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REDDING PLANNING COMMISSION  
 Regular Meeting, 4 p.m.  
 Tuesday, October 24, 2006  
 City Council Chambers  
 777 Cypress Avenue  
 Redding, California 96001

## MINUTES

Chairman Bert Meyer called the meeting to order at 4 p.m., with Commissioners Michele Goedert, Randy Memeo, and Chris Young present. Absent were Commissioners Gary Brickwood, Jim Chapin, and Randall Smith. Also present were Development Services Director Jim Hamilton, Land Development Manager Gary Otremba, Senior Planner Kent Manuel, City Engineer Barry Tippin, City Attorney Rick Duvernay, Associate Planner Zach Bonnin, and Executive Assistant II Anita Felion.

### **APPROVAL OF MINUTES**

Due to lack of a quorum, the Commissioners continued approval of the minutes of the meetings of August 8, September 26, and October 10, 2006, to the meeting of November 14, 2006.

**PUBLIC HEARING - VARIANCE APPLICATION V-2-06**, by Brenton and Julie Clements, requesting approval to construct a swimming pool five feet from the property line within the street side-yard setback area along Uranium Court and within five feet of a residential patio cover, on property located at 288 Aquamarine Way in an "RS-2" Residential Single Family District. *Environmental Determination: Categorically Exempt. Staff Recommendation: Approval. L-010-410*

Associate Planner Zach Bonnin summarized the staff report and responded to questions. He explained that there was a five-foot-wide public-service easement along the Uranium Court property line, so the City required an additional setback to ensure that no private piping, electric, decking, or other facilities associated with the private pool fell within the easement. He advised that the setback might require the pool to be resized. Mr. Bonnin said staff recommended that the Planning Commission approve Variance Application V-2-06 subject to the conditions of approval, which he reviewed.

Land Development Manager Gary Otremba further explained the conditions of approval for the variance application.

Senior Planner Kent Manuel noted that the neighborhood had several homes with pools within the 15-foot setbacks. He added that there would be no impact to the neighborhood if the variance was granted. The Chairman opened the public hearing at 4:13 p.m. Determining that no one wished to speak, the Chairman closed the public hearing at 4:14 p.m.

**Motion:** Commissioner Michele Goedert moved that the Planning Commission find the variance application categorically exempt under the provisions of the California Environmental Quality Act, and that in accordance with Section 18.16.070 of the Redding Municipal Code, the Commission find the criteria for granting a variance in evidence and approve the variance subject to the conditions of approval as recommended by staff.

**Second:** Commissioner Chris Young.

**Ayes:** Commissioners Goedert, Memeo, Meyer, and Young.

**Noes:** None.

**Abstain:** None.

**Absent:** Commissioners Brickwood, Chapin, and Smith.

***PUBLIC HEARING - RECOMMENDATION TO THE CITY COUNCIL - Consideration of amendments to Chapter 16.12 (Grading Ordinance) of the Redding Municipal Code, concerning the criteria for compliance with grading standards and erosion- and sediment-control measures required during and after grading. A-070-055***

Land Development Manager Gary Otremba summarized the staff report and responded to questions. He noted that a task force, comprised of representatives from the local community, Development Services Department staff, and Planning Commissioner Randall Smith, was assembled in spring 2005. Mr. Otremba discussed the proposed amendments, which included, amongst other things, when a grading permit would be required, as-built plans, the definition of "rainy season," and hours of work. He said staff recommended that the Planning Commission forward to the City Council a recommendation of approval of amendment of Chapter 16.12, *Clearing, Grading, Fills, and Excavation*, as proposed by the task force.

Chairman Bert Meyer asked about the change requiring a permit for any fill or excavation over 50 cubic yards. Mr. Otremba observed that currently, excavations up to 250 cubic yards were allowed without a grading permit, and all fill over 50 cubic yards required a permit. Mr. Otremba advised that five of the typical dump trucks would carry about 50 cubic yards, so the revision would not affect the homeowner who would just be landscaping his or her backyard.

Commissioner Chris Young asked why the date for the rainy season was changed from April 15 to May 15. Mr. Otremba said staff had noticed that in the last few years, the City had received storms in May that were unmanageable. He stated that the change was to provide a "heads up" that a developer might not be able to grade but added that the City Engineer still had the final approval. Mr. Young said he trusted the judgment of the City Engineer but worried about putting something in writing, because a future City Engineer might not use the same discretion.

Development Services Director Jim Hamilton interjected that grading was currently done year-round in Redding, based on the weather and approval from the City Engineer. He explained that the regulations provided a way to give the builder some direction regarding grading as the dates approached. Mr. Otremba added that the discussion centered around issuance of new grading permits. The Chairman opened the public hearing at 4:30 p.m.

