

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: June 11, 2015
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present:

Patrick Wallner	District 5
Roy Ramsey	District 4
Gene Parham	District 3
Jim Chapin	District 1

Commissioners

Absent:

Vacant	District 2
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Staff Present:

Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Lisa Lozier, Senior Planner
Kent Hector, Senior Planner
Lio Salazar, Associate Planner
Ken Henderson, Environmental Health Division
J.T. Zulliger, Shasta County Fire Department
Eric Wedemeyer, Public Works/Subdivision Engineer
Tracie Huff, Typist Clerk III/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), Other Exemption from CEQA (OE); Not Subject to CEQA (N/A).

OPEN TIME:

No speakers.

APPROVAL OF

MINUTES: April 9, 2015 – Minutes (as corrected)

By motion made, seconded (Chapin/Ramsey), and carried unanimously, the Commission approved the first page of the minutes of April 9, 2015, as corrected.

May 14, 2015 - Minutes

By motion made, seconded (Ramsey/Chapin) with Commissioner Wallner abstaining and carried by a 3-0 vote, the Commission approved the minutes of May 14, 2015, as submitted.

CONFLICT OF INTEREST

DECLARATIONS: None.

CONSENT

ITEMS: None.

PUBLIC HEARINGS:

R1: Use Permit 14-002 Continued from 04/09/15 (McTimmonds): The project is located in the Lakehead Area of Shasta County approximately four miles north of Lakehead at the Interstate5/Delta School Road interchange. Four parcels totaling 40.5 acres on the south side of I-5 on Fenders Ferry Road would be the location of the Zip Tour and Adventure Park. One parcel on the north side of I-5 totaling 1.8 acres is proposed for the Welcome Center, guest parking area, and gear and vehicle storage. Staff Planner: Lisa Lozier. District: 4. Proposed CEQA Determination: MND. (Staff recommends opening the public hearing and continuing the item to a future agenda).

Senior Planner Lisa Lozier presented an update on the project and recommended the public hearing be opened in order to receive addition testimony and that the project be continued to the August 13, 2015, Planning Commission meeting. The public hearing was opened, and the applicant, Dan McTimmonds spoke in favor of continuing the meeting. There being no other speakers for or against the project the public hearing was closed.

ACTION: Motion made, seconded (Chapin/Ramsey), and carried unanimously, the Commission voted to continue Use Permit 14-003 to the August 13, 2015, Planning Commission meeting.

R2: Use Permit 14-021 (HPT TA Properties): The project is located in the Churn Creek Bottom area on the southwest corner of the Travel America truck stop property at 19483 Knighton Road, directly east of the Knighton Road and Interstate 5 north bound off-ramp. Hospitality Properties Trust HPT has requested approval to locate a free-standing, 12-foot by 36-foot illuminated outdoor advertising sign. The sign would have one advertising face for southbound traffic only. The maximum height of the structure would be 30 feet. Staff Planner: Lisa Lozier. District: 5. Proposed CEQA Determination: ND.

Senior Planner Lisa Lozier presented the staff report and responded to questions by the Commission. A letter from the applicant agreeing with the Conditions of Approval was distributed

to the Commission prior to the start of the meeting. 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 (Chapin/Ramsey), and carried unanimously, by Resolution 2015-013, the Commission adopted a CEQA determination of a Negative Declaration and approved Use Permit 14-021, based on the findings and subject to the conditions listed in the attached Resolution.

R3: **Tract Map 2008 (CHIP)**: The project is located in the Cottonwood area on a 5-acre parcel on the west side of Locust Street, approximately 0.22 miles north of the intersection of Fourth Street and Locust Street. The request is for the approval of a Tract Map to divide a 5.0-acre property into 24 residential lots ranging from 6,000 square feet to 9,150 square feet in size. Staff Planner: Kent Hector. District: 5. Proposed CEQA Determination: MND.

Senior Planner, Kent Hector presented the staff report. The public hearing was opened and the applicant, Everd McCain spoke in favor of the project and agreed to the conditions of approval. There being no speakers for or against the project, the public hearing was closed.

ACTION: By motion made, seconded (Ramsey/Chapin), and carried unanimously, by Resolution 2015-014, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Tract Map 2008, based on the findings and subject to the conditions listed in the attached Resolution.

