

**TRINITY COUNTY PLANNING COMMISSION STAFF REPORT  
PARCEL MAP EXTENSION OF TIME**

**APPLICANT:** Camron Holmgren

**OWNERS:** Stephen and Susan Adams and Camron Holmgren

**PROJECT DESCRIPTION:** The project applicant, Cameron Holmgren, is requesting a Modification of Subdivision consistent with Trinity County Subdivision Ordinance Section 16.50 for the Adams Subdivision (P-11-22) originally approved on October 11, 2012 per Resolution SCR-2012-02. The Applicant is requesting post approval for modifications to two conditions related to access, conditions

**LOCATION:** The project is located at Van Duzen Road, approximately 6.8 miles south of the intersection of Van Duzen Road and State Highway 36 at Scott Glade, in the Mad River area.

**ASSESSOR PARCEL NUMBER:** 018-210-016-000

**GENERAL PLAN DESIGNATION:** Resource (RE)

**ZONING DISTRICT:** Ag Forest (AF)

**EXISTING LAND USE:** Residential

**BACKGROUND DISCUSSION:**

**Subdivision Map P-11-22:** Tentative Subdivision Map P-11-22 was originally approved on October 11, 2012 by Resolution Number SCR-2012-02 including findings and conditions for the orderly development of a proposed 3-parcel subdivision with parcels approximately 40 acres in size. Proposed parcels 1 and 2 are currently developed with residences. The original approval granted in October 11, 2012 was set to expire on October 11, 2014.

**Extension Of Time:** The California Subdivision Map Act and Trinity County Subdivision Ordinance allow for extensions to the original two-year approval at the discretion of the approving authority when the extension of time has been requested and filed prior to the date of expiration. The owners, have timely filed for the necessary extensions of time in order to complete the required conditions of approval. This Tentative Parcel Map has also been the benefited from additional extensions of time granted by the Governor of California. The most recent request for extension of time was granted in September of

2019 for two years with the intent of resolving the remaining access conditions and for application of request for post modification (Attachment 5). Mr. Holmgren reported in 2019 that required improvements are nearly complete and that an extension is necessary to avoid any potential for the map to expire prior to resolving the final details.

**Request For Modifications of Conditions:** In September of 2020, project applicant and owner Cameron Holmgren in conjunction with property owners Stephen and Susan Adams submitted application (P-20-48) as a formal request for the Planning Commission, as the Advisory Agency, to review the proposed post modification of conditions related to road construction in order to finalize and record Tentative Subdivision Map (P-11-22) The post modification request is specific to two conditions: In Section C. Access: conditions 4d and e as listed below. The specifics of the applicant's request are detailed in Attachment 2. Adams Subdivision (P-11-22) Post Modification Request.

Condition 4d: The roadway structural section must be constructed to a minimum width of 18 feet. The minimum inside curve radius for all curves must be 50'. All curves with a radii less than 100' must have a minimum roadway width of 20', and all curves with inside radii between 100' and 200' must have a minimum roadway width of 22'.

Condition 4e: The Maximum allowable road grade is 12% and the minimum allowable grade is 1%. The maximum allowable grade may be increased to 14% for short distance if approved by the road department.

Prior to granting any modification, The Advisory Agency shall make the all of the following findings:

- A. That the property to be divided is of such size and shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable in the particular case to conform to the strict application of these regulations.

Response: Based on the opinion of the Contractor hired to complete road work states that additional road work could be detrimental to adjacent water courses and geological conditions and would be impractical to conform to the strict application of the County Road design.

- B. That the Cost to the subdivider of strict or literal compliance with the regulation is not the sole Reason for granting the modification.

Response: While the property owner has expressed that a significant investment has been made in order to complete the required improvements, they are not requesting that the modifications due to cost prohibitive conditions. Comments submitted by the project engineer on the Post Modification Request state that meeting the conditions as currently required would be infeasible based on the amount of grading necessary impractical based on the potential

for potential environmental damage to adjacent water courses and geological damage.

- C. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity.

Response: Approved Subdivision Map conditions proposed for modification impact proposed parcels 1 and 2 which are already developed with existing residences and would only be used by the existing residents. The modifications as proposed would not be detrimental to the health, safety and welfare of other properties in the vicinity of the proposed project.

- D. That granting the modification is in accordance with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the County.

Response: The modifications as proposed directly affect the existing residential development on parcels 1 and 2 of the approved Tentative Subdivision Map. The residences were in place prior to the application of the approved Map P-11-22 and the conditions proposed require roads to meet the County Standards for roads that serve two or more parcels. The intent for conditioning subdivisions as set out in Section 16.04.021 Intent and Purpose of the Trinity County Subdivision Ordinance, sub-section (N)

“To ensure that, insofar as possible, Land is subdivided in a manner that will promote the public health, safety and convenience, and general welfare in conformance with the General Plan”.

The applicant's letter has presented a compelling argument in (Attachment 2) that “the modifications as proposed comply with the intent of the road standards which is to ensure adequate emergency and private access, stability of construction, and drainage adequacy”. The applicant has also provided a letter from CAL-FIRE dated 06.05.2020 stating that a verbal approval was granted by Battalion Chief Whitehurst; however, the CAL-FIRE letter also states that the County Road Department may have issues with the road.

At this time planning staff has not received a confirmation from Department of Transportation that the subdivision modifications as proposed would meet the intent of the conditions or would provide equivalent mitigation as the original Mitigation Measure XVI: 3, d and e. which is the basis for the conditions of approval. In the case of condition 4e the maximum grade is 14% but only approval of road department. The applicant does not discuss how the 14.5% grade might be achieved consistent with the Road Standards. Providing a statement that a project is consistent with the General Plan is dependent compliance with the Ordinances adopted to which provide the specific parameters or “Conditions” of compliance.

**ENVIRONMENTAL DETERMINATION:** Based on the information provided to staff for review and consideration, the proposed request for modification will not pose any significant additional new environmental impacts which have not previously been evaluated in the Mitigated Negative Declaration as Mitigation Measures XVI; 3, d and e prepared for Tentative Parcel Map P-11-22 and adopted with Resolution SCR 2012-02 as conditions of approval; Access: C, 4d and e. However; should mitigation measures be modified a determination from the from the agency which recommended the mitigation measure (DOT) should also provide a statement that the mitigation as revised achieves the same intended mitigation as the original.

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission adopt Resolution PC-2021-06 and deny the request for Subdivision Modification (P-20-48) based on insufficient evidence that required finding D has been met.

**ALTERNATIVES:**

1. The Planning Commission may direct staff to prepare modifications to the resolution.
2. The Planning Commission may request continuance and request for additional information.

**ATTACHMENTS:**

1. Resolution PC-2021-06
2. Post Modification Request and supporting documents
3. Resolution SRC-2012-02 (approval for Adams P-11-22)
4. Project Location Map
5. Resolution and Memorandum 09-12-2019 Extension of Time

ATTACHMENT 1

**RESOLUTION NO. PC-2021-06**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY**

**WHEREAS**, the Planning Commission of the County of Trinity has considered a request for Post Approval Subdivision Modification (P-20-48) for Approved Tentative Subdivision Map (P-11-22), Assessor Parcel Number 018-210-016-000, filed by property owners Stephen and Susan Adams and Cameron Holmgren. The request for subdivision modification effects two conditions in Section C, Access: 4d and e. of Resolution SRC-2012-02; and

**WHEREAS**, said Subdivision Modification request was referred to various affected public and private agencies, County departments, and referral agencies for review and comments; and

**WHEREAS**, a duly noticed public hearing was held on April 8, 2021; and

**WHEREAS**, the Planning Commission of the County of Trinity has considered public comments and a report from the Planning Department.

