



SIERRA COUNTY PLANNING COMMISSION SPECIAL MEETING AGENDA

August 30, 2018
10:00 AM

Chair: Mike Filippini
Vice Chair: Janet Baldrige
Richard DeVore
Irv Christensen
Liz Fisher

LOCATION: Sierra County Courthouse
Board of Supervisors Chambers
101 Courthouse Square
Downieville, CA 95936

The Sierra County Planning Commission welcomes you to its meetings which are regularly scheduled for the second Thursday following the first Tuesday of each month. Special meetings may be called from time to time and the meeting location, time, and date will be announced at the appropriate time as required by law.

Supporting documentation for meeting agenda matters are available for public review on-line at: www.sierracounty.ca.gov/agendacenter or at the Office of the County Planning Department located in the annex building directly across from the Sierra County Courthouse, Downieville, California, 95936, during regular business hours (M – F, 8:00am – 5:00pm).

1. **CALL TO ORDER/ROLLCALL**

2. **APPROVAL OF AGENDA**
August 30, 2018

3. **APPROVAL OF MINUTES**
July 19, 2018

4. **CORRESPONDENCE**

5. **PUBLIC COMMENT OPPORTUNITY**

At this time, the public has the opportunity to address the Commission concerning any item of interest not listed on the agenda. The Commission may not discuss or take any action on any item presented during the public comment period that is not on the agenda. The Commission may briefly respond to statement made or questions posed by members of the public. Upon recognition by the Chair, please state your name, county of residence, and subject matter. Discussion of any non-agenda items will be limited to three (3) minutes or such reasonable time as is granted by the Chair of the Commission.

6. **WORKSHOPS**

The Planning Commission allows time for guest presentations on matters of general or specific interest to the Commission or for conducting educational or technical workshops.

7. PUBLIC HEARINGS

The Planning Commission conducts all public hearings in accordance with its governing by-laws as approved by the Commission and in accordance with Sierra County Resolution 76-80 entitled “Rules of Conduct”

8. BUSINESS REQUIRING ACTION

8.1 Firm Foundation Academy, Permittee and Intellectual Investments LLC, Landowner:
Annual review of the extent of the substantial compliance of the terms and conditions of Special Use Permit #1608 issued on September 1, 2015 by the Sierra County Board of Supervisors. Annual review shall be limited in scope to :1) Ensuring that only those activities permitted by, or ancillary to, the Special Use Permit are conducted upon the property; 2) ensuring compliance with the Conditions of Approval; and 3) ensuring compliance with the adopted mitigation measures in accordance with Section 21081.6 of the Public Resource Code of the State of California.

9. PLANNING DIRECTOR’S STAFF REPORTS

Brief announcements or brief reports by the Sierra County Planning Director on upcoming projects, county staff activities, upcoming workshop or training opportunities, or other items of interest to the Planning Commission.

10. PLANNING COMMISSIONERS’ REPORTS

Brief announcements or brief reports by Planning Commission members on their activities or items of interest to Sierra County.

11. ADJOURNMENT



Planning Commission Staff Report

August 30, 2018

PC EXHIBIT 1

Project: Firm Foundation Academy SUP
PD File No. 1608
Staff Rec. No.: 1195
Request: Annual Compliance Review
Location: 1999 Ridge Rd., Pike
APN: 006-140-013
Planner: Brandon Pangman

<u>Property Owner/Permittee</u>	<u>Applicant</u>	<u>On-site Manager</u>
Intellectual Investments, LLC dba, Firm Foundation Academy, Inc.	Ghazala Jones	Ghazala Jones

1. Staff Recommendation

Staff recommends that the Planning Commission find that the Permittee is in substantial compliance with the conditionally-approved project description and the conditions of approval. No further action is necessary or recommended.

2. Project Description & Background

The Applicant is requesting an:

- *Annual Compliance Review of their Special Use Permit*

On appeal of the Planning Commission's decision to conditionally-approve a Special Use Permit (and recommend approval of a zone change from General Forest to Public Service) the Sierra County Board of Supervisors denied the appeal and conditionally-approved the Firm Foundation Academy (FFA) Special Use Permit, and approved the zone change, on September 1, 2015. The boarding school was limited in scope to a remodel of the existing school facilities (converting existing classroom space to dormitories and a faculty apartment) with a maximum overnight occupancy of 50 people, plus 2 additional staff/caretakers in a separate building on the property. The Special Use Permit (SUP) was conditionally-approved for a term of twenty (20) years, and 21 conditions of approval (COA) were attached to address a variety of expressed concerns and help ensure the operation's compatibility with the neighborhood. All conditions of approval are attached to this report in **Exhibit 2**.

COA #20 requires an annual compliance review by the Planning Commission, for at least the first five (5) years. This staff report represents Planning staff's analysis and documentation of the Permittee's level of compliance to date.

3. Summary Findings & Recommendations

Condition #20 states that the Planning Commission: "...shall conduct an annual review of the extent of the Permittee's good faith substantial compliance with these conditions of approval and terms of the Special Use Permit. Such compliance review shall be limited in scope to:

- (1) ensuring that only those activities permitted by, or ancillary to, the Use Permit are conducted upon the Property;
- (2) ensuring compliance with the Conditions of Approval; and
- (3) ensuring compliance with the adopted mitigation measures in accordance with Section 21081.6 of the Public Resources Code of the State of California."

All conditions of approval (including the various mitigation measures adopted by the County as part of the environmental impact determination) have been certified by the Planning Director to be 'satisfied' to the extent that pre-operational conditions have been met. Most notably, the school has undergone considerable remodeling and changes of occupancy consistent with the California Building Code under approved permits, including successful completion of all final inspections; and a 'Certificate of Occupancy' was issued on June 6, 2016. Specific compliance review and discussion of each COA is provided in Section 4.1 below, as well as in margin notes/review comments by staff in the COA Checklist & Certification form provided in Exhibit 2, attached.

In the last year (9/1/17 to present), three (3) primary issues have been identified by staff or comments by the public. (Note: There were additional comments of concern by interested parties, but staff felt that some of the comments did not directly pertain to the annual compliance review, or were adequately addressed separately. Staff is more than happy to discuss these comments in greater detail at the hearing, at the pleasure of the Commission.) The three (3) identified issues are: (1) "religious retreats"; (2) on-site EMTs; and (3) well water level metering.

1. "Religious retreats": In e-mails and letters received from two community members beginning in January of this year, it was alleged that FFA was allowing its facilities to be used for "religious classes" or multi-day "religious retreats"; and the implication seemed to be that this use or activity was not consistent with the stated purpose and permitted use of the school as 'a school.' In addition, there was an allegation that FFA has thus far not "allowed any public service events on the property," and that the "retreats" were both 'private' and for-profit—and therefore (allegedly) inconsistent with the "public service" zoning. Staff discussed the complaints and Planning Director Beals provided the following response to Supervisor Adams and the complaining parties:

The inquiry/complaint suggests that conducting classes in the manner in which they are conducted is a violation of the special use permit. In particular, it suggests that renting of the facility to a third party for sessions of a non-profit religious group is in conflict with the approved special use permit.

