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**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Meeting of December 8, 2021

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The Plumas County Zoning Administrator convened in a meeting on December 8, 2021, at 10:01 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 & ADOPTION OF MITIGATED NEGATIVE DECLARATION #682: PLUMAS DISTRICT HOSPITAL; APNs 115-210-009, 115-210-019 and 115-210-020; T.24N/R.9E/S.15 MDM**

As continued from the November 10, 2021, Zoning Administrator meeting, the proposal to construct a +/- 22,507 sq. ft. skilled nursing facility operated by Plumas District Hospital consisting of two, one-story buildings joined by a pedestrian bridge, including 36 private and semi-private patient rooms and associated services, located at 1060 and 1160 Bucks Lake Road, Quincy, is presented. Rebecca Herrin, Assistant Planning Director, gives a presentation as reflected in the Staff Report. Herrin explains that the previous hearing was continued because the project description changed and staff had already provided the hearing notice provided by law.

The project description revisions include: 1) increasing the square footage of the facility; and increasing the number of: 2) patient rooms, 3) employees, and 4) parking spaces. Correspondence outlining these revisions received from the applicant's representative, Sean Herman of Hanson Bridgett LLP, on November 19, 2021, was evaluated along with Herman's evaluation of the impacts in the Mitigated Negative Declaration (MND), and any possible changes to the impacts. Continuing, Herrin states staff agrees that the revisions to the project description are minor changes covered in the MND.

The only adjustment that will result from the minor change to the project description is that the previous Drainage and Stormwater Quality Study, which was approved by the Plumas County Public Works Department, will need to be modified and resubmitted to the Public Works Department. Condition #8 regarding that requirement was added. Herrin points out that at the top of page 4 of the Staff Report the revisions to the Draft Initial Study and Mitigated Negative Declaration #682 are listed and staff recommends that these minor revisions be adopted into the MND as reviewed and approved today, as follows:

*Page 1 of the MND:* "The proposed project includes a +20,040 **22,507** square-foot facility that would consist of two one-story buildings joined by a pedestrian bridge, and would include 24 **36** private and semi-private patient rooms with pharmaceutical service/storage space, dietary service space (including food storage, prep., and dining areas), activity programming space, common areas (including lobby and reception, spa and salon, consult/family room, and restrooms), administrative offices, housekeeping, storage, employee dressing rooms, lockers, staff lounge, and necessary parking. An emergency access road would wrap around the entire facility."

*Page 1 of the MND:* "The facility will employ up to 20 **22** employees. An on-site surface parking lot containing 27 **32** parking spaces is proposed to serve the needs of the facility as per Plumas County code."

Upon questioning by Zoning Administrator, Tracey Ferguson, Herman states he has read the Staff Report and has no questions regarding the proposed conditions of approval.

Ferguson opens the public hearing at 10:05 a.m. There being no comments, the public hearing is closed at 10:05 a.m.

Ferguson clarifies that the revised site plan received on November 19<sup>th</sup> is the final site plan as reflected in Condition #1. Ferguson questions the language in Condition #6 that states, "A final site plan shall be submitted to and approved by the Plumas County Department of Public Works prior to construction." Ferguson questions if Herman received a copy of Public Works' September 3, 2021, comment letter. Herman responds that the November 19<sup>th</sup> final site plan addresses Public Works comments regarding the site. Herrin concurs Public Works' comments have been incorporated into the November 19<sup>th</sup> site plan. Continuing, Herrin states there will, however, be minor changes to the Drainage and Stormwater Quality Study and the engineer will resubmit (Condition #8). Ferguson questions if there will be any changes made to the November 19<sup>th</sup> final site plan based on the revised Drainage and Stormwater Quality Study. Herman responds that his understanding is no, the revised drainage analysis should conform, which they will be submitting within the next few days.

Ferguson reviews Condition #16 and questions if they are in communication with American Valley Community Services District (CSD). Herman states the CSD provided their comments several months ago and they will be meeting with them to address any concerns they may have.

Ferguson states the Office of Statewide Health Planning and Development (OSHPD) is the governing authority for this healthcare facility, so there will be no building permits issued by Plumas County, but based on exhibits in the file, the configuration of the buildings are straddling parcel lines and that will need to be reconciled through an Owner Initiated Merger or Lot Line Adjustment.

Ferguson reviews the approvals required by Plumas County, State of California, United States Army Corp of Engineers, and other agency approvals as described in the Staff Report.

