

TRINITY COUNTY PLANNING COMMISSION

STAFF REPORT

PROJECT TITLE: Appeal of the Director's Decision to Deny Map Time Extension P-22-18

APPLICANT: Krasimir Yordanov

REPORT BY: Skylar Fisher, Associate Planner

LOCATION: 420 Blake Mountain Trail, Hyampom (APN 011-210-035)

ZONING DISTRICT: Rural Residential 40-acre minimum

GENERAL PLAN DESIGNATION: Rural Residential

PROJECT DESCRIPTION:

The applicant is appealing the director's decision to deny an extension of time application (P-22-18) for tentative parcel map P-17-36.

Location	Land Use	Zoning District	General Plan Designation
North	Single Family Residential/Forest Service	Unclassified	Resource
South	Timber Preserve	Timber Production Zone	Resource
East	Residential Mobile/Manufactured Homes/Vacant/Forest Service	Rural Residential/Unclassified	Resource/Rural Residential
West	Forest Service	Unclassified	Resource

Table 1: Surrounding Land Uses to Project Site

PROJECT BACKGROUND:

P-17-36 is a tentative map creating four parcels and a remainder. The Board of Supervisors approved tentative map P-17-36 and a rezone of the property from Unclassified to Rural Residential with a 40-acre minimum in July 2018. Failure to record a parcel map within twenty-four months from the date of approval or conditional approval of a tentative map shall terminate all proceedings unless there is a timely filing of an extension.

In July 2021, correspondence went out to the applicant's surveyor from the Planning Department, citing concern that a modification may be required of the map and that, while the map was originally set to expire in July 17, 2020, AB 1561 extended the map to January 17, 2022. An application to extend tentative parcel map P-17-36 was not submitted prior to the January 17, 2022 date.

In December 2021, the applicant submitted a post-subdivision modification application (P-21-41). The applicant attended Planning Commission meetings on April 14, 2022 and July 14, 2022 to request an update on the status of the subdivision modification request.

While processing the subdivision modification application, it was determined that an extension of time was not submitted in time for the tentative map, causing it to be expired. An email was sent to the applicant's agents of the map expiration in June 2022.

In August 2022, the applicant submitted an extension of time request for the tentative map (P-22-18). As the map was already expired, the planning director denied the application for an extension of time.

PROJECT EVALUATION:

Project Consistency with the Subdivision Map Act

California Government Code Section 55463.5(b) states:

"The expiration of the approved or conditionally approved tentative map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within the tentative map shall be filed without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section."

Project Consistency with the California Environmental Quality Act (CEQA)

Discussion and action on the request of an appeal qualifies as exempt from CEQA, based on Section 15061(b)(3) which states that a project is exempt if it is found that there is no possibility that the activity in question may have a significant effect on the environment.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission uphold the director's decision to deny the extension of time application

ALTERNATIVES

If the Planning Commission does not wish to deny the appeal, an alternative is continuing the item to the next Planning Commission hearing on November 10, 2022 to provide additional information.

ATTACHMENTS:

- A. Extension Request Letter
- B. Email Correspondence Regarding Map Expiration
- C. Trinity County Board of Supervisors Resolution No. 2018-042 and Exhibit A – Conditions of Approval
- D. Tentative Map P-17-36
- E. P-22-20 Location Map
- F. P-22-20 Zoning Districts Map
- G. P-22-20 General Plan Designations Map



TRINITY VALLEY CONSULTING ENGINEERS, INC

Engineering - Surveying - Land Planning - Construction Management

8/22/2022

Trinity County Planning Department
Planning Director and respective Planning Commissioners
530 Main Street
Weaverville, CA 96093

RE: Extension Request
Client: Kris Yordanov
Owner: Shushkova Zhulieta
Application #P-17-21 & #P-17-36

Trinity County Reviewing Agency:

We are writing today to request a time extension for the above referenced project. There have been many setbacks since the application was first submitted. Delays range from planning staff shortages to a worldwide pandemic.

Recently, Associate Planner Skylar Fisher informed us that the project application had expired. All parties involved were unaware of the expiration until this time. The applicant, County staff, and State agencies continued working on this project for five months post expiration. You can understand how surprised we were to learn the project had expired without notice.

The intent of this letter is to formally request the project be extended an appropriate amount of time as we work toward a successful completion.

Feel free to contact us should you have any questions.

