

**TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT**

APPLICANT: Van Garrett

REPORT BY: Frank Lynch

APN: 011-210-03

APPLICATION: Rezone and Use Permit

PROPOSAL: Rezone from Unclassified to Agriculture and a Use Permit to allow the development and operation of a landscape supply and nursery business

LOCATION: In the community of Hyampom, lying on the south west side of Lower South Fork Road, 1000 ft north of its intersection with Riverview Lane, aka 4081 Lower South Fork Road.

PROJECT INFORMATION:

- A) Existing General Plan Designation: Resource
- B) Existing Zoning: Unclassified
- C) Existing Land Use: Former mill site and agriculture
- D) Adjacent Land Use Information:

	<u>Land Use</u>	<u>Zoning</u>	<u>General Plan Des.</u>
North:	Resource	AF/Unclassified	Resource
South:	Resource	Unclassified	Resource/Rural Res
East:	Resource	Unclassified	Resource/Rural Res
West:	Residential	Unclassified	Resource

BACKGROUND INFORMATION: The applicant seek permit to develop a landscape supply business on the site of a former mill operation. The property lies in the Hyampom area on the west side of Lover South Fork Road. The area to be developed consists of a few acres (estimated at three acres) of the total 240+- acre parcel. There is a separate approximate one acre parcel within the subject lands, nearby the proposed development that is the site of a power substation. The use itself will be largely outdoors, utilizing an existing building as the “store,” with outside areas used to store and display, bagged soil, irrigation supplies nursery stock and miscellaneous landscape supplies. The applicant has professed a desire to sell bulbs and other species of interest, but will limit soil and soil amendment items to “bagged only’ sales. No active piles of soil or compost will be kept or sold.

Much of the immediate area is described as being paved surfaced due to the former mill site use. The immediate area is flat and open as viewed from the public road. The bulk of the property outside this area is moderately sloped, brush and forestlands.

The application is includes a rezone to the Agriculture Zoning District which provides a link to enable the use based on findings of general plan consistency associated with an ordinance change done in 2010 (PW 10-01). This amendment was undertaken from an effort to legitimize an existing business located approximately four miles south of the community of Hayfork on Highway 3, known as the “Growing Wild” nursery. That project legitimized a retail nursery/garden center with associated sales and outdoor storage/display areas on a 7.23 acre parcel zoned Agriculture. Prior to this amendment the Zoning Ordinance was more restrictive allowing only for “storage, rental and sales of irrigation equipment and sales of products grown on the premises.” To enable this, an Ordinance Amendment was processed adding the following use type:

Retail Nurseries involving crops/plants which are not grown on the site and associated sales.

This use became a conditional use type in the Agriculture Zoning District. As this property is within a Resource General Plan Land Use designation, the Agriculture Zoning District is considered a compatible District..

Environmental Analysis: 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

I. AESTHETICS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have an adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I.a-b) The project site will not have any effect on a scenic vista, nor will it damage any scenic resources or historic buildings. The area for the proposed project is directly adjacent to the County road in a rural area. However the past use of the site as a mill created a "scared" landscape that would be filled by the operation. This is not viewed as a negative impact

c) The property is not located along a County road and has no scenic or historic resources located on it.

d) There may be some nighttime security lighting. In order not to create a significant source of nighttime light pollution, any new source of security lighting shall be directed in toward the business and down with shadow box type covers so that light does not project out from the sides of the light.

Mitigation measure I.

Any nighttime security lighting for the business shall be directed down and in toward the business so as to reduce effects to neighboring residential uses. Shadowbox type light fixtures shall be used that block upward and sideways light projection.

Mitigation Measure 16:

Elevation drawings of all signs be prepared or caused to be prepared by the applicant. Said drawings shall include visual appearance. The sign shall be made of wood and shall not be illuminated. They shall be submitted to the Planning Department for review and approval.

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. 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 timber production (TPZ)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment that, due to their location or nature, could individually or cumulatively result in loss of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II.a) The soils at the site are not considered prime farmland. It is more timberland, but has been modified by past land use and likely timber operations. The parcels on the east side of the road are similar to the subject parcel, being more low lying lands along resource lands along the South Fork of the Trinity River.

b) The proposed use does not utilize more than a couple of acres of the 240+- acre parcel, leaving the rest for uses conducive to hillside farming/ranching or timber operations.

c) The property is not zoned TPZ, nor is it adjacent to lands zoned TPZ. Any logging to be done on the forest/timberlands in the vicinity would not be effected by this operation.

d) As mentioned, this is not truly farmland, however, the proposed business could help supply soil amendments, etc. to nearby farmers.

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 determinations. Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise degrade the atmospheric environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Substantially alter air movement, moisture, temperature or other aspects of climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

III.a) The project will not conflict with or obstruct implementation of any air quality plan.

b-c) The project will generate traffic, but no more than is already existing in the project area. Trinity County is very rural with no easy means of transportation. Access to the area is by winding mountain roads that are not conducive to transports or other means of freight needed to induce industry that warrants population growth. The Hyampom area is not on any major transportation routes and does not attract much of a tourist population. In all candor, the principal target market that may be reached by this endeavor will be local marijuana growers seeking supplies. The business itself will not prompt new growth, either residential or business. Therefore, it is assumed that air quality will not be affected by increased traffic and vehicle emissions. The effect to air quality will be from dust from any untreated dirt surfaces, but given that much of the area is already surfaced this impact should be minimal.

d and e) The business will have plants and soils. Fertilizers and other soil amendments are to be sold, but they are all to be either bagged or in containers. No odors are associated with them. To insure this standard, a specific condition is warranted to make this condition clear.

f-g) The project will not significantly degrade the atmospheric environmental, alter air movement, moisture, temperature or other aspects of climate.

Mitigation measure 2

No bulk soil amendments, fertilizers or compost may be stored, packaged or sold on the property. All such commodities shall be in bags or other sealed containers.

IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Have an 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 an 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have an adverse effect on Corps of Engineers jurisdictional wetlands either individually or in combination with the known or probable effects of other activities through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>
g) Otherwise degrade the biotic environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. a-b) The project was referred to the Department of Fish and Wildlife who, at this writing, have not responded to the referral. It is noted however, that the site has a history of intensive use that has denuded much of the habitat that may have once existed there. The property drains to the east ultimately into the South Fork of the Trinity River. The area to be utilized does not contain any significant riparian habitat. As the soil products and fertilizers that will be sold are to be required to be contained, no direct impact to water quality is foreseen. To address water quality concerns the entitlement specifically will limit storage of bagged soil and amendments (see condition 2) and require a minimum 50 foot setback to any watercourses, even if only ephemeral, wherein no disturbance or storage of goods should be permitted..

c) No wetland features were observed onsite.

d) The site may be fenced for future security purposes, but overall it is a small portion of a larger ownership. Given the historic of the property and the size of the proposed use, no significant impediment to migration routes is perceived to result.

e-f) The project, as designed, will not conflict with any local policies. There are no habitat conservation plans for this area or none that would be affected by this project. The parcel has been developed for years with industrial uses and outbuildings. The effects of this project have more to do with re-introducing some traffic to this location.

g) Other than discussed, the project will not degrade the biotic community.

Mitigation Measure 3: All activities associated with the proposed use shall be located a minimum of 50 feet from any watercourse, even if only ephemeral, wherein no disturbance or storage of goods shall be permitted.

V. CULTURAL RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause an 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 an 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 paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V.a-d) This site has already been disturbed by past land uses. However, just about every inch of Trinity County has been touched by Native Americans or earlier gold miners and settlers. Due to the possibility that artifacts could be discovered during trenching for culverts, etc., mitigation measures will be added to require further evaluation if anything is found.

Mitigation Measure 4

The following wording shall be recorded in a Notice of Environmental Constraint to put all owners, present and future, on notice. "In the event that previously unidentified cultural or paleontological resources are encountered during development of the parcel, there shall be no further excavation or disturbance of that area. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and an archaeologist consulted to determine if the find is significant and make recommendations for appropriate mitigation. Work shall not continue in the area until mitigations have been implemented and written authorization to resume work has been provided by the Planning Director."

Mitigation Measure 5

The following wording shall be recorded in a Notice of Environmental Constraint to put all owners, present and future, on notice. "In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the Coroner determines the remains to be Native American, he/she will contact the Native American Heritage Commission who will contact the most likely descendent who will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work shall not continue in the area until the human remains have been dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent."

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

VI. ai-iv) There are no Alquist-Priolo maps for the county. There are no known active faults within this region of the county. Gound shaking within the county, although slight and rare, sometimes occurs after the rupture of a fault in nearby Shasta or Humboldt County.

b) The site is surfaced with pavement and rock. No earth movement is proposed.

c) The slope of the area of the property that is developed is not steep enough to give concern to the possibility of a landslide or collapse.

d) Shrink-swell in these soils is not a major concern as it is normally minor to slightly moderate.

e) A septic system sufficient to provide waste disposal for anticipated use will be developed. Ample are exists for whatever design criteria is developed.

VII. HAZARDS AND HAZARDOUS MATERIALS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and consequently result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be located within the vicinity of a private airstrip, and consequently 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 checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to the 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 checked="" type="checkbox"/>	<input type="checkbox"/>

VII.a-d) The Division of Environmental Health advises that the former mill site did have remediation completed to address underground tanks and wood preserving dip tanks that had contaminated areas within the project area. Environmental Health advises that the remediation was satisfactorily completed and cleared.

The applicant has not advised, nor do they likely know, what volume of materials will be stored on site as part of the operation. Some materials, such as fertilizers and pesticides if kept in larger volumes (quantities equal to or greater than 55 gallons of a liquid, 500 lbs of a solid, or 200 cubic feet of a compressed gas) may be cumulatively "hazardous," warranting the filing of a Hazardous Materials Business Plan through the Certified Unified Program Agency (CUPA). The applicant will need to address this by providing clearance from the CUPA (California Department of Toxic Control Substances).

e-f) The project is located within just over a mile of the Hyampom Airport. Proportionally, a very small portion of the entire parcel is within a Zone D, however clearly the area to be utilized is not within this hazard or warning area. Given that the parcel is large and the Airport Hazard Area is far away, no further action is warranted.

g) The project will not impair implementation of any emergency response plan.

h) Most of Trinity County is located in a high fire hazard area. Hyampom is covered by both the a volunteer fire department and CDF. The project has cleared vegetation around the project site of the site.

Mitigation Measure 6:

The applicant shall provide written clearance from the Department of Toxic Waste Substances based on their review of the materials list, including quantities of items to stored or sold on site.

VIII. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Violate any applicable water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Deplete groundwater supplies or interfere 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) 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"/>
g) 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"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving: 1) flooding, including flooding as a result of the failure of a levee or dam, or 2) inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Otherwise degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Change the amount of surface water in a water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Change currents or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII.a, c, e) Grading has been done on the property in the past when the mill operations were ongoing, and no further action will need to be taken to establish this operation. However, as the operation will likely cover approximately three acres a drainage, erosion and sediment control plan is being recommended, so that the operators will need to consider how the site is to be developed and managed with this new use.. Staff simply wants to insure that as water drains through the property, the operaton considers the direction of flow, the material that may be stored and how sediment and potential contaminants are addressed.

b) The project area is served by an existing spring on the property. A nursery could be a significant water user however, both the former use as a mill, and alternative, active uses of resource lands can be equally intensive. Staff suggests that a water management plan be developed, again with the focus on really attempting to create a water efficiency program within the business operational plans. This could include developmet of a a water efficient landscape per the Water Conservation in Landscaping Act.

d) The project will not alter the drainage pattern so as to cause any flooding on- or off-site.

e) There is no current stormwater drainage system, other than the natural drainages already in place. The runoff from this project will not add a significant amount to current stormwater levels such that the existing drainages will become inundated.

f-h) The project site is not within a floodplain and would not be affected by a levee or dam failure, seiche, tsunami, or mudflow.

i-k) The project will not otherwise degrade water quality, change the amount of surface water in a water body, or change the currents or course of water movements.

Mitigation Measure 7:

A drainage, erosion and sediment control plan shall be prepared by a qualified Storm Water Pollution Preventions Plan (SWPPP) Developer (QSD).and submitted to the Trinity County Planning Department for review and approval prior to receiving a final inspection on the garden center building.

Mitigation Measure 8:

Within six months of starting the project, the applicant shall submit a water management report to the Planning Department which provides details on projected water use, a conservation program, and a means to monitor and evaluate water efficiencies as part of the overall operation..

IX. LAND USE AND PLANNING Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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 checked="" type="checkbox"/>	<input 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"/>

IX.a) The project site is within a Resource General Plan Land Use designation and currently zoned Unclassified. Much of the surrounding lands are similiary designated, with some of the area to the south and east being designated by the General Plan as Rural Residentail. The whole of the area is within a general area containing reource type soils suitable for forest management. This site is beyond the "core" area of Hyampom and it would not, in staff's opinion, be appropriate to designated this land Commercial due to its relative isolation. In discussing this application with the applicant, they are interested in a variety of potential projects in the area to advance the local economy. However, in trying to maintain General Plan consiistency with the Resource designation , and advance the applicant's desire to capatialize on the current market realities, the use of a nursery/landscape supply business use type provided the means to achieve some re-use of this former mill site. Granting such use will not physically divide the community.

Should the rezone be approved, the following would be the permissive and alternative conditional uses that could occur on the property:

A. **USES PERMITTED:** All agricultural uses, including crop and tree farming, livestock farming, dairies, animal husbandry, aviaries, except that uses indicated in Section 13B shall not be established until a use permit is first secured.

B. **USES PERMITTED SUBJECT TO FIRST SECURING A USE PERMIT:**

Frog and poultry farms, commercial hog and turkey raising, cattle feed yards, and animal sales yards, agricultural processing plants.

Storage, rental and sales of irrigation equipment. Stands for the sale of products grown upon the premises.

Public or quasi-public, including churches, fire houses, schools (public and parochial) or schools accredited to the State School System, and public utilities. Labor camps, including necessary or pertinent buildings but including any type of subdivision development, subdivision development, whether by official map, parcel map or recorded subdivision.

Horse Ranch/Summer Camp (Res. PC 91-2); Campgrounds/Resorts (See Natural Resource Section of Land Use Element); Dog Kennels (Res. PC 95-01); Animal hospitals, small and large.

Per the General Plan, the minimum lots sizes within the Agriculture Land Use designation can range from 10 to 40 acres, somewhat dependant on soil types. Given the unknown detail of future development in the area, and that this request is driven by the applicant's desire to start this business only, staff recommends that a more conservative 40 acre minimum standard be assigned at this time. Future consideration of density should be combined with a more general assessment of services and capacities of the region.

b) The project will not conflict with any applicable land use plan or regulation with jurisdiction over the project. Regarding "policy" staff notes that one similar such project was approved in 2010 for the "Growing Wild" operation south of Hayfork. At that time, the Commission elected to add an additional condition to add to the support of the neighborhood compatibility concerns related to this type of operation. The Commission, likely in response to concerns that such an operation would more specifically be a growers supply business only, and not a "nursery" as described in the use type adds to the conditionsl uses of the District, added a standard that a minimum of 2/3rds of the project area be devoted to the sale or display of plants. Candily, that condition has been a recurring monitoring concern for that project as a neighbor of that operation has taken offense to the overall operation. However, staff believes that overall it has been a means to insure a focus on what should be the operational standard for that business. Without it, staff believes the operation would have become totally focussed on a grower clientele. While that may be the business reality, from a land use perspective, the limitation does provide for focus on the use type under which the business is conditionally permissive and provides a measure by which neighborhood compatibility can be better monitored. It would then be appropriate, in staff's opinion, to also impose that same standard as a compatibility mitigation.

c) The project will not conflict with any habitat or natural communities' conservation plan.

Mitigation Measure 9

Two thirds (2/3) of the project area is to be devoted to the sale and display of live plants.

Mitigation Measure 10:

The rezone shall be limited to a change from Unclassified to Agriculture, with a 40 acre minimum lot size

X. MINERAL AND ENERGY RESOURCES Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

plan or other land use plan?				<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"/>

X.a-c) This project will not result in the loss of a locally or regionally valuable mineral, nor will it result in the use of energy or a non-renewable resource in a wasteful or inefficient manner.

XI. NOISE Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Generate or expose persons to 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate or expose persons to excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and consequently expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be within the vicinity of a private airstrip, and consequently 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"/>

XI.a-c) The project will generate or expose persons to a new source of noise in an otherwise quiet, rural area. The noise would likely be far less than the older use of a mill on the site, but comparative to more contemporary times, noise from increased traffic and activities will increase ambient noise. Operating hours will minimize impacts. See Condition 9

d) There is to be no new construction which would cause a temporary increase in ambient noise.

e-f) The project is located within two miles of the Hyampom airport which has little activity. No impacts are associated with this issue..

Mitigation measure 11:

Hours of operation shall be limited to between 7:00 am and 8:00 pm.

XII. POPULATION AND HOUSING Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

housing elsewhere?				
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XII.a) The project is not a housing project, nor a project that will induce changes in population. .

XIII. PUBLIC SERVICES Would the project result in 1) adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 2) 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:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. a-f) There will be no significant changes to the facilities of the fire department, sheriff, schools or parks as a result of this project. This project will not significantly change the need for services from any of the associated public agencies.. Issues related to fire protection may be somewhat addressed by the review of the toxic materials that may or may not be stored on site as part of the business. It is also assumed that some security fencing will limit access to materials stored out of doors. The Hyampom Volunteer Fire Department comments that response times may be up to 30 minutes at this site. There is no proposed residential use.

XIV. RECREATION	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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 expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. a-c) The project is to establish a garden center/nursery. There will be no proposed recreational facilities, and it will not generate the need for any.

XV. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Adversely affect rail, waterborne, or airborne transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV.a) The business will create an increase in traffic, therefore the Department of Transportation has requested that the encroachment onto the County road be upgraded to the current standard..

b) This project is not expected to exceed, either individually or cumulatively, a l.o.s. established by the state or county.

c) There will be no change in air traffic patterns as a result of this project.

d) The project will not result in a hazardous design feature or incompatible uses.

e) The project will not result in inadequate emergency access as the entrance can be made wide enough

f) The site visit revealed there is adequate room for onsite parking, which will have to be designated.

g) The project will not conflict with alternative transportation.

h) The project will not affect rail, waterborne or airborne transportation.

Mitigation Measures:

12. An encroachment shall be acquired and developed to the satisfaction of the Trinity County Department of Transportation.

13. A detailed parking and circulation plan shall be submitted to the Trinity County Planning Department for review and approval. Approved parking improvements shall be installed.

XVI. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, for any of				

the following utilities?				
i) Water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Wastewater collection, treatment, or disposal facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Storm water drainage facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Electric power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

XVI.a and b) The project will be required to provide a handicap accessible restroom for the employees and public. Currently, there is a sewage disposal system on the property per the application, however as the use develops, the operator will have to work with the Trinity County Environmental Health Department to insure that appropriate facilities are provided.

c - e) As discussed under the hydrology section a drainage plan will be required, however not significant change to the property should result from this re-use.

f) The landfill that serves the project has sufficient capacity to accommodate the project's solid waste disposal needs.

g) The project complies with federal, state and local statutes and regulations related to solid waste.

Mitigation Measure 14:

A septic system shall be installed for use of the public and employees as part of the development of the use to the satisfaction of the Division of Environmental Health.

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

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 checked="" type="checkbox"/>	<input type="checkbox"/>

XVII.a) The project has potential to affect water quality and California history and/or prehistory. Mitigation measures have been incorporated to address these concerns.

b) The project has no effects considered to be cumulative.

c) The project does not have environmental effects that will cause substantial adverse effects on human beings, directly or indirectly, other than that mentioned in a) above, which has been mitigated.

GENERAL PLAN CONSISTENCY: The Agriculture Zoning District is considered a compatible district within the Resource Land Use Designation. As mitigated, the use can be found consistent with development criteria based within the Zoning District, as the use has been found compatible with the intent of that district in supporting agricultural uses within the community.

Based on the above and as conditioned, staff does not find any significant conflicts with the General Plan

OTHER COMMENTS:

The project site and structures must comply with health and safety standards that are in place for any commercial operation as required by building and health codes. This includes the need to comply with handicapped accessibility standards and an approved restroom for the commercial structure

Other operational compliance standards include keeping the site fire safe e.g. must meet conditions of the County Fire Safe Ordinance #1162 for roads or driveways, setback, vegetative modification and addressing.

The parking areas must be kept clear and available for use. A parking and circulation plan must be formalized and implemented. (See condition 12)

Mitigation Measure 15:

The applicant shall secure all appropriate permits and clearances for the various structures and their uses on the property from the Building Inspection and Environmental Health Divisions. This includes provision for handicapped accessibility and sanitation facilities for employees and customers

STAFF RECOMMENDATION: As the project involves a rezone, and the use permit can not be approved until the rezone is completed, staff recommends that the Planning Commission limit their review to a recommendation and defer project approval to the Board upon their approval of the Rezone.

RECOMMENDED MOTION:

Staff recommends the Planning Commission recommend to the Board of Supervisors the following:

1. Adopt a mitigated Negative Declaration, finding that on the basis of the whole record before the Commission (Board), 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 (Board's) independent judgment and analysis; and
2. Adopt the Ordinance (Number _____) changing the zoning of APN 011-230-03 from Unclassified to Agriculture, 40 acre minimum parcel size.
3. Approve the Use Permit to allow development of nursery and garden center, subject to findings of fact and subject to conditions of approval.

FINDINGS OF FACT

Finding: Sound Principles of Land Use. The use permit is granted on sound principles of land use.

Statement of Fact: A retail nursery and garden center are allowed in the Agriculture zoning district with a use permit. While this provision is relatively new, the Agriculture zoning district has allowed storage, rental and sales of irrigation equipment and sales of products produced on site for some time. A use permit is being processed to insure code compliance and mitigation of identified potential significant impacts.

B. Finding: Not injurious. Granting of the use permit will not be detrimental to the public health, safety or welfare, nor will it create a public nuisance.

Statement of Fact: The business, as conditioned to minimize impacts to neighbors, address any traffic safety issues on and off site, provide for adequate public health standards, and mitigate any environmental considerations of significance.

3. Finding: The use permit complies with the objectives of the general plan for the area in which it is located.

Statement of Fact: The use permit is consistent with the objectives of the General Plan in that the property will be zoned appropriately for the requested agricultural/commercial use.

Figure 1

Conditions of Approval

1. Any nighttime security lighting for the business shall be directed down and in toward the business so as to reduce effects to neighboring residential uses. Shadowbox type light fixtures shall be used that block upward and sideways light projection.
2. No bulk soil amendments, fertilizers or compost may be stored, packaged or sold on the property. All such commodities shall be in bags or other sealed containers
3. All activities associated with the proposed use shall be located a minimum of 50 feet from any watercourse, even if only ephemeral, wherein no disturbance or storage of goods shall be permitted.

4. The following wording shall be recorded in a Notice of Environmental Constraint to put all owners, present and future, on notice. "In the event that previously unidentified cultural or paleontological resources are encountered during development of the parcel, there shall be no further excavation or disturbance of that area. The owner/developer shall avoid the materials and their contents. The Trinity County Planning Director shall be notified immediately, and an archaeologist consulted to determine if the find is significant and make recommendations for appropriate mitigation. Work shall not continue in the area until mitigations have been implemented and written authorization to resume work has been provided by the Planning Director."
5. The following wording shall be recorded in a Notice of Environmental Constraint to put all owners, present and future, on notice. "In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the Coroner determines the remains to be Native American, he/she will contact the Native American Heritage Commission who will contact the most likely descendent who will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work shall not continue in the area until the human remains have been dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent
6. The applicant shall provide written clearance from the Department of Toxic Waste Substances based on their review of the materials list, including quantities of items to stored or sold on site.
7. A drainage, erosion and sediment control plan shall be prepared by a qualified Storm Water Pollution Preventions Plan (SWPPP) Developer (QSD), and submitted to the Trinity County Planning Department for review and approval prior to receiving a final inspection on the garden center building.
8. Within six months of starting the project, the applicant shall submit a water management report to the Planning Department which provides details on projected water use, a conservation program, and a means to monitor and evaluate water efficiencies as part of the overall operation..
9. Two thirds (2/3) of the project area is to be devoted to the sale and display of live plants.
10. The rezone shall be limited to a change from Unclassified to Agriculture, with a 40 acre minimum lot size
11. Hours of operation shall be limited to between 7:00 am and 8:00 pm
12. An encroachment shall be acquired and developed to the satisfaction of the Trinity County Department of Transportation.
13. A detailed parking and circulation plan shall be submitted to the Trinity County Planning Department for review and approval. Approved parking improvements shall be installed.
14. A septic system shall be installed for use of the public and employees as part of the development of the use to the satisfaction of the Division of Environmental Health
15. The applicant shall secure all appropriate permits and clearances for the various structures and their uses on the property from the Building Inspection and Environmental Health Divisions.

This includes provision for handicapped accessibility and sanitation facilities for employees and customers.

16. Elevation drawings of all signs be prepared or caused to be prepared by the applicant. Said drawings shall include visual appearance. The sign shall be made of wood and shall not be illuminated. They shall be submitted to the Planning Department for review and approval.
17. The applicant shall provide a written clearance for the site's use and occupancy from the appropriate fire agency having jurisdiction.
18. That this permit be subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit.
19. This permit shall become effective after all applicable appeal periods have been expired or appeal processes exhausted. Failure of the permittee to make use of this permit within one year or failure to comply with payment of any fees within specified time periods shall result in the automatic expiration of this permit. This permit shall expire on November 17, 2020. The applicant has sole responsibility for renewing this permit before the expiration date listed above. The County will not provide a notice prior to the expiration date.
20. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of the Trinity County Code and County Zoning Ordinance unless modified by conditions of the use permit.
21. That the application along with supplemental exhibits and related material be considered elements of this entitlement and that compliance therewith be mandatory, unless a modification has been approved by the Planning Commission.
22. This permit shall be subject to revocation or modification by the Planning Commission upon a finding of any one (1) or more of the following grounds:
 - a. That one or more of the conditions upon which such permit was granted have been violated.
 - b. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Zoning Ordinance of Trinity County.





