

TRINITY COUNTY PLANNING COMMISSION

Regular Meeting
Thursday, April 14, 2022
Trinity County Library Conference Room
351 Main St. Weaverville, CA

Chairman William Sharp
Vice Chairman Duncan McIntosh
Commissioner Carol Fall
Commissioner Rory Barrett
Commissioner Todd Heaton

PLANNING COMMISSION MEETING MINUTES

***NOTE:** The public was invited to attend the public hearing via Zoom Link.

Commissioners present: William Sharp, Duncan McIntosh, Carol Fall, Rory Barrett, and Todd Heaton

Staff Present: Interim Director Lisa Lozier; Cannabis Division Director, Sean Connell; Margaret Long, County Council; Asst. Planner Skylar Fisher; Heidi Tschudin, Tschudin Consulting Group; Admin. Coordinator-Planning Deborah Rogge; and Admin. Coordinator-Cannabis, Melissa Metrivski

CALL TO ORDER:

Chairman Sharp called the meeting to order at 6:00 p.m.

PUBLIC COMMENT: During the Public Comment period members of the public may address the Planning Commission on any matter not listed on the agenda that is within the subject matter jurisdiction of the Planning Commission.

Public comment opened at 6:02p.m.

Speakers were, Chriss Williams-Weaverville; Laurel Dumer, Trinity County; Krasimir Vordanov, Hyampom; John Brower, Junction City; and being there were no other speakers public comment was closed.

Commissioner McIntosh and Chair Sharp asked staff for information to re-enact the Subdivision Review Committee and issues to project backlogs. Lisa Lozier made a statement as to why projects are not being worked on as quickly as the public and commission would like, and that the Trinity County Subdivision Ordinance outlines who sits on that commission.

REGULAR CALENDAR:

Item 1: MINUTES: Approve meeting minutes from February 24, 2022.

By motion made and seconded (McIntosh/Heaton) 5-0 to approve the minutes of the February 24, 2022 Planning Commission meeting as stated.

Item 2: TENTATIVE PARCEL MAP (P-20-40): A request to divide a 3.27-acre parcel into two resulting parcels of approximately 2.04 acres and 1.23 acres for residential use. Access to the project site is from Reservoir Road and State Highway 3 approximately 500 feet northeast of the intersection of State Highway 3 and North Street, Weaverville. Assessor Parcel Number 024-380-034-000. Applicant: P Scribner, Planner: L Lozier *Continued from March 10, 2022*

Public comment was heard from Gabe Joslyn-applicant representative; and being there were no other speakers public comment was closed.

By motion made and seconded (Fall/Heaton) and approved 5-0 by roll call vote: I move the Planning Commission approve the project with the findings included in Resolution PC-2022-04 with revised condition #7 and striking condition #9 in the conditions of approval.

Roll call vote: Heaton-aye; Fall-aye; Barrett-aye; McIntosh-aye and Sharp-aye

Item 3: GENERAL PLAN CONSISTENCY DETERMINATION FOR EASEMENT AGREEMENT UNDERGROUND BROADBAND INFRASTRUCTURE IN/AROUND COOPER BAR ESTATES, JUNCTION CITY

The purpose of this agenda item is for the Planning Commission to make a recommendation to the Board of Supervisors regarding a General Plan consistency determination of Vero Fiber Networks purchase of an easement from Trinity County for the purposes of installing underground Broadband utilities from Highway 299 to Chimariko Road, through one (1) private parcel. APN: 009-510-44-00; Owner: Trinity County; Address: 191 Lime Point Rd, Junction City *Continued from March 10, 2022*

Public comment was opened and being there were no speakers' public was closed.

By motion made and seconded (Fall/Heaton) and approved 5-0 to remove Item 3 from the agenda.

Item 4: RESOLUTION ADOPTING GUIDELINES FOR THE ESTABLISHMENT OF COMMERCIAL CANNABIS IN OPT OUT AREAS and ORDINANCE AMENDING TITLE 17 (ZONING) OF THE TRINITY COUNTY CODE TO CREATE AND APPLY A CANNABIS EXCLUSION OVERLAY DISTRICT The purpose of the public hearing is to seek a recommendation from the Planning Commission to the Board of Supervisors regarding the proposed adoption of a resolution establishing guidelines for the creation of commercial cannabis opt out areas and an ordinance establishing a cannabis exclusion overlay zone district to permanently identify and regulate opt out areas.

