

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: October 13, 2016
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present:

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

Absent:

Gene Parham	District 3
-------------	------------

Staff Present:

Richard Simon, Director of Resource Management
James Ross, Assistant County Counsel
Lisa Lozier, Senior Planner
Kent Hector, Senior Planner
Bill Walker, Senior Planner
Ken Henderson, Environmental Health Division
Jimmy Zanolli, Shasta County Fire Department Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Buffy Gray, Agency Staff Services Analyst I, Recording Secretary
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 Speaker's

**APPROVAL OF
MINUTES:**

September 8, 2016 - Minutes

By motion made, seconded (MacLean/Wallner) carried by a 3-0 vote, the Commission approved the Minutes of September 8, 2016, as submitted. Commissioner Chapin abstained from voting due to not being in attendance at the September 8, 2016 Planning Commission meeting.

CONFLICT OF INTEREST DECLARATIONS: Commissioner MacLean recused himself from item R3 due to his affiliation with the company on the project and item R4 due to his affiliation with the applicant on the project.

CONSENT ITEMS: None

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None

R1: **TRACT MAP 1809 EXTENSION OF TIME (SALE):** The project is located in the Old Shasta area on a 298.22-acre parcel on both sides of Mule Mountain Parkway, about one-half mile west of the intersection of Mule Mountain Parkway and Swasey Drive (APN: 041-480-006-000). Benjamin Sale has requested approval of a one-year extension of time for a 24-parcel land division of 86.4 acres for single-family residential development with a 211.82-acre remainder parcel. The tentative map was originally approved in 1994. The proposed new expiration date would be November 28, 2017. Staff Planner: Bill Walker. District: 2. Proposed CEQA Determination: N/A

Senior Planner Bill Walker presented the Staff Report. Mr. Walker answered questions from Commissioner Chapin on whether or not the extension of time is for the entire parcel or just the northern part of the parcel and what is left on the project to be completed. Mr. Walker stated the extension of time is for the entire parcel and he believes the project is close to being completed. Mr. Walker suggested that the applicant's engineer may be able to provide additional information.

The public hearing was opened and the applicant's representative JasonVine answered questions from Commissioner Chapin on what was left to be done to get a final approval on the project and if the project will be completed by the summer of 2017. Mr. Vine stated the activity on the project has been stopped for the rainy season, the rough grading and fire access has been completed, and the project is expected to be completed by the summer of 2017.

Bruce Crom spoke neither in favor nor against the project. Mr. Crom asked about the booster pump station being installed.

The applicant's representative Jason Vine responded by stating the booster pump station has not been installed at this time, but it is a condition of the map and will be installed prior to an occupant moving in or the recording of the map. It is the intent of the owner to uphold the conditions of the map.

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

ACTION: By motion made, seconded (MacLean/Chapin), and carried unanimously by Resolution 2016-025, the Commission found that the extension of time is not subject to the requirements of CEQA and approved a 1 year extension of time for Tract Map 1809 (to November 28, 2017) 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 95-072, as amended by Board of Supervisors Resolution 95-21.

Ex-parte Communications Disclosures: None

R2: **TRACT MAP 1785 EXTENSION OF TIME (SALE):** The project is located in the Old Shasta area on a 100-acre parcel on both sides of Mule Mountain Parkway, about two tenths of a mile southwest of the intersection of Mule Mountain Parkway and Swasey Drive (APN: 204-210-005-000). The request is for approval of a one-year Extension of Time for a 24-parcel land division of 66 acres with a 34-acre remainder parcel, which was originally approved in 1994. The proposed new expiration date would be November 28, 2017. Staff Planner: Bill Walker. District: 2. Proposed CEQA Determination: N/A

Senior Planner Bill Walker presented the staff report. Mr. Walker answered questions from Commissioner Chapin regarding the easement on the map and whether it is an existing road or just an easement and other than the access road what else has been completed on this map. Mr. Walker stated the easement is an existing road that runs the entire length of the easement, but the road is not all up to the current standard. Mr. Walker suggested that the applicant's engineer may be able to provide additional information regarding his question on what is completed on this map.