## **DECISION**

Tracey Ferguson, Zoning Administrator, adopts Mitigated Negative Declaration #682 with the revisions to the Project Description on page 1 of the MND as shown on page 4 of the Staff Report, making Findings A through C; and approves the Special Use permit, subject to the conditions of approval, making Findings A through D, as follows:

## **ENVIRONMENTAL FINDINGS**

- A. That there is no substantial evidence in the whole record supporting a fair argument that the proposed project, as mitigated and conditioned, might have any significant adverse impact on the environment; and
- B. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Plumas County Zoning Administrator; and
- C. That 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 is approved as per the original application submitted on April 16, 2021, as modified by supplemental application materials submitted on July 27, 2021, October 29, 2021, and November 19, 2021, and as evaluated in Mitigated Negative Declaration 682. The final site plan dated November 19, 2021, delineates the site plan as approved by this special use permit.

## **Mitigation Measures from Mitigated Negative Declaration 682 with Mitigation Monitoring Plan**

### **2. Mitigation Measure 4.1: Avoid Impacts to Roosting Bats.**

In order to avoid impacts to the pallid bat and Townsend's big-eared bat, the following shall be implemented:

- a. A qualified bat biologist, who holds a current scientific collecting permit for bats issued by the California Department of Fish and Wildlife, shall conduct a survey to identify the presence or absence of bats in the onsite buildings (dental clinic and shed) prior to demolition. If bats are present, California Department of Fish and Wildlife shall be notified and appropriate steps for humane eviction shall be implemented by the qualified bat biologist.
- b. Trees greater than 12 inches in diameter at breast height (DBH) shall be removed using a two-step process to allow bats the opportunity to abandon the roost prior to removal. The two-step process shall be as follows:
  - Day 1: Remove small-diameter trees, brush, and non-habitat features of large trees (branches without cavities, crevices, or exfoliating bark), using chainsaws for cutting, and chippers wherever possible to cause a level of noise and vibration disturbance sufficient to cause bats to choose not to return to the tree for a few days after they emerge to forage.
  - Day 2: Remove the remainder of the trimmed tree.
- c. Tree removal shall occur only during the following time frames and subject to the following weather conditions, or as otherwise approved or recommended by a qualified bat biologist:
  - Between March 1st (or after evening temperatures rise above 45 degrees F, and/or no more than ½ inch of rainfall within 24 hours occurs), and April 15<sup>th</sup>; and
  - Between September 1<sup>st</sup> and October 15<sup>th</sup> (or before evening temperatures fall below 45 degrees F, and/or more than ½ inch of rainfall within 24 hours occurs).

**Action:** Conduct surveys prior to issuance of demolition permits for onsite structures or tree removal on the site. Consult with Plumas County and California Department of Fish and Wildlife if applicable.

**Implementing Party:** Plumas District Hospital or its contractors.

**Timing:** Prior to issuance of demolition permits for onsite structures or tree removal on the site.

**Monitoring Party:** Plumas County

### **3. Mitigation Measure 4.2: Avoid Impacts to Nesting Birds.**

In order to avoid impacts to nesting birds and/or raptors protected under the federal Migratory Bird Treaty Act and California Fish and Game Code sections 3503 and 3503.5, including their nest and eggs, one of the following shall be implemented:

- a. Vegetation removal and other ground-disturbance activities associated with construction shall occur between September 1<sup>st</sup> and January 31<sup>st</sup> when birds are not nesting; or
- b. If vegetation removal or ground disturbance activities occur during the nesting season, a pre-construction nesting survey shall be conducted by a qualified biologist to identify active nests in and adjacent to the work area.

The survey shall take into account acoustic impacts and line-of-sight disturbances occurring as a result of the project in order to determine a sufficient survey radius to avoid nesting birds.

At a minimum, the survey report shall include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed in the area, a description of any active nests observed, any evidence of breeding behaviors, such as courtship, carrying nest materials or food, etc., and a description of any outstanding conditions that may have impacted the survey results, such as weather conditions, excess noise, the presence of predators, etc.

The results of the survey shall be submitted to the California Department of Fish and Wildlife upon completion. The survey shall be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction survey, the site shall be resurveyed.

If active nests are found, California Department of Fish and Wildlife and the United States Fish and Wildlife Service will be consulted regarding appropriate action to comply with the Migratory Bird Treaty Act and California Fish and Game Code section 3503. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified in the survey, as well as ongoing monitoring by biologists.

**Action:** Conduct pre-construction nesting surveys unless vegetation removal or other ground disturbance activities associated with construction occur between September 1<sup>st</sup> and January 31<sup>st</sup> when birds are not nesting. Consult with Plumas County and California Department of Fish and Wildlife if applicable.

