

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: October 12, 2017
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present:	Roy Ramsey	District 4
	Tim MacLean	District 2
	Jim Chapin	District 1
	Steven Kerns	District 3
	Patrick Wallner	District 5

Staff Present: Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Kent Hector, Senior Planner
Lisa Lozier, Senior Planner
Ken Henderson, Environmental Health Division
Jimmy Zanutelli, Shasta County Fire Marshal
Charlene Beard, Public Works/Subdivision Engineer
Tracie Huff, Administrative Secretary I, Recording Secretary
Fae Koen, 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).

APPROVAL OF

MINUTES: September 14, 2017 – Minutes

By motion made, seconded (Kerns/Wallner) and carried by a 3-0 vote with Commissioner Chapin and Commissioner Ramsey abstaining, the Commission approved the Minutes of September 14, 2017, as corrected.

OPEN TIME: No Speakers.

CONFLICT OF INTEREST DECLARATIONS: Commissioner MacLean declared a conflict of interest for item R4 (Z16-006).

CONSENT ITEMS: None.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: Commissioner Ramsey and Commissioner Chapin disclosed that they were not present at the September 14, 2017 Planning Commission meeting and they had reviewed all previously submitted written materials, including the meeting minutes, and listened to the audio recordings of the public hearing held on September 14, 2017 for Parcel Map 16-005.

R1: **PARCEL MAP 16-005 (PODTETENIEFF) continued from September 14, 2017:** The project site is located in the south Redding area on the west side of Riverland Drive and approximately 2.0 miles south of the intersection of Riverland Drive and Knighton Road. The request is for approval of a two-parcel residential subdivision including a 2.52-acre parcel and a 4.27-acre parcel. Staff Planner Lisa Lozier. District 5. Proposed CEQA Determination: MND.

Senior Planner Lisa Lozier presented the staff report. Commissioner Chapin asked if the existing boat launching ramp would serve both parcels or just the one. Ms. Lozier confirmed it would be just the one parcel. Commissioner Kerns called attention to page seven of the Conditions of Approval, item number 59 and questioned if the oak trees specified to be removed at a three to one ratio were just for the building envelope for the houses or the roadways. Ms. Lozier confirmed that would apply to the housing area and any disturbance they may need to do for roadway they put in. Commissioner Kerns confirmed with Ms. Lozier that if the roadway to the building envelopes disturbs oak woodlands that would fall into that category. Ms. Lozier stated that it would. Commissioner Kerns also confirmed with Ms. Lozier that she was having a discussion with Department of Fish and Wildlife with respect to what the three to one ratio would look like and would report back to the Commission on that. Ms. Lozier stated that was correct and that she would.

The public hearing was opened and the applicant stated that he was satisfied with all of the conditions. There being no other speakers the public hearing was closed.

ACTION: A motion to approve was made, seconded (MacLean/Chapin). Chairman Ramsey asked for a roll call with Commissioners Chapin, Kerns, Ramsey, Wallner, and MacLean voting AYE for a 5-0 vote. By Resolution 2017-035, the Commission adopted the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration, approved Shasta County Fire Department Exception Request 16-30, and approved Parcel Map 16-005 subject to the conditions attached to the resolution.

Ex-parte Communications Disclosures: None

R2 **PARCEL MAP 04-011 – SECOND EXTENSION OF TIME (JORDAN):** The project is located in the Shingletown area on a 34-acre property at the east end of a private road with access off of State Highway 44, less than 0.10 miles east of Kaysie Rae Court. The request is for the approval of a 3½-year extension of time for approved Parcel Map 04-011. The Planning Commission approved

Parcel Map 04-011 on April 13, 2006 for the division of a 34-acre property into four 5.0 to 11.0-acre parcels for residential uses. Staff Planner: Kent Hector. District 5. Proposed CEQA Determination: N/A.

Senior Planner, Kent Hector presented the staff report. Commissioner Wallner asked if this was the last extension of this parcel map. Mr. Hector confirmed that it would be.

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/Wallner), and carried unanimously by Resolution 2017-036, the Commission found the application for an extension of time is not subject to the California Environmental Quality Act (CEQA); and approved a 3½-year extension of time for Parcel Map 04-01 (to April 13, 2021), based on the recommended findings and subject to the conditions listed in the original Planning Commission Resolution No. 2006-051.

Ex-parte Communications Disclosures: None

R3 **VARIANCE 17-003 (COMMUNITY HOUSING IMPROVEMENT PROGRAM):** The project is located in the Town of Cottonwood on a 6,050 square foot parcel at the end of Beagle Street, approximately 0.15 miles west of its intersection with Locust Road. The request is for a Variance from the 15-foot minimum rear yard setback requirements of the One-Family Residential (R-1) zone district for a proposed single-family residence on the property. The applicant proposes a 5-foot building setback from the western (rear) property line for this structure. Staff Planner: Kent Hector. District 5. Proposed CEQA Determination: CE.

Senior Planner Kent Hector presented the staff report. A memo with a letter in opposition from an adjacent property owner was submitted to the Commission for consideration. Commissioner Chapin asked if there was a requirement to have a solid fence or block wall on the back line to separate it from the bikeway. Mr. Hector confirmed there was no requirement. Commissioner Chapin stated that it was his opinion that a fence should be required. Commissioner Wallner asked to see the aerial view. A discussion ensued between Commissioner Wallner and Mr. Hector over where the adjacent property owners land was, and how the property was laid out on the aerial view. Commissioner Kerns asked about the property outlined in the aerial view and confirmed the placement of the property lines.

The public hearing was opened and the Applicant's representative, Jason Marr, addressed the commission and confirmed that there would be a six foot tall solid cedar fence built all along the bike path. Commissioner Ramsey confirmed with Mr. Marr was satisfied with the conditions. Mr. Marr stated that he was.

There being no other speakers the public hearing was closed.

ACTION: By motion made, seconded (Kerns/Chapin), and carried unanimously by Resolution 2017-037 the Commission found the project Categorical Exempt from the California Environmental Quality Act (CEQA) under Categorical Exemption Class 5 "Minor Alterations in Land Use Limitations", CEQA Guidelines Section 15305; made the Variance findings and approved Variance 17-003, subject to the conditions listed in the attached resolution.

Ex-parte Communications Disclosures: Commissioner MacLean recused from this project due to his association with Sharrah, Dunlap, Sawyer and their work with the McConnell Foundation.

R4

ZONE AMENDMENT 16-006 (MCCONNELL FOUNDATION): The project is located in the northeast Redding area on an 863-acre project site known as the “Ross Ranch” more specifically located on the east side of Old Oregon Trail, approximately 0.75 miles north of State Highway 299. The McConnell Foundation has requested to rezone the existing residential and agricultural zone districts to Open Space (OS) on approximately 555 acres to promote low-intensity recreational uses, and Interim Residential (IR) on approximately 146 acres for General Plan consistency. The improvements are intended to promote public use on the McConnell Foundation property. The remaining approximately 162 acres of the Ross Ranch property will remain as it is currently zoned in residential (R-R) and Rural Residential combined with the Mobile Home and 5-acre Minimum Lot Area (R-R-T-BA-5) zone districts. Staff Planner: Lisa Lozier. District 4. Proposed CEQA Determination: CE.

Senior Planner, Lisa Lozier presented the staff report. A memo was distributed to the Commission containing written correspondence from the public identifying concerns regarding the proposed project and a revised resolution identifying additional findings for categorical exemptions. Commissioner Chapin asked for clarification on the Interim Residential zone district and why it was being used and not a zone district that would promote the future use. Ms. Lozier explained that the Interim Residential zone district was a holding district for parcels that have the potential to develop with greater density in the future but don't have the necessary infrastructure to do so. Commissioner Chapin clarified that future development would have to include a re-zone and have a detailed proposal. Ms. Lozier confirmed that was correct.

Commissioner Kerns asked questions regarding where the parking would occur for large events and clarified that concerns that were noted from public correspondence were about traffic flow in the area of Midland Road and Old Oregon Trail. Commissioner Kerns also clarified the reason that McConnell wants a change was to allow more public access and events. Ms. Lozier explained where the walking trails were and where the event areas would be and clarified that this zoning would allow public access to the trails. Commissioner Kerns asked about restrictions on public use. Ms. Lozier explained the restrictions on the parking lots, and hours of access, and that gates would be restricting access through the night. Commissioner Kerns asked about grazing and wetlands, and asked about impacts to wetlands and other natural resources. Ms. Lozier indicated that no specific studies had been done and explained the baseline impact was already existing.

Commissioner Wallner asked to see the areal of the project site and wanted clarification on the traffic issues on Midland and why the access was chosen at Midland and not Old Oregon Trail. Ms. Lozier explained that the applicant had initially wanted to use Old Oregon Trail but Department of Public Works indicated Midland would be a better option. Commissioner Wallner asked for a definition of “unusual circumstances”. Ms. Lozier referred the question to County Counsel.

Assistant County Counsel James Ross defined “unusual circumstances” to the Commission.

Commissioner Wallner asked how much of the area encroaches into the flood zone and if that would be restrictive to building. Ms. Lozier confirmed that any building within that area would require flood elevation certificates and permits.

Commissioner Kerns asked how the parking lot that appears in the flood zone would be addressed. Ms. Lozier stated that a grading permit and encroachment permits would be required and within that process they would have to meet flood requirements.

The public hearing was opened, and the Applicant's representative, Lee Salter, advised the Commission that he would prefer to reserve all of his comments and statements until all of the public speakers were finished addressing the Commission.

Speaking in favor of the project were:

<u>Speaker's Name</u>	<u>Comments/Concerns/Questions</u>
Kim Stempien/Don Scollon	Presented a letter to the Commission and noted a number of positive improvements created by the project including expansion of a trail system, fuel reduction, and habitat preservation.
Don Chilton	Stated that he liked the open space and trails, and voiced concerns over the parking lot.

Speaking in opposition of the project were:

<u>Speaker's Name</u>	<u>Comments/Concerns/Questions</u>
Jeff Freita	Asked that the prohibition of motorized vehicles be considered, and voiced concerns of transients living under the bridge, trash, traffic and parking.
John Villasana	Voiced concerns over loss of habitat from expanding the trails.
Corky Metcalf	Raised the issue of parking access off of Midland and public safety.
Cheryl Dyce	Advised the Commission on the loss of habitat over the years due to clearing, raised the issue of the responsibility of public safety regarding the public use of the pond, and traffic concerns especially where the mail boxes are located.
Mare Deutcher	Voiced concerns over the parking area and homeless encampments. She advised the commission that mounds of dirt were left from the mud run and impacts the view from her home and the holes that were left from the digging could cause hazardous conditions for people and grazing animals on the property.
Vince Lowther	Voiced concerns over flooding and drainage, and that the addition of a parking lot would encourage more homeless encampments.

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- Donn Mann Voiced concerns over loss of habitat and was of the opinion that a full EIR would be beneficial.
- James Luna Stated that Blue Mountain Road is a private road that serves as the McConnell Foundation's ingress and egress to the property for maintenance purposes, and asked the Commission what would prevent the McConnell Foundation from expanding the trail system to include access from Blue Mountain Road. Asked for clarification on the future of the property should it be annexed into the City of Redding.
- Wayne Pero Proposed that the parking area off of Midland Drive be eliminated and change the access to Old Oregon Trail due to the riparian and wetland habitat.
- Marty Carrick Raised concerns of traffic, encouraged the removal of the parking lot off of Midland.
- Miriam Johnson Voiced issues over wildlife and traffic.
- Cannon Knapp Suggested that the McConnell Foundation complete a traffic study on Old Oregon Trail, suggested a different design for the trail system and voiced concerns over safety.

The Applicant Lee Salter, spoke to the Commission and addressed some of the issues raised by the public. Mr. Salter explained that without the parking lot, not only would people be parking on the main road but also that there would be no reason for the McConnell Foundation to retain the northern portion of Ross Ranch and in that event would likely sell it if it couldn't be utilized. He also stated that the event parking access would be seasonal. Mr. Salter said that a bird study had already been conducted and that the bird habitat has been enhanced. Mr. Salter addressed the issue of the mailboxes by suggesting that they would be agreeable to moving them and building a shoulder where residents could stop and get mail and be out of traffic, and addressed the traffic issue by agreeing to limb up the trees to prevent blind entry to the road. Mr. Salter explained to the Commission that the mounds were leftover tailings from a previous mining operation on Ross Ranch. Mr. Salter stated that the McConnell Foundation had no intention of using Blue Mountain Road or trying to expand the trail system to that road. Mr. Salter explained that there would be enough personnel on the property to clear it before closing and that the vegetation clearing was strictly along the property line to reduce the fire fuel and keep the fire break.

Commissioner Chapin asked the applicant if they had looked at the alternative for parking lot access off of Old Oregon trail. Mr. Salter explained that because it's only a two-lane road and the bridge require another lane, that accessing off of Old Oregon Trail would be cost prohibitive. Commissioner Chapin asked if there would be improvements to Midland, and Mr. Salter stated that they would move the mail boxes and create a space for residents to park and check their mail without impeding traffic.

Commissioner Kerns asked the applicant to clarify the trail map, the applicant deferred the question to Alex Carter, an employee of the McConnell Foundation. Mr. Carter clarified all of the trails, uses, and positions and uses of the existing culverts.

Commissioner Kerns asked if there was a wetlands delineation study conducted. Mr. Carter stated that a consulting firm had been hired to do a baseline study of birds and other species.

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

Assistant County Counsel, James Ross further explained for the Commission the meaning of "unusual circumstances," and advised the Commission of how it works.

Commissioner Chapin stated that the traffic issues were on public land and had nothing to do with the McConnell Foundation. He stated he felt that the use of the property wasn't going to change and that based on that he felt that an environmental impact report would not be necessary.

Commissioner Wallner commended the McConnell Foundation for their work and stewardship of the property, but voiced concerns over the access from Midland Drive instead of Old Oregon Trail and questioned if there was a separate turning lane.

Public Works Director, Pat Minturn clarified for the Commission the existence of the acceleration and deceleration tapers on Old Oregon Trail for access onto Midland Drive.

Commissioner Ramsey asked Mr. Minturn if it was Public Works opinion that the access would be better off of Midland Drive rather than Old Oregon Trail. Mr. Minturn used the overhead map to show the spacing and distance between the intersections of Paso Robles and Midland Drive and indicated there was no room to put another intersection in between them and get the access into the tapers of the acceleration and deceleration lanes, or the correct decision and sight distance required. He stated that his staff was of the opinion that it would be better to consolidate access off of Old Oregon trail and use Midland Drive than to try and place another access point on Old Oregon Trail.

Commissioner Kerns voiced concerns over wetlands and traffic issues and asked if the Commission could have more information on those issues in order to make a determination.

Commissioner Chapin concurred with Commissioner Kerns and stated that a focused environmental review would be more appropriate than an Environmental Impact Report.

Commissioner Kerns stated that he thought the Commission should send the project back to staff for more information on wetlands, sensitive species, parking lot, and traffic studies and revisit the issue at a later date.

ACTION: By motion made, seconded (Kerns/Wallner), and carried unanimously the Commission voted to continue the project to a date uncertain in order for staff to address the issues raised at the meeting. Richard Simon clarified with the Commission the specific issues that needed to be addressed and advised the public and the Commission that an Initial Study would be conducted on the issues identified at the meeting and consultations with various public agencies would be conducted and that the results of that would be brought back to the Commission with a recommendation.

RECESS: The Commission announced a recess at 3:08 p.m., and reconvened at 3:19 p.m.

R5 GENERAL PLAN AMENDMENT 17-001 AND ZONE AMENDMENT 17-003 (HOUSING ELEMENT) COUNTY-WIDE (TEXT AMENDMENT): Amendments to various sections of Title 17 Zoning Code in the following Chapters: 17.02 (Definitions), 17.52 (Commercial Light Industrial (C-M) District), and 17.60 (Public Facility (PF) District) to bring the existing code into compliance with current State Housing Law and to fulfil policy and program commitments established in the 2009-2014 Shasta County Housing Element related to Emergency shelters, supportive housing and transitional housing. Staff Planner: Kim Hunter. District All. Proposed CEQA Determination: CE.

Planning Division Manager, Kim Hunter presented the staff report. A memo was distributed to the Commission containing written correspondence from Legal Services of Northern California and a revised attachment to the resolution.

Commissioner Wallner asked if the county had any transitional shelters or temporary housing. Ms. Hunter deferred the question to Richard Simon. Mr. Simon clarified with the commission that there were additional agencies that provide temporary housing.

Commissioner Kerns clarified that this was being done to be in compliance with the State.

The public hearing was opened and there being no speakers the public hearing was closed.

ACTION: By motion made, seconded (Wallner/Kerns), carried unanimously by Resolution 2017-039, the Commission recommended that the Board of Supervisors conduct a public hearing and approve an ordinance amending the Zoning Ordinance to add the definitions for emergency shelters, supportive housing, supportive services, target population, and transitional housing to Chapter 17:02; add emergency shelters as permitted use within the C-M and PF zoning districts; and, reassign the definition number and cross referencing for "tasting room" as appropriate as amended.

PLANNING DIRECTOR'S REPORT:

Mr. Simon advised the Commission of the special meeting of the Planning Commission the following week regarding the regulation of marijuana.

ADJOURNMENT: The Planning Commission adjourned at 5:05p.m.

Submitted by:



Tracie Huff, Administrative Secretary I
Recording Secretary