

Mt. Shasta Regular Planning Commission Meeting Agenda

City Park Upper Lodge 1315 Nixon Rd.
Mt. Shasta Tuesday, May 21, 2019; 6:00 p.m.

Page	Item	STANDING AGENDA ITEMS
	1. Call to Order and Flag Salute	
	2. Roll call	
	3. Public Comment:	<p>Welcome to our Planning Commission meeting. The Commission invites the public to address the Commission on issues not listed on the agenda and that are within the Commission's subject matter jurisdiction. Those wishing to address the Commission are asked to sign-in and indicate their topic of interest. The public has a right to address the Commission on any subject within the Commission's jurisdiction; however, the Commission may limit public comment on matters that are outside of its jurisdiction. The Planning Commission may regulate the total amount of time on particular issues and for speakers (typically 3 minutes). The Commission may place additional time limits on comments, to ensure members of the public have opportunity to speak and the Commission is able to complete its work. A group may be asked to choose a spokesperson to address the Commission on a subject matter, or the Commission may limit the number of persons addressing the Commission whenever a group of persons wishes to address the Commission on the same subject matter. Speakers are asked to provide their name and address for the public record. We greatly appreciate your active participation.</p>
Pg. 4	4. Meeting Minutes	<ul style="list-style-type: none"> a. Approval of Regular Planning Commission Meeting Minutes for February 19, 2019. b. Approval of Regular Planning Commission Meeting Minutes for March 19, 2019.
Pg. 9	5. Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, and California Environmental Quality Act (CEQA) Public Hearing	<p>Background: The Golden Eagle Charter School Project consists of a Conditional Use Permit and Tentative Parcel Map application. The project is subject to CEQA; therefore, an Initial Study and Mitigated Negative Declaration has been prepared. The project involves the construction of a new 35, 500 sq. ft. building including two parking areas, a dropoff/pickup area, and landscaping improvements. The project is located on the west side of Pine Street along Interstate 5. The project location is across from Mercy Medical Center.</p> <p>Commission Action: Postpone the public hearing to the June 18, 2019 Regular Planning Commission meeting for the Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, and Initial Study and Mitigated Negative Declaration.</p>

Pg. 17	<p>6. General Plan: Wetland Definitions</p> <p>Background: Wetlands are a common landscape in the City of Mt. Shasta City Limits and in the surrounding area. Wetlands can provide the City with valuable ecosystem services and maintain the unique viewscape of the City if maintained well. The Planning Commission is being asked to give clarification on how to define wetlands and determine future General Plan policy.</p> <p>Commission Action: Approve wetland criteria for inclusion in the General Plan 2045 Revision</p>
Pg 26	<p>7. Planning Commission Interview Questions</p> <p>Background: Planning Commission has requested to review and approve new questions to interview future Planning Commissioners. The current questions do not adequately explain or address the proper role of the commission in terms of land use regulation, environmental review, and future growth policies.</p> <p>Commission Action: Approve Planning Commissioner Interview Questions for City Council consideration.</p>
Pg 30	<p>8. 2018 General Plan Annual Progress Report</p> <p>Background: The General Plan Annual Progress report is a required report to the State Departments of Housing and Community Development and the Governor's Office of Planning and Research. The report discusses actions taken to achieve General Plan goals, policies, and implementation measures, the number of building permits issued, and ordinances passed in 2018.</p> <p>Commission Action: Accept Report and approve for City Council consideration.</p>
	<p>9. Commission and Staff Comments</p>
	<p>10. 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</p> <ul style="list-style-type: none"> a. Off-Street Transportation Requirements – 6/18/2019 b. Water Efficient Landscaping Ordinance – 6/18/2019 c. Northern United School Conditional Use Permit Hearing – 6/18/2019 d. Water Resource Element Public Review – 6/18/2019 e. Roseburg Specific Plan Revision – 7/16/2019 f. Freeze Mini-Storage and Car Wash Project CUP and CEQA – TBD

12. Adjourn – Next meeting scheduled for Tuesday, June 18, 2019 at 6:00pm

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.

Mt. Shasta Regular Planning Commission Meeting Minutes

City Park Upper Lodge 1315 Nixon Rd.
Mt. Shasta Tuesday, February 19, 2019; 6:00 p.m.

Item	STANDING AGENDA ITEMS
1. Call to Order and Flag Salute – Chair Higuera called to order at 6:06PM	2. Roll call Present: Chair Higuera, Commissioners Saryon, Beck, Kirby, McDowell, Pardee, and Findling Absent:
3. Public Comment: a. Geneva Omann: Question on if Planning Commission has reviewed reduction in commercial utilities hook-up fees.	4. Meeting Minutes Approval of Minutes: Planning Commission Regular Meeting Minutes for Tuesday, January 15, 2018 Commissioner Findling: Amendments to the voting record to remove Commissioner Pardee from voting record due to absence. Clarification on Item 5 discussion. COMMISSION ACTION: Moved to approve minutes with amendments MOTION MADE BY: Commissioner Findling SECOND: Commissioner Beck AYE: Chair Higuera and Commissioners Findling, Saryon, Kirby, and Beck NOES: ABSTAIN: Commissioners Pardee and McDowell ABSENT:
5. Planning Commission Training Juliana Lucchesi, City Planner: Presentation of Planning Commission training including the Brown Act, Califo Environmental Quality Act (CEQA), and Rosenberg’s Rules of Order. Clarifying Questions COMMISSION ACTION: Received presentation. No action	6. Chair and Vice-Chair 2019 Appointments Juliana Lucchesi, City Planner: Discussion on chair appointments and timeline for appointment of new Planning Commission member. Public Comment: None COMMISSION ACTION: Nomination of Commissioner Melanie Findling for the position of Chair for the 2019 Calendar year. MOTION: Chair Higuera SECOND: Commissioner Saryon AYES: Chair Higuera, Commissioners Pardee, McDowell, Saryon, Kirby, and Beck NOES: ABSTAIN: Commissioner Findling

COMMISSION ACTION: Nomination of Commissioner Paul Beck for the position of Vice-Chair for the 2019 calendar year.