Respectfully,

TVCE Staff

Main Office
67 Walnut Way
Willow Creek CA 95573
(530) 629-3000

Weaverville Office
2200 Main Street
Weaverville CA 96093
(530) 623-4446

Skylar Fisher

From: Eric Keyes <eric@tvce.biz>
Sent: Thursday, June 30, 2022 3:37 PM
To: Skylar Fisher
Cc: Laurel Dummer; 'Peter Esho'; Kris Y.; Kevin Butler
Subject: Re: Application Number P-21-41

Good Afternoon Skylar,

Do to delays in the approval process, pandemic strains, and the lack of planning staff, this project has lingered for over 4 years at no fault of the applicant. Below is my understanding of the deadline as shown by emails from Lisa Lozier that have recently been brought to my attention (attached below). It appears the application was automatically extended until January 17, 2022. The modification request was submitted in December 2021. Based on this information, the subdivision modification request was submitted prior to expiration and we feel the County's acceptance of the application in affect constitutes an extension of the project. If this is not the case, then we would like to request a similar renewal in order to continue the planning department's review of the application. Having said this, TVCE remained unaware the project was up for renewal until the date of this email.

Let me know if you have any questions.

We look forward to working with you on the completion of a successful project.

----- Forwarded Message -----

From: Kris Y <yordanovkr@gmail.com>
To: eric keyes <eric@tvce.biz>
Sent: Thursday, June 30, 2022, 11:18:54 AM PDT
Subject: Fwd: FW: FW: Incomplete letter dated 07.09.2021 P-17-21 Aratlakova

----- Forwarded Message -----

From: Lisa Lozier <llozier@trinitycounty.org>
Sent: Monday, July 12, 2021 3:21 PM
To: 'Kevin@butlergroup.us' <kevin@butlergroup.us>
Subject: Incomplete letter dated 07.09.2021 P-17-21 Aratlakova

Hello Kevin,

Sorry for the late reply. Our work load at the moment is just ridiculous. Please find attached an incomplete determination for final map regarding Tentative Parcel Map P-17-36. Based on my conversations with Andy Pence and Joan Carr, The Dam is the first item that needs to be discussed and resolved. I apologize for the disjointed incomplete determination. The bits and pieces are derived from several emails.

I will be out of the office until July 26, 2021. Let me know if you would like to arrange a meeting when I return to discuss the incomplete determination.

Best regards,

Lisa

July 9, 2021

Incomplete determination for Tentative Parcel Map P-17-36 – Aratlakova

Brief Synopsis:

The most critical issue is addressing the dam as discussed in the email provided by Andy Pence in November of 2019, and if a Post approval modification will be required to address any changes from the approved map to the final modification a Map Modification to address this issue.

The following questions and request for information was submitted to Planning Staff on June 25 & 26, 2021 to address the submittal provided to Trinity County Department of Public Works and Trinity County Planning Department on May 24, 2021.

From the County Surveyor (Joan Carr): Based on the completeness review submittal the following information will be required:

June 25, 2021

- Confirmation from Planning that the map has not expired. **(Based on the criteria outlined in AB1561, TPM P-17-36 would qualify for an 18-month extension of time. The approval date was July 17, 2018 and original expiration date July 17, 2020. The 18-month Extension of Time provides a new expiration date of January 17, 2022. Additional extensions of time would be available under the SMA if necessary.)**
- Copy of the approved tentative map
- An updated Title reports. The title report on file is dated 5/9/2017. If there are any revisions, I will need copies of the associated documents.
- Copies of the following documents referenced on the map (these are generally adjoiner deeds):
 - 2015-00544
 - 2011-01165
 - 2012-04519
- Before approval of this Parcel Map (PM) I will need a letter from the Planning Department that the map is substantially the same as the Tentative Parcel Map (TPM) and all Conditions of Approval have been satisfied.
- Before approval of this Parcel Map (PM) I will need a note from the TCDOT related to Improvement Plans, Road Maintenance Association and Subdivision Improvement Agreement. I will also need to verify easement locations with TCDOT.
- Please provide contact information for the Pre-82 civil engineer performing as the land surveyor on this project.

June 26, 2021

The Conditions of Approval (COA) were approved by the BOS in 7/17/2018 based on a TPM submittal that did not identify the dam (and therefor had COA placed on it based on insufficient information supplied by the applicant).

