

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: April 10, 2008
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present:

Dave Rutledge	District 1
Roy Ramsey	District 4
John Wilson	District 2
John Cornelius	District 3
Shirley Easley	District 5

Staff Present: Rick Simon, Assistant Director of Resource Management
Mike Ralston, Assistant County Counsel
Lisa Lozier, Senior Planner
Kent Hector, Senior Planner
Lio Salazar, Associate Planner
Bridget Dirks, Associate Planner
Jim Smith, Environmental Health Division Manager
Mark Cramer, Senior Environmental Health Specialist
Carla Serio, Senior Environmental Health Specialist
Lindsay Watt, Air Pollution Inspector
Al Cathey, Public Works/Subdivision Engineer
Jim Diehl, Shasta County Fire Department
Dawn Duckett, Staff Services Manager, Recording Secretary
Hazel Siner, Typist Clerk

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), General Exemption from CEQA (GE); Not Subject to CEQA (N/A).

CONFLICT OF INTEREST

DECLARATIONS: None.

OPEN TIME: No Speakers.

APPROVAL OF MINUTES:

By motion made, seconded (Easley/Cornelius), and carried unanimously, the Commission approved the minutes of March 13, 2008, as submitted.

**CONSENT
ITEMS:**

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

- C1:** **Parcel Map 08-003 & Use Permit 07-034 (Knott)**: By Resolution 2008-033, approved a Parcel Map to merge five lots into one, and by Resolution 2008-034, approved a Use Permit to allow an indoor contractor's yard, with exceptions to the parking and landscaping requirements. The project is located in the Anderson area on a .97-acre parcel on the northwest corner of Parallel Road and Jacqueline Street. Staff Planner: Dirks. District 2. Proposed CEQA Determination: CE.
- C2:** **Use Permit 08-001 (Hickey)**: By Resolution 2008-035, approved exceptions from off-street parking and landscaping standards due to space constraints and the availability of off-site parking. The project is located in the McArthur area on a 15,000-square-foot parcel on the north side of State Highway 299 East, approximately 400 feet east of Grove Street. Staff Planner: Salazar. District 3. Proposed CEQA Determination: CE.
- C3:** **Parcel Map 05-027 Extension of Time (Christopher)** By Resolution 2008-036, approved an extension of time to actively and substantially commence the use of the property for a proposed 73-room hotel. The project site is located in the Cottonwood area on a 5.68-acre parcel on the west side of Park Way, approximately 128 feet north of its intersection with Fourth Street. The property also fronts Main Street at a location approximately 300 feet north of its intersection with Fourth Street. Staff Planner: Salazar District 5. Proposed CEQA Determination: N/A.

PUBLIC HEARINGS:

- R1:** **Zone Amendment 07-015 & Parcel Map 07-021 (Sutter)**: The 25.68-acre parcel is located in the Shingletown area directly south of the intersection of Inwood Road and State Highway 44. The request is for an approval of a Parcel Map consisting of four parcels ranging in size from 5.01 acres to 5.44 acres along with a 5.06-acre remainder parcel. The applicant has also requested approval of a Zone Amendment changing the current Unclassified (U) zone district to Limited Residential (R-L) zone district. Staff Planner: Dirks. District 5. Proposed CEQA Determination: MND.

Associate Planner Bridget Dirks presented the staff report. The public hearing was opened and neighbor, Robert Byrne voiced concerns that installation of new wells on the parcels being created would potentially prevent him from installing a septic system on an adjacent parcel. Mark Cramer from the Environmental Health Division displayed the proposed site plan and explained that the proposed well sites were a sufficient distance from adjacent parcels. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Cornelius/Easley), and carried unanimously, by Resolution 2008-037, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve Zone Amendment 07-015, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2008-038, adopted a CEQA determination of a Mitigated Negative Declaration and approved Parcel Map 07-021, based on the findings and subject to the conditions listed in the Resolution.

