

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: October 12, 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 Casolaro District 5
Dave Rutledge District 1
John Cornelius District 3
Roy Ramsey District 4

Staff Present:

Russ Mull, Director of Resource Management
Jim Smith, Environmental Health Division Manager
Mark Cramer, Senior Environmental Health Specialist
Mike Ralston, Assistant County Counsel
Bill Walker, Senior Planner
Meri Meraz, Associate Planner
Lisa Lozier, Associate Planner
Lio Salazar, Associate Planner
Bridget Caputo, Associate Planner
Jim Diehl, Shasta County Fire Department
Al Cathey, Public Works/Subdivision Engineer
Spring Cassedy, Typist Clerk III

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: None.

OPEN TIME No Speakers.

APPROVAL OF

MINUTES: By motion made, seconded (Casolaro/Cornelius), the Commission, with one abstention by Commissioner Ramsey, approved the minutes of September 14, 2006, as submitted.

**CONSENT
ITEMS**

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

- C2:** **Parcel Map 06-038 (Mello)**: By Resolution 2006-151, approved a two-parcel land division of a 14.93-acre parcel into 9.43 and 5.50-acre parcels. The project is located in the Anderson area on the northwest side of Deschutes Road approximately two-tenths of a mile northeast of Jade Lane. Planner: Meraz. District 5. CEQA: ND
- C3:** **Use Permit 06-026 (French Gulch Nevada Mining Inc.)**: By Resolution 2006-152, approved the request to construct a professional office building in a Mixed Use (MU) zoning district. The project is located in the French Gulch area on a .53-acre parcel on the west side of Trinity Mountain Road (a.k.a. Main Street) approximately two-tenths of a mile south of its intersection with Niagara Street. The building will serve as off-site administrative offices for the French Gulch Mine (a.k.a. the Washington Niagara Mine). Staff Planner: Salazar. District 2. CEQA: ND/DM

**ITEMS REMOVED
FROM CONSENT**

AGENDA: C1 Use Permit 130-83B (Deeds) and C4 Parcel Map 06-021 (Weiss).

PUBLIC HEARINGS

- C1:** **Use Permit 130-83B (Deeds)**: The project is located in the Mountain Gate area adjacent to the east side of Fawndale Road approximately 540 feet south of the Interstate 5/Fawndale Road interchange. The request is to approve the addition of 300 square feet to the existing office to have cooler/vending machines available for the complex. Staff Planner: Meraz. District 4. CEQA: CE

Associate Planner Meri Meraz presented the staff report. Commissioner Ramsey asked for clarification as to the access on Gardner Lane for the project, to which Planner Meraz stated that Gardner Lane access was not being requested as part of the present project. Commissioner Casolary asked if the open violation regarding code compliance on the parcel had been addressed. Planner Meraz stated that the issues have been brought into compliance. The public hearing was opened and Amy Katz, applicant, spoke in favor of the project.

Neighbor Kathleen Libby, spoke in opposition to the project stating the previous Use Permit was in code violation for causing drainage issues to Gardner Lane and was not supposed to be used as an access to the project area, and that large vehicle traffic had damaged the road. Ms. Libby also stated that the residents of Gardner Lane do the repair and maintenance on the road. In addition, she stated that a conditioned six-foot fence on the south side of the property providing privacy for the neighbors, had been taken down, and the area was being used for access and a dump site.

Applicant Amy Katz rebutted that the areas in question were used for RV and boat storage and where the garbage disposal area once was, but that it was all now surrounded by a six-

C1 Cont'd

foot chainlink fence. Commissioner Rutledge inquired as to a picture that was presented by Ms. Libby, showing a large truck trailer parked in the fenced area used for (RV/boat) storage. Ms. Katz stated that the truck trailer pictured was there temporarily and was now gone. Commissioner Rutledge also asked about Ms. Katz assumption of her rights for use to have access to the parcel via Gardner Lane, Ms. Katz responded that there was nothing in her deed stating they could not use the road, as it is an easement. Commissioner Cornelius asked if the drainage ditch was filled in at the access at Gardner Lane and Ms. Katz responded that the ditch was cleaned out.

Planner Meraz explained that the Gardner Lane access was on the applicant's property and they have rights to use it, but it was not approved for commercial use, and that the storage area does not allow vehicles, and the fence must be in place prior to final approval.

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

ACTION:

By motion made, seconded (Casolarly/Cornelius), and carried by a 4-1 vote, with a no vote by Commissioner Ramsey, by Resolution 2006-150, the Commission found the project exempt from CEQA requirements and approved Use Permit 130-83B, based on the findings and subject to the conditions listed in the attached Resolution.

C4:

Parcel Map 06-021 (Weiss) Continued from the August 10, 2006, Planning Commission Meeting: The project is located on the south side of Bear Mountain Road south of its intersection with Valley Creek Lane. The request is for approval of a two-parcel land division of a 40-acre site resulting in one 10-acre parcel and one 30-acre parcel. Staff Planner: Lozier. District 4. CEQA: MND

Associate Planner Lisa Lozier presented the staff report. Planner Lozier pointed out that a request by the Environmental Health Division (EHD) to add the Condition 7a, that prior to the final map being recorded all garbage and refuse will be removed from the parcel and all receipts will be submitted to EHD for proper disposal for the items removed. The public hearing was opened and the applicant Gary Weiss stated the refuse (some appliances) were removed and had receipts for the disposal.

