SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Regular Meeting**

Date: July 13, 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
Absent:	Dave Rutledge	District 1

Staff Present:
Russ Mull, Director of Resource Management
Jim Smith, Environmental Health Division Manager
Karen Jahr, County Counsel
Zach Bonnin, Senior Planner
Bill Walker, Senior Planner
Meri Meraz, Associate Planner
Lisa Lozier, Associate Planner
Lio Salazar, Associate Planner
Jim Diehl, Shasta County Fire Department
Al Cathey, Public Works/Subdivision Engineer
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), De Minimis Finding of Significance (DM).

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 June 8, 2006, as submitted.

ITEMS REMOVED FROM THE CONSENT AGENDA

Item C-6 Parcel Map 06-010 was placed on the Regular Agenda for discussion.

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

C1: **Use Permit 06-010 (Weaver)**: By Resolution 2006-101, approved a wholesale lumber yard with outdoor storage, a 480-square-foot office, and a 5,000-square-foot warehouse in the East Anderson area. This project was continued from the June 8, 2006, Planning Commission hearing. The property is located in on a 3.57-acre parcel on the west side of Barney Street less than one-tenth of a mile north of its intersection with Industry Road. Staff Planner: Lozier. District 5. CEQA: ND/DM

C2: **Zone Amendment 05-032 & Parcel Map 05-059 (Gardner)**: By Resolution 2006-102, recommended approval of 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) zone district within the boundaries of the existing Restrictive Flood (F-2) district; and by Resolution 2006-103, approved a four-parcel land division of approximately 58 acres into parcels ranging in size from 5 acres to 42.49 acres in the Oak Run area. This item was continued from the June 8, 2006, Planning Commission meeting. 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. Staff Planner: Bonnin. District 3. CEQA: MND

C3: **Parcel Map 05-020 (Salas)**: By Resolution 2006-104, approved a three-parcel land division to create 2.08, 2.05, and 6.10-acre parcels in the Keswick area. The project is located on a 10.23-acre parcel on the northwest side of Rock Creek Road less than one-tenth of a mile east of its intersection with Tanstaafl Lane. Staff Planner: Meraz. District 2. CEQA: MND

C4: **Parcel Map 06-035 (Nash)**: By Resolution 2006-105, approved a land division resulting in four parcels ranging in size from 2.0 acres to 2.89 acres in the Palo Cedro area. The project is located on a 9.61-acre parcel located adjacent to the northeast side of the intersection of Deschutes Road and Belmont Drive. Staff Planner: Meraz. District 3. CEQA: MND

C5: **Parcel Map 06-031 (McDonald)**: By Resolution 2006-106, approved a two-parcel land division creating a 5.25-acre parcel and a 4.75-acre parcel in the Palo Cedro area. The project is located on a ten-acre parcel on Boyle Road one-quarter of a mile west of its intersection with Deschutes Road. The parcels being ceated each contain an existing single-family residence. Staff Planner: Salazar. District 3. CEQA: ND/DM

C7: **Parcel Map 03-012 Extension of Time (Jones)**: By Resolution 2006-108, approved an extension of time for a previously approved two-parcel land division to separate existing residences in the South Redding area. The project is located on a 4.97-acre parcel on the south side of River Valley Road one-quarter of a mile west of its intersection with Airport Road. The division will result in one 2.34-acre parcel and one 2.63-acre parcel. Staff Planner: Lozier. District 5. CEQA: CE

PUBLIC HEARINGS

C6: **Parcel Map 06-010 (Eloge)**: Bella Vista area. The project is located on a 5.5-acre parcel at the northeast corner of the intersection of Highway 299 East and Intermountain Road. The request is for a two-parcel land division creating one 2.5-acre parcel and one 3-acre parcel. Staff Planner: Lozier.

Associate Planner Lisa Lozier presented the project. The public hearing was opened and the applicant, Mr. Eloge spoke in favor of the project stating that percolation tests had been performed at the site and that he did not intend on building on the additional lot. Speaking in opposition to the project was Kerry Satterlee who stated that if and when the site is developed, there are drainage issues that would need to be addressed at that time. 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 2006-107, the Commission adopted the CEQA determination of a Mitigated Negative Declaration, and approved Parcel Map 06-010, based on the findings and subject to the conditions listed in the Resolution.