MOTION:

SECOND:

AYES: Chair Higuera, Commissioners Pardee, Kirby, Saryon, Findling, and McDowell

NOES:

ABSTAIN: Commissioner Beck

7. Large Infrastructure Projects

City Planner: Discussion and presentation on large infrastructure projects for Springhill Development and Roseburg Development

Clarifying questions. Request for future agenda item related to Roseburg housing options.

COMMISSION ACTION: Accept report. No Action Taken

8. Commission and Staff Comments

Commissioner Higuera: Appreciation to the Commission for the time she spent as the Chair.

Commissioner Beck: Discussion on enforcement of the No Smoking District

Chair Findling: Discussion and request for item related to the revision of the Planning Commission interview questions. Discussion on interest

City Planner: Discussion on new development downtown and throughout the City.

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. Off-Street Parking Requirements – 3/19/2019
- b. Golden Eagle School Development CUP, Parcel Map, and CEQA Public Hearing –3/19/2019 (Tentative)
- c. Water Efficient Landscaping Ordinance – 4/16/2019
- d. Freeze Mini-Storage and Car Wash Project CUP and CEQA – TBD

10. Adjourn – Adjourned at 8:24 PM

Mt. Shasta Regular Planning Commission Meeting Minutes

City Park Upper Lodge 1315 Nixon Rd.
Mt. Shasta Tuesday, March 19, 2019; 6:00 p.m.

Item	STANDING AGENDA ITEMS
1.	Call to Order and Flag Salute – Chair Findling called to order at 6:00PM
2.	Roll call Present: Chair Findling, Commissioners Saryon, Beck, Pardee, Higuera, Kirby, and McDowell Absent:
3.	Public Comment: None
4.	Meeting Minutes: February not complete. Move to next meeting.
5.	General Plan: Wetland Definition Derek Cheung, CivicSpark Fellow: Presentation of Staff Report. Discussion on wetland criteria. Juliana Lucchesi, City Planner: Presentation of recommendations Clarifying questions related to parameter definitions, types of barriers to defining wetlands. Public Comment: Geneva Omann: Discussion on flooding, climate change, and prediction on more frequent and severe events. Discussion on recent Siskiyou County court case on Scott Valley surface water and nexus with groundwater. Frank Lyles: Discussion on the existing wetlands and drainage system utilizing natural and unnatural wetland channels. Discussion on Sisson Meadow and value to visitors. Public Comment Closed Commissioner Higuera: Support for more inclusive than the Feds and state. Create a unique definition and parameters. Develop standards to creatively work with wetlands. No clay for soil and maybe no soil parameter. Looking at purchasing property under a flood control district. Chair Findling: Include examples of policy implementation for different levels of inclusivity. COMMISSION ACTION: Direction given. Item continued.
6.	Off-Street Parking Requirments Juliana Lucchesi presentation of staff report and added presentation Commissioner Pardee: More on-street improvements and no parking minimums Commissioner Saryon: Discussion on off-street public parking development and on-street regulations. Commissioner Beck: Assessment of public property being utilized for temporary and permanent off-street parking. Commissioner Kirby: Removing on-street parking may be more of a talking point that just reducing the off-street parking requirements Commissioner Higuera: Support for looking at cost per space for downtown, looking at vicinity of off-street to a unit as a measure. Fees for downtown businesses should be lowered to encourage on-street to show action. Shared parking regulations. Chair Findling: Onboard with revising the regulations. Residential parking is a question to look into for off-street during winter hours. Look into industrial parking standards. Bike parking should be looked into.

Commissioner Pardee: Support for community bike parking that is paid for by the City. No reducing the residential requirements

Public Comment:

Geneva Omann: Discussion and support residential minimum. Apartment buildings should have adequate off-street parking that is not too far away.

Public Comment Closed

Support pedestrian infrastructure. Real impacts to neighboring areas in the south end of town. Look at spill-over impacts. Look at district parking regulations. Look at other snow season off-street parking.

COMMISSION ACTION: Direction Given. Item Continued.

7. Roseburg Commerce Park: Open Space Design

Juliana Lucchesi presentation of staff report and added presentation

Commissioner Saryon: Support for park land and trails. Discussion on parking and making sure it is used for the park and future uses.

Commissioner Beck: Support for park with family activities and facilities. Support for special events

Commissioner McDowell: Not supportive of camping

Commissioner Higuera: Support for trails on the eastside and music venue. Have a trailhead for Forest Service trails. Paths and trails along South Mt. Shasta would be favorable. Food truck court to supply music venue. Discussion on camping sites as a temporary need.

Chair Findling: Finds it is important that there is a designated playground. Access to the property as part of the grant? Need good crossings to and between the parks.

Commissioner McDowell: Support for parking with offsite amenities to Mountain View neighborhoods.

Public Comment

Geneva Omann: Discussion on toxic site nature and leaving toxic soil onsite. Supports full cleanup to ensure that it is not a hazard. Capping and no action will need to be monitored for potential movement of contamination.

Frank Lyles: Discussion on the potential of the project. Look at the public representation of the tribes in the park development. Inclusion of native culture and heritage. Discussion on noise pollution from the train and freeway. Support for creating a peaceful soundscape. Support for legal camping onsite. Support for features and uses that are unique and do not deter from other parks.

Roslyn McCoy: Discussion on trail town theme and nature, but there is very little camping to support people from the PCT and other trails. Allow at least temporary camping for special events and music. There is not enough good camping for visitors. The Eastside could create spaces not just by the freeway. Support for walking, cross-country skiing. Bus stop for the ski resort.

Public Comment Closed

Commissioner Higuera: Discussion on digging out the contaminated soil and options.

Commissioner Beck: Discussion on where contaminants could go in the water cycle.

Commissioner Saryon: Mycoremediation could be a way to remediate the Brownfield

Commissioner Pardee: Trail systems should be on the westside. Support for camping on the eastside

COMMISSION ACTION: Input recorded for project. Next steps are to open project to the General Public.

