
PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Meeting of November 13, 2019

The Plumas County Zoning Administrator convened in a meeting on November 13, 2019, at 10:00 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Tracey Ferguson, presiding. Assistant Planning Director, Rebecca Herrin, and Associate Planner, Tim Evans, are in attendance.

I. AGENDA

The agenda is approved as submitted.

II. PUBLIC COMMENT OPPORTUNITY

No public comment presented.

III. CONDITIONAL CERTIFICATE OF COMPLIANCE: TANTAU, WILLIAM & SALLY; APNs 133-080-036 & 133-080-043; T.22N/R.13E/S.30 MDM; RICHARD SHORT, ENGINEER

The request for a Certificate of Compliance for the designated remainder of the Tantau Ranch Subdivision recorded in Book 10 of Maps at Page 119, located at 109 Tantau Ranch Road, Clio, is presented. Associate Planner, Tim Evans, gives a presentation as outlined in the Staff Report. Zoning Administrator, Tracey Ferguson, questions if the applicant has any questions or concerns. Lorrin Tarleton, representing the applicants, states he has no concerns. The public hearing is opened at 10:03 a.m. Tarleton states they are in 100% support for the issuance of the Certificate of Compliance, whatever the conditions may be. Sue Collins, pending purchaser of the remainder parcel, requests clarification on the Assessor Parcel Numbers (APNs), specifically why there are three APNs on one lot. Assistant Planning Director, Rebecca Herrin, replies that there was an annexation which created a new tax rate area, so it has a separate APN. APNs are only for taxation purposes; they don't indicate legal parcels. There being no further comments, the hearing is closed at 10:08 a.m.

DECISION

Tracey Ferguson, Zoning Administrator, approves the Conditional Certificate of Compliance subject to the conditions of approval outlined in Exhibit 10 of the Staff Report, making Findings A through D as follows:

CONDITIONS

1. A Final Map, showing the parcel as a separate legal parcel, shall be prepared and submitted to the Plumas County Engineering Department for review and recordation.
2. A preliminary title report shall be submitted concurrently with the Final Map and all easements and restrictions listed in the preliminary title report shall be shown on the Final Map.
3. An Additional Information Map shall be prepared and submitted to the Plumas County Engineering Department and shall be reviewed and approved by the Plumas County Engineering Department.

4. All improvements within the “Designated Remainder” shall be shown on the improvement plans to the satisfaction of the County Engineer.
5. Final wetland boundaries shall be reflected on an additional information map as a building and grading exclusion area.
6. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 4A.

Tree removal shall be limited to September or October, or bat roost surveys shall be conducted by a qualified biologist and the subject trees cleared for removal. Note: This measure shall be implemented during all site preparation and construction activities.

7. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 4B.

Tree removal shall be limited to September or October, or perform breeding bird surveys if tree removal occurs between March and September. Surveys shall be conducted by a qualified biologist and the subject trees cleared for removal. Note: This measure shall be implemented during all site preparation and construction activities.

8. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 4C.

Tree and vegetation removal shall be limited to September or October, or perform breeding bird surveys if tree removal occurs between March and September. Surveys shall be conducted by a qualified biologist and the subject trees and vegetation cleared for removal.

Note: This measure shall be implemented during all site preparation and construction activities.

9. To minimize potential impacts to biological resources resulting from the proposed project, the following mitigation measures shall be required:

Mitigation Measure 4D.

Covenants, codes, and restrictions (CC&Rs) shall be developed and recorded concurrently with recordation of the final map and shall include measures to prevent dogs from roaming free (CDFG Code Section 3960), prevent residents from feeding deer (Title 14; Section 251.3), shall require homeowners adjacent to wetland and buffer areas to not place lawn clippings, oil, chemicals, or trash of any kind within this setback buffer and that vegetation removal or alteration is prohibited, and measures which require that residents' garbage containers be bear-proofed or that garbage be stored in a secure location.

10. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 4E.

Perimeter fencing shall be restricted to 3-4 strand wire with a bottom strand a minimum of 16 inches above the ground and not exceeding 48 inches in total height. The bottom strand should be barbless wire. Other fence designs that allow for unobstructed animal movement would also be acceptable, pending review and approval by the California Department of Fish & Game.

The above fencing requirements shall be included as a note on all building permits.

11. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 4F.

