

TRINITY COUNTY PLANNING COMMISSION

Special Meeting
Thursday, November 17, 2022
Trinity County Library Conference Room
351 Main St. Weaverville, CA

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

PLANNING COMMISSION MEETING MINUTES

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

Commissioners present: Commissioner Sharp, Commissioner McIntosh, Commissioner Fall, Commissioner Barrett and on ZOOM: Commissioner Heaton

Staff Present: Interim Deputy Director, Ed Prestley; Asst. Planner Skylar Fisher; Admin Coordinator-Planning, Deborah Rogge; Admin Coordinator-Cannabis, Chad Fougeron and on ZOOM: Environmental Compliance Sp. & Acting Cannabis Director-Drew Plebani

CALL TO ORDER:

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

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

Public comment was heard from

Speakers: no speakers

SPECIAL CALENDAR:

Item 1. Minutes: Approve meeting minutes from October 27, 2022.

By motion made and seconded (Fall/Barrett) to approve 5-0 the minutes as submitted for October 27, 2022.

Item 2: REZONE AND GENERAL PLAN AMENDMENT (P-20-20/P-21-33): A request to change the zoning district of a parcel from Single Family Residential – Low Density (R1A) to Multiple Family District (R-3 District) and change the general plan designation of the parcel from Single Family Residential – Low Density (SF-L) to Multi-Family Residential – High Density (MF-H). Proposed CEQA determination: Mitigated Negative Declaration. The project parcel is located at 161 Ransom Rd, Weaverville. APN: 024-510-002. Applicant: D. Ryan. Planner: S. Fisher

Public comment was heard from Dana Ryan-applicant; Sherrie White-HRN-Weaverville; Mr. Simmons-Weaverville and being there were no other speakers public comment was closed.

After discussion and amendment, the following motion made and seconded (Fall/Sharp) was approved by roll call vote 5-0:

The Planning Commission recommends that the Board of Supervisors, based on findings in support:

- A. Adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration and the Mitigation, Monitoring, and Reporting Program (MMRP) without the amended mitigation measure BIO-1;

- B. Amend the Zoning District for the property from Single Family Residential – Low Density (R1A) to Multiple Family District (R-3 District) and amend General Plan designation for the property from Single Family Residential – Low Density (SF-L) to Multi-Family Residential – High Density (MF-H) with a plan review (PR) overlay on APN 024-510-002
- C. Approve applications P-20-20 and P-21-33, and add condition: No building permit or other construction permit shall be issued until review and approval of preliminary and final site plans by the Planning Commission.

Roll call vote: Sharp-aye, fall-aye, Barrett-aye, Heaton-aye, McIntosh-aye

Item 3: MAJOR LOT LINE ADJUSTMENT (P-22-19) A request for a major lot line adjustment. The project includes 1531/1401/1173 Lewiston Rd., Lewiston. APNs: 025-250-022, 025-520-015, 025-520-010. Applicant: S. White. Planner: S. Fisher

Public comment was heard from Scott White-applicant; and being there were no other speakers public comment was closed.

After discussion and an amendment, the following motion made and seconded (McIntosh/Heaton) and approved 5-0 by roll call vote: recommended that the Planning Commission finds the application P-22-19 is complete and the applicant is to provide confirmation of legal access to parcel C and required vesting deeds to the county surveyor.

Roll call vote: Heaton- aye, McIntosh-aye, Barrett-aye, Sharp-aye, Fall-aye.

Item 4: APPEAL OF THE DIRECTOR'S DECISION (P-22-29): An appeal of the planning director's decision to approve commercial cannabis cultivation license (CCL) 651, pursuant to Trinity County Code Section 17.34.110(A). The project parcel is located at 1598 Indian Creek Rd., Douglas City. APN: 015-180-045. Applicant: Semih Sabankaya. Planner: S. Fisher

Public comment was heard from Barry Himmelstein-Representative for the appellant; Joe Herri-Licensee and being there were no other speakers public comment was closed.