I cannot find any nexus between the special use permit and the inquiry/complaint and find nothing in the operative documents for this property that would preclude the owner-applicant of the facility from leasing or otherwise allowing classes to be held at the facility-including room and board accommodations. Whether a use be as such that is described in the inquiry/complaint, community events which are authorized in the special use permit, or other like uses, I cannot find any basis to conclude that the uses are in violation of the special use permit nor are they a public nuisance.

2. On-site EMTs: There was a complaint that, despite assurances in the original application/project description that there would be on-site EMT staff at the school, so far this has

not been the case. Even though the provision of on-site EMTs was not made a condition of approval *directly*, the allegation was that, since this detail was mentioned in the project description—and COA #1 incorporated the project description by reference (“the permit requirements and conditions shall be as described in the detailed project description contained in Staff Rec. No. 1153...”)—therefore it was alleged that the permittee was not in compliance with the terms and conditions of the CUP. Staff confirmed with Mrs. Jones (FFA) that full-time resident staff EMTs were not yet on-site. First, it was pointed out by FFA’s attorney, the original project description (including provision of on-site EMTs) assumed a much-higher population of resident students and staff (including two new dormitory buildings) than what was ultimately approved by the County; so the need for staff EMTs was significantly reduced. Second, while the campus has hosted a number of smaller classes (in the range of 7 to 22 students), they have yet to reach anywhere *near* ‘full capacity’ under the provisions of the Use Permit. It was stipulated that there probably was no reasonable *need* for additional medical personnel on-site for these occasional uses and low numbers of people. Third, the conditions of the permit required the preparation of an Emergency Management Plan—which was done—and which must be reviewed annually by both the Sierra County Sheriff’s office and the local fire/EMS provider. This, too, has been done; and both the Sheriff and local Fire Chief expressed no concerns with the plan or current operations of the school site. Planning Director Beals concluded in his written response to Supervisor Adams on this issue: “At this point in time, I cannot find any conflict between the uses which have occurred and which have been described in the inquiry/complaint and the special use permit and operative documents attached thereto.”

3. Well water level metering: Finally, there continues to be one noted deficiency in staff’s report of compliance under this use permit, as mentioned under COA #10, below. Condition 10 addressed the community’s expressed concerns about the potential for the school, at peak capacity, to “overdraft” the existing two (2) wells on the property, which might adversely affect the other domestic wells in the vicinity. The condition placed restrictions on outside irrigation during times of declared drought conditions, and required the installation, monitoring, and semi-annual reporting of well meters for both daily consumption data (in gallons-per-day) and weekly static well water levels. While the former (gpd) has been routinely reported, until recently the County had not received data reporting on the latter (well water levels). This was reported to the Commission at previous annual compliance review hearings; and staff has reached out to Mrs. Jones to urge compliance with this single deficiency. Initially, it was reported to the County (through FFA’s well-driller) that the age and design of the wells made it cost-prohibitive and infeasible to install static water level meters in these wells. Then apparently a water level meter was installed in one of the wells, the one reserved for irrigation (and therefore presumably the well that has the greatest potential for heavy use and potential overdraft), and FFA reported the first water level reading to the County on 8/8/18. The domestic-use water well does not have a level meter installed. FFA’s attorney, Michael Cook, explained in a phone call with staff on 8/20/18 that the metered (irrigation) well represents the majority (approx. 75%) of potential water usage on site (according to the projected water usage report prepared by Cranmer Engineering, Inc. dated 6/17/2013), but the school is not currently, and has not been, irrigating most of the grounds (play field, etc.), and importantly, we are no longer in a declared drought. It was estimated by one well-driller that it would cost in excess of \$7k-\$8k to install a static well water meter in the remaining domestic well—which, staff agrees, seems cost-prohibitive and unreasonable in light of the circumstances. Staff seeks direction from the Planning Commission on this issue; but in light of the facts, staff is currently of the opinion that FFA is substantially (if not strictly) in compliance with COA #10, and that there is currently no reason to be concerned that the school is causing an unsustainable draw on local groundwater.

In summary, the Permittee has diligently satisfied the Conditions of Approval and obtained the various permits necessary to commence operations of the FFA school in reliance on (and consistent with) the conditionally-approved Special Use Permit; and consistently demonstrated good-faith and substantial compliance with each of the operational permit requirements, conditions, and mitigation measures.

4.1 Conditions of Approval: Compliance Review & Recommendations

The full Conditions of Approval compliance checklist and CEQA Mitigation Monitoring Program are attached to this staff report as **Exhibits 2** and **3**, respectively. What follows is a summary table of each Condition, including brief discussion or analysis, and staff’s summary determination of compliance:

<u>COA #</u>	<u>Condition</u>	<u>Compliance?</u>
1	<p>Project Description [noting stipulated amendment to remove the “Phase 2” dormitories and reduce max. overnight occupancy]</p> <p><i>Discussion:</i> Standard condition to clarify what was (and what was not) conditionally-approved by the County. Minor deviations from the original proposal to remodel existing school were noted; but were carefully reviewed by the Planning Director at the time of Building Permit application and in each case (and cumulatively) were determined to substantially conform to the approved project description. These minor ‘deviations’ include the following: adding generator facilities; converting a laundry room; enclosing an existing entry-way as a “mud room”; and adding solar panels to the roof.</p> <p>The occupancy limitations have not been exceeded, and approved uses have been complied with to date. (See also discussion above in Section 3.)</p> <p><i>Recommendation:</i> No issues.</p>	Yes

COA #	Condition	Compliance?
2	<p>Zone Change (GF → PS)</p> <p><i>Discussion:</i> Ord. #1063 was adopted by the Board of Supervisors on 9/1/15, eff. 10/1/15. A lawsuit challenging the decision was filed; but a settlement agreement dropping the challenge was reached. The zoning remains Public Service (PS), consistent with the General Plan; and the permittee continues to occupy and use the site consistent with the approved entitlement.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
3	<p>Compliance with other laws</p> <p><i>Discussion:</i> This is a standard condition, reminding the Permittee that the entitlement does not supersede or obviate compliance with all other applicable federal, state, or local laws or regulations. There is no evidence of an issue in this regard; and the Permittee has demonstrated efforts to reach out and seek approval from any other agencies whose approval may be necessary to operate as proposed.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
4	<p>CEQA Mitigation Measures incorporated</p> <p><i>Discussion:</i> Ref. Exhibit 3. All mitigation measures adopted by the County in conjunction with this project and its environmental review and determinations have been incorporated into the project as conditions of approval. Since the conditionally-approved project description was significantly amended to limit use and occupancy to existing facilities (for the most part), many of the 'potential' environmental impacts identified in the CEQA Initial Study and Mitigated Negative Declaration were rendered largely irrelevant (e.g., grading, tree removal, new building construction, dust control during construction activities, etc.). Those mitigation measures that still pertain include: fire protection, noise, and parking. The latter two necessitate the school being operational and/or public gatherings or special events (which have not yet occurred). The fire protection measures (including installation of a 24,000 gal. supplemental water tank dedicated to fire suppression) was performed and signed off by the inspecting fire authority.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
5	<p>Current contact information</p> <p><i>Discussion:</i> Permittee did provide the Planning Department with updated/current contact info. for the various entities/persons involved.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
6	<p>Payment of any balance of processing fees</p> <p><i>Discussion:</i> Upon conclusion of the processing and public hearing process for this application, it was determined that a balance was owed in excess of the deposits of estimated processing costs. Full payment of this balance was received by the Planning Department on 1/19/2016.</p> <p><i>Recommendation:</i> No issues.</p>	Yes

