

MINUTES

1. CALL TO ORDER

Chair Richard Hoard called the meeting to order at 7:00 p.m. Members present: Dan Frasier, Mike McHugh, Diana Stewart, Graham Matthews and Richard Hoard. Staff present: Interim Planning Director Leslie Hubbard, Associate Planner Colleen O'Sullivan, Associate Planner Scott Watkins, Environmental Health Director Kristy Anderson, Deputy County Counsel Joe Lamour 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.

Comments received from Liz McIntosh, Kylie Reed and Jake Grossman-Crist.

3. MINUTES – January 25, 2017 and February 8, 2018.

Commissioner Matthews moved to approve the Minutes of January 25, 2018 and February 8, 2018 as submitted. Seconded by Commissioner Frasier. Motion carried, with Commissioner Hoard abstaining on the Minutes of January 25, 2018 as he was absent.

OLD BUSINESS

4. MITIGATED NEG. DEC. AND USE PERMIT FOR CELL TOWER

P-17-41

Public Hearing: Proposed Mitigated Negative Declaration and Use Permit to allow construction of a cellular communications facility that will encompass approx. 800 sq. ft. of ground and contain equipment shelters, a 96' tall monopole and appurtenant structures. Located ¼ mile north of 1240 Old Lewiston Road, Lewiston. Applicant: AT&T Mobility. APN: 025-520-04. *(Continued from 2/8/18)*

Associate Planner Colleen O'Sullivan presented the staff report. She advised the concerns staff had were with aesthetics, cultural resources, biological resources, air quality, decomposed granite soils and onsite fuel storage. She said staff is recommending approval.

Commissioner Matthews asked how we resolve the difference between 96' and 85' on the plan. Ms. O'Sullivan responded the applicant can speak to that. Commissioner McHugh asked if the tower will be lighted? Sullivan responded the applicant will speak to that also. Commissioner Matthews said the mitigation measure says no fuel will be stored on site. O'Sullivan responded that is a remnant of another initial study which should have been deleted. Matthews stated so there will be fuel storage on site. O'Sullivan responded in the affirmative.

Chris Hatch of Shore to Shore Wireless said with regard to height there was a typo and it should be 86'. He said lighting is determined by the FAA, the filing has gone in and there was no negative declaration on this because the average topography in the area is much higher, the trees.

Chair Hoard asked with regard to fuel storage, if there will be some sort of catch basin? Hatch responded

an Air Quality Permit is obtained, there are also California Generator Licenses that are licensed for this, and it must meet all California Codes for secondary storage containment monitoring and that has internal sensors and alarms for even vapors being in the secondary container, that will meet all conditions.

Chair open the hearing to public comment.

Comments received from Mary Cole, Tony Cole, Katie Quinn and Jake Grossman-Crist.

No further comments being received, Chair closes public comment period.

Commissioner McHugh asked if we could hear back from the applicant on the change from a monopine to a monopole. Chair Hoard asked Mr. Hatch back to the podium. Mr. Hatch said the initial intent was to bring stealth pine tree since we are working in a forested area; however, had a problem with the road access to the top of the hill, it is very windy and has several switchbacks. He said they would have problems bringing heavy equipment up and would have to do substantial grading, road widening and taking down more trees in order to use the monopine, which they would not have to do if it was a regular steel monopole.

Commissioner Stewart asked if the Commission decided to require a monopine and not a monopole, would it would require a new environmental impact study. Ms. O'Sullivan advised she thinks an amended staff report and an amended initial study would have to be prepared, and there would be more environmental impacts due to grading and tree removal.

Discussion regarding extensive road improvements needed to install a monopine. Hatch stated if we can eliminate a monopine, all those problems would go away as the road improvements would not be necessary.

Commissioner Matthews said what we have in front of us shows the top of a hill and the contours going off and it's steep on the south side, but it's not very well defined what happens on the north side. Hatch responded that wanders off the property. McHugh said it's 200'. Commissioner Matthews said what you are saying is you might have to lower the knoll by 10' vertically or something to create a big enough pad that would be safe to use. Hatch responded he could probably do 6', but the tower is going to get taller again. Matthews said he understands it simpler, cheaper, easier, but that's not the criteria here. Commissioner McHugh said he concurs with that; he would like to see it be a monopine due to the location and the impacts on the immediate neighbors.

Chair Hoard asked staff if we were in consensus on the monopine what it would entail. Associate Planner O'Sullivan responded she would bring back a modified document that would explain how the road is going to be developed, how much decomposed granite is being removed and the change in design of the facility.

Commissioner Stewart said our motion would basically be to continue this with the intent that they would do a monopine. Commissioner Frasier said he had one question, it says aesthetics are less than significant with mitigation, and he doesn't read any mitigation measures for aesthetics. He said it would be nice to have some sort of mitigation measure for aesthetics. McHugh asked if staff wanted direction for a continuance or deny this for an amended application. Director Hubbard asked if everything other than that will remain the same. Chris Hatch responded unfortunately no. He said we have had this happen two or three times in just the last two months, where the design was changed on the tower. AT & T has been more than happy to change the modifications, but he must suggest an approval with conditions, rather than a continuance to re-review. This is part of the first responders project and continuing at this time will actually put this project at a bit of a burden for getting the state and federal funding that is coming out for this and be basically pushing the site out of the county. He said this project will most likely hit the

chopping block, and he would like to keep the efforts moving forward instead of a resubmittal, especially with the extreme duration which it took to get to this point. Hatch said you will be hearing from AT & T's lawyers at that point in time.

Counsel Larmour stated he is not concerned with the funding sources or sources that are funding this project. You as a Planning Commission have heard public comment, and if you need more information or you want staff to bring more information back, you can continue this item. If you believe that the project that has been placed before you should not be approved, then you don't need to do a continuance. He said as far as the threat of lawyers, that's not something the Commission needs to be considering in either approving or denying this. Commissioner Matthews asked counsel if we can approve this alternative structure and just say it has to be addressed through a modified negative declaration and application to the County. Counsel Larmour responded what you are talking about would be a conditional approval, it sounds to him like there would be further environmental investigation that would have to come back to you; so, from the applicant's description, it sounds like something that's not going to take major modifications or grading to put it in and you are changing the project in a major way. Commissioner Matthews said he wouldn't see it that way, it is entirely possible to stabilize DG soils, it just takes more effort to do it. He would be of the opinion it is not a substantial change. Commissioner Frasier asked if we could accept this and add a mitigation measure that the pole had to be a monopine, because it would still be okay with the added grading. We do have Mitigation Measure No. 6 which states you have to have a DG Permit, so it seems like it would mitigate the additional grading whether it happens or not. Associate Planner O'Sullivan responded correct, and she would also add that they provide a Drainage and Erosion Control Plan for the top of the ridge that is going to be significantly modified, that should be included. She didn't include that in the original use permit because she didn't think they would disturb much, but now it appears that they will, so if you add that condition that will also address the modifications that are going to occur at the top of the ridge, and that it be a monopine. Chair Hoard asked if there are any other conditions that we should be aware of. He would like to see this project move forward and he would like to see it be a monopine but wanted to know if there were any other conditions that might arise that create conflict. He said he agrees with Commissioner Matthews that he would like to see the project move forward, but it's difficult to approve something without seeing all the conditions in place. Interim Director Hubbard stated in this case she thinks it is difficult to propose the mitigations without actually stopping and seeing what the impacts are with the project description changing.