Mr. Walker answered Commissioner MacLean's question on whether or not it has been determined that there are legal rights to utilize the easement. Mr. Walker stated yes, there are legal rights to utilize the easement.

The public hearing was opened and the applicant's representative Jason Vine answered questions from Commissioner Chapin stating they just finished erosion control and rough graded the fire easement. He stated all the roads are rough graded in, the water system is scheduled for June, and the emergency fire escape road has been rough graded in.

Bruce Crom gave some history on the tentative map. He expressed concerns of the emergency fire escape road through Whispering Woods Trail and the impact on the street due to the road requirements. Mr. Crom asked the Commission to consider several different alternatives which included denial of the project, eliminate the fire escape through Whispering Woods Trail or require residents to pay a road fee for maintaining the fire escape road.

John Zimmerman stated he has the smallest lot in the area and expressed concerns that the fire escape road would affect his lot the most if it was brought up to the current standards. Mr. Zimmerman also expressed concerns of the impact it will have on the value of his property and the location of the emergency fire escape road in comparison to the actual easement. Mr. Zimmerman asked the Commission if there would be a locked gate on the fire escape road.

The applicant's representative Jason Vine responded to the concerns of the residents of Whispering Woods Trail. Mr. Vine stated he would need to review the conditions, but typically fire escape roads are gated and locked and not used for daily traffic. He advised the Commission he would need to research the location of the easement.

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

The Commission asked Senior Planner Bill Walker questions in regards to the emergency fire escape road gate being locked. Mr. Walker read condition 60 and 60C2 from Resolution 95-073 regarding the emergency fire escape road being gated. Mr. Walker stated the conditions state it would be gated, but it doesn't say anything about it being locked. Mr. Walker referred that question to Jimmy Zanotelli, Shasta County Fire Marshall.

Commissioner Chapin asked if the roads can be reconfigured to eliminate the need for an emergency fire escape road.

The Commission expressed concerns regarding the easement and the lack of progress on this project. Commissioner MacLean asked if this project affects the previously approved project.

Senior Planner Bill Walker stated the primary access road through this parcel has already been completed.

Commissioner Chapin asked to continue the project for more information regarding the emergency fire escape road and whether it is feasible to reconfigure the roads in the subdivision to eliminate the need for an emergency fire escape road.

ACTION: By motion made, seconded (Chapin/Wallner), and carried unanimously, the Commission continued the item to the November 10, 2016 Planning Commission meeting.

Ex-parte Communications Disclosures: Commissioner MacLean recused himself from this project due to the fact he is a partner with the company that prepared Tract Map 1957.

R3 **TRACT MAP 1957 EXTENSION OF TIME (CASSEL RIDGE INC.):** The project is located in the Cassel Rural Community on a 170-acre parcel on Ridge Road approximately 0.5 miles south of the intersection of Cassel Road and Ridge Road (APN: 031-520-016-000). The request is for approval of an extension of time for a previously approved 34-lot subdivision consisting of 5-acre parcels for single-family residential development. Staff Planner: Lisa Lozier. District: 3. Proposed CEQA Determination: N/A

A memo was presented to the Commission prior to the meeting regarding letters of concern received by the Planning Department. The letters of concern included septic systems impact on the water quality, water supply, and fire protection.

Senior Planner Lisa Lozier presented the staff report.

The public hearing was opened and the applicant's representative Rob Findleton agreed with staff's recommendation to approve the extension of time.

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

ACTION: By motion made, seconded (Wallner/Chapin), and carried a 3-0 vote by Resolution 2016-027, 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 Tract Map 1957 (to November 8, 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 2007-136.

Ex-parte Communications Disclosures: Commissioner MacLean recused himself from this project due to his affiliation with the applicant of this project.

R4 **PARCEL MAP 15-004 (KNOTT):** The project is located in the Palo Cedro area on a 33.7-acre parcel located approximately 1,000 feet west of Maynard Road and adjacent to the north end of Skylark Lane. The request is for a residential land division that would create 4 parcels ranging in size from 5 acres to 8.73 acres and a 10-acre designated remainder parcel. Staff Planner: Lisa Lozier. District: 3. Proposed CEQA Determination: MND

A memo was presented to the Commission prior to the meeting with letters/e-mails of concern from neighboring property owners. The concerns included, the location of leach fields, potential failure by the applicant to restore the roadway after construction, and access from the private roads Charolais Way and Skylark Lane.

