SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: May 11, 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
Jim Smith, Environmental Health Division Manager
Mike Ralston, Assistant County Counsel
Zach Bonnin, Senior Planner
Bill Walker, Senior Planner
Brandon Rogers, Associate Planner
Meri Meraz, Associate Planner
Lisa Lozier, Associate Planner
Lio Salazar, Associate Planner
Jim Diehl, County Fire Dept./CDF
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager/Recording Secretary
Roberta Klein, Typist Clerk III

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 Dwayne Broven requested clarification regarding the agricultural designations in the Shasta County General Plan versus the zoning ordinance. Mike Ralston explained that open time was reserved for general comments from the public and recommended that Commission direct Planning Division staff to meet with Mr. Broven at a later date.

APPROVAL OF MINUTES

Commissioner Casolary requested the following revision to Item R7 (Use Permit 05-012 Stutes): replace the word "explained" with the word "stated" in the second sentence of paragraph two on page seven. By motion made, seconded (Casolary/Cornelius), and carried unanimously, the Commission approved the minutes of April 13, 2006, as amended. Commissioner Casolary stated that at the Planning Commission meeting on April 13, 2006, he made a motion (Use Permit 05-012 - Page 10 of the Planning Commission minutes for April 13, 2006) based on his desire to uphold CEQA. Commissioner Casolary said it was not made clear in the staff report nor in the testimony given that the project was exempt from CEQA. He went on to say that his motion to uphold CEQA was in error and he suggested that the Commission suspend Planning Commission Operations Rule 9E to re-consider the project at a future meeting. By motion made, seconded (Casolary/Cornelius), and carried unanimously, the Commission suspended Rule 9E of the Planning Commission Rules of Operations and reconsidered Use Permit 05-012 and instructed staff to prepare a legal notice for the item to be heard at the Planning Commission meeting of June 8, 2006.

ITEMS REMOVED FROM THE CONSENT AGENDA

Item C1 was placed on the regular agenda for discussion.

CONSENT ITEMS

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

C2: **Parcel Map 05-046 (Ecenbarger)** ***Continued from the April 13, 2006, Planning Commission meeting***: By Resolution 2006-065, approved a four-parcel land division with parcel sizes ranging from 50.32 acres to 222.19 acres. The project is located in the Cottonwood area on two parcels totaling 395 acres on the north side of Gas Point Road approximately seven-tenths of a mile west of its intersection with West Anderson Drive. Staff Planner: Walker. District 5. CEQA: MND/DM

C3: **Parcel Map 06-016 (Tripp)**: By Resolution 2006-066, approved a one-parcel land division of 59 acres into a 10-acre parcel with a 49-acre remainder. The project is located in the East Redding area on a 59-acre parcel on the north side of Hunting Club Road at its northeast intersection with Unforgettable Avenue. Staff Planner: Rogers. District 5. CEQA: MND

C4: **Parcel Map 06-005 (Collier)**: By Resolution 2006-067, approved a two-parcel land division creating one 5-acre and one 7.23-acre parcel. The project is located in the Cottonwood area on a 12.33-acre parcel on the southwest side of Webb Road approximately two-tenths of a mile southeast of its intersection with Lone Tree Road. Staff Planner: Rogers. District 5. CEQA: MND/DM

C5: **Tract Map 1931 (Challe)**: By Resolution 2006-068, approved a six-parcel land division of approximately 24 acres into parcels ranging from 3.08 acres to 5.08 acres in size. The parcel is located on the east side of Placer Road approximately two-tenths of a mile northeast of its intersection with Swasey Drive. Staff Planner: Rogers. District 2. CEQA: MND

C6: **Parcel Map 05-049 (Barzin)**: By Resolution 2006-069, approved a two-parcel land division of approximately 151 acres into one 43-acre parcel and one 108-acre parcel. The parcel is located in the North Redding area on the north and south sides of Union School Road approximately two-tenths of a mile west of its intersection with Moonlite Lane. Staff Planner: Rogers. District 4. CEQA: ND/DM

C7: **Parcel Map 05-075 (Ray)**: By Resolution 2006-070, approved a two-parcel land division resulting in two 5.05-acre lots. The project is located in the Happy Valley area on a 10.11-acre parcel on the northwest corner of Treat Avenue and Dead End Lane. Staff Planner: Meraz. District 5. CEQA: MND

C8: **Use Permit Amendment 01-005B (Trinity Meadows/Hull)**: By Resolution 2006-071, approved a new 1,560-square-foot classroom building for the existing private school. The project is located in the French Gulch area on a 446-acre parcel on the west side of Trinity Mountain Road approximately 2.5 miles north of its intersection with East Fork Road. Staff Planner: Lozier. District 2. CEQA: CE

