

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: March 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 Smith, Environmental Health Department Manager
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager/Recording Secretary

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

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

OPEN TIME

No Speakers.

APPROVAL OF MINUTES

By motion made, seconded (Casolary/Ramsey), and carried unanimously, the Commission approved the minutes of February 9, 2006, as submitted.

ITEMS REMOVED FROM THE CONSENT AGENDA

Items C2 and C6 were removed from the Consent Agenda and placed on the Regular Agenda for discussion. Item C9 was continued to the April 2006 Planning Commission meeting.

CONSENT ITEMS

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

- C1:** **Use Permit 05-026 (Wallers):** By Resolution 2006-029, approved a used car sales lot, with a proposed 2,360-square-foot office and shop in the South Redding area. Staff Planner: Rogers. District 2. CEQA: CE
- C3:** **Parcel Map 05-076 (Said):** By Resolution 2006-031, approved a three-parcel land division in the Happy Valley area. Staff Planner: Rogers. District 2. CEQA: MND/DM
- C4:** **Parcel Map 05-080 (Kibler):** By Resolution 2006-032, approved a two-parcel land division into 2.0 and 7.47-acre parcels in the Anderson area. Staff Planner: Meraz. District 5. CEQA: ND/DM
- C5:** **Parcel Map 05-072 (Beursken):** By Resolution 2006-033, approved a two-parcel land division into a 2.0 and a 5.99-acre parcel in the Bella Vista area. Staff Planner: Meraz. District 3. CEQA: ND
- C7:** **Use Permit 05-046 (Serle):** By Resolution 2006-035, approved a CDF Exception 05-047, which will allow a carport with a non-conforming setback of 1½ feet in order to convert the carport to living space in the East Redding area. Staff Planner: Lozier. (4/5 vote required) District 4. CEQA: CE
- C8:** **Parcel Map 01-010 (Banister/Haas):** By Resolution 2006-036, approved a final, 2½-year extension of time for a previously approved four-parcel land division in the Shasta area. Staff planner: Lozier. District 2. CEQA: N/A

By motion made, seconded (Rutledge/Cornelius), and carried unanimously, the Commission continued Item C9 to the April 13, 2006, Planning Commission meeting:

- C9:** **Parcel Map 05-042 (Lassen Canyon Nursery, Inc.):** The request is for a two-parcel land division. The proposed parcel sizes are 249.10 acres for each parcel. Staff Planner: Walker.

PUBLIC HEARINGS

- C2:** **Parcel Map 05-043 (Davis):** East Redding area. The project is located on a 9.80-acre parcel on the north side of Old Alturas Road less than one-tenth of a mile east of Nora Drive. The applicants have requested a separation of existing facilities into 3.15 and 4.3-acre parcels. Staff Planner: Meraz. District 4. CEQA: CE

C2 Cont'd

Associate Planner Meri Meraz presented the staff report and advised the Commission that Condition #27 was being removed. The public hearing was opened and Vicky Gibson-Eggen, representing the applicant spoke in favor of the project stating that all of the conditions of approval were satisfactory. There being no other speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Casolary/Ramsey), and carried unanimously, by Resolution 2006-030, the Commission found the project Categorically Exempt from the requirements of CEQA and approved Parcel Map 05-043, based on the findings and subject to the conditions, as amended, listed in the Resolution.

C6:

Parcel Map 05-058 (Davis): Palo Cedro area. The project is located on a 24.60-acre parcel on the west side of Deschutes Road less than one-tenth of a mile north of its intersection with Maynard Road. The applicants have requested approval of a four-parcel land division. Staff Planner: Rogers. District 3. CEQA: MND/DM

Associate Planner Brandon Rogers presented the project and directed the Commission's attention to a memorandum containing two letters from neighbors that were received by the Planning Division subsequent to preparation of the staff report. Commissioner Cornelius asked for confirmation that the project site had passed percolation tests. Jim Smith from the Environmental Health Division confirmed that all projects before the Commission are tested and that this particular site had met the requirements but had some areas of slow percolation rates and some ponding might occur on the lower portion of the site.

The public hearing was opened and Bruce Alexander, representing the applicant, spoke in favor of the project. Mr. Alexander explained that the detailed flood analysis performed for the project site had determined sufficient elevations on the back half of the project site for building.