Commissioner McHugh moved to adopt the mitigated Negative Declaration, finding that on the basis of the whole record before the Commission, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Commission's independent judgment and analysis, as modified by deleting Mitigation Measure VIII-1 regarding on-site fuel storage, and adding a Mitigation Measure under Aesthetics to require a **monopine** pole style antenna. Seconded by Commissioner Matthews.

Associate Planner O'Sullivan stated the Commission may want to add, under Geology and Soils, a Grading, Drainage and Erosion Control Plan be required to address the additional disturbance. Commissioner Matthews asked is that required under the DG permit depending on the extent of grading. O'Sullivan responded not necessarily, no. Matthews said but it could be if it's extensive enough? O'Sullivan responded that she's not familiar enough with the DG Permit to say. Matthews said this would be Mitigation Measure VI-2.

Commissioner McHugh amended his motion to include Mitigation Measure VI-2 to require a Drainage, Grading and Erosion Control Plan. Commissioner Matthews seconded, as amended. Motion carried unanimously.

Commissioner McHugh moved to approve the Use Permit to allow construction and operation of a 96 foot

cellular communications tower and the necessary operating equipment within the 40 foot by 40 foot lease area located at 1240 Lewiston Road, Lewiston (APN 025-520-04) based on Findings of Fact 1 through 2 and subject to Conditions of Approval 1 through 10 as presented in the staff report, and adding a Condition of Approval No. 11 to require the cell tower be a monopine style.

Associate Planner O’Sullivan requested to add another Condition that a Drainage, Grading and Erosion Control Plan shall be required.’

Commissioner McHugh amended his motion to include the Condition that a Drainage, Grading and Erosion Control Plan shall be required. Motion seconded by Commissioner Matthews and carried unanimously.

NEW BUSINESS

5. PROPOSED MITIGATED NEG. DEC., TENT. PARCEL MAP AND REZONE P-16-14

Public Hearing: Proposed mitigated negative declaration and tentative parcel map to create two parcels out of an 8.49-acre parcel, and rezone Parcel B from General Commercial (C2) to Mobile Home or Special Occupancy Park (MHP). Located at 1551 Main Street, Weaverville. APN: 024-500-71. Applicant: Toney.

Associate Planner Colleen O’Sullivan presented the staff report. She said staff is recommending approval.

Chair open the hearing to public comment.

Comments received from Terry Williams and Terri McBrayer.

Applicant Steve Toney advised his intent is for a higher end mobile home park for senior citizens with manufactured homes, not trailers. He said he wants to keep as many trees as possible and wants to have a nice looking mobile home park. Agent Gabe Joslyn responded to questions regarding easements and right-of way.

No further comments being received, Chair closes public comment period.

Commissioner Matthews moved to (1) adopt a mitigated Negative Declaration, finding that on the basis of the whole record before the Planning Commission, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that a Negative Declaration reflects the Commission’s independent judgment and analysis; (2) approve the tentative parcel map to create two parcels from APN 024-500-71, subject to the conditions of approval as contained in Resolution PC-18-01; and (3) recommend to the Board of Supervisors approval of the rezone of Parcel B from General Commercial (C2) to Mobile Home Park (MHP). Seconded by Commissioner Frasier and carried unanimously. Vote polled: Commissioners Matthews, Frasier, Stewart, McHugh and Hoard-Yes.

6. AMENDMENT TO ZONING ORDINANCE TO ALLOW CANNABIS MICROBUSINESSES PW-17-09

Public Hearing: Discuss and/or take action on proposed amendment to Zoning Ordinance to allow Cannabis Microbusinesses in Trinity County. Located county-wide. Applicant: County of Trinity. *(Continued from 2/22/18)*

Interim Planning Director Leslie Hubbard introduced Scott Watkins, newly hired Associate Planner for the Cannabis Division. She said he will be stepping in on this and that he was hired partly because he is fairly

fluent in the cannabis policies in the state.

Director Hubbard said what is before the Commission tonight is the draft Microbusiness Ordinance, and as the Ad Hoc Committee has presented here as a description for Microbusiness, we have at least three of four different activities. She said cultivation in our ordinance we want to make mandatory, and then at least two or three of the following other different activities: Non-Storefront Retail, Distribution and Manufacturing. There was an attempt here to look at our Zoning Ordinance and try to help some of the people that are anticipating having a microbusiness license will probably be small operators, and there was an attempt to try to find a way to work with them rather than through the Conditional Use Permit, making it a Director's Use Permit. That's what the reference was included in the staff report regarding trying to make seasonal employees for minor home occupation, the ad hoc put out. They put out the idea of maybe a 6-week time period for seasonal employees, that's something that you should discuss this evening. She said they also put in limitations on third party distribution, the idea is that based on the size of your cultivation, you of course handle your own product, but you could handle third party product, but that is scaled appropriately with your cultivation size. She said we did receive comments from the public, she received a lot of phone calls about it, some questions regarding zoning districts and differences between what was in the Manufacturing Ordinance that came to the Planning Commission and what we see here in the Microbusiness Ordinance. The microbusiness ordinance is based completely on the zoning districts that are allowable for cultivation. She said there were other questions that were more administrative, there were questions about the fees, and whether or not your fees transfer? That issue will be handled at the Board level, the answer is probably yes, but that will be handled by the Board.

Hubbard said after receiving some questions from the public, she, Scott Watkins and Kristy Anderson had a conversation about the Microbusiness Ordinance and Scott came up with some recommendations for some of the issues that the public brought up via phone, but she really didn't want to paraphrase the comments brought up by phone and then dump them on you here at the Planning Commission last minute. She thinks people that did ask questions on the phone will probably be speaking this evening and that will give Scott or Kristy a chance to respond to those things; but, tentatively we can say that there seems to be a decent approach, the intention of Cottage Industry and the intention of the Microbusiness Ordinance, we were trying to look at those things together, that's the goal of what is in this ordinance. She said it looked like maybe there could be a way with some of the questions that people from the public had regarding zoning districts and environmental health concerns or public health concerns, there could be a way of further breaking down the license types into a mechanical extraction and solvent based extraction, and again that's something Kristy, Director of Environmental Health, could answer. Since she wasn't here for Manufacturing and since there are questions, we thought it would be nice to have the Director of Environmental Health here to answer technical questions. Ms. Hubbard asked if there were any questions for her, or would you like to have Scott give a quick run down or kind of a highlight of some proposals that we came up with after your agenda packets went out, and we did receive a lot of comments from the public.

