

BOARD OF SUPERVISORS

Vacant, 1st District
Kevin Goss, Chair 2nd District
Sharon Thrall, Vice Chair 3rd District
Lori Simpson, 4th District
Jeff Engel, 5th District

**AGENDA FOR REGULAR MEETING OF NOVEMBER 19, 2019 TO BE HELD AT 11:00 A.M.
IN THE BOARD OF SUPERVISORS ROOM 308, COURTHOUSE, QUINCY, CALIFORNIA**

www.countyofplumas.com

10:00 A.M. – COMMUNITY DEVELOPMENT COMMISSION

AGENDA

The Board of Supervisors welcomes you to its meetings which are regularly held on the first three Tuesdays of each month, and your interest is encouraged and appreciated.

Any item without a specified time on the agenda may be taken up at any time and in any order. Any member of the public may contact the Clerk of the Board before the meeting to request that any item be addressed as early in the day as possible, and the Board will attempt to accommodate such requests.

Any person desiring to address the Board shall first secure permission of the presiding officer. For noticed public hearings, speaker cards are provided so that individuals can bring to the attention of the presiding officer their desire to speak on a particular agenda item.

Any public comments made during a regular Board meeting will be recorded. The Clerk will not interpret any public comments for inclusion in the written public record. Members of the public may submit their comments in writing to be included in the public record.

CONSENT AGENDA: These matters include routine financial and administrative actions. All items on the consent calendar will be voted on at some time during the meeting under "Consent Agenda." If you wish to have an item removed from the Consent Agenda, you may do so by addressing the Chairperson.



REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (530) 283-6170. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility. Auxiliary aids and services are available for people with disabilities.

STANDING ORDERS

11:00 A.M. **CALL TO ORDER/ROLL CALL**

PLEDGE OF ALLEGIANCE

ADDITIONS TO OR DELETIONS FROM THE AGENDA

PUBLIC COMMENT OPPORTUNITY

Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an urgency item by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period will be limited to a maximum of 3 minutes.

DEPARTMENT HEAD ANNOUNCEMENTS/REPORTS

Brief announcements by, or brief reports on their activities by County Department Heads

ACTION AGENDA

1. CONSENT AGENDA

These items are expected to be routine and non-controversial. The Board of Supervisors will act upon them at one time without discussion. Any Board members, staff member or interested party may request that an item be removed from the consent agenda for discussion. Additional budget appropriations and/or allocations from reserves will require a four/fifths roll call vote.

A) FACILITY SERVICES

Adopt **RESOLUTION No. 18-8351 – Amended**, Approving the Applicant to Apply for Grant Funds for the State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant Funds

[View Item](#)

B) SOCIAL SERVICES

- 1) Authorize the Department of Social Services to recruit and fill vacant, funded and allocated 1.0 FTE Employment & Training Worker I/II position [View Item](#)
- 2) Authorize the Department of Social Services to recruit and fill vacant, funded and allocated 1.0 FTE Social Worker I/II/III position, created by resignation [View Item](#)

C) PUBLIC WORKS

Authorize Public Works to recruit and fill vacant, funded and allocated 1.0 FTE Maintenance Worker I/II position, created by resignation [View Item](#)

2. **JUVENILE JUSTICE COMMISSION** – Bill Powers
A. Report of “Findings”, by the Juvenile Justice Commission, of Juvenile Hall Visits in Butte County, and Nevada County; and report on status of Lassen County Juvenile Hall
B. Discussion regarding role and mission of the Plumas County Juvenile Justice and Delinquency Prevention Commission

3. **CALTRANS** – Stacey Barns
Presentation of *Greenville Excellence In Transportation Award*

4. **DEPARTMENTAL MATTERS**

A) **HUMAN RESOURCES** – Nancy Selvage
Adopt **RESOLUTION** Ratifying the Memorandum of Understanding between the County of Plumas and the Plumas County Sheriff’s Employee Association, Sheriff’s Department Unit and Sheriff’s Mid-Management Unit. **Roll call vote** [View Item](#)

B) **COUNTY ADMINISTRATIVE OFFICE** - Gabriel Hydrick
Continued from November 12, 2019, receive and review responses to the “Request for Proposals” (RFP’s) with regard to the following items:

- CWS Psychological Evaluations
- Manage Anger and Conflict
- CalWORKs and TANF
- Nurturing Parent Classes
- CWS Therapy
- Parent Child Interaction Therapy for CWS (PCIT)
- Nurturing Parent In-Home Classes
- Life Skills Classes
- CalWORKs Childcare

and, consider and make award of contract(s), or authorize the County Administrator to finalize contracts, as recommended, for a variety of services to the Department of Social Services; discussion and possible action

C) **AGRICULTURE** – Tim Gibson
Report and update on Industrial Hemp production in Plumas County

D) **PUBLIC WORKS** – Robert Perreault
Trailhead Subdivision: Adopt **RESOLUTION** Accepting Ownership of Trailhead Subdivision Widened Paved Shoulder Areas. **Roll call vote** [View Item](#)

E) **ENGINEERING** – Robert Perreault
Trailhead Subdivision: Approve “Reversion to Acreage Maps”; terminate the Subdivision Agreement; and authorize the County Engineer to release the Letter of Credit of \$305,000, dated September 21, 2017; discussion and possible action [View Item](#)

SPECIAL DISTRICTS GOVERNED BY BOARD OF SUPERVISORS

The Board of Supervisors sits as the Governing Board for various special districts in Plumas County including Dixie Valley Community Services District; Walker Ranch Community Services District; Plumas County Flood Control and Water Conservation District; Quincy Lighting District; Crescent Mills Lighting District

Convene as the Walker Ranch Community Services District Governing Board

5. WALKER RANCH COMMUNITY SERVICES DISTRICT – Robert Perreault

Accept ownership of the Walker Ranch water mains, water laterals, sewer mains and sewer laterals within the Trailhead Subdivision; discussion and possible action **[View Item](#)**

Adjourn as the Walker Ranch Community Services District Governing Board and reconvene as the Board of Supervisors

6. BOARD OF SUPERVISORS

- A. Presentation of *Certificate of Appreciation and Recognition* of Nicholas “Nick” Dawson for his years of service to the citizens of Plumas County, and wishing him a well-deserved retirement
- B. Correspondence
- C. Weekly report by Board members of meetings attended, key topics, project updates, standing committees and appointed Boards and Associations

1:00 P.M. AFTERNOON SESSION

7. PLANNING – Tracey Ferguson

- A. **PUBLIC HEARING:** Introduce and waive first reading of an **ORDINANCE**, amending Title 9 (Planning & Zoning), Chapter 2, Article 2 of the Plumas County Code by clarifying that the definition of “Horticulture” does not include “Industrial Hemp” and adding the definition of “Agricultural Processing” and amending Articles 30 and 31 adding “Agricultural Processing” as a use subject to the issuance of a special use permit in the Agricultural Preserve and General Agriculture zones. **Roll call vote** **[View Item](#)**
- B. Adopt **ORDINANCE**, first introduced on November 12, 2019, amending Title 9 (Planning & Zoning) by adding Article 43, “Backyard Chickens” to Chapter 2 of Title 9 of the Plumas County Code. **Roll call vote** **[View Item](#)**

8. CLOSED SESSION

ANNOUNCE ITEMS TO BE DISCUSSED IN CLOSED SESSION

- A. Conference with Legal Counsel: Existing litigation pursuant to Subdivision (d) (1) of Government Code §54956.9 (Workers Compensation Case No. TIBV-600185)
- B. Conference with Legal Counsel: Existing litigation – Tiffany Wagner, Plaintiff, v. County of Plumas, et al., Defendants, United States District Court, Eastern District of California, Case No. 2:18-cv-03105-KMJ-DMC
- C. Conference with Legal Counsel: Pending litigation pursuant to Subdivision (d) (2) of Government Code §54956.9 (County of Butte and County of Plumas v. Department of Water Resources and State Water Contractors, Inc., Court of Appeal, Third Appellate District, Case No. C071785)
- D. Conference with Legal Counsel: Initiating litigation pursuant to Subdivision (c) of Government Code Section 54956.9 (one case)
- E. Conference with Legal Counsel: Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code Section 54956.9

REPORT OF ACTION IN CLOSED SESSION (IF APPLICABLE)

ADJOURNMENT

Adjourn meeting to Tuesday, December 10, 2019, Board of Supervisors Room 308, Courthouse, Quincy, California.



DEPARTMENT OF FACILITY SERVICES & AIRPORTS

198 ANDY'S WAY, QUINCY, CALIFORNIA 95971-9645
(530) 283-6299 FAX: (530) 283-6103

JA

Kevin Correira
Director

Board Meeting: November 19, 2019

To: The Honorable Board of Supervisors

From: Kevin Correira, Director

Subject: Approve and Authorize board chair to sign amendment to resolution #
18-8351

Background

The resolution #18-8351 which approves applicant to apply state Off Highway grant funds has been in place for the last several years. The newest language that the state has for their application language no longer matches our resolution so we have been asked by the state to amend our resolution so that we may continue to remain eligible for grant funding.

Recommendation

Approve and authorize Board Chair to Sign the Amended Resolution #18-8351

RESOLUTION NO. 18-8351
Amended

(APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA,
DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS)

WHEREAS, The people of the State of California have enacted the Off -Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operation and Maintenance, Restoration, Law Enforcement, and Education and Safety for off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application to apply for Off- Highway Motor Vehicle Grant funds; and

WHEREAS, this Project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the Project

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Plumas, State of California, Hereby:

1. Approves the receiving of grant funding from the Off-Highway Grant and Cooperative Agreement Program;
2. Certifies that this agency understands its legal obligations to the State upon approval of the Grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that Acquisition and Development Projects be maintained to specific conservation standards; and
4. Certifies that the Project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the Project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds; and
7. Certifies that the public and adjacent property owners have been notified of this Project (as applicable); and
8. Appoints the Director of Facility Services & Airports, as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project, subject to the terms and conditions of the Plumas County Purchasing Policy and other applicable County policies and procedures.

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 19th of November, 2019, by the following vote:

AYES: SUPERVISORS:

NOES: SUPERVISORS:

ABSTAIN/ABSENT: SUPERVISORS:

ATTEST:

Chair of the Board of Supervisors



DEPARTMENT OF SOCIAL SERVICES AND PUBLIC GUARDIAN

Courthouse Annex, 270 County Hospital Road, Suite 207, Quincy, California 95971

NEAL CAIAZZO
DIRECTOR

(530) 283-6350
Fax: (530) 283-6368
Toll Free: (800) 242-3338

DATE: NOVEMBER 7, 2019

TO: HONORABLE BOARD OF SUPERVISORS

FROM: NEAL CAIAZZO, DIRECTOR
DEPARTMENT OF SOCIAL SERVICES

SUBJ: BOARD AGENDA ITEM FOR NOVEMBER 19, 2019

RE: REQUEST TO FILL A VACANT EMPLOYMENT AND TRAINING WORKER I/II POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

It is Recommended that the Board of Supervisors

Authorize the Department of Social Services to fill a vacant Employment and Training Worker I/II position as soon as administratively possible.