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

1. Based on the information provided to staff for review and consideration, the proposed request for modification will not pose any significant additional new environmental impacts which have not previously been evaluated in the Mitigated Negative Declaration as Mitigation Measures XVI; 3, d and e prepared for Tentative Parcel Map P-11-22 and adopted with Resolution SCR 2012-02 as conditions of approval. Mitigation Measures may be revised if the proposed mitigation (Condition Modification) achieves the same intended mitigation as the original.
2. Makes the following findings for the Subdivision Modification request:
  - a. The applicant has stated that due to the particular physical characteristics of the property that additional road work could be detrimental to adjacent water courses and geological conditions and would be impractical to conform to the strict application of the County Road design.
  - b. That the Cost to the subdivider of strict or literal compliance with the regulation is not the sole Reason for granting the modification. While the property owner has expressed that a significant investment has been made in order to complete the required improvements, they are not requesting that the modifications due to cost prohibitive conditions.
  - c. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity. The modifications as

proposed would not be detrimental to the health, safety and welfare of other properties in the vicinity of the proposed project.

- d. That granting the modification cannot be determined to be consistent with the intent and purposes of these regulations or with the General Plan or with all other applicable Specific Plans of the County. Staff has not received confirmation from Department of Transportation or specific evidence that the subdivision modifications as proposed would meet the intent of the conditions or would provide equivalent mitigation as the original Mitigation Measure XVI: 3, d and e.
3. Denies Post Approval Subdivision Modification Request P-20-48, subject to finding D, that insufficient evidence has been provided that the requested modifications would still fall within acceptable guidelines of the General Plan consistent with the Trinity County Subdivision Ordinance.

**DULY PASSED AND ADOPTED** this 11<sup>th</sup> day of March, 2021 by the Planning Commission of the County of Trinity by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

---

DIANA STEWART, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:

Kim Hunter  
Secretary of the Planning Commission

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

# Adams Subdivision (P 11-22) Post Modification Request

9/25/2020

Dear Trinity County Representative:

The Adams Subdivision (P 11-22) applicants Steve Adams, Susan Adams and Cameron Holmgren are requesting a Post Modification per Section 16.50 of the Subdivision Ordinance to be approved by the Trinity County Planning Commission to allow for Final Map Approval.

All Adams Subdivision P 11-22 tentative map mitigations and conditions have been completed with the exception of (C. Access:4d. and e). The applicants are requesting a Post Modification for these two conditions.

(d. The roadway structural section must be constructed to a minimum width of 18 feet. The minimum inside curve radius for all curves must be 50'. All curves with inside radii less than 100' must have a minimum roadway width of 20', and all curves with inside radii between 100' and 200' must have a minimum roadway width of 22'.)

**Engineers Response:** As far as the alignment curves go, there are three(see attached map) that do not meet the Conditions of Approval; however, the roadway in those particular areas are up to 40'-50' wide, and minimally approximately 30' wide where the inside radius less than 50' (at minimum 6' wider roadway width than the required 22', and up to 28 feet wider than the required).

(e. The maximum allowable road grade is 12% and the minimum allowable grade is 1%. The maximum allowable grade may be increased to 14% for short distances if approved by the road department.)

**Engineers Response:** All of the roadway cross-slopes and widths meet the Conditions of Approval. There are only three areas where the profile grade (slope) insignificantly exceeds 14% (but *only* up to 14.5%). The largest area is just under 600' in length, and the other two are 150' and 30' respectively. It is the opinion of this office this minor exceedance is insignificant to the intent of the standards and creates no access hazards.

The particular nature of this road and the terrain it traverses are challenging with respect to the road standards in a few areas. A minor change of a few feet in elevation or curvature causes a domino effect... if made to comply to the road standards in the few areas that are deficient, it would require a counterproductive and infeasible amount of grading that would have negative impacts to stability of the entire area. A strict compliance to the road standards for this project is onerous and engineeringly impractical. The conditions of this driveway/road both by initial visual observation and by preliminary measurement and plans (tentative map) is so close to being compliant, that it was not apparent during the tentative map phase (the only approved plans) that it couldn't feasibly *strictly* comply with the standards. Additionally, it is assumed that particular minor deficiencies that do exist with respect to those standards would not hinder approval of the project when there are justifications and/or mitigated measures as described herein.

*Attachment 2*

This is a two residence road and it's been there for essentially three years in its current as-built state. The drainage has proven adequate during recent heavy winter and the roadway has weathered without erosion problems. It is the opinion of this office that the road complies with the intent of the road standards; which is to ensure adequate emergency and private access, stability of construction, and drainage adequacy.

CAL FIRE battalion chief, Tim Whitehurst, inspected the entire road system. CAL FIRE was satisfied with the road grade and width, turn radiuses, turnouts, turnarounds and the fire safe access to all existing and future residences. CAL FIRE has sent an acceptance report (see attached) to the Trinity County Planning Department.

The subdivision applicants have paid over \$200,000 to complete everything that was requested by all parties involved. Money is not a reason for this post modification request. The contractor who did the road improvements moved as much material as was feasible for the size and shape of the topography. In the opinion of the road contractor and the Registered Professional Forester #2929 Cameron Holmgren, any additional road work could be detrimental to the adjacent watercourses and geological conditions and would be impractical to conform to the strict application of the county road design. The existing road is just shy of the Trinity County Road Standards. The State of California lead agency CAL FIRE is ok with the current road conditions. Furthermore, in late June of 2019 the subdivision applicants videoed a +40' single truck and trailer driving up the current road with no issues. There are no longer conditions in the subdivision area that are detrimental to public health, safety or welfare and will not be injurious to other properties in the vicinity.

Please see attachments as follows:

- CAL FIRE Road Inspection and Acceptance Letter
- A.M. Baird Engineering & Surveying, Inc. Letter of Support of Final Map Acceptance.
- Inside Curve Radius Location Map
- As-Builts Improvement Plans Cover Page
- 300' Adjacent Landowner Notification List, Example Letter with Location Maps
- Tentative Map Resolution NO. SRC-2012-02

Sincerely,



**Steve & Susan Adams and Cameron Holmgren**



# CAL-FIRE

P.O. Box 1296 / 34400 Hwy 3 N  
Weaverville, CA 96093  
530-623-6326

**Property Owner:**

**Date:** 6-5-2020

**Stephen & Susan Adams**

**Mailing Address:**

**1742 Cecil Ave.  
Fortuna, CA 95540**

**Telephone #:**

**(707) 725-1117**

**Assessor's Parcel #:**

**18-210-16**

**Building Permit #:**

**Parcel/Building Location:**

**Mad River Rd.**

**Parcel Size:**

**120**

**Type of Improvement:**

**Subdivision**

**Dear Property Owner:**

In September of 1987, the Governor signed a bill which created a new law, Public Resources Code Section 4290 (PRC 4290). PRC 4290 required the Board of Forestry to create "Regulations Implementing Minimum Fire Safety Standards Related to Defensible Space Applicable to State Responsibility Area Lands". From the PRC 4290 requirement, California Code of Regulation (CCR) Title 14 Division 1.5 Chapter 7 Subchapter 2 Articles 1 through 5 were created as minimum statewide wildland fire safety regulations. These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in State Responsibility Areas (SRA).

Since September 1987, the California Department of Forestry and the Board of Forestry staff have collected field and public input related to fire safe land use planning. After four drafts and several meetings open to the public, the Office of Administrative Law approved the final regulations. Therefore, counties were mandated to adopt these regulations.

