

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: July 9, 2020
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

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

Staff Present: Paul Hellman, Director of Resource Management
James Ross, Assistant County Counsel
Adam Fieseler, Planning Division Manager
Patrick Minturn, Director of Public Works
Luis Topete, Associate Planner
Lio Salazar, Senior Planner
David Schlegel, Senior Planner
Jimmy Zanotelli, Shasta County Fire Marshal
Ken Henderson, Senior Environmental Health Specialist
Shawn Ankeny, Public Works Supervising Engineer
Tracie Huff, Administrative Secretary I/Recording Secretary
Kristin Gulling-Smith, Deputy Clerk of the Board

Note: All unanimous actions reflect a 5-0 vote.

PUBLIC COMMENT PERIOD - OPEN TIME: The following individuals spoke regarding the Fountain Wind Project: Ed Baier, Beth Messick, Maggie Osa, and Joseph Osa.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Ramsey/Chapin) and carried unanimously, the Planning Commission approved the Minutes of June 11, 2020, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None.

Ex-parte Communications Disclosures: None.

R2: Zone Amendment 20-0004 and Parcel Map 20-0001 (McCanless) - Continued from June 11, 2020

(public hearing is closed): Christina L. McCanless has requested approval of a zone amendment to change the zoning of the 10.16-acre project site from the Unclassified (U) zone district to the Rural Residential combined with the Building Site minimum lot area of four and one-half acres and five acres (R-R-BA-4.5 and R-R-BA-5) zone districts, and a parcel map to subdivide the property into two parcels of 4.98 acres and 5.18 acres in size, with one existing residence on each parcel. The project site is located at 12150 and 12165 Old Ranch Road, Bella Vista, CA 96008, approximately ¼-mile southeast of the Old Ranch Road and State Highway 299 E intersection (Assessor's Parcel Number 305-220-010). Staff Planner: Luis A. Topete.

Luis Topete summarized what occurred during the June 11, 2020 meeting and the staff memo distributed to the Commission in lieu of a staff report. Patrick Minturn, Director of Public Works, described the County's standard practice over the past fifty years of conditioning land divisions to dedicate public easements for any roads that cross or abut the subdivision. Mr. Minturn described the County road standards and addressed the staff recommendation to require the dedication of a 60-foot wide public road and utility easement for Old Ranch Road along the project frontage. Mr. Minturn answered questions from Commissioners Kerns, Chapin and Wallner.

James Ross acknowledged the existing patchwork of road easements in the area discussed by the Commission. Mr. Ross pointed out that had the public road easement dedication requirement of the subdivision which resulted in the creation of the subject property in the early 1970's been fulfilled the present easement dedication would not have been necessary.

The public hearing was opened. The applicant's representative, Frank Lehmann, spoke to the Commission, and the Commission asked questions of Mr. Lehmann. Mr. Lehmann stated that his client was satisfied with all recommended conditions with the exception of Condition 19.

There being no other speakers, the public hearing was closed and the Commissioner discussed the project.

Paul Hellman stated that the County subdivision ordinance requires the approving body to make a finding that the subdivision is consistent with the adopted County development standards which allow for the recommended exception from the road improvement standards with respect to pavement width but do not allow for an exception from the public road easement dedication requirement. Mr. Ross clarified that the Board-adopted development standards are applied equally to all properties in the County and restated that this requirement should have been satisfied in 1973 but was not.

The public hearing was reopened to allow Mr. Lehmann to respond to staff's comments. Mr. Lehmann stated that due to the constraints of surrounding properties they probably are not capable of being subdivided to the maximum density allowed by the General Plan and, therefore, the dedication of a 60-foot wide public road easement is not necessary.

The public hearing was closed, and the Commission discussed the project further.

In response to a question from Commissioner Wallner, Mr. Ross stated that if the Commission recommended approval with the modifications to condition 19 requested by Mr. Lehmann the Board would have the ability to approve the subdivision with the staff recommended conditions of approval.

By motion made, seconded (MacLean/Ramsey), and carried by a 3-2 vote, with Commissioner Chapin

and Commissioner Kerns voting no, the motion passed with respect to approval of the zone amendment and parcel map per the staff recommendation but failed with respect to the road improvement and fire exceptions which require approval by a minimum 4/5 vote as described by Mr. Ross.

