

ITEM NO. 6

DATE: January 12, 2017

APPLICATION NO. P-16-23

**TRINITY COUNTY PLANNING COMMISSION  
STAFF REPORT**

**OWNER:** Curtis Hicks

**REPORT BY:** John Jelich

**APN:** 018-470-28

**PROJECT DESCRIPTION:**

- A. General Plan Amendment changing land use designation on approx. 122 acres from Rural Residential to Agriculture.
- B. Rezone approx. 122 acres from Unclassified (U) to Agriculture (A)

**LOCATION:** 2761 Van Duzen Rd., Mad River. (Exhibit "A")

**PROJECT INFORMATION:**

- A) Planning Area: South Trinity
- B) Existing General Plan Designation: Rural Residential
- C) Existing Zoning: Unclassified
- D) Existing Land Use: dwellings, agriculture related out-buildings, grazing
- E) Adjacent Land Use Information:

	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>	<b><u>General Plan Des.</u></b>
North:	USA & resid	Unclassified	Resource/Rural Res
South:	USA	Unclassified	Resource
East:	USA	Unclassified	Resource
West:	forestry/ag	Unclassified	Resource

**PROJECT DESCRIPTION:**

The applicant’s submission for the General Plan Amendment and Rezone states that he is requesting the change because he “wants to grow and market lavender, fruit, and have cows, pigs, chickens, bees, etc.” During a telephone conversation with the applicant, he stated that they also have an interest in developing 10-20 acres of quinoa on the property and have identified areas that would be good growing sites. According to the Building Department, there were five unpermitted greenhouses, but the applicant has obtained building permits for these and they are now in full compliance. The applicant is also applying for a commercial cannabis license and has an appointment for the Regional Water Quality Control Board to inspect the site. Both Rural Residential and Agriculture zoning districts allow commercial cannabis growing. The requested amendment is not necessary for the applicant to grow cannabis and, according to the applicant, is not the reason for the application.

Staff can verify that Mildred Pollard, joint owner of the property, has for many years raised herbs, flowers and other plants, including lavender, on her property and is well known in Southern Trinity and the County for her efforts to develop a cooperative of small landowners to raise, process and sell dried herbs. One of these projects included a successful Community Development Block Grant (CDBG) to construct an herb drying facility further north on Van Duzen Road. The applicant’s property has been used for agricultural purposes for many years.

**Surrounding land uses:**

There are several parcels of approximately one to three acres in size along Van Duzen Road which adjoin or are near the subject property and are developed for residential use. However, there are also other properties bordering the site that are USA or private forest lands. The lands along Van Duzen Road that are developed with dwellings are designated Rural Residential. The lands surrounding most of the subject parcel are USA or large private land owners. These lands are designated Resource.

The Van Duzen River runs through the west portion of the property. The river’s floodplain has not been established, but is designated “Zone D”: unmapped floodplain, flood insurance recommended, but not required. The land area affected by the floodplain can be seen in the aerial photographs (Exhibits “B”). While not conducive to residential development, the area has been in continuous use for cattle grazing. No structures are located in the land area that appears to be floodplain.

**Comments from Review Agencies:**

Department of Transportation:

The County Department of Transportation advises that encroachment permits are needed for the driveway onto Van Duzen Road and the Dorothy Way private road onto Van Duzen Road.

[Since this application does not involve any discretionary entitlements, no conditions of approval can be imposed. General Plan amendments and Rezoning are legislative actions, not discretionary actions.]

Building Department:

The Building Department advises that there were up to five greenhouses on the property for which building permits had not been issued. They have since been brought into compliance and there are no other outstanding violations.

Flood Plain:

The County Flood Plain Administrator's Office advises that, while the Van Duzen River flows through the subject property, it has not been mapped by FEMA. It is categorized as "Zone D" which means that portions of the property are subject to flooding and that flood insurance is recommended, but not required.

Environmental Health:

The Division of Environmental Health advises that sanitary setbacks were not provided with the application. However, no development is being proposed near the river with this application. If structures are proposed at a later date, then they must be constructed in accordance with building permit procedures, including compliance with environmental health regulations. Environmental Health also points out that the Water Quality Control Board has a 200 foot setback requirement from waterways for cannabis farming. No grows or other planting near the river are being proposed at this time, but licensing requirements through both the County and Water Board would require considerations for meeting setback requirements if grows are proposed near the river in the future.

Cultural Resources:

The Northeast Center of the California Historical Resources Information System responded by saying that the general area had been inhabited by prehistoric cultures and that the area had been surveyed for cultural resources by professional archaeologists in 1967.

Since the project to change the property to agriculture does not change the actual use of the property from its present state, no additional evaluation is necessary at this time.

Southern Trinity Volunteer Fire Department:

Fire Chief William German states that if approved, the "project should include 2 ½" fire hydrant, be engine accessible and provide 4,000 gallons of storage on either side of the county road".

[Since this application does not involve any discretionary entitlements, no conditions of approval can be imposed. General Plan amendments and Rezoning are legislative actions, not discretionary actions.]

Other agencies:

Calfire, and USFS also responded but had no comments affecting this application.

Public comments:

Two letters were received in opposition to the proposed General Plan Amendment and Rezoning prior to mailing of this staff report. (See attached Exhibit C).

**ENVIRONMENTAL CONSIDERATIONS:**

An evaluation of environmental impact (Initial Study) was prepared for this project pursuant to the California Environmental Quality Act (CEQA) finding that this project (as mitigated) will not have a significant adverse impact on the environment. Following is a discussion of that evaluation, as well a proposed mitigation measures that have been developed to bring the impacts of this proposal to a level of insignificance

**Environmental Checklist and Explanatory Notes**

<b>I. AESTHETICS</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I(a,b,c and d): The project is not within sight of a scenic vista or scenic resource, historic buildings or state scenic highways. The site is currently developed with a dwelling, barn, several greenhouses, two water tanks and other out-buildings associated with agriculture uses. The change of the General Plan land use designation from Rural Residential to Agriculture and

rezoning from Unclassified to Agriculture would not affect current or potential future uses of the property.

No significant impacts are foreseen.

**II. AGRICULTURE RESOURCES** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, timberland (as defined by Public Resources Code section 4526), or timberland zoned timber production (TPZ) as defined by Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II(a-e): The project site is being used for agricultural purposes. Surrounding land uses include residential uses north and south on Van Duzen Road and resource uses to the west and east; and further south beyond the residential properties. Most surrounding lands are designated Resource in the land use element and are USA lands or larger land owners. No significant impacts to the natural environment are anticipated because the actual use will not change.

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact

determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III (a-e): The project would not create objectionable odors or otherwise degrade the atmospheric environment. Additional grading of the land is not anticipated since the land is currently used for agricultural purposes. Some portions of the land could be used for cannabis production, but the California Health and Safety Code (Sec. 11362.777) defines cannabis as an agricultural product. Any potential cannabis production would need to comply with state and local licensing requirements.

Trinity County generally has good air quality. The County is in attainment with all federal standards. However, the County is in non-attainment for Particulate Matter according to California State PM standards (Trinity County Safety Element of the General Plan). The parcels are accessed directly from improved State and county roads. Any additional traffic generated from new development and its air pollution impacts, as well as any heating by woodstoves, are calculated to be minimal concerns that would only have insignificant impacts when considered individually. Cumulative impacts on global conditions, e.g. global warming, are more realistically addressed via programmatic changes to development standards and are beyond the reach of this individual project.

This individual project is not expected to contribute significant odors, produce substantial pollutant concentrations, or otherwise degrade the atmospheric environment. The proposed project will not substantially alter air movement, moisture, temperature or other aspects of climate. The project will not otherwise degrade the atmospheric environment, nor substantially alter air movement, moisture, temperature or other aspects of the climate.

<b>IV. BIOLOGICAL RESOURCES</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV (a–f) The project site has been used for agricultural purposes for many years, including cattle grazing, which would be allowed under the existing Rural Residential land use designation/zoning and under the proposed Agriculture land use designation/zoning. The Van Duzen River runs in a northerly direction through the project site. According to comments received from the USFS, the river includes steelhead trout and native rainbows. The project will not have any effect on fisheries, since the actual use would continue whether the project is approved or not.

The project will not conflict with any local policies or ordinances protecting biological resources, or with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. The project area is not subject to any specific ordinances or plans regarding biological resources.

<b>V CULTURAL RESOURCES</b> Would the project.	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

paleontological resource or site or unique geologic feature?				
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V(a-d): The general area has been known to be inhabited by indigenous peoples; however, the project approval would reduce such potential impacts by reducing potential for grading and homesite development. No additional disturbances would occur if the land use designation and zoning is changed to Resource or Agriculture.

<b>VI. GEOLOGY AND SOILS</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Would the project result in disturbance of ultra-mafic rock or soils potentially containing naturally occurring asbestos?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII (a,b,c,d,e): There are no known faults crossing the project area. The County does not contain any Alquist-Priolo Earthquake Fault Zoning Areas. The area that may be disturbed is relatively flat. The potential for geologic risk is very low. No additional grading beyond that which has already



been done for agriculture development is anticipated. No additional septic tanks or other wastewater disposal systems are anticipated, since the site has already been developed with a dwelling.

VI(f): There will not be any significant ground disturbance caused by this project or any future development resulting from it. There is no report or evidence of fill material being imported to the site that could contain asbestos. Therefore, there is low potential of significant naturally occurring asbestos being present at the project site.

<b>VII. GREENHOUSE GAS EMISSIONS</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII(a): The project will not generate new significant traffic or otherwise generate emissions.

VII(b): The Trinity County Regional Transportation Plan, and the Trinity County General Plan all support non-motorized travel options as a way to promote health and livable communities, as well as a way to reduce greenhouse gas emissions. The project site is located in a sparsely populated area of the County which depends largely on automobiles for primary mobility.

<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) For a project located within an airport land use compatibility plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII(a-d): The project will not involve the use of hazardous materials.

e-f) The project is not located near an airport. The closest airport is in Ruth and Dinsmore.

g) The project will not affect any emergency response plan.

h) All of Trinity County is considered a very high fire hazard area. The project is required to comply with Trinity County's Fire Safe Ordinance. In addition, the project is located within the response area of the Southern Trinity Volunteer Fire Department.

<b>IX. HYDROLOGY AND WATER QUALITY</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Violate any applicable water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?				
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year floodplain, as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year floodplain structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX(a): The site is partially used for grazing of a few cows near the river. This use will not change whether the project is approved or not.

IX(b): The project will not use groundwater or interfere with groundwater recharge. No new impermeable surfaces are anticipated with the change of land use designation and zoning to Agriculture.

IX(c-d): The existing drainage pattern of the area will be preserved. The project will neither exacerbate nor mitigate this existing problem.

IX(e & f): Development is not expected to impact any stormwater systems in the project area. The project will have no other effects on water quality or drainage. The existing agricultural use would continue, including grazing of cattle.

IX(g-h): The project is not within a mapped 100-year floodplain. The Van Duzen River flows through the project. Its 100 year floodplain has not been mapped (Zone D). Floodplain insurance is recommended but not required. There are no structures on the project site that are near the river.

IX(i-j): The project would not attract people to flood prone areas or cause new areas to become prone to flooding. Therefore, it will not expose people or structures to a significant risk of loss, injury, or death involving flooding or inundation by seiche, tsunami, or mudflow.

<b>X. LAND USE AND PLANNING</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural communities' conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X(a): The project will not physically divide a community or change land use patterns in any way. Pedestrian and bicycle connectivity will be enhanced for the community.

X(b): The purpose of the application is to change the land use designation from Rural Residential to Agriculture and the zoning from Unclassified to Agriculture. The applicants point out that the request is consistent with the actual use of the property and that most of the property would not be appropriate for residential use due to the proximity of the Van Duzen River floodplain, which has not been mapped by FEMA.

Staff notes that the surrounding land use is primarily Resource, except for several parcels fronting on Van Duzen Road which are designated Rural Residential and developed with dwellings. There is no land designated Agriculture in the area, but a significant area designated Resource. The Resource land use designation would also allow Agriculture zoning; therefore, the Resource land use designation may be more appropriate to the area and still allow the project site to continue to be used for agricultural purposes.

X(c): The project site is not subject to any habitat conservation plan or natural community conservation plan.

<b>XI. MINERAL AND ENERGY RESOURCES</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Result in the loss of availability of a known mineral that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the use of energy or non-renewable resources in a wasteful or inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI(a-b): The project will not effect the availability of any mineral resources. Placer and aggregate deposits in the area would continue to be available. If mining is desired in the future, a Conditional Use Permit and compliance with the California Surface Mining and Reclamation Act would be required.

XI(c): No new construction is anticipated from this project.

<b>XII. NOISE</b> Would the project result in:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use compatibility plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII(a,b,c,d): No increased noise would result from this project to change the land use designation and zoning to maintain the existing agriculture use of the site. significant, because of the distance to residences, etc., and the existing ambient noise in the downtown commercial district.

XII(e): The project is not located near an airport. The closest airport is in Dinsmore. Since there would be no change to the actual use of the project site (agriculture), there would be no impacts to increased safety issues.

XII(f): The project is not located within two miles of a private airstrip.

<b>XIII. POPULATION AND HOUSING</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII(a-c): The project will not have a significant effect on population, nor will it displace housing or businesses. Insuring that the maximum development potential is maintained will enhance available housing stock if the property were to be subdivided in the future. That is not the goal of the application.

<b>XIV. PUBLIC SERVICES</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV(a) – (f): The project is served by power from PG&E. Individual domestic water and individual sewage disposal systems are already developed for the existing residential use and agricultural use on-site.

<b>XV. RECREATION</b>	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

expansion of recreational facilities that might have an adverse physical effect on the environment?				
---	--	--	--	--

XV(a-b): The project will not significantly impact nearby recreational facilities. There are none in the immediate area. Ruth Lake is located on the Mad River several miles away. No significant impact to recreational facilities demand or use is anticipated.

<b>XVI. TRANSPORTATION/TRAFFIC</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI (a, b, and d,): The proposed land use change would have no effect on access. Currently, the parcel has access directly from Van Duzen Road.

XVI(c): The project will have no effect on air traffic patterns.

XVI(e): The project will not have an effect on emergency access because there will be no change in the land use of the property as a result of this project.

XVI(f): No conflict with adopted policies regarding alternative modes of transportation are anticipated.

<b>XVII. UTILITIES AND SERVICE SYSTEMS</b> Would the project:	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a-e): The project will not generate wastewater requiring treatment, and will not require public water, power, natural gas or communications systems.

XVII(f-g): The project will not generate sufficient waste to have an impact on landfill facilities.

<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) Does the project have the potential to	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects, as defined in Section 15130.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII(a): The project will have no effect on special status fish or wildlife species or important examples of major periods of history or prehistory.

XVII(b): Since the project will have no effect of sensitive resources, its effects will not result in a cumulative adverse effect on the human or natural environment.

XVIII(c): The project would not have any adverse effects on human beings. Additional housing opportunities within the central service areas of the community will make more efficient land uses.

**STAFF RECOMMENDATION:**

Staff finds no objection to the request; however, since the “Resource” land use designation is prevalent in the area and there is no area designated “Agriculture”, staff recommends that the subject site be designated “Resource” and the zoning be changed to “Agriculture”. This approach would meet the applicant’s desire to zone the property for agriculture uses, but be more consistent with the surrounding resource land uses, which include a mix of forestry and agriculture.

**RECOMMENDED COMMISSION ACTION:**

Staff recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

1. That the Board of Supervisors adopt a Negative Declaration, finding that on the basis of the whole record 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 County's independent judgment and analysis; and
2. That the Board of Supervisors adopt a resolution approving an amendment to the land use element of the County General Plan by changing the land use designation of (APN: 018-470-28 from Rural Residential to Resource.
3. That the Board of Supervisors approve a Zoning Ordinance amendment changing the zoning of APN: 018-470-28 from Unclassified to Agriculture.

# Untitled Map

Hicks (P-16-23)  
GPA & Rz

## Legend

 2761 Van Duzen Rd

EXHIBIT A -1

 2761 Van Duzen Rd

Google earth

1000 ft



**Untitled Map**  
Hicks (P-16-23)  
GPA & Rz

**Legend**  
📍 2761 Van Duzen Rd

**EXHIBIT A-2**

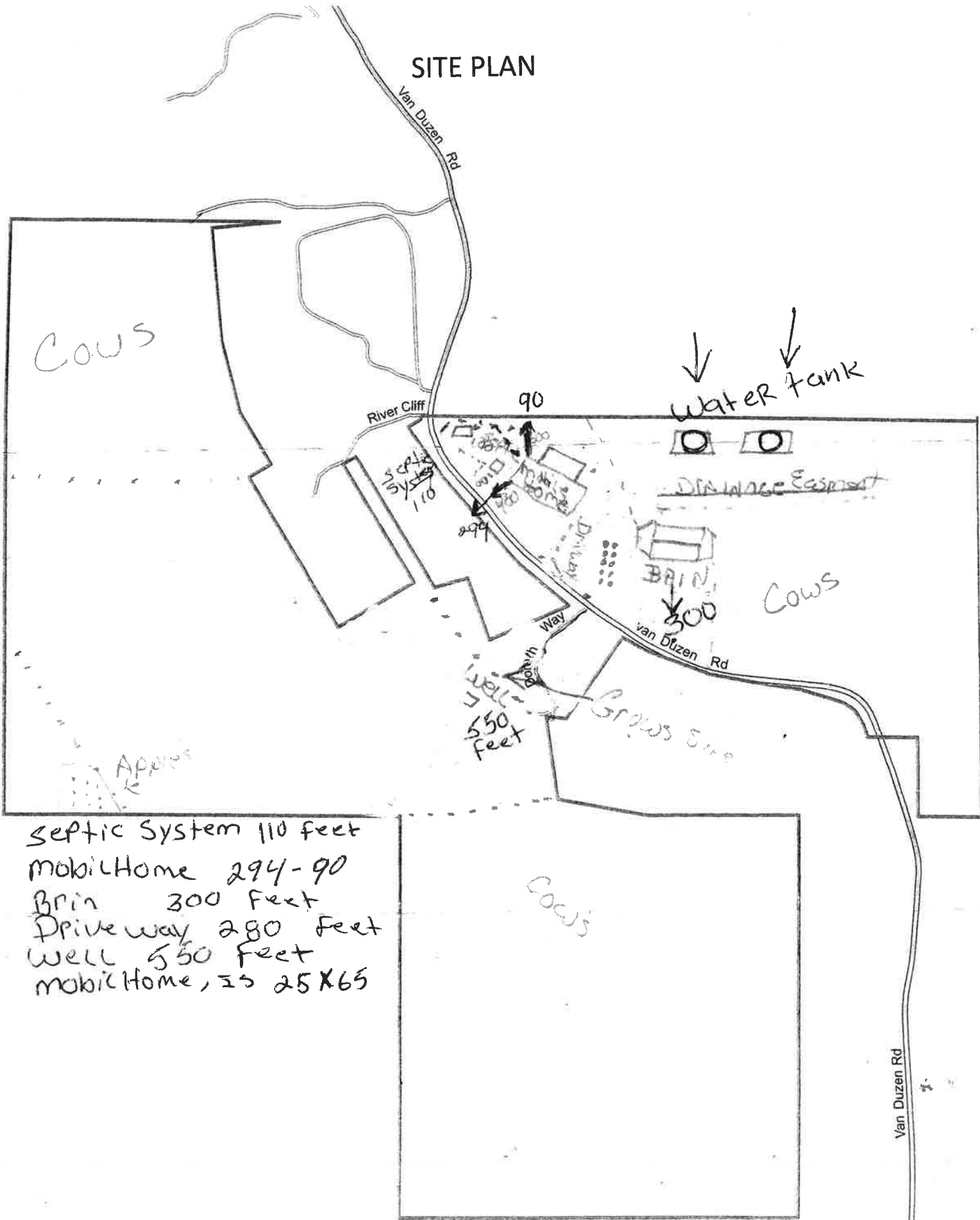


Google Earth  
© 2018 Google

200 ft



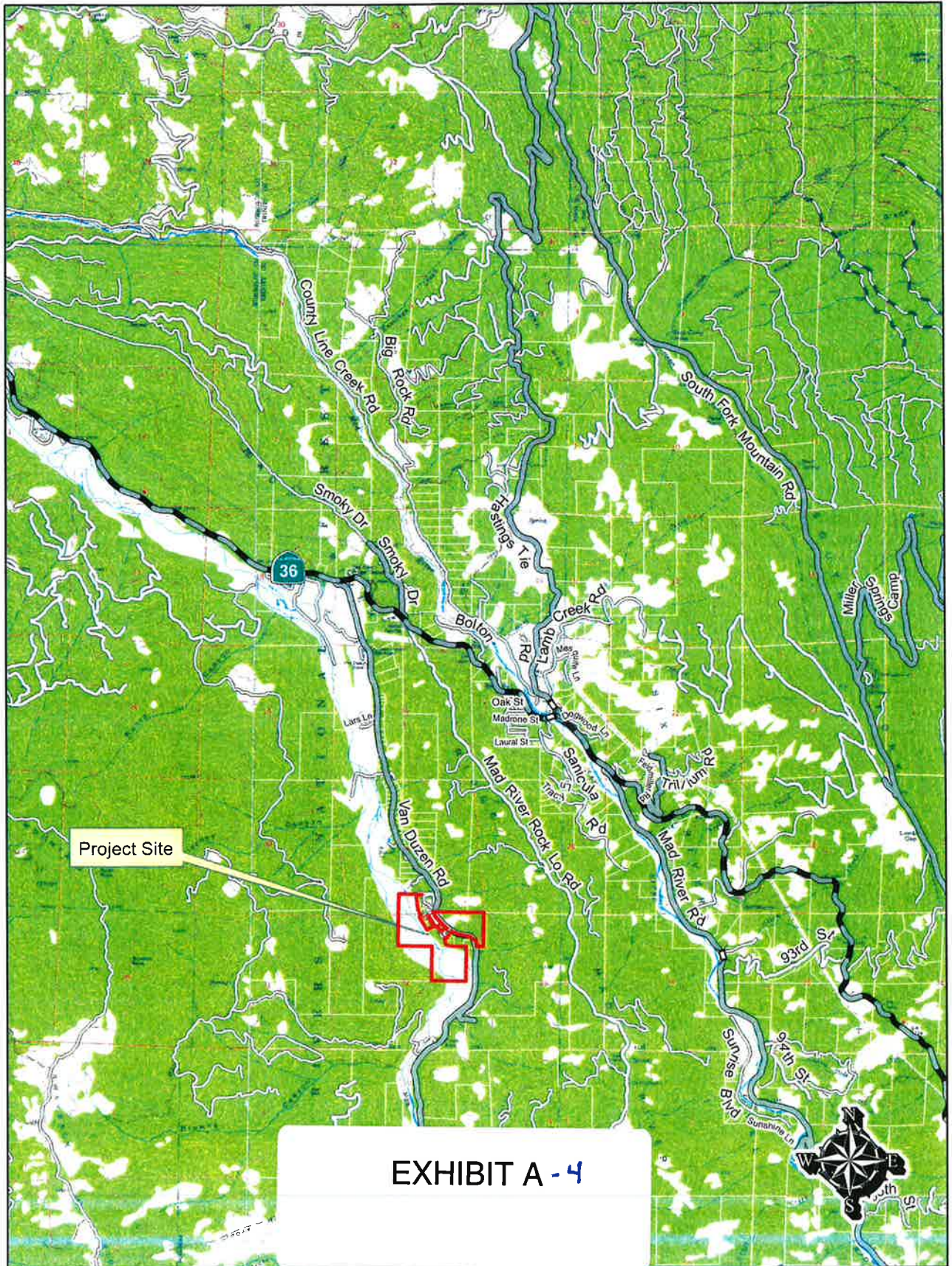
# SITE PLAN



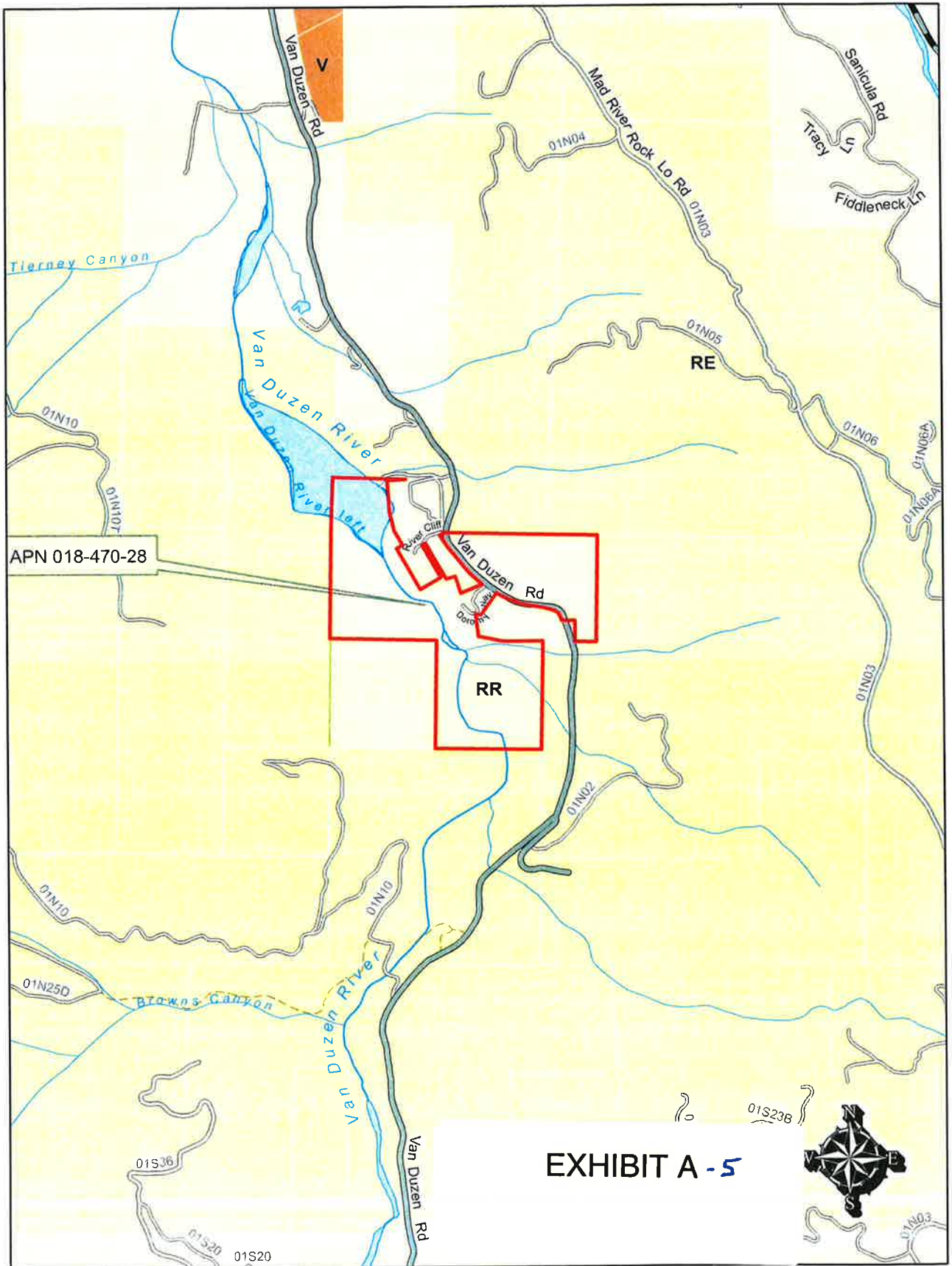
septic System 110 feet  
mobilHome 294-90  
Brin 300 Feet  
Driveway 280 Feet  
Well 550 Feet  
mobilHome, IS 25X65

# PROJECT LOCATION MAP

## Hicks Rezone P-16-23

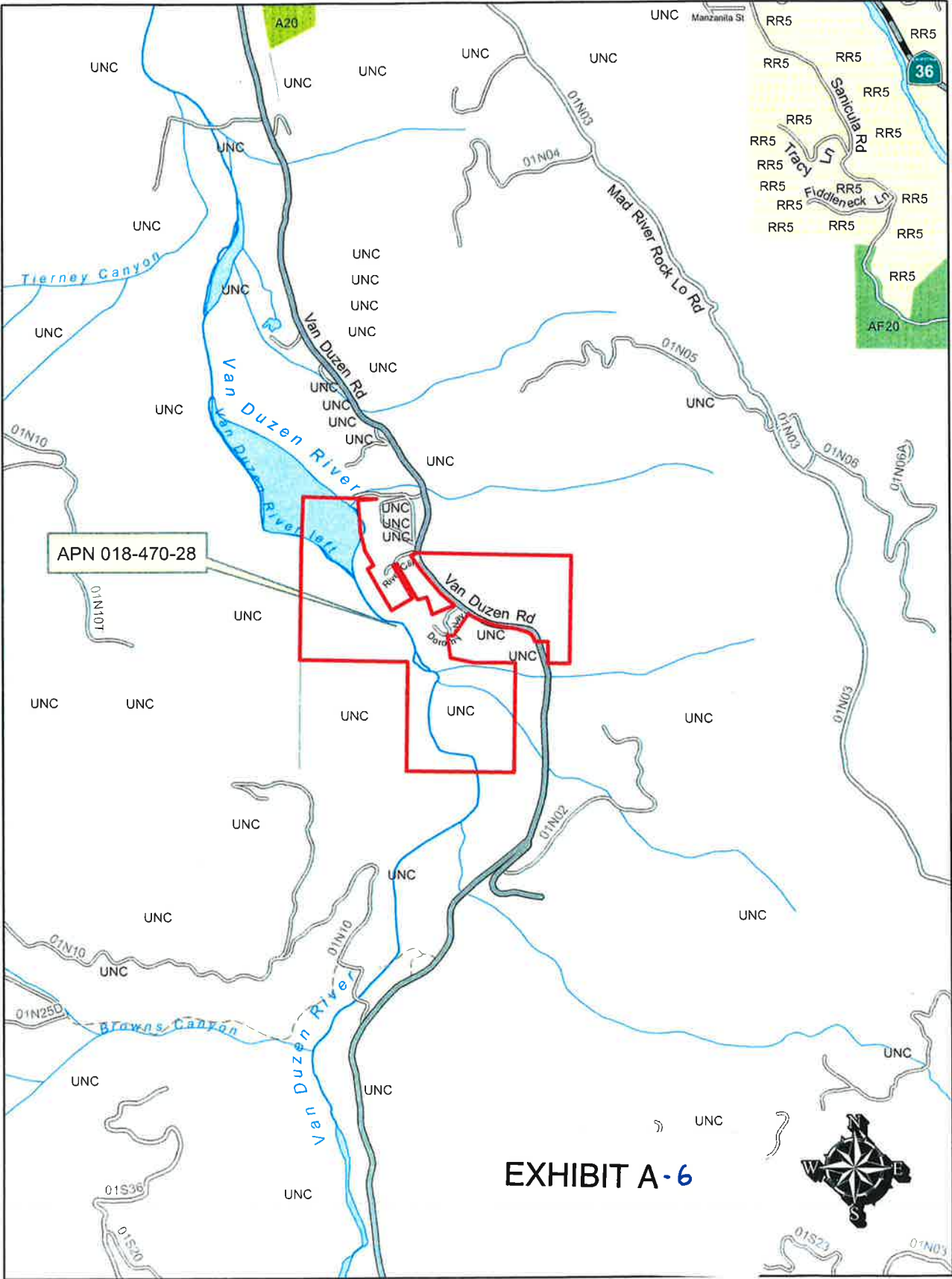


# GENERAL PLAN DESIGNATION Hicks Rezone P-16-23



# CURRENT ZONING

## Hicks Rezone P-16-23







(1 of 2)

Parcel 018-470-28-00

Street Address 2761 Van Duzen Rd

City State ZIP Mod River, CA 95552

Lot Area: 122,000

Zoning District: Unclassified (UNCL)

General Prior Designation: Rural

Residential (RR)

Affected by FEMA: 1916 1996 Zone: No

Supervisory District: 5

Current Supervisor: John Fenley

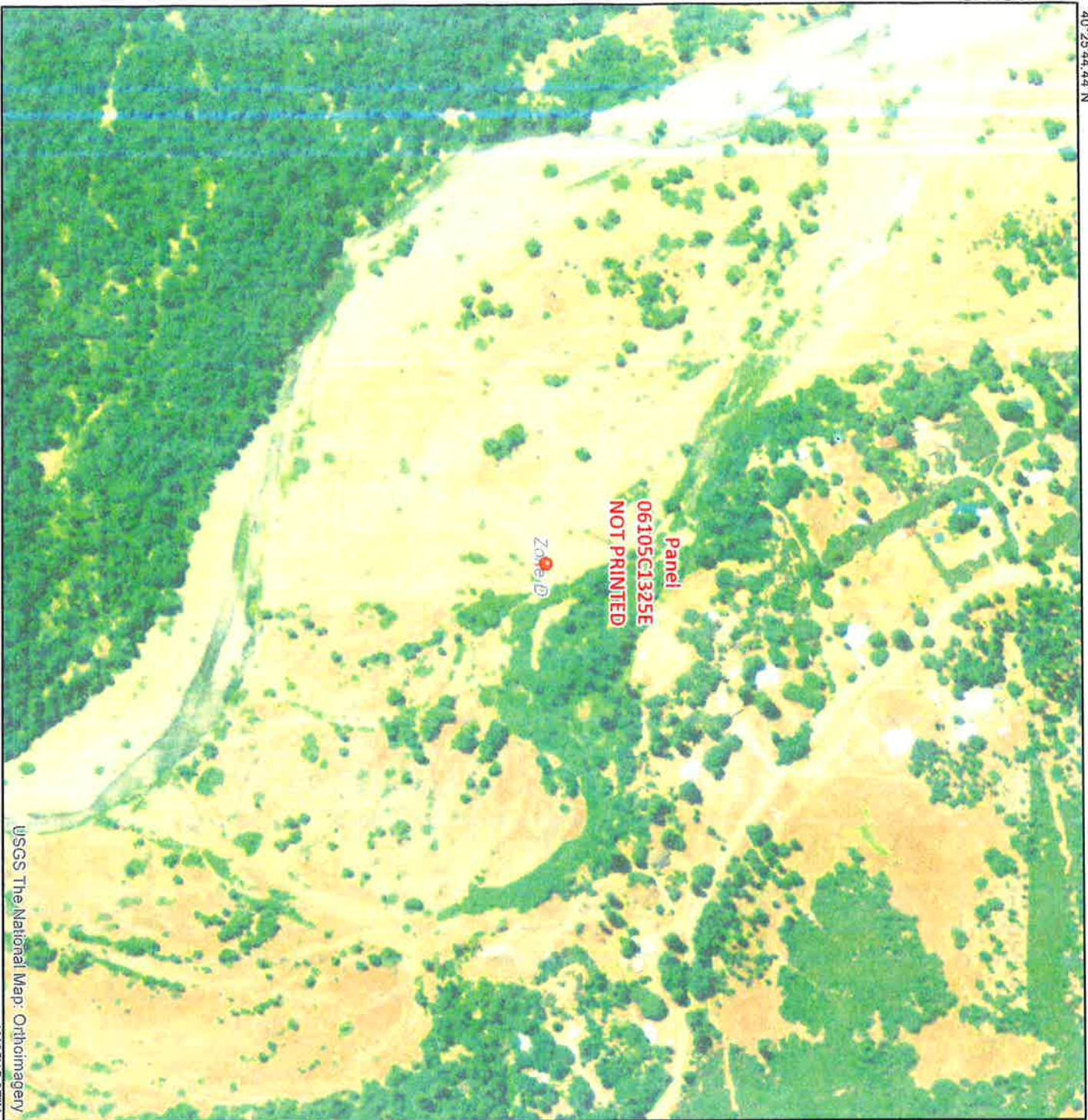
EXHIBIT B-1

View  
 Layer  
 Fields  
 Fences  
 Grains  
 Contours

# National Flood Hazard Layer FIRMette

40°25'44.44"N

123°31'27.43"W



USGS The National Map: Orthoimagery

40°25'15.87"N

123°30'48.35"W

## Legend

- Cross-Sections
- Base Flood Elevations
- Flood Hazard Zones
  - 1% Annual Chance Flood
  - Regulatory Floodway
  - Special Floodway
  - Area of Undetermined Flood
  - 0.2% Annual Chance Flood
  - Future Conditions 1% Annual Flood Hazard
  - Area with Reduced Risk D
- LOMRs**
  - Effective
- Map Panels**
  - Digital Data
  - Unmodernized Maps
  - Unmapped



## EXHIBIT B - 2

This map complies with FEMA's standards for the use of digital flood maps. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. The base map shown complies with FEMA's base map accuracy standards.

The NFHL is a living database updated daily and this map represents a snapshot of information at a specific time.

Flood risks are dynamic and can change frequently due to a variety of factors including weather patterns, erosion and new development. FEMA flood maps are continually updated through a variety of processes. Users should always verify through the Map Service Center (<http://msc.fema.gov>) or the Community Map Repository that they have the current effective information.

NFHL maps should not be created for unmapped or unmodernized areas.



# FEMA

RECEIVED

JAN - 4, 2017

TRINITY COUNTY  
PLANNING DEPARTMENT

Dec. 29, 2016

Trinity County Planning Dept.  
61 Airport Road  
PO Box 2819  
Weaverville, CA 96093

Planning Dept.:

Re: Hicks APN 018-470-28

I am opposed to the change of Hicks' parcel (APN 018-470-28) from the land use designation of Rural Residential to Agriculture, and the rezone from Undesignated to Agriculture for the following reasons:

- 1) This area along Van Duzen Road has been known as "Van Duzen Village," a residential area consisting of mainly 1 and 2 acres parcels with single family homes.
- 2) Another concern is for the water use and environmental conditions along this part of the Van Duzen River and its watershed. The residents along this road get their personal house hold water from the river aquifer and the river flow tends to get very low during the summer.

EXHIBIT C - 1

3) A large portion of the Hicks' parcel is river bar/bed.

4) Agricultural endeavors on this ~~plot~~ parcel would most likely infringe on the neighbors' tranquility and quality of life due to noise, visual impact, odor, excessive water usage, possible run-off pollution, traffic congestion, road disintegration and possible safety issues.

Please take my concerns seriously and deny this application.

Sincerely,  
Susan Gordon  
91 River Cliff  
Mad River  
CA 95526



# TRINITY COUNTY

## PLANNING DEPARTMENT

P.O. Box 2819 530-623-1351  
Weaverville, CA 96093 530-623-1353 (FAX)  
Email: [ruhanover@trinitycounty.org](mailto:ruhanover@trinitycounty.org)

File #: P-16-23

Date: 11/21/16

### REQUEST FOR COMMENTS

**To:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> County Assessor's Office                | <input type="checkbox"/> North Coast Water Quality Control                       |
| <input checked="" type="checkbox"/> County Building Department              | <input type="checkbox"/> North Coast Unified Air Quality Management Dist.        |
| <input checked="" type="checkbox"/> County Environmental Health             | <input type="checkbox"/> Northeast information Center - Chico State              |
| <input checked="" type="checkbox"/> County Public Works                     | <input checked="" type="checkbox"/> Forest Service: <b>Mad River Ranger Dist</b> |
| <input type="checkbox"/> County Surveyor                                    | <input checked="" type="checkbox"/> Fire District: <b>Southern Trinity Vol</b>   |
| <input type="checkbox"/> Supervisor:  | <input type="checkbox"/> C.S.D.: <b>None</b>                                     |
| <input type="checkbox"/> Caltrans - District: <b>02</b>                     | <input type="checkbox"/> Code Enforcement  |
| <input checked="" type="checkbox"/> CalFire/County Fire Chief's Association | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> B.L.M.   | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Calif. Dept. of Fish & Wildlife                    | <input type="checkbox"/>   |

The following project has been submitted to the Trinity County Planning Department for discretionary action (Use Permit, Rezone, Subdivision, etc.). An assessment of the potential impacts of the project is being made. Please review and submit comments by **December 6, 2016**.

**Project Description:**

**General Plan Amendment from Rural Residential to Resource and Rezone from Unclassified to Agriculture of approximately 122 acres. Located at 2761 Van Duzen Road, Mad River.**

**RECEIVED  
DEC 22 2016**

**Environmental Evaluation:**

**Mitigated Negative Declaration**

**TRINITY COUNTY  
PLANNING DEPARTMENT**

**APN 018-470-28-00**

**Existing Zoning: Unclassified**

**Sec: 29 & 32**

**Twn. 1N**

**Rge. 6E HB&M**

**Existing General Plan: Rural Residential**

**Applicant: Curtis Hicks  
Address: 2761 Van Duzen Road  
Mad River, CA 95552**

**Owners: Mildred Pollard, Curtis & Diane Hicks  
2761 Van Duzen Road  
Mad River, CA 95552**

For information regarding this project **contact** Ruth Hanover, Admin. Coord. (530-623-1351, Ext. 4)

**Comments:**

No Comment.  See attached comments.

We have reviewed the above request and have the following comments:

*me! Brown, Jr.*

Date: 12/6/16

*Recommend Denial - Project would convert Rural Residential in an existing town or village site to combines grow in an area where that industry already adversely impacts residential quality of life. Property included at least 5 residences which should be protected as suitable per land is in short supply for residential use. Project extends into and across Van Duzen River + flood plane, posing hazard to water quality. If approval, project should include 2 1/2" fire hydrant, engine accessible + 4,000 gal storage on either side county road*

Reviewing Agency: *Trinity YFD*

Signature: *Wm German chief*

*Note - There is serious error in this application of*

**IN THE BOARD OF SUPERVISORS  
COUNTY OF TRINITY, STATE OF CALIFORNIA**

**FOURTH DAY OF APRIL, 2017**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AMENDING THE LAND USE ELEMENT  
OF THE GENERAL PLAN OF TRINITY COUNTY  
(Hicks, P-16-23)**

The following Resolution is now offered and read:

**WHEREAS**, on 6<sup>th</sup> day of November, 1979 the Board of Supervisors of the County of Trinity adopted the land use element of the General Plan, and updated the land use element in 1988, with minor changes since that time; and

**WHEREAS**, after reviewing and holding of a public hearing, the Trinity County Planning Commission recommended to the Board of Supervisors the adoption of an amendment to the land use element of the General Plan, recommending approval of a Negative Declaration; and

**WHEREAS**, this Board of Supervisors, after having carefully considered the proposed amendment to the land use element and noticed and held the required public hearings, finds that said amendment to the land use element provides a suitable and logical plan for future development of the South Trinity Planning Area and is compatible with said General Plan.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Supervisors of the County of Trinity, State of California, that said Board hereby adopts the following amendment to the land use element for all that real property situated in said County, located and more particularly described as follows:

(See **Exhibit A** - "Map Exhibit")

Heretofore designated as "Rural Residential" (RR) is hereby redesignated "Resource" (RE).

**DULY PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the Board of Supervisors of the County of Trinity by motion, second (\_\_\_\_\_/\_\_\_\_\_), and the following vote:

AYES:                Supervisors

NOES:                None

ABSENT:            None

ABSTAIN: None

RECUSE: None

---

UNKNOWN, CHAIR  
Board of Supervisors  
County of Trinity  
State of California

ATTEST:

MARGARET E. LONG  
Clerk of the Board of Supervisors

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

PORTIONS OF SECTIONS 29, 32 & 33  
T. 1 N., R. 6 E., H.B. & M.

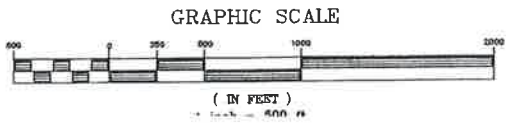
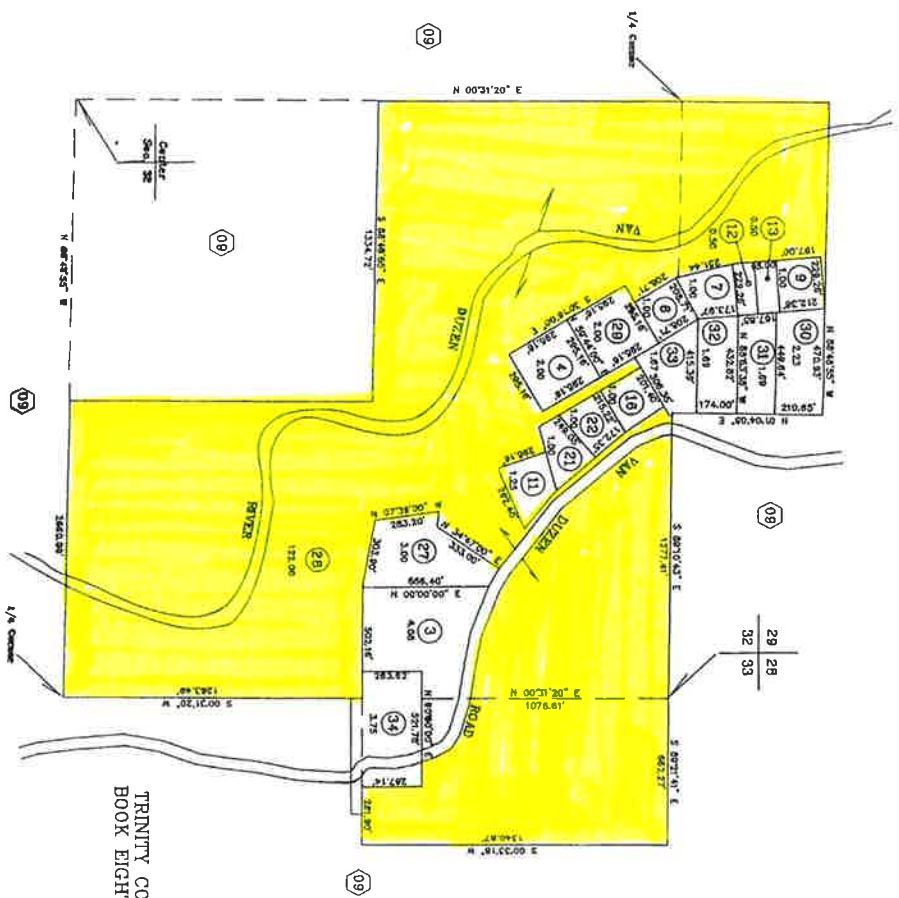
18-470  
66-002

MAPS OF RECORD:  
13/89  
10/94



ALL OTHER LANDS IN THESE OR IN PART  
OF A SECTION OF PRIVATE LAND ARE  
NOT A SECTION OF PRIVATE LAND FOR THE  
PURPOSES OF THIS ACT AND ARE  
NOT SUBJECT TO THIS ACT.

COPYRIGHT 1994, TRINITY COUNTY ASSESSOR'S OFFICE



TRINITY COUNTY ASSESSOR'S OFFICE  
BOOK EIGHTEEN PAGE FORTY SEVEN  
OCTOBER 28, 1994

EXHIBIT A

LM



ORDINANCE NO. 315-

AN ORDINANCE AMENDING TRINITY COUNTY  
ZONING ORDINANCE NO. 315

THE BOARD OF SUPERVISORS OF THE COUNTY OF TRINITY, STATE OF  
CALIFORNIA, DOES ORDAIN AS FOLLOWS:  
(Hicks, P-16-23)

**SECTION 1.** That the real property situated in the County of Trinity, State of California, located at 2761 Van Duzen Road, Mad River, and more particularly described as:

That real property situated in the County of Trinity, State of California, described as follows:

(See attached Exhibit A)

heretofore, zoned and classified as “Unclassified (U)” District, be and the same hereby is rezoned and reclassified as “Agriculture (A)”.

**SECTION 2.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have adopted this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrases be declared invalid.

**SECTION 3.** This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

**INTRODUCED, PASSED AND ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2017, by the Board of Supervisors of the County of Trinity by motion/second (\_\_\_\_\_/\_\_\_\_\_), and the following vote:

AYES: Supervisors

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

---

UNKNOWN, CHAIR  
Board of Supervisors  
County of Trinity  
State of California

ATTEST:

MARGARET E. LONG  
Clerk of the Board of Supervisors

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

APPROVED AS TO FORM AND LEGAL EFFECT:

\_\_\_\_\_  
Margaret Long, County Counsel

Dated: \_\_\_\_\_  
Planning/JAJ

EXHIBIT "A"

D E S C R I P T I O N

That real property situate in the County of Trinity, State of California, described as follows:

The South half of the Northwest quarter of the Southeast quarter of Section 29; the North half of the Northeast quarter; and the Southeast quarter of the Northeast quarter of Section 32; the West half of the Northwest quarter of the Northwest quarter of Section 33 all in Township 1 North, Range 6 East, H.M., according to the official plat thereof.

EXCEPTING THEREFROM:

- A) That portion described in the deed to Bevis C. Mahan, et ux, recorded June 22, 1954 in Book 55 of Official Records page 466;
- B) That portion described in the deed to John C. Rouse, et al, recorded March 18, 1959 in Book 78 of Official Records page 194;
- C) That portion described in the deed to Luke A. Wildgrube, Jr., et ux, recorded March 30, 1960 in Book 85 of Official Records page 18;
- D) That portion described in the deed to Donald E. Lee Lewis, et ux, recorded August 16, 1961 in Book 91 of Official Records page 556;
- E) That portion described in the deed to John Elgin, et ux, recorded May 1, 1963 in Book 102 of Official Records page 142;
- F) That portion described in the deed to Twin Harbors Lumber Co., a corporation recorded November 4, 1970 in Book 143 of Official Records page 440;
- G) That portion described in the deed to John Hicks, et ux, recorded July 3, 1974 in Book 165 of Official Records page 297.