Trinity County Board of Supervisors adopted the statewide Regulations and approved Ordinance 1162, commonly known as, the Trinity County Fire Safe Standards. These Standards became effective January 1, 1992, and are designed to minimize the loss of structures, lives and resources due to uncontrolled wildfires. The Standards deal with; Emergency Access, Signing and Addressing, Emergency Water Supplies, and Fuel Modification

A review of your project was completed on unknown. All sections of the Standards that apply to your building project are indicated below. The conditions checked have not been met on the inspection date listed above, and are required to be completed prior to the final building inspection by the Trinity County Building Department.

-----DRIVEWAY:

- ☐ Shall not be less than 10 feet in width. No roadway shall have a horizontal inside radius of curvature of less than 50'. For information regarding the road width refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec 1273.10.
- ☐ Shall be constructed of aggregate road base, shale, or equivalent to provide an all-weather surface capable of supporting a 75,000-pound vehicle load. For information regarding road surface information refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1273.02
- ☐ Shall have a turnaround area near the building site for driveways that are 300 feet in length or longer. The turnaround shall provide adequate area for a fire engine and shall be within 50 feet of the building. For information regarding turnarounds refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1273.05 & sec. 1273.10 (b).
- ☐ Shall have a turnout near the mid-point of the driveway for driveways that are 150 feet in length to 800 feet in length. Driveways over 800 feet in length shall have turnouts not more than 400 feet apart. The turnout shall provide adequate area for a fire engine. For information regarding turnarounds refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1273.06 & sec. 1273.10 (b).
- ☐ Gate, if provided, shall be at least 2 feet wider than the road or driveway width. Gates providing access from a road to a driveway must be 30 feet from roadway. Security gates must allow for acceptable emergency access. For information regarding gates refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1273.11.
- ☐ Grades for all roadways including driveways shall not exceed 16 percent. For information regarding turnarounds refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec 1273.03.
- ☐ Shall provide a minimum of 14 feet horizontal, and 15 feet of vertical clearance. Vertical clearance shall be measured from the ground to the lowest tree branch overhanging any portion of the driveway. For information regarding driveway clearances refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1273.10(a).
- ☐ Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained. A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends. For information regarding roadway structures refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1273.07.

**---- ON-SITE WATER FOR FIRE PROTECTION:**

- ☐ Property owner is required to install a minimum 2500 gallon water tank for wild land fire protection unless they can provide CAL FIRE and Trinity County Planning Department a copy of the deed showing the parcel was established prior to January 1, 1992. The tank will be installed to the standards set forth in the Trinity County Fire Safe Ordinance 1162. For information regarding emergency water standards refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1275.00.

**-----STRUCTURE SETBACK FOR DEFENSIBLE SPACE:**

- ☐ All buildings constructed on a parcel of land one-acre or larger in size shall setback a minimum of 30 feet from all property lines and/or center of the road prior to the foundation inspection. For information regarding setback for structure defensible space refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1276.00 – 1276.01.

**-----DISPOSAL OF FLAMMABLE VEGETATION AND FUELS:**

- ☐ All vegetation and fuels removed for building and driveway construction shall be disposed by chipping, hauled to a landfill/dump, or by burning. If burning, disposal shall be in accordance with Air Quality Management District regulations and federal, state, or local fire department burning permit regulations. For information regarding disposal of flammable vegetation and fuels refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1276.02

**-----BUILDING ADDRESSING:**

- ☐ All buildings shall have a permanently posted address placed at the driveway entrance and visible from both directions of travel along the road. Addresses shall be a minimum of 4 inches in height, with a 0.5 inch stroke and contrast with the background color of the sign. For information regarding signing and building numbering refer to Trinity County Fire Safe Standards, Ordinance 1162; CCR Title 14 Div. 1.5 CH. 7 sec. 1274.00 – 1274.10.

**---- COMMENTS:** All sections apply. Variances considered with written request indicating mitigation method providing for "same practical effect."

**Battalion Chief Whitehurst inspected the property at unknown date. He gave me a verbal approval for the project. However, I hear the County Road Department may have issues with the road. As far as PRC 4290 BC Whitehurst approves of the road.**

**Timber removal may require a Timber Harvest Plan, please see enclosed Information or contact (530) 623-5681.**

Sincerely,

*Kyle Johnson*

Battalion Chief

CAL FIRE

34400 Hwy 3 N.

Weaverville, CA 96093

Office: (530) 623-6326 (leave message) or Email: [TrinityCountyFireSafe@fire.ca.gov](mailto:TrinityCountyFireSafe@fire.ca.gov)

PRC 4290- (a) The board shall adopt regulations implementing minimum fire safety standards related to defensible space which are applicable to state responsibility area lands under the authority of the department. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991. The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:

- (1) Road standards for fire equipment access.
- (2) Standards for signs identifying streets, roads, and buildings.
- (3) Minimum private water supply reserves for emergency fire use.
- (4) Fuel breaks and greenbelts.

(b) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

*(Amended by Stats. 1989, Ch. 60, Sec. 1. Effective June 28, 1989.)*

**From:** Allan Baird

**Sent:** Thursday, August 6, 2020 9:54 AM

**To:** holmgrenforestry@hotmail.com; khunter@trinitycounty.org

**Subject:** Steve Adam's Subdivision Access Road

Mr Pence,

This office received your comments regarding the As-Built plans I developed for the category "D" access road constructed within the Adams/Holmgren Subdivision and provide the following comments:

- The only official approved set of plans for this project has been the tentative map with conditions of approval. The road was constructed *prior* to and *without* approved or final improvement construction plans by this office.

- This office performed a topographic survey of the entire roadway and created a 3D model to analyze compliance with respect to the Conditions of Approval/road standards. As a result, some areas were red-flagged where the profile grade was too steep, and other deficiencies like roadway widths and curves. The client addressed those areas as best as could be for the road traverse conditions, and then this office re-surveyed the road. The plans just submitted to you represent the current conditions of the road after these changes (including the culvert outflow mentioned which has been replaced since you have been onsite: this is reflected on the plans).

- All of the roadway cross-slopes and widths meet the Conditions of Approval. There are only three areas where the profile grade (slope) insignificantly exceeds 14% (but *only* up to 14.5%). The largest area is just under 600' in length, and the other two are 150' and 30' respectively. It is the opinion of this office this minor exceedance is insignificant to the intent of the standards and creates no access hazards.

- As far as the alignment curves go, there are three that do not meet the Conditions of Approval; however, the roadway in those particular areas are up to 40'-50' wide, and minimally approximately 30' wide where the inside radius less than 50' (at minimum 6' wider roadway width than the required 22', and up to 28 feet wider than the required).

- As required by the conditions of approval and staff report, a grading plan and soils report was submitted as supporting documents which addresses cut and fill slope stability (existing conditions are up to  $\pm 1:1$  cut slopes and  $\pm 1 \frac{1}{2}:1$  fill slopes, which have been reviewed as they exist and are considered adequate and stable by this office and are represented on the plans. This office certifies these existing slopes.) As I am sure you are aware, the particular nature of this road and the terrain it traverses are challenging with respect to the road standards in a few areas. A minor change of a few feet in elevation or curvature causes a domino effect... if made to comply to the road standards in the few areas that are deficient, it would require a counterproductive and infeasible amount of grading that would have negative impacts to stability of the entire area. A strict compliance to the road standards for this project is onerous and engineeringly impractical. The conditions of this driveway/road both by initial visual observation and by preliminary measurement and plans (tentative map) is so close to being compliant, that it was not apparent during the tentative map phase (the only approved plans) that it couldn't feasibly *strictly* comply with the standards. Additionally, it is assumed that particular minor deficiencies that do exist with respect to those standards would not hinder approval of the project when there are justifications and/or mitigated measures as described herein.