Speaking in opposition to the project was Gary Tavis, stating concerns with flooding and contamination of groundwater by leachfields. Also speaking in opposition was Suzy Gibson who voiced concerns regarding flooding and increased traffic. There being no other speakers for or against the project, the public hearing was closed.

The Commission re-opened the public hearing to ask Mr. Alexander to explain whether any analysis had been performed to determine increases in runoff that might occur as a result of building structures on the site. Mr. Alexander confirmed that a detailed analysis had been performed and that increases in runoff were determined to be insignificant and that impacts would be fractional. Suzy Gibson re-approached the Commission stating that there is continually one foot of standing water on the front portion of the project site and reiterated concerns with increased runoff and contamination. Mike Bollard addressed the Commission stating that fractional impacts of projects approved are cumulative over time. Gary Tavis re-approached the Commission stating that there is standing water on the back portion of the property and opined that any excavating to create additional drainage for the site would negatively affect neighboring properties. There being no other speakers for or against the project, the public hearing was closed.

MOTION

A motion failed by Commissioner Casolary to continue the project so that additional drainage studies could be performed (seconded by Cornelius) with Commissioner Casolary voting AYE and Commissioners Rutledge, Cornelius, Ramsey, and Smith voting NO for a 1-4 vote. Motion Failed.

ACTION C-6

By motion made, seconded (Cornelius/Rutledge), and carried with Commissioners Cornelius, Rutledge, Ramsey, and Smith voting AYE and Commissioner Casolary voting NO for a 4-1 vote, by Resolution 2006-034, the Commission adopted a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance and approved Parcel Map 05-058, based on the findings and subject to the conditions listed in the Resolution.

R1: **Parcel Map 05-065 (Mautz):** Anderson area. The project is located on the southwest end of Davey Way approximately one-tenth of a mile northwest of Balls Ferry Road. The applicants have requested a two-parcel land division of a 4.48-acre parcel into 2.26 and 2.22-acre parcels. Staff Planner: Meraz.

Associate Planner Meri Meraz presented the project. The public hearing was opened and Robert Hobbs, representing the applicant, spoke in favor of the project stating he had no objections to the conditions of approval for the project. Mr. Hobbs also noted that the location of the project stated in the staff report was incorrect, and that the actual location is *northeast* of Balls Ferry Road. 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, by Resolution 2006-038, the Commission adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Parcel Map 05-065, based on the findings and subject to the conditions listed in the Resolution.

R2: **Zone Amendment 05-025 (Realyvasquez):** Palo Cedro area. The project is located on 650 acres north of Old Forty-Four Drive approximately one-half mile west of the intersection of Old Forty-Four Drive and Oak Run Road. The applicants have requested approval to rezone the property from Exclusive Agricultural (EA) to Limited Residential (RL). Staff is recommending a rezone to Limited Residential combined with a building acreage minimum of 90 acres and 560 acres (RL BA 90 and RL BA 560). Staff Planner: Meraz.

Senior Planner Zach Bonnin presented the staff report. Planner Bonnin clarified that the project only consisted of a Zone Amendment application and that currently no tentative map was associated with the request.

The public hearing was opened and John Sharrah, representing the applicant, spoke in favor of the project. Mr. Sharrah explained that approval of the Zone Amendment would expedite a property line adjustment on the project site. Mr. Sharrah suggested that a future study session with the Planning Commission to explore the interpretation of the Rural Residential B General Plan designation would be helpful.

R2 Cont'd

Vicky Gibson-Eggan echoed Mr. Sharrah's request for a study session with the Planning Commission. Ms. Gibson-Eggan stated that the agricultural zoning and density requirements were inconsistent with the Rural Residential General Plan designation for the site.

Reverge Anselmo spoke in opposition to the project stating that agricultural lands should be preserved. Commissioner Rutledge commented that the underlying General Plan for the site was not agricultural but was rural residential. Also speaking in opposition to the project was Terry Dean. Mr. Dean opined that approving the Zone Amendment would be the first step toward greater development in an agricultural area. Commissioner Rutledge again stated that the General Plan for the area was rural residential and that the agricultural zoning was inconsistent with the General Plan. Mr. Dean stated additional concerns regarding increased traffic. Mark Griffey spoke in opposition to the project stating that he agreed with Mr. Dean's comments. There being no other speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Cornelius/Rutledge), and carried unanimously, by Resolution 2006-039, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance and approve Zone Amendment 05-025, based on the findings and subject to the condition listed in the Resolution.

