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REDDING PLANNING COMMISSION
 Regular Meeting, 4 p.m.
 Tuesday, July 28, 2009
 City Council Chambers
 777 Cypress Avenue
 Redding, California 96001

MINUTES

Chairman Chris Young called the meeting to order at 4 p.m., with Commissioners Emmett Burroughs, Michele Goedert, Bert Meyer, Cameron Middleton, Randall Smith, and Lynne Wonacott present. Also present were Development Services Director Jim Hamilton, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Land Development Manager Marty Wayne, Senior Planner Kent Manuel, and Executive Assistant II Anita Felion.

APPROVAL OF MINUTES

Commissioner Emmett Burroughs moved approval of the minutes of the meeting of June 9, 2009. Commissioner Randall Smith seconded the motion, which carried by a unanimous vote. Commissioner Emmett Burroughs moved approval of the minutes of the meeting of June 23, 2009. Commissioner Randall Smith seconded the motion. Commissioners Goedert, Meyer, and Wonacott abstained. The motion carried with four ayes and three abstentions.

PUBLIC HEARING - RECOMMENDATION TO THE CITY COUNCIL - REZONING APPLICATION RZ-1-09, by the City of Redding, proposing to add Section 18.43.160 pertaining to "Shelters for the Homeless" to the Redding Zoning Code (Code). Also under consideration are amendments to the Code definitions of "homeless shelters," "transitional housing," and "supportive housing," as well as regulations pertaining to the zoning districts in which these uses will be allowed. The amendments will bring the City into compliance with recent changes to state law that require local jurisdictions to allow homeless shelters with limited restrictions in at least one zoning district and to treat transitional and supportive housing as residential uses. The proposed ordinance amendments would allow homeless shelters in the "HC" Heavy Commercial and/or "GC" General Commercial Districts if they comply with the standards specified by the ordinance. Environmental Determination: Addendum to the Mitigated Negative Declaration prepared for the Zoning Ordinance. Recommendation: Recommend to the City Council adoption of the Addendum and approval. L-010-230

Senior Planner Kent Manuel summarized the staff report. He recalled that at the meeting of June 9, 2009, the Planning Commission (Commission) conducted a public hearing to consider proposed amendments to the Zoning Code that would allow homeless shelters to be established "by right" in the "HC" Heavy Commercial District. He said the amendments would also allow transitional- and supportive-housing facilities that were consistent with the state's definitions of the facilities to be established in all residential districts.

Mr. Manuel continued that the public and Commission comments regarding the proposed amendments were fairly limited, given that the City was trying to comply with changes to the law. He referred to those comments, which included: adding to the proposed homeless shelter management-plan requirements and shelter-operator restrictions and increasing the number of zoning districts that should accommodate shelters.

According to Mr. Manuel, there had been some confusion regarding today's item, due to the newspaper publishing two front-page articles, one relative to today's action and the other regarding a proposed homeless-shelter facility on Eastside Road. Mr. Manuel clarified that these were unrelated items and that an application had not even been received for the proposed Eastside Road facility.

Since this item had been continued from the June 9 meeting, Mr. Manuel provided a brief description of Senate Bill SB 2 (SB 2), which impacted how local jurisdictions must accommodate homeless

shelters in their communities. He said based on the comments received, Section 18.43.160.L of the Management Plan had been modified as follows:

Shelter Provider. The provider shall demonstrate, to the satisfaction of the Director, that they currently operate a shelter within the State of California or have done so within the past two years and shall comply with the following requirements:

1. Staff and services shall be made available to assist residents in obtaining permanent shelter and income.
2. An Operational Plan (Plan) shall be provided for the review and approval of the Director. The approved Plan shall remain active throughout the life of the facility, and all operational requirements covered by the Plan shall be complied with at all times. At a minimum, said Plan shall contain provisions addressing the areas outlined below:
 - a. Security and safety—addressing both on- and off-site needs, including provisions to ensure the security and separation of male and female sleeping areas, as well as any family areas within the facility.
 - b. Loitering/noise control—with specific measures regarding operational controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site and/or services are not provided.
 - c. Management of outdoor areas—including a system for daily admittance and discharge procedures and monitoring of waiting areas, with a goal to minimize negative impacts to adjacent property.
 - d. Staff training programs—to provide adequate knowledge and skills to assist clients in obtaining permanent shelter.
 - e. Communication and outreach—with objectives to maintain effective, ongoing communication and response to operational issues which may arise within the neighborhood as may be identified by the general public or City staff.
 - f. Adequate and effective screening—with the objective of determining admittance eligibility of clients.
 - g. Litter control—with the objective of providing for the regular daily removal of litter attributable to clients within the vicinity of the facility.

