

ITEM NO. 5

DATE: February 9, 2017

APPLICATION NO. PW-17-01

TRINITY COUNTY PLANNING COMMISSION STAFF REPORT

OWNER: County of Trinity &
Trinity River Lumber Co.

REPORT BY: John Jelichich

APPLICANT: County of Trinity

APN: por. 024-210-08, 09, 10 and por. 024-500-71

PROJECT DESCRIPTION:

- A. General Plan Amendment changing land use designation of approximately 21.4 acres as follows:
 - a. "Open Space" to "Industrial" (por. APN: 24-21-08,09,10) approx. 6.5 acres (purpose is to eliminate 100' buffer strip along property line);
 - b. "Industrial" to "Single Family/High Density" (APN: 24-210-10) approx. 8.07 acres (remnant TRLC parcel on east side of Lance Gulch Rd.);
 - c. "Industrial" to "Open Space" (por. APN: 24-210-08) approx. 5.4 acres (new county wetland mitigation area along Lance Gulch Rd.);
 - d. "Commercial" to "Open Space" (por. APN: 24-500-71) approx. 1.4 acres (new county wetland mitigation area adjacent to Lance Gulch Rd., behind CHP).

- B. Rezone approximately 21.4 acres as follows:
 - a. "Open Space" to "Industrial" (por. APN: 24-21-08,09,10) approx. 6.5 acres (purpose is to eliminate 100' buffer strip along property line);
 - b. "Industrial" to "Residential Office, minimum parcel size: one-half acre" (R-O (B-3) ½) (APN: 24-210-10) approx. 8.07 acres (remnant TRLC parcel on east side of Lance Gulch Rd.);
 - c. "Industrial" to "Open Space" (por. APN: 24-210-08) approx. 5.4 acres (new county wetland mitigation area along Lance Gulch Rd.);
 - d. "General Commercial" to "Open Space" (por. APN: 24-500-71) approx. 1.4 acres (new county wetland mitigation area adjacent to Lance Gulch Rd., behind CHP).

LOCATION: Lance Gulch Road, between Browns Ranch Road and Highway 299. (See Exhibit "A" for location and surrounding zoning)

PROJECT INFORMATION:

- A) Planning Area: Weaverville
- B) Existing General Plan Designation: Industrial and Open Space
- C) Existing Zoning: Industrial and Open Space
- D) Existing Land Use: lumber mill and undeveloped land
- E) Adjacent Land Use Information:

	<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>
North:	comm & resid.	C-2, C-3/SUD/R-3	Comm/MFR
South:	Shopping Center	General Comm.	Commercial
East:	Residential	Single Family Res (R-1A)	Single Fam/HD
West:	mill/retail, office	Industrial/ Gen Comm	Industrial/ Comm

PROJECT DESCRIPTION:

It will be particularly helpful to review the map exhibits while reading this section. The Planning Commission is already familiar with the EIR prepared for the Lance Gulch Road project and may remember that these changes to the General Plan and Zoning are required mitigations discussed in the EIR.

100 foot buffer: (por. APN: 24-210-08, 09, 10) owner: County & Mill

When the Weaverville Community Plan (1990) was adopted, a 100 foot buffer strip was applied along the eastern boundary of the mill property to act as a buffer between the mill and residential uses to the east. No development was allowed in that area. (Exhibit “B” & “C”) As a result of the Lance Gulch Road project, that 100 foot buffer is no longer necessary because the new roadway serves that purpose. Therefore, the 100 foot buffer strip should be removed along this corridor. Eliminating it also assists with development of the remnant parcel (APN: 24-210-10) which is included in the proposal to change the land use designation from Industrial to Residential-Office.

- Action: 1) Amend land use designation from “Open Space” to “Industrial”.
2) Rezone from “Open Space” to “Industrial”.

Remnant Parcel: (APN: 24-210-10) owner: Mill

Construction of Lance Gulch Road left an area of mill property on the east side of the road which would no longer be conducive to industrial use. It is now within a residential area. (Exhibit "C") The project EIR recognized this and included mitigation to change the zoning to a residential classification. The mill indicated that it may also be a good site for office use, including medical offices due to its location on Lance Gulch Road and proximity to Trinity Plaza Shopping Center. The Residential-Office Zoning District would allow residential uses and, with a use permit, office uses.

- Action: 1) Amend land use designation from "Industrial" to "Single Family/HD".
2) Rezone from "Industrial" to "Residential-Office, minimum parcel size: one-half acre" (R-O (B-3) ½).

Detention Basin/wetland Parcel: (por. APN: 24-210-08) owner: County

The construction of Lance Gulch Road anticipated an effect on storm water run-off. The County acquired an area of land (approx. 5.4 acres) that was separated from the mill property to be used as a retention basin to help reduce high run-off flows into Lance Gulch. It lies within the County right-of-way and will be maintained by the County. No development is allowed within the detention basin. (Exhibit "C" & "D")

- Action: 1) Amend land use designation from "Industrial" to "Open Space".
2) Rezone from "Industrial" to "Open Space".

Lance Gulch wetland area: (por. APN: 24-500-71) owner: County

Construction of Lance Gulch Road resulted in the loss of wetlands. To mitigate for this loss, approximately 1.4 acres of land was acquired from an adjoining property owner and developed as wetlands. This land area must continue to be managed for wetland purposes. (Exhibit "D", behind CHP office)

- Action: 1) Amend land use designation from "Commercial" to "Open Space".
2) Rezone from "General Commercial" to "Open Space".

