

**SHASTA COUNTY
SPECIAL
PLANNING COMMISSION MEETING**

MINUTES

Special Meeting

Date: April 21, 2016
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present:

Gene Parham	District 3
Roy Ramsey	District 4
Patrick Wallner	District 5
Tim MacLean	District 2
Jim Chapin	District 1

Staff Present:

Bill Walker, Planning Division Manager
James Ross, Assistant County Counsel
Lisa Lozier, Senior Planner
Kent Hector, Senior Planner
Lio Salazar, Senior Planner
Ken Henderson, Environmental Health Division
J.T. Zulliger, Shasta County Fire Department
Eric Wedemeyer, Public Works/Subdivision Engineer
Buffy Gray, Agency Staff Services Analyst I, Recording Secretary
Courtney Welborn, Office Assistant II, Recording Secretary

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), Other Exemption from CEQA (OE); Not Subject to CEQA (N/A).

OPEN TIME:

Sue Horkey spoke during open time and requested a variance in order to split parcel #058-160-008. Ms. Horkey provided a letter to the Clerk prior to the Planning Commission meeting. This letter was distributed to the Commissioners. Planning Division Manager Bill Walker gave some background on Ms. Horkey’s request. Commissioner Parham asked what the fee was to file for a parcel split. Mr. Walker replied to Commissioner Parham and stated the fee is approximately \$10,000.

By motion made, seconded (Chapin/MacLean) carried unanimously by a 5-0 vote, the Commission directed staff to put Ms. Horkey’s request on a future agenda.

APPROVAL OF MINUTES:

March 10, 2016 - Minutes

By motion made, seconded (Ramsey/Chapin) carried unanimously by a 5-0 vote, the Commission approved the minutes of March 10, 2016, as submitted.

CONFLICT OF INTEREST

DECLARATIONS: None.

CONSENT

ITEMS: None.

PUBLIC HEARINGS:

R1: **ZONE AMENDMENT 15-002 AND USE PERMIT 15-003 (WILLIS/HERRERA):** The project site is located in the Shingletown area on two parcels of land on the northeast corner of the intersection of State Highway 44 East and Emigrant Trail. The parcels together are approximately 1.8 acres in size. The project is a rezoning from the Rural Residential combined with the Building Site Minimum as shown on a recorded map (R-R-BSM) zone district to the Mixed Use (MU) zone district and a Use Permit for development of a single-story 9,100-square-foot retail building. Staff Planner: Lio Salazar. District: 5. Proposed CEQA Determination: MND

Two memos were distributed to the Commissioners. Attached to the first memo were two public comment letters. The memo also provided staff responses to the public comment letters and recommended revisions to the recommended conditions of approval for the project. The second memo detailed revisions to Staff’s recommendations for the project and the draft Planning Commission resolution.

Senior Planner Lio Salazar presented the staff report and answered questions from Commissioner Wallner regarding whether an existing culvert could handle run-off that would be generated by the project. Mr. Salazar stated that the existing culvert could accommodate run-off projected to be generated by the project.

Commissioner Ramsey asked why the rezoning was necessary if only a small portion of the project would be located within the area proposed for rezoning. Mr. Salazar stated the zoning for this area is inconsistent with the underlying Mixed Use General Plan designation.

Commissioner Chapin asked if all project run-off would be routed to the detention basin and whether run-off from neighboring properties would also drain to the detention basin. He also asked if Emigrant Trail would be the only access to the project site. Senior Planner Salazar stated all project run-off would be directed to drainage facilities constructed for the project, including the detention basin. He also stated that while drainage from neighboring properties would continue to drain onto the project site, the detention basin would be built on higher ground which would prevent the detention basin from being overwhelmed by run-off from neighboring properties. Mr. Salazar responded to the question pertaining to access to the project site and stated there will be a right turn out directly onto Highway 44.

Commissioner Parham asked what would be monitored on the detention basin and who would be monitoring it. Commissioner Parham also asked if the property could still be developed if the re-zone was not recommended and would the applicant continue with the project if the re-zone was denied recommendation. Mr. Salazar stated the detention basin would be monitored and maintained to ensure that it functions according to its design, and that the owner would be responsible for hiring a professional engineer to conduct the monitoring and for maintaining monitoring records. In response to Mr. Parham's question about the rezoning and moving forward, Mr. Salazar stated the project could go ahead without the recommendation of a re-zone, but would require a modification of the project design and that the applicant would prefer to the re-zone of the property as recommended by Staff.

Commissioner Chapin stated generally zoning follows the property lines.

The public hearing was opened.

The applicant Aaron Ramirez spoke in favor of the project. Commissioner Parham asked if the rezoning were denied would the applicant still move forward with the project. Mr. Ramirez stated without the rezoning it would be a challenge to move forward with the project, but it could be done. Mr. Ramirez agreed to the conditions.

The applicant's engineer Fred Lucero explained to the Commission the function of the detention basin. Mr. Lucero stated that redesigning the project to move forward without the rezoning would be very difficult.

Speaking in Favor:

Dr. Robert Richardson who identified himself as the president of the Shingletown Counsel stated the Counsel had a meeting on March 2, 2016 and discussed the proposed project and the vote was 97% in favor of the project. Commissioner MacLean asked how many were in attendance at the meeting. Dr. Richardson stated approximately 100 residents were present.

