
PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Meeting of October 13, 2021

The Plumas County Zoning Administrator convened in a meeting on October 13, 2021, at 10:03 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Tracey Ferguson, presiding. Assistant Planning Director, Rebecca Herrin, is in attendance. The agenda is approved as submitted.

I. PUBLIC COMMENT OPPORTUNITY

No public comment is presented.

II. SPECIAL USE PERMIT – BENOIT, TERRY & LINDA; APN 116-150-004; T.24N/R.10E/S.20 MDM

The request for the expansion of a lawful, non-conforming use consisting of a 12' x 18' addition and deck to an existing dwelling in a commercial zone, located at 2353 E. Main Street, East Quincy, is presented. Rebecca Herrin, Assistant Planning Director, gives a presentation as reflected in the staff report. Applicant, Terry Benoit, questions who is provided with the Caltrans encroachment permit required by Condition #2. Herrin responds that the Caltrans encroachment permit should be provided to the Building Department, either by the Applicant or by an email from Caltrans staff, at the time the building permit is applied for. Zoning Administrator, Tracey Ferguson, opens the public hearing at 10:08 a.m. Neighbor, Mel Green, states he has no problem with the proposed expansion, but questions what is allowed on the property. Green explains that at any given time there are 10 to 15 vehicles parked on the back of the property in different states of disrepair. Green is concerned about noise and potential hazardous fluids to the environment that the vehicles may be producing. Herrin responds that Plumas County Code allows no more than one (1) non-operable vehicle on any given parcel, so with multiple vehicles present, it would be a code enforcement issue. Ferguson explains the code enforcement complaint procedure to Green. Benoit states he plans to meet whatever Plumas County Code requirements exist and will address the issue outside of this application process. Regarding noise, Ferguson states to Green that the General Plan has noise standards, so the same code enforcement procedure can be followed to address a noise complaint. The public hearing is closed at 10:14 a.m. Ferguson comments that because the property is located within the Quincy Design Review area, the building plans will need to go through the design review process.

DECISION

Tracey Ferguson, Zoning Administrator, finds the project exempt from the California Environmental Quality Act under CEQA Guidelines Section 15301, making findings A & B; and approves the special use permit subject to the conditions of approval outlined in Exhibit 7 of the Staff Report, making findings A through D as follows:

ENVIRONMENTAL DETERMINATION FINDINGS

- A. That there is no substantial evidence in the whole record supporting a fair argument that the proposed project, as conditioned, might have any significant adverse impact on the environment; and
- B. The location and custodian of the documents which constitute the record of these proceedings is Plumas County Planning and Building Services, 555 Main Street, Quincy, California.

CONDITIONS

1. The special use permit for Terry and Linda Benoit is approved as per the application submitted on July 28, 2021.
2. An encroachment permit shall be obtained from Caltrans prior to the issuance of any building permits for the site.
3. The applicable building permits shall be obtained from Planning and Building Services within eighteen (18) months from the date of approval of the special use permit.
4. 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.
5. 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, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms with applicable state and county codes that are designed to protect public health and safety and to reduce potential impacts.
- B. This project is socially compatible with the surrounding area because the conditions are designed to ensure that the project will not create any nuisances or interfere with the surrounding community. The project is in conformance with all other regulations pertaining to the use.
- C. This project is economically compatible with the surrounding area because the use will not interfere with the 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 consistent with the General Plan and zoning subject to the conditions imposed by the issuance of the special use permit.

