

**MINUTES**

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**1. CALL TO ORDER**

Chairman Frasier called the meeting to order at 7:00 p.m. Members present: Commissioner Brown, Commissioner Matthews, Commissioner Stewart, Commissioner McKnight, Commissioner Frasier. Staff present: Transportation, Building and Planning Director Richard Tippett and Clerk Naomi Merwin.

**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 agendized for a future meeting. No action may be taken on these matters at this meeting.

No one came forward.

**3. MINUTES**

Upon motion by Commissioner McKnight second by Commissioner Stewart with Commissioner Matthews abstaining, the Commission approved the minutes of June 11, 2015 with the following correction:

Pg. 4, strike blank space and abandonment, insert "summary vacation".

**OLD BUSINESS**

**4. PROPOSED REZONE AND USE PERMIT FOR AUTO IMPOUND YARD AND AUTO REPAIR FACILITY**

**P-15-07**

**Public Hearing:** Proposed rezone from Unclassified to Highway Commercial and Use Permit for Auto Impound Yard and Auto Report Facility. Located on the N side of State Highway 299 at the intersection of Clement Road (pvt.), aka 20 Clement Road, Big Bar.

APN: 012-060-03. Applicant: Crosswhite. *(Continued from June 11, 2015)*

Commissioner Stewart: I move that item number four be re-noticed and brought back to the commission when revised application has been received.

Commissioner Frasier: Do we actually need a vote?

*No motion needed. Item will be brought back before the commission once the new application has been processed and re-noticed.*

**NEW BUSINESS**

**5. USE PERMIT FOR SMALL SCALE BREWERY**

**P-15-10**

**Public Hearing:** Proposed Use Permit for a cottage industry to authorize the development of a small scale brewery, with no on-site consumption. Located on the N side of Brown's Ranch Road approximately ¼ mile east

of its intersection with Shasta Springs Road, Weaverville.  
APN: 024-420-08. Applicant: Davis.

Commissioner Frasier read out loud the project description.

Director Tippet: Code allows for home occupancy in Trinity County and the County has the desire to make it easy to have a business that doesn't draw a lot of people and doesn't create a lot of outside noise or impacts. To be able to have a business at your house is one of the key tenets of Trinity. This has already been around and it is utilized a lot in the minor cottage industry; occasionally we get things that don't fit into the minor part. In the current staff report on the third page under "other considerations" it has a list of major home occupancies that would trigger or require discretionary action or ministerial action, including: barber/beauty shop; commercial firewood operation; microbrewery, which is what this is; organized classes; photography; small practice or repairs, and things like that. Things of a very small nature, but bigger than having an office at your house, that will bring people to and from your home. There are things that are larger and do require discretionary action and that is what is happening in this case. There is a little higher activity that is making it a little larger which requires discretionary action. This project has additional activity, which put it into a higher notch and staff wanted to bring it before the commission and have the permit be acted upon.

The major items of home occupancy that are still required include the following: must be in rural residential; noise must be kept below 55 db; building cannot be greater than 10,000 sq. ft.; signs are allowed; and no more than three employees. Anything beyond that requires a special use permit.

In this case we considered that the neighborhood is surrounded by RR5. It does have a road and in about a month and a half we will have the lance gulch connector road, connecting to it, so the access will be more achievable. The house is back further in the yard, so that is ok. In addition, Frank's notes have that the general plan is consistent. From public health, safety and welfare, and environmental health aspect the biggest thing with breweries is the process they go through and the effects you have when getting rid of bare waste; you have to go through a process of getting it into the sewer system, you can't just dump it. Essentially the sewer plant operates on bugs that eat bad bugs and if you send too much in the sewer plant it goes crazy. In order to address this there is a condition that requires the applicant to coordinate with the sewer company to make sure that they have disposal set up.

We have made findings that the project is of sound principles of land use, it is not injurious to others in the surrounding area and the use permit complies with the general climate of where it is located.

Conditions that were set up include the following: Outdoor lighting must be limited to safety and security; prior to commencing operations wastewater systems shall be permitted and installed to satisfaction of environmental health, again that addresses the issue with the bare waste; applicant must have appropriate building permits; the brewery shall not be open to public onsite consumption, only for sale of beer offsite, I do believe the project states that there will be people coming on site to test the products, I'll have the owner speak to that; sign allowed is one sq. ft., non-illuminated and made of wood; operation hours are from 9-5; proper permits needed for brewing activity; permit becomes effective after they take care of these items. There is also a condition allowing revocation of the use permit if conditions not met.

