

December 22, 2022

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Trinity County Board of Supervisors  
Attention: Clerk of the Board  
P.O. Box 1613  
Weaverville, CA 96093

Main  
Topic

RE: Appeal of Planning Commission Action – P-22-19: Lot Line Adjustment  
Additional Information and Request to Proceed with Appeal

The above appeal along with required fee was submitted on December 5, 2022. This letter updates and provides additional information related to this appeal.

On multiple occasions subsequent to August 9, 2022, staff from the Trinity County Planning Department have violated provisions in County Code with regard to the above application and applicants. Failures to follow County Code and other regulations include, but are not limited to:

**County Code Section 17.30E – Application Processing Requirements**

Section 17.30E.020.C reads as follows:

*Within 30 days after the submittal of an application and payment of initial filing fees, the Planning Director shall determine if additional information is necessary and shall provide, or attempt to provide, written notice to the applicant of the requirement for such additional information or shall inform the applicant that the application is complete. Should the Planning Director not attempt to provide the applicant with notice of incompleteness or completeness of the application, then the application shall be deemed complete.*

This County Code section provides three, and only three, possible outcomes:

1. Application is found complete and applicant notified in 30 days or less.
2. Application is found incomplete and applicant notified in 30 days or less.
3. Application automatically deemed complete after 30 days.

The code also clearly specifies that the required contact be between the Planning Director and the applicant. County staff has acknowledged, in writing, that a mistake was made in regard to the provisions in this section, to wit, “the surveyor who prepared your LLA Exhibit was notified, but was not an authorized agent”. To be more precise, work and payment had been completed and the surveyor was no longer under contract with us. Furthermore, the surveyor was never an authorized agent for us – the applicants.

The "Request for Comments" form distributed by Planning on September 21, 2022 specifically noted that all comments were due to Skylar Fisher by October 5<sup>th</sup>. The form listed Skylar Fisher as the staff contact and that requests for information regarding the project were to be directed to her. The form listed the surveyor we had previously employed was our "Agent/Consultant" despite the fact that this was not true and Planning staff knew it.

Instead of responding by October 5<sup>th</sup> to Skylar Fisher as required, the County Surveyor sent three e-mail on October 6<sup>th</sup> (day 29 of 30) to the surveyor we had previously used. No attempt was made by anyone in the Planning Department to contact myself, the applicant, as County Code requires. We only discovered what had happened when we contacted the Planning Department on day 36 to inquire as to scheduling the site visit since we knew by County Code that our application was complete. Despite an exchange of e-mail on October 13, 2022 and subsequent letter to Ed Prestley on October 21, 2022, describing in detail the requirements in County Code which require staff to treat our application as complete, staff refused to do so. They could have accepted my invitation to meet and discuss what is required, but chose not to. They could have pulled the item from the November 17 meeting, but chose not to.

Staff compounded this error by forwarding the matter to the Planning Commission at its November 17, 2022 meeting with the following: "Staff recommends that the Planning Commission find application P-22-19 incomplete". Prior to the meeting, we contacted Planning staff, noting that there is no provision in County Code allowing the Commission to engage in the determination of complete. It is staff's job to know County Code and advise the Planning Commission how to comply – not to request that they violate it.

The determination of an application being complete is a technical determination assigned by the Board of Supervisors (Board) to staff with the professional training and experience to evaluate applicable County and State regulations as well as application requirements. The Board did not task the Planning Commission with this role, since it would be asking them to make a technical determination without the information or training to do so. In adopting the County Code, the Board of Supervisors wisely left the determination of "complete" solely at the staff level where it logically belongs.

I attempted to explain all of this to the Planning Commission on November 17 but was not allowed sufficient time to do so. I was able to note this section of County Code and how it applied just as I was forced to stop. To her credit, Commissioner Carol Fall acknowledged that staff had not done what they needed to do in the time within which it was required to be done. The Planning Commission agreed that our application was indeed complete, which would have been an acceptable stopping point to us. Our appeal is because they then went on and stated we must provide the information staff wants, despite no authority in County Code allowing them to do so. This is no different than being told "you are right, but do what they ask anyway." If I had been allowed to finish my comments, I had a number of options for the Commission to consider that are allowed by County Code. Acting and placing conditions on complete is not among them.

Despite having pointed out provisions in County Code to support our position and repeated requests of staff to provide the source of authority they believe supports theirs, staff has never done so. Staff continues to act as if the “mistake” is no big deal, when in fact the determination of a complete application is one of the most significant events in the processing of a project. We believe the impact of staff’s continued refusal to follow County Code along with their interaction with us based on this, has hopelessly biased staff and the Planning Commission against us and our project. How can we expect fair treatment when our time with staff and the Planning Commission has been spent explaining rules and how they apply, rather than being able to speak to the merits of our project?

### **County Code Section 17.34 – Hearings and Appeals**

Section 17.34.050 reads as follows:

#### ***Notice of Hearings.***

*Where a public hearing is required by this title, the notice of the hearing shall be as follows:*

*A - The planning Director shall cause notice of the hearing to be posted in the nearest post office to the subject property, at least ten days prior to the date of the hearing.*

*B - Written notice of the hearing shall be caused to be mailed by the planning director at least ten days prior to the hearing to the following property owners, using for notification purposes names and mailing addresses as shown on the latest equalized assessment roll in existence of the date application is filed.*

- 1. All owners of property located within a radius of three hundred feet from the property involved in the proceedings.*
- 2. The owners of all property, which adjoins the property in the same ownership as that involved in the proceedings or is separated only by a street, alley, right-of-way, or other easement.*
- 3. Notwithstanding subsections 1 and 2 above, notice need not be given to property owners outside a radius of five hundred feet from that portion of the property involved.*

*C - The planning director shall cause notice of the hearing to be given in a newspaper of general circulation at least ten days prior to the date of the hearing.*

Based on requirements in the Subdivision Map Act and the ongoing difficulties in our efforts to work with County staff, we have repeatedly stated our position that final action on our project must be taken by December 19, 2022, which required the project to be scheduled for the December 8, 2022 Planning Commission meeting. Contact was on multiple dates, including October 21, November 18 and November 25. We also lost a

week when the November 10 Planning Commission meeting was moved to November 17. Despite our repeated requests, staff did not include our project on the December 8, 2022 Planning Commission agenda. Staff in Planning was largely unavailable during the lead up to the meeting due to holiday, vacation and illness. When we finally received an e-mail from Skylar Fisher on November 28, 2022, she noted “we won’t have time for the proper noticing for that date”.

I promptly responded to Skylar’s e-mail the same day and included the above section of County Code regarding notice requirements for all meetings. I pointed out that there are three mandatory types of notice required by this section of code, those being:

1. Post Office in closest proximity to each project at least ten days prior.
2. Land owners within 300 feet of the project.
3. Newspaper at least ten days prior.

I pointed out that the mandatory requirement to place notices in the Post Offices nearest each project was not done for any of the five projects included on the agenda. I asked Ms. Fisher why those projects were being allowed to move forward when they had also not been noticed properly for the December 8 meeting. I never received a reply.

Although I think it is a stretch, I informed Ms. Fisher that County Code Section 17.34.040 – Notice Contents, could be used to allow the projects to still be heard. I pointed out that if this section was cited to justify moving forward despite improper notice, that our project would be just as eligible as the others to be heard. Again, there was no reply.

The December 8 meeting was held, with the five incorrectly noticed projects being heard while ours was not. I spoke to the Planning Commission during Public Comment at the beginning of the meeting, expressing frustration and that this was the second time County Code had been violated in regard to our project. Why staff chose to treat us differently under the same section of County Code than others isn’t clear. We suspect, however, that staff has developed a strong bias against us because we have chosen to stand up for ourselves rather than just meekly accept mistreatment.

In a December 15 e-mail, Skylar Fisher thanked me for pointing out the above regarding noticing requirements and indicated the concern is being addressed. This is great news for others going forward, but unfortunately it does not fix things for us. Staff has again chosen to treat their error like it is just some minor issue when in fact their disparate treatment of us compared to other applicants robbed us of another month of time and chance for action (in reality, we have been blocked from being on any Planning Commission agenda subsequent to November 17).

### **Summary:**

The above are major, but certainly not the only, ways County staff has failed to follow applicable codes and direction from the Board of Supervisors. Despite how we have been

treated, we have not stopped trying to reach agreement with staff. Our efforts have been *greatly hindered by limited staff, limited experience and lack of required structure*. Here are the levels of staff and advisory bodies we should have had to allow us to work through matters:

- Associate Planner (one person - Skylar Fisher)
- Senior Planner (vacant)
- Deputy Planning Director (no authority to make planning decisions)
- Planning Director (vacant)
- County Administrative Officer (not available due to other Board priorities)
- Subdivision Review Committee (not currently in use)
- Planning Commission (precluded from action on our project by staff)

As can be seen, we have been deprived of multiple avenues to work through project details. Ed Prestley's repeated response when we have pointed out concerns and requested assistance has been "work with staff" and "work with staff and meet the conditions to move forward." Staff consists entirely of Skylar Fisher who has far too much work to do, not enough experience and no leader to help her. If the Subdivision Review Committee was being utilized, all involved offices would have had the opportunity to meet and work together to review our application and explore issues. I have and will continue to point out how the lack of qualified and available leadership has hurt us and many others in Trinity County. We are out another 500 dollars because we must bring a matter to the Board that absolutely should have been resolved at levels far lower.

The Board may question why we have not tried to utilize other options to address staff actions, such as filing an appeal of the Planning Directors decision (County Code 17.34.110.A.). We do not see this as a viable option due to both the vague nature of the Planning Director's (Interim Deputy's) actions as well as the limited scope of authority provided to the Interim Deputy by the Board. For the former, the Interim Director consistently directs us to work with staff, we attempt to engage staff regarding applicable requirements, staff does not address the issues we raise and the matter circles back to the Interim Deputy – it is a continuing cycle with no actions. For the later, the Board of Supervisor's was clear in its appointment of the current Interim Director that he has no authority to make planning decisions. Who is actually authorized to make, and is actually making, planning decisions is not clear. The only path we see as available and viable based on what County Code requires, and that will allow us to address all of the problems we face, is appeal to the Board of Supervisors (County Code 17.34.110.C.)

I spent twenty-seven years as a professional planner, eighteen of those as a supervisor. The first six of those years were with the Trinity County Planning Department working with the very same regulations discussed here. That doesn't make me special. It doesn't make me perfect. What it does is give me a great deal of understanding about how planning works. How the regulations in this county work. Yes, I do become very frustrated when I point out how the regulations work and what is required and am ignored. I have never asked for a rule to be ignored or broken. I simply ask that the rules be followed – by everyone.

**Requested Action:**

From the preceding, we hope that the Board recognizes why we believe there is no realistic chance to be treated fairly by Planning staff, and as a result of staff's actions, by the Planning Commission as well. We are seeking to have the Board directly act on our project consistent with our requests of December 11, 2022 and November 25, 2022 to Ed Prestley (transmittal e-mail, letters and proposed findings/conditions attached). The November 25 letter and materials are what we had requested be provided to the Planning Commission at its December 8 meeting. In this letter, we outlined three options for action (full project, revised project, denial). We had hoped staff would work with us to revise/accomplish items on the proposed findings of fact and conditions of approval for each option in the period between the letter and meeting (obviously this did not happen). While we anticipated that the Planning Commission on the 8<sup>th</sup> would likely continue the item rather than act, we believe they would provide comments or direction to staff which would have allowed for progress on our project.

Given that we were excluded from the December 8 meeting, the attached e-mail of December 11 with cover letter (mistakenly dated December 12) along with the November 25 materials, served as our official request to have our project heard and acted on at the January 12, 2023 Planning Commission meeting. Staff subsequently refused our request.

Staff remains fixated on the November 17 comments made by the Planning Commission while refusing to address our objections. Staff insists that the two items the Commission noted must be provided in order for our application to be complete. Ms. Fisher's opinion of what happened, as stated in an e-mail on December 15: "The Planning Commission passed a motion stating that the project would be marked complete with confirmation of legal access and vesting deeds". While a review of the meeting video/audio shows this is not exactly what happened, it is sufficient for purposes here.

The actual items raised by various County offices in association with the September 21, 2022 "Request for Comment" form are as follows:

- Proof of legal creation for the Boeger parcel (County Surveyor).
- Proof of legal access to the Boeger parcel (County Surveyor).
- Vesting Deeds for all three parcels (County Surveyor).
- Request for site visit to verify adequate space for septic on parcel reduced in size (Environmental Health).

While none of these are actually included within the determination of complete due to the "mistake" staff made and as discussed earlier, we are willing to voluntarily address them via our revised project alternative. The above points, not the flawed Planning Commission item, are what County staff from other Departments had asked for. We cannot understand why Planning staff remains adamant about adhering to what occurred on November 17, when we are willing to address the actual issues of import to other County offices. One would think that Planning staff would want to clean up a mistake rather than adhere to it.

Our revised option addresses the items noted above as follows: the first two, which only apply to the Boeger parcel, are eliminated by dropping that parcel from our lot line adjustment. We will work with the trustee of the Boeger estate should she choose to pursue the matter involving the estate parcel separately in the future. The vesting deeds for the two remaining parcels that we own will be provided to the Planning Department at the same time as the plot plan and legal description for the revised option. The fourth item we included as a condition of approval, which is allowed under Government Code Section 66412(d) and County Code 16.32.010 since it involves compliance with Building Codes.

**The attached resolution is the action we are requesting the Board to take.** As noted in our December 11, 2022 e-mail to Ed Prestley, we will be providing the two vesting deeds as well as the plot plan and legal description for the revised project option soon (we had anticipated this week, but the surveyor is in Bayside and was affected by the recent earthquake). While Planning staff should provide you with all necessary items we have submitted, please do not hesitate to ask for any materials you may need from us. We have documentation to support all points made in this letter of appeal. The action we are requesting the Board to take complies with all applicable local and State regulations and requirements, which is what we have requested and committed to do since our first meeting with the County over nine months ago.

Thank you for your attention to this important matter. While the Board most certainly has a myriad of other items it may consider more important, this matter has dominated our time, effort and finances for the past two years. We look forward to your action so we can finally be done and move on.

Sincerely,

A handwritten signature in blue ink that reads "Scott & Sheri White". The signature is fluid and cursive, with the first names being more prominent.

Scott & Sheri White

530-778-3833

[doublesw1998@gmail.com](mailto:doublesw1998@gmail.com)

Enclosures

**Lot Line Adjustment: P-22-19 (Option 2)**  
**Findings of Fact and Conditions of Approval**  
**Trinity County Board of Supervisors**


**Findings of Fact:**

1. The project application was deemed complete by action of county ordinance, with no action by the Planning Commission necessary for this determination.  
*Trinity County Code Section 17.30E.020.C*
2. The 15-day time limit for agencies to submit comments on the project after the application was deemed complete has occurred by action of county ordinance.  
*Trinity County Code Section 16.32.040*
3. No further information is necessary or relevant to the decision to be made.  
*Trinity County Code Section 17.30E.030.E*
4. Upon Removal of Parcel C, the project is a Lot Line Adjustment, Minor, which is a ministerial act, exempt from CEQA.  
*Trinity County Code Section 16.08.102*
5. The lot line adjustment is consistent with and conforms to the local general plan, applicable specific plan and zoning and building ordinances as required by County and State Codes.  
*Trinity County Code Section 16.32.010, Government Code Section 66412(d)*

**Conditions of Approval:**

- a. Individual parcels A and B resulting from the lot line adjustment shall have financing which has the same legal description of the redesigned lots.
- b. All real property taxes which are a lien on the property shall be paid, as provided by law, prior to recordation of the deed(s). A certificate from the Tax Collector's Office, valid for a maximum of sixty (60) days, shall be provided to the Planning Director prior to recording the "Notice of Lot Line Adjustment".
- c. Environmental Health shall verify that adequate space for wastewater disposal (considering potential setbacks) is available on parcel B prior to recording the "Notice of Lot Line Adjustment".



From: **Scott and Sheri White** doublesw1998@gmail.com   
Subject: Materials for Discussion on Monday  
Date: December 11, 2022 at 11:03 AM  
To: Edward O. Prestley eoprestley@trinitycounty.org, Skylar Fisher sfisher@trinitycounty.org



Ed, Skylar -

Attached is a portion of the information I told Deborah I would provide to you on Monday for discussion. I will provide a hard copy of materials when I visit Planning on Monday afternoon.

The portions included here are those most relevant for our discussion tomorrow concerning the January 12, 2023 Planning Commission meeting agenda.

- December 12, 2022 cover letter (includes request to be on January 12, 2023 meeting agenda)
- November 25, 2022 letter (outlined three project options with draft findings and conditions, included our renewed request to be on December 8, 2022 meeting agenda).

As I noted in my response to Deborah on Friday, I had asked that the appeal from November 17 be held until we received a final decision on our project from the Planning Commission. County Code required it be filed within ten days and there was effectively no staff in Planning to talk with during that time due to holiday, vacation and illness.

Since your office took the issue of "complete" to the Planning Commission despite County Code requirements to the contrary, I see no valid reason why we cannot be given our chance for them to actually discuss and decide on the merits of our project itself. We are confident that both Option 1 and Option 2 comply with all local and State regulations. The three options certainly provide a wide range for discussion.

As noted in the cover letter, I am open to and will welcome discussion of our material with your staff.

Scott White



Ed\_Prestley\_Letter\_Dec...2.docx



Ed\_Prestley\_Letter\_Nov25.pdf



LLA\_Findings\_and\_Con...1.docx



LLA\_Findings\_and\_Con...2.docx



LLA\_Findings\_and\_Con...3.docx

December 12, 2022

Mr. Ed Prestley  
Interim Director  
Trinity County Planning Department  
P.O. Box 2819  
Weaverville, CA 96093

RE: P-22-19: Lot Line Adjustment - Request for Hearing, January 12, 2023

Mr. Prestley:

This letter is in follow-up to my prior letters of October 21, November 18, and November 25, 2022. As noted in all three letters and my comments during the Public Comment portion of the December 8, 2022 Planning Commission meeting, we expected our project to be scheduled for final action on December 8. Our project was not placed on the agenda contrary to our repeated requests, with the final reason being that your office “won’t have time for the proper noticing of that date” (see Attachment A - e-mail from Skylar Fisher: November 28, 2022 – 3:34 PM). I responded to Skylar, noting that no projects for that meeting would meet all of the noticing requirements contained in County Code 17.34.050 (see Attachment B – e-mail to Skylar Fisher: November 28, 2022 – 6:42 PM). Despite being given this information, five projects (not including ours) that had not been noticed properly were placed on the agenda by your office, and heard, on December 8 (my wife and I independently verified that no notices were placed in the relevant Post Offices as required).

### **Moving Forward**

Please schedule our lot line adjustment project for final decision at the January 12, 2023 Planning Commission meeting. We want to proceed based on the three options as described in our letter of November 25, 2022 (see Attachment C for a copy of that letter and our proposed findings of fact and conditions of approval for each option). We expect that letter, as well as this one, to be included with the staff report. We remain available to discuss matters with your staff, including possible revisions to the proposed findings and conditions of approval for inclusion with the staff report.

Our preferred option for approval is now Option 2, revised project (removal of Boeger parcel), since it eliminates the issues of concern raised by your office and the County Surveyor and meets all applicable local and State regulations. Furthermore, this option will not impact our application being “complete” (since the scope is less than previously) nor the level of effort required for the site review (since all three options can be assessed during a single site visit). Enclosed with this letter are materials associated with Option 2, including a revised project evaluation and Notice of Exemption. The Plot Plan and updated legal description for Parcel A will be provided shortly. I hope by getting all of this information to Skylar well in advance of the January meeting, it will give her ample time to prepare the qualitative evaluation of our project. She had noted time and workload issues in this regard when we met on December 5<sup>th</sup>.

I am confident that the Planning Commission will find Option 2 to be a minor lot line adjustment, given that we own both involved parcels and the fact that there are no outstanding issues to be resolved. The issues of general plan and zoning consistency as outlined in code should not be an obstacle to the determination of minor either, since Option 2 is neutral or improves the project status of the parcels on these criteria (the enclosed evaluation of our project explores this issue in greater detail). This and any other matters you feel require discussion can be addressed in person or via Zoom, whichever is more convenient.

It is my hope that we are all in agreement about Option 2 at the January 12 planning Commission meeting. I would like to leave past differences in the past. I have worked hard to find a place that addresses your needs as well as ours – I think Option 2 is that place. Option 2 also preserves the work and investment of funds we have made to date related to the Boeger parcel should the trustees decide to pursue a future application, which we would support.

Thank you.

Scott and Sheri White  
P.O. Box 291  
Lewiston, CA 96052  
[doublesw1998@gmail.com](mailto:doublesw1998@gmail.com)  
530-778-3833

Enclosures:

Attachment A - e-mail from Skylar Fisher: November 28, 2022 – 3:34 PM  
Attachment B – e-mail to Skylar Fisher: November 28, 2022 – 6:42 PM  
Attachment C – November 25, 2022 letter – outlines three options to proceed for December 8  
Notice of Exemption  
Option 2 – Project Evaluation

Cc: Skylar Fisher, Associate Planner

November 25, 2022

Mr. Ed Prestley  
Interim Director  
Trinity County Planning Department  
P.O. Box 2819  
Weaverville, CA 96093

RE: P-22-19: Lot Line Adjustment - Request for Hearing, December 8, 2022

Mr. Prestley:

This letter is in follow-up to my prior letters of October 21 and November 18, 2022. As noted in the October 21, 2022 letter, the above application was “deemed complete” as a matter of ordinance on October 7, 2022. The Planning Commission recognized this fact during discussion at its November 17, 2022 meeting. At 1:03:35 of the November 17 meeting, the following observation was made by Commissioner Fall:

*“...uhm, and I understand the the technicality that uhm you know the staff did not uhm do what they needed to do within the timeframe’s...”*

Commissioner Fall’s comment demonstrates that she understands the requirements to determine “complete” as described in Zoning Ordinance Section 30.5.B.3 (County Code Section 17.30E.020.C). “Deemed complete” automatically occurs after 30 days. Unfortunately, I was prevented from completing my prepared comments, so the Commission missed its opportunity to review this section with me. Attachment “A” to this letter is my entire presentation. Upon review, you will see that my comments would have clearly informed the Commission about County and State requirements for our project, including how “complete” works. In addition, the Commission would have known that since it has no role by Ordinance in the determination of “complete”, it also has no authority to place conditions upon that determination. The responsibility for determination of “complete”, including any need for additional information to achieve it, rests entirely upon the Planning Director, or other staff in his office as designated. Rather than appeal this flawed action, I would like to propose some options that we can discuss to achieve final approval by the December 19 deadline.

### **Moving Forward**

I would like to arrange for us to meet as soon as possible the week of November 28 – December 2. I have some options for discussion that I think we can discuss, refine if needed, and then take to the Planning Commission for final action at its December 8 meeting. These options account for what the Commission discussed, in a way that is reasonable considering actual ordinance language. The basic concepts which I will have developed for when we meet are:

1. Existing Project – Findings of fact and conditions of approval addressing local and State requirements and the issues taken to the Commission on November 17.

2. Revised Project – Findings of Fact and conditions of approval addressing local and State requirements having removed the Boeger Parcel from the project (which is the source of the issues taken to the Commission on November 17).
3. Deny Project

The content of each approach will vary based on the manner in which items discussed by the Commission are addressed.

My goal in this is to identify alternatives that we can agree are reasonable to take to the Commission for a final decision on December 8. If we can mutually agree on a preferred option, that would be great, but my primary goal is to agree on options that would allow final action. If you would like to involve the land use consultant the County has under contract when we meet, you are welcome to do so.

We would be in a different, and I believe much better position today, if you had been willing to reach out to me (as I requested) after I pointed out the requirements surrounding application processing, instead of immediately scheduling for the Commission. I walked away from the August 7, 2022 meeting believing we would all follow applicable ordinances. By Planning not doing so, it has made the whole matter much more difficult than it need be. From the outset, I have never asked for the County to bend the rules, merely that we all follow them.

My desire remains to work with staff to move our project forward to decision. I look forward to achieving this. Please contact me as early in the week as possible.

Thank you.

Scott and Sheri White  
P.O. Box 291  
Lewiston, CA 96052  
[Doublesw1998@gmail.com](mailto:Doublesw1998@gmail.com)  
530-778-3833

Cc: Skylar Fisher, Associate Planner

Option 1:  
Lot Line Adjustment: P-22-19  
Findings of Fact and Conditions of approval

Findings of Fact:

1. The project application was deemed complete by action of county ordinance.  
*Trinity County Code Section 17.30E.020.C*
2. The 15-day time limit for agencies to submit comments on the project after the application was deemed complete has occurred by action of county ordinance.  
*Trinity County Code Section 16.32.040*
3. No further information is necessary or relevant to the decision to be made.  
*Trinity County Code Section 17.30E.030.E*
4. The lot line adjustment does not affect existing access to the resultant parcels.
5. The lot line adjustment is consistent with and conforms to the local general plan, applicable specific plan and zoning and building ordinances as required by County and State Codes.  
*Trinity County Code Section 16.32.010, Government Code Section 66412(d)*

Conditions of Approval:

- a. Individual parcels A, B and C resulting from the lot line adjustment shall have financing which has the same legal description of the redesigned lots.
- b. All real property taxes which are a lien on the property shall be paid, as provided by law, prior to recordation of the deed(s). A certificate from the Tax Collector's Office, valid for a maximum of sixty (60) days, shall be provided to the Planning Director prior to recording the "Notice of Lot Line Adjustment".
- c. Vesting Deeds of current owner's that show how title is held for existing parcels shall be provided to the County Surveyor prior to recording the "Notice of Lot Line Adjustment".
- d. Environmental Health shall verify that adequate space for wastewater disposal (considering potential setbacks) is available on parcel B prior to recording the "Notice of Lot Line Adjustment".
- e. Building Permits BP 22-2450 and BP 22-451 for APN 025-250-22 (Parcel A) will be issued but shall not receive final approval until after recording of the "Notice of Lot Line Adjustment".

Option 2:  
Lot Line Adjustment: P-22-19  
Findings of Fact and Conditions of approval

Findings of Fact:

1. The project application was deemed complete by action of county ordinance.  
*Trinity County Code Section 17.30E.020.C*
2. The 15-day time limit for agencies to submit comments on the project after the application was deemed complete has occurred by action of county ordinance.  
*Trinity County Code Section 16.32.040*
3. No further information is necessary or relevant to the decision to be made.  
*Trinity County Code Section 17.30E.030.E*
4. Upon Removal of Parcel C, the project is a Lot Line Adjustment, Minor, which is a ministerial act, exempt from CEQA.  
*Trinity County Code Section 16.08.102*
5. The lot line adjustment is consistent with and conforms to the local general plan, applicable specific plan and zoning and building ordinances as required by County and State Codes.  
*Trinity County Code Section 16.32.010, Government Code Section 66412(d)*

Conditions of Approval:

- a. The plot plan shall be revised to reflect elimination of Parcel C.
- b. The legal description for Parcel A shall be revised to reflect the elimination of Parcel C.
- c. Individual parcels A and B resulting from the lot line adjustment shall have financing which has the same legal description of the redesigned lots.
- d. All real property taxes which are a lien on the property shall be paid, as provided by law, prior to recordation of the deed(s). A certificate from the Tax Collector's Office, valid for a maximum of sixty (60) days, shall be provided to the Planning Director prior to recording the "Notice of Lot Line Adjustment".
- e. Vesting Deeds of current owner's that show how title is held for existing parcels shall be provided to the County Surveyor prior to recording the "Notice of Lot Line Adjustment".

- f. Environmental Health shall verify that adequate space for wastewater disposal (considering potential setbacks) is available on parcel B prior to recording the "Notice of Lot Line Adjustment".
- g. Building Permits BP 22-2450 and BP 22-451 for APN 025-250-22 (Parcel A) will be issued but shall not receive final approval until after recording of the "Notice of Lot Line Adjustment".



Option 3  
Lot Line Adjustment: P-22-19  
Findings of Fact for Denial of Project

Findings of Fact:

1. The project application was deemed complete by the Trinity County Planning Commission on November 17, 2022.
2. The applicant failed to provide confirmation of legal access to parcel C and documentation of the vesting deeds to the County Surveyor as required by the Trinity County Planning Commission on November 17, 2022.

Findings for Denial:

- a. Lack of relevant information necessary to evaluate project.