# SHASTA COUNTY
# PLANNING COMMISSION

**MINUTES** **Regular Meeting**

Date: September 14, 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 | District 5 |
| Dave Rutledge | District 1 |
| John Cornelius | District 3 |

**Absent**: Roy Ramsey District 4

**Staff Present:**
Russ Mull, Director of Resource Management
Jim Smith, Environmental Health Division Manager
Mike Ralston, County Counsel
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
Spring Cassedy, Typist Clerk III
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 (Casolary/Cornelius) with Chairman Smith abstaining from the vote because he was absent from the August 10th hearing and Commissioner Ramsey absent, the Commission approved the minutes of August 10, 2006, as submitted.

**CONSENT ITEMS**

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

**C1:** **Tract Map 1863 (Morgan/Halkides):** By Resolution 2006-131, approved a Tract Map to create a 13-lot residential subdivision with lot sizes ranging from 3.0 to 7.95 acres. Staff Planner: Meraz. District 5. CEQA: MND

**C2:** **Parcel Map 06-034 (Dobie Enterprises)**: By Resolution 2006-132, approved a two-parcel land division. Each of the proposed parcels contains an existing family residence. The project is located in the Palo Cedro area on the northeast corner of the intersection of Via Serena Drive and Rocking Horse Lane. Staff Planner: Salazar. District 3. CEQA: ND/DM

**C3:** **Parcel Map 06-022 (Paull)**: By Resolution 2006-133, approved a two-parcel land division resulting in a 1.85-acre parcel and a 2.66-acre parcel. The project is located on a 4.51-acre parcel on the west side of Highway 299E approximately two-tenths of a mile north of its intersection with Snuffy Lane. Staff Planner: Lozier. District 3. CEQA: MND

**C5:** **Parcel Map 06-017 (Heister)**: By Resolution 2006-135, approved a two-parcel land division resulting in one 7.71-acre parcel and one 5-acre parcel. The project is located on a 12.71-acre parcel on the south side of First Street approximately 200 feet west of its intersection with Cea Way. Staff Planner: Lozier. District 5. CEQA: MND

**C6:** **Parcel Map 06-027(Khoronov)**: By Resolution 2006-136, approved a two-parcel land division into one 6.1-acre parcel and one 5.0-acre remainder. The project is located on a 11.1-acre parcel on the south side of State Highway 44 approximately one-half mile west of Inwood Road. Staff Planner: Meraz. District 5. CEQA: ND

**C7:** **Use Permit 70-093A (Staggs/Dunbar)**: By Resolution 2006-137, approved the applicant's request to add auto sales of up to ten vehicles to the auto repair and service station. The project is an amendment to the original Use Permit, which was for an auto repair and service station, mini-storage warehouses, and propane sales. It is located on Highway 299 East approximately two-tenths of a mile north of Reynolds Road Staff Planner: Meraz. District 3. CEQA: CE

**C8:** **Use Permit 06-019 (Anderson)**: By Resolution 2006-138, approved the applicant's request to make repairs and alterations to a non-conforming residence in a commercial district. The project is located in on a 0.19-acre parcel on the south side of Orchard Way less than one-tenth of a mile east of State Highway 299 East. Staff Planner: Meraz. District 3. CEQA: CE

**C9:** **Use Permit 06-020 (Anderson)**: By Resolution 2006-139, approved the applicant's request to make repairs and alterations to a non-conforming residence in a commercial district. The project is located on 0.24-acre parcel on the south side of Orchard Way less than one-tenth of a mile east of State Highway 299 East. Staff Planner: Meraz. District 3. CEQA: CE

**C10:** **Use Permit 06-014 (Amen)**: By Resolution 2006-140, approved a machine shop in addition to an existing car sales lot. The project is located on a 2.75-acre parcel on the northwest side of Highway 273 approximately one-tenth of a mile southeast of Overland Drive. Staff Planner: Meraz. District 2. CEQA: CE