Senior Planner Lisa Lozier presented the staff report. Ms. Lozier answered questions from Commissioner Wallner and Commissioner Chapin in regards to damage across driveways and whether conditions can be implemented to assure the area would be put back as it was before construction, whether the access road is paved or graveled, and if the emergency access is gated and locked.

Ms. Lozier stated the cut across the driveways are to connect to utilities and this is not the jurisdiction of the county so a condition cannot be implemented. She stated the access road is paved to the subdivision and the emergency access is gated and locked.

The public hearing was opened and the applicant's representative Ed Whitson spoke in favor of the project. Mr. Whitson requested a modification to condition #29A from "Minor Local Rural" to "Minor," he stated Public Works was going to allow that change. He also stated Skylark Lane will no longer be used, they will be bringing their power up Maynard Road.

Speaking in opposition:

Dan Rickert distributed information and photos to the Commission. Mr. Rickert stated he is speaking on behalf of the Charolais Road Association. He expressed concerns of water contamination and large equipment disturbing the area of the parcel that is not to be disturbed. Mr. Rickert asked that the Commission delay or deny the project until further information can be obtained from other agencies.

Richard Machado expressed concerns of the impact the project will have on the environment. He stated his concern is of the drainage channel and the 7-acre pond in the area. Mr. Machado also expressed concerns of the leach fields and the potential disturbance of the non-disturbance area.

Dwayne Mason asked the Commission for a definitive answer on whether the emergency access gate would remain locked. Mr. Mason expressed concerns of an abundance of traffic if the gate was to remain open.

Commissioner Chapin asked the applicant's representative if the applicant has to get a permit from Fish and Wildlife before they install sewer lines through the undisturbed area. The applicant's representative Ed Whitson stated yes, they would need a 1600 permit before work is started and Fish and Wildlife would inspect the work.

Director of Resource Management Richard Simon asked the applicant's representative if he agrees to the conditions and the amended condition. Mr. Whitson advised Mr. Simon he was in agreement.

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

Senior Planner Lisa Lozier stated it is a condition of approval for the applicant to acquire a permit from Fish and Wildlife to install sewer lines through the non-disturbance area. Ms. Lozier referred to conditions 39 and 40.

Shasta County Fire Marshall Jimmy Zanotelli stated emergency fire escape roads cannot be locked with a chain unless they are chained to a breakaway post, so if the breakaway post is knocked over the chains will slide off. The only way the general public could open the gate is if they knock over the post and destroy the gate.

Public Works Subdivision Engineer Eric Wedemeyer stated the applicant requested a revision to road condition 29A from "Minor Local Rural" to "Minor" with an 18 foot paving width. It is the recommendation of the Public Works department to grant the request. After review of the area it was found that this would meet the "Minor" requirement.

Senior Planner Lisa Lozier answered questions from Commissioner Wallner regarding whether Water Quality Control Board was notified of the project and what their response is on the drainage of gray water and sewage. Ms. Lozier stated yes the Water Quality Control Board was notified, but their involvement comes during the development process. Commissioner Chapin asked if Fish and Wildlife was notified and if there was any response from them. Ms. Lozier stated yes, they were notified and a letter was received and forwarded to the applicant. The applicant hired an individual

to delineate the wetland area and also hired a second company to do a basic biological survey of the wetland area. The applicant decided to use the avoidance mitigation on this project. Ms. Lozier stated that in the conditions Fish and Wildlife would need to be notified prior to any disturbance of the non-disturbance areas.

Commissioner Wallner asked for information from Environmental Health regarding potential contamination of well water in the area from new leach fields. Environmental Health Specialist Ken Henderson stated that the distances from the proposed new leach areas to the existing wells meet the required standards and provide adequate setbacks to prevent contamination. .

The public hearing was re-opened.

Dan Rickert stated there are different perc rates based on the different types of soil and believes those differences are not being considered.

