SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: June 9, 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
	Darren Simmons	District 5

Staff Present: Richard Simon, Assistant Director of Resource Management
Rubin Cruse, County Counsel
Bill Walker, Senior Planner
Lisa Lozier, Senior Planner
Carla Serio, Environmental Health Division
John Sandhofner, Public Works/Subdivision Engineer
Don Gordon, Shasta County Fire Department
Dawn Duckett, Staff Services Manager, 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), 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 (Ramsey/Cornelius), and carried unanimously, the Commission approved the minutes of May 12, 2011, as submitted.

CONSENT ITEMS: None.

PUBLIC HEARINGS:

R1: **Zone Amendment 08-015 & Tract Map 1975** ***Continued from 01/13/2011 & 04/21/2011*** **(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. 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, by Resolution 2011-021, 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 08-015, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2011-022, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1975, based on the findings and subject to the conditions, listed in the Resolution.

R2: **Zone Amendment 11-001 (Turner)**: The project site is located in the Shingletown area on a 70-acre parcel on the east side of the intersection of Inwood Road and Westmoore Road. The request is to amend the zoning of a 70-acre parcel from the current zoning of Limited Agriculture District combined with the Mobile Home District with a minimum lot area as shown on a recorded map (A-1-T-BSM), to a zone district which would permit a second residence on the parcel, such as the Limited Agriculture District combined with the Mobile Home District with a minimum lot area of 25 acres (A-1-T- BA-25). Staff Planner: Walker. District: 5. Proposed CEQA Determination: ND. Ex-parte Communications Disclosures: None.

Senior Planner Bill Walker 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/Rutledge), and carried unanimously, by Resolution 2011-023, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration and approve Zone Amendment 11-001, based on the findings and subject to the condition listed in the Resolution.

NON-HEARING ITEMS: None.

RECESS – The Planning Commission recessed at 2:17 p.m. and reconvened at 5:02 p.m.

R3: **General Plan Amendment 08-002 & Zone Amendment 08-003 (Knighton and Churn Creek Commons Retail Center)**: The project applicant is proposing to develop and operate a commercial retail and entertainment center on approximately 92 acres in Shasta County, located at the northeast corner of the Knighton Road and the Interstate 5 interchange. When completed, the project would include approximately 740,000 square feet of mixed commercial development which may include retail shops, restaurants, lodging, food supplies, recreation activities and equipment, traveler services including fuel sales, and entertainment-related facilities. The northern-most 18 acres of the project site would serve as a buffer between the proposed commercial development and existing low-density residential uses to the north, and would contain the water supply and wastewater treatment facilities needed to serve the project. At the conclusion of the public hearing, the Planning Commission, acting as an advisory body, will make its recommendation to the Board of Supervisors regarding the Environmental Impact Report (EIR), the General Plan Amendment, and the Zone Amendment. Staff Planner: Lozier. District: 5. Proposed CEQA Determination: EIR.

Conflict of Interest Disclosures: None. Ex-parte Communications Disclosures: Commissioner Rutledge disclosed that in 2009, he met with representatives from the Churn Creek Bottom Homeowners' Association and that within the last week he had a brief discussion with representatives of the applicant.

Chairman Franks announced the procedures for the meeting and stated that during the public hearing, each speaker would be allotted five minutes for his or her testimony. Chairman Franks apprised the audience that the Churn Creek Bottom Homeowners' Association had requested that their representatives be granted a total of 25 minutes to speak on behalf of their association rather than each member (approximately 25 in attendance) speaking for five minutes. He asked if there were any Commissioners or anyone in attendance from the Homeowners' Association who opposed this modification to the proceedings and there were none.

Senior Planner Lisa Lozier presented the staff report. A memorandum was distributed to the Commission containing public comment letters received by the Planning Division after the staff report had been published and circulated. Travis Crawford from Quad Knopf summarized the EIR preparation and circulation process and discussed impacts, mitigations, support documents, and conclusions made for each impact category.