Mr. Ross provided clarification and guidance to the Commission regarding potential alternative motions discussed by the Commission. Mr. Hellman stated if the parcel map is approved without the exceptions then additional conditions of approval would be required in order to comply with the applicable road improvement and fire safety standards.

The public hearing was reopened to allow Mr. Lehmann to comment. Mr. Lehmann stated that his client would like the project to move forward and is agreeable to the exceptions and conditions of approval recommended by staff. Commissioner MacLean restated his original motion to approve the project per the staff recommendation.

By motion made, seconded (MacLean/Ramsey), and carried unanimously, the Planning Commission reconsidered its previous action and adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 20-0004 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3); b) adopt the recommended findings listed in Resolution 2020-024; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 20-0004; and, adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Parcel Map 20-0001 is exempt from CEQA pursuant to CEQA Guidelines section 15301; b) adopt the recommended findings listed in Resolution 2020-025; c) approve Parcel Map 20-0001, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2020-025; d) make the findings for a deviation from the Shasta County Road Policies and Standards for Local Rural road improvement standards; e) approve a deviation from the Shasta County Road Policies and Standards; f) make the findings for an exception to Section 6.12 of the Shasta County Fire Safety Standards for road standards; and g) approve Exception Request to the Shasta County Fire Safety Standards #20-30, subject to the conditions as set forth in the exception.

A five-minute recess was called at 3:25 and at 3:30 the meeting was called back into session.

R3: Parcel Map 18-001 (Greenview Development Company) - Continued from June 11, 2020 (public hearing is open): Greenview Development Company has requested approval of a parcel map to subdivide a 50.17-acre parcel into two residential lots of 9.35 acres and 4.4 acres and a 36.42-acre remainder. The remainder parcel is proposed to be annexed into the City of Redding to facilitate the development of the Westridge Estates subdivision. The project is located in the west Redding area, adjacent to Powerline Road, approximately 0.5-miles southeast of the intersection of Placer Road and Powerline Road (Assessor's Parcel Number 203-160-019). Staff Planner: Luis Topete.

Luis Topete referred to the staff memo distributed to the Commission in lieu of a staff report. Commissioner Chapin asked a question of staff.

Commissioner Kerns clarified that a new wetlands study would not be needed.

The public hearing was opened and e-mail comments from Susan Weale and David Ledger were read aloud. There being no other speakers, the public hearing was closed, and the Commission asked questions.

By motion made, seconded (Wallner/MacLean), and carried unanimously, the Planning Commission adopted a resolution to: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in Resolution 2020-026; and c) approve Parcel Map 18-001, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2020-026.

R4: **Parcel Map 19-0002 (Gray):** Dr. and Mrs. Dell M. Gray Revocable Trust et al. has requested approval of a parcel map to subdivide one lot totaling approximately 71.17 acres into two lots of 9.23 acres and 46.73 acres with a 15.21-acre remainder parcel for limited agricultural/rural residential uses. The project is located in the Redding area south of the intersection of Churn Creek Road and Rancho Road at 8248 Churn Creek Road, Redding, CA 96002 (Assessor Parcel Number 055-060-054). Staff Planner: Luis Topete.

Luis Topete presented the staff report and Commissioner Chapin and Commissioner Wallner asked questions.

The public hearing was opened and there being no speakers or e-mail comments the public hearing was closed.

By motion made, seconded (Chapin/Ramsey), and carried unanimously, the Planning Commission adopted a resolution to: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in Resolution 2020-027; and c) approve Parcel Map 19-0002, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2020-027.

R5: **Extension of Time 20-0004 for Parcel Map 07-027 (Durette):** David Durette has requested approval of a one-year extension of time for Parcel Map 07-027. The Planning Commission approved Parcel Map 07-027 on June 12, 2008, for the division of the 20-acre property into four 5-acre parcels. The project is located in the Shingletown area on a 20-acre property at 8006 Ponderosa Way, approximately one mile north of State Highway 44 (Assessor's Parcel Number 093-270-013). Staff Planner: Luis Topete.

Luis Topete presented the staff report and Commissioner Chapin and Commissioner Wallner asked questions.

The public hearing was opened and there being no speakers or e-mail comments the public hearing was closed.

By motion made, seconded (Ramsey/Chapin), and carried unanimously, the Planning Commission adopted a resolution to: a) find that Extension of Time 20-0004 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3); b) adopt the recommended findings listed in Resolution 2020-028; and c) approve Extension of Time 20-0004 for Parcel Map 07-027, based on the recommended findings listed in Resolution 2020-028 and the conditions listed in Resolution 2008-063.