Background and Discussion

The Department of Social Services has received notification that an incumbent Employment and Training Worker I/II (ETW I/II) requested to move back to her previous position in the Department's Eligibility Unit effective November 11, 2019. Staff working in ETW I/II positions are responsible for determining initial and continuing eligibility for CalWORKs cash assistance and for providing Welfare to Work case management services that are designed to move recipients from public assistance to self-support. As shown in the enclosed back up information and Table of Organization, this position is one of three in the Department that perform this type of work.

Financial Impact

This position is budgeted in the current county budget. Funding sources for this position are State General Fund dollars, Federal pass through and County Realignment funds. There are no County General funds used for this position.

Copies: PCDSS Managers
Nancy Selvage, Director, Human Resources

Enclosures (3)

Position Classification: Employment and Training Worker (ETW) I/II

FTE: 1.00

Budgeted Position: Yes

Mandated Program: Yes

Position Description: Employees filling this position are responsible for initial and continuing eligibility for families seeking the assistance of the CalWORKs program. The ETW interviews applicants and collects necessary information regarding financial assets and income to determine grant amounts. The ETW also creates and implements a Welfare-to-Work plan designed to move CalWORKs assistance recipients from public support to self-support. The ETW will meet with recipients to gauge progress in meeting plan goals.

Funding Sources: The funding to support this position comes from federal pass through dollars, the State General Fund and county Realignment dollars. There is no cost to the County General Fund associated with this position.

QUESTIONS FOR STAFFING CRITICAL POSITIONS WHICH ARE CURRENTLY ALLOCATED.

Position: Employment and Training Worker I/II

- Is there a legitimate business, statutory or financial justification to fill the position?

Answer: Yes. CalWORKs cash assistance and Welfare to Work services are state-mandated county administered cash assistance payments and job preparation services that assist recipients in moving from public support to self-support.

- Why is it critical that this position be filled prior to the adoption of the County's budget this summer?

Answer: The position is funded in the current budget and has no General Funds associated with it.

- How long has the position been vacant?

Answer: The position became vacant effective November 11, 2019

- Can the department use other wages until the budget is adopted?

Answer: No.

- What are staffing levels at other counties for similar departments and/or positions?

Answer: Other counties are structured in similar ways although in some counties the cash assistance and eligibility components are separate – The state approves appropriate classification levels.

- What core function will be impacted without filling the position prior to July 1?

Answer: The Department would not have staff to perform eligibility work connected with CalWORKs nor would we be able to provide welfare to work services as mandated by State law.

- What negative fiscal impact will the County suffer if the position is not filled prior to July 1?

Answer: We will not expend state funds that have been allocated to the administration of CalWORKs Cash Assistance. Realignment dollars will be disbursed to other programs costing the Department money.

- A non-general fund department head needs to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding? What impact will this reduction plan have to other County departments?

Answer: The Department has developed a variety of budget reduction strategies that are dependent upon state policy decisions. Other Departments could be impacted by such reduction strategies.

- Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions?

Answer: No.

- Does the budget reduction plan anticipate the elimination of any of the requested positions?

Answer: No.

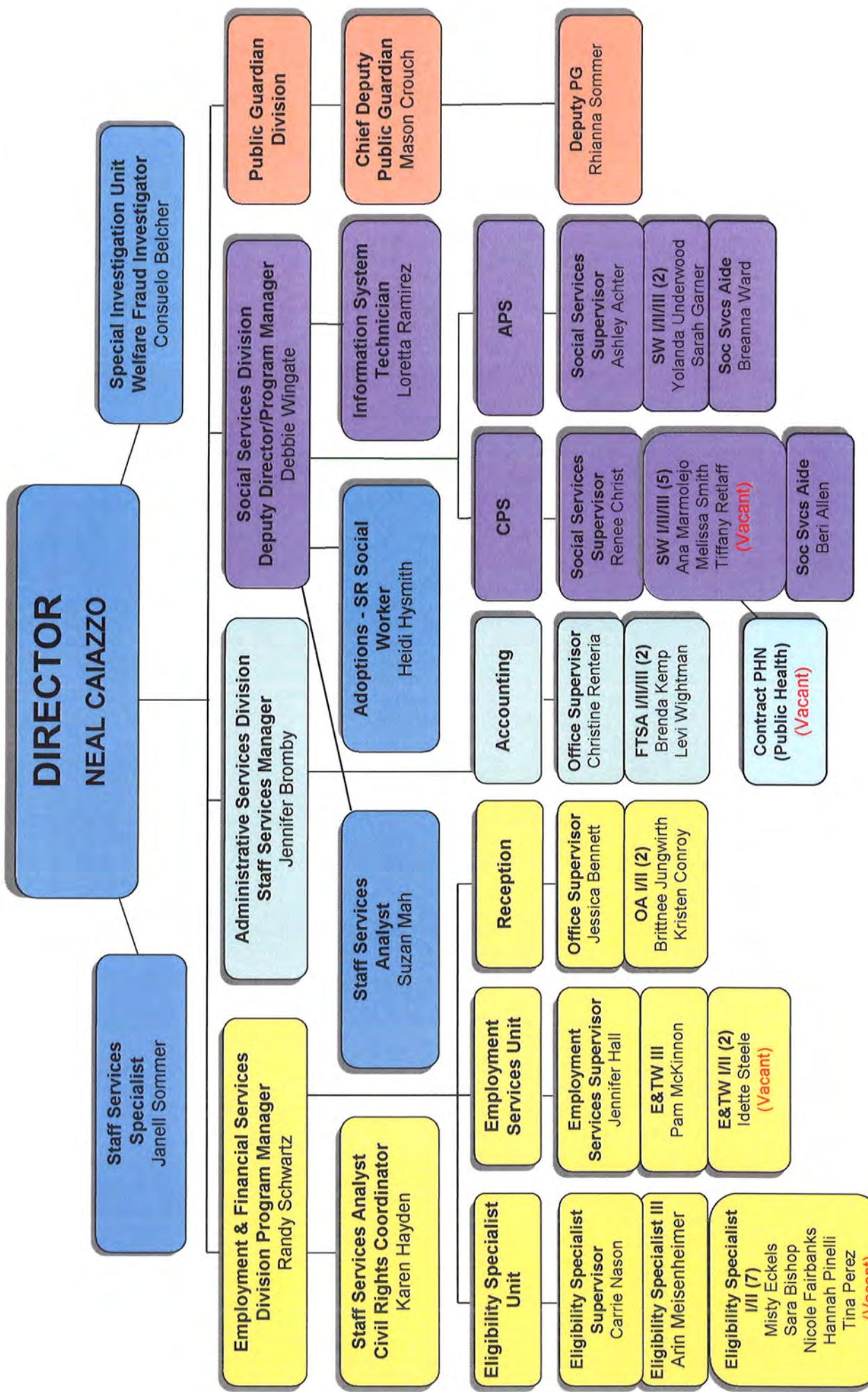
- Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support?

Answer: The Department does not currently utilize County General Fund dollars. Filling this position does not change that.

- Does the department have a reserve? If yes, provide the activity of the department's reserve account for the last three years?

Answer: The Department does have a reserve. The balance fluctuates depending upon a number of factors including whether or not the State achieves the base amount of collection for any given year.

PLUMAS COUNTY DEPARTMENT OF SOCIAL SERVICES & PUBLIC GUARDIAN





DEPARTMENT OF SOCIAL SERVICES AND PUBLIC GUARDIAN

102
Courthouse Annex, 270 County Hospital Road, Suite 207, Quincy, California 95971

NEAL CAIAZZO
DIRECTOR

(530) 283-6350
Fax: (530) 283-6368
Toll Free: (800) 242-3338

DATE: NOVEMBER 7, 2019

TO: HONORABLE BOARD OF SUPERVISORS

FROM: NEAL CAIAZZO, DIRECTOR
DEPARTMENT OF SOCIAL SERVICES

SUBJ: BOARD AGENDA ITEM FOR NOVEMBER 19, 2019, CONSENT AGENDA

RE: AUTHORIZATION TO FILL A VACANT AND FUNDED SOCIAL WORKER
I/II/III POSITION IN THE DEPARTMENT'S CHILD PROTECTIVE
SERVICES PROGRAM

It is Recommended that the Board of Supervisors

Authorize the Department of Social Services to fill a vacant and funded Social Worker I/II/III position in the Department of Social Services as soon as administratively possible.

Background and Discussion

The Department of Social Services has experienced a recent vacancy in the class of Social Worker I/II/III. This position became vacant September 16, 2019 when the incumbent left County service. As explained more completely in the accompanying documents, this position is part of our Child Welfare Services system and is therefore, critical for assuring the safety of abused or neglected children.

A Table of Organization showing the vacancy is also attached

Financial Impact

This position is funded in this year's County budget. There is no impact to the County General fund as the position is funded by State, Federal and Realignment dollars.

Copy: DSS Management Staff

Enclosures

Position Classification: Social Worker I/II/III

FTE: 1.00

Budgeted Position: Yes

Mandated Position: Yes

CWS is funded through Federal (50%), 2011 Realignment (35%) and 1991 Realignment (15%) dollars for the basic program.

This allocation of 2011 Realignment funds is specifically for Child Welfare Services. It cannot be spent on other programs.

Mandated Program: Yes.

Child Welfare Services is a state-mandated, county-administered public protection program. The mandate for Child Protective Services is found at Welfare and Institutions Code Section 16500, *et seq.* The mandated services include 24 hour, 7 days per week emergency response services for allegations of abuse or neglect of children, case management services to families whose children are removed from the home (including mandatory visits to both children and parents), reunification services to reunite families, and permanency services when reunification avenues are exhausted.

Position Description:

This position is responsible for the investigation of allegations of abuse or neglect of children. The incumbents also perform case management activities that support mitigation of the systemic family elements that have led to abuse or neglect of children. A significant component of the job includes reporting to the Plumas County Superior Court regarding the status of families who have had children removed from their care and custody. There is typically a significant amount of interaction with community based partner organizations that work with the Department towards goals associated with strengthening families.

Funding Sources:

The funding to support these positions comes from federal pass through dollars and county 1991 and 2011 Realignment dollars. There is no cost to the County's General Fund associated with this position.

QUESTIONS FOR STAFFING CRITICAL POSITIONS WHICH ARE CURRENTLY ALLOCATED.

Position: Social Worker – Child Protective Services

- Is there a legitimate business, statutory or financial justification to fill the position?

Answer: Yes. Child Protective Services is a state mandated program.

- Why is it critical that this position be filled prior to the adoption of the County's budget?

Answer: The position is assigned duties that include public protection, specifically providing services to abused and neglected children.

- How long has the position been vacant?

Answer: This position has been vacant due to the resignation of the prior incumbent.

- Can the department use other wages until the budget is adopted?

Answer: No.

- What are staffing levels at other counties for similar departments and/or positions?

Answer: Staffing levels for this program are a function of the allocation of state general fund dollars for the position. Currently, the state provides funding for six social workers in Plumas County for this program.

- What core function will be impacted without filling the position prior to July 1?

Answer: Children may not be protected from abuse leading to potential tragic circumstances.

- What negative fiscal impact will the County suffer if the position is not filled prior to July 1?

Answer: This position is funded by Federal and Realignment dollars. The Realignment dollars allocated to this program may not be used for other programs.

- A non-general fund department head need to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding? What impact will this reduction plan have to other County departments?

Answer: The Department has developed a variety of budget reduction strategies that are dependent upon state policy decisions. Other Departments could be impacted by such reduction strategies. Currently Child Welfare Services is not among the programs impacted by proposed reductions in the State's budget.

- Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions?

Answer: No.

- Does the budget reduction plan anticipate the elimination of any of the requested positions?

Answer: No.

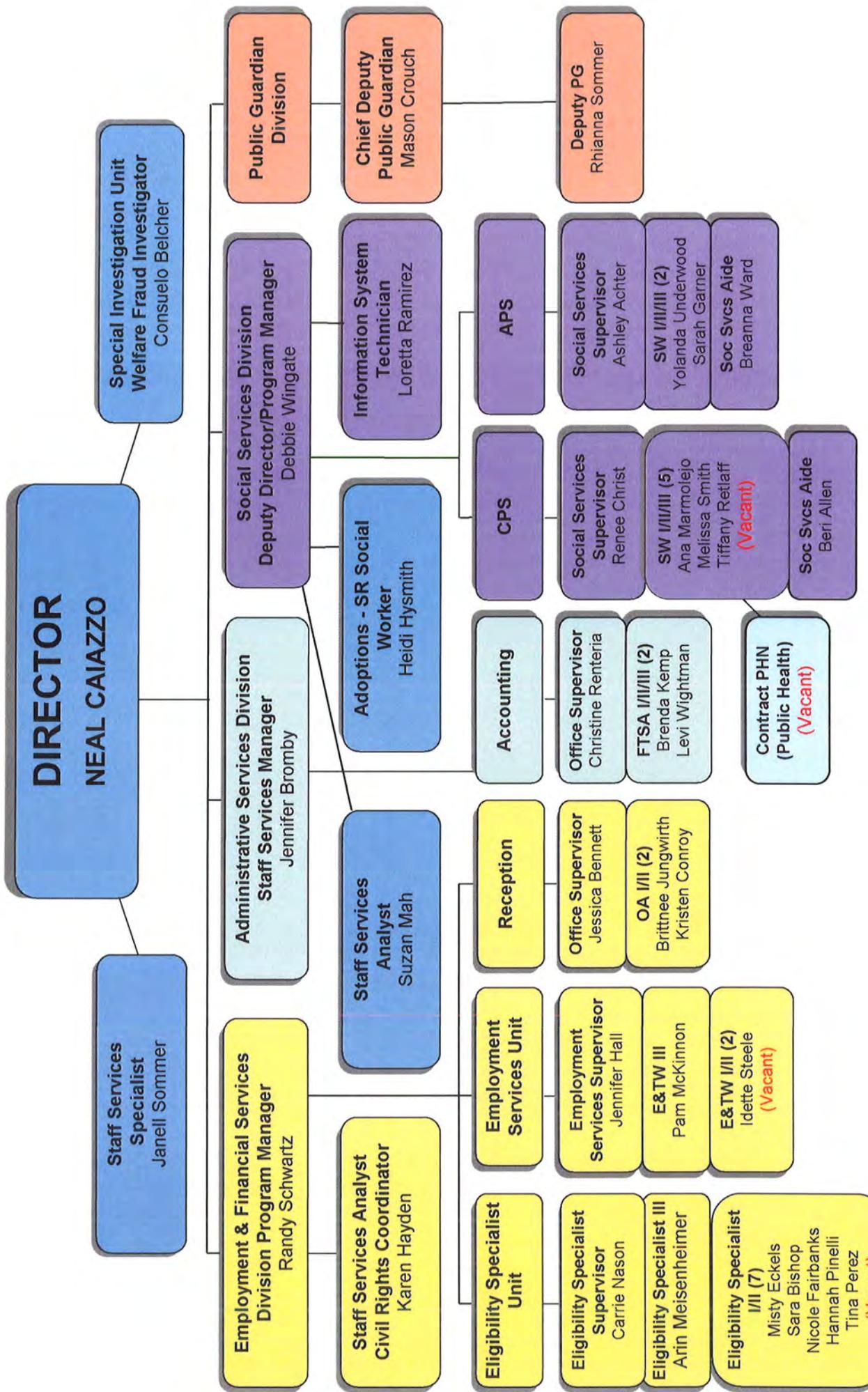
- Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support?

Answer: The Department does not presently utilize General Fund dollars. Filling this position does not change that.

- Does the department have a reserve? If yes, provide the activity of the department's reserve account for the last three years?

Answer: Yes. The Department does have a reserve. The balance fluctuates depending upon a number of factors including whether or not the State achieves the base amount of collection for any given year.

PLUMAS COUNTY DEPARTMENT OF SOCIAL SERVICES & PUBLIC GUARDIAN



PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS

1834 East Main Street, Quincy, CA 95971 – Telephone (530) 283-6268 Facsimile (530) 283-6323
Robert A. Perreault Jr., P.E., Director John Mannie, P.E., Asst. Director Joe Blackwell, Deputy Director



CONSENT AGENDA REQUEST

For the November 19, 2019 meeting of the Plumas County Board of Supervisors

November 8, 2019

To: Honorable Board of Supervisors

From: Robert Perreault, Director of Public Works

Subject: Authorization for the Public Works/Road Department to fill the vacancy of One (1) FTE PW Maintenance Worker position in the Quincy Maintenance District

A handwritten signature in blue ink that reads "Robert A. Perreault".

Background:

One (1) FTE PW Maintenance Worker is resigning from the Department effective November 22, 2019.

The Department is requesting to fill this position.

This position is funded and allocated in the proposed FY19/20 budget of the Department of Public Works.

The completed Critical Staffing Questionnaire and Departmental Organizational Chart are attached.

Recommendation:

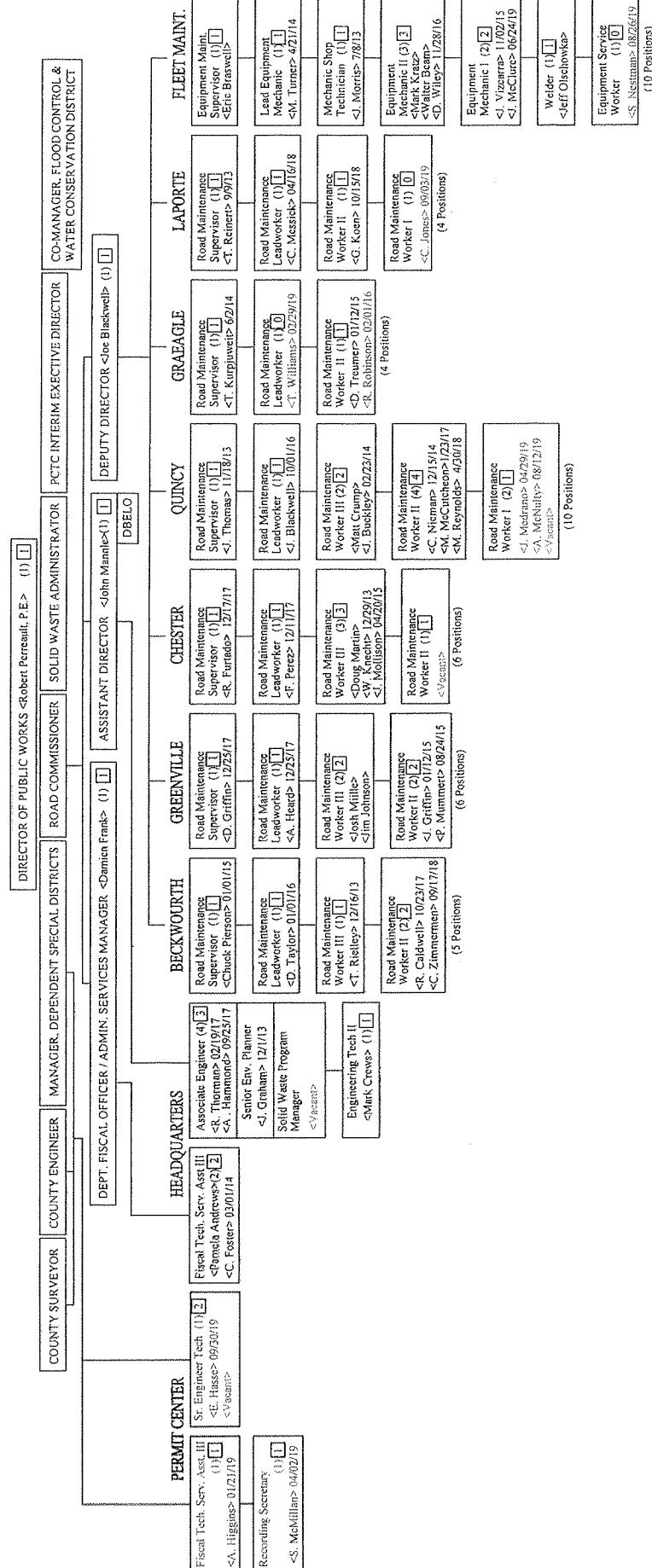
The Director of Public Works respectfully recommends that the Board of Supervisors authorize the Department to fill the vacancy of one (1) FTE PW Maintenance Worker in the Quincy Maintenance District.

QUESTIONS FOR STAFFING CRITICAL POSITIONS WHICH ARE CURRENTLY ALLOCATED.

Public Works Maintenance Worker I/II Worker Position Quincy

- Is there a legitimate business, statutory or financial justification to fill the position?
Maintenance Workers are the workforce for maintenance and construction work on county roads and bridges.
- Why is it critical that this position be filled at this time?
Maintenance Workers are subject to 24 hour "call out" for road related emergencies and snow removal.
- How long has the position been vacant?
Effective 11/22/2019.
- Can the department use other wages until the next budget cycle?
The department's wage and benefits portion of the 19/20 budget includes funds for this position.
- What are staffing levels at other counties for similar departments and/or positions?
No specific research has been performed for this position. Generally speaking, however, past research tasks have identified Plumas County as being consistent with neighboring Counties.
- What core function will be impacted without filling the position prior to July 1? **N/A**
- What negative fiscal impact will the County suffer if the position is not filled prior to July 1? **None**
- A non-general fund department head need to satisfy that he/she has developed a budget reduction plan in the event of the loss of future state, federal or local funding. What impact will this reduction plan have to other County departments? **None**
- Does the department expect other financial expenditures which will impact the general fund and are not budgeted such as audit exceptions? **No**
- Does the budget reduction plan anticipate the elimination of any of the requested positions? **No**
- Departments shall provide an estimate of future general fund support for the next two years and how the immediate filling of this position may impact, positively or negatively, the need for general fund support?
None
- Does the department have a reserve? **Yes** If yes, provide the activity of the department's reserve account for the last three years?
16/17 \$0 17/18 (\$600,000) 18/19 \$600,000

PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS ORGANIZATION CHART



Director of Public Works
Revision Date: 11/06/19

4A

DEPARTMENT OF HUMAN RESOURCES

520 Main Street, Room 115, Quincy, California 95971

(530) 283-6444 FAX (530) 283-6160

Email: nancyselvage@countyofplumas.com



DATE: October 30, 2019

TO: The Honorable Board of Supervisors

FROM: Nancy Selvage, Human Resources Director

SUBJECT: AGENDA ITEM FOR BOARD OF SUPERVISORS MEETING OF NOVEMBER 19, 2019.