R2: **Use Permit 07-018 (Miller):** The property is located in the Bella Vista area on two parcels totaling 4.79 acres on State Highway 299 East approximately two-tenths of a mile east of its intersection with Deschutes Road. The request is for an approval of a Use Permit to allow a mini-storage facility, which includes 12 mini-storage buildings, an office, and caretakers' residence. The facility will provide 394 storage rental units and limited outdoor storage. Reduced building setbacks are proposed, by the applicant, along the western and eastern project boundary lines which would allow Buildings E and K to be built next to the property line, and Building L to be built 15 feet from the property line. Staff Planner: Dirks. District 3. Proposed CEQA Determination: MND.

Associate Planner Bridget Dirks presented the staff report. A memorandum was distributed to the Commission containing recommended revisions to Conditions 51 and 52 as well as the addition of Condition 70. The public hearing was opened and Duane Miller, representing the applicant, spoke in favor of the project and explained the reasons for the setback exception request. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Cornelius/Wilson), and carried unanimously, by Resolution 2008-039, the Commission adopted a CEQA determination of a Mitigated Negative Declaration, approved an exception to the Shasta County Fire Department Standards (Exception #08-03), and approved Use Permit 07-018, based on the findings and subject to the conditions, as amended (Conditions 51, 52 and 70), listed in the Resolution.

R3: **Use Permit 07-026 (Klein):** The project is located in the Round Mountain Community Center on three adjacent parcels totaling 4.71 acres on the west side of State Highway 299 East just south of Ranch Road. The request is for approval to construct a metal building for equipment storage and a metal shop and storage building in conjunction with an existing shop for equipment sales and service. The project site consists of three adjoining parcels, two of which contain existing commercial structures. Staff Planner: Lozier. District 3. Proposed CEQA Determination: ND.

Senior Planner Lisa Lozier presented the staff report. A memorandum was distributed to the Commission recommending an additional condition requested by Caltrans (Condition 52). 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 (Easley/Ramsey), and carried unanimously, by Resolution 2008-040, the Commission adopted a CEQA determination of a Negative Declaration and approved Use Permit 07-026, based on the findings and subject to the conditions, as amended (Condition 52) listed in the Resolution.

R4: **Parcel Map 06-036 (Walgamuth)**: The project is located in the North Redding area on a 23.12-acre parcel situated east of Old Oregon Trail. The property is accessed from Old Oregon Trail over two private road easements. The northern private road easement is approximately 300 feet south of the intersection of Old Oregon Trail and Miller Butte Road. The request is for an approval of a three-parcel residential land division. The resulting parcels would be approximately four, nine, and ten acres. Staff Planner: Salazar. District 4. Proposed CEQA Determination: MND.

Associate Planner Lio Salazar presented the staff report. A memorandum was distributed to the Commission containing recommended revisions to Conditions 9, 10, 59, and 66. The public hearing was opened and Ed Whitson, representing the applicant, spoke in favor of the project. Duane Miller asked for clarification regarding the road development standards for the roads serving the southern lots. Al Cathey from the Department of Public Works indicated that the roads would be developed as minor rural roads. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Ramsey/Cornelius), and carried unanimously, by Resolution 2008-041, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Parcel Map 06-036, based on the findings and subject to the conditions, as amended by the recommended revisions in the memorandum, listed in the Resolution.

R5: **Use Permit 00-024A (Anderson Landfill)**: Anderson Landfill, Inc. is requesting an approval to amend existing Use Permit 00-024 to increase the maximum permitted elevation from 760 feet above mean sea level (MSL) to 769.5 feet MSL within a 12-acre area of Waste Management Unit 1 (WMU1) at the Anderson Landfill facility. The amendment is necessary for the operator to meet California Integrated Waste Management Board regulations for a minimum 3 percent slope for the final grading and closure cap of WMU1. Staff Planner: Hector. District 5. Proposed CEQA Determination: ND.

Senior Planner Kent Hector presented the staff report. A memorandum was distributed to the Commission containing several public comment letters and recommending revisions to Conditions 30 and 67 as well as recommending several new conditions pertaining to air quality. The public hearing was opened and Greg Johnson, District Landfill Manager 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 (Cornelius/Ramsey), and carried unanimously, by Resolution 2008-042, the Commission adopted a CEQA determination of a Negative Declaration and approved Use Permit 00-024A, based on the findings and subject to the conditions, as amended and recommended in the memorandum, listed in the Resolution.