COA #	Condition	Compliance?
7	<p>Building Permit(s): Change of Occupancy</p> <p><i>Discussion:</i> To date, six (6) building permits have been issued in conjunction with this project (see margin notes in Exhibit 2). The principal permit is #2016-15, which was for the changes of occupancy; interior remodeling (primarily to convert 5 classrooms to dormitories and a staff apartment); and installation of a new fire suppression water tank (and corresponding plumbing). This permit, which satisfied COA #7, was finalled on 6/6/2016, and a new Certificate of Occupancy was issued reflecting the various mixed occupancies consistent with the conditionally-approved SUP. Other projects under separate permits (generator, solar, covered entry) were voluntary and not necessary for the school to operate or satisfy the COAs.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
8	<p>Residency/Max. overnight occupancy</p> <p><i>Discussion:</i> An amendment to the SUP was stipulated by the applicant and County, reducing the maximum allowable overnight occupancy to only 50 people in existing classrooms converted to dormitories; no new dormitory buildings were approved. Also, the existing caretaker residence on the property (which may be replaced/remodeled) allows an additional 2 resident staff members. There is no limitation on the number of day-use students and staff (up to the safe capacity of the buildings).</p> <p>According to the Permittee (ref. Exhibit 4), there have been several classes held at the school in the last year—with between 7 and 22 people involved; and with periodic overnight occupancy ranging from 4 to 17. They report two (2) full time staff, three (3) part time staff, and one (1) custodian living on-site. They report no large community events this past year.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
9	<p>Sleeping conditions</p> <p><i>Discussion:</i> Health Dept. condition prohibiting “head-to-head” sleeping. Dorm rooms are set up so this cannot occur. The Health Officer has inspected the facility.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
10	<p>Water Supply</p> <p><i>Discussion: Quality:</i> New water supply permit and upgrades to the existing potable water system were required. The State Div. of Drinking Water received an application from FFA on April 22, 2015; approved plans and supporting documentation; inspected the facility on May 18, 2016; and issued a letter dated June 2, 2016, finding “...no deficiencies with the construction of the water treatment and storage system that would preclude operating the water system for public consumption...Therefore, based on the documentation submitted for this</p>	Yes / partial

	<p>water source, bacteriological and chemical water quality results, and the recent inspection, our office has no objection at this time to the Academy supplying its customers with water produced by the treatment system while the Academy's operating permit is being prepared...." (PWS# 4600096). The final Domestic Water Supply Permit was issued on April 21, 2017 (Permit # 01-02-17P-006).</p> <p><i>Quantity:</i> COA #10 also requires certain performance and monitoring requirements for the existing onsite wells. The Planning Dept. has been provided evidence of this monitoring and data logs for average daily consumption; although no evidence of weekly static well water level data was submitted until 8/8/18. The Planning Dept. has reminded the Permittee of the requirement to provide water level meters in both wells and record weekly (with compliance reports and bi-annual data logs as required). See discussion in Section 3 above.</p> <p><u><i>Recommendation:</i></u> No significant issues; but follow-up is needed on the wells' static water level monitoring and reporting requirement.</p>	
11	<p>Food Facility Permit</p> <p><u><i>Discussion:</i></u> Food facility permit and pre-opening inspection by the Health Dept. are required, and have both been satisfied (confirmation of both by the Health Dept. were received on 5/20/2016).</p> <p><u><i>Recommendation:</i></u> No issues.</p>	Yes
12	<p>Garbage service</p> <p><u><i>Discussion:</i></u> The Environmental Health Dept. inspection and sign-off was received by the Planning Dept. on 5/20/2016. Solid waste disposal and weekly hauling proved a challenge for the Permittee because a contract waste hauler could not be found that would provide service at this location. With the assistance and concurrence of the County Solid Waste Administrators, a system was set up to allow the Permittee to haul their own garbage to the Alleghany transfer station and obtain weekly receipts.</p> <p><u><i>Recommendation:</i></u> No issues.</p>	Yes
13	<p>Sign replacement</p> <p><u><i>Discussion:</i></u> Unfortunately the wooden sign that the Permittee had made—which replicated the size and style of the Pliocene Ridge School sign it was to replace—exceeded the size limitations contained in the Public Service zoning ordinance (ref. SCC 15.12.340(e)5 & 7). A second sign was commissioned and approved by the Planning Department under Building Permit #2016-026; which was inspected and finalled on 6/21/2016.</p> <p><u><i>Recommendation:</i></u> No issues.</p>	Yes

14	<p>Fire Suppression Water System</p> <p><i>Discussion:</i> Adopted Cal Fire comments and Mitigation Measure 8.1 required the installation of a 24,000 gal. fire suppression water tank (in addition to the 10,000± gal. potable water supply tank). An engineered tank and associated plumbing (including tying into the new interior sprinklers as well as exterior hydrants) was approved and permitted under Building Permit #2016-015. The local volunteer fire department deferred to the State inspector; and Cal Fire inspected and approved the tank on 6/1/2016.</p> <p><i>Recommendation:</i> No issues. Periodic inspections of the fire suppression system should be conducted by Cal Fire and/or the local fire agency to ensure it is maintained in good operating condition, as required by the COA.</p>	Yes
15	<p>Parking (on-site only)</p> <p><i>Discussion:</i> Special event parking, and student and faculty parking is prohibited off-site. According to the Permittee (cf, Exhibit 4) there were no special events during 2017-18. There have been no reports or complaints of offsite parking.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
16	<p>Trespassing Accessory Building - Demo</p> <p><i>Discussion:</i> The encroaching accessory building has been demolished and the site cleaned up.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
17	<p>Septic System inspections</p> <p><i>Discussion:</i> This condition requires the Permittee to have the septic system inspected by a qualified person or firm every 6 months. The Permittee hired Nevada City Engineering to perform these biannual inspections. The County received inspection reports for this reporting cycle (2017-18), on: 1/17/18 and 7/10/18. No issues were found. The next septic inspection is scheduled for January 2019.</p> <p><i>Recommendation:</i> No issues.</p>	Yes
18	<p>Emergency Plan</p> <p><i>Discussion:</i> FFA was required to prepare a "Fire, Emergency Medical, and Security Plan" which is to be reviewed annually by local fire, emergency medical, and police agencies, and revised as necessary in response to their comments. The original plan was received by the County on 5/13/2016. The most recent update was received on 6/4/2018. On 6/8/2018 staff received a response from the Sierra County Sheriff who reviewed the plan and said, "I have no comments and nothing to add." The Pliocene Ridge Community Service District (fire agency) Chief Jim Buckbee on 7/31/2018 responded: "Looks good no issues that I can think of, you would never know you are having classes, no traffic or noise." And when pressed on the issue of whether he felt it was reasonable to have full-time, resident EMTs on site the fire Chief</p>	Yes

