SHASTA COUNTY
PLANNING COMMISSION MEETING

MINUTES **Meeting**

Date: September 8, 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
Tim MacLean	District 2
Patrick Wallner	District 5

Absent: Jim Chapin District 1

Staff Present:
Richard Simon, Director of Resource Management
Rubin Cruse, County Counsel
Kent Hector, Senior Planner
Lio Salazar, Senior Planner
Sean Price, Assistant Planner
Ken Henderson, Environmental Health Division
Jimmy Zanotelli, Shasta County Fire Department Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Buffy Gray, Agency Staff Services Analyst I, 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 Speaker's

APPROVAL OF MINUTES: **August 18, 2016 - Minutes**

By motion made, seconded (Ramsey/MacLean) carried by a 3-0 vote, the Commission approved the Minutes of August 18, 2016, as submitted. Commissioner Wallner abstained from voting due to not being in attendance at the August 18, 2016 Special Planning Commission meeting.

CONFLICT OF INTEREST DECLARATIONS: None

CONSENT ITEMS: None

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None

R1: **VARIANCE 15-001 (BEY):** The project is located in the Redding area on a 1-acre parcel on the west side of Wilshire Drive, approximately 0.2 miles southwest of its intersection with Henderson Road. The request is for a Variance from the 5-foot minimum building setback requirements of the Shasta County Zoning Plan for an already-built addition to a single family residence on the property. The applicant proposes a zero building setback from the north property line for this structure. Staff Planner: Kent Hector. District: 2. Proposed CEQA Determination: CE

A memo was presented to the Commission prior to the meeting regarding a letter received from a property owner in the area concerned about setback requirements created through deed restriction on the subject property.

Senior Planner Kent Hector presented the staff report.

Commissioner Ramsey, asked after 47 years, why did this come up. Mr. Hector stated it was initiated by a zoning complaint.

Commissioner Parham asked questions in regards to a firewall. Mr. Hector stated there will need to be some re-modeling of the structure to meet code requirements and some of those requirements will be a firewall along the property line.

The public hearing was opened and the applicant Thomas Bey addressed the Commission. Mr. Bey stated he purchased the home 8-9 years ago and the home is approximately 50 years old. He stated there are 7 to 10 houses in the same area that are positioned less than 5 feet away from the property line and some even have over hangs that cross the property lines. Mr. Bey stated all he was trying to do is make improvement to his home and now he is having to make upgrades to the home which is causing a hardship on his family. He stated he can't even get a loan to help pay for the improvements the county is requiring because a red flag shows up on the property when he tries to get a loan. Mr. Bey stated he agrees to the conditions of the Variance.

Commissioner Wallner asked Mr. Bey if he occupies the home. Mr. Bey stated, yes he does, but he has rented it out before.

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

Commissioner Parham asked Senior Planner Kent Hector if it is common that a home that is 47 years old is required to meet 2016 standards. Mr. Hector stated the Variance is strictly related to the setback, it is not a building code matter.

The Director of Resource Management Richard Simon explained the relationship between the Fire codes and Building codes as they relate to the Variance. Mr. Simon and Commissioner Parham discussed possible options to rectify the issues that are on the applicant's property.

Mr. Simon stated there is a 3rd alternative which would allow the Variance to be approved with a statement added to the Conditions which states, "unless a lesser standard can be applied in light of the circumstances of this case that will provide adequate health and safety protections." The applicant Thomas Bey asked that the Commission consider the 3rd alternative and approve the Variance with the suggested amendment to the Conditions.

ACTION: By motion made, seconded (Ramsey/Wallner), and carried unanimously, by Resolution 2016-022, the Commission found that the project is Categorically Exempt from CEQA under Class 5 "Minor Alterations in Land Use Limitations" and approved Variance 15-001, based on the findings and subject to the amended conditions listed in the Resolution.

After the last item on the agenda, Mr. Simon asked the Commission to re-visit item R1.

R2: **ZONE AMENDMENT 16-004 (CASEY):** The project site is a 183.9-acre parcel in the Big Bend area located on the east side of Kosk Creek Road (U.S. Forest Service Road 37N79) approximately 1.25 miles northwest of the intersection of Hawkins Creek Road and Summit Lake Road (Assessor's Parcel Numbers 021-100-031 and 021-120-040). The request is for a rezone from the Timberland (TL) zone district to the Timber Production (TP) zone district for the purpose of promoting the conservation, management, and utilization of the property for commercial forest management by changing the way the property is valued for tax purposes and also making it eligible to receive State funding for forest improvement and management activities. Staff Planner: Lio Salazar. District: 3. Proposed CEQA Determination: OE

Senior Planner Lio Salazar presented the staff report.

Commissioner Wallner asked Senior Planner Lio Salazar what is a reasonable amount of time to harvest timber from the parcel and what happens if the land owner doesn't meet that time frame. Mr. Salazar stated a reasonable amount of time is determined by a registered professional Forrester in the timber management plan for the property. Mr. Salazar explained the annual 10 year timber production zone restriction period and how a land owner would get out of Timber Production if they wanted to use the property for other things such as a residence.

Mr. Salazar answered questions from Commissioner Parham regarding the renewal period for Timber Production.

The public hearing was opened and with 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 2016-023, the Commission recommended that the Board of Supervisors conduct a public hearing and find that the Zone Amendment is Statutorily Exempt from CEQA, and approve Zone Amendment 16-004, based on the findings.

R3 **PARCEL MAP 05-029 (LINDSAY) EXTENSION OF TIME:** The property is located in the Whitmore area on 2 parcels totaling 187 acres. The site is located on Fern Road East, approximately one mile east of its intersection with Oak Run to Fern Road. The proposed project is a request for an extension of time on a previously approved parcel map to create a 40-acre parcel with a 147-acre remainder parcel. Staff Planner: Sean Price. District: 3. Proposed CEQA Determination: N/A

Assistant Planner Sean Price presented the staff report.

The public hearing was opened and with there being no speakers for or against the project the hearing was closed.

ACTION: By motion made, seconded (Wallner/Ramsey), and carried unanimously by Resolution 2016-024, the Commission found that the extension of time is not subject to the requirements of CEQA and approved a 3 year extension of time for Parcel Map 05-029 (to August 14, 2019) based on the findings listed in the Resolution, and subject to the findings and conditions listed in the original Resolution of approval (Planning Commission Resolution 2008-089).

R4 **CONSIDER REQUEST FOR DEVIATION FROM COUNTY STANDARDS FOR CERTIFICATE OF COMPLIANCE 16-004 (SISON):** The project site is located in the Anderson area on a 155-acre parcel, approximately 1.1 miles southeast of the intersection of Parkville Road and Dersch Road. The Planning Commission will consider the property owners request for deviation from Shasta County's Development Standards related to roads used to access the property, an exception from the County's Fire Safety Standards that limit the length of dead end roads, and changes to standard project conditions from the Planning Division and Environmental Health Division. Staff Planner: Kent Hector. District: 5. Proposed CEQA Determination: N/A

A memo was presented to the Commission prior to the meeting regarding a request for a continuance by the applicant's representative.

Senior Planner Kent Hector presented a brief description of the project and asked the Commission to consider a continuance on the project as requested by the applicant's representative.

The public hearing was opened and with there being no speakers for or against the project the hearing was closed.

ACTION: By motion made, seconded (MacLean/Ramsey), and carried unanimously, the Commission continued the item to the October 13, 2016 Planning Commission meeting.

R1 CONTINUED:

Director Simon stated the language in the Resolution would need to be consistent with the Conditions, therefore the Commission would need take action to change the language in the Resolution.

ACTION: By motion made, seconded (Ramsey/Wallner), and carried unanimously, the Commission changed the language in the Resolution (3-C) to be consistent with the language in the amended Conditions.

PLANNING DIRECTOR'S REPORT

Director of Resource Management Richard Simon stated he took a poll of the Commissioners present at today's meeting and none of the Commissioner would like to attend the upcoming 86th Annual Planning Commissioners Association Conference on October 14th and 15th. Mr. Simon stated due to that consensus, the county would not be sending any of the Commissioners to the conference this year.

ADJOURNMENT: The Planning Commission adjourned at 03:36 p.m.

Submitted by:

Buffy Gray, Agency Staff Service Analyst I
Recording Secretary