

**TRINITY COUNTY PLANNING COMMISSION  
STAFF REPORT**

**APPLICANT/ PROPERTY OWNER:** Paul Scribner

**REPORT BY:** Interim Planning Director, Lisa Lozier

**LOCATION:** (APN 024-380-034-000)

**ZONING DISTRICT:** Rural Residential, 1-acre minimum (RR-1) combined with Residential Office (RO) and Mobile Home Standard (MHS) overlay district

**GENERAL PLAN DESIGNATION:** Rural Residential (RR)

**SITE CHARACTERISTICS:**

The project site is approximately 3.27 acres and is located northwest of State Highway 3 with access to Town Reservoir Road to proposed parcel A and access to State Highway 3 for proposed parcel B in the community of Weaverville. The site is surrounded by rural residential development. The majority of the site is covered in a variety of tree, shrub, and grass species. The site is currently undeveloped with the exception of existing building pads which would be located with one on each proposed parcel.

**PROJECT DESCRIPTION:**

Paul Scribner is proposing a Minor Subdivision of parcel 024-380-034-000 in the Rural Residential, 1-acre minimum (RR-1) combined with Residential Office (RO) and Mobile Home Standard (MHS) overlay district. The proposed Minor Subdivision would divide the existing 3.27-acre property into two lots (Parcel A and Parcel B). Parcel A would be approximately 2.04 acres and Parcel B would be approximately 1.23 acres (see attached Tentative Parcel Map). As a result of the Minor Subdivision, Parcels A and B, would be available to be developed per the requirements of the RR-1 zoning district for residential uses. There is also the potential for development of Accessory Dwelling Units (ADUs) on Parcels A and B, consistent with State housing law and the County's ADU requirements.

## **ENVIRONMENTAL REVIEW:**

The proposed project requires discretionary approval from Trinity County and is therefore subject to the requirements of the California Environmental Quality Act (CEQA). Since the applicant proposes a Minor Subdivision of land zoned residential into four or fewer parcels, the project could be found to be categorically exempt per §15315 (Minor Land Divisions) of the CEQA Guidelines.

## **PROJECT EVALUATION/DISCUSSION:**

**General Plan:** As noted above, the project site has a General Plan Designation of Rural Residential (RR). The intent of the RR designation is described in the General Plan Land Use Element, which states the following:

*“Rural Residential intends to describe locations of rural type residential development. Minimal county services would be provided and, in general, are not desirable in this area. Densities are designed to ensure the long-term opportunity for individual water and sewer systems. High density will be one dwelling unit per acre or larger as determined by the county sanitarian and the Regional Water Quality Control Board to allow the use of both individual water and sewer systems on the same parcel. Low density will be one dwelling unit per ten acres. This is to allow limited residential development in outlying areas of the county where minimal impacts are desirable and the overall character of the landscape as well as potential for open space, recreation, or resource production is to be preserved. Special attention should be directed toward the protection of sensitive environmental resources such as water quality, unstable slopes, critical wildlife habitat, etc. This designation should not be construed as discouraging resource production activities, such as logging or grazing.*”

**Zoning:** The proposed project would be consistent with the intent of the Rural Residential designation since it would create two parcels that are greater than 1 acres in an area containing low-density residential development in the community of Weaverville. These properties would be served by both Weaverville Community Services District and Weaverville Sanitary District.

**Weaverville Community Plan:** The Weaverville Community Plan was adopted by the Trinity County Board of Supervisors in September 1990 and establishes a framework and guidelines for private and public projects within the Plan Area. The project site is located in the Plan Area in an area of Weaverville that is primarily developed for low-density housing. The proposed Minor Subdivision has the potential to result in the development of additional low-density housing. As such, the project is consistent with several of the goals of the Plan including, but not limited to, the following:

- Retention of rural character of the community by emphasizing the importance of existing neighborhood characteristics and requiring growth to be consistent with these characteristics and zoning.
- Encourage the area's high level of environmental quality by providing for growth on existing privately-held lands adjacent to those areas already developed.
- To establish a variety of housing types and prices compatible with the services capacity and character in each community area in order to provide housing opportunities for all income groups.
- To preserve the natural, rural, small-town and historic character of Trinity County while providing adequate housing for its residents.

