



PLUMAS COUNTY PLANNING & BUILDING SERVICES

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Planning Department
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DATE: February 7, 2020 (emailed February 10, 2020)
TO: Christian Palmaz, Genesee Valley Ranch, LLC (Applicant/Owner)
FROM: Tracey Ferguson, AICP, Planning Director *T.F.*
RE: **Building Permit #19-703:** Application for the demolition of a single-family dwelling (project) designated as historic in the Plumas County General Plan located at 7205 Genesee Road, Genesee; Assessor's Parcel Number 008-350-006-000.

Per Plumas County Code Section 9-2.3703(b)(3), special plan reviews for historical buildings shall be the consideration of the value of the public interest prior to the approval of a building permit to demolish a historical building.

Decision:

After weighing all the evidence presented, including the building permit application for demolition of the single-family dwelling located at 7205 Genesee Road; the Architectural History Evaluation prepared by ECORP Consulting, Inc. (ECORP) dated December 11, 2019; the associated staff report for the public hearing on January 8, 2020; all testimony, written and spoken at the duly noticed public hearing on January 8, 2020; a letter from Beatty Construction, Inc. dated January 21, 2020; additional public comments submitted until January 24, 2020; an email correspondence from ECORP sent on February 6, 2020; a review of California Planning and Zoning laws; a review of the California Environmental Quality Act (CEQA); a review of the Plumas County General Plan; a review of the Plumas County Code as in Title 9 (Planning and Zoning); and a review of the Genesee Valley Special Management Area (GV SMA) plan, which is incorporated by reference into the Plumas County General Plan, the Planning Director's determination is that while there was evidence presented as to the single-family dwelling at 7205 Genesee Road contributing some value of the public interest, the compelling weight of the evidence proved the single-family dwelling lacks individual historical significance and sufficient integrity and demonstrated the cost to restore the structure is prohibitive and not practicable, thus weighing in favor of granting the Applicant/Owner the demolition permit.

Right to Appeal:

All decisions of the Planning Director may be appealed in writing to the Clerk of the Board of Supervisors within ten (10) calendar days. For more information, refer to Plumas County Code, Title 9 (Planning and Zoning), Chapter 2 (Zoning), Article 10 (Appeals).

Findings:

Support for this decision is shown by the following findings:

1. Applicant/Owner submitted a demolition permit application (Permit #19-703) to demolish the single-family dwelling located at 7205 Genesee Road, Genesee, unincorporated Plumas County (Assessor's Parcel Number 008-350-006-000; T25N/R11E/Sec.9, MDM; 40.042887/-120.754411) on August 19, 2019. The application was forwarded to the Planning Department on September 19, 2019.
2. After Planning Department staff reviewed the demolition permit, it was determined from County records, specifically the Zoning Map-Assessor Parcel Map with Addresses (Book 8, Page 35), which lists property addresses on the Applicant/Owner ranch, that the structure at 7205 Genesee Road is zoned Agricultural Preserve (AP) with a combining zone designation of SP-HB (Special Plan) (Historical Building).

Plumas County Code Title 9 (Planning and Zoning), Chapter 2 (Zoning), Article 37 (Special Plan Combining Zone (SP), Sec. 9-2.3701. - Purpose (SP), states, "The purpose of the Special Plan Combining Zone (SP) is to administer...designated historical buildings," and Sec. 9-2.3702. - Identification (SP), states, "Special Plan Areas are specifically identified in the General Plan as to the qualities to be protected or preserved as...Historical Buildings (HB)."

3. A Plumas County 1980 General Plan Historic & Indian Resource Identification form found in the records on file in the Planning Department identified the Old Hosselkus Home, Post Office, and Store as potential local historical resources. This form is Exhibit 7 to the January 8, 2020 staff report, and also contains the following Statement of Significance:

"Built in 1889 by Edwin Hosselkus early settler in Genesee Valley in 1865. A beautiful house noted for its architecture. The house was noted as one of the finest in Plumas County, constructed of brick and fitted with all the convenience of the day. The general store and post office served as a local mining and agricultural supply center for Genesee Valley, and therefore the entire settlement was instrumental in the settlement of the valley."

