SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: April 14, 2005
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners Present:

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

Staff Present:
Rick Barnum, Assistant Director of Resource Management
John Loomis for Mike Ralston, Assistant County Counsel
Bill Walker, Senior Planner
Zach Bonnin, Senior Planner
Nancy Polk, Associate Planner
Brandon Rogers, Associate Planner
Jim Diehl, County Fire Dept./CDF
Steve Preszler, Supervising Engineer/Public Works
Dawn Duckett, 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 No Speakers.

APPROVAL OF MINUTES By motion made, seconded (Casolary/Rutledge), and carried unanimously, the Commission approved the Minutes of March 10, 2005, as submitted.

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

C1: **Parcel Map 05-001 (Walker)**: By Resolution 2005-031, approved a two-parcel land division in the Bella Vista area. The project is located on a six-acre parcel on the west side of Sonora Trail at its southwest intersection with State Highway 299 East. CEQA: MND/DM

C2: **Parcel Map 05-005 (Webber)**: By Resolution 2005-032, approved a two-parcel land division in the Anderson area. The project is located on a five-acre parcel on the north side of Dersch Road at its northwest intersection with Loftus Road. Staff Planner: Rogers. CEQA: ND/DM

C3: **Parcel Map 04-041A (Roberts)**: By Resolution 2005-033, approved an amendment to an approved three-parcel land division to a two-parcel land division in the Shingletown area. The project is located on a ten-acre parcel located on both sides of Emigrant Trail Road approximately two-tenths of a mile west of its intersection with Ritts Mill Road. Staff Planner: Rogers. CEQA: ND/DM

C4: **Use Permit 04-027 (Horn)**: By Resolution 2005-034, approved a retail sales lot for autos, boats, motorcycles, trailers, mobile homes, agricultural equipment, trucks and construction equipment, allow incidental repairs and services on vehicles and equipment to be sold from the sales lot, and allow the existing residence and detached garage to be inhabited and used by the owner, an operator of the commercial use, or paid caretaker. North Anderson area. The project is located on a 4.58-acre parcel at the northwest corner of Hill Street and State Route 273. Staff Planner: Polk. CEQA: MND/DM

C5: **Tract Map 1856A (Nicoli)**: By Resolution 2005-035, approved an amendment of the tentative map to adjust the location of the proposed road encroachment onto Quartz Hill Road in the North Redding area. The project is located on a 31-acre parcel adjacent to the east side of Quartz Hill Road about one-tenth of a mile north of its intersection with Ski Way. Staff Planner: Rogers. CEQA: MND

PUBLIC HEARINGS

R1: **Tract Map 1898 and Zone Amendment 04-022 (Szakal)**: Shingletown area. The project is located on a 38.6-acre parcel on the south side of State Highway 44, approximately three-tenths of a mile west of its intersection with Shasta Forest Drive. The applicant has requested approval of an eleven-lot land division. The land division is in conjunction with a zone amendment from the Rural Residential combined with the mobile home, and the 5-Acre Building Site zone districts (R-R-T-BA-5), to the Rural Residential (R-R) zone district. Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the project and directed the Commission's attention to a memorandum containing three additional comments from neighbors (received subsequent to publishing the written staff report).

The public hearing was opened and Keith Mullinex representing the applicant spoke in favor of the project. Mr. Mullinex requested that Condition #20 be revised to require

R-1 Cont'd

emergency fire escape roads be provided prior to the recordation of the map for Unit 2. Jim Diehl indicated that CDF would agree to the revision of Condition #20 as requested by Mr. Mullinex.

Bruce Miller spoke in opposition to the project stating concerns with the location of Lot #11 being in close proximity to Shingle Creek and possible contamination from sewage disposal.

Also speaking in opposition were Greg Brady with concerns regarding fire hazards and Danielle Brady with concerns regarding the 5-acre minimum, sewage disposal, and fire hazards.

