

MINUTES

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1. CALL TO ORDER

Vice Chair Graham Matthews called the meeting to order at 7:00p.m. Members present: Graham Matthews, Dan Frasier, Graham Matthews and Mike McHugh. Members absent: Diana Stewart and John Brower. Staff present: Interim Planner John Jelich, Senior Environmental Specialist Jan Smith, Director Richard Tippett and Clerk Ruth Hanover.

2. PUBLIC COMMENT

*Members of the public may address the Planning Commission concerning matters within their jurisdiction, which are not listed on the agenda and to request that a matter be agendized for a future meeting. No action may be taken on these matters at this meeting.*

No comments received.

3. MINUTES

Upon motion of Commissioner Frasier, second by Commissioner McHugh and carried, approved the Minutes of October 13, 2016 as submitted.

OLD BUSINESS

4. TENTATIVE PARCEL MAP

P-16-14

**Public Hearing:** Proposed Parcel Map to create 2 parcels out of an 11.87-acre parcel for the sale of Parcel A. Located at 1551 Main Street, Weaverville. APN 024-500-71-00. Applicant: Dennis Steve Toney. *Continued from October 13, 2016 (to be withdrawn from Agenda and readvertised when revised project is ready for hearing).*

Interim Planner Jelich advised this matter has been withdrawn.

NEW BUSINESS

5. PROPOSED MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

PW-16-06

**Public Hearing:** Proposed Negative Declaration and Initial Study for the construction of a roundabout at the intersection of Lance Gulch Road and State Route 299. Additionally, a new opening to Nugget Lane from State Route 299 would be constructed. The intersection was originally planned as a signalized intersection as part of the East Connector Roadway Project, and the signalized intersection remains the “no project alternative”. Applicant: Trinity County Department of Transportation.

Senior Environmental Specialist Jan Smith presented the staff report. She said they had always planned on a traffic signal at the intersection, but during the construction of the Lance Gulch Road Caltrans came along with a new policy that cited new intersections should consider a roundabout. It doesn't say we are required to do one, it just says we have to consider one, so the County had a traffic engineer prepared an Intersection Control Evaluation (ICE) that looked at advantages of a roundabout compared to a traffic signal. They did a traffic study which included traffic count, level of service impacts, the length of the

que, the waiting at the signal, it also included a 4-way stop and looked at a 2-way stop with just the stop signs on Glen Road and Lance Gulch Road, even though we already had a policy against doing that, but they looked at that and they compared all four of those alternatives, and it was determined a roundabout was a viable option and we decided in our meetings with Caltrans that we should go on and look deeper into the possibility of doing a roundabout. Smith said the Intersection Control Evaluation was completed in May of 2015, Lance Gulch Road was completed in October 2015 and in our meetings with Caltrans we agreed to put a 4-way stop at that intersection temporarily while we pursued the roundabout further. It was also agreed the 4-way stop was not a permanent fix and it couldn't remain permanently; we would have to do either a traffic signal or a roundabout, so we have put quite a bit more design work into the roundabout this time beyond what was analyzed in the Intersection Control Evaluation. She said we have analyzed and completed the design to a further degree and analyzed the impacts in this environmental document. She said the next step is to look at the environmental document and determine, based on that, and on the further design that we have, whether we should go ahead and proceed with the roundabout or go back to the signal, which is treated in this document as a "no project alternative" because the signal was already analyzed in the original EIR, and if we don't do the roundabout then we would defer it to the signal. Smith advised they have developed two alternative roundabout designs and three sub-alternatives which are alternative locations to the intersection going into Nugget Lane. She showed and explained each alternative location. Smith stated we looked at all these impacts in the environmental document and came up with mitigation measures. She said technically, under CEQA none of that is even considered a significant environmental impact, because it's not really an impact on the physical environment unless it was so bad that it wiped out the town and caused what they call "urban blight". So, they are not technically called environmental impacts; however, obviously, there are significant impacts to the business owners and we want to disclose that and do what we can to mitigate that anyway, and we want the decision makers to be aware of all those impacts. Smith said true environmental impacts are pretty much typical construction impacts and we reviewed those potential impacts. She said they believe the project can be done without completely closing the road at any time, we should be able to keep at least one lane open on Highway 299 throughout construction. Smith reviewed comments received from members of the public, there were three pro-roundabout letters and 25 letters against it, and responses to those letters are contained in the staff report. She said they got one 14-page comment letter that came in on time but they didn't have time to respond, and there were some very substantial comments in there; there was one comment letter received the day after the comment period closed. Smith stated they are going to provide written responses to the Board on those, along with written responses to any comments that come up tonight. Smith said the purpose of tonight's public hearing is for the Commission to hear public comments and make recommendations to the Board of Supervisors. She said this is unusual, we usually don't do this with a Mitigated Negative Declaration but due to the controversy and the Board has been involved in this decision all along and they want to make the final decision. She said the Director of Transportation and Planning can provide any technical information on the roundabout.

