SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: April 13, 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
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager/Recording Secretary
Sarah Randall, Administrative Secretary I

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 No Speakers.

APPROVAL OF MINUTES

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

ITEMS REMOVED FROM THE CONSENT AGENDA

Item C4 was removed from the Consent Agenda and placed on the Regular Agenda for discussion. Item C1 was continued indefinitely and Item C11 was continued to the May 2006 Planning Commission meeting.

CONSENT ITEMS

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

C2: **Parcel Map 05-061 (Castellanos)**: By Resolution 2006-045, approved a four-parcel land division in the Happy Valley area. The project is located on a 21.30-acre parcel on the south side of Olinda Road at its southeast intersection with Redleaf Lane. Staff Planner: Rogers. District 2. CEQA: MND/DM

C3: **Parcel Map 05-057 (Dastrup)**: By Resolution 2006-046, approved a two-parcel land division in the Shingletown area. The project is located on a 5.03-acre parcel on the west side of Cedar Meadows Road approximately two-tenths of a mile south of its intersection with State Highway 44. Staff Planner: Rogers. District 5. CEQA: MND/DM

C5: **Parcel Map 05-052 (Lockwood)**: By Resolution 2006-049, approved a two-parcel land division of a 10.25-acre parcel into 5.25 and 5.0-acre parcels in the Shingletown area. The project is located on the north side of State Highway 44 approximately three-tenths of a mile west of One Hundred Road. Staff Planner: Meraz. District 5. CEQA: ND

C6: **Use Permit 05-043 (Lee Porter/Frontier Hardware)**: By Resolution 2006-050, approved outdoor sales for a retail nursery and lumber yard adjacent to an existing hardware store in the Cottonwood area. The project is located on a 1.11-acre parcel on the south side of Gas Point Road less than one-tenth of a mile west of the Interstate 5 on-ramp. Staff Planner: Meraz. District 5. CEQA: ND/DM

C7: **Parcel Map 04-011 (Jordan)**: By Resolution 2006-051, approved a four-parcel land division in the Shingletown area. The project is located on a 34-acre parcel at the east end of a private road whose access to State Highway 44 is less than one-tenth of a mile east of Kaysie Rae Court. Staff Planner: Meraz. District 5. CEQA: ND

C8: **Use Permit 97-12B (Smith)**: By Resolution 2006-052, approved an amendment to Use Permit 97-12 to add one mini-storage building to an existing mini-storage development in the Shingletown area. The project is located on an 8.34-acre parcel on the southeast corner of Black Butte Road and State Highway 44. Staff Planner: Lozier. District 5. CEQA: CE

C9: **Tract Map 1887A (Blake/Kittredge)**: By Resolution 2006-053, approved an amendment to a previously-approved eight-lot subdivision and remainder (TR1887), to a nine-lot subdivision and remainder in the Cottonwood area. The project is located on a 4.86-acre parcel on the northwest side of Balls Ferry Road less than one-tenth of a mile northeast of its intersection with Locust Street and First Street. Staff Planner: Lozier. District 5. CEQA: MND

C10: **Grading Permit Number BP06-00050 (Ellis)**: By Resolution 2006-054, approved the creation of a pond with a surface area of approximately four acres and a depth of approximately four feet in the Balls Ferry/East Anderson. The pond would be constructed by building berms above grade. The project is located on a 42.9-acre parcel between Gover Road and the Sacramento River approximately two-tenths of a mile south of the Balls Ferry Bridge over the Sacramento River. Staff Planner: Walker. District 5. CEQA:ND/DM

PUBLIC HEARINGS

C4: **Zone Amendment 05-040 and Parcel Map 05-071 (Dill)**: Millville area. The project is located on a 8.33-acre parcel adjacent to the south side of Deer Canyon Road at its intersection with Whitmore Road. The applicant has requested approval of a re-zone from a Rural Residential BA-5 (RR-BA-5) to a Rural Residential (RR) in conjunction with a two-parcel land division. Staff Planner: Bonnin. District 5.

Senior Planner Zach Bonnin presented the project. Planner Bonnin explained that the applicant had originally requested a zone change to the Rural Residential zone district, but after review and recommendations by staff, the applicants had agreed to amend the proposal to request Rural Residential Building Acreage Minimum 4 Acres zoning for the project. Planner Bonnin added that the applicants had also agreed that to the condition that a 100-foot non-disturbance buffer from Cow Creek be placed on the project. The public hearing was opened and the following spoke in opposition to the project:

Speaker	***Issues/Comments/Concerns***
Aaron Williams	Stated that the parcel sizes proposed for the project are too small and are not consistent with the rural character of the area.
Pam Williams	Opined that the 100-foot buffer from the creek would not be sufficient to control the impacts on the creek.
Nancy Adams	Voiced concern that reducing the minimum acreage could set a precedent.
Rick Bennetts	Discussed the potential negative effect of the project on the environment, alleged that the Department of Fish and Game (DFG) had not been properly notified of the project, and requested that an Environmental Impact Report (EIR) be prepared.

