

# SHASTA COUNTY PLANNING COMMISSION

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## MINUTES

### Regular Meeting

Date: June 14, 2007  
Time: 2:00 p.m.  
Place: Shasta County Administration Center  
Board of Supervisors' Chambers

## Flag Salute

## ROLL CALL

### Commissioners

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

**Staff Present:** Rick Simon, Assistant Director of Resource Management  
Mike Ralston, Assistant County Counsel  
Kent Hector, Senior Planner  
Lisa Lozier, Senior Planner  
Lio Salazar, Associate Planner  
Bridget Dirks, 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  
Tracie Huff, Typist Clerk II

**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).

## CONFLICT OF INTEREST

**DECLARATIONS:** Commissioner Rutledge declared that he would recuse himself from the public hearings for Items R8, R9, and R10 of the agenda.

**OPEN TIME:** No speakers.

## APPROVAL OF MINUTES:

By motion made, seconded (Easley/Smith), and carried unanimously, the Commission approved the minutes of May 10, 2007, as submitted.

## CONSENT

### ITEMS:

By motion made, seconded (Ramsey/Easley), and carried unanimously the Commission removed Items C5 (Parcel Map 06-072 Springer) and Item C6 (Parcel Map 07-002 Thompson), continued Item C7 (Parcel Map 06-048 Marleau) to a date uncertain, and approved the following Consent Items:

- C1:** **Parcel Map 07-006 (Happy Valley Investors)**: By Resolution 2007-053, approved a four-parcel land division that will result in a 3.41-acre parcel, an 8.3-acre parcel, an 18.1-acre parcel, and a 7.9-acre parcel. The project is located in the Happy Valley area on a 37.71-acre parcel on the east side of Happy Valley Road south of its intersection with Coyote Lane. Staff Planner: Dirks. District 2. CEQA: MND.
- C2:** **Use Permit 04-002A (Mason)**: By Resolution 2007-054, approved an amendment to an existing Use Permit to allow a single-family residence in conjunction with the church facilities. The project is located in the South Redding area on a 2.45-acre parcel on the north side of the intersection of Loop Street and Kingdom Lane. Staff Planner: Dirks. District 5. CEQA: CE.
- C3:** **Parcel Map 02-002 Extension of Time (Goddard)**: By Resolution 2007-055, approved an extension of time for a four-parcel land division of approximately 290 acres. The parcel is located in the Shingletown area at the eastern end of the Skyhawk Lane, approximately one-half mile southeast of its intersection with Black Butte Road. Staff Planner: Dirks. District 5. CEQA: N/A.
- C4:** **Parcel Map 05-007 Extension Of Time (Hillyer)**: By Resolution 2007-056, approved an extension of time for a previously-approved four-parcel land division of an approximately 25.9-acre parcel. The parcel is located in the Cloverdale area on the north side of Butterfield Road less than one-tenth of a mile west of its intersection with Whispering Canyon Drive. Staff Planner: Salazar. District 2. CEQA: N/A.
- C8:** **Tract Map 1903 Extension of Time on Unit 3 (Hutchins)**: By Resolution 2007-059, approved an extension of time for a five-parcel land division of 16.8 acres. The project is located in the Anderson area to the west of Locust Road approximately two-tenths of a mile south of the intersection of Locust Road and Lyle Lane. Staff Planner: Lozier. District 5. CEQA: N/A.

### PUBLIC HEARINGS:

- C5:** **Parcel Map 06-072 (Springer)**: The project is located in the Happy Valley area on a 76.57-acre parcel on the southeast corner of the intersection of Cloverdale Road and Heavenly Valley Lane. The request is for a four-parcel land division. The resulting parcels are approximately two, three, thirty-one, and forty acres in size. Staff Planner: Salazar.

Associate Planner Lio Salazar presented the staff report and a memo was distributed to the Commission recommending that Condition 8 be deleted.

The public hearing was opened and Erick Carlson, representing the applicant, spoke in favor of the project stating that the conditions of approval for the project were acceptable. Speaking in opposition to the project was Patrick Landon, representing the Happy Valley Cemetery. Mr. Landon told the Commission that the cemetery's Board of Directors had concluded that the access to Oak Street from the proposed project would have a negative impact on the cemetery due to drainage issues. Erick Carlson responded to questions from the Commission indicating that the driveway being proposed on the frontage of Oak Street would have a minimal impact. There being no other speakers for or against the project, the public hearing was closed.

