

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: June 12, 2008
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present: Dave Rutledge District 1
Roy Ramsey District 4
John Wilson District 2
John Cornelius District 3
Shirley Easley District 5

Staff Present: Richard Simon, Assistant Director of Resource Management
Bill Walker, Senior Planner
Mike Ralston, Assistant County Counsel
Kent Hector, Senior Planner
Lio Salazar, Associate Planner
Mark Cramer, Senior Environmental Health Specialist
Al Cathey, Public Works/Subdivision Engineer
Jim Diehl, 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), General Exemption from CEQA (GE); Not Subject to CEQA (N/A).

CONFLICT OF INTEREST

DECLARATIONS: None.

OPEN TIME: None.

APPROVAL OF MINUTES:

By motion made, seconded (Easley/Wilson), and carried unanimously, the Commission approved the minutes of May 8, 2008, as submitted.

**CONSENT
ITEMS:**

By motion made, seconded (Cornelius/Ramsey), and carried unanimously the Commission continued Consent Item C2 Parcel Map 08-002 to the July 10, 2008, Planning Commission meeting and approved the following Consent Items:

- C1:** **Parcel Map 07-032 Continued from 05/08/08 (Lanham)**: By Resolution 2008-056, approved a two-parcel residential land division resulting in two 5-acre parcels. The parcel is located in the Cottonwood area on Oak Lane approximately 662 feet north of its intersection with Gas Point Road. The site currently is developed with a single-family dwelling and a barn. Staff Planner: Dirks. District 5. Proposed CEQA Determination: ND.
- C3:** **Tract Map 1887A Extension of Time (Chambers)**: By Resolution 2008-058, approved a 2 ½ -year extension of time for the second phase of a nine-parcel residential land division of approximately 4.86 acres. The 2.93-acre property is located in the Cottonwood area on the northwest side of Balls Ferry Road, less than one-tenth of a mile northeast of its intersection with Locust Street. The first phase of the tentative map (recorded in February of 2007) resulted in the creation of one 1.93-acre-parcel. Staff Planner: Salazar. District 5. Proposed CEQA Determination: N/A.
- C4:** **Use Permit 05-003A (Smith)**: By Resolution 2008-059, approved an amendment of a previously approved Use Permit that allowed for a phased, light industrial development which included a contractor's yard, and a one-family residence for a paid caretaker/night watchman. The 9.56-acre project site is located in the east Redding area at the northwest corner of Churn Creek Road and Airport Road. The amendment proposes to add retail sales subordinate and incidental to a wholesale landscape materials and supplies business, an outdoor landscape materials sales area, fuel storage cover, revised phasing plan, and certain minor amendments to the conditions of approval of the Use Permit. Staff Planner: Salazar. District 5. Proposed CEQA Determination: ND - Addendum. (NOTE: A memorandum was distributed to the Commission containing a public comment letter as well as recommending revisions to Conditions 35 and 36 and revisions to the site plan (location of fencing and depth of the landscaping bed). The project was approved as amended and recommended in the memorandum.)

PUBLIC HEARINGS:

- R1:** **Zone Amendment 07-014 & Tract Map 1966 (Manley)**: The 105.43-acre property is located in the Happy Valley area on the east side of Monte Vista Drive, approximately 700 feet north of Palm Avenue. The proposed project is for a Zone Amendment from the Limited Agriculture (A-1) zone district to Rural Residential (R-R) zone district combined with the Open Space (OS) zone district. The Zone Amendment is requested in conjunction with a 15-lot subdivision consisting of 2.33-acre to 46.60-acre parcels, for single-family residential development. Staff Planner: Hector. District 2. Proposed CEQA Determination: MND.

Senior Planner Kent Hector presented the staff report. A memorandum was issued to the Commission containing several comment letters received by the Planning Division after the staff reports had been prepared and distributed. The memorandum also contained a revised site plan reflecting an increase in the distance of the designated building sites on Lots 10 and

11. The public hearing was opened and Bennett Gooch, representing the applicant, spoke in favor of the project stating that the conditions of approval were satisfactory. Speaking in opposition to the project were:

Speaker's Name

Comment/Issue/Concern

Sandra Winters

Ms. Winters voiced concerns regarding: a) increased traffic on Palm Avenue and safety conditions; b) sewage disposal methods being proposed for the project; c) the Initial Study did not consider existing dams in the area and potential flooding; d) the presence of oil, gold and other mineral resources in the area; and e) obstruction of views from neighboring parcels.

