



TRINITY COUNTY

PLANNING DEPARTMENT

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February 9, 2017

TO: MEMBERS IN SESSION

SUBJECT: Agenda Item 4, February 9, 2017 Planning Commission meeting.

Discuss and/or take action to adopt resolution requesting the Board of Supervisors to initiate amendment of the Ag-Forest Zoning District

PURPOSE:

The purpose of this item is for the Commission to review, and if acceptable, approve a resolution recommending that the Board of Supervisors direct staff to amend the Ag-Forest Zoning District.

BACKGROUND:

The Agricultural Forest District or "AF" District is located in Section 14 of the County Zoning Ordinance (Exhibit A). Its purpose is for the production and harvesting of trees and management of the land for forestry related purposes. This zoning district pre-dates the creation of Timberland Production Zone contract zoning created by the State.

During its January 19, 2017 meeting the Commission discussed three primary issues that led the Commission to direct staff to prepare the resolution for the Board's consideration.

1. The district does not specify that a single-family dwelling is allowed, yet for the past few decades, the County has issued building permits for a dwelling to facilitate management of the forest land.
2. The issue of allowing commercial cannabis cultivation, either with or without a conditional use permit, should be considered.
3. Subsection N appears to be out-of-date and should be re-evaluated and possibly deleted or revised.

Instead of limiting the update to only the three issues identified by the Planning Commission on January 19, 2017, staff is recommending that the whole section be evaluated and updated where appropriate. While the zoning ordinance has had piecemeal revisions to various sections in the past, the Ag-Forest District, written in 1968 has not been modified and may benefit from a complete review.

GENERAL PLAN POLICIES:

Most land zoned Ag-Forest has a “Resource” land use designation, although it is sometimes found in areas with the “Agriculture” land use designation. The description of “Resource Land” is located on page 11 of the land use element of the General Plan and reads as follows:

“Resource lands are those areas designated for the production of the variety of natural resources that occur within Trinity County. Natural resources include timber production, mineral production, and important grazing areas. Activities necessary for the production of the various resources are encouraged in this area, and can include industrial development sited adjacent to the resource base being used (timber, ore, etc.) if adequate transportation facilities and access are available and if an acceptable low level of environmental impact can be maintained.”

Under the “Economic Findings and Policies” section (p.17) is found the following:

“Important timber, agriculture, recreation, scenic, mineral, and wildlife resources should be protected for use. These resources are critical to the economic well-being of Trinity County.”

RECOMMENDATION:

Staff recommends that the Commission:

Adopt the resolution recommending that the Board of Supervisors direct staff to update Section 14 (Agricultural Forest District or “AF” District) of the Zoning Ordinance.

Respectfully submitted,

John Alan Jelichich,
Interim Planner

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF TRINITY
RECOMMENDING THAT THE BOARD OF SUPERVISORS
TAKE ACTION TO UPDATE SECTION 14 (AG-FOREST)
OF THE ZONING ORDINANCE**

WHEREAS, the Trinity County Planning Commission, on January 19, 2017, conducted a public meeting to evaluate how or whether commercial cannabis cultivation should be an allowable use in the Agricultural Forest Zoning District (Section 14 of the Zoning Ordinance); and

WHEREAS, during this Commission’s review of the Ag-Forest district and considering comments from the public, it became clear that there are several portions of the district that may be out dated or incomplete based on actual practice; and

WHEREAS, this section of the zoning has not been updated since 1968.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Trinity hereby recommends that the Board of Supervisors direct planning staff to initiate an evaluation and revision of the Agricultural Forest Zoning District.

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

AYES: Commissioners

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

GRAHAM MATTHEWS, CHAIR
Planning Commission
County of Trinity
State of California

ATTEST:

Richard Tippett,
Planning Director

By: _____
Ruth Hanover
Secretary to the Planning Commission

SECTION 14. AGRICULTURAL FOREST DISTRICT OF AF DISTRICTS

Subject to the provisions of Section 30, none but the following uses, or uses which in the opinion of the Planning Commission are similar in nature will be allowed. See Section 30.A.

- A. **USES PERMITTED:** Management of land and forest for the production and harvest of trees and other natural resources (including tree farming), management of land and forest in a manner designed to provide protection from fire caused either by man or nature, insects, diseases, or other catastrophe, logging, primary wood processing plants and operations, and accessory buildings and uses.
- B. **USES PERMITTED SUBJECT TO FIRST SECURING A USE PERMIT IN EACH CASE:** Other uses which are incidental to the primary purpose of "A- F" district including, but not limited to a permanent wood processing installation.
- C. Reserved.
- D. Reserved.
- E. **FOR SUBDIVISION PURPOSES, THE MINIMUM PARCEL SIZE REQUIRED:** A corner and an interior lot - 10 acres. (315-200)
- G. **MINIMUM LOT WIDTH REQUIRED:** No requirement.
- I. **MAXIMUM ALLOWABLE LOT COVERAGE BY ALL STRUCTURES:** No requirement.
- J. **MAXIMUM ALLOWABLE HEIGHT:** No requirement.
- K. **MINIMUM FRONT YARD REQUIRED:** Twenty (20) feet. (Ord. 315-722)
- L. **MINIMUM SIDE YARD REQUIRED:** (Interior and Exterior lot lines) Twenty (20) feet.
- M. **MINIMUM REAR YARD REQUIRED:** Twenty (20) feet. (Ord. 315-722)
- N. **GENERAL REQUIREMENT:** Any petition to establish, reclassify or amend, the agricultural-forest classification shall state that the minimum duration of such classification shall be 5 years. Upon the termination of the original or subsequent 5 year period, either the owner or the Trinity County Planning Commission may petition for reclassification of any portion of any ownership so classified. Unless such petition is filed either by the owner or by the Planning Commission within 120 days preceding the date of termination and provided that notice of such

petition is delivered to the signatories within 120 days proceeding said termination date. Extension of the five-year exclusive use classification shall be automatic.

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