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REDDING PLANNING COMMISSION  
 Regular Meeting, 4 p.m.  
 Tuesday, August 14, 2007  
 City Council Chambers  
 777 Cypress Avenue  
 Redding, California 96001

## MINUTES

Chairman Michele Goedert called the meeting to order at 4 p.m., with Commissioners Emmett Burroughs, Jim Chapin, Bert Meyer, Randall Smith, and Chris Young present. Absent was Commissioner Randy Memeo. Also present were Development Services Director Jim Hamilton, Project Coordinator Darren Langfield, Planning Manager Douglas DeMallie, City Attorney Rick Duvernay, Senior Planner Kent Manuel, Associate Civil Engineer James Triantafyllou, and Executive Assistant II Anita Felion.

### **APPROVAL OF MINUTES**

Commissioner Emmett Burroughs moved approval of the minutes of the meeting of May 22, 2007. Commissioner Randall Smith seconded the motion, which carried by a unanimous vote.

Commissioner Bert Meyer moved approval of the minutes of the meeting of June 12, 2007. Commissioner Emmett Burroughs seconded the motion. Commissioners Chapin and Goedert abstained. The vote carried with vote of four ayes and two abstentions.

Commissioner Jim Chapin moved approval of the minutes of the meeting of July 10, 2007. Commissioner Chris Young seconded the motion, which carried by a unanimous vote.

**PARCEL MAP APPLICATION PM-5-07 AND PLANNED DEVELOPMENT PLAN APPLICATION PD-4-07**, by the City of Redding, requesting approval to divide 667 acres into 16 developable parcels, 6 open-space parcels, and 2 Redding Electric Utility substation parcels. The property is generally located east of Stillwater Creek, south of the easterly extension of Rancho Road and north of Fig Tree Lane, and is zoned "GI" General Industrial and "OS" Open Space Districts with "PD" Planned Development Overlay District. Environmental Determination: Within the scope of the project defined in Final Environmental Impact Report EIR-1-00, certified by the Redding City Council on April 18, 2006, by Resolution 2006-58. Staff Recommendation: Approval, in concept, pending Airport Land Use Commission action. **Continued from the meeting of July 10, 2007.** L-010-150 and L-010-210

Planning Manager Douglas DeMallie summarized the staff report. He noted that the item was continued from the July 10, 2007, meeting to allow time for further consideration of the Planned Development standards. He stated that since that time, the proposed height standards were considered by the General Plan Update Committee (GPUC) at its July 12, 2007, meeting. Mr. DeMallie said it was the general consensus of the group that the proposed height allowances were not out of scale with the larger parcel sizes and type of development expected in the Stillwater Business Park (Park) or in conflict with General Plan goals. He commented that GPUC also felt endorsing additional height at this location would not be precedent-setting for other areas of the City. He added that the design standards had been modified since the July 10 meeting to ensure that height exceptions would only apply to industrial uses and not office building uses and that it must also be determined that the increased height was necessary for the use.

Mr. DeMallie also utilized PowerPoint to compare the proposed design criteria guidelines and development standards to the City's General Industry and Heavy Industry Districts. Mr. DeMallie continued that the Park had two height standards—a 50-foot height within the Visual Impact Zone (VIZ) within 300 feet from the street and an 80-foot height beyond the first 300 feet.

Mr. DeMallie explained that the Planning Commission was being asked to approve the project in concept so that the Airport Land Use Commission (ALUC) could also review the project before final action. He noted that ALUC had looked at the Park project itself in context of amendments to the

Airports Area Plan and found it to be very consistent and compatible with Airport operation standards. He explained that state law was clear that zoning development standards were subject to ALUC review and that the main focus would be the height issue.

Another concern from the July 10 meeting mentioned by Mr. DeMallie was the perception that the City might be establishing advantages over private developers as it related to permit processing and development incentives with the Planned Development (PD) standards. He commented that the PD Plan option did provide permit-streamlining advantages, which would be a competitive advantage for the Park in the recruitment of industry; however, this same advantage would be available to any private developer who also would consider using the PD Plan process for a project of similar scale. Mr. DeMallie continued that with respect to other City incentives, the City Council did have an incentive policy in place, which provided benefits to both new companies and expanding existing companies and that these incentives were available Citywide. He said the City Council had the ultimate authority to determine how to apply incentives to potential Park projects, including land pricing and utility rates.