TCDOT sent the email below, on 11/20/2019, after a site visit recommending a post-subdivision modification be pursued to amend the COA based on the site visit.

I cannot sign the map until I know this issue has been resolved and the TPM and COA have been revised. I believe this to be a "health and safety" issue.

SMA 66450

(a) If a subdivision for which a parcel map is required lies within an unincorporated area, a certificate or statement by the county surveyor is required. If a subdivision lies within a city, a certificate or statement by the city engineer or city surveyor is required. The appropriate official shall sign, date, and, below or immediately adjacent to the signature, indicate his or her registration or license number and the stamp of his or her seal and state that:

(1) He or she examined the map.

(2) The subdivision as shown is substantially the same as it appeared on the tentative map, if required, and any approved alterations thereof.

(3) All provisions of this chapter and of any local ordinances applicable at the time of approval of the tentative map, if required, have been complied with.

(4) He or she is satisfied that the map is technically correct.

There were many boundary resolution questions on the TPM that I expect are still issues here on the PM and just to complicate it all further the original surveyor has died and a new surveyor (Pre-82 civil, licensed in 1970) has taken over the project.

Email referenced above sent by Andy Pence, Trinity County Department of Transportation, on November 20, 2019:

Hi Kevin,

I completed the site walkthrough with Chris and your surveyors yesterday. For the most part, it seems that a profile will be needed over most of the roadway, and additional survey will be needed at multiple locations for culverts, drainages, etc.

While we were out there, we ran across the pond. I have attached pictures of the pond. It appears that the road is acting as a dam structure for the pond. If you look at photo PB190365(PDF), you can see the small outlet pipe (which I believe is a 6" IP) at the base of the dam. Chris said that there used to be a valve on this pipe. I wish we had realized this earlier, but it is now clear that this is a manmade reservoir. This leads to a few items that need to be addressed:

1. The dam is probably not a “jurisdictional” dam, but this needs to be verified. Your surveyor (or other appropriate professional), needs to do a study of the pond/dam height and area to confirm that it is not a “jurisdictional” dam. Please see the following website:

<https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams/Jurisdictional-Sized-Dams>

The following criteria tell us whether it is jurisdictional:

- a. If dam is over 6 feet tall and impounds 50 acre-feet or more of water, then it is “jurisdictional.”
- b. If dam is over 25’ tall (from lowest point of toe to spillway crest), and impounds 15 acre-feet of water, then it is “jurisdictional.”

The dam is certainly over 6’ tall, but probably doesn’t hold 50 acre-feet by our estimates. The dam probably does not meet the 25’ height requirement either, but we want to be sure. I am fairly certain the dam holds over 15 acre-feet of water.

2. The dam needs to be evaluated for stability. The conditions of approval require:

A hydrology study showing the ability to convey 100 year storm flows in all culverts and ditches shall be approved by the Director of Transportation. All culverts shall be 18” diameter or larger unless an alternative size is approved by the Director of Transportation. Ditches shall be designed and constructed to prevent 100 year flows from encroaching more than 2 feet into the travel way.

We initially saw the drainage and pipe on the tentative map, and the requirement for a hydrology study was partially

Stability of hydraulic structures are to be required in such a hydrology study. Typically this would include inlet and outlet protection, embankment protection (at a culvert crossing), and ditch erosion protection. In this case, we see this dam as a hydraulic structure that needs to be evaluated for stability of the dam itself. Part of this should also include an appropriate overflow. The recently installed 18” overflow pipe has no outlet protection and could result in erosion and subsequent failure of the dam.

3. An application for post-subdivision modification needs to be submitted. The roadway across the dam is only about 16’ wide (at best), which does not meet the width requirements of the Fire Safe Codes. For a number of reasons, we do not believe that widening the dam is desirable. Per County Code, a post-subdivision modification is required for a variance to the conditions of approval and/or the County Subdivision Ordinance requirements. The post-subdivision modification process requirements are in Chapter 16.50 of the Trinity County Subdivision ordinance. The county Planning department can be contacted for more details. Because

the width requirement is a part of the Fire Safe ordinance, Calfire should be contacted to provide written approval of such a change.

The conditions of approval state that plans must be approved prior to construction of improvements. However, in the case of the dam and its overflow, erosion protection measures may be advisable prior to the onset of winter storms. I would recommend an accelerated investigation of the existing conditions. Any plans to protect the dam should be submitted to our office for approval prior to any construction activities.