Therefore, the proposed project is determined to be consistent with the Weaverville Community Plan.

**Chapter 16.12 – Tentative Map:** Chapter 16.12 of the Trinity County Subdivision Code contains the requirements for Tentative Parcel Maps. The Tentative Parcel Map prepared for this Minor Subdivision project has been reviewed by County Staff. The current draft of the Tentative Parcel Map, dated September 3, 2020, has been determined to be consistent with Title 16 (Subdivision) of the County Code of Ordinances and the Subdivision Map Act. As shown on the Tentative Parcel Map, existing parcel 024-380-034-000 is proposed to be split, resulting in two parcels that are labeled as Parcels A and B.

**ALTERNATIVES:**

The following alternatives are available:

- 1) Modify the conditions of approval of the Parcel Map.
- 2) Continue the public hearing to request additional information.
- 3) Deny the Parcel Map. With this alternative, the Planning Commission would need to make findings that the Parcel Map is inconsistent with the General Plan, Title 17 Zoning Ordinance or the Subdivision Ordinance.

**STAFF RECOMMENDATION:** Staff recommends the Planning Commission approve the project with the findings included in Resolution PC-20-40 with the Conditions of Approval.

**ATTACHMENTS:**

- 1) Draft Resolution PC-2022-04 and attached "Exhibit A" Conditions of Approval
- 2) Location Map
- 3) General Plan Area Map
- 4) Zoning Map
- 3) Tentative Parcel Map P-20-40

**RESOLUTION NO. PC-2022-04****A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY  
APPROVING TENTATIVE MAP  
(Scribner, P-20-40)**

**WHEREAS**, the Trinity County Planning Department has considered a request for approval of a two-parcel Tentative Map filed by Paul Scribner in accordance with Title 16, Trinity County Subdivision Ordinance, Title 17, Trinity County Zoning Ordinance; and

**WHEREAS**, the project was originally scheduled for the February 10, 2022 Planning Commission, and continued to the March 10 and April 14, 2022 Planning Commission meetings in order to secure conditions from the Department of Transportation; and

**WHEREAS**, all governmental and utility agencies affected by the development of the proposed project have been notified and given the opportunity to respond; and

**WHEREAS**, approved Tentative Subdivision Maps must be recorded within two years of issuance; and

**WHEREAS**, the Planning Commission held a public hearing and considered this matter at the regular meeting held on April 14, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the County of Trinity:

1. Makes the following Environmental Findings:
  - a. The project is categorically exempt pursuant to Section 15315 (Class 15) of the CEQA Guidelines, exempting division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels and to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.
2. Makes the following map findings:
  - A. The Parcel Map, as conditioned, is in substantial conformance with the Trinity County General Plan, Title 16 (Subdivision) of the Trinity County Code of Ordinances and the Subdivision Map Act.
  - B. In accordance with Section 16.12.150 Conditions of Approval, of Title 16 (Subdivision) of the Trinity County Code Ordinances and Government Code Section 66474, the Tentative Parcel Map is complete and complies with the subdivision improvement standards.

Resolution No. PC-2022-04  
April 14, 2022

3. Makes the following findings with Government Code Section 66474.02:
  - A. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code;
  - B. Structural Fire protection and suppression services will be available for the lots created by this Parcel Map from the Weaverville Fire Protection District.
4. Approves Tentative Parcel Map P-20-40, subject to the Conditions of Approval set forth in "Exhibit A" to this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 14<sup>th</sup> day of April, 2022 by the Planning Commission of the County of Trinity by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

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WILLIAM SHARP, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:

Lisa Lozier  
Secretary of the Planning Commission

By: \_\_\_\_\_  
Deputy

**EXHIBIT A to Resolution PC-2022-04**  
**TENTATIVE PARCEL MAP**  
**CONDITIONS OF APPROVAL**  
**(Scribner P-40-20)**

The following conditions of tentative map approval shall be satisfied prior to filing of the parcel map, unless a different for compliance is specifically noted:

**General**

A Notice of environmental constraint shall be recorded concurrent with the Parcel Map that shall provide for the following provisions:

- A. In the event that previously unidentified cultural or paleontological resources are encountered during development of the parcel, there shall be no further excavation or disturbance of that area or within a 50-foot buffer of the discovery location. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and a qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements, (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits or shell, faunal remains, and human burials. Historic archaeological discoveries may include nineteenth century building foundations, structural remains, or concentrations of artifacts made of glass, ceramics, metal or other materials found in buried pits, old wells or privies. Work shall not continue in the area until mitigations have been implemented and written authorization to resume work has been provided by the Planning Director.
  
- B. In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the Coroner determines the remains to be Native American, he/she will contact the Native American Heritage Commission who will contact the most likely descendent who will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work shall not continue in the area until the human remains have been dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent.
  
- C. Deed Notice will be required prior to the recordation of a Tentative Parcel Map to disclose the that the property is subject to routine overflights and associated noise and other impacts by aircraft operating at the Weaverville Airport.

**Planning:**

1. Applicant shall pay all fees required for a subdivision application according to the County's current fee schedule.
2. The requirements of all concerned governmental agencies having jurisdiction including, but not limited to, the issuance of appropriate permit shall be met.
3. Approval is for the project as illustrated on the Tentative Parcel Map dated September 3, 2020.
4. All grading shall conform to the Trinity County Grading Ordinance.
5. All lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location such that constitutes a hazard to vehicular traffic, either on private property or on abutting streets.

**Caltrans:**

6. A Caltrans encroachment permit is required for the highway driveway connection at the time of development of the parcel with Highway frontage.

**Department of Transportation:**

**Roads**

7. The private access road from the end of Reservoir Road, County Road WVC 60, to the west boundary of Parcel A must be designed and constructed to meet the Trinity County Roadway Category 2 standards.
8. Private roads and public utility easements shall be offered for dedication. All commonly shared private improvements shall exist within non-exclusive private easements. The easements shall also grant the right to enter thereon to the personnel, agents, and equipment from the Fire District, and all required utilities.
9. A turnaround is required on the access road to Parcel A. The existing turnaround at the end of Reservoir Road does not meet Trinity County Subdivision Ordinance standards. The existing turnaround at the end of Reservoir Road must meet the road improvement standard of County Code Section 16.48.126, or a new turnaround must be constructed near the western boundary of Parcel A to meet the County Subdivision Ordinance.
10. An encroachment permit must be obtained for the construction of the new access road onto Reservoir Road, County Road WVC 60.
11. Road name signs must be installed at all intersections.

12. All improvements required for this development and as described in these conditions of approval shall be shown on construction drawings (the final improvement plans) to be submitted to the Trinity County Department of Transportation for review and approval. Submitted construction drawings shall be stamped by a Professional Engineer.
13. Prior to construction of improvements, the construction drawings must be approved by the County Engineer.
14. Inspection of improvements will be performed by Trinity County Department of Transportation staff or a County selected inspection firm. The developer shall coordinate inspections with the Department of Transportation prior to start of construction.
15. The developer will be responsible for all actual costs on an hourly basis associated with the subdivision improvements, including review of construction improvement plans, developing subdivision improvement agreements, and performing construction inspections.
16. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the County Engineer when such improvements have been completed.

#### Miscellaneous

17. All easements within the development shall be dedicated on the Parcel Map or by separate instrument.

#### Utilities

18. All utilities outside of roadways on subject properties shall be in 10-foot-wide easements centered on the utility that serves the subject and adjoining parcels.

#### Erosion Control & Drainage

19. All culverts installed under roadways shall be a minimum of 18" diameter.
20. A grading, drainage and erosion control plan was prepared for the Riley Subdivision (File # P-93-28). Development of all parcels must be completed in accordance with the approved drainage plan, unless another method of draining surface waters is prepared by an engineer, and approved by the County prior to issuance of building permits. In no event shall drainage waters be directed toward off-site properties in a manner that may cause erosion of soils or property damage. Off-site improvements may be necessary.
21. A hydrology and hydraulics report shall be completed to properly size culverts and ditches which are not considered in the approved Riley Subdivision drainage plan. The report shall be prepared by a professional engineer and approved by the County Engineer.