8. Commission and Staff Comments

City Staff: Discussion on Bike Route 45 designation

Commissioner Pardee: Outdoor eating venue discussion should be looked into for more outdoor opportunities

Commissioner Saryon: Clarification on ordinance changes and how the Planning Commission recommendations are presented to the Council.

Commissioner McDowell: Discussion on VRBO enforcement and compliance

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. Off-Street Parking Requirements – 3/19/2019
- b. Golden Eagle School Development CUP, Parcel Map, and CEQA Public Hearing –3/19/2019 (Tentative)
- c. Water Efficient Landscaping Ordinance – 4/16/2019
- d. Freeze Mini-Storage and Car Wash Project CUP and CEQA – TBD

Announcement of April 7, 2019 Onsite Tour of Roseburg Parks

Future Agenda C will include fire resistant vegetation as well

Add Planning Commissioner Interview Questions to future agenda

April meeting is tentatively canceled due to Planning Department out of town at conferences.

10. Adjourn – Adjourned at 8:37 PM

Agenda Item

Staff Report

Meeting Date: May 21, 2019
To: Planning Commission
From: Planning Department
Subject: Golden Eagle School Conditional Use Permit (CUP), Tentative Parcel Map, and CEQA Environmental Review

Recommended Action:

Motion to postpone the public hearing to the June 18, 2019 Regular Planning Commission meeting for the Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, and Initial Study and Mitigated Negative Declaration.

Background:

The Golden Eagle Charter School (GECS) is an independent study charter school in Siskiyou County. The current facility is located south of the City of Mt. Shasta City limits. The school assists with homeschooling and independent study children that are not in typical education systems.

GECS typically serves the following types of student populations:

Traditional home school students - These students are generally supported in their educational endeavors by their parents, and they complete the bulk of their schooling at home. They may also take enrichment or core classes in the community or at the school site, such as science, literature, music, or gymnastics. The credentialed teacher helps guide the parents to be the finest teachers of their children.

Hybrid Students - Students new to homeschooling that are looking for a blended program including home instruction, classes and enrichment activities provided by our learning centers, and community classes. The credentialed teacher's involvement may vary from advisory and assessment capacity to one of almost complete administration of the student learning process.

Independent Study Students - These students generally at risk, have not been successful in traditional public school, and need extra help to meet their educational goals. These

students meet with their credentialed teacher on a weekly basis, to receive instruction, receive new assignments and get feedback on assignments they have already completed.

GECS presently leases four facilities: three locations in the City of Mt. Shasta and one in the City of Yreka. In Mt. Shasta, the School's main office and library are located at 2405 South Mt. Shasta Boulevard; the grade K-5 learning center is located at 2411 South Mt. Shasta Boulevard; and the grade 6-12 learning center is located at 2226 Mt. Shasta Boulevard. The resource center in the City of Yreka is located at 1515 South Oregon Street.

GECS is outgrowing its current facilities in the City of Mt. Shasta and is proposing to construct a new school and appurtenant facilities and consolidate operations at the new location. According to the 2017-2018 School Accountability Report Card published by the School, Golden Eagle Charter school had an enrollment of 495 for the 2017-18 school year; 183 students were in grades K-5; 137 students were in grades 6-8; and 175 students were in grades 9-12.

Project Description:

The building would have a floor area of approximately 35,500 square feet and include two parking areas (one south of the school and one along Pine Street), a drop-off/pick-up area for students, and landscaping improvements. One full-access driveway would be constructed off Pine Street at the southern boundary of the Project site; one entrance-only driveway to the student drop-off/pick-up area would be constructed approximately 375 feet north of the full-service driveway. The full-service driveway would also serve as egress for the drop-off/pick-up area. A secondary emergency-only access route from Cedar Street would be provided in the southern Project area. As shown in Figure 2, the proposed Project includes a future gymnasium and play field that would be constructed as funding becomes available.

Although the design of the gymnasium and play field is not known, it is anticipated that the gymnasium would be approximately 7,500 square feet, and the play field would be approximately 35,000 square feet. GECS also plans to pursue funding for the future installation of rooftop solar panels. Proposed construction activities are detailed in Section 3.2 (Project Components/Physical Improvements) of the Initial Study.

The Project site is ± 12.4 acres and is comprised of ten legal parcels under a single ownership, as well as City street ROW. The Project includes abandoning the existing ROW within the Project site and establishing three parcels for financing purposes. The Tentative Parcel Map is shown in easements for existing public utilities would be deeded to the City as part of the tentative map approval process.

The entire ± 12.4 -acres is considered the project area. "Development site" includes proposed Parcels 1 and 2 (± 6.8 acres) and encompasses areas in which improvements would occur.

Proposed Parcel 3 (±5.6 acres) includes most of the wetlands and other waters of the U.S. and State and would be established as an open space area. No development is proposed on Parcel 3.

Charter schools are regulated pursuant to California Code of Regulations (CCR) Title 5, Division I, Chapter 11, Subchapter 19 (Charter Schools). The proposed Project is a non-Department of State Architect project and is subject to California Building Standards Code requirements that area enforced by the City's Building Official. It is anticipated that construction of the school would commence in 2019 and be completed in eight months.

Student Scheduling and Operations

Due to intentional scheduling, it is anticipated that no more than 200 students and 15 staff members would be on-site at the new location at any given time. GECS operates from mid-August through May. Hours of operation are Monday through Friday from 8:00 A.M. to 4:30 P.M. Transportation of students to and from school and school-related functions is the responsibility of the parents/ guardians.

Project Location:

The Project is located within the City of Mt. Shasta on the west side of Pine Street, generally east of Interstate 5 (I-5), south/southeast of Lassen Lane, and north/northeast of W. Field Street in Section 6, Township 40 North, Range 4 West of the U.S. Geological Survey (USGS) City of Mount Shasta quadrangle. Latitude: 41° 19' 2" N; Longitude: 122° 19' 17" W.