There being no other speakers for or against the project, the public portion of the hearing was closed. Commissioner Cornelius asked Senior Environmental Health Specialist Mark Cramer if the cleanup had been done, to which he stated since his last inspection on the 15th of June, there was still a lot of material on the property and had not been contacted to reinspect. Chairman Smith stated that the Condition stands before it is approved.

ACTION:

By motion made, seconded (Cornelius/Rutledge), and carried unanimously, by Resolution 2006-153, the Commission adopted a CEQA determination of a Mitigated Negative Declaration, and approved Use Permit 06-021, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R1:

Use Permit 06-004 (Palo Cedro Community Park): Palo Cedro area. The project is located on an 18.23-acre parcel on the east side of Cedro Way approximately two-tenths of a mile south of Old Forty-Four Drive. The Palo Cedro Community Action Team, a private,

R1 Cont'd

non-profit corporation has requested approval of a community park which would include a baseball/softball field, soccer field, tennis and basketball courts, horseshoe pits and bocce ball areas, play area, a 6,000-square-foot community building, wedding gazebo, shade structures, picnic area, walking trails, driveway, and parking areas. The use of the park may include dinners, sporting events, concerts, festivals, circuses, carnivals, and other activities consistent with the needs of the community. The park would be constructed in three stages.

Senior Planner Bill Walker presented the staff report. The public hearing was opened and speaking in favor of the project were Eileen Fox, Andy Main, Ron Largent, and Ray Toney. An addition to Condition 32 was mentioned, which would prohibit tobacco products in the park. There being no other speakers for or against the project, the public portion of the hearing was closed. Planner Walker pointed out a memo that was presented to the Commission adding an amendment to Condition # 43, which would require parking to be completed prior to the final building inspections of the structures of Phase 2 of the project.

ACTION

By motion made, seconded (Cornelius/Casolary), and carried unanimously, by Resolution 2006-154, the Commission adopted a CEQA determination of a Mitigated Negative Declaration, and approved Use Permit 06-004, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R2:

Zone Amendment 06-027 (Hawes): Anderson area. The project is located on two parcels containing approximately 38 acres at the southeast corner of the intersection of Deschutes Road and Dersch Road. The proposal is to amend the zoning of the parcels from the existing Planned Development (PD) district and the Limited Agricultural district combined with a minimum lot area of 10 acres district (A-1-BA-10) to the revised PD district. The existing PD district allows a farm supply business and an agricultural newspaper. The proposed PD district will continue to allow for the existing farm supply business and would also allow for the proposed development of a variety of agriculturally-related recreational/amusement-type activities.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Applicant Greg Hawes spoke in favor of the project. There being no other speakers for or against the project, the public portion of the hearing was closed.

ACTION:

By motion made, seconded (Cornelius/Rutledge), and carried unanimously, by Resolution 2006-155, the Commission recommended that the 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 approved Zone Amendment 06-027, based on the findings and subject to the condition listed in the Resolution.

R3:

Zone Amendment 06-023 & Parcel Map 06-045 (Harris): Igo area. The project is located on a 2.68-acre parcel on the south side of Placer Road (a.k.a. Main Street) approximately 40 feet west of its intersection with Cloverdale Road. The applicant requests a Zone Amendment from the Unclassified (U) district to the Mixed Use (MU) district in conjunction with a two-parcel land division.

R3 Cont'd

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and there being no other speakers for or against the project, the public portion of the hearing was closed.

ACTION:

By motion made, seconded (Ramsey/Rutledge), and carried unanimously, by Resolution 2006-156, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance, and approved Zone Amendment 06-023, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-157, the Commission adopted a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance and approved Parcel Map 06-045, based on the findings and subject to the conditions listed in the attached resolution.

R4:

Zone Amendment 05-029 & Parcel Map 05-053 (Armstrong): Shingletown area. The parcel is located on a 21.13-acre parcel on the north side of State Highway 44 approximately 1.2 miles east of its intersection with Dersch Road. The request is for approval of a Zone Amendment from the Unclassified (U) to the Limited Residential (R-L) zone district in conjunction with a four-parcel land division creating two 5-acre parcels, one 5.72-acre parcel, and one 5.41-acre parcel.

Associate Planner Lisa Lozier presented the staff report. Commissioner Casolary asked Planner Lozier about the five-acre minimum lot size, to which she verified that the lots could not be split any smaller without an additional General Plan Amendment and Zone Amendment being approved. There being no other speakers for or against the project, the public portion of the hearing was closed.

ACTION:

By motion made, seconded (Casolary/Cornelius), and carried unanimously, by Resolution 2006-158, 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 05-029, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2006-159, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Parcel Map 05-053, based on the findings and subject to the conditions listed in the attached resolution.

Non-Hearing Items: None.

Planning Commissioners' Comments:

None.

Manager's Comments:

Senior Planner Bill Walker announced that Associate Planner Meri Meraz was leaving the County Planning Division.

County Counsel Comments:

Mike Ralston responded to Commissioner Cornelius' request from the September Planning Commission hearing regarding time limits for speakers during "open time." Mr. Ralston reiterated that a time limit could be set allowing

everyone who wished to speak could do so and after their time is up return to the line for additional time after everyone has spoken.

ADJOURNMENT: Planning Commission was adjourned at 4:10 p.m.

Submitted by:

Spring Cassidy, Typist Clerk III
Recording Secretary