There being no other speakers, the public hearing was closed.

ACTION: By motion made, seconded (Chapin/Wallner), and carried a 3-0 by Resolution 2016-028, the Commission adopted the CEQA determination of a Mitigated Negative Declaration, and approved Parcel Map 15-004, based on the finding and subject to the conditions as amended listed in the Resolution.

Ex-parte Communications Disclosures: None

R5 **TRACT MAP 1955 EXTENSION OF TIME (E.C. SMITH INV.):** The project is located in the Igo Rural Community Center on a 40-acre parcel on the north side of Platina Road approximately one-tenth of a mile west of the intersection of Platina Road and Placer Road (APN: 041-650-031-000). The request is for approval of a 3-year extension of time for approved Tract Map 1955. The Planning Commission approved Tract Map 1955 on December 13, 2007 for an 8-parcel subdivision with each parcel being 5.0-acres in size. Staff Planner: Kent Hector. District: 2. Proposed CEQA Determination: N/A

A memo was presented to the Commission prior to the meeting regarding letters of concern and a letter of response from the applicant.

Senior Planner Kent Hector presented the staff report. Mr. Hector answered questions from Commissioner Chapin in regards to whether the proposed parcels will have individual wells and septic systems and if he has heard of any shortages of water on the neighboring parcels. Mr. Hector stated all of the proposed parcels will have individual wells and septic systems and he would have to refer the question of water shortages to the Environmental Health Department.

The public hearing was opened and the applicant's representative Jim Elkins addressed the letters of concern that were received by the Commission prior to the meeting in a memo. Mr. Elkins asked that the Planning Commission approve the extension of time.

Thomas Nihart expressed concerns of water shortages for future residents of the subdivision. Mr. Nihart presented a US Geological Map on the overhead projector and discussed its content. He asked the Commission to deny the extension of time.

Glen Frieze expressed frustration in the process, stating that 13 days wasn't enough time review the information on the project. Mr. Frieze requested a 30 day continuance.

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

Commissioner Chapin asked staff what the time line is for notification on this type of project. Director of Resource Management Richard Simon stated there is a required 10-day notification period.

ACTION: By motion made, seconded (Wallner/Chapin), and carried unanimously by Resolution 2016-029, 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 Tract Map 1955 (to January 15, 2020) 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 2007-148.

Ex-parte Communications Disclosures: None

R6 **TRACT MAP 1976 EXTENSION OF TIME (WARD):** The project is located in the south Redding area on a 219-acre parcel on the east side of Churn Creek Road, approximately 1,000 feet south of Rancho Road (APN: 054-170-013-000). The request is for approval of a 3-year extension of time for approved Tract Map 1976. The Planning Commission approved Tract Map 1976 on September 11, 2008, for an eight-lot subdivision consisting of 5.0-acre to 5.9-acre parcels, along with a 177-acre remainder parcel. Staff Planner: Kent Hector. District: 5. Proposed CEQA Determination: N/A

Senior Planner Kent Hector presented the staff report.

The public hearing was opened and the applicant's representative Debra Cahoon spoke in favor of the extension of time.

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

ACTION: By motion made, seconded (Chapin/MacLean), and carried unanimously by Resolution 2016-030, 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 Tract Map 1976 (to September 11, 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 2008-098.

Ex-parte Communications Disclosures: None

R7 **CONSIDER REQUEST FOR DEVIATION FROM COUNTY STANDARDS FOR CERTIFICATE OF COMPLIANCE 16-004 Continued from 09/08/16 (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 by the applicant's representative to continue item R7 to the November 10, 2016 Planning Commission Meeting.

Director of Resource Management Richard Simon stated that the applicant's representative has requested item R7 be moved to the top of the agenda and that the item be continued to November 10, 2016 Planning Commission meeting.

ACTION: By motion made, seconded (Wallner/Chapin), and carried unanimously, the Commission continued the item to the November 10, 2016 Planning Commission meeting.

PLANNING DIRECTOR'S REPORT: No Items

ADJOURNMENT: The Planning Commission adjourned at 04:45 p.m.

Submitted by:



Buffy Gray, Agency Staff Service Analyst I
Recording Secretary