Assessor's Parcel Numbers: 057-031-030, -060; 057-044-020, -040; 057-051-010, -020; 057-071-010, -040; 057-064-030, -070, and City street right-of-way.

Surrounding Conditions & Uses:

The properties northeast of the Project along Pine Street consists of the Mercy Hospital development and supporting medical facilities. A senior living facility is located on Kingston Road across Pine Street, northeast of the proposed project. A residential neighborhood exists to the south of the project location with primarily single-family homes and some multiunit residences. Interstate 5 is directly to the west of the project location.

General Plan Connection:

Although the education facilities in the City Limits are discussed in the General Plan, the GECS is not directly addressed. The 2007 may have omitted the school due to its location outside City Limits. The 2007 General does not offer any goals, policies, or implementation measures related to the development or expansion of the GECS or other school facilities.

The City of Mt. Shasta Municipal Code (MSMC) does require that all school facilities in any zoning designation obtain a Conditional Use Permit.

Land Use

The General Plan Land Use Map indicates that the property is designated for High Density Residential (HDR). The typical uses for HDR are dwelling in clustered development with a variety of housing dwelling types. Although not an outright permitted use. The General Plan does discuss education facilities as conditional or complimentary uses.

Environmental Review:

The GECS CUP and Tentative Parcel Map are deemed a project under the California Environmental Quality Act (CEQA) due to the possible impacts to the environment from construction activities and final development. Therefore, the City prepared an Initial Study and Mitigated Negative Declaration to reduce the impacts of the proposed Project to less than significant levels (Attachment 2).

Review of Public & Outside Agency Comment:

Conditional Use Permit Comments

The City received two calls regarding the project's conditional use permit. The callers were generally supportive of the project moving forward. The callers did provide input concerning the needs for non-intrusive lighting, maintenance of the streams and wetland areas, and traffic impacts of the driveway connected Cedar and Pine Street.

Analysis & Findings:

California Environmental Quality Act (CEQA) Findings

The following findings must be made to approve the CEQA portion of the GECS Project:

- I. The Planning Commission hereby finds and determines that:
 - a. The foregoing recitals are true and correct.
 - b. The Mitigated Negative Declaration provides a comprehensive evaluation of the Project, adequately describes potential impacts to the environment, and was prepared in accordance with the requirements of CEQA and the CEQA Guidelines.
 - c. Based on the whole record (including the Initial Study, Mitigated Negative Declaration, comments and responses to comments received during the public and agency comment period, and all supporting documentation), and the mitigation measures incorporated into the Project, the Planning Commission has determined that there is no substantial evidence in the record that the Project will have a significant effect on the environment.
 - d. The Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the Planning Commission, which is the lead agency for the Project.

- e. The monitoring and reporting of CEQA mitigation measures for the Project will be conducted in accordance with the Mitigation Monitoring and Reporting Program (MMRP). Adoption of the MMRP constitutes fulfillment of the CEQA monitoring and reporting requirements set forth in §15074(d) of the CEQA Guidelines.
2. The Planning Commission hereby adopts an environmental determination of Mitigated Negative Declaration pursuant to §15074 of the CEQA Guidelines, finding that the Project will not have a significant adverse effect on the environment that could not be mitigated.
3. The Planning Commission hereby adopts the attached Mitigation Monitoring and Reporting Program (MMRP) pursuant to §15074(d) of the CEQA Guidelines.
4. The location and custodian of the documents and all other materials that constitute the record of proceedings upon which the Planning Commission based its decision to adopt this Mitigated Negative Declaration is: City of Mt. Shasta, City Hall, 305 N. Mt. Shasta Blvd., Mt. Shasta, CA 96067.

Conditional Use Permit Findings

Chapter 18.29 of the MSMC “Conditional Use Permits” outlines the required findings that the Planning Commission must make to approve a CUP. The findings can be made through the adoption of conditions on the approval of the permit.

(A) The proposed use is consistent with the Mt. Shasta General Plan, any applicable specific plan, and the provisions of this code.

The educational facility is considered a complimentary use to the High-Density Residential Land Use Designation in the 2007 General Plan. The GECS Project shall employ the recommend architectural and design guidelines to compliment the urban design promoted by the City of Mt. Shasta. The use of natural coloring and natural materials illustrated in the architectural elevations provided would satisfy the “alpine style” currently adopted. No recommended conditions are made to ensure General Plan compliance of the project.

(B) The subject property is adequate in land area to accommodate the proposed project, its required parking area, access, landscaping, and site improvements.

The project is located on a series of parcels that have known wetlands. To accommodate the full project a portion of the wetlands will need to be filled under a 404 Permit from the Army Corp of Engineers. The Planning Department has assessed this need in the Initial Study and offered mitigations to reduce the impact to less than significant. The CUP will include the condition that all mitigations and monitoring be followed by the Project.

With the condition, the project site is adequate for the proposed development.

(C) The proposed land use is compatible with neighboring land use and zoning.

The educational facility use is considered a complimentary use with the residential neighborhood. The neighboring hospital across from the school does generate a significant amount of traffic along Pine Street. There is a concern for the safety of children biking or walking to the school.

Pine Street does have adequate sidewalk facilities on either side of the street for children walking to the proposed project, but there is no adequate safety crossing for children trying to cross Pine Street. The only cross walk along Pine Street is at the intersection of Pine Street and Alma Street.

The Planning Department recommends the addition of a condition of approval to be the installation of adequate pedestrian and cycling safety measures. The City promotes healthy transportation options for children and adults. To be compatible with the surrounding area, the project will be required to provide safe travel to and from the project site.

(D) The public and private roads providing access to the subject property meet necessary standards to provide safe and adequate access or have been amended by conditions of project approval to satisfy the access requirements.

The GECS project will include the installation of an access road connecting Cedar and Pine Street, drop-off/pick-up, and parking areas. The existing roadways are adequate for the increased vehicle traffic to and from the property with the proposed roadway additions.