In addition to creating the new Cannabis Exclusion Overlay district, the proposed ordinance would apply the overlay to all properties within the Rush Creek Estates and Lewiston Expansion urgency opt out areas, thus permanently establishing the opt outs in those areas. It would also apply the Cannabis Exclusion Overlay to the other areas specifically called out in the Commercial Cannabis regulations (Trinity County Code, Section 17.43.050):

- Whiskeytown-Shasta-Trinity National Recreation Area
- Lease lots within the Ruth Lake Community Service District
- Weaverville Community Services District
- Coffee Creek Volunteer Fire District
- Trinity Center Community Services District
- Bucktail Subdivision
- Specified area of Lewiston Community Services District: Mt. Diablo Meridian, Township 33N, Range 8W, Sections 17, 18, 19, 20, and Mt. Diablo Meridian, Township 33N, Range 9W, Section 24, 13
- Weaverville Historic District

The proposed Resolution and Ordinance fall within the scope of the Cannabis Program EIR which was certified by the Trinity County Board of Supervisors on December 21, 2020, by Resolution 2020-10. A Notice of Exemption may be considered for this project.

Public comment was heard from Chriss Williams, Weaverville; Tom Ballanco, Douglas City; Sally Barrow, District 1; Rhoda Cain, District 1; Matthew Jefferson, Coffee Creek; Lisa Wright, Lewiston; John Brower, Junction City; Adrian Keys, Hayfork; Chris Parken, Bear Creek; Amber Cypress, Weaverville; on ZOOM: Liz McIntosh, Junction City; Nancy Anderson, Lewiston; Daniel Cucchi, Sacramento-Abbott and Kinderman; Ryan Tarbell, Hayfork; Karla Avila, Hyampom; Jake Grossman, Hayfork; Carolyn, Lewiston; Laurie Wills, Lewiston; Jeff Ghidella, Zenia; and being there were no other speakers public comment was closed.

8:31 Planning Commission took a 10-minute recess. 8:43 meeting was re-adjourned.

By motion made and seconded (McIntosh/Barrett) to add grandfathering into our recommendation that properties that have signed up for waterboard permits by dates outlined in 17.43.050 A #4 & #7 be automatic.

Motion rescinded by Commissioner McIntosh.

By motion made and seconded (McIntosh/Barrett) a motion to continue this discussion to a future date when staff can provide the information we are asking for to provide a concise document.

Subsequent motion made and seconded (Sharp/Fall) and approved 3-2 by roll call vote: That the Planning Commission make the following recommendations to the Board of Supervisors:

1. Find that adoption of the proposed Resolution and Ordinance falls within the scope of the Cannabis Program EIR certified by the Board of Supervisors on December 21, 2020 (Resolution 2020-10).
2. Adopt Attachment A, A Resolution of the Board of Supervisors of the County of Trinity Adopting Guidelines for the Establishment of Commercial Cannabis Opt Out Areas.
3. Adopt Attachment B, An Ordinance of the Board of Supervisors of the County of Trinity Amending Title 17 (Zoning) of the County Code to Create and Apply a Cannabis Exclusion Overlay Zone District.
4. Direct staff to file a CEQA Notice of Exemption (NOE) within five days of adoption by the Board of Supervisors.

Additionally, the Commission requests clarity on what is 'good standings.' I would like to add in those good standing that grandfathering be clarified that it is; an active waterboard license before the date specified in the opt-out ordinances as they stand and is or has been actively seeking a license from the state and county.

Commissioner Fall second the motion upon acceptance of a modification of language to Exhibit A # 3-C; the word 'cultivation' be added in front of the word 'footprint'. Commissioner Sharp accepted the language modification. Commissioner Fall also requested that non-retail storefront and micro business be allowed in opt-out areas. Commissioner Sharp accepted the amendment.

Roll call vote: Fall-aye, Sharp-aye, McIntosh-no, Heaton-aye, Barrett-no

PLANNING COMMISSIONERS REPORT:

Commissioner Fall explained her position and concerns with the approval of the Retail Storefront Ordinance, and all other ordinances due to the feedback she received. That she is not against it, but concerned that the public has whole is able to express comment to an ordinance and/or project.

PLANNING DIRECTOR'S REPORT:

Interim Director Lozier commented to the Commissions desire to streamline project processes, or changing a current process to be a permitted process, and having more review time and information. She detailed current staffing level, and what can be done to make staff's job and a project move more efficiently. She also commented to upcoming calendar item for Limited Density Rural Dwellings.

ADJOURNMENT:

The Planning Commission adjourned at 10:03 pm.

Submitted by: Deborah Rogge, Administrative Coordinator



**Lisa Lozier, Interim Director
Secretary of the Planning Commission**