

Mt. Shasta Regular Planning Commission Meeting Minutes

City Park Upper Lodge 1315 Nixon Rd.
Mt. Shasta Tuesday, November 20, 2018; 6:00 p.m.

Item	STANDING AGENDA ITEMS
1.	Call to Order and Flag Salute – Vice-Chair Findling called to order at 6:00PM
2.	Roll call Present: , Vice-Chair Findling, and Commissioners Pardee, Beck and Acord Absent: Chair Higuera, Commissioners Kirby, and Saryon
3.	Public Comment: None
4.	Meeting Minutes a. Approval of Minutes: Planning Commission Regular Meeting Minutes for Tuesday, August 21, 2018 COMMISSION ACTION: Moved to approve minutes as submitted MOTION MADE BY: Commissioner Beck SECOND: Commissioner Pardee AYE: Vice-Chair Findling, and Commissioners Pardee, Beck and Acord NOES: ABSENT: Chair Higuera, Commissioners Kirby, and Saryon
5.	Home Occupation License Public Hearing City Planner: Presentation of staff report Bill Pierce, Police Department Representative: Presentation and discussion on experience Public Comment Open <u>DonOwens, Business/Property Owner:</u> Did not participate in any discussions or receive any information about meeting with the City. 2013 code enforcement officer stopped by with issues related to noise. Wood splitting takes one hour a day. There were designated times established. Two complaints that he is aware of and tried to deal with the issue where he stopped splitting wood to accommodate neighbors. Wood cannot be stored in a building due to insurance policy. At a minimum 3 to 4 hours between splitting. The operation is not year-round. Willing to build a temporary sound wall for periods of splitting. <u>Commissioner Beck:</u> Question on wood storage <u>Owner:</u> Wood is not stored for more than a day or two <u>Commissioner Beck:</u> Question about hours and timeline in one day <u>Owner:</u> During the summer, children split wood and then deliver <u>Commissioner Beck:</u> What is your work season? And days a week? <u>Owner:</u> Weather dependent. 150 cords of wood per year. Splitting begins February or April to September. <u>Vice-Chair Findling:</u> Splitter to the woods? <u>Owner:</u> that is difficult due to backing up a splitting into the woods but could work with that if that is the option that is available. <u>Melinda Willie:</u> Support for sound proofing option. Does not support revoking the permit. <u>Susan Berke:</u> Neighbor that filed the complaint. The business is noisy from outside and inside. Concern for hour reduction that it does adequately address the problem.

Mt. Shasta Regular Planning Commission Meeting Agenda

Bob Bordenero: Neighbor. Dispute minimal time that the business operates. Noise is a problem and a hardship.
John Williams: Neighbor. Noise is similar to concrete machine that is constant. Appears to be full time operation. 4 to 5 hrs a day. Traffic is a problem.

Public Comment Closed.

Commissioner Beck: Doesn't understand how a permit was issued related to the type of use.
Vice-Chair Findling: Question about conditions

Owner: Discussion on noise cancelling conditions and options.

Commissioner Findling: Understanding noise is 1st then hours as the issue

Owner: Offers to build structure to reduce noise

Commissioner Pardee: Concern over efforts not having the effect. Location of splitter

Owner: Clarification of where the wood splitting is located

COMMISSION ACTION: Motion to suspend business operations until noise control measures can achieve the noise standards in 2007 General Plan noise element. If noise control measures do not help the operation meet the General Plan guidelines, then the splitting operation will be required to be moved off-site.

MOTION MADE BY: Commissioner Pardee

SECOND: Commissioner Acord

AYE: Vice-Chair Findling, and Commissioners Pardee, Beck and Acord

NOES:

ABSENT: Chair Higuera, Commissioners Kirby, and Saryon

6. Variance Application: Mt. Shasta Village Subdivision Lot 28 Public Hearing

Staff report

Commissioner Pardee: Question on lot dimensions

Public Comment Open

Jacquise Glesae: Project applicant. Clarification of property line lengths. Discussion on acceptance of architectural features by Village Subdivision committee

John Adamson: Neighbor. Discussion on filling the subdivision. Discussion on corner lots and dimensions of various lots.