RE: ADOPT RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDINGS BETWEEN THE COUNTY OF PLUMAS AND THE PLUMAS COUNTY SHERIFF'S EMPLOYEES ASSOCIATION, SHERIFF'S DEPARTMENT UNIT AND SHERIFF MID-MANAGEMENT UNIT

IT IS RECOMMENDED THAT THE BOARD:

Adopt Resolution Ratifying the Memorandum of Understandings (MOUs) for the Plumas County Sheriff's Employees Associations, Sheriff Department Unit (SDU) and the Sheriff's Mid-Management Unit (SMU) for the period of July 1, 2018 through June 30, 2021.

BACKGROUND AND DISCUSSION:

The County negotiation team lead by Jack Hughes and the Sheriff's Employees Association lead by Vance Piggott, have worked diligently over numerus months to bring forward these agreements for your approval. As noted above, these agreements are for the time-period of July 1, 2018 through June 30, 2021.

The County negotiation team has met in good faith with the bargaining team of the Plumas County Sheriff's Employees Association to reach a tentative agreement. The tentative agreement is for a 2% base wage increase for all SMU and SDU classifications effective the pay period following the adoption of this agreement by the Board of Supervisors and a 1.0% base wage increases for all SMU and SDU classifications effective the pay period including July 1, 2020.

Highlights from the tentative MOU for the Plumas County Sheriff's Employees Association includes the following new agreed upon conditions:

WAGE AND RELATED UPDATES:

ARTICLE 6.01 WAGE:

2.0% base wage increase for all SMU and SDU classifications effective the pay

period following the adoption of this agreement by the Board of Supervisors.

1.0% base wage increase for all SMU & SDU classifications effective the pay period including July 1, 2020.

ARTICLE 9.05

HOLIDAYS: The following holidays are recognized for the MOU. On such holidays, employees shall be entitled to eight (8) hours' time off with regular pay.

- a. When a holiday falls on an employee's regular day off the employee shall be granted eight (8) hours of deferred holiday time.
- b. When a holiday falls on an employee's scheduled paid time off (vacation, sick leave, 4850, etc.) the day shall be charged as eight (8) hours of holiday pay.
- c. When a holiday falls on an employee's regular workday the employee shall receive time and one-half (1.5) holiday pay for eight (8) hours plus their regular pay.
- d. When an employee is required to work overtime on a holiday, up to eight (8) hours holiday pay shall be paid at time and one-half (1.5) the regular rate of pay plus time and one-half (1.5) at the regular rate of pay for the actual hours of overtime worked.

In lieu of pay for working on a holiday an employee may choose to defer eight hours of the holiday pay to be scheduled and taken off with-in sixty (60) days of the holiday.

In the event the employee's request for holiday time off for a deferred holiday as outlined in (a) and (e) above is rejected by the Sheriff, with in the next sixty (60) days, the employee shall be paid for eight (8) hours of deferred holiday time during the next payroll period or a mutually agreed on date for the time off shall be immediately scheduled in lieu of payments prevented by the Sheriff from taking the deferred holiday within the sixty (60) days, the employee shall be paid for the eight hours of deferred holiday time.

- (1) January 1, New Year's Day;
- (2) The third Monday in January, ML King Day;
- (3) February 12, Lincoln's birthday;
- (4) The third Monday in February, Presidents Day;
- (5) The last Monday in May, Memorial Day;
- (6) July 4, Independence Day;
- (7) The first Monday in September, Labor Day;
- (8) The second Monday in October, Columbus Day;
- (9) November 11, Veteran's Day;
- (10) The day in November, which is the legal observance of Thanksgiving;
- (11) The day in November following Thanksgiving;
- (12) December 24, Christmas Eve; except that when December 24 falls

on a Saturday or Sunday, the preceding Friday shall be designated as the Christmas Eve holiday, and when December 24 falls on a Friday, the preceding Thursday shall be the holiday;

(13) December 25, Christmas Day; and

(14) One (1) floating holiday each calendar year, to be approved in advance by the Sheriff. Floating Holidays a) must be used in 8-hour increments, b) may not be carried beyond December 31 of any year (use or lose), and c) may not be carried between bargaining units if employee transfers.

If January 1, February 12, July 4, November 11 or December 25 falls upon a Sunday, the Monday following shall be a holiday; if such forgoing date falls upon a Saturday, the preceding Friday shall be a holiday.

Additional language to Holiday Pay:

Recognized Holidays for Monday through Friday Staff

Employees regularly scheduled to work Monday through Friday will have holidays observed on workdays as follows: If January 1, February 12, July 4, November 11, December 24 or December 25 falls upon a Sunday, the Monday following shall be a holiday; if such forgoing date falls upon a Saturday, the preceding Friday shall be a holiday.

Recognized Holidays for Sunday through Saturday Staff.

Employees regularly scheduled to work Sunday through Saturday will have holidays observed on the actual date of the holiday, irrespective of the day of the week.

A copy of the Plumas County Sheriff's Associations Memorandum of Understandings for the Sheriff Department Unit (SDU) and the Sheriff Mid-Management Unit (SMU) are on file with the Clerk of the Board. The new MOUs includes Appendix A, list of the Associations Job Classifications for both Units, including updated pay schedules.

At this time, I respectfully request approval of the Resolution to ratify the Memorandum of Understanding for the Sheriff's Department Unit and the Sheriff's Mid-Management Unit.

RESOLUTION NO. 2019- _____

**RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDINGS
BETWEEN THE COUNTY OF PLUMAS AND THE PLUMAS COUNTY
SHERIFF'S EMPLOYEES ASSOCIATION, SHERIFF'S DEPARTMENT UNIT
AND SHERIFF'S MID-MANAGEMENT UNIT**

WHEREAS, the negotiation team for the Board of Supervisors and the negotiation team for Plumas County Sheriff's Employees Association and have met and conferred in good faith and have reached a tentative agreement for a Memorandum of Understandings covering wages, hours and other terms and conditions of employment, for the Plumas County Sheriff's Employees Association. The period covered under this tentative agreement is July 1, 2018 through June 30, 2021.

WHEREAS, the Board of Supervisors has reviewed and concurs with terms and conditions of the Memorandum of Understandings for the Sheriff's Department Unit and the Sheriff's Mid-Management Unit.

NOW THEREFORE, BE IT RESOLVED by the Plumas County Board of Supervisors as follows:

1. Board of Supervisors ratifies and accepts the Memorandum of Understandings for the Plumas County Sheriff's Employees Association, Sheriff's Department Unit and Sheriff's Mid-Management Unit as set forth in the copy of the Memorandum of Understandings attached to this Resolution as Exhibit A and Exhibit B.
2. The County Auditor/Controller and Human Resources Director are hereby directed to implement the provisions of these Memorandum of Understandings and the Board Chair is authorized to execute the Memorandum of Understandings and any other documents related hereto in order to carry out this ratification.

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 19th day of November 2019 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Chair, Board of Supervisors

Clerk of the Board



PLUMAS COUNTY DEPARTMENT OF PUBLIC WORKS

1834 East Main Street, Quincy, CA 95971 – Telephone (530) 283-6268 Facsimile (530) 283-6323
Robert A. Perreault Jr., P.E., Director John Mannle, P.E., Asst. Director Joe Blackwell, Deputy Director

AGENDA REQUEST

for the November 19, 2019 meeting of the Plumas County Board of Supervisors

Date: November 8, 2019

To: Honorable Board of Supervisors

From: Robert Perreault, Director of Public Works

Subject: Acceptance of Big Cove Road Turn Lanes at Trailhead Subdivision; discussion and consider approval.

A handwritten signature in black ink that reads "Robert A. Perreault".

BACKGROUND:

The widened road shoulder in the location of turn lanes/acceleration lane at Trailhead Subdivision on Big Cove Road previously constructed by the Trailhead Project within the Big Cove Road right-of-way, but such improvements were never dedicated to Plumas County. Such improvements have been offered for dedication by the current owner, Plumas Bank. Acceptance would typically occur when the subdivision improvements are completed, but in this instance the subdivision is being reverted to acreage.

This widened roadway for subdivision turn lanes requires formal dedication from the owner to Plumas County and acceptance from Plumas County. See attached letter of dedication from Plumas Bank.

RECOMMENDATION:

The Director of Public Works respectfully recommends that the Board of Supervisors adopt the attached Resolution to accept ownership of improvements within Big Cove Road, in the vicinity of the Trailhead Subdivision.

Attachment: 1. Offer of Dedication Letter from Plumas Bank
2. Resolution Accepting Ownership of Certain Paved Shoulder Areas within Big Cove Road right-of-way into the County Road System



August 27, 2019

Plumas County Public Works
Attn: Robert A. Perreault Jr., Director
1834 East Main Street
Quincy, CA 95971

Re: Dedication of Big Cove Turn Lanes

Dear Mr. Perreault:

Plumas Bank has submitted a Petition for Reversion to Acreage – The Trailhead, Unit No. 1. As part of the reversion process, Plumas Bank has requested that the County terminate the Subdivision Improvement Agreement for Trailhead and release its security for the Subdivision Improvement Agreement as required by Government Code section 66499.19.

As a prerequisite to releasing the security, Public Works has requested that Plumas Bank formally offer to dedicate the Big Cove turn lanes to Plumas County. The Big Cove turn lanes are within the 80' Big Cove Road right of way. Plumas Bank, having record title interest in "The Trailhead, Unit No. 1," does hereby state that it is the only party whose consent is necessary to pass clear title to the Big Cove turn lane road and related improvements and does hereby formally offer to dedicate the road and related improvements known as the Big Cove turn lanes to Plumas County.

We understand that Plumas County will be responsible for maintenance, repair and replacement of the Big Cove turn lanes and related improvements upon acceptance of the improvements. We also understand that the remaining security will also be released.

Thank you for your timely attention to this matter.

Sincerely,

Kathy Beatty
AVP, Admin. Svcs. Officer

RESOLUTION NO. 19-

A RESOLUTION ACCEPTING OWNERSHIP OF TRAILHEAD SUBDIVISION WIDENED PAVED SHOULDER AREAS

WHEREAS, the widened shoulder areas in the location of the turn lanes/acceleration lane on Big Cove Road within the County of Plumas was constructed by the original developer of the Trailhead Subdivision; and,

WHEREAS, the improvements within the Big Cove Road right-of-way are no longer needed by the owner of the Trailhead Subdivision; and,

WHEREAS, said widened road shoulders are necessary for public convenience and snow storage,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Plumas that the widened road shoulder in the location of the turn lanes/acceleration lanes on Big Cove Road at the Trailhead Subdivision are hereby accepted into the County Road System as part of Big Cove Road.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the day of November 2019, by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSTAIN: Supervisors:

Chair, Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

ENGINEERING DEPARTMENT

4E

555 Main Street • Quincy, CA 95971 • (530) 283-6268 • Fax (530) 283-6323



Robert A. Perreault, Jr.,
Plumas County Engineer

AGENDA REQUEST

for the November 19, 2019 meeting of the Plumas County Board of Supervisors

November 8, 2019

To: Honorable Board of Supervisors

From: Robert Perreault, County Engineer

A handwritten signature in black ink that reads "Robert A. Perreault".

Subject: Trailhead Subdivision (APN 130-140-009): Discussion and possible action on the following items:

1. Approve the Reversion to Acreage Maps, and
2. At the request of the applicant, terminate the Subdivision Agreement, and
3. Authorize the County Engineer to release letter of credit, dated September 21, 2017.

