

TRINITY COUNTY PLANNING COMMISSION

STAFF REPORT

PROJECT TITLE: Zone Amendment and General Plan Designation Amendment

APPLICANT: Dana Ryan

PROPERTY OWNER: Ryan Dana & Kimberly TST

REPORT BY: Skylar Fisher, Associate Planner

LOCATION: 161 Ransom Rd., Weaverville (APN 024-510-002)

ZONING DISTRICT: Single Family Res. - Low Density (R1A)

GENERAL PLAN DESIGNATION: Single Family Res. - Low Density (SF-L)

PROJECT DESCRIPTION:

The purpose of the project is to rezone the parcel to be within the Multiple Family Zoning District (R3) and to amend the general plan designation to Multi-Family Residential - High Density (MF-H). There are no plans submitted to the County for development at this time.

Location	Land Use	Zoning District	General Plan Designation
North	Residential Single Family/Vacant/Multi-Family Residential	Rural Residential with a 1-acre minimum/Single Family Res. - Low Density/Multi Family Res. - High Density (R3)	Rural Residential/Single Family Res. - Low Density/Multi Family Res. - High Density
South	Vacant/Residential Apartments/Residential Mobile/Manufactured Homes/Residential Single Family/Church	Multi Family Res. - High Density/Rural Residential 1 Acre min/ Duplex Residential District/ Single Family Res. - Low Density	Multi Family Res. - High Density/ Rural Residential/ Multi Family Res. - Med. Density/ Single Family Res. - Low Density
East	Residential Single Family	Single Family Res. - Low Density	Single Family Res. - Low Density
West	Residential Mobile/Manufactured Homes/Residential Single Family	Rural Residential with a 1-acre minimum	Rural Residential

Table 1: Surrounding Land Uses to Project Site

SITE INFORMATION:

The project parcel is located within the community of Weaverville at 161 Ransom Rd. The property is roughly 4.98 acres. The project parcel has a primary access off Ransom Road which meets State Route (SR)-299 roughly 750 feet from the project parcel. The parcel has a general plan designation of Single Family Residential – Low Density (SF-L) and is zoned Single Family Residential Low Density (R1A).

Currently, the project parcel is undeveloped with some foliage on portions of the eastern and western borders of the site. The parcel was graded prior to the applications for rezone and general plan amendment being submitted to the Planning Department.

AGENCY COMMENTS RECEIVED

On March 1, 2022, P-20-20 & P-21-33 were routed for comment by relevant agencies and county departments. Below is a matrix describing who was contacted and what comments were submitted.

Agency/Department Contacted	Response
Assessor's Office	No Comment Submitted
Transportation Department	No Comment Submitted
Building Department	No Comment
Caltrans District 2	No Comment Submitted
Environmental Health	"Proof of sewer connection and capabilities to support project shall be submitted prior to development."
CAL FIRE	No Comment
California Department of Fish and Wildlife	Comments regarding hydrology, avoidance mitigation measures regarding monarch butterfly, nesting birds, and bats, native vegetation in landscaping, inadvertent entrapment of wildlife, lighting, low-impact development, and reporting if special status species are discovered during surveys.
North Coast Regional Water Quality Control	No Comment Submitted
Weaverville-Douglas City Park and Recreation District	No Comment Submitted
Weaverville Fire Department	No Comment
Weaverville CSD	"The Weaverville CSD has a 6" valve on Wrong Road that is tapped off of our 12" main.

	If that fits your required fire flow there will be no need to upgrade our facilities. If you require more flow than a 6” valve can provide then there will be a need for a larger tap off the 12” water main. We have plenty of water to serve an additional 90+ households.”
Trinity Public Utilities District	No Comment Submitted

PUBLIC COMMENTS RECEIVED DURING PUBLIC REVIEW

During the circulation of the draft mitigated negative declaration, there were three comments received from members of the community voicing concern regarding the project. Each voiced concerns regarding transportation impacts of rezoning and amending the general plan designation. The draft Initial Study/Mitigated Negative Declaration estimates that the maximum buildout of 90-units will generate up to 490 trips per day, 32 trips during the peak morning hour and 40 trips during peak evening hour. Given the proximity to SR-299 and the project site being within walking or cycling distance from several commercial services, it was found that there would not be significant transportation impacts if the project parcel was rezoned and had a general plan amendment.

