

TRINITY COUNTY PLANNING COMMISSION

Regular Meeting
Thursday, June 23, 2022
Trinity County Library Conference Room
351 Main St. Weaverville, CA

Chairman William Sharp
Vice Chairman Duncan McIntosh
Commissioner Carol Fall
Commissioner Rory Barrett
Commissioner Todd Heaton

PLANNING COMMISSION MEETING MINUTES

*NOTE: The public was invited to attend the public hearing via Zoom Link.

Commissioners present: Commissioner Sharp, Commissioner Fall, Commissioner McIntosh, on ZOOM; Commissioner Heaton and Commissioner Barrett.

Staff Present: Interim Deputy Director, Ed Prestley; Cannabis Division Director, Sean Connell; Asst. Planner Skylar Fisher; Admin. Coordinator, Deborah Rogge and on ZOOM: Heidi Tschudin, Tschudin Consulting Group; David Colbeck, Enviro Comp II / Interim Deputy Director of Operations-Transportation

CALL TO ORDER:

Chair Sharp called the meeting to order at 6:00 p.m.

PUBLIC COMMENT: During the public comment period members of the public may address the Planning Commission on any matter not listed on the agenda that is within the subject matter jurisdiction of the Planning Commission.

Public comment was heard from Donna Jones, Weaverville and Veronica Kelly-Albietz, Douglas City and being there were no other speakers public comment was closed.

REGULAR CALENDAR:

Item 1. Minutes: Approve meeting minutes from April 7, 2022 Special Meeting.

By motion made and seconded (Fall/McIntosh) to approved 5-0 the April 7, 2022 minutes with corrections.

Item 2: CANNABIS CONDITIONAL USE PERMIT & VARIANCE (CCUPT3-2018-004/P-18-24) A request for approval to expand an existing Type 2 "Mixed-light-Small" commercial cannabis cultivation license into a Type 3 "Medium Outdoor" commercial cannabis cultivation license to allow for up to 43,560 square feet (1 acre) of mature canopy. The applicant has also applied for a variance concurrently with the CUP as the cultivation area is less than five hundred (500) feet from the adjacent property lines. The Project is located on a 54.5-acre parcel located in the unincorporated community of Douglas City, in Trinity County. The physical address of the site is 55361 State Highway 299, Douglas City, and the APN is 024-090-018. Planner S. Fisher

Public comment was opened and being there were no speakers public comment was closed.

By motion made and seconded (McIntosh/Fall) by roll call vote (5-0) to continue agenda Item 2 CCUPT3-2018-004/P-18-24 to the July 14, 2022 meeting.

Roll call: Fall-aye, McIntosh-aye, Sharp-aye, Heaton-aye, Barrett-aye

Item 3: UNMANNED OUTDOOR TELECOMMUNICATION FACILITY CONDITIONAL USE PERMIT (P-21-32) A request for approval of an unmanned wireless telecommunication facility. This will include a 90 ft. monopole, ground equipment, including a diesel generator for emergency backup power, and a 2025 ft2 compound with security fencing. The Project is located on a 154-acre parcel located in the unincorporated community of Hayfork, in Trinity County. The physical address of the site is 6000 State Highway 3, Hayfork and the APN is 014-180-028. Planner S. Fisher

Public comment was heard from Nick Tagas-Applicant; and Veronica Kelly Albietz, Douglas City; and being there were no other speakers public comment was closed.

By motion made and seconded (Fall/Barrett) to approve by roll call vote 5-0 that the Commission-

1. Adopt a California Environmental Quality Act (CEQA) determination of a Class 3 Categorical Exemption (Section 15303) for small new construction projects which includes the construction of new small facilities or structures;
2. Adopt the recommended findings listed in Resolution PC-2022-06; and
3. Approve Conditional Use Permit P-21-32 based on the recommended findings and subject to the conditions of approval listed in Exhibit A to Resolution PC-2022-06.

Roll call vote: Barrett-aye, Fall-aye, Heaton-aye, McIntosh-aye, Sharp-aye

Item 4: CANNABIS CONDITIONAL USE PERMIT & VARIANCE (CCUPT3-2019-021/P-19-21) A request for approval to expand an existing Type 2 "Mixed-Light-Small" commercial cannabis cultivation license into a Type 3 "Medium Outdoor" commercial cannabis cultivation license to allow for up to 43,560 square feet (1 acre) of mature canopy. The applicant has also applied for a variance concurrently with the CUP as the cultivation area is less than five hundred (500) feet from the adjacent property lines. The Project is located on a 143.6-acre parcel located in the unincorporated community of Salyer, in Trinity County. The physical address of the site is 5200 Southfork Road, Salyer and the APN is 008-080-032. Planner S. Fisher

Public comment was opened and being there were no speakers public comment was closed.

By motion made and seconded (McIntosh/Barrett) by roll call vote 5-0 to continue Item 4 CCUPT3-2019-021/P-19-21 to the July 14, 2022 meeting.

Roll call vote: Barrett-aye, McIntosh-aye, Fall-aye, Heaton-aye, Sharp-aye

Item 5: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TRINITY AMENDING TITLE 17 (ZONING) OF THE COUNTY CODE TO ADOPT CHAPTER 17.43I, CANNABIS PROCESSING (DEV-22-06) The purpose of the public hearing is to seek a recommendation from the Planning Commission to the Board of Supervisors regarding is to establishment of a new commercial cannabis license type that allows commercial cannabis processing of cannabis grown off premises. The proposed Ordinance falls within the scope of the Cannabis Program EIR which was certified by the Trinity County Board of Supervisors on December 21, 2020, by Resolution 2020-103. A Notice of Determination will be considered for this project

Public comment was heard from Veronica Kelly-Albietz, Douglas City; John Brower, Junction City; on ZOOM-Rhoda Cain, District 1; Matthew Jefferson, District 1 and being there were no other speakers public comment was closed.

By motion made and seconded (Fall/McIntosh) by roll call vote 5-0- that the Planning Commission recommends to the Board of Supervisors:

1. Find that the adoption of the proposed Ordinance falls within the scope of the Cannabis Program EIR certified by the Board of Supervisors on December 21, 2020 (Resolution 2020-10)
2. Adopt Attachment A, An Ordinance of the Board of Supervisors of the County of Trinity Amending Title 17 (Zoning) of the County Code to Adopt Chapter 17.43(I), Cannabis Processing with the following changes:
 - 17.43I.040(B) – Clarification-*Planning Commission made no change to this item but recommended the Board direct staff to consider where prime agricultural soils are located throughout Trinity County and ensure for reasons of equity that other County agricultural processing facilities are also precluded from locating on prime agricultural soil*
 - 17.43I.040(C) – Cannabis processing facilities shall not be allowed within ~~one thousand~~ 600 feet of a youth-oriented facility, school, church, or residential treatment facility, provided odor mitigation is implemented, unless a variance is obtained.

- 17.431.040(E) – All cannabis processing facilities shall ensure that cannabis is obtained from licensed cultivation sources and shall implement best practices and comply with state law. A ~~minimum of seventy-five percent of the untrimmed, uncured, unpackaged cannabis processed at any cannabis processing facility shall be grown in Trinity County.~~
- 17.431.040(G) – Cannabis processing may only occur in a fully enclosed structure with appropriate odor mitigation for projects that are in proximity to higher density populations, and therefore, create a substantial risk of a public nuisance ~~mechanical ventilation controls.~~
- 17.431.040(J) – An approved fire safety and prevention plan must be submitted with the use permit application. *The Planning Commission also recommended the Board direct staff to coordinate with County Fire Chiefs regarding appropriate content (e.g. personnel safety and fire prevention; building safety; etc.) and review of required fire plans.*
- 17.431.040(M) – Licensees shall not have been convicted of serious felony or Schedule I, II or III Felony. This would exclude, excluding a non-serious felony conviction for sale, transportation or cultivation of cannabis except if unless the non-serious felony conviction is on public lands, in which case the applicant would be excluded from this license type. Applicants are required to declare this under penalty of perjury on at least one of the application forms.

3. Direct staff to file a CEQA Notice of Determination (NOD) within five days of adoption by the Board of Supervisors.

Roll call vote- McIntosh-aye, Fall-aye, Heaton-aye, Barrett-aye, Sharp-aye

PLANNING COMMISSIONERS REPORT:

Commissioner McIntosh will be getting additional information on the California County Planning Commissioners Association conference in October 14 & 15. Commissioner Sharp presented information about a training meeting is in Humboldt County on October 14th. Commissioner Fall said the she will sign up to go to the Humboldt County training session.

PLANNING DIRECTOR'S REPORT:

Interim Deputy Director Prestley expressed appreciation to the Commission for providing good discussion to projects brought before them. Commented to continued active interviewing for planning staff and cannabis planners, and the General Plan team will be at the Trinity County Fair.

Cannabis Director Connell reported on questions directed from the Commission-

- Number of issued cannabis licenses-16 active and a total of 26 approved licenses as of June 23, 2022.
- Handling of cannabis complaints-those in the program code compliance staff go to the site within 72 hours to verify, complaints of properties not in the program are sent over to the Sheriff's department to handle.
- License in Ruth-unknown at the moment.
- Retail Storefront is tentatively planned for July 6th.

ADJOURNMENT:

The Planning Commission adjourned at 9:38 pm.

Submitted by: Deborah Rogge, Administrative Coordinator

**Ed Prestley, Interim Deputy Director Planning & Building
Secretary of the Planning Commission**