Lio Salazar advised the Commission that drainage issues would be reviewed and resolved as part of the encroachment permit and grading permit process for the driveway.

**ACTION:** By motion made, seconded (Smith/Ramsey), and carried unanimously, by Resolution 2007-057, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Parcel Map 06-072, based on the findings and subject to the conditions, as amended, listed in the Resolution.

**R1:** **Use Permit 06-029 (Halpenny) Continued from March 8, 2007 and May 10, 2007:** The request is for approval of a contractor's yard including a 1,600-square-foot office building, 24,000-square-foot shop and warehouse building, and a 28,800-square-foot storage building. The project is located in the Anderson area on the north side of Dersch Road on a five-acre parcel, approximately one-tenth of a mile east of the intersection of Dersch Road and Deschutes Road. Staff Planner: Lozier.

Senior Planner Lisa Lozier recommended that the project be continued to a date uncertain to allow the applicant additional time to consider revisions to the project. The public hearing was opened and Duane Miller, representing the applicant, requested that the project be continued to a date uncertain. 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, the Commission continued Use Permit 06-029 to a date uncertain.

**R2:** **Parcel Map 06-071 (Chuck) Continued from May 10, 2007:** The project is located in the Burney area on a 1.19-acre parcel on Ponderosa Avenue approximately one-tenth of a mile east of the intersection of Hudson Street and Ponderosa Avenue. The request is for a three-lot land division of a 1.19-acre parcel. Parcel 1 contains 23,313 square feet and is vacant, Parcel 2 contains 14,202 square feet and is developed with a single-family residence, and Parcel 3 contains 14,412 square feet and is developed with a single-family residence. Each parcel will have access and frontage on Ponderosa Avenue. Staff Planner: Dirks.

Associate Planner Bridget Dirks presented the staff report. A memo was distributed recommending that Conditions 38, 39, and 40 be deleted from the conditions of approval on the basis that conditioning the Parcel Map is not the proper procedure for effecting annexation into a Community Facilities District. It was also recommended that Condition 41 be deleted on the basis that Shasta County Building Division procedures already require that plot plans for building permits in the Burney Fire Protection District (BFPD) be

reviewed and approved by the BFPD prior to issuance of the building permit. A memo from the Burney Fire Protection District, requesting a continuance, was also distributed to the Commission.

The public hearing was opened and Fred Lucero, representing the applicant, spoke in favor of the project and made himself available for questions from the Commission. Also speaking in favor of the project was Sam Chuck, representing the applicant. Mr. Chuck expressed agreement that Conditions 38, 39, 40, and 41 be deleted as recommended by Planning Staff. He opined that requiring annexation into a Community Facilities District could only be legally accomplished by a vote and that making annexation a condition of a parcel map was not the appropriate mechanism for doing so. Mr. Chuck requested that the project be approved and stated that there was no legitimate basis to continue the project and that doing so would be unfair to the applicant. There being no other speakers for or against the project, the public hearing was closed.

Commissioner Rutledge commented that the Burney Fire District had waited too long to request a continuance (the request was submitted to the Planning Division 30 minutes prior to the public hearing) and that the applicant was entitled to due process.

**ACTION:** By motion made, seconded (Rutledge/Smith), and carried unanimously, by Resolution 2007-060, the Commission adopted a CEQA determination of a Negative Declaration and approved Parcel Map 06-071, based on the findings and subject to the conditions, as amended, listed in the Resolution.

**C6:** **Parcel Map 07-002 (Thompson):** The property is located in the Burney area on a 6.8-acre parcel at the end of an unnamed private road/driveway approximately one mile north of its intersection with the intersection of Michigan and Siskiyou Streets. The request is for approval of a four-parcel land division with a designated remainder parcel. The proposed parcels are approximately one acre in size, with the designated remainder totaling approximately 2.5 acres. Staff Planner: Salazar.

