

**TRINITY COUNTY
BOARD OF SUPERVISORS**
Trinity County Library
Conference Room
351 Main Street
Weaverville, CA

SPECIAL MEETING AGENDA
January 31, 2024

Chairman
Supervisor Ric Leutwyler - District 1

Vice-Chairman
Supervisor Liam Gogan - District 3

Supervisor Jill Cox - District 2
Supervisor Heidi Carpenter-Harris - District 4
Supervisor Dan Frasier - District 5

Trent Tuthill - County Administrative Officer

Margaret E. Long - County Counsel
Ashley Piker - Deputy Clerk of the Board

The Trinity County Board of Supervisors welcomes you to its meetings which are regularly scheduled for the first and third Tuesday of each month, unless altered to accommodate a holiday, starting at 9:00 a.m. at 351 Main Street, Weaverville, California.

This Board Agenda contains a brief, general description of each item to be considered. Supporting documentation is available online at www.trinitycounty.org, at the County Administrative Office located at 11 Court Street, Room 230, Weaverville, CA, during normal business hours, and in the Public Packet at the rear of the Board Chambers during the meeting.

If you would like to receive notification via email that the agenda has been posted, please send your request to clerkoftheboard@trinitycounty.org.

Members of the public wishing to present documents to the Board of Supervisors during the meeting must submit ten (10) copies to the Deputy Clerk of the Board.

During the meeting the Trinity County Board of Supervisors may take action sitting as the Board of Supervisors and as the governing body of: The Trinity County Transportation Commission, the In-Home Supportive Services Authority, the Consolidated Transit Services Agency, the Trinity County Board of Equalization, the Trinity County Housing Authority and the Solid Waste Local Task Force.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the Deputy Board Clerk at the County Administrative Office three (3) full business days prior to the meeting at (530) 623-1382 or clerkoftheboard@trinitycounty.org.

ZOOM INFORMATION

CALL MEETING TO ORDER

9:00 AM

PLEDGE OF ALLEGIANCE

COUNTY MATTERS

These items include non-routine, or controversial matters and are listed alphabetically by department. A member of the Board or Staff may request that an item be heard out of order.

Board of Supervisors

- 1.1** Discuss and/or take action to appoint Supervisor Cox's selection for Planning Commissioner District 2 to serve the remainder of the 4 year term.

Transportation

- 1.2** Introduce and waive the reading of an ordinance amending Trinity County Code Section 12.08 pertaining to Setbacks along Highways.
No Fiscal Impact

ADJOURN

TRINITY COUNTY
Item Report 1.1

Meeting Date: 1/31/2024

Department:
Board of Supervisors - District
2

Contact:
Jill Cox

Phone:
530-623-1382

Appointment: Planning Commissioner - District 2

Requested Action:

Discuss and/or take action to appoint Supervisor Cox's selection for Planning Commissioner District 2 to serve the remainder of the 4 year term.

ATTACHMENTS:

Description
Letter of Interest

AMELIA FLEITZ

[REDACTED], Weaverville, CA
[REDACTED]

Trinity County Board of Supervisors
ATTN Clerk of the Board
PO Box 1613
Weaverville, CA 96093
clerkoftheboard@trinitycounty.org

RE: Remainder of 4 Year Term Concurrent with Supervisor for District 2

Dear Trinity County Board of Supervisors,

It is my great pleasure to submit a letter of interest for the District 2 Planning Commissioner position.

I am a strong candidate for this position with my extensive network of relationships in each community, previous exposure to issues of Trinity County, personal integrity, and reputation as a hardworking team member.

In my previous position with the Trinity County Resource Conservation District as the Program Manager for the Watershed and Education & Outreach Programs, Trinity County Fire Safe Council Coordinator, and facilitator for the Weaverville Community Forest Steering Committee I have had the honor of engaging with members of the public, stakeholders, and agency representatives throughout the County. I have had the joy of learning about and recognizing the intricacies of each of our unique communities as they are today, and seek to develop, grow, and change for a better tomorrow. I have built strong personal relationships with individuals in each community by providing honest information, listening to concerns, and working to find solutions. As the Fire Safe Council Coordinator, I engaged with each community annually to introduce new initiatives and brainstorm the development of projects and programs to decrease wildfire risk in each area. I have worked with communities during high stress situations including evacuations as a public information officer during large fires within the county in 2018, 2019, and 2020. As the Fire Safe Council Coordinator, I worked to advocate for the values of the communities with the incident management teams in 2021 and 2022. The large size of my community network of relationships makes me uniquely qualified for this position as I be able to research topics and community views, inquire on multiple viewpoints on key issues, and seek solutions that will not be best for an individual but for the best of the community affected by the issue. Furthermore, I have had an existing working relationship with both District 2 Supervisor Jill Cox and Planning Commissioner Chair Carol Fall. These existing relationships allow for open communication on both sides while completing the duties of the District 2 Planning Commissioner.

As the Watershed Program Manager and Trinity County Fire Safe Council Coordinator, I was tasked with completing the Trinity County Active Transportation Plan and the 2020 Update to the Trinity County Community Wildfire Protection Plan. During my work on these documents, I familiarized myself with both state, local, and federal authorities and legislation for the guidance, requirements, and policies associated with both plans. I am familiar with the sources to locate information related to local, state, and federal legislature and have strong connections with current and former Trinity County staff members to gain clarifications on policies and ordinances. I have attended Planning Commission Meetings in the past to present on projects and listen to public input when issues facing our local watersheds and fisheries came up. I have facilitated many committee meetings for multiple organizations, attended the Trinity County Fish and Game Commission meetings, and watched many Board of Supervisors Meetings to have familiarity with the procedural nature of the Trinity County Planning Commission. Furthermore, I am aware that as the General Plan continues its development that related items may be presented to the Planning Commission with increasing frequency. As I have worked with partners and

AMELIA FLEITZ

[REDACTED], Weaverville, CA
[REDACTED]

members of the public to address issues of forestry, fire, watershed health, fisheries management, recreational development, and community engagement, some of issues facing urban development will be new to me, but I will utilize my experience, knowledge of the County, and peer network to learn quickly and gather the resources I will need to be successful in representing District 2.

One of my personal values that I hold dear is integrity. I define my integrity as being able to respect my decisions, be honest by sharing the information I have at the time, and standing for what is in the best interest of a larger group and not one individual or entity. My personal strategy for engaging with members of the public is always to listen and ask questions, rather than apply my own opinions. I find I learn much more by listening than I do by speaking myself. I have made mistakes in the past, and I will make mistakes in the future, but I am humbled and learn from each mistake to continue to learn and grow. My ability to build a strong and diverse peer network throughout the County reflects my integrity and respect for all values and views. Planning commissioners cast votes that will not make everyone happy, as someone with strong integrity I would provide respect and transparency to my fellow commissioners and members of the public.

My personal reputation for being a hardworking individual that works to contribute to larger teams is represented in the simplicity that I am not above doing what needs to be done. I have served as a technician cleaning the campground and day use area facilities along the State Route 299 corridor in the past, and if asked I would be willing to do it again. I am willing to roll up my sleeves to be a team player and contribute to the larger community. I have pulled all-nighters to get grants submitted and meet other deadlines as I am not afraid to commit the time needed to do what is right for the task. As a planning commissioner, I would come prepared to the meetings having reviewed the documents provided, reviewed the related state, county, and federal policies, and discussed the issues with members of the impacted community.

If selected for this position I will listen to the public with respect, verify the facts, and represent the constituents of District 2 to the best of my ability. I will vote based on the information I have available at the time with the decision in the best interest of Trinity County and District 2. I understand the one of the duties of this position includes sitting on the Architectural Review Committee for the Historic District which I am uniquely qualified for and interested in as I live adjacent to the Historic District.

Furthermore, in preparation for applying for this opportunity I have received approval from the Office of Ethics of the United States Forest Service (my current employer) and support from my direct supervisor and Shasta-Trinity National Forest Leadership Team to serve in this role. I have reviewed the guidance to prevent ethical concerns as I represent myself and the County's interests in this role. Finally, I would bring diverse perspectives to the conversation as I am a 30-year-old female and spend my free time with a diverse pool of individuals including many young families. I will bring a perspective that will review how each topic will impact the safety and wellbeing of the youth of Trinity County.

Thank you for your consideration. Please contact me if you would like a list of references, a curriculum vitae, or additional information.

Sincerely,


Amelia Fleitz

TRINITY COUNTY

Item Report 1.2

Meeting Date: 1/31/2024

Department:
Transportation

Contact:
Panos Kokkas

Phone:
5306231365

Ordinance: Amending County Code Section 12.08 Set backs along Highways

Requested Action:

Introduce and waive the reading of an ordinance amending Trinity County Code Section 12.08 pertaining to Setbacks along Highways.

Fiscal Impact:

No Fiscal Impact

Summary:

Due to on going development concerns, the Department of Transportation (DOT) believes it is beneficial to modify Section 12.08, Setbacks Along Highways, in County Code. The existing code is rigid, and does not allow reasonable modifications to be approved administratively. The existing code also has language which has been confusing to the public.

Discussion:

Recommended changes will maintain public safety, while also allowing necessary flexibility for development. Some new language has been suggested to provide clarity for the public, and to match current Federal terminology.

The attached document includes suggested modifications to the code as follows:

1. Existing code to be removed is shown with a ~~strikeout~~ (~~strikeout~~).
2. Proposed code to add is shown in ***bold italics***.

The department also suggests to add a section for definitions as section 12.08.001, and to replace section 12.08.040 with the "Modification" language.

Alternatives Including Financial Implications:

Deny the modification of Ordinance 216 §2

Departmental Recommendation:

Accept the modification of Ordinance. 216 §2

ATTACHMENTS:

Description

Chapter_12.08_SETBACK_Highways

Original Ordinance

Public Comment received prior to posting

ORDINANCE NO. XXXX

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF TRINITY
AMENDING SECTION 12.08
PERTAINING TO SETBACKS ALONG COUNTY HIGHWAYS**

The Board of Supervisors of the County of Trinity, State of California, ordains as follows:

Section I: Trinity County Code Section 12.08 under Ordinance 216 is amended by adding a section for definitions as section 12.08.001, replacing sections 12.08.010, 12.08.020, 12.08.030, and replacing 12.08.040 to allow for modifications based on safety considerations and engineering principals:

12.08.001 Definitions.

For the purpose of this chapter, the following definitions shall apply:

- a) Highway: A highway includes any publicly maintained road, including all roads listed on the Trinity County maintained mileage list.
- b) Road: A road includes the paved or unpaved roadway width of any one lane road or multi-lane road, including all highways, streets, roads, lanes, alleyways and cul-de-sacs. Travel lane, shoulders and adjacent drainage ditches are included in the roadway width.
- c) Edge of Road: The edge of road encompasses the roadway, including the travel way, shoulder and any adjacent drainage ditches.

12.08.010 Property abutting county roads.

For the purpose of promoting the public health, safety and general welfare, a forty-foot building setback line is established for all property abutting on all primary, secondary or other county roads.

Shall be replaced with:

For the purpose of promoting the public health, safety and general welfare, a **thirty**-foot building setback line is established for all property abutting on all **minor collector and local** county roads.

12.08.020 Federal aid secondary and state highways.

For the purpose of promoting the public health, safety and general welfare, a fifty- foot building setback line is established on all federal aid secondary and all state highways in the county.

Shall be replaced with:

12.08.020 Federal aid and state highways.

For the purpose of promoting the public health, safety and general welfare, a **forty-foot** building setback line is established on all **major collector and minor arterial county roads** and all state highways in the county.

12.08.030 Construction to be in compliance.

- A. No building or structure, excluding, however, open fences and solid fences less than three feet in height, shall be erected, constructed or moved so that any portion of the same shall be closer than forty feet to the centerline, and no existing building or structure shall be added to or enlarged so that such addition or enlargement shall be closer than forty feet to the centerline of the county highways described in Section 12.08.010.
- B. No building or structure, excluding, however, open fences and solid fences less than three feet in height shall be erected, constructed or moved so that any portion of same shall be closer than ~~fifty~~ feet to the centerline and no existing building or structure shall be added to or enlarged so that such addition or enlargements shall be closer than fifty feet to the centerline of the highways described in Section 12.08.020.

Shall be replaced with:

- A. No building or structure, excluding, however, open fences and solid fences less than three feet in height ***above the edge of the road***, shall be erected, constructed or moved so that any portion of the same shall be closer than ***thirty*** feet to the ***edge of road***, and no existing building or structure shall be added to or enlarged so that such addition or enlargement shall be closer than ***thirty*** feet to the ***edge*** of the county ***roads*** described in Section 12.08.010.
- B. No building or structure, excluding, however, open fences and solid fences less than three feet in height ***above the edge of the road***, shall be erected, constructed or moved so that any portion of same shall be closer than ***forty*** feet to the ***edge of road*** and no existing building or structure shall be added to or enlarged so that such addition or enlargements shall be closer than ***forty*** feet to the ***edge*** of the highways described in Section 12.08.020

12.08.040 Centerline defined.

For the purpose of this chapter, the "centerline" of such highways shall be deemed to be the centerline of traveled way of such highways as laid out and constructed.

Shall be replaced with:

12.08.040 Modification.

The Road Commissioner/County Engineer may modify the above setback requirements based on safety considerations and engineering principals. Modification of the setback requirements must be in accordance with the intent and purposes of this of section, and will not be considered if detrimental to the public health, safety or welfare.

Section II: This ordinance shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in the Trinity Journal, a newspaper of general circulation published in the County of Trinity State of California.

Introduced at a special meeting of the Board of Supervisors held on the 31st day of January, 2024, and passed and enacted this ____ day of _____, ____ by the Board of Supervisors of the County of Trinity by motion, second (/), and the following vote:

AYES: Supervisors
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

RIC LEUTWYLER, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

TRENT TUTHILL
Clerk of the Board of Supervisors

Ordinance No. XXXX

DATE

Page 2 of 4

By: _____
Deputy

APPROVED AS TO FORM AND LEGAL EFFECT:

Margaret E. Long, County Counsel

ORDINANCE NO. 216

AN ORDINANCE OF THE COUNTY OF TRINITY, STATE OF CALIFORNIA
ESTABLISHING A BUILDING SET BACK LINE ON PROPERTY ABUTTING
ALL FEDERAL AID SECONDARY, ALL STATE AND ALL COUNTY HIGHWAYS.

The Board of Supervisors of the County of Trinity, California, do ordain as follows:

Section 1(a). For the purpose of promoting the public health, safety, and general welfare, a forty (40) foot building set back line is hereby established for all property abutting on all primary, secondary or other county roads.

Section 1(b). For the purpose of promoting the public health, safety and general welfare, a fifty (50) foot building set back line is hereby established on all Federal Aid Secondary and all state highways in the county.

Section 2. No building or structure (excluding, however, open fences and solid fences less than three (3) feet in height) shall hereafter be erected, constructed or moved so that any portion of same shall be closer than forty (40) feet to the center line and no existing building or structure shall be added to or enlarged so that such addition or enlargement shall be closer than forty (40) feet to the center line of the county highways described in sub-division (a) of Section 1 of this ordinance.

No building or structure (excluding, however, open fences and solid fences less than three (3) feet in height) shall hereafter be erected, constructed or moved so that any portion of same shall be closer than fifty (50) feet to the center line and no existing building or structure shall be added to or enlarged so that such addition or enlargements shall be closer than fifty (50) feet to the center line of the highways described in sub-division (b) of Section 1 of this ordinance.

For the purpose of this ordinance the center line of said highways shall be deemed to be the center line of traveled way of said highways as laid out and constructed.

Section 3. This ordinance shall take effect and be in full force thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage, it shall be published once, with the names of the members voting for and against the same in the Trinity Journal, a newspaper of general circulation published in the County of Trinity, State of California.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Trinity, State of California, this 17th day of April, 1956 by the following called vote:

Yes:	District 1	John K. McDonald
	District 2	George K. Loomis
	District 3	John D. Rourke
	District 4	Lloyd L. McKnight
	District 5	Arthur C. Crossman

Noes: None

Absent: None

Attest:

JOHN D. ROURKE
Chairman of the Board of Supervisors
of the County of Trinity, State of California.

MARGARET BAILEY
County Clerk and ex-officio clerk of the
Board of Supervisors of the County of
Trinity, State of California

(Seal)



Nick & Naomi Goulette
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Weaverville, CA 96093

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www.trinitynursery.com

January 27, 2024

Board of Supervisors of Trinity County

RE:
Special Meeting January 31, 2024
Road Commissioner Exception Authority over Trinity County Ordinance 12.08.010

Dear Supervisors,

We write to ask for your support in approving the board item presented to you that authorizes the Trinity County Road Commissioner exception authority over Trinity County Ordinance 12.08.010.

The ordinance states, "For the purpose of promoting the public health, safety and general welfare, a forty-foot building setback line is established for all property abutting on all primary, secondary or other county roads."

The ordinance is clearly an unreasonable hard-and-fast standard for development in the country given the physical constraints (old & narrow historic roads layout, steep and short slopes, many drainages); therefore historically, past Road Commissioners have interpreted the ordinance as such: if construction does not negatively impact *the public health, safety and general welfare*, then the 40-foot building setback could be granted an exception. This interpretation allows the Road Commissioner authority to allow development to proceed with a reasonable and common-sense setback. As evidenced by development in Weaverville since the ordinance was codified in 1956, construction has been allowed up to 20 feet, sometimes less, from centerline.

My best understanding is the current Road Commissioner's strict interpretation of the Ordinance does not authorize the Road Commissioner authority to grant an exception. While we may not agree with his interpretation, we respect his authority as Road Commissioner, and ask that you explicitly grant the Road Commissioner exception authority over Ordinance 12.08.010.

Should you approve the item before you we would also appreciate it if you could offer remarks requesting that the Road Commissioner proceed with urgency to review and finalize our building permit. The delay in permitting has already cost us unbudgeted cash and major stress. Even in the



Nick & Naomi Goulette
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Weaverville, CA 96093

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www.trinitynursery.com

best-case scenario going forward, we are going to face substantial additional out-of-pocket costs, lost sales, and stress aplenty. The visitor experience is a critical element to our success,

differentiating us from the big box competition. Being an active construction site with diminished retail offerings is going to represent a major hardship.

We trust you sympathize with just how hard it is to operate a successful small business in Trinity County and we deeply appreciate your support in this matter.

Naomi Goulette

Nick Goulette

Naomi & Nick Goulette
Trinity Nursery
885 Main Street / PO Box 2609
Weaverville, CA 96093

[REDACTED]

[REDACTED]