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

Associate Planner Brandon Rogers addressed the concerns regarding sewage disposal and the location of Lot 11 indicating that the project had been reviewed by the Environmental Health Division and that the 100-foot setback requirement for sewage disposal had been met. Planner Rogers (in response to Mrs. Brady's concern regarding the 5-acre minimum) informed the Commission that the General Plan designation for the project would allow parcels as small as two acres in size and that the Zone Amendment request was in accordance with the General Plan.

Commissioner Cornelius inquired whether it would be possible to put a deed restriction on the new parcels prohibiting use of the water from Shingle Creek. Deputy County Counsel John Loomis advised the Commission that the only issue before them was whether or not the land could be divided and suggested that the parcels could have existing water rights to Shingle Creek.

The public hearing was re-opened and Bruce Miller commented regarding the water rights describing a "cronic" problem with local residents diverting the water from Shingle Creek. Mr. Miller opined that it was important to notify future owners that water rights to Shingle Creek are not available. There being no other speakers, the public hearing was closed.

Assistant Director of Resource Management Rick Barnum suggested that a note on the map be placed indicating that water rights to Shingle Creek may not be available to Lots 10 and 11.
Associate Planner Brandon Rogers advised the Commission that a correction to Condition #17 was necessary as the first sentence of the standard condition had been inadvertently omitted.

Commissioner Casolary stated that although he was not opposed to the subdivision he was opposed to the Zone Amendment to a 5-acre minimum opining that the General Plan was incorrect for the area, which had been historically comprised of parcels being greater than five acres in size.

ACTIONR-1 By motion made, seconded (Smith/Rutledge), and carried with Commissioners Cornelius, Rutledge, Smith, and Ramsey voting AYE and Commissioner Casolary voting NO, for a 4-1 vote, by Resolution 2005-036, 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 04-022, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2005-037, adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1898, based on the findings and subject to the conditions, as amended, in the Resolution.

R2: **Tract Map 1895 and Zone Amendment 05-004 and General Plan Amendment 05-002 (Jewell)**: West Redding area. The project is located on a 71-acre parcel on the north side of Texas Springs Road at the intersection of Taku Lane. The applicants have requested approval of a six-lot land division of approximately 71 acres with a 37-acre remainder parcel. A zone amendment from Unclassified (U) combined with the Mineral Resource Buffer District (MRB) to Rural Residential (RR) combined with the Mineral Resource Buffer District (MRB). A General Plan Amendment from Open Space (OS) combined with the Mineral Resource Buffer zone district (MRB) to Rural Residential "A" (RA), combined with the Mineral Resource Buffer zone district (MRB). Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the project and directed the Commission's attention to a memorandum containing one additional comment from a neighbor (received subsequent to publishing the written staff report).

The public hearing was opened and Jim Fisher, attorney for the applicant, spoke in favor of the project. Mr. Fisher apprized the Commission of a pending lawsuit between the applicant and a neighbor involving 126 square feet of the remainder parcel and that the outcome of the lawsuit would not affect the project or vice-versa. 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 2005-038, 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 General Plan Amendment 05-002, based on the findings listed in the Resolution, and by Resolution 2005-039, recommended that the Board of Supervisors approve Zone Amendment 05-004, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2005-040, adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1895, based on the findings and subject to the conditions, listed in the Resolution.

R3: **General Plan Consistency Finding 05-001 (City of Redding)**: Redding Municipal Airport area. The project is located on various parcels totaling several hundred acres located to the north, east, and south of the airport. The applicant has requested that the County find that the proposed acquisition and use of these properties for open space and aviation-related purposes by the Redding Municipal Airport is consistent with the County General Plan (Redding Municipal Airport Specific Plan). The Airport is interested in acquiring these properties to protect the Airport from existing and future uses that may be incompatible with airport operations. The City would only acquire those properties where the landowner voluntarily sells their property.

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The use of eminent domain has neither been contemplated nor authorized by the City Council. Staff Planner: Walker.