Associate Planner Lio Salazar presented the staff report. A memo was distributed recommending that Conditions 44, 45, and 46 be deleted from the conditions of approval on the basis that conditioning the Parcel Map is not the proper procedure for effecting annexation into a Community Facilities District. It was also recommended that Condition 47 be deleted on the basis that Shasta County Building Division procedures already require that plot plans for building permits in the Burney Fire Protection District (BFPD) be reviewed and approved by the BFPD prior to issuance of the building permit. A memo from the Burney Fire Protection District, requesting a continuance, was also distributed to the Commission.

The public hearing was opened and Duane Miller, representing the applicant, spoke in favor of the project. Also speaking in favor of the project was the applicant, Perry Thompson. Mr. Thompson indicated that he agreed with staff's recommendation that Conditions 44-47 be deleted and asked that the Commission consider revising Condition 41 requiring a looped fire hydrant system. He explained that there is nothing to loop the system to and suggested the installation of fire sprinklers as an alternative.

Commissioner Rutledge expressed concern regarding revising project conditions at the public hearing and suggested continuing the project to allow time for staff to work with the applicant to revise Condition 41.

Speaking in opposition to the project was Bryce Bauer who expressed concerns with maintenance of the road, flooding, and traffic. Duane Miller made rebuttal statements stating that traffic and road issues were addressed in the Department of Public Works conditions and that FEMA had established flood plains in the area based on a thorough analysis. There being no other speakers for or against the project, the public hearing was closed.

Mike Ralston suggested a five-minute recess in order for staff to consider revisions to Condition 41.

**RECESS:** The Commission took a recess at 3:20 p.m.

**RECONVENE:** The Commission reconvened at 3:30 p.m.

Mike Ralston reported that in order to satisfactorily revise Condition 41, the project would need to be continued to the July Planning Commission meeting. The public hearing was reopened and Perry Thompson told the Commission that he would accept the condition as written. The public hearing was closed.

**ACTION:** By motion made, seconded (Rutledge/Smith), and carried unanimously, by Resolution 2007-058, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Parcel Map 07-002, based on the findings and subject to the conditions, as amended, listed in the Resolution.

**R3:** **Use Permit 05-044 (Gully):** The property is located in the Anderson area on a 1.59-acre parcel on the northwest side of Nut Tree Lane, approximately one-tenth of a mile west of Banigan Road. The request is for approval of a heavy equipment repair facility including welding and light metal fabrication for heavy equipment. Staff Planner: Dirks. District 2. CEQA: ND.

Associate Planner Bridget Dirks presented the staff report. The public hearing was opened and Aaron Gully 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 (Easley/Rutledge), and carried unanimously, by Resolution 2007-061, the Commission adopted a CEQA determination of a Negative Declaration and approved Use Permit 05-044, based on the findings and subject to the conditions listed in the Resolution.

**R4:** **Zone Amendment 06-006 & Tract Map 1921 (Lamb):** The property is located in the Centerville area on a 47-acre parcel on the east side of Honeybee Road, approximately two-tenths of a mile north of its intersection with Clear Creek Road. The request is for a seven-parcel land division, with a designated remainder parcel and a zoning change from the General Industrial (M) zone district combined with the Design Review (DR) and Interim-

Mineral Resource (IMR) zone districts to the Commercial Light-Industrial (C-M) combined with the Design Review (DR) and Interim-Mineral Resource (IMR) zone districts for a portion of the project site. The five proposed residential parcels range from approximately five acres to ten acres in size. The two proposed Commercial Light-Industrial parcels are three acres and five acres. Staff Planner: Salazar.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Kevin Butler, representing the applicant, spoke in favor of the project stating that he agreed with the conditions. 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 2007-062, 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 06-006, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2007-063, adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1921, based on the findings and subject to the conditions listed in the Resolution.

**R5:** **Zone Amendment 06-020 & Tract Map 1940 (Ritchie):** The property is located in the Happy Valley area on the south side of Cloverdale Road one-tenth of a mile west of Dale Lane. The request is for approval of a Zone Amendment from the current combination of the Limited Agriculture combined with the mobile home (A-1-T), the Limited Agriculture combined with 10-acre minimum lot area (A-1-BA-10), and the 20-acre minimum lot area combined with the mobile home district (A-1-T-BA-20) to the Rural Residential combined with lot area minimum (R-R-BSM) zone district on the north half of the project site and the Limited Residential combined with lot area minimum (R-L-BSM) zone district on the south portion of the site. The Zone Amendment is requested in conjunction with a 12-parcel land division and 30.7-acre remainder parcel. The resulting parcels will range from 2.15 acres to 15.3 acres in size. Staff Planner: Lozier.