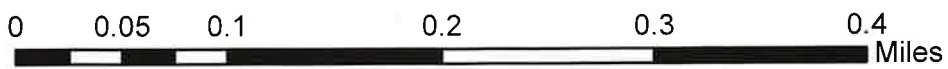
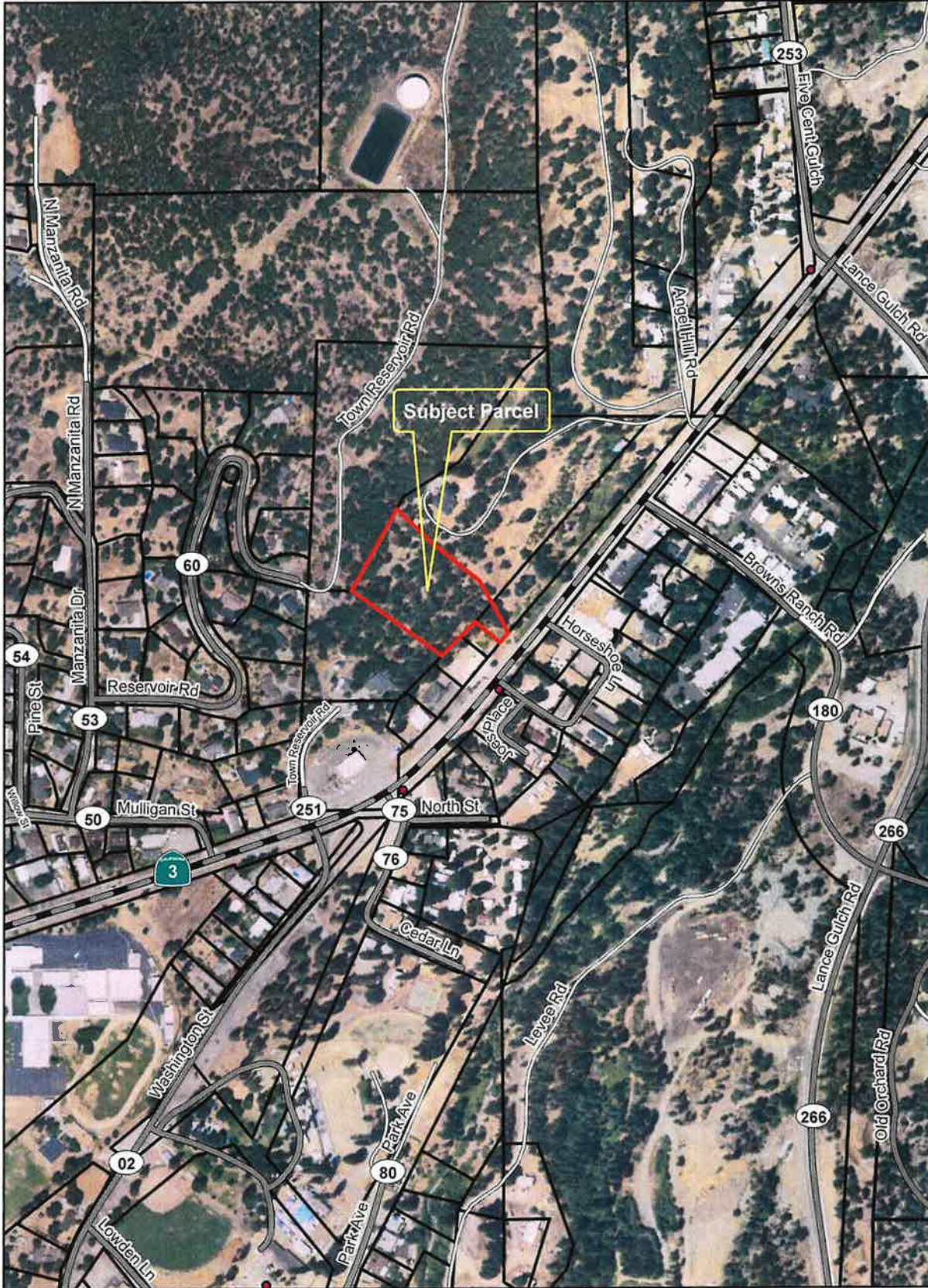