Mr. Manuel explained that the modifications to this section accomplished two things: (1) as proposed, a potential shelter operator must demonstrate that he/she had current experience in shelter operation. He said staff felt a successful track record was a good indicator of the ability of an organization or firm to operate within the context of its management plan; and (2) the management-plan requirements had been expanded to provide more specific expectations of the City, area property owners, and the general public.

Mr. Manuel utilized a PowerPoint presentation to describe the state requirements on homeless shelters and transitional and supportive housing. He discussed "provider" requirements as well, based on the previous comments of the Commissioners, indicating that for-profit entities should also be allowed to provide this service.

Mr. Manuel stated that the draft ordinance only applied to the "HC" Heavy Commercial District, since the Commission did not give specific direction to staff to expand this use to other districts. He advised that staff had looked at the potential ramifications of allowing shelters in the "GC" General Commercial District and concluded that with the proposed buffer requirements (i.e., 500 feet from a residential district), the number of additional parcels that could accommodate a shelter "by right" was very limited; however, since the draft ordinance would allow the City to approve a new shelter by use permit if it did not meet the buffer requirement, conceivably more siting options would exist if they were also allowed in the "GC" General Commercial District.

Regarding transitional and supportive housing, Mr. Manuel advised that staff had proposed a modification in the way the new Code provisions should address these facilities. He noted that the new state definitions for these uses were very specific and appeared to have been developed to address limited types of facilities. He pointed out that relying on these definitions exclusively could effectively prohibit certain types of facilities from locating in residential districts that had been successful in Redding. He mentioned that Francis Court (a 12-unit facility constructed on West Street, below Mercy Medical Center) was developed as a transitional-housing facility; however, because services were provided to residents, it operated more like a supportive-service facility as defined by the state. He continued that because it had a defined length of stay, it did not meet the state's definition of a supportive-service facility. Mr. Manuel remarked that it was in a "no man's land" under the state's new regulations and could not be established in a residential district under the draft Code provisions previously reviewed by the Commission. He said because of that, staff recommended that Schedule 18.31.020-A be amended to include a new "Note 8," which allowed the City to approve transitional- and supportive-housing facilities that did not meet the state definitions in the "RM" Residential Multiple Family District using the site development permit process.

Mr. Manuel observed that one of the issues discussed from the previous meeting was whether or not the "HC" District was sufficient to satisfy the community's needs. He remarked that there were enough vacant properties in that district to cover the unmet need. Mr. Manuel recalled that a member of the public had suggested that the City should also consider allowing shelters in the "GC" General Commercial District in addition to the "HC" Heavy Commercial District, which would potentially open up additional properties for consideration by future operators, thus providing more options. He said staff recommended that the Planning Commission refer the matter to the City Council for final consideration and adoption of the Addendum to the Mitigated Negative Declaration.

Mr. Manuel responded to questions from the Commissioners. He explained that the maximum number of 24 beds for homeless shelters was mirrored after Sacramento's small-homeless-shelter provisions. He commented that the 24-bed limitation was reasonable, compared with the requirements in the communities that he researched, and he felt it would meet the economic thresholds of operating a shelter. Regarding the requirement that the operator of a shelter must either currently operate a shelter within the state of California or have done so within the past two years, Mr. Manuel said staff felt it was appropriate for the operator to have experience so that the community would feel confident of the operation. He added that if the organization did not have two years' experience, the use could still be established with a use permit.

More discussion ensued concerning management-plan issues, which included loitering and noise control. Mr. Manuel also confirmed that community social-service facilities were only allowed in the "HC" District and that a use permit was required in all cases. The Chairman opened the public hearing at 4:23 p.m.

Charles Alexander asked that the ordinance be modified to authorize only the four areas mentioned in the June 9 staff report as locations for homeless shelters.

Frank Atchison, who had been homeless for approximately eight months, endorsed the homeless-shelter provisions. He said there were a lot of homeless people who needed a place to stay so that they could get an education and feel safe.

Chris Solberg, Redding Loaves and Fishes Director, discussed SB 2, contending that it was designed to remove restrictions for those who desired to help the less fortunate. He stated that if someone wanted to open a homeless shelter in Redding, the City was required to look at all funding sources and to streamline the process. Mr. Solberg charged that the City was trying to add restrictions for homeless shelters. He observed that there were many ministries in Redding that were interested in building a homeless shelter.