Associate Planner Scott Watkins advised we got three general comments about the ordinance and then we got a couple of others that pinpointed on the cottage industry. First the general questions. There was a question about limiting license types to adults or medical. We researched the State of California regulations, Cal Cannabis Cultivation License 8202.F says that licensees may hold both an A and an M license on the same premises, provided the inventory for each license type is kept separate and distinct. He said that seems pretty reasonable to staff. There was also a question about the justification on the weight caps on distribution of flower, and whether or not that included other manufactured goods as part of the limits. He said again, looking back at the State regulations we saw that the limits on Microbusinesses are based on the value of gross sales and the intent of the microbusiness seems to be in creating pathways for small businesses to become established and grow.

Another concern was around potential blind spots in the zoning. The Microbusiness license ports over

the zoning from cultivation, which cultivation calls out a couple zones that are allowed but mostly it permits cultivation by right. When examining how those by-right zoning designations might line up with the other proposed manufacturing ordinance, the distribution ordinance as accepted, we see that the C-1, HC, RR-10, RR-20 and I've been told that M-1 and M-2 have recently been redefined as I. We see that there is some blind spots there and staff feels this should probably be fleshed out better.

Looking at the Home Occupation industry, we looked at the potential impacts of delivery of goods, in regard to the Type 9 Non-storefront retail, which is typically associated with delivery directly to consumers, there is a potential for an impact of traffic directly to customers which may violate the guidelines of minor home occupations, which says in C.1.a infrequent delivery or shipments of goods is one of the criteria for the minor home occupation. This comment, and the next one, are really dialed in on qualifying for this Conditional Use Permit exemption, under the minor home occupation. We are certainly not saying that if someone is wanting to go through the CUP process, they cannot deliver directly to consumers but in order for them to qualify for the CUP exemption, this is something that ought to be considered.

Watkins said in addition, we looked at mechanical vs. solvent based extraction. Thinking about how that might play out with the exemption for the CUP, and in reviewing the processes for solvent based extraction we have determined solvent based extraction does not qualify for a Minor Home Occupation designation. This is because solvent based extraction requires facilities to have higher standards than can be reasonably be accommodated within a residence and even in permitted accessory structures. Based on the dedicated area of the activity in relation to the area of a typical residence use. We are thinking that if someone is going to engage in extractions using CO₂, or solvent based extractions in general, including ethanol, the facilities that you would need for these activities would be similar to a commercial kitchen and laboratory grade. Because of this, we are not comfortable with these uses receiving an exemption from the CUP process. Piggybacking on that, when looking at infused edibles we feel similar to the extraction process. We thought about the intent of the cottage industry and the intent of the Microbusiness industry and how can we make this work? In response, we came up with more granular classifications. We offer for your consideration, breaking down Type 6 into a Type 6A which is mechanical extraction and a Type 6B, which is solvent based extraction. Type 6A would be ok under a Directors use permit. Further breakdown would be Type N, for infused products. The Type N, topical infusions NT, we are calling that, seem to be okay with a Directors Use Permit, whereas a Type NE, for edibles, seem to be a better fit going through the CUP process. In addition the Type 9, Non-Storefront Retail, we broke down into two, a 9A and a 9B. A type 9A would be Non-storefront retail with delivery direct to customers, which would be required to go through the CUP process. We also came up with a Type 9B, which is a Non-storefront retail without delivery. This would be thinking about Cultivators going with a more Farmers Market style, as in going to Fairgrounds and vending at larger, independently licensed events. This would allow cultivators to sell directly to customers and thereby increasing the value of their crops.

Watkins said in addition to that, we recommend that you defer to CalCannabis Cultivation regulation 8202 language on A and M licenses and allow both as long as cultivators follow the state guidelines. We also recommend you defer to State standards on size limitations as far as the weight caps and basing Microbusinesses on Gross Sales, rather than those weight caps.

Director Hubbard said going back one more time, one of the key things we need to look at is the Minor Home Occupation and what is going to be suitable to include in the Minor Home Occupation with just a Directors Use Permit verses a full CUP process.

Planner Watkins said he has these ideas typed up here, if you would like to take a look at my notes. Commissioner Stewart said actually she would like to have a copy of the notes. Chair Hoard agreed. Watkins apologized for not having copies, stating we just finished writing these comments at 5:30 pm or

so tonight. Director Hubbard said we didn't want to dump this on you last minute. She thinks you are going to hear from the public and that you may hear a lot of comments that fit into the type of structure. Planner Watkins said we are kinda breaking new ground here, he doesn't know of any other jurisdictions in the State that are taking this approach.

Chair Hoard stated that was quite a bit of information, and asked if there any questions from the Commissioners immediately for Mr. Watkins, or for Staff.

Commissioner McHugh said just a few clarifications, the typos in here. He just wants to make sure he understands the intent. On page 3, under regulations C, where it lists the State type numbers, the draft Microbusiness ordinance states that an applicant must be licensed with the County for Cultivation, and said he takes that to mean that applicants must have a cultivation license to apply for the Microbusiness license? Director Hubbard responded correct. McHugh said and it goes on to say, and engaging in at least two of the following. Can you clarify what that means? Does it mean it is the intent that they are applying for a Micro, to engage in? Director Hubbard responded correct. McHugh said this should be a future thing, right? We are not encouraging people to go out and start doing these activities and find that they are engaging in it. Now that manufacturing, and I'll adjust based on what you proposed, Scott. It says engaged in at least two of the following, I assume it means Type 6 manufacture or Type N, or Type P. Is that what was meant when this was written? Planner Watkins responded those classifications kinda waterfall. If you go for a Type 6, you are automatically able to do Type N and Type P. That's not the case if you apply for Type N, then you can also conduct Type P. If you just go for Type P, then you can only do Type P. Commissioner McHugh said this says that you are engaging in a Type 6, or Type N, or Type P. Watkins responded he thinks it means an and / or. Commissioner McHugh asked what is type 13? It says you will get a distribution Type 11 and Type 13. What is a Type 13? Director Hubbard responded Type 13 is full distribution facility, Type 11 is transport only. Planner Watkins said he thinks that's supposed to be type 11 and 12. He doesn't think there is a type 13. Commissioner McHugh said the original Type 13 was the Microbusiness license. They have all changed along the way and he's have lost track. Director Hubbard said Type 13 is transport only and Type 11 is Distribution Facility. Commissioner McHugh said it might be helpful to spell them out. Then retail Type 9 Non-Storefront, what rights come with a Type 9, what is it that we would be approving that someone could do? Director Hubbard responded that is suppose to be from site delivery direct to an end user. McHugh said so this is a transport license from your distribution, presuming you have one of those too, to the end consumer. That's what this means? Counsel Larmour said Delivery, not Transport. Transport is something different. McHugh said he wants to make sure he understands what we are discussing and approving. Director Hubbard stated but it doesn't allow someone to come back to the site and buy it there.

