

**MINUTES**

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**1. CALL TO ORDER**

Chair McHugh called the meeting to order at 7:00 p.m. Members present: Diana Stewart, Graham Matthews and Mike McHugh. Members absent: Richard Hoard and Dan Frasier. Staff present: Director of Building & Planning Kim Hunter, Associate Planner Bella Hedtke and Administrative Coordinator Mary Beth Brinkley.

**2. PUBLIC COMMENT**

*Members of the public may address the Planning Commission concerning matters within their jurisdiction, which are not listed on the agenda and to request that a matter be agendaized for a future meeting. No action may be taken on these matters at this meeting.*

Comments received from Justin Hawkins, Tom Ballanco regarding problems with the Cannabis Program EIR and Class K Housing.

**3. MINUTES – June 13, 2019.**

By motion made, seconded (Stewart/Matthews) and carried unanimously, the Planning Commission continued approval of the Minutes of June 13, 2019 to next Planning Commission meeting, as Chair McHugh was absent for that meeting and would have to recuse himself and therefore would not have a quorum for the action.

**OLD BUSINESS – None.**

**NEW BUSINESS**

**4. VARIANCE FROM REQUIRED 350' COMMERCIAL CANNABIS SETBACK**

Request for “annual variance” from the required 350’ cannabis cultivation setback from neighboring residential dwelling (Trinity County Code 17.43.050.A.8), located at 370 Fir Meadow, Hayfork. APNs 019-320-06-00 and 019-340-39-00. Applicant: Alioto (Project No. CCV-2019-22)

Associate Planner Bella Hedtke presented the staff report. Staff is recommending approval.

Chair McHugh opened the matter for public comment.

Comments from Agent Deidre Brower, Tom Ballanco, Justin Hawkins and John Brower.

No further comments being received, Chair closed public comment period.

By motion made, seconded (Stewart/Matthews), and carried unanimously, the Planning Commission approved the Commercial Cannabis Variance Application CCV-2019-22 to allow the reduction of the cultivation site setback provision outlined in Trinity County Code 17.43.050.A.8 from 350 feet to 200 feet from the residential structure located on APN 019-340-38-00 and shall be subject to the Findings and Fact and Conditions of Approval as stated in the staff report.

5. **VARIANCE FROM REQUIRED 500' COMMERCIAL CANNABIS SETBACK**

Request for “annual variance” from the required 500’ cannabis cultivation setback provision as stated in Trinity County Code 17.43.050.A.8 to allow a Type 3 Commercial Cannabis cultivation site to be located closer than the required 500 foot setback from an adjacent property line. Located at 1651 FS Road 7N23, Salyer. APNs 008-020-02-00, 008-020-03-00 and 008-100-02-00. Applicant: Otte (Project No. CCV-2018-05)

Director Kim Hunter advised there were comments received on July 16<sup>th</sup> that warrant further analysis and evaluation before moving forward. She said staff is recommending the public hearing be held, since it was noticed for this date, and then continue the item to an undetermined date, at which time it will be renoticed for public hearing.

Chair McHugh opened the matter for public comment.

Comments received from Tom Ballanco.

No further comments being received, Chair closed public comment period.

On motion made and seconded (Matthews/Stewart) and carried unanimously, continues the Request for “annual variance” to a future undetermined date at which time it will be renoticed for public hearing.

6. **MATTERS FROM THE COMMISSION** – None.

Commissioner Matthews brought up the issue of when people speak during Public Comment who request something be agendaized before the Commission. He said there needs to be a spreadsheet or some type of mechanism of tracking these requests. He feels we should be responsive to our constituency.

7. **DIRECTOR’S REPORT**

Director Hunter said she had a few housekeeping items and an update.

Ms. Hunter advised you will start seeing a resolution for any action item that comes before the Commission, it may be a short resolution, but right now the Commissioners refer to the staff report for Findings and Conditions, and that will now be referencing the resolution. She said it’s for record keeping, that’s a way to keep track of actions taken and business, because staff reports come and go, but a resolution signed by the Chairman is a way to know that that was the action taken by the Commission.

Director Hunter said regarding Minutes, we will start doing summary Minutes, as the amount of staff time that it takes to do verbatim Minutes is excruciating and draining. She said if there’s a question on a conversation or discussion that takes place, we can refer to the video. Chair McHugh said he would like to see verbatim Minutes if there is no recording device available.

Hunter said the last item is an update on the Cannabis Program EIR. The meetings that were mentioned for August 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> will not be occurring. After reviewing the comments received and the amount of time it will take to respond to comments and to review them thoroughly, we are taking a step back and reassessing the calendar. She said a future meeting date will be forthcoming and staff is considering a workshop before the public hearing to get more feedback.

Chair McHugh said two comments tonight come to mind, one is the change in CEQA checklist at beginning of year, we should double check if that affects our EIR, and make sure we are using the current checklist; the other comment was the AB 97 impacts. So, we are in a wait state on any amendments to the ordinances because they allegedly affect the EIR work, so given the pressure that the two years is relaxed,

if we take advantage of that, we still are in a wait state on any amendments to the ordinances, and asked if that summarized it. Director Hunter responded it does, with the trailer bill, there's breathing room, but we want to keep the momentum going. Chair McHugh said he would like to see the EIR adopted before we weigh on the ordinances.

Director Hunter advised the August 8<sup>th</sup> meeting will most likely be cancelled.

Discussion regarding returning to one Planning Commission meeting a month and updating the Commission By Laws.

**8. ADJOURN**

The Chair adjourned the meeting at 7:36 p.m.