

MINUTES

1. CALL TO ORDER

Chairman McKnight called the meeting to order at 7:00 p.m. Members present: Diana Stewart, Dan Frasier, Graham Mathews, Keith Groves, and Chair Tom McKnight. Staff present: Principal Planner Frank Lynch and Clerk Ruth Hanover.

2. PUBLIC COMMENT

Members of the public may address the Planning Commission concerning matters within their jurisdiction, which are not listed on the agenda and to request that a matter be agendized for a future meeting. No action may be taken on these matters at this meeting.

No one came forward

3. MINUTES

Upon motion by Commissioner Groves, second by Commissioner Stewart and carried the Commission approved the minutes of February 13, 2014.

NEW BUSINESS

The Chair elected to move to Item 6(a) and (b) on the published agenda in the interest of convenience to the public who were in attendance.

6. MATTERS FROM STAFF

(a) General Plan Status Report.

Planner Lynch reviewed the history of Trinity County's General Plan and various Community Plans adopted as part of the General Plan. He advised that a revised Safety Element is being reviewed at this time, and that the Commission and Board of Supervisors also reviewed and ultimately adopted the implementation measures for the 2009 – 2014 Housing Element. Lynch stated there were two privately sponsored General Plan Amendments changing the Land Use designations on private property approved in the last year, one in Hayfork and one in Weaverville.

The Commission accepted the report.

(b) Planning Commission Zoning Compatibility Review: Winery/Brewery in Commercial Zoning Districts

Planner Lynch presented the staff report. He said in recent months staff has received three inquiries from entrepreneurs of business proposals seeking council on where their businesses could locate within the County. Noting all three have been in Hayfork (two businesses have been related to "breweries" and one has been related to a "winery") and their selected sites have all been zoned C-1 (Retail Commercial). He said he also had a phone inquiry about an "artisan craft whiskey distillery" in Weaverville in a C-1 Zoning District as well. So obviously there is a trend and he wanted to bring it to the Commission's attention.

Lynch advised there are some folks here tonight that are interested in doing one of those businesses. He discussed how these uses may fit within the Zoning Ordinance. He thinks there is a difference between a "bar" and what he thinks of as "winery or wine tasting facility". He said trying to define a winery these

days can be quite difficult, as ancillary uses to a winery have grown, e.g., a lot of them have gift shops, restaurants, wedding facilities, etc.

Chair McKnight opened the discussion to public comment.

Lisa Barrow of Hayfork stated they would like to open a winery. They are looking at a possible location that is zoned C-1, and the building is sitting empty on Main Street. She said they love Hayfork and want to invest in Hayfork, but they really only want to do it where it's going work.

With no one else coming forward, the Chair closed the discussion to public comment.

Commissioner Stewart stated she has thought about this a lot. There are breweries in downtown areas in many communities. She stated she has no objection to it. She feels in terms of Hayfork, that we want our buildings to be utilized, and if it is the building she is thinking of, it is right off Main Street. Planner Lynch urged the Commissioners to not think of a specific building or location, but think of this in the broader concept. Commissioner Stewart stated she thinks, in general, something very small or a nano brewery could fit in downtown, however, she was unsure about distilleries in downtown.

Commissioner Groves stated there are a lot more breweries in C-1 Districts but they are usually tied to brew pubs, for the most part it is for on-site sales only, and something like that in the downtown area is very acceptable. He said the problem in wineries or breweries we have if you are just building a facility, how do you define that as they grow and the next thing you know is there is a semi truck parked out in front delivering glass bottles. He said the other factor you have is you have waste issues other than water, i.e., odors, etc. He said normally it's considered a little more industrial unless it's a smaller facility. He said the only way you could do this is with a Use Permit and get very tight on the amounts that go on there. He said he would prefer to see something rezoned where we look at all the impacts and maybe a better site than just C-1. Planner Lynch commented he agreed with everything Commissioner Groves said, but at what point does this "nano brewery" or "micro brewery" become a bar. A small tasting facility will be a 10 a.m. to 5 p.m. kind of thing, so where do you draw the line. Commissioner Groves responded quite frankly that is how they are making their money; most micro breweries are running as a bar/food facility. He can see that as an appropriate use.

Commissioner Frasier commented to him it seems like it would be an allowable use, but it would be subject to a Use Permit as to what is allowed in the operation.

Commissioner Matthews asked what is the issue of rezoning from C-1 to C-2. Lynch responded time and money, and CEQA.

Commissioner Groves stated there is no way for a distillery to belong in C-1 District. He said distilleries really belong in concrete buildings – it is a highly flammable product and puts off a lot of odor. Commissioner Stewart agreed, stating she would be uncomfortable with that.

Commissioner Matthews stated the primary issue is there isn't retail associated and that is what makes a Use Permit required, otherwise it would be an accepted use.

Consensus is this use would be one that would be subject to a Use Permit in a C-1 Zoning District.

Evan Barrow of Hayfork commented their proposed site is behind the Hayfork Garage and next to the building is the ambulance shed, so doesn't understand why it wouldn't fit it with the C-1 Zoning.