Commissioner Stewart asked what's the rationale for not including infused edibles? Infused edibles are primary to the cottage industry. Planner Watkins responded our thinking there was that the activity would be better suited for a commercial kitchen and that's something we felt would not be exempt from a Use Permit. We are not saying you can't infuse edibles, but that use would probably be better suited to be vetted through public input which is the CUP process. We're just trying to figure out the balance between the cottage industry and the Microbusiness. Really the exception that's in the ordinance for the cottage industry. Commissioner Stewart said she just wanted to point out that she could make normal brownies, nothing special about them, and sell them out of my home kitchen. So what's the difference? Commissioner McHugh asked doesn't that require a commercial kitchen? Environmental Health Director Kristy Anderson responded certain items are covered under a cottage food kitchen or cottage food operation. These are items that are very dry, with low moisture content, low PH or have extreme amounts of sugar, more than any other ingredient. So like, jellies, the first ingredient has to be sugar, and the reason for that is to prevent bacterial growth. Inside a home kitchen you don't have the safe measures that we would normally have; however, when dealing with Cannabis and Cannabis infusions –

she has yet to get any direction from the State of California on whether that's going to be allowed in anywhere besides a commercial kitchen. She doesn't think, at this point, that we should say that it's going to be okay, just because moisture content can change just by adding something different. The process could be, before you get to the point of adding to your Brownies. Commissioner Stewart said she can add flaked Coconut to her Brownies. Ms. Anderson responded there are certain items that are not allowed because of moisture content, so you couldn't just add Strawberries and things like that. She said there is a very limited list of things you can't add and Cannabis is not on that list yet, or infused products.

Chair Hoard opened th hearing to public comment.

Comments received from Jake Grossman-Crist, Kevin Minassy, Kylie Reed, Steven from Hayfork, Adrian Keyes, Liz McIntosh, Carla Avila, Clarence Rose, Brad Bandy, Tom Ballanco, Lisa Wright, Justin Hawkins, David Johnson and Stuart Otte.

No further comments being received, Chair closes public hearing.

Commissioner Stewart said she had a question for staff, for the distribution of product, Associate Planner Scott Watkins, you were differing to the State's definition as to what those limits were. Watkins responded he thought she is talking about the weight caps, getting rid of them and deferring to the State's Gross Receipts framework? Stewart said yes, she thinks that is an excellent idea before with all the products, first you would need to define what the product types are: Leaf, flower, brownies, creams etc., 250 lbs. of an ointment may be a small amount and not enough to be worth doing. She definitely thinks the Gross receipts are a better way of going. Stewart said she was already thinking about a limited Type 10 license only for Microbusinesses that would allow only on-site sales by appointment only. It's interesting that a couple people mentioned that because she thinks that would be something that could be very helpful. And it wouldn't open up retail sales to everybody, it could be a very limited.

Stewart said another thing is that 2.5% of the land limited use, does that include the cultivation area? Because if it does, then that is really onerous, and it really limits what anybody with a microbusiness can do. That really needs to be defined. Cultivation area should not be included, because if you have a small parcel of land, and if you are in the Microbusiness, many of those people do only have a small piece of land and if a good percentage of it is already in cultivation, then they are completely excluded. She said another thought is that it might be a bad idea to consider, as someone speaking for Hayfork, to allowing the specialty cottage license only as part of the water district. The Trinity County Waterworks District because that would be there are several people who are part of the Water district who would like to be involved in some part of the Cannabis industry. This could be a way to allow them on a small limited scale. She knows that is something we can't, the Board of Supervisors would have to look at that, but she would like to suggest it. Director Hubbard said she thinks the last amendment included that, the specialty cottage. Commissioner McHugh said he thinks Commissioner Stewart is talking about the opt-out areas. Hubbard responded she thought we did include that, carry on and I will find the reference.

Commissioner Stewart said cannabis distributed by a 3rd party shall be at least 75% from Trinity County sources. This is confusing to her because this is the Microbusiness ordinance, why are you distributing from a 3rd party? She thought we suggested eliminating the 75% in the Distribution Ordinance because if you happen to only have 50% of your capacity used by Trinity County then you are effectively shuttering your business for part of the time. So, she thinks that makes no sense at all. She said she is also wondering why we have to tie the Microbusiness to Cultivation. Why can't we have a Microbusiness that includes just manufacturing, distribution and not cultivation. Someone may have a small parcel and may not be able to do cultivation.

Commissioner McHugh asked should we just go through all of these? Chair Hoard responded there are things that we were asked to discuss by the ad hoc, in terms of seasonal work, major and minor exemptions.

Commissioner McHugh said he thinks he has some insight into a few of these issues. If you look at the minor cottage industry definition it says you may have 1 employee. He thinks they were trying to find a way around that to have multiple employees for a period of time before you have to drop back to the one. That's why it applies to minor. I'm not sure where the 6 weeks came from, out of thin air I would guess, but that is the purpose of it, so if the intent is to allow employees during season, if you want to go there, with minor and allow more than 1 employee then some restriction might make sense. That's the genesis of that one, they are trying to relax the restriction of only 1 employee.

As far as poundage, if you read that section carefully, in the spirit of the Microbusiness, in reference to Commissioner Stewart's last comments being 75% of the product coming from Trinity, he thinks the intent of the Microbusiness is for the small farmer in the county, farmer being farmer, the one who grows the product, instead of manufacturing Brownies, aimed at the farmer growing the product. If you look at on page 3 where the poundage comes into play, it says that you are limited to the following distribution amounts, in addition to the product that is grown pursuant to your license, these poundages apply. The thinking behind that was, I believe, if you have a total crop failure, you are allowed to go out and get replacement product for what you would have grown and proceed from that point. The intent of it was not to say, you can grow your own and then just go out and unlimited. If you look at the State law, I think it says you are limited to how much you can grow but there is no limit to how much you can manufacture.

Commissioner Stewart said okay, what you said is fine but if you have a complete crop failure and you're limited to replacing your crop failure with only 75%, and your able to only go get 25% outside, what if you can't get 75%, we have already deliberated that. McHugh responded he's not arguing the 75%, he's just saying that is where the poundage comes from and the reason you are allowed to go buy product, raw product or manufacturing inputting at all is to make up problems you are having with your own cultivation. That was thinking behind it, maybe that's flawed. Now the 75% is to try and keep it homegrown here in Trinity County. Commissioner Stewart said she's sure the intent was good but, it doesn't make much sense.