III. **SPECIAL USE PERMIT & CAMPGROUND PERMIT: RIVERFRONT RV PARK, LLC; APN 103-060-008; T.28N/R.8E/S.21 MDM**

The proposal to establish a 56-space RV park campground facility consisting of yurts, covered wagons, outfitter tents, swimming pool, and bath houses, located at 7891 Highway 147, Hamilton Branch, is presented. Rebecca Herrin, Assistant Planning Director, gives a presentation as reflected in the staff report. Herrin notes that an email received from the Hamilton Branch Community Services District (CSD) on October 11, 2021, states that the Hamilton Branch CSD has filed a compliance order with the State of California Division of Drinking Water as of October 9, 2021. The email goes on to read that “this order will provision the state of California to curtail any further water connections with the district until such time as an additional source of water can be constructed and initiated.” Herrin states the email is in compliance with the information already received from the CSD that outlines their concerns about not having enough water to extend it to the RV park, and that most likely an onsite source of water will need to be constructed. Applicant, Dante Perrano, states additional fire hydrants need to be installed and when he met with the Fire Chief of the Hamilton Branch Fire Protection District to clarify, the Fire Chief stated fire hydrant spacing cannot be greater than 500 feet, so it appears the project will likely have to be completed in two (2) phases and the Applicant will need to install additional hydrants for the second phase of development.

Continuing, Perrano questions Condition #8 regarding paving. Perrano states right now pavement is very expensive and probably could not be done prior to development. Additionally, Perrano explains you don’t

want to do your paving before the underground utilities have been installed because if you pave and then run a sewer or electrical line, you'll have to tear the pavement up. Perrano states paving should be done at the end of the project. Perrano would like to use gravel rather than pavement because of the initial expense.

Regarding the fire hydrants, Ferguson responds that Condition #5 states, in part, that fire hydrants shall be required to be provided to the satisfaction of the Fire Chief of the Hamilton Branch Fire Protection District prior to the development of the property. Ferguson goes on to say that the special use permit and campground permit applications do not currently contemplate project phasing, so there would need to be an amendment to Condition #1 to add the potential for project phasing.

Regarding the paving, Ferguson states the conditions on the Certificate of Compliance speak to the paving requirement. County Code requires Class 8 roads to be paved. Herrin adds that Class 8 roads are generally for commercial development and the parcel is zoned commercial. On the Parcel Map that was recorded with the Certificate of Compliance, the additional information map (13 PM 11) notes state, "All internal roadways for development as defined by the Plumas County General Plan shall be paved and constructed to appropriate county road standard for the type of proposed development prior to development. All parking shall be paved prior to development."

Herrin states it's a condition of the General Plan, the Certificate of Compliance, and Plumas County Code. Ferguson adds that if she could change the timing of the paving she would, because it doesn't make sense to pave first. Herrin clarifies that the requirement is from the old General Plan from 1985. The Certificate of Compliance applied conditions that would have been met at the time of development of the property. Herrin states the Applicant can apply for a modification of development standards of the road standards if they so choose.

Continuing, Ferguson inquires and Perrano speaks to the need for more than one fire pit due to the size of the property and also the stated months of operation in the application. Since the Applicant does not know what the seasonal operation will end up being year after year, they don't want to be limited to certain months of the year. Ferguson states the conditions of approval don't speak to specific months of operation, only that the permit will be in compliance with the application materials submitted, which state, "Seasonal, from May to October."

Ferguson opens the public hearing at 10:48 a.m.

Neighbor, Joe Castro, who lives on River Bend Way north of the proposed project, is concerned with noise and traffic due to the RV park. Herrin states no traffic will be going by Mr. Castro's property and allowable noise levels must follow the General Plan. Also, sites in the project will not be closer than 150 feet from the northern property boundary due to the PG&E drainage channel easement. It is clarified that this project is not a typical RV park where people tow and park their RVs. Perrano states he feels that the majority of people staying in the yurts, covered wagons, and outfitter tent sites will be going to the restaurant, so that's where any noise will likely be coming from, instead of at the actual campground sites. Cooking facilities will not be provided inside the yurts, covered wagons, and outfitter tents. Perrano also clarifies that the first phase of the project would be the area which is 500 feet from the existing fire hydrant, which is located in the front of the property.

The public hearing is closed at 11:08 a.m.

Ferguson asks for verification and the Applicant confirms that the bath houses and swimming pool are still in the project proposal. Also, under the project findings Ferguson notes the design of the campground must conform to Plumas County Code section 9-2.404, which includes maximum parcel density. Perrano explains that the designer of the campground looked at the California State Code and converted the code to the map, so everything on the map conforms to State regulations. Perrano states they'd love to have

more units, but the designer has determined the 56 units follows all the rules for the buildable area of the parcel, which is limited by the PG&E drainage channel easement and the setback from the river.