Pat O'Brien

Ms. O'Brien discussed traffic and flooding and stated that five-acre minimum parcel sizes should remain a requirement for the area.

Wayne Nolen

Mr. Nolen stated that the area should remain in an agricultural zone district due to traffic and road conditions.

Don Walton

Mr. Walton discussed road easements stating that the road should be dedicated for public use all the way to Ewok Way.

Monica Middleton

Ms. Middleton voiced concerns regarding the effect new roads will have on neighboring properties in relation to storm water run-off.

Mr. Gooch made rebuttal remarks stating that hydrology studies will be performed to address drainage issues with improvement plans, each lot would have its own sewage disposal system, and that the dams and ponds in the area were located on private lands upstream from the project site.

Sandra Winters made additional comments regarding issues related to dams and ponds as well as flooding in the area. There being no other speakers for or against the project, the public hearing was closed.

Al Cathey, from the Department of Public Works informed the Commission that all new subdivisions require public dedication of the roads and recommended that the conditions of approval for the project be revised to state more specifically what portions of the road be offered for dedication. Mark Cramer from the Environmental Health Division confirmed that each lot would contain its own sewage disposal system.

Assistant County Counsel Mike Ralston recommended that the project be continued to allow additional time for staff to review and revise the conditions regarding the public dedication of the road.

ACTION: By motion made, seconded (Cornelius/Ramsey), and carried unanimously, the Commission continued Zone Amendment 07-014 and Tract Map 1966 to the July 10, 2008, Planning Commission meeting.

R2: **Zone Amendment 07-017 & Parcel Map 07-027 (Durette)**: The project is located in the Shingletown area on a 20-acre property on Ponderosa Way, approximately one mile north of its intersection with State Highway 44. The request is for approval of a Zone Amendment to change the property from the Unclassified (U) zone district to the Limited Residential (R-L) zone district. The Zone Amendment is requested in conjunction with a Parcel Map consisting of the division of the property into four 5-acre parcels. Staff Planner: Hector. District 5. Proposed CEQA Determination: ND.

Senior Planner Kent Hector presented the staff report. A memorandum was distributed to the Commission recommending a revision to Condition 27 of the Parcel Map. The public hearing was opened and David Durette, 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 (Ramsey/Easley), and carried unanimously, by Resolution 2008-062, 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 07-017, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2008-063, adopted a CEQA determination of a Negative Declaration and approved Parcel Map 07-027, based on the findings and subject to the conditions, as amended (Condition 27), listed in the Resolution.

R3: **Use Permit 07-023 (Clement)**: The 3.06-acre project site is located in the Anderson area at the northwest corner of the intersection of Spring Gulch Road and State Highway 273. The request is for approval of contractor's yards and a drive-thru coffee kiosk. The development would include a 10,800-square-foot building, a 5,400-square-foot building, an outdoor storage area, and a 375-square-foot kiosk building. Permitted uses in the Commercial-Light Industrial(C-M) zone district would be also be allowed. Staff Planner: Salazar. District 2. Proposed CEQA Determination: MND.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Bennett Gooch, representing the applicant, spoke in favor of the project stating that the conditions of approval were satisfactory. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Cornelius/Wilson), and carried unanimously, by Resolution 2008-064, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 07-023, based on the findings and subject to the conditions listed in the Resolution.

R4: **Use Permit 07-009 (Stott):** The project is located in the east Redding area on a 3.4-acre parcel on the northwest corner of the intersection of Dell Lane and Tarmac Road, approximately five-tenths of a mile east of the intersection of Shasta View Drive and State Highway 44. The request is for a free-standing, V-shaped, double-faced, illuminated advertising sign, with each side having a sign area of 12-feet-high by 36-feet-wide, and the top of sign would be 50 feet in height. Staff Planner: Walker. District 4. Proposed CEQA Determination: N/A.

Senior Planner Bill Walker presented the staff report and informed the Commission that the Planning Division had been contacted by the applicant stating their intent to withdraw the application. A memorandum was distributed containing several letters received by the Planning Division after the staff report had been prepared and distributed. The public hearing was opened and Brian Daubert, representing the applicant, requested that the application be withdrawn. Patricia Ostrowski voiced general opposition to the project. There being no other speakers for or against the project, the public hearing was closed. No action was taken by the Commission due to the project being withdrawn by the applicant.

