SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: February 9, 2006
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners Present:

Jerry Smith, Chairman	District 2
John Casolary, Vice-Chair	District 5
John Cornelius	District 3
Roy Ramsey	District 4
David Rutledge	District 1

Staff Present:
Richard Barnum, Assistant Director of Resource Management
Mike Ralston, Assistant County Counsel
Zach Bonnin, Senior Planner
Brandon Rogers, Associate Planner
Meri Meraz, Associate Planner
Lisa Lozier, Associate Planner
Jim Diehl, County Fire Dept./CDF
Jim Smith, Environmental Health Division Manager
Al Cathey, Public Works/Subdivision Engineer
Spring Cassedy, Recording Secretary

Note: **All unanimous actions reflect a 5-0 vote.**

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorically Exempt (CE), De Minimis Finding of Significance (DM).

OPEN TIME

James Gray spoke to inform that he attempted and was not able to find the County's on-line website Planning Commission agenda.

APPROVAL OF MINUTES

By motion made, seconded (Casolary/Cornelius), and carried unanimously, the Commission approved the minutes of January 12, 2006, as submitted.

ITEMS REMOVED FROM THE CONSENT AGENDA

None

CONSENT ITEMS

By motion made, seconded (Cornelius/Rutledge), and carried unanimously, the Commission approved the following Consent Items:

C1: **Use Permit 03-019 Extension of Time (Elder)**: By Resolution 2006-019, approved a two-year extension of time to continue work on establishing a contractor's yard for storage of trucks and construction equipment; construction of a 5,000-square-foot building for equipment storage and truck maintenance; and converting an existing 1,200-square-foot residence to an office. Staff Planner: Meraz.

C2: **Amendment of Parcel Map 03-028 (Crook)**: By Resolution 2006-020, approved an extension of time and an amendment of a previously-approved two-parcel land division to change the property line to create a different building site on Parcel 2. The revised parcel sizes are 3.5 and 6.2 acres. Staff Planner: Meraz.

C3: **Zone Amendment 05-042 and Parcel Map 05-069 (Vernon)**: By Resolution 2006-021, recommended approval of a zone amendment from the Unclassified (U) to the Limited Agricultural (A-1) zone district, and by Resolution 2006-022, approved a four-parcel land division. Staff Planner: Rogers

C4: **Parcel Map 05-070 (Hill)**: By Resolution 2006-023, approved a one-parcel land division with a remainder parcel. Staff Planner: Rogers.

PUBLIC HEARINGS

R1: **Parcel Map 05-055 (RPCE Investments)**: Anderson area. The project is located on an approximate five-acre parcel on the north side of Dersch Road one-tenth of a mile east of Deschutes Road. The applicant has requested approval of a two-parcel land division into 2.65 and 2.2-acre parcels. Staff Planner: Meraz.____

Associate Planner Meri Meraz presented the project. The public hearing was opened and the applicant's representative, Keith Hamblin spoke in favor of the project. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Casolary/Rutledge), and carried unanimously, by Resolution 2006-024, the Commission adopted a CEQA determination of a Negative Declaration and approved Parcel Map 05-055, based on the findings and subject to the conditions listed in the resolution.

R2: **Use Permit 05-031 (Cingular Wireless)**: Bella Vista area. The project is located on a 29.82-acre parcel on the west side of Deschutes Road less than three-tenths of a mile south of its intersection with Meyer Road. The applicant has requested approval to construct and operate an 80-foot-tall telecommunication facility camouflaged as a pine tree, with an equipment shelter at its base. Staff Planner: Meraz.

R2 Cont'd Associate Planner Meri Meraz presented the project. The public hearing was opened and applicant's representative, John Yu spoke in favor of the project. Mr. Yu agreed to the amended condition requiring access to be off of Deschutes Road to a private driveway belonging to the project site. Laurie Stringer, a neighbor, spoke in opposition siting previous trespassing issues on neighboring private roads by concrete trucks, the view being obstructed, safety of the batteries being stored in the equipment shelter and effect from the cell tower site to close-by neighbors, livestock, etc. Judith Lovejoy spoke in opposition due to the tower obstructing her view.

