
PLUMAS COUNTY
ZONING ADMINISTRATOR
Minutes of the Meeting of May 5, 2010

The Plumas County Zoning Administrator convened in a meeting on May 5, 2010, at 10:01 a.m. in the Permit Center Conference Room, Quincy. Zoning Administrator, Randy Wilson, presiding. Senior Planner, James Graham, is in attendance.

I. AGENDA

The agenda is approved as submitted.

II. PUBLIC COMMENT OPPORTUNITY

No public comment presented.

III. SPECIAL USE PERMIT: NERVINO FIRE CENTER – PLUMAS COUNTY AIRPORTS; APN 140-080-014; T.23N/R.14E/S.25 MDM; Planner: James Graham

Randy Wilson, Zoning Administrator, presents the proposal to establish a joint-use public service facility consisting of a 6,720 sq. ft. barracks, paved parking, helipads, parking for fixed-wing aircraft, underground utilities, a well, and, if required, fencing that would separate the administrative site from the runway. The facility will be utilized by the Plumas National Forest and the Beckwourth Fire Department. The Forest Service will also construct a metal building near the office. Negative Declaration #649 has been prepared for this project and is proposed to be adopted. This project is located at 82335 Highway 70, Beckwourth.

James Graham, Senior Planner, gives a Power Point presentation elaborating on the details of the project as reflected in the Staff Report. Graham states additional information provided by Michael Friend, the District Botanist for the Beckwourth Ranger District, needs to be added to the Mitigated Negative Declaration. It is clarifying information that includes the results of additional survey data which eliminates the presence of two of the four sensitive plant species that were presumed to exist on the property. The Biological Evaluation further clarifies that the impacts to the remaining two plant species, while affecting individuals, will not be significant as these species are locally abundant. Graham notes that these modifications to the Mitigated Negative Declaration will not require recirculation under Section 15073.5 of the State CEQA Guidelines. With these amendments in the Addendum to the Biological Evaluation, Graham recommends that Mitigated Declaration #649 be adopted as set forth in the Staff Recommendation. Graham also recommends approval of the Special Use Permit subject to the conditions of approval outlined in Exhibit 4 of the Staff Report.

Wilson addresses Condition #2 regarding the Airport Land Use Commission. Wilson amends the condition as follows: “or conditionally approve” is added after “. . . the Plumas County Airport Land Use Commission shall, prior to issuance of any building permits, review and approve . . .” In regard to Condition #5, Wilson questions if the Beckwourth Fire District received a copy of the Staff Report and conditions of approval. Graham replies that they did. In regard to Condition #6, Wilson questions if we received anything from the Sierra Valley Groundwater Management District (SVGWMD). Graham replies we did, but their approval was based on an underestimation of existing requirements. The

response back from the District stating they approve of the use of X number of gallons/minute was way too low given the nature of the operation. Wilson questions who determined it was too low. Graham states Rob Robinette from the Environmental Health Department and Dave Barnett from the Building Department. Wilson clarifies that we are recommending a condition of approval that the SVGWMD re-review the information based on higher yields and confirm they approve. Wilson questions if the District is aware they sent a letter on groundwater usage that is not based on the number that's going to be drawn from the project. Graham replies that he does not know if the District is aware, but he has not personally contacted them. Sabrina Stadler from the Forest Service questions what the next course of action needs to be. Graham replies that they need to work with the Department of Environmental Health and the Building Department to determine a reasonable water usage and base approval from the District on that estimate. Wilson amends Condition #6 by adding "Revised water use estimates shall be provided to the Sierra Valley Groundwater Management District.

Wilson questions the status of the lease agreement between the County and the Forest Service. Joe Wilson of Plumas County Airports states they are still finalizing the lease agreement issues and lease format and he is awaiting the Forest Supervisor's response. Joe Wilson suggests the Special Use Permit be approved with the condition that lease negotiations are finalized and the lease is executed and all applicable permits have been signed. Randy Wilson states he will add Condition #22 which states "Prior to issuance of a building permit or any ground disturbance on the project site, a lease agreement with Plumas County shall be finalized and executed and fees due the County shall be paid." Wilson opens the public hearing at 10:20. Wilson asks the Forest Service if they agree with the conditions of approval and the changes he made today. The Forest Service replies that they agree. There being no further comments, the hearing is closed at 10:21.

DECISION

Wilson states he will take the actions recommended by Staff: 1) After review and consideration, adopt Mitigated Negative Declaration #649 pursuant to Section 15074 of the State CEQA Guidelines, with Findings A through C, making note that there is additional language being added to the Mitigated Negative Declaration as talked about previously in the hearing, and 2) approve the Special Use Permit subject to the attached Conditions of Approval as amended, with Findings A through C, noting that Finding C addresses the OPR extension that is currently in effect in Plumas County.