R5: **General Plan Amendment 07-005, Zone Amendment 07-020, Use Permit 07-020 & Reclamation Plan 07-002 (Comingdeer):** The project site is located in the community of Keswick, on the west side of Iron Mountain Road, approximately 1.5 miles north of the intersection of Iron Mountain Road and State Highway 299 West, and directly across from the intersection of Iron Mountain Road and Laurie Ann Lane. The proposal is for approval to:

1. Amend the General Plan land use designation of two parcels totaling approximately 115 acres from the Natural Resource Protection - Open Space (N-O) to Mineral Resource (MR);
2. Rezone the same 115 acres from Unclassified (U) zone district to Mineral Resource (MR) zone district;
3. Amend the Use Permit for an existing quarry mining operation to extend the termination date of the operation from February 22, 2010 to December 31, 2072, and to expand the quarry area from 53.57 acres to 110.24 acres,
4. Amend the Reclamation Plan to include the 56.67-acre expansion the area of the quarry.

All other aspects of the mining operation would remain substantially the same, including the annual volume of aggregate produced, the truck traffic, noise, air emissions, etc. Staff Planner: Walker. District 2. Proposed CEQA Determination: MND.

Senior Planner Bill Walker presented the staff report. The public hearing was opened and Jerry Comingdeer, the applicant spoke in favor of the project.

Speaking in opposition to the project were:

<i>Speaker's Name</i>	<i>Comment/Issue/Concern</i>
Olga Luzik	Ms. Luzic stated concerns regarding noise, dust, property values, aesthetics, and water quality. She indicated that current mitigation measures have not been fully complied with by the mining operation and voiced concern regarding the long term for the Use Permit.
Constance Butcher	Mrs. Butcher commented that the photos presented in the planner's staff report did not accurately reflect the aesthetic conditions at the project site. She voiced concerns regarding road conditions, mosquitos breeding in the pond, dust, seismic activity in the area and described structural damage to her property, which occurred after blasting had been performed at the project site. Mrs. Butcher distributed two sets of documents to the Commission for review.

Speaking in support of the project were:

<i>Speaker's Name</i>	<i>Comment/Issue/Concern</i>
Tim Orr	Mr. Orr, a neighboring resident, stated that a past lumber mill in the area had created more noise than the current mining operation and discussed the need for the aggregate products mined at the site.
Dan Spliethof	Mr. Spliethof, also a neighbor, stated that the noise from the mining operation was not objectionable.
Don Orr	Mr. Orr discussed the industrial nature of the area and the need for the products being mined at the site. He also stated that area road conditions are satisfactory.

Travis Deem, representing the applicant, made rebuttal remarks stating that the mining operation had been monitoring the blasts for the last 15 years and the results had indicated no problems. He also stated that long term of the Use Permit was warranted because the aggregate product was a crucial resource to the community. Mr. Deem asked that Condition 22 of the Use Permit be removed because mining operations are exempt from the grading ordinance. There being no other speakers for or against the project, the public hearing was closed.

Senior Planner Bill Walker explained that: 1) the allowable number of truck trips will not be increased as a result of the current request; 2) the seismic monitoring of the site for the last 15 years had indicated that all activity was below the allowable thresholds or non-detectible; 3) the original site is intended to be reclaimed for industrial uses and does not require revegetation; 4) the applicant is required to pay road maintenance fees for impacts to the roads; 5) several geological studies had been performed for the site and those studies were reviewed by State geological engineers. Planner Walker agreed that Condition 22 of the Use Permit should be removed as it did not apply to this type of project.

ACTION: By motion made, seconded (Easley/Wilson), and carried unanimously, by Resolution 2008-066, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve General Plan Amendment 07-005, based on the findings listed in the Resolution, and by Resolution 2008-067, 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 07-020, based on the findings listed in the Resolution, and by Resolution 2008-068, adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 07-020, based on the findings and subject to the conditions, as amended (Condition 22 was removed) listed in the Resolution, and by Resolution 2008-069, adopted a CEQA determination of a Mitigated Negative Declaration and approved Reclamation Plan 07-002, based on the findings and subject to the conditions listed in the Resolution.

NON-HEARING ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 4:31 p.m.

Submitted by:

Dawn Duckett, Staff Services Manager
Recording Secretary