John Yu spoke in rebuttal stating that he could provide a report with FCC guidelines and standards regarding the electromagnetic emissions from the cell tower showing that they are below the required levels and not a health concern. Mr. Yu reiterated that no other roads will be used for access, the equipment shed is prefabricated concrete surrounded by a chainlink fence, and the amount of batteries stored was not considered a safety hazard, but if deemed necessary by the County, the applicant would comply with any requests for permits. Mr. Yu stated that other wireless carriers may later be added to the cell tower. In response to Chairman Smith's question regarding notification of neighbors, Planner Meraz explained that legal notification was done pursuant to County policy and copies were kept for verification. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Rutledge/Cornelius), and carried unanimously, by Resolution 2006-025, the Commission adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance and approved as amended Use Permit 05-031, based on the findings and subject to the conditions listed in the resolution.

R3: **Tract Map 1924 (Gardner)**: Redding Municipal Airport area. The project is located on a 45.5-acre parcel on the north side of Knighton Road approximately seven-tenths of a mile west of its intersection with Airport Road. The applicant has requested approval of a six-parcel land division. Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the project and pointed out that the parcel has a Use Permit and Reclamation Plan allowing gravel extraction. The Reclamation Plan requires a two-year monitoring period pursuant to the State Mining and Declaration Act. Therefore, the map may not be recorded until the Reclamation Plan has been implemented and the required two-year monitoring period completed. The public hearing was opened and the applicant's representative Keith Mullnix spoke in favor of the project, noting that Planning Condition #12 , requiring the Reclamation Plan be implemented and the two-year monitoring period completed prior to recordation of the Tract Map was not in the project's published report presented to he, his client or the Commissioners, requesting that the condition be removed or financial assurance from the applicant be implemented, allowing the applicant to record the tentative map prior to the required two-year monitoring period and be able to develop and sell the lots during the monitoring period. Commissioner Casolary advised that state law requires the Reclamation Plan be completed before any parcels may be sold and Assistant Director Richard Barnum, verified that the Commission does not have the authority to override the state regulations on the reclamation.

R3 Cont'd Curt Nailor spoke in opposition questioning if the land will be brought back to its original contour as during the mining operation the elevation has risen. Mr. Mullnix answered that the land would be restored to its original grade and elevation.

There being no other speakers for or against the project, the public hearing was closed.

Planner Rogers explained that the Reclamation Plan has a two-year monitoring period to ensure that the plan was successful (replanted vegetation survives, etc.) and by having one owner held responsible for the restoration would have a higher likelihood of succeeding. He also verified a condition was left out of the conditions of the Tract Map stating "prior to the recordation of the map the Reclamation Plan must be implemented and the two-year monitoring period completed" and requested that if the Commission intends to approve the project that they add that condition (Planning Condition #12). Planner Rogers also reiterated that the recontouring of the land was part of the conditions of the original Use Permit on the parcel. He also informed the Commissioners that the monitoring is for a full two years, beginning when the applicant notifies the County that the Reclamation Plan has been installed and that the Tract Map, which is in effect for two years as well, may expire before the Reclamation Plan is implemented requiring a extension of time for the Tract Map. Mike Ralston of County Counsel stated that it would be ill-advised to change the requirements of the original Reclamation Plan condition.

ACTION: By motion made, seconded (Cornelius/Casolary), and carried unanimously, by Resolution 2006-026, the Commission adopted a CEQA determination of a Mitigated Negative Declaration, and approved Tract Map 1924, based on the findings and subject to the conditions listed in the resolution, as amended.

R4: **Zone Amendment 05-002 and Tract Map 1906 (Jenkins)**: Oak Run area. The project is located on an 80-acre parcel at the northwest end of Teri-Rand Lane approximately two-tenths of a mile north of its intersection with Oak Run Road. The applicant has requested approval of: a Zone Amendment from Unclassified (U) to Limited Residential (R-L) for the southern portion of project site within the RB General Plan land use designation, and Habitat Protection - 80-acre minimum (HP-BA-80) for the northern portion of project site within the General Plan land use designation of NH-80; a two-parcel land division of an 80-acre parcel; and a CDF exception to the County Fire Safety Standard, Section 6.11.1, Dead End Road Length (4/5 vote required). Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the project and Commissioners Cornelius and Casolary asked for clarification of creating a 40-acre parcel on an 80-acre minimum. Planner Rogers and Senior Planner Zach Bonnin explained that because of a General Plan policy stating that in a shared General Plan designation (e.g., 80 and 5-acre minimums) it is allowable to average the density of the project site. The project site has adequate residential density for the proposed two-parcel land division. The public hearing was opened and applicant Max Jenkins spoke in favor of the project. Vicky Eggen, of Sharrah, Dunlap, Sawyer spoke in favor of the project and requested that DPW condition #31 be changed for the paving width to be reduced from 18 feet to 10 feet.