Speaking in Opposition:

Vickie Jarvinen expressed concern over potential impacts from flooding, on wetlands, and from debris clogging the drainage ditch. Ms. Jarvinen asked if the Army Corp of Engineers was involved

in reviewing the project. Ms. Jarvinen stated she wanted an 8ft fence put up along the property line and also expressed concern about the fence being made of wood.

Noreen Headrich expressed concerns about aesthetic impacts from the project. Ms. Headrich stated she wanted the town to stay a small town.

Laurel Bailey expressed concerns about impacts from flooding. Ms. Bailey also stated she wants to keep the town a small town and thinks the location is a bad place to put a store.

Applicant Aaron Ramirez responded to the concerns of the residents who spoke in opposition. Mr. Ramirez responded to concerns of the wetlands. Commissioner Chapin asked if the applicant agreed to protect the wetland. Mr. Ramirez agreed. Commissioner Chapin asked the applicant if a fence would be built. Mr. Ramirez stated a 6ft wood fence would be constructed. Commissioner Parham asked about a retaining wall near the wetlands. Mr. Ramirez stated there would be a short retaining wall constructed in the northeast corner of the development near the trash enclosure, but that construction of the retaining wall would not impact the wetlands.

Applicant's engineer Fred Lucero explained that run off from the project would not be directed to the wetlands.

Commissioner Parham asked about the Army Corp of Engineers and their involvement. Mr. Lucero stated there project would not affect the wetland area therefore, there wasn't any reason to involve the Army Corp of Engineers.

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

The Commission took a 15 minute break to review the memos received prior to the meeting.

Once the meeting resumed the Commissioners continued to discuss the project and the information in the memos.

ACTION: By motion made, seconded (Chapin/Ramsey), and carried unanimously, by Resolution 2016-006, the Commission recommended that the Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration, waive the reading of the ordinance to amend the Zoning Plan, and approve Zone Amendment 15-002, based on the findings and subject to the condition listed in the Resolution, and by Resolution 2016-007, adopted a CEQA determination of a Mitigated Negative Declaration and approved Use Permit 15-003, based on the findings and subject to the conditions listed in the Resolution.

R2: **TRACT MAP 1905 (SPOON) – 2nd EXTENSION OF TIME:** The project is located in the Cottonwood area on an 18.1-acre property adjacent to the north side of Fourth Street approximately 700 feet east of its intersection with Locust Street. The request is for approval of a 3½-year extension of time for approved Tract Map 1905. Staff Planner: Kent Hector. District: 5. Proposed CEQA Determination: N/A.

Senior Planner, Kent Hector, presented the staff report.

The public hearing was opened.

There being no speaker for or against the project extension of time, the public hearing was closed.

ACTION: By motion made, seconded (Wallner/Ramsey), and carried unanimously by Resolution 2016-008, the Commission found that the extension of time is not subject to the requirements of CEQA and approved a 3 ½ year extension of time for Tract Map 1905 (to October 13, 2019) based on the findings listed in the Resolution, and subject to the findings listed in the original Resolution of approval (Planning Commission Resolution 2005-140).

R3 **ZONE AMENDMENT 15-009 (HAGEMAN):** The project is located in the south Redding area on a 7.49 acre parcel on the west side of Riverland Drive approximately 2 miles south of the Knighton Road and Interstate 5 interchange. The proposal is to change the current Commercial Recreation (C-R) district to the Rural Residential (R-R) zone district to re-establish residential zoning on the property and facilitate the construction of a single family residence. The existing Restrictive Flood (F-2) and the Designated Floodway (F-1) district will not change. Staff Planner: Lisa Lozier. District: 5. Proposed CEQA Determination: N/A

Senior Planner, Lisa Lozier, presented the staff report and answered questions from Commissioner Chapin on how many residents are allowed on the parcel. Commissioner Chapin also asked if there is a boat ramp and if so is it still useable. Ms. Lozier stated two residents are allowed and yes there is a boat ramp and it is useable. Commissioner Wallner asked if the Use Permit would have to be revoked if the property was re-zoned. Ms. Lozier stated once the property was re-zoned the Use Permit would automatically be voided. Commissioner MacLean asked about the small triangular area left. Ms. Lozier stated the triangular section is owned by the RV Park.

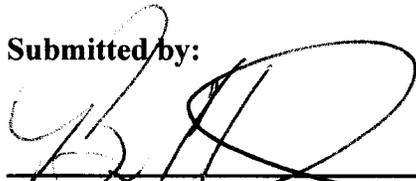
The public hearing was open.

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

ACTION: By motion made, seconded (MacLean/Wallner), and carried unanimously, by Resolution 2016-009, the Commission recommended that the Board of Supervisors conduct a public hearing and find that the Zone Amendment is Categorical Exempt from CEQA, waive the reading of the ordinance to amend the Zoning Plan, and approve Zone Amendment 15-009, based on the findings and subject to the condition listed in the Resolution.

ADJOURNMENT: The Planning Commission adjourned at 03:57 p.m.

Submitted by:



**Buffy Gray, Agency Staff Service Analyst I
Recording Secretary**