Please feel free to call me if you would like to discuss these issues.

Thank you,

Andrew Pence

Sr. Engineer

Trinity County DOT

P (530) 623-1365 x3414

C (530) 739-9872

END.

Lisa Lozier, AICP

Deputy Director of Planning

County of Trinity

61 Airport Road | Po Box 2819

Weaverville CA 96093-2819

llozier@trinitycounty.org

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Trinity Valley Consulting Engineers, Inc.

Eric Keyes, PE

2200 Main Street, Weaverville, CA 96093

Ph:(530) 623-4446

www.tvce.biz

On Tuesday, June 14, 2022, 09:24:57 AM PDT, Skylar Fisher <sfisher@trinitycounty.org> wrote:

I apologize for the delay in response. After a review of the post-subdivision modification (P-21-41) application, planning staff have come to the conclusion that the tentative map (P-17-36) that the modification of conditions request is based on has expired. Given that the tentative map for this project was approved on July 17, 2018 and there have been no requests for extensions of time, the map has expired. The time initially given for a tentative map is 24-months from the date of approval or conditional approval of the tentative map.

At this time, if the map is expired, then the Planning Department cannot continue processing your request for modifications on the map's conditions. The Planning Department is willing to issue a refund for the fees associated with P-21-41 as the application for a post-subdivision modification was submitted after the tentative map had expired,. In addition, you may resubmit a new map and application to continue pursuing the subdivision of this property.

If there has been an extension of time filed associated with the existing map that the department is currently not aware of or another agreement to extend the time allotted to complete the map which would make it still active, please let me know.

Skylar Fisher

Associate Planner

Planning Department | Trinity County

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RESOLUTION NO. 2018-042

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
APPROVING REZONE AND TENTATIVE MAP
(M. Aratlakova, P-17-36)**

WHEREAS, the Planning Commission, on April 12, 2018, held a public hearing on the request for approval of a rezone and tentative parcel map for property located between Lower South Fork Road and Kerlin Creek Road on the west side of Hyampom (Applicant: M. Aratlakova, APN: 011-210-35); and

WHEREAS, the Planning Commission deliberated and concluded that they would recommend approval of the project; and

WHEREAS, the Board of Supervisors conducted a public hearing on July 17, 2018, considered the Planning Commission's recommendation and deliberated the case, and has exercised its own independent judgment; and

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

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

WHEREAS, the Board of Supervisors has considered the effects that approval of the proposed project, including the change to the zoning and the subdivision which they have concluded would have a beneficial effect on addressing 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 that the Board of Supervisors of the County of Trinity:

- A. Approves the project Mitigated Negative Declaration, finding that on the basis of the whole record before the Board, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that a mitigation negative declaration reflects the Board's independent judgment and analysis; and
- B. Introduces, waives the reading of and enacts an ordinance amending Trinity County Zoning Ordinance (Ordinance No. 315) pertaining to the change of zoning for the subject parcel(s); and
- C. Approves the Tentative Parcel Map (M. Aratlakova; File # P-16-14), based on the following findings and subject to the conditions of approval set forth in Exhibit A,

attached hereto:

1. None of the conditions described in Government Code Section 66474, subsections (a) through (g) inclusive, exist with respect to the proposed subdivision; and
2. The findings of Government Code Section 66474.02 are met as follows:
 - a) The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code, because conditions have been applied to the subdivision to meet these standards and County's Fire Safe Ordinance and Building Code standards require construction to meet these regulations; and
 - b) Structural fire protection and suppression services will be available for the subdivision through the Hyampom Community Services District, which provides fire suppression services to the area; and
 - c) To the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and applicable County ordinances, because the road improvement conditions of map approval have been imposed to address this issue.
3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the County General Plan, and Section 16.12.150 of the Subdivision Ordinance, and Fire Safe Ordinance 1162.
4. The discharge of waste from the proposed subdivision will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board.
5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

DULY PASSED AND ADOPTED this 17th day of July, 2018 by the Board of Supervisors of the County of Trinity by motion, second (Fenley/Morris), and the following vote:

AYES: Supervisors Morris, Fenley, Mines and Groves
NOES: None
ABSENT: Supervisor Chadwick
ABSTAIN: None
RECUSE: None