To protect streams and wetland areas from developments impacts, the project design shall avoid and minimize impacts to these aquatic features. All plans and building permit plot plans shall clearly indicate the presence of any such features as determined by a qualified wetland biologist. Any fill of wetlands or streams will be limited to those areas as shown on the revised tentative map dated July 22, 2010, and subject to permits as required under laws and regulations administered by the Corps of Engineers, the Central Valley Regional Water Quality Control Board, and the Department of Fish and Game. Unless otherwise shown on the revised tentative map dated July 22, 2010, no fill or grading shall occur within wetlands or streams. Any construction within 100 feet of wetlands or perennial streams or within 50 feet of intermittent streams will employ the following mitigation measures: The identified wetland and buffer areas shall be subject to the following restrictions:

- a. Construction fencing shall be installed between the areas of grading and aquatic features to keep equipment from entering these features.
 - b. No equipment storage or material storage shall occur within wetlands.
 - c. Silt fencing will be installed between areas where grading is occurring and the aquatic features to keep the silt from entering these features.
 - d. Any work authorized within streams will be done during the dry season when surface water is not present.
 - e. Vegetation within the areas adjacent to aquatic features shall remain intact to the extent feasible and, following grading, erosion control measures will be installed until native vegetation is re-established.
 - f. Any temporary construction roads shall be designed to minimize erosion and alteration of surface water hydrology and shall be removed, restored to original grade, and revegetated.
12. To avoid potential impacts to cultural resources an archaeological survey shall be completed and submitted to the Planning Department. The archaeological survey may be completed prior to recordation of the Final Map or prior to the issuance of a building or grading permit. Alternatively, no building or grading will be allowed outside the footprint of the existing improvements.

13. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 5B.

Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work within 50 feet of the find shall cease immediately until a qualified professional archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.

Note: This measure shall be implemented during all site preparation and construction activities.

14. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 6A.

To minimize geologic related impacts to a less than significant level, reference is made to the erosion control and runoff mitigation measures set forth on pages 7 through 18 of the Geotechnical Investigation Tantau Residential Development, dated November 2008. Any necessary erosion control or drainage modifications encountered during site development shall be evaluated and approved by the County Engineer.

15. The following condition shall be noted on the Additional Information Map:

Mitigation Measure 6B.

To minimize geologic related impacts to a less than significant level, reference is made to the erosion control and runoff mitigation measures set forth on pages 7 and 18 of the Geotechnical Investigation Tantau Residential Development, dated November 2008. Any necessary erosion control or drainage modifications encountered during site development shall be evaluated and approved by the County Engineer.

Note: This measure shall be implemented during all site preparation and construction activities.

16. The following conditions shall be noted on the Additional Information Map:

Mitigation Measure 9B.

Prior to approval of a building or grading permit for individual residential units, an engineered grading plan shall be prepared which incorporates, as appropriate, the design considerations set forth in the Erosion Control and Runoff Evaluation prepared by Allen Gray dated December 1, 2008, Exhibit 10. Note: This measure shall be implemented during all site preparation and construction activities.

FINDINGS

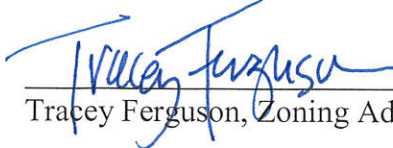
- A) This real property complies with the applicable provisions of the Subdivision Map Act and local ordinances and resolutions created pursuant thereto; and
- B) The recordation of this Conditional Certificate of Compliance is pursuant to the authority vested in the Zoning Administrator by the Subdivision Ordinance of the County of Plumas (Resolution No. 84-3741).
- C) The recordation of this Conditional Certificate of Compliance relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcels described within the Conditional Certificate of Compliance may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of this parcel may require issuance of a permit or permits, or other grant or grants of approval.
- D) The Conditional Certificate of Compliance is not a project under the definition of "project" (Public Resources Code, Division 13, Chapter 2.5, Section 21065) as this action does not create any environmental impacts as it involves creation of a legal parcel and no approval of future entitlements. Any future entitlements or permits approved by the County will be required to meet all conditions of approval of the Conditional Certificate of Compliance. In addition, there may be discretionary review required by the type of permit obtained which will necessitate the adoption of an environmental review document.

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 10:10 a.m. The next regularly scheduled Zoning Administrator meeting is set for December 11, 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