

TRINITY COUNTY PLANNING COMMISSION

Regular Meeting
April 8, 2021 at 6:00 p.m.
Trinity County Library Conference Room
351 Main St, Weaverville, CA

Chairman Diana Stewart
Vice-Chairman Duncan McIntosh
Commissioner William Sharp
Commissioner Mike McHugh
Commissioner Todd Heaton

MEETING MINUTES

Commissioners present: Diana Stewart, William Sharp, Mike McHugh, Todd Heaton. Commissioner(s) Absent: Duncan McIntosh

Staff Present: Planning Director Kim Hunter; Planning Deputy Director, Lisa Lozier; Associate Planner, Bella Hedtke; Environmental Compliance Specialist, David Colbeck; Administrative Coordinator, Deborah Rogge

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 opened at 6:00 p.m.

Speakers: Tom Ballanco-Douglas City, Liz McIntosh-Junction City, Jake Grossman-Hayfork.

Public comment closed at 6:05 p.m.

REGULAR CALENDAR: There was a re-arrangement of the Agenda the new order is as follows; Item 1 P-20-43, Item 5 P-20-46, Item 2 CCV-20-42, Item 3 P-20-48, Item 4 P-97-32. The minutes reflect the re-arrangement.

Item 1 APPEAL OF PLANNING DIRECTOR'S DECISION (P-20-43): An appeal of the Planning Director's Decision to deny a Commercial Cannabis License renewal application (CCL-046) for 30 Shasta View Lane, Weaverville. Appellant: Mary Killion-Hurst. Licensee: Hurst Family Farms. Assessor Parcel Number 024-680-32-00. (*Continued from March 11, 2021*)

Chair Stewart stated that no public comment would be opened for this meeting due to the Item being continued from the March 11, 2021 meeting, nor will there be additional comment by staff.

Commissioner Sharp recused himself.

Commission was appreciative of the additional material provided by the appellant and by staff.

By motion made, and seconded (McHugh/Heaton) to deny appeal and concurring with the staffs' basis in the report.

Commissioner McHugh commented that many things were done right and some things done questionably, and procedural issues. But, not enough information had been received to overturn the Director's decision. Chair Stewart agreed, and stated the applicant continued to cultivate after the State revoked his license for compliance issues. Commissioner Heaton was also in agreement.

Vote: McHugh-Aye, Heaton-Aye, Stewart-Aye, Sharp-recused. McIntosh-absent. Motion passes unanimously.

Item 5 APPEAL OF PLANNING DIRECTOR'S DECISION (P-20-46): An appeal of the Planning Director's Decision to approve a Commercial Cannabis License renewal application (CCL 262) for 311 Ward Placer Place, Weaverville. Appellant: William and Terry Sharp. Licensee: D'Andre Caldwell-Johnson. Assessor's Parcel Number 024-680-35-00.

Commissioner Sharp recused himself.

Kim Hunter presented the staff report, and answered questions from the Commission.

Public comment was opened, William Sharp-Appellant presented his position, Ana Wright-Flowra for the licensee D'Andre Caldwell-Johnson-Licensee and D'Andre Caldwell-Johnson-Licensee presented his argument. Additional public comment was received from; Tom Ballanco-Douglas City, Lisa Wright-Lewiston, Vincent Sharp-Weaverville, Jake Grossman-Hayfork, ZOOM speakers; Adrien Keys, Veronica Kelly-Albietz-Douglas City, Laurie Wills-Lewiston. Public comment closed.

Rebuttals were heard from; William Sharp, Lisa Wright, and D'Andre Caldwell-Johnson. Item was returned to the Commission for discussion and questions.

By motion, and seconded (Stewart/McHugh) to deny appeal P-20-46.

Vote: McHugh-Aye, Stewart-Aye, Heaton-Aye, Sharp-recused, McIntosh-absent. Motion carried unanimously.

Item 2 ANNUAL INITIAL VARIANCE (CCV-20-42): A request for a variance from the required 350' Cannabis cultivation setback from a neighboring residential dwelling (TCC 17.43.050.A.8). Project site is located at 1730 Lake Rd., Junction City. Applicant: L. Tran. Assessor Parcel Number: 009-490-22-00. Planner: B. Hedtke. Belle Hedtke presented the staff report and recommendations.

