

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: November 8, 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
Shirley Easley District 5

Commissioners

Absent: Roy Ramsey District 4
Jerry Smith District 2

Staff Present: Rick Simon, Assistant Director of Resource Management
Mike Ralston, Assistant County Counsel
Lisa Lozier, Senior Planner
Kent Hector, Senior Planner
Lio Salazar, Associate Planner
Bridget Dirks, Associate Planner
Mark Cramer, Senior Environmental Health Specialist
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager, Recording Secretary

Note: All unanimous actions reflect a 3-0 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: No Speakers.

APPROVAL OF MINUTES:

By motion made, seconded (Easley/Rutledge), and carried unanimously, the Commission continued the minutes of October 11, 2007, to the December 13, 2007, Planning Commission meeting.

CONSENT

ITEM: By motion made, seconded (Rutledge/Easley), and carried unanimously the Commission approved the following Consent Item:

C1: **Tract Map 1927 (Metro)**: By Resolution 2007-124, approved a merger and re-subdivision of two parcels totaling approximately 73 acres, resulting in eight parcels ranging in size from five to seven acres with a 30.16-acre remainder parcel. The parcel is located in the Happy Valley area at the southeast corner of the intersection of Palm Avenue and Oak Street. The hearing for this item was continued from the December 14, 2006, Planning Commission meeting in order to address issues related to revisions to the proposed tentative map. Staff Planner: Salazar. District 2. CEQA: MND. (NOTE: This project was approved as amended. A memo was distributed to the Commission recommending an additional condition (Condition 2a) requiring written confirmation that the project complies with all conditions/requirements of the Clear Creek Community Services District and deleting Condition 55).

PUBLIC HEARINGS:

R1: **Tract Map 1949 (Nelson) Continued from 09/13/07 & 10/11/07**: The project is located in the Burney area on a 9.3-acre parcel on the south side of Bailey Avenue, approximately ¼ mile east of Arrowood Street. The request is for approval of a 22-lot subdivision consisting of 10,868 to 23,585-square-foot parcels on 9.38 acres for single-family residential development. Staff Planner: Hector. District 3. Proposed CEQA Determination: ND.

Senior Planner Kent Hector recommended that the project be continued to December 13, 2007, as requested by the applicant, in order to allow additional time to revise the tentative map. 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 (Easley/Rutledge), and carried unanimously, the Commission continued Tract Map 1949 to the December 13, 2007, Planning Commission meeting.

R2: **Parcel Map 07-004 (Huston) Continued from 10/11/07**: The parcel is located in the Shingletown area at the end of Dandelion Drive, approximately four-tenths of a mile west of its intersection with State Highway 44. The request is for a three-parcel land division resulting in two 5-acre parcels and a 6.40-acre parcel. Staff Planner: Dirks. District 5. Proposed CEQA Determination: ND.

Associate Planner Bridget Dirks 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: By motion made, seconded (Easley/Rutledge), and carried unanimously, by Resolution 2007-125, the Commission adopted a CEQA determination of a Negative Declaration and approved Parcel Map 07-004, based on the findings and subject to the conditions listed in the Resolution.

R3: **Zone Amendment 07-012 & Parcel Map 07-016 (Hartgraves) Continued from 10/11/07:** The 56-acre property is located in the Cottonwood Area on the south side of Gas Point Road, approximately three miles west of the intersection of Gas Point Road and Happy Valley Road. The proposed project is a request for a Zone Amendment to change the existing Limited Agriculture, combined with Mobile Home and minimum building site area of 10 acres (A-1-T-BA-10), and Restrictive Flood (F-2) zone districts to Limited Agriculture, combined with Mobile Home (A-1-T), and Restrictive Flood (F-2) zone districts. The Zone Amendment is requested in conjunction with a Parcel Map consisting of the resubdivision of three existing parcels into three 5-acre parcels, one 20.5-acre parcel, and a 20.5-acre remainder parcel. Staff Planner: Hector. District 5. Proposed CEQA Determination: MND.