R1: **Zone Amendment 02-023 and Tract Map 1869 (Trinity Equipment Company)**: Palo Cedro area. The project is located south of State Highway 44 between the western end of Topland Drive and the eastern end of Gilbert Drive. This project was continued from the September 13, 2005, Planning Commission hearing to revise the map, and the June 8, 2006, Planning Commission hearing to address hydrology. Since the June hearing, the applicant has revised the hydrology study and included a new retention basin to hold more water and reduce downstream flows. The request is for approval of a Zone Amendment for Assessor's Parcel Numbers 059-060-017 and 059-060-020 from Rural Residential and Rural Residential combined with a Building Acreage Five-Acre Minimum (R-R BA-5), to a Planned Development (PD) zone district. The zoning change is in conjunction with a Tract Map involving the subdivision of 77.06 acres to create 29 parcels, ranging in size from 1 to 4.36 acres for single-family residential development. A non-disturbance/non-buildable parcel consisting of 19.70 acres will also be created. Staff Planner: Bonnin.

R1 Cont'd

Senior Planner Zach Bonnin presented the staff report. The public hearing was opened and Don Shearing, representing the applicant, spoke in favor of the project stating that the storm water retention pond that was added to the design for the project would help mitigate existing flooding in the area. Mr. Shearing stated that the fact that water and sewer services are available for the proposed parcels supports the higher density. Mr. Shearing also displayed recorded maps and discussed right-of-way for Gilbert Drive stating that the road was intended to be a public-use road.

Speaking in opposition to the project:

Speaker's Name	***Issues/Comments/Concerns***
Fran Rogers	Ms. Rogers expressed concerns regarding flooding and excess amounts of water that crosses the Allen and Dahl facility during the rainy season. She also had concerns regarding traffic safety stating that residents will use Gilbert Drive as a shortcut from Deschutes Road to Highway 44.
Rick Wolford	Mr. Wolford questioned the offer of dedication for Gilbert Drive and stated that the County had no legal right to take the road. He said that offers of dedication that are not accepted within the statutory time period are deemed abandoned. He also said that one-acre parcels located near ten-acre parcels would present a conflict of lifestyles.
James Allen	Mr. Allen expressed concerns regarding drainage stating that flood waters rise to a levels that prevent pedestrian travel from the parking areas to the funeral home. Mr. Allen also stated concerns regarding impacts to wildlife in the area such as owls, turkeys, and geese.
Dennis McCarthy	Mr. McCarthy stated concerns regarding the condition of Gilbert Drive, drainage, and increased traffic. He opined that the property owners in the area would maintain Gilbert Drive to a higher standard than the County would.
Barbara Crain	Ms. Crain stated concerns regarding impacts to wildlife and the lifestyle of local residents. Ms. Crain asked that the Commission consider larger parcel sizes for the project.
Carole Engell	Ms. Engell voiced concerns regarding impacts to wetlands.

R1 Cont'd

Marci Gonzalez	Representing Caltrans. Mr. Gonzalez noted that the Initial Study reported a Level of Service "C" for Highway 44 and Deschutes Road, which was based on a traffic study prepared in 2003, and that the actual current Level of Service for that interchange should be "D." Mr. Gonzalez advised that there may be a need in the future for signalization in that area.
Debbie Post	Ms. Post asked that the Commission consider a 5-acre minimum parcel size for the project.
Jolenn Vollenweider	Ms. Vollenweider stated that she did not receive notice of the hearing for the project. She also voiced concerns regarding traffic and the timing of the County's maintenance for Gilbert Drive.
Tim Orr	Mr. Orr stated that the issues with the road should be addressed and it should be maintained by the County at a higher level than a secondary access road.
Ed Benson	Mr. Benson stated that all vernal pools, wetlands, and seasonal creeks are waters of the United States and that the project, because of these features, would require approval from the Army Corp of Engineers. Mr. Benson asked the Commission to consider the long-term good of the local community. He also voiced concerns regarding road conditions and traffic safety as well as parcel sizes for the project.
Phil Ornelli	Mr. Ornelli stated that his property will border four of the one-acre lots proposed for the project. He expressed concerns regarding runoff and grading that will occur on the project as well as the possibility that ranching activities that occur on his parcel will conflict with the one-acre parcels..

Don Shearing in his rebuttal comments stated that it was unlikely that residents will use the new road as a shortcut because of the reduced speeds. Mr. Shearing again displayed recorded maps showing Gilbert Drive dedicated as a public-use road. He noted that the Army Corp of Engineers had accepted the wetlands delineation for the project. There being no other speakers for or against the project, the public hearing was closed.

Al Cathey, from the Department of Public Works, in response to questions from the Commission, informed the Commission that Gilbert Drive did not currently meet the County's road standards but that it would eventually be widened and improved to ensure safety. Mr. Cathey indicated that the road would be taken into the County's maintained mileage when the Tract Map was presented to the Board of Supervisors for final approval. Mr. Cathey noted that some of the drainage issues on Deschutes Road were caused by debris located in culverts, which had recently been cleared.

R1 Cont'd Mr. Cathey also noted that the department had received an opinion from County Counsel stating that offers of dedication are good in perpetuity. Mr. Cathey indicated that Condition 64 for the project would need revision to reflect Gilbert Drive as a through road rather than a cul-de-sac.