By motion made and seconded (Fall/Barrett) and approved by roll call vote 5-0 to continue Item 4 P-22-29 an Appeal of the Director's Decision to December 8, 2022.

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

Item 5: ANNUAL INITIAL VARIANCE (CCV-22-40): A request for an initial cannabis cultivation variance from a neighboring residence, pursuant to Trinity County Code Section 17.43.050(A)(8). The project is located at 2450 Lewiston Rd., Lewiston. APN: 025-260-011. Applicant: D. Devore. Planner: S. Fisher

Planner Fisher reported that staff and Commissioners Fall and Heaton went to visit the site and the applicant showed them around the project.

Comment was heard from Danielle Devore-Applicant; Public comment was heard from Cindy-Lewiston; Veronica Kelly-Albiez-Douglas City; and being there were no other speakers public comment was closed.

By motion made and seconded (McIntosh/Sharp) and approved by roll call vote 5-0 that the Planning Commission moves to:

- A. Adopt a California Environmental Quality Act (CEQA) determination that the project is exempt per Section 15061(b)(3)
- B. Adopt Resolution PC 2022-14 subject to Exhibit A – Conditions of Approval to reduce the 350-foot setback to 225-feet from the residence on APN 025-260-037

Roll call vote: Sharp-aye, McIntosh-aye, Barrett-aye, Fall-aye, Heaton-aye

Item 6: ANNUAL INITIAL VARIANCE (CCV-22-41): A request for an initial cannabis cultivation variance from neighboring residences, pursuant to Trinity County Code Section 17.43.050(A)(8). The project is located at 2761 Van Duzen Rd., Mad River. APN: 018-470-028. Applicant: D. & C. Hicks. Planner: S. Fisher

Comment was heard from Diane and Curtis Hicks-Applicants and being there were no other speakers public comment was closed.

By motion made and seconded (Sharp/Heaton) and approved by roll call vote 5-0 that the Planning Commission moves to:

- A. Adopt a California Environmental Quality Act (CEQA) determination that the project is exempt per Section 15061(b)(3)
- B. Adopt Resolution PC 2022-15 subject to Exhibit A – Conditions of Approval to reduce the 350-foot setback to 255-feet from the residence on APN 018-470-021 and to reduce the 350-foot setback to 250-feet from the residence on APN 018-470-011 and
- C. The site elevations be reviewed from the floodplain to the garden before issuance of CCL.

Planning commission took a 10-minute recess 7:55 p.m. Resumed at 8:03 p.m.

Item 7: ZONING DETERMINATION: Request for a Planning Commission determination on the applicability of the Highway Commercial zoning district requirements as it pertains to commercial cannabis cultivation. This request is pursuant 17.30.010. Location: Countywide. Planner: S. Fisher

Public comment was heard from Scott Watkins-Hayfork; Veronica Kelly-Albiez-Douglas City; David Albiez-Douglas City and being there were no other speakers public comment was closed.

By motion made and seconded (Fall/Sharp) and approved 5-0 that the Planning Commission:

1. Determines that commercial cannabis cultivation is not a similar use in the Highway Commercial Zoning District

PLANNING COMMISSIONERS REPORT:

Commissioner Heaton announced that he has been invited visit commercial cannabis sites in his district. Commissioner McIntosh accepted a position on the 2022 audit committee for the California County's Planning Commissioners Association.

PLANNING DIRECTOR'S REPORT:

Interim Deputy Director Prestley reported that he approved by Director's Decision an amended reclamation plan for Blue Rock 2 a quarry in Mad River. Ed also reported to the General Plan meetings that he and Skylar went to the previous week.

ADJOURNMENT:

The Planning Commission adjourned at 8:40 pm.

Submitted by: Deborah Rogge, Administrative Coordinator-Planning



**Ed Prestley, Interim Deputy Director Planning & Building
Secretary of the Planning Commission**