The completion of the Historic & Indian Resource Identification form resulted in the Hosselkus Home, Post Office, and Store being designated as local historical resources in the 1981-82 General Plan update and incorporated as part of the General Plan Constraints, Scenic, Policies, and Historical Areas Map as "Hosselkus Ranch" and "Hosselkus Home" or Historical Buildings #47 and #48, respectively. The General Plan Constraints, Scenic, Policies, and Historical Areas Map was adopted by Board of Supervisors Resolutions 83-3668 and 83-3721, and amended by Resolutions 85-3935, 87-4194, 88-4327, 89-4445, 91-5246, 92-5353, 92-5418, and 98-6132.

The Planning Department staff found no specific amendment(s) to the original listing of Historical Buildings #47 and #48 in the amending resolutions that further defined the "Hosselkus Ranch" or "Hosselkus Home."

4. The SP-HB addresses listed on the Zoning Map-Assessor Parcel Map with Addresses (Book 8, Page 35) include 7201 Genesee Road (Store/Post Office), 7202 Genesee Road (Hosselkus Home), 7203 Genesee Road (another structure adjacent to the store on the north side of Genesee Road), 7204 Genesee Road (the yellow house on the south side of Genesee Road adjacent to the Hosselkus Home) and 7205 Genesee Road (the single-family dwelling located on the north side of Genesee Road and east side of the Genesee store).

No documentation or specificity could be found in the records on file in the Planning Department as to how or why three of the five particular addresses shown as SP-HB on the Zoning Map-Assessor Parcel Map with Addresses (Book 8, Page 35) were derived. Those three addresses include 7203 Genesee Road, 7204 Genesee Road, and 7205 Genesee Road. The completion of the Historic & Indian Resource Identification form resulted in the other two addresses, or 7202 Genesee Road (Hosselkus Home) and 7201 Genesee Road (Store/Post Office), being designated as local historical resources.

5. Planning Department staff, after reviewing all available records, determined that it is “ambiguous” as to what structures and/or addresses are included under Historical Building #47 or the “Hosselkus Ranch.” Although the single-family dwelling located at 7205 Genesee Road is part of the present-day compound of buildings surrounding the Hosselkus Home, Post Office, and Store, the Planning Department staff found no direct evidence showing that the single-family dwelling located at 7205 Genesee Road is included within the local historical resources designated as the “Hosselkus Ranch” as shown on the General Plan Constraints, Scenic, Policies, and Historical Areas Map.
6. Upon consideration of the ambiguity regarding the exact local historical resource(s) listed under Historical Building #47 or the “Hosselkus Ranch” and due to the structure at 7205 Genesee Road being listed as an address on the Zoning Map-Assessor Parcel Map with Addresses (Book 8, Page 35) as having a combining zone of SP-HB, Plumas County Code Sec. 9-2.3703. Special Plan Review (SP) was determined by the Planning Department to apply:
 - “(a) No physical aspect of a property regulated by a Special Plan Area shall be altered in any way without special plan review and approval as set forth in subsection (b) of this section.”
 - “(b)(3) Special plan reviews for historical buildings shall be the consideration of the value of the public interest prior to the approval of a building permit to demolish a historical building.”
7. The purpose of the public hearing before the Planning Director held on January 8, 2020 was to receive public comment for consideration of the value of the public interest, per Plumas County Code Section 9-2.3703(b)(3).
8. Of the public comments received at the January 8, 2020 public hearing before the Planning Director, two people spoke in support of denial of the demolition permit application of the single-family dwelling, and a representative of the Applicant/Owner was present and provided testimony in support of approval of the demolition permit application.

The Planning Director allowed for additional public comment after the January 8, 2020 public hearing or until January 24, 2020, and during this time period forty (40) public comments were received. Some commenters submitted evidence of public interest and value and expressed that they wanted to see the single-family dwelling remain. Other commenters submitted evidence in favor of the Applicant/Owner's proposal to demolish the single-family dwelling. One commenter suggested an alternative of moving the dwelling in order to preserve the structure.

The Planning Director considered all public comments received.

