

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: June 13, 2019
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

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ROLL CALL

Commissioners

Present: Jim Chapin District 1
Steven Kerns District 3
Tim MacLean District 2
Roy Ramsey District 4
Patrick Wallner District 5

Staff Present:

Paul Hellman, Director of Resource Management
Kim Hunter, Planning Division Manager
James Ross, Assistant County Counsel
Lio Salazar, Senior Planner
Luis Topete, Associate Planner
Jimmy Zanutelli, Shasta County Fire Marshal
Charleen Beard, Supervising Engineer
Ken Henderson, Senior Environmental Health Specialist
Carla Serio, Director of Environmental Health
Pat Minturn, Director of Public Works
Tracie Huff, Administrative Secretary I/Recording Secretary

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

PUBLIC COMMENT PERIOD - OPEN TIME: None.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Kerns/Ramsey) and carried by a 4-0 vote with Wallner recusing due to his absence from the May 9, 2019 meeting, the Planning Commission approved the Minutes of May 9, 2019, as submitted.

CONFLICT OF INTEREST DECLARATIONS: Commissioner Kerns recused himself from item R4.

Ex-parte Communications Disclosures: None.

R2: **Tract Map 1992 (Wiebelhaus) Extension of Time 19-0003:** The applicant has requested approval of a 3-year extension of time for Tract Map 1992 for the subdivision of a 154.97-acre portion of property into eleven lots, including six lots ranging in size from 10 acres to 10.26 acres; one lot of 13.68 acres; and four lots ranging in size from 20 to 20.59 acres. The Planning Commission originally approved Tract Map 1992 on May 13, 2010. The project is located in the Palo Cedro area on a 154.97-acre property located on the east side of Silver Bridge Road, approximately 1.3 miles south of the intersection of Silver Bridge Road and State Highway 44 (058-300-060). Staff Planner: Luis Topete.

Luis Topete presented the staff report. The public hearing was opened and Hope Bjerken voiced concerns in regards to the safety of Silver Bridge Road, and its feasibility as the only road to the highway in the event of a wildfire. Shasta County Fire Marshal Jimmy Zanolli confirmed that there was a condition of approved for this project to provide an emergency fire escape road. There being no other speakers, the public hearing was closed.

By motion made, seconded (Wallner/Kerns), and carried unanimously, the Planning Commission adopted a resolution to: a) find that the extension of time is exempt from the California Environmental Quality Act (CEQA) under the General Rule exemption pursuant to CEQA Guidelines section 15061(b)(3) which exempts activities where it can be seen with certainty that there is no possibility of causing a significant effect on the environment; b) adopt the recommended findings listed in Resolution 2019-012; and c) approve Extension of Time 19-0003 for Tract Map 1992, based on the recommended findings listed in Resolution 2019-012 and the conditions listed in Resolution No. 2010-020.

R3 **Tract Map 1945 (Gross) Extension of Time 19-0004:** The applicant has requested approval of a 3-year extension of time for Tract Map 1945 for the subdivision of the subject property into eleven lots ranging in size from 2.0 to 19.5 acres. The Planning Commission originally approved Tract Map 1945 on July 12, 2007. The project is located within the East Redding area on a 62.3-acre property located on the south side of State Highway 299 approximately one mile east of its intersection with Old Oregon Trail (APN 087-300-007). Staff Planner: Luis Topete.

Luis Topete presented the staff report. The public hearing was opened and there being no speakers the public hearing was closed.

By motion made, seconded (MacLean/Kerns), and carried unanimously, the Planning Commission adopted a resolution to: a) find that the extension of time is exempt from the California Environmental Quality Act (CEQA) under the General Rule exemption pursuant to CEQA Guidelines section 15061(b)(3) which exempts activities where it can be seen with certainty that there is no possibility of causing a significant effect on the environment; b) adopt the recommended findings listed in Resolution 2019-013; and c) approve Extension of Time 19-0004 for Tract Map 1945, based on the recommended findings listed in Resolution 2019-013 and the conditions listed in Resolution No. 2007-087.

Commissioner Kerns left the room.

R4 **Use Permit Amendment (Anderson Landfill, Inc.) 19-0002:** The applicant has requested to amend

Use Permit 10-001 to temporarily allow extended hours of operation, and a temporary soil stockpile, scales, and driveway outside of the Facility Use Boundary, but within the boundary of property subject to Use Permit 10-001 and owned by Anderson Landfill Inc.

The request would facilitate disposal of solid waste generated as the result of the current declared local, state and federal emergencies related to the Camp and Carr fires. The project is located at 18703 Cambridge Road in Cottonwood, approximately 0.4 miles northeast of the intersection of Cambridge Road and West Anderson Drive (APN 207-170-008). Staff Planner: Lio Salazar.