KEITH GROVES, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

RICHARD KUHNS, Psy.D.
Clerk of the Board of Supervisors

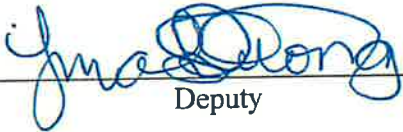
By:  Deputy

EXHIBIT "A"

TENTATIVE MAP
CONDITIONS OF APPROVAL

(M. Aratlakova, P-16-14)

The following conditions of tentative map approval shall be satisfied prior to the filing of the parcel map, unless a different time for compliance is specifically noted:

A. General:

1. A Notice of Environmental Constraint shall be recorded concurrent with the Parcel Map that shall provide for the following provisions:
 - a. The Subdivider shall show on the parcel map a 100-foot setback from ponds, springs, watercourses and wetlands. A note shall be placed on the Parcel Map that states that no development shall be allowed within this buffer area as delineated on the parcel map.
 - b. If surface water is proposed for agricultural purposes a water study shall be completed to determine measures to assure downstream beneficial uses are met.
 - c. Kerlin Creek shall not be used as a source of domestic water supply for any new parcel.
 - d. In the event that previously unidentified cultural or paleontological resources are encountered during development of the parcel, there shall be no further excavation or disturbance of that area. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and an archaeologist shall be consulted to determine if the find is significant and make recommendations for appropriate mitigation. Work shall not continue in the area until mitigations have been implemented and written authorization to resume work has been provided by the Planning Director.
 - e. 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/she will contact the Native American Heritage Commission who will contact the most likely descendent who will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work shall not continue in the area until the human remains have been dealt with according to the recommendations of

the County Coroner, Native American Heritage Commission and/or the most likely descendent.

B. Miscellaneous:

1. All easements within the development shall be dedicated on the Parcel Map or by separate instrument.
2. Provide a geotechnical report verifying that there are no landslides, rock fall areas, or soil settlement issues on the property. If certain areas are determined to be susceptible to slope instability, these areas must be delineated and labeled on the map.
3. Parcel 4 shall not be configured as a flag lot (condition completed with revised tentative map).
4. Parcel 1 shall not have the irregular extension into Parcel 2 as depicted on the tentative map. Parcel 1 and Parcel 2 shall be reconfigured to have roughly square shapes.

C. Utilities:

1. All utilities outside of roadways on subject properties shall be a minimum of ten-foot width easements centered on the utility that serves the subject and adjoining parcels.

D. Roads:

1. A minimum 60-foot wide public road and utility easement must be offered for dedication, lying 30 feet each side of the existing centerline along Lower South Fork Road, Co. Rd. No. 311, where said dedication lies within the subject property. The existing easement dedicated for Lower South Fork Road appears to be incorrectly stated. If it is determined that the easement is incorrect, then abandonment of easement shall be noted on the Parcel Map.
2. The existing road easement for Kerlin Creek appears to be incorrectly located within the subject property. The easement shall be corrected on the map, and abandonment of the old easement shall be noted on the Parcel Map. As this is a public Forest Service road maintained by the US Forest Service, coordination with and acceptance of the new easement by the Forest Service shall be required prior to approval of the Parcel Map.
3. The proposed encroachment onto Lower South Fork Road, Co. Rd. No. 311, shall conform to Department of Transportation standards for a private road. An encroachment permit must be obtained for the existing encroachment of the access road onto Lower South Fork Road, Co. Rd. No. 311.
4. The proposed access road from Lower South Fork Road to the intersection of Parcels, 3, 4 and the remainder shall be constructed to the Trinity County "Roadway Category No. 1" standard. A 20 mile per hour or higher design standard speed shall be used. Roadway design shall also meet the local road design guidelines of the AASHTO *A Policy on Geometric Design of Highways and Streets*, including the supplementary AASHTO *Geometric Design Guidelines for Very Low-Volume Local Roads*, and shall meet the requirements of the Fire Safe Ordinance. This shall include, but is not limited to:

- a. A minimum roadbed width of 20' with additional curve widening as prescribed by the Fire Safe Ordinance, and
 - b. A maximum gradient of 10%, which may be increased to 12% for short distances, subject to the approval of the Department of Transportation; and
 - c. A minimum centerline curve radius of 75'; and
 - d. The crown or cross slope shall be a minimum of 3% for aggregate surfaces or 2% for paved surfaces.
5. The proposed driveways, labeled as key note number 9 on the tentative map, running along the boundary line between said parcels, shall be constructed as a shared driveway. These shared driveways shall meet the requirements of the Fire Safe Ordinance for a driveway, including a minimum width of 10'. Driveways exceeding one hundred fifty feet in length, but less than eight hundred feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds eight hundred feet, turnouts shall be provided no more than four hundred feet apart.
 6. A turnaround shall be constructed at the end of the proposed roadway, at the intersection of parcels 3, 4 and the remainder. Turnarounds shall be constructed to meet the requirements of the Trinity County Subdivision Ordinance and shall be within dedicated road easements. Driveways are allowed to utilize the turnaround as permitted by the Fire District.
 7. A turnaround shall be provided at all building sites on driveways over three hundred feet in length, and shall be within fifty feet of the building.
 8. A minimum 40-foot-wide public road and utility easement must be offered for dedication for all access roads. Easement width shall be 20 feet each side of centerline, where said dedication lies within the subject property. Road easements are not to be accepted for public use at this time, but an irrevocable offer of dedication for public use is required.
 9. Additional on-site slope easements shall be dedicated in all areas where elements of the road design do not fit within the road easement. The slope easements shall include any area within 5 feet of the design elements. The slope easement may be described on the map as "a slope maintenance easement 5 feet beyond toe of fill or top of cut."
 10. A minimum 40-foot-wide public road and utility easement must be offered for dedication for the unimproved road running northerly from the southern boundary of Parcel 1, to the boundary between Parcel 3 and the remainder, and then terminating at the turnaround shown at the intersection of Parcels 3, 4 and the remainder. Easement width shall be 20 feet each side of centerline, where said dedication lies within the subject property. This Road easement is for future use, and is not to be accepted for public use at this time, but an irrevocable offer of dedication for public use is required.
 11. The structure on Parcel 4 is not provided with a fire safe driveway with legal access. A driveway with legal access meeting the requirements of the Trinity County Fire Safe Ordinance must be provided to the structure on Parcel 4. Developer has indicated that they will remove the structure on Parcel 4. If structures on Parcel 4 are removed, no driveway will be required.
 12. A hydrology study showing the ability to convey 100-year storm flows in all culverts and ditches shall be approved by the Director of Transportation. All culverts shall be 18" diameter or larger unless an alternative size is approved by the Director of Transportation. Ditches shall be designed and constructed to prevent 100-year flows from encroaching more than 2 feet into the travel way.

13. 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.
14. Road name signs shall be installed at all intersections.
15. 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 to the Trinity County Department of Transportation for review and approval. Approval of the construction drawings is required prior to Parcel Map Acceptance.
16. Prior to construction of improvements, the construction drawings shall be stamped by an engineer and approved by the county Engineer.
17. Inspection of the improvements will be performed by Trinity County Department of Transportation staff or a County-selected inspection firm. The developer will coordinate inspections with the Department of Transportation prior to start of construction.
18. The developer will be responsible for all actual costs on an hourly basis associated with the subdivision improvements, including review of construction improvement plans, developing Development Agreements, performing improvement inspections, and all other related costs.
19. The applicant and/or subsequent grantees 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 roads within the subdivision or show evidence of the existence of such an agreement or organization.
20. It is understood that the improvements will be completed prior to recording of map. Should the developer wish to do otherwise, a Subdivision Improvement Agreement shall be required.

Erosion Control

21. The improvement plans shall include a grading plan and erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the County Engineer for disturbed areas. The plan shall be prepared by a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD) and shall be included in an agreement with the construction contractor. The following measures shall be included:
 - a. Any mass grading shall be restricted to dry weather periods between April 1 and October 31.
 - b. If other grading activity is to be undertaken in wet-weather months, permanent erosion and sediment controls shall be in place by October 15, and construction shall be limited to areas as approved by the County Engineer. A winterization plan shall be submitted by September 15 and implemented by October 15.
 - c. In the event construction activity including clearing, grading, disturbances to the ground such as stockpiling, or excavation result in soil disturbances of at least one acre of total land area, the applicant shall obtain and provide a Notice of Intent (NOI) from the Regional Water Quality Control Board.
 - d. Should a NOI be required, a SWPPP shall be provided prior to issuing a construction permit. The SWPPP shall have provisions to provide at minimum monthly monitoring reports to the County Department of Transportation during wet weather and for 1 year after completion of construction.