This is a two residence road and it's been there for essentially three years in its current as-built state. The drainage has proven adequate during recent heavy winter and the roadway has weathered without erosion problems. It is the opinion of this office that the road complies with the intent of the road standards; which is to ensure adequate emergency and private access, stability of construction, and drainage adequacy.

Considering the above, surely there are contingencies to allow for such minor variations to the road standards when site conditions, engineering, and feasibility dictate for a two residence road?

Thank you

Ryan Lee, Surveyor

Matt Pearson, Senior Staff Engineer

A.M. Baird Engineering & Surveying, Inc.

1257 Main Street, P.O. Box 396

Fortuna, CA 95540

(707)-725-5182

(707)-725-5581 (fax)

N0° 13' 12"W 129

HOLMGREN  
RESIDENCE

PARCEL 1  
36.64 Acres

TURNAROUND

HOUSE  
& DECK

43+00

TURNOUT

42+00

41+00

"HOMESTEAD WAY"

CULVERT

40+00

END CATEGORY "D" ACCESS ROAD,  
BEGIN PRIVATE DRIVEWAY

39+58

TURNOUT

39+00

38+00

CULVERT

TURNOUT

37+00

36+00

CULVERT

ADAMS'  
RESIDENCE

TURNAROUND

HOUSE  
& DECK

CULVERT

"TRIPLE R LANE"

TURNOUT

CULVERT

35+00

34+00

33+00

32+00

31+00

PARCEL 2  
36.87 Acres

(O)  
SPRING

SEASONAL STREAM  
50' SANITARY SETBACK

(P) ROADWAY EASEMENT FOR  
ACCESS, UTILITIES AND  
MAINTENANCE

B

TURNOUT

28+00

(E)  
SPRING

100' SANITARY SETBACK

CULVERT

CULVERT

TURNOUT

25+00

26+00

24+00

23+00

22+00

21+00

20+00

19+00

18+00

17+00

16+00

15+00

14+00

13+00

12+00

11+00

10+00

S87° 58' 53"E 1254.30

SEC. 8

SEC. 9

S0° 28' 00"E 1298.64

NW

1/4

N0° 39' 15"W 1271.09

N0° 39' 15"W 1268.85

BASE OF BEARING

## AS-BUILTS

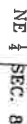


## 1. TITLE SHEET AND LAYOUT

- |                                                    |                                                     |
|----------------------------------------------------|-----------------------------------------------------|
| 1. LIFTING SECTIONS AND ROADWAY CATEGORY STANDARDS |                                                     |
| 2. PLAN & PROFILE -                                | $\overline{H} = 0+0$ to $\overline{H} = 0+55$       |
| 3. PLAN & PROFILE -                                | $\overline{H} = 0+55$ to $\overline{H} = 10+25$     |
| 4. PLAN & PROFILE -                                | $\overline{H} = 10+25$ to $\overline{H} = 27+00$    |
| 5. PLAN & PROFILE -                                | $\overline{H} = 27+00$ to $\overline{H} = 35+75$    |
| 6. PLAN & PROFILE -                                | $\overline{H} = 35+75$ to $\overline{H} = 43+33$    |
| 7. PLAN & PROFILE -                                | $\overline{H} = 43+33$ to $\overline{H} = 55+00$    |
| 8. CROSS-SECTIONS -                                | $\overline{H} = 0+0$ to $\overline{H} = 55+00$      |
| 10. CROSS-SECTIONS -                               | $\overline{H} = 25+50$ to $\overline{H} = 39+60.42$ |

shall not shown on these plans shall be in conformance with the applicable sections of the:

- Trinity County Standards Standards
- California Standard Plans and Specifications (May 2010)
- California Conditions of Approval
- California Fire Code Regulations
- County Enforcement Permit Ordinance
- New concrete catch basin and steel grate has been set flush with the encroachment pavement surface
- The County of Trinity is not responsible for the accuracy of these plans. It is the responsibility of the contractor to verify the locations of underground utilities.
- 4. The contractor retained and utilized pertinent data from the "As-Built" for piling and extending culverts on Deer Creek, White Oak, Ala. Stream, Hobbs, Prosser, Almond, Wichita, McIntire, September 2003.
- 5. All fill material under the structural section and within 3 feet of the structural section was compacted to 95% relative compaction at the time of placement.
- 6. All culverts have more than the minimum allowable cover of 12 inches



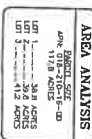
SEC. 9

LEGEND



PROPERTY DATA	EXISTING	PROPOSED	SPRINK LOCATION
PLANT TYPE	(P)		
EXISTING			
PROPOSED			
SPRINK LOCATION			

### AREA ANALYSIS



### GENERAL INFORMATION

DIST. REPRESENTATIVE  
 WAY DOLLER INCORP. MOJO  
 10000 W. 10TH AVE.  
 DENVER, TRINITY COUNTY, CA 95550  
 ASSOCIATES' PROJECT MANAGER  
 15000 W. 10TH AVE. 15-00  
 OWNER: STITE ADAMS  
 1717 COL. AVENUE  
 FERNDALE, CA 95500  
 CONTACT PHONE: (707) 551-0359  
 ZONE: AVE. 10TH-15TH-00 = AD-FORECLOS  
 USE: 498-010-10-10-00 = REDEVELOP  
 BUILDING SECTIONS: 30 REAR  
 30 REAR  
 30 REAR  
 UTILITIES: SEWER  
 10000 W. 10TH AVE. 10-00  
 10000 W. 10TH AVE. 10-00  
 ELECTRICITY: 10-00  
 TELEPHONE: 10-00  
 TEL: 955-2000-0000

## APPROVAL SIGNATURE BLOCK

\_\_\_\_\_  
 DATE: \_\_\_\_\_  
 \_\_\_\_\_  
 TRINITY COUNTY DEPARTMENT OF TRANSPORTATION  
 \_\_\_\_\_  
 REVIEWED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 \_\_\_\_\_  
 CALFRE  
 \_\_\_\_\_  
 REVIEWED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 \_\_\_\_\_  
 TRINITY COUNTY PLANNING DEPARTMENT

3			
4			
5			
2			
1			
NO.	DATE	DESCRIPTION	
		REVISIONS	

*A.M. Baird*  
Engineering & Surveying

1257 Main St., P.O. Box 398, Fortuna, CA 95541  
(707)725-5182 • [ANBokri@earthlink.net](mailto:ANBokri@earthlink.net)



STEVE ADAMS  
VAN DUZEN RIVER ROAD  
MAD RIVER, CA

---

**"AS-BUILT" IMPROVEMENT PLANS**

**TITLE SHEET & LAYOUT**



### **300' Adjacent Landowner Notification List**

Song Her  
2109 Greenbriar Lane  
Eureka, CA 95503

Forest Supervisor's Office  
1330 Bayshore Way  
Eureka, CA 95501-3834

Joel Mandel  
P.O. Box 158  
Fortuna, CA 95540

Brian & Brenda McKenzie  
444 Riverside PK RD  
Carlotta, CA 95528

Matthew Konnos  
P.O. Box 47  
Mad River, CA 95552

**SUBDIVISION REVIEW COMMITTEE  
COUNTY OF TRINITY, STATE OF CALIFORNIA  
OCTOBER 11, 2012**

**RESOLUTION NO. SRC-2012-02**

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVAL OF THE  
TENTATIVE MAP FOR  
Adams (P-11-22)**

WHEREAS, the Subdivision Review Committee, on October 11, 2012 held public hearings on the request for approval of a tentative parcel map for property located the South Fork Trinity River Road; 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 has Subdivision Review Committee concluded upon its review of the project in its entirety that the project is consistent with the General Plan and Zoning Ordinance of Trinity County; and,

WHEREAS, the ha Subdivision Review Committee 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 Subdivision Review Committee 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, the County Zoning 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.