PUBLIC HEARINGS

C1: **Zone Amendment 05-032 & Parcel Map 05-059 (Gardner)**: Oak Run area. The project is located on the southeast side of Oak Run Road approximately four-tenths of a mile north of its intersection with Little Ridge Road. The request is for a Zone Amendment from the Unclassified (U) zone district to the Limited Residential (R-L) and Limited Residential combined with the Building Site Minimum (R-L-BSM) zone districts and to the Open Space (OS) district within the boundaries of the existing Restrictive Flood (F-2) district, in conjunction with a four-parcel land division of approximately 58 acres into parcels ranging in size from 5.00 acres to 42.49 acres. Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the staff report. Planner Rogers advised the Commission that the applicant's representative had requested a continuance to the June Planning Commission meeting to allow additional time to seek alternatives to the driveway requirements being placed on the project by the Department of Public Works. The public hearing was opened and Vicky Gibson Eggan representing the applicant requested that the project be continued. 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, the Commission continued Zone Amendment 05-032 and Parcel Map 05-059 to the June 8, 2006, Planning Commission meeting.

R1: **Zone Amendment 05-040 & Parcel Map 05-071 (Dill)** ***Continued from the April 13, 2006, Planning Commission meeting***: Millville area. The project is located adjacent to the south side of Whitmore Road at the Deer Canyon Road intersection. The request is for a Zone Amendment to change from Rural Residential Building Minimum Acreage 5 acres (RR-BA5) to a Rural Residential Building Acreage Minimum 4 acres (RR-BA4) zone district; and to divide an 8.6-acre parcel into a 4.0-acre parcel and a 4.6-acre parcel. Staff Planner: Zach Bonnin.

Senior Planner Zach Bonnin requested that the project be continued to the June Planning Commission meeting to allow additional time for the environmental review of 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, the Commission continued Zone Amendment 05-040 and Parcel Map 05-071 to the June 8, 2006, Planning Commission meeting.

R8: **General Plan Amendment 01-001, Zone Amendment 00-024 & Tract Map 1854 (Fall River Development/Nichols)** ***Continued from the March 9, 2006, Planning Commission meeting***: Inwood area. The project is 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 application is for approval of: 1) A General Plan Amendment from the Full Time Agricultural Grazing (A-G) designation to the Natural Resource Protection-Habitat (N-H) designation, 2) A Zone Amendment from the Exclusive Agricultural (EA) district and Exclusive Agricultural combined with Agricultural Preserve (EA-AP) to the Exclusive Agricultural (EA) district, and the Habitat Protection district combined with the Building Site Minimum per Recorded Map (HP-BSM) district, and the Limited Residential (RL-BSM) district and/or other appropriate district; and 3) A Tract Map to allow a 34-parcel land division of 673 acres. Staff Planner: Bonnin.

Assistant Director Rick Barnum advised that the applicant had requested a continuation of the project until an Environmental Impact Reprt (EIR) had been prepared. Senior Planner Zach Bonnin presented the staff report and requested that the project be continued to a date uncertain. The public hearing was opened and Beth Livsey from the Inwood Task Force Steering Committee stated that although an EIR was needed for the project, the opposition was not waiving any interest they may have in whether continuing the project was procedurally and legally correct. 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, the Commission continued General Plan Amendment 01-001, Zone Amendment 00-024, and Tract Map 1854 to a date uncertain for environmental review.

R2: **Use Permit 05-041 (K-2 Development)**: Cottonwood area. The project is located on a 1.14-acre site on the east side of Rhonda Road at its intersection with Sigma Drive. The request is for a Multiple-Family Residential development in the Design Review (DR) zoning district with a request for a 25 percent density bonus, and an over-height fence. Staff Planner: Rogers.

Associate Planner Brandon Rogers presented the staff report. Planner Rogers advised that a new condition was being added to require a revised landscape plan to reflect the new site plan and that Condition 50 was being changed to reduce the right-of-way width along Rhonda Road to 60 feet and the paving width to 42 feet. 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 2006-072, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 05-041, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R3: **Zone Amendment 06-005 & Parcel Map 06-003 (Reese)**: Anderson area. The parcel is located on an approximately 7.06-acre parcel on the east side of Horseman's Way less than one-tenth of a mile north of Hawthorne Avenue. The request is for approval to rezone the property from Limited Agricultural Mobile Home District (A1T) to Rural Residential (RR) combined with a proposal for a two-parcel land division into 2.5 and 4.6-acre parcels. Staff Planner: Meraz.