Lio Salazar presented the staff report. A memo containing public comment letters received after the distribution of the staff report was distributed to the Commission.

Commissioner Chapin asked for clarification regarding the proposed hours of operation for the trucks and for the facility and activities that would be conducted during those hours. Mr. Salazar confirmed the current hours of operation and the proposed hours and the activities during those hours.

Commissioner Wallner asked for clarification regarding the temporary timeframe and inquired about erosion control for the soil stock piles. Mr. Salazar confirmed that the end of the temporary use would be end of the emergency declaration, eighteen months, or the end of the cleanup, whichever occurs first, and explained that the objective is to complete the cleanup as soon as possible. Mr. Salazar explained that the solid waste facility permit issued for the facility by the Shasta County Local Enforcement Agency limits the volume of waste that can be deposited daily and that the landfill was given an emergency waiver to exceed these limits. Mr. Salazar also stated that all conditions of the original use permit would remain in force, including erosion control measures.

Commissioner Wallner asked if the general public would be able to access the landfill up to 10 p.m. Mr. Salazar stated that the proposed extension of hours would be limited to the disposal of fire debris.

Commissioner Wallner asked if the other two landfills accepting Camp Fire debris requested an extension of operating hours and inquired about hazardous and non-hazardous dumping. Mr. Salazar deferred the question to CalRecycle and Environmental Health Division staff.

Commissioner Wallner inquired about whether or not the additional debris would shorten the lifespan of the landfill and have a detrimental effect on the county. Mr. Salazar stated that it would not necessarily be detrimental to the county since most of the solid waste disposed of at the landfill comes from outside the county.

Commissioner Wallner asked about how many vehicle trips per day were proposed for the extended hours of operation. Mr. Salazar stated that it was his understanding from CalRecycle that there were approximately 145 operators contracted to deliver Camp Fire debris to the landfill. Currently, the trucks are making one to two trips per day with potentially extending that to three per day with an extension of the landfill's operating hours.

Commissioner Wallner inquired about the traffic fees collected to maintain the roads and whether or not any improvements have been done or would be necessary. Mr. Salazar deferred the question to Pat Minturn, Director of Public Works.

Commissioner Wallner asked for clarification regarding the CEQA statutory exemption. Jim Ross, Assistant County Counsel, explained the nature of the statutory exemption and clarified the second finding of approval based on the conditions.

Commissioner Ramsey asked how Gas Point Road was holding up and expressed concerns over the increase in the amount of truck traffic.

Mr. Minturn spoke about the number of different routes available for the trucks. He also explained the amount of fees being collected for road maintenance, and the amount of money that would be available to address road maintenance on Gas Point Road to West Anderson Drive once the current fire debris operations have been completed.

Commissioner Wallner inquired about the temporary bypass road and whether or not that would eliminate the back up of truck traffic onto West Anderson Drive. Mr. Salazar stated that was what the operator had indicated.

Mr. Salazar followed up regarding condition 72 of the original use permit related to southbound traffic. He clarified that the condition encourages specific routes but does not prohibit traffic coming from any direction. Commissioner Wallner stated that the condition did not address traffic coming from the south. Mr. Hellman said that there are no alternative routes from the south and that specific condition was in reference to traffic coming from the north. He also stated that ultimately there is no control over where the waste comes from and that trucks may use any legally available route.

The public hearing was opened and the following people spoke in opposition to the proposal: Elisabeth Boyle, Linda Wright, Don Owen, Renee Canavan, Brett Gravano, Eric Fitch, Chelley Dallara, Linda Palmer, Nancy Acord, and Annalisa Becker. These individuals voiced concerns about dust, noise, traffic safety, property values, water pollution, and the general deterioration of their quality of life.

Sal Santoro spoke about the potential use of the former Twin Bridges landfill as an alternative disposal site for fire debris.

Wes Mindermann, Chief of the Engineering Support Branch of CalRecycle, provided information to the Commission regarding the role of CalRecycle, landfill capacity and the decision making process that led to Anderson Landfill being one of the facilities chosen to take Camp Fire debris.

There being no other speakers the public hearing was closed.

Commissioner Wallner voiced concerns that the proposed extension of operating hours would place too much of a burden on the residents impacted by the truck traffic.

Commissioner Ramsey agreed with Mr. Wallner's concerns.

Commissioner MacLean asked what the decision to increase the hours of operation was based on. Mr. Hellman stated that he understood that the purpose is to enable trucks to complete an additional daily trip to Anderson Landfill in order to shorten the length of time necessary to complete the debris removal process.

Commissioner MacLean stated that he agreed with the concerns of the other commissioners.