*Attachment 3*

5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
6. The negative declaration and tentative map for the proposed subdivision is hereby approved by the Subdivision Review Committee, 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:

The project has been approved with the following mitigations and conditions:

A. Site Development:

- 1) An engineered grading, drainage and erosion control plan shall be prepared by a licensed engineer prior to any further earth disturbance of the property. The report shall be submitted for the review and approval of the Director of Trinity County Building and Development Services, and to the Trinity County Department of Transportation for any portions that involve roadwork. A copy of the approved report shall be maintained by the Trinity County Planning Department.
- 2) Building sites for each of the parcels as shown in the Soils report prepared by Allan Baird, RCE dated July 30, 2003, and shall be designated on the parcel map.
- 3) Water for fire suppression shall be provided for the parcels by installing 2500-gallon water storage tanks for each parcel at the time of development.
- 4) Prior to the recordation of the Parcel Map the subdivider shall provide written clearance from the California Department of Forestry and Fire Protection (CalFire) indicating a clearance of improvements consistent with the Trinity County Fire Safe Ordinance.
5. The subdivider shall secure any required permit from the Regional Water Quality Control Board for any site disturbance that would be under that agency's jurisdiction.

B. Cultural Resources

A Notice of Environmental Constraint shall be recorded concurrent with the Parcel Map containing the following caveats:

1. In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

2. 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 or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

C. Access:

1) The access roads that serve the parcels shall be improved to meet the requirements of the Trinity County Fire Safe Ordinance. CDF shall be consulted for further detail prior to construction. All road work shall be completed, reviewed and approved by CDF prior to recordation of the map.

2. An encroachment permit shall be acquired and improvements installed connecting the access road to Van Duzen Road to the satisfaction of the Trinity County Department of Transportation. The encroachment shall be capable of providing access for the following AASHTO design vehicle: single unit truck. The design vehicle must be able to make the turn onto the access road from both directions of travel on road 511 without stopping or backing up. This minimum turning radius is to accommodate emergency response vehicles. The pavement of the access road shall be for a minimum distance of twenty feet from the edge of travel way (the white line) on Van Duzen Road, #511 or to the edge of the county right of way, whichever is greater.

3. Non-exclusive road and utility easements must be provided to parcel 018-210-13 and parcel 018-210-14 to provide for potential future development.

4. For reference to the proposed subdivision map, roads shall be defined as "all road segments which are commonly shared by two or more parcels." Roads must meet the following requirements:

- a. All roadways must be constructed in accordance with the County Fire safe ordinance and the Subdivision Ordinance Category D road. For conflicting requirements between the Fire Safe ordinance and the Category D road, the most restrictive requirement must be met.
- b. The roadway structural section must be constructed of class 2 base rock or other rock surfacing capable of supporting a forty thousand pound load. The minimum thickness of six inches of base rock material is required. The structural section must be based upon engineering analysis of sub-grade materials and native soils. Material to be used for roadway surfacing and structural section design must be pre-approved by the Department of Transportation before construction of the improvements. Testing results and the engineered structural section design must be submitted to the Department of Transportation prior to approval.
- c. The Department may sample and test materials before and after construction or may select a firm to provide independent materials testing.
- d. The roadway structural section must be constructed to a minimum width of 18 feet. The minimum inside curve radius for all curves must be 50'. All curves with inside radii less than 100' must have a minimum roadway width of 20', and all curves with inside radii between 100' and 200' must have a minimum roadway width of 22'.
- e. The maximum allowable road grade is 12% and the minimum allowable grade is 1%. The maximum allowable grade may be increased to 14% for short distances if approved by the road department.
- f. The minimum crown or cross slope must be 3% on all unpaved roads. The minimum crown or cross slope is 2% on all paved roads.

- g. Cut and fill slopes are to be approved by the Department of Public Works.
  - h. Roadway drainage must be adequate to protect the road and adjacent properties. A hydrology study showing adequate drainage is required and must be approved by the Department of Transportation. The minimum allowable culvert size is 18 inches diameter.
5. For reference to the proposed subdivision map, driveways shall be defined as "those roads which serve a single parcel and are not commonly shared." All driveways must meet the County Fire Safe Ordinance requirements including the following:
- i. A structural section capable of supporting a forty thousand pound load,
  - j. A maximum 16% grade
  - k. A minimum structural section width of 10 feet,
  - l. A turnout at the midway point for driveways exceeding one hundred and fifty feet, but less than eight hundred feet,
  - m. Turnouts every 400 feet for driveways longer than 800 feet in length, and
  - n. A turnaround within fifty feet of the building for driveways in excess of three hundred feet in length.
6. Private roads and public utility easements shall be offered for dedication. All commonly shared private improvements shall exist within non-exclusive road and utility easements. The easements shall also grant the right to enter thereon to the personnel, agents, and equipment from the County, Fire District, and all required utilities.
7. Where roadway earthwork extends beyond the road rights of ways, additional slope easements shall be provided to a point 5 feet beyond the catch point.
8. Road names shall be submitted to the Planning Department for approval in accordance with Title 12, chapter 12.17 of Trinity County code of ordinances.
9. Install road name signs at all intersections. A "Stop" sign and associated pavement markings shall be installed at the intersection with Van Duzen Road. The roadway shall have centerline striping. Roadway signs and markings shall be installed as required by the 2010 California MUTCD.
10. Prior to recordation of the Parcel Map the subdivider shall create to the satisfaction of Trinity County Counsel and the Trinity County

Department of Transportation an organization or association for the maintenance of the private roads and appurtenant drainage systems within the subdivision or show evidence of the existence of such an agreement or organization.

11. 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.

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 along with the Final Map to the Trinity County Department of Transportation for review and approval. An encroachment permit shall be obtained from the Department of Transportation prior to beginning any work on this development within a public right-of-way.

#### D. Notice of Environmental Constraint

A Notice of Environmental Constraint shall be recorded, and a reference to same shall be noted on the parcel map. This notice will serve to put future owners/developers on notice that: "A Preliminary Engineering Geologic R-2 Soils Report, dated July 30, 2003, prepared by Allan M. Baird, RCE, prepared for the previous subdivision of this land identified issues on the property that may require specific mitigation for future development, such as foundation design standards, consideration of seismic events, erosion control measures, and grading related concerns.

#### F. Fish and Game Filing Fee:

This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Trinity County Planning Department. Said fee of \$2151.50 shall be made payable to the Trinity County and submitted to the Trinity County Planning Department. prior to October 30, 2012 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Trinity County Planning Department. until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline

shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**

PASSED AND ADOPTED by the Subdivision Review Committee of the County of Trinity, State of California, at a regular meeting of said Board, held on October 11, 2012, upon the motion of Frank Lynch, seconded by Andrew Pence, and on the following vote,


**AYES:** Frank Lynch, Andrew Pence, Scott Wood and Ray Bushman

**NOES:** None

**ABSENT:** Peter Hedtke

**ABSTAINING:** None

The foregoing resolution is hereby adopted:

  
Chairman of the Subdivision Review Committee,  
County of Trinity, State of California

ATTEST.

