

SHASTA COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting

Date: March 14, 2013
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL

Commissioners

Present: Dick Franks District 2
Jim Chapin District 1
Gene Parham District 3
Roy Ramsey District 4
Darren Simmons District 5

Staff Present: Richard Simon, Director of Resource Management
Rubin Cruse, County Counsel
Bill Walker, Senior Planner
Carla Serio, Environmental Health Director
Dan Hebrard, Shasta County Fire Department
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager, Recording Secretary

Note: All unanimous actions reflect a 5-0 vote.

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorically Exempt (CE), Other Exemption from CEQA (OE); Not Subject to CEQA (N/A).

CONFLICT OF INTEREST

DECLARATIONS: None.

OPEN TIME: Steve Burton asked if anything could be done about the noise caused by an alarm at Wheelabrator.

APPROVAL OF

MINUTES: By motion made, seconded (Chapin/Ramsey), and carried unanimously, the Commission approved the minutes of February 14, 2013, as submitted.

CONSENT

ITEMS: None.

PUBLIC HEARINGS:

R1: **Use Permit 09-010 (Amdun LLC):** The property is located in the southeast Anderson area on a 51.82-acre parcel on the east side of Locust Road, about 0.6 miles south of the intersection of Locust Road and Panorama Point Road. The request is for a variety of industrial uses including an asphalt concrete plant, a Portland cement concrete plant, an aggregate processing plant, a construction material and metal recycling plant, wood chipping, hay storage and wholesale sales, a contractor’s yard, an office building, a caretaker’s quarters, and related outdoor storage. Staff Planner: Walker. District: 5. Proposed CEQA Determination: MND. Ex-parte Communications Disclosures: None.

Senior Planner Bill Walker presented the staff report and recommended that the project be continued to a date uncertain to allow additional time for review of updated studies and public concerns. A memorandum was distributed to the Commission containing several public comment letters received by the Planning Division after the staff reports had been circulated. The public hearing was opened, and speaking on behalf of the applicant was Jesse Holland who stated that the applicants agreed that the project should be continued to a date uncertain.

Speaking in opposition to the project were:

<u><i>Speaker’s Name</i></u>	<u><i>Comments/Issues/Concerns</i></u>
Steve Brown	Mr. Brown, a resident of High Country Lane, discussed concerns regarding water contamination, traffic, and air quality impacts.
Steve Burton	Mr. Burton voiced concerns regarding noise, traffic, the 24-hour operation, dust and smell, and the affect on wildlife in the area.
William Holmes	Mr. Holmes, a resident of Ina Way, discussed noise, smell, traffic, and light pollution from the project.
Carol Taff	Ms. Taff, a resident of the Aurora Manor subdivision, submitted photos and a petition and discussed concerns regarding noise, air pollution, and safety. She suggested alternative sites for the project and requested that an Environmental Impact Report (EIR) be prepared.
Mark Finneran	Mr. Finneran discussed truck traffic, smell, air quality concerns. He asked that pollution control equip be best available control technology (BACT) rated.
Mark Crowell	Mr. Crowell stated concerns regarding dust and air quality and told the Commission that asphalt is currently being stockpiled at the site without the required use permit.

There being no other speakers, for or against, the project, the public hearing was closed. Commissioner Chapin stated that he agreed with the recommendation that the project be continued for further studies. Commissioner Parham disclosed that he had taken a trip to the Locust Road area and viewed both project sites (UP 09-010 & UP 12-004).

ACTION: By motion made, seconded (Ramsey/Chapin), and carried unanimously, the Commission continued Use Permit 09-010 to a date uncertain.

R2: **Use Permit 12-004 (Jaxon Enterprises)**: The project would be located on 8.4-acre portion of a 12.55-acre parcel in the southeast Anderson area on the southwest end of Bettendorf Way, about 0.2 miles east of the intersection of Bettendorf Way and Locust Road. The request is for a drum-mix asphalt concrete plant and a recycling facility (including crushing and screening) for asphalt concrete and Portland cement concrete. Aggregate material would be brought to the site to produce asphalt concrete. Staff Planner: Walker. District: 5. Proposed CEQA Determination: MND. Ex-parte Communications Disclosures: None.