Mr. Hellman stated that the original emergency waiver request was for 14,000 tons of fire debris per day, but that approval was only granted for 10,000 tons per day. He explained that it would be questionable whether or not the current maximum tonnage of 10,000 tons per day can be achieved with the currently permitted operating hours.

Commissioner MacLean inquired about the opportunity of another landfill that could be brought to fruition in time to help with the debris collection.

Mr. Hellman advised that the consideration of another landfill was not an action that is before the Commission at this time.

Commissioner Chapin stated that the community was already impacted and saw no benefit to increasing the operating hours, and asked Mr. Hellman what the options to approve would be.

Mr. Hellman stated that the options the Commission have to consider are to deny the proposal or approve it with modified conditions. Mr. Hellman stated that the preference would be to give the applicant the opportunity to modify their request rather than for it to be denied to avoid the need for the applicant to appeal the Commission's denial to the Board of Supervisors.

A recess was called to allow staff to discuss with the applicant their willingness to modify their proposal.

The meeting was called back to order at 4:19 p.m., at which time Mr. Hellman advised the Commission that the applicant is agreeable to modifying their request to extend the facility's operating hours to 8:30 or 9:00 rather than 10:00. Mr. Hellman asked that the Commission to consider approving the other requests even if they wanted to not approve the request for the extension of operating hours. He also advised the Commission regarding the options available for approval including striking the condition relating to operating hours.

Commissioner Wallner said that there are other commercial businesses that are regulated for noise and would not be opposed to striking the condition for the proposed extension of operating hours.

Commissioner Chapin confirmed with Commissioner Wallner that his recommendation was to strike Condition 8 regarding the extension of operating hours.

By motion made, seconded (Ramsey/MacLean), and carried unanimously, the Planning Commission adopted a resolution to: a) find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269, Executive Order B-53-18, and Executive Order B-57-18 of which each of these determinations or exemptions stands as a separate and independent basis for determining this action is not subject to CEQA; b) adopt the recommended findings listed in Resolution 2019-014; c) and approve Use Permit Amendment 19-0002 based on the recommended findings and subject to the conditions of approval set forth in Attachment A to Resolution 2019-014, with the deletion of Condition 8.

Commissioner Kerns returned to the room.

R5 **Amendment and Restatement of the Rules for the Operation and Conduct of Business before the Shasta County Planning Commission:** Amendments are proposed to the Bylaws which were last updated in 2003 by Resolution 03-007. The proposed amendments to the Bylaws are generally consistent with the bylaws of the Shasta County Airport Land Use Commission and Board of Supervisors. Included in the proposed changes are provisions to allow the Chair (or Vice-Chair in the absence of the Chair) to cancel meetings when it is determined that a majority of Planning Commissioners will not be attained for a meeting or if there are no agenda items for consideration. Staff Planner: Kim Hunter.

Kim Hunter presented the staff report. Mr. Ross explained the history of the Bylaws and the review process that was undertaken to ensure that the proposed changes would be more efficient for the handling of Planning Commission hearings in general.

Commissioner Wallner clarified with Ms. Hunter the circumstances under which a meeting could be cancelled.

By motion made, seconded (MacLean/Wallner), and carried unanimously, the Planning Commission adopted a resolution to: a) find that the amendments to, and restatement of, the Planning Commission Bylaws are not subject to the California Environmental Quality Act (CEQA) for the reasons stated in the resolution; b) adopt the recommended findings listed in Resolution 2019-015, and, c) amend and restate the rules for the operation and conduct of business before the Shasta County Planning Commission as set forth in Exhibit "A" to Resolution 2019-015.

PLANNING DIRECTOR'S REPORT: Mr. Hellman announced to the Commission that Kim Hunter had accepted a position with Trinity County and that her last day with the County would be July 5, 2019. Mr. Hellman thanked Ms. Hunter for her service and wished her well in her new endeavors.

Mr. Hellman introduced the newest member of the Planning Division, Assistant Planner Elisabeth Towers. Ms. Towers addressed the Commission and gave a brief summary of her educational background and prior work experience.

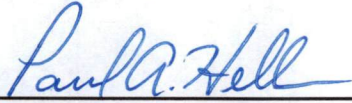
The Commission gave a warm welcome to Ms. Towers and expressed congratulations to Ms. Hunter on her new position.

Mr. Hellman announced that he would inform the members of the Commission that will be participating in the special meeting to consider the Tierra Robles Planned Development once a date and time had been set for this meeting by Chairman Chapin.

CONSENT ITEMS: None.

ADJOURNMENT: The Planning Commission adjourned at 4:39 p.m.

Submitted by:



**Paul Hellman, Director of Resource Management
Secretary of the Planning Commission**