  
County of Trinity, State of California

**NOTE:** Approval of this tentative map will expire on October 11, 2014. Any request for a time extension must be received by the Trinity County Planning Department 30 days prior to this expiration date.

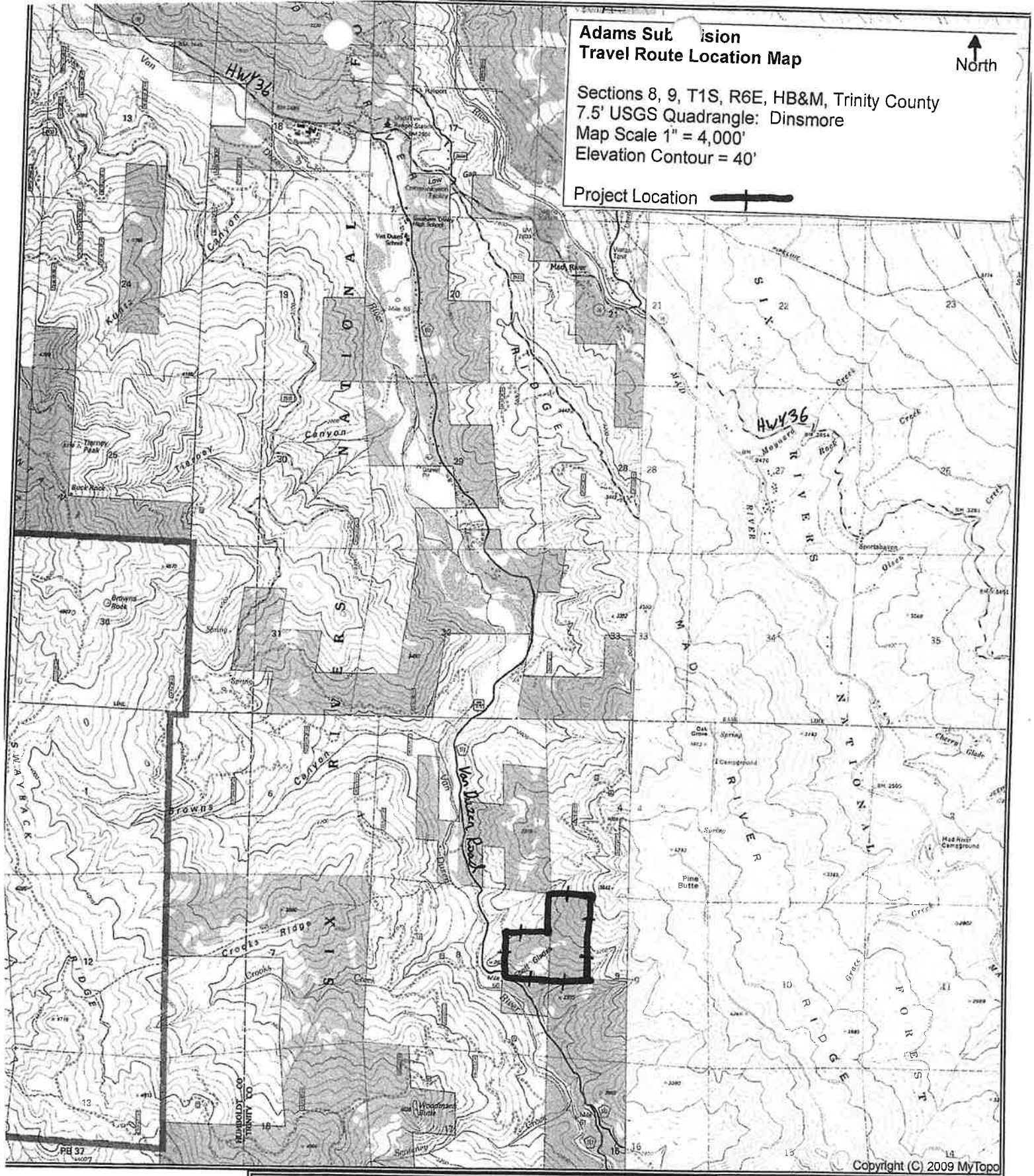


Adams Sub Division  
Travel Route Location Map



Sections 8, 9, T1S, R6E, HB&M, Trinity County  
7.5' USGS Quadrangle: Dinsmore  
Map Scale 1" = 4,000'  
Elevation Contour = 40'

Project Location



SCALE 1:48000



FEET

Attachment 4



**TRINITY COUNTY**  
**COMMUNITY DEVELOPMENT SERVICES**  
BUILDING - ENVIRONMENTAL HEALTH - PLANNING  
61 AIRPORT ROAD, P.O. BOX 2819, WEAVERVILLE, CALIFORNIA 96093  
PHONE (530) 623-1354, FAX (530) 623-1353

**Kim Hunter, Director**

**MEMORANDUM**

DATE: September 12, 2019  
TO: Chair McHugh, Members of the Planning Commission  
FROM: Kim Hunter, Planning Director *[Signature]*  
SUBJECT: Agenda Item 7 – Parcel Map Extension of Time (Adams, P-11-22)

The action being requested at tonight's meeting is approval of a third 12-month extension of time for the tentative map approval. (State Law provides for an extension of time up to six years so this is not the last extension that can be granted per the Subdivision Map Act.) However, the applicant has also requested a modification to the conditions of the map. The attached correspondence was originally received in July from applicants Steve and Susan Adams, and Cameron Holmgreen,

Although the required improvements are nearing completion, the extension of time will provide the time for to: (1) Determine if the modification request is necessary and that it meets the required findings and conditions (Trinity County Code Section 16.50.020) for a modification; (2) Confirm that all of the conditions of approval have been met; and, (3) Verify that the road improvement standards, and that all conditions of approval, have been met for both the Trinity County Department of Transportation and Cal Fire.

Should the applicants' modification request meet the criteria as established by the Subdivision Ordinance, then a separate agenda item will come before the Planning Commission at a later date.

**Attachments:**

1. Adams Subdivision (P-11-22) Modification Request (July 24, 2019)
2. Trinity County Code Chapter 16.50 – Subdivision Modifications
3. Resolution No. SRC-2012-02 (with mitigations and conditions for P-11-22)

*Attachment 5*



# **Adams Subdivision (P 11-22) Modification Request**

**7/24/2019**

Dear Trinity County Representative:

The Adams Subdivision (P 11-22) is requesting a modification per Section 16.50 of the Subdivision Ordinance to be approved by the Planning Commission.

The Adams Subdivision (P 11-22) last extension is set to expire in October 2019, and there is no possibility of another extension. A.M. Baird Engineering & Surveying was hired to complete the subdivision. Much of the past 6 plus years was spent sending paperwork back and forth between A.M. Baird Engineering and Trinity County DOT. Review and response times have been lengthy by both parties. In the fall of 2016, Trinity County DOT representative called the subdivision applicants (Steve & Susan Adams and Cameron Holmgren) saying that approved road plans were finally going to be accepted and that work on the road improvements could begin. The applicants decided that starting a roadwork project in mid September right before the rainy season would not be a good idea. In early 2017 communication between A.M. Baird Engineering and the applicants occurred, and the road work to be performed in the summer of 2017 was discussed.