22. The improvement plans shall include an erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the County Engineer. The following measures shall be included:
- a. Any mass grading shall be restricted to dry weather periods between April 1 and October 31.
  - b. If other grading activity is to be undertaken in wet-weather months, permanent erosion and sediment controls shall be in place by October 15, and construction shall be limited to areas as approved by the County Engineer. A winterization plan must be submitted by September 15 and implemented by October 15.
  - c. In the event construction activity including clearing, grading, disturbances to the ground, such as stockpiling, or excavation result in soil disturbances of at least one acre of total land area, the applicant shall obtain and provide a Notice of Intent (NOI) from the Regional Water Quality Control Board.
  - d. Projects less than one acre are exempt from obtaining a NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
  - e. The internet site for information and application on the NOI can be found at [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)
  - f. Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
  - g. Mulching, hydro seeding, or other suitable revegetation measures shall be implemented. Planting shall also occur on areas of cut and fill to reduce erosion and stabilize exposed areas of later construction phases. All disturbed areas with a slope greater than 5% shall receive erosion control.
  - h. Excavated materials shall not be deposited or stored where the materials could be washed away by storm water runoff.

NOTE: Approval of this tentative map will expire on **April 14, 2024**. Any request for a time extension and accompanying fee must be received by the Trinity County Planning Department 30 day prior to this expiration date.

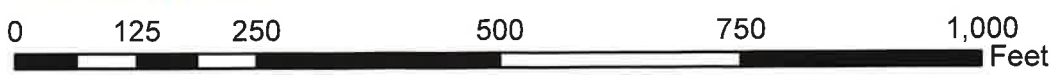
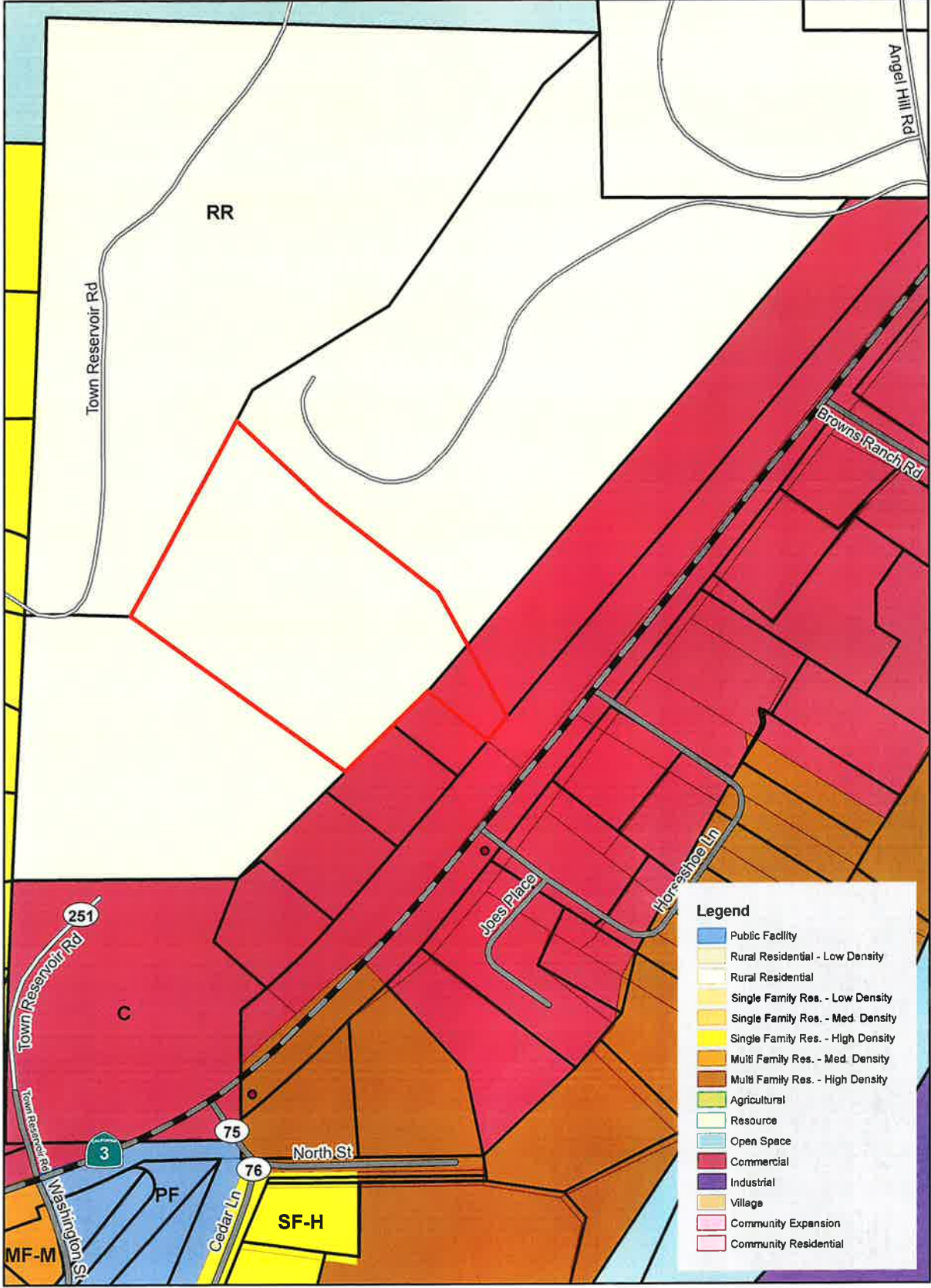