Ferguson makes the following amendments:

The Preliminary Plan set dated June 1, 2021, sheet A6, summary of site areas, shows 49 sites, not 56. Ferguson wants to make certain in the conditions that it is for a 56-space campground as defined in Plumas County Code section 9-2.219.

Ferguson states she will add a condition (new Condition #2) that will speak to the need to be in conformance with Plumas County Code Section 9-2.404. *Camp grounds.*

New Condition #13 added, which states, "The campground shall not commence operation unless and until all permitting and licensing requirements of the California Department of Housing and Community Development are met."

Condition #1 amended to add, "... *and camp ground permit* ..." and lists the exceptions to the application materials.

Amend the title of Exhibit 15 in the staff report to read: "RIVERFRONT RV PARK CAMPGROUND PERMIT AND SPECIAL USE PERMIT CONDITIONS OF APPROVAL".

Condition #4 (now Condition #5) amended to add: "... *to the CRWQCB.* ..."

Condition #11 (now Condition #12) amended to read: "*Not more than three (3) campfire rings shall be permitted on the site.*"

Condition #13 (now Condition #15) amended to read: "The special use permit incorporating the campground permit ..."

DECISION

Tracey Ferguson, Zoning Administrator, finds the project exempt from the California Environmental Quality Act under CEQA Guidelines Section 15061(b)(3), making Findings A and B; and approves the Special Use Permit for the Riverfront RV Park (U 5-19/20-06) and Campground Permit (CPGRND 5-19/20-01) subject to the conditions of approval outlined in Exhibit 15 of the staff report, as amended, making findings A through E as follows:

ENVIRONMENTAL DETERMINATION FINDINGS

- A. The project involves the construction and operation of a recreational vehicle park/campground under jurisdiction of the California Department of Housing and Community Development. The facility is proposed to be served by community services constructed under various agency jurisdictions and permitting requirements and infrastructure and will be constructed to meet all applicable code requirements; and
- B. 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 *and campground permit* are approved in compliance with the application materials submitted on May 14, 2020, and on June 2, 2021, with the exception of the following:
 - a. *not more than 56 campground spaces as defined in Plumas County Code section 9-2.219; and*
 - b. *the potential for a phased plan; and*
 - c. *seasonal use is not specific to certain months; and*

- d. the requirements in Condition 9, which modifies proposed road construction standards; and*
 - e. the requirement in Condition 12, which limits the number of campfire rings.*
2. *The design of the campground shall conform with Plumas County Code section 9-2.404, as follows:*
- a. Maximum parcel density, fourteen (14) units per gross acre;*
 - b. Minimum average site area, 1,400 square feet; and*
 - c. Minimum individual site area, 1,000 square feet.*
3. Potable Water Supply to the project shall be provided to the satisfaction of the State Water Resource Control Board (SWRQB) - Division of Drinking Water and approval from the Hamilton Branch Community Services District.
4. The Water Supply system shall be shown to provide adequate water, volume, pressure, and storage capacity to insure a reasonable level of fire protection. The system shall be demonstrated to provide 1,000 gallons per minute fireflow or alternative requirements as determined by the latest adopted version of the Uniform Fire Code.
5. The proposed onsite sewage disposal system shall require an engineer design. Approval for the system shall be obtained from the California Regional Water Quality Control Board (CRWQCB), Central Valley Region, and shall be installed under permit from Plumas County Environmental Health. Wastewater discharges to land require submittal of a report of waste discharge (ROWD). The ROWD, Form 200 and supporting information must be submitted *to the CRWQCB* at least 140 days prior to discharge.
6. Fire hydrants shall be required to be provided to the satisfaction of the Fire Chief of the Hamilton Branch Fire Protection District prior to the development of the property. Hydrant spacing shall not be greater than 500 feet. The water main shall be six (6") inches minimum diameter and looped wherever practical.
7. An engineered erosion control plan and runoff evaluation shall be submitted to and approved by the Director of Public Works or his designee prior to commencing development. Applicable fees shall be paid to the Department of Public Works with the submittal. As part of this submittal, grading and drainage shall be addressed:
- a. Plan sheets shall be prepared showing finished grading and applicable contours; and
 - b. Plans shall detail how the new roads will be graded and how drainage will be routed to detention and/or retention basins; and
 - c. All post-development storm water generated on the site must be accounted for and handled onsite; and
 - d. Plans must show methods to deal with the flows containing onsite sediment and allowing the water to remain onsite before flowing offsite and into the sensitive riverine environment; and
 - e. Plans shall provide cross-sections of the proposed roads. Plans shall address maintenance to avoid fine soil and silt filling the voids and reducing the storage volume; and
 - f. Plans shall address how pavement and cross drainage from Highway 147 is managed.
8. Construction activity resulting in a land disturbance of one acre or more must obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbances (CGP). Storm water pollution controls during construction and post-construction shall be as prescribed in the CGP.

