




TRINITY COUNTY
COMMUNITY DEVELOPMENT SERVICES
BUILDING ♦ PLANNING ♦ ENVIRONMENTAL HEALTH
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Kim Hunter, Director

MEMORANDUM

DATE: April 8, 2021
TO: Members of the Planning Commission
FROM: Lisa Lozier, Deputy Director of Planning 
SUBJECT: Agenda Item 3 – Post Approval Modification of Conditions (P-20-48)

Dear Members of the Planning Commission,

Additional information was received by the Planning Department from the Department of Transportation (DOT) to address Finding D which specifies that granting the modification is in accordance with the intent and purposes of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the County.

Initially Planning Staff was unable to support Finding D due to lack of technically appropriate information to verify that the land is subdivided in a manner that will promote the public health, safety and convenience, and general welfare in conformance with the General Plan". Due to the absence of technical knowledge, the initial recommendation was to deny the applicant's request for post approval subdivision modification. A resolution for denial was prepared and included as Attachment 1 in the staff report provided to the Commission.

DOT staff reviewed the staff report as submitted to the Planning Commission and has provided the following technical information to address the applicants request for Subdivision Modification to Conditions C: Access: 4d and 4e as follows:

Original Condition 4d:

The roadway structural section must be constructed to a minimum width of 18 feet. The minimum inside curve radius for all curves must be 50'. All curves with a radii less than 100' must have a minimum roadway width of 20', and all curves with inside radii between 100' and 200' must have a minimum roadway width of 22'.

DOT Discussion:

Regarding the curve radius modification, the provided as-built shows one "centerline" curve radius as tight as 40', and at least 2 others at approximately 45'. County Code has

conflicting requirements on this point. The Subdivision Ordinance minimum radius for a Category "D" 10 MPH road design is 40'. All curves meet this standard for a Category "D" road. However, the Trinity County fire safe ordinance requires a minimum "inside" curve radii of 50'. A centerline curve radius of 40' translates to an inside curve radius of approximately 28', far below the minimum required. While this project does not meet the requirements of the Trinity County Fire Safe ordinance, CalFire has written a letter stating that the road meets the "same practical effect." Because this meets County Subdivision requirements, and CalFire has approved the construction, staff agrees that this curve radius modification meets the intent of the code to "promote public health, safety and convenience, and general welfare."

Recommendation:

CalFire has written a letter stating that the road as currently constructed and described by meets the "same practical effect." Of the Trinity County Fire Safe Ordinance Because this meets County Subdivision requirements, and CalFire has approved the construction, staff agrees that this curve radius modification meets the intent of the code to "promote public health, safety and convenience, and general welfare."

Original Condition 4e

Condition 4e: The Maximum allowable road grade is 12% and the minimum allowable grade is 1%. The maximum allowable grade may be increased to 14% for short distance if approved by the road department.

DOT Discussion:

Regarding the road grade modification, it is assumed that the modification request is for grades up to 14.5%. The provided as-built plans show that the road is in excess of 12% grade from Stations 17+07 to 35+50, a total length of 1,843'. In addition to this, there are multiple shorter areas where the grade exceeds 12%. Staff estimates that close to 80% of the roadway exceeds 12% grade, with approximately 1,000 feet exceeding 14% grade.

The Subdivision ordinance allows for grades in excess of 12%, for short distances, "subject to the approval of the Department of Public Works." These "short distance" grades are not to exceed 14%. The ordinance does not define "short distance." Exceeding 12% grades will increase rutting, excessive washboard, and erosion of the roadway, thus creating a frequent maintenance problem for existing and future land owners, and it will contribute to sedimentation issues downstream of the property. While this may not be apparent due to relatively minor rainfall of recent years, similar issues related to steeper grades are well documented (thus the reason for this requirement in the Subdivision Ordinance). Approval of steeper grades, especially on a gravel road, does not "promote public health, safety and convenience, and general welfare."

Recommendation:

To mitigate the higher maintenance costs and erosion typical of steeper grades, the Department of Transportation would recommend that portions of the road over 12% be paved with at least 2" thickness of hot mix asphalt. The one exception to this would be portions of the road that only provide access to parcel 1. This access road from station 31+50 to the end is only for the benefit of one parcel, and thus only maintained by the one parcel owner. Additionally, this stretch only has one very short segment above 12% grade causing minimal concern.

Based on the preceding information, Staff is would recommend that the Applicants request for a Post Approval Subdivision Modification be approved consistent with the recommendations as discussed in the Staff report for Findings A through C and as recommended by DOT as that pertaining to Finding D to both Conditions C: Access: 4d and 4e; with recommendations also to replace Mitigations for Section XVI – 3.d and 3.e in the Mitigated Negative Declaration adopted by Resolution No. SCR-2012-02.

Attachment 1 A modified Resolution No. PC-2021-06 for recommendation of approval

Attachment 2 AS-BUILT Improvement Plans 02.12.2019

Attachment 3 AS-BUILT Improvement Plans 02.12.2019 Detail

ATTACHMENT 1

REVISED RESOLUTION NO. PC-2021-06

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF TRINITY**

WHEREAS, the Planning Commission of the County of Trinity has considered a request for Post Approval Subdivision Modification (P-20-48) for Approved Tentative Subdivision Map (P-11-22), Assessor Parcel Number 018-210-016-000, filed by property owners Stephen and Susan Adams and Cameron Holmgren. The request for subdivision modification effects two conditions in Section C, Access: 4d and e. of Resolution SRC-2012-02; and

WHEREAS, said Subdivision Modification request was referred to various affected public and private agencies, County departments, and referral agencies for review and comments; and

WHEREAS, a duly noticed public hearing was held on April 8, 2021; and

WHEREAS, the Planning Commission of the County of Trinity has considered public comments and a report from the Planning Department.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Trinity:

1. Finds that the proposed request for modification will not pose any significant additional new environmental impacts which have not previously been evaluated in the Mitigated Negative Declaration prepared for Tentative Parcel Map P-11-22 and adopted with Resolution SCR 2012-02 as conditions of approval. The recommendations provided by Department of Transportation provide equivalent mitigation to Mitigation Measures XVI: 3d and 3e. of the Mitigated Negative Declaration. Mitigation Measures may be revised if the proposed mitigation (Condition Modification) achieves the same intended mitigation as the original.
2. Makes the following findings for the Subdivision Modification request:
 - a. The applicant has stated that due to the particular physical characteristics of the property additional road work could be detrimental to adjacent water courses and geological conditions and would be impractical to conform to the strict application of the County Road design.
 - b. That the Cost to the subdivider of strict or literal compliance with the regulation is not the sole Reason for granting the modification. While the property owner has expressed that a significant investment has been made in order to complete the required improvements, they are not requesting that the modifications due to cost prohibitive conditions.

- c. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity. The modifications as proposed would not be detrimental to the health, safety and welfare of other properties in the vicinity of the proposed project.
 - d. That recommendations provided by Department of Transportation and written approval provided by CALFIRE for the post approval subdivision modifications to Resolution SCR 2012-02 would provide the same practical effect and as recommended would promote public health, safety and convenience, and general welfare and meet the intent of conditions C: Access: 4d and 4e. The recommendations would also provide equivalent mitigation to Mitigation Measures XVI: 3d and 3e. of the Mitigated Negative Declaration
3. Approves the request for Post Approval Subdivision Modification P-20-48, for Approved Tentative Subdivision Map (P-11-22), Assessor Parcel Number 018-210-016-000, subject to the required findings that the recommended modifications meet the guidelines of the Trinity County General Plan, are consistent with the Trinity County Subdivision Ordinance and Trinity County Fire Safe Regulations.

DULY PASSED AND ADOPTED this 8th day of April, 2021 by the Planning Commission of the County of Trinity by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:
RECUSE:

DIANA STEWART, CHAIRMAN
Planning Commission
County of Trinity
State of California

ATTEST:

Kim Hunter
Secretary of the Planning Commission

By: _____
Deputy

NO° 13' 12" W 129

HOLMGREN RESIDENCE

PARCEL 1
36.64 Acres

NW 1/4

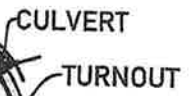
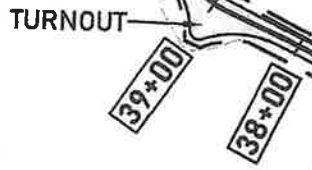
NO° 39' 15" W 1271.09



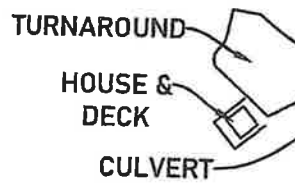
"HOMESTEAD WAY"
CULVERT

END CATEGORY "D" ACCESS ROAD,
BEGIN PRIVATE DRIVEWAY

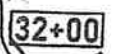
586° 36' 39" E 1251.80
586° 36' 39" E 1251.80



ADAMS' RESIDENCE



"TRIPLE R LANE"



PARCEL 2
36.87 Acres

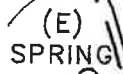


SEASONAL STREAM
50' SANITARY SETBACK

B



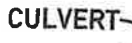
(P) ROADWAY EASEMENT FOR
ACCESS, UTILITIES AND
MAINTENANCE



100' SANITARY SETBACK

"HOMESTEAD WAY"

A



587° 58' 53" E 1254.30

Attachment 3

SEC. 8

SEC. 9

50° 28' 00" E 1298.64

NO° 39' 15" W 1268.85

NO° 39' 15" W

BASIS OF BEARING