



**TRINITY COUNTY**  
**PLANNING – CANNABIS**  
530 MAIN ST., PO BOX 2819  
PHONE – 530-623-1351  
WEAVERVILLE, CALIFORNIA 96093

**Interim Deputy Director Edward Prestley**

## **MEMORANDUM**

DATE: Wednesday, August 17, 2022

TO: Trinity County Planning Commissioners and Members of the Public

FROM: Skylar Fisher, Associate Planner *SF*

SUBJECT: Agenda Item 2 - Tentative Parcel Map (P-20-40)

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This item is returning to the Planning Commission after its initial approval to account for a comment regarding the project that didn't make it into the item's original materials when it went to the Planning Commission during the regular session on April 14, 2022. The comment is included as part of Attachment 2.

### **STAFF RECOMMENDATION:**

Planning Department staff recommends that the Planning Commission adopt Draft Resolution PC-2022-12 to:

- A. Adopt a California Environmental Quality Act (CEQA) determination of a General Rule exemption 15061 (b)(3);
- B. Uphold Resolution No. PC-2022-04 and Exhibit A – Conditions of Approval

### **ATTACHMENTS:**

- 1) Draft Resolution No. PC-2022-12
- 2) Public Comment Letters
- 3) Signed Resolution No. PC-2022-12 and "Exhibit A"
- 4) P-20-40 Staff Report and Attachments Presented at April 14, 2022 Planning Commission Session

**RESOLUTION NO. PC-2022-12**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY  
UPHOLDING TENTATIVE MAP APPROVAL  
(Scribner, P-20-40)**

**WHEREAS**, the Trinity County Planning Department has brought conditionally approved Tentative Map (P-20-40) back to the Trinity County Planning Commission after its initial approval to account for a comment regarding the project that didn't make it into the item's original materials when it went to the Planning Commission,

**WHEREAS**, the Planning Commission conditionally approved a two-parcel Tentative Map filed by Paul Scribner in accordance with Title 16, Trinity County Subdivision Ordinance and Title 17, Trinity County Zoning Ordinance, at the regular meeting held on April 14, 2022,

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

**WHEREAS**, approved Tentative Subdivision Maps must be recorded within two years of issuance,

**WHEREAS**, the Planning Commission held a public hearing and considered this matter at the regular meeting held on August 25, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the County of Trinity:

1. Finds the requested extension of time to be exempt from the requirements of the California Environmental Quality Act under the General Rule exemption 15061(b)(3) on the basis that there are no substantial changes to the project or to circumstances under which the project is proposed to be undertaken, and no new information has become available or been made known showing unanalyzed environmental effects;
1. Makes the following map findings:
  - A. The approved Tentative Parcel Map, as conditioned, is in substantial conformance with the Trinity County General Plan, Title 16 (Subdivision) of the Trinity County Code of Ordinances, and the Subdivision Map Act;
  - B. The approved Tentative Parcel Map, as conditioned, is in accordance with Section 16.12.150 Conditions of Approval, of Title 16 (Subdivision) of the Trinity County Code Ordinances, Government Code Section 66474, is complete, and complies with the subdivision improvement standards;

2. Makes the following findings with Government Code Section 66474.02:
  - 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;
  - B. Structural Fire protection and suppression services will be available for the lots created by this Parcel Map from the Weaverville Fire Protection District; and
3. Upholds the approval of Tentative Parcel Map P-20-40, subject to the Conditions of Approval set forth in Resolution No. PC-2022-04 - "Exhibit A" to this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 25<sup>th</sup> day of August, 2022 by the Planning Commission of the County of Trinity by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

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WILLIAM SHARP, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:

By: \_\_\_\_\_  
EDWARD PRESTLEY  
Secretary of the Planning Commission  
County of Trinity, State of California

March 9, 2022

To: Trinity County Planning Department  
Trinity County Planning Commissioners

Please do not approve access (or access changes) to parcels on Jackass Ridge via Reservoir Rd in Weaverville UNTIL each parcel also has another access to Highway 3 (other than Mulligan St to Manzanita Dr to Reservoir Road).

The overburden on Mulligan St was argued when the Kelso Subdivision in Ten Cent Gulch was proposed over 40 years ago. Residents of Mulligan St, Pine St, Willow St, Manzanita Dr and Reservoir Rd worked with the TC Planning Department and TC Road Department for planned improvement of Mulligan St, including the county purchasing the PG&E yard for road access up Ten Cent Gulch to Willow St and Kelso St. This purchase did not happen. Nor has any width improvement to Mulligan St been made.

Today's need for emergency exit/access due to fire or natural disaster makes bringing the issue of Mulligan St to your attention.

Occurrences over the past 40 years have compounded the inadequacy of Mulligan St. Noted as problematic are:

\*Town Reservoir Road (connecting to Hwy 3 by the Trinity County Road Department office) was approved as a secondary access to the Mulligan Subdivision (with parcels on Reservoir Rd. Town Reservoir Rd and Manzanita Dr). Yet, Town Reservoir Rd was made a dead end with the construction of a home and outbuildings which block the access to one of Weaverville's reservoirs and parcels on Jackass Ridge (note: the home is directly behind the TC Road Department office), as well as the Mulligan Subdivision's Reservoir Road. Emergency escape from the Mulligan, Kelso and Young Subdivisions is now only possible via Mulligan St to Hwy 3.

\*Angel Hill Rd on the east side of Jackass Ridge was bulldozed and residents of the west side of Jackass Ridge were told this would be an access to Weaverville's reservoir on Jackass Ridge and the Mulligan Subdivision's Reservoir Rd. Angel Hill Road was not completed.

\*The spotty, incremental development of the east side of Jackass Ridge has exacerbated the need for emergency exits from Reservoir Rd, Manzanita Dr, Pine St, Willow St., Kelso St and Mulligan St.

\*At various Planning Commission meetings proposed development of parcels on Mulligan St have been challenged and neighborhood members demanded NO on-street parking (or on the road right of way). Dan Rhinehart who built the home (210 Mulligan St) and duplex (190 Mulligan St) promised there was ample off-street parking for the density he planned. This has proven untrue as occupants park vehicles on the street making Mulligan St one lane.