9. All internal roadways shall be paved and constructed to appropriate County road standard for the type of proposed development prior to development. All parking shall be paved prior to development.
 - a. All internal roadways shall be constructed to a minimum standard of a Class 8 road [Plumas County Code sections 9-4.410 and 9-4.501(b)]. Class 8 roads are surfaced roads which are constructed with pavement, not gravel.
 - b. A commercial driveway, constructed to County encroachment permit standards, shall be submitted to, and approved by, the Department of Public Works.
10. A Dust Control Plan shall be submitted to and approved by the Northern Sierra Air Quality Management District in compliance with Northern Sierra Air Quality Management District Rule 226 (Dust Control).
11. If any source of air contaminants is proposed, such as a diesel generator, the applicant shall contact the Northern Sierra Air Quality Management District to receive information regarding possible permit requirements.
12. ***Not more than three (3) campfire rings shall be permitted on the site.*** The campground rules shall specify that no burning of trash is permitted. Only firewood less than 6 inches in diameter shall be allowed to be burned in the permitted campfire ring.
13. ***The campground shall not commence operation unless and until all permitting and licensing requirements of the California Department of Housing and Community Development are met.***
14. 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.
15. The special use permit ***incorporating the campground 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

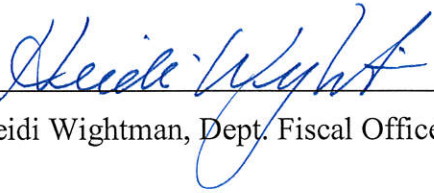
- A. This project, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms with applicable state and county codes that are designed to protect public health and safety and to reduce potential impacts.
- B. This project is socially compatible with the surrounding area because the conditions are designed to ensure that the project will not create any nuisances or interfere with the surrounding community. The project is in conformance with all other regulations pertaining to the use.
- C. This project is economically compatible with the surrounding area because the use will not interfere with the 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 consistent with the General Plan and zoning subject to the conditions imposed by the issuance of a special use permit.
- E. The design of the campground conforms to the following as per Plumas County Code section 9-2.404:
 - a. Maximum parcel density, ~~does not exceed~~ fourteen (14) units per gross acre; and
 - b. Minimum average site area, ~~does not exceed~~ 1,400 square feet; and
 - c. Minimum individual site area, ~~does not exceed~~ 1,000 square feet.

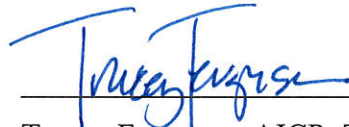
NOTE – THE STRICKEN TEXT ABOVE CORRECTS FINDING “E” TO ACCURATELY REFLECT PLUMAS COUNTY CODE SECTION 9-2.404

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. The end of the appeal period is October 25, 2021 at 5:00 p.m.

ADJOURN

There being no further business, the meeting adjourns at 11:36 a.m. The next regularly scheduled Zoning Administrator meeting is set for November 10, 2021, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.


Heidi Wightman, Dept. Fiscal Officer II


Tracey Ferguson, AICP, Zoning Administrator