Director Tippett advised there are numerous documents regarding accident reduction, accident history and safety factors that you have, and the benefits that you achieve with it; and it was overwhelming in all the literature, you go to any FHWA website or state website, they will say a roundabout is a proven safety measure. Looking at roundabouts, the first one of what is called a modern-day roundabout, that is a roundabout that you would see here, that you see in Redding at different locations; there was only one installed and that was in Nevada in 1990, and then by 2000 there were 250 installed and then by 2013 there were 3,200 installed, so it's going up exponentially right now. Now the State says you have to look into a roundabout before you look at a traffic signal for traffic control at an intersection. He said for safety, on average at signal light intersections they have 2,500 accidents that are fatal accidents in the United States. Between 2000 and 2013 they only had 47 fatal accidents in that period at intersections where there was a roundabout. He said they did analyze for trucks, that's one of the things he hears most often is that trucks can't get through a roundabout, and yes they can get through, that is one of the

very particular designs in roundabouts that you have to verify. You select vehicles that you want to pass and then you design for that vehicle. He said if he needed just needed to pass small little bob-tailed pickups or packing trucks for stores, this roundabout would be half the size that it is, but because we want to convey the largest truck we have, this is the minimum size that we need to be able to do that. Tippet said we have STA trucks which are the big, also called Super Trucks that are about five feet longer than a standard truck, we have the ability for them to go east and west on Highway 299 now since the Buckhorn project, so when that becomes available there will be no problem there, and then also he saw the importance of maintaining that going to the mill and to the dump so that there would be access to those areas especially with the amount of trucking that goes on so that if they have to have that opportunity later on it would be available to them. He said going down Glenn Road does not, that will only pass a California truck that is a standard truck that you are used to seeing around Weaverville; the stop sign on the side street only option and the all-way stop option are the ones that are not available. He said the intersection was starting to meet the traffic volumes even before we built the road, the approach on the Glenn Road side had enough traffic and the traffic was delayed enough times that it was right at the cusp of the traffic signal. He said Caltrans said it was okay to go to the all-way stop, but only for a couple of years, so we have to do something. Tippet said we talked about right-of-ways and Ms. Smith went around and identified those sites, we have had some preliminary discussions with all of the owners on all the sites and there are some things we might work on as we get into design, but there are other things such as the Radio Shack and Nail Salon where we don't have any other option than to look at a right-of-way take of those buildings in order to construct this roundabout. He said regarding the gas station, we still have to have dialogue with Caltrans but we wanted to have a much more complete design and decisions made before we approach them to see what design configuration is acceptable. Tippet said on construction, it is really important to note that you can build a roundabout without having to have traffic control, meaning one-way traffic control only, one side goes and then the other. You can build a roundabout and push traffic to either side and build on one side and eventually be able to complete the circle without completely closing the road. He said there is a video how the City of Roseville built a roundabout, showing you can build around the intersection and still keep the traffic flowing. Tippet mentioned an email he got from the City of Redding about the roundabouts located in Redding and provided the Commissioners each a copy.

Commissioner McHugh asked for an explanation of “mountable devices”. Director Tippet responded the splitter islands, the islands in the middle, and because of the snow we have a little different design but they are not intended to be driven up on. He said in a roundabout you have some areas where there might be geometrics where you have to convey something and one of the reasons you can convey trucks is you have mountable curbs; you build curbs that are easy to drive up on and then you can drive on either a truck apron or decorative bricks or concrete squares.

Commissioner McHugh asked if this was equally safe for pedestrians. Tippet said he believes a flat face curb is safer but he doesn't have the statistics readily available.

Vice Chair Matthews said he noticed in Figure 6 of the environmental document for the “no project alternative” that it shows a proposed new access to Nugget Lane across from Burger King, but that's not included in the most recent version of the project? Jan Smith responded that is an old figure from the EIR actually, that's when we thought we were going to have to have “in only” from Glen Road to Nugget Lane and no “out” from Nugget Lane on to Glenn Road and we thought we would have to install that center of Nugget Lane extra access across from Burger King, but now with further design of the traffic signal we have determined that we can keep all movements on the Glenn Road/Nugget Lane open and that's a better solution so if we do the signal we're not going to do that mid-block entry.

Vice Chair Matthews opened the hearing to public comment.

Comments received from John Hamilton, Duane Heryford, Allen Houston, Everett Harvey, Ricky from Weaverville Market, Dan Stoddard, Scott White and Megan Marshall.

No further comments being received, Vice Chair Matthews closed public comment on this item.