Public Comment Closed

COMMISSION ACTION: Motion to approve Variance Application as presented.

MOTION MADE BY: Commissioner Acord

SECOND: Commissioner Beck

AYE: Vice-Chair Findling, and Commissioners Pardee, Beck and Acord

NOES:

ABSENT: Chair Higuera, Commissioners Kirby, and Saryon

8. Cannabis Ordinance Review and Amendments: Chapter 5.60, 5.80, and 18.91 of the Mt. Shasta Municipal Code

City Staff: Presentation of report

Clarification questions on permitting, history of decision making, and number of licenses.

Public Comment Opened

Erik Price: Questions about the buffer and environmental issues. Odor concerns. Water

Mt. Shasta Regular Planning Commission Meeting Agenda

usage. Chemicals. Disposal. Wastewater. Testing requirements. Chemical storage. Fire Chief consulted. Questions submitted to City Planner.

John Baltar: Thank you. Resident. Notified through the City. Against reducing buffer around schools, daycare centers, and youth centers.

Jimmy McCullough: Residents. Discussion on 600-foot buffer and against lower of the buffer. Support protections to youth.

Claudia Frundsén: Resident. Against lower buffer lengths. Concern over safety and quality of life. Against increasing the number of licenses. Question regarding industry, safety, impact, and other cities.

Michael Huffman: Resident. Concerned about reducing sensitive use buffer reduction. Submitted information to City Planner

Kay Scovill: Thank you. Union School District Board member. Against reduction in sensitive use buffer. Request for notification to the Union School Board in the future. In support of outreach program for additional input.

Tom Scovill: Resident. In opposition to reducing the sensitive use buffer. Request for slowing of industry regulations. In opposition in increasing the number of licenses.

Jeanne Turner: Owner of Shady Creek Daycare Center. Concerned about notification of childcare centers. Agrees with all others.

Reny Townsend: Owner of Cannabis manufacturing center. Offer for public to reach out if concern and to discuss regulations. Discussion on reduction of buffer length, labeling, and liability.

Charity Townsend: Owner of cannabis manufacturing. Submitted a survey taken by neighboring property owners.

Harley Smith: Hydroponics specialist from Medford, OR. Discussion on odor and volatile compounds management. Supports 300-foot buffer due to the machinery that is required for air filtration. The reduction would not impact the air quality.

Kristin Sellmer: Client Director for cannabis business in Mt. Shasta. In favor of reducing the sensitive use buffer. Discussion on limited areas for business and systems for safety and quality.

Steve Hillman: President of the Trustees for the "I AM" School. Objecting to the reduction in the buffer zone.

Barry Barnhart: Union School District Superintendent. Requests more time for the school to hear the matter and discuss the buffer zone.

Elizabeth Tabor: Owner of Mt. Shasta Patient's Collective. Supports additional education and public outreach.

Elizabeth Emerson: Volunteer to assist in outreach and education. Discussion on youth voice and outreach program.

Kurt Rieckel: Building consultant for cannabis businesses. Discussion on traffic, odor, and zoning. Supports keeping retail at 600-foot length.

Jim Mullins: Executive Director of the Chamber of Commerce. Discussion on difficulty of attracting large businesses. Cannabis business is a chamber business. Support for business and cannabis business.

Nicholas Hendrickson: Employee of cannabis business. Discussion on cannabis industry and employment opportunities. Support for reduction in buffer zone.

Mark Magonni: Neighbor to cannabis industry. Experience with odor and the cannabis business nearby. Against reducing buffer length.

Tom Timmel: Resident. School consultant. In favor of increasing in buffer zone to 1000 feet. Discussion on Colorado spending related to cannabis industry.

Ben Stevenson: Resident. Cannabis business employee. Supports an outreach meeting and education event. Supports an additional event that is Question and Answer.

