

PLANNING COMMISSION MINUTES

Date of Meeting: Tuesday, October 28, 2008

Time of Meeting: 5:15 p.m.

Place of Meeting: City Council Chambers
555 Washington Street
Red Bluff, CA

Commissioners Present: Jean Moran
Bob Carrel
Andrew Christ
Doug Dale

Commissioners Absent: Greg Latourell (absent-excused)

Staff Present: Scot Timboe, Planning Director
Cheryl Smith, Deputy City Clerk
Jesse Sisneros, Fire Chief
Mike Bachmeyer, Division Chief
Mark Barthel, Public Works Director
Martin J. Nichols, City Manager
J. D. Ellison, Building Official/Director

The Pledge of Allegiance was led by Commissioner Doug Dale and the assemblage joined in.

CITIZEN'S COMMENT:

None.

CURRENT BUSINESS

APPROVAL OF MINUTES

M/S/C Carrel, Christ to approve the minutes of August 26, 2008 with the correction noted by Commissioner Dale on page 2, which should read M/S/C Carrel, Moran to continue the public hearing until the meeting of September 23, 2008.

AYES: Commissioners: Dale, Moran, Christ and Carrel

NOES: None

ABSENT OR NOT VOTING: Commissioner Latourell (absent-excused)

M/S/C Dale, Carrel to approve the minutes of September 18, 2008 as written.

AYES: Commissioners: Dale, Moran, Christ and Carrel

NOES: None

ABSENT OR NOT VOTING: Commissioner Latourell (absent-excused)

PUBLIC HEARING TO CONSIDER REZONE NO. 207 (ORDINANCE NO. 988); REVISING RED BLUFF CITY CODE AMENDING SECTION 25.92 OF THE RED BLUFF CITY CODE ALLOWING EMERGENCY HOMELESS SHELTERS IN AN M-2 (MEDIUM INDUSTRIAL) ZONING DISTRICT AS A PERMITTED USE ALONG WITH AMENDING CHAPTER 25 BY ADDING SECTION 25.197 MINIMUM STANDARDS FOR THE EMERGENCY HOMELESS SHELTERS AND AMENDING RED BLUFF CITY CODE SECTION 25.79 BY REMOVING TRANSITIONAL/HOMELESS SHELTERS AND REVISING THE CODE TO READ AS NOT ALLOWED RATHER THAN AS CURRENTLY ALLOWED WITH A CONDITIONAL USE PERMIT IN C-3 GENERAL COMMERCIAL ZONING DISTRICTS

Scot Timboe, Planning Director, reviewed the staff report and gave staff's recommendation that the Planning Commission:

1. Conduct the public hearing and consider all public testimony and other information submitted relating to Ordinance No. 988; Rezone No. 207.
2. Find that Ordinance No. 988; Rezone No. 207 is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines, (Class 8 Categorical Exemption, Actions by Regulatory Agencies for Protection of the Environment).
3. Recommend that the City Council adopt Ordinance No. 988 (Rezone 207), amending RBCC Section 25.92 Industrial Zone and Permit Requirements; Miscellaneous M-1 with a CUP and M-2 Permitted Outright, along with the removal of the CUP in C-3 Zoning Districts amending RBCC Section 25.79 Commercial Zones and Permit Requirements; Miscellaneous, and the addition of objective standards to RBCC Section 25.197 Emergency Homeless Shelters.

Mr. Timboe noted that there was one change to the ordinance and this was in Section 2, number 8, last sentence, which should read "All staff *as outlined in Red Bluff City Code Section 25.197(b)(4)* shall have cell phones on their person at all times while the emergency shelter is operating and/or occupied". This will reaffirm the intent that was agreed upon.

Vice Chairperson Christ opened the public hearing at 5:26 p.m.

Allene Dering, P.A.T.H., thanked the Planning Commission for looking at this issue. She stated that they were agreeable with the M-2 zone if they are able to secure the property on Mill and Reed or another M-2 zone and make it useable to their project. If none of the M2 zoning works for their project they would like to ask that an M1 or residential area be considered. They would also like to have an advisory board set up of concerned citizens.

Mr. Timboe showed on a map where M2 zoning was located, which is to the north near Hess Road, which does have a water and sewer line have been extended and the sewer line has been worked on by Caltrans for their project, but he was unsure of the capacity. There is also a M2 on Minch and Baker Roads.

Commissioner Dale requested clarification on whether the Airport Industrial Park was M1.

Mr. Timboe reported that the airport is Planned Industrial.

Commissioner Carrel requested clarification on the area behind Raley's and the kind of contamination.

Mr. Timboe stated that one portion is owned by Union Pacific Railroad and he was unsure if that portion was contaminated. Another portion that is located to the North is owned by Louisiana Pacific and a portion of that has been monitored for a number of years. His understanding is that portion and the areas across from it were all part of the old mill site. One portion has been cleared for development and some houses have been built.

Commissioner Dale requested clarification on where the other M zones were located.

Mr. Timboe showed the locations on the map and stated that there was also a M1 corridor north of Red Bluff Glass, and near Staples, Big 5 and the old Lassen Lumber site.

Commissioner Carrel requested clarification on the difference between M1 and M2.

Mr. Timboe stated that the lower the number the lighter the impact on an area. So typically M1 muffler shops, social services, packaging plant, and public agencies. Retail

sales would require a conditional use permit in a M1 and M2 zoning. He stated that the City Council is currently having him write an ordinance to remove all residential from Industrial.

Elizabeth Keith, P.A.T.H., stated that her issue was with condition #8 and the visual barrier, which was to be a barrier that just conceals the designed area for their clients, like a smoking area or play area for kids, not around the whole area. The other concern was the cell phone, it was the onsite manager and supporting staff, the wording changed the meaning.