Senior Planner Bill Walker presented the staff report and recommended that the project be continued to a date uncertain to allow additional time for review of updated studies and public concerns. A memorandum was distributed to the Commission containing several public comment letters received by the Planning Division after the staff reports had been circulated.

The public hearing was opened and speaking on behalf of the applicant, was Leonard Bandell who stated that the applicant agreed with the recommendation that the project be continued to a date uncertain. Mr. Bandell gave a brief history of the project site and discussed the process for responding to public comments and concerns regarding the project.

Speaking in opposition to the project were:

NOTE: A number of individuals who wished to speak in opposition to the project ceded their time to Mr. Brown who was allowed to speak for 10 minutes (the time limit set was 3 minutes for all other speakers).

<u>Speaker's Name</u>	<u>Comments/Issues/Concerns</u>
Steve Brown	Mr. Brown, distributed a packet of information and photos to the Commission. He provided a detailed explanation of each photo contained in the packet which depicted traffic patterns in the area of the project. Mr. Brown also discussed safety, emergency exits for the residents on High Country Lane, light pollution and glare from the project.
Mark Crowell	Mr. Crowell asked that an EIR be prepared for the project and discussed air quality concerns and alternative locations for the asphalt operation.

ACTION: By motion made, seconded (Chapin/Simmons), and carried unanimously, the Commission continued Use Permit 12-004 to a date uncertain.

The Planning Commission took a five-minute recess at 3:05 p.m., and reconvened at 3:10 p.m.

NON-HEARING ITEM:

NH1: **Appeal – Use Permit 12-002 & Variance 12-001 (Stott Outdoor Advertising)**: The project site is located in the southeast Anderson area, immediately adjacent to the east side of Interstate 5 at the northbound off-ramp to Highway 273/Deschutes Road (Exit 667). It is also at the west end of Bettendorf Road. The request is for a freestanding outdoor advertising sign adjacent to Interstate Highway 5. The sign would have two faces of 36 feet wide by 12 feet high each. The applicant is appealing the Shasta County Environmental Officer's decision to require the preparation of an Environmental Impact Report (EIR) for the project. Staff Planner: Walker. District: 5. Proposed CEQA Determination: N/A. Ex-parte Communications Disclosures: None.

Senior Planner, Bill Walker presented the staff report along with updated photo simulations and a short video of the Interstate 5 approach to the area for the proposed sign. Commissioner Simmons announced that he had viewed a video of the previous Planning Commission meeting and all documents and information regarding the appeal.

Commissioner Ramsey questioned the necessity of an EIR in the absence of available mitigation measures for the sign. County Counsel, Rubin Cruse provided information regarding the EIR process and Statements of Overriding Considerations. Commissioner Chapin stated that an EIR would require that alternative sites be studied and considered for the proposed sign, while Commissioner Parham stated that he didn't find that there was a significant visual impact.

Jackson Glick, representing the applicant, made a PowerPoint presentation and reiterated points made at the previous meeting, displayed updated photo simulations, and stated that the proposed sign would be near the tree line which would reduce visual impacts. Mr. Glick told the Commission that an EIR would be cost-prohibitive and requested that the Commission make the determination that the Use Permit approval process would be appropriate for the proposed sign.

Commissioner Simmons asked for clarification regarding the proposed angle and distance between the two sign faces and the Commission discussed the width and height.

Director of Resource Management, Richard Simon explained the Environmental Review Officer's determination that an EIR should be required, stating that visual resources are valuable assets to Shasta County that should be protected. He added that each sign approved by the County creates an incremental increase and adds a cumulative impact to the view shed. Mr. Simon explained that if the Planning Commission were to find that the proposed sign created a significant impact to visual resources, the only way to proceed with the project would be through the EIR process.

ACTION: By motion made, seconded (Chapin/Simmons), and carried with Commissioners Chapin, Franks, and Simmons voting AYE, and Commissioners Ramsey and Parham voting NO for a 3-2 vote, by Resolution 2013-004, the Commission denied the appeal and upheld the Environmental Review Officer's decision to require an EIR for Use Permit 12-002 and Variance 12-001, based on the findings in the Resolution.

ADJOURNMENT: The Planning Commission adjourned at 3:50 p.m.

Submitted by:

**Dawn Duckett, Staff Services Manager
Recording Secretary**