Commissioner Groves suggested the Barrows work with the Hayfork Community Plan group and it could possibly be part of that. Planner Lynch stated the timeline would be a lot longer than if they wanted to do their own individual application. He said maybe we can find an alternative spot, if we are going to throw it into a bar definition it would be allowed under C-2.

Mrs. Barrow stated she wanted to be clear, if this place doesn't work, she needs to find someplace that does so she would look at C-2, Industrial or Agriculture. Planner Lynch responded he would say C-2, Industrial – probably not, and Agriculture is a whole other issue that he thinks the Commission needs to discuss because there is not a definition of a winery. Lynch stated he would give Mrs. Barrow a map of the Hayfork environment with all the C-2 zoning.

There was broad based discussion regarding Agriculture, C-2, C-3, Light Industrial, Industrial Zoning Districts, retail sales, and production facilities.

Mrs. Barrow asked does “production facility” mean tasting. Planner Lynch responded C-3 is more of a heavy commercial, light industrial, district – he thinks the production and processing of her product would be fine. Lynch said as he views it tasting would be ancillary to the more heavy use, so he thinks it would be permitted. Commissioner Groves agreed that would also be his interpretation.

Commissioner Groves stated he doesn't understand Lynch's issue with Agriculture. Lynch responded he thinks you need to define a winery as to what all the ancillary uses that you would deem permissible on an Agriculture piece of property, i.e., a restaurant. Commissioner Matthews stated it's not the winery issue or the tasting room, but the other things that come along with it. Commissioner Groves stated in our Ag we talk about you can do those things. Lynch responded with a Use Permit you can have the resort facilities and things of that nature, but you don't talk having an event center in Ag. He said he thinks there needs to be a definition of winery.

Majority consensus of the Commission is to allow “Tasting Room” in a C-1 Zoning District only with a Use Permit; and wine tasting and/or brewery be under C-2, C-3 and Agriculture Zoning District.

OLD BUSINESS:

4. CONTINUED REVIEW OF PROPOSED UPDATE TO GENERAL PLAN SAFETY ELEMENT

Pat Frost, recently retired Director of the RCD and the principal author of the update, was present.

Planner Lynch advised that Pat Frost has put together a comprehensive list of changes that the Commission has done with the policies, and there is a new Draft which has much of the supporting material moved to appendices. He showed a larger version of the map of the naturally occurring asbestos as previously requested by the Commission.

Lynch requested the Commission's comments on its review of the policy changes and corrections made. He said if the changes/corrections are acceptable, we can then circulate it through the fire agencies. Pat Frost agreed, stating one thing we would like to do is to at least begin the process that Andy Reiling, CalFire Battalion Chief, described last month, which was to review it against that new state law S.B. 1241. Cal Fire is developing a check list to make sure everything is covered as described in that law or there is a reason why a particular jurisdiction doesn't need that. He said it will be fairly simple and where there are some specific items that CalFire thinks ought to be in there are probably just geographic or population reasons that we would write up. He said this would take care of that part of the process; it doesn't deal with the bigger CEQA Review and the Clearinghouse for the full document.

Commissioner Matthews stated we have a number of policies that Mr. Tippett wanted to pull and revisit and he doesn't think we have ever gotten to those. Pat Frost responded Planner Lynch and he sat down with Director Tippett and there are edits in this document that attempted to address those specific questions. Mr. Frost stated the naturally occurring asbestos was one; Planner Lynch stated the other one was a discussion about underground tanks and what the State responsibility was and what was local responsibility.

Mr. Frost stated the suggested changes were the ones the Commission had made in January and February. He reviewed each of the changes in the Goals/Objectives/Policies section.

Consensus of the Commission under both S.5.2(D) and (E) “Should” to be stricken. Under S.7.1(A) add words “by state law” after as required; Under S.7.1(D) change to read “Programs to reduce Air Quality Impacts of Wildland Fire: Support and encourage programs such as fuel reduction, prescribed fires, landscape-scale vegetation management, **and sustainable silviculture practices**, as recommended...”.

The Commission concluded their review and discussion focused on how the project would then proceed.

Planner Lynch advised Mr. Frost will review it with CalFire, Lynch will do the CEQA review on it and it has to go through the State Clearinghouse. Then the completed comes back and we will have a noticed public hearing for consideration of recommending adoption of a negative declaration and adoption or not of this revised Safety Element to the Board of Supervisors.

Lynch stated he considers the policies the meat of the document but feels he should wait to do the CEQA until after the Commission has an opportunity to read through the narrative and the appendices for the complete document.

Staff advised that the revisions would come back to the Commission for their final review after being assessed for compliance with CEQA. Per the new State legislation, SB 1241, CalFire would also have a separate review process. The completed project would then come back as an action item for the Commission to make a recommendation to the Board of Supervisors.

5. MATTERS FROM THE COMMISSION

None

7. ADJOURN

The meeting was adjourned by the Chair at 8:33 p.m.