Background:

On June 14, 2006, the Plumas County Zoning Administrator conditionally approved a Tentative Subdivision Map, Entitled, "Tentative Subdivision Map, Trailhead Subdivision." The subdivision consisted of 43.29 acres, divided into 83 residential lots. The subdivision is located at 673 Big Cove Road, Lake Almanor, CA. The Assessor Parcel Number is 103-140-009.

The Developer also prepared a Set of Improvement Plans, dated February 20, 2007, which was reviewed and approved by the County Engineer on April 6, 2007. At that time, the Developer commenced construction.

The Developer entered into a Subdivision Agreement on November 6, 2007, where approval of the final map was granted and subdivision guarantee defined.

It is noted that the Developer decided to suspend its construction activities approximately one year later.

On October 21, 2009 the County Engineer authorized reduction of the Project Security Amount from \$1,286,610 to \$305,000 in accordance with the approved subdivision agreement.

On February 2, 2016 the Board of Supervisors approved the 1st Amendment to the Subdivision Agreement, pertaining to the substitution of security.

On October 20, 2017, the County Engineer authorized replacement of Project Security Bond with letter of credit in the amount of \$305,000.

On August 27, 2018, the Owner submitted an Application for Reversion.

The Reversion to Acreage was approved by the Zoning Administrator on October 9, 2019 with conditions, per the attached approved minutes. The Reversion to Acreage Maps have been revised per the Zoning Administrator minutes. See attached Reversion to Acreage Maps.

Fiscal Impact:

Since submittal of an Application for Reversion, substantial time has been spent by staff of Public Works and Engineering on the reversion process. Such costs presently exceed \$12,000.

Recommendation:

The County Engineer respectfully recommends that the Plumas County Board of Supervisors:

1. Adopt a motion to approve the Reversion to Acreage Maps.
2. At the request of the Applicant, adopt a motion to terminate the Subdivision Agreement, subject to County Engineer's release of letter of credit.
3. Adopt a motion to authorize the County Engineer to release the letter of credit, dated September 21, 2017.

PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Meeting of October 9, 2019

The Plumas County Zoning Administrator convened in a meeting on October 9, 2019, at 10:02 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Tracey Ferguson, 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. REVERSION TO ACREAGE: TRAILHEAD SUBDIVISION, UNIT #1 – PLUMAS BANK (owner); APNs 103-480-001 through 103-480-044; T.28N/R.18E/S.18 MDM; NST ENGINEERING

The request for a reversion to acreage for the real property development known as The Trailhead, Unit #1, located on Big Cove Road and Forest Meadows Loop, Lake Almanor Peninsula, is presented. Rebecca Herrin, Assistant Planning Director, gives a presentation as outlined in the Staff Report. Tracey Ferguson, Zoning Administrator, questions if the applicant has any questions. Kathy Beatty, representing Plumas Banks, states she does not. The public hearing is opened at 10:09 a.m. Public Works Director and County Engineer, Robert Perreault, brings up three issues: 1) The Walker Ranch CSD standby fees will be addressed independent of the reversion process; 2) there are improvements constructed on Big Cove Road within the County right-of-way at the main entrance to the subdivision. Perreault received a letter from Plumas Bank that proposes dedication of those additional improvements. Public Works is satisfied that the matter can be forwarded to the Board of Supervisors with a Public Works' recommendation that the Board accept those improvements as part of Big Cove Road; and 3) the engineer, Plumas Bank, and Public Works have an agreement that there were certain retention basins that did not get constructed because the project engineer demonstrated that the current off site drainage flows do not exceed the pre-development drainage flows, and that justification was suitable for agreeing that the retention basins did not need to be constructed. However, Public Works needs to be assured that any future owner understands that this is a constraint on the property and in order to do something different the future owner would have to go through Public Works with a proposed revised drainage plan. Perreault also noticed that there is language in the Staff Report pertaining to an additional information map such that the additional information map details would not be clearly enforceable. Rob Thorman of Public Works sent an e-mail to Deputy County Counsel, Gretchen Stuhr, and Perreault had follow-up discussions with Gretchen. It is Perreault's understanding that if the notation pertaining to control of drainage flows that appears on the additional information map is moved into the grant deed where the rights for certain utilities are being transferred, that would then attach to the property and Public Works would be satisfied that it was properly protected. Herrin responds that the reason she wasn't clear about the language referring to an increase in offsite drainage is because that's not how the language reads. Herrin asks for confirmation from Stuhr that a deed restriction is the correct mechanism. Herrin recommends also adding it as a note on the additional information map to notify future owners. Stuhr responds that she agrees. There being no further comments, the hearing is closed at 10:23 a.m.

DECISION

Tracey Ferguson, Zoning Administrator, determines the project exempt from the requirements of the California Environmental Quality Act under Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant adverse impact on the environment. Plumas County EIR #55 and mitigations per the Planned Development Permit for Walker Ranch will apply to all future development, including building and grading permits, of the property as reverted.

Condition (B) regarding map notes 1 through 5 on Sheet 1 of the reversion map dated August 2019 as submitted by NST Engineering is discussed. After discussion, map note #1 is modified to delete “road or” and leaving the word “driveway”. Perreault notes that leaving the word “road” in the note makes it clear that the existing road, which is how Public Works looks at that travel way, will not be subject to improvement or maintenance by Plumas County. The position of Public Works is that the note as written is adequate. After Herrin reads the Plumas County Code definition of “Driveway”, Gretchen Stuhr comments that when the map is recorded, it will be one parcel and will clearly fall within the definition of “Driveway”, and not a road. Continuing, Stuhr states once all the deeds are transferred and everything is completed, it will clearly be a driveway and not a road. Ferguson states map notes #2 and #3 are fine. Regarding map note #4, Ferguson questions if formal acceptance of improvements has occurred for sewer, water mains, and laterals. Perreault responds that he does not believe that there has been a formal vote before the Walker Ranch CSD governing board, but the Walker Ranch CSD has considered the mains to be substantially completed and suitable for use. Perreault notes the Walker Ranch CSD did not accept any of the laterals. Public Works agrees as part of this procedure the laterals will become the responsibility of the Walker Ranch CSD. Perreault explains laterals don’t get “accepted” in the past other than encroachment permit type of activity. Upon formal acceptance of the improvements, that should be a separate action by the Walker Ranch CSD that could happen at the same time this project goes back before the Board of Supervisors. Ferguson states map note #4 will remain unchanged. Ferguson modifies map note #5 by changing the word “use” to “utilize”. Ferguson adds new note #6: The easements to be dedicated for acceptance to the Walker Ranch Community Services District shall be easements #7, #8, and Lot “B”. Condition (F) referencing the note listed on the additional information sheet is discussed. The note is removed from Sheet 3 and listed on the additional information sheet. Regarding the other note on Sheet 3, “Grant Deed to Walker Ranch Community Service District”, Ferguson adds Condition (I) removing the note and adding it as map note #7.

Ferguson approves the reversion to acreage subject to the conditions of approval outlined in the Staff Report, with the amendment of Condition (B) by modifying map notes #1 & #5, adding map notes #6 & #7, the amendment of Condition (F), and addition of Condition (I), making Findings A through E as follows:

CONDITIONS

- A. A Reversion to Acreage Map for the Trailhead Subdivision, Unit No. 1, suitable for recording, shall be prepared and submitted to the Engineering Department for review and recordation.
- B. Map notes 1 through 5, as shown on the reversion map dated August 2019 as submitted by NST Engineering, Inc., as well as map notes 6 & 7, shall be shown on Sheet 1 of the final reversion map as follows:

- 1) The existing driveway within this property is private and not subject to improvement or maintenance by Plumas County.
- 2) The existing water system will remain in place and will not be altered without Walker Ranch Community Services District approval.
- 3) The existing sewer system will remain in place and will not be altered without Walker Ranch Community Services District approval.
- 4) Maintenance, repair and replacement of the sewer and water mains and laterals to be the responsibility of the Walker Ranch Community Services District upon formal acceptance of the improvements.
- 5) Walker Ranch Community Services District has authorization to utilize 10' Public Utility Easement as shown on Sheet 2.
- 6) The easements to be dedicated for acceptance to the Walker Ranch Community Services District shall be:
 - a) Easement #7 (as listed on Book 10 of Maps, Page 76): Fifteen (15') foot easement for access, maintenance and repair of sewer facilities.
 - b) Easement #8 (as listed on Book 10 of Maps, Page 76): Fifteen (15') foot easement for access, maintenance and repair of sewer facilities.
 - c) Lot B (as listed on Book 10 of Maps, Page 76): Easement for access, maintenance and repair of utilities, over, on and under Lot "B".
- 7) All of the domestic/emergency water and sewer systems improvements and facilities granted to the Walker Ranch Community Services District in Document No. 2007-0009138 are shown on the Existing Plan of Water and Sewer System on Sheet 3.

C. All easements to be retained shall be shown on Sheets 2 and 3 of the final reversion map in substantial conformance with the reversion map dated August 2019 submitted by NST Engineering, Inc.

D. An additional information sheet shall be prepared and submitted to the Engineering Department for review and recordation, subject to review by the Planning Department. The additional information sheet shall contain the following informational item headings and listed contents as shown on Book 10 of Maps, at Page 82:

- i. "April 1 Through October 31 Earthwork Required Per Planned Development Permit Condition #II. 5:"
- ii. "The Issuance of Building and Grading Permits is Subject to the Following Conditions:"
- iii. "Erosion Control for Building and Grading Permits Required per Planned Development Permit Condition #II.7."

- iv. "Dust Control for Building and Grading Permits Required per Planned Development Permit Conditions #II.12."
- v. "Grading Plan for Building and Grading Permits Required per Planned Development Permit Condition #IV.2."
- vi. "Storm Water Runoff from Roofs Required per Planned Development Permit Conditions #IV.3."
- vii. "Water Conservation Required per Planned Development Permit Condition #I.16."

E. The following notes, as shown on Book 10 of Maps, at Page 82, and as amended by these conditions of approval, shall be listed on the additional information sheet:

- i. "This information is for informational purposes, describing conditions as of the date of filing and is not intended to affect record title interest."
- ii. "The property shown hereon is subject to Planned Development Permits which are recorded by Documents Nos 2002-0012795, 638/164, 658/104, 2001-0010741, 2003-0011228, 2006-0000433, 2007-0001510, 2006-0008433, 2006-0006065 and 2007-0001510 of Official Records."
- iii. "Future development of this property will be subject to the conditions of said permits."
- iv. "All residential units will have wood burning appliances or fireplaces with inserts meeting or exceeding current EPA Phase II controls for emissions."
- v. "All units shall be super-insulated above the requirements of Title 24 for this area."
- vi. "All single family residential units, residential complexes, and commercial areas will have charging stations for electric carts."
- vii. "Grading and earthwork setback from intermittent streams shall be 50 feet, building setback from intermittent streams shall be 100 feet."

F. The following note shall be removed from Sheet 3 and instead listed on the additional information sheet as follows:

"It is a condition of reversion that the storm water runoff from the reverted parcel may not be increased from the pre-development levels as reflected in the Drainage Calculations dated August 8, 2019 and prepared by NST Engineering, and on file with the Plumas County Public Works Department."

G. Appropriate Quitclaim Deeds, approved as to form by the Office of County Counsel, shall be recorded in conjunction with the final reversion map.