Mr. DeMallie asked the Planning Commission to consider Parcel Map Application PM-5-07 and Planned Development Plan Application PD-4-07, find that they were within the scope of the project defined in Final Environmental Impact Statement/Environmental Impact Report EIS/EIR-1-00, and approve them in concept. He stated that the application would be scheduled for final action after the requisite consistency determination by the Shasta County Airports Land Use Commission. The Chairman opened the public hearing at 4:23 p.m. Determining that no one wished to comment, the Chairman closed the public hearing at 4:24 p.m.

Commissioner Emmett Burroughs asked if there was any limit to the number of floors the 80-foot building could have. Mr. DeMallie replied that the limit was based on physical height and acknowledged that a building could have seven floors.

Mr. Burroughs also inquired about water detention. Mr. DeMallie responded that each individual parcel would be responsible for detention. He remarked that the project was in the Stillwater Creek watershed and close to the Sacramento River, so he believed very little detention, if any, would be necessary.

Project Coordinator Darren Langfield pointed out that Condition 46 addressed stormwater impacts.

James Triantafyllou, Associate Civil Engineer, confirmed that because of the proximity of the Park to Stillwater Creek, detention was not really required. He explained that the City provided some storage in the northern part of the Park to accommodate additional runoff so as not to increase flows to adjacent properties. He added that there might be some water quality issues that would have to be addressed on the parcels, depending on the type of industry within the development.

Ms. Goedert mentioned the Errata Sheet submitted to the Commissioners prior to the meeting. Mr. DeMallie explained that the new Errata Sheet reflected the changes in the height issue.

**Motion:** Commissioner Jim Chapin moved that the Planning Commission find that Parcel Map Application PM-5-07 and Planned Development Plan Application PD-4-07 were within the scope of the project defined in Final Environmental Impact Statement/Environmental Impact Report EIS/EIR-1-00 for the Stillwater Business Park and approve them in concept, including the Errata Sheet dated July 2, 2007.

**Second:** Commissioner Randall Smith.

**Ayes:** Commissioners Burroughs, Chapin, Goedert, Smith, and Young.

**Noes:** Commissioner Meyer.

**Abstain:** None.

**Absent:** Commissioner Memeo.

Development Services Director Jim Hamilton announced that the item would probably return to the Planning Commission at the first meeting in October.

***APPEAL OF THE BOARD OF ADMINISTRATIVE REVIEW'S APPROVAL OF SITE DEVELOPMENT PERMIT SDP-12-07, granting Patrick Barnes approval to utilize an existing warehouse and office to establish a painting contractor business on property located at 2337 and 2339 Old Alturas Road in an "RS-3" Residential Single Family District. The application is required under the Redding Municipal Code to recognize the proposed change in use of the property. Staff Recommendation: Deny the appeal and uphold the approval by the Board of Administrative Review. L-010-390-700***

Commissioner Bert Meyer announced that he conducted business with the current business owner located on the property but did not believe there was a conflict of interest.

Planning Manager Douglas DeMallie summarized the staff report. He noted that the Board of Administrative Review (Board) approved Site Development Permit SDP-12-07 at its meeting of July 18, 2007. He advised that although classified for residential use, the property had a long history of commercial uses established prior to, and after annexation to, the City in 1986. He mentioned that the uses that existed at the time of annexation, however, could not be determined through available information. He indicated that the Board's approval was subsequently appealed by Pamela Blessing, who owned property in the general vicinity.

Mr. DeMallie explained that nonconforming uses were uses that were lawfully established prior to annexation or adoption of Code prohibitions, could continue indefinitely, and could change to a similar or less intensive use. He stated that the most recent uses were a well-known and respected landscape business and a print shop. He described the property, noting that existing improvements consisted of a 4,000-square-foot metal industrial building, several large storage containers, and outdoor storage of miscellaneous vehicles and materials. Mr. DeMallie remarked that two mobile homes were also located on the property and that the property was generally in a state of disrepair and had been subject to past enforcement actions by the Code Enforcement Division. He pointed out that Mr. Barnes intended to repaint the existing building, remove the storage containers, remove one of the mobile homes, remove miscellaneous "junk," re-base the driveway and parking areas, add fencing, and install vinyl slats. He added that landscape would also be provided, and street improvements were required. Mr. DeMallie stated that the building must be modified to meet the requirements of the Building Official and Fire Marshal prior to occupancy. He indicated that because the use would not conform with the underlying zoning classifications, the conditions of approval did not require that a paved and landscaped parking lot be provided with this change in use. He explained that in time, residential development would occur on the site, and staff did not feel it was appropriate to require full commercial improvements that might ultimately discourage a change in use to one that conformed to the zoning of the property. Mr. DeMallie explained the criteria staff utilized in determination of "less intensive," which included number of employees, outdoor storage, vehicle trips, and appearance. He stated that on this basis, staff felt the proposed use was of equal or less intensity than the existing use of the property.

