterals. Public Works agrees as part of this procedure the laterals will become the responsibility of the Walker Ranch CSD. Perreault explains laterals don't get "accepted" in the past other than encroachment permit type of activity. Upon formal acceptance of the improvements, that should be a separate action by the Walker Ranch CSD that could happen at the same time this project goes back before the Board of Supervisors. Ferguson states map note #4 will remain unchanged. Ferguson modifies map note #5 by changing the word "use" to "utilize". Ferguson adds new note #6: The easements to be dedicated for acceptance to the Walker Ranch Community Services District shall be easements #7, #8, and Lot "B". Condition (F) referencing the note listed on the additional information sheet is discussed. The note is removed from Sheet 3 and listed on the additional information sheet. Regarding the other note on Sheet 3, "Grant Deed to Walker Ranch Community Service District", Ferguson adds Condition (I) removing the note and adding it as map note #7.

Ferguson approves the reversion to acreage subject to the conditions of approval outlined in the Staff Report, with the amendment of Condition (B) by modifying map notes #1 & #5, adding map notes #6 & #7, the amendment of Condition (F), and addition of Condition (I), making Findings A through E as follows:

## CONDITIONS

- A. A Reversion to Acreage Map for the Trailhead Subdivision, Unit No. 1, suitable for recording, shall be prepared and submitted to the Engineering Department for review and recordation.
- B. Map notes 1 through 5, as shown on the reversion map dated August 2019 as submitted by NST Engineering, Inc., as well as map notes 6 & 7, shall be shown on Sheet 1 of the final reversion map as follows:

- 1) The existing driveway within this property is private and not subject to improvement or maintenance by Plumas County.
- 2) The existing water system will remain in place and will not be altered without Walker Ranch Community Services District approval.
- 3) The existing sewer system will remain in place and will not be altered without Walker Ranch Community Services District approval.
- 4) Maintenance, repair and replacement of the sewer and water mains and laterals to be the responsibility of the Walker Ranch Community Services District upon formal acceptance of the improvements.
- 5) Walker Ranch Community Services District has authorization to utilize 10' Public Utility Easement as shown on Sheet 2.
- 6) The easements to be dedicated for acceptance to the Walker Ranch Community Services District shall be:
  - a) Easement #7 (as listed on Book 10 of Maps, Page 76): Fifteen (15') foot easement for access, maintenance and repair of sewer facilities.
  - b) Easement #8 (as listed on Book 10 of Maps, Page 76): Fifteen (15') foot easement for access, maintenance and repair of water facilities.
  - c) Lot B (as listed on Book 10 of Maps, Page 76): Easement for access, maintenance and repair of utilities, over, on and under Lot "B".
- 7) All of the domestic/emergency water and sewer systems improvements and facilities granted to the Walker Ranch Community Services District in Document No. 2007-0009138 are shown on the Existing Plan of Water and Sewer System on Sheet 3.

C. All easements to be retained shall be shown on Sheets 2 and 3 of the final reversion map in substantial conformance with the reversion map dated August 2019 submitted by NST Engineering, Inc.

D. An additional information sheet shall be prepared and submitted to the Engineering Department for review and recordation, subject to review by the Planning Department. The additional information sheet shall contain the following informational item headings and listed contents as shown on Book 10 of Maps, at Page 82:

- i. "April 1 Through October 31 Earthwork Required Per Planned Development Permit Condition #II. 5:"
- ii. "The Issuance of Building and Grading Permits is Subject to the Following Conditions:"
- iii. "Erosion Control for Building and Grading Permits Required per Planned Development Permit Condition #II.7."

- iv. "Dust Control for Building and Grading Permits Required per Planned Development Permit Conditions #II.12."
- v. "Grading Plan for Building and Grading Permits Required per Planned Development Permit Condition #IV.2."
- vi. "Storm Water Runoff from Roofs Required per Planned Development Permit Conditions #IV.3."
- vii. "Water Conservation Required per Planned Development Permit Condition #I.16."

E. The following notes, as shown on Book 10 of Maps, at Page 82, and as amended by these conditions of approval, shall be listed on the additional information sheet:

- i. "This information is for informational purposes, describing conditions as of the date of filing and is not intended to affect record title interest."
- ii. "The property shown hereon is subject to Planned Development Permits which are recorded by Documents Nos 2002-0012795, 638/164, 658/104, 2001-0010741, 2003-0011228, 2006-0000433, 2007-0001510, 2006-0008433, 2006-0006065 and 2007-0001510 of Official Records."
- iii. "Future development of this property will be subject to the conditions of said permits."
- iv. "All residential units will have wood burning appliances or fireplaces with inserts meeting or exceeding current EPA Phase II controls for emissions."
- v. "All units shall be super-insulated above the requirements of Title 24 for this area."
- vi. "All single family residential units, residential complexes, and commercial areas will have charging stations for electric carts."
- vii. "Grading and earthwork setback from intermittent streams shall be 50 feet, building setback from intermittent streams shall be 100 feet."

F. The following note shall be removed from Sheet 3 and instead listed on the additional information sheet as follows:

"It is a condition of reversion that the storm water runoff from the reverted parcel may not be increased from the pre-development levels as reflected in the Drainage Calculations dated August 8, 2019 and prepared by NST Engineering, and on file with the Plumas County Public Works Department."

G. Appropriate Quitclaim Deeds, approved as to form by the Office of County Counsel, shall be recorded in conjunction with the final reversion map.

- H. As per Government Code Section 66499.17, upon recordation of the final reversion map, the County shall terminate the Subdivision Improvement Agreement for Trailhead and release the security for the Subdivision Improvement Agreement as required by Government Code Section 66499.19
- I. The note "Grant Deed to Walker Ranch Community Service District" on Sheet 3 shall be removed. The following note shall be listed as Map Note #7 on Sheet 1: All of the domestic/emergency water and sewer systems improvements and facilities are granted to the Walker Ranch Community Services District in Document No. 2007-0009138 as shown on the Existing Plan of Water and Sewer System on Sheet 3.

## **FINDINGS**

- A. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes.
- B. All owners of an interest in the real property within the subdivision have consented to reversion.
- C. None of the improvements required to be made have been made within two years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements.
- D. No lots shown on the final or parcel map have been sold within five years from the date such map was filed for record.
- E. Conditions of approval applied to this reversion to acreage are prescribed as per Government Code Section 66499.17. There is no local ordinance that addresses additional conditions of approval that can be applied to the reversion to acreage.

***Zoning Administrator Notation:*** Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) days of the decision. If the tenth day lands on the weekend, the end of the appeal period will be the next working day. The appeal will need to be based on relevant information stated or submitted at or prior to this meeting by a commenting public member or representative, or certain County department heads as stated by County Code. There is a filing fee for the appeal. Fee information is available from Planning and Building Services.

## **ADJOURN**

There being no further business, the meeting adjourns at 11:29 a.m. The next regularly scheduled Zoning Administrator meeting is set for November 13, 2019, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.

  
Heidi Wightman, Department Fiscal Officer II

  
Tracey Ferguson, Zoning Administrator