
PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Meeting of April 12, 2017

The Plumas County Zoning Administrator convened in a meeting on April 12, 2017 at 10:00 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Randy Wilson, presiding. Senior Planner, Rebecca Herrin, is in attendance.

I. AGENDA

The agenda is approved as submitted.

II. PUBLIC COMMENT OPPORTUNITY

No public comment presented.

III. SPECIAL USE PERMIT: SCHRAMEL, DAVID & MERRI; APNs 120-062-002 & 120-062-007; T.26N/R.10E/S.24 MDM

The request to establish a charter school for grades 9-12 serving around 50 students, located at 4338 and 4352 Main Street, Taylorsville, is presented. Rebecca Herrin, Senior Planner, gives a presentation. Herrin notes that a new water well source and new drinking water system that falls under the State Water Board requirements and Plumas County Code will need to be provided. The first phase is using the existing building, with the option of putting some modular classroom units on the adjacent property at some point. There is an existing encroachment permit for the drop-off location. Randy Wilson, Zoning Administrator, notes that the request includes the future establishment of the modular classrooms, so they wouldn't need to come back at that time to get approval. Wilson proposes amending Condition #3 by adding: "This shall happen prior to occupancy of the site by the school." Wilson also proposes adding Condition #7: "The approved encroachment shall be constructed prior to occupancy of the site by the school." Wilson questions the applicant if he has read and understands the conditions of approval, including the changes being proposed today. David Schramel, applicant, states that years ago they put a fence around the property to change it from being a community parking lot for Taylorsville. The front fence is pretty close to the street. They plan to remove the front end of the fence or open it up so cars can come through. The area will also be re-graveled. Schramel states there is no problem getting that done before the site is utilized as a school. In regard to Condition #3, Jerry Sipe, Environmental Health Director, states that technically the operating permit comes from the Environmental Health Department. The California State Water Board has to concur with all new permits that are issued. Wilson clarifies that the condition should read: "An operating permit for the new Public Water System shall be obtained from the Plumas County Department of Environmental Health with concurrence from the California State Water Board. This shall happen prior to occupancy of the site by the school." David Schramel states he is in agreement with the proposed conditions of approval. The public hearing is opened at 10:10 a.m. There being no comments, the hearing is closed at 10:10 a.m.

DECISION

Wilson states he will take the actions recommended by staff, and 1) find that the project is exempt from the California Environmental Quality Act under CEQA Guidelines Section 15061(b)(3) making findings A & B as the preliminary review did not reveal any potentially significant impacts. The special use permit, as enacted by the conditions of approval and applicable building codes, serves to prevent material damages to adjacent properties and to provide suitable safeguards to ensure environmental compatibility with the surrounding area. And 2) approve the Special Use Permit subject to the conditions of approval outlined in Exhibit 9 of the Staff Report, with the amendment of Condition #3 and addition of Condition #7, 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 school is approved, subject to the following conditions of approval.
- 2. A "will-serve" or approval letter for sewage disposal services shall be obtained from the Indian Valley Community Services District and copies shall be submitted to the Planning Director and Plumas County Environmental Health.
- 3. The applicants/operators shall submit all necessary applications, fees and supporting documentation for the installation of the new water well source and for the creation of a new drinking water system pursuant to applicable sections of the Plumas County Code, California Health and Safety Code, and California Code of Regulations. An operating permit shall be obtained from the Plumas County Department of Environmental Health with concurrence from the California State Water Board. This shall happen prior to occupancy of the site by the school.
- 4. If food is to be served to students on the site, all necessary applications, fees and supporting documentation for all locations that will be used to prepare food for and/or serve food to students shall be submitted to Plumas County Environmental Health pursuant to Plumas County Code and California Health and Safety Code.
- 5. 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.
- 6. 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.
- 7. The approved encroachment shall be constructed prior to occupancy of the site by the school.

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) Prior to the public hearing, it can be presumed that 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 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 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.

IV. VARIANCE: HUGO, DENNIS & TRACEY; APN 100-141-004; T.28N/R.7E/S.8 MDM

The request for a variance of the south side yard setback from 10 feet to 5.5 feet for construction of a new roofline to make the second floor usable, accessible space, and to correct drainage problems, located at 412 Second Avenue, Chester, is presented. Rebecca Herrin, Senior Planner, gives a presentation. Herrin explains that there's an existing storage loft in the house that has headroom, but it's not really usable space. The applicants would like to raise the roofline to provide more usable space and also to correct a drainage problem. The existing roof framing has created a flat roof area over the carport that traps water in icy conditions, causing roof leaks. The intent is to raise the roofline and reframe the roof to eliminate that section and create usable space in the loft. County Code requires 5 feet per story in residential zones. Ordinarily the second floor, meeting the definition of "story", would require a 10 foot setback. But in this case it's a gable end and it's not going to create a drainage problem on that side, and we find the statutory findings can be made in this case to allow the variance.

Zoning Administrator, Randy Wilson, states the applicants have made the argument for a variance with supporting material. The public hearing is opened at 10:16 a.m. There being no comments, the hearing is closed at 10:16 a.m. Wilson states he is in support of this variance because it fixes a situation that needs to be fixed.

DECISION

Wilson states he will take the actions recommended by staff, and 1) determine that the project is exempt from the California Environmental Quality Act (CEQA) Guidelines under Section 15305; and 2) approve the variance and make the required findings A through E per Plumas County Code Section 9-2.802 as follows:

- A. That there are special circumstances applicable to the property under which the strict application of the provisions of the Zoning Code would deprive the property owner of privileges enjoyed by other property owners in the vicinity and that such circumstances do not apply generally to other properties in the same zone.

Older residences in Chester and other communities have roof framing built at steeper pitches and attic spaces used for storage and, occasionally, for living spaces. Most other properties do not have gable end walls adjacent to the side property lines.

Applicant mentions the six two-story residences with reduced yard setbacks on Pearl Road (addresses 650-678 Pearl Road). These were permitted subject to a Planned Development Permit that allowed for reduction in the side yard setbacks.

This lot is narrow and already has a loft space on the south side. As the headroom of the existing space is already 5 feet, it is considered a two-story dwelling under Plumas County Code Section 9-2.290.5. Story. Only the roofline will be raised; no other changes will be made to the dwelling.

- B. That the variance is necessary for the preservation and enjoyment of the substantial property rights of the applicant.

The applicant's proposal would solve the roof drainage problem thereby preserving the dwelling unit from damages. Additionally, the ceiling height created in the existing storage loft will allow the owner to maximize the use of the space underneath the roof.

- C. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or general welfare.

The closest neighboring residence is located some distance from the property line (approximately 11 feet). The current roofline is approximately 15 feet high and the new roofline would be under 20 feet high. This change would not be noticeable from the adjacent property. No view would be compromised.

- D. That the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same vicinity or zone.

Many other dwelling units in Chester and the immediate vicinity have been constructed with attic space that is usable storage area.

- E. That the variance will not permit uses not permitted by the zone.

The variance will be consistent with the single-family residential uses permitted by the 7-R zone.

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 and the fee information is available from Planning and Building Services.

ADJOURN

There being no further business, the meeting adjourns at 10:17 a.m. The next regularly scheduled Zoning Administrator meeting is set for May 10, 2017, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.


Randy Wilson, Zoning Administrator


Heidi Wightman, Department Fiscal Officer II