SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: April 21, 2011
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL **Commissioners**

Present:	Dick Franks	District 2
	John Cornelius	District 3
	Roy Ramsey	District 4
	David Rutledge	District 1
	Vacant	District 5

Staff Present: Richard Simon, Assistant Director of Resource Management
Rubin Cruse, County Counsel
Bill Walker, Senior Planner
Lio Salazar, Associate Planner
Mark Cramer, Environmental Health Division
Al Cathey, Public Works/Subdivision Engineer
Don Gordon, Shasta County Fire Department
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 (Cornelius/Ramsey), and carried unanimously, the Commission approved the minutes of March 10, 2011, as submitted.

CONSENT ITEMS: None.

PUBLIC HEARINGS:

R1: **Parcel Map 10-010 (Villasenor)**: The parcel is located in the Happy Valley area on the west side of Dolly Lane, approximately 0.16 miles northwest of the intersection of Olive Street and Palm Avenue. The request is for the approval of a Parcel Map for the division of a 30.44-acre parcel into three 10.00-acre to 10.44-acre parcels. Staff Planner: Hector. District: 2. Proposed CEQA Determination: ND. Ex-parte Communications Disclosures: None.

Senior Planner Kent Hector recommended that the project be continued to a date uncertain to allow the applicant time to perform additional soils tests on proposed Parcel 3. 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, the Commission continued Parcel Map 10-010 to a date uncertain.

R2: **Use Permit Amendment 103-83B (Assemblies of God)**: The 24.91-acre project site is located in the Happy Valley area on the west side of Happy Valley Road, approximately 0.9 miles north of the intersection of Happy Valley Road and Palm Avenue and directly across from the intersection of Happy Valley Road and Benji Lane. The request is to amend Use Permit 103-83 for a church, related uses, and facilities and expand the use to include a residential re-entry assistance program for women. The women's center would serve as an administrative, referral and outreach service center for Sacramento Valley Teen Challenge, Inc. The first phase of the project would include a two-story 14-bedroom dormitory building and playground area. Phase 2 would include a 5,000-square-foot storage building, a 2,600-square-foot staff house, an open play field, a sport court and playground. Staff Planner: Salazar. District: 2. Proposed CEQA Determination: MND. Ex-parte Communications Disclosures: None.

Associate Planner Lio Salazar presented the staff report and a memorandum was distributed to the Commission containing additional public comment letters received by the Planning Division. Commissioner Rutledge asked for information regarding the process for revoking a use permit. Richard Simon explained that if the applicant were to be non-compliant with the conditions of approval for the project, the County would initiate the code enforcement process, which could include revocation of the Use Permit.

The public hearing was opened and speaking in favor of the project were:

Speaker's Name	***Comments/Issues/Concerns***
Ray Toney	Mr. Toney, on behalf of the applicant, spoke in favor of the project and presented a short video which described the proposed residential program for women and their children. Mr. Toney stated that the site is currently permitted for a church, adding that the proposed use would have less of an impact on the neighborhood than a church use would. Mr. Toney also said that the conditions of approval for the project were satisfactory to the applicant.

John Strode	Mr. Strode read aloud a letter of support for the project and stated that a rehabilitation facility such as the one being proposed would be a benefit to the community.
John Pappas	Mr. Pappas discussed the benefits to the community that would be provided by the proposed facility.
Dean Haug	Mr. Haug discussed the benefits of providing individuals a second chance to become productive members of society.
Gene Nicolet	Mr. Nicolet spoke in favor of the project stating that his grandson was helped in a similar residential rehabilitation program.
Floyd Larson	Mr. Larson spoke in favor of the project stating that the program had helped his daughter.

Speaking in opposition to the project were:

Speaker's Name	***Comments/Issues/Concerns***
Frank Brown	Mr. Brown discussed concerns regarding population density and the need for a fence to provide a buffer between the proposed facility and the neighboring residential properties. Mr. Brown asked if the facility would be a "locked-down" residential program.
Rob Kappes	Mr. Kappes voiced concerns regarding high-density population, sewage disposal, and water quality.
Myrna Moravec	Ms. Moravec agreed with the previous speakers and discussed concerns regarding noise.

Ray Toney provided rebuttal comments stating that the facility was not a "locked-down" program and that the residents would be enrolled on a voluntary basis. He explained that if a resident were to leave the property, that person would not be allowed to return to the program. Mr. Toney added that the proposed sewage disposal system had been deemed adequate for the proposed use and that the Use Permit contained conditions to mitigate noise as well as landscaping requirements for privacy.

Deputy Director of Teen Challenge, Dick Rhodes assured the Commission that the applicants would work with neighbors to address their concerns.

Commissioner Franks asked for clarification regarding the crisis intervention aspects of the program and wanted to know how long residents would be clean and sober before being enrolled at the program. Ray Toney responded that clients of the proposed residential program would have graduated from an off-site crisis center before being enrolled. Reverend Joan Smith explained that clients would be clean and sober for a minimum of 4-6 weeks before being enrolled at the Happy Valley site. 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 2011-012, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit Amendment 103-83B, based on the findings and subject to the conditions listed in the Resolution.

