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**PLUMAS COUNTY**  
**ZONING ADMINISTRATOR**  
Minutes of the Regular Meeting of July 11, 2018

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The Plumas County Zoning Administrator convened in a regular meeting on July 11, 2018, at 10:04 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Randy Wilson, presiding. Assistant Planning Director, 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 & MITIGATED NEGATIVE DECLARATION #673: PLUMAS CHARTER SCHOOL / PLUMAS ALTERNATIVE LEARNING SERVICES; APN 115-130-015 (Quincy); T.24N/R.9E/S.14 MDM**

The request to establish a charter school learning center to be located in a residentially zoned area consisting of the construction of an approximately 15,000 sq. ft. school building and associated infrastructure, located at 129 Kelsey Lane, Quincy, is presented. Assistant Planning Director, Rebecca Herrin, gives a Power Point presentation detailing the proposal as outlined in the Staff Report. Herrin notes that the present zoning allows two houses and a guest house with a height limit of 35 feet. If the property were subdivided, a total of 37 houses could be built. Randy Wilson, Zoning Administrator, questions Environmental Health Department Director, Jerry Sipe, if he has any comments. Sipe replies he does not. Wilson questions if the Public Works Department has any comments. Evan Hasse, representing Public Works, replies that he has no comments. Taletha Washburn, Executive Director of Plumas Charter School, states they have been searching for a location to establish a permanent learning center for three years and recognize that this site has challenges and is not necessarily ideal, but feel that it would work for their needs. They would develop the property with minimal impact to the surrounding neighborhood. It is the only location that would work for a facility of this size in Quincy. Wilson questions if Washburn has read and agrees with the conditions of approval. Washburn replies that she agrees with the conditions. The public hearing is opened at 10:17. William Lombardi, a property owner on Kelsey Lane, paraphrases from a letter he submitted to the Zoning Administrator this morning. Wilson notes that Jim and Lynn Dow, property owners on Kelsey Lane, also submitted a letter of opposition to the project. Lori Simpson, County Supervisor for District 4, speaks in favor of finding a solution while recognizing that this is a divisive issue. Nick Trover with Plumas Charter School states he is well aware of the issues people have when new development goes in in their area; aware that it can be frustrating to have something new. They are trying to build low, so hopefully the height of the building won't be an issue. Regarding the geotechnical report, he can assure that construction is never easy in any site you choose; there are always going to be issues. They will find a way to build the foundation as necessary noting that they have built on a lot more difficult sites before. It doesn't mean it's easy or inexpensive, but it is planned for and is an issue that needs to be overcome. The same with sensitive species. They've had the environmentalists come and check everything out. They want to be a good neighbor and not damage the environment. As for the archaeological report, it would be very unlikely to find any artifacts on the site since it is a fill site, but will notify the proper authorities if they find anything. They will try to be a good neighbor, work with everybody, and try to make it as easy as possible and fit in as much as possible. It's a good location considering the high school right next door,

and it does contiguously work together. In their opinion it fits very well with the community in that area. They will mitigate the impacts as much as possible. The public hearing is closed at 10:40. Wilson notes that with regard to lighting, County standards require shielding so that light does not shine on adjacent properties. Construction may require new reports for the soils and foundation. And there are still issues with the soils and a drainage analysis that will need to be addressed at the building permit stage.

## **DECISION**

Zoning Administrator, Randy Wilson, states he will take the actions recommended by Staff, and 1) adopt Mitigated Negative Declaration #673 pursuant to Section 15074 of the California Environmental Quality Act Guidelines, making Findings A through C; and 2) approve 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 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 that the mitigation measures will reduce potentially significant impacts to less than significant levels; and
- C. 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 uses authorized under this special use permit are as follows:
  - a. Charter School and Learning Center and associated infrastructure; and
  - b. School gardens to provide garden-based education for students K-12 and fresh fruits and vegetables for students; and
  - c. Limited on-site food service, provided necessary permits are first obtained from Plumas County Environmental Health.
- 2. Any required building permits issued by Plumas County Planning and Building Services shall be reviewed for compliance with the conditions of this approved special use permit prior to issuance.
- 3. Applicant shall develop and submit a dust control plan to the Northern Sierra Air Quality Management District in accordance with the applicable regulations of the District. The plan shall include the following general measures:
  - a. Effective dust suppression for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities.
  - b. Effective stabilization of all disturbed areas of a construction site, including storage piles, not used for more than seven (7) or more days.
  - c. Control of fugitive dust from on-site unpaved roads and off-site unpaved access roads.
  - d. Removal of accumulations of mud or dirt at the end of the work day or once every 24 hours from public roads, shoulders, and access ways adjacent to the site.

