

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: October 13, 2005
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present:	Roy Ramsey, Chairman	District 4
	Jerry Smith, Vice-Chair	District 2
	John Casolary	District 5
	John Cornelius	District 3
	David Rutledge	District 1

Staff Present:

Richard Barnum, Assistant Director of Resource Management
Mike Ralston, Assistant County Counsel
Zach Bonnin, Senior Planner
Nancy Polk, Associate Planner
Brandon Rogers, Associate Planner
Meri Meraz, Associate Planner
Jim Diehl, County Fire Dept./CDF
Steve Preszler, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager/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), De Minimis Finding of Significance (DM).

OPEN TIME

No speakers.

APPROVAL OF MINUTES

By motion made, seconded (Casolary/Cornelius), and carried unanimously, the Commission approved the minutes of September 8, 2005, as corrected (correct voting error on item R6 to reflect a "no" vote from Commissioner Smith).

ITEMS REMOVED FROM THE CONSENT AGENDA

Item C5 was cancelled by the applicant and removed from the agenda. Item C8 was placed on the regular agenda for discussion.

**CONSENT
ITEMS**

By motion made, seconded (Casolary/Cornelius), and carried unanimously, the Commission approved the following Consent Items:

- C1:** **Parcel Map 05-030 (Cronic)**: By Resolution 2005-126, approved a two-parcel land division into 3.0 and 3.70-acre parcels in the Bella Vista area. The project is located on a 6.70-acre parcel on the southwest corner of Thorn Lane and Old Alturas Road approximately one-tenth of a mile north of Falling Oaks Road. Staff Planner: Meraz. District 4. CEQA: ND/DM
- C2:** **Parcel Map 05-028 (Clark)**: By Resolution 2005-127, approved a two-parcel land division in the Cottonwood area. The project is located on a 20.87-acre parcel on the south side of First Street approximately two-tenths of a mile west of its intersection with Memory Lane. Staff Planner: Rogers. District 5. CEQA: MND
- C3:** **Use Permit 05-004 (Treece)**: By Resolution 2005-128 approved a use permit for a proposed 2,000-square-foot office and warehouse in the Design Review combining district in the Redding Municipal Airport area. The project is located on a 1.16-acre parcel at the southwest end of Engineers Lane less than one-tenth of a mile west of its intersection with Airport Road. Staff Planner: Rogers. District 3. CEQA: ND/DM
- C4:** **Use Permit 05-023 (Crowell)**: By Resolution 2005-129 approved a use permit for a proposed seamless rain gutter business in the Anderson area. The project is located on a 1.30-acre parcel on the west side of State Highway 273 approximately one-tenth of a mile north of its intersection with Overland Road. Staff Planner: Rogers. District 2. CEQA: ND/DM
- C6:** **Amendment to Tract Map 1907 (Alexander)**: By Resolution 2005-130 approved an amendment to the previously approved map to increase the total number of lots from five to eight in the Cottonwood area. The project is located on a 2.5-acre parcel on the west side of Locust Road approximately one-quarter mile north of its intersection with Fourth Street. Staff Planner: Bonnin. District 5. CEQA: MND/DM
- C7:** **Use Permit 05-018 (Semingson)**: By Resolution 2005-131 approved a 3,000-square-foot building for use as a private library, which exceeds the 20-foot height maximum, and approved a reduced front yard setback in the Cottonwood area. The project is located on a 9,200-square-foot parcel immediately adjacent to the east side of Main Street approximately 150 feet south of its intersection with Third Street. Staff Planner: Bonnin. District 5. CEQA: ND/DM

PUBLIC HEARINGS

C8: **Amendment to Use Permit 99-24 (Mitchell)**: Palo Cedro area. The project is located on a 1.94-acre parcel on the south side of Gilbert Road less than two-tenths of a mile southwest of its intersection with Topland Drive immediately west of the Bella Vista Water District well site. The applicants have requested approval to amend the previously approved Use Permit to expand the mini-storage complex. Staff Planner: Bonnin. District 3.

Senior Planner Zach Bonnin presented the project and informed the Commission that the Department of Public Works (DPW) was adding two conditions requiring that if Gilbert Drive will be used for access to the project, the road be improved to County standards.

The public hearing was opened and Kevin Tedder, representing the applicant, spoke in favor of the project stating that the additional DPW conditions were satisfactory as long as the road improvements would be required prior to Certificate of Occupancy rather than prior to issuance of building permits.

Speaking in opposition to the project was neighbor Kurt France who stated that the same construction and road standards being applied to the next item on the agenda (Tract Map 1869) should also be applied to this project. Also speaking in opposition was Larry Winton who expressed concerns regarding drainage. There being no other speakers, the public hearing was closed.

The Commission asked Planner Bonnin to address the drainage issues for the project. Planner Bonnin explained that storm water impacts are addressed as part of the building permit process. Steve Preszler from DPW addressed the Commission informing them that an engineering firm had submitted hydrology calculations for a storm water detention basin on the project site and that he had reviewed the calculations and concurred with the conclusions in the report. He added that post-development runoff would be metered by a 10-inch culvert.

The Commission re-opened the public hearing in order to receive clarification from the applicant's representative regarding current improvements and grading activities on Gilbert Road. Kevin Tedder explained that Gilbert Road had been graded and graveled in the past for fire access under the original use permit. Carol Gage addressed the Commission expressing concerns regarding drainage and runoff. Kurt France voiced concerns that the runoff from the project would be diverted to the nearby drainage creek, which would also increase problems with erosion to neighboring properties. Mr. France also had concerns with the removal of several large oak trees without permits. There being no other speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Rutledge/Smith), with Commissioners Rutledge, Smith, Casolaro, and Ramsey voting AYE and Commissioner Cornelius voting NO, for a 4-1 vote, by Resolution 2005-132, the Commission adopted a CEQA determination of a Mitigated Negative Declaration with a De Minimis Finding of Significance and approved Use Permit 99-24A, based on the findings and subject to the conditions, as amended, listed in the Resolution.

R1: Parcel Map 05-045, Use Permit 05-021 and Zone Amendment 05-022 (Edwards): Oak Run area. The project is located on a 60.78-acre parcel on the south side of Oak Run to Fern Road approximately five-tenths of a mile east of its intersection with R.L. Smith Logging Road. The applicant has requested approval of a parcel map for a three-parcel land division, a use permit for a proposed logging contractor's yard, and a zone amendment from the Unclassified (U) zone district to the Timberland (TL) zone district. Staff Planner: Rogers. District 3.

Associate Planner Brandon Rogers presented the project. The public hearing was opened and Konrad Stenchfield, representing the applicant, spoke in favor of the project. Mr. Stenchfield requested two conditions be modified: 1) Condition 19c for the Parcel Map requiring construction of turnarounds at each designated building site for driveways exceeding 12 percent grade prior to recording of the map. Mr. Stenchfield requested that the construction of the turnarounds be deferred to coincide with the building permit application rather than prior to recording the map; and 2) Condition 29 for the Parcel Map requiring an Oak Woodland Conservation Plan. Mr. Stenchfield indicated that the soil conditions on the site were well suited for growing cedar rather than oak trees. He requested that the planting of cedar trees apply to oak woodland mitigation. There being no other speakers for or against the project, the public hearing was closed.

Jim Diehl from CDF indicated that as long as the proposed parcels had driveways that lead to flat areas for building sites it would be appropriate to modify Condition 19c to require that turnarounds be identified on the map rather than requiring the turnarounds be constructed prior to recording the parcel map.

Rick Barnum indicated that the applicant would not be allowed to mitigate for oak tree removal by planting cedar trees. He explained that the purpose of the legislation was protection from the cumulative effects caused by the removal of oak trees.

ACTION

By motion made, seconded (Casolary/Cornelius), and carried unanimously, by Resolution 2005-133, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve Zone Amendment 05-022, based on the findings listed in the Resolution, and adopted a CEQA determination of a Mitigated Negative Declaration and approved a Parcel Map 05-045, based on the findings and subject to the conditions, as amended, listed in the Resolution, and adopted a CEQA determination of a Mitigated Negative Declaration and approved a Use Permit 05-021, based on the findings and subject to the conditions listed in the Resolution.

R2: **Zone Amendment 02-023 and Tract Map 1869 (Trinity Equipment Company):** Palo Cedro area. The project is located on a 77-acre parcel between the western end of Topland Drive and the eastern end of Gilbert Drive. The applicant has requested approval of a zone amendment for approximately 77 acres, from Rural Residential (R-R) and Rural Residential combined with a 5-acre minimum Building Acreage (R-R-BA-5) to a Planned Development (PD) zone district, and approval of a 34-lot subdivision. Staff Planner: Polk. District 3.

Associate Planner Nancy Polk presented the project. The public hearing was opened and Ed Whitson, representing the applicant, spoke in favor of the project. Mr. Whitson stated that the wall being required by Condition 9 would not serve the purpose intended and asked that the condition be removed. Speaking in opposition to the project were:

<u>Speaker's Name</u>	<u>Issues/Concerns</u>
John Gill	Concerns with road safety and wear and tear on the road.
Richard Woolford	Density averaging changes the dynamics of the area. One-acre parcels are too small for the area. Increased traffic from the additional homes will have adverse impact to the area.
Carol Gage	1. Drainage and erosion concerns. 2. Traffic and safety. 3. Changing the zoning will affect the rural ambiance.
Roy Arnett	Read aloud a prepared statement regarding easement issues, speed limits, through access, and requesting denial of the project.
Leanne Wood	Concerns with the increased traffic and related safety issues on Hillside Drive.
Bill West	Traffic and road/pedestrian safety concerns. One-acre lots and density averaging will over populate the area. Drainage and runoff issues.
Larry Winton	Concerns with storm water runoff. Agreed with previous speakers on all issues.
Ed Benson	Extension/development of Gilbert Road will increase severity of existing drainage problems. Traffic and road safety concerns.
Dennis McCarthy	Deschutes Road should serve as primary access to the project site. Costs associated with ongoing maintenance of Gilbert Drive. Concerns with water availability.
Kirk Williams	Concurred with previous speakers. Traffic and road safety concerns.

R2 Cont'd

Kevin McCauley	Agreed with previous speakers. Deschutes Road should serve as primary access.
Debbie Arnett	Concerns with access and traffic.
Joanne Vollemwider	Concerned with the impact to environment and wildlife. Issues with availability of water. Road safety and traffic congestion concerns.
Kurt France	Issues regarding fire danger and access for fire trucks. Traffic and road safety concerns. Requested the project be continued until a formal traffic study was done.
Carol Gage	Informed the Commission that she has photographs available depicting drainage and runoff conditions.
Jeff Gluck	Concerns with aesthetics, traffic, and noise. Requested planning sessions for the Palo Cedro area.
Dena Collins	Agreed with previous speakers. West Nile Virus.
Kelly Tims	Concerns with traffic and road safety.
Diana Harmon	Concerns with traffic and road safety.
Marlys Owens	Agreed with previous speakers.
Lisa Bettencourt	Agreed with previous speakers. Concerns with glare from street lights, road safety, noise, and the availability of water.

Dick Stimpel, representing the applicant, spoke in rebuttal to the opposition to the project. Mr. Stimpel indicated that traffic and environmental studies had been conducted for the project and stated that the project should stand on its merits. There being no other speakers for or against the project, the public hearing was closed.

Commissioner Cornelius stated that additional methods should be used to improve the traffic flow for the area before making a decision on the project. Mike Ralston, Assistant County Counsel, suggested that based on issues with regard to the density and easements for both Martha Drive and Gilbert Drive, the matter should be continued in order for staff to do additional work and provide additional information.

ACTION

By motion made, seconded (Cornelius/Casolarly), and carried unanimously, the Commission continued Zone Amendment 02-023 and Tract Map 1869 to a future Planning Commission meeting to review access and density.

R3: **Variance 05-002 (Donovan):** Anderson area. The project is located on a 5.94-acre parcel on the northwest side of Hawes Road approximately two-tenths of a mile southeast of Hopson Road. The applicant has requested a variance to allow an 18- and 26-foot setback for a future residence from the side yard property lines, instead of the 30-foot required setback. Staff Planner: Meraz. District 5.

Associate Planner Meri Meraz presented the project. The public hearing was opened and Susan Hinz, representing the applicant, spoke in favor of the project, stating that any concerns raised by the Fire Marshall could be mitigated by the applicant. Ms. Hinz explained that the subject property included residential and agricultural uses and that the new residence being proposed would be place in the exact location of the existing home. She added that the other ten neighboring homes located on the roadway were also located on the front portions of their lots. Also speaking in favor of the project was neighboring property owner, Dale Sharrette who stated that the area consists of irrigated pasture lands and proposed configuration was consistent with the neighborhood. There being no other speakers for or against the project, the public hearing was closed.

Jim Diehl, from CDF, requested that the project be denied because the minimum setback requirements had not been met and the applicant had not provided CDF with material facts that would justify the request for a reduced setback. Mr. Diehl went on to say that the Shasta County Fire Warden had not forwarded to the Commission a request for the exception and therefore the Commission should not grant or deny the applicant's request for the exception without a recommendation from the Fire Warden.

Mike Ralston confirmed that the Fire Warden's recommendation is a condition precedent to the Commission approving or denying the project.

The public hearing was re-opened and Susan Hinz opined that the Commission had the authority to approve the project without the recommendation of the Fire Warden. Ms. Hinz added that the applicant would agree to a continuance of the project in order for the applicant to provide additional information to the Fire Warden. There being no other speakers for or against the project, the public hearing was closed.

Commissioner Cornelius indicated that he agreed with CDF's position that the project should be denied.

ACTION By motion made, seconded (Rutledge/Smith), with Commissioners Rutledge, Smith, Casolary, and Ramsey voting AYE and Commissioner Cornelius voting NO, for a 4-1 vote, the Commission continued Variance 05-002 to a future Planning Commission meeting.

R4: **Zone Amendment 05-013 (Bruce-Caviness):** Redding Municipal Airport area. The project is located on a 48.46-acre parcel on the north side of Dersch Road approximately six-tenths of a mile east of its intersection with Airport Road. The applicant has requested approval of a zone amendment from the Rural Residential combined with the 40-acre minimum and the Airport Specific Plan (R-R-BA-40, ASP) zone districts, to the Rural Residential and the Airport Specific Plan (R-R, ASP) zone districts. Staff Planner: Rogers. District 5.

R4 Cont'd

Associate Planner Brandon Rogers presented the staff report. The public hearing was opened and Renee Bruce-Caviness spoke in favor of the project making herself available for questions from the Commission. There being no other speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Rutledge/Cornelius), and carried unanimously, by Resolution 2005-137, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Negative Declaration with a De Minimis Finding of Significance and approve Zone Amendment 05-013, based on the findings and subject to the condition listed in the Resolution.

R5:

General Plan Amendment 05-001, Zone Amendment 05-003 and Tract Map 1905 (Spoon): Cottonwood area. The project is located on an 18.12-acre parcel adjacent to the north side of Fourth Street approximately 700 feet east of its intersection with Locust Road. The applicant has requested approval to amend the General Plan from the Suburban Residential-1 (SR-1), to the Suburban Residential-3 (SR-3) land use designation. The project also includes a request to amend the zoning from Interim Rural Residential (IR) zoning, to a One-Family Residential (R-1) zoning, which would allow an average of three units per acre with a minimum of 10,000 square foot residential lots. Tract Map 1905 includes a subdivision of the parcel into 36 residential lots and a 4.5-acre remainder parcel. Staff Planner: Bonnin. District 5.

Senior Planner Zach Bonnin presented the project and explained that the Department of Public Works had submitted revisions to Conditions 44, 46, 49, and 55 requiring public dedication, encroachment permits, and street name approval of Reets Lane and also requiring cul-de-sacs for Tracer Lane.

The public hearing was opened and Doug Kuss, representing the applicant spoke in favor of the project indicating that he agreed with all conditions of approval. There being no other speakers for or against the project, the public hearing was closed.

ACTION

By motion made, seconded (Rutledge/Casolary), and carried unanimously, by Resolution 2005-138, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve General Plan Amendment 05-001, based on the findings listed in the Resolution, and by Resolution 2005-139, the Commission recommended that the Shasta County Board of Supervisors conduct a public hearing and adopt a CEQA determination of a Mitigated Negative Declaration and approve Zone Amendment 05-003, based on the findings listed in the Resolution, and by Resolution 2005-140, approved a Tract Map 1905, based on the findings and subject to the conditions, as amended listed in the Resolution.

R6: **Use Permit 05-016 (Fall River Valley Library Corporation):** Fall River Mills area. The project is located on an 0.82-acre parcel on the southwest side of Highway 299E situated between 8th Street and Reynolds Road. The applicant has requested approval to remodel an existing building to accommodate a quasi-public library. Staff Planner: Meraz. District 3.

Associate Planner Meri Meraz presented the project. The public hearing was opened and Phylis Funk 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 (Cornelius/Casolary), and carried unanimously, by Resolution 2005-141, the Commission adopted found the project categorically exempt from the requirements of CEQA and approved Use Permit 05-016, based on the findings and subject to the conditions listed in the Resolution.

Non-Hearing Items: None.

ADJOURNMENT

The meeting was adjourned at 5:18 p.m.

Submitted by:

Dawn Duckett, Recording Secretary