Public Comment Closed

Commissioner Acord: Discussion on notification for Planning Commission topics

Commissioner Beck: Discussion on education and understanding of the cannabis industry and state regulations. Discussion on personal growing and use versus commercial industries. Support for finding consensus between industry and concerned groups

Commissioner Pardee: Discussion on cannabis industry and taking advantage of tax revenue. Support for business to meet economic development goals. Question on other cities that may be moving this direction, pertaining to sensitive use buffer decrease. Request for additional information from City Attorney. Possible reduction to somewhere between 300 and 500 feet.

Commissioner Beck: Support for additional conversation.

Vice-Chair Findling: Discussion on noticing and attendance. Discussion on school location in industrial zone. Discussion on type of cannabis use, reduction in buffer, and zoning.

COMMISSION ACTION: Motion to approve administrative amendments presented in red on Attachment I for City Council consideration.

MOTION MADE BY: Commissioner Beck

SECOND: Commissioner Pardee

AYE: Vice-Chair Findling, and Commissioners Pardee, Beck and Acord

NOES:

ABSENT: Chair Higuera, Commissioners Kirby, and Saryon

COMMISSION ACTION: Motion to move forward with public outreach plan to educate and collect additional information and research related to other cities and impacts.

MOTION MADE BY: Commissioner Acord

SECOND: Commissioner Beck

AYE: Vice-Chair Findling, and Commissioners Pardee, Beck and Acord

NOES:

ABSENT: Chair Higuera, Commissioners Kirby, and Saryon

8. Commission and Staff Comments

Commissioner Beck: Question about hearing officer and code enforcement. Ask about smoking control and littering status of downtown and Vet's Club.

Commissioner Pardee: Request for formal censorship and formal complaint against individual that released Planning Commissioner personal email addresses and phone numbers. Discussion on successful downtowns and how to support ours better.

Commissioner Acord: Discussion on what the commission does in terms of decision making, topic areas, and process. Educate the public better to alleviate confusion about roles and responsibilities

9. Future Agenda Items – Future items are topics brought to the Planning Commission from a public petition, city staff, Planning Commission member(s), and City Council for review and action. All dates refer to first introductions to the Planning Commission and can be altered due to time and priority level. **Items that are bolded correlate with the General Plan Revision Process**

a. Centennial Park Concept Input – 12/18/2018

b. b. General Plan: Urban Design Open House – 12/18/2018

Mt. Shasta Regular Planning Commission Meeting Agenda

- c. Off-Street Parking Requirements – 12/18/2018
- d. Golden Eagle School Development CUP, Parcel Map, and CEQA Public Hearing – 2/19/2019 (Tentative)
- e. Freeze Mini-Storage and Car Wash Project CUP and CEQA – TBD

10. Adjourn – Adjourned at 8:47 PM

Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall located at 305 North Mt. Shasta Blvd., Mt. Shasta, CA at the same time the public records are distributed or made available to the members of the legislative body. Agenda related writings or documents provided to a majority of the legislative body after distribution of the Agenda packet will be available for public review within a separate binder at City Hall at the same time as they are made available to the members of the legislative body.

The City of Mt. Shasta does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. In compliance with the Americans with Disabilities Act, persons requiring accommodations for a disability at a public meeting should notify the Deputy City Clerk at least 48 hours prior to the meeting at (530) 926-7510 in order to allow the City sufficient time to make reasonable arrangements to accommodate participation in this meeting.

Any writings or documents provided to a majority of the Planning Commission after distribution of the meeting Agenda Packet regarding any open session item on this agenda will be made available for public inspection during normal business hours within the binder entitled “Agenda Packet for Front Counter” located at City Hall at the desk on the right-hand side inside the front door.

Projects heard at this Planning Commission meeting may be subject to appeal. Please contact the Planning Department for information. Appeals must be submitted to the City Clerk’s office together with the appeal fee. If you challenge the environmental review of the project proposal in court, you may be limited to raising only those issues raised at the public hearing or in written correspondence delivered to the Planning Department on, or prior to, closing of the public comment period.