



# Stakeholder Interview Summary

## Trinity County Zoning Code Update

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*Prepared for:*



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## **Introduction and Purpose**

In February 2024, Trinity County began a comprehensive update to its Zoning Code to address contemporary trends, comply with recent changes in State law, and ensure consistency with the 2050 General Plan. The success of this update relies on input from the community to understand their needs and expectations for development.

As part of the initial update process, the Project Team facilitated stakeholder interviews from April 15 to May 2, 2024. These interviews involved one-on-one and group discussions with various community members, including residents, leaders, business owners, developers, and others identified by County staff. A total of 19 individuals were interviewed, as listed in Appendix B. The feedback gathered from these interviews will guide the Project Team in drafting the updated Zoning Code.

## **Stakeholder Feedback**

Before each interview, the Project Team provided stakeholders a set of questions (see Appendix A) to guide the discussion, but stakeholders could also share opinions on any relevant topic. Interviews lasted around an hour and were held via Zoom or conference call. This memo summarizes the insights gathered from these interviews. Feedback received is summarized into the following four main categories:

1. **Land Use**
2. **Economic Development**
3. **Cannabis**
4. **County Staff Capacity**

**Land Use:**

*Unclassified Land:* A common theme among almost all the interviews was concern over what can be done with unclassified land. They noted unclassified land confusion may be due to unclear or limiting allowed uses, restrictions, and review authorities. The allowed uses in unclassified land include single-family dwelling, Christmas tree farm, forestry, orchard, row and field crops, and keeping certain livestock. Many of these uses are incompatible with the size of the smaller unclassified parcels leading to most development of unclassified land requiring a Conditional Use Permit. This increases staff workload and slows down the development process. Stakeholders noted unclassified land was previously used as a catchall. They believe it should now be limited to larger undeveloped parcels with no current plans from the County on future uses. Stakeholders feel the smaller parcels should be rezoned at this time to appropriate uses that are respectful of the existing uses on the land. They want to avoid a blanket rezone, believing it would cause more problems in the end.

*Review Authority:* Stakeholders that did not have a background in the County planning process found it difficult to understand the necessary review authority and entitlement process for their projects. They mentioned increased guidance and streamlining through the planning process would benefit future development. Stakeholders agreed that due to the nature of the existing Code, the Planning Commission and/or the Board of Supervisors are required to make a determination of similar uses for many discretionary permits that they hear. Stakeholders expressed a desire for guidance in making a determination of similar uses. They also noted the Director’s Use Permit has a limited scope, and they would like to see its expanded. Many stakeholders agreed expanding the situations in which the Director’s Use Permit may be applied would be beneficial in streamlining and approving projects.

*Rural Residential:* The Rural Residential zoning designation was another point of concern among the stakeholders. Many stakeholders agree that people buy land in the county because the Rural Residential zoning allows for many lifestyle opportunities, like homesteading. Stakeholders find the Rural Residential zoning designation is overused on parcels too small for the allowed uses, leading to incompatible uses and conflict. To address this issue, several stakeholders suggested it may be appropriate for smaller Rural Residential parcels to be treated as non-residential parcels. They noted if you increase restrictions on Rural Residential zoning it pushes it more towards traditional Residential zoning which isn’t what Rural Residential zones are designed for. Stakeholders noted the decision to rezone Rural Residential parcels to Residential should depend on the preferences of the surrounding community and the size of the parcels.

*Other:*

- The cleanup and maintenance of properties that appear to be abandoned.
  - There was a clear desire to include language that would allow for the enforcement of cleanup and maintenance of abandoned and/or substandard properties.
- Stakeholders noted the Agriculture Forest Designation may no longer be appropriate for the County

**Economic Development:**

*Attracting Investors:* The stakeholders mentioned there is little economic development taking place in Trinity County. They agreed this is partially because the Zoning Code is difficult to understand, and the entitlement process is lengthy. The stakeholders find investors cannot rely solely on the Code to get a project approved because currently, many uses require a form of discretionary approval.

*Highway Commercial:* The stakeholders mentioned, within the county, there are few parcels zoned Highway Commercial. Many stakeholders agreed Highway Commercial zones are important because they bring in revenue from the travelling public. They would like to have more properties zoned Highway Commercial to encourage more of those opportunities. Stakeholders noted the Planning Commission has made it clear the use of Highway Commercial property must be focused on serving the travelling public and limited in application.

*Housing:* Increasing housing stock had widespread support among the stakeholders. They mentioned the need for affordable housing for those working within the county. Stakeholders agreed the cost of building new housing within the county is high and the entitlement process too lengthy and confusing. They recognize there are many hurdles to overcome with housing development and believe the Zoning Code should not be one of them. There was a desire for more Multiple Family zoning district or R3 zoned properties and the development of preapproved accessory dwelling unit (ADU) plans. Some stakeholders believe the housing stock is being bought up by investors looking for second homes or short-term rental opportunities and feel that should be limited. Other stakeholders feel the County should encourage any development that would increase the housing stock and economic base. Another hurdle to overcome with housing development is managing the fire risk. Without proper management of the lands surrounding the properties, stakeholders noted homeowners would have a difficult time financing a home because they are unable to get fire insurance.

*By Right Uses:* Stakeholders support increasing by right uses to include multifamily housing, general office, and commercial/retail development. They feel grocery stores should be allowed by right and not be required to go through a Conditional Use Permit process. Stakeholders noted most current commercial uses require a form of discretionary review. This requirement limits commercial opportunities and slows the development process, leading investors to withdraw their project applications. While stakeholders have a desire to allow for increased ministerial approval of projects, they want to ensure such projects remain respectful to the desires of the community. An example that some stakeholders addressed are the differences between Hayfork and Weaverville. They mentioned Hayfork would like to limit formula stores and encourage local businesses. Stakeholders noted, in Weaverville, the community may be more open to allowing formula or chain stores to increase the economic development of the area. There was a desire among the stakeholders to increase the amount of land zoned commercial and expand the allowable uses for commercial properties. They feel like some of the large industrial parcels can be rezoned to allow for residential and commercial as they aren't used as industrial currently.

*Other:*

- Stakeholders agree it would be beneficial to allow people to develop amenities around the resources of the Timberland Production district.
- Stakeholders also wanted to look into and develop policies related to low impact camping such as Hipcamp.

**Cannabis:**

Another topic addressed by stakeholders were concerns with regulating cannabis grows throughout the county. Stakeholders were split on how cannabis should be handled.

*Opt Out Zones:* When it comes to opt out zones, some stakeholders were unclear on what they were, how they were created, and what they do. Some stakeholders agree with the idea of opting out some areas of the county and some expressed their desire for "opt in" zones instead. These stakeholders believe switching from a default 'no' response to a 'yes' response may be advantageous acknowledging people tend to feel more strongly about opposing something and prefer an opt-in default. Stakeholders agreed that cannabis should not be allowed

everywhere in the county and that communities (e.g., Post Mountain, Hyampom), should decide if cannabis cultivation is allowed. They noted there are differing opinions of cannabis as a use throughout the county. In areas that currently want to allow cannabis, stakeholders advocate for explicit protections regarding cannabis cultivation. They believe these protections are crucial to prevent future residents from interfering with existing growers. Additionally, this desire for protection extends to other agricultural activities that might be considered nuisances by neighbors, such as raising livestock. Some stakeholders suggested grows should not be allowed in Rural Residential zoning districts. They felt that parcels receiving the most complaints are generally smaller parcels located close together. Stakeholders agreed that grows should be limited by parcel size and potentially allow for larger parcels to have a higher growing capacity.

*Cultivation Permitting Challenges:* Stakeholders expressed development requirements such as setbacks can be restrictive and force growers to seek variances leading to delays in the planning process. The State has specific standards and processing procedures for variances, which make them costly and time consuming because they must go before the Planning Commission and or Board of Supervisors for review and approval. Stakeholders suggested allowing setback exceptions to be approved at a staff level with administrative waivers, which are cheaper and take less time because they are reviewed ministerially. Stakeholders noted confusion and frustration with the application process for cannabis cultivation and variances, specifically with the requirement to renew their permits every year. While stakeholders were open to revising regulations and cannabis cultivation zones across the county, they were concerned with protecting existing legal operations. They wanted to be respectful of people's investments in their business and sought to allow grandfathering or legal nonconforming use protections as a possibility.

*Nuisance:* Stakeholders recognize the potential nuisances associated with all agricultural activities. However, their current concerns center around cannabis cultivation. Stakeholders agree cannabis related nuisances lack clear definitions and require attention. The discussed nuisances include topics such as noxious odors, light, noise, parking, view obstruction, and blight from abandoned farms.

**Staff Capacity:**

*Staff Time:* Stakeholders agreed that because the County is understaffed, there is difficulty with getting applications processed in a timely manner. Stakeholders noted County staff is unable to process the applications in a reasonable timeframe because many applications require discretionary review. They brought up that with the Code as it stands today, can be difficult for two different staff members to come to the same conclusion about a project. Stakeholders believe streamlining the Code will make the process smoother and faster, even with newer staff or high turnover. They agree if the Code is clear, it would be more reliable to developers and may encourage more investment in the county. Additionally, they feel allowing more ministerial permits would help increase County staff capacity and speed up the permitting process.

*Geographic Information Systems:* Another area the stakeholders mentioned for improvement in the planning process was the GIS data management system. The GIS data is managed by the Trinity County Resource Conservation District (TCRCD). County staff is reliant on the accuracy of a separate agency which can create confusion and inaccuracies. A stakeholder suggested increased collaboration and better coordination would be beneficial. Due to the turnover in the past few years, the TCRCD has resources and layers that may be no longer accurate as well as information that new County staff may not be aware of. Stakeholders note the GIS situation as it exists in the county today is complex and underused. Another significant topic addressed was the management of properties with split zoning in the county. Stakeholders highlighted the challenges in identifying

the applicable zoning district for such properties and determining the precise boundary between multiple zoning districts on a single parcel. To address this, several stakeholders recommended County staff document all split-zoned properties. Following this, these properties should be rezoned to a single, unified base zone to eliminate ambiguity. They emphasized the necessity of engaging property owners early in the process to ensure their preferences and requirements are considered.

#### Split Zoned Properties:

*Subdivisions:* Stakeholders also mentioned it is difficult to get subdivisions through the entitlement process and approved due to the amount of time it takes to finalize the process. According to the stakeholders, several factors contribute to the increased time required to process a subdivision. These factors include CalFire access, water supply considerations, points of entry, and existing infrastructure limitations. They find these aspects extended the overall approval process for subdivisions. Stakeholders noted the Subdivision Review Committee was recently reinstated, and they are hopeful the Committee will help to improve the streamlining and allow for more subdivisions to be approved.

## **Appendix A: Interview Questions**

1. How do you generally use the Zoning Ordinance?
2. What has the Ordinance been successful at regulating?
3. What are the failures? Are there projects or land uses that have resulted in adverse impacts?
4. Has the Zoning Ordinance restricted any proposed projects? Please describe the reason the project application was never turned in or failed to reach the implementation phase.
5. Are there specific standards or requirements that warrant special attention (e.g., parking, building height, setbacks, allowed land uses)?
6. What are your thoughts on cannabis regulation? How should the county address cannabis? Should the county consider developing an “opt-out” overlay zone?
7. Are there issues associated with specific zoning designations that need special attention during the Ordinance update process?
8. Are the Zoning Ordinance regulations generally responsive to local economic conditions and community needs? Where might improvements be made?
9. Are the permit application and review processes clearly explained? Where might improvements be made?
10. Has the county struck the right balance between ministerial (staff-level) and discretionary (Planning Commission and Board level) review of permits and entitlements?
11. Is there innovative land use, design standards, or development types you would like to see the Zoning Ordinance address?
12. Please share any additional comments or observations you may have.

## Appendix B: Stakeholders Interviewed

1. Adrien Keys
2. Carol Fall
3. Dan Frasier
4. Dennis Rourke
5. Drew Plebani
6. Eric Keyes
7. Fabio Robles
8. Jake Grossman-Crist
9. Jill Cox
10. Jim Underwood
11. Karla Avila
12. Kelly Sheen
13. Liam Gogan
14. Lisa Wright
15. Nick Goulette
16. Paul Hauser
17. Ric Leutwyler
18. Tom Ballanco
19. Wayne Agner