Don Shearing contended that the current dates were working just fine and worried about giving more discretion to the City Engineer. He questioned the requirement for an erosion-control plan to be prepared by an erosion specialist or civil engineer, believing a specialist was not always needed, especially for small infill projects. Mr. Otremba replied that the requirement for a specialist depended on the size and magnitude of the grading. He said one acre and above required a plan prepared by a specialist. Mr. Hamilton added that the City Engineer could waive the requirements if the total amount of fill did not exceed 5,000 yards.

Kent Dagg wanted more discussion regarding changing the date from April 15 to May 15. He worried about giving a future City Engineer the ability to make arbitrary decisions regarding grading. Mr. Dagg mentioned that requirements also added to the cost of a home and needed to be considered when instituting more rules.

City Engineer Barry Tippin pointed out that the vast majority of the requirements being discussed were in the existing Ordinance, such as the requirement for a specialist. He noted that the existing Ordinance utilized a systematic approach for grading, which created disagreements on what constituted 50 or 80 percent of grading completed. Mr. Tippin noted that the date change would not necessarily stop the work, it would just help to control it. He said the new date did not imply that staff would deny issuance of permits. Mr. Meyer suggested putting the wording in the Ordinance so that a layperson could understand it. Determining that no one else wished to comment, the Chairman closed the public hearing at 5:04 p.m.

Commissioner Randy Memeo voiced confusion about the penalty provision that was taken out. He also asked about the need and basis for the date change for grading. He felt it could cause a hardship by taking a month away from people who needed jobs.

City Attorney Rick Duvernay advised that he had recommended removing the penalty and fine provision. He explained that wording had been added to the Redding Municipal Code (Code) regarding penalties for any violation of the Code. He stated that penalties included fines, civil penalties, and appearance before the Administration Hearings Board. Regarding the date change, Mr. Duvernay explained that the additional time period was only to require that the erosion containment be in place beyond what the current Code required. Mr. Meyer reiterated that he would like the wording clearer so that a person would understand that he or she was not banned from obtaining a permit.

In response to questioning from Commissioner Chris Young, Mr. Hamilton noted that the revised Ordinance created no new responsibilities and that the amount of staff was adequate for handling enforcement of the Ordinance.

Mr. Young requested a postponement of a decision on the recommendation to the City Council. He did not like the wording regarding the date change and wanted it revised so that a layperson could understand that the time frame for a grading permit was at the City Engineer's discretion and that it was still possible to get a permit before May 15. Mr. Hamilton felt it was appropriate to postpone a decision until the full Planning Commission could discuss the item at the meeting of November 14, 2006.

### ***PUBLIC PARTICIPATION***

Mike Leonard asked for an update on traffic flow for a survey done in 1999 for the Shasta View Drive extension from Collyer Drive to Manzanoaks Drive. He noted that a lot of building had occurred since the 1999 study, and the City Council approved the Oasis Road Specific Plan without the extension of Hawley Road. He worried that traffic would be routed through the Gold Hills Subdivision from the Shasta View extension to the Oasis Road area. Mr. Leonard felt if the Hawley Road extension had been included, the traffic count for the Shasta View Drive extension would have decreased. He contended that the 1999 survey did not reflect the current traffic situation and reiterated his request for a revised traffic study.

Development Services Director Jim Hamilton suggested that Mr. Leonard meet with him and City Engineer Barry Tippin for further discussion of the future traffic flows in the area.

Ransom Roscoe echoed Mr. Leonard's request for a new traffic study. He described the current traffic situation in the Gold Hills Subdivision and Hope Lane area.

### ***COMMISSION CONSIDERATION***

Commissioner Chris Young noted that several members of the community, City Council, and Planning Commission had expressed concern that the Planning Commission and City Council might be going in opposite directions on certain matters and had felt that a joint session might be appropriate to discuss the issue.

Development Services Director Jim Hamilton suggested that the Chairman of the Planning Commission and Mayor meet to discuss the situation to see if a workshop between the two committees might be appropriate. He explained that the Planning Commission had a different role and responsibility than the City Council, so a differing of opinions on matters was not unusual or uncommon.

Commissioner Randy Memeo stated that it did not bother him if the City Council overturned a decision made by the Commissioners.

Chairman Bert Meyer agreed with Mr. Memeo.

Commissioner Michele Goedert shared that Commissioner Randall Smith was particularly concerned about this issue but was absent at today's meeting. She suggested continuing the topic to the meeting of November 14.

On another matter, Mr. Meyer noted that the owner of a local business center was told that negative comments had been made by the Commissioners regarding his development. He apologized to the developer if he was offended, noting that the comments were made during a field trip to review various projects around Redding.

***DIRECTOR'S REPORT***

Development Services Director Jim Hamilton discussed the Mayor's focus on youth involvement in civic activities. He suggested having a student (rotating on a quarterly basis) sit with the Commissioners, in a nonvoting role, to increase understanding of the process and to introduce young people to government functions and jobs.

***ADJOURNMENT***

There being no further business to come before the Planning Commission, Chairman Bert Meyer adjourned the meeting at 6 p.m.

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Jim Hamilton, AICP  
Acting Secretary

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Bert Meyer  
Chairman