An additional concern within the comments submitted was runoff caused by project parcel development and the necessity of a drainage plan to be prepared. If the site were to be rezoned to R-3, a drainage plan would need to be submitted to the Department of Transportation for review and approval prior to the issuance of building permits, consistent with Trinity County Code (TCC) Section 17.18.110.

Additionally, there was comment submitted voicing concerns on adequate parking for the parcel. Per TCC Section 17.30.090, any parcels with three or more dwelling units must have “Two parking spaces per unit with a maximum credit of .75 per dwelling unit for enclosed garages. Parking for senior housing or group care homes may be reduced by up to 50 percent upon approval of the planning director.”

There was a comment submitted by the Human Response Network (HRN), citing concerns of future multi-family development on the parcel causing potential trespassing on HRN property. Within the letter was a request for any development on the parcel to have a solid fence a minimum of six feet high be constructed along the property line and be maintained in good condition. As the current project does not have site plans/proposed development, it is challenging to require specific development requirements as a condition of approval for a rezone and general plan amendment. The Planning Commission may recommend approval of the rezone and general plan amendment to the board with a development plan review as a condition of the rezoning. Consistent with TCC Section 17.35.070:

“In a rezoning proceeding where a proposed development plan is not provided by the applicant, it may be stipulated as a condition to the rezoning and in order to insure that future development will relate to characteristics of the site and the surrounding area, that no building permit or other construction permit shall be issued for any development of the property rezoned until there has first been review and approval of preliminary and

final site plans by the planning commission. Such review and approval shall be limited to the following:

1. Considerations relating to site layout, the orientation and location of buildings, signs, other structures, open spaces, landscaping and other development features in relation to the physical characteristics, zoning, and land use of the site and surrounding properties.
2. Considerations relating to traffic safety and traffic congestion, including the effect of the site development plan on traffic conditions on abutting streets, the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exists, drives, and walkways, the adequacy of off-street parking facilities to prevent traffic congestion, and the circulation patterns within the boundaries of the development.
3. Considerations necessary to insure that the proposed development is consistent with the general plan and all applicable specific plans.”

AGENCY COMMENTS RECEIVED POST-PUBLIC REVIEW

After the circulation of the IS/MND had concluded, the California Department of Fish and Wildlife (CDFW) submitted additional comments on the project. CDFW requests that proposed mitigation measure BIO-1 which addresses the spread of noxious weeds should be revised to include that there should be a designated area for waste disposal of invasive plant materials, vehicles and equipment should be washed to remove soil, mud, caked dirt, plant parts, seeds, and vegetative parts, and that wastewater should be contained by a wash system.

The originally proposed mitigation BIO-1 is:

“Prior to being brought to and leaving from the property, any heavy equipment used to develop the property shall first be thoroughly washed and inspected for weeds, in order to prevent introduction of new weed species”

The amended proposed mitigation BIO-1 is:

“Prior to being brought to and leaving from the property, any heavy equipment used to develop the property, vehicles, vehicle parts, and underbody of vehicles shall first be thoroughly washed with wash systems of high pressure and low volume and inspected for weeds, in order to prevent introduction of new weed species. Wastewater should be contained by a wash system. Wash residues should be removed from the tracking surfaces of the vehicle being washed before the vehicle exists to prevent contamination to the exiting vehicle. Wash residues shall be contained so that the washed vehicle does not track removed residue from the weed wash containment station. The wash station should be fully operational during the designated assignment.”

PROJECT EVALUATION

In evaluating the proposed rezone and general plan amendment, the following findings were considered:

1. Sound Principles of Land Use.

Finding: The draft IS/MND sufficiently evaluates the potential environmental impacts of rezoning and amending the general plan designation of the project parcel. In addition, as there was not a development proposal as part of the project, the IS/MND evaluates maximum buildout potential to ensure that all potential impacts are evaluated. Evaluation of the project has determined that the project as proposed and mitigated is compatible with the neighborhood character, consistent with the County Zoning Ordinance, and compliant with CEQA.