R3: **Variance 05-004 (Smith):** McArthur area. The project is located on a 2.1-acre parcel at the end of Big Brother Way on the south side of State Highway 299 East. The applicants have requested approval of reduced rear and side yard setbacks of five-feet instead of the required 30-foot minimum. Staff planner: Lozier.

Associate Planner Lisa Lozier presented the project. The public hearing was opened and there being no speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Rutledge/Cornelius), and carried unanimously, by Resolution 2006-040, the Commission approved a CDF Exception 05-052A (4/5 vote required), and found the project to be Categorically Exempt from CEQA requirements, and approved Variance 05-004, based on the findings and subject to the conditions listed in the Resolution.

R4: **Tract Map 1926 (Moon):** West Redding area. The project is located on a 40-acre parcel on the southwest corner of the intersection of Camino Del Encina Drive and Texas Springs Road. The applicant has requested approval to divide a 40-acre parcel into six single-family residential lots ranging in size from 3.02 acres to 17.20 acres. Staff Planner: Walker.

Senior Planner Bill Walker presented the project. The public hearing was opened and Duane Miller, representing the applicant, spoke in favor of the project stating that he concurred with all conditions of approval. There being no other speakers for or against the project, the public hearing was closed.

ACTION R4 By motion made, seconded (Casolary/Ramsey), and carried unanimously, by Resolution 2006-041, the Commission adopted a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance and approved Tract Map 1926, based on the findings and subject to the conditions listed in the Resolution.

R5: **Parcel Map 05-027 (Christopher)**: Cottonwood area. The project is located on a 5.68-acre parcel at the northeast intersection of Fourth Street and Main Street, at Parkway. The applicant has requested approval of a four-parcel land division. Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the staff report. Planner Rogers advised that Condition #62 was being amended to include a third alternative for public dedication for right-of-way. The public hearing was opened and Bruce Alexander, representing the applicant, spoke in favor of the project stating that the applicant was willing to pay a fair share of costs for a traffic signal. There being no other speakers for or against the project, the public hearing was closed.

ACTION By motion made, seconded (Ramsey/Casolary), and carried unanimously, by Resolution 2006-042, the Commission adopted a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance, and approved Parcel Map 05-027, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R6: **Zone Amendment 05-028 and Tract Map 1857 (Griffin/Wusstig)**: Happy Valley area. The project is located on a 307-acre parcel east of Happy Valley Road approximately three-quarters of a mile north of Gas Point Road, and north of the West Valley Ranches Subdivision. The applicants have requested approval of a rezone from the Limited Agricultural combined with mobile homes (A-1-T) to the Planned Development (PD) zone district and to subdivide the parcel into 45 lots situated on the east side of the parcel. Staff Planner: Bonnin.

Senior Planner Zach Bonnin presented the project. The public hearing was opened and Bruce Alexander, representing the applicant, spoke in favor of the project. Mr. Alexander directed the Commission's attention to a memorandum prepared by the Planning Division advising that the applicant had requested changes to Conditions 31 and 70.4 and deletion of Condition 78. There being no other speakers for or against the project, the public hearing was closed.

ACTION By motion made, seconded (Casolary/Ramsey), and carried unanimously, by Resolution 2006-043, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve Zone Amendment 05-028, based on the findings listed in the Resolution, and by Resolution 2006-044, the Commission approved Tract Map 1857, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R7: General Plan Amendment 01-001, Zone Amendment 00-024, and Tract Map 1854 (Fall River Development, Inc.): Inwood area. This project is continued from the July 12, 2001, Planning Commission meeting. The project is located on a 673-acre parcel located adjacent to both sides of Inwood Road, Ponderosa Way, and Withrow Road, approximately one mile northeast of the intersection of Ponderosa Way and State Highway 44. The applicant has requested approval of a General Plan Amendment from the Full-Time Agricultural Grazing (A-G) land designation to the Rural Residential “B” (RB) land designation; a Zone Amendment from the Exclusive Agricultural (EA) zone district to the Limited Residential district combined with the Building Site Minimum per Recorded Map (R-L-BSM) zone district and/or other appropriate district, in conjunction with a proposed 34-parcel land division. Staff Planner: Bonnin.