	wrote: "If the FFA [were] teaching gymnastics or some physical activity, I would see the need for medical on staff, but [they're] reading books and all the years that it was a k12 school we never had many calls" (8/1/2018 e-mail to Tim Beals).	
	<i>Recommendation: No issues.</i>	
19	Term: 20 Years	Yes
	<i>Discussion:</i> The Board of Supervisors added a condition that limited the life of the SUP to 20 years, unless extended. SUP expires in 2035.	
	<i>Recommendation: No issues.</i>	
20	Annual Compliance Review	Yes
	<i>Discussion:</i> See background and summary findings above. Permittee timely submitted report and documentation on July 3, 2018 (Exhibit 4). County staff timely published and posted notice of the annual compliance review, and notified neighbors within 300' of the school and any interested party of the date and time of the review hearing. This staff report was sent to the Permittee on 8/20/2018, ten (10) days before the scheduled hearing, which is scheduled to occur on 8/30/2018, prior to the anniversary of the date of approval of the SUP (9/1/2015). No substantial deficiencies or issues have been identified.	
	<i>Recommendation: See Section 5, below.</i>	
21	Community Compatibility: Student Handbook	Yes
	<i>Discussion:</i> County staff received a (revised) copy of FFA's Student Handbook on May 6, 2016 satisfying this requirement.	
	<i>Recommendation: No issues.</i>	

4.2 Mitigation Measures – compliance review:

There are 13 mitigation measures that were adopted by the County under CEQA as part of the conditions of approval of this entitlement (cf, COA #4; **Exhibit 3**). All mitigation measures pertaining to construction or site development were adhered to and monitored by the County; and/or are of an operational nature, and will continue to be monitored by the County in the future. There were no compliance issues with respect to the CEQA mitigation measures.

5. Action and Recommended Motion

It is not necessary or appropriate to 'extend' the SUP for another year with a finding of substantial compliance; the SUP is automatically valid for 20 years unless revoked. It should be noted that this annual compliance review is administrative in nature and does not constitute a discretionary

action on the part of the Planning Commission (and therefore is not subject to CEQA and a formal public hearing process—even though the process was designed by the Board of Supervisors to be an open and public review).

Should the Planning Commission agree with staff’s findings and recommendations above, the following motion is suggested:

“I move that the Planning Commission find that the permit-holder is in substantial compliance with the approved project description, the conditions of approval, and the adopted mitigation measures.”

EXHIBITS

- Exhibit 1: [Staff Rec. no. 1195]
- Exhibit 2: Conditions of Approval Checklist
- Exhibit 3: CEQA Mitigation Monitoring & Reporting Program
- Exhibit 4: Permittee's Compliance Summary & Recent Correspondence



Conditions of Approval

Planning Director Certification

PD FILE No.:	1608	
APPLICANT:	Firm Foundation Academy, Inc. (Ghazala Jones)	
PROJECT:	Rezone & Special Use Permit (Adult Boarding School)	
APPROVED:	September 1, 2015	<input type="checkbox"/> Administrative Hearing <input type="checkbox"/> City of Loyalton <input type="checkbox"/> P.C. <input checked="" type="checkbox"/> B.o.S.
EXPIRES:	August 31, 2035	

Note: *It is the permittee’s responsibility to ensure all conditions of approval have been satisfied and provide evidence of such to the Planning Department. Grading, building and other permits, or work or use incidental to this entitlement, may not be issued or commence until the Planning Director or his designee has certified in writing that all conditions placed on the approved project have been satisfied.*

Last Updated: 8/20/2018

Condition Satisfied?	Conditions	Comments
<input checked="" type="checkbox"/>	1. <i>Project description:</i> The project approved by this action is for a Special Use Permit to allow the conversion, change of occupancy, and use of the former Pliocene Ridge School located at 1999 Ridge Road in the unincorporated community of Pike, in western Sierra County, to a private, post-secondary (adult) educational facility with caretaker facilities, commonly referred to as “Firm Foundation Academy” (FFA)—the stated purpose of which is to provide: ‘a facility aimed at furthering the effective study of literature through the use of technology. The intended program is based around immersion study camps where students come for short periods and are engaged in long hours of intense daily study with almost all activity being indoors. Program sessions will range from 10 to 60 days and will run year round. Students will stay onsite...’ (cf., ‘project description’ provided in application materials and quoted in Planning Department staff report, p. 7). The principal use of the property shall be a “school” and not a software development company or other commercial enterprise. The Permit requirements and conditions shall be as described in the detailed project description contained in Staff Rec. No. 1153 on file with the Sierra County Planning Department (File No. 1608), including amendments of that project description and conditions of approval adopted by the Sierra County Board of Supervisors. Such modifications include the	<i>Note: minor deviations, reviewed and approved by the Director for ‘substantial compliance’ include: generator facilities, laundry room (int.), entry “air lock” addition, rooftop solar panels</i>

following: Deletion of “Phase 2” improvements and corresponding increase in overnight capacity; and establishment of a maximum overnight/boarding occupancy within the existing primary school buildings not to exceed fifty (50) people, including any combination of staff or students, but not including site caretakers occupying separate building/s on the property, which caretakers shall not exceed two (2) in number in one (1) on-site caretaker residence substantially in the same location of the existing caretaker unit in the north-east corner of the property. (The intent of this modification is to condition approval of this project to “Phase 1” limitations only as described in the project description. This does not, however, impose any restriction on the number of daytime employees or occupants; only restricting the maximum allowable overnight occupancy of the property). Deviations from the conditionally-approved project description shall be reviewed by the Planning Department for substantial compliance and may require amendment of the Special Use Permit by the appropriate hearing body. If there are any discrepancies between the project description or supporting documents and the conditions of approval, the conditions of approval shall supersede. Failure to satisfy or adhere to any of these conditions may be grounds for revocation of the Special Use Permit and closure of the school. Where issues arise, interpretations and enforcement of these permit requirements and conditions shall be determined by the Planning Director; and such determinations may be appealed to the Planning Commission.

- 2. *Zone change:* The Special Use Permit is contingent upon and shall not become operative until the property is rezoned from General Forest (GF) District to Public Service (PS) District by the Board of Supervisors. The proposed use and Special Use Permit are not compatible with the GF District.

Ord. #1063; adopted 9/1/15, eff. 10/1/15

- 3. *Laws:* This action does not relieve the permittee of the obligation to comply with all local, state or federal ordinances, statutes, regulations, and procedures.

Standard condition; no issues

- 4. *CEQA:* All mitigation measures adopted by the County in conjunction with this project are incorporated herein and made conditions of the Special Use Permit.