Commissioner McHugh asked if the Commission could get comment from staff regarding the out-of-date data in the ICE study. Director Tippett responded the ICE is meant to be a snapshot of the intersection at the time they did the analysis. He said the cost benefit ratio is a target, it's not a catch all number that makes all the decisions, but we did go through the cost benefit ratio when we applied for the HASIP Grant and since roundabouts are unique Caltrans uses a different methodology for calculating the B/C ratio for roundabouts, but he doesn't have the numbers with him. It is not the only factor in moving forward.

Commissioner McHugh stated one of the points raised had to do with the change in the left turn process in and out of the DMV affecting potentially the safety and the addition of a mountable curb affecting the analysis of the safety, and asked Director Tippett to comment on the collective change in the safety factors and conclusions that might have happened when those mitigation measures were added. Are the conclusions in here about safety reflective of those changes? Tippett responded in the affirmative, stating we talked about the mountable curb but there are also solutions to that, there is high visibility striping, reflective markers, even barriers or other things you put on top of the curb, there is even markers, but there are things you can do to enhance visibility if you have to. He said we always start with the least restrictive measures first which is try to use regular striping and reflectors, but if you do develop a problem you increase to have another level of improvements to direct traffic from doing the adverse actions. He said if he had people hitting the curb and mounting it, the first thing he would do is put something on the end to mark that curb. The left out, is it optimal? No, it's not optimal, but it is only one lane that you are traversing and that the roundabout, the way it's metering cars out and slowing them down, it is something that will function okay. He said he doesn't have any reservations right now.

Vice Chair Matthews stated from his perspective a mountable curb on Lance Gulch to allow the CHP to bypass does provide a clear risk to a distracted driver or somebody being able to go in the wrong way on the roundabout, it seems pretty clear that could happen without right angle curb there or something like that. He said and if it's a mitigation measure there's not much you can do once you have built a mountable curb there that would prevent a car, if someone was distracted, from continuing over the top of it. He said he felt that was a valid criticism. Tippett responded when he talks about the markers which are plastic in nature and tend to flex, you can drive over them in an emergency and they pop back up. He said there are a lot of things in the tool chest that you can use for things that need to be mitigated.

Vice Chair Matthews said he will agree that there were issues with the timing for public comments due on the document. He said we have comments that staff hasn't addressed, so thinks we should continue in order to have staff address those comments. He said we could continue this to allow that to be addressed in his opinion. Director Tippett stated we do have a special meeting next week on November 17<sup>th</sup> to address variances. He said he asked County Counsel earlier if it could be continued to that date and she said yes. Senior Environmental Compliance Specialist Jan Smith stated that would only give her one day to respond, or less than one day. Commissioner McHugh asked if we continued it to December 8, 2016 would that give staff time to write a thorough response to what was heard tonight and what was reported in the staff report. Smith responded affirmatively, but, it's going to take some analysis from the engineers, that is what is needed, and that takes time. She said she supposed she could get it done for December. Director Tippett stated it could be continued to December 8, 2016, it just makes it tight to have everything ready for the Board on December 20<sup>th</sup>.

Commissioner McHugh moved to continue the matter to December 8, 2016 to look at further input

received from staff. Smith asked if the Commission wanted her to revise and recirculate the document, or just more technical study on the impacts of the mitigation measures. Commissioner Frasier seconded the motion. Commissioner McHugh responded just more technical study on the impacts of the mitigation measures Director Tippet stated he wanted to add that at the next meeting, on December 8<sup>th</sup> it still would still be just the three Commissioners present tonight doing the discussion, because without the other commissioners hearing public comments, they cannot take action and have to leave the room. Motion carried unanimously.

Recesses 8:20 p.m.; reconvenes 8:27 p.m.

The Vice Chair took Items 7 out of sequence on the published agenda.

7. **GENERAL PLAN CONSISTENCY DETERMINATION** **PW-16-07**

Finding of consistency with General Plan regarding disposal of county property through sale and lot line adjustment with adjoining property owner (Nichols P-16-03). Located at East Weaver Creek/North Street area, Weaverville. APN: 024-390-08 & 09. Applicant: Trinity County Department of Transportation.

Interim Planner John Jelich presented the staff report. Jelich said in reviewing the proposed Lot Line Adjustment between the Mill and Mr. Nichols who owns a mobile home park at the end of North Street, they determined that it may be helpful if they could at one time work with the County on acquiring some of the County's oddly shaped parcels. He said the idea is they could pick up some of this remnant land that isn't going to be needed by the County flood control easement anymore; however, it is being used by utilities and there is a trail that is used by the public, and that trail also shows up in the Weaverville Trails Plan which is included in the Weaverville Community Plan which is part of the County General Plan. Jelich explained the proposed Lot Line Adjustment between the Mill and Mr. Nichols, that when you do a Lot Line Adjustment you have to prepay taxes and the Mill has done that, that is why they are anxious to get this all done at the same time before the end of the year for that reason. He said by doing it at the same time, the Surveyor only has to do one legal description for the remainder of the Mill instead of doing a portion now and a portion later, so it is all being coordinated.