Regarding storage of hazardous materials, Mr. DeMallie said there would be a limited amount of solvents and similar materials stored on-site within the main building. He advised that the Fire Marshal had determined, based on information provided by the applicant, that types and quantities of materials would not be considered "hazardous" as defined by the California Building Code and that the business was subject to the Fire Department commercial inspection program. Further, he noted that Condition 13 required that a business plan be filed with the Shasta County Division of Environmental Health, and Condition 8b required removal of the existing underground storage tank. Mr. DeMallie said staff recommended that the Planning Commission deny the appeal of Site Development Permit SDP-12-07 and uphold the approval of the Board of Administrative Review.

Chairman Michele Goedert advised that she had chaired the Board meeting when the item was approved. She said the Board had felt the use was less intensive than the current use and noted that the debris was going to be removed. She noted that the entire property would be fenced and include buffer-yard landscape to separate it from future residential areas. In addition, Ms. Goedert indicated that the underground fuel tank would be removed.

Commissioner Chris Young asked if right-of-way needed to be dedicated.

Senior Planner Kent Manuel responded that right-of-way was dedicated years earlier and that no additional right-of-way was needed.

Commissioner Randall Smith inquired about a possible future request for expansion by the applicant. Mr. DeMallie replied that the Zoning Ordinance was extremely restrictive on expansion of use on a nonconforming site or of a nonconforming use.

Commissioner Emmett Burroughs inquired about the methods for removal of the underground fuel tank. Mr. DeMallie explained that the removal would have to be in conformance with Shasta County Environmental Health Division requirements. The Chairman opened the public hearing at 4:43 p.m.

Pamela Blessing, appellant, advised that she had ten City lots approved for development next to the subject property. She worried that continuing a nonresidential use would hurt the value of her property. She said the homes in the area were occupied by the elderly and children. Ms. Blessing mentioned the existing blight and contended that the trailer to be left on-site was dilapidated. She remarked that the applicant would have hazardous materials and worried if there was an accident or fire. She asked about the removal of the underground fuel tank and asserted that removal could cause more environmental damage to the soil. Ms. Blessing contended that there was still lead in paint and expressed concern about contamination.

Patrick Barnes, applicant, stated that the majority of materials and paints used were water-based products. He said less than 50 gallons of solvent-based materials were stored on-site. He explained the process for cleaning up the paintbrushes (with three capped rinse buckets) and disposal of the paint, noting that his business was regulated by the State. Mr. Barnes continued that he had a hazardous materials plan in place that was reviewed by the Occupational Safety and Health Administration. He pointed out that the conditions of approval required improvements to satisfy the Uniform Building and Fire Codes. Regarding the remaining mobile home for the caretaker, Mr. Barnes advised that he was going to paint and carpet the home.

Chairman Michele Goedert inquired if Mr. Barnes was aware of the possible contamination from the underground fuel tank. Mr. Barnes indicated that removal of the tank was included as part of his escrow instructions, as well as his being able to obtain a use permit.

Commissioner Chris Young wondered why Mr. Barnes desired to purchase the subject property and not relocate his business to an industrial park. Mr. Barnes explained that the purchase was considered a long-term investment and that eventually, he would develop the property as residential.

Mr. Smith wondered if having an owner on-site would help to either prevent or enforce Redding Municipal Code violations. Mr. DeMallie believed it might, based on previous experiences with Code Enforcement.

Mr. Young asked if there were any paints still being sold in California that contained lead. Mr. Barnes replied that lead was banned in all paint in the 1970s.

Ms. Blessing mentioned the applicant's statement regarding the method for cleaning bushes, including the three buckets for each brush. She asked how many times this would be done and how many capped buckets there would be. She worried about the contamination of nearby wells.