Cal Fire sign-off of MM 8.1, 8.2, 14.1, 17.1 on 6/1/16

- 5. *Contacts:* Permittee shall provide—and, as necessary, update—the Sierra County Planning Department with the names and current contact information for each of the following: Property Owner (and, if a company, trust, etc., the name(s) and current contact information of the Trustee or agent legally authorized to sign and/or make decisions affecting title); the current Tenant (person, dba,

Rec'd. 5/31/2016; updated contacts rec'd. 7/17/17

company, etc.) name and contact information; and the On-site Contact and Person in Responsible Charge of the facilities (property manager, school site administrator, etc.) in case there arises an issue requiring immediate attention. If any of this information changes, the permittee shall immediately provide updated contact information to the Planning Department.



6. *Fees:* Prior to occupancy or use of the property and facilities in reliance on the Special Use Permit Permittee shall pay any balance of fees (if any) invoiced by the Sierra County Planning Department under Board Resolution #05-064 and the executed "Agreement for Indemnification and Reimbursement for Extraordinary Costs," for work done, costs incurred or services rendered in conjunction with the processing of this Special Use Permit application, prior to the issuance of the Special Use Permit or associated Building Permits, or commencement of the use.

All fees paid. \$0.00 balance



7. *Building permits:* Prior to occupancy or use of the property and facilities as described and conditionally allowed under this Special Use Permit, Permittee shall apply to the Sierra County Building Department for a permit for change of occupancy appropriate to all proposed uses of the existing facilities; and Permittee shall obtain such change of occupancy and permits as appropriate under State and local regulations and ordinances for work done, or required to be done, to bring the proposed uses into full compliance with the current edition of the California Building Standards Codes and other relevant regulations, as determined by the County Building Official.

BD Permits #:

- 2016-015 CofO/remodel/tank
- 2016-024 Generator
- 2016-026 Sign
- 2016-038 Covered entry
- 2016-041 Demo acc. struct.
- 2016-057 Roof solar

Final/CofO: 6/6/2016



8. *Residency:* Maximum overnight occupancy of the site, including students, faculty and staff, in 'converted-classroom' dormitories, but excluding the caretaker residence, is: 50 people. This restriction on overnight occupancy is not intended to otherwise limit the number of daytime-only staff necessary to operate the school. Temporary day-use of the facilities may exceed this number; however, in no case shall the occupancy of the property be allowed to exceed the safe occupancy of any room or building, or the capacity of onsite water or sewer facilities, or result in overflow parking situations in a manner that may be perceived by a reasonable prudent person to create a nuisance to properties in the vicinity.

TBD [operational]; no issues reported

Overnight students in 2017-18: 4 - 17

One (1) custodian overnighting regularly

No community events in 2017-18.



9. *Sleeping conditions:* For public health reasons, head-to-head sleeping accommodations shall be prohibited in the dorm rooms. A minimum space of 18 inches, or a physical barrier, shall be provided between bed units. [Ref., 10/28/14 EHD comment letter; Planning Commission Exhibit DP]

TBD [operational]; no issues reported



10. *Water:* Prior to occupancy or use of the property and facilities as described and conditionally allowed under this Special Use Permit, the Firm Foundation Academy shall obtain a current Water Supply Permit. For permit requirements, contact the Lassen District Field Office of the State Water Resources Control Board. (Note: This was previously under the California Department of Public Health (CDPH), but now with the State Water Resources Control Board.)

'Temporary Permit' issued by DDW on 6/2/2016; final permit issued 4/21/2017

Contact Information:

Stephen W. Watson, P.E. [or his successor]
Associate Engineer - Division of Drinking Water
State Water Resources Control Board
Lassen District Field Office
364 Knollcrest Drive, Suite 101, Redding, CA 96002
Ph: (530) 224-4828; Fax: (530) 224-4844
Steve.Watson@waterboards.ca.gov

Prior to operation, Permittee shall provide the Sierra County Planning Department and County Environmental Health Department a copy of the approved drinking water permit from the State appropriate for the proposed use and number of potential users.

In addition, the following performance and monitoring requirements shall be fulfilled by the permittee:

- a) Install water meter on both wells and maintain daily consumption data in gallons per day (gpd).
- b) Record static well water level readings for both wells on a weekly basis.
- c) Permittee shall provide data logs for items (a) and (b) above twice per year (every 6 months) to both the Sierra County Planning Department and County Environmental Health Department.
- d) There shall be no outside irrigation (sprinklering, etc.) of the rear athletic fields or other areas, except the front yard landscaping and lawn areas, during any drought conditions declared by the State or local government.

(a): Bi-annual data logs rec'd:

- 1/8/18: 224.7 gpd domestic; 647.1 gpd irrigation (avg.)
- 7/2/18: 190.7 gpd domestic; 1121.9 gpd irrigation (incl. leak)

(b), (c): Static well water level readings provided for 1 well only on 8/8/18: 111 ft.(?)

(d): drought declaration rescinded on 4/7/17 (Executive Order B-40-17)



11. *Food facility:* Permittee shall contact the County Health Department to conduct a pre-opening food facility inspection; and shall obtain a permit to operate a food facility from the Health Department. (Contact: Elizabeth Morgan, (530) 993-6716 or emorgan@sierracounty.ca.gov). Permittee shall provide evidence of compliance to the Sierra County Planning Department prior to operation. Permittee shall maintain the food facility in satisfactory condition. Failure of health inspections and/or suspension or revocation of the Food Facility Permit may

EHD inspection sign-off (e-mail) dated 5/20/2016 and Food Facility Permit issued 5/16/2016 (rec'd. 5/20/16)

be grounds for suspension or revocation of the Special Use Permit.

12. *Garbage:* All solid wastes shall be collected in approved containers and removed from the premises on a weekly basis to an approved solid waste facility. To prevent propagation, harborage, or attraction of flies, rodents or other vectors and the creation of nuisance, refuse (except for inert materials) will not be allowed to remain on the premises for more than seven days. The permittee shall coordinate with the County's contract waste hauler, or other approved waste hauler under approved County permit, to have a covered waste bin on-site and to have the bin serviced/removed on a weekly basis unless alternate procedures are required by the County Solid Waste Administrator. *EHD inspection sign-off (e-mail) dated 5/20/2016*
13. *Sign:* Prior to erecting any sign on the property, Permittee shall apply to the Sierra County Planning & Building Department for a site plan review and sign permit, which is ministerial. The application shall be accompanied by two (2) sets of plans which clearly and accurately represent the location, dimensions, color, design, and (if applicable) illumination and landscaping associated with the proposed sign(s); and the sign(s) shall strictly adhere to the requirements listed in Sierra County Code Sections 15.12.340(e)5 & 7. *Permit #2016-026 [finalled 6/21/16]*
Note: 6x6 beam fence, solid metal gates, ~12' tall "eagle" art installed approx. March 2017 (permit required? -no action taken)
14. *Cal Fire:* Prior to occupancy or use of the facilities under the Special Use Permit, Permittee shall have plans prepared by a qualified engineer, licensed in the State of California, and shall obtain a Building Permit for, and install, a min. 24,000 gal. fire suppression water tank/system (in addition to the potable water supply for the site, improvements to which shall be permitted separately); and the fire tank/system shall be tested and approved by both Cal Fire and the local fire department; and evidence of such approval shall be provided to the Planning Department before the permit is "finalled" and use and occupancy of the facilities may commence. The emergency fire suppression system shall be maintained at all times, year-round, in good operating condition; and shall be designed to be self-filling and freeze-protected. (Note: the emergency water tank/system may be tied into the interior sprinklers, per Cal Fire comment letter dated 6/17/14, Planning Commission Exhibit 15). *Permit #2016-015 [finalled 6/3/2016]*
15. *Parking:* Parking during special events or by students or employees of the Firm Foundation Academy is only allowed at approved on-site parking locations identified on the approved site plan. *TBD [operational]; no issues reported*