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE:

This project is tied to the East Connector (Lance Gulch Road) project. The Environmental Impact Report (State Clearinghouse Number: 2001032073; Planning Dept. File No. PW-01-01) was approved by the County on March 4, 2003 and the Notice of Determination filed on March 6, 2003.

Wetland issues:

The EIR included discussions and mitigations measures regarding the effects of the road project on wetlands, biological resources and land uses. The creation of wetlands to mitigate for lost wetlands resulting from project development will result in changes in

land use designation and zoning to Open Space in order to preclude development on the newly created wetlands. (Hydrology Mitigation-1; Waters Mitigation-1)

Land Use issues:

A remnant parcel, resulting from the construction of Lance Gulch Road, zoned Industrial is no longer conducive for industrial purposes due to its proximity to adjoining residential properties. It is now completely disconnected from the main lumber mill site and lies in a residential area. The proposal is to change the zoning to allow for appropriate residential development, or with a use permit possible office development. Further, when the Weaverville Community Plan was adopted, a 100 foot buffer area zoned Open Space was applied along the eastern portion of the mill site to buffer residential properties from the industrial uses. The new road now serves as the buffer, therefore, the open space buffer no longer serves a purpose. (Land Use Mitigation-1)

Note: The EIR contains other mitigation measures that may tie-in with a potential future subdivision of the remnant parcel. These are not germane to the General Plan amendment or rezone, but have been reviewed by staff and summarized in the project file to help facilitate future consideration of a tentative parcel map, if one is submitted. For example, studies for cultural resources, threatened and endangered species, wetlands, and other potential impacts required to be considered when preparing an initial study for the tentative parcel map could be lifted from the Lance Gulch EIR and be transferrable to the subdivision discussion.

RECOMMENDED COMMISSION ACTION:

Staff recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

1. That the Board of Supervisors adopt a resolution approving an amendment to the land use element of the County General Plan by changing the land use designation as follows:
 - a. "Open Space" to "Industrial" (por. APN: 24-21-08,09,10) approx. 6.5 acres;
 - b. "Industrial" to "Single Family/High Density" (APN: 24-210-10) approx. 8.07 acres;
 - c. "Industrial" to "Open Space" (por. APN: 24-210-08) approx. 5.4 acres;
 - d. "Commercial" to "Open Space" (por. APN: 24-500-71) approx. 1.4 acres.

2. That the Board of Supervisors approve a Zoning Ordinance amendment changing the zoning as follows:
 - a. "Open Space" to "Industrial" (por. APN: 24-21-08,09,10) approx. 6.5 acres;
 - b. "Industrial" to "Residential Office, minimum parcel size: one-half acre" (R-O (B-3) ½) (APN: 24-210-10) approx. 8.07 acres;
 - c. "Industrial" to "Open Space" (por. APN: 24-210-08) approx. 5.4 acres;
 - d. "General Commercial" to "Open Space" (por. APN: 24-500-71) approx. 1.4 acres.