9. On December 11, 2019, the Applicant/Owner provided evidence for the demolition permit application of the single-family dwelling in the form of an "Architectural History Evaluation," prepared by Principal Investigator Jeremy Adams, MA, ECORP Consulting, Inc. with assistance from Staff Archaeologist Morgan Webb and Registered Professional Archaeologist Lisa Westwood, also of ECORP.

Upon evaluating the historical and archival research for the single-family dwelling located at 7205 Genesee Road in relation to California Register of Historical Resources Criterion 1, 2, 3, and 4; National Register of Historic Places Criterion A, B, C, and D; and Historic District Considerations, ECORP's evaluation found that the single-family dwelling was not eligible under any of the eligibility criteria.

Regarding the integrity of the structure:

"The residence remains intact structurally but is currently undergoing renovation and the exterior siding has been removed, thus only retaining some of its original materials. The residence, however, has received an addition and window replacements, which reduce integrity of design and workmanship. The original wood-framed, single-hung windows on all the elevations have been replaced with modern double-pane, double-hung windows. A screened-in porch and cellar was added to the northern elevation sometime after the original construction. The roof of the cellar is currently removed with plans to be rebuilt...The residence still serves the function of housing at the Genesee Valley Ranch...Overall, the residence appears to retain integrity location, design, some materials, feeling, setting, and association, but fails to retain integrity of workmanship and materials, or with any significant agricultural operation."

The evaluation concluded with this statement:

"...the building does not appear to maintain individual historical significance or sufficient integrity to continue to need to be listed as an associated component of the Hosselkus Ranch and Home. As such, ECORP recommends the building be removed from association with the Hosselkus Ranch and Home and that it is no longer considered a component of that listing of local significance."

10. Public comment was received on January 10, 2020 from Diane McCombs of McCombs Archaeology, who is listed on the Registration of Professional Archaeologists, Member Number 989580, regarding the Architectural History Evaluation. Ms. McCombs presented information regarding process and significance determination, including records in the office of the Plumas County Assessor that showed dates for construction of the single-family dwelling at 7205 Genesee Road as being in the 1920s, rather than in the 1940s, as per the Architectural History Evaluation prepared by ECORP.

Both the Architectural History Evaluation and the comments submitted by Ms. McCombs constitute evidence that was weighed prior to this decision.

11. The Genesee Valley Special Management Area (GV SMA) plan is incorporated by reference into the 2035 Plumas County General Plan as an adopted appendix. Page 11 of the GV SMA plan contains a Goal under “Historical” calling for preservation and documentation of Genesee Valley’s prehistoric, ethnographic, and historic resources for their scientific, educational, and cultural value. Further, the Land Use Management subsection under Historical calls for consideration of the value of the public interest prior to approval by the County of the demolition of any designated historical building. This language is similar to the language in Plumas County Code Section 9-2.3703(b)(3).

Page 12 of the GV SMA plan reads:

Historical Buildings:

“Historical Buildings are structures such as a house, barn, church, hotel, etc., created principally to shelter any form of human activity. It may also refer to a historically and functionally related unit such as a courthouse and jail, or a house and barn.”

The language goes on to state the various criteria for listing.

“Evaluation shall be consistent with guidelines and format established by SHPO:...”

SHPO refers to the State Historic Preservation Office.

Then the GV SMA plan lists three buildings as “Candidate Historic Buildings:”

- “1. Hand hewn Log Cabin and Stone House (built 1870-1880).
2. Mormon Pole Barn, built in 1852, at Mormon Station.
3. Borden Log Cabin, built by Fred Borden after the Yukon Gold Rush.”

None of the other buildings listed under Historical Building #47 (Hosselkus Ranch) are listed as “Candidate Historic Buildings” in the GV SMA plan. The single-family dwelling at 7205 Genesee Road is located within the area covered by the GV SMA plan; however, the building is not listed as a candidate historic building and therefore the policies of the GV SMA plan do not apply.

Thus, the Plumas County 2035 General Plan policies and the requirements of the SP-HB combining zone govern this decision.

12. In addition to the SP-HB combining zone designation, the following Plumas County 2035 General Plan policy was reviewed and considered in the context of the application for demolition.