Mr. Solberg felt the City had made just "sleeping" in Redding a crime. He said the Good News Rescue Mission was usually full, and if a person was not in the drug or alcohol program, he could only stay there for 30 days at a time. He stated that the majority of the homeless persons stayed in the areas just beyond Redding's city limits because they were afraid of the criminalization of the homeless and the tickets just for the "crime" of sleeping. Mr. Solberg maintained that there was no concern for the women and children living in the brush. He asked that no more restrictions be placed

on a law that was designed to help the homeless. Determining that no one else wished to comment, the Chairman closed the public hearing at 4:34 p.m.

Commissioner Michele Goedert addressed the suggested requirement that the organization should have at least two years' experience. She asked if it could be modified to state that a person in the *management* of the organization be required to have the two years' experience, which she felt would help to ensure that the program would be run in a professional manner.

Commissioner Lynne Wonacott agreed with Ms. Goedert.

Mr. Manuel explained that the requirement could be modified to state that management must demonstrate proficiency in operating a homeless shelter.

Commissioner Randall Smith did not want to weaken the provision for homeless shelters. He favored the original stipulation, which he felt would help to protect those who came in for services as well as the residents in the neighborhoods.

Mr. Manuel suggested that the proposed language for the modification could read that the "operator must demonstrate the management's ability to operate a shelter to the satisfaction of the Development Services Director," since the Director would be approving the management plans.

Development Services Director Jim Hamilton supported allowing some flexibility within the determination, which he felt would provide a more rational way to address the issues. He explained that any decision the Director made could be appealed to the Planning Commission.

City Attorney Rick Duvernay cautioned of the danger of straying too far away from the legislative mandate if too much flexibility to exercise discretion was built into the process.

Commissioner Michele Goedert wanted to ensure that management of the organization would have the level of experience that the Commissioners desired. The Chairman reopened the public hearing at 4:43 p.m.

Elin Klaseen reminded the Commissioners that SB 2 was legislated because providers in the Los Angeles area had noted that there was a high concentration of services in some areas due to ordinances and other governmental constraints that prohibited the operation of facilities in other areas. She explained that the intent of the bill was to *eliminate* the prohibition of establishing shelters in other zones. She favored expanding designations to include "General Commercial," which would help to distribute the services offered.

Chris Solberg emphasized that this was a local-community endeavor, using community nonprofit organizations that had experience providing services already. He said his Christian organization was opposed to the two-year requirement. The Chairman closed the public hearing at 4:46 p.m.

Mr. Manuel clarified that a homeless shelter would currently not be allowed in a "General Commercial" area, even with a use permit. He noted that there were approximately 1,070 acres in Redding that were classified as "Heavy Commercial" by the General Plan; "General Commercial" was comprised of approximately 1,300 acres. He explained that the "Heavy Commercial" Districts were mostly located on transportation corridors and that most "General Commercial" Districts were also located on transportation corridors.

Mr. Smith observed that 2,400 acres was approximately 10 percent of the City's area. He did not believe the problem warranted the inclusion of another district. Mr. Manuel explained that the applicant would still have to meet the basic standards for a use permit, including buffer areas, etc. He said in the "General Commercial" District, there were approximately 30 to 50 parcels that would allow the permitted use; in the "Heavy Commercial" District, there were about 220 to 250 parcels that met the parameters.

Ms. Goedert concurred with Mr. Smith. She, too, felt there was sufficient land available in the "HC" District.

Mr. Burroughs also agreed with Mr. Smith.

For clarification purposes, Mr. Manuel again discussed the proposed modification to the recommendation. He suggested that the provisions require the provider to demonstrate to the satisfaction of the Director that it currently operated a shelter within the State of California or had done so within the past two years or that it had management staff available with a minimum of two years' experience in the operation of homeless shelters.

Motion: Commissioner Michele Goedert moved that the Planning Commission accept staff's recommendation with the amended language and recommend to the City Council adoption of the Addendum to the Zoning Code Mitigated Negative Declaration and approval of Rezoning Application RZ-1-09, to amend Chapters 18.30, 18.31, 18.33, 18.43, and 18.60 of the Zoning Code.

Second: Commissioner Emmett Burroughs.

Ayes: Commissioners Burroughs, Goedert, Meyer, Middleton, Smith, Wonacott, and Young.

Noes: None.

Abstain: None.

Absent: None.