Marilyn Daly, P.A.T.H., thanked Mr. Timboe for all the time he has spent on this issue. She submitted a letter on behalf of the site committee for the record. One of the major problems that they have had in sighting a homeless shelter has been the time factor. By the time you find an owner that is willing to work with you, write a grant and then go through a use permit hearing, you end up losing the grant because of the timelines. SB 2 has helped this process for P.A.T.H. She urged the Planning Commission to approve this ordinance and send on to the City Council. They are basically in agreement with it, if we can make M2 property work this is great and they will try everything they can to make that a possibility. But if they run into problems and if the M2 property doesn't work for some unsolvable reasons then they would like to come back to the Planning Commission and the City Council and have them reevaluate the M2 zone designation. They ask that they be given some tool that will allow them to come back and make this project work with another type of zoning. One criteria that they require is that they have to have City water and sewer. Their plans are to originally start small and expand to an 80 bed facility, so they need to have that sewer capacity, but they may start with a 20 or 40 bed facility. A one acre site is the minor, but they would like to have more acreage on the site, if they can afford, as they would like to have a business that would support their homeless shelter such as a thrift shop or some other type of business that can be put on the site. They also need room for different types of programs. They run a transitional housing program where the men take classes that help them with their life skills. They have done some preliminary site visits and the sewer lines that goes out to the CalTrans yard is a pressurized sewer line and the owners there were told that they could not connect into it unless they were also pressurized, which is possible, but it creates expenses, so that makes this site a little undesirable but not impossible. The sites on Baker Road do not have City water and sewer and they can't work with a septic system, so that leaves the two sites behind Raley's. They would like the Planning Commission to acknowledge that there are some places that a homeless shelter could be in other zones and it might be a step in the right direction to say that they would be permitted with a conditional use permit. She stated that a 2001 document makes the City of Red Bluff look prejudice and that P.A.T.H. felt that if the City were to make a statement that read "Emergency shelters are multi family residences. A family unit legally can be one individual or several individuals. In multifamily housing, those families do not have to be related by blood. Shelters house a wide cross section of humanity as the general population" it would override the 2001 prejudicial statements and correct the situation. She also gave some information on the contaminates that they would deal with at the old mill site.

Vice Chairperson Christ closed the public hearing at 5:50 p.m.

Commissioner Dale stated that in regards to Ms. Daly's comment regarding misstatements from the past, he doesn't know what she's referring to and would like to pass on this request so that they can move forward and deal with the current ordinance before the Commission.

Commissioner Carrel commented that this was a good time to be looking for grants.

Ms. Daly stated that there is a grant that is due out in December that they are looking at and that she had spoken with one property owner.

Commissioner Carrel requested and received clarification on whether the property behind Raley's was split able.

Commissioner Dale requested clarification on whether PI zone was discussed with P.A.T.H. in developing this ordinance.

Mr. Timboe stated that it was not as PI has its own restrictions and that is more of an Airport use.

Commissioner Moran questioned if there was a grant that would help with the clean-up.

Ms. Daly stated that the grant would do that but you have to have enough money to cover the clean-up and building of the project.

Commissioner Dale requested clarification on the cost of a Conditional Use Permit.

Mr. Timboe stated that if the lot was developed it would cost approximately \$1,500 and if not the cost would be approximately \$6,000.

Commissioner Carrel requested clarification on whether it was a lengthy process to go through if the lot was not developed.

Mr. Timboe stated that it depends on if there is an existing structure.

Vice Chairperson Christ requested clarification on the provisions of obtaining a conditional use permit.

Mr. Timboe stated that it would have to have public input, comply with CEQA and be supported by the property. If the property is in M2 then it would only need a design review.

Vice Chairperson Christ stated that this was a major plus for P.A.T.H. to move forward with their project as M2 was permitted outright.

Mr. Timboe stated that was correct. But if they looked at M1 it would have to go through the Conditional Use Permit process.

Commissioner Dale stated that he was surprised that the City didn't want to consider Airport Industrial Park for this as he noticed that there were a lot of social services and/or schools in the area.

Mr. Timboe indicated that P-1 was more of a specialty designation for airport type uses.

M/S/C Carrel, Moran to:

1. Find that Ordinance No. 988; Rezone No. 207 is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines, (Class 8 Categorical Exemption, Actions by Regulatory Agencies for Protection of the Environment).
2. Recommend that the City Council adopt Ordinance No. 988 (Rezone 207), amending RBCC Section 25.92 Industrial Zone and Permit Requirements; Miscellaneous M-1 with a CUP and M-2 Permitted Outright, along with the removal of the CUP in C-3 Zoning Districts amending RBCC Section 25. 79 Commercial Zones and Permit Requirements; Miscellaneous, and the addition of objective standards to RBCC Section 25.197 Emergency Homeless Shelters.

AYES: Commissioners: Carrel, Christ, Dale and Moran

NOES: None

ABSENT OR NOT VOTING: Commissioner Latourell (absent-excused)

STAFF ITEMS/REPORTS:

Mr. Timboe reported that the November 11th meeting was cancelled due to the observance of Veterans Day and that the Wal-Mart Super Center meeting was scheduled for Wednesday, November 12th beginning at 6:00 p.m. at the Red Bluff Community/Senior Center.

Commissioner Dale requested and received information on the US Bank project.

ADJOURNMENT:

There being no further business the meeting was adjourned at 6:18 p.m. until November 25, 2008 at 5:15 p.m.

Respectfully submitted,

s/ Scot Timboe
Planning Director