R4 Cont'd Ken Silva, a neighbor speaking neither for or against the project questioned if his adjoining parcel was in the same General Plan designation and if the policy applied to his property.

There being no other speakers for or against the project, the public hearing was closed.

In response to the condition change, Jim Diehl, Shasta County Fire and Al Cathey from Department of Public Works agreed to the condition and recommended the project.

In response to Commissioner Cornelius' question, Senior Planner Zach Bonnin stated that Building Site Minimums would not be necessary. Chairman Smith informed Mr. Silva that he could make his inquiries regarding his property be directed to the Planning Division.

ACTION: By motion made, seconded (Casolary/Rutledge), and carried unanimously, by Resolution 2006-028, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance, and approve Zone Amendment 05-002, and approve Shasta County Fire Department Exception to the Fire Safety Standards (4/5 vote required), with conditions, based on the findings contained in the Exception Request #05-06 (revised addition), and by Resolution 2006-027 approved Tract Map 1906 and, based on the findings and subject to the conditions listed in the resolution, as amended.

R5: **Use Permit 05-012 (Stutes)**: Igo area. The project is located on a 444-acre parcel located adjacent to the south side of Cloverdale Road approximately one-half mile east of its intersection with Placer Road. The applicant has requested approval of a 2,500-foot-long by 50-foot-wide private runway, using an existing private dirt road. Staff Planner: Bonnin.

Senior Planner Zach Bonnin presented the project and stated that the applicant had requested that the project be continued so that he can have more time to prepare. The date chosen is April 13, 2006. Planning staff decided since the project had already been publicly noticed that the hearing should be conducted so that any members of the community who wanted to speak would be able to.

Bart Fleharty, representing the applicant, spoke in favor of continuance of the project so that he and the applicant could work with the County to condition the project to an acceptable level for approval.

Skip Willmore, chairman of the Eastern Shasta County Fish and Game Commission and a former employee of the applicant, spoke in favor of the project and stated that when he worked there he never saw any birds, which is one of the airstrip safety issues.

Ron Jolliff, resident of Igo, spoke in favor of the project if it were monitored properly and opposed to the project if "expansion" could be done without the County being aware of it.

Larry Miralles, Municipal Utilities Manager with the City of Redding, spoke in opposition to the project due to landfill issues.

John Dunn, resident of Igo, for "the record" spoke in opposition to the project.

R5 Cont'd Kathleen Dunn, resident of Igo, spoke in opposition due to her concern that the airstrip is incompatible with the area, due to very few services (fire, sheriff, etc.) available at this time.

Michelle Hanaford, resident of Igo, requested that any continuance be halted, as she will not be able to attend the future meeting, and that she feels it has been shown that the project is not acceptable in the community of Igo.

Thomas Nihard, resident of Igo spoke in opposition stating that there is no practical use for the applicant to have a private airstrip and concerns about the landfill's growth being compromised by the project if it is approved.

Lois Campbell, resident of Igo spoke in opposition stating that an "airport would make the country setting of Igo too much like city."

Bernita Morrison, neighbor stated she just wanted to go on record to oppose the project.

Wayne King, resident of Igo spoke in opposition due to birds from the landfill being a potential safety coming into contact with an airplane and that the flight path would be too near the Igo Elementary School.

Robert McHugh, resident of Igo spoke in opposition due to the possible safety issues with the high winds in the area.

Cathy Scott, President of Horse Town Clear Creek Preserve, spoke in opposition to the project with concerns that for some time there have been efforts to restore and improve the area with projects such as the Song Bird Monitoring & Lower Clear Creek Floodway Rehabilitation Project, working with BLM and other agencies to have a continuous trail from the Sacramento River to Trinity Lake and this trail would be crossing the property across the street from the proposed "airpark."

Patty Lovelace, resident of Igo spoke in opposition to the project with concerns about birds and wildlife being disturbed, noise from the project, growth in the area.

There being no other speakers for or against the project, the public hearing was closed.

ACTION By motion made, seconded (Casolary/Cornelius), and carried unanimously, to continue Use Permit 05-012 to the April 13, 2006, Planning Commission meeting.

Non-Hearing Items: None

ADJOURNMENT: 4:00 p.m.

Submitted by:

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Spring Cassedy, Recording Secretary