McHugh said he's not sure that is the right number, or that any number is right, but that's where the poundage comes from and they are trying to tie the size of the poundage to the size of your grow; as such, that is where the poundage cap comes from. So that wasn't meant to limit your business in the sense that the state is limiting you with revenue this was intended to provide a backstop for you if you loose your crop and you're able top move forward. Commissioner Stewart said her comment about that was about the 75%, her question was about the poundage and what was suggested by Scott was that it follow the State and not the poundage. McHugh said fair enough, but he just wanted to clarify, we made it sound as if you can only process 125 lbs. what was over and above your own cultivation. In fact, you can have a perfectly good crop and go and get the 125 lbs. on top of it. If you want to limit it as the state does by the dollars, I think we should put some numbers out and look at that and consider that as an alternative.

Commissioner Matthews asked do we have the State numbers for these different specialty categories for the revenue. We are talking about gross revenue-based caps. Planner Watkins responded he's pulling them up right now.

Commissioner Frasier said he has a suggestion on this revenue based and poundage. In public comments

people were worried about the difference in the product after you sold it. So, if you're worried about putting the poundage caps on, put it as the product is coming into the business, not when it goes out. Let them take in 250 lbs. from a 3rd party, then when they distribute it, it can be 400,000 lbs. of Brownies for all we care. but limit it as it comes in, this should be much easier to track that, then to track what it is that they are producing. Commissioner McHugh said that is what it says, if you read it. 'You can distribute the following amounts of 3rd party product. That's your intake. This could stand clarification, unless we go to a whole different model. I'm sure that is their intent. Is that 125 lbs. is the leaf or the trim or whatever it is that you want to buy to make your stuff, this is your incoming.

Planner Watkins said the brackets are:

Microbusiness	up to 0.5 million	Level 1
	greater than 0.5 million to 1.5 million	Level 2
	greater than 1.5 million to 4.5 million	Level 3
	greater than 4.5 million	Level 4

Liz McIntosh asked if these are tied in directly to the fee you pay to the State? Planner Watkins responded yes.

Chair Hoard said we have several items here, so we can probably go one by one through them to get a consensus on them . Just to get us started, seasonal work – the exemption to the 1 person rule for 6 weeks to try to circumvent the restriction of having the one employee only. T thoughts from the Commission to allow for this exemption to go forward as part of the Microbusiness ordinance.

Commissioner Matthews said it's not just that issue. It's the ordinance also talks about the number of vehicles visiting the site. So, 6 vehicles a week, how many employees are you going to have to come every day if you only have 6 vehicles trips a week? Maybe they carpool but I don't know. There are some pretty significant limitations for a Directors Use Permit to be a minor home occupation. He doesn't see how we can make a determination, or maybe we can, and asked Counsel how can we address the issue of working within this ordinance, while amending it?

Counsel Larmour responded when you are talking about home-based businesses there is a string of cases that allow local governments to control activities that are business based, even on residential properties. So obviously something that would fit nicely in a commercial zone. A county or city has the authority to not allow that activity in a residential zone because of the impacts. Every restriction that you are looking at on a residential property would have to do with the nature and character of the residential, the normal residential activity. Although you can't control specific uses, in general, residential uses, you can get as tight as controlling the number of residents that can be on a specific property, so long as there is some division in family ownership. The County has broad discretion to regulate commercial activities on a residential property. Now as far as these regulations, from my perspective they would be difficult to enforce but I think they can be valid regulations.

Commissioner Matthews said we are trying to make this Microbusiness license operate under the existing Home Occupation Cottage Industry Ordinance, can we tweak or exempt the ordinance we are trying to do from certain elements of the Cottage Industry Ordinance and still have it be valid? There are a lot of things in the cottage industry ordinance, and maybe there is a couple where we would like to exempt some activity under the Microbusiness Ordinance from a requirement that is in the Home Occupation Ordinance that we are trying to go under. Counsel Larmour responded he hasn't reviewed that ordinance in great detail. Some ordinances allow for exemptions, or if you are using a Directors Use Permit or a CUP there may be discretion under those home occupation ordinances for the Director to make exemptions. Commissioner McHugh said isn't it the case that the purpose of a Cottage Industry

Ordinance is to allow businesses in zones where it is not allowed? The idea is to allow businesses into a residential zone. So you can have a Dr. office in the back of your house. The zoning doesn't allow that and this creates the exemption for the residential zone restrictions. Commissioner Matthews said well it's restricted so that it will not create nuisances or adversely affect surrounding land uses. That is the whole point in having all the limitations within the ordinance. Commissioner McHugh said he thinks the question here is which of those can we relax? The ad hoc has suggested the one about employees for a period of time. He thinks we take their lead and say, if there are others we want to relax, let's relax them, while at the same time staying within the balance of the ordinance. You notice not all major home occupations require a CUP, there are certain triggering events. If you really want to go through this in that detail, he thinks if you find those triggering events you can leave out from requiring a CUP and off-load that burden. Certain level of traffic. Certain level of noise. Whatever the case may be, we can create those exemptions here, in the new ordinance. For instance, he would interpret the 2.5% problem that came up, he would suggest that we interpret the 2.5% to exclude the cultivation area, so it's cultivation area plus 2.5% for everything else, or something like that. This would be a change to the way this is drafted. If you stay within this bound he would say that is not a triggering event or justifying a major, unless the other issues are triggered. Something like that we can do. He thinks that is the approach to the cottage industry. What in here is onerious? And is there a way to mitigate it by putting a mitigation in the Microbusiness Ordinance. He said the only two he's heard so far that people have brought in here, are the 2.5% and the seasonal worker problem. What are the other ones?

Commissioner Matthews said he thinks traffic is an issue, it's kind of related to your seasonal workers that can't drive to your site because they are limited by 6 vehicle trips per week. It's just not a minor home occupation at that point, it becomes a major home occupation. Commissioner McHugh said which may still get by with a Directors Use Permit. It might be that this level of traffic might be appropriate under a Directors Use Permit, I don't think they need to come here, necessarily.

Commissioner Mathews said he thinks one of the things we need to grapple with is what staff has proposed. Staff has proposed some significant changes, complicating, which make a lot of sense, but I don't know how to proceed without actually having a chance to review them and have them in front of us. Obviously, they have not had a chance, they brainstormed it and have given the information to us, but in reflection some of those may change. He doesn't see how we can really proceed tonight with the information in front of us. Unfortunately, he would like to move forward, but if we are going to make all these other changes, for one, the public hasn't had a chance to see those, they've just heard them for the first time when we heard about them. He doesn't see how we can go down that road tonight. We could probably adopt the ordinance as it is, with some minor changes, but we couldn't introduce all these elements. Commissioner Stewart said she thinks some of those are significant and need to be integrated within what we are looking at. Commissioner Matthews said we should ask counsel that question.

