

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Meeting

Date: October 14, 2021
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

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

Staff Present: Adam Fieseler, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
David Schlegel, Senior Planner
Lio Salazar, Senior Planner
Nate Moore, Environmental Health Specialist
Venton Trotter, Supervising Engineer
Jessica Cunningham-Pappas, Supervising Staff Services
Analyst/Recording Secretary

PUBLIC COMMENT PERIOD - OPEN TIME: Maggie Osa and Beth Messick Lattin spoke about the Fountain Wind Project.

PLANNING DIRECTOR'S REPORT: None.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

Commissioner Kerns proposed amending the draft Minutes of June 22, 2021 to reflect the reasