

SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, September 30, 2014

SPECIAL MEETING

8:30 a.m.: Chairman Baugh called the Regular Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Kehoe
 District No. 2 - Supervisor Moty
 District No. 3 - Supervisor Giacomini
 District No. 4 - Supervisor Schappell
 District No. 5 - Supervisor Baugh

County Executive Officer - Larry Lees
 County Counsel - Rubin E. Cruse, Jr.
 Administrative Board Clerk - Candice Martin
 Administrative Board Clerk - Linda Mekelburg
 County Executive Officer Assistant - Jennifer Duval

INVOCATION

Invocation was given by Pastor David Van Heyningen, First Christian Church.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Baugh.

REGULAR CALENDAR

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

ZONE AMENDMENT NO. 11-002
SEVEN HILLS LAND AND CATTLE COMPANY, LLC
SHINGLETOWN AREA
RESOLUTION NO. 2014-108
ORDINANCE NO. 378-2029

This was the time set to conduct a public hearing and consider the request to approve Zone Amendment No. 11-002, Seven Hills Land and Cattle Company, which would rezone a portion of Assessor's Parcel No. 094-050-021 in the Shingletown area from an Exclusive Agriculture (EA) District to a Commercial Recreation (C-R) District. Senior Planner Lisa Lozier presented the staff report and recommended approval of the project. The Notice of Hearing and Affidavit of Publication are on file with the Clerk of the Board.

At the request of Chairman Baugh, Administrative Board Clerk Candice Martin reported that correspondence from Carolyn Christian, Bea Nevis, Beth Livezey, Phillip McGoochan, Joseph Williams, Erin Johnston, Gary Hughes, Kenneth and Beverley Derr, Barbara Holder, Robert Levrini, Carl Weidert, and Dick Rullman was received regarding the matter and had been entered as part of the record.

In response to questions by Supervisors, Ms. Lozier clarified that the proposed boundary will be either approximately 30 acres or approximately 38 acres. County Counsel Rubin Cruse clarified that the Planning Commission did review the boundaries suggested, and those boundaries may be considered by the Board of Supervisors.

The public hearing was opened.

Applicant Representative Einhard Diaz stated that Reverage Anselmo has complied with all building code requirements currently requested of him.

In response to questions by Supervisors, Mr. Diaz stated that Mr. Anselmo would prefer the boundaries to follow current natural boundaries consistent with the 38 acre option. He noted that there is no conference center; there are conference rooms. In addition, the conservatory will accommodate a maximum of 280 people; however, an occupancy rate of 200 is comfortable.

In response to questions by Supervisor Kehoe, Mr. Diaz confirmed there are limitations to the hours of operations. If those hours need to be changed in the future, they would need to come back to have that issue addressed.

Inwood Task Force Members Beth Livezey and James Williams expressed the task force's desire to have only the current existing buildings remain, but to stop any further commercial expansion. Mr. Williams also mentioned that residents in the Inwood Community were not provided with proper notice regarding development of the property.

In response to questions by Supervisor Baugh, Mr. Williams replied that proper notice by the Planning Department is not the same as observing changes to the property.

Carolyn Christian, Glenn Aldridge, Beth Livezey, James Williams, and Carl Weidert opposed the project.

In response to a question from Supervisor Moty, Mr. Diaz explained there are 188 parking spots. If the location was full to capacity, there would be 571 people on the property.

No one else spoke for or against the project, and the public hearing was closed.

Director of Resource Management Rick Simon stated that there were inadvertent errors in the list of those who were notified in 2006 and 2008. Since then, all necessary property owners have been properly noticed to include all issues. Mr. Simon noted that he had suggested to Mr. Anselmo a few years ago that he develop a comprehensive plan of what he wanted to accomplish, at which time Mr. Anselmo verbally discussed a hotel and spa. In addition, Mr. Simon suggested the proposed ordinance be changed to delete the section regarding minor modifications to the Conceptual Development Plan (CDP).

In response to questions by Supervisor Kehoe, Mr. Simon stated that he supports the increase from 30 to 38 acres. Supervisors Giacomini and Baugh indicated that they preferred to keep the rezoning to 30 acres.

Supervisor Moty made a motion to adopt the recommendation by staff, with Section B regarding minor modifications to the CDP removed and with acreage increased to 38 acres. Supervisor Schappell seconded the motion.

Supervisors Giacomini and Baugh again expressed their opposition to increasing the acreage in the zone amendment to 38 acres.

Supervisor Schappell stated that having a plan and making it complete is important and supported increasing the amount to 38 acres.

Supervisor Kehoe supported approving current buildings but not adding to the project; he also stated that increasing acreage in the zone amendment has merit.

Supervisor Giacomini offered to amend the motion to reduce the acreage to 30 acres and removing Section B regarding modification to the CDP.

10:44 a.m.: Chairman Baugh passed the gavel to Vice Chairman Moty, who presided.

Supervisor Baugh seconded the amended motion.

10:45 a.m.: Vice Chairman Moty returned the gavel to Chairman Baugh, and Chairman Baugh presided.

By motion made, and seconded (Moty/Schappell), amended to reduce acreage to 30 acres and delete Section B regarding minor modifications to the Conceptual Development Plan from the proposed ordinance (Giacomini/Baugh), and carried, the Board of Supervisors took to the following actions regarding Zone Amendment No.11-002, Seven Hills Land and Cattle Company, LLC (Shingletown area), which would rezone approximately 30 acres of Assessor's Parcel Number 094-050-021 to a Commercial Recreation (C-R) District:

1. Adopted Resolution No. 2014-108, which adopts a California Environmental Quality Act (CEQA) determination of a mitigated negative declaration, with the finding as set forth in Planning Commission Resolution No. 2014-014;
2. Made the rezoning findings as specifically set forth in Planning Commission Resolution No. 2014-014; and
3. Introduced, waived the reading of, and enacted Ordinance No. 378-2029, which approves Zone Amendment No. 11-002, as requested.

Supervisors Kehoe and Moty voted no.

(See Resolution Book No. 55)
(See Zoning Ordinance Book)

10:47 a.m.: The Board of Supervisors adjourned.

Chairman

ATTEST:

LAWRENCE G. LEES
Clerk of the Board of Supervisors

By _____
Deputy