

## TRINITY COUNTY PLANNING COMMISSION

### STAFF REPORT

**PROJECT TITLE:** Tentative Parcel Map

**APPLICANT:** L.K. Hollenbeak Company Inc.

**PROPERTY OWNER:** Hollenbeak L.K. Logging Company

**REPORT BY:** Skylar Fisher, Associate Planner

**LOCATION:** 8060 Highway 3, Hayfork (APN 017-460-011)

**ZONING DISTRICT:** General Commercial (C-2)

**GENERAL PLAN DESIGNATION:** Commercial

**PROJECT DESCRIPTION:**

A request to divide a 433-acre parcel into three resulting parcels of approximately 3.61 acres, 1.29 acres, and 0.86 acres for commercial use and a remainder parcel. The proposed parcels are located within the General Commercial zoned area of existing APN 017-460-011, as shown in Attachment F. The commercial strip is nearby Commercial, Agricultural, Residential, and Public Facility districts.

Location	Land Use	Zoning District	General Plan Designation
North	BLM	Agricultural	Agricultural
South	Single Family Residential, Vacant	Rural Residential	Rural Residential
East	Industrial, Commercial, Single Family Residential, Vacant	Heavy Industrial/ Manufacturing, Highway Commercial, and Rural Residential	Industrial, Commercial, Rural Residential
West	Government, Single Family Residential, Vacant, Municipal Services	Single Family Residential, Retail Commercial, Public Facility	Single Family-Medium Density, Commercial, Public Facility

Table 1: Surrounding Land Uses to Project Site

**SITE INFORMATION:**

As shown in Attachment B, APN 017-460-011 consists of multiple legal properties. The portion of APN 017-460-011 evaluated in the project is described in Attachment J, Conditional Certificate of Compliance (Doc #200400573). While APN 017-460-011 is assessed at 433 acres, the project property is roughly 153 acres.

The project site is developed and includes Frontier Village, which consists of multiple businesses, including but not limited to: Hayfork Discount Grocery, Ropin Rhonda’s Saloon, and Green Valley Garden & Tool Supply Garden Center. Beyond the commercial development, the parcel is largely undeveloped. Existing access to the project site is from State Highway 3 and Forest Avenue. The three proposed parcels are primarily surrounded by agricultural fields. The exception is on the western side of Frontier Village where there are residences, commercial development, and municipal services.

Portions of Hayfork Creek and Big Creek run through the center and northeastern corner of APN 017-460-011. Additionally, there is a 100-Year Flood Hazard Overlay Zone or 100-Year Flood Zone over Big Creek and the southern property line, as shown in Attachment E.

There are several different soil types across APN 017-460-011, ranging from Crefork-Musserhill Complex in the northern central portion of the parcel to Carrcreek Gravelly Loam in the southern portion of the parcel. Frontier Village has Haysum Gravelly Loam with 0 to 2 percent slopes.

**PROJECT DISCUSSION:**

***Agency Referrals***

<b>Referral Agency</b>	<b>Comment</b>	<b>Response</b>
<b>County Assessor’s Office</b>	No comment	None required
<b>County Dept. of Transportation</b>	Comments regarding utilities, roads, and airports	Comments incorporated into proposed conditions
<b>County Building Dept.</b>	No comment	None required
<b>County Environmental Health</b>	No comment received	None required
<b>County Surveyor</b>	The tentative parcel map application is consistent with the County Subdivision Ordinance – Additional information to be	Comments incorporated into proposed conditions

	shown on the Parcel Map prior to recording	
<b>CAL FIRE</b>	No comment received	None required
<b>Bureau of Land Management</b>	Cannabis cultivation permit applicants should survey their parcels if they are adjacent to BLM	Comment noted
<b>Hayfork Fire District</b>	No comment received	None required
<b>Trinity County Waterworks District #1</b>	No comment	None required
<b>Trinity County Public Utilities District</b>	Comment on a transformer and pole location	Comment noted
<b>Caltrans</b>	Encroachment permits should be applied for by the current adjacent property owners.	Comment incorporated into proposed conditions
<b>Forest Service</b>	No comment received	None required

Table 2 – Agencies and Departments Consulted

**Trinity County Zoning Code**

The project proposes no new development. Even so, the proposed parcels would not cause the existing structures to not conform to the General Commercial development standards.

<b>Standard</b>	<b>Requirement</b>
<b>Maximum Lot Coverage</b>	No maximum
<b>Maximum Allowable Height</b>	Twenty-five feet
<b>Minimum Front Yard</b>	Ten feet
<b>Minimum Interior Side Yard</b>	Five feet, unless the side yard abuts a commercial or industrial zoned parcel in which case there are no setback requirements
<b>Minimum Exterior Side Yard</b>	Ten feet
<b>Minimum Rear Yard</b>	Five feet, unless the rear yard abuts a commercial or industrial zoned parcel in which case there are no setback requirements

Table 2: District Development Standards

The project parcel is split zoned as Rural Residential with a 5 acre minimum, Agricultural with a 40 acre minimum, Mining, and Heavy Industrial and Manufacturing. The proposed

subdivision would not cause any zoning district on the parcel to not conform with development standards.

Given the proximity to the airport, conditions are proposed to be included so the project is consistent with the Airport Land Use Compatibility Plan (ALUCP), as shown in Attachment A. The parcel has a plan review overlay as a portion of the parcel is located within Zone D (Primary Traffic Pattern) and Zone B2 (Extended Approach/Departure Area and Turning Area) of the Hayfork Airport, the plan review is shown in Attachment I and J.

### ***Trinity County Subdivision Code***

Chapter 16.12 of the Subdivision Ordinance contains the requirements for tentative parcel maps. The tentative parcel map prepared for this Minor Subdivision project has been reviewed by county staff. The current draft of the map, dated September 2022, has been determined to be consistent with Title 16 (Subdivision) of the County Code of Ordinance and the Subdivision Map Act. As shown on the tentative parcel map, a portion of existing APN 017-460-011 is going to be split into three parcels and a remainder.

### ***Trinity County General Plan***

As noted above, the project site has a General Plan designation of Commercial. The intent of the Commercial designation is described in the General Plan Land Use Element, which states the following:

“Commercial areas are designated within general communities and are intended to indicate the desirable location of various commercial developments. Commercial developments may include community business district, highway commercial, and recreation commercial.

Commercial developments are intended to utilize available community services. Lot sizes may range from 10,000 square feet to five acres.

Community Business District is a high-intensity, pedestrian-oriented business area involving retail sales, business and professional offices, etc. It should form the vital center for the community. Adequate parking should be made available for the ease of use by customers, but a shortage of parking should not preclude development.

"Highway Commercial" is intended for highway-frontage, tourist-oriented business development and for more general commercial uses, such as wholesale storage, lumber yard, bulk plants, etc., which require more space than is available in Central Business District (CBD), or which would be expected; therefore, safe highway access and progress should be incorporated. Adequate off-road parking is also essential in this area.

Similar to the project parcel being split zoned, the parcel has split General Plan Designations. These include, in addition to Commercial, Rural Residential, Agricultural, Resource, and Industrial. The proposed project is consistent with the General Plan.

***Hayfork Community Plan***

The Hayfork Community Plan was adopted on November 19, 1996 and establishes the framework and guidelines for private and public projects within the Plan Area. The project site is located within the Plan Area in an area of Hayfork which is primarily developed for commercial and residential development. The proposed minor subdivision does not propose to change the existing use. The proposed project is consistent with the Hayfork Community Plan.

***California Environmental Quality Act (CEQA)***

The purpose of the tentative parcel map is to separate the existing uses, with no new or altered uses proposed. The remainder would remain consistent with the general plan and zoning. Staff recommends that the Planning Commission determine that the proposed project is categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed TPM would have a significant effect on the environment, and therefore not subject to CEQA.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission:

1. Approve P-22-21 subject to the findings included in Planning Commission Resolution 2023-02

**ATTACHMENTS:**

- A. Draft Planning Commission Resolution 2023-02 (PC Res No. 23-02) and Exhibit A - Conditions of Approval
- B. Tentative Parcel Map
- C. Location Map
- D. Aerial Map
- E. Floodplain Map
- F. Zoning Districts Map
- G. General Plan Designations Map
- H. Hayfork Community Zoning Map
- I. Airport Zones Map
- J. Certificate of Compliance

**RESOLUTION NO. PC-2023-02**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF TRINITY  
APPROVING A TENTATIVE PARCEL MAP APPLICATION  
(L.K. Hollenbeak Company Inc., Tentative Parcel Map (P-22-21))**

**WHEREAS**, the Trinity County Planning Department has considered a request for approval of a three-parcel and one-remainder-parcel Tentative Map filed by L.K. Hollenbeak Company Inc. in accordance with Title 16, Trinity County Subdivision Ordinance, Title 17, Trinity County Zoning Ordinance;

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

**WHEREAS**, approved Tentative Subdivision Maps must be recorded within two years of issuance; and

**WHEREAS**, the Planning Commission held a public hearing and considered this matter at the regular meeting held on February 23, 2023.

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

1. Makes the following Environmental Findings:
  - A. Finds the requested commercial cannabis variance to be exempt from the requirements of the California Environmental Quality Act under exemption 15061(b)(3) on the basis that there are no substantial changes to the project or to circumstances under which the project is proposed to be undertaken, and no new information has become available or been made known showing unanalyzed environmental effects; and
2. Makes the following map findings:
  - A. The Tentative Parcel Map, as conditioned, is in substantial conformance with the Trinity County General Plan, Title 16 (Subdivision) of the Trinity County Code of Ordinances and the Subdivision Map Act.
  - B. In accordance with Section 16.12.150 Conditions of Approval, of Title 16 (Subdivision) of the Trinity County Code Ordinances and Government Code Section 66474, the Tentative Parcel Map is complete and complies with the subdivision improvement standards.
3. Makes the following findings with Government Code Section 66474.02:
  - A. The design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with applicable regulations adopted by the State

Resolution No. PC-2023-02  
February 23, 2023

Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code;

B. Structural Fire protection and suppression services will be available for the lots created by this Parcel Map from the Weaverville Fire Protection District.

4. Approves Tentative Parcel Map P-22-21, subject to the Conditions of Approval set forth in "Exhibit A" to this resolution and incorporated herein.

**DULY PASSED AND ADOPTED** this 23<sup>rd</sup> day of February, 2023 by the Planning Commission of the County of Trinity by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
RECUSE:

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UNDETERMINED, CHAIRMAN  
Planning Commission  
County of Trinity  
State of California

ATTEST:

By: \_\_\_\_\_  
EDWARD PRESTLEY  
Secretary of the Planning Commission  
County of Trinity, State of California

**EXHIBIT A to Resolution No. PC-2023-02  
TENTATIVE PARCEL MAP  
CONDITIONS OF APPROVAL  
(L. K. Hollenbeak Company Inc., P-22-21)**

The following conditions of tentative parcel map P-22-21 shall be satisfied prior to the filing of the parcel map, unless a post-subdivision modification request is filed with the Trinity County Planning Department:

**General:**

1. A copy of the monument and Right of Way maps for TI#6 8 OR 465 Highway 3, a portion of Highway 3, is needed prior to final parcel map.
2. Location of the telephone easement, TI#8 16 OR 235 Telephone easement, shall be appropriately designated on the final parcel map.
3. A full and complete copy of TI#9 158 OR 838 TCWWD#1 shall be submitted to the Trinity County Planning Department for County Surveyor review prior to the recordation of the final parcel map.
4. A complete copy of the termination document for TI#12 1998-03501 TCWWD#1 and any associated documents shall be submitted prior to the recordation of the final parcel map.
5. All public easements within the development shall be dedicated on the parcel map or by separate instrument. Dedication by separate instrument must occur prior to, or concurrent with, the parcel map, and be noted on the parcel map.
6. An updated title report shall be submitted to the Planning Department within 30-days of the intended recording date of the final parcel map.
7. A certificate of compliance shall be required prior to obtaining a permit for the development of the designated remainder parcel.
8. Caltrans encroachment permits are required for the highway connection prior to the recordation of the final parcel map.
9. Will serve letters provided by Trinity County Waterworks District #1 shall be submitted prior to the recordation of the final parcel map.



**Utilities:**

10. All utilities outside of roadway easements on subject properties shall be in minimum 10-foot-wide easements centered on the utility that serves the subject and adjoining parcels.
11. Private access and utility easements will be needed to serve the parcels and a public utility easement will be required to cover powerlines

**Roads:**

12. The existing encroachment onto Forest Ave, County Road No. HF10 shall be removed, including the culvert pipe where it crosses the drainage, or the encroachment shall conform to Department of Transportation standards for a commercial encroachment. An encroachment permit must be obtained for removal or improvement of the existing encroachment.
13. A public road and utility easement must be offered for dedication, lying 30 feet each side of the existing centerline along Forest Ave, Co. Rd. No. HF10, where said dedication lies within the subject property, including along the remainder. Based on the tentative map, it appears that approximately 30' of the 60' width lies within the subject property, but actual width of the dedication may vary, subject to the physical location of the street relative to the property line. This condition is in accordance with the requirements of the Roadway Category No. 5 design standard, which requires a minimum 60-foot width right of way.
14. A hydrology study showing the ability to convey 100-year storm flows in all culverts and drainage ways related to the required encroachment shall be approved by the Director of Transportation. All culverts shall be 18" diameter or larger unless an alternative size is approved by the Director of Transportation. Ditches shall be designed and constructed to prevent 100-year flows from encroaching more than 2 feet into the travel way.
15. All improvements required for this development and as described in these conditions of approval shall be shown on construction drawings (the final improvement plans) to be submitted to the Trinity County Department of Transportation for review and approval. Approval of the construction drawings is required prior to Parcel Map Acceptance.

16. Prior to construction of improvements, the construction drawings shall be stamped by an engineer and approved by the County Engineer or his designated representative.
17. Inspection of any improvements will be performed by Trinity County Department of Transportation staff or a County selected inspection firm in accordance with County Code section 16.48.090. The developer will coordinate inspections with the Department of Transportation prior to start of construction.
18. The developer will be responsible for all County Department of Transportation actual costs on an hourly basis associated with the subdivision improvements and conditions of approval, including review of construction improvement plans, preparing Development Agreements, performing improvement inspections, reviewing required easements and all other related costs.
19. The applicant and/or subsequent grantees shall create to the satisfaction of the Trinity County Department of Transportation a shared use easement for the driveway connections onto Highway 3. The shared use easement shall provide for usage of adjacent access locations in the event of vehicle breakdown or other emergency situation which may block one of the access locations and to provide for safe alternative access during emergency events.
20. It is understood that the improvements will be completed prior to recording of map. Should the developer wish to do otherwise, a Subdivision Improvement Agreement shall be required.
21. If the driveway accessing Forest Ave, County Road No. HF10 is removed and removal is confirmed by the Department of Transportation, Conditions 12, 14, 15, 16, and 17 shall not apply.

#### Airports

22. The project site is located within Zone D for the Hayfork Airport. The Trinity County Airport Land Use Compatibility Plan (ALUCP) requires the following with regard to this development, which should be listed in the Notice of Environmental Constraint to be recorded concurrently with the Parcel Map:
  - a. Deed notice is required. Per section 8.6.3 of the ALUCP, "a deed notice shall be recorded for each parcel associated with any discretionary land use action affecting property within compatibility zones as specified in Table 2-3 'Primary Compatibility Criteria' per Policy 10.2, "Recorded Deed Notices." The "Deed

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Notice" shall be included in the Notice of Environmental Constraints, and shall be prepared as shown in Exhibit F of the Trinity County ALUCP.

- b. Airspace review required for objects over 70 feet tall.
- c. Children's schools, hospitals, nursing homes discouraged.



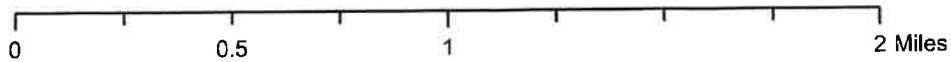
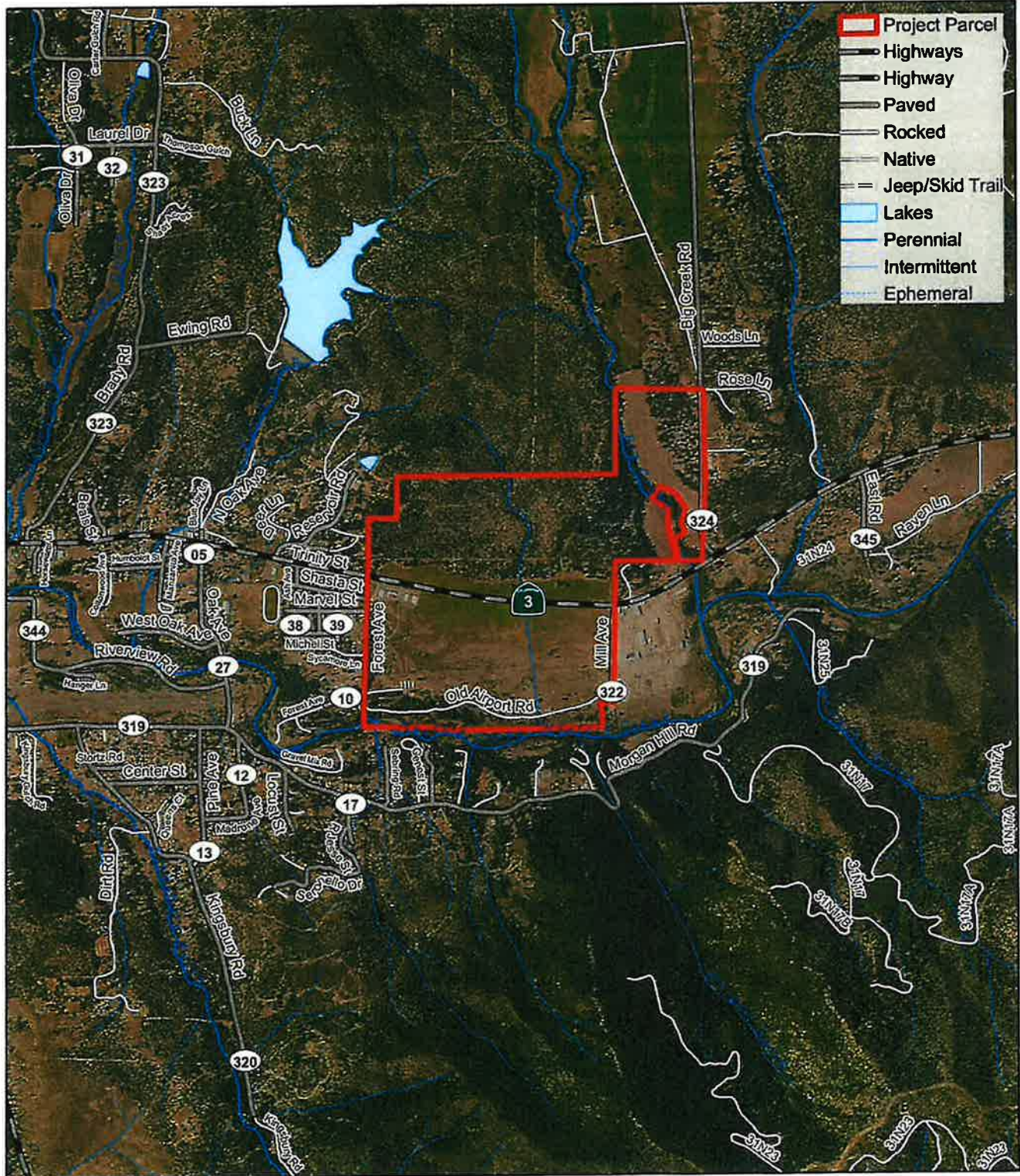


# Attachment C

## Location Map

Tentative Parcel Map Application (P-22-21)

SF  
Date: 2/17/2023





# Attachment D

## Aerial Map

Tentative Parcel Map Application (P-22-21)

SF  
Date: 2/17/2023



0 0.175 0.35 0.7 Miles

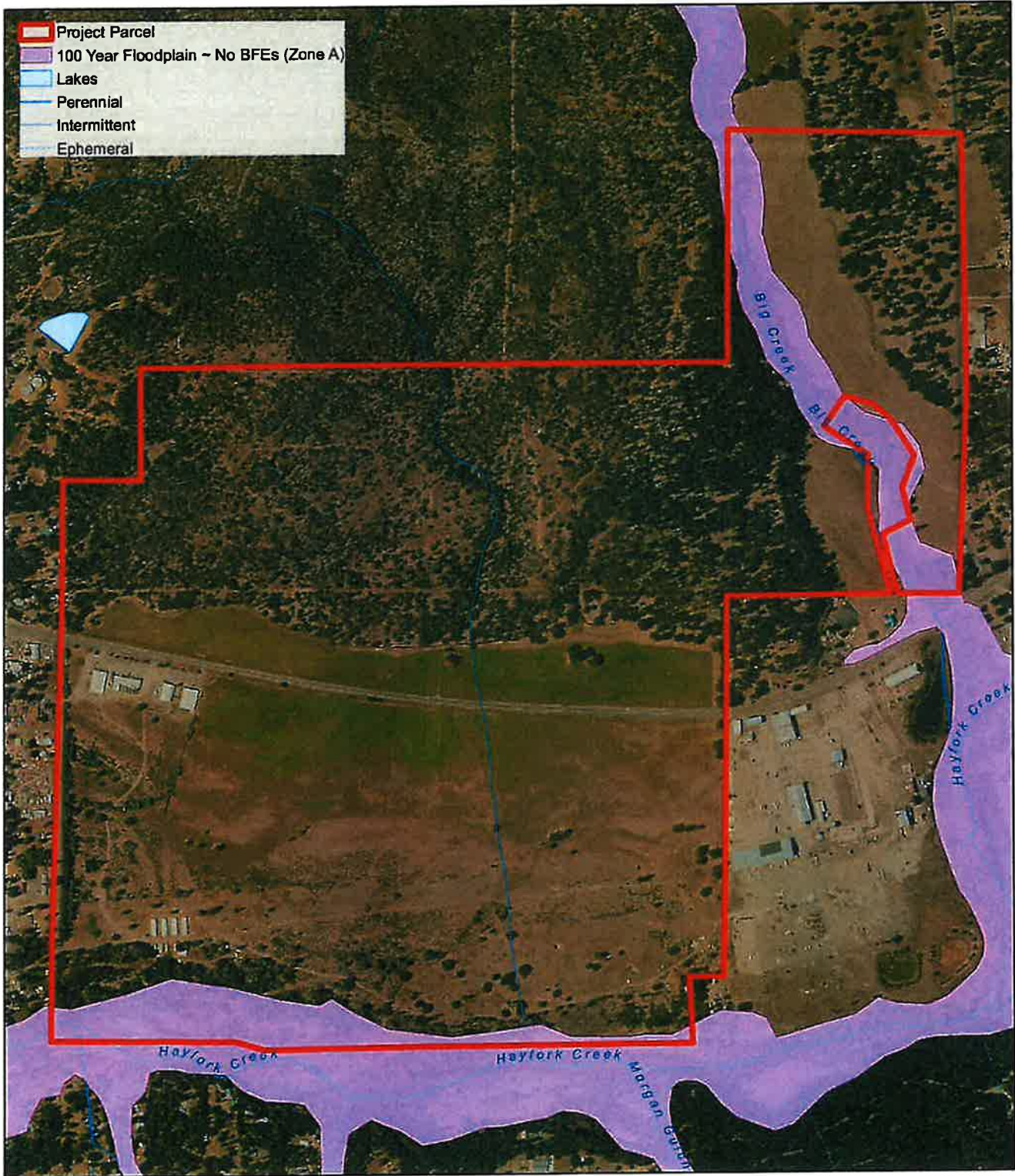




# Floodplain Map

Tentative Parcel Map Application (P-22-21)

SF  
Date: 2/17/2023



- Project Parcel
- 100 Year Floodplain - No BFEs (Zone A)
- Lakes
- Perennial
- Intermittent
- Ephemeral



0 0.175 0.35 0.7 Miles





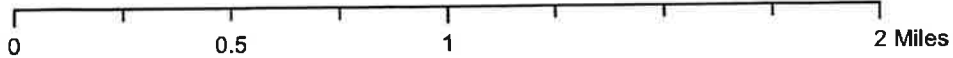
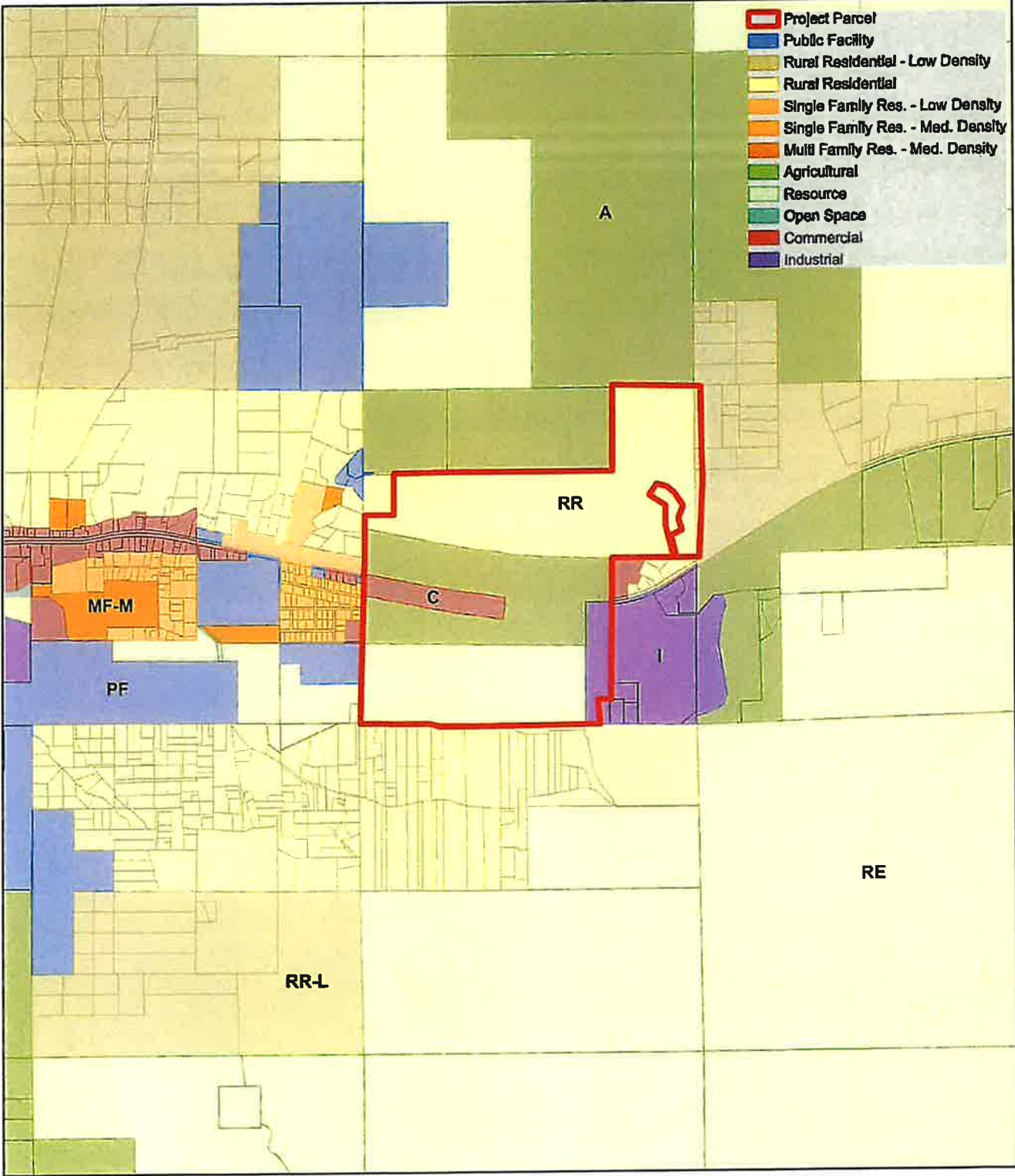




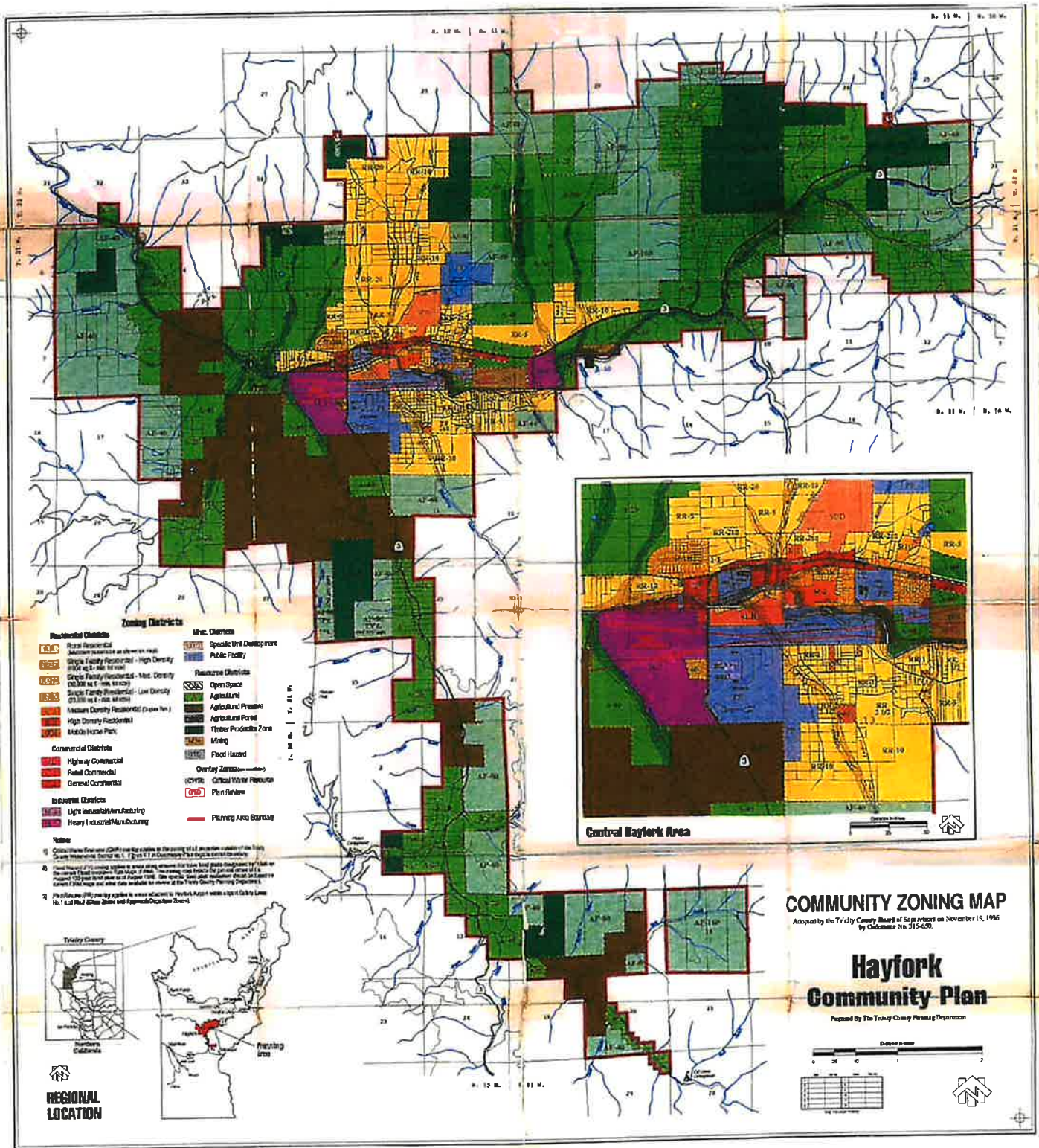
# General Plan Designations Map

Tentative Parcel Map Application (P-22-21)

SF  
Date: 2/17/2023



# Attachment H

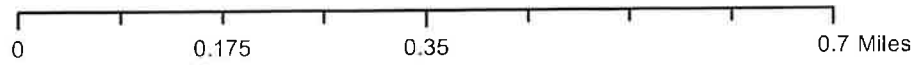
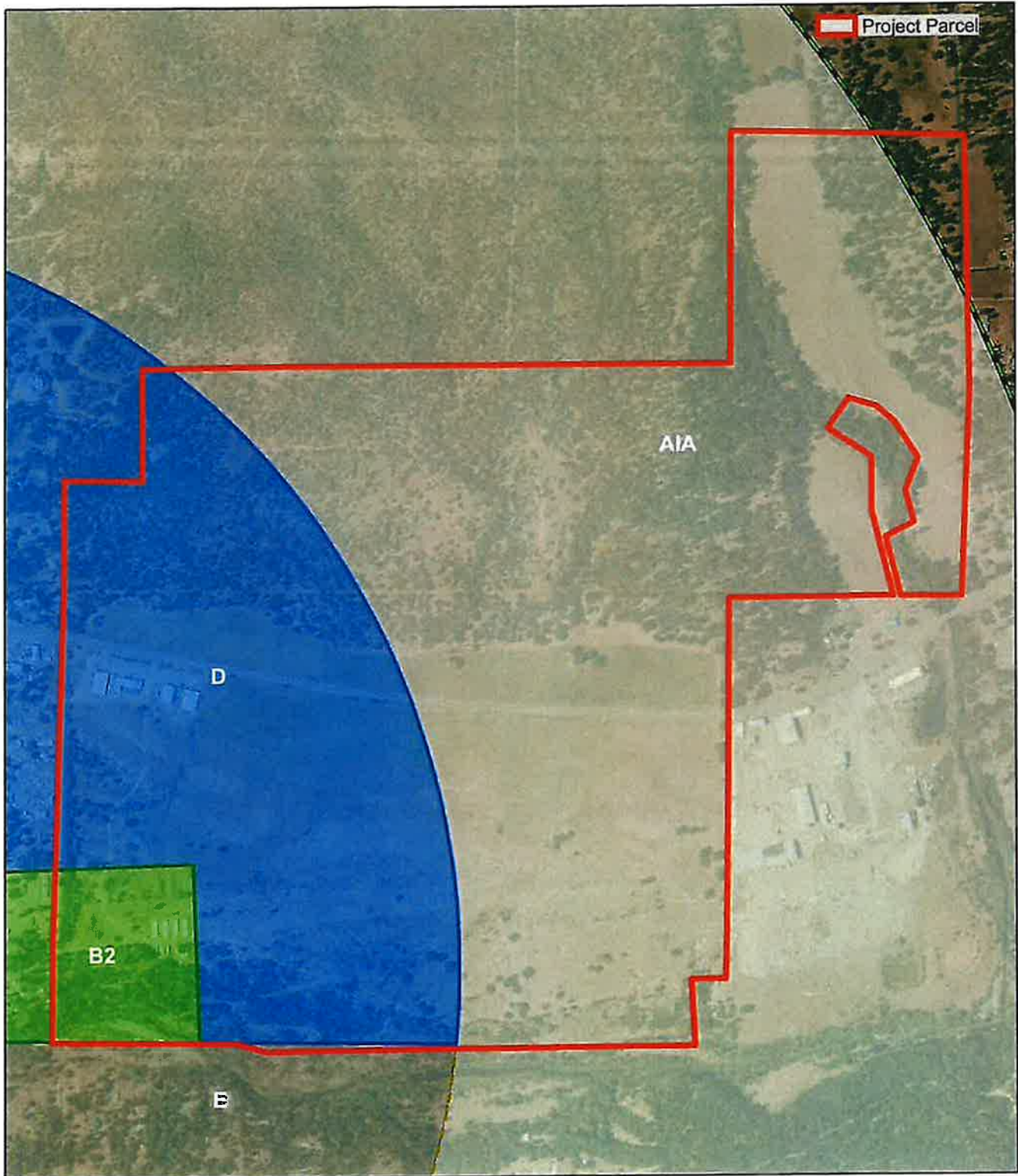




# Airport Zones Map

Tentative Parcel Map Application (P-22-21)

SF  
Date: 2/17/2023



When Recorded Return To:

Trinity County  
Planning Department  
Weaverville, CA 96093

Doc # 200400573  
Page 1 of 3  
Date: 02/11/2004 03:05P  
Filed by: TRINITY COUNTY PLANNING DEPT.  
Filed & Recorded in Official Records  
of TRINITY COUNTY, CA  
BERO B. FORSLUND  
COUNTY CLERK-RECORDER  
Fee: \$13.00

CONDITIONAL  
CERTIFICATE OF COMPLIANCE

This conditional certificate of compliance was initiated at the request of the owner of record, shown as follows:

L.K. HOLLENBEAK LOGGING, a Corporation

Pursuant to Section 66499.35 of the California Government Code, the Planning Director of the County of Trinity, State of California, records this "CONDITIONAL CERTIFICATE OF COMPLIANCE", having determined that the property described as follows:

LEGAL DESCRIPTION: (See attached Exhibit A)

APN: Portion of 17-460-11



Does not comply with applicable provisions of Division 2 (commencing with Section 66410) of Title 7 of the California Government Code and the local ordinances enacted thereto.

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.

The following conditions must be fulfilled and implemented prior to subsequent issuance of a permit or other grant of approval for development of the property, as specified in this conditional certificate of compliance.

1. Proof of water availability shall be demonstrated prior to issuance of a permit or other grant of approval for development of the property, subject to the approval of the Environmental Health Division of the Trinity County Building and Development Services Department.
2. Adequate sewage disposal capabilities for the property must be demonstrated. Soils investigation must be performed during the official "wet-weather" testing period. Before the issuance of a permit or other grant of approval for development, the test results shall be reviewed and approved.

the Environmental Health Division of the Trinity County Building and Development Services Department.

- 3. Access must be provided to all parcels per Section 66599.35 of the Subdivision Map Act. Said access must be provided at the time of sale or development of the parcels.

The Planning Director of Trinity County issued this "CONDITIONAL CERTIFICATE OF COMPLIANCE" on January 30 2004.

For further information, refer to file number P-03-37 on file at the Trinity County Planning Department.

Dated the 4th day of February, 2004.

Handwritten signature of John Alan Jelicich, Director of Planning, County of Trinity, State of California.

STATE OF CALIFORNIA )
COUNTY OF TRINITY ) ss

On February 4, 2004, before me, Wendy G. Tyler, in and for said County and State, personally appeared John Alan Jelicich, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or entity(ies) upon of which the person(s) acted, executed this instrument.

WITNESS my hand and official seal.

Handwritten signature of Wendy G. Tyler, NOTARY PUBLIC.



EXHIBIT A

That Real Property situated in the County of Trinity, State of California, located in Section 7, Township 31 North, Range 11 West, M.D.M., as recorded in the Office of the Recorder of Trinity County on September 28, 1909 in Book 4 of Patents, at Page 429.