- H. As per Government Code Section 66499.17, upon recordation of the final reversion map, the County shall terminate the Subdivision Improvement Agreement for Trailhead and release the security for the Subdivision Improvement Agreement as required by Government Code Section 66499.19
- I. The note "Grant Deed to Walker Ranch Community Service District" on Sheet 3 shall be removed. The following note shall be listed as Map Note #7 on Sheet 1: All of the domestic/emergency water and sewer systems improvements and facilities are granted to the Walker Ranch Community Services District in Document No. 2007-0009138 as shown on the Existing Plan of Water and Sewer System on Sheet 3.

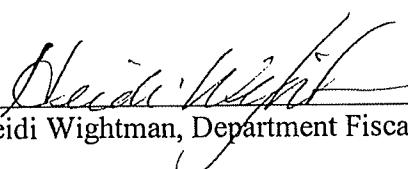
FINDINGS

- A. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes.
- B. All owners of an interest in the real property within the subdivision have consented to reversion.
- C. None of the improvements required to be made have been made within two years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements.
- D. No lots shown on the final or parcel map have been sold within five years from the date such map was filed for record.
- E. Conditions of approval applied to this reversion to acreage are prescribed as per Government Code Section 66499.17. There is no local ordinance that addresses additional conditions of approval that can be applied to the reversion to acreage.

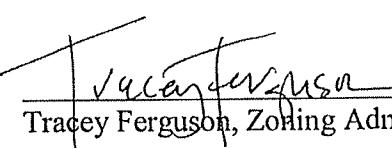
Zoning Administrator Notation: Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) days of the decision. If the tenth day lands on the weekend, the end of the appeal period will be the next working day. The appeal will need to be based on relevant 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 11:29 a.m. The next regularly scheduled Zoning Administrator meeting is set for November 13, 2019, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.



Heidi Wightman, Department Fiscal Officer II



Tracey Ferguson, Zoning Administrator

AGENDA REQUEST

for the November 19, 2019 meeting of the Plumas County Board of Supervisors

Date: November 8, 2019

To: Honorable Governing Board

From: Robert Perreault, Manager, WRCSD

Subject: Acceptance of Water and Sewer Mains and Sewer Laterals located within 10 foot
Public Utility Easement; discussion and possible action.



BACKGROUND:

Water and sewer main lines and sewer laterals within Trailhead Subdivision were constructed in accordance to the original plans and specification that were imposed upon the developer. Following additional considerations after the July 2, 2019 Governing Board Meeting regarding Trailhead Reversion to Acreage, the County Engineer (WRCSD Manager) recommends acceptance of the existing water and sewer main laterals as part of the acceptance of the mainline water and sewer main. The sewer and water laterals are within the public utility easement which includes a 10-foot Public Utilities Easement (PUE). Easements for maintenance of the water and sewer mains and laterals are shown on the Trailhead Subdivision Reversion to Acreage drawings.

The Zoning Administrator approved the Trailhead Subdivision reversion to acreage on October 9, 2019, including easements for maintenance of water and sewer mains and laterals. This Agenda Request enables the Walker Ranch CSD Governing Board to consider acceptance of the water and sewer mains and laterals within Trailhead Subdivision.

RECOMMENDATION:

The Manager of the Walker Ranch Community Services District respectfully recommends that the WRCSD Governing Board adopt a motion to accept ownership of the Walker Ranch water mains, water laterals, sewer mains and sewer laterals within the Trailhead Subdivision.



7A

BOARD OF SUPERVISORS STAFF REPORT

TO: Honorable Board of Supervisors

FROM: Tracey Ferguson, AICP, Planning Director *T.F.*

MEETING DATE: November 19, 2019

SUBJECT: PUBLIC HEARING ITEM: Proposed ordinance amending Title 9 (Planning & Zoning), Chapter 2, Article 2 of the Plumas County Code by clarifying that the definition of "Horticulture" does not include "Industrial Hemp" and adding the definition of "Agricultural Processing" and amending Articles 30 and 31 adding "Agricultural Processing" as a use subject to the issuance of a special use permit in the Agricultural Preserve and General Agriculture zones

A public hearing notice was published in all four newspapers of general circulation in the County on November 6, 2019 (see Attachment 1).

STAFF RECOMMENDATIONS:

1. Hold the public hearing on the proposed ordinance
2. Waive the first reading of the ordinance
3. Discuss whether some type of limited cultivation of Industrial hemp should be allowed in the rural residential zones of R-10 (Rural 10-acre) and R-20 (Rural 20-acre)
4. Provide direction to Planning Department staff and the Planning Commission

BACKGROUND/DISCUSSION:

Zoning for Industrial Hemp

The Board of Supervisors, in December of 2018, directed the Planning Commission to review zoning for Industrial hemp.

Plumas County Code Section 9-2.251.5 contains the definition of Industrial hemp:

"Industrial hemp' shall have the same meaning as that set forth in Section 11018.5 of the Health and Safety Code."

Health and Safety Code Section 11018.5 defines Industrial hemp as the following:

(a) "Industrial hemp" means a crop that is limited to types of the plant Cannabis sativa L. having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained in the dried flowering tops, whether growing or not; the seeds of the plant; the

resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom.

(b) Industrial hemp shall not be subject to the provisions of this division or of Division 10 (commencing with Section 26000) of the Business and Professions Code, but instead shall be regulated by the Department of Food and Agriculture in accordance with the provisions of Division 24 (commencing with Section 81000) of the Food and Agricultural Code, inclusive.

With the Board's direction, the Commission discussed the matter at the August 1, 2019 Planning Commission meeting where a motion was made and approved (3-0, 2 absent) giving direction to Planning Department staff to prepare a proposed draft ordinance amending the Plumas County code to clarify the definition of "Horticulture" does not include "Industrial hemp."

The Planning Commission's direction to remove of Industrial hemp as a permitted use under "Horticulture" is intended to provide protection and prevent nuisances and issues of incompatibility that might occur within the smaller sized residential parcels that allow "Horticulture", such as S-1 (Suburban 1-acre), S-3 (Secondary Suburban 3-acre), R-10 (Rural 10-acre) and R-20 (Rural 20-acre) zones.

Plumas County Code Section 9-2.249 contains the definition of Horticulture, as amended by Ordinance No. 19-1119. **See Attachment 2** for the Planning Commission proposed ordinance amendment to the definition of "Horticulture."

Senate Bill 153 (Wilk, 2019) (Industrial Hemp) defines Industrial hemp as an agricultural product under the Food and Agricultural Code Section 81000, Definitions, as follows:

(a)(6) "Industrial hemp" or "Hemp" means an agricultural product, whether growing or not, that is limited to types of the plant *Cannabis sativa L.* and any part of that plant, including the seeds of the plant and all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis.

In Plumas County Industrial hemp is considered an agricultural crop or product and would be permitted under the "Agriculture" use in the Agricultural Preserve (AP), General Agriculture (GA), General Forest (GF), Timberland Production Zone (TPZ) and Mining (M) zones.

Addition of Definition of Agricultural Processing as a Use Subject to the Issuance of a Special Use Permit

The definition of Agriculture (Plumas County Code Section 9-2.204), as established by Ordinance No. 19-1119, includes the "harvesting and production of agriculture" but not "agricultural processing."

Uses that support agricultural and protect agricultural infrastructure such as agricultural processing can be seen to be in line with the Plumas County 2035 General Plan, and specifically within Agriculture and Forestry Element policies, as follows:

- Policy AG/FOR 8.3.2 addresses compatible uses and lists agricultural commercial uses, agricultural industrial uses, and processing, among others.
- Policy AG/FOR 8.3.3 calls for protection of agricultural infrastructure, including processing facilities.

The Planning Commission held a workshop on August 15, 2019 to discuss the proposed ordinance amending the Plumas County code to add a definition for "Agricultural Processing" and "Agricultural Manufacturing" and to allow such uses in the Agricultural Preserve (AP) (Article 30 of Chapter 2) and General Agriculture (GA) (Article 31 of Chapter 2) zones subject to the issuance of special use permit.

Plumas County Code defines processing and manufacturing as follows:

“Processing’ shall mean the preparation of or subjection of resources to a special treatment or systematic series of actions.”

“Manufacturing’ shall mean the making of commodities by hand or machinery.”

During the August 15, 2019 workshop the Commission discussed: whether or not the current definitions of ‘processing’ and ‘manufacturing’ would be adequate, or if new, more descriptive definitions are needed; in what zones would these uses be appropriate; and how should the uses be permitted (e.g., site development review or special use permit).

Sierra Valley ranchers and farmers were present and involved in the discussion. The Commission agreed there should be new, more descriptive definitions of “Agricultural Processing” and “Agricultural Manufacturing” and that the definitions should exclude “composting” and any mention of “cannabis.” It was noted that the Director of Environmental Health prefers the additional review of a permit, such as a special use permit. The Commission directed Planning Department staff to bring back the item for further discussion at a second workshop.

The Planning Commission held workshop #2 on September 5, 2019, and direction was given to Planning Department staff to remove the definition of “Agricultural Manufacturing” as the intent is in the definition of “Agricultural Processing,” and to expressly state the definition of “Agricultural Processing” does include ‘Industrial hemp’ and ‘farm machinery equipment fabrication and assembly,’ and does not include ‘Cannabis’ and ‘Composting.’

The Planning Commission agreed that “Agricultural Processing,” should be permitted in the AP and GA zones. Planning Department staff recommended, with the support of the Director of Environmental Health, that allowing “Agricultural Processing” in AP and GA zones should be subject to a special use permit for consideration of the use and its site compatibility with surrounding uses as to the range of social, economic, and environmental concerns. The Planning Commission agreed. At the conclusion of workshop #2, direction was given to Planning Department staff to revise the draft ordinance and bring it back for a public hearing.

The Planning Commission held a properly noticed public hearing on the proposed ordinance on October 3, 2019.

Testimony was received at the public hearing regarding a concern about the proposed ordinance disallowing Industrial hemp on smaller sized residential parcels, such as those located within the R-10 (Rural 10-acre) and R-20 (Rural 20-acre) zones, in that nurseries or other types of limited cultivation (e.g., involving seed production and production of cultivars as well as other potential production of hemp products) may have economic value, but would not be permitted in these rural residential zones.

After the public hearing the Planning Commission discussed the public testimony. The Planning Commission then approved a motion 3-0 (2 absent) to direct Planning Department staff to bring back a resolution to the Board of Supervisors including a recommendation to the Board to adopt the proposed ordinance, **see Attachment 2**, but for the Board of Supervisors to consider the issue of potentially allowing the limited use (e.g., some type of nursery or limited cultivation and/or production) of Industrial hemp in the rural residential zones of R-10 (Rural 10-acre) and R-20 (Rural 20-acre).

Plumas County Code Section 9-2.265.5 defines Nursery as follows:

“Nursery’ shall mean a home business for the retail sale of plants and accessory commodities where:

(a) The area in which plants are raised and kept is not considered as part of the 600 square foot area which is the limit of the area occupied by the home business; (b) Accessory commodities may include fertilizers, soil amendments, pesticides, and herbicides for the use of which no special license or other entitlement is required and shall not be considered toxic, explosive or flammable.”

Planning Commission on October 17, 2019, made a motion 4-0 (1 absent) approving Planning Commission Resolution Number P.C. 2019-8 ([see Attachment 3](#)) to amend the Plumas County Code.