In addition, the plan shall include the following specific measures:

- e. Pursuant to California Vehicle Code (Section 23114), all trucks hauling soil and other loose material to and from the construction site shall be covered or shall maintain at least six (6") inches of freeboard (i.e., minimum vertical distance between top of load and the trailer).
  - f. Any soils that are removed during construction shall be stored onsite in piles not to exceed four (4') feet in height. These spoil piles shall be clearly marked and flagged. Spoil piles that will not be immediately returned to use shall be revegetated with a non-persistent erosion control mixture.
  - g. Equipment and manual watering shall be conducted on all stockpiles, dirt/gravel roads, and exposed or disturbed soil surfaces, as necessary, to reduce airborne dust.
  - h. Plumas Charter School or its contractor shall designate a person to monitor dust control and to order increased watering as necessary to prevent transport of dust offsite. This person shall also respond to any citizen complaints.
4. **Mitigation Measure 4A:** Project activities shall be scheduled to avoid the nesting season to the extent feasible. The typical nesting season in northern California extends from February 15 through September 15. If the nesting season cannot be completely avoided, the following measures shall be implemented:
- a. A qualified biologist shall conduct a minimum of one pre-construction survey for nesting migratory birds and raptors within the project area and a 250-foot buffer around the project area. The survey should be conducted no more than 14 days prior to the initiation of activities in any given area. The pre-construction survey should be used to ensure that no active bird nests occurring within or immediately adjacent to the project would be disturbed during project implementation. If an active nest is found, a qualified biologist should determine the extent of a construction-free buffer zone to be established around the nest. If it is anticipated that project activities will encroach on the buffer, a biological monitor will be present to ensure that the nesting birds are not disturbed by the activities.
  - b. If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrates (e.g., trees and shrubs) that will be removed by the project shall be removed prior to the onset of nesting season, if feasible.

These mitigation measures shall be noted on construction plans. If required, copies of the completed pre-construction surveys shall be submitted to the Planning Director prior to issuance of building permits.

5. **Mitigation Measure 4B:** The following avoidance and minimization measures shall be implemented during project construction to reduce the potential spread of invasive species:
- a. All equipment used for construction activities off of paved surfaces shall be weed-free prior to entering the project site.
  - b. If project implementation calls for mulches or fill, they shall be weed free.
  - c. Any invasive plant species removed during construction shall be properly disposed of to ensure the species does not spread to other areas.

These mitigation measures shall be noted on construction plans.

6. **Mitigation Measure 5A:** The following wording shall be noted on all construction plans:

“Should any evidence of prehistoric cultural resources be observed (freshwater shells, beads, bone tool remnants or an assortment of bones, soil changes including subsurface ash lens or soil darker in color than surrounding soil, lithic materials such as flakes, tools or grinding rocks, etc.) or historic cultural resources, structures and remains with square nails, refuse deposits or bottle dumps, often associated with wells or old home-sties, privies, all work should immediately cease and a qualified archaeologist must be consulted to assess the significance of the cultural materials.”

7. **Mitigation Measure 5B:** The following wording shall be noted on all construction plans:

“If human remains are discovered, all work must immediately cease, and the Plumas County Sheriff must be contacted. Should the remains prove to be of cultural significance, the Native American Heritage Commission in Sacramento, California must be contacted.”

8. Design plans shall be reviewed by Richard Short, C.E., G.E., Richard Short and Associates. LLC prior to building permit issuance for conformance with the general intent of recommendations presented in the report (Exhibit 9 of Mitigated Negative Declaration 673).
9. Prior to construction of this facility, applicant shall obtain all applicable permits from the State Regional Water Quality Control Board (Water Board), including but not limited to a National Pollutant Discharge Elimination System (NPDES) permit for the operation for the control, discharge, and monitoring of stormwater; General Storm Water Pollution Prevention Permit (SWPPP).
10. A drainage analysis that addresses the comments outlined in the memo from Department of Public Works to Planning dated March 21, 2018 shall be submitted for review and approval by the Department of Public Works prior to issuance of any building permit.
11. Encroachment permits shall be obtained from Plumas County Department of Public Works prior to issuance of the building permits. An amendment to the County Code to modify the speed limit on Quincy Junction road may be a condition of the encroachment permit.
12. The proposed on-site septic tank and effluent pump shall be installed under permit from the Plumas County Environmental Health Department. The pump capacity, design, line size, line placement and other construction details must be specified by a California Registered Civil Engineer before this permit can be issued.
13. A maintenance agreement and appropriate recorded easements for the portion of the pressurized effluent line located on County right-of-way shall be submitted to and approved by the Plumas County Environmental Health Department prior to issuance of the building permits.
14. An “Operation and Maintenance Agreement” for wastewater treatment and disposal shall be negotiated and signed by the American Valley Community Services District and Plumas Alternative Learning Services (dba Plumas Charter School) for the purpose of determining District and Plumas Charter School responsibilities. The Agreement shall specify where Plumas Charter School responsibilities end and where District responsibilities begin for ensuring the entire wastewater treatment and disposal system functions as designed, including immediate response to surface overflows or other nuisance conditions that may arise. The Agreement shall be approved by Plumas County Environmental Health and copies of this executed document shall be submitted to the



Plumas County Department of Environmental Health and the Planning Department prior to the issuance of the building permits.

15. 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.
16. 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**

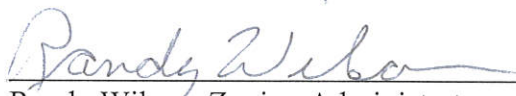
- A) This project, as conditioned, is environmentally compatible with the surrounding area because the proposed project conforms with applicable state and county codes that are designed to protect public health and safety and to reduce potential impacts and mitigations identified in Mitigated Negative Declaration 673 will be applied to the project approval and monitored throughout the permitting process.
- 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 because a school is a permitted use in all residential, commercial and recreation zones, with the exception of the Recreation Open Space (Rec-OS) zone, subject to 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.

## **ADJOURN**

There being no further business, the meeting adjourns at 10:45 a.m. The next regularly scheduled Zoning Administrator meeting is set for August 8, 2018, 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, Department Fiscal Officer II

  
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Randy Wilson, Zoning Administrator