A five-minute recess was called at 4:05 and the meeting was called back into session at 4:10.

R6: **Extension of Time 20-0001 for Tract Map 1871 (KOH Atlas Corp) - Continued from June 11, 2020 (public hearing is open):** KOH Atlas Corp has requested approval of an extension of time to extend the expiration date for Tract Map 1871 for three years. Tract Map 1871 was approved in March of 2011 to subdivide a 19.3-acre property into thirty-five residential parcels ranging in size from approximately 0.3 to 1.2 acres. The project site is located within the Redding Municipal Airport Specific Plan area, at the end of Bonita Way, approximately 0.10 miles east of the intersection of Bonita Way and Granada Drive (Assessor's Parcel Number 056-350-024). Staff Planner: Lio Salazar.

Lio Salazar referred to the staff memo distributed to the Commission in lieu of a staff report and answered questions from the Commission.

Mr. Ross spoke to the Commission about the legal aspects of CEQA and clarified the action to be taken.

The Commission discussed the item further.

Adam Fieseler explained to the Commission the action that was being presented to them.

Mr. Ross explained the findings of the resolution.

The public hearing was opened and there being no speakers or e-mail comments the public hearing was closed.

By motion made, seconded (Chapin/MacLean), and carried unanimously, the Planning Commission adopted a resolution to: a) find that Extension of Time 20-0001 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3); b) adopt the recommended findings listed in Resolution 2020-029; and c) approve Extension of Time 20-0001 for Tract Map 1871, based on the recommended findings listed in Resolution 2020-029 and the conditions listed in Resolution 03-121.

R7: **Zone Amendment 20-0006 (McDonagh):** Claudia and John McDonagh have applied to change the zoning for the property from the Unclassified (U) and Timberland (TL) zone districts to the Timber Production (TP) zone district to preserve and devote the land to the growth and harvest of timber. The approximately 321-acre undeveloped project site is located at the end of a 0.75-mile unnamed private road that intersects Forest Service Road 35N08, approximately 4.4 miles west of the intersection of Forest Service Road 35N08 and Lakeshore Drive (Assessor's Parcel Nos. 082-080-007 and 085-010-002) Staff Planner: Lio Salazar.

Lio Salazar presented the staff report. The public hearing was opened and there being no speakers or e-mail comments the public hearing was closed.

By motion made, seconded (Wallner/Chapin), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 20-0006 is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15264; b) adopt the recommended findings listed in Resolution 2020-030; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 20-0006.

R8:

General Plan Amendment 20-0001 (Shasta County): The proposed Shasta County 2020-2028 Housing Element of the Shasta County General Plan, prepared in accordance with the requirements of California Government Code sections 65580 and 65589.8, updates the Shasta County 2014-2019 Housing Element and includes: 1) an analysis of the constraints that may impact housing development as well as the resources, including sites appropriate for residential development, that are available to facilitate housing development; 2) a discussion of the effectiveness and accomplishments of the 2014-2019 Housing Element; and 3) a Housing Plan establishing goals, policies, and implementation programs to address the County's housing needs for the 2020-2028 planning period. Staff Planner: David Schlegel.

David Schlegel introduced Beth Thompson from De Novo Planning Group who presented the staff report.

Mr. Schlegel and Ms. Thompson answered questions from the Commission.

The public hearing was opened and there being no speakers or e-mail comments the public hearing was closed.

By motion made, seconded (Wallner/Ramsey), and carried unanimously, the Planning Commission adopted a resolution recommending that the Board of Supervisors: a) find that General Plan Amendment 20-0001 is exempt from the California Environmental Quality Act for the reasons stated in Resolution 2020-031; b) adopt the recommended findings listed in Resolution 2020-031; and c) approve the Shasta County 2020-2028 Housing Element, identified as General Plan Amendment 20-0001.

PLANNING DIRECTOR'S REPORT: Paul Hellman thanked Kristin Gulling-Smith for filling in for Mary Williams, Chief Deputy Clerk of the Board, and thanked Ms. Thompson for all her efforts to prepare the proposed Housing Element.

ADJOURNMENT: The Planning Commission adjourned at 5:08 p.m.

Submitted by:



**Paul Hellman, Director of Resource Management
Secretary of the Planning Commission**