Senior Planner Bill Walker presented the project and directed the Commission's attention to a memorandum containing three additional comments received subsequent to publishing the written staff report.

The public hearing was opened and Airport Manager, Rod Dinger spoke in favor of the project. Mr. Dinger explained that all transactions will be voluntary on the part of land owners and that the City would make offers to purchase land only as it becomes available.

Chairman Ramsey asked for a show of hands for those present to speak in opposition to the project. Due to the number of individuals wishing to speak, Chairman Ramsey requested that speakers indicate agreement with a previous speaker if issues and concerns were similar. The following spoke in opposition to the project:

Speaker	Issues/Concerns
1. Thomas Onweiler	The City had previously purchased land without a General Plan Consistency Finding by the County. Asked for more information regarding the airport expansion and time lines as such.
2. Robin Tesserzik	Questions regarding time lines and property values.

Commissioner Smith clarified that the County's role was merely to determine whether the purchase and use of properties would be consistent with the County General Plan and that the County would *not* be participating in the process of purchasing land.

3. Tina Brown	Same as previous speaker. Requested a copy of the Airport Specific Plan. Asked for clarification regarding future market value of affected properties.
4. Kelly Engel	Same as previous speakers. Asked for clarification on future use of properties purchased by the City.
5. Carrie Jordan	Indicated that her property was currently on the market. Also concerned about re-sale value and viability of selling the property.
6. Bill Mitchell	Asked for clarification regarding the City's availability of funds for the purchase of property. Informed the Commission of his intent to split and develop his property, which would be adversely affected by this project.
7. Larry Stran	Asked for clarification regarding any future restrictions on existing and permitted commercial uses in the area.
8. Joe Kelman	Asked for clarification regarding why building permits were still being issued in the area.
9. Shirley Turner	Property owner since 1978. Does not intend to leave the area. Also concerned about re-sale values.
10. Darrell Smith	Intends to retire and stay on his property.

R-3 Cont'd

11. Eric Stricker	Asked for clarification regarding the Airport Plan, specifically to identify which properties would be affected.
12. Daryl Ysones	Twenty-year resident. Also concerned about fair market value.
13. Judy Sills	Appraised values of property in the area will have impact to those intending on acquiring reverse mortgages for retirement income. Asked for copy of the General Plan.
14. Vern Alexander	New resident. Also concerned about re-sale value.
15. Joe Galspee	Not in favor or opposed. Concerned with the lack of knowledge regarding the City's plan and the residents' inability to make future plans.
16. Andy Urban	Thirty-one-year resident. Advised that all concerned citizens should contact the City for clarification.

Rod Dinger advised that any concerned citizen should feel free to contact him for clarifications regarding the City's future plans for the airport. Mr. Dinger reiterated that all transactions would be voluntary and that any property owner not wishing to sell their land to the City would be allowed to remain in the area. 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 2005-041, the Commission approved General Plan Consistency Finding 05-001, based on the findings listed in the Resolution.

RECESS The Planning Commission took a ten-minute break beginning at 3:52 p.m.

RECONVENE The Planning Commission reconvened at 4:02 p.m., with Mike Ralston replacing John Loomis for County Counsel.

R4: **Use Permit 04-020 (Shasta Constructors)**: South Redding area. The project is located on four parcels totaling approximately 40 acres on the northwest side of Latona Road, approximately 0.3 miles northeast of the intersection of Latona Road and Eastside Road. The applicant has requested approval for four industrial/commercial businesses, light-construction businesses, and/or contractor's yards, including related offices, repair and fabrication buildings, storage buildings, outdoor storage of building materials, and a Portland Cement concrete plant with concrete material stockpiles. There is an existing railroad spur on the site, which may also be used for loading and unloading material. Staff Planner: Walker.

Senior Planner Bill Walker presented the project and directed the Commission's attention to a memorandum containing an additional comment received subsequent to publishing the written staff report.