The Agriculture and Forestry Element, Policy 8.2.8, Historic Ranches and Farms, states, *“Encourage the maintenance, rehabilitation, and, where practical, the restoration of historic era ranches and farms in order to maintain historical character while continuing to engage in productive agricultural activities.”*

The Applicant/Owner was involved in maintenance, rehabilitation, and restoration activities at 7205 Genesee Road. Prior to the application for demolition of the single-family dwelling received on September 12, 2019, the Applicant/Owner submitted an application (Building Permit #19-412) for reroof and residing of the single-family dwelling.

The original intention, therefore, was not demolition but rehabilitation and restoration of the structure. However once the siding was removed, the issues of condition were revealed.

The Architectural History Evaluation notes:

"...the wood framed structure also has severe dry rot in several areas, the concrete foundation is in need of repair, and the workmanship of the original design is diminished significantly."

On January 24, 2020, the Planning Director received a letter from Beatty Construction, Inc. (License No. 453927) dated January 21, 2020, regarding the condition of the single-family dwelling at 7205 Genesee Road to determine the costs associated with making the dwelling compliant with health, safety, and other state and County codes. The evidence presented by Beatty Construction indicates that the dwelling is in "very poor condition" and the letter listed several items that are in need of repair or replacement, with associated costs, including, but not limited to, foundation, framing, siding, trim, electrical upgrades, removal and replacement of roofing, insulation, drywall, painting, flooring, roof structure and waterproofing of back cellar and breeze way. Plumbing repair and associated costs were not included due to a lack of crawl space under the dwelling; however, the letter notes that if the building were to be lifted, a plumbing estimate can be provided by Beatty Construction. Total estimated costs equaled \$221,820 (\$184,850 in materials and labor and \$36,970 in profit and overhead).

In an email dated January 24, 2020, from the Applicant/Owner, the single-family dwelling is valued between \$75,000 and \$100,000.

Evidence presented indicates that *it is not practical* to require the Applicant/Owner to restore the single-family dwelling due to the very poor condition of the structure and the cost of rehabilitation, due to that condition.

13. In addition to the SP-HB combining zone listing, the following Plumas County 2035 General Plan policies were reviewed and considered in the context of the application for demolition:

The Conservation and Open Space Element, Policy 7.5.1, Cultural and Historical Resource Preservation, states, *"The County shall encourage historic preservation within all sectors, private and public, in such a manner as to promote economic development, enhance recreation, maintain quality of life, provide educational opportunities, as well as to provide revitalization of housing and business sections of existing communities."*

While there was evidence presented by the public comments received as to the single-family dwelling at 7205 Genesee Road contributing to the value of the public interest within Genesee Valley, the letter from Beatty Construction demonstrates compelling evidence that the restoration of the single-family dwelling at 7205 Genesee Road would be cost prohibitive. Moreover, limited evidence was presented to show that the restoration would encourage historic preservation, especially due to the extent of the rehabilitation's impact on the integrity of the structure.

The Conservation and Open Space Element, Policy 7.5.2, Evaluation of Cultural and Archaeological Resources, states, *"The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards and sources."*

The County required the Applicant/Owner to produce an Architectural History Evaluation to evaluate the historical and cultural significance associated with 7205 Genesee Road. On December 11, 2019, the Applicant/Owner provided the Architectural History Evaluation, prepared by ECORP. Upon evaluating the historical and archival research for the single-family dwelling in relation to California Register of Historical Resources Criterion 1, 2, 3, and 4; National Register of Historic Places Criterion A, B, C, and D; and Historic District Considerations, ECORP's evaluation found that the single-family dwelling was not eligible under any of the eligibility criteria.

The Conservation and Open Space Element, Policy 7.5.3, Resource Protection with Potential State, Federal, and Local Designations, states, *"The County shall support the registration of cultural resources in appropriate landmark designations such as the California Register of Historic Places, National Register of Historic Places, California Historical Landmarks, Points of Historical Interest or Local Landmark. Such sites may be of nationwide, statewide or local significance and have architectural, engineering, scientific, economic, agricultural, educational, social, political, military, cultural or other values."*

The wording in Policy 7.5.3 mentions "appropriate landmark designations" such as the California and National Registers, California Historical Landmarks, Points of Historical Interest or Local Landmark. Evidence presented in the Architectural History Evaluation indicates that the single-family dwelling does not meet the criteria for inclusion in any of these registers or landmark designations.