PUBLIC MEETING - DRAFT ENVIRONMENTAL IMPACT REPORT EIR-1-08 (DRAFT EIR), for the Salt Creek Heights Subdivision Project (project), consisting of approximately 272.9 acres of undeveloped land, with approximately 145.5 acres proposed for development. The project consists of the development of 440 residential units designed with a mix of housing types, including single-family, multiple-family, cluster homes with garden courts, and custom-home sites (248 single-family units, 96 clustered single-family units, and 96 apartment units). In addition, the project includes a 13.9-acre neighborhood park with amenities, including a soccer field, a softball field, basketball courts, a Frisbee golf course, a ball wall, and playgrounds. The project would also include construction of an internal street network, utility systems, and storm-drainage improvements necessary to serve the lots. The proposed subdivision will require a rezone to apply the Planned Development Overlay District to the proposed variety of housing types, blending of General Plan densities, and flexibility in application of the City's zoning standards. The public meeting will be focused on the adequacy of the Draft EIR in discussing potential impacts to the environment and ways in which adverse impacts may be mitigated. Staff Recommendation: Accept public comment.
L-010-075

Planning Commissioner Lynne Wonacott recused herself due to a conflict of interest and left the dais.

Planning Manager Douglas DeMallie advised that the purpose of this meeting was to accept public comment on the Draft Environmental Impact Report (Draft EIR) for the Salt Creek Heights Subdivision and Planned Development project (project). He noted that responses to these comments were required to be provided in the Final EIR; therefore, issues raised by the public would not be addressed by the Planning Commission at this time. Mr. DeMallie stated that the Draft EIR was prepared by RBF Consultants under contract with the City of Redding. He said the review had commenced and would run through August 8.

Bruce Grove, RBF Consultants, utilized a PowerPoint presentation to describe the project and the California Environmental Quality Act (CEQA) process. He discussed the project's environmental issues and the technical analysis that was used to determine the impacts from the project. Mr. Grove anticipated that the Final EIR would be brought back to the Commission either in late September or early October. He clarified that his firm was retained by the City of Redding and that his contractual obligation was with the City of Redding.

Commissioner Randall Smith asked if the EIR addressed the future condition of the bike trail that ran along the east side of Salt Creek to Eureka Way. He mentioned the fishery that existed in the creek and wanted to ensure that the EIR addressed the (hopeful) return of the fish.

Commissioner Michele Goedert inquired if the Draft EIR addressed any creek crossings. Mr. Grove said one creek crossing was included that ran through the extension of Buenaventura Boulevard and would be located close to State Route 299/Eureka Way, across Gold Run Creek. Ms. Goedert asked if the crossing was new or would be improved and if it would enhance the fishery at that location.

Mr. Grove said the EIR acknowledged that if the crossing resulted in the need for a box culvert, there would be a .04 impact to the creek. He understood that the applicant's design team was working with the Regional Water Quality Control Board to examine possible options for the crossing. The Chairman opened public comment at 5:17 p.m.

Brigham Jones, resident of Sunset West Subdivision, did not agree with the elimination of the greenbelt. He said a recently developed subdivision in the area had contributed to the demise of an extensive amount of wildlife, and he hoped the EIR would take the remaining wildlife into account. Mr. Jones also disagreed with the extension of Buenaventura Boulevard. He asserted that there were parking problems already at the trailhead. Mr. Jones desired a more aggressive arterial connection to Eureka Way, independent from Buenaventura Boulevard, which would allow for better access by emergency vehicles. He remarked that planners nationwide were now starting to recommend refurbishing existing multiple-family units that had deteriorated, rather than creating more urban sprawl by building new units.

Regarding the greenbelt mentioned by Mr. Jones, Mr. DeMallie explained that there were slopes of 20 percent or greater that were defined as greenbelt or open space by the General Plan, but there were also policies in place that allowed encroachment for development where appropriate.

Mark Narasaki reported that he had recently observed a pair of eagles flying over his property and pointed out that they also had flown over the proposed subdivision property. He hoped the proposed development would not disturb their feeding area or their possible nest in the area. Mr. Narasaki requested that the EIR take this into consideration and apply proper conservation measures.

Karin Lilienbecker wondered if a fiscal analysis had been done on the extension of Buenaventura Boulevard to determine what the cost would be to the City. She disagreed with the determination in the Initial Study that there were no impacts to recreation, which meant that there would be no further analysis in the EIR. Ms. Lilienbecker asked if the trails along Buenaventura Boulevard would have to be modified. She remarked that a section of this trail was one of the few in Redding where people did not hear noise from the streets.