**Implementing Party:** Plumas District Hospital or its contractors.

**Timing:** Prior to vegetation or other ground disturbance activities associated with construction.

**Monitoring Party:** Plumas County

**4. Mitigation Measure 4.3. Minimize the Potential for Introduction and Spread of Noxious Weeds.**  
The following measures shall be implemented to minimize the potential for the introduction and spread of noxious weeds:

- a. Use only certified weed-free erosion control materials, mulch, and seed.
- b. Limit any import or export of fill material to material that is known to be weed free.
- c. The construction contractor shall thoroughly wash all equipment at a commercial wash facility prior to entering and upon leaving the work site.

**Action:** Conduct monitoring to minimize the potential for introduction and spread of noxious weeds.

**Implementing Party:** Plumas District Hospital or its contractors.

**Timing:** During construction activities.

**Monitoring Party:** Plumas County

**5. The following language shall be included on project construction and design plans:**

- a. If any human remains are encountered during any phase of construction, all earth-disturbing work shall stop within 50 feet of the find. The county coroner shall be contacted to determine whether investigation of the cause of death is required as well as to determine whether the remains may be Native American in origin. Should Native American remains be discovered, the county coroner must contact the Native American Heritage Commission (NAHC). The NAHC will then determine those persons it believes to be most likely descended from the deceased Native American(s). Together with representatives of the people of most likely descent, a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary.
- b. If any previously unevaluated cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.) are encountered, all earth-

disturbing work shall stop within 50 feet of the find until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. Depending on the type and significance of the find, subsequent monitoring by an archaeologist or Native American may be warranted. This stipulation does not apply to those cultural resources evaluated and determined not Historical Resources/Historic Properties in the Cultural Resources Inventory Report prepared for the project (ENPLAN, 2021).

- c. In the event that project plans change to include areas not surveyed, additional archaeological reconnaissance may be required. If cultural resources are encountered, the archaeologist shall recommend/implement additional mitigation measures as necessary, which may include subsequent monitoring by an archaeologist or Native American.

### **Plumas County Department of Public Works**

6. A final site plan shall be submitted to and approved by the Plumas County Department of Public Works prior to construction.
7. Encroachment permit(s) shall be obtained from the Plumas County Department of Public Works prior to construction.
8. A Drainage and Stormwater Quality Study shall be submitted to and approved by the Plumas County Department of Public Works prior to construction.

### **Plumas County Environmental Health**

9. Any proposed food service and food service facilities shall obtain applicable permits and inspections from Plumas County Environmental Health.

### **Plumas County Planning and Building Services**

10. Plans for proposed landscaping and signage shall be submitted to Plumas County Planning and Building Services for review by the Quincy Design Review Committee. Signs shall obtain appropriate building and planning permits prior to construction.
11. 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.
12. 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.

### **Northern Sierra Air Quality Management District**

13. Pursuant to Northern Sierra Air Quality Management District Rule 226, a Dust Control Plan shall be required by the Northern Sierra Air Quality Management District (NSAQMD) for any ground disturbance of greater than one (1) acre of surface.
14. Alternatives to open burning for vegetation disposal and management shall be utilized during site preparation activities.
15. If any source of air contaminants, such as a diesel generator or an ethylene oxide sterilizer, is proposed as part of the project, the applicant shall contact the Northern Sierra Air Quality Management District's Portola office at (530) 832-0102 for information on obtaining such a permit.

## **American Valley Community Services District**

16. Plans for wastewater collection improvements to accommodate the project shall be submitted to and approved by the American Valley Community Services District prior to construction.

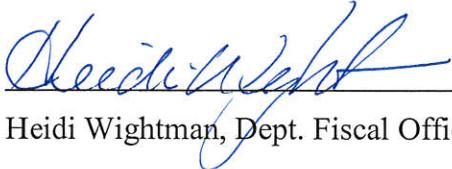
### **FINDINGS**

- 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 as described in Mitigated Negative Declaration 682.
- 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.

***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 December 20, 2021, at 5:00 p.m.

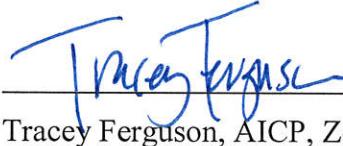
### **ADJOURN**

There being no further business, the meeting adjourns at 10:23 a.m. The next regularly scheduled Zoning Administrator meeting is set for January 12, 2022, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.



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Heidi Wightman, Dept. Fiscal Officer II



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Tracey Ferguson, AICP, Zoning Administrator