As previously discusses, the access of pedestrians and cyclists is limited and addressed in the conditions of approval.

(E) Conditions of project approval are necessary for protection of the public health, safety, and welfare, and to reduce or eliminate potential environmental effects.

Conditions are required to ensure the minimization of the impacts of the project on the environment and ensure the safety of pedestrian and cyclists. The conditions around these two areas are related to previously discussed findings.

(F) Any requirements for the dedication of land are reasonably related to the use of the property.

City Staff have included the condition of approval that prior to occupancy that the project applicant submit an open space management plan for Parcel 3. The City's General Plan, Mt. Shasta Trails Association Trail Map, and previous open space plans for Parcel 3 indicate that the wetlands area should be protected and maintained for the enjoyment of the residents and visitors of Mt. Shasta.

An open space plan will be presented to the Planning Commission for approval prior to the City of Mt. Shasta issuing an Occupancy Permit for the facility. The open space plan shall include:

1. Location and condition of Outdoor Classroom Space to be used by GECS.
2. Location and condition of multipurpose, ADA accessible trails

3. Location and condition of supporting public amenities. The exact details of what public amenities are offered can be negotiated by the project applicant. Supporting public amenities can include, but are not limited to, public bathrooms, water fountains and water bottle filling stations, benches, playgrounds, bike repair stations, view scopes, and shaded structures.
4. Landscape and vegetation management plan that eliminates and manages invasive plant species and promotes native, fire resistant vegetation

The City of Mt. Shasta will assist in the development of the plan and future implementation.

(G) The requirements for the posting of improvement security for installation of public or private improvements is reasonably related to the use of the property.

The GECS project has provided sufficient security measures to ensure the safety of the project users and surrounding neighborhood.

Tentative Parcel Map

The MSMC states

“The Planning Commission shall determine whether the proposed subdivision is in conformity with the Subdivision Map Act and this title, whether the size and shape of the proposed lots are in general conformance to City requirements, and whether all the proposed lots will have proper and sufficient access to a public street.”

The Planning Commission should review the Tentative Parcel map for the above requirements. The City Staff have reviewed the tentative parcel map and determined that the parcels meet the requirements set out in the General Plan Land Use Element and the City’s Zoning Code.

Recommendation Discussion:

The Planning Department did receive public comment concerning the environmental documentation during the open public comment period. The commenter did present information that requires additional time for a proper response. The City prepares a final response to comments document for the CEQA process. The final responses must address the commenters points in detail. More time is needed to satisfy the CEQA process; therefore, City Staff requests that the public hearings be postponed to the next regular Planning Commission meeting June 18, 2019.

The final response may include changes to the draft Initial Study and Mitigated Negative Declaration (IS/MND). If the changes are substantial, the IS/MND will need to be recirculated to the public for comment another 30-day period. If this is the case, the City will notify the Planning Commission and the public about the new public comment period and schedule the public hearing for the August 20, 2019 regular Planning Commission meeting.

The Planning Commission cannot make the necessary findings without a final Initial Study and Mitigated Negative Declaration that can meet the above discussed findings. Without the necessary findings for CEQA, the Planning Commission is not able to properly act on the approval of the CUP or Tentative Parcel Map.

Conditions of Approval

City Staff recommend the following conditions of approval that were developed in response to the required findings for CUPs in the City of Mt. Shasta:

1. Project Applicant follows and completes the Mitigation Monitoring Program and all required mitigations to lower the Project's impacts to less than significant under CEQA
2. Project Applicant shall develop a minimum of two safe crossing points along Pine Street to allow the safe crossing of pedestrians and cyclists.
3. Project Applicant shall develop an Open Space Plan for Parcel 3 in cooperation with the City of Mt. Shasta prior to being issued an Occupancy Permit. The Open Space Plan shall consist, at a minimum, of the following information:
 - a. Location and condition of Outdoor Classroom Space to be used by GECS.
 - b. Location and condition of multipurpose, ADA accessible trails
 - c. Location and condition of supporting public amenities. The exact details of what public amenities are offered can be negotiated by the project applicant. Supporting public amenities can include, but are not limited to, public bathrooms, water fountains and water bottle filling stations, benches, playgrounds, bike repair stations, view scopes, and shaded structures.
 - d. Landscape and vegetation management plan that eliminates and manages invasive plant species and promotes native, fire resistant vegetation

Planning Commission may recommend addition conditions of approval to address community concerns.

City Staff recommend approval of the Tentative Parcel Map as presented.

Attachments:

- 1. Initial Study and Mitigated Negative Declaration DRAFT**

Agenda Item

Staff Report

Meeting Date: May 21, 2019
To: Planning Commission
From: Planning Department
Subject: Wetland Definition and Criteria

Recommended Action:

Motion to approve wetland definition and criteria

Background:

The City of Mt. Shasta's 2007 General Plan included a brief section on wetlands under the Open Space/Conservation Element. In this section, the city adopted the federal definition of a "wetland," along with the accompanying requirements that are characteristic of wetlands. By law, federally recognized wetlands are actively regulated by the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency under the Clean Water Act.

The upcoming General Plan update will include a sub-section on wetlands under the Water Resource Element chapter. At the current moment, the federal definition for what constitutes "waters of the United States" is under debate. If these changes are put into effect, current wetland definitions within the current General Plan could be subject to change if the city continues to adopt federal definitions.

Most recently, the State Water Board adopted its first wetland definition on April 2nd, 2019. The new definition is based off previous U.S. Army Corps of Engineers' research and definitions. The State's definition encompasses more wetlands than those under federal jurisdiction; more specifically, vegetation became an optional category a candidate wetland had to fulfill before it is considered a wetland by the state. This was implemented in light of protecting desert wetlands as well as adhering to the state's no-net-loss standing policy on wetlands (Executive Order W-59-93).

Project Description:

In order to identify what the city is willing to recognize as a "wetland" in the upcoming General Plan update, a new definitive definition must be devised, or an old definition must be continued from the previous General Plan. This definition would then be used to determine city authority of the areas identified.