CEQA COMPLIANCE AND DETERMINATION: The proposed draft ordinance is exempt from the California Environmental Quality Act guidelines under Section 15061(b)(3) because “Agricultural processing” will be permitted subject to special use permit and discretionary review, which will include project specific environmental review to address any potential environmental impacts. The precluding of industrial hemp from those zones that permit horticulture will not create any adverse environmental impacts, and will serve to protect public health and safety.

ATTACHMENTS:

1. Public Hearing notice published November 6, 2019
2. Proposed Ordinance No. 2019- amending Plumas County Code Title 9 (Planning and Zoning) to clarify that the definition of “Horticulture” does not include “Industrial Hemp” and adding the definition of “Agricultural Processing” and amending Articles 30 and 31 adding “Agricultural Processing” as a use subject to the issuance of a special use permit in the Agricultural Preserve and General Agriculture zones
3. Planning Commission Resolution Number P.C. 2019-8 making recommendations to the Board of Supervisors

FEATHER PUBLISHING CO., INC.

(530) 283-0800
P.O. BOX B, QUINCY, CA 95971

STATE OF CALIFORNIA } ss.
County of Plumas }
and/or Lassen

RECEIVED

Keri B. Taborski deposes and says: That she is the
principal clerk for the publisher of the

NOV - 6 2019

PC Planning+Building

BULLETIN

Quincy, Plumas County
Adjudication Decree #4644

RECORD

Greenville, Plumas County
Adjudication Decree #5462

Chester Progressive

Chester, Plumas County
Adjudication Decree #5956

PORTOLA REPORTER

Portola, Plumas County
Adjudication Decree #2497

Timber

Susanville, Lassen County
Adjudication Decree #15466

that the Summary of Ordinance, Plumas Co.

Planning Commission

of which the attached is a true printed copy, was
published in the weekly issue of said newspaper(s)
as indicated above (and not in a supplement there-
of) for One

consecutive week(s), beginning Nov. 6, 2019

and ending Nov. 6, 2019, both dates inclusive,
to wit: Nov. 6, 2019

Date: Nov. 6, 2019

/s/ Keri B. Taborski

Keri B. Taborski

**SUMMARY OF ORDINANCE
AMENDING PLUMAS COUNTY
CODE, TITLE 9 (PLANNING AND
ZONING) CHAPTER 2, ARTICLE 2
(CLARIFICATION THAT "HORTICUL-
TURE" DOES NOT INCLUDE
"INDUSTRIAL HEMP" AND ADDI-
TION OF DEFINITION OF "AGRI-
CULTURAL PROCESSING") AND
ARTICLES 30 AND 31 (ADDITION
OF "AGRICULTURAL PROCESS-
ING" AS USES SUBJECT TO THE
ISSUANCE OF A SPECIAL USE
PERMIT IN THE AGRICULTURAL
PRESERVE AND GENERAL AGRI-
CULTURE ZONES)**

On October 3, 2019, the Plumas County Planning Commission held a public hearing on the proposed ordinance and approved Resolution 2019-8 making recommendations to the Board of Supervisors that the ordinance be adopted and that the Board find the ordinance adoption be found exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

On November 19, 2019, at 1:00 p.m., the Plumas County Board of Supervisors will hold a public hearing on the proposed ordinance.

ORDINANCE NO. 2019-

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, AMENDING PLUMAS COUNTY CODE TITLE 9 (PLANNING AND ZONING), CHAPTER 2, ARTICLE 2 AND ARTICLES 30 AND 31.

The Board of Supervisors of the County of Plumas, State of California, DOES ORDAIN as follows:

Section 1.

Plumas County Code Sections 9-2.202.5 "Agricultural processing" and 9-2.249 "Horticulture" of Article 2 of Chapter 2 of Title 9 (Planning and Zoning) of the Plumas County Code are hereby amended and adopted as set forth in Exhibit "A".

Section 2.

Plumas County Code Section 9-2.3002(b) "Uses (AP)" of Article 30 of Chapter 2 and Plumas County Code Section 9-2.3102(b) "Uses (GA)" in Title 9 (Planning and Zoning) of the Plumas County Code are hereby amended and adopted as set forth in Exhibit "A".

Section 3. Effective date.

Exhibit "A" shall take effect thirty (30) days after adoption by the Board of Supervisors.

Section 4. Codification.

This ordinance shall be codified.

Section 5. Publication.

A summary of this ordinance shall be published, pursuant to Section 25124(b)(1) of the Government Code of the State of California, in the Feather River Bulletin, the Indian Valley Record, the Chester Progressive, and the Portola Reporter,

newspapers of general circulation in the County before the introduction of the ordinance on November 19, 2019 and after the adoption of the ordinance.

A full copy of this ordinance, including Exhibit "A", can be obtained in the Plumas County Planning and Building Services Building located at 555 Main Street, Quincy or by emailing beckyher-rin@countyofplumas.com
Published FRB, IVR, PR, CP
Nov. 6, 2019|

ORDINANCE NO. 2019-

**AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA,
AMENDING PLUMAS COUNTY CODE TITLE 9 (PLANNING AND ZONING),
CHAPTER 2, ARTICLE 2 (CLARIFICATION THAT "HORTICULTURE" DOES NOT
INCLUDE "INDUSTRIAL HEMP" AND ADDITION OF DEFINITION OF
"AGRICULTURAL PROCESSING) AND ARTICLES 30 AND 31 (ADDITION OF
"AGRICULTURAL PROCESSING" AS A USE SUBJECT TO THE ISSUANCE OF A
SPECIAL USE PERMIT IN THE AGRICULTURAL PRESERVE AND GENERAL
AGRICULTURE ZONES)**

The Board of Supervisors of the County of Plumas, State of California, ORDAINS as follows:

Section 1. Plumas County Code Sections 9-2.202.5 "Agricultural Processing" and 9-2.249 "Horticulture" of Article 2 of Chapter 2 of Title 9 (Planning and Zoning) of the Plumas County Code are hereby amended and adopted as set forth in Exhibit "A".

Section 2. Plumas County Code Section 9-2.3002(b) "Uses (AP)" of Article 30 of Chapter 2 and Plumas County Code Section 9-2.3102(b) "Uses (GA)" in Title 9 (Planning and Zoning) of the Plumas County Code are hereby amended and adopted as set forth in "Exhibit A".

Section 6.

Exhibit "A" shall take effect thirty (30) days after adoption by the Board of Supervisors.

Section 7. Codification.

This ordinance shall be codified.

Section 8. Publication.

A summary of this ordinance shall be published, pursuant to Section 25124(b)(1) of the Government Code of the State of California, before the expiration of fifteen days after the passage of the ordinance, once, with the names of the supervisors voting for and against the ordinance, in the *Feather River Bulletin*, the *Indian Valley Record*, the *Chester Progressive*, and the *Portola Reporter*, newspapers of general circulation in the County of Plumas.

The foregoing ordinance was introduced at a regular meeting of the Board of Supervisors on

the _____ day of _____, 2019, and passed and adopted on the _____

day of _____, 2019 by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairman, Board of Supervisors

ATTEST:

Clerk of said Board of Supervisors

Exhibit "A"

Sec. 9-2.202.5. Agricultural processing.

“Agricultural processing” shall mean the making of agricultural commodities or products by hand or machinery that changes the natural condition of the commodity or product through refinement for further processing or consumer use. ‘Agricultural processing’ does include (a) the processing of ‘Industrial hemp’ as defined in Plumas County Code Section 9-2.251.5 and does include, but is not limited to (b) farm machinery equipment fabrication and assembly. ‘Agricultural processing’ does not include (a) ‘Cannabis’ as defined in Plumas County Code Section 9-2.220.1 and (b) ‘Composting’ as defined in Plumas County Code Section 6-10.102(a)(24).”

Sec. 9-2.249. Horticulture

“Horticulture” shall mean producing crops for commercial purposes. “Horticulture’ shall not include ‘Cannabis cultivation’ as set forth in Sec. 9-2.220.2 of this section or ‘Industrial hemp’ as set forth in Sec. 9-2.251.5 of this section.”

Sec. 9-2.3002. Uses (AP).

- (a) The following uses shall be permitted in the Agricultural Preserve Zone (AP):
 - (1) Agriculture, timber management, agricultural product sales, animal breeding and boarding, and employee housing;
 - (2) One dwelling unit; and
 - (3) Child day care homes and limited child day care homes.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Mining, limited electric generation, public utility facilities, public service facilities, wildlife management, transport stations, agricultural auction yards, agricultural processing, outdoor shooting ranges, hunting clubs, and bed and breakfast inns; and
 - (2) Recreational uses, but not limited to walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation.

Sec. 9-2.3102. Uses (GA).

- (a) The following uses shall be permitted in the General Agriculture Zone (GA):
 - (1) Agriculture, timber management, wildlife management, agricultural product sales, animal breeding and boarding, and employee housing;
 - (2) One dwelling unit and one additional dwelling unit on any parcel of eighty (80) acres or more; and
 - (3) Child day care homes, limited child day care homes, and home businesses.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Mining, limited electric generation, home industry, public utility facilities, public service facilities, agricultural auction yards, agricultural processing, transport stations, veterinary services, outdoor shooting ranges, and hunting clubs; and
 - (2) On land of a soil type not suitable for identification as an important agricultural area, noncommercial camp grounds, recreational facilities, and resorts.
- (c) The following uses shall be permitted subject to the issuance of a planned development permit:
 - (1) Dwelling units at the ratio of up to one per each forty (40) acres of lot area.

RESOLUTION NUMBER P. C. 2019-8

RESOLUTION RECOMMENDING TO THE BOARD OF SUPERVISORS THAT THE ORDINANCE AMENDING PLUMAS COUNTY CODE TITLE 9 (PLANNING AND ZONING), CHAPTER 2, ARTICLE 2 (CLARIFICATION THAT THE DEFINITION OF "HORTICULTURE" DOES NOT INCLUDE "INDUSTRIAL HEMP" AND ADDITION OF DEFINITION "AGRICULTURAL PROCESSING") AND ARTICLES 30 AND 31 (ADDITION OF "AGRICULTURAL PROCESSING" AS A USE SUBJECT TO THE ISSUANCE OF A SPECIAL USE PERMIT IN THE AGRICULTURAL PRESERVE AND GENERAL AGRICULTURE ZONES) BE INCORPORATED INTO THE PLUMAS COUNTY CODE AND THAT THE BOARD FIND THE ORDINANCE ADOPTION IS EXEMPT FROM CEQA UNDER 15061(b)(3)

WHEREAS, the Board of Supervisors directed the Planning Commission to look at various issues, including zoning for Industrial hemp, at the meeting held on December 11, 2018; and

WHEREAS, the Planning Commission discussed the issue of zoning for Industrial hemp at the meeting held on August 1, 2019 and directed planning staff to prepare a draft ordinance amending the zoning code to clarify that the definition of "Horticulture" does not include Industrial hemp as defined in state law and local zoning code; and

WHEREAS, the removal of Industrial hemp as a permitted use under "Horticulture" was intended to provide protection and prevent nuisances and issues of incompatibility that might occur within the smaller parcel sized residential areas that allow "Horticulture", such as S-1 (Suburban 1-acre), S-3 (Secondary Suburban 3-acre), R-10 (Rural 10-acre) and R-20 (Rural 20-acre) zones; and

