

Resolution PC 2020-004

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors to Revoke the Planned Development Zoning District for the Srivastava Zone Change Project (Z-04-13)

Whereas, on February 6, 2006, the Siskiyou County Board of Supervisors approved Z-04-14 reclassifying certain properties located on Mott Airport Road, approximately 0.6 miles southeast of the Mot Road/Interstate 5 interchange, northeast of the City of Dunsmuir and approximately 0.6 miles southeast of the Mott Airport; T39N, R3W, Section 6; MDBM; APN: 028-110-510 (Manisha and Dr. T.B. Srivastava Property) (the "Property"); and

Whereas, the reclassification resulted in the Property being zoned as a Planned Development District (P-D) with the primary purpose of allowing the construction and operation of a water bottling facility under application Z-04-13 (the "Project"); and

Whereas, a Mitigated Negative Declaration was prepared for the Project and adopted by the Board of Supervisors on February 6, 2006; and

Whereas, the Board of Supervisors found, as part of its approval, that the Planned Development District would be "completed within four years after the District is established"; and

Whereas, no permits have been issued for the proposed Planned Development since its approval in 2006; and

Whereas, the Property's owner has expressed to the Community Development Department continued interest in development of the Project; and

Whereas, on December 18, 2019, at the meeting of the Siskiyou County Planning Commission, staff was directed to prepare an amended development schedule pursuant to Siskiyou County Code Section 10-6.1188(b); and

Whereas, under Siskiyou County Code Section 10-6.1188(a) a development schedule shall become part of the development plan, and under Siskiyou County Code Section 10-6.1186 a change in a development plan may be accomplished by resolution; and

Whereas, a Notice of Public Hearing was published in the Siskiyou Daily News on February 5, 2020; and

Whereas, on February 19, 2020, the Planning Commission continued the hearing a time and date certain, returning on the regularly scheduled Planning Commission meeting on March 18, 2020 to allow the applicant additional time to consider the feasibility and success of the project; and

Whereas, on March 4, 2020, the applicant informed staff that he would not be moving forward with the original project and the construction of the water bottling plant would not be completed within four years; and

Whereas, on March 18, 2020, the chair of the Planning Commission opened the duly noticed public hearing to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the proposed revocation prior to reaching its decision.

Now, therefore be it resolved that the Planning Commission hereby takes the following actions on Application Z-04-13-1M (Srivastava Zone Change Revocation):

1. Recommends to the Board of Supervisors to determine that the project be exempt from further environmental review pursuant to CEQA Guidelines Section 15270, Projects Which Are Disapproved; and
2. Recommends to the Board of Supervisors that it adopt an ordinance revoking the Planned Development zoning district established by Siskiyou County Ordinance No. 06-02 and returning the parcel (APN: 028-110-510) to its original zoning of R-R-B-2.5 based on the findings set forth in Exhibit "A" (Findings) attached hereto and incorporated herein.

Be it further resolved that the Planning Commission adopts the recommended findings set forth in Exhibit "A" (Findings), in support of approval of these actions.

It is hereby certified that the foregoing Resolution PC-2020-004 was duly adopted on a motion by Commissioner Hart and seconded by Commissioner Fowle, at a regular meeting of the Siskiyou County Planning Commission held on the 18th day of March, 2020, by the following voice vote:

AYES: Commissioners Hart, Lindler, Fowle, Veale and Melo

NOES:

ABSENT:


ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION



Tony Melo, Chair

Witness, my hand and seal this 18th day of March, 2020.



Richard J. Dean, Secretary of the Commission

Attachments:
Exhibit A – Findings

**Resolution PC 2020-004
Exhibit "A"**

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Findings

Planned Development Findings

In order to approve or deny a Planned Development application, the review authority shall first make the findings required by Section 10-6.1189 of the Siskiyou County Code:

1. The proposed Planned Development District or the first phase of it can be substantially completed within four (4) years after the district is established.
The project applicant has informed staff that the project would not be completed within four years and has no intention of moving forward with the approved project for construction and operation of the water bottling plant. Therefore, this finding cannot be made and thus, the project cannot be approved. In accordance with Siskiyou County Code Section 10-6.1188, the P-D zoning shall be revoked and the parcel return to its original zoning of R-R-B-2.5.

2. Each individual development phase can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district.
This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.

3. The streets and thoroughfares proposed are suitable and adequate to gather anticipated traffic and will not generate traffic in such amounts as to overload the street network outside the planned district.
This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.

4. Any residential development will constitute a residential environment of sustained desirability and stability and will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than those permitted by the General Plan.
This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.

5. Any proposed commercial or industrial development conforms to the applicable desirable standards and will constitute an efficient well-organized development, with adequate provisions for access and storage, and it will not adversely affect adjacent or surrounding development.

This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.

6. The area surrounding the P-D District can be planned and zoned in coordination and substantial compatibility with the proposed development.

This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.

7. The P-D District conforms with the General Plan of the County.

This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.

8. Adequate utility service can be supplied to the area of the P-D District.

This finding does not apply because the applicant is not willing to move forward with construction or operation of the originally approved water bottling plant.