

**RESOLUTION NO. PC-2009-05**

**ADOPTED BY THE TRINITY COUNTY PLANNING COMMISSION  
A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING  
A TENTATIVE MAP FOR HOLLISTER  
(P-09-26)**

**WHEREAS, the Planning Commission, on October 8, 2009, held a public hearing on the request for approval of a tentative map for property located at 1281 Carrville Loop Road, Coffee Creek area; and**

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

**WHEREAS, the Planning Commission has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration; and**

**WHEREAS, the Planning Commission has considered the effects that approval of the proposed subdivision would have on 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 BY THE SUBDIVISION REVIEW COMMITTEE OF TRINITY COUNTY THAT:**

- 1. The Negative Declaration has been prepared in compliance with CEQA, State and County Guidelines, and the Commission has reviewed and considered the information contained therein.**
- 2. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision.**
- 3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the County General Plan, and Section 16.12.150 of the Subdivision Ordinance, and Fire Safe Ordinance 1162.**
- 4. The discharge of waste from the proposed subdivision will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board.**
- 5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.**
- 6. Under Zoning Ordinance Section 30.3, the finding is made that the proposed parcel sizes are consistent with allowable land uses as provided by the Rural Residential zoning and General Plan designation. The**

smallest parcel size allowable under Rural Residential is one acre. The smallest parcel, Parcel 1 is 1.1 acres.

7. The proposed lot sizes are consistent with Environmental Health Department standards for usable area, water supply source and sewage disposal capability as provided in the Trinity County Subdivision Ordinance.
8. The proposed subdivision configuration and parcel sizes provide an efficient design with consideration of the site's topography and gulches, slope stability, natural resources management, critical wildlife habitats, protection of water quality, sewage disposal needs, access/road location and usable area.
9. The proposed subdivision will not provide for future subdivision potential capable of creating a total number of parcels greater than that permitted by the current zoning and general plan density standards.
10. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions, which must be satisfied prior to the filing of the parcel map unless a different time for compliance is specifically noted:

A. Roads

- 1) The access road that serves Parcels 3, 4, and the Remainder shall conform to a Category D road design standard or Fire Safe Ordinance standard, whichever is greater, from Boulder Lakes Road to the corner of Parcels 3, 4, and the Remainder. An easement for this road shall be offered and shown on the map.
- 2) All encroachments onto Carrville Loop Road (County Road No. 152) shall conform to Department of Transportation standards. An Encroachment Permit is required for the existing encroachment on the Remainder parcel, and the work shall be completed prior to recording the map.

B. Sewage Disposal

Sewage disposal testing shall be performed on Parcels 1-3 prior to parcel map recordation. The test results shall be reviewed and approved by the Director of Environmental Health prior to the recordation.

C. Building Permit

Prior to recording the parcel map, open Building Permits BP 8271 (for the dwelling) and BP 9370 (for a room addition) shall be Finalized.

**D. Wetland Setbacks**

- 1) A fifty-foot (50') non-development, non-disturbance buffer shall be shown on the parcel map around the pond on Parcel 3 and the Remainder Parcel. The buffer shall be labeled "Non-Development, non-disturbance Buffer".
- 2) A fifty-foot (50') non-development, non-disturbance buffer shall be shown on the parcel map each side of the Grouse Spring drainage ditch. The buffers shall be labeled "Non-Development, non-disturbance buffer".

**E. Rezone**

The rezone to Rural Residential two and one-half -acre minimum (RR 2.5) shall be approved by the Board of Supervisors prior to recordation of the map.

**F. Notice of Environmental Constraint**

A Notice of Environmental Constraint shall be recorded which includes the language listed below. The Notice shall be submitted to the Planning Director for review and approval prior to being notarized and recorded.

- 1) A Grading, Drainage and Erosion Control Plan shall be prepared for development of the buildign sites on Parcels 1, 2 3 and 4. The plan shall provide a drainage analysis for any culverts to be installed. The Plan shall also show how any grading or drainage revisions will affect neighboring properties and how that will be addressed. The Plan shall be submitted for review and approval to the Trniity County Department of Transportation for reivew and approval prior to any earth disturbance on the parcels, or issuance of building permits.
- 2) There is a 50-foot non-development, non-disturbance buffer around the pond on Parcel 3 and the pond on the Remainder Parcel. There is also a 50-foot buffer that extends each side of Grouse Spring drainage ditch. These buffers are for the protection of protected plant species. No development or disturbance of the gound shall occur within these buffer areas wthout prior written approval by the California Department of Fish and Game.
- 3) 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 within 100 feet of the area. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified

immediately, and an archaeologist consulted to determine if the find is significant and make recommendations for appropriate mitigation. 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.

- 4) 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 within 100 feet of 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.
- 5) An Encroachment Permit is required for access onto State Highway 3 from Caltrans for development of Parcel 4. An Encroachment Permit is required for access onto Carrville Loop Road from the County Department of Transportation for development of Parcels 1 and 2. These permits are required at the time Building Permits are being obtained. State Encroachment Permits do not transfer to new owners. Therefore, each subsequent owner of Parcel 4 must obtain their Caltrans Encroachment Permit.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

---

CHAIRMAN – Keith Groves

---

Secretary of Trinity County  
Planning Commission

NOTE: With a legislative extension granted by SB 1185 and AB 333, the approval of this tentative map will expire on **October 8, 2014**. Any requests for a time extension must be received by the Trinity County Planning Department 30 days prior to this expiration date.