WHEREAS, in addition to the amendment to the definition of "Horticulture", the Planning Commission held a workshop on August 15, 2019 to discuss amending the zoning code to add definitions of "Agricultural processing" and "Agricultural manufacturing" and to permit such uses in the Agricultural Preserve (AP) and the General Agriculture (GA) zones; and

WHEREAS, the Planning Commission held a second workshop on September 5, 2019 on the proposed draft ordinance amending the zoning code to solely add a definition of "Agricultural processing" and to permit "Agricultural processing" subject to the issuance of a special use permit in the Agricultural Preserve (AP) and the General Agriculture (GA) zones; and

WHEREAS, changes to the proposed draft ordinance were incorporated by planning staff as a result of comments received at the two workshops held on August 15, 2019 and September 5, 2019; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the proposed ordinance on October 3, 2019 and received testimony from all interested parties; and

WHEREAS, testimony was presented at the public hearing regarding the removal of Industrial hemp from smaller sized parcels, such as those located within the R-10 (Rural 10-acre) and R-20 (Rural 20-acre) zones, in that nurseries or other types of limited cultivation, involving seed production and production of cultivars as well as other potential production of hemp products that may have economic value would be eliminated; and

WHEREAS, Plumas County Code Section 9-2.265.5 defines Nursery as:

"Nursery" shall mean a home business for the retail sale of plants and accessory commodities where:

(a) The area in which plants are raised and kept is not considered as part of the 600 square foot area which is the limit of the area occupied by the home business; (b) Accessory commodities may include fertilizers, soil amendments, pesticides, and herbicides for the use of which no special license or other entitlement is required and shall not be considered toxic, explosive or flammable."; and

WHEREAS, Plumas County Code Section 9-2.251.5 defines Industrial hemp as:

"Industrial hemp" shall have the same meaning as that set forth in Section 11018.5 of the Health and Safety Code.;" and

WHEREAS, Health and Safety Code Section 11018.5(a) defines Industrial hemp as:

"Industrial hemp" means a crop that is limited to types of the plant *Cannabis sativa L.* having no more than three-tenths of 1 percent tetrahydrocannabinol (THC) contained in the dried flowering tops, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom."; and

WHEREAS, rather than continue the public hearing to allow planning staff to return to the Planning Commission with a method to allow the limited use of Industrial hemp in the residential zones of R-10 (Rural 10-acre) and R-20 (Rural 20-acre), the Planning Commission voted 3-0 (2 absent) to allow the proposed ordinance to go forward to the Board of Supervisors with a recommendation to adopt, but for the Board of Supervisors to consider the issue of potentially allowing some sort of nursery or limited cultivation and/or production of Industrial hemp in the R-10 and/or R-20 residential zones.

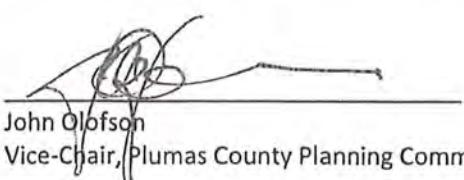
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of Plumas, State of California recommends that the Board of Supervisors:

1. Find that the ordinance adoption is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) because "Agricultural processing" will be permitted subject to special use permit and discretionary review, which will include project specific environmental review to address any potential environmental impacts. The precluding of "Industrial hemp" from those zones that permit "Horticulture" will not create any adverse environmental impacts, and will serve to protect public health and safety.
2. Adopt the ordinance amending Title 9 of the Plumas County Code as shown in Exhibit "A" attached.

The foregoing Resolution was duly passed and adopted by the Plumas County Planning Commission at a meeting held on the 17th day of OCTOBER, 2019 by the following roll call vote:

AYES: Commissioners: *STOUT, GREENING, WILLIAMS, OLOFSON*
NOES: Commissioners: *NONE*
ABSENT: Commissioners: *ABBOTT*

Said resolution to be effective as of the 17th day of OCTOBER, 2019.


John Olofson
Vice-Chair, Plumas County Planning Commission

ATTEST:

Tracey Ferguson, Planning Director

7B

ORDINANCE NO. 2019-

AN ORDINANCE OF THE COUNTY OF PLUMAS, STATE OF CALIFORNIA, AMENDING CHAPTER 2 OF TITLE 9 (PLANNING AND ZONING) OF THE PLUMAS COUNTY CODE BY ADOPTING ARTICLE 43 "BACKYARD CHICKENS" AND AMENDING A CERTAIN SECTION OF CHAPTER 2 OF TITLE 9 OF THE PLUMAS COUNTY CODE

The Board of Supervisors of the County of Plumas, State of California, ORDAINS as follows:

SECTION 1.

Article 43, "Backyard Chickens"; Section 9-2.1302 of Article 13 of Chapter 2 (Single-Family Residential Zones) of Title 9 of the Plumas County Code are adopted and amended as set forth in Exhibit "A".

SECTION 2.

This ordinance shall become effective 30 days from the date of final passage.

SECTION 3. Codification

This ordinance shall be codified.

SECTION 4. Publication

A summary of this ordinance shall be published, pursuant to Section 25124(b)(1) of the Government Code of the State of California, before the expiration of fifteen days after the passage of the ordinance, once, with the names of the supervisors voting for and against the ordinance, in the *Feather River Bulletin*, *Indian Valley Record*, *Chester Progressive*, and *Portola Reporter*, newspapers of general circulation in the County of Plumas.

The foregoing ordinance was introduced at a regular meeting of the Board of Supervisors on the _____ day of _____, 2019, and passed and adopted on the _____ day of _____, 2019 by the following vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:



Chair, Board of Supervisors

ATTEST:

Clerk of said Board of Supervisors

Exhibit "A"

Sec. 9-2.4301. Purpose

The purpose of this article is to define standards that regulate the keeping of chickens on single-family residential parcels while protecting the health, safety, and welfare of the community.

Sec. 9-2.4302. Applicability

This article applies to all Single-Family Residential Zones (2-R, 3-R, 7-R) within the unincorporated area of Plumas County.

Sec. 9-2.4303. Definitions

- (a) "Backyard chickens" or "chicken" shall mean *Gallus gallus domesticus* and does not include other fowl, such as, but not limited to peacocks, turkeys, or water fowl.
- (b) "Chicken coop" or "coop" shall mean an enclosed structure for housing chickens that provides shelter from the elements.
- (c) "Chicken run" or "run" shall mean an enclosed outside yard for keeping chickens.
- (d) "Rooster" shall mean a male chicken.
- (e) "Single-Family Residential" shall mean the following residential zones: 2-R, 3-R, and 7-R.

Sec. 9-2.4304. Maximum Allowable Backyard Chickens

- (a) In the Single-Family Residential Zones, a maximum of six (6) chickens shall be permitted per legal parcel.
- (b) The maximum chickens allowed on any parcel in the Single-Family Residential Zone may be increased to twelve (12) on parcels twice or more the minimum lot area of the zoning.

Sec. 9-2.4305. Standards for the Keeping of Backyard Chickens

(a) General Requirements

- (1) The raising of backyard chickens shall only be allowed on properties containing a single-family dwelling with a fenced rear yard area.
- (2) Chickens shall be provided with a covered roosting area (chicken coop) and an enclosed area in which chickens are allowed to walk and run (a chicken run).
- (3) Chickens shall be contained within the coop, run, or contained within the property boundary at all times.
- (4) The chicken coop and chicken run shall be designed and maintained to be well-drained on the property. There shall be no standing water.
- (5) The chicken coop shall be predator-resistant from the sides, top, and bottom, and the chicken run shall be predator-resistant from the sides and top.
- (6) All grains or other loose feed must be stored in containers with tightly fitting lids to prevent the entrance of vermin.
- (7) Animal waste must be removed and disposed of as set forth below:
 - (i) No person who owns or controls land shall allow any animal waste, including manure, urine, and defecations, to accumulate on the land and cause a public or private nuisance or a danger to public health, such as

fly-breeding conditions and offensive odors. Property owner(s) shall be subject to the requirements of Plumas County Code Sec. 6-10.117 Animal Waste.

(8) Electrical power supplied to a chicken coop shall be installed under an appropriate building permit.

(b) Design Requirements

- (1) All chickens shall be housed in a coop that is designed to:
 - (i) Be predator-resistant;
 - (ii) Be watertight;
 - (iii) Be thoroughly ventilated;
 - (iv) Be easily accessed and cleaned;
 - (v) Contain one (1) nesting box with no less than one (1 ft³) cubic foot for every four (4) chickens;
 - (vi) Contain a coop area of no less than two (2 ft²) square feet per chicken, excluding nesting boxes; and
 - (vii) Contain the chicken roost(s), feeder(s), and water.
- (2) The chicken run shall be attached to the chicken coop allowing the chickens direct access to and from the chicken coop and be:
 - (i) Predator-resistant;
 - (ii) Thoroughly ventilated;
 - (iii) Easily accessed and cleaned;
 - (iv) Fenced with materials to sufficiently contain the chickens;
 - (v) Constructed with an area of no less than five (5 ft²) square feet per chicken; and
 - (vi) Contain the feeder(s) and water.
- (3) Yards.
 - (i) Front yards: The chicken coop and run shall be located on the rear of the property and behind the residence. For parcels that have a frontage on two (2) sides, the coop and run shall be located on the rear portion of the property that is opposite the side providing street access, with the remaining front having a minimum front yard setback of twenty-five (25') feet from the property line.
 - (ii) Side and rear yards: The coop and run must be located at least twenty (20') feet from the nearest adjoining residence or ten (10') feet from any property line, whichever is greater.
- (4) Height. The chicken coop and run shall not exceed seven (7') feet in height.

Sec. 9-2.4306. Prohibited Uses

The following uses shall be prohibited within the Single-Family Residential zoning:

- (a) Commercial sales of chicken eggs.
- (b) Slaughtering processes.
- (c) Roosters.

Sec. 9-2.1302. - Uses (2-R, 3-R, 7-R).

- (a) The following uses shall be permitted in the Single-Family Residential Zones (2-R, 3-R, 7-R):
 - (1) One dwelling unit; one guest house; and one additional detached dwelling unit on any parcel of twice or more the minimum lot area; and
 - (2) Child day care homes, limited child day care homes, limited residential alcohol and drug recovery facilities, limited residential community care facilities, limited home businesses and bed and breakfast inns.
 - (3) Backyard chickens as set forth in Article 43, Backyard Chickens, of this chapter.
- (b) The following uses shall be permitted subject to the issuance of a special use permit:
 - (1) Alcohol and drug recovery facilities, child day care facilities, community care facilities, 4-H and FFA animal projects, home businesses, parks, places of assembly, public utility facilities, public service facilities, and schools.
- (c) The following uses shall be permitted subject to the issuance of a planned development permit:
 - (1) Dwelling units and manufactured homes, including those in recreation oriented residential developments, at the ratio of up to one dwelling unit or manufactured home for each unit of minimum lot area within the area of the parcel.

(§ 3, Ord. 84-593, eff. January 3, 1985, as amended by § 9, Ord. 86-623, eff. February 6, 1986, § 4, Ord. 89-716, effective October 5, 1989, § 1, Ord. 92-787, eff. July 16, 1992, § 2, Ord. 93-817, eff. November 11, 1993, § 6, Ord. 99-924, eff. November 11, 1999; § 1, Ord. 2005-1022, adopted February 1, 2005; and § 2, Ord. No. 2007-1061, adopted November 6, 2007)