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

Speaker's Name	***Comments/Issues/Concerns***
Brian Huffaker	(Representing the applicant) Mr. Huffaker provided background for the project and displayed examples of building materials and architectural styles that would be implemented. He also provided traffic simulations and stated that the project would maximize access from Knighton Road to minimize impacts to Churn Creek Road. He added that the conceptual traffic improvement plans prepared by the applicant matched those reflected in a Project Study Report prepared by Caltrans in 1998, for the interchange. Mr. Huffaker concluded that 20 years of

	planning decisions have identified the area for commercial development and that the project would generate up to 1,647 jobs, have positive fiscal impacts to the area, and was compliant with CEQA.
Mary Machado	(Shasta Voices) Ms. Machado stated that the project would attract additional businesses and create new long-term employment opportunities as well as construction jobs.
Ken Miller	Mr. Miller said that the proposed retail center would not create vacancies in the current local retail market.
Gloria Randall	Ms. Randall stated that based on her own experience commercial agriculture is not sustainable in the Churn Creek bottom area due to the lack of processing plants, labor pools, and adequate irrigation. She added that commercial uses have lesser impacts than residential uses.
Lowell Jerron	Mr. Jerron stated general support for the project.
Doug Jenke	Mr. Jenke discussed benefits to the local economy and reduction in greenhouse gases due to not having to travel out of the area to buy goods.
Joe Machado	Mr. Machado agreed with the previous speakers regarding the benefits of the project and stated that based on his family's agricultural history in the area, 67 acres was not large enough to sustain an agricultural operation.
Kent Dagg	(Shasta Builders' Exchange) Mr. Dagg discussed construction jobs and the benefits to the local economy.
Marcelino Gonzales	(Caltrans) Mr. Gonzales stated that Caltrans does not oppose the project and submitted a letter from Caltrans regarding the project.

RECESS – The Planning Commission recessed at 6:47 p.m. and reconvened at 6:57 p.m.

The following speakers were neither in favor or opposed to the project:

Speaker's Name	***Comments/Issues/Concerns***
Jim Hamilton	(City of Redding) Mr. Hamilton stated that the City was in a neutral position regarding the project as long as the required improvements were made by the developer.
Larry Solberg	(Pacheco School District) Mr. Solberg stated that Section 3.11 of the Draft EIR was not available on the County's website.

Speaking in opposition to the project were:

Speaker's Name	***Comments/Issues/Concerns***
Marjory Cantrell	Ms. Cantrell voiced concerns regarding traffic and stated that it took 20 years to get the General Plan for the area and the designation should not change. She added that employment will be traded with current retail stores and that the rental income generated from the project will leave the area.
Virginia Phelps	Ms. Phelps discussed global warming.
Mary Ocasion	(Churn Creek Bottom Homeowners' Association) Ms. Ocasion described the agricultural activities in the Churn Creek Bottom area and the value of retaining the agricultural zoning. She distributed tables from a California Department of Conservation Land Use Summary to the Commission. Ms. Ocasion also discussed Policies CO-r and CO-u of the General Plan and voiced concerns regarding the lack of city sewer and water as well as traffic issues and the need for a sound wall near the TA truck stop.
Rod Evans	(Churn Creek Bottom Homeowners' Association) Mr. Evans stated that Section 4 of the Final EIR contained approximately 250 pages of changes to the document and there had not been a sufficient amount of time allowed for review of those changes. He pointed out that staff had omitted the word "strictly" from General Plan Policy CO-u during the staff report presentation and told the Commission that he has made repeated requested for an update of the General Plan. He also said that the proposed development would compete with and have negative impacts on existing local retail businesses. He asked when the proposed road improvements would be installed and stated that it would take many years to collect sufficient funds through the impact fee program for those improvements. Mr. Evans recommended that the Commission decline the proposal.
Pam Rocca	Ms. Rocca voiced concerns that the applicant could change the concept of the development once it was approved as well as concerns regarding the conversion of agricultural lands and flooding. She also discussed the value of preserving open space.

John Livingston	Mr. Livingston discussed traffic concerns stating that one entrance into the development was not sufficient. He also voiced concerns regarding the impacts to the school and the TA truck stop and concerns regarding wastewater treatment and groundwater pollution.
Diane Dressel	Ms. Dressel had concerns regarding the risk that the retail center would fail and the buildings would therefore be vacant. She also discussed trends in buying and growing produce locally.
Jessica Morris	Ms. Morris agreed with the previous speakers and discussed the importance of preserving local agricultural lands.
Larry Solberg	(Pacheco School District) Mr. Solber read aloud a portion of a letter submitted to the Commission and stated that the EIR failed to adequately address the project's impacts on the school.
Lennart Linstrand, Jr.	(Shasta Farm Bureau) Mr. Linstrand stated that a comprehensive update of the General Plan is needed and that the amendment process was not the appropriate means for new development.

Brian Huffaker provided rebuttal comments stating: 1) clarifications regarding the size of the project compared to the Mt. Shasta Mall; 2) that the applicant was working with FEMA on flood issues; 3) there are 60 acres of prime agricultural land on the proposed site; 4) 25% of retail sales are being spent outside of the local area; 5) Use Permit conditions for the TA truck stop require trucks to use Pacheco Road; 6) wastewater will be treated prior to being dispersed underground; and 7) the Planned Development ordinance will prevent the applicant from changing the conceptual plan.

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

Commissioner Rutledge expressed the following concerns: 1) There was not a sufficient amount of time allowed for the Commission to review the documents; 2) The use of two traffic consultants in the preparation of the EIR; and 3) Traffic mitigations for the project were not sufficient.

Richard Simon pointed out that the Draft EIR and Re-Circulated Draft EIR had been available and provided to the Commissioners over the past two years. Travis Crawford explained that the original traffic consultant Fehr and Peers had been relieved of duties and Quad Knopf performed the remainder of the traffic analysis.

Commissioner Rutledge also asked for an explanation regarding the Caltrans' letter which asserted that the County had not turned over traffic data to Caltrans. Director of Public Works, Pat Minturn responded stating that the County had furnished Caltrans with the traffic data and analysis, however, the model used was proprietary and was not released to Caltrans.

Commissioner Franks asked how other jurisdictions would fund necessary improvements brought about by traffic impacts and stated that additional mitigation measures should be added to assist with the costs occurring outside of the County area. Richard Simon responded and explained that the County could only require and guarantee mitigation measures that will occur within the County's jurisdiction. Pat Minturn provided detailed explanations of the proposed traffic mitigations for the project.

Commissioner Rutledge expressed additional concerns regarding the truck traffic and noise issues on Pacheco Road. Richard Simon explained that noise impacts were studied by an acoustical consultant who found that impacts at the homes on Pacheco Road and the school would not reach thresholds that would require mitigation under the standards established in the EIR.

ACTION: By motion made, seconded (Cornelius/Ramsey), and carried by a 3-2 vote with Commissioners Cornelius, Ramsey, and Franks voting AYE and Commissioners Rutledge and Simmons voting NO, by Resolutions 2011-024 (EIR), 2011-025 (General Plan Amendment 08-002), and 2011-026 (Zone Amendment 08-003), the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and take the following actions:

1. Certify the Final EIR; and

2. Adopt the Mitigation Monitoring and Reporting Program prepared for the Project and contained in Section 5 of the Final EIR; and

3. Adopt Statement(s) of Overriding Considerations for impacts identified in the EIR as significant and unavoidable; and

4. Approve General Plan Amendment 08-002; and

5. Approve Zone Amendment 08-003.

ADJOURNMENT: The Planning Commission adjourned at 8:47 p.m.

Submitted by:

Dawn Duckett, Staff Services Manager
Recording Secretary