

Mt. Shasta Regular Planning Commission Meeting Minutes

City Park Upper Lodge 1315 Nixon Rd.
Mt. Shasta Tuesday, November 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 and Commissioners Kirby, Beck, Higuera, Saryon, and Pardee

Absent: Commissioner McDowell*

*Excused for conflict of interest on item 5

3. Public Comment:

Kathleen Hansen: Discussion on survey received in the mail regarding cannabis. Not in favor of survey questions and feels it is intrusive.

Johanna Altorfer: Discussion on Golden Eagle School project and wetlands

4. Meeting Minutes:

A. Meeting Minutes for Regular Meeting September 17, 2019

Commissioner Beck: Identification of typos

COMMISSION ACTION: Motion to approve with correction of typos.

MOVED: Commissioner Higuera

SECOND: Commissioner Kirby

AYES: Chair Findling and Commissioners Beck, Saryon, Kirby, and Higuera

NAYS:

ABSTAIN: Commissioner Pardee

ABSENT: Commissioner McDowell

B. Meeting Minutes for Regular Meeting October 15, 2019

Commissioner Beck: Identification of typos and clarification on Commissioner Saryon discussion

COMMISSION ACTION: Motion to approve with amendments

MOVED: Commissioner Higuera

SECOND: Commissioner Saryon

AYES: Commissioners Beck, Saryon, Pardee, and Higuera

NAYS:

ABSTAIN: Chair Findling and Commissioner Kirby

ABSENT: Commissioner McDowell

5. 1119 Ream Avenue Lot Split– Public Hearing

City Attorney: Clarification that the item on the agenda is a lot split. What is not before the Planning Commission is the use of the property. Suggestion that use is needed is incorrect.

Findling: Question on if the Commission can discuss cannabis items pertaining to this application.

City Attorney: You can take action on the item on the agenda. And you should not be discussion on an item not on the agenda

City Planner: Presentation of Staff Report

Public Hearing opened at 6:48 PM:

Tom Scovill: Discussion on cannabis use as part of the parcel split application. Discussion on City Attorney interpretation of the state buffer distance and buffer.

Betty Kreeger: Discussion on perceived staff report faults. Discussion on state 600-foot buffer zone.

Project Applicant, Reny Townsend: Represents Shasta Property LLC. Discussion on limited amount of industrial type land, reasoning on lot split application, and

Susan Brown: Discussion on economic development and small businesses in rural cities. Discussion on manufacturing uses and Siskiyou County economy.

Carol Kihm: Reads letter from Steve Hillman discussing "I AM" School lawsuit. Lists series of requests concerning schools, buffer zones, and proposed application.

Shelly Blomberg: Believes City Attorney and Planner are biased and advocating the cannabis industry. Believes the City is applying loopholes to the application. Discussion on cannabis application and "I AM" School lawsuit. Requests Planning Commission consider use in the parcel map application. Requests for the rejection of Class I CEQA exemption.

Public Commenter: Believes City Attorney and Planner are advocating for cannabis industry by avoiding environmental review. Request for rejection of Class I CEQA exemption

Janet Hillman: Discussion on City Attorney position on definition of "school" and application of 600-foot buffer for schools in relation to cannabis uses. Believes City Planner and Attorney are advocating for the cannabis industry. Discussion on parking for the proposed parcel split. Discussion on sublet to ju jitsu business

Michael Huffman: Discussion on lot split expanding the property's use. Requests City to create a full environmental document. Discussion on City Planner and Attorney as advocates for cannabis and the applicant. Discussion on vested rights and lot split application. Believes the applicant lied at the October meeting about reasoning for lot split. Requests that the Planning Commission reject the Notice of Exemption Determination

Robert Kihm: Discussion on cannabis licenses not being complete to state requirements. Request the Planning Commission reject the Notice of Determination for the parcel split. Discussion on the Employment Center Uses and what a hazardous substance is.

Aaron Bruser: Discussion on Jefferson Soul cannabis application to the City. Discussion on missing

state required documents for cannabis application. Discussion on City Planner recommendation for not discussing the 600-foot buffer. Believes City Planner and Attorney is advocating for the cannabis industry. Request to deny the notice of exemption.

Aden K: Discussion on lot split purpose to allow a cannabis use. Discussion on school use and the measurement of the buffer. Request to maintain the 600-foot buffer zone.

Olivia: Discussion of how to measure the property line.

Justin: Request to measure the 600-foot buffer from property line to property line. Discussion on referendum. Request to keep the school safe from cannabis.

Claudia Praxton: Discussion on the cannabis purpose of the lot split. Discussion on the buffer zone and cannabis business getting a business license from the City. Requests to give priority to the school rather than the cannabis business.

John Duncan Sr.: Discussion on the buffer zone for the other schools. Believes the City is using two different methods of measurements. Discussion on method of measurement for the buffer zone.