ACTION By motion made, seconded (Ramsey/Cornelius), and carried unanimously, by Resolution 2006-109, 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 02-023, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-110, adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 1869, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R2: **General Plan Amendment 05-009, Zone Amendment 05-047 and Tract Map 1934 (Kennett Group)**: Cottonwood area. The project is located on a 24.6-acre lot bounded by Rhonda Road to the west, Interstate 5 to the east, the Anderson Cottonwood Irrigation District canal to the north, and Gas Point Road to the south. The applicant has requested: 1)an Amendment to the General Plan from Commercial (C) and Suburban Residential - 3 (SR-3) to Commercial (C) and Urban Residential - 5 (UR-5), 2) a zone change from Community Commercial combined with a Design Review (C-2-DR) zone districts to C-2-DR and One-Family Residential (R-1) and Multiple-Family Residential- 5 combined with Design Review (R-3(5) DR) zone districts, and 3) approval of a 37-lot subdivision. Staff Planner: Bonnin.

Senior Planner Zach Bonnin presented the staff report. Planner Bonnin noted that a condition was being added to require a sound wall as well as a condition to require a gate along any fencing that borders the canal. The public hearing was opened and Jim Elkins, representing the applicant, spoke in favor of the project stating that the additional conditions were satisfactory. Marci Gonzalez from Caltrans spoke to the Commission stating that a previous Tract Map in the Cottonwood area (Leggett) had been approved with interim traffic impact fees at a higher rate. He recommended that similar conditions be placed on this project. Mr. Gonzalez also noted that there was a potential for further road improvements being necessary along Rhonda Road and that future rights-of-way may be necessary. Jim Elkins noted that there will be a dedicated right-of-way along Rhonda Road if the property is developed, free of charge, which should off-set any interim traffic fees being assessed to the project. There being no other speakers for or against the project, the public hearing was closed.

ACTION By motion made, seconded (Cornelius/Casolary), and carried unanimously, by Resolution 2006-111, 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 05-009, based on the findings listed in the Resolution, and by Resolution 2006-112, recommended that the Shasta County Board of Supervisors approve Zone Amendment 05-047, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-113, approved Tract Map 1934, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R3: **Tract Map 1863 (Morgan/Halkides)**: Centerville area. This project was continued from the June 8, 2006, Planning Commission meeting. The project is located on a 65.43-acre parcel adjacent to the east side of Placer Road approximately one-tenth of a mile northeast of its intersection with Swasey Drive. The request is for approval of a Tract Map to create a 13-lot residential subdivision with lot sizes ranging from 3.0 to 7.95 acres. Staff Planner: Meraz.

Associate Planner Meri Meraz presented the staff report and recommended that the project be continued to the September 14, 2006, Planning Commission hearing to allow staff additional time to review revised maps that had recently been submitted by the applicant. 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 (Casolary/Cornelius), and carried unanimously, the Commission continued Tract Map 1863 to the September 14, 2006, Planning Commission meeting.

R4: **Zone Amendment 06-013 and Parcel Map 05-073 (Sutter)**: Shingletown area. The project is located on a 21.19-acre parcel on the north side of State Highway 44 approximately one and six-tenths of a mile southwest of Alward Road. The applicant has requested approval of a four-parcel land division into three 5.0-acre parcels and one 6.0-acre parcel. Staff Planner: Meraz.

Associate Planner Meri Meraz presented the staff report advising that Condition 8, referring to building envelopes, was being removed. 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 (Casolary/Cornelius), and carried unanimously, by Resolution 2006-114, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration, and approve Zone Amendment 06-013, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-115, adopted a CEQA determination of a Negative Declaration and approved Parcel Map 05-073, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R5: **Zone Amendment 06-003 and Parcel Map 05-082 (Kubisch)**: East Redding area. The project site is located on the east side of Bear Mountain Road approximately one-tenth of a mile northeast of its intersection with Bernard Way. The request is for a Zone Amendment from the Rural Residential combined with the seven-acre Building Site (R-R-BA-7) zone district to the Rural Residential (R-R) zone district; in conjunction with a three-parcel land division of 7.41-acres, creating 2.06, 2.39, and 2.96-acre parcels. Staff Planner: Bonnin.

Senior Planner Zach Bonnin 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 R5 By motion made, seconded (Cornelius/Ramsey), and carried unanimously, by Resolution 2006-116, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance, and approve Zone Amendment 06-003, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-117, adopted a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance and approved Parcel Map 05-082, based on the findings and subject to the conditions listed in the Resolution.

Non-Hearing Items: None.

ADJOURNMENT

Planning Commission was adjourned at 4:28 p.m.

Submitted by:

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Dawn Duckett, Staff Services Manager
Recording Secretary