Staff felt that this use was consistent with what we've had before, but also felt that it fit within the major cottage industry category and therefore appropriate for the commission to make a recommendation for approval. I'll answer any questions.

Commissioner Frasier: Questions from staff?

Commissioner Stewart: Do you want them to go into the sewer system? I thought applicant requested a gray water system?

Director Tippet: You can do a gray water system, with approval from environmental health. Anything you do has to be approved either by environmental health or worked out with the sewer system people. You can't just

dump it and expect all of your systems bugs to act the way they are supposed to.

Commissioner Brown: Do we know if the access is a shared road?

Director Tippett: Browns is a shared road, but I believe there is a driveway, but I'm not 100% sure on that.

Brown: Ok. I was looking at some of their conditions for major home occupations that require a use permit and that is one of them.

Director Tippett: The way it is configured on the map I assume it would have just one access point to the road.

Commissioner Frasier: Open to public comment.

William Davis, applicant/owner: It is a gray water system, there is no sewer system in our area. Gray water and all the building permits are here with me. Everything was already permitted when we purchased the property, so we can address all those conditions. As for the road goes it is a private driveway, we are off of Browns Ranch Road. There won't be any consumption on site, so if there is a tasting it is just neighbors and friends coming over and giving recommendation on production. Small scale, only brewing 25 gals at a time, twice a week. Only will be for consumption at local establishments, hopefully serve a couple restaurants. Basically more a nano brewery status which is much smaller than a micro brewery. That is all, thank you.

Commissioner Frasier: Any other public comment?

Susan Marie: I need to add something. I'm the wife. We will be selling beer direct to consumers, like a keg/growler subscription program. Direct to consumers by subscription, we will be delivering to customers.

Commissioner Frasier: No other public comment?

Commissioner Matthews: I don't have any issues; it's right around corner from my house. The only thing would be limitation on guest brewing sessions. In other words a group of people coming over to taste. I've been a lot of places where something like this can easily take off and morph into something else. Might be worthwhile to limit to once per month or something like that. That would be a suggestion for an additional condition.

Commissioner Stewart: I think that would be a reasonable suggestion. I understand where you are coming from and how it could get out of hand.

Commissioner Mcknight: I'm fine with that.

Commissioner Frasier: I'm fine with it as proposed. Whatever motion you want to make.

Commissioner Matthews: I guess let's ask the applicant if that would be a reasonable condition.

William Davis: Actually, we have no proposed plans of having guest brews or people coming to make beers. That wouldn't be in our project line at all.

Commissioner Matthews: It is a sentence in the project description, "We have plans to invite Trinity County brewers over for occasional guest brewing sessions".

William Davis: Yes, that's my marketing wife's idea.

Commissioner Matthews: Do you want to strike that from the application?

William Davis: Yes, I would like to strike that, it's not in line with what we are doing. We're not a place to come and visit, it's not a place for tours. We're in a 24 X 24 building with a very small amount of equipment. All we're trying to do here is not interfere with our surroundings. We love where we live and we enjoy our peace and

quiet as well as our neighbors. Our plan is to generate a little revenue for us, the county, and of course state and federal government and everybody else that has a piece.

Just to let you know the ABC visited the property and we have obtained our agency permits from state as well as BOE, those have all been obtained. We are under a status pending with tax and trade bureau. Everything has already been inspected, they had the same stipulations as a small brewing company as to what we can and can't do. So we are kind of limited in that aspect anyways. So any time we would want to do something different, along with the state we would have to have a special use permit. Thank you.

Commissioner Frasier: Thank you.

Commissioner Matthews: Very well, that takes care of that one.

UPON MOTION of Commissioner Matthews, second by Commissioner Brown, and unanimously carried, the project was approved with project findings per staff recommendation.

6. **USE PERMIT AND VARIANCE TO SETBACKS FOR RETAIL STORE**

**P-15-14**

**Public Hearing:** Proposed Use Permit and Variance to setbacks for the development of a 9100 square foot retail store. Setback variance is from County Road right of way. Located at 7610 State Highway 3, Hayfork. APN 014-140-07. Applicant: Cross Development.

Commissioner Frasier: We have item number six.

Director Tippett: We actually have item number four and number six. For item number four we did not receive a revised application yet, but we expect it to come. Item number six we are still working on the CEQA documents.

Commissioner Frasier: Do we have to officially continue item four? It was noticed as a public hearing right? Do we need to do that for item number six also?

Director Tippett: I would actually recommend that you continue item six, item four we might bring it back when we actually get the application and re-notice it. If I recall correctly what is coming back is going to be significantly revised so we'll have to re-notice it anyways.