Public comment was opened and Deidra Brower-Applicants Reprehensive (ZOOM). Public comment was closed and brought back to the commission.

By motion made and seconded (McHugh/Heaton) to continue this item to the May 13, 2021 meeting. Motion passed unanimously.

Item 3 REQUEST FOR SUBDIVISION MODIFICATION (P-20-48): A request for post approval modification of two conditions for access for a 3-parcel tentative subdivision map (P-11-22). The project site is located at Van Duzen River Road, Mad River. Applicant: Cameron Holmgren. Assessor Parcel Number 018-210-16-00. Planner: L. Lozier

Lisa Lozier presented the staff report and recommendations.

Public comment was opened. Cameron Holmgren-Applicant presented his case and answered questions from staff. Comment was received from John Brower-Junction City.

Rick Tippet and Andrew Pence from the Transportation Department answered questions from the commission and provided their departments position on the project.

Rebuttal was made by Cameron Holmgren.

Cameron Holmgren was offered the opportunity to have his project continued to the next meeting, and choose to continue at this meeting.

Additional public comment was heard from Steven Adams-co-owner of the project. Public comment was closed and discussion brought back to the commission.

By motion made and seconded (McHugh/Sharp) to approve the revised Resolution No. PC-2021-06 with the following changes; in paragraph 2 sub-paragraph d after the word transportation add the words, delete the asphalt requirement.

Roll call vote: Sharp-Aye, McHugh-Aye, Heaton-Aye, Stewart-Aye, McIntosh-absent. Vote is unanimous.

Planning Commission took a short recess.

Item 4 MODIFICATION / REVOCATION OF CONDITIONAL USE PERMIT (P-97-32): Consideration of the modification or revocation of the Conditional Use Permit for Smith Pit Tailings Mine as provided by Trinity County Code section 17.32.070(C) as directed by the Planning Commission on October 6, 2020. The Planning Commission may revoke or modify a Condition Use Permit upon a determination that the use is being conducted: 1) in a manner detrimental to the public health, safety or welfare; 2) in a manner which constitutes a public nuisance; or 3) in a violation of any condition imposed by the Planning Commission. Trinity Sand and Gravel is the current operator of the mining operation located at 125 Egan Flat Road, Junction City. Assessor Parcel Numbers: 012-120-62, 63 and 64. Planner: K. Hunter and B. Hedtke. *(Continued from March 25, 2021)*

David Colbeck asked for clarification on what the vote was at the last meeting. Chair Stewart stated the vote was to continue the Item P-97-32 to the April 8, 2021 meeting and for staff to bring back findings should we vote to revoke.

Public comment was opened, Judd Buick- Owner of the mining operation, Amanda Barragar-Junction City, Martha Hellberg-Junction City, Liz McIntosh-Junction City, Christine Camara-Superintendent of Junction City School, Shannon Wilhite- Humboldt County, ZOOM commenters- Jessica Buick, John Brower-Junction City. Public comment was closed and brought back to the commission for discussion and questions.

By motion made and seconded (McHugh/Sharp): To adopt resolution 2021-05 as presented with the following changes; under paragraph #2 sub-paragraph A, delete the parenthetical reference to exhibit B. Under paragraph 2, sub-paragraph B where it references violation and condition #5, change to condition numbers 1, 5, 6, and 12. In parenthesis at the end of that same paragraph remove Exhibit C replace with Exhibits B and C.

Roll call vote: Sharp-Aye, McHugh-Aye, Heaton-Aye, Stewart-Aye, McIntosh-absent. Vote is unanimous.

PLANNING COMMISSIONERS REPORT: Welcome to our new Commissioner Todd Heaton. Commissioner McHugh would like staff to agendize a discussion on the macro issue raised earlier of the potential amendment to the cultivation ordinance regarding rural residential neighborhoods.

PLANNING DIRECTOR'S REPORT: Our next two meeting will be May 13 and June 10.

ADJOURNMENT: The Planning Commission adjourned at 10:01 pm.

Submitted by: Deborah Rogge, Administrative Coordinator



Kim Hunter, Planning Director
Secretary of the Planning Commission