

TRINITY COUNTY PLANNING COMMISSION STAFF REPORT Conditional Use Permit

PLANNER: Bella Hedtke

APPLICANT: Monika Henschke

PROPERTY OWNER: Skunk LLC

CONSULTANT: Down River Consulting

REQUEST: An application requesting that a 2400 sq. ft. single-family dwelling and a 660 sq. ft. shop be conditionally approved in the Timberland Production Zoning District (TC Zoning Ordinance 315 § 14.1).

LOCATION: 10410 Forest Service Rd 4N09, Hyampom, CA 96046 (APN: 011-100-02-00)

APPROX. ACREAGE: 120

GENERAL PLAN DESIGNATION: Resource (RE)

ZONING DISTRICT: Timberland Production Zone (TPZ)

RECOMMENDATION: Approve Draft Resolution No. 2020-02, subject to findings and conditions stated therein.

ADJACENT LAND USE AND ZONING INFORMATION:

Direction	Land Use	Zoning	General Plan Designation
North	Private Undeveloped Timberland	TPZ	RE
South	Private Residential and Ag. Preserve	AP	RE
East	USFS: Shasta-Trinity Unit	UNC	RE
West	Private Residential and Ag. Preserve / USFS: Shasta-Trinity Unit	TPZ / UNC	RE

ATTACHMENTS:

- 1 – Draft Resolution No. 2020-02 and Conditions of Approval
- 2 – Site Project Location Map
- 3 – Site Map (Prepared by Consultant)
- 4 – General Plan Designation Map
- 5 – Zoning Map
- 6 – Comment from CALFIRE

PROJECT DESCRIPTION: The applicant is requesting the necessary land use entitlement to develop a 2,400 sq. ft. single-family dwelling and a 660 sq. ft. metal shop (accessory structure) on property zoned Timberland Production (per TC Zoning Ordinance 315 § 14.1.C). The applicant does not have a Timber Management Plan (TMP) or Timber Harvest Plan (THP). The well permit (WPB-2018-154) associated with the subject parcel was finalled in August 2019 and the applicant has stated they plan on submitting a septic permit and building permits for both structures after approval of this use permit. Percolation tests, completed by Trinity Valley Consulting Engineers, were reviewed by the Environmental Health Division during the review of this application (P-19-18) and no concerns were stated.

AGENCY COMMENTS: Project referrals were sent to the following agencies for comments:

AGENCIES	COMMENT STATUS
County Assessor's Office	No Comment
County Building Department	Comment
County Environmental Health Division	Comment
County Transportation Department	No Comment
CALFIRE	Comment
California Department of Fish and Wildlife	No Response
North Coast Water Quality Control	No Response
USFS (Shasta-Trinity National Forest)	Awaiting Response

County Building Department Comment: "All structures require building permits." Planning staff has incorporated this comment into the Conditions of Approval.

County Environmental Health Division Comment: "Onsite waste water treatment system will be required (septic system)." Planning staff has incorporated this comment into the Conditions of Approval.

CALFIRE Comment: See attachment 5. Planning staff has incorporated this comment into the Conditions of Approval.

USFS: Shasta-Trinity National Forest Comment: Planning Staff forwarded project information to the wrong forest district during the project commenting period. The correct forest district was sent project information on January 3, 2020. Staff is awaiting a response from the Shasta-Trinity National Forest District Office but has also addressed this matter in Condition of Approval #7 attached to Resolution No. 2020-02.

ENVIRONMENTAL EVALUATION: This project qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA) under § 15303. Class 3 [New Construction or Conversion of Small Structures.]

STAFF RECOMMENDATION: Staff recommends that the Planning Commission make one of the following motions:

- 1) Approve the attached Resolution 2020-02 for Conditional Use Permit (Henschke, P-19-18), subject to the findings and conditions of approval as stated in this staff report.

OR

- 2) Continue this item to a later date until clear comments are received from the USFS. If this item is continued, staff recommends that the item is continued to the specific date of February 13, 2020, which is the next regularly scheduled Planning Commission meeting.

ATTACHMENT 1

RESOLUTION NO. 2020-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF TRINITY APPROVING CONDITIONAL USE PERMIT (Henschke, P-19-18)

WHEREAS, the Planning Commission, on January, 9, 2020, held a public hearing and considered all written and oral comments regarding the request for approval of a Conditional Use Permit for a Single-Family Dwelling and Accessory Structure for the property located on at 10410 Forest Service Rd 4N09, Hyampom (Applicant: Monika Henschke, APN: 011-100-02-00); and

WHEREAS, all governmental and utility agencies affected by the development of the proposed project have been notified and given the opportunity to respond; and

WHEREAS, a public hearing held on January 9, 2020, was noticed in accordance with applicable laws; and

WHEREAS, the Planning Commission has considered the effects that approval of the proposed project, including the change to the zoning and the subdivision which they have concluded would have a beneficial effect on addressing the housing needs of Trinity County and has balanced these needs against the public service needs of residents, and available fiscal and environmental resources.

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

1. Makes the following environmental findings:
 - A. The project is categorically exempt pursuant to Section 15303 (Class 3) of the CEQA Guidelines, exempting New Construction or Conversion of Small Structures.
2. Makes the following findings for the Use Permit:
 - A. As conditioned, this Conditional Use Permit allows a land use entitlement (a single-family dwelling and accessory structures) that is an allowable use, a Use Permit, in the Timberland Production Zoning District (per TC Zoning Ordinance 315 § 14.1.C.). This use permit, if approved by the Planning Commission, will be granted upon sound principles of land use.
 - B. As conditioned, this Conditional Use Permit will not be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance.
 - C. As conditioned, this Conditional Use Permit is consistent with the General Plan Designation (Resource) that the subject parcel is within. A single-family dwelling, when conditioned properly, is a supportive activity to Timberland Production.
3. Approved Conditional Use Permit P-19-18, subject to the conditions set forth in Exhibit A to this resolution and incorporated herein.

DULY PASSED AND ADOPTED this 9TH day of January, 2020 by the Planning Commission of the County of Trinity by motion of Commissioner _____, seconded by Commissioner _____, and the following vote:

Resolution No. 2020-02
January 9, 2020

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

DAN FRASIER, Chairman
Planning Commission
County of Trinity, State of California

ATTEST:

By:

KIMBERLY HUNTER
Secretary of the Planning Commission
County of Trinity, State of California

EXHIBIT “A” to Resolution PC-2020-02
USE PERMIT
CONDITIONS OF APPROVAL
(Henschke, P-19-18)

The following conditions of use permit approval shall be satisfied prior to the issuance of any building permits, unless a different time for compliance is specifically noted:

Planning Department

1. If the applicant ever were to implement a Timber Management Plan or Timber Harvest Plan, they must adhere to the following provision found in TC Zoning Ordinance 315 § 14.1.H.: Buildings shall not be located on landings, roads, or storage areas as shown on the Timber Management Plan, or Timber Harvest Plan. The placement of the proposed structure shall be reviewed related to compatibility with the growing and harvesting of timber by Planning Staff after consultation with the State Department of Forestry.
2. All buildings must be located in the area identified on the site plan as shown in Attachment 2. Location changes will be evaluated by the Planning Director per TCC 17.32.060.

Building Department

3. All structures are required to obtain building permits.

Environmental Health Division

4. Onsite wastewater treatment system will be required (septic system) prior to construction.

CALFIRE

5. Any development of habitable structure on this property would require compliance with the California Fire Safe Standards PRC 4290.
6. If the applicant plans to harvest or remove timber for the purpose of sale, barter, exchange, trade or conversion, they may need a State approve Timber Harvest Plan as per Public Resources Code 4581.

USFS (Shasta-Trinity National Forest)

7. Any necessary requirements by the USFS will be met prior to issuance of any building permits. If requirements are deemed to be onerous or infeasible by the Planning Director this item will be brought back to the Planning Commission for subsequent approval.

END OF CONDITIONS

NOTE: Approval of this use permit will expire on January 24, 2022. Any request for a time extension and accompanying fees must be received by the Trinity County Planning Department 30 days prior to this expiration date.

SITE PLAN: Monika Henschke



Legend

- Future Septic
- Future Residence
- Future Shop
- Diversion Point
- Spring
- Future Well
- Property Boundary
- Water Tank
- Roads**
- Dirt Surface
- Hydrology**
- Perennial Streams
- Intermittent Streams
- Suspected Wetlands
- Ponds

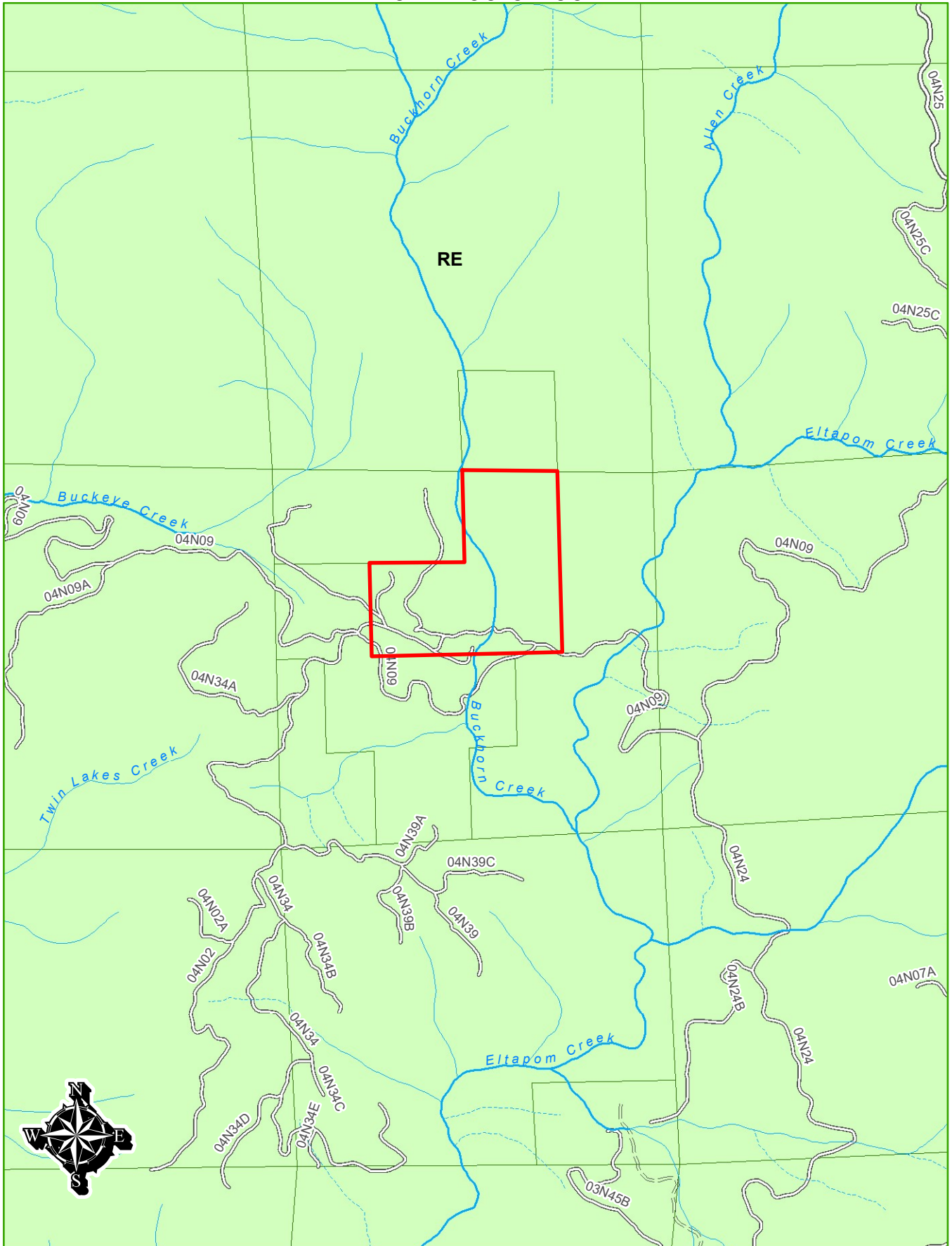
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While we strive to use the most accurate data available, the positions, scales, and dimensions are approximate.



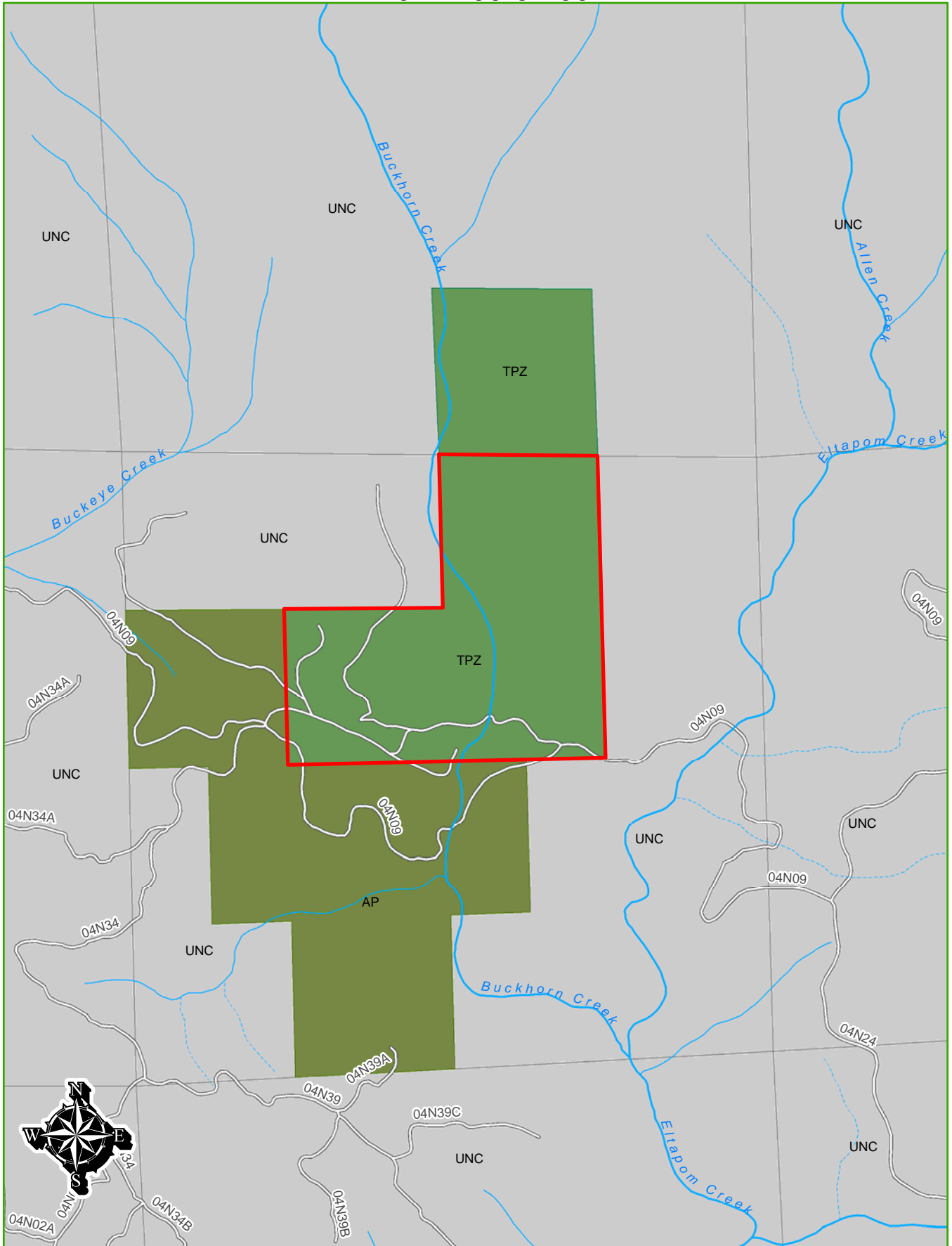
TRINITY COUNTY PLANNING DEPARTMENT	
APPLICANT PREPARED SITE PLAN	
Application No. _____	
Drawn By: M. Petersen	APN: 011-100-02-00
Date: 02/04/2019	Zoning: Timber Production Zone
Scale: 1:3,300	Lot Area: 117 Acres

ATTACHMENT 4
General Plan Designation Map
P-19-18 M. Henschke
APN 011-100-02-00



0 1,150 2,300 4,600 Feet

ATTACHMENT 5
Zoning Map
P-19-18 M. Henschke
APN 011-100-02-00



0 650 1,300 2,600 Feet

ATTACHMENT 6



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

875 Cypress Avenue
REDDING, CA 96001
(530) 225-2418
Website: www.fire.ca.gov



To whom it may concern:

RE: Request for comments file #P 19-18

10410 Forest Service Rd 4N09, Hyampom, CA. APN: 011-100-02-00

Any development of habitable structures on this property would require compliance with the California Fire Safe Standards PRC 4290.

Additionally,** If you plan to harvest or remove timber for the purpose of sale, barter, exchange, trade, or conversion, you may need a State approved Timber Harvest Plan as per Public Resource Code 4581.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dusty Gyves".

10-15-19

Dusty Gyves
Battalion Chief

CAL FIRE

Shasta Trinity Unit
530-623-6236 office
dusty.gyves@fire.ca.gov