16. *Accessory Building:* Prior to commencing operations under the Special Use Permit, Permittee shall apply to the County Planning & Building Department for a permit either to demo. or relocate the accessory building that is partially encroaching onto the neighbor's property to the south; and shall accomplish either in a timely fashion. *Demo permit #2016-041*
17. *Septic:* Permittee shall have a visual inspection of the septic system performed every six (6) months by the County Environmental Health Department or a licensed sanitary engineer; and a report as to its operable status, any identified issues, and recommendations for corrections shall be forwarded to the County Environmental Health Department. Failure to maintain the onsite wastewater treatment system in good working order may be considered grounds for revocation of the Special Use Permit and closure of the school. *Contract inspection reports rec'd (for 2017-18 reporting cycle):*
- 1/17/18
 - 7/10/18
18. *Emergency Plan:* Permittee shall prepare a "Fire, Emergency Medical, and Security Plan" for the proposed project and the Plan shall annually be revised as necessary after submittal to the Pliocene Ridge Community Services District, Downieville Fire District (or serving ambulance service, if different), and County Sheriff, respectively. Any comments received by the applicant from the serving emergency organizations shall be advisory in nature, but the applicant shall include and implement all feasible (as determined by the Planning Director) comments received and responses thereto in its annual Plan. A copy of the annual Plan, complete with comments and responses, shall be provided to each of the serving emergency agencies and the County Planning Department on an annual basis. *Rec'd. 6/5/18*
- Annual review with 'no comment' received from Pliocene Ridge CSD on 7/31/18 from Chief Jim Buckbee; and from Sheriff Tim Standley on 6/8/18.*
19. *Term:* This use permit shall be valid for a term of twenty (20) years, beginning upon the date of approval by the County on September 1, 2015. At the end of said 20 year term, the authority granted to maintain the use shall be deemed expired and no further use of the property in reliance on the Special Use Permit shall be made without obtaining a further (new) use permit or as otherwise may be allowed under the provisions of the Sierra County Code (including without limitation applicable zoning ordinances); provided however, at the end of said 20 year term, the use permit may be extended in accordance with applicable provisions of the Sierra County Code as may then exist.
20. *Annual compliance review:* The Planning Commission, each year prior to the expiration of the anniversary date of one year following approval of the project, shall conduct an annual review of the extent of the Permittee's good faith substantial compliance with these conditions *Annual compliance reviews:*
- 10/13/16 & 10/19/16
 - 8/10/17
 - 8/30/18

of approval and terms of the Special Use Permit. Such compliance review shall be limited in scope to: (1) ensuring that only those activities permitted by, or ancillary to, the Use Permit are conducted upon the Property; (2) ensuring compliance with the Conditions of Approval; and (3) ensuring compliance with the adopted mitigation measures in accordance with Section 21081.6 of the Public Resources Code of the State of California. In connection with the annual review, the Permittee shall submit a written summary of all activity undertaken pursuant to the Use Permit over the previous twelve (12) months (i.e., facility improvements, number and type of class sessions and duration, number of students attending, number of employees, overnight occupancy numbers, number and kinds of community activities, well logs and reports and septic system reports as specified above, etc.) and such other information reasonably required by the Planning Director to ascertain compliance with the Use Permit and these Conditions of Approval. A finding by the County of good faith compliance by the Permittee with the Conditions of Approval shall be conclusive with respect to the performance of the Permittee during the period preceding the review. The Permittee shall be responsible for the cost reasonably and directly incurred by the County to conduct such annual review, the payment of which shall be due within thirty (30) days after conclusion of the review and receipt from the County of the bill for such costs.

To facilitate the annual review, and upon not less than thirty (30) days' written notice by the County, the Permittee shall provide such information as may be reasonably requested and deemed to be required by the Planning Director in order to ascertain compliance with the Use Permit and Conditions. The County shall transmit to the Permittee a copy of all staff reports and related exhibits concerning the Permittee's performance, if any, at least ten (10) calendar days prior to any such periodic review before the Planning Commission. The Permittee shall be permitted an opportunity to be heard orally or in writing regarding its performance before the Planning Commission. Notice ten (10) days in advance of the scheduled compliance review shall be given by the County to: the Permittee, the property owners within 300 feet of the project parcel boundaries, and by publication in a newspaper of general circulation within the County.

If the County takes no action within thirty (30) days following the hearing, the Permittee shall be deemed to have complied in good faith with the provisions of this Condition. If the County reasonably requests action on the part of the Permittee to correct any instance of noncompliance, such corrective action shall be initiated within thirty (30) days of request hereunder and thereafter

diligently pursued to completion, to the reasonable satisfaction of the Planning Director.

Based upon results of the annual review by the Planning Commission, if the Planning Commission finds that the Permittee is not operating in good faith substantial compliance with the terms and conditions of the Special Use Permit or the Sierra County Code, the Planning Commission and/or Planning Department staff may take such enforcement actions as authorized by the Sierra County Code, or the Planning Commission at their discretion may initiate Special Use Permit revocation procedures consistent with the Sierra County Code (cf, SCC 15.28.050 or other relevant Code sections as may be amended from time to time).

Following five (5) successive, successful compliance reviews the Planning Commission may, at its discretion, further limit the requirement for annual reviews; provided however that at least one (1) such compliance review shall be conducted not less than every five (5) years thereafter while the Use Permit remains in effect.



21. *Community compatibility*: The community of Pike shares common attitudes, interests, and goals; and among these are the common interest to preserve the rural lifestyle, privacy, and secluded tranquility free from the kinds of traffic, noise, and human activities commonly associated with more urbanized settings. To help ensure the preservation of these community ideals, the Firm Foundation Academy's project approval is conditioned so that its compatibility with the community can be evaluated and measured to avoid substantial disruption of the normal ambiance of the community and surrounding neighborhood, and to mitigate potential impacts on the environment. Operation of the school and permitted special events shall not create any public nuisance, and the Permittee shall avoid and prohibit nuisance conditions as defined in the Sierra County Code (Chapter 1.17) or State Law, and including specifically but not limited to: wildfire, noise, odors, glare, trespass, property damage, littering and waste management. To help ensure that the faculty, staff and students—and not just the Permittee—understands these responsibilities and are held accountable to them, Permittee shall develop a "Student Handbook" and "Code of Conduct" for the school that provides constructive notice to its members of the expectations and conditions to ensure the school remains compatible with the surrounding community. Prior to occupancy or use of the facilities under the Special Use Permit, Permittee shall provide a copy of the Student Handbook and Code of Conduct to the Planning Department for review and approval; and, similar to Condition 18 above, such review shall be advisory only and the Planning Department's approval shall be limited

Student Handbook Rec'd. 5/6/2016

in its consideration only to matters of consistency with these conditions, the conditionally-approved project description, adopted mitigation measures, and corresponding or relevant State and local laws and regulations.