Public Hearing closed at 7:31 PM:

Commissioner Pardee: Question on cannabis use review by the Planning Commission. Discussion on future use not being a part of a lot split. Doesn't believe we can deny a lot split that is presented and meets the rules.

Commissioner Saryon: Question on attempt to appeal the Staff report. Discussion on letters received on the lot split and the items they discussed. Feels pushed into a corner since some of the issues cannot be addressed and feels this is an unusual situation. Feels that the approval of the parcel map would be an approval of the cannabis business at 1119 Ream Avenue. Believes that an approval of the parcel map would signify a position on the measurement of the 600-foot buffer. Believes that Planning Commission should move forward with approval of the parcel map with an added condition that any cannabis use on the lots would need to be brought to the Planning Commission. Would like the public concern addressed on a more formal manner.

Commissioner Beck: Concerned about the comments from the City Attorney. Discussion on the inclusion of "use" in the consideration of lot splits. Discussion on meeting with other city officials, city staffers, etc. Discussion related to public comment related to subdividing the property. Discussion on pending cannabis license application. Discussion on state 600-foot state buffer as a factor in his approval. Agrees with Commissioner Saryon on requiring a condition that if a cannabis use is proposed then it needs to come to Planning Commission.

Commissioner Kirby: Question about the state denying a potential future cannabis use due to the buffer distance. In support of moving forward and letting the state deny if it is within the 600-foot buffer.

City Attorney: Yes, the state could deny the cannabis license application for being within 600-feet of a school.

Commissioner Higuera: Question about appealing a cannabis use. Discussion on property rights issue, and that the issues of cannabis and a cannabis buffer are not on the table. Believes the school has a right to protest a cannabis industry and that is not in front of the Planning Commission. Discussion on the improvement of the parking lot, addition of ADA bathroom, and physical infrastructure.

City Attorney: Cannot add the condition to require a conditional use permit for a parcel split because that would amend the zoning code improperly. Once a decision on the cannabis license is made then it can be appealed at this time.

Chair Findling: Very sorry that there is a school in the Employment Center zone. There are too many conflicting uses for the school to be part of the zone. Feels the ordinances were well done and that the enforcement of these facilities is done well. Feels the City takes the topic of cannabis seriously. Question to staff on the volleyball use in the employment center zone and if it within the Conditional Use Permit. In support of the lot split as a way to make a building accessible to businesses. Question on if the decision will create precedence on future land use decisions.

City Planner: Request for the emails to be forwarded to the City to keep an accurate record.

City Attorney: Discussion on the importance of the City having a record of the emails related to any planning commission item. You cannot impose a special use requirement where it is not required in the zone.

COMMISSION ACTION: Motion to adopt Notice of Exemption for Parcel Map Application

MOVED: Commissioner Pardee

SECOND: Commissioner Higuera

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

NAYS: Commissioners Saryon and Beck

ABSTAIN:

ABSENT: Commissioner McDowell

COMMISSION ACTION: Motion to approve tentative parcel map with staff recommended conditions

MOVED: Commissioner Higuera

SECOND: Commissioner Kirby

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

NAYS: Commissioners Saryon and Beck

ABSTAIN:

ABSENT: Commissioner McDowell.

Recess at 8:11 PM

Return to meeting at 8:15 PM

6. Library Façade Review

City Planner: Presentation of the Staff Report

Mt. Shasta Engineering, Nick Riddle and Thomas: Discussion on project architectural design packet.

Pardee: Support for the design and the facades. Questions on the façade changes based on public input. Question on hanging different material like natural stone instead of veneer. Support for inclusion of natural systems for the use in drainage system.

The stone entryway is a flat roof system to avoid shedding snow on the walkway. Entryway is engineered to take added snow load. The upper entryway will be able to hold the snow. Roof drainage would be a sectioned down spout system. The intention of the stormwater plan is to divert the water into bioswales and underground system.

Higuera: Flat roof issues are leaves and who will maintain the roofs.

Widen the sidewalk on the West sidewalk for shared space.

Beck: maintenance of the shingled siding. The shingles are panel and not individual. Concern for maintenance of paint.

Chair Findling request for Active Transportation Committee to review library trail re-route.

General Consensus to move forward with comments.

7. Commission and Staff Comments

City Planner: General Plan update

Saryon: Golden Eagle project update request. McCloud Avenue and Alma Street re-pavement from project.

Higuera: Discussion on Gateway Phase II

Beck: biodegradable plastic requirement for restaurants and businesses

Findling: Solid waste rates. The survey that was received from Tom Scovill not the City. The survey is inappropriate and feels uncomfortable with format and questions.

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**

****Announcement that the Special Meeting scheduled for September 24, 2019 is cancelled due to posting error.**

- a. Golden Eagle Charter School Parcel Map, Conditional Use Permit, and Architectural Design – 1/21/2019

10. Adjourn – Adjourned at 9:26 PM