**PUBLIC HEARINGS**

**C4:** **Parcel Map 06-002 (Plamondon)**: By Resolution 2006-134, approved a two-parcel land division creating two 5.09-acre parcels. The project is located on a 10.19-acre parcel on the west side of Missouri Lane approximately 375 feet north of its intersection with Third Street. Staff Planner: Lozier. District 5. CEQA: ND/DM

Associate Planner Lisa Lozier presented the staff report. The public hearing was opened and Robert Vanscoten spoke with concerns about the possibility of an easement crossing the property (one-tenth of an acre) owned by his father-in-law, which lies between the proposed Parcel B and Missouri Lane. After discussion with Mr. Vanscoten, and Associate Planner. Lozier, Commissioner Cornelius and Chairman Smith ascertained that the proposed parcels had access not affecting Mr. Vanscoten's property. 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 2006-134, the Commission adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Parcel Map 06-002, based on the findings and subject to the conditions listed in the attached resolution.

**R1:** **Zone Amendment 06-018 and Tract Map 1944 (Summer)**: Anderson area. The project is located on a 4.96-acre parcel on both sides of Verde Vale Court southeast of its intersection with Jacqueline Street. The applicant has requested approval of the adoption of a Planned Development (PD) zone district that will recognize the lot layout of a request for a Tract Map consisting of a 16-lot subdivision to separate 16 existing duplex units.

Associate Planner Meri Meraz presented the staff report. Commissioner Casolary inquired about the 16 septic systems on relatively small parcels, to which Jim Smith, Environmental Health Division Manager, explained that the septic systems are existing and functioning and as such are not evaluated under the current land division criteria. The public hearing was opened and Darren Whittle, representative for 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 (Casolary/Cornelius), and carried unanimously, by Resolution 2006-141, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approve Zone Amendment 06-018, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-142, adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Tract Map 1944, based on the findings and subject to the conditions, listed in the Resolution.

**R2:** **Zone Amendment 06-017 and Parcel Map 06-018 (McClenon)**: Anderson area. The project is located on a 17.78-acre parcel at the northwest corner of Deschutes Road and Dersch Road. The applicants have requested approval of a rezone from the Unclassified (U) to the Limited Agricultural (A-1) zone district, in conjunction with a two-parcel land division into 5.09 and 12.69-acre parcels.

Associate Planner Meri Meraz presented the staff report. The public hearing was opened and Conrad Stenchfield, representing the applicant, spoke in favor of the project and requested that Condition #20 be modified to add a 20-foot-wide access road to the northerly

**R2 Cont'd:** parcel along Deschutes Road. Mr. Stenchfield stated that future development of the northerly parcel was likely, and that the Beatie Road access could be difficult in maneuvering a vehicle onto the parcel. Commissioner Rutledge responded that the Department of Public Works would need to address the issue. Al Cathey, Department of Public Works (DPW) Subdivision Engineer, explained that due to the traffic concerns, Deschutes Road has limited access rights and since the project did not mention a Deschutes Road access, DPW would need to re-condition the project to address the impact an access road would have on Deschutes Road. Commissioner Cornelius pointed out that there appeared to be an existing driveway (not related to the proposed project) access near the intersection of Dechutes Road and Dersch Road. Mr. Cathey verified that DPW made an exception with the access rights for that particular driveway due to its proximity to the stop sign, as the vehicles are not going very fast, and there is a very wide right-turn lane. There being no other speakers for or against the project, the public hearing was closed.

**ACTION:** By motion made, seconded (Cornelius/Rutledge), and carried unanimously, by Resolution 2006-143, 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 06-017, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-144, adopted a CEQA determination of a Negative Declaration, and approved Parcel Map 06-018, based on the findings and subject to the conditions, listed in the Resolution.

**R3:** **Zone Amendment 06-012 and Use Permit 06-012 (Bingham/White)**: Happy Valley area. The project is located on Happy Valley Road southwest of its intersection with Palm Avenue. The proposal is for a Zone Amendment of approximately 5.4 acres from the Rural Residential Mobile Home (R-R-T) zone district to the Mixed Use (MU) zone district along with a Use Permit, that would bring a small contractor's storage yard on the rear portion of the property into compliance.