ENVIRONMENTAL DETERMINATION FINDINGS

- A) It is found, on the basis of the Initial Study and the comments received, that there is substantial evidence, in light of the whole record, that the project will have potentially significant effect on the environment, but mitigations incorporated into the project plans will avoid the effects or mitigate the effects to a point where clearly no significant effects will occur.
- B) The proposed Mitigated Negative Declaration reflects the independent judgment of the Zoning Administrator and that the mitigation measures, agreed to by the applicant, will reduce potentially significant impacts to less than significant levels.
- C) The location and custodian of the documents which constitute the record of these proceedings is the Plumas County Planning Department, 555 Main Street, Quincy, California.

FINDINGS

- A) This project, as conditioned, will satisfy the required development standards for Periphery Commercial areas within an "Agricultural Buffer -Moderate Opportunity Area" as the facility is provided access by North Industrial Way, a paved maintained County roadway and, as conditioned, will be provided fire protection by the Beckwourth Fire Protection District through establishment of a service contract.

The identified Plumas County General Plan constraints and policies have been identified and mitigated to a level of insignificance as set forth in Mitigated Negative Declaration #649.

- B) This project is consistent with the Periphery Commercial (C-2) zoning designation because the proposed use as described, and modified by the conditions of project approval, satisfies the following required findings necessary for approval of a special use permit:
1. This project is environmentally compatible with the surrounding area because the proposed project, as conditioned, does not result in potentially significant environmental impacts as outlined in Mitigated Negative Declaration #649. All required mitigations have been incorporated into the conditions of project approval.
 2. This project is socially compatible with the surrounding area because as conditioned it will not create any nuisances or interfere with the social atmosphere of the surrounding community.
 3. This project is economically compatible with the surrounding area because it does not prevent, or diminish the ability of, the surrounding property owners from deriving economic benefit, nor will the use interfere with the economic use of properties in the vicinity. The location of this facility will provide an economic benefit by decreasing emergency response times to the Eastern Plumas County area.
- C) The proposed development is consistent with the existing General Plan because the development standards of the Periphery Commercial, Moderate Opportunity – Agricultural Buffer Area are met in addition to the applicable General Plan constraints and policies. There is a reasonable probability that the project will be consistent with the future adopted general plan because the project is designed to increase service and responsiveness within existing service boundaries. There is little or no probability that the project will be detrimental to or interfere with the future adopted general plan because the proposed use will improve fire suppression capabilities in the Eastern Plumas County area.

CONDITIONS

1. The proposed use shall be as described in the special use permit application and related materials or as otherwise conditioned below.
2. If overhead power is supplied to this facility, the Plumas County Airport Land Use Commission shall, prior to issuance of any building permits, review and approve, or conditionally approve, the overhead lines to ensure that they are compatible with applicable airport surface areas and compatibility zones.

3. The building permit plot plan and required improvement plans shall depict the limits of the FEMA 100-year floodplain as shown on the Flood Insurance Rate Map, Panel 06063C1350E.
4. The building permit plot plan and required improvement plans shall include existing easements, any easements to be abandoned, and any proposed new easements.
5. Prior to issuance of any building permits, fire protection for the facility shall be provided by the Beckwourth Fire Protection District (BFPD). This may be accomplished by entering through a Memorandum of Understanding with the County who will apply for a BFPD Out-of-Area Service Agreement with future annexation through LAFCo, or a Memorandum of Understanding with the Beckwourth Fire Protection District through an interim Out-of-Area Service Agreement.
6. Prior to issuance of any building permits, a letter shall be provided by the Sierra Valley Groundwater Management District which indicates that there is sufficient groundwater available to serve this development. Revised water use estimates shall be provided to the Sierra Valley Groundwater Management District.
7. The building permit plot plan and required improvement plans shall include snow storage area(s) to the satisfaction of the County Engineer.
8. Prior to issuance of any building permits, a set of on-site and off-site improvement plans and specifications shall be prepared and submitted by the applicant's project engineer for review and approval by the County Engineer. The set of improvement plans must reference Plumas County and State of California construction standards. The set of improvement plans must include a drainage plan, including drainage calculations and a drainage area map. The set of improvement plans must include a copy of the Storm Water Pollution Prevention Plan (SWPPP) that is required to be prepared and submitted to the California Regional Water Quality Board.
9. The improvement plans shall describe the proposed drainage system that will serve the development during a 25-year design year storm event of 24-hour duration during winter frost conditions. The drainage system shall be designed to accommodate peak rate of runoff through the use of designed storm water retention and/or detention systems.
10. Mitigation Measure 6A & 8A - Notes shall be placed on all improvement and building plans that reflect, as appropriate, erosion control and drainage design considerations and recommendations approved by the Plumas County Engineer. Any necessary erosion control or drainage modifications encountered during site development shall be evaluated and approved by the County Engineer prior to construction.