Senior Planner Lisa Lozier recommended that the project be continued to the July 12, 2007, Planning Commission meeting to allow the applicant additional time to address three open violations on the property. 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 (Smith/Rutledge), and carried unanimously, the Commission continued Zone Amendment 06-020 & Tract Map 1940 to the July 12, 2007, Planning Commission meeting.

**R6:** **Zone Amendment 05-018 & Tract Map 1917 (Springer):** The property is located in the Millville area on the west side of Dersch Road approximately one mile south of State Highway 44. The request is for a Zone Amendment from the Unclassified (U) district to the Limited Residential combined with the Minimum Lot Area as shown on a recorded map (R-L-BSM) in conjunction with an eight-parcel land division resulting in parcels ranging in size from 5 to 15 acres. Staff Planner: Lozier.

Senior Planner Lisa Lozier presented the staff report. The public hearing was opened and Ed Whitson, 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 (Easley/Rutledge), and carried unanimously, by Resolution 2007-064, 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 05-018, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2007-065, adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1917, based on the findings and subject to the conditions listed in the Resolution.

**R7:** **Zone Amendment 06-004 & Tract Map 1935 (Nichols):** The property is located within the Whitmore Community on a 170-acre property on the north side of Whitmore Road, approximately one-half mile west of the junction of Whitmore Road and Ponderosa Way. The proposed project is a request for a Zone Amendment to change the existing Unclassified (U) zone district to a Limited Residential (R-L) zone district along with a request to approve a 30-lot subdivision consisting of parcels of 5 to 14 acres in size for single-family residential development. Staff Planner: Hector.

Senior Planner Kent Hector presented the staff report. A memo was distributed containing public comment letters received by the Planning Division after the staff report had been prepared and distributed.

The public hearing was opened and Frank Nichols spoke in favor of the project stating that the conditions of approval were acceptable. Speaking in opposition to the project was Roger Slagle who voiced concerns regarding the disappearance of wetlands and energy draw stating that transformers in the area had not been updated since 1960. Also speaking in opposition was Patricia Bratcher who read aloud a prepared statement that discussed concerns with water availability and quality, sewage disposal, fire safety, traffic, and the impact to wildlife.

Frank Nichols made rebuttal comments providing the Commission with a brief history of the property. Mr. Nichols explained that extensive studies had been performed on wetlands, water availability, and fire hazard reduction and that those studies have thoroughly addressed the issues. He also told the Commission that PG&E had not indicated any problems with power supply in the area. There being no other speakers for or against the project, the public hearing was closed.

**ACTION:** By motion made, seconded (Smith/Rutledge), and carried unanimously, by Resolution 2007-066, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve Zone Amendment 06-004, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2007-067, adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1935, based on the findings and subject to the conditions listed in the Resolution.

**R8:** **Zone Amendment 06-042 (Sierra Pacific Industries) Continued from March 8, 2007:**  
The project is located in the Lake McCumber/Viola area on approximately 48 parcels totaling approximately 4,199 acres on the north and south sides of State Highway 44, generally bound by Viola-Mineral Road to the east, Ritts Mill Road to the west, Deer Flat Road to the north, and Long Hay Flat Road to the south. The proposal is for a Zone Amendment from the current Timber Production (TP) zone district to the Timberland (TL) zone district. The applicant has stated that the change has been requested in order to provide greater flexibility to manage the lands in a manner that is adaptive to future land development opportunities. Sierra Pacific Industries has submitted two additional applications (Z06-043, Z06-044) with requests to remove an additional 2,178 acres from the TP zone district. In total, the lands associated with the three simultaneous applications represent approximately one percent of the TP lands in the County. Staff Planner: Salazar. District 5.

