
**PLUMAS COUNTY
ZONING ADMINISTRATOR**
Minutes of the Meeting of December 11, 2019

The Plumas County Zoning Administrator convened in a meeting on December 11, 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. EXTENSION OF INTERIM MANAGEMENT PLAN: TWAIN ENTERPRISES (LEHR, DELBERT & DONNA); APNs 002-470-002 & 002-470-010; T.25N/R.8E/S.14,15,22,23

The request for an extension of the Interim Management Plan for five (5) years to February 11, 2025, for Twain Enterprises' surface mining and Reclamation Plan is presented. Rebecca Herrin, Assistant Planning Director, states the applicant is not able to be here today and there's a request to continue the hearing. This item is continued to the January 8, 2020, Zoning Administrator meeting.

IV. CERTIFICATE OF COMPLIANCE: PG&E / PACE ENGINEERING; APNs 001-190-031 & 001-190-032; T.27N/R.7E/S.14 MDM

The request for a Certificate of Compliance for property located at 201 Prattville-Butt Reservoir Road, Seneca, 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 read the staff report and has any questions or comments. The applicant, William Snyder with PG&E, states he is agreeable with the staff report and questions the process going forward. Herrin explains the process. The hearing is opened at 10:06 a.m. Shelton Douthit with the Feather River Land Trust, who is the holder of the conservation easement on this property, states they strongly support the Certificate of Compliance. There being no further comments, the hearing is closed at 10:07 a.m.

DECISION

Tracey Ferguson, Zoning Administrator, approves the Certificate of Compliance making findings A through D as follows:

FINDINGS

- A. This real property complies with the applicable provisions of Title 7, Division 2 of the California Government Code (Subdivision Map Act) and local ordinances and resolutions created pursuant thereto; and

- B. The recordation of this 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 Certificate of Compliance relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described within the 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. This certificate does not grant any entitlement for development of the parcel(s), nor imply or guarantee that any development permit will be issued for the subject parcel(s).
- D. This 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.

V. CERTIFICATE OF COMPLIANCE: PG&E / PACE ENGINEERING; APN 011-110-033; T.29N/R.7E/S.28,33 MDM

The request for a Certificate of Compliance for property located north of Lake Almanor, near Chester, is presented. Rebecca Herrin, Assistant Planning Director, gives a presentation as outlined in the staff report. Zoning Administrator, Tracey Ferguson, questions if the applicant has any questions or comments. Bill Snyder with PG&E clarifies that there's also a separate parcel being donated along with this one in case there's any confusion as far as acreage. The hearing is opened at 10:10 a.m. Shelton Douthit with the Feather River Land Trust states they support the Certificate of Compliance. There being no further comments, the hearing is closed at 10:11 a.m.

DECISION

Tracey Ferguson, Zoning Administrator, approves the Certificate of Compliance making findings A through D as follows:

FINDINGS

- A. This real property complies with the applicable provisions of Title 7, Division 2 of the California Government Code (Subdivision Map Act) and local ordinances and resolutions created pursuant thereto; and
- B. The recordation of this 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 Certificate of Compliance relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described within the 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. This certificate does not grant any entitlement for development of the parcel(s), nor imply or guarantee that any development permit will be issued for the subject parcel(s).
- D. This 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.