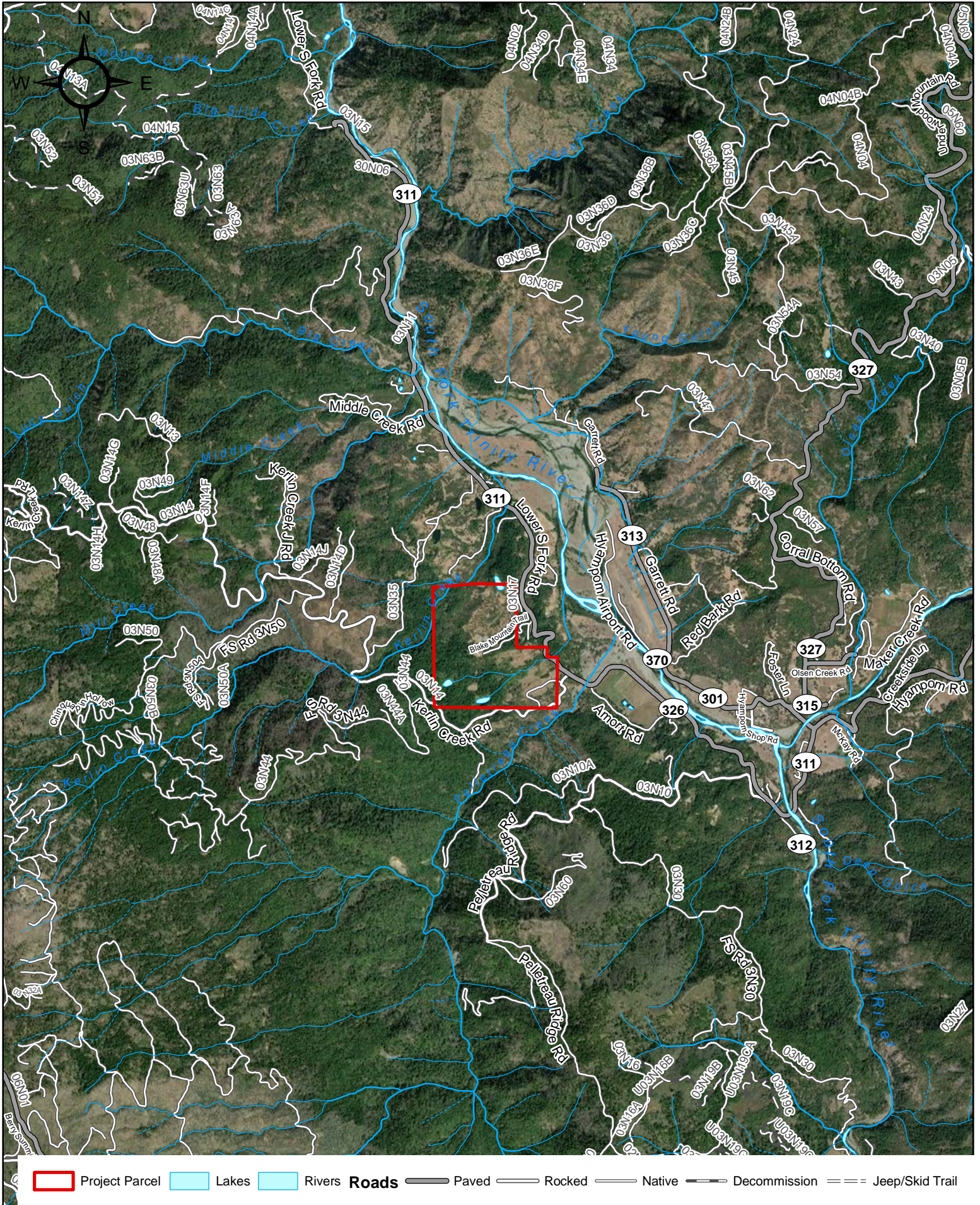
- e. Projects less than one acre are exempt from obtaining an NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
- f. The internet site for information and application on the NOI can be found at <http://waterboards.ca.gov/waterissues/programs/stormwater/construction.shtml>.
- g. Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
- h. Mulching, hydro seeding, or other suitable revegetation measures shall be implemented. Planting shall also occur on areas of cut and fill to reduce erosion and stabilize exposed areas of later construction phases. All disturbed areas with a slope greater than 5% shall receive erosion control.
- i. Excavated materials shall not be deposited or stored where the materials could be washed away by storm water runoff.