Project History:

In the 2007 General Plan, the city adopted the same wetland definition as that used by the federal government in delineating “waters of the United States.” Within this plan, it was also noted that all wetlands may be formally identified after it fulfills the three federal requirements of a wetland: hydrophytic vegetation, hydric soils, and wetland hydrology. The plan acknowledges natural and anthropogenic factors that may influence all 3 parameters from being present or not present throughout a normal year. However, the plan currently requires all 3 to be present at some point during the growing season from spring to fall in order to achieve wetland status. All areas identified by third parties, such as consultants, that have not been verified by the U.S. Army Corps of Engineers are currently under the category of “Potential Wetland Areas.”

Surrounding Conditions and Uses:

A large portion of the City of Mt. Shasta is built over wetlands of some sort according to the U.S. Fish and Wildlife Service’s National Wetlands Inventory Map. This includes and is not limited to the following planning zones:

- Low Density Residential
- Commercial Center
- Medium Density Residential
- High Density Residential
- Public Land and Parks
- Interstate 5
- Employment Center
- Mixed Use-Planned Development
- Resource Lands

General Plan Connection:

A wetland section is currently included in the 2007 General Plan under the Open Space/Conservation Element. This will be moved to the new Water Resource Element chapter in recognition of the importance wetlands have on the local watershed and human water use.

The city’s upcoming General Plan will contain codified goals and policies on local water resources including wetlands. Before the city can proceed with protecting and characterizing wetlands, it must first acknowledge those areas as “wetlands” within city limits. The chosen definition would then serve to municipally identify areas as “wetland,” or non-wetland. This will subsequently affect development in the area depending on those goals and policies.

The goal of deciding on a definition is to clarify what areas would be subject to municipal legislation, what specific legislation to implement, what qualifies as a wetland within the City of Mt. Shasta’s planning limit, and how to approach writing about wetlands in the new General Plan.

Analysis & Findings:

See tabular handout.

Recommendation Discussion:

The City Staff recommend that the Planning Commission determine a wetland definition that is more specific than the Federal and State governments. The City of Mt. Shasta is located in a region that has multitude of unique wetland habitats. These wetlands provide the public with natural surface water purification, habitat for animal and plant species, scenic views, and recreation opportunities. The protection, establishment, and maintenance of these wetlands would provide the City with a unique landscape and natural stormwater infrastructure.

The City Staff recommend that the definition be used to craft goals, polices, and implementation measure which support the establishment of a wetland protection ordinance. An ordinance geared toward protecting, establishment, and maintenance of wetlands would include policies to assist and protect development rights for landowners with wetlands present on their properties. Development polices such as transfer of development rights, density bonuses, and the establishment of a City Buy-out program would ensure that landowners are duly compensated for their land if the City prioritizes these wetland habitats (Attachment I I).

Attachments:

1. California Water Board definition:
https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/wrapp/20190222_clarifications.pdf
2. City of Mt. Shasta 2007 General Plan
3. City of Santa Cruz definition:
<http://www.cityofsantacruz.com/home/showdocument?id=9075>
4. Coastal Commission definition: <https://documents.coastal.ca.gov/reports/2011/10/w4-10-2011.pdf>
5. Current WOTUS: <https://www.govinfo.gov/content/pkg/CFR-2012-title33-vol3/pdf/CFR-2012-title33-vol3-sec328-3.pdf>
6. Proposed changes to WOTUS: https://www.epa.gov/sites/production/files/2019-02/documents/revised_definition_of_waters_of_the_united_states.pdf
7. USFWS Wetland definition:
<https://www.fws.gov/northeast/ecologicalservices/pdf/wetlands/Clarification%20of%20FWS%20Wetland%20Definition.pdf>
8. USFWS Wetlands Map: <https://www.fws.gov/wetlands/data/Mapper.html>
9. City of Santa Cruz examples
10. Table of Definitions handout
11. Table of Development Policies to Balance Natural Resource Preservation and Landowner Rights

SECONDARY HABITAT FEATURES. The dominant plant species were recorded for each habitat type, or, for modified channels, the type of stream bank armoring was recorded, where documented. Table 2-1 summarizes the secondary habitat (vegetation) features for each primary habitat.

TABLE 2-1. CLASSIFICATION SYSTEM FOR PRIMARY AND SECONDARY HABITAT TYPES, SPECIAL STATUS WILDLIFE SPECIES HABITAT, AND INVASIVE, NON-NATIVE PLANT SPECIES	
Primary Habitat Type	Secondary Habitat Type
Herbaceous Riparian and Wetlands	Seasonal Wetlands Freshwater Marsh Salt or Brackish Water Marsh Seeps and Springs Wet Meadows
Mixed Riparian Woodland	Willow-dominated Willow and Red Alder -dominated Box Elder and Maple- dominated Willow and Freshwater Marsh Sycamore-dominated
Oak Riparian Woodland	Coast Live Oak and Willow-dominated Coastal Live Oak and Redwood-dominated
Non-native Riparian Woodland	Blue Gum Eucalyptus-dominated Monterey Pine-dominated Acacia-dominated Other Landscape Plants dominant
Riparian Scrub	California Blackberry, California Rose and Poison Oak-dominated Willow, Sedge and California Blackberry-dominated Coyote Brush, Poison Oak and Coffee Berry-dominated
Open Water	Pond or Lake Coastal Lagoon
Modified Channels	Earthen Channel Concrete-lined Ditch Storm Drain Other Channel Type

- KNOWN OR POTENTIAL TO SUPPORT SPECIAL STATUS WILDLIFE SPECIES. The occurrence of known or potential habitat for special status wildlife species was noted for each reach as summarized in Table 2-2 below, and as described in more detail in Appendix J. The special status wildlife species that are known to occur or have the

potential occur within or adjacent to aquatic, wetland or riparian habitats are summarized on Table 2-2 at the end of this chapter. Two special status plant species were identified as occurring or potentially occurring in grasslands adjacent to riparian and wetland habitats. The primary special status wildlife species recorded for the *Management Plan* are listed below.