The public hearing was opened and Rob Moseman, representing the applicant, spoke in favor of the project indicating that all conditions had been reviewed and accepted by the applicant. Mr. Moseman informed the Commission that he had met with the area homeowners and had agreed to relocate the cement batch plant to the 5-acre parcel on Latona Road adjacent to the Mosquito Abatement District office.

R-4 Cont'd Michael Michalak addressed the Commission indicating that Mr. Moseman had met with 41 of the 91 area residents in order to explain the project and hear their concerns. Mr. Michalak suggested that the Use Permit should be approached as several permits because the uses described are not similar to one another. He asked for clarification regarding the hours of operation for the cement batching plant. Mr. Michalak asked that the conditions be modified to set a specific limit on the number of days per year that rock crushing would be allowed. Mr. Michalak also requested that a condition be added to require that the operations utilize Cal-OSHA approved alternatives to loud back-up alarms, including strobes and sensors. There being no other speakers for or against the project, the public hearing was closed.

Senior Planner Walker confirmed that a condition would be added to limit the number of days per year for rock crushing to one two-week period during the winter time and that the activities meet all noise standards. Planner Walker also confirmed that the cement batch plant would be relocate the cement batch plant to the 5-acre parcel on Latona Road adjacent to the Mosquito Abatement District office and that a condition be added to require that the operations utilize Cal-OSHA approved alternatives to loud back-up alarms, including strobes and sensors.

ACTION By motion made, seconded (Cornelius/Casolary), and carried unanimously, by Resolution 2005-042, the Commission adopted a CEQA determination of a Mitigated Negative Declaration with a De Minimis finding of significance and approved Use Permit 04-020, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R5: **Tract Map 1887 (Blake)**: Cottonwood area. The project is located on a 4.86-acre parcel adjacent to the northwest side of Balls Ferry Road less than one-tenth of a mile northeast of its intersection with Locust Street and First Street. The applicant has requested approval of an eight-lot subdivision on a 4.86-acre parcel with a 3.02-acre remainder. The proposed parcel sizes range from 11,100 square feet to 7,000 square feet. Staff Planner: Polk.

Associate Planner Nancy Polk presented the project and directed the Commission's attention to a memorandum containing revisions to Conditions16 and 34 for the Tract Map.

The public hearing was opened and John Sharrah, representing the applicant, spoke in favor of the project stating that all conditions were acceptable.

Harold Adams spoke stating that there were existing drainage problems in the area. 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 2005-043, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1887, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R6: **Tract Map 1893 and Zone Amendment 04-017 (Wigington)**: Ingot area. The project is located on 23 parcels totaling approximately 1,928 acres on Backbone Ridge Road one-quarter mile northeast of its intersection with Sugarpine Camp Road. The applicant has requested approval to reconfigure and recognize 23 parcels and also rezone from an

R-6 Cont'd Unclassified (U) zone district to a Limited Rural Residential with Building Site Minimum zone district (RL-BSM). Staff Planner: Bonnin.

Senior Planner Zach Bonnin presented the project and directed the Commission's attention to a memorandum containing an additional comment from a neighbor (received subsequent to publishing the written staff report) and deleting Conditions 8, 16, 40, and 43 for the Tract Map. Senior Planner Bonnin indicated that several issues regarding the conditions had been unresolved and recommended that the project be continued to the May 2005 Planning Commission meeting.

The public hearing was opened and speaking in favor of the project were: Dane Wigington, Iraja Sivadas, Larry Back, and Don Blackburn. Tom Barnes also spoke indicating that although he wasn't opposed to the project, he wanted clarification on the location of the road. 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, the Commission continued Tract Map 1893 and Zone Amendment 04-017 to the May 12, 2005, Planning Commission meeting.

Non-Hearing Items: None.

Planning Commissioners' Comments:

Chairman Ramsey presented Commissioner Rutledge with a plaque recognizing his service to the County as Planning Commission Chairman for 2004.

ADJOURNMENT

The meeting was adjourned at 5:27 p.m.

Submitted by:

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Dawn Duckett, Recording Secretary