Counsel Larmour responded you have an option here today which is that you can adopt the ordinance as written, if not, you can provide some direction and consensus of the Commission for either the Ad Hoc or the Board to consider changes to what's been proposed. He thinks the hand-written notes that you have would not be something that you can rely on tonight, because that has not been presented to the public and the public has not made public comments on those specific changes and the description of those changes quickly made by staff wouldn't be significant time and/or review to the public. There really is no option to adopt it as amended, based on the hand-written portions.

Director Hubbard stated the changes that you saw there were really based on comments that we received that were similar to a question that came from the audience regarding Environmental Health. There are certain things that are allowed in certain zoning districts that we called out in the Manufacturing Ordinance and now anywhere cultivation is allowed manufacturing could be allowed. So the question was How is that? Does that mean for all types of manufacturing that could be included under the Type 6?

So that line of questioning is really where our thinking came from that Scott developed. So the question that would be appropriate for you would be what are the impacts associated with the different activities. Chair Hoard said following on top of that, the splitting of Type 6 into solvent extraction requiring a CUP and mechanical not. Please. Director Hubbard said it also involves one other thing that you heard a lot of people say and that was it is so much easier to go with the State. That is very true, so we have to weigh it out.

Environmental Health Director Kristy Anderson stated to best answer this, the minor home occupation, this would open up two zoning districts for manufacturing including say, rural residential. The reason this could be problematic is on the solvent based manufacturing processes, including ethonol, which she had MSDS sheets for if anyone would like to review them, is extremley flammable, the vapors can form igniteable explosive mixtures with the air at normal room tempratures. She said I don't know about you guys, but a bunch of people manufacturing in their homes or accessory buildings with highly flammable substances that can ignite in the air, doesn't sound very comfortable to her in rural residential. So that is one thing we were really trying to think through when we were brainstorming.

Kevin Minassy called for a point of order, and asked isn't Type 6 non-volatile, Type 7 is volatile. Ms. Anderson responded under State definition California Department of Public Health they put ethonol under non-volatile. Commissioner McHugh agreed, stating under Type 6 includes alcohol, that's the problem. Ms. Anderson agreed, stating she called County PA over this issue. Department of Toxic Substances Control and their toxicologist agreed that ethonol is definitely a volitile substance . She said she wished the guys from CalFire were still here because any fireman would agree with her. She said you could take your household Vodka, which is about 40%, and light it up no problem. We are talking about pure form of Ethenol, which is closer to 99% pure. So that was the reasoning and thought process behind not allowing solvent based extraction in the minor home occupation.

Commissioner Matthews said he knows the question we will get is people will provide testimony here that there are all sorts of pre-packaged blast pods, explosion proof facilities that are like storage containers that you can truck in and drop off on your property, and they are supposedly completely safe to do your closed loop solvent extraction on. We have had testimony about this in the past. the argument is that if it is safe why shouldn't we be able to buy one of the \$40,000 solvent extraction blast proof pods and put in on our property? That is a reasonable question to ask if that is the way the industry is going, so that small farmers can produce a highly desirable product, which is the oil, as we know. Commissioner McHugh said the proposal here was that you could do that you just have to get a CUP. Commissioner Frasier said that should require a CUP. Matthews said he doesn't have an issue with that at all, he thought it wouldn't be allowed under the Microbusiness.

Commissioner McHugh said we are headed towards a continuance, or I suspect that we are not headed towards approving this tonight, or to give feedback to staff, and I guess the Board, considering the additional questions we are going to come up with. If we could go through and numerate what it is that we agree on, the things we philosophically agree on; for instance, whether you need to have cultivation, that's where they are coming from, so unless we are going to go to the matt over that one it's going to have cultivation and that is going to drag zoning and opt out and all that. That's all there, unless we want to change that, we'll say okay, we'll go along with that. But we don't underatand the 500 lbs poundage thing. If the goal is to keep this into the small, the 4.5 million dollar microbusiness in Trinity County, is not a microbusiness. So if we go with the State definitions there, I want to see how that plays out. How much product are you thinking that reflects, in terms of your 10,000 sq. ft. of cultivation you are doing really good there. How do those numbers translate in Trinity County? If we don't go with poundage caps, remember the point of that was we are trying to enable the, we've heard for three years that we are trying to enable the Mom and Pop, okay Mom and Pop are not cranking out 4.5 million dollars' worth of this stuff, they are trying to pay their electric bills. Commissioner Stewart said they would like to.

McHugh said and they can, they go get a license separately. To enable the Mom and Pops, what are the parameters that we need to figure out? If that's our goal, if we are going to say no, we do not want to go with the 4.5 million dollar goal, then I would have to question zoning. A 4.5 million dollar Distribution and Manufacturing facility in Rural Residential may not be appropriate. Maybe we are back to applying the Distribution zoning, which is back to Industrial, Ag and C-3, and you have to go where these zones are, if you are going to do that size of business. The size of this thing gets complicated if we go beyond what they put in front of us, this is a small business, up to 10,000 sq. ft. and you have crop coverage if you lose your crop, you can go buy 3rd party. He means maybe the 500 lbs. is not the right number there. Commissioner Stewart agreed, stating she can't support the 500 lbs. cap. Commissioner McHugh said and maybe we go with revenue based approach, but we would need staff to come back with those numbers.

Commissioner Matthews stated we are in this interesting position where the Ad Hoc Committee proposed this, but we have also gotten feedback from staff, which is pretty different from what the Ad Hoc Committee proposed. This is the first time we have had staff provide brainstorming alternative to what the Ad Hoc Committee has provided. He's not sure how we integrate those two. Commissioner McHugh said he thinks staff should integrate them and come back with a proposal for us to consider. We have heard a lot of great ideas tonight. We should factor that in. We heard a lot of great ideas from the public, how do we factor that in when considering that we want to preserve the Mom and Pop box. Not trying to make this... this is the Microbusiness ordinance. This is the Microbusiness ordinance, not the how do you get around all the other rules ordinance. We don't want to turn this into a full on distribution thing because the State didn't put a limit on product you can go buy through this thing. We have to figure out what box we are trying to figure. Commissioner Stewart stated she thinks one thing that we can maybe all agree on is that the 2.5% does not include cultivation area. Matthews said and that is in respect to triggering the CUP vs. the Directors use permit. Commissioner Frasier said he thinks we have consensus there. Director Hubbard stated she thinks that if we go with that, there are people that already would not qualify if you do not separate the 2.5% from the cultivation area. McHugh stated the one thing that was handed to us that does require a cultivation license, do we push back on that? He said Commissioner Stewart offered the point that maybe we do not want to include that because of potential properties that do not meet zoning for cultivation. Stewart stated she sticks with that, there are definitely people that should have the opportunity to be a microbusiness. If they do not cultivate, they should still be able to get a microbusiness license to do some of the other aspects of the Microbusiness.