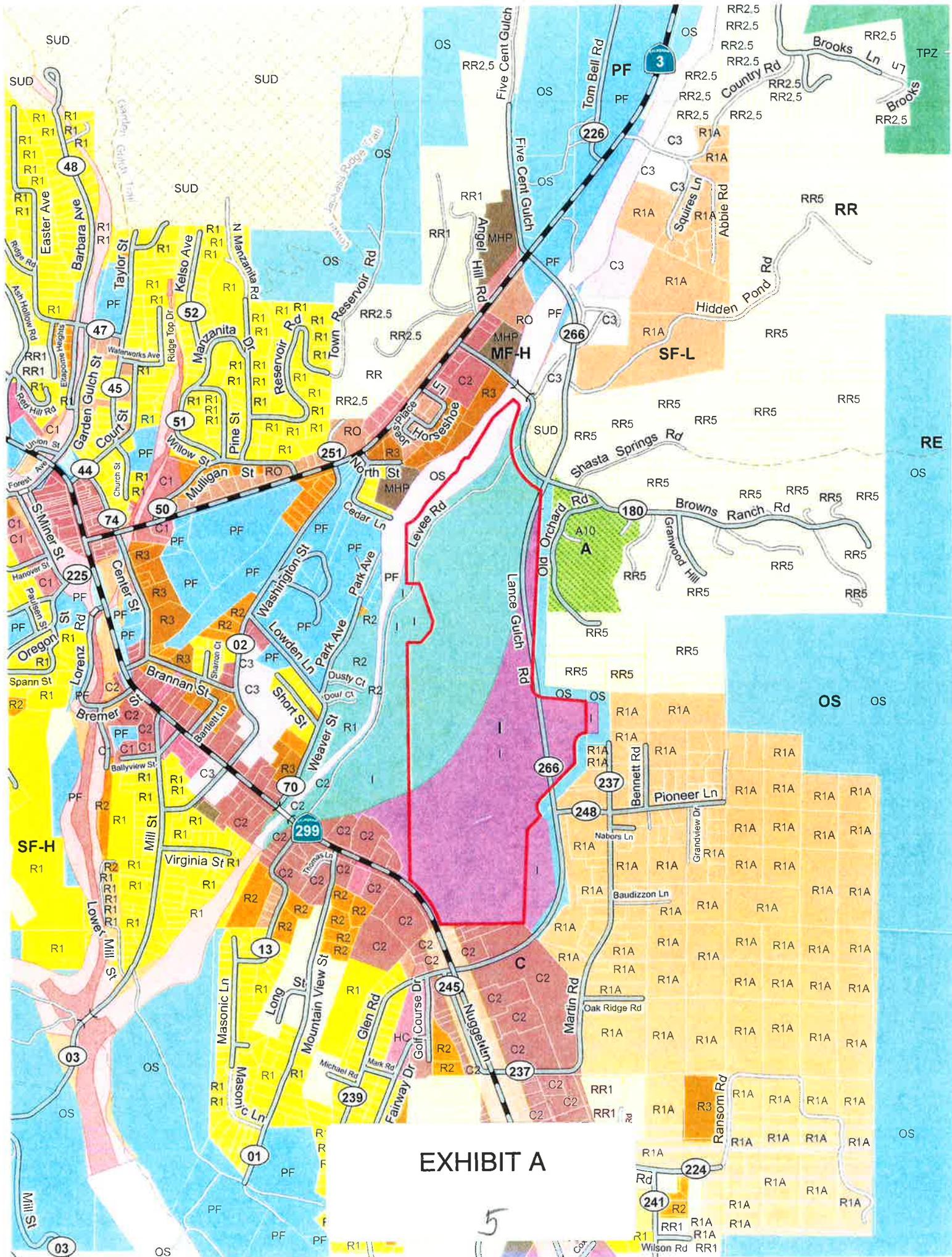


EXHIBIT A

5

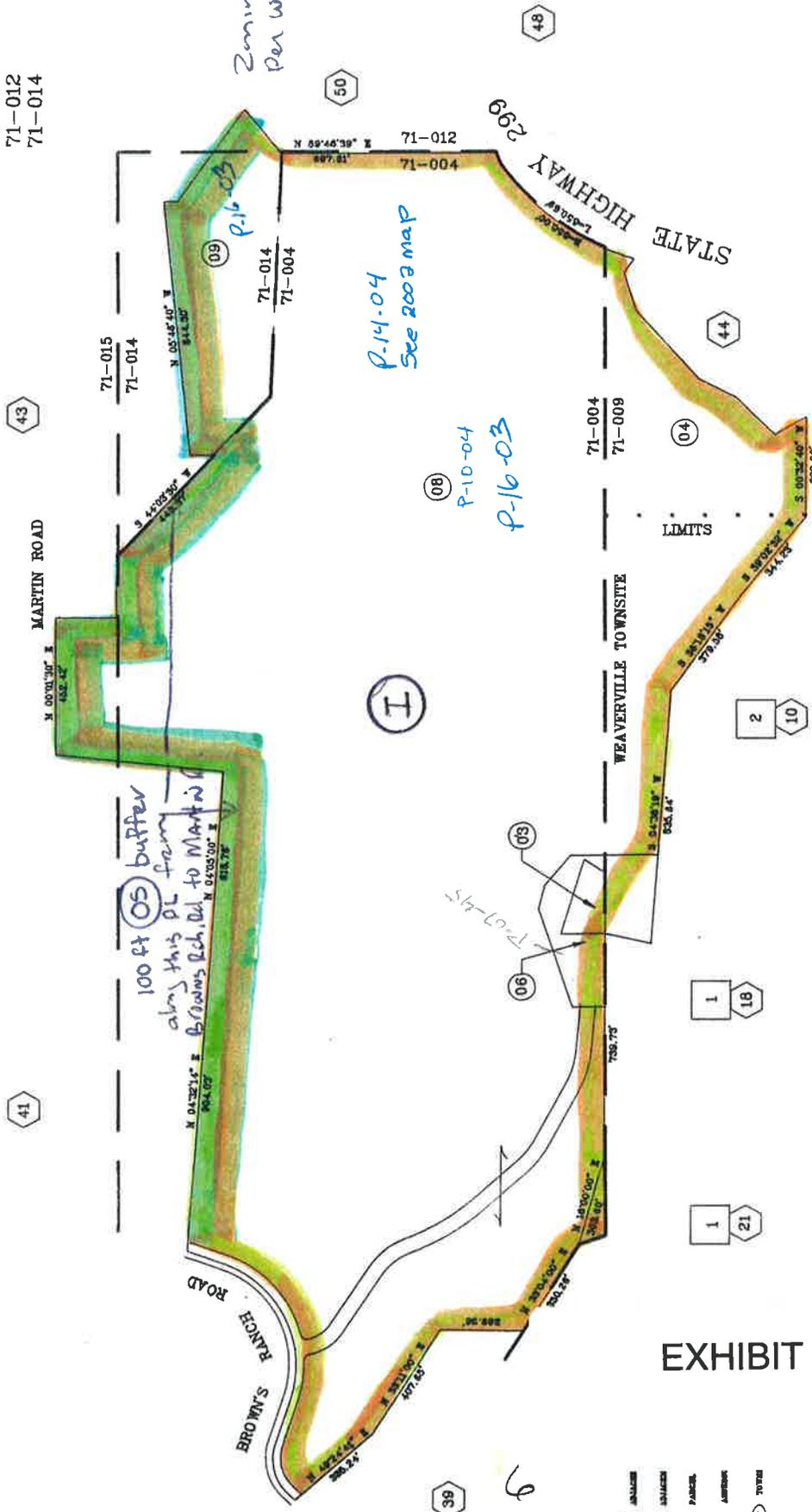


SEC 1, T. 55N., R. 7W.,

24-210

TAC 71-004
71-009
71-012
71-014

Zoning Updated 12/24/90
Per WCP-2, T. Miller



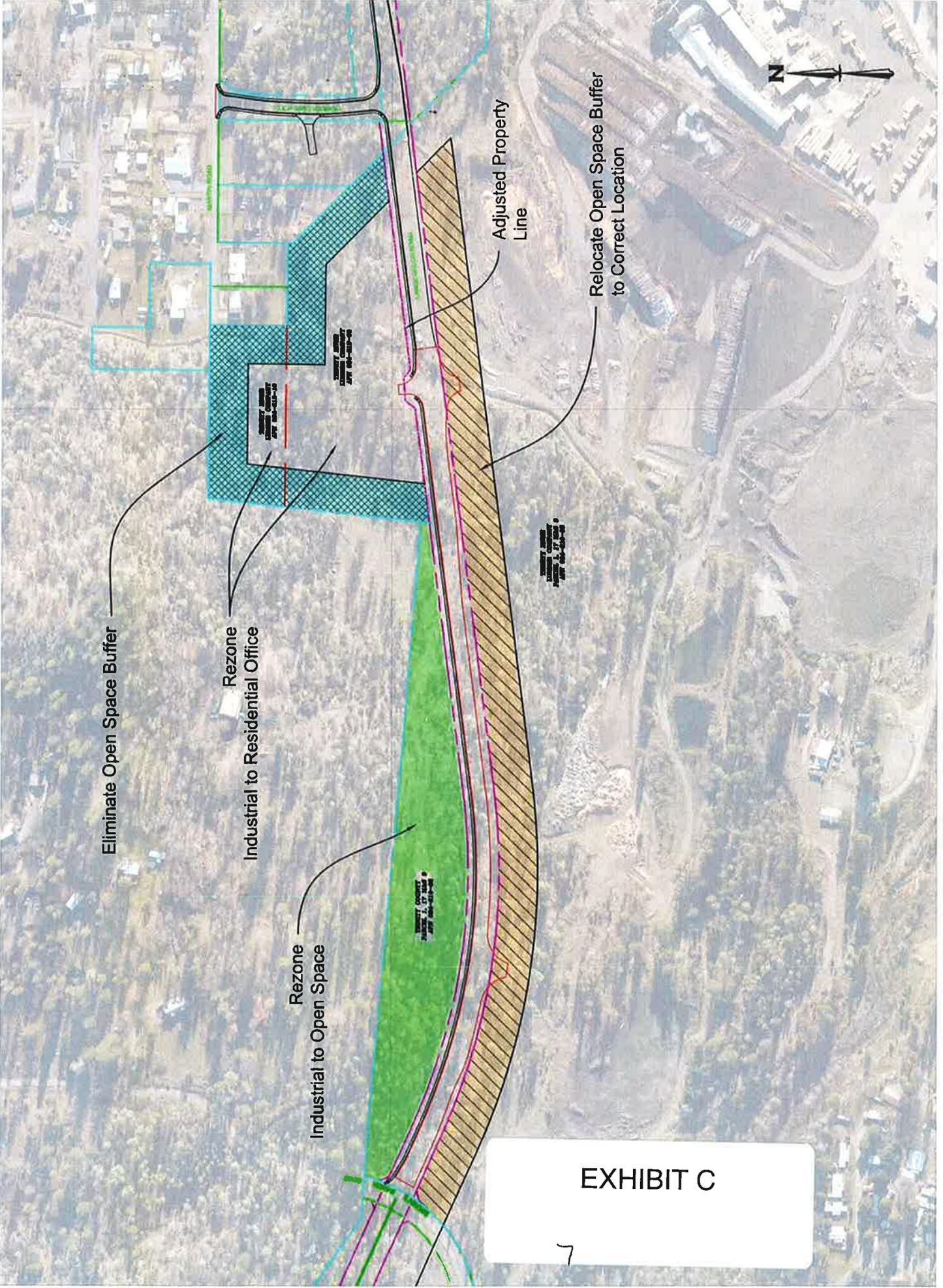
TRINITY COUNTY ASSESSOR'S OFFICE
BOOK TWENTY FOUR--PAGE TWENTY ONE
1969,1989
JULY 9,1989

GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft

EXHIBIT B



Proposed Rezone and Lot Line Adjustment

**IN THE BOARD OF SUPERVISORS
COUNTY OF TRINITY, STATE OF CALIFORNIA**

FOURTH DAY OF APRIL, 2017

RESOLUTION NO. _____

**RESOLUTION AMENDING THE LAND USE ELEMENT
OF THE GENERAL PLAN OF TRINITY COUNTY
(DOT, PW-17-01)**

The following Resolution is now offered and read:

WHEREAS, on 6th day of November, 1979 the Board of Supervisors of the County of Trinity adopted the land use element of the General Plan, and updated the land use element in 1988, with minor changes since that time; and

WHEREAS, after reviewing and holding of a public hearing, the Trinity County Planning Commission recommended to the Board of Supervisors the adoption of an amendment to the land use element of the General Plan, based in part on mitigation measures set out in the EIR for the Lance Gulch Road project (SCH #2001032073); and

WHEREAS, this Board of Supervisors, after having carefully considered the proposed amendment to the land use element and noticed and held the required public hearings, finds that said amendment to the land use element provides a suitable and logical plan for future development of the Weaverville Planning Area and is compatible with said General Plan.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Trinity, State of California, that said Board hereby adopts the following amendments to the land use element for all that real property situated in said County, located and more particularly described as follows:

(See Exhibit A - "Map Exhibit")

Heretofore designated as "Open Space" (OS) is hereby redesignated "Industrial" (I);

(See Exhibit B – "Map Exhibit")

Heretofore designated as "Industrial" (I) is hereby redesignated "Single Family/High Density" (SF/HD);

(See Exhibit C – "Map Exhibit")

Heretofore designated as "Industrial" is hereby redesignated "Open Space" (OS);

(See Exhibit D – “Map Exhibit”)

Heretofore designated as “Commercial” is hereby redesignated “Open Space” (OS).