C4 Cont'd

Cynthia Bennetts	Discussed the rural character of the area and the environmental impact to the creek and wildlife.
Bonnie Panabaker	Stated concerns that the parcel sizes proposed for the project are not consistent with the area and the negative effects on wildlife (deer, coyote, and bobcats etc.).
Robert Panabaker	Voiced concerns regarding the effects on wildlife, light pollution, and urban sprawl.
Tim McHugh	Voiced concerns regarding traffic and the effects on wildlife, light pollution, and urban sprawl.
Joan Jardine	Agreed with previous speakers and discussed concerns regarding roads, traffic safety, and the effects on wildlife.
Dale LaForest	Distributed a 9-page public comment to the Commission discussing opposition to the project. Mr. Laforest then discussed concerns regarding the close proximity of a local fishery to the project site and the need for a 30-day legal notice and referral to the DFG. Mr. LaForest stated that the project was inconsistent with General Plan policies pertaining to fish and wildlife protection. Mr. LaForest requested an EIR.

Deanna Dill, the applicant spoke in favor of the project stating that the project would have no impact to Cow Creek because the property that is now undeveloped is on a 30-foot bluff from the creek and that the additional 100-foot buffer would provide adequate protection to the creek. Also speaking in favor was Stan Dill who stated that the project would not negatively affect the wildlife. There being no other speakers, for or against the project, the public hearing was closed.

Rick Barnum advised the Commission that it would be prudent for the Commission to continue the public hearing for the project so that Planning Division staff could review the environmental process and legal notice prepared for the project.

ACTION

By motion made, seconded (Casolary/Rutledge), and carried unanimously, the Commission continued Zone Amendment 05-040 and Parcel Map 05-071 to the May 11, 2006 Planning Commission meeting.

R1: **Zone Amendment 05-046 and Tract Map 1933 (Zachow/Ecenbarger)**: Cottonwood area. The project is located on a 600-acre site on the north side of Gas Point Road approximately one and seven-tenths of a mile east of its intersection with West Anderson Drive. The applicants have requested approval of a Zone Amendment of approximately 600 acres, from various districts, portions to the Limited Residential Building Site Minimum (R-L, BSM), Limited Agriculture Building Site Minimum (A-1, BSM) and Limited Agriculture (A-1). The Zone Amendment also includes the Open Space (OS) district within the boundaries of the existing Restrictive Flood (F-2) district, and an eight-parcel land division of approximately 200 acres with a 159-acre remainder parcel. Staff Planner: Rogers. District 5.

Associate Planner Brandon Rogers presented the staff report. 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 (Cornelius/Casolary), and carried unanimously, by Resolution 2006-056, 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 05-046, based on the findings listed in the Resolution, and by Resolution 2006-057, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1933, based on the findings and subject to the conditions listed in the Resolution.

R2: **Zone Amendment 06-001 (Bruce)**: East Redding/Redding Municipal Airport area. The project is located on a 24.53-acre site at the northeast intersection of Drake Road and Dersch Road. The applicant has requested approval a of Zone Amendment from the Rural Residential (RR) combined with a 40-acre minimum (BA-40) and Airport Specific Plan (ASP) zone districts to the Rural Residential (RR) combined with the Airport Specific Plan (ASP) zone districts. Staff Planner: Rogers. District 5.

Associate Planner Brandon Rogers presented the staff report. 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 (Casolary/Cornelius), and carried unanimously, by Resolution 2006-058, 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 06-001, based on the findings and subject to the condition listed in the Resolution.

R3: **Use Permit 05-017 (Christopher)**: Cottonwood area. The project is located on a 5.68-acre parcel at the northeast intersection of Fourth Street and Main Street at Park Way. The applicant has requested approval of a Use Permit for a proposed 73-room hotel. Staff Planner: Rogers. District 5.

R3 Cont'd Associate Planner Brandon Rogers presented the staff report. Planner Rogers noted a correction to the report stating that a median barrier would be placed at 4th Street rather than Main Street as printed in the report. The public hearing was opened and Bruce Alexander, representing the applicant, spoke in favor of the project stating that the applicant was in agreement with conditions for the project. There being no other speakers, for or against the project, the public hearing was closed.

ACTION By motion made, seconded (Rutledge/Casolary), and carried unanimously, by Resolution 2006-059, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 05-017, based on the findings and subject to the conditions listed in the Resolution.