Senior Planner Kent Hector 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: By motion made, seconded (Easley/Rutledge), and carried unanimously, by Resolution 2007-126, 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 07-012, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2007-127, adopted a CEQA determination of a Mitigated Negative Declaration and approved Parcel Map 07-016, based on the findings and subject to the conditions listed in the Resolution.

R4: **Parcel Map 07-018 (Mostoufi) Continued from 08/09/07, 09/13/07, & 10/11/07:** The 8.4-acre parcel is located in the Burney area on the southeast corner of the intersection of Hudson Street and Timber Hill Drive. The request is for approval of a four-parcel land division. The proposed division includes three 1.4-acre parcels and a 4.2-acre parcel that would contain an existing single-family residence. Staff Planner: Salazar. District 3. Proposed CEQA Determination: ND.

Associate Planner Lio Salazar 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: By motion made, seconded (Rutledge/Easley), and carried unanimously, by Resolution 2007-128, the Commission adopted a CEQA determination of a Negative Declaration and approved Parcel Map 07-018, based on the findings and subject to the conditions listed in the Resolution.

R5: **Zone Amendment 07-024 & Williamson Act Contract 07-003 (Seven Hills):** The project site is an approximately 670-acre ranch located in the Shingletown area on both sides of Inwood Road, approximately four and one-tenth miles north of its intersection with State Highway 44. The request is for approval to enter the ranch into a Williamson Act contract and approval of a Zone Amendment from the Exclusive Agricultural (EA) zone district to the Exclusive Agricultural combined with the Agricultural Preserve (EA-AP) zone district. Staff Planner: Salazar. District 5. Proposed CEQA Determination: CE.

Associate Planner Lio Salazar recommended that the project be continued to a date uncertain as requested 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 (Easley/Rutledge), and carried unanimously, the Commission continued Zone Amendment 07-024 and Williamson Act Contract 07-003 to a date uncertain.

R6: **Zone Amendment 07-022 & Williamson Act Contract 07-002 (Island Ranch):** The project site is an approximately 1,158-acre ranch located in the Glenburn area on the south side of Horr Road, approximately four-tenths of a mile east of its intersection with Island Road. The request is for a Zone Amendment from the Exclusive Agricultural (EA) zone district to the Exclusive Agricultural combined with the Agricultural Preserve (EA-AP) zone district in order to enter an approximately 1,000-acre portion of the ranch into a Williamson Act contract. Staff Planner: Salazar. District 3. Proposed CEQA Determination: CE.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Robert Graf, 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, the Commission recommended that the Board of Supervisors conduct a public hearing and find the project Categorically Exempt from CEQA and by Resolution 2007-129, the Commission recommended that the Board of Supervisors approve Zone Amendment 07-022, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2007-130, the Commission recommended that the Board of Supervisors approve and authorize the chairman to sign the appropriate documents to enter into Williamson Act Contract 07-002, based on the findings and subject to the condition listed in the Resolution.

R7: **General Plan Amendment 07-002 & Zone Amendment 07-010 (Scott):** The project is located in the Igo area on an approximately 52-acre portion of a 520-acre parcel. The use of the land is currently restricted by a Williamson Act (Land Conservation) contract. The applicant has requested immediate cancellation of the contract for the 52-acre portion of the parcel on the east side of Gas Point Road. Tentative approval for the immediate cancellation was granted by the Board of Supervisors on October 23, 2007, subject to conditions which include approval of an amendment of the General Plan and zoning to a designation and zone district that is consistent with a proposed alternative land use of residential/part-time agricultural. The request is for approval of: 1) A General Plan Amendment from the Agricultural Grazing (A-G) designation to the Rural Residential B (RB) designation; and 2) A Zone Amendment from the Exclusive Agricultural combined with the Agricultural Preserve (EA-AP) zone district to the Limited Agricultural combined with the 50 Acre Minimum Lot Area (A-1-BA-50) district. Staff Planner: Salazar. District 2. Proposed CEQA Determination: ND.