2. Not Injurious.

Finding: The project, as proposed and mitigated, will not cause detrimental effects to public health, safety, welfare or result in the creation of a public nuisance. Land uses surrounding the project site Vacant, Residential Apartments, Residential Mobile/Manufactured Homes, Residential Single Family, Church It is not anticipated that sensitive receptors will be significantly impacted by potential impacts from the project.

3. Plan Consistency.

Finding: The rezone and general plan amendment of the project parcel was discussed in the 2020 update of the Trinity County General Plan Housing Element. This site was identified with County staff and the Rural Communities Housing Development Cooperation as a potential site for a housing complex in the Weaverville Community. While the project originally anticipated that RCHDC purchase the site for low-income housing developers, that is not part of this project application. Regardless, this site was identified by the Housing Element as an adequate site for multifamily housing.

Project Consistency with the California Environmental Quality Act (CEQA)

As the project is subject to discretionary review by the County Planning Commission and Board of Supervisors, a California Environmental Quality Act (CEA) determination must be adopted as part for the approval. Due to the site conditions, the project does not qualify as exempt. As such, an IS/MND has been prepared and is proposed for adoption pursuant to the CEQA guidelines. The IS/MND identifies mitigation for impacts related to air quality, biological resources, cultural resources, geology and soils, noise, and tribal cultural resources.

As required by CEQA Guidelines Section 15073(d), the CEQA document prepared for the project was sent to the State Clearinghouse and was circulated for review. As required by CEQA Guidelines Section 15072(a), a 'Notice of Availability' was provided to the public, responsible agencies, and trustee agencies, and the County Clerk. As previously stated, comments were received from the California Department of Fish and Wildlife (CDFW) and members of the public. Comments received during public review were incorporated within the draft IS/MND in Appendix F. Based on the comments and proposed revision to BIO-1, there are no new significant environmental impacts identified and no alteration from the original conclusions of the environmental analysis.

The revised CEQA IS/MND can be found online at the County of Trinity website at the following address: <https://www.trinitycounty.org/Planning>

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission continue the item to the next Planning Commission meeting to give staff adequate time the recommended modification of mitigation measure BIO-1 proposed by CDFW.

ALTERNATIVES:

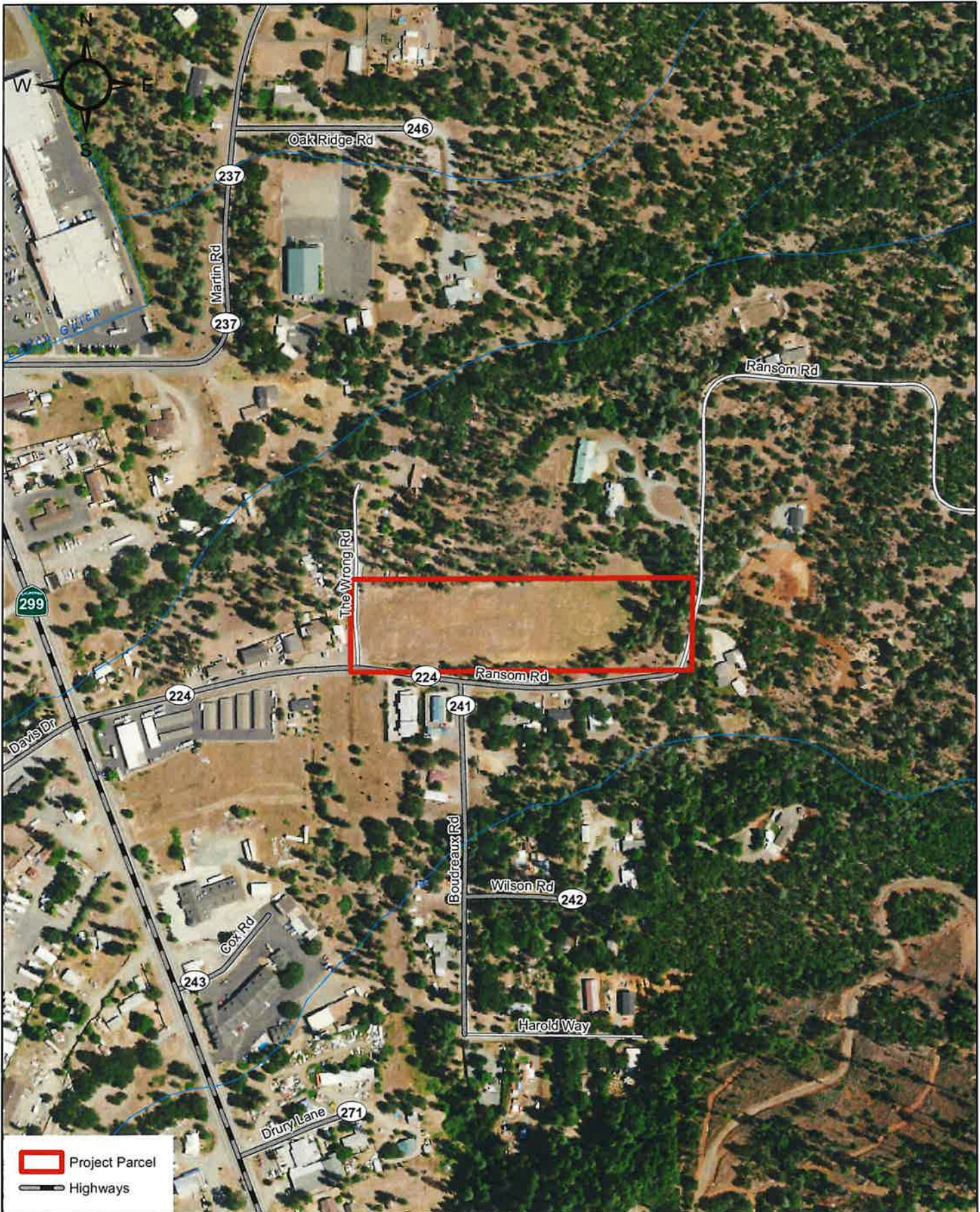
If the Planning Commission does not wish to continue the item, the following alternatives are available:

1. The Planning Commission recommend that the Board of Supervisors, based on findings in support:
 - A. Adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration and the Mitigation, Monitoring, and Reporting Program (MMRP) with or without the amended mitigation measure BIO-1;
 - B. Amend the Zoning District for the property from Single Family Residential – Low Density (R1A) to Multiple Family District (R-3 District) and amend General Plan designation for the property from Single Family Residential – Low Density (SF-L) to Multi-Family Residential – High Density (MF-H) with or without a plan review (PR) overlay on APN
 - C. Approve applications P-20-20 and P-21-33
2. The Planning Commission recommend that the Board of Supervisors:
 - A. Do not adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration and the Mitigation, Monitoring, and Reporting Program (MMRP) with the original mitigation measure BIO-1;
 - B. Do not Amend the Zoning District for the property from Single Family Residential – Low Density (R1A) to Multiple Family District (R-3 District) and amend General Plan designation for the property from Single Family Residential – Low Density (SF-L) to Multi-Family Residential – High Density (MF-H)
 - C. Deny applications P-20-20 and P-21-33