Senior Planner Zach Bonnin presented the project. Planner Bonnin directed the Commission’s attention to a binder containing new information and public comments regarding the project and recommended continuance of the project until May 2006, so that the Commission could review all of the new information.

The public hearing was opened and the applicant, Frank Nichols provided a detailed history of the project. Dennis Patterson spoke in favor of the project stating previous developments by the applicant had been “well thought out.” Bruce Alexander addressed the Commission regarding traffic studies performed for the project area stating that the traffic impacts would be negligible.

Speaking in opposition were:

<u><i>Speaker’s Name</i></u>	<u><i>Issue/Comment/Concern</i></u>
Joseph Williams	Referred the Commission to the legal brief, new hydrological reports, citizen input, and other items contained in the binder received by the Commission. Discussed concerns regarding removing agricultural lands, average lot size of the project, quality and quantity of drinking water. Requested a new Environmental Impact Report (EIR).
Derrick Williams	Hydrologist. Referred Commission to his letter contained in the binder received by the Commission. Discussed concerns regarding the environmental impacts of using the ground water in the area.
John Nagle	Advised that he will provide a detailed presentation regarding ground water at the May 2006, Planning Commission meeting. Inwood citizens worked hard to deliver the binder to the Planning Division in a timely fashion.
Jane Arnett	Requested a land capability analysis and a new EIR. Read aloud a prepared written statement.

R-7 Cont'd

Stan Weidert	Discussed concerns regarding soils capability for the project site, mapping wetlands and springs, and flood zones.
Phil McGowan	Discussed inconsistency with the Zoning and General Plan for the area as well as conflicts between rural residential uses and agricultural operations and concerns regarding water availability. Requested a new EIR.
Bea Nevins	Discussed concerns regarding availability of public services for the area, traffic, and loss of wildlife habitat. Requested a new EIR.
Jane Delehante	Requested a new EIR. Discussed traffic, safety, and wildlife concerns.
Reverge Enseldo	Concerns regarding vandalism and conflicts between residential uses and agricultural activities.
Phil Meyers	Discussed concerns regarding water availability and reduction in agricultural lands.
Robert Levrinci	Requested a new EIR. Read aloud a prepared written statement discussing concerns regarding the cumulative environmental impacts of the project, negative impacts caused by the conversion of agricultural lands into residential uses, and impacts to water resources.
Barbara Holder	Discussed concerns regarding impacts to biological resources such as certain endangered fish species and herds of deer.
Duane Broven	Requested new EIR. Concerns regarding quality of life and conflicts between residential uses and agriculture.
Glenn Aldridge	Requested a new EIR. Voiced concerns regarding dogs (displayed a photograph of a cow that had been injured by dogs), trespassers, and garbage.
George Eckelberger	Discussed concerns regarding quality and availability of water.
Joe Crowe	Discussed concerns regarding dogs, trespassers, conflict between residential uses and agriculture, deer habitat, and availability of water.
Erin Johnston	Voiced concerns regarding the style of homes in the proposed subdivision and the uniqueness of the existing homes in the area.

R-7 Cont'd

Maxine Holder Read aloud a prepared written statement that discussed concerns regarding water, dogs, and preservation of agricultural lands.

Bill McPheteridge Voiced concerns regarding water.

Marty Weidert Asked for a full soils analysis and mapping of the number and location of herds of deer in the area. Asked for a full investigation.

Mr. Nichols stated that his opening comments adequately covered all concerns discussed during the hearing. There being no speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Cornelius/Rutledge), and carried unanimously, the Commission continued General Plan Amendment 01-01, Zone Amendment 00-24, and Tract Map 1854 to the May 2006 Planning Commission meeting.

Non-Hearing Items: None.

ADJOURNMENT

The March 9, 2006, Planning Commission meeting was adjourned at 6:41 p.m.

Submitted by:

Dawn Duckett, Recording Secretary