Sonny Ross, Realtor, advised that nothing had been in the underground tank for at least 25 years and believed the tank had never had anything in it. He added that the Shasta County Environmental Health Division would monitor the removal and give clearance. He added that today's paint was environmentally safe. Mr. Ross continued that once the tank was removed, the soil would be tested. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:15 p.m.

Commissioner Jim Chapin said it appeared that there would not be a lot of hazardous material on-site and that most paint was water-based. He believed this type of business was regulated more than most businesses.

Mr. Smith felt this was an opportunity for the parcel to be cleaned up and recommended denial of the appeal.

Ms. Goedert clarified that the property was not being rezoned; the site development permit was for a nonconforming use on residentially zoned property.

Mr. Young supported denial of the appeal. He suggested that the appellant work with Mr. Barnes, believing they both would benefit in the long run.

**Motion:** Commissioner Chris Young moved that the Planning Commission deny the appeal and uphold the Board of Administrative Review approval of Site Development Permit SDP-12-07.

**Second:** Commissioner Jim Chapin.

**Ayes:** Commissioners Burroughs, Chapin, Goedert, Meyer, Smith, and Young.

**Noes:** None.

**Abstain:** None.

**Absent:** Commissioner Memeo.

### ***PUBLIC PARTICIPATION***

None.

***SHASTA COUNTY PLANNING COMMISSION REFERRAL ITEMS*** - Oral report on City/County planning items.

Development Services Director Jim Hamilton mentioned the ongoing negotiation between the City and County that was designed to improve the development process in the region. He said progress was being made and that he would keep the Commissioners informed.

Mr. Hamilton also said the City had received a referral for development at the Knighton Road interchange. He stated that an application from Camping World was now going through the County's review process. Mr. Hamilton advised that the City had property adjacent to the south of the property and that he had met with the applicant's representative. He believed the project would fit with the County's General Plan and zoning of the property.

### ***COMMISSIONERS' COMMENTS***

Commissioner Bert Meyer referred to a magazine article he read regarding the positive aspects of pervious concrete.

Commissioner Chris Young mentioned the Fix 5 Partnership Program, which he opposed because he felt the local counties should not be charged with the development costs and fees to maintain Interstate 5. He contended that the interstate fed the Los Angeles and San Francisco communities, both of which would suffer economically if Interstate 5 was eliminated. He asserted that if the program was going to create a parcel or sales tax to maintain or enlarge the interstate, the charge should be a Statewide tax, not placed on the backs of the people who lived in counties like Shasta or Tehama.

Commissioner Emmett Burroughs complimented staff in the Planning Division and Permit Center for the pleasant experiences he has had while processing permit applications. He mentioned that he had worked with departments in other cities and that Redding's process worked very well.

Commissioner Randall Smith commented on the landscape being installed at the corner of Buenaventura Boulevard and Placer Road. He noted that trees of stature, including oaks and redwoods, were being planted by Gus McEntire Landscape, who was to be complimented on the work.

Planning Manager Douglas DeMallie stated that the type of tree being planted was partly based on the Planning Commission's frequently mentioned desire to see large shade trees being utilized in

projects. He added that the tree-planting plan at the corner was also largely the result of efforts by Associate Planner Linda Burke, Landscape Technician Tom Eachus, and developer Brent Byer.

Regarding Mr. Young's comments on the Fix 5 Partnership Program, Mr. Smith countered that over 60 percent of the interstate traffic through Shasta County was local traffic. He believed counties had ignored their responsibility for too long by not charging for the maintenance. Mr. Smith urged a review of the issue so that a determination could be made on how best to deal with the problem.

***DIRECTOR'S REPORT***

Development Services Director Jim Hamilton mentioned the flyer the Commissioners received regarding the Hilltop Widening Project. He also commented upon the Kohl's Department Store site and the impressive under-parking detention being constructed. He said a resolution should be reached by the end of the month regarding right-of-way acquisition for the southbound lane of Hilltop Drive.

Mr. Hamilton supplied figures for the number of building permits issued for the fiscal year, noting that there was a reduction in the total number but that the City was still above the running ten-year average. He said staff expected to see a further reduction in the coming year. Mr. Hamilton stated that overall, commercial development was still strong, residential development was slowing, and office development had declined.

***ADJOURNMENT***

There being no further business to come before the Planning Commission, Chairman Michele Goedert adjourned the meeting at 5:37 p.m.

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Jim Hamilton, AICP  
Acting Secretary

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Michele Goedert  
Chairman