VI. **CERTIFICATE OF COMPLIANCE: SIERRA MOUNTAIN MORTGAGE, INC.: APN 133-370-003; T.22N/R.13E/S.23 MDM**

The request for a Certificate of Compliance for the designated remainder parcel of Eureka Heights Subdivision (Phase XIV of Whitehawk Ranch Subdivision) located at 1702 Highway 89, Clio, is presented. Associate Planner, Tim Evans, gives a presentation as outlined in the staff report. Zoning Administrator, Tracey Ferguson, questions if the applicant is present. David Giacomini with Sierra Mountain Mortgage responds and questions the condition of approval that requires a cul-de-sac be shown on the Final Map for the separate legal parcel. The purchaser of the property states he is also concerned with the cul-de-sac requirement. The hearing is opened at 10:17 a.m. There being no comments, the hearing is closed at 10:17 a.m. Ferguson reads through the proposed conditions of approval. Continuing, Ferguson explains that the Development Agreement for Mohawk Valley Ranch recorded in March 2010 has a Land Use Schedule and Plan clause specifically for Phase XIV of Whitehawk Ranch that requires implementation of a Fire Management Plan by constructing a paved, two-lane access cul-de-sac with a 2nd connection to Highway 89 for emergency access and egress, with access controlled in a manner acceptable to Plumas County, Caltrans, and all affected providers of emergency services. In addition, a fuel break around the upslope perimeter consistent with the fire management plan shall be constructed. On the recorded Final Map for the Eureka Heights Subdivision, Sheet 3 of 4, the legal parcel Lot 2 shows a partial court (Rue Carrie Court) consisting of a sixty foot-wide (60') private road and public utility easement. Assistant Planning Director, Rebecca Herrin, reiterates that the Development Agreement for Phase XIV of the Whitehawk Ranch Subdivision was designed to provide access via a cul-de-sac to the entire subdivision; however, because one area was left as a designated remainder parcel the completion of the entire planned cul-de-sac to serve the Eureka Heights Subdivision did not get recorded on the Final Map. The partial court or cul-de-sac shown on the Final Map doesn't serve the designated remainder parcel of the Eureka Heights Subdivision. Herrin states the owner also needs to get an encroachment permit from Caltrans. A cul-de-sac is a condition of the Mohawk Valley Ranch Development Agreement (Exhibit "E" Section C1) for Phase XIV legal parcels. Further, Herrin explains that without having a turnaround for the fire department or emergency services, it doesn't meet the criteria for providing access to a legal parcel under the County's development standards. Additionally, the Plumas County Code requires the parcel to have a point of access based on parcel zoning. The cul-de-sac would need to meet California State Fire Safe requirements. If this was an existing legal parcel, it could be accessed with only a driveway; however, the applicant is applying to make this designated remainder parcel a legal parcel, which would then need to meet the County's requirements that would have been in effect in 2009 at the time of the original approval. Mr. Giacomini questions if the cul-de-sac needs to be designed on the map. Herrin replies that the design and location of a cul-de-sac needs to be shown on the Final Map, which will be recorded, that meets the Subdivision Development Agreement and County Code requirements. The cul-de-sac requirements are shown as conditions of the Certificate of Compliance and need to be satisfied before a building permit can be issued, or any permit such as septic or well.

DECISION

Tracey Ferguson, Zoning Administrator, states she approves the Conditional Certificate of Compliance subject to the conditions of approval, 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. All improvements within the “Designated Remainder” shall be shown on the Final Map to the satisfaction of the County Engineer.
4. Prior to recordation of the Final Map, an Additional Information Map shall be submitted to the Engineering Department and reviewed and approved by the Environmental Health Department that complies with Plumas County Code, Title 6, Chapter 6 for sewage disposal, and with Title 6, Chapter 9 for water supply.
5. The Final Map shall show the 150’ wide building exclusion corridor along State Highway 89 to serve as a permanent scenic easement. The building exclusion area shall be measured from the centerline of the highway as 75 feet.
6. A cul-de-sac shall be shown on the “Designated Remainder” on the Final Map.
7. Improvement plans for the cul-de-sac shall be submitted to the Engineering Department.
8. The following condition shall be noted on the Additional Information Map:

Prior to final inspection for building construction, 2,500 gallons of water for emergency fire protection shall be provided per dwelling unit in conformance with Plumas County Code Section 9-4.1002.

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.

VII. SPECIAL USE PERMIT: LOCKHART, LEILA; APN 120-072-002; T.26N/R.10E/S.34 MDM

The request for a Special Use Permit for the expansion of a lawful, non-conforming use consisting of a 168 sq. ft. addition to the dwelling located at 4484 Main Street, Taylorsville, 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 comments or questions on the conditions of approval in the Staff Report. Leila Lockhart, applicant, states she understands and agrees with the proposed conditions of approval. The hearing is opened at 10:32 a.m. There being no comments, the hearing is closed at 10:32 a.m. Ferguson reads through the proposed conditions of approval.

DECISION

Zoning Administrator, Tracey Ferguson, determines this project exempt from the California Environmental Quality Act under DEQA Guidelines Section 15061(b)(3), making findings A and B; and approves the Special Use Permit subject to the conditions of approval along with findings A through D 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 effect on the environment; and
- B. That the location and custodian of the documents which constitute the record of these proceedings is the Plumas County Planning Department, 555 Main Street, Quincy, California.

CONDITIONS

1. The special use permit for the expansion of the lawful nonconforming structure (addition to dwelling) is approved in conformance with the application submitted on October 7, 2019.
2. Applicant shall obtain all necessary building permits from the Plumas County Building Department within eighteen (18) months of the approval of this special use permit.
3. 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.
4. 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.

FINDINGS

- A) This project is environmentally compatible with the surrounding area because the proposed project, as conditioned, conforms with applicable state and county codes that are designed to reduce potential impacts and protect public health and safety.
- B) This project is socially compatible because the conditions set forth ensure that the project will not create any nuisances or interfere with the surrounding community. The project will be in conformance with all other regulations pertaining to the use.