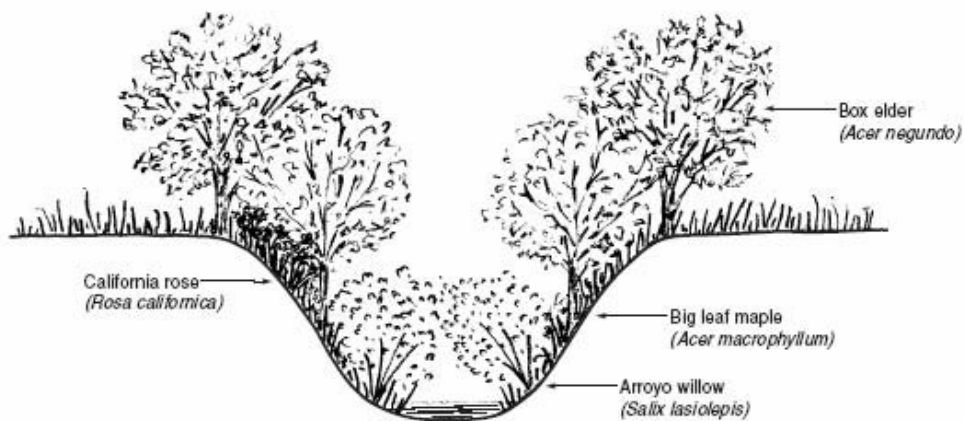
- Steelhead, a federally-listed threatened species
- Coho salmon, a federally-listed threatened species and a state-listed endangered species

City-Wide Creeks & Wetlands Management Plan

Chapter 2.0 Watercourse Inventory Methods 2-3

May 2008

FIGURE J-1. ATTRIBUTES OF MIXED RIPARIAN HABITAT



Common Attributes of Mixed Riparian Woodland Habitats:

- Found along both perennial and intermittent watercourses.
- Growth and width of corridor often confined by previous residential or commercial development.
- Habitat often supports non-native plant species; most common invasive is Cape and English ivy, lesser amounts of pampas grass, periwinkle and acacia.
- Woodland provides movement corridor for wildlife, including special status species.
- Provides opportunities for riparian habitat restoration and enhancement through removal of invasive plants and debris and maintenance of buffer setback areas.

Sample Locations:

- Some creeks in the Seabright Area
- Portions of Arana Creek
- Upper San Lorenzo River
- Upper Branciforte Creek

SOURCE: Biotic Resources Group, 2001

City-Wide Creeks & Wetlands Management Plan

APPENDIX J J-4

May 2008

AGENCY/CITY:	DEFINITION:	Parameters ¹ :	Criteria:	Inclusivity ² :
California Water Resources Control Board	<p>“An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area’s vegetation is dominated by hydrophytes or the area lacks vegetation.”</p>	2 (hydrology, hydric soil)	<ul style="list-style-type: none"> • Utilize WOTUS vegetation lists, percent coverages, etc. • NTCHS field indicators of hydric soils in the U.S • USACE hydrology requirements • Guiding doc.s: 1987 USACE manual, 2008 USACE Arid Region, 2010 USACE Western Region 	Moderately Inclusive
U.S. Fish and Wildlife Service	<p>“Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly</p>	1 or more	(see above)	Very Inclusive

	hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.”			
Coastal Commission	“...land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.”	I or more	<ul style="list-style-type: none"> • 1987 USACE manual • USFWS, List of Plant Species that Occur in Wetlands • NRCS, Field Indicators of Hydric Soils in U.S. 	Very Inclusive
City of Santa Cruz	“...transitional areas between upland and aquatic areas. These areas have a water table usually at or near the surface of the land is covered by shallow water periodically or permanently. The City’s definition of wetlands in the City’s General Plan/LCP includes estuaries, lagoons and	I (hydrology) or non-specific	<ul style="list-style-type: none"> • Classification system for every wetland type • (see Coastal Commission as well) 	Very Inclusive

	ponds, as well as seasonal wetlands that may occur as depressions within otherwise upland areas”			
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***Note:** The author does not endorse any option.

¹Parameters: checklist of requirements in order for areas to be recognized as a “wetland” under that agency

²Inclusivity: rough estimate of areas that would qualify as a “wetland”

Attachment II

Development Policies	Definition	Example
Transfer of Development Rights	If a property is unable to be developed, a transfer of development rights from one property to another can be granted	A residential property that can support a duplex can transfer those two housing units to another residential property to increase the housing unit maximum by two units.
Density Bonus	An incentive that permits a developer to increase the maximum height or alter the typical setbacks if the developer either funds or in-kind supports public policy goals.	A commercial property has a wetlands on a portion of the property. If the developer avoids those wetlands, then the setbacks for the property can be lowered or eliminated.
Property Buy-Out	A way in which communities can remove or ensure that development doesn't occur through a public entity purchasing the property at market value	A vacant commercial property that is mainly wetlands could be purchased by the City or another agencies for perpetual preservation. An assessment of the property would be completed and the land owner would be compensated the fair market value of the property.
Conservation Easement	A legal agreement between a landowner and a land trust or government agency that can be used to protect sensitive land before it is developed and restrict activities that would degrade the land.	A landowner with a wetland on the property would receive federal or state tax breaks for the recording of a conservation easement.
Required Setbacks	A required land use buffer that would be programmed into the municipal code.	All properties within a zone will be required to setback development a certain distance from wetlands.
Site Plan Requirements	When development propose to develop a site plan is required. Requirements can be in place to ensure that streams, wetlands, and other natural resources are preserved.	A residential development is proposed on a site plan and encroaches on a stream. The City Staff would require the site plan ensure a require distance from the stream prior to approval.
Cluster Development	A site design technique that balances growth and preservation.	A traditional subdivision application is required to cluster the housing away from the natural features through subdivision requirements.

