SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: February 14, 2013
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners Present:

Dick Franks	District 2
Jim Chapin	District 1
Gene Parham	District 3
Roy Ramsey	District 4

Commissioners Absent: Darren Simmons — District 5

Staff Present:
Richard Simon, Director of Resource Management
Rubin Cruse, County Counsel
Bill Walker, Senior Planner
Mark Cramer, Environmental Health Division
Dan Hebrard, Shasta County Fire Department
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager, Recording Secretary

Note: **All unanimous actions reflect a 4-0 vote.**

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorically Exempt (CE), Other Exemption from CEQA (OE); Not Subject to CEQA (N/A).

CONFLICT OF INTEREST DECLARATIONS: None.

OPEN TIME: No Speakers.

APPROVAL OF MINUTES: By motion made, seconded (Ramsey/Chapin), and carried unanimously, the Commission approved the minutes of January 10, 2013, as submitted.

CONSENT ITEMS: None.

PUBLIC HEARINGS: None.

NON-HEARING ITEMS:

NH1: **Appeal – Use Permit 12-002 & Variance 12-001 (Stott Outdoor Advertising)**: The project site is located in the southeast Anderson area, immediately adjacent to the east side of Interstate 5 at the northbound off-ramp to Highway 273/Deschutes Road (Exit 667). It is also at the west end of Bettendorf Road. The request is for a freestanding outdoor advertising sign adjacent to Interstate Highway 5. The sign would have two faces of 36 feet wide by 12 feet high each. The applicant is appealing the Shasta County Environmental Officer's decision to require the preparation of an Environmental Impact Report (EIR) for the project. Staff Planner: Walker. District: 5. Proposed CEQA Determination: N/A. Ex-parte Communications Disclosures: None.

Senior Planner, Bill Walker presented the staff report. Commissioner Chapin wanted to know if the EIR would be limited in scope. Director of Resource Management, Richard Simon responded that it would be likely that the EIR would be limited to covering impacts to aesthetics. Commissioner Parham asked if the applicant had proposed any mitigation to the aesthetic impacts. Bill Walker responded that Planning staff and the applicant had discussed moving the sign to another location on the subject property. However, if the sign were located anywhere else on the property, the sign would be less visible from Interstate 5 and so it would not meet the applicant's objectives. Therefore, the applicant rejected that possible mitigation. No other mitigation measures had been proposed or identified by the applicant.

Jackson Glick, representing the applicant, made a Power Point presentation in support of the appeal. Mr. Glick's presentation: 1) made the assertion that there are no existing local land-use controls to protect scenic vistas such as design review or overlay zoning districts; 2) provided several examples of existing signs in Shasta County that did not require an EIR; 3) made the assertion that the photo simulations prepared by the County were not relevant because they were positioned from the south-bound lanes of Interstate 5 and the impact should have been measured from the north-bound lanes. Several photo simulations from the north-bound lanes were displayed to illustrate this point; 4) explained that the lighting proposed for the sign would be only bright enough to illuminate the sign and not the surrounding area, and nearby freeway off-ramps are significantly lit during nighttime hours; and 5) concluded that an EIR would exceed the scope of the proposed project.

County Counsel, Rubin Cruse and Director of Resource Management, Richard Simon responded to various questions from the Commissioners and discussed the EIR process. Commissioners Ramsey and Parham disclosed that each had driven the north-bound section of Interstate 5 where the sign was being proposed. Commissioner Parham stated he was not comfortable requiring an EIR because the visual impacts from the freeway were only for a short length of time.

MOTION 1: Commissioner Chapin moved to require an EIR for Use Permit 12-002 and Variance 12-001 as recommended in the staff report and the motion was seconded by Commissioner Franks. With Commissioners Chapin and Franks voting AYE and Commissioners Parham and Ramsey voting NO for a 2-2 vote, the motion failed.

The Commission further discussed their positions on the appeal and Rubin Cruse provided additional information regarding CEQA and when EIR's are required for certain projects. Mr.

Cruse suggested that the Commission continue the appeal to the next meeting when all five Commissioners would be present to vote on the matter.

ACTION: By motion made, seconded (Ramsey/Chapin), and carried unanimously, the Commission continued the appeal for Use Permit 12-002 and Variance 12-001 to the March 14, 2013 Planning Commission meeting.

NH2: **Workshop/Training – Ralph M. Brown Act, Conflict of Interest, Ex-Parte Communications, and Planning Commission Rules of Conduct.** The workshop was presented by County Counsel, Rubin Cruse.

ADJOURNMENT: The Planning Commission adjourned at 4:15 p.m.

Submitted by:

Dawn Duckett, Staff Services Manager
Recording Secretary