Commissioner Rutledge recused himself from the following three public hearings and left the meeting.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Cedric Twight, representing the applicant, spoke in favor of the project. Mr. Twight said that he agreed with staff's recommendation with the exception of the portion being recommended for denial, but would defer to staff's recommendations for the project. Speaking in opposition to the project was Roger Slagle who read aloud a written statement that discussed negative social aspects and impacts to schools, infrastructure, and wildlife. There being no other speakers for or against the project, the public hearing was closed.

**ACTION:** By motion made, seconded (Ramsey/Easley), and carried with Commissioners Cornelius, Easley, Ramsey, and Smith voting AYE, and Commissioner Rutledge RECUSING from the vote for a 4-0 vote, by Resolution 2007-068, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration and approve in part, Zone Amendment 06-042 based on the findings and subject to the condition listed in the Resolution; and by Resolution 2007-069, recommended that the Board of Supervisors deny in part, Zone Amendment 06-042 based on the findings listed in the Resolution.

**R9:** **Zone Amendment 06-043 (Sierra Pacific Industries) Continued from March 8, 2007:**  
The project is located in the Burney/Johnson Park area on an estimated 12 parcels totaling approximately 1,229 acres on the east and west sides of Highway 299 East, generally accessible from Rocky Ranch Road, Mountain View Road, Goose Valley Road, Haynes Ranch Road, and Cypress Avenue (Burney). The proposal is for a Zone Amendment from the current Timber Production (TP) zone district to the Timberland (TL) zone district. The applicant has stated that the change has been requested in order to provide greater flexibility to manage the lands in a manner that is adaptive to future land development opportunities. Sierra Pacific Industries has submitted two additional applications (Z06-042 and Z06-044) requesting to remove an additional 5,148 acres from the TP zone district. In total, the lands associated with the three simultaneous applications represent approximately one percent of the TP lands in the County. Staff Planner: Salazar.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Cedric Twight spoke in favor of the project stating that he concurred with staff's recommendations. There being no other speakers for or against the project, the public hearing was closed.

**ACTION:** By motion made, seconded (Smith/Easley), and carried with Commissioners Cornelius, Easley, Ramsey, and Smith voting AYE, and Commissioner Rutledge RECUSING from the vote for a 4-0 vote, by Resolution 2007-070, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration and approve in part, Zone Amendment 06-043 based on the findings and subject to the condition listed in the Resolution; and by Resolution 2007-071, recommended that the Board of Supervisors deny in part, Zone Amendment 06-043 based on the findings listed in the Resolution.

**R10:** **Zone Amendment 06-044 (Sierra Pacific Industries) Continued from March 8, 2007 and April 12, 2007:** The proposal is for a zoning change from the current Timber Production (TP) zone district to the Timberland (TL) zone district. The applicant has stated that the change has been requested in order to provide greater flexibility to manage the lands in a manner that is adaptive to future land development opportunities. The project is located in the Viola area on 22 parcels totaling approximately 949 acres on the east and west sides of Highway 299 East, generally north, south and adjacent to Broke Off Meadows Road. The project site includes Tract Map 1918, which is a merger and resubdivision of patent parcels that was approved in 2005, and which is in the process of recording the final map. Sierra Pacific Industries has submitted two additional applications (Z06-042 and Z06-043) with requests to remove an additional 5,428 acres from the TP zone district. In total, the lands associated with the three simultaneous applications represent approximately one percent of the TP lands in the County. Staff Planner: Salazar. District 5. CEQA: ND.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Kimball Bond asked for clarification as to the minimum lot size for the area. Lio Salazar indicated that minimum lot sizes depended on soil classification and ranged from 40 to 80 acres. There being no other speakers for or against the project, the public hearing was closed.

**ACTION:** By motion made, seconded (Easley/Ramsey), and carried with Commissioners Cornelius, Easley, Ramsey, and Smith voting AYE, and Commissioner Rutledge RECUSING from the vote for a 4-0 vote, by Resolution 2007-072, 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 06-044 based on the findings and subject to the condition listed in the Resolution.

**ADJOURNMENT:** The Planning Commission adjourned at 5:15 p.m.

**Submitted by:**

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**Dawn Duckett, Staff Services Manager**  
**Recording Secretary**