Agenda Item

Staff Report

Meeting Date: May 21, 2019
To: Planning Commission
From: Planning Department
Subject: Planning Commissioner Interview Questions

Recommended Action:

Motion to approve set of Planning Commission Questions for City Council review

Background:

The Planning Commissioners are appointed by the City Council of the City of Mt. Shasta to advisory the Council on planning and land use legislation and serve as a judiciary body on the issuance of permits and subdivision maps.

The process for appointment involves the potential Planning Commissioner to fill out and answer a series of questions. The questions have not been reviewed by the Planning Commissioners and appear to contain valuable information related to the role of the commission and necessary skills applicants would need to perform the duties of a Planning Commissioner.

Recommendation Discussion:

City Staff has provided a list of applicable questions which cover planning, land use, General Plans, and California Environmental Quality Act (CEQA). Planning Commission should choose a list of questions and approve the list for City Council consideration.

Attachments:

- 1. Current Planning Commission Questions**
- 2. Proposed List of Planning Commissioner Interview Questions**

Attachment I

Questions for Planning Commission Candidates:

1. How would you like the City of Mt. Shasta to develop in the next 5 to 20 years?
2. What types of development would you envision occurring in the City and surrounding area?
3. Please describe your thoughts about the following planning related activities such as
4. Types of business and industrial development within the City
5. Development of types of housing opportunities needed in Mt. Shasta
6. What commercial development should occur outside the downtown area?

Attachment 2

Potential Planning Commissioner Interview Questions

1. Tell us about yourself and why you are interested in serving on the Planning Commission.
2. Discuss briefly the goals and directions that should be important to the Planning Commission.
3. What sections or goals of the City's General Plan do you feel should be prioritized in the next 5 years?
4. The Planning Commission sometimes deals with sensitive planning topics. How would you approach a sensitive issue such as the opening of a gun store with an objective viewpoint?
5. Assuming a controversial land use issue is before commission. How would you reconcile your personal opinions and emotions should they be in conflict with the policies and regulations established by the City of Mt. Shasta General Plan, Development Code, and the City Design standards? Are you comfortable making decisions that may be deemed unfavorable by some, perhaps even at odds with your own preferences?
6. What do you view as the duties of the Planning Commission?
7. In the process of trying to reach a conclusion on a proposed regulation, rate the following in order of importance with one (1) being the most important
 - A. Compromising to reach consensus
 - B. Listening to and understanding others points of views
 - C. Articulating to and understanding others points of view
 - D. Being respectful of others
8. In what area is there the most concern about development? What type of development are people concerned about?
9. In creating rules and regulations, do you favor regulations that are strict (little to no room for interpretation) or flexible (room for interpretation)?
10. Some issues that the commission hears may be controversial and draw large audiences. At public hearings, planning commissioners must discuss openly among themselves any given matter before a decision is made, and they must do so before sometimes large and

sometimes unfriendly audiences. Do you think you work well in group situations under such circumstances?

11. This position requires that you listen to the public and your fellow commissioners. Do you consider yourself a good listener? How would you describe your personal level of tolerance for view with which you might disagree?
12. What is your vision of Dundee in the next ten years? What are the most important concerns or issues that the City will have to face in this time period?

May 21, 2019

TO: Planning Commission

FROM: Planning Department

SUBJECT: 2018 General Plan Annual Progress Report

The City of Mt. Shasta is required to submit a General Plan Annual Progress Report to the state Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR). The report encompasses the actions taken to achieve goals in the City's General Plan, accounts for the number of houses built in the previous year and lists the ordinances that were passed.

The 2018 did not see the City achieve any goals, policies, or implementation measures from the 2007 General Plan. The City Planning Department has direct time spent on the General Plan 2045 revision. The 2045 vision for the City and the outline of the necessary element of the plan were approved in 2018. The approved 2045 vision is:

The City of Mt. Shasta is a diverse, innovative, and walkable small town surrounded by breathtaking natural beauty that is easily accessible from a vibrant downtown full of strong locally-owned businesses.

The City takes pride in the ability of its residents to connect with each other as well as its own capacity to support local industry and provide cutting edge infrastructure while preserving the rich, natural environment.

Since approval the Planning Department has been drafting the various elements and collecting additional public input on open space and recreation management, urban design, and water resource management.

The City of Mt. Shasta built one Accessory Dwelling Unit in 2018. No other homes were built. The state of California recently revised the Accessory Dwelling Unit regulations to decrease the barriers to creating the units. The result has been a greater interest in that type of unit for housing development. The Accessory Dwelling Unit would be considered a low-income housing unit based on the pricing of the unit and rent structure.

The City of Mt. Shasta approved six ordinances in 2018. The ordinances consisted mainly of regulation based amendments with only one land use ordinance amendment.

2018 Approved City Ordinances

Ordinance Number	Title	New or Amendment	Type	Purpose
CCO-19-01	An Ordinance of the City of Mt. Shasta Establishing Compensation for Members of the City Council	Amendment	Compensation	Increase City Council member compensation
CCO-19-02	An Ordinance of the City of Mt. Shasta Amending the Mt. Shasta Municipal Code Chapter 7.30 "Special Events"	Amendment	Regulation	Update the Special Event Ordinance
CCO-19-03	An Ordinance of the City of Mt. Shasta Amending the Mt. Shasta Municipal Code Title 8 "Signs"	Amendment	Regulation	Update of Sign Ordinance
CCO-19-04	An Ordinance of the City of Mt. Shasta Amending the Mt. Shasta Municipal Code Chapter 18.24 "Nonconforming Uses"	Amendment	Land Use	Update of Nonconforming Use Ordinance
CCO-19-05	An Ordinance of the City of Mt. Shasta Adding the Mt. Shasta Municipal Code Chapter 18.65 "Public Mural Review"	New	Regulation	Created a process for public mural review and approval
CCO-19-06	An Ordinance of the City of Mt. Shasta Adding Chapter 3.47 To The Municipal Code Imposing a Cannabis Industry Tax To Be Administered By The City of Mt. Shasta	New	Tax	Created the Local Cannabis Industry Tax