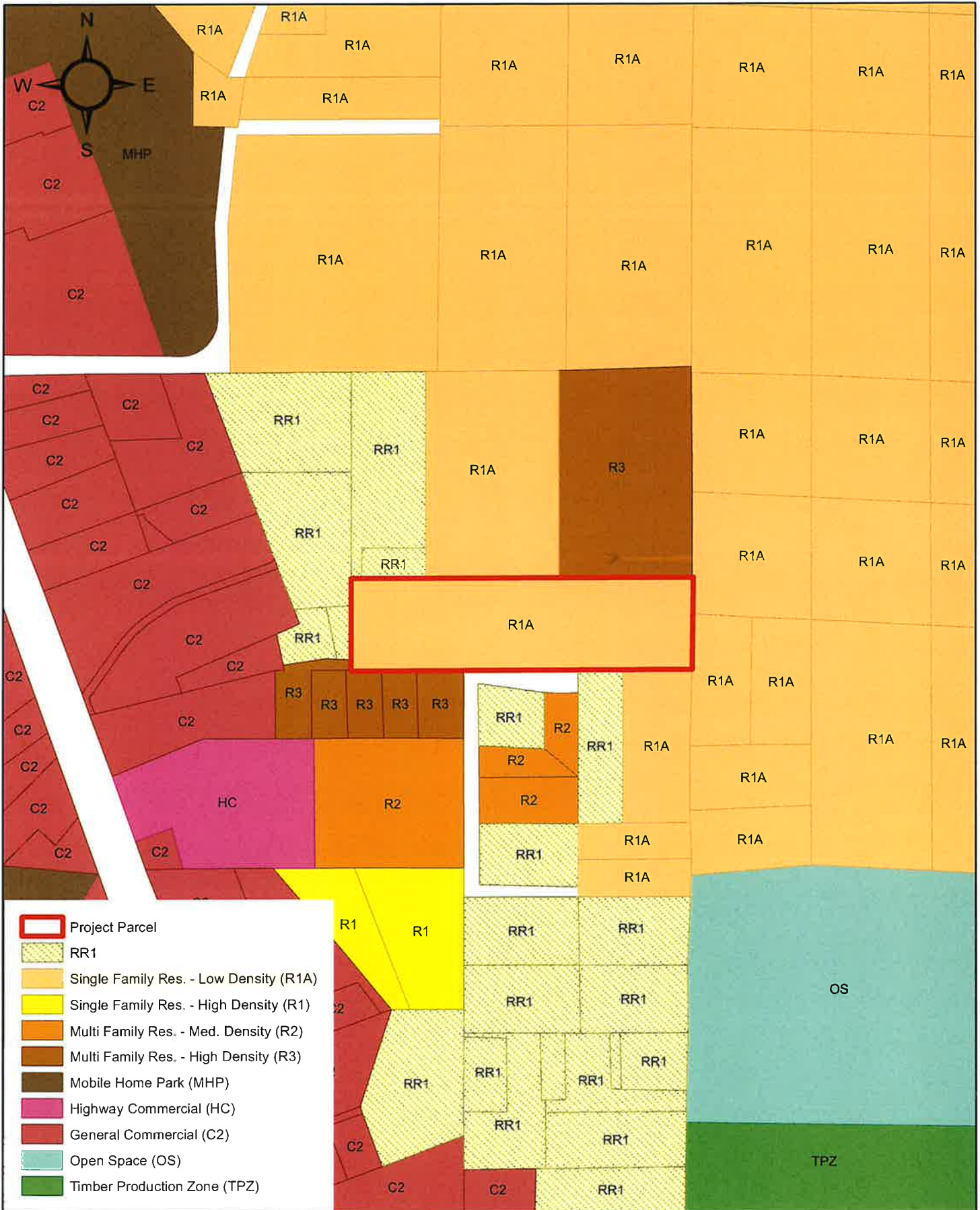
ATTACHMENTS:

- A. Location Map
- B. Zoning Districts Map
- C. General Plan Designations Map

P-20-20 & P-21-33 Location Map Attachment A



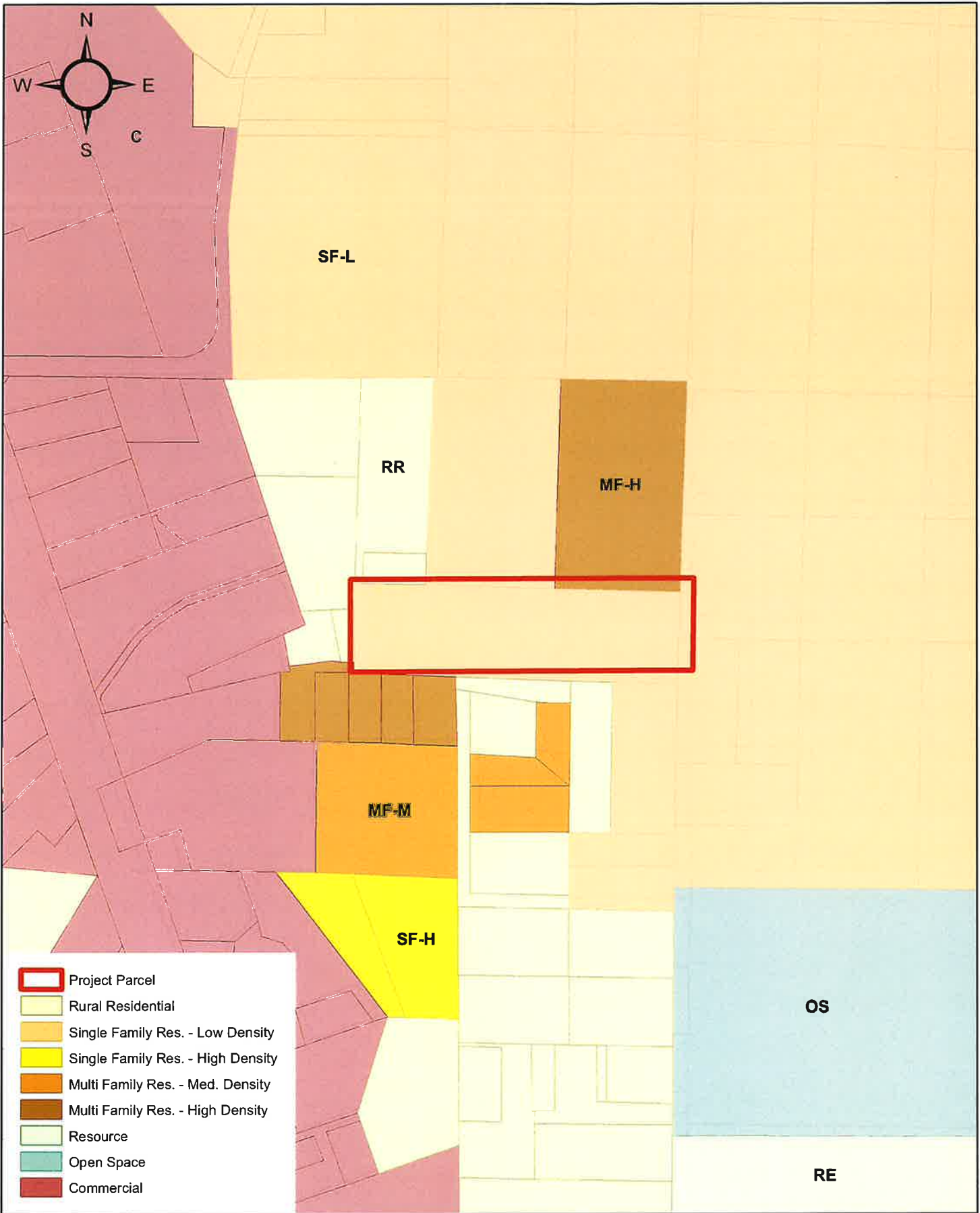
P-20-20 & P-21-33 Zoning Districts Map












- Project Parcel
- RR1
- Single Family Res. - Low Density (R1A)
- Single Family Res. - High Density (R1)
- Multi Family Res. - Med. Density (R2)
- Multi Family Res. - High Density (R3)
- Mobile Home Park (MHP)
- Highway Commercial (HC)
- General Commercial (C2)
- Open Space (OS)
- Timber Production Zone (TPZ)

0 140 280 560 840 Feet

P-20-20 & P-21-33 General Plan Designations Map



-  Project Parcel
-  Rural Residential
-  Single Family Res. - Low Density
-  Single Family Res. - High Density
-  Multi Family Res. - Med. Density
-  Multi Family Res. - High Density
-  Resource
-  Open Space
-  Commercial