DULY PASSED AND ADOPTED this _____ day of _____, _____ by the Board of Supervisors of the County of Trinity by motion, second (_____ / _____), and the following vote:

AYES: Supervisors

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

JOHN FENLEY, CHAIR
Board of Supervisors
County of Trinity
State of California

ATTEST:

MARGARET E. LONG
Clerk of the Board of Supervisors

By: _____
Deputy

"MAP EXHIBIT"

TRINITY RIVER LUMBER MILL
APN:024-210-08

APN:024-210-11

APN:024-500-51
After Adjustment

APN:024-210-10

MARTIN ROAD (237)



12-13-16



JOSLYN SURVEYING
P.O. Box 2011
Weaverville, CA 96093
(530) 739-9288
(888) 979-8944 - Fax
jssurvey3@gmail.com

APN:024-210-09

LANCE GULCH ROAD (266)

Adjusted Boundary Line

STATE HIGHWAY 299

APN:024-500-51
Before Adjustment

EXHIBIT B

12

TRINITY RIVER
LUMBER COMPANY
PARCEL 1, 17 M&S 9
APN 024-210-08

BROWN'S
RANCH RD

POINT OF BEGINNING
3/4" IRON PIPE WITH
PLASTIC CAP MARKED
PLS 5117 PER 22 M&S 31

Line Table		
Line #	Direction	Length
L1	N 83°38'49" W	22.32'
L2	N 69°12'09" E	28.41'
L3	S 70°10'50" E	39.32'

TRINITY RIVER
LUMBER COMPANY
PARCEL 1, 17 M&S 9
APN 024-210-08

ACQUISITION PARCEL
5.41 AC.

3/4" GALVANIZED IRON
PIPE, NO TAG



B. R. Howard 02/11/13
BRIAN R. HOWARD PLS 7250 DATE

1/2" IRON PIN WITH
BRASS CAP MARKED "MH
#12 RCE 8700"