- C) This project is economically compatible with the surrounding area because the use does not prevent or diminish any economic benefits to property owners, nor will the use impede 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) This project is found to be consistent with the General Plan and zoning subject to the conditions imposed by the issuance of a special use permit.

VIII. SPECIAL USE PERMIT: PLUMAS CHARTER SCHOOL / CENTRAL PLUMAS RECREATION & PARK DISTRICT (property owner); APNs 116-320-024 & 116-320-025; T.24N/R.10E/S.19 MDM

The request for a Special Use Permit to build a permanent learning facility located at 1425 & 1495 E. Main Street, East Quincy, 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 comments on the conditions of approval. Taletha Washburn, Director of Plumas Charter School, states the Charter School has been actively seeking a location for a permanent home for the Quincy learning center for a number of years. Two years ago Plumas Charter School successfully applied for and was granted a \$2.4 million dollar loan to build a facility through the USDA Rural Development Program. After the disappointment of the non-development of the Kelsey Lane property, the concept and potential of purchasing property through the Central Plumas Recreation & Park District came to light. Washburn states the property along East Main Street is a better location and more accessible. It is the hope of Plumas Charter School to move forward with developing the property to have a permanent home for the learning facility. Washburn mentions that another benefit of the East Main Street property and working with the Recreation & Park District is that there's potential for partnerships that could benefit not only Plumas Charter School, but the Recreation & Park District, in addition to the community as a whole through shared use of resources and use agreements. Washburn states she has no comments on the proposed conditions of approval. James Shipp, General Manager of the Central Plumas Recreation & Park District, states conversations with Mr. Siegenthaler with the National Park Service were favorable. Mr. Siegenthaler is not opposed to the use of the parking lot at 1495 E. Main Street for parking, as the National Park Service would like to see no more area of the adjacent parcel at 1425 E. Main Street go to parking. Plumas Charter School and Central Plumas Recreation & Park District will need review and concurrence by the National Park Service to use 1495 E. Main Street for parking. Continuing, Shipp states it's going to be a unique experience having the charter school as neighbors. The Recreation & Park District sees beyond servicing just charter school kids. Shipp comments that it will bring in a lot of different opportunities for the District to serve the community as a whole. The hearing is opened at 10:45 a.m. No one in opposition to the school is present. Several people present speak in favor of the school being located at this location. There being no further comments, the hearing is closed at 10:53 a.m. Ferguson questions the impact of use on the adjacent Pioneer Park because of additional Charter School users, such as impacts to the park's maintenance. Shipp states the District will continue to have conversations and work out an agreement to serve the needs that arise from additional users, and may work on an annual agreement with the Charter School to take that into consideration any issues arising from the multitude of kids, weekly use, etc. Continuing, Shipp feels there has been a benefit to working with the Charter School with their attitude of agreement and willingness to collaborate and work through issues. Ferguson adds that, pertaining to parking and ingress/egress, Caltrans prefers not to have any more curb cuts on the highway. To be able to utilize Site Plan 1 and Site Plan 2 that show the adjacent parcel at 1495 E. Main Street, which is controlled by the National Park Service, being utilized for parking is more beneficial than the other site configuration for many reasons, specifically better ingress/egress for drop off and pick up of students and less curb cuts along highway. With the existing

number of Charter School employees, Tim Evans stated during his staff report presentation that the parking is adequate if parking were to be contained to just the 1425 E. Main Street parcel. Regarding Condition #1, Ferguson states that after hearing from the applicant and District that Site Plan 1 and Site Plan 2 seem to be the preferred options with the use of the existing parking lot at 1495 E. Main Street. Washburn concurs that Site Plan 1 or Site Plan 2 would be the preferred site plans. Ferguson reads through the proposed conditions of approval.

DECISION

Zoning Administrator, Tracey Ferguson, determines the project exempt from the California Environmental Quality act under CEQA Guidelines Section 15061(b)(3) making Findings A (as amended) and B; and approves the Special Use Permit subject to the conditions of approval, making findings A through D 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 effect on the environment; and
- B. That the location and custodian of the documents which constitute the record of these proceedings is the Plumas County Planning Department, 555 Main Street, Quincy, California.

CONDITIONS

1. The special use permit for the operation of a learning center is approved in conformance with the application submitted on May 30, 2019, and any of the site configurations shown in Site Plans 1 through 4 (Exhibits 3 through 6).
2. Applicant shall obtain all necessary building permits from the Plumas County Building Department within eighteen (18) months of approval of this special use permit.
3. A Dust Control Plan shall be submitted to and approved by the Northern Sierra Air Quality Management District prior to surface disturbance of more than one acre.
4. Prior to issuance of a building permit, a Drainage Plan shall be submitted to and approved by the Department of Public Works.