Associate Planner Meri Meraz 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 (Ramsey/Cornelius), and carried unanimously, by Resolution 2006-073, 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 06-005, based on the findings and subject to the condition listed on attached Resolution, and by Resolution 2006-074, adopted a CEQA determination of a Mitigated Negative Declaration, and approved Parcel Map 06-003 based on the findings and subject to the conditions listed in the Resolution.

R4: **Zone Amendment 06-011 & Parcel Map 05-031 (Williams)**: Palo Cedro area. The parcel is located on the southeast end of Buckshot Lane less than one-tenth of a mile south of Hidden Beryl Lane. The request is for approval to rezone the property from Rural Residential Building Site Minimum (RR BSM) to Rural Residential (RR) combined with a proposal of a two-parcel land division on a 20-acre parcel into two 10-acre parcels. Staff Planner: Meraz. District 3.

Associate Planner Meri Meraz 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 R4 By motion made, seconded (Rutledge/Cornelius), and carried unanimously, by Resolution 2006-075, 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 06-011, based on the findings and subject to the condition listed on attached Resolution, and by Resolution 2006-076, adopted a CEQA determination of a Mitigated Negative Declaration, and approved Parcel Map 05-031, based on the findings and subject to the conditions listed in the Resolution.

R5: **Use Permit 06-011 (Redding Auto Center)**: Columbia area. The parcel is located on a 7.84-acre parcel on the north side of Viking Way less than one-tenth of a mile west of its intersection with Abernathy Way. The Redding Auto Center facilities encompass a total of approximately 31-acres. The request is for approval of a proposed 22,300-square-foot warehouse for storage and distribution of auto parts with an attached 2,600-square-foot truck maintenance shop and a 720-square-foot office in the Design Review (DR) zone district. Staff Planner: Rogers. District 4.

Associate Planner Brandon Rogers presented the project and advised the Commission that the City of Redding had submitted comments (subsequent to the preparation of the written staff report) and had recommended additional development criteria and conditions for the project. Planner Rogers noted that a condition was being added with additional requirements regarding the building roof lines on the site.

Commissioner Rutledge disclosed that he had discussed the project briefly with Ginne Mistal. The public hearing was opened and Ginne Mistal spoke in favor of the project and distributed a letter to the Commission addressing the design standards being requested by the City of Redding. City of Redding Planning Manager Doug DeMallie stated that the City was in full support of the proposed use with additional site design standards. Mr. DeMallie requested that the Commission continue the item to allow time for City and County staff along with the applicant to discuss the issues. 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 2006-077, the Commission adopted a CEQA determination of a Mitigated Negative Declaration, and approved Use Permit Use Permit 06-011, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R6: **General Plan Amendment 05-008 & Tract Map 1928 (Avantino)**: Burney area. The project is located off of Tamarack Drive approximately 300 feet east of its intersection with State Highway 299. The project request is to amend the General Plan to allow 3.76 units per acre in the Urban Residential (UR-4) designation instead of the current designation of Suburban Residential (SR), which allows a maximum of 3.0 units per acre. The General Plan Amendment is a companion to Tract Map 1928, which would allow 43 lots on 11.44 acres. Staff Planner: Bonnin. District 3.

R6 Cont'd Senior Planner Zach Bonnin presented the project and directed the Commission's attention to a memorandum containing a letter of opposition that was received subsequent to the preparation of the written staff report.

The public hearing was opened and Frank Avantino, the applicant, spoke in favor of the project indicating that the project would provide affordable housing for the Burney area. Speaking in opposition to the project was Christine Patterson who asked the Commission to continue the project so that the community would have additional time to review the project. Ms. Patterson voiced concerns regarding the environment, the creek, and effects on wildlife. Also speaking in opposition was Terry Trammell who asked for a continuance and stated concerns regarding the density, effects on the creek, and noise. 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 2006-078, 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 05-008, based on the findings listed in the Resolution, and by Resolution 2006-079, approved Tract Map 1928, based on the findings and subject to the conditions listed in the attached Resolution.

R7: **Zone Amendment 06-015, Use Permit 05-039 & Reclamation Plan 05-004 (Twin Mine - Timber Management Services)**: Millville area. The property is located on a 162-acre parcel located approximately one-half mile east of Millville Plains Road. The road access to the parcel is located on Millville Plains Road approximately 0.7 miles north of the intersection with Dersch Road. The request is for approval of: 1) an amendment of the existing Planned Development (PD) zone district on the site to include mining as a use subject to approval of a use permit; 2) a use permit for the excavation, screening, washing, crushing, and off-site transportation of sand and gravel; and 3) a reclamation plan to reclaim the extraction and processing areas as rangeland and ponds. The extraction area would be 68.7 acres. A total of approximately 91.5 acres would be reclaimed, including the processing areas as well as the extraction areas. Approximately 1.7 million cubic yards of sand and gravel would be removed over a 30-year period. There is an existing approved landfill on the site which is authorized to accept only paper waste. The landfill area would not be disturbed. Staff Planner: Walker. District 5.

Senior Planner Bill Walker presented the staff report. The public hearing was opened and Keith Hamblin, representing the applicant, spoke in favor of the project indicating that there were no objections to the conditions.

R7 Cont'd Speaking in opposition to the project:

Speaker's Name	***Issues/Comments/Concerns***
Robert Harrison	Mr. Harrison stated concerns regarding noise caused by the rock crusher, dust, and increased truck traffic. He said that the landfill trucks on Millville Plains Road only travel south, while the gravel trucks will travel north.
Bob Harp	Mr. Harp made statements and voiced the following concerns: 1) the initial study was not attached to the legal notice; 2) the project's proximity to the landfill and the possibility that the liners from the landfill will fail and contaminate sand and gravel extracted from the mining operation; 3) the number of monitoring wells was not sufficient for the size of the project; 4) sewage disposal for the employees of the mining operation had not been addressed; 5) the finding of no impact (in the initial study) with regards to aesthetics was questionable; 6) asked that an Environmental Impact Report (EIR) specific to a mining operation be prepared; 7) negative impacts caused by truck traffic; 8) the reclamation plan had stated incorrectly that the landfill contained non-hazardous materials; and 9) the effects on salmon in Dry Creek.
Skip Crosby	Mr. Crosby voiced concerns regarding truck traffic, drainage, dust, and overflow of leachate from the pond. He noted that there had been recent hauling from the site.
Emilie Reedy	Ms. Reedy asked for clarification regarding recent hauling activities from the site. Ms. Reedy stated concerns regarding the project's close proximity to the ponds located on the landfill site and the possibility of contamination, the effects on wildlife, road conditions and increased traffic as well as dust. Ms. Reedy also stated concerns regarding the limited life of the landfill liners and runoff from the landfill going into Dry Creek. Ms. Reedy requested that an EIR be prepared for the project and that the initial study be included with any future legal notices.
Skip Crosby	Mr. Crosby stated additional concerns regarding road conditions and traffic. He noted that the load limit signs on Millville Plains Road are now gone.

R7 Cont'd Keith Hamblin indicated that there would be a rock crusher located on the site east of the ridge which would be blocked from view and that the location of the crusher would help to

mitigate noise. In response to Ms. Reedy's question regarding hauling, Mr. Hamblin told the Commission that topsoil had been removed/hauled from the site. Mr. Hamblin added that portable restroom facilities would be placed on the site for use by employees of the mining operation. He went on to say that the issues relating to contaminants from the landfill are governed by the State as well as the Regional Water Quality Control Board and that extensive water testing for the site was on record with those agencies. Mr. Hamblin noted proposed dust control measures. He also noted that the gravel extraction would take place on the ridges of the site and that the detention basins would capture sediment before it left the site. There being no other speakers for or against the project, the public hearing was closed.

In response to questions from the Commission, Planner Walker explained that there is nothing in CEQA nor any other statute that requires an EIR for a gravel plant. He went on to say that the recommendation for approval was not based on the EIR for the landfill but rather the Negative Declaration and initial study were based on the landfill EIR as well as a number of other sources of information. He noted that the initial study contained three pages listing the sources of information used to prepare the document. Planner Walker also explained that CEQA guidelines list the required contents of legal notices for Mitigated Negative Declarations and that those contents do not include the initial study. He added that the legal notices prepared by the County invite the public to review initial studies for projects which are available at the permits counter at the Department of Resource Management. Planner Walker noted that the initial study for the proposed project had been available for public review since April 21, 2006, and that no letters of opposition to the project were received prior to the public hearing. Planner Walker emphasized that the project was specifically designed not to affect the landfill.

ACTION By motion made, seconded (Cornelius/Rutledge), and carried unanimously, by Resolution 2006-080, 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 06-015, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-081, adopted a CEQA determination of a Mitigated Negative Declaration, and approved Use Permit 05-039, based on the findings and subject to the conditions listed in the Resolution, and by Resolution 2006-082, approved Reclamation Plan 05-004, based on the findings and subject to the conditions listed in the Resolution.

Non-Hearing Items: None.

ADJOURNMENT

Planning Commission was adjourned at 4:51 p.m.

Submitted by:

_____

Dawn Duckett, Staff Services Manager
Recording Secretary