The subdivision applicants had multiple road contractors look at the project using the road plans that were said to be approved. The road contractor that was chosen was from Southern Trinity and has decades of experience, including reconstructing Trinity County Roads and constructing U.S.F.S. roads. An encroachment permit was obtained from Trinity County by the subdivision applicants. The engineered road plans and fixed measurement points were used by the contractor to complete the road improvements. Before the project was completed, Trinity County DOT and Supervisor representatives were shown the road improvements. Several onsite recommendations were made; including extending roads widths at the existing culverts, rock lining an inside ditch, extending the gate width to 20', and replacing an existing rock armored 36" culvert with a new rock armored 48" culvert without a vertical drop into the creek below. The county encroachment was also looked at by the Trinity County Engineer, and he concluded paving the encroachment could occur.

A paving contractor was hired to pave the encroachment in the late fall of 2017, but cold and wet weather came early, and the paving was postponed. In the summer of 2018, the paving was completed with stop and road signs. The subdivision applicants were under the assumption the project was completed. To the surprise of the subdivision applicants, A.M. Baird Engineering & Surveying and Trinity County DOT said they still needed to do more paperwork before the subdivision could be approved.

Now it is the summer of 2019, the last year of the subdivision. Trinity County DOT and A.M. Baird Engineering & Surveying are again still requesting more paperwork to be done. Apparently the approved road improvement plans were never signed or something. The subdivision applicants are not gamblers and would have never hired a licensed contractor to complete the road improvements on an as-built basis. There is a lot of frustration between A.M. Baird Engineering & Surveying and Trinity County DOT, and the two sides haven't been able to get the paperwork figured out.

There is a possibility of paving a few short segments of the road that are a fraction of a percent over what the county road design allows. However, paving any additional part of the road would not make sense for the Ag Forest Zoning. The parcels all have harvestable timber and will be logged from time to time. Any paving would be destroyed during future logging operations. Additionally, the parcels are located at higher elevations with frequent heavy winter snowfalls that require the road to be plowed by machinery that could destroy any additional pavement.

The first 1,300 feet of the existing road was already approved for multiple parcels by Trinity County in a previous subdivision. Prior to any road improvements, two separate CAL FIRE battalion chiefs inspected the existing road and were satisfied with the existing road grade and curve radiuses. The main concerns were with brush along the roadside, low hanging limbs and more and bigger turnouts and hammerhead turn arounds. On June 9, 2019, a third CAL FIRE battalion chief, Tim Whitehurst, inspected the current road. CAL FIRE was satisfied with the road grade and width, turn radiuses, turnouts, turnarounds and the fire safe access to all existing and future residences. CAL FIRE is ready to send an acceptance report to the Trinity County Planning Department once the Planning Department formally requests the document. To request the CAL FIRE document email (KyleJohnson@fire.ca.gov).

The subdivision applicants have paid over \$200,000 to complete everything that was requested by all parties involved. Money is not a reason for this modification request. The contractor who did the road improvements moved as much material as was feasible for the size and shape of the topography. In the opinion of the road contractor and the Registered Professional Forester #2929 Cameron Holmgren, any additional road work could be detrimental to the adjacent watercourses and geological conditions and would be impractical to conform to the strict application of the county road design. The existing road is almost up to the Trinity County Road Standards. The State of California lead agency CAL FIRE is ok with the current road conditions. Furthermore in late June of 2019 the subdivision applicants videoed a +40' single truck and trailer driving up the current road with now issues (See attached video). There are no longer conditions in the subdivision area that are detrimental to public health, safety or welfare.

It is the hope of the subdivision applicants to finally clear up the clouded title for parcel 018-210-016 and begin to move forward with completing the submitted building plans for the existing homes all while increasing county tax revenue.

Sincerely,

**Steve & Susan Adams and Cameron Holmgren**

Enclosures: Videos.

## Chapter 16.50 - SUBDIVISION MODIFICATIONS

Sections:

## 16.50.010 - Modification authority.

The advisory agency or other duly authorized body may, in accordance with the provisions of this chapter, grant, conditionally grant or deny requests by a subdivider for modifications to the requirements or standards imposed by this title; provided, however, that no modifications may be made to any requirement imposed by the Subdivision Map Act; and further provided, that nothing herein shall be construed as altering or conflicting with the powers and duties of the planning director or planning commission to authorize variances from the regulations and requirements of the zoning ordinance. A minor change in the design of a subdivision which is not violative of the requirements or standards imposed by this title shall not be deemed to be a "modification" as the term is used in this title.

(Ord. 1080 §1(part), 1986)

## 16.50.020 - Required findings and conditions.

Before granting any modification, the advisory agency shall make all the following findings :

- A. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable in the particular case to conform to the strict application of this title;
- B. That cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
- C. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;
- D. That granting the modification is in accordance with the intent and purposes of this title and is consistent with the general plan and with all other applicable specific plans of the county. In granting a modification, the advisory agency or other duly authorized body shall impose such conditions as are necessary to protect the public health, safety or welfare, and assure compliance with the general plan, with all applicable Specific Plans, and with the intent and purposes of this title.

(Ord. 1080 §1(part), 1986)

## 16.50.030 - Modification of filing time.

- A. Modification requests shall either be filed with the tentative map or shall be filed during the period of time between approval of the tentative map and acceptance of the final map or parcel map by the county surveyor or public works director.
- B. For the purposes of this chapter, modifications filed prior to the approval of the tentative map shall be referred to as "concurrent modifications," and modifications filed after approval of the tentative map

shall be referred to as "post modifications."

- C. Action by the advisory agency or other duly authorized body on any post modification shall not extend the time for filing the final map or parcel map with the county surveyor.

(Ord. 1080 §1(part), 1986)

#### 16.50.040 - Application requirements.

Applications for concurrent modifications shall be filed, in writing, by the subdivider in the county planning department upon a form and in the number of copies required for that purpose in conjunction with the tentative map application.

- B. Applications for post modifications shall be filed, in writing, with the planning department upon a form and in the number of copies required for that purpose.
- C. Each application shall state fully the nature and extent of the modification required, the specific reasons therefor, and the facts relied upon. The application shall clearly show that the modification is necessary and is consistent with each of the findings required by Section 16.50-.020.

(Ord. 1080 §1(part), 1986)

#### 16.50.050 - Fees.

An application for a subdivision modification shall be accompanied by a filing fee as established in the county fee resolution.

(Ord. 1080 §1(part), 1986)

#### 16.50.060 - Referrals.

- A. The planning director shall transmit copies of the concurrent modification application for review and comment to members of the subdivision review committee and to such other public or private agencies or departments affected by the proposed subdivision as he deems appropriate.
- B. The advisory agency or other duly authorized hearing body, may in its discretion transmit post modification applications to the subdivision review committee for review and comment if it determines that the review is appropriate under the circumstances.

(Ord. 1080 § 1(part), 1986)

#### 16.50.070 - Hearing requirement.

Prior to approving, conditionally approving or disapproving the subdivision modification, the advisory agency or other duly authorized body shall hold a public hearing. Notice of the hearing shall be published in a newspaper of general circulation at least ten working days prior to the hearing. In addition, all persons owning property within three hundred feet of the proposed lot line adjustment or merger shall be sent written notice of the hearing by mail or other means at least ten days prior to the hearing.