The letter by Ms. McCombs received by the Planning Department on January 10, 2020 indicates disagreement with the findings by ECORP in the Architectural History Evaluation regarding qualification. McCombs opines that the entire ranch should be evaluated under the criteria, and not only the single-family dwelling, as a discrete part of the ranch. However, no statute, code language, or regulation was cited by Ms. McCombs in the letter to indicate that this is a requirement rather than an alternative method of evaluation.

An email correspondence from ECORP sent to the Planning Director on February 6, 2020 discusses McCombs' comment regarding the historical significance of the Hosselkus Ranch as a whole and the relevance of the Architectural History Evaluation on the remaining ranch buildings. ECORP noted several times in the study that the purpose of the evaluation was to determine the historical significance of the residence in question, and not the significance of the Hosselkus Ranch as a whole. As far as ECORP is aware, there is no existing debate that the Hosselkus Ranch and Home is historically significant. Rather, the Architectural History Evaluation was undertaken to determine if the specific residential building at 7205 Genesee Road should be considered individually historically significant or be considered a significant component of the Ranch.

Further, in accordance with National Register Bulletin 15, which is a guidance document for the evaluation of resources for the National Register of Historic Places (the Federal equivalent of the California Register of Historical Resources, and was cited by the commenter, Ms. McCombs); “mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property’s specific association must be considered important as well (National Register Bulletin 15, 1995:12).” Therefore, ECORP concluded that the single-family dwelling at 7205 Genesee Road, though associated with the Hosselkus Ranch, did not individually make any significant historical contribution to the Ranch and does not, in itself, convey the significance of the ranch and, therefore is not eligible.

Ms. McCombs’ comment letter also presents evidence from records on file in the office of the Plumas County Assessor showing that the single-family dwelling dates from the 1920s rather than the 1940s, as was determined in the Architectural History Evaluation. The Hosselkus settlement dates to 1862, with the Hosselkus Home, Genesee Store, and Post Office dating to 1889.

An email correspondence from ECORP sent to the Planning Director on February 6, 2020 discusses McCombs comment regarding the date of construction of the single-family dwelling at 7205 Genesee Road. During ECORP’s archival research, the date of the house was not able to be officially determined due to the lack of available records for the building. As noted in the methods section of ECORP’s Architectural History Evaluation, the Plumas County Assessor’s Office was contacted for information with no results. The comment by Ms. McCombs is correct, in that the 1940s date was estimated by ECORP based on available existing records and apparent building design methods. As noted by McCombs, the building was clearly constructed using full dimensional lumber, that is, lumber sizes that meet the American Lumber Standard that was established in 1924 (and subsequently modified in later years to account for “green wood”). Further, it was built on a poured and reinforced concrete wall foundation, common among buildings from early 1900s through WWII. Lastly, ECORP states the architectural design appears to most closely resemble the minimal traditional style of architecture (though not perfectly, as noted in the evaluation). As noted in ECORP’s Architectural History Evaluation, critical emphasis is given to the platform wood framing, sizing, massing, and roofline which draw from this style. With this information, ECORP concluded that the building was most likely constructed in the 1940s.

14. The Planning Director understands the Plumas County Assessor’s Office may contain additional information that was not provided to ECORP during their records request regarding the age of the single-family dwelling at 7205 Genesee Road. As presented by Ms. McCombs, there may be evidence from records on file with the Plumas County Assessor showing the single-family dwelling dates from the 1920s rather than the 1940s. The County suggests the Applicant/Owner contact the County Assessor to determine what records may be present. If additional evidence is found as to the age approximation of the dwelling, or otherwise, for example, history of ownership, the County requests ECORP revise the Architectural History Evaluation to reflect new information prior to submitting the site record.

15. In addition to the SP-HB combining zone listing, the following Plumas County 2035 General Plan policies were reviewed and considered in the context of the application for demolition:

The Conservation and Open Space Element, Policy 7.5.4, Protection of Potentially Important Historic Sites, states, *"Demolition permit applications on designated or potentially important historic sites shall be subject to County discretionary review."*

The Planning Director's review and public hearing process to gather testimony of the value of the public interest prior to making a decision on whether or not the demolition permit should be issued meets this policy requirement for County discretionary review.