PLANNING DIRECTOR'S CERTIFICATION

The Sierra County Planning Director or his designee hereby certifies that all conditions placed on the approved project identified above have been satisfactorily complied with.

s/ Brandon Pangman, Asst. Dir.

6/3/2016

Sierra County Planning Director
Or Designee (include official Title)

Date

County of Sierra
Firm Foundation Project
Mitigation Monitoring & Reporting Program

EXHIBIT 3

Mitigation measures are proposed or recommended for the following sections:					
<ul style="list-style-type: none"> ▪ I. Aesthetics ▪ III. Air Quality ▪ V. Cultural Resources ▪ VI. Geology / Soils ▪ VIII. Hazards & Hazardous Materials 		<ul style="list-style-type: none"> ▪ XII. Noise ▪ XIV. Public Services ▪ XVI. Transportation and Circulation ▪ XVII. Service Systems 			
Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Timing	Funding	Performance Evaluation Criteria
I. AESTHETICS					
<p>MM 1.1 (Aesthetics)</p> <p>Construction on the project site shall comply with the following provisions:</p> <ul style="list-style-type: none"> • Grading shall be limited to that necessary for construction of the dormitory structures and for fire protection. • Tree removal on the project site shall be limited to that necessary for fire protection, and to remove dead or dying trees or those that pose a safety hazard. • All lighting shall be directed downward, shielded, and/or of low intensity sufficient to avoid off-site night lighting. 	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department	During Grading, Site Improvement, and Construction of Buildings	Applicant	County of Sierra Planning & Building Department
III. AIR QUALITY					
<p>MM 3.1 (Air Quality)</p> <p>During construction of the dormitories, the project contractor shall implement the following measures to control dust:</p> <ul style="list-style-type: none"> • All active unpaved construction areas shall be watered at least twice daily to control fugitive dusts or soil stabilizers shall be applied. 	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department & Northern Sierra Air Quality Management District	Ongoing During Construction Activities	Applicant	County of Sierra Planning & Building Department & Northern Sierra Air Quality Management District

County of Sierra

Firm Foundation Project

Mitigation Monitoring & Reporting Program

<ul style="list-style-type: none"> • All unpaved access roads and staging areas at construction sites shall have soil stabilizers applied, or have water applied at least twice daily. • Traffic speeds on unpaved roads shall be limited to 15 mph. • Exposed stockpiles of soil and other backfill material shall be enclosed or covered, or shall be watered twice daily, or shall have soil binders added. • All trucks hauling soil and other loose material on public streets shall be covered or have at least two feet of freeboard. • If visible soil material is carried onto adjacent public roads, such streets shall be swept with water sweepers. • Dust-producing activities shall be suspended when high winds create construction-induced visible dust plumes moving beyond the project site in spite of dust control measures. 					
V. CULTURAL RESOURCES					
<p>MM 5.1 (Cultural)</p> <p>Construction on the project site shall implement the following requirements to avoid impacts to archaeological resources or human remains:</p> <ul style="list-style-type: none"> • If artifacts or unusual amounts of shell or bone or other items indicative of buried archaeological resources or human remains are encountered during earth-disturbance associated with the proposed project, the onsite contractor shall immediately notify the Sierra County Department of Planning and Building Inspection and all soil-disturbing work shall be halted until a qualified archaeologist completes a significance evaluation of the finds pursuant to Section 106 of the National Historic Preservation Act. 	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department	During Grading & Site Improvement	Applicant	County of Sierra Planning & Building Department

**County of Sierra
Firm Foundation Project
Mitigation Monitoring & Reporting Program**

<p>Any human remains unearthed shall be treated in accordance with California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.94, 5097.98 and 5097.99. The significance evaluation shall include specific measures for the appropriate management of the resources uncovered and shall be submitted to the Sierra County Department of Planning and Building Inspection. No further soil-disturbing work shall be conducted within 100 feet of any resource discovery until an appropriate management plan is developed by a qualified archaeologist for the protection of any significant resources identified. The significance evaluation shall be carried out in consultation with appropriate agencies, including the State Historic Preservation Office, as necessary.</p>					
VI. GEOLOGY & SOILS					
<p>MM 6.1 (Geology and Soils)</p> <p>Contractors involved in clearing, grading, cut and fill and other earthmoving activities shall follow Best Management Practices (BMPs) in erosion control. These may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Existing natural vegetation shall be retained, protected and supplemented where necessary. Tree removal shall be limited to that necessary for site access, landscaping, fire protection, and to remove dead or dying trees or those that pose a safety hazard. • Exposure of soil to erosion by removal of vegetation shall be limited to the smallest area practical and for the shortest time practical. • Seeding, mulching or other suitable stabilization measures shall be used to protect exposed erodible areas a minimum of two weeks in advance of the wet weather season. 	<p>Applicant or Applicant's Contractor</p>	<p>County of Sierra Planning & Building Department</p>	<p>Ongoing During Construction Activities</p>	<p>Applicant</p>	<p>County of Sierra Planning & Building Department</p>

County of Sierra

Firm Foundation Project

Mitigation Monitoring & Reporting Program

<ul style="list-style-type: none"> • Straw bales or sandbags shall be stacked at the job site for emergency erosion control work during rainstorms. • All erosion control devices shall be in place at the end of each working day during the wet weather season and directed by the County during the dry season when there is a forecasted probability of rain. 					
VIII. HAZARDS & HAZARDOUS MATERIALS					
<p>MM 8.1 (Hazards)</p> <p>At minimum, a single, self-filling 24,000 gallon water tank shall be installed by the project applicant prior to project operations for fire protection purposes only. The tank and appurtenant plumbing shall meet Cal Fire design and installation requirements; shall be placed underground or otherwise designed to avoid freezing conditions; and shall contain apparatus approved by serving fire entities that conforms the water tank and plumbing with current fire agency standards or specifications. The location of the tank shall be approved by the serving fire entities and the Planning Department. On-going maintenance for the tank and plumbing shall be the responsibility of the property owner.</p>	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department & Cal Fire	Constructed Prior to Project Operations & Maintained in Perpetuity	Applicant	County of Sierra Planning & Building Department & Cal Fire
<p>MM 8.2 (Hazards)</p> <p>The project shall implement the following requirements to minimize impacts related to fire hazards:</p> <ul style="list-style-type: none"> • Site plans for dormitory construction shall comply with Public Resources Code 4290 standards as determined by Cal Fire at the time of building permit application. • Adequate onsite emergency vehicle turnouts and/or turnarounds shall be maintained onsite. 	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department & Cal Fire	Prior to Building Permit Issuance & Maintained in Perpetuity	Applicant	County of Sierra Planning & Building Department & Cal Fire