Ms. Lilienbecker also mentioned that Viewpoint 1, which illustrated what the Buenaventura Boulevard extension would look like, reflected a two-lane road and did not include sidewalks or landscape that was on the existing part of the road. She also asked if the viewpoints took into consideration the elevation changes from the cut-and-fill plans. She requested that the EIR adequately address fire-flow requirements.

Ms. Lilienbecker questioned the need for a new housing development. She asserted that there was a flood of housing on the market and wondered if staff had conducted an analysis of housing within the City.

A representative from the Bureau of Land Management (BLM) commented on BLM's existing trail along Salt Creek and requested that the trail be improved. Determining that no one else wished to speak, the Chairman closed public comment at 5:31 p.m.

Commissioner Emmett Burroughs felt the document was very thorough and well-done. He said he, too, had been concerned about traffic and had discussed the matter with the traffic consultant. Mr. Burroughs was convinced that after discussing the phasing of the traffic features, the traffic issues had been satisfactorily analyzed.

The following items were discussed by Commissioner Bert Meyer:

- Why was the road in the westernmost part of the project going through someone else's property and not the developer's parcel?
- Why was there no sidewalk on the road in Viewpoint 2? There should be a sidewalk if this was going to be a major road into the subdivision.
- 5.2-3 - The date for the historic map should be corrected from 1984 to 1894.

- 5.4-15 - Trip generation was addressed, but he had no idea what the market conditions would be like in 2015.
- 5.4-17 - The table showed parks per acre and weekday daily trips at 50; how were those figures determined?
- 5.8-14 - The word on the page (under the Copley Greenstone Formation title) should be "on" and not "o."
- 5.9-13 - Wanted clarification and reasons why a storm-drain detention basin is not needed.
- 5.11-17 - This section had more information on detention, but more information was still needed.
- 5.9-29 - It was stated that the project may result in the need for increased fire-flow capacity and/or storage, and two mitigation measures were included; however, the next page stated that the existing field pressure was substantial.
- 5.9-31 - Mitigation efforts were required for the sewage system; would like more information about the upsizing of the Jenny Creek and Trinity Street lines and the Westside Interceptor.
- 5.10-17 - Mitigation measures for the mine tunnels were listed; more information needed about the implications, hazards, and improvements required.
- 7.9 - Public safety for past mining-related effects was not addressed satisfactorily.
- Alternative 2 had a complete subdivision under the power lines; this was not a viable alternative.
- 7-24 - "T" should be corrected to "to."
- 8.4 - Surprised at the off-site mitigations required for traffic and circulation; constructing some of the off-site traffic signals placed an unfair burden on the applicant.

Chairman Chris Young observed that the word "Theast" on page 3.7, paragraph 4, should be corrected to "The last." Mr. Young concurred with Mr. Meyer's comments about the unfair burden being placed on the applicant for some of the off-site traffic improvements. He also requested more information on the tunnels and wondered if they were significant enough to be an issue.

Mr. Smith mentioned that Gold Run Creek and Salt Creek were quite distinguished in the absence of nonnative vegetation. He stated that the ephemeral streams in Redding were not nearly as healthy as these two creeks, and he wanted to ensure that the EIR acknowledged that fact.

Mr. Young reiterated that comments from the Commissioners and the public would be incorporated into the Final EIR.

PUBLIC PARTICIPATION

None.

COMMISSIONERS' COMMENTS

None.

DIRECTOR'S REPORT

Development Services Director Jim Hamilton informed the Commissioners that the Westridge Master Plan had been approved and the Final EIR certified by the City Council after it had been appealed to the courts. He advised that there were no new significant effects identified related to

water. Mr. Hamilton clarified that the judge had ruled that the City did not provide an adequate *summary* of the water-supply issue.

In response to questioning from the Commissioners, City Attorney Rick Duvernay explained that the project could be appealed again, with a lawsuit based on adequacy of the document or whether the City met the court's directive to provide a clear summary. He said the appellants had indicated that they would continue to pursue this item.

Mr. Hamilton advised that the City Council had approved the Integrated Land Management System (ILMS) at the last Council meeting. He expected the permit-tracking system to be in place in approximately 1½ years and noted that it would be far superior to the current tracking system.

Commissioner Cameron Middleton had been impressed with the ILMS presentation at the Council meeting and asked to be kept apprised of the project.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Chris Young adjourned the meeting at 5:56 p.m.

Jim Hamilton, AICP
Acting Secretary

Chris Young
Chairman