



**TRINITY COUNTY**  
**COMMUNITY DEVELOPMENT SERVICES**  
BUILDING ♦ PLANNING ♦ ENVIRONMENTAL HEALTH  
P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093  
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Kim Hunter, Director

**MEMORANDUM**

DATE: Wednesday, January 8, 2020  
TO: Members of the Planning Commission  
FROM: Bella Hedtke, Associate Planner *BH*  
SUBJECT: Agenda Item 4 – Conditional Use Permit (Henschke, P-19-18)

The purpose of this memo is to revise the Item 4 staff report, Draft Resolution 2020-02 and Conditions of Approval to include recent comments from USFS (Shasta-Trinity National Forest) that were received after the publication of the staff report.

As stated on Page 2 of the Item 4 staff report, Planning Staff was awaiting a response from USFS (Shasta-Trinity National Forest) staff regarding this project. Staff received the attached comment from USFS on Monday, January 6, 2020.

With this memorandum, staff revises two components of the Item 4 staff report:

- A. Given USFS's comment was received, staff has determined that continuation of this item is no longer necessary. Staff's recommendation, found on Pages 2 and 3 of the staff report, shall be revised to say:

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission make the following motion to approve this project:

- 1) Approve the attached Resolution 2020-02 for Conditional Use Permit (Henschke, P-19-18), subject to the findings and conditions of approval as stated in Resolution 2020-02 that was included with the subsequent memorandum dated January 8, 2020.
- B. Condition #7 and Condition # 8 of Resolution 2020-02 has been revised to include the requirements stated in USFS's comment.

Attachments:

1. USFS: Shasta-Trinity National Forest Staff Comments
2. Amended Draft Resolution No. 2020-02 and Conditions of Approval

## ATTACHMENT 1

**Bella Hedtke**

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**From:** Wrenn, Lisa -FS <lisa.wrenn@usda.gov>  
**Sent:** Monday, January 6, 2020 10:27 AM  
**To:** Bella Hedtke  
**Cc:** Hall, Thomas B -FS  
**Subject:** FW: EXPEDITED Comments Requested  
**Attachments:** P-19-18 M. Hensche RFC Packet Final.pdf

Bella,

The Forest Service has reviewed the request for Ms. Hensche. The only comments the Forest Service has are the following:

- all water being utilized from Buckhorn Creek are within her private property and no water will be utilized from National Forest System lands and;
- Ms. Hensche will need to apply for a Special Use Authorization from the Forest Service for the use of Forest Road 4N09.

If you have any questions, please contact me at 623-1744 or by email at [lisa.wrenn@usda.gov](mailto:lisa.wrenn@usda.gov)

Lisa Wrenn  
Lands and Special Uses Officer  
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Caring for the land and serving people

**RESOLUTION NO. 2020-02**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY  
APPROVING CONDITIONAL USE PERMIT  
(Henschke, P-19-18)**

**WHEREAS**, the Planning Commission, on January, 9, 2020, held a public hearing and considered all written and oral comments regarding the request for approval of a Conditional Use Permit for a Single-Family Dwelling and Accessory Structure for the property located on at 10410 Forest Service Rd 4N09, Hyampom (Applicant: Monika Henschke, APN: 011-100-02-00); 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**, a public hearing held on January 9, 2020, was noticed in accordance with applicable laws; and

**WHEREAS**, the Planning Commission has considered the effects that approval of the proposed project, including the change to the zoning and the subdivision which they have concluded would have a beneficial effect on addressing the housing needs of Trinity County and has balanced these needs against the public service needs of residents, and available fiscal and environmental resources.

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

1. Makes the following environmental findings:
  - A. The project is categorically exempt pursuant to Section 15303 (Class 3) of the CEQA Guidelines, exempting New Construction or Conversion of Small Structures.
2. Makes the following findings for the Use Permit:
  - A. As conditioned, this Conditional Use Permit allows a land use entitlement (a single-family dwelling and accessory structures) that is an allowable use, a Use Permit, in the Timberland Production Zoning District (per TC Zoning Ordinance 315 § 14.1.C.). This use permit, if approved by the Planning Commission, will be granted upon sound principles of land use.
  - B. As conditioned, this Conditional Use Permit will not be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance.
  - C. As conditioned, this Conditional Use Permit is consistent with the General Plan Designation (Resource) that the subject parcel is within. A single-family dwelling, when conditioned properly, is a supportive activity to Timberland Production.
3. Approved Conditional Use Permit P-19-18, subject to the conditions set forth in Exhibit A to this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 9<sup>TH</sup> day of January, 2020 by the Planning Commission of the County of Trinity by motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and the following vote:

Resolution No. 2020-02  
January 9, 2020

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  
RECUSE:

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DAN FRASIER, Chairman  
Planning Commission  
County of Trinity, State of California

ATTEST:

By: 

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KIMBERLY HUNTER  
Secretary of the Planning Commission  
County of Trinity, State of California

**EXHIBIT “A” to Resolution PC-2020-02**  
**USE PERMIT**  
**CONDITIONS OF APPROVAL**  
(Henschke, P-19-18)

The following conditions of use permit approval shall be satisfied prior to the issuance of any building permits, unless a different time for compliance is specifically noted:

**Planning Department**

1. If the applicant ever were to implement a Timber Management Plan or Timber Harvest Plan, they must adhere to the following provision found in TC Zoning Ordinance 315 § 14.1.H.: Buildings shall not be located on landings, roads, or storage areas as shown on the Timber Management Plan, or Timber Harvest Plan. The placement of the proposed structure shall be reviewed related to compatibility with the growing and harvesting of timber by Planning Staff after consultation with the State Department of Forestry.
2. All buildings must be located in the area identified on the site plan as shown in Attachment 2. Location changes will be evaluated by the Planning Director per TCC 17.32.060.

**Building Department**

3. All structures are required to obtain building permits.

**Environmental Health Division**

4. Onsite wastewater treatment system will be required (septic system) prior to construction.

**CALFIRE**

5. Any development of habitable structure on this property would require compliance with the California Fire Safe Standards PRC 4290.
6. If the applicant plans to harvest or remove timber for the purpose of sale, barter, exchange, trade or conversion, they may need a State approve Timber Harvest Plan as per Public Resources Code 4581.

**USFS (Shasta-Trinity National Forest)**

7. All water being utilized from Buckhorn Creek are within private property.
8. Apply for and obtain a Special Use Authorization from USFS for the use of Forest Road 4N09.

**END OF CONDITIONS**

**NOTE:** Approval of this use permit will expire on January 24, 2022. Any request for a time extension and accompanying fees must be received by the Trinity County Planning Department 30 days prior to this expiration date.