

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: July 12, 2018
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

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

Absent: Jim Chapin District 1

Staff Present: Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Lisa Lozier, Senior Planner
Tara Petti, Assistant Planner
David Schlegel, Associate Planner
Nate Moore, Environmental Health Division
Scott Ross, Shasta County Fire
Eric Wedemeyer, Public Works/Subdivision Engineer
Jessica Cunningham-Pappas, Staff Services Analyst II/Recording Secretary

Note: All unanimous actions reflect a 4-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: No Speakers.

R1: APPROVAL OF MINUTES:
By motion made, seconded (Wallner/Kerns) and carried unanimously, the Planning Commission approved the Minutes of June 14, 2018 and June 21, 2018, as submitted.

CONFLICT OF INTEREST DECLARATIONS: Commissioner Kerns declared a conflict of interest for Item R2 due to biological reviews he conducted for the project. Commissioner Kerns left the room.

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None.

R2: Parcel Map 17-006 (E C Smith Investments) continued from June 14, 2018: The applicant has requested approval to subdivide a forty-acre property into 4 lots of 5 to 9.8 acres and a 14-acre remainder. Applicant: E. C. Smith Investments, LLC; Assessor's Parcel Number(s): 041-650-031-000 & 041-650-032-000; Project Location: Igo Rural Community Center on the north side of Platina Road, approximately one-tenth of a mile west of the intersection of Platina Road and Placer Road (13634 Platina Road); Supervisor District: 2; Recommended Environmental Determination: Mitigated Negative Declaration; Planner: Lisa Lozier, Senior Planner. Simple Majority Vote.

Senior Planner Lisa Lozier presented the staff report. Ms. Lozier noted the project site was previously approved for an eight-lot subdivision (Tract Map 1955) which was still active, but would be withdrawn if Parcel Map 17-006 was approved. Ms. Lozier noted the project's continuation from the June 14, 2018 Planning Commission meeting to allow additional time for the applicant to request a biologist verify the western pond turtle, a special status species on the California Natural Diversity Data Base, did not inhabit the wetland areas of the project site. On June 20, 2018 the project site was surveyed by Wildland Resource Managers and as a result of the survey concluded no pond turtles or any evidence thereof was found on the property.

Ms. Lozier referenced a memorandum to Planning Commissioners requesting modification of Condition 15 to the Statement of Conditions by the Department of Public Works which would affect the time construction of road improvements would be required. Mr. Wedemeyer discussed the time requirement and the posting of appropriate security prior to recordation of the Parcel Map.

Chairman MacLean opened the public hearing. Applicant Jim Elkins requested Condition 15 be changed from 'prior to recording the Parcel Map' to 'at the time of development of Parcel 2, 3, & 4 construct the driveway apron'. He noted that according to the Subdivision Map Act, for land divisions of four parcels or less, improvements were limited to specific findings of a local agency and that safety was the issue identified in the staff report. Mr. Elkins requested the Planning Commission either leave Condition 15 as is, if they agreed it was a safety issue, or to amend the condition to require the apron at the time of development of Parcels 2, 3 and 4, if they did not agree it was a safety issue. Mr. Elkins referred to the reason for the safety hazard, addressed in the staff report, which cited vehicles and traffic due to construction dragging debris into the road. He suggested safety issues do not occur until the time of development, noting that these concerns were currently addressed in Conditions 44, 45, 46, and 47.

Chairman MacLean called for any other speakers. There being none, the public hearing was closed.

Mr. Wedemeyer noted the reason for addressing the apron now was so when future owners obtain their grading permit, the apron will be in place and the Department of Public Works can be satisfied they have addressed everything they can beforehand.

Chairman MacLean re-opened the public hearing. Mr. Elkins stated full disclosure would be on both the Parcel Map and the title report. Chairman MacLean closed the public hearing.

Assistant County Counsel Jim Ross expressed he understood the applicant and Public Works had discussions that were previously agreed upon. Mr. Ross noted his concern centered on the language of the Subdivision Map Act and that their conditions and improvements were technical, noting he

would be hesitant to make changes without reviewing the statute. He recommended if the Planning Commission was inclined to modify the conditions, to continue the Parcel Map until a final condition could be reached by all parties. Commissioner Ramsey expressed ample opportunity had been given to negotiate conditions. Commissioner Wallner expressed concerns over the length of time the Parcel Map could be extended.

Chairman MacLean re-opened the public hearing. Mr. Elkins noted that the map was submitted in September and that an additional month would likely not result in a change to conditions. Chairman MacLean closed the public hearing.

By motion made, seconded (Ramsey/Wallner) and carried 3-0, the Planning Commission adopted a resolution to a) adopt a California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in the attached resolution; and c) approve Parcel Map 17-006 subject to the conditions listed in the attached resolution, as amended.

Commissioner Kerns returned to the meeting.

Ex-parte Communications Disclosures: None.

R3: Variance 18-0002 (Plummer): The applicant has requested approval of a variance from the maximum 15-foot building height limit for residential accessory buildings to construct a 2,400-square-foot and 21-foot tall metal garage in the National Recreation Area, Shasta unit (NRA-S) district. Applicant: Clark Plummer; Assessor's Parcel Number(s): 083-190-030-000; Project Location: Lakehead Area on a 0.58-acre parcel approximately 0.4 miles south of the intersection of Forest Road and Lakeview Drive (20300 Lakeview Drive); Supervisor District: 4; Recommended Environmental Determination: Categorically Exempt; Planner: Tara Petti, Assistant Planner. Simple Majority Vote.

Assistant Planner Tara Petti presented the staff report. Commissioner Kerns asked about the location of the topographical depression. Ms. Petti responded, noting that a U.S. Forest Service representative had looked at the area and determined visual impact would be insignificant. Commissioner Wallner asked about the eave height. Ms. Petti submitted a copy of an email to Commissioners from the U.S. Forest Service which deferred the approval of height of 21-feet to the Planning Division as the building would still be screened by topography and forest cover.

Chairman MacLean opened the public hearing. There being no one requesting to speak, the public hearing was closed.

Director Richard Simon noted that the department had been in discussion with the U.S. Forest Service regarding height limitations of buildings and that they have indicated amenability to increasing their height requirements to parallel current Shasta County zoning.

By motion made, seconded (Wallner/Kerns) and carried unanimously, the Planning Commission adopted a resolution to: a) find the project Categorical Exempt from the California Environmental Quality Act (CEQA) under Section 15303 (Class 3) which exempts new construction of small structures, and Section 15305 (Class 5) which exempts minor alterations in land use limitations; b) adopt the recommended findings listed in the attached resolution; and c) approve Variance 18-0002 subject to the conditions listed in the attached resolution.

Ex-parte Communications Disclosures: None.

R4: Planning Commission Workshop: General Plan Amendment GPA13-003 Revised Draft Shasta County 2014-2019 Housing Element Director Richard Simon provided a staff presentation summarizing the Revised Draft 2014-2019 Shasta County Housing Element. The Revised Draft consisted of five Sections as follows: I Introduction, II Housing Needs Assessment, III Housing Constraints, IV Regional Housing Needs Allocation, V Programs; and ten Appendices as follows: A Housing Plan Program Evaluation, B Housing Capacity Analysis, C County Development Fees, D Public Agencies List, E General Plan and Zoning Plan Amendment Program, F Public Participation Program, G Emergency Housing Capacity, H Public Property Analysis, I MLS Housing Cost Information, J Shasta County Resource Guide.

Mr. Simon discussed the Public Review Period for the Revised Draft 2014-2019 Housing Element, Mandatory Elements, the Housing Element Cycle, Land Use Planning and Transportation, and State and Federal Housing Related Grants. He further discussed the analysis required by the California Department of Housing and Community Development (HCD) for the draft Housing Element and the current public review period (July 2nd to July 31st).

Mr. Simon reviewed the five sections and ten appendices of the Housing Element Revised Draft, noting the County's role was to provide land use zoning and land use policy that will maximize the likelihood that affordable housing can be built as well as reducing governmental constraints that may prevent or delay housing from being built. He noted that rezone proposals would be coming back to the Planning Commission at a later date and acknowledged the challenges faced by the County to provide the kind of zoning and incentives to encourage 'very low income' housing to be built.

Chairman MacLean asked if the Regional Housing Needs Assessment (RHNA) units assigned to the County were ever adjusted retroactively to account for changes in the economic environment. Mr. Simon stated that HCD had been asked that question and he had received a 'no' response. However, he noted the current housing element cycle shows a downward adjustment which more accurately reflects RHNA units after the Great Recession. Commissioner Kerns asked whether the County had been provided with the methodology for the number of RHNA units assigned by HCD. Mr. Simon responded, pointing out that demographers and statisticians from HCD identified the number of units ascribed to each County and that their methodology was not easily understood by outside agencies. Ms. Hunter described work being done to adjust the formula in the future.

Mr. Simon discussed the certification process of the draft housing element and next steps; including receipt of public comments and another workshop with the Board of Supervisors scheduled for July 24th. The Planning Commission, at its August meeting, will consider recommendation to the Board of Supervisors of the revised draft 2014-2019 Housing Element. Pending Board of Supervisor preliminary adoption, the draft 2014-2019 Housing Element will be sent to HCD for a 45-day review period for their comments. Following receipt of HCD's comments, the revised draft will be amended as needed and prepared for final consideration and recommended adoption by the Planning Commission and the Board of Supervisors.

Chairman MacLean opened the workshop to public comment.