R4: **Use Permit 14-019 (continued from 05/14/15) (Stansberry)**: The project site is located in the Palo Cedro area at 10422 Deschutes Road, approximately 0.18 miles southwest of the intersection of Deschutes Road and Boyle Road. The request is for a use permit for the construction and operation of a wireless communications facility consisting of an 79-foot tall monopine structure (i.e. a cell tower camouflaged to look like a pine tree) containing 12 antennas, an 11.6 foot by 16.9 foot equipment shelter; and one 30 kW diesel standby generator with a 132-gallon fuel tank. The proposed improvements would be located within a 50-foot by 50-foot lease area enclosed by an 8 foot-tall wood fence on a 2.7-acre property. The monopine structure would be placed a minimum of 79 feet from all property lines. On May 14, 2015, the Planning Commission held a public hearing on this project and the related Mitigated Negative Declaration. However, at that time the Commission did not take any action to adopt the Mitigated Negative Declaration, and did not approve nor deny the project. Staff Planner: Kent Hector. District: 3. Proposed CEQA Determination: MND.

Senior Planner, Kent Hector presented the staff report and responded to questions from the Commission. A memo was distributed to the Commission with additional letters from the public in support and in opposition of the project. James Ross clarified for the record that Commissioner Wallner read the documents and listened to a recording of the May 14, 2015, Planning Commission meeting in which this item was considered, signed the certification, and presented that document to Richard Simon prior to the meeting. The public hearing was opened and the applicant's representative, Michelle Ellis spoke in favor of the project, and clarified some of the answers to questions raised by the Commission after the presentation.

Speaking in favor of the project was:

Speaker's Name

Comments/Concerns/Questions

Robert Mobley Mr. Mobley voiced support for the project and discussed the need for reliable phone and internet service in the area.

Speaking in opposition to the project were:

<i>Speaker's Name</i>	<i>Comments/Concerns/Questions</i>
Sherry Melton	Ms. Melton expressed her appreciation for the opportunity to speak and for work done by the Planning Division staff. Ms. Melton discussed concerns over visual aesthetics, noise, potential health effects and responded to a question from Commissioner Chapin regarding the elevation of her property.
Patrick Mahoney	Mr. Mahoney discussed his concerns over potential health effects from EMF's on people and animals.
Joan Tornai	Ms. Tornai discusses concerns over the destruction of a healthy oak tree to put in a cell tower, destruction of nesting sites and animal habitat, views, lights, noise, and property values.
Barbra Svedeen	Ms. Svedeen voiced concerns over generator noise, height concerns, light pollution, and if there was going to be a beacon on the tower.
Dave Alexander	Mr. Alexander stated concerns over the view.
Joe Svedeen	Mr. Svedeen stated that he was not opposed nor in support of the project and suggested an alternative location for the cell tower.

Commissioner Wallner asked the applicant, Ms. Ellis to clarify the issues that were brought up by the opposition including health concerns, aesthetics, and service needs. Commissioner Chapin questioned Ms. Ellis on the future spacing requirements to meet future demand for services. Ms. Ellis stated that it would depend on the number of residents, density, and travelers who are using their service. She also discussed the how the tall height of the tower allows radio waves to go farther preventing the need for numerous towers in a small area. Commissioner Chapin questioned why cell service up the Sacramento Canyon is so good since the cell towers in that area are spread out very far apart. Ms. Ellis stated that the number of users can dictate when and where service gaps will occur. Ms. Ellis clarified for Commissioner Ramsey backup generator use times. Commissioner Parham clarified with Ms. Ellis that if the FCC regulations are met there is not a health issue.

Ms. Ellis clarified for Commissioner Wallner that since the tower is proposed to be located in an existing group of trees the tower will not completely block a view from any property of the

surrounding area. There being no other speakers for or against the project the public hearing was closed. Commissioner Chapin voiced his concern over cell towers on smaller parcels. Commissioner Parham stated that he had driven out to Fire Mountain Road to take a look at the parcel and the surrounding areas where the cell tower is proposed.

ACTION: By motion made, seconded (Ramsey/Parham), and carried by a 3-1 vote with Commissioner Chapin voting NO, by Resolution 2015-015, the Commission adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 14-019, based on the findings and subject to the conditions listed in the attached Resolution.