\*The duplex on Kimberly Court was contested by neighbors for construction without a building permit, but also because of the increased clogging on Mulligan St and a U-shaped driveway with a blind entrance/exit. No remedy was made to neighbors' concerns (not even making Kimberly Court one-way for safety) and the building was allowed to stand. Kimberly Court duplex and storage facilities were added to the former PG&E yard, thus improvement to Mulligan St has been ignored for over 40 years as incremental development continues.

\*Recent remodel of the church on the corner of Mulligan St and Manzanita Dr included a request from neighbors to widen the roadway of Manzanita Dr as it enters Mulligan St. The TC Road Department and the developer were asked by neighbors to extend the culvert making it possible for two vehicles to enter/exit Manzanita Dr via Mulligan St. The culvert was not extended and no improvements made (note: numerous vehicles requiring towing have had a wheel stuck in the hole on the culvert's east side—the county used to have a warning marker for the hole and that marker was removed during the building remodel).

Notes: (1) The Mulligan Subdivision still has 6 undeveloped parcels, and the Kelso Subdivision is also not fully constructed.

(2) Today residents spend much time at home and work from home--they require regular UPS/FedEX deliveries (increased with on-line ordering of past two years).

(3) When the Kelso Subdivision was proposed there were approximately 30 homes in the neighborhood accessing Hwy 3 via Mulligan St. Today, over 130 homes need emergency exit and emergency vehicle access.

(4) Fire-killed dead standing timber from the Helena fire is approximately one mile from the neighborhood described in this letter. As a Cal-Fire Fire

Management Officer (FMO) has noted, when a fire starts in fire-killed dead-standing timber the fire footprint increases in magnitude (e.g., with the 2008 Whiskeytown fire to 2018 Whiskeytown's Carr Fire the fire footprint increased by 35%). Thus, **emergency exit/access as requested in this letter needs to be a priority.**

**Fire and emergency vehicle access, and public ingress/egress, from the neighborhood accessed via Mulligan St is needed now, and BEFORE further access to Jackass Ridge via Reservoir Rd is accommodated, revised or approved.**

Thank you for addressing NOW a long overdue problem: ingress/egress, and particularly emergency exit/access, to a North Weaverville neighborhood.

Sincerely,

Gail Goodyear  
PO Box 1120  
Weaverville CA 96093

## Skylar Fisher

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**From:** Gail Goodyear  
**Sent:** Wednesday, August 17, 2022 9:47 AM  
**To:** Info.Planning; Edward O. Prestley; william  
**Cc:** Jill Cox; Letty Garza  
**Subject:** Email chain and March 9th Letter to Trinity County Planning Department and Trinity County Planning Commissioners for inclusion in P-20-40 staff report

Please include this email thread, together with my March 9th letter, in the P-20-40 staff report. My March 9th letter was written without benefit of the P-20-40 application and documentation promised by Lisa Lozier, yet Jackass Ridge is so important to protecting the neighborhoods on each side of the ridge as well as the whole town of Weaverville.

**Fighting fire using the Jackass Ridge service road and using the town reservoir was essential in stopping the four major fires starting on Oregon Mtn and burning to, and toward, Jackass Ridge.**

**Proposed Parcel A on P-20-40 is not on Reservoir Road. Trying to tie APN 024-380-34 to Reservoir Road creates a bottleneck on the *important service road* from Reservoir Road to the water tower. No encroachment permit should encumber the area between APN 024-380-34 and Reservoir Road.**

**APN 024-380-034 was proposed, in 2006-07, for an additional land split from the original Riley Parcel Map( P 93-28). A condition of development was a road leading to Hwy 3. Connecting roads was the goal. This *condition* for Parcel Map approval on Jackass Ridge *continues to be relevant*.**

Thank you, Gail

Gail Goodyear  
PO Box 1120  
Weaverville, CA 96093

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**From:** Gail Goodyear  
**Sent:** Wednesday, March 9, 2022 9:48 PM  
**To:** Lisa Lozier <llozier@trinitycounty.org>  
**Subject:** Letter for You and Commissioners Re: Request for link to Tentative Parcel Map P-20-40 together with accompanying documentation-- Trinity County Planning Dept

Lisa,  
I have not received the on-line link you promised below. Yet, I have written a letter detailing the Mulligan St issue and what needs to happen BEFORE any additional TC Planning Commission approvals/changes on Weaverville's Jackass Ridge. The letter is also attached.

March 9, 2022

To: Trinity County Planning Department

## Trinity County Planning Commissioners

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\*The duplex on Kimberly Court was contested by neighbors for construction without a building permit, but also because of the increased clogging on Mulligan St and a U-shaped driveway with a blind entrance/exit. No remedy was made to neighbors' concerns (not even making Kimberly Court one-way for safety) and the building was allowed to stand. Kimberly Court duplex and storage facilities were added to the former PG&E yard, thus improvement to Mulligan St has been ignored for over 40 years as incremental development continues.

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Notes: (1) The Mulligan Subdivision still has 6 undeveloped parcels, and the Kelso Subdivision is also not fully constructed. (2) Today residents spend much time at home and work from home--they require regular UPS/FedEX deliveries (increased with on-line ordering of past two years).

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**Fire and emergency vehicle access, and public ingress/egress, from the neighborhood accessed via Mulligan St is needed now, and BEFORE further access to Jackass Ridge via Reservoir Rd is accommodated, revised or approved.**

Thank you for addressing NOW a long overdue problem: ingress/egress, and particularly emergency exit/access, to a North Weaverville neighborhood.

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**From:** Lisa Lozier <llozier@trinitycounty.org>  
**Sent:** Thursday, February 10, 2022 10:52 PM  
**To:** 'Gail Goodyear'

**Subject:** RE: Request for link to Tentative Parcel Map P-20-40 together with accompanying documentation-- Trinity County Planning Dept

Gail,

Thank you for the clarification. I will provide an on-line link to the application file.

Thank you,  
Lisa

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**From:** Gail Goodyear

**Sent:** Thursday, February 10, 2022 1:29 PM

**To:** Lisa Lozier <llozier@trinitycounty.org>

**Subject:** Re: Request for link to Tentative Parcel Map P-20-40 together with accompanying documentation-- Trinity County Planning Dept

Lisa,

I am currently unable to come into the office to review a file in person. Please provide an on-line link.

The memo you attached in your email below is on-line and I already had that. *(Note: I requested the P-20-40 application, documentation, map and staff report, yet received a memo.)*

Thank you,  
Gail

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**From:** Lisa Lozier <llozier@trinitycounty.org>

**Sent:** Wednesday, February 9, 2022 5:58 PM

**To:** 'Gail Goodyear'

**Subject:** RE: Request for link to Tentative Parcel Map P-20-40 together with accompanying documentation-- Trinity County Planning Dept

Hello Dr. Goodyear,

Thank you for the email. The project you expressed and interest in reviewing has been continued in order for the Planning Department in conjunction with the Department of Transportation and the project applicant to review access related conditions. The Memorandum is attached for your review. The request is to continue the project review to the March 10, 2022 Planning Commission meeting.

The application file is available to the public for review if you are interested.

Thank you,  
Lisa

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**From:** Gail Goodyear

**Sent:** Tuesday, February 8, 2022 4:31 PM

**To:** Lisa Lozier <llozier@trinitycounty.org>

**Subject:** Request for link to Tentative Parcel Map P-20-40 together with accompanying documentation-- Trinity County Planning Dept

Lisa Lozier, Interim Director of Planning

I am interested in reviewing the tentative parcel map (P-20-40) [listed as Agenda Item 5 for the Trinity County Planning Commission meeting 2-10-2022], together with the documents submitted with this tentative parcel map. Please provide a link.

Thank you,

Gail Goodyear

Gail Goodyear  
PO Box 1120  
Weaverville CA 96093  
August 6 2022

RE: Tentative Parcel Map P-20-40 for APN 024-380-034-000 (an APN created in 1996 by the Riley Parcel Map P 93-28)

Dear Planning Commissioners Sharp, Fall, Barrett, McIntosh and Heaton and TC Planning Dept Staff,

It is a surprise to see APN 024-380-034-000 once again proposed for an additional land split, and ***without a roadway for Parcel A leading to Hwy 3 as part of the plan.*** This ***condition*** for Parcel Map approval on Jackass Ridge ***continues to be relevant.***

When the Riley Parcel Map was approved an 80' easement through its Parcels 1, 2, and 3 leading from a cul-de-sac easement on Parcel 1 (APN 024-380-033) behind the TC Road Dept) through Parcels 2 (APN 024-380-034), 3 (APN 024-380-035) and 4 (APN 024-380-023) then crossing land owned at that time by Yingling to Hwy 3. A good plan: a through street with two ways out.

It was a Scribner choice to construct buildings on Parcel 1 (APN 024-380-033) jamming up the cul-de-sac and not building a road leading to Parcel 2 (APN 024-380-034) from the cul de sac drawn on the Riley Parcel Map. Also not chosen was to participate in construction of a road from Hwy 3 through Parcel 3 to Parcel 2. These choices make voting "no" on the split and the Tentative Parcel Map a clear consequence.

The P-20-40 creation of Parcel A within Parcel 2 (APN 024-380-034) is not okay:

\*As proposed, it places a burden on Reservoir Road neighbors who live in residential zoning with CCRs (Covenants, Conditions and Restrictions). Given today's bullying it is unwise to approve an additional rural residential parcel that is not held to our residential neighborhood's CCRs, characteristics and zoning..

\*It requires a too steep driveway at 13%--not suitable for our aging population nor for young children at play nor for emergency access.

\*It accepts a various types of construction. Also, not compatible with the stick built homes of residential Reservoir Road, Manzanita Dr. Pine St, Willow St and Kelso St.

\*It will allow ADUs (Accessory Dwelling Units) thereby increasing the density beyond what is allowed on the parcels of Reservoir Road and Manzanita Drive.

Further, APN 024-380-034 is not on Reservoir Road and requires a County of Trinity encroachment permit from that APN, across the service road (on APN 024-380-036) to the water tower, and then link to Reservoir Road. This odd arrangement creates a bottleneck, and is a detriment to emergency access and exit

**You have clear justification to vote "no" on Tentative Parcel Map P-20-40.** Also, do not allow any encroachment permit for building construction, including ADUs, on APN-024-380-034-00 via Reservoir Road, Manzanita Drive and Mulligan St.

Sincerely,

Gail Goodyear

**RESOLUTION NO. PC-2022-04**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY  
APPROVING TENTATIVE MAP  
(Scribner, P-20-40)**

**WHEREAS**, the Trinity County Planning Department has considered a request for approval of a two-parcel Tentative Map filed by Paul Scribner in accordance with Title 16, Trinity County Subdivision Ordinance, Title 17, Trinity County Zoning Ordinance; and

**WHEREAS**, the project was originally scheduled for the February 10, 2022 Planning Commission, and continued to the March 10 and April 14, 2022 Planning Commission meetings in order to secure conditions from the Department of Transportation; 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**, approved Tentative Subdivision Maps must be recorded within two years of issuance; and

**WHEREAS**, the Planning Commission held a public hearing and considered this matter at the regular meeting held on April 14, 2022.


**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the County of Trinity:


1. Makes the following Environmental Findings:
  - a. The project is categorically exempt pursuant to Section 15315 (Class 15) of the CEQA Guidelines, exempting division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels and to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.
2. Makes the following map findings:
  - A. The Parcel Map, as conditioned, is in substantial conformance with the Trinity County General Plan, Title 16 (Subdivision) of the Trinity County Code of Ordinances and the Subdivision Map Act.
  - B. In accordance with Section 16.12.150 Conditions of Approval, of Title 16 (Subdivision) of the Trinity County Code Ordinances and Government Code Section 66474, the Tentative Parcel Map is complete and complies with the subdivision improvement standards.

3. Makes the following findings with Government Code Section 66474.02:
  - 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;
  - B. Structural Fire protection and suppression services will be available for the lots created by this Parcel Map from the Weaverville Fire Protection District.
4. Approves Tentative Parcel Map P-20-40, subject to the Conditions of Approval set forth in "Exhibit A" to this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 14<sup>th</sup> day of April, 2022 by the Planning Commission of the County of Trinity by the following vote:

AYES: Heaton, Fall, Barrett, McIntosh, & Sharp  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

  
\_\_\_\_\_  
WILLIAM SHARP, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:  
  
By: \_\_\_\_\_  
Lisa Lozier  
Secretary of the Planning Commission  
County of Trinity, State of California

**EXHIBIT A to Resolution PC-2022-04**  
**TENTATIVE PARCEL MAP**  
**CONDITIONS OF APPROVAL**  
**(Scribner P-40-20)**

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

**General**

A Notice of environmental constraint shall be recorded concurrent with the Parcel Map that shall provide for the following provisions:

- A. 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 or within a 50-foot buffer of the discovery location. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and a qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements, (e.g., pestles, hand-stones, bowl mortars, slabs), locally darkened midden, deposits or shell, faunal remains, and human burials. Historic archaeological discoveries may include nineteenth century building foundations, structural remains, or concentrations of artifacts made of glass, ceramics, metal or other materials found in buried pits, old wells or privies. 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.
  
- B. 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.
  
- C. Deed Notice will be required prior to the recordation of a Tentative Parcel Map to disclose the that the property is subject to routine overflights and associated noise and other impacts by aircraft operating at the Weaverville Airport.

**Planning:**

1. Applicant shall pay all fees required for a subdivision application according to the County's current fee schedule.
2. The requirements of all concerned governmental agencies having jurisdiction including, but not limited to, the issuance of appropriate permit shall be met.
3. Approval is for the project as illustrated on the Tentative Parcel Map dated September 3, 2020.
4. All grading shall conform to the Trinity County Grading Ordinance.
5. All lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location such that constitutes a hazard to vehicular traffic, either on private property or on abutting streets.

**Caltrans:**

6. A Caltrans encroachment permit is required for the highway driveway connection at the time of development of the parcel with Highway frontage.

**Department of Transportation:**

Roads

7. The private access road from the end of Reservoir Road, County Road WVC 60, to the west boundary of Parcel A must be designed and constructed to meet the Trinity County Roadway Category D standards, and must also meet Trinity County Fire Safe Ordinance standards. As required by the category D standard, the roadway must be encumbered by an exclusive easement for use by only the original parcels created. This easement is to insure that such roads cannot be utilized for subsequent divisions unless the road is improved to Category 1, or greater, at the time of any future division.
8. Private roads and public utility easements shall be offered for dedication. All commonly shared private improvements shall exist within non-exclusive private easements. The easements shall also grant the right to enter thereon to the personnel, agents, and equipment from the Fire District, and all required utilities.
9. An encroachment permit must be obtained for the construction of the new access road onto Reservoir Road, County Road WVC 60.
10. Road name signs must be installed at all intersections.
11. 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. Submitted construction drawings shall be stamped by a Professional Engineer.

12. Prior to construction of improvements, the construction drawings must be approved by the County Engineer.
13. Inspection of improvements will be performed by Trinity County Department of Transportation staff or a County selected inspection firm. The developer shall coordinate inspections with the Department of Transportation prior to start of construction.
14. 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 subdivision improvement agreements, and performing construction inspections.
15. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the County Engineer when such improvements have been completed.

#### Miscellaneous

16. All easements within the development shall be dedicated on the Parcel Map or by separate instrument.

#### Utilities

17. All utilities outside of roadways on subject properties shall be in 10-foot-wide easements centered on the utility that serves the subject and adjoining parcels.

#### Erosion Control & Drainage

18. All culverts installed under roadways shall be a minimum of 18" diameter.
19. A grading, drainage and erosion control plan was prepared for the Riley Subdivision (File # P-93-28). Development of all parcels must be completed in accordance with the approved drainage plan, unless another method of draining surface waters is prepared by an engineer, and approved by the County prior to issuance of building permits. In no event shall drainage waters be directed toward off-site properties in a manner that may cause erosion of soils or property damage. Off-site improvements may be necessary.
20. A hydrology and hydraulics report shall be completed to properly size culverts and ditches which are not considered in the approved Riley Subdivision drainage plan. The report shall be prepared by a professional engineer and approved by the County Engineer.

21. The improvement plans shall include an erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the County Engineer. 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 must 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. Projects less than one acre are exempt from obtaining a NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
  - e. The internet site for information and application on the NOI can be found at [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)
  - f. Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
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  - h. Excavated materials shall not be deposited or stored where the materials could be washed away by storm water runoff.

NOTE: Approval of this tentative map will expire on **April 14, 2024**. Any request for a time extension and accompanying fee must be received by the Trinity County Planning Department 30 day prior to this expiration date.

**TRINITY COUNTY PLANNING COMMISSION  
STAFF REPORT**

**APPLICANT/ PROPERTY OWNER:** Paul Scribner

**REPORT BY:** Interim Planning Director, Lisa Lozier

**LOCATION:** (APN 024-380-034-000)

**ZONING DISTRICT:** Rural Residential, 1-acre minimum (RR-1) combined with Residential Office (RO) and Mobile Home Standard (MHS) overlay district

**GENERAL PLAN DESIGNATION:** Rural Residential (RR)

**SITE CHARACTERISTICS:**

The project site is approximately 3.27 acres and is located northwest of State Highway 3 with access to Town Reservoir Road to proposed parcel A and access to State Highway 3 for proposed parcel B in the community of Weaverville. The site is surrounded by rural residential development. The majority of the site is covered in a variety of tree, shrub, and grass species. The site is currently undeveloped with the exception of existing building pads which would be located with one on each proposed parcel.

**PROJECT DESCRIPTION:**

Paul Scribner is proposing a Minor Subdivision of parcel 024-380-034-000 in the Rural Residential, 1-acre minimum (RR-1) combined with Residential Office (RO) and Mobile Home Standard (MHS) overlay district. The proposed Minor Subdivision would divide the existing 3.27-acre property into two lots (Parcel A and Parcel B). Parcel A would be approximately 2.04 acres and Parcel B would be approximately 1.23 acres (see attached Tentative Parcel Map). As a result of the Minor Subdivision, Parcels A and B, would be available to be developed per the requirements of the RR-1 zoning district for residential uses. There is also the potential for development of Accessory Dwelling Units (ADUs) on Parcels A and B, consistent with State housing law and the County's ADU requirements.

## **ENVIRONMENTAL REVIEW:**

The proposed project requires discretionary approval from Trinity County and is therefore subject to the requirements of the California Environmental Quality Act (CEQA). Since the applicant proposes a Minor Subdivision of land zoned residential into four or fewer parcels, the project could be found to be categorically exempt per §15315 (Minor Land Divisions) of the CEQA Guidelines.

## **PROJECT EVALUATION/DISCUSSION:**

**General Plan:** As noted above, the project site has a General Plan Designation of Rural Residential (RR). The intent of the RR designation is described in the General Plan Land Use Element, which states the following:

*“Rural Residential intends to describe locations of rural type residential development. Minimal county services would be provided and, in general, are not desirable in this area. Densities are designed to ensure the long-term opportunity for individual water and sewer systems. High density will be one dwelling unit per acre or larger as determined by the county sanitarian and the Regional Water Quality Control Board to allow the use of both individual water and sewer systems on the same parcel. Low density will be one dwelling unit per ten acres. This is to allow limited residential development in outlying areas of the county where minimal impacts are desirable and the overall character of the landscape as well as potential for open space, recreation, or resource production is to be preserved. Special attention should be directed toward the protection of sensitive environmental resources such as water quality, unstable slopes, critical wildlife habitat, etc. This designation should not be construed as discouraging resource production activities, such as logging or grazing.*

**Zoning:** The proposed project would be consistent with the intent of the Rural Residential designation since it would create two parcels that are greater than 1 acres in an area containing low-density residential development in the community of Weaverville. These properties would be served by both Weaverville Community Services District and Weaverville Sanitary District.

**Weaverville Community Plan:** The Weaverville Community Plan was adopted by the Trinity County Board of Supervisors in September 1990 and establishes a framework and guidelines for private and public projects within the Plan Area. The project site is located in the Plan Area in an area of Weaverville that is primarily developed for low-density housing. The proposed Minor Subdivision has the potential to result in the development of additional low-density housing. As such, the project is consistent with several of the goals of the Plan including, but not limited to, the following:

- Retention of rural character of the community by emphasizing the importance of existing neighborhood characteristics and requiring growth to be consistent with these characteristics and zoning.
- Encourage the area's high level of environmental quality by providing for growth on existing privately-held lands adjacent to those areas already developed.
- To establish a variety of housing types and prices compatible with the services capacity and character in each community area in order to provide housing opportunities for all income groups.
- To preserve the natural, rural, small-town and historic character of Trinity County while providing adequate housing for its residents.

Therefore, the proposed project is determined to be consistent with the Weaverville Community Plan.

**Chapter 16.12 – Tentative Map:** Chapter 16.12 of the Trinity County Subdivision Code contains the requirements for Tentative Parcel Maps. The Tentative Parcel Map prepared for this Minor Subdivision project has been reviewed by County Staff. The current draft of the Tentative Parcel Map, dated September 3, 2020, has been determined to be consistent with Title 16 (Subdivision) of the County Code of Ordinances and the Subdivision Map Act. As shown on the Tentative Parcel Map, existing parcel 024-380-034-000 is proposed to be split, resulting in two parcels that are labeled as Parcels A and B.

**ALTERNATIVES:**

The following alternatives are available:

- 1) Modify the conditions of approval of the Parcel Map.
- 2) Continue the public hearing to request additional information.
- 3) Deny the Parcel Map. With this alternative, the Planning Commission would need to make findings that the Parcel Map is inconsistent with the General Plan, Title 17 Zoning Ordinance or the Subdivision Ordinance.

**STAFF RECOMMENDATION:** Staff recommends the Planning Commission approve the project with the findings included in Resolution PC-20-40 with the Conditions of Approval.

**ATTACHMENTS:**

- 1) Draft Resolution PC-2022-04 and attached “Exhibit A” Conditions of Approval
- 2) Location Map
- 3) General Plan Area Map
- 4) Zoning Map
- 3) Tentative Parcel Map P-20-40

**RESOLUTION NO. PC-2022-04**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY  
APPROVING TENTATIVE MAP  
(Scribner, P-20-40)**

**WHEREAS**, the Trinity County Planning Department has considered a request for approval of a two-parcel Tentative Map filed by Paul Scribner in accordance with Title 16, Trinity County Subdivision Ordinance, Title 17, Trinity County Zoning Ordinance; and

**WHEREAS**, the project was originally scheduled for the February 10, 2022 Planning Commission, and continued to the March 10 and April 14, 2022 Planning Commission meetings in order to secure conditions from the Department of Transportation; 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**, approved Tentative Subdivision Maps must be recorded within two years of issuance; and

**WHEREAS**, the Planning Commission held a public hearing and considered this matter at the regular meeting held on April 14, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the County of Trinity:

1. Makes the following Environmental Findings:
  - a. The project is categorically exempt pursuant to Section 15315 (Class 15) of the CEQA Guidelines, exempting division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels and to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.
2. Makes the following map findings:
  - A. The Parcel Map, as conditioned, is in substantial conformance with the Trinity County General Plan, Title 16 (Subdivision) of the Trinity County Code of Ordinances and the Subdivision Map Act.
  - B. In accordance with Section 16.12.150 Conditions of Approval, of Title 16 (Subdivision) of the Trinity County Code Ordinances and Government Code Section 66474, the Tentative Parcel Map is complete and complies with the subdivision improvement standards.

April 14, 2022

3. Makes the following findings with Government Code Section 66474.02:
  - 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;
  - B. Structural Fire protection and suppression services will be available for the lots created by this Parcel Map from the Weaverville Fire Protection District.
4. Approves Tentative Parcel Map P-20-40, subject to the Conditions of Approval set forth in "Exhibit A" to this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 14<sup>th</sup> day of April, 2022 by the Planning Commission of the County of Trinity by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

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WILLIAM SHARP, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:

Lisa Lozier  
Secretary of the Planning Commission

By: \_\_\_\_\_  
Deputy

**EXHIBIT A to Resolution PC-2022-04**  
**TENTATIVE PARCEL MAP**  
**CONDITIONS OF APPROVAL**  
**(Scribner P-40-20)**

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

**General**

A Notice of environmental constraint shall be recorded concurrent with the Parcel Map that shall provide for the following provisions:

- A. 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 or within a 50-foot buffer of the discovery location. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and a qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements, (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits or shell, faunal remains, and human burials. Historic archaeological discoveries may include nineteenth century building foundations, structural remains, or concentrations of artifacts made of glass, ceramics, metal or other materials found in buried pits, old wells or privies. 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.
- B. 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.
- C. Deed Notice will be required prior to the recordation of a Tentative Parcel Map to disclose the that the property is subject to routine overflights and associated noise and other impacts by aircraft operating at the Weaverville Airport.



**Planning:**

1. Applicant shall pay all fees required for a subdivision application according to the County's current fee schedule.
2. The requirements of all concerned governmental agencies having jurisdiction including, but not limited to, the issuance of appropriate permit shall be met.
3. Approval is for the project as illustrated on the Tentative Parcel Map dated September 3, 2020.
4. All grading shall conform to the Trinity County Grading Ordinance.
5. All lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location such that constitutes a hazard to vehicular traffic, either on private property or on abutting streets.

**Caltrans:**

6. A Caltrans encroachment permit is required for the highway driveway connection at the time of development of the parcel with Highway frontage.

**Department of Transportation:**

Roads

7. The private access road from the end of Reservoir Road, County Road WVC 60, to the west boundary of Parcel A must be designed and constructed to meet the Trinity County Roadway Category 2 standards.
8. Private roads and public utility easements shall be offered for dedication. All commonly shared private improvements shall exist within non-exclusive private easements. The easements shall also grant the right to enter thereon to the personnel, agents, and equipment from the Fire District, and all required utilities.
9. A turnaround is required on the access road to Parcel A. The existing turnaround at the end of Reservoir Road does not meet Trinity County Subdivision Ordinance standards. The existing turnaround at the end of Reservoir Road must meet the road improvement standard of County Code Section 16.48.126, or a new turnaround must be constructed near the western boundary of Parcel A to meet the County Subdivision Ordinance.
10. An encroachment permit must be obtained for the construction of the new access road onto Reservoir Road, County Road WVC 60.
11. Road name signs must be installed at all intersections.

12. 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. Submitted construction drawings shall be stamped by a Professional Engineer.
13. Prior to construction of improvements, the construction drawings must be approved by the County Engineer.
14. Inspection of improvements will be performed by Trinity County Department of Transportation staff or a County selected inspection firm. The developer shall coordinate inspections with the Department of Transportation prior to start of construction.
15. 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 subdivision improvement agreements, and performing construction inspections.
16. If approval of the tentative map is conditioned upon certain improvements being made by the subdivider, the subdivider shall notify the County Engineer when such improvements have been completed.

#### Miscellaneous

17. All easements within the development shall be dedicated on the Parcel Map or by separate instrument.

#### Utilities

18. All utilities outside of roadways on subject properties shall be in 10-foot-wide easements centered on the utility that serves the subject and adjoining parcels.

#### Erosion Control & Drainage

19. All culverts installed under roadways shall be a minimum of 18" diameter.
20. A grading, drainage and erosion control plan was prepared for the Riley Subdivision (File # P-93-28). Development of all parcels must be completed in accordance with the approved drainage plan, unless another method of draining surface waters is prepared by an engineer, and approved by the County prior to issuance of building permits. In no event shall drainage waters be directed toward off-site properties in a manner that may cause erosion of soils or property damage. Off-site improvements may be necessary.
21. A hydrology and hydraulics report shall be completed to properly size culverts and ditches which are not considered in the approved Riley Subdivision drainage plan. The report shall be prepared by a professional engineer and approved by the County Engineer.

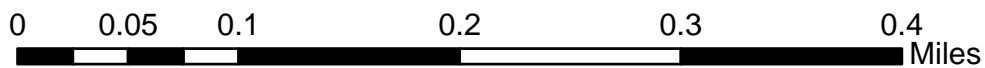
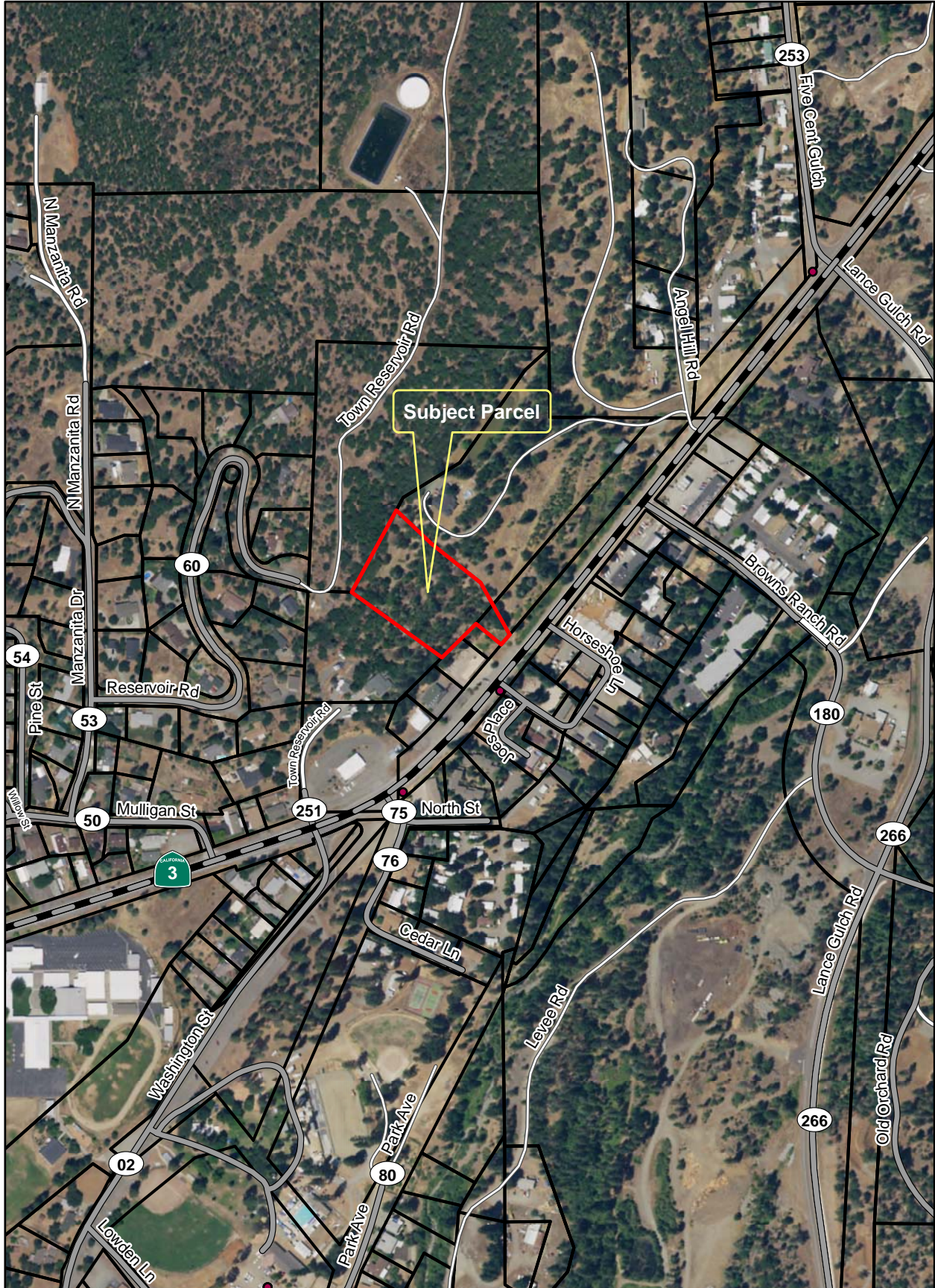
22. The improvement plans shall include an erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the County Engineer. The following measures shall be included:
- a. Any mass grading shall be restricted to dry 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 must 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. Projects less than one acre are exempt from obtaining a NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
  - e. The internet site for information and application on the NOI can be found at [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)
  - f. Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
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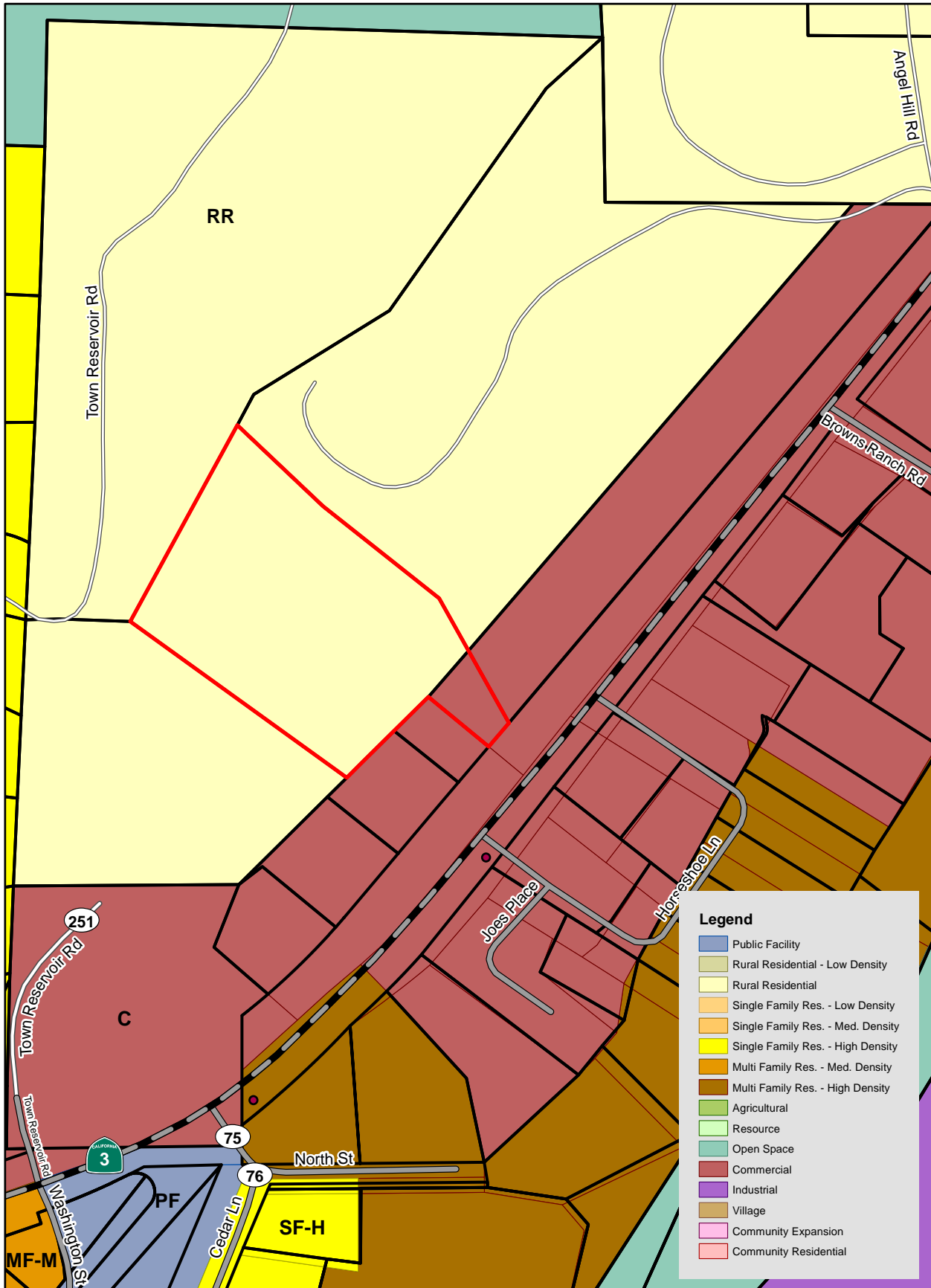


APN 024-380-34-00  
P-20-40 | P. Scribner TPM  
Project Location Map



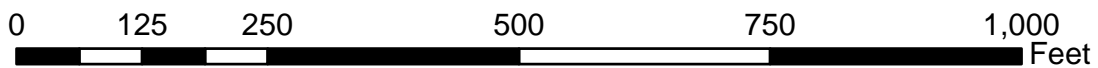


APN 024-380-34-00  
P-20-40 | P. Scribner TPM  
General Plan Designation Map

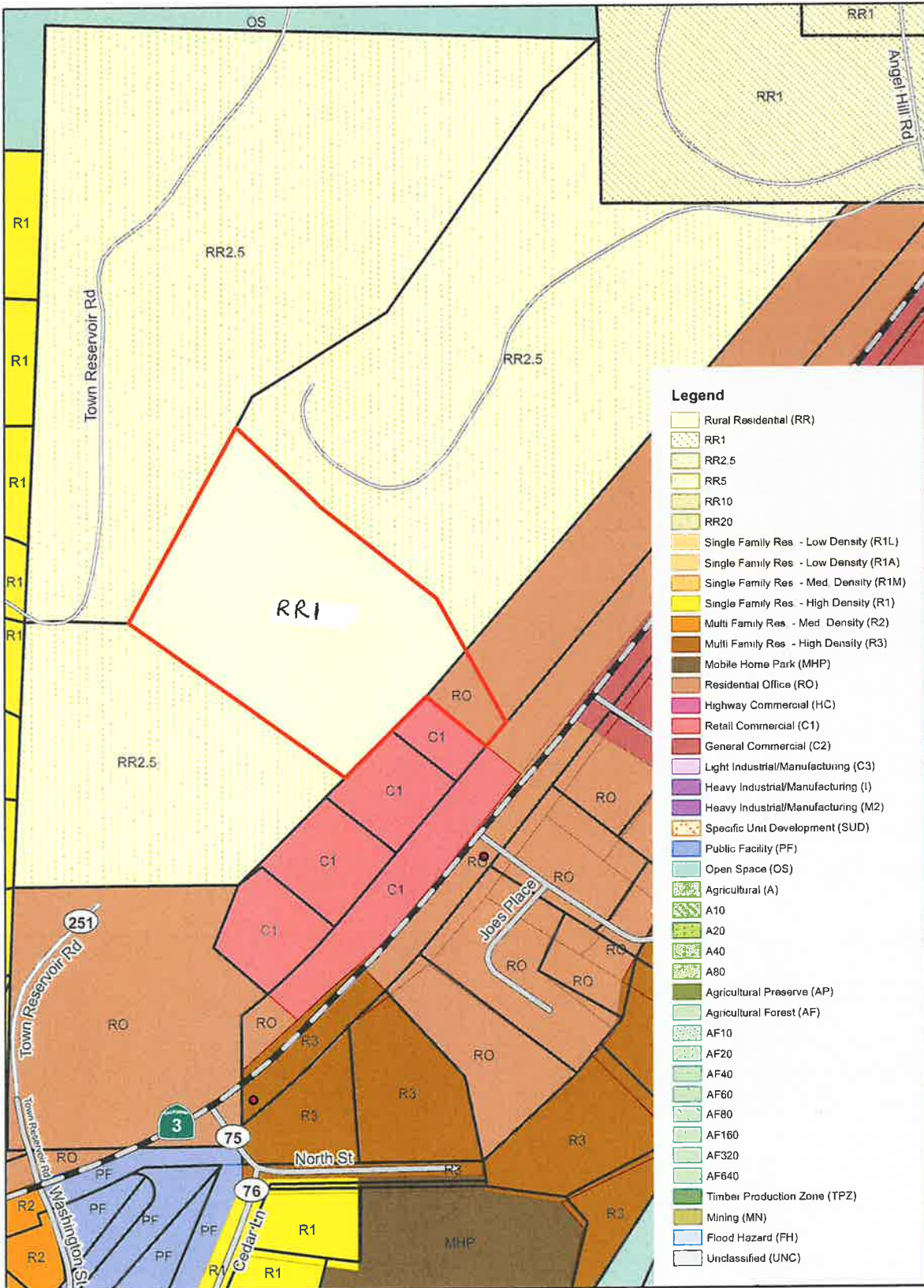


**Legend**

- Public Facility
- Rural Residential - Low Density
- Rural Residential
- Single Family Res. - Low Density
- Single Family Res. - Med. Density
- Single Family Res. - High Density
- Multi Family Res. - Med. Density
- Multi Family Res. - High Density
- Agricultural
- Resource
- Open Space
- Commercial
- Industrial
- Village
- Community Expansion
- Community Residential



APN 024-380-34-00  
P-20-40 | P. Scribner TPM  
Zoning Map



- Legend**
- Rural Residential (RR)
  - RR1
  - RR2.5
  - RR5
  - RR10
  - RR20
  - Single Family Res - Low Density (R1L)
  - Single Family Res - Low Density (R1A)
  - Single Family Res - Med. Density (R1M)
  - Single Family Res - High Density (R1)
  - Multi Family Res - Med Density (R2)
  - Multi Family Res - High Density (R3)
  - Mobile Home Park (MHP)
  - Residential Office (RO)
  - Highway Commercial (HC)
  - Retail Commercial (C1)
  - General Commercial (C2)
  - Light Industrial/Manufacturing (C3)
  - Heavy Industrial/Manufacturing (I)
  - Heavy Industrial/Manufacturing (M2)
  - Specific Unit Development (SUD)
  - Public Facility (PF)
  - Open Space (OS)
  - Agricultural (A)
  - A10
  - A20
  - A40
  - A80
  - Agricultural Preserve (AP)
  - Agricultural Forest (AF)
  - AF10
  - AF20
  - AF40
  - AF60
  - AF80
  - AF160
  - AF320
  - AF640
  - Timber Production Zone (TPZ)
  - Mining (MN)
  - Flood Hazard (FH)
  - Unclassified (UNC)