Vice Chair Matthews opened the hearing to public comment. No comments being received, hearing closed to public comment.

Commissioner McHugh moved to find that the proposed project to dispose of approximately 0.026 acre (portion of APN 024-390-08) and 0.430 acre (APN 024-390-09) is consistent with applicable goals and policies of the General Plan, which includes the Weaverville Community Plan, if utility easements are provided and an easement of not less than 12 feet for the trail is provided where it passes through the subject property. Seconded by Commissioner Frasier. Motion carried unanimously.

6. **USE PERMIT FOR CONSTRUCTION OF NEW JAIL** **PW-15-01**

**Public Hearing:** Use Permit to construct a new 96-bed jail, having approximately 25,000 sq. ft. of floor space as well as an outdoor exercise area encompassing at least 600 sq. ft. Other features include employee and visitor parking, security fencing, dumpster enclosures, an antenna, a perimeter access road, and landscaping. Offsite improvements include utility tie-ins, construction of a turn lane on Highway 3 at its intersection with Tom Bell Road, and construction of an emergency access road. APN: 024-200-18. Applicant: County of Trinity.

Interim Planner Jelich presented the staff report. He said the Planning Commission already approved the Negative Declaration for this and adopted the Mitigation Monitoring Plan. The reason we are providing this again is that when we go through this it is important to take Mitigation Measures and

convert them into Conditions of Approval to make sure they are incorporated into the project. Jelcich said the bigger issue that came up had to do with the airport land use consistency, and the Airport Land Use Commission has approved the site location which is in Airport Safety Zone D. He suggested an amendment to Condition 8 to add “All structures shall lie within ALUCP Zone D. ALUCP Zones B, C & D shall accurately be shown on the site plan submitted with the building permit application. Jelcich showed color boards showing the different colors and texture of blocks to be used on the building exterior, and reviewed the proposed conditions of approval.

Director Tippett stated the safety zones have been surveyed and marked, we actually relocated the building and moved it in, initially it was pointing due north but as we were doing the design we rotated it to line up with the requirements Airport Land Use Commission

Vice Chair Matthews opened the hearing to public comment. No comments being received, public hearing closed.

Commissioner Frasier moved to approves the Use Permit to allow development of a 96-bed jail, based on findings of fact A through C and subject to Conditions of Approval 1 through 19, with the amendment of Condition 8 to add a sentence reading: “All structures shall lie within ALUCP Zone D. ALUCP Zones B, C & D shall accurately be shown on the site plan submitted with the building permit application”. Seconded by Commissioner McHugh. Motion carried unanimously.

**8. TENTATIVE MAP TIME EXTENSION**

**P-08-09**

Consider and/or take action to grant a one-year time extension of tentative map approval to create four parcels of approximately 2 acres each. Located at Angel Hill Road/Highway 3, Weaverville. APN:024-200-23-00. Applicant: Yingling Trust.

Interim Planner Jelcich presented the staff report.

Vice Chair Matthews opened the hearing to public comment. No comments being received, hearing closed to public comment.

Commissioner Frasier moved to grant a twelve (12) month time extension for the Yingling Trust subdivision, APN 024-200-23 (File P-08-09). The new expiration date shall be October 9, 2017. Seconded by Commissioner McHugh, and carried unanimously.

**9. MATTERS FROM THE COMMISSION**

Commissioner McHugh asked when the Commission might see a staff report for the November 17, 2016 meeting. Interim Planner Jelcich responded possibly Monday by email.

Vice Chair Matthews asked if members of the Commercial Cannabis ad hoc committee that is supposed to be working with the Planning Commissioner and Board of Supervisors going to attend the meeting on the 17<sup>th</sup>. Director Tippett responded that he would have to defer to the ad hoc committee, that they are aware of it, but he can pass on the question.

Interim Planner Jelcich stated the kind of things he envisioned talking about would be responsibility of the Planning Commission that would only go to the Board of Supervisors if there was an appeal, that’s the way the ordinance is worded now. Vice Chair Matthews said there is quite a potential for variances from the ordinance. Director Tippett stated one of the variances that we are talking about the situation has come up numerous times and it might be a variance where you recommend to the Board that we go Director’s Permit instead of going through the full variance process, and those are some of the other things

that we are going to talk about. He said he doesn't want to get too much into it here.

10. **MATTERS FROM STAFF** – None.

11. **ADJOURN**

Vice Chair Matthews adjourned the meeting at 8:54 p.m.