Commissioner Frasier: We will need a motion to continue item number six, yes.

Director Tippett: Yes.

Commissioner Brown: I move that we continue item number six.

From audience: Will you still have a public comment period now, if it's continued?

Commissioner Frasier: You will have a public opportunity to speak to that when we address it at our next meeting.

From audience: I'm sorry if this is out of order, but one of the main reasons we came tonight is to address the fact that it is being held here and request that you consider it be held in Hayfork because of the residents there and reasonable expectation to come over here. That's why I'm here representing some folks from Hayfork to ask that the meeting be held in Hayfork. I wanted to suggest it before you officially made a motion on it.

Commissioner Stewart: Personally I think it's an excellent idea. I know that there are very strong feelings on both sides.

Commissioner Frasier: I can open public hearing on item number six even though we are not hearing the item tonight. So please step up and state your name.

Kenney Wiley: I'm representing primarily Wiley's market. I am also the post commander at the VFW, and I'm a member of the rotary club in Hayfork. The reason for me pitching having the meeting in Hayfork is I feel that I have a good community feel on what's going on. I talked with a lot of people who do things in the community and I've talked with a lot of people about this proposal and the Dollar General coming to town that can be spoken to later. The number one thing was, people are really concerned, not only with the fires right now, but the fact that the project is in Hayfork, a lot of people have come to me to request that we hold the meeting in Hayfork so that people have a reasonable ability to come to a 7:00 pm meeting whether people work or concerned about their house burning down. So that's the request, public to hold meeting on this matter before public in hayfork. Thank you

Commissioner Frasier: Since public comment is still open on item number six, anyone else want to talk about this before we close public hearing. Ok, we'll close public comment.

Commissioner Stewart: I think it's an excellent idea and if it's at all possible to do I think we should do it. Hope that by September meeting when documents are ready that the fires will be under control. My only concern is where will we hold the meeting, usually it's at the fairgrounds, but that's fire camp, and it's probably not going to be gone before the end of September.

Director Tippet: There are a couple of places that we could strategize; it depends on how many people. Could use the library.

Commissioner Stewart: Is it large enough?

Kenny Wiley: It's at least as big as this room.

Director Tippet: If it is the will of the commission I suggest that you take no action on it, and you can provide direction on where to hold the next meeting.

Commissioner Frasier: My main concern is what if we have other matters heard, such as downriver towing? Then they have to go to Hayfork.

Commissioner Matthews: most controversial issues is this one so I would support having our next meeting in Hayfork. Even if we need a special meeting.

Commissioner Frasier: I don't think we'd need a special meeting. We've had regular scheduled meeting in Hayfork before.

Commissioner Mcknight: I don't mind doing it, but it does set a precedent.

Commissioner Frasier: When we did go to Hayfork before that was when we were talking safety element, general plan stuff. We could have people requesting that we go all over the place. My first thought is to continue to September meeting and continue on as normal.

Commissioner Stewart: Rick, as our fearless leader what are your thoughts?

Director Tippett: I'll leave this to the commission. Historically we have, with major issues, held meetings in other locations. Being that this is a retail business in the center of hayfork, I think it might be appropriate, and we could take the opportunity to move it over there. We are guided by your actions.

Commissioner Stewart: I know that the feelings in hayfork are very polarized on this issue there are strong feelings on both sides.

Commissioner Matthews – the number of applications we get like this are very small.

Commissioner Mcknight – I think it's great to go to the community that is affected, but we have to be prepared to treat all communities as equal and we may have to take the pony show on the road more often.

Commissioner Stewart: I move to hold September meeting in Hayfork at a facility to be determined.

UPON MOTION of Commissioner Stewart, second by Commissioner Matthews, and unanimously carried to hold the next regular Planning Commission meeting in Hayfork at a facility to be determined.

Commissioner Frasier: Now can someone make a motion to continue the item.

Director Tippett: Actually, it will need to be re-noticed because of the new location.

**10. MATTERS FROM THE COMMISSION**

Commissioner Brown: I wanted to publicly note the passing of mark groves who was a longtime planning commissioner who did a lot for this community.

**11. MATTERS FROM STAFF**

Director Tippett: Unfortunately after Frank retired we had Ruth go out on extended medical leave. So Naomi is helping to keep the bookkeeping part up, and we also have Leslie Hubbard helping with environmental documentation. We did go through the recruitment process, as a matter of fact, we did like someone and we are going through the vetting process right now. I hope to have a decision tomorrow on who we will hire and hopefully they accept the opportunity to come over here.

**12. ADJOURN**

The hearing was adjourned by the Chair at 7:31 p.m.