APN 024-380-34-00  
P-20-40 | P. Scribner TPM  
Project Location Map

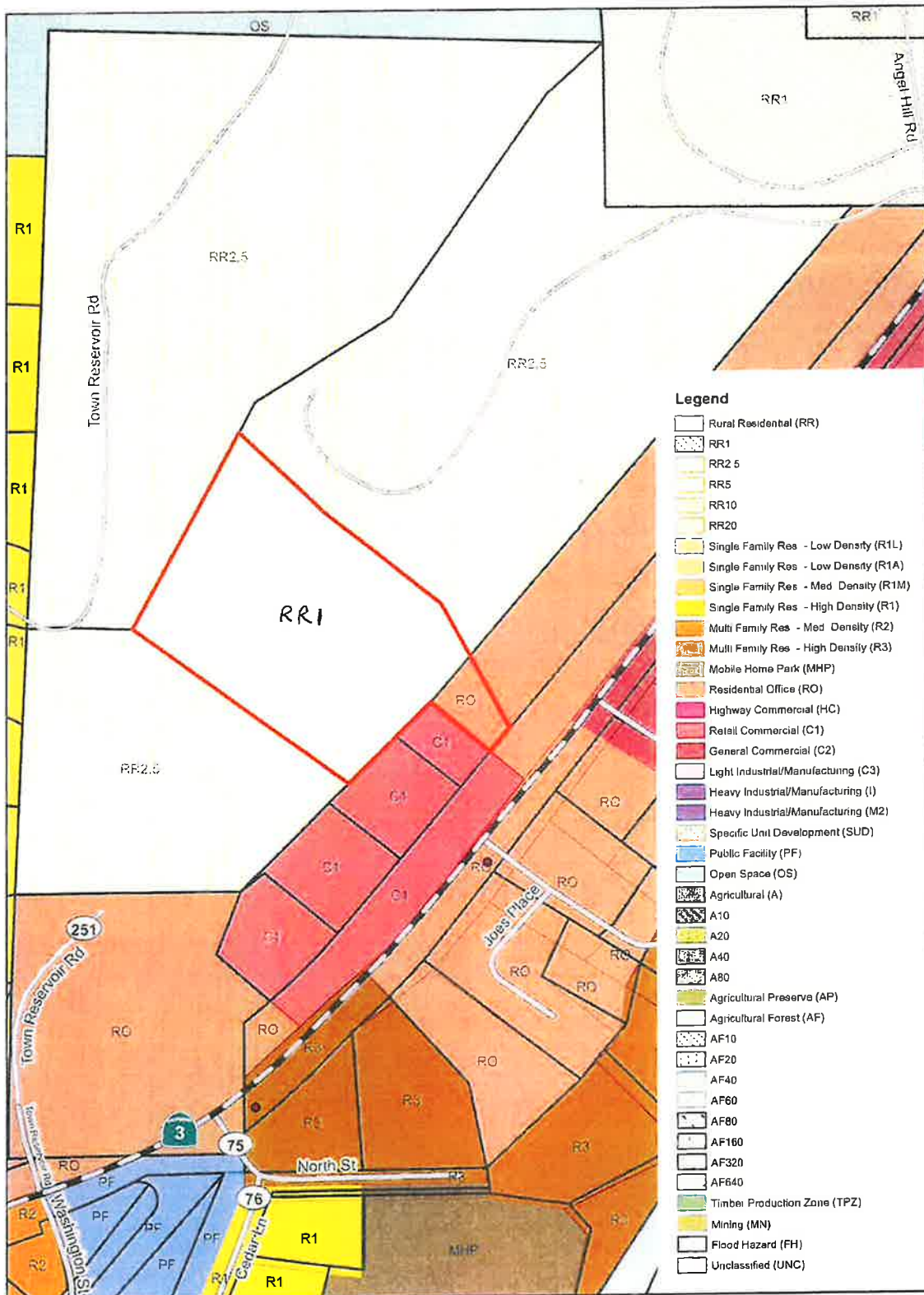




APN 024-380-34-00  
P-20-40 | P. Scribner TPM  
General Plan Designation Map



APN 024-380-34-00  
 P-20-40 | P. Scribner TPM  
 Zoning Map





- Stakeholder Statement
1. Existing Use - Vacant Land
  2. Proposed Use - Two Stage Family Dwelling
  3. CSD - Waverly
  4. Proposed Method of Sewage Disposal - Waverly
  5. Proposed Means of Access - State Highway 3 & Waverly Road (C.S. Rd # WVC60)
  6. Community Plan - Rural Residential
  7. Zon - RLS-1 / MRS

APN: 024-390-13  
JELICICH

APN: 024-390-11 & 12  
JONES

APN: 024-390-09  
JOHNSON

APN: 024-390-08  
APPLE

APN: 024-390-10  
WISEMAN  
NEILL

APN: 024-390-07  
BRADFORD

APN: 024-390-06  
KUHNS

40' wide W.C.S.D. Easement per  
200/0R/311, 199/0R/229, & 20 M&S 30

Easement	S.O.C	Mineral Rights
107 / OR 480	U.S.A	Blanket Easement for Dickson/Camb
199 / OR / 229	W.C.S.D	Blanket Easement for Shown/Heron
DOC # 968002934	W.C.S.D	Notice of Environmental Constraint
DOC # 199800674	W.S.D	Resolution to Vacate Right-of-Way
DOC # 200801560	W.C.S.D	Ingress Egress & Utilities Shown/Heron
DOC # 201000979	H. C. & J. Riley	20' Utility Easement Shown/Heron /
20 / M&S / 30		40' Ingress Egress & Utility Easement /
		Shown/Heron

PRELIMINARY MAP  
SUBJECT TO CHANGE

PRELIMINARY MAP  
SUBJECT TO CHANGE



TENTATIVE  
PARCEL MAP  
for  
PAUL E. SCRIBNER and  
LINDA L. SCRIBNER

P.O. Box 478, Lodi, CA 95092  
of  
A.P.N.: 024-390-34  
160 Town Reservoir Rd  
in  
Sec. 7, T. 33 N., R. 9 W., MDB&M  
WEAVERVILLE  
Trinity County, California

Scale: 1" = 50'  
September 1, 2020  
by  
JOHN BURVENING  
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Weaverville, CA 96094  
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