R4: **Variance 06-001 (Tykel)**: Redding area. The project is located on a 2.36-acre parcel on the east side of Airport Road approximately two-tenths of a mile north of the intersections of Airport Road, where Churn Creek Road and Dersch Road meet. The applicant has requested approval of a reduced setback of 40 feet for two commercial storage buildings, instead of the required 50 feet from the rear property line, and a reduced setback of 6 feet from the side yard property line. Staff Planner: Meraz. (4/5 Vote Required) District 4.

Associate Planner Meri Meraz presented the staff report. A memorandum was distributed to the Commission containing a letter of opposition to 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 (Ramsey/Cornelius), and carried unanimously, by Resolution 2006-060, the Commission found the project Categorically Exempt from the requirements of CEQA and approved Variance 06-001, based on the findings and subject to the conditions listed in the Resolution.

R5: **Use Permit 51-88A (Sierra Pacific Industries/Emmerson)**: Anderson area. The project is located on a 121.39-acre parcel at the end of Riverside Avenue approximately three-tenths of a mile southwest of the Interstate 5 interchange. The applicant has requested approval of a 6,960-square-foot building (A), 6,400-square-foot building (B), and a 4,028-square-foot building (C), to upgrade existing sorter, bander, and planer facilities. Staff Planner: Lozier. District 5.

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 (Cornelius/Rutledge), and carried unanimously, by Resolution 2006-061, the Commission adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Use Permit 51-88A, based on the findings and subject to the conditions listed in the Resolution.

R6: **Zone Amendment 06-007 (Bond)**: Rainbow Lake/Ono area. The project is located on two parcels totaling 160 acres on Rainbow Lake Road approximately one mile northwest of Musselbeck Dam. The applicant has requested approval to rezone the parcels from the Unclassified (U) District to the Timber Production (TP) District. Staff Planner: Walker. District 2.

Senior Planner Zach Bonnin presented the project. The public hearing was opened and Norman Bailey asked for clarification as to whether the applicant was and individual or a corporation. Planner Bonnin responded that the application was submitted by two individuals.

ACTION By motion made, seconded (Casolary/Rutledge), and carried unanimously, by Resolution 2006-062, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and find the project Statutorily Exempt from the requirements of CEQA and approve Zone Amendment 06-007, based on the findings listed in the Resolution.

R7: **Use Permit 05-012 (Stutes)** ***Continued from the February 9, PC Meeting***: Igo area. The project is located on a 444-acre parcel generally 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. District 3.

Senior Planner Zach Bonnin presented the staff report. Planner Bonnin stated that an environmental study had not been performed for the project because CEQA does not require that an environmental study be completed if the lead agency determines that project cannot be approved because the project is in conflict with existing General Plan policies. Planner Bonnin noted that a letter of support for the project had been distributed to the Commission prior to the meeting from Annette Rink.

The public hearing was opened and Patrick Minturn, Director of Public Works provided a detailed history of the County landfill located in close proximity to the proposed airstrip. Mr. Minturn explained that future expansion of the landfill could be affected by this project and that finding an alternative site for expansion was improbable.

Speaking in support of the project:

Speaker	***Comments***
Bill Hobbs	An applicant. Stated that the airstrip would not have an adverse effect on the landfill. Displayed maps showing the location of the airstrip as well as adjacent parcels (color-coded) with land owners in support of the airstrip. Mr. Hobbs opined that only one land owner within a one-mile radius of the project is opposed to the airstrip. Discussed the proposed flight pattern for the intended private airstrip.

R7 Cont'd	Austin Wiswell	Former State Department of Transportation - Aeronautics Division Chief. Discussed his aviation expertise. Explained that private airports were not subject to the guidance posted in the Federal Aviation Administration (FAA) Advisory Circular. Stated that the State of California had no proscription prohibiting a personal-use airport near a landfill. Told the Commission that bird strikes were not a concern for small propellor-powered aircraft. Said that in his experience, he knew of no landfill in California that was ever adversely affected by a nearby private airstrip.
	Albert Becir	Noise Consultant. Explained the noise levels that would occur as a result of take-off and landings by the type of aircraft that would use the proposed airstrip.
	Kathleen Evans	Discussed concerns regarding the rights of land owners to use their property. Said that the proposed airstrip could be used for emergency landings for aircraft in distress as well as for medi-vac purposes.
	Annette Rink	Said that removal of Manzanita will improve bio-diversity in the area. As Veterinarian, she opined that most domestic livestock and other animals are not bothered by aircraft. She pointed out that many airports use sheep and cattle to graze lands in between landing strips.
	Mark Carey	Spoke as a proponent of general aviation and the ability to have safe landing strips in remote areas.
	Dennis Mannagan	Offered general comments in support of the airstrip.
	Keith Livingston	Offered general comments in support of the airstrip and the use of private aircraft for emergency purposes.
	Bart Fleharty	Attorney for the applicant. Requested an environmental analysis by staff pursuant to CEQA. Mr. Fleharty opined that without the environmental analysis, the Commission could not make an informed decision nor make the required findings for denial. He urged the Commission to continue the project so that an initial study could be completed. Asked the Commission to make a field trip to the project site before making a decision.

RECESS A 5-minute recess was called at 5:00 p.m.

RECONVENE The Planning Commission reconvened at 5:09 p.m.

R7 Cont'd Speaking in opposition to the project:

Speaker	***Comments/Issues/Concerns***
Thomas Nihard	Presented a map showing the location of the airstrip in relationship to the Igo School (3,000 feet) and neighboring properties (color-coded) in opposition to the project. Stated that traffic patterns would vary depending on weather and also the size of aircraft using the airstrip. Displayed copies of a website advertising an airpark in Igo. Discussed concerns regarding potential bird strikes. Cited Congressional findings regarding conflict between air commerce and landfills.
Stephen Jorgensen	Discussed the effects on the Veterans' Cemetery and the noise concerns during burial services.
Larry Gibson	Landfill Supervisor. Stated that due to safety issues, the airstrip would be incompatible with the landfill.
Ted Landis	Discussed conflicts between the airstrip and wildlife in the area as well as the loss of peaceful enjoyment by neighboring property owners due to noise.
Cindy Lee Lake	Discussed conflicts between the airstrip and wildlife in the area and safety concerns. Suggested that the applicant use Benton Airpark.
Carl Drake	Agreed with previous speakers. Discussed peaceful enjoyment of one's property. Asked the Commission to deny the project.
Bernita Morrison	Agreed with the previous speaker's comments regarding the conflict with the cemetery.
Vance Acker	Voiced concerns regarding noise and a potential adverse effect on the nearby school's funding.
Ernie Rouse	Discussed the soils on the property and minimum parcel sizes in the area. Stated concerns regarding noise, light, and safety.
Suzanne Norman	Voiced safety concerns regarding the airstrip's close proximity to the school, BLM land, and the preserve.
Wayne King	Voiced general opposition to the airstrip and the potential for further development and the impact to services, wildlife, and the landfill in the Igo area.

R7 Cont'd

Cathy Scott	President, Horsetown Clear Creek Preserve. Presented concerns regarding the close proximity of the airstrip and the impact to the preserve.
Ron Jolliff	Stated concerns regarding the potential for fire danger and the lack of fire suppression services in the area.
Joe LeMehaute	Agreed with previous speakers. Opined that an airstrip would radically alter the character of the area.
Ray Vaugh	Discussed the close proximity of the airstrip to the landfill and the potential for bird strikes.
Patty Lovelace	Discussed the close proximity of the airstrip to the landfill and the potential for bird strikes, safety of children in the Igo area, and the affect on cattle.
Austin Feirebern	Voiced concerns regarding noise.

Bart Fleharty spoke in rebuttal to the opposition stating that the proposal was for a private airstrip and that the applicant did not intend to create an airpark. Mr. Fleharty went on the say that all of the issues discussed by the opposition such as birds, bears, geese, public safety, noise, and fire danger could be addressed in the initial study under CEQA. He asked the Commission to consider that the applicant was entitled to the CEQA process.

There being no other speakers for or against the project, the public hearing was closed. Rick Barnum stated that projects that are denied do not need an initial study under CEQA and that if a Commission makes a finding that a project is incompatible to the land uses in the area, there is no need for a CEQA document. Mr. Barnum added that the Commission could also elect to direct staff to prepare and initial study and hear the matter at a later date.

MOTION

A motion failed by Commissioner Cornelius to deny the project (seconded by Rutledge) with Commissioners Cornelius and Rutledge voting AYE and Commissioners Casolary, Ramsey, and Smith voting NO for a 2-3 vote. Motion Failed.

ACTION

By motion made, seconded (Casolary/Ramsey), with Commissioners Casolary, Ramsey, and Smith voting AYE and Commissioners Cornelius and Rutledge voting NO, for a 3-2 vote, the Commission used Alternative #1 in the staff report and continued the public hearing in order to prepare an environmental document in accordance with the California Environmental Quality Act (CEQA) and prepare findings and conditions of approval for Use Permit 05-012.

Non-Hearing Items: None.

ADJOURNMENT

The April 13, 2006, Planning Commission meeting was adjourned at 6:31 p.m.

Submitted by:

_____

Dawn Duckett, Staff Services Manager
Recording Secretary