Every project drainage design is unique, but a set of “Drainage Calculations” will typically include commentary on design parameters such as: statement of the design year, size of drainage area, commentary on intensity and duration of rainfall events, estimation of runoff, frequency the design maximum may be expected to occur, topography, soil characteristics and runoff coefficients, all as accompanied by copies of published data (charts, pages from manuals, sketch maps, etc.), as relied upon by the Design Engineer of Record.

The “Drainage Plan” is also unique to every project drainage design as the plan will typically depict the drainage flows (by use of arrows) and the proposed construction features (manholes, culverts, ditches, swales, and inlets, as applicable) will be shown as well as elevation detail suitable for constructability.

The “Drainage Calculations” and the “Drainage Plan” are to both be stamped by a professional engineer, licensed by the State of California

5. Prior to issuance of a building permit, a Grading Plan shall be submitted to and approved by the Department of Public Works.

A complete grading plan should clearly illustrate existing and proposed site topography, and provide sufficient information to determine the limits of grading and disturbance. Grading plans should include the following information on a 24" x 36" blueprint:

- a. Name and address of property owner
- b. Assessor's Parcel Number (APN)
- c. Name and location of existing, adjacent streets
- d. Vicinity map
- e. North arrow and scale of drawing
- f. Site plan including entire parcel (APN) with area of proposed grading indicated and enlarged for clarity, if necessary
- g. Existing structures, utilities, trees, watercourses, or any other topographical features of interest
- h. Details of proposed structures, including retaining walls
- i. Property lines, setbacks, or building envelopes
- j. Existing and proposed contours. Topographic information must be at a suitable scale to insure clarity
- k. Clearly defined LIMITS OF GRADING activities (disturbed area)
- l. Toe and top of cut and fill slopes
- m. Signature and stamp of civil engineer

6. Prior to issuance of a building permit, an encroachment permit shall be obtained from the California Department of Transportation (Caltrans) for the change in use. Encroachment permit submittal shall address drainage with a drainage report and an ADA certification by the project engineer for the separated path.
7. Prior to issuance of a building permit, an updated Program of Utilization and memorandum of understanding, license agreement, or permit for non-exclusive use of 1495 East Main Street, East Quincy, between the Central Plumas Recreation and Park District and Plumas Charter School shall be submitted to the National Park Service for review and concurrence. If the National Park Service does not concur with the updated Program of Utilization and/or memorandum of understanding, license agreement, or permit, 1495 East Main Street, East Quincy, shall not be used for school parking and the site configuration shall be such that all parking and maneuvering aisles are located on the same parcel as the school (1425 East Main Street, East Quincy), with a separate driveway access, as shown in Site Plans 3 and 4 (Exhibits 5 and 6).
8. If a separate driveway access for the school is required, due to the updated Program of Utilization and memorandum of understanding, license agreement, or permit not being approved, the driveway crossing shall be ADA compliant. The plan for the driveway crossing shall be reviewed and approved by the Department of Public Works prior to the issuance of the building permit for construction of the school building.

9. If a separate driveway access is required, the driveway shall be a concrete curb cut driveway and one-way out.
10. Site configuration shall not entail any structure(s) or pathway(s) crossing any property line(s).
11. Due to the property being contiguous to the state highway, the school grounds shall be fenced.
12. If there are locations where students will cross, Plumas Charter School shall provide its own crossing guards, if there are crossing challenges for students.
13. Plans detailing how construction noise will be attenuated to a noise level of 90 decibels (dB) or less, as required by the 2035 General Plan, shall be submitted with the building permit for the learning facility.
14. An area equal to a minimum of ten (10%) of the required parking lot area shall be landscaped.
15. 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.
16. 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.

FINDINGS

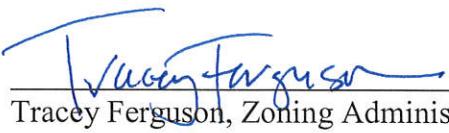
- A. This project is environmentally compatible with the surrounding area because the proposed project, as conditioned, conforms with applicable state and county codes that are designed to reduce potential impacts and protect public health and safety.
- B. This project is socially compatible because the conditions set forth ensure that the project will not create any nuisances or interfere with the surrounding community. The project will be in conformance with all other regulations pertaining to the use.
- C. This project is economically compatible with the surrounding area because the use does not prevent or diminish any economic benefits to property owners, nor will the use impede 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. This project is found to be consistent with the General Plan and zoning because a public service facility is a permitted use, subject to 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) 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 11:06 a.m. The next regularly scheduled Zoning Administrator meeting is set for January 8, 2020, at 9:30 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