R3: **Use Permit Amendment 01-037A (Pas)**: The project is located in the Mountain Gate area on a 2.7-acre parcel on the west side of Fawndale Road, approximately 400 feet south of the intersection of Fawndale Road and Summer Shade Lane. The request is for approval of an amendment to Use Permit 01-037 for a boat and mini-storage facility, to allow for the incidental sale of vehicles (boats, trailers, etc.) as an accessory use. Staff Planner: Salazar. District: 4. Proposed CEQA Determination: OE. Ex-parte Communications Disclosures: None.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Robert Pas, the applicant, 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 (Rutledge/Ramsey), and carried unanimously, by Resolution 2011-013, the Commission found the project exempt from CEQA and approved Use Permit Amendment 01-037A, based on the findings and subject to the conditions listed in the Resolution.

R4: **Zone Amendment 08-015 & Tract Map 1975 *Continued from 01/13/2011* (Mitchell)**: The property is located in the Redding Municipal Airport area on a 484.5-acre parcel adjacent to the north east corner of the intersection of Rancho Road and Old Oregon Trail. Stillwater Creek runs through the project site east of the proposed lots. The request is for approval of a Zone Amendment to rezone an approximately 25-acre portion of the subject property from the Open Space (OS) zone district to the Light Industrial combined with the Design Review (M-L-DR) zone district, and approval of a land division to create five lots ranging in size from 5.55 acres to 7.68 acres within the rezoned portion of the site, with a 454.09-acre remainder parcel. Staff Planner: Walker. District: 3. Proposed CEQA Determination: MND. Ex-parte Communications Disclosures: None.

Senior Planner Bill Walker presented the staff report. The public hearing was opened and Rick Clester, representing the applicant, spoke in favor of the project. Mr. Clester said that the applicant agreed with all conditions of approval, except for requirement to make road improvements on Venture Parkway. Mr. Clester explained that the applicants will have no road access east of the project site due to conservation easements that were a result of the development of the Stillwater Business Park (SBP). He stated that only SBP will have benefit of the road improvements and that it was unfair for the applicant to absorb those costs without having the benefit of direct access to the road. There being no other speakers for or against the project, the public hearing was closed.

Commissioner Rutledge stated that he was frustrated with the rigidity of the County codes and expressed empathy for the applicant. Richard Simon explained that the Development Standards require applicants for land divisions to bring roads up to current standards. Al Cathey from the Department of Public Works suggested the alternative of phasing the project and not developing Lot 5 until a later date.

The public hearing was re-opened and the applicant Bill Mitchell provided a history of the project and indicated willingness to phase the project as an alternative. The public hearing was then closed.

County Counsel Rubin Cruse recommended that the project be continued to the June 9, 2011 Planning Commission meeting to allow time for counsel to review certain code sections referred to in Mr. Clester's letter to the Commission which was attached to the staff report.

ACTION: By motion made, seconded (Rutledge/Cornelius), and carried unanimously, the Commission continued Zone Amendment 08-015 and Tract Map 1975 to the June 9, 2011 Planning Commission meeting.

R5: **Administrative Permit 11-004 (Mercer-Fraser)**: The project site is located on a 9.31-acre parcel in the Lakehead / La Moine area on the south side of Slate Creek Road, approximately 0.3 miles southwest of the Slate Creek Road/Interstate Highway 5 under-crossing. The applicants have requested approval of a temporary asphalt concrete plant for a Caltrans pavement project on Interstate Highway 5. The request includes an asphalt concrete plant, stockpiles of aggregate, and a 10-foot by 40-foot office trailer. The asphalt concrete plant would operate from the spring of 2011 through the summer of 2012. Staff is recommending denial on the basis that the project does not satisfy the criteria for temporary construction activities for public works projects required by the Zoning Plan. Staff Planner: Walker. District: 4. Proposed CEQA Determination: N/A. Ex-parte Communications Disclosures: None.

Senior Planner Bill Walker presented the staff report. Commissioner Rutledge stated that fewer miles travelled was a public benefit. The public hearing was opened and Bill Beese spoke in favor of the project stating that the other Caltrans' sites have limited or no access. There being no other speakers for or against the project, the public hearing was closed.

Commissioner Franks asked if the recommended findings for denial were based on County codes. Richard Simon affirmed that they were. Commissioner Cornelius indicated that he supported the recommendation for denial of the project.

ACTION: By motion made, seconded (Ramsey/Cornelius), and carried by a 3-1 vote with Commissioners Ramsey, Cornelius, and Franks voting AYE and Commissioner Rutledge voting NO, by Resolution 2011-016, the Commission found that the project is not subject to CEQA and denied Administrative Permit 11-004 based on the findings listed in the Resolution.

ADJOURNMENT: The Planning Commission adjourned at 4:23 p.m.

Submitted by:

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Dawn Duckett, Staff Services Manager
Recording Secretary