County of Sierra

Firm Foundation Project

Mitigation Monitoring & Reporting Program

<ul style="list-style-type: none"> Site improvements shall comply with Cal Fire defensible space standards and other specifications and standards for fire safety, including: width and grade, signage and address requirements, construction standards, and creation and maintenance of defensible space. 					
<p>MM 8.3 (Hazards)</p> <p>The project shall implement the following requirements to minimize impacts related to fire hazards:</p> <ul style="list-style-type: none"> All new buildings shall have roofing constructed with Class A materials, and street and building address signs designed to Cal Fire standards. All new construction shall be required to comply with California Building Code Chapter 7A, ignition-resistant building code standards. Cal Fire shall be consulted during the processing of building permit applications and may require, at their discretion, additional fire suppression systems (sprinklers, etc.) and/or water storage requirements. 	<p>Applicant or Applicant's Contractor</p>	<p>County of Sierra Planning & Building Department & Cal Fire</p>	<p>During Permit Application</p>	<p>Applicant</p>	<p>County of Sierra Planning & Building Department & Cal Fire</p>
XII. NOISE					
<p>MM 12.1 (Noise)</p> <p>The project shall implement the following requirements to minimize impacts related to noise:</p> <ul style="list-style-type: none"> The project applicant/contractor shall restrict hours of construction activity to daytime hours of operation between 7 a.m. and 7 p.m., Monday through Friday. Construction hours on Saturdays shall be from 9:00 a.m. to 5:00 p.m., and on Sundays and observed holidays, construction may occur only between the hours of 10:00 a.m. and 6:00 p.m. 	<p>Applicant or Applicant's Contractor</p>	<p>County of Sierra Planning & Building Department</p>	<p>Ongoing During Project Construction</p>	<p>Applicant</p>	<p>County of Sierra Planning & Building Department</p>

County of Sierra

Firm Foundation Project

Mitigation Monitoring & Reporting Program

<p>MM 12.2 (Noise)</p> <p>Unless a use permit has first been issued by the County for a proposed event, outdoor community events held at the project site shall not exceed 70 dB day night average (Ldn) community noise equivalent level (CNEL) measured at any property line of the site and shall be restricted to daytime hours between 7:00am and 7:00pm, Monday through Friday; 9:00am to 5:00pm on Saturdays; and 10:00am to 6:00pm on Sundays and observed holidays.</p>	Applicant	County of Sierra Planning & Building Department	Ongoing During Project Operations	Applicant	County of Sierra Planning & Building Department
XIV. PUBLIC SERVICES					
<p>MM 14.1 (Public Services – Fire Protection)</p> <p>Dedicated water storage for fire suppression shall be installed by the project proponent prior to project operations for fire protection purposes only, as stipulated in Mitigation Measure MM 8.1 (Hazards).</p>	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department & Cal Fire	Constructed Prior to Project Operations & Maintained in Perpetuity	Applicant	County of Sierra Planning & Building Department & Cal Fire
XVI. TRANSPORTATION & CIRCULATION					
<p>MM 16.1 (Transportation and Circulation)</p> <p>The project shall be required to implement the following requirements to minimize impacts related to parking during special community events:</p> <ul style="list-style-type: none"> • Prohibit offsite parking along Ridge Road. • Maintain the gravel area beyond the bus loop annually to ensure its availability for parking. 	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department	Ongoing During Project Operations	Applicant	County of Sierra Planning & Building Department
<p>MM 16.2 (Transportation and Circulation)</p> <p>The project shall be required to implement MM 8.3 (Hazards) which requires the maintenance of adequate onsite emergency vehicle turnouts and/or turnarounds and compliance with Cal Fire specifications and</p>	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department	Ongoing During Project Operations	Applicant	County of Sierra Planning & Building Department

**County of Sierra
Firm Foundation Project
Mitigation Monitoring & Reporting Program**

standards for fire safety.					
XVII. SERVICE SYSTEMS					
MM 17.1 (Service Systems) The project shall implement MM 8.1 (Hazards) which requires installation of a 24,000 gallon fire suppression tank.	Applicant or Applicant's Contractor	County of Sierra Planning & Building Department & Cal Fire	Constructed Prior to Project Operations & Maintained in Perpetuity	Applicant	County of Sierra Planning & Building Department & Cal Fire

Brandon Pangman

From: Ghazala Jones <ghazala@firm-foundation.org>
Sent: Tuesday, July 03, 2018 11:32 AM
To: Brandon Pangman
Cc: Michael J. Cook; Tim Beals; Kathy Whitlow
Subject: Re: last 6 month water logs - annual compliance review notice

Dear Brandon,

I know right. Every time I have to try a new system I loose more hair :)

please find the list of information required. I had it ready for a couple of weeks but was waiting on Michael still working on the static water + response and I will send it to you as soon as he gets that ready. Please let me know if I am missing anything.

Annual Summary Report for Compliance CEQA #20

Facility Improvements:

A small back up generator was installed this year for water /well backup.

Classes held:

Oct (19 students, 12 over nighting). December 2017 (7 Students - 4 overnighing), Feb (22 - only 17 overnighing), April (7- 4 overnighing) and May (15. 9 overnighing) classes were held for a weekend intensive (Friday evening to Sunday afternoon and a 7 days long one end of December 2017). with largest numbers, 22 and smallest at 7 (only 17 over-nighting at max) so far.

Number of Employees:

Two full time, 3 part time- One custodian living on site.

Community activity:

None

Septic System:

Has been reported by Nevada City Engineering twice a year, finding no problems. (Andy is scheduled again on 11th)

Garbage Disposal:

Weekly receipts are obtained at the dump station and are available for submittal if requested (since county keeps a copy, I am not attaching these here).

Well Logs:

Submitted every 6 months.

Outstanding items:

None

Shall you have any further questions or concern regarding the above or any other issues, please do not hesitate to contact me.

Sincerely,

Ghazala Jones

Dean

Firm Foundation Academy

1999 Ridge Rd, (Pike) Tahoe National Forest, CA. 95960

Ph: 530-288-3247 Cell/Text: 415-509-8735

web: firm-foundation.org

"The GREATEST OF ALL PROTECTIONS IS KNOWLEDGE"

On Tue, Jul 3, 2018 at 10:36 AM, Brandon Pangman <bpangman@sierracounty.ca.gov> wrote:

Thank you, Ghazala. (And if you received an incomplete version of this e-mail, I apologize....I'm still getting used to the newest version of Microsoft Outlook, and I can't stand it!).

This is your official "30 days notice" for submitting your annual compliance report, under Condition #20 of your Special Use Permit for FFA. I attached last year's full compliance report staff report for your reference. Recall, the only noted deficiency was the "static water level" data under COA #10(b) & (c)...and I know you provided us with some explanation from your well-driller that this meter would be cost-prohibitive to install; but this situation should be explained and maybe a request to amend the condition or other alternative proposal, because Planning staff does not have the authority to waive this condition administratively—we only report on strict compliance.