(Ord. 1080 §1(part), 1986)

**SUBDIVISION REVIEW COMMITTEE  
COUNTY OF TRINITY, STATE OF CALIFORNIA  
OCTOBER 11, 2012**

**RESOLUTION NO. SRC-2012-02**

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVAL OF THE  
TENTATIVE MAP FOR  
Adams (P-11-22)**

WHEREAS, the Subdivision Review Committee, on October 11, 2012 held public hearings on the request for approval of a tentative parcel map for property located the South Fork Trinity River Road; 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 has Subdivision Review Committee concluded upon its review of the project in its entirety that the project is consistent with the General Plan and Zoning Ordinance of Trinity County; and,

WHEREAS, the ha Subdivision Review Committee 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 Subdivision Review Committee 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, the County Zoning 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. The negative declaration and tentative map for the proposed subdivision is hereby approved by the Subdivision Review Committee, 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:

The project has been approved with the following mitigations and conditions:

**A. Site Development:**

- 1) An engineered grading, drainage and erosion control plan shall be prepared by a licensed engineer prior to any further earth disturbance of the property. The report shall be submitted for the review and approval of the Director of Trinity County Building and Development Services, and to the Trinity County Department of Transportation for any portions that involve roadwork. A copy of the approved report shall be maintained by the Trinity County Planning Department.
- 2) Building sites for each of the parcels as shown in the Soils report prepared by Allan Baird, RCE dated July 30, 2003, and shall be designated on the parcel map.
- 3) Water for fire suppression shall be provided for the parcels by installing 2500-gallon water storage tanks for each parcel at the time of development.
- 4) Prior to the recordation of the Parcel Map the subdivider shall provide written clearance from the California Department of Forestry and Fire Protection (CalFire) indicating a clearance of improvements consistent with the Trinity County Fire Safe Ordinance.
5. The subdivider shall secure any required permit from the Regional Water Quality Control Board for any site disturbance that would be under that agency's jurisdiction.

**B. Cultural Resources**

A Notice of Environmental Constraint shall be recorded concurrent with the Parcel Map containing the following caveats:



1. In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The Environmental Compliance Specialist shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

2. 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 or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

**C. Access:**

1) The access roads that serve the parcels shall be improved to meet the requirements of the Trinity County Fire Safe Ordinance. CDF shall be consulted for further detail prior to construction. All road work shall be completed, reviewed and approved by CDF prior to recordation of the map.

2. An encroachment permit shall be acquired and improvements installed connecting the access road to Van Duzen Road to the satisfaction of the Trinity County Department of Transportation. The encroachment shall be capable of providing access for the following AASHTO design vehicle: single unit truck. The design vehicle must be able to make the turn onto the access road from both directions of travel on road 511 without stopping or backing up. This minimum turning radius is to accommodate emergency response vehicles. The pavement of the access road shall be for a minimum distance of twenty feet from the edge of travel way (the white line) on Van Duzen Road, #511 or to the edge of the county right of way, whichever is greater.

3. Non-exclusive road and utility easements must be provided to parcel 018-210-13 and parcel 018-210-14 to provide for potential future development.
4. For reference to the proposed subdivision map, roads shall be defined as "all road segments which are commonly shared by two or more parcels." Roads must meet the following requirements:
  - a. All roadways must be constructed in accordance with the County Fire safe ordinance and the Subdivision Ordinance Category D road. For conflicting requirements between the Fire Safe ordinance and the Category D road, the most restrictive requirement must be met.
  - b. The roadway structural section must be constructed of class 2 base rock or other rock surfacing capable of supporting a forty thousand pound load. The minimum thickness of six inches of base rock material is required. The structural section must be based upon engineering analysis of sub-grade materials and native soils. Material to be used for roadway surfacing and structural section design must be pre-approved by the Department of Transportation before construction of the improvements. Testing results and the engineered structural section design must be submitted to the Department of Transportation prior to approval.
  - c. The Department may sample and test materials before and after construction or may select a firm to provide independent materials testing.
  - d. The roadway structural section must be constructed to a minimum width of 18 feet. The minimum inside curve radius for all curves must be 50'. All curves with inside radii less than 100' must have a minimum roadway width of 20', and all curves with inside radii between 100' and 200' must have a minimum roadway width of 22'.
  - e. The maximum allowable road grade is 12% and the minimum allowable grade is 1%. The maximum allowable grade may be increased to 14% for short distances if approved by the road department.
  - f. The minimum crown or cross slope must be 3% on all unpaved roads. The minimum crown or cross slope is 2% on all paved roads.

- g. Cut and fill slopes are to be approved by the Department of Public Works.
  - h. Roadway drainage must be adequate to protect the road and adjacent properties. A hydrology study showing adequate drainage is required and must be approved by the Department of Transportation. The minimum allowable culvert size is 18 inches diameter.
5. For reference to the proposed subdivision map, driveways shall be defined as "those roads which serve a single parcel and are not commonly shared." All driveways must meet the County Fire Safe Ordinance requirements including the following:
- i. A structural section capable of supporting a forty thousand pound load,
  - j. A maximum 16% grade
  - k. A minimum structural section width of 10 feet,
  - l. A turnout at the midway point for driveways exceeding one hundred and fifty feet, but less than eight hundred feet,
  - m. Turnouts every 400 feet for driveways longer than 800 feet in length, and
  - n. A turnaround within fifty feet of the building for driveways in excess of three hundred feet in length.
6. Private roads and public utility easements shall be offered for dedication. All commonly shared private improvements shall exist within non-exclusive road and utility easements. The easements shall also grant the right to enter thereon to the personnel, agents, and equipment from the County, Fire District, and all required utilities.
7. Where roadway earthwork extends beyond the road rights of ways, additional slope easements shall be provided to a point 5 feet beyond the catch point.
8. Road names shall be submitted to the Planning Department for approval in accordance with Title 12, chapter 12.17 of Trinity County code of ordinances.
9. Install road name signs at all intersections. A "Stop" sign and associated pavement markings shall be installed at the intersection with Van Duzen Road. The roadway shall have centerline striping. Roadway signs and markings shall be installed as required by the 2010 California MUTCD.
10. Prior to recordation of the Parcel Map the subdivider shall create to the satisfaction of Trinity County Counsel and the Trinity County



Department of Transportation an organization or association for the maintenance of the private roads and appurtenant drainage systems within the subdivision or show evidence of the existence of such an agreement or organization.

11. 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.

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 along with the Final Map to the Trinity County Department of Transportation for review and approval. An encroachment permit shall be obtained from the Department of Transportation prior to beginning any work on this development within a public right-of-way.

#### D. Notice of Environmental Constraint

A Notice of Environmental Constraint shall be recorded, and a reference to same shall be noted on the parcel map. This notice will serve to put future owners/developers on notice that: "A Preliminary Engineering Geologic R-2 Soils Report, dated July 30, 2003, prepared by Allan M. Baird, RCE, prepared for the previous subdivision of this land identified issues on the property that may require specific mitigation for future development, such as foundation design standards, consideration of seismic events, erosion control measures, and grading related concerns.

#### F. Fish and Game Filing Fee:

This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Trinity County Planning Department. Said fee of \$2151.50 shall be made payable to the Trinity County and submitted to the Trinity County Planning Department. prior to October 30, 2012 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the Trinity County Planning Department. until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline

shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition.**

PASSED AND ADOPTED by the Subdivision Review Committee of the County of Trinity, State of California, at a regular meeting of said Board, held on October 11, 2012, upon the motion of Frank Lynch, seconded by Andrew Pence, and on the following vote,

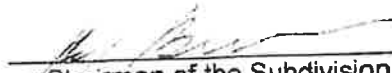
**AYES:** Frank Lynch, Andrew Pence, Scott Wood and Ray Bushman

**NOES:** None


**ABSENT:** Peter Hedtke

**ABSTAINING:** None

The foregoing resolution is hereby adopted:

  
Chairman of the Subdivision Review Committee,  
County of Trinity, State of California

ATTEST:

  
County of Trinity, State of California

**NOTE:** Approval of this tentative map will expire on October 11, 2014. Any request for a time extension must be received by the Trinity County Planning Department 30 days prior to this expiration date.