Prior to issuance of any building permits, improvement and drainage plans shall be reviewed and approved by the County Engineer to ensure that Best Management Practices are employed and that the project does not generate significant erosion or drainage impacts.

11. The developer shall have an onsite inspector during all phases of road and facility construction. This inspector shall be a civil engineer, or be working under the supervision of a civil engineer. The civil engineer is responsible for the work and is to require that the items on the approved plans are installed in a compliant manner.

12. A copy of the completed application submitted to the California Department of Transportation for an Encroachment Permit shall be included with the required improvement plans.
13. A “Will Serve Letter” from the Manager of the Beckwourth Community Service Area shall be submitted in conjunction with any building permits for development of the facility.
14. A set of on-site and off-site improvement plans and specifications (to be prepared and submitted by the applicant’s Project Engineer for review and approval by the County Engineer) will contain proposed sewer infrastructure improvements.
15. The building permit plot plan and required improvement plans shall include existing easements, any easements to be abandoned, and any proposed new easements related to the proposed on-site and off-site sewer system improvements.
16. Approval of the sewer improvement plans and specifications shall contain provisions pertaining to construction phase inspections. The developer shall have an on-site inspector during all phases of facility construction. This inspector shall be a civil engineer, or be working under the supervision of a civil engineer. The civil engineer shall be responsible for the work and is to require that the items on the approved plans are installed in a compliant manner.
17. Domestic water shall be provided by a commercial well constructed under a Public Water System Operating Permit from the Plumas County Environmental Health Department.
18. To minimize air quality impacts associated with construction related dust, any new construction is required by the Northern Sierra Air Quality Management District (NSAQMD) to comply with Regulation II, Rule 226: Dust Control. Additionally, the disturbance of more than one acre requires the approval of a Dust Control Plan by the NSAQMD. The requirements of the dust control plan shall be incorporated into applicable building and improvement plans and be adhered to during all phases of project development.
19. Mitigation Measure 4A - To further ensure that the proposed project will not have a significant impact on sensitive species, surveys shall be conducted prior to ground disturbing activities to determine the presence of sensitive species and what, if any, mitigation may be imposed. If Forest Service sensitive species are found, botanists would work with Contract Officers Representatives (CORs) to determine the best management for sensitive plant resources. Mitigations may include flagging and avoiding, or minimizing impacts by limiting the frequency, duration and intensity of disturbance to sensitive plants. If no sensitive species are found during surveys, then mitigations will not be imposed. If no practicable mitigation can be developed it is possible that an occurrence or part of an occurrence may be eliminated. The Plumas County Department of Planning and Building Services shall ensure that the above mitigation is satisfied prior to issuance of any building permits. All required management practices shall be reflected on all project improvement plans. Compliance shall be verified in writing by a Plumas National Forest Botanist.
20. Mitigation Measure 4B - To minimize the risk of introducing or spreading noxious weeds associated with the proposed project, the Standard Operating Procedures set forth in the Noxious Weed Risk Assessment shall be implemented during appropriate stages of project implementation. All required management practices shall be reflected on all project building and improvement plans. Compliance shall be verified in writing by a Plumas National Forest Botanist.

21. Mitigation Measure 5A - Notes shall be placed on all improvement and building plans that state the following: *“Should development activities reveal the presence of cultural resources (i.e., artifact concentrations, including arrowheads and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains), work shall cease immediately until the Plumas National Forest, Beckwourth District Archaeologist can be consulted to evaluate the remains and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that such remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State law, to arrange for Native American participation in determining the disposition of such remains.”*
22. Prior to issuance of a building permit or any ground disturbance on the project site, a lease agreement with Plumas County shall be finalized and executed and fees due the County shall be paid.

Zoning Administrator Notation: Any decision made as a result of this meeting may be appealed to the Board of Supervisors within ten (10) days of the decision. If the tenth day lands on the weekend, the end of the appeal period will be the next working day. The appeal will need to be based on relevant information stated or submitted at or prior to this meeting by a commenting public member or representative, or certain County department heads as stated by County Code. There is a filing fee for the appeal and the fee information is available from Planning and Building Services.

ADJOURN

There being no further business, the meeting adjourns at 10:25 a.m. The next regularly scheduled Zoning Administrator meeting is set for May 12, 2010, at 10:00 a.m. at the Planning & Building Services Conference Room located at 555 Main Street in Quincy.


Randy Wilson, Zoning Administrator


Heidi Wightman, Department Fiscal Officer II