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**PLUMAS COUNTY  
ZONING ADMINISTRATOR**

Minutes of the Regular Meeting of October 9, 2024

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The Plumas County Zoning Administrator convened in a meeting on October 9, 2024, at 10:00 a.m. in the Permit Center Conference Room, Quincy. Interim Zoning Administrator, Jim Graham, presiding. Planning Director, Tracey Ferguson, is in attendance.

**I. PUBLIC COMMENT OPPORTUNITY**

No public comment is presented.

**II. SPECIAL USE PERMIT: NIEMAN, CURT & LISA; APN 117-420-007; T.24N/R.10E/S.18 MDM**

The request for a special use permit to construct and operate a recycling center on a parcel zoned Light Industrial (I-2), located at 435 N. Mill Creek Road, East Quincy, is presented. Tracey Ferguson, Planning Director, gives a presentation as reflected in the staff report. Ferguson notes the parcel is 3.24 acres, as opposed to 3.03 acres as shown on the site plan submitted on October 1, 2024. Upon questioning, Curt Nieman states he has no questions regarding the proposed conditions of approval. Interim Zoning Administrator, Jim Graham, states that when he reviewed the staff report he questioned the need for an encroachment permit that would normally be required for access from a parcel to a County roadway. Graham verified with the Public Works Department and, apparently, they missed commenting on that requirement. Graham states he will add a condition requiring an encroachment permit.

The public hearing is opened at 10:20 a.m. There being no comments, the public hearing is closed at 10:20 a.m.

**DECISION**

Interim Zoning Administrator, Jim Graham, finds the project exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) making findings A and B; and approves the special use permit subject to the conditions of approval outlined in Exhibit 17 of the staff report, with the addition of Condition #18, making findings A through D as follows:

**ENVIRONMENTAL DETERMINATION FINDINGS**

- A) 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 custodian and location of the documents which constitute the record of these proceedings is Plumas County Planning and Building Services, 555 Main Street, Quincy, California.

**CONDITIONS**

**Plumas County Planning Department**

- 1. The special use permit for the operation of a recycling facility use (project) is approved in conformance with the application submitted on July 30, 2024, and the revised site plan received on October 1, 2024.
- 2. Prior to the issuance of a building permit, and pursuant to Plumas County Code Section 9-2.414, Parking and loading, the parking requirements for the project shall be shown on the site plan with a minimum of two (2) parking spaces and one (1) industrial use loading space for review and approval by the Planning Department.
- 3. Prior to the issuance of a building permit, the lighting design, if any, for the project facility shall be indicated on the site plan and in compliance with Plumas County Code Section 9-2.411 – all lighting

facilities shall be so installed as to focus away from adjoining properties for review and approval by the Planning Department.

4. Any signage proposed for the recycling facility shall adhere to the applicable requirements of Plumas County Code Sec. 9-2.2607, *Signs (I-2)*, and Plumas County Code Sec. 9-2.416, *Signs*, and a sign permit shall be obtained from the Planning Department prior to the installation of any business signs.
5. Construction of the recycling facility shall occur between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 8 a.m. and 5 p.m. on weekends or on federally recognized holidays.

6. A note shall be shown on the site plan stating the following:

*In the event of an accidental discovery or recognition of any human remains, the Plumas County Sheriff/Coroner shall be notified and construction activities at the affected work site shall be halted. If the coroner determines the remains to be Native American: (1) the Plumas County Sheriff/Coroner shall contact the Native American Heritage Commission (NAHC) within 24-hours, and (2) the NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The treatment and disposition of human remains that might be discovered during excavation shall be in accordance with applicable laws and regulations.*

7. A note shall be shown on the site plan stating the following:

*In the unlikely event that potentially significant paleontological materials (e.g., fossils) are encountered during construction of the project, all work shall be halted in the vicinity of the paleontological discovery until a qualified paleontologist can visit the site of discovery, assess the significance of the paleontological resource, and provide proper management recommendations. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted. The treatment and disposition of paleontological material that might be discovered during excavation shall be in accordance with applicable laws and regulations.*

8. The special use permit only allows the CRV-eligible materials to be recycled.
9. 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.
10. 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.

#### **Plumas County Building Department**

11. The applicant shall obtain all necessary building permits from the Plumas County Building Department within eighteen (18) months of approval of the special use permit, or no later than April 9, 2026.

#### **Plumas County Environmental Health Department**

12. Prior to the issuance of a building permit, the applicant shall provide evidence of applying for and receiving approval from California's Beverage Container Recycling Program (CalRecycle). Certification may be completed through CalRecycle's website at:

<https://calrecycle.ca.gov/BevContainer/CertOperator/#howtoapplym>.

13. As required by Plumas County Environmental Health in compliance with Plumas County Code Title 6, Sanitation and Health, and/or other applicable regulations, the applicant shall have a restroom facility(ies) such as a portable restroom on site for use by employees.
14. Routine cleaning of the facility shall be performed, and recyclable materials shall be properly stored in a manner to reduce/prevent any odor and vector problems at the site.

## California Department of Forestry and Fire Protection

15. All applicable sections of the State Fire Safe Regulations found in Public Resource Code 4290 shall be applied.
16. Structures constructed in the State Responsibility Area (SRA) shall comply with the defensible space regulations in Title 14, Natural Resources, Division 1.5, Department of Forestry and Fire Protection, Chapter 7, Fire Protection, Subchapter 3, Fire Hazard.

## Northern Sierra Air Quality Management District

17. If ground disturbance exceeding one (1) acre occurs for the development of the project, a Dust Control Plan in compliance with NSAQMD Rule 226 shall be submitted to NSAQMD for review and approval.

## Plumas County Public Works Department

18. The encroachments providing access onto North Mill Creek Road shall be improved to the Plumas County Driveway Standards through an encroachment permit issued by the Department of Public Works prior to issuance of the building permit.


## FINDINGS


- A) The project, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms to applicable State and County codes.
- B) The 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.
- C) The 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) The 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) calendar days of the decision. If the tenth day lands on a Saturday, Sunday, or County holiday, the end of the appeal period will be the next working day. The appeal shall be based on relevant information stated or submitted at or prior to this meeting by (a) the applicant; (b) any owner of real property within 300 feet of the exterior boundaries of the property involved who was present at the hearing or who presented written testimony before the Zoning Administrator, or who may be adversely affected by the decision of the Zoning Administrator; (c) such other person whom the Board determines to have been adversely affected by the decision; or (d) any County department head whose department has an interest in the decision (Plumas County Code, Title 9, Chapter 2, Article 10, Section 9-2.1001). Appeals shall be filed with the Clerk of the Board of Supervisors, paying the fee according to the Planning & Building Services Fee Schedule.

## ADJOURN

There being no further business, the meeting adjourns at 10:21 a.m. The next regularly scheduled meeting of the Zoning Administrator is set for November 13, 2024, at 10:00 a.m. in the Planning & Building Services Conference Room, located at 555 Main Street, Quincy. A special meeting of the Zoning Administrator will be held on Thursday, October 31, 2024, at 10:00 a.m. in the Planning & Building Services Conference Room.

  
Heidi Wightman, Dept. Fiscal Officer II

  
Jim Graham, Interim Zoning Administrator