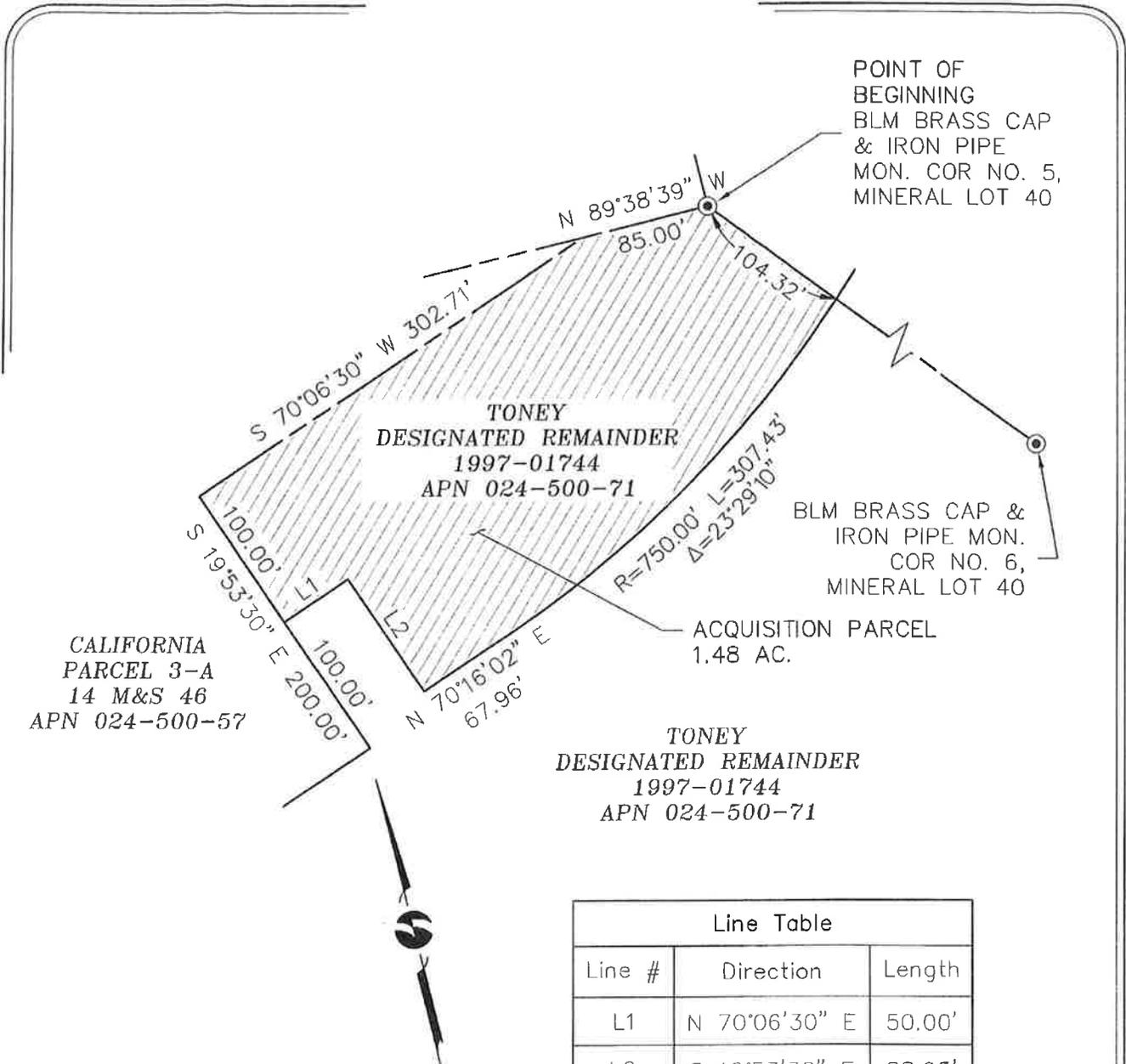
EAST CONNECTOR PROJECT, WEAVERVILLE, CA

SCALE 1"=200'

ACQUISITION PARCEL

EXHIBIT C

OF 1



B R H O 02/11/13
 BRIAN R. HOWARD PLS 7250 DATE

EAST CONNECTOR PROJECT, WEAVERVILLE, CA

SCALE 1"=100'

ACQUISITION PARCEL

EXHIBIT D

OF 1

ORDINANCE NO. 315-

AN ORDINANCE AMENDING TRINITY COUNTY
ZONING ORDINANCE NO. 315

THE BOARD OF SUPERVISORS OF THE COUNTY OF TRINITY, STATE OF
CALIFORNIA, DOES ORDAIN AS FOLLOWS:
(Co DOT, PW-17-01)

SECTION 1. That the real property situated in the County of Trinity, State of California, located at various sites along Lance Gulch Road, Weaverville, and more particularly described as:

1. That real property situated in the County of Trinity, State of California, described as follows:

(See attached Exhibit A, map)

Heretofore, zoned and classified as “Open Space” District (OS), be and the same hereby is rezoned and reclassified as “Industrial” (I); and

2. That real property situated in the County of Trinity, State of California, described as follows:

(See attachment Exhibit B, legal description)

Heretofore, zoned and classified as “Industrial” (I) District, be and the same hereby is rezoned and reclassified as “Residential Office, minimum parcel size: one-half acre” (R-O (B-3) ½); and

3. That real property situated in the County of Trinity, State of California, described as follows:

(See attached Exhibit C, legal description)

Heretofore, zoned and classified as “Industrial” (I) District, be and the same hereby is rezoned and reclassified as “Open Space” (OS); and

4. That real property situated in the County of Trinity, State of California, described as follows:

(See attached Exhibit D, legal description)

Heretofore, zoned and classified as “General Commercial” (C-2) District, be and the same hereby is rezoned and reclassified as “Open Space” (OS).

SECTION 2. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrases be declared invalid.

SECTION 3. This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

INTRODUCED, PASSED AND ENACTED this ____ day of _____, 2017, by the Board of Supervisors of the County of Trinity by motion/second (_____/_____), and the following vote:

AYES: Supervisors
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

JOHN FENLEY, CHAIR
Board of Supervisors
County of Trinity
State of California

ATTEST:

MARGARET E. LONG
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:

Margaret Long, County Counsel

Dated: _____
Planning/JAJ

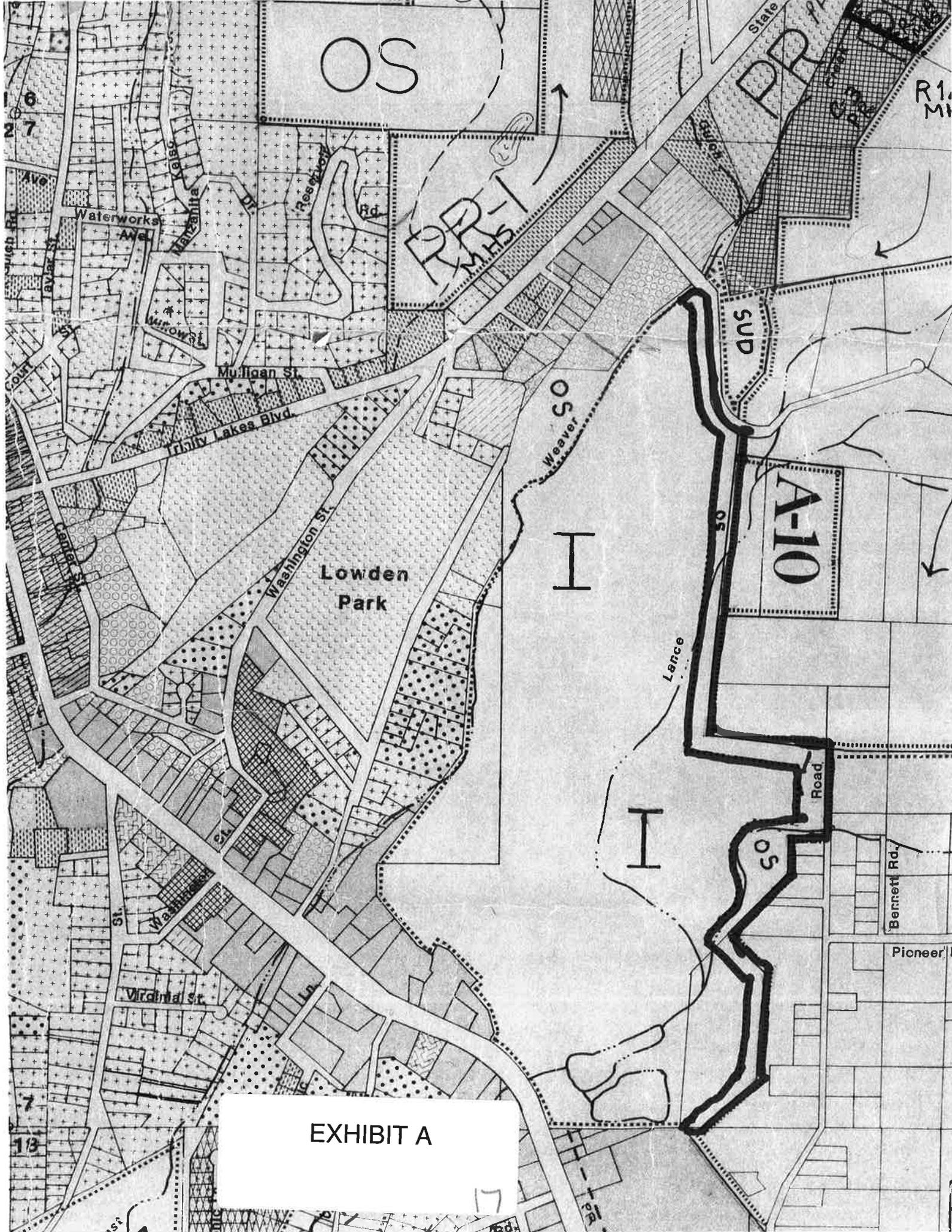


EXHIBIT A

OS

PR
MHS

PR

R1
M

SUD

SO
Weaver

H

A-10

Lance

SO

Berrett Rd.

Pioneer

6
7

7
13

17

EXHIBIT C

(APN:024-500-51 and APN:024-210-10 after adjustment)

All that portion of Parcel No. 1 as shown on the Parcel Map for George A. and Mary M. Schmidbauer in Section 7, Township 33 North, Range 9 West, M.D.B. & M., filed for record in the office of the County Recorder of Trinity County, California, on May 15, 1986, in Book 17 of Maps and Surveys, Pages 9 and 10, inclusive described as follows:

Commencing at the SE 1/16 section corner, of said Section 7 as shown on the BLM Plat dated July 31, 1989, and also shown on that Record of Survey for Trinity Lumber Co., First Baptist Church of Weaverville, and Robert and Kathy Fox, recorded in Book 22 of Maps and Surveys, Page 31, Trinity County Records, said point being marked by a standard BLM monument; thence running, South 86°50'54" East, 128.87 Feet, to the true Point of Beginning, said point being marked by a 1 inch iron pipe with brass cap marked "RE 5438"; thence,

- 1st South 44°03'11" West, 332.68 Feet, more or less, to the easterly boundary of Lance Gulch Road (CO RD 266), as described in the Deed from Trinity River Lumber Co. to the County of Trinity, in Document No. 201303494, Trinity County Records; thence along said easterly boundary,
- 2nd North 07°45'42" West, 571.59 Feet; thence,
- 3rd North 38°44'18" East, (Record-North 39°20'36" East), 27.53 Feet; thence,
- 4th North 04°45'42" West, (Record-North 04°09'24" West), 60.00 Feet; thence,
- 5th North 55°13'06" West, (Record-North 54°36'48" West), 31.37 Feet; thence,
- 6th North 07°45'42" West, 301.24 Feet; thence, leaving said easterly boundary,
- 7th South 84°15'07" East, 22.32 Feet; thence,
- 8th South 84°18'10" East, 555.96 Feet, to a ½ inch iron pipe, marked "MH11, RE 8700"; thence,
- 9th South 0°04'00" East, 452.45 Feet; thence,
- 10th North 89°50'11" West, 199.62 Feet, to a ½ inch iron pipe, marked "PLS 5117", as shown in Book 22 of Maps and Surveys, Page 31, Trinity County Records; thence,
- 11th South 0°03'33" West, 214.53 Feet, to a ½ inch iron pipe, marked "PLS 5117", as shown in Book 22 of Maps and Surveys, Page 31, Trinity County Records; thence,
- 12th South 85°26'40" West, 13.43 Feet, back to the Point of Beginning.

(This description was prepared by G. P. Joslyn, California Professional Land Surveyor, LS 8952)

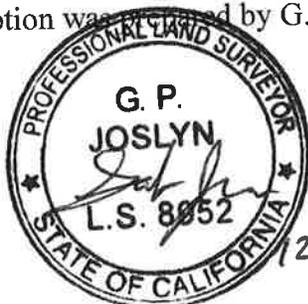


EXHIBIT B

12-13-2016

18

EXHIBIT "A"
ACQUISITION PARCEL

All that certain real property situate in the County of Trinity, State of California, located in Section 7, Township 33 North, Range 9 West, M.D.B. & M. and being a portion of Parcel 1 as shown on Parcel Map M-85-11, recorded on May 15, 1986 in Book 17 of Maps and Surveys at Page 9, Trinity County Records, described as follows:

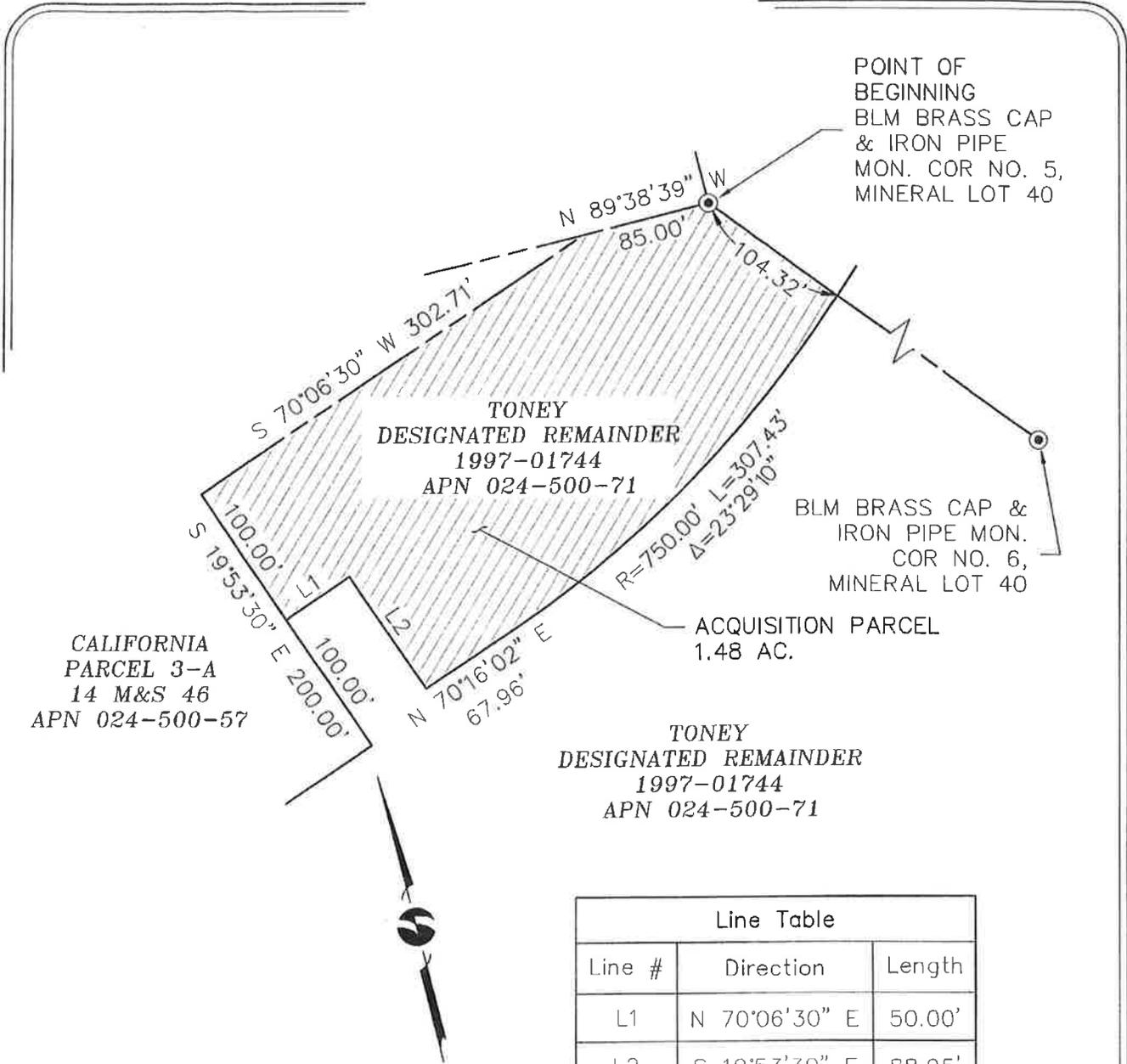
BEGINNING at the intersection of the easterly line of said Parcel 1 (17 M&S 9) and the southerly line of Brown's Ranch Road as dedicated for public use on said Parcel Map (17 M&S 9) marked by a 3/4" Iron Pipe with Plastic Cap marked PLS 5117 shown as corner note No. 41 on the Record of Survey for Trinity River Lumber Co., First Baptist Church of Weaverville and Robert and Kathy Fox, filed March 9, 2007 in Book 22 of Maps and Surveys at Page 3; thence from said **POINT OF BEGINNING** along the easterly line of said Parcel 1 (17 M&S 9) South 4°08'39" West, 179.14; thence continuing along said easterly line South 5°01'14" West, 903.05 feet to a 3/4" galvanized iron pipe; thence continuing along said easterly line South 4°38'29" West, 619.27 feet to a 1/2" iron pin with a brass cap marked "MH #12, RCE 8700"; thence leaving said easterly line North 83°38'49" West, 22.32 feet; thence North 7°09'24" West, 709.23 feet; thence along a tangent curve to the right, having a radius of 1,605.00 feet, through a central angle of 31°21'33", an arc length of 878.45 feet; thence North 24°12'09" East, 147.59 feet; thence North 69°12'09" East, 28.41 feet to the southerly line of said Brown's Ranch Road (17 M&S 9); thence along said southerly line South 70°10'50" East, 39.32 feet to the **POINT OF BEGINNING**.

Containing a total area of 5.41 acres more or less.



Brian R. Howard 12/19/2012
Brian R. Howard PLS 7250 Date

EXHIBIT C



Line Table		
Line #	Direction	Length
L1	N 70°06'30" E	50.00'
L2	S 19°53'30" E	88.95'



B R H O 02/11/13
 BRIAN R. HOWARD PLS 7250 DATE

EAST CONNECTOR PROJECT, WEAVERVILLE. CA

SCALE 1"=100'

ACQUISITION PARCEL

EXHIBIT D