The Conservation and Open Space Element, Policy 7.5.7, Cooperation of Property Owners, states, *"The County shall encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage general public support for the preservation of these significant cultural resources."*

This language reads "encourage" rather than "require." The language referring to "cultural resources" would indicate some sort of basis for qualification, most likely on an evaluation by a qualified expert in the field, which has been completed as evidenced by the Architectural History Evaluation.

16. In addition to the SP-HB combining zone listing, Plumas County 2035 General Plan Conservation and Open Space Element implementation measures were reviewed and considered in the context of the application for demolition, as follows:

Implementation Measure 4. *The County shall establish and maintain a Cultural and Historical Resources Advisory Panel. This panel should include archaeological and historical experts. Activities of the panel shall include:*

- a. Develop specific criteria necessary to determine resource sensitivity and significance. Apply criteria in the CEQA Guidelines and develop local criteria for historical resources such as Historic Roads and Historic Buildings.*
- b. Act as an advisory group to the Board of Supervisors and the Planning Commission to make recommendations for inclusion in the historical resource inventory.*
- c. Review and comment on development proposals involving re-use of historic sites and demolition permits for any listed structure with the potential for listing as an historical resource.*

Implementation Measure 5. *The County shall maintain copies of the historical resource inventory in the Northeast Information Center, the Plumas County Museum, and the Plumas County Planning Department.*

Implementation Measure 7. *The County shall consult with the Northeast Information Center, the Cultural and Historical Resources Advisory Panel, and appropriate historic and preservation professionals prior to the issuance of a demolition permit for any listed structure or structure with the potential for listing as an historical resource. The County shall develop Zoning Ordinances to ensure that demolition permit applications on potentially important historic sites are subject to discretionary review.*

Implementation Measure 8. *The County shall support the registration of cultural resources in appropriate landmark designations, such as the California Register of Historic Places, National Register of Historic Places, California Historical Landmarks, Points of Historical Interest, or Local Landmark. The County shall assist private citizens seeking those designations for their property.*

These Implementation Measures make reference to a “historical resource inventory” established on the basis of qualification under certain criteria. The General Plan listings of local Historical Buildings has not been evaluated under any specific established criteria. There is no evidence to show that the single-family dwelling in question qualifies for listing under any type of established criteria. There is no evidence, other than the ambiguous listing of situs addresses on the Zoning Map-Assessor Parcel Map with Addresses (Book 8, Page 35), to show that the structure at 7205 Genesee Road qualifies for designation as a local historic resource.

17. As per the California Environmental Quality Act (CEQA) Guidelines section 15064.5(a)(2), the single-family dwelling located at 7205 Genesee Road qualifies as a “historical resource” because it can be seen to be listed on a local register of historical resources (i.e., General Plan Constraints, Scenic, Policies, and Historical Areas Map). The General Plan Constraints, Scenic, Policies, and Historical Areas Map lists various Historical Buildings countywide that meet the qualification under 5020.1(k) of the Public Resource Code as a “Local register of historical resources:”

“Local Register of historical resources” “means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.”

The Historical Building list shown on the General Plan Constraints, Scenic, Policies, and Historical Areas Map was established by resolution of the Board of Supervisors. Based on the evidence presented and as stated above, the local historical resource listing of the single-family dwelling at 7205 Genesee Road is not specific and can be seen to be ambiguous. As demonstrated in the Architectural History Evaluation prepared by ECORP and as outlined in the above findings, the preponderance of evidence demonstrates that this local historical resource is not individually historically or culturally significant. Moreover, the single-family dwelling lacks sufficient integrity and was built on the historic Hosselkus Ranch sometime between the 1920s and the 1940s, many years after the establishment of the ranch in 1862 and the construction of the listed structures on the site in 1889. Thus, the single-family dwelling at 7205 Genesee Road is not a historically or culturally significant resource.

If this project involved the demolition of a historically or culturally significant resource, it could have a potentially significant effect on the environment; however, given the project is not a historically or culturally significant resource and does not cause a substantial adverse change in the significance of a historical resource, the effect on the environment is less-than-significant.