R6: **Parcel Map 06-070A2 (Chuck)**: The project is located in the Burney area on the east side of Black Ranch Road approximately 1.6 miles north of its intersection with Highway 299 East and consists of a four-parcel land division. The proposed Parcel Map amendment is

a request by the applicant to modify the layout of Parcels 3 and 4, and to delete Conditions 12 and 24. Condition 12 was recommended by the Environmental Health Division (EHD) and Condition 24 was recommended by the Burney Fire District. Staff Planner: Dirks. District 3. Proposed CEQA Determination: ND.

Associate Planner Bridget Dirks presented the staff report. A memorandum was distributed to the Commission containing two public comment letters received by the Planning Division after the staff reports had been prepared and distributed. Commissioner Rutledge disclosed that he had been contacted by Fred Lucero (Pace Engineering), representing the applicant, who indicated that the applicant disagreed with staff's position regarding Condition 24.

The public hearing was opened and Sam Chuck, attorney for the applicant, provided a detailed history of the project and the difficulties in obtaining approval from the Burney Fire Department. Mr. Chuck asked that Condition 24 be removed because the Burney Fire Department's chosen funding mechanism was annexation into a Mello-Roos Community Facilities District, which Mr. Chuck found to be illegal in its formation as well as cost prohibitive to the applicant. Mr. Chuck requested relief by the Planning Commission by eliminating the condition for the funding mechanism. There being no other speakers for or against the project, the public hearing was closed.

Rick Simon, Assistant Director of Resource Management advised the Commission that the dispute at hand was between the applicant and the Burney Fire District. He explained that Condition 24 was designed to provide a mechanism for new development to fund services, without committing to a specific funding program. He went on to say that there is currently a reasonable means to satisfy the condition and that there are no changes in circumstances that would justify modification to the condition.

The public hearing was re-opened and Sam Chuck provided additional testimony as well as distributed a memorandum dated June 14, 2007, from Rick Simon to the Planning Commission which recommended deletion of a similar condition for a similar project (Parcel Map 06-071). The public hearing was closed.

MOTION: Commissioner Cornelius made a motion to approve the project as recommended by staff. The motion failed for the lack of a second.

Rick Simon explained that since June 2007, the standard condition related to funding for fire services has been revised and applied to projects within the Burney Fire District, including this project. He clarified that the condition allows for a number of funding mechanisms that the applicant and the District could agree to. Mr. Simon reiterated that if the current option does not appeal to the applicant, the issue must be pursued with the District, not the County.

ACTION: By motion made, seconded (Cornelius/Wilson), and carried with Commissioners Cornelius, Wilson, Ramsey, and Easley voting AYE and Commissioner Rutledge voting NO for a 4-1 vote, by Resolution 2008-043, the Commission re-adopted a CEQA determination of a Negative Declaration and approved Parcel Map 06-070A2, based on the findings and subject to the conditions listed in the Resolution.

NON-HEARING ITEM:

NH1: **Use Permit 05-017 Extension of Time (Christopher):** The project site is located in the Cottonwood area on a 5.68-acre parcel on the west side of Park Way, approximately 128 feet north of its intersection with Fourth Street. The property also fronts Main Street at a location approximately 300 feet north of its intersection with Fourth Street. The request is for approval of an extension of time to actively and substantially commence the use of the property for a proposed 73-room hotel. Staff Planner: Salazar. District 5. Proposed CEQA Determination: N/A.

Associate Planner Lio Salazar presented the staff report.

ACTION: By motion made, seconded (Ramsey/Easley), and carried unanimously, by Resolution 2008-044, the Commission found that the project is not subject to the requirements of CEQA and approved an extension of time for Use Permit 05-01, based on the findings listed in the Resolution and subject to the conditions listed in Resolution 2006-059.

ADJOURNMENT: The Planning Commission adjourned at 4:34 p.m.

Submitted by:

Dawn Duckett, Staff Services Manager
Recording Secretary