E. Fish and Wildlife:

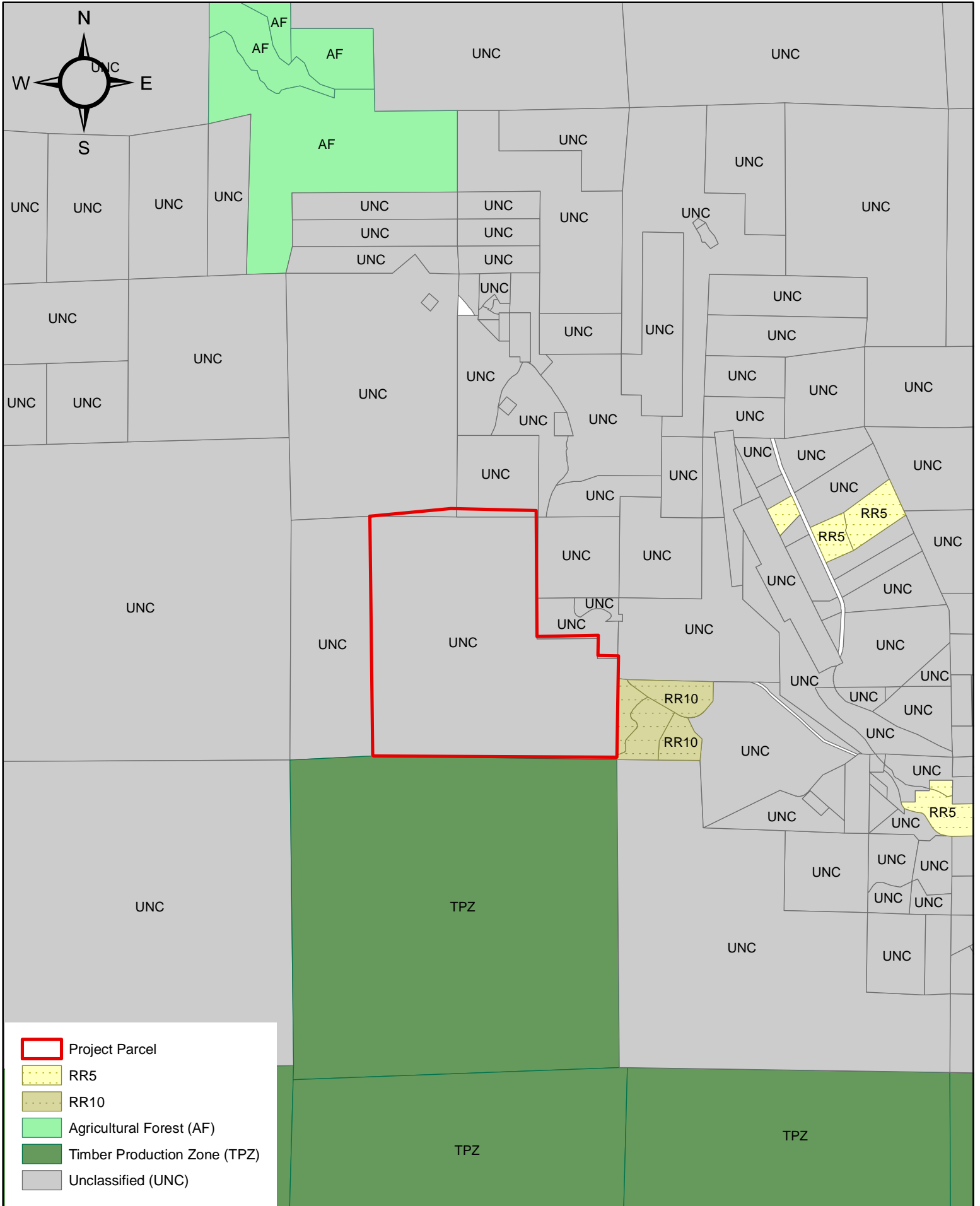
- 1. Pursuant to Fish and Game Code 1602 the subdivider or his authorized agent shall obtain a "Lake and Streambed Alteration Agreement" for any surface water sources (spring or stream diversion) or wells that are hydrologically connected to surface water sources.

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

P-22-20 Location Map



P-22-20 Zoning Districts Map



P-22-20 General Plan Designations Map