R5: **Use Permit Amendment 34-88A (Kumar & Sons):** The project is located in the Palo Cedro area on a 1.00-acre parcel on the east side of Skycrest Way, approximately 100 feet south of the intersection of Skycrest Way and Cedro Lane. The applicant has requested approval of a use permit amendment to allow for construction and operation of an automated carwash. The carwash would be accessory to an existing mini-market and gas station. The carwash tunnel/building is proposed to be 15 feet from the eastern property line which requires approval of a Shasta County Fire Department fire safety setback exception by a 4/5 vote. The County Fire Warden has recommended approval of this exception. Staff Planner: Lio Salazar. District: 3. Proposed CEQA Determination: MND.

Associate Planner Lio Salazar presented the staff report and responded to questions from the Commission. The public hearing was opened and the applicant's representative, Jody Malone spoke in favor of the project, responded to questions by the Commission, and agreed to the conditions.

Speaking in opposition to the project were:

<i>Speaker's Name</i>	<i>Comments/Concerns/Questions</i>
Patricia Poulson	Ms. Poulson raised concerns about the noise, especially the maximum noise levels, and asked where the water service would be coming from.
Terri McGee	Ms. McGee voiced concerns about the noise, the lights from cars queuing into the car wash, and property values.
Barry McGee	Mr. McGee discussed concerns with noise, light pollution, property values, and questioned the need for a second car wash.
Don Poulson	Mr. Poulson stated that he opposed the car wash and discussed his concerns of noise, property values, and water pressure.

Commissioner Chapin and Commissioner Parham raised questions to Associate Planner, Lio Salazar regarding maximum decibels and decibel spikes during hourly operation.

Commissioner Chapin asked if the hours of operation could be reduced. The applicant, Jody Malone responded to questions by the Commission and stated that the owner agreed to reduce the hours of operation. Ms. Malone also clarified for the Commission how far away the tunnel would be from the property lines and how far away the blowers would be from the tunnel. Commissioner Wallner inquired about a projected use for the car wash and the maximum decibel level on the start-up of equipment. Commissioner Parham discussed his concern over decibel spikes.

There being no other speakers for or against the project, the public hearing was closed. Commissioner Chapin suggested a condition that requires a maximum decibel level and reduced hours of operation between 7a.m. to 8 p.m. Associate Planner, Lio Salazar responded to questions from Commissioner Chapin on maximum decibel levels, general noise generated by the car wash, and maximum cars per day. Associate Planner, Lio Salazar recommended that the Commission move to continue the meeting in order to address the concerns raised by the Commission. Assistant County Council James Ross recommended that the hearing be re-opened to hear testimony from the owner.

The public hearing was re-opened and the owner, Nikhil Kumar spoke in favor of the project and expressed his willingness to reduce the hours of operation and make the necessary adjustments to further reduce the impact to the neighboring property owners, and responded to questions from the Commission.

Speaking again in opposition to the project were:

<i>Speaker's Name</i>	<i>Comments/Concerns/Questions</i>
Barry McGee	Mr. McGee voiced concerns over decibel spikes.
Terri McGee	Ms. McGee discussed concerns over the approval of a Shasta County Fire Department fire safety setback exception.

There being no other speakers for or against the project, the public hearing was closed. Commissioners discussed continuation of the project to address the maximum decibels. Mr. Simon clarified noise standards for the County and how that standard applies to this project.

ACTION: By motion made, seconded (Chapin/Ramsey), and carried unanimously, the Commission moved to continue the project to the July 9, 2015 Planning Commission meeting.

Non-Hearing Item:

NH1: Workshop – Planning Commissioners’ Roles and Responsibilities Continued from 05/14/2015:
Staff: Richard Simon. James Ross.

Commissioner Wallner suggested continuing the item to a date uncertain. Assistant County Counsel, James Ross concurred and suggested that it be agendaized when a full Commission is present. Mr. Simon stated that some parts of the presentation will need to be revisited.

ACTION: By motion made, seconded (Ramsey/Chapin), and carried unanimously, the workshop was continued to a date uncertain until such a time as a new Commissioner is seated.

ADJOURNMENT: The Planning Commission adjourned at 4:30 p.m.

Submitted by:

Tracie Huff, Typist Clerk III
Recording Secretary