Associate Planner Lio Salazar presented the staff report. The public hearing was opened and Keith Hamblin, 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 (Rutledge/Easley), and carried unanimously, by Resolution 2007-131, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration and approve General Plan Amendment 07-002, based on the findings listed in the Resolution, and by Resolution 2007-132, the Commission recommended that the Board of Supervisors approve Zone Amendment 07-010, based on the findings and subject to the condition listed in the Resolution.

R8: **Zone Amendment 07-026 (Jacobsen):** The project is located in the Glenburn area on a five-acre parcel on the east side of Spring Creek Road, approximately one-tenth of a mile north of its intersection with McArthur Road. The proposal is to amend the zoning from the Exclusive Agricultural combined with the Agricultural Preserve (EA-AP) zone district to the Exclusive Agricultural (EA) zone district. Staff Planner: Salazar. District 3. Proposed CEQA Determination: ND.

Associate Planner Lio Salazar 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: By motion made, seconded (Easley/Rutledge), and carried unanimously, by Resolution 2007-133, 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 07-026, based on the findings and subject to the condition listed in the Resolution.

R9: **Use Permit 07-013 (Newcomb):** The project is located in the Old Station Rural Community area on the north side of State Highway 89 and bisected by Hat Creek Drive. The request is for approval to convert an existing restaurant into a caretaker's residence, reconstruct one existing cabin, and construct eight new cabins for overnight guests. Staff Planner: Lozier. District 3. Proposed CEQA Determination: MND.

Senior Planner Lisa Lozier presented the staff report. A memo was distributed to the Commission containing letters of concern which were received by the Planning Division after the printed staff reports had been distributed.

The public hearing was opened and Joe Denny spoke in favor of the project. Speaking in opposition to the project was Cathy Cimaglia who discussed concerns regarding the close proximity to the creek of the proposed cabins, traffic, the existing cabin not being connected to the septic system, noise, and economic impacts to other cabin rentals in the area. Ms. Cimaglia also stated that the project would prevent local fisherman from access to the creek. Mr. Denny responded to a question from the Commission stating that if the existing cabin is not currently connected to the septic system, it will be in the future. There being no other speakers for or against the project, the public hearing was closed.

In response to questions from the Commission, Senior Planner Lozier stated that the existing cabin was located fairly close to the creek, but all new structures would be required to adhere to a 50-foot setback.

ACTION: By motion made, seconded (Easley/Rutledge), and carried unanimously, by Resolution 2007-134, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 07-013, based on the findings and subject to the conditions listed in the Resolution.

R10: **Zone Amendment 06-046 & Tract Map 1957 (Cassel Ridge):** The property is located in the Cassel Rural Community area at the terminus of Ridge Road approximately 1/2 mile south of Cassel Road. The request is for approval of a Zone Amendment from the Unclassified (U) district to the Limited Residential (R-L) district in order to facilitate the development of proposed Tract Map 1957, a subdivision of 170 acres into 34 five-acre parcels. Staff Planner: Lozier. District 3. Proposed CEQA Determination: ND.

Senior Planner Lisa Lozier presented the staff report. A memo was distributed to the Commission containing a letter of concern which was received by the Planning Division after the printed staff reports had been distributed.

The public hearing was opened and Eric Carlson, representing the applicant, spoke in favor of the project. Speaking in opposition to the project was Ross Shaddock who read aloud a written statement containing concerns regarding traffic, safety, questions of access from Highway 89, and the possible contamination of neighboring wells. In rebuttal, Rob Fendleton, the applicant, opined that neighboring wells are presently contaminated due to small parcel sizes. There being no other speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Rutledge/Easley), and carried unanimously, by Resolution 2007-135, 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 06-046, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2007-136, adopted a CEQA determination of a Negative Declaration and approved Tract Map 1957, based on the findings and subject to the conditions listed in the Resolution.