Associate Planner Meri Meraz presented the staff report. The public hearing was opened and the applicant Barbara White spoke in favor of the project and also noted that the actual project site was under 1,000 square feet instead of 10,000 square feet, which was stated in the staff report. There being no other speakers for or against the project, the public hearing was closed.

Chairman Smith questioned the project as the applicants are in non-compliance with the County because they have been running a contractor's yard without a use permit. Planner Meraz verified that it is a pre-existing use, however, the question posed to the Planning Division by the applicants was how they could keep the business in operation on the property. The Planning Division determined one solution to the issue would be to rezone the parcel to a Multiple Use (MU) zone district, and the approval of a use permit, which would bring the use into compliance. Commissioner Cornelius pointed out that the operation has been on-going, and now because it was discovered, they were making the application. Chairman Smith asked if the contractor's yard would be a good blend with the other MU operations in the area, to which Ms. Meraz replied that conditioned as it was, it could be, by mitigating the issues that were introduced by complaint letters regarding objectionable odors (asphalt) and noise. Commissioner Casolary inquired how it would be monitored and how the operation could be run without asphalt being present on the property. Planner Meraz explained that the asphalt will be delivered from or picked up at a supplier and taken to directly to the job site, and that only the equipment would be stored

**R3 Cont'd:** at the contractor's yard. Both Commissioner Casolary and Commissioner Rutledge asked why the yard wasn't sited closer to Happy Valley Road, the farthest point from the Rural Residential zoning. Chairman Smith opened the public portion of the hearing and called the applicant to explain the reasoning for positioning the project at the rear of the property.

Applicant Barbara White responded that the project was sited in that area because it was the furthest from all the residences two parcels in each direction and reiterated that the yard was only to store the equipment, they would not bring any hot asphalt in, and that the only asphalt that has ever been on the property was to construct the asphalt yard (equipment storage area) and entry to comply with the issue of dust control.

Chairman Smith requested clarification regarding the location of residences in relationship to the yard and Ms. White explained that there were residences directly across Happy Valley Road. Commissioner Cornelius asked that the applicant verify the contractor's yard would only be used for storage and parking of equipment, with no asphalt being present, to which she stated would be true.

Commissioner Rutledge stated that the complainant was not in attendance of the hearing, so that the Commission was not able to clarify the location of complainant's residence in relationship to the project and inquire into other items cited in the letters of opposition. Commissioner Casolary asked the applicant to address the opposition letters and time logs (regarding noise), received by the Commission. Ms. White replied that the noise is a nuisance to all the residences, which she claimed is generated by residents on Mary Ann Lane who work on equipment in their shop at all hours of the night, who have motorcycles that race up and down Mary Ann Lane, and from a mobile home whose residents burn their trash creating objectionable odors. She did not know where the clanking noises came from. She admitted that the County has had her remove non-operational cars and other metal and debris, which she has done, although there are still citations pending compliance.

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 2006-145, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approve Zone Amendment 06-012, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-146, adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Use Permit 06-012, based on the findings and subject to the conditions, listed in the Resolution.

**R4:** **Use Permit 06-021 (Kuehl)**: Cottonwood area. The project is located on a 2.6-acre parcel on the east side of Main Street approximately six-tenths of a mile north of its intersection with Fourth Street. The applicant has requested approval to construct an outdoor advertising sign (Billboard sign).

Associate Planner Lio Salazar presented the staff report. Commissioner Cornelius brought attention to the existing non-compliance with the conditions of the original Use Permit. Associate Planner Salazar replied that Title 16 of Shasta County Code states that no building permits would be issued until all of the original conditions were satisfied. Commissioners Rutledge and Cornelius spoke with concerns about the project being

**R4 Cont'd:** brought before the Commission with the original conditions not being completed. The public hearing was opened and Brian Daubert, applicant, spoke in favor of the project. Property owner Alice Kuehl spoke to assure the Commission that the conditions from the original use permit would be completed. There being no other speakers for or against the project, the public hearing was closed.

**ACTION** By motion made, seconded (Rutledge/Casolary), and carried unanimously, by Resolution 2006-147, the Commission adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Use Permit 06-021, based on the findings and subject to the conditions listed in the Resolution.

**R5:** **Use Permit 01-003A (RHS NorCal Investments, LLC)**: Happy Valley area. The project is located on a 15.21-acre parcel on the south side of Clear Creek Road approximately 350 feet east of its intersection with Honeybee Road. The request is for approval to expand the square foot area of the previously-approved contractor's yard from 28,000 square feet to 78,000 square feet of building area. The amendment to the previously-approved Use Permit will allow for the construction of four 10,000-square-foot metal industrial buildings, two 5,400-square-foot office buildings, one 10,000-square-foot metal administrative building, and one 10,000-square-foot metal shop building.

Associate Planner Lisa Lozier presented the staff report. The public hearing was opened and Jim Underwood spoke in favor of the project stating that he had changes and clarifications with some of the conditions and distributed copies of a five-page document to the Commissioners and Recording Secretary. Chairman Smith asked Mr. Underwood if County planning staff had seen the changes, to which he replied no. Commissioner Cornelius asked Mr. Underwood if the amended conditions were intended to be included as part of the original conditions. Mr. Underwood said that they were intended to *replace* the conditions included in the original staff report. Commissioners Cornelius and Casolary remarked that because the changes in the conditions had not been reviewed by planning staff or the Commissioners, the item should be continued. Mr. Underwood then asked that if the item were to be continued, to instead disregard the proposal for the amended conditions, and proceed without any changes.

Phil Browning, representing the Centerville Community Services District spoke in favor of the condition changes and had reviewed and agreed to the revised conditions.

Chairman Smith and Commissioner Rutledge asked Associate Planner Lozier if these condition changes had been presented to staff prior to the hearing, how would they be handled. She replied that they would have been immediately faxed to the Mr. Browning and asked him if they were appropriate. Commissioner Rutledge pointed out that Mr. Browning had already stated that his agency was in agreement to the revised conditions. Senior Planner Bill Walker stated that because the conditions approved at the hearing were binding, the Commission would need to either include the amended conditions or proceed with the original conditions.

In response to a question regarding an easement on the property, Mike Ralston, Assistant County Counsel explained that the easement issue was a civil matter between the Bureau of Land Management and the property owners.

**ACTION** There being no other speakers for or against the project, the public hearing was closed. By motion made, seconded (Casolary/Cornelius), and carried unanimously, by Resolution 2006-148, the Commission adopted a CEQA determination of a Mitigated Negative Declaration, and approved Use Permit 01-003A, based on the findings and subject to the conditions listed in the attached Resolution, as amended.

**Non-Hearing Items:**

**NH1:** General Plan Consistency Finding 06-003

Sarah Haddox, City of Redding Redevelopment, explained the scope of the SHASTEC Redevelopment Project.

By motion made, seconded (Rutledge/Cornelius), and carried unanimously, by Resolution 2006-149, the Commission found the proposed amendment to the SHASTEC Redevelopment Plan proposed by the City of Redding is consistent with the Shasta County General Plan (specifically the Airport Specific Plan) based on the findings listed in the attached resolution.

**NH2:** Planning Commission Conference - Sonoma

**Planning Commissioners' Comments:**

Commissioner Cornelius suggested to adopt a policy by the Planning Commission to allow all participants in the open time public hearing portion of the meeting a three-minute time limit, to moderate lengthy hearings.

Mike Ralston, County Counsel confirmed Chairman Smith's statement that such a request would need to be agendized for future consideration. Mr. Ralston also said he would investigate the rules of operation for the Commission and would make a recommendation for action at the next hearing.

**Manager's Comments:**

Russ Mull, Director of Resource Management offered that one solution would be to allow everyone a three minute limit and after their time was over they could go to the end of the line and speak again in that order.

Mr. Mull also recommended that any condition changes introduced by applicants at a Planning Commission hearing be continued, so that the conditions can be reviewed by planning staff and the public, before the Commission takes action on a project

.

**County Counsel Comments**: None.

**ADJOURNMENT:** Planning Commission was adjourned at 4:00 p.m.

**Submitted by:**
**Spring Cassedy, Typist Clerk III**
**Recording Secretary**