Chair Hoard said he totally agrees. There should not be a mandatory cultivation as part of the Microbusiness license. There was someone from the audience who said it's hard enough to run one business at once, and that separating the microbusiness from cultivation may be an easier workload. Commissioner Frasier stated it's a minimum of three license types in order to qualify for the Microbusiness license anyway. Chair Hoard said cultivation is a big undertaking, considering you have to start in winter time with your clones, the veg process, the flowering process, it's a year round job that leaves little time for other things. He said he could see why the Microbusiness cannot platform also from a manufacturing standpoint and include distribution. It shouldn't be absolutely mandatory for the Microbusiness. McHugh said he likes how it was presented, start with Cultivation and back off from there. He hasn't heard anyone stand up and say, that's what they want. So far, they have all been cultivators. Director Hubbard stated she heard a few people say they wanted Microbusiness without cultivation. Commissioner Frasier said it seems like when we started out here it was trying to help the small farmers and now what we are getting to is, that would require cultivation. If you take away the cultivation, it's no longer helping small farmers and instead we're creating new businesses. Stewart said for her, it's about creating Mom and Pop cannabis industry, not just Mom and Pop farmer. Frasier responded you still need to be three of the four.

Chair Hoard said he would just like to say that the cannabis industry is gearing toward extracts. Flowers

are a big part of that, but the industry itself is switching gears, so cultivation for many people may not be the way to go for a small microbusiness. Commissioner McHugh asked then how do you keep it a Microbusiness? The State said that being a microbusiness, if you do cultivation, you are limited to 10,000 sq. ft. of grow. They said if you are a Microbusiness and you do manufacturing you can put out 50 million dollars a year, that's not a Microbusiness anymore. So how do you limit this to try and support Mom & Pop? We're not trying to make this a backdoor into Manufacturing and Distribution without getting a stand-alone license. Commissioner Matthews suggested limiting it to \$500,00 or less. McHugh said now we're back to the revenue model; maybe we only do Level 1. Commissioner Frasier said he still doesn't think a Microbusiness is over \$400,000 a year. Commissioner Stewart said Level 1 may still be too small. Commissioner Matthews said there still aren't too many Mom and Pop businesses, of any kind, that have annual gross revenue of over half a million dollars. He said he's sure there are some but it takes a very special kind. Commissioner McHugh said it's Microbusiness, if you really want to scale it up to that level, or an incubator approach, start off with one of these licenses, you get the magic formula and you go get a Type 6 license, and you scale up. The original fees, relaxed zoning, big time manufacturing is not going into Rural Residential. As you pointed out, we are mitigating nuisances, our land use says this has to be a small operation. Commissioner Stewart said it **sounds** like we are going with a Non-cultivation, small business model. Commissioner McHugh agreed, stating you kind of won me over with the Non-Cultivation option, but I would like to see a proposal come back to us from staff. Commissioner Frasier said there has to be some kind of a limit. Commissioner Stewart said it sounds like we have a consensus on that, that we would like to see a proposal from Staff. Commissioner McHugh said so if you want to have Cultivation then all of the Cultivation overhead has to go with that. Meaning zoning, setbacks, limited to 10,000 sq. ft., opt outs. The question came up earlier about why have the opt-outs and not include the zones? I don't know why they put the opt-outs in there, except to make it clear. Now we have two ordinances we have to fix every time we change it. I just assume we take it out and say, you have to get a cultivation license and it comes with all that baggage. Commissioner Frasier asked is that another level to not requiring cultivation in your microbusiness and allowing it in every zoning district that allows cultivation as a right? Commissioner Stewart responded no, there are things about that that would have to be fixed.

Counsel Larmour said I think at this point you guys have reached the point where you have to give some clear direction to staff on what you would like to see brought back. At this point, sounds like you are not leaning towards an approval. Commissioner McHugh responded he's just trying to find areas of consensus. Counsel Larmour responded his recommendation is that you go down the items that you can agree on and make those recommendations and staff can then present them to you.

Commissioner Matthews said this issue about non-storefronts says it is going to be heard directly by the Board of Supervisors, so we don't get any input? What is staff's position? Director Hubbard responded the retail that they included is direct to consumer and anything outside of that is pending. The Ad Hoc is working on it. Commissioner Stewart said but we can make a recommendation? Director Hubbard responded in the affirmative.

Commissioner McHugh said the argument was that right now there is no Type 9 license, and their argument is that there is no land-use aspect to it. Therefore, it is not going to come to us. They are instead going to go off and create it at the Board level only. But it will exist so we can consider it in this ordinance as something you can get as part of the Microbusiness is a type 9 license, because it definitely will exist when this Microordinance goes into effect. Commissioner Stewart said we can as a body tell them our thoughts. Commissioner Matthews said that brings up what a lot of the public mentioned and that is on-site visits and sales by appointment only. Vineyards do and that is clearly land use related. Commissioner Stewart responded it is definitely land use related and probably should come to the Planning Commission because it depends on how many people are going to be on the bus. Chair Hoard said that would definitely not be a minor home occupation. Commissioner Matthews agreed, stating that

would definitely require a CUP. Commissioner Stewart agreed. Commissioner McHugh stated as he understands it, there is Type 9 Storefront and Type 9 Non-storefront in the State regs, so we are inventing a new one, which is kinda like Type 9B, which says you can do retail, you can set your farmer stand on your own property and sell there, and he thinks the reason we have not seen that is that they are not ready to step up to retail. Commissioner Stewart said that is fine but that doesn't mean we can't recommend that, this is something that the people in the industry want. Chair Hoard asked do we recommend this to staff to include this as by appointment only? McHugh responded his recommendation would be to look at the issues and flush out what the issues are. Traffic impacts etc., lets look at what the issues are and then we can discuss. Chair Hoard said let's recommend staff to dig into this and specific by appointment only retail issue. Commissioner Matthews asked why would they need to, it would be part of a conditional use permit that we flush out when someone brings it up. Commissioner Frasier said his concern is that we are not creating a new license type. McHugh responded well it's not allowed right now. Commissioner Frasier said if there is not a license type to cover it, then I don't think we can, as Trinity County, have the right to make a new license type. Commissioner Stewart said no, but there is at the State, we can, there is a license type with the State. Frasier responded but not in Trinity County. Commissioner Stewart said but that doesn't mean that it shouldn't be looked at as part of the Microbusiness. My contention is that as part of the Microbusiness Ordinance, there should be the opportunity to have people visit their microbusiness place and tour their facility and buy a micro product if they so choose. Commissioner Matthews said it seems the same as coffee or wine or any other agricultural product. A lot of people place limits, you are allowed to do it 12 times a year or x number of tours. Commissioner Frasier said still on type 9, one main concern he had with Type 9 that we heard from staff where they split it, he doesn't see how you can do that really, and he doesn't see where Type 9, if it's not a land use issue anyway, I don't see why we would split it up, or the problem would be if it were the Micro business if people were transporting it offsite, delivering it to customers. Most customers may be doing 50 or 60 trips a day, but most people would load up their rig and take it out of their neighborhood and deliver it. Associate Planner Watkins said you can't really do that anymore, you are capped at \$3,000 retail value of the deliveries. He said the intent of splitting the Non-storefront was to remove the delivery option. Commissioner Frasier responded delivery is basically all there is with a non-storefront. Planner Watkins stated the non-storefront non-delivery would be intended for events at the fair grounds, where you need a retail license in order to vend there. Commissioner Matthews said and that's a different license. Commissioner Frasier said well I need to hear from council here, because if you were at the fair wouldn't that be more of a storefront? Counsel Larmour stated he thinks the issue there is that you are probably moving more value anyway, so there are some event ordinances that are, or event licenses, that are anticipated. Whether you need to split that license for transport reasons, he thinks ultimately you would need a license in order to go to that event and sell at that event. Planner Watkins stated it is his understanding that with a Non-storefront retail type 9 license you can go to fairgrounds in other counties and get the direct to consumer sale. That is what we were focusing on, allowing farmers to get the direct to consumer sale, without having traffic impacts on their county roads and things like that, which would have a larger environmental impact. Commissioner McHugh stated it strikes him as odd that they would allow that. If you want to sell alcohol at an event, you get an event license for that event, you have a tasting room for your winery, you have to get an event license to sell at the fair. Counsel Larmour said that is his understanding with the event statues, and that would be his expectation of how that would roll out. Commissioner McHugh said he would want to wait on that. Commissioner Stewart asked so are we recommending that they look into some kind of an appointment only or not? Commissioner Matthews responded yes, that is his position, to look into it. Chair Hoard said yes, him too, it doesn't hurt to look into it and then flush out some scenarios. Planner Watkins responded just let me do some more research. Chair Hoard said alright, you got it.

Commissioner Matthews said we've heard safety from a couple of people. I think that is already included in the ordinance, as part of their application they are required to provide a site plan, security plan and fire plan. Seems like that addresses most of the safety issues, maybe make it Fire and safety

plan or something like that. Commissioner McHugh said safety had something to do with edibles. You proposed a Type NE and Type NT and I think because if there are edibles involved you want to look at having a permit required. Counsel Larmour stated another issue with the edibles is that State agencies and regulations are going to come into play with those, and they are going to have to be in compliance with those in excess of these related Cannabis statutes. So, if they are creating edibles there are going to have to be a significant number of statutes they are going to have to follow that are not going to be in your ordinance, they are not going to be in the Cannabis statutes, they are going to be outside of that and in the Health and Safety reign.

Commissioner Stewart asked what did we decide about the 6 weeks for the seasonal help? Commissioner Matthews said he thinks we need to extend that. We received testimony that 6 weeks is inadequate, but we do have to decide what the threshold is for triggering a CUP? If it's multiple people every day, then that's a lot of traffic that is added to the area. There would be a lot of dust on the roads and whatnot, we need to think about the threshold for that one.

Commissioner McHugh said there was a point about Adult or Medical use and cultivators having to pick one. He said he's thinking we should go with the State on that one. Commissioner Matthews said that's what staff proposed. McHugh said he would say that is the way to go. Commissioner Stewart agreed. Chair Hoard asked in terms of the amount of time for workers, are we going to bring that to the next meeting and think on that, or do we want to set a number now? What is usually a cultivation season 4 months, give or take? Commissioner McHugh said staff should find that out, he doesn't think we should make that up. Commissioner Matthews said seasonal employees are not there for a lot of the cultivation, and suggested 10 weeks. Commissioner Frasier said we have to be careful with the 6 or 10 weeks or whatever, without a CUP, when it just says seasonal workers. We are going to have to put a limit on the number of seasonal workers or on the number of cars that they are in, because if you have 13 people driving past your house 2 or 3 times a day for 6 weeks that is going to be a considerable issue. Matthews agreed. Chair Hoard asked if there were any other suggestions that we can immediately defer to staff? Director Hubbard asked if the Commission is saying yes, it does or doesn't want to include it. Commissioner Frasier said there are pros and cons of including it or not. Commissioner Matthews said it will either be included or not, depending on the will of the Board, but yes, we should take a look at staff recommendation.

Commissioner Stewart said the only other thing she has is including the specialty cottage license in the Hayfork Water District, but she's the only one who cares about that. Chair Hoard said he agrees, it's worth looking into. Commissioner McHugh said that is a change to cultivation, so it's going to take a bunch of coordination. Stewart said it's probably something the Board would not go for anyway, but they can't keep us from discussing it. Matthews said he thinks we are in an experimental period here, so they extended the date to July of this year, and that is to use up the 30. Director Hubbard said and now it does not just limit it to 30, but it is first come first serve, so if all the sudden we have 100 people come in... If we had people just come in from Trinity County Waterworks District #1 and they filled out the rest of the licenses then that is fine.

Chair Hoard asked Counsel how we should proceed on this, are our recommendations sufficient, do we need a motion for continuance. Counsel Larmour responded you were requested tonight to discuss and/or take action, so you have had a discussion, you have sent the results of your discussion to staff, which could become recommendations to the Ad Hoc Committee, that will give them the indication to send some of them back that you might be willing to pass.

Chair opened the hearing to public comment.

Comments received from Jake Grossman-Crist, Kevin Manassy, Kylie Reed, Steven from Hayfork, Adrian

Keyes, Liz McIntosh, Carla Avila, Clarence Rose, Brad Bandy, Tom Ballanco, Lisa Wright, Justin Hawkins, David Johnson and Stuart Otte.

No further comments being received, Chair closes public comment period.

7. MATTERS FROM THE COMMISSION

Commissioner McHugh urged updating the Zoning Ordinance. He said Title 17 is missing from the existing Zoning Ordinance. He asked Counsel Larmour what happened to the former Section 28 that contained Zone B. Counsel Larmour responded he did not know.

Counsel Larmour absent 10:30 p.m.

Commissioner McHugh asked about when Liz McIntosh questioned Hoop Houses. He said the public needs to know we can't fix that, that's Building Code.

Commissioner Matthews said CalFire requested to be placed on the next regular agenda, regarding changes to Title 14, Section of Code of Regulations, and possible amendment of Trinity County Fire Safe Ordinance, and the next regular agenda is tonight, and asked if it will be coming up. Director Hubbard responded yes.

Chair Hoard asked if the Commission would consider Class K Housing at the next meeting. Commissioner Matthews said at the last meeting Rick Tippett advised us it would be two or three years.

8. MATTERS FROM STAFF

Interim Planning Director Hubbard stated we have an event license pending, and central processing is probably going to be coming up, although she doesn't know exactly what the timing is.

9. ADJOURN

The Chair adjourned the meeting at 10:34 p.m.