R11: **Use Permit 07-006 & Parcel Map 07-014 (TBT):** The project is located in the South Redding Area on a 7.49-acre parcel on the west side of Riverland Drive approximately 1/2 mile south of Acapulco Lane. The applicant has requested approval for a Use Permit to amend a previously approved Commercial Recreation development plan for a fishing lodge which included one lodge building and five cabins, (total of 27 guest rooms), boat ramp, lagoon, and fly-casting pond. The proposed development plan would include two lodge buildings and three cabins, (total of 37 guest rooms), and a fly-casting pond in addition to the existing boat ramp. In conjunction with the Use Permit, the applicant requests a Parcel Map for one lot in order to amend the existing 150-foot setback from the Sacramento River required by Parcel Map 20-92. The proposed setback will be measured 50 feet from the riparian vegetation and will be approximately 120 feet from the Sacramento River. Staff Planner: Lozier. District 5. CEQA: MND.

Senior Planner Lisa Lozier presented the staff report. A memo was distributed to the Commission recommending a revision to Use Permit Condition 6 and containing letters of concern which were received by the Planning Division after the printed staff reports had been distributed.

The public hearing was opened and Tom Eubanks, the applicant, spoke in favor of the project. Speaking in opposition to the project were:

<u><i>Speaker's Name</i></u>	<u><i>Comment/Issue/Concern</i></u>
Justin Riley	Mr. Riley, attorney for George and Joan Hageman, discussed a number of concerns, including: 1) the project's close proximity to the Hagemans' residence; 2) light and noise; 3) proposed structures will restrict the Hagemans' view; 4) disturbance of valley oaks; 5) re-planting oaks as a mitigation measure will further restrict the Hagemans' view; 6) traffic; 7) location of the fly fishing pond and the potential for contamination and mosquitos; 8) consumption of alcohol at the proposed lodge; and 9) potential negative impacts to the Valley Elderberry Longhorn Beetle.
Joan Hageman	Mrs. Hageman stated concerns regarding the reduction of the 150-foot setback, traffic, and crime. She also discussed the possibility that the project could result in low-income housing should the lodge not be a successful business venture. Mrs. Hageman also told the Commission that other residents in the area had been denied additional structures and requests for reduced setbacks due to traffic congestion in the area.
Daryl Yell	Mr. Yell discussed the potential loss of 100-year-old valley oaks.

Mr. Eubanks made the following rebuttal remarks: 1) a permit has been obtained for sewage disposal from the Regional Water Quality Control Board (RWQCB); 2) the RWQCB is satisfied with the lining of the fly fishing pond; 3) lighting for the project will be according to the building code; 4) traffic concerns will be mitigated by a shuttle service that will transport groups of guests from the airport directly to the lodge; and 5) the California Department of Fish and Game (DFG) is satisfied that 50 feet from the riparian drip line is an adequate setback from the river. There being no other speakers for or against the project, the public hearing was closed.

Senior Planner Lozier told the Commission that neighbors could also request a setback exception from the DFG. In response to a question from the Commission, Al Cathey, from the Department of Public Works, stated that traffic impacts from the project were not significant and were within the acceptable thresholds. Jim Diehl, Shasta County Fire Marshall also responded to a question stating that density does not trigger the requirement for an Emergency Fire Escape Road (EFER) and that EFER's are a requirement for a land division only.

ACTION: By motion made, seconded (Rutledge/Cornelius), and carried unanimously, by Resolution 2007-137, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 07-006, based on the findings and subject to the conditions, as amended, listed in the Resolution, and by Resolution 2007-138, approved Parcel Map 07-014, based on the findings and subject to the conditions listed in the Resolution.

ADJOURNMENT: The Planning Commission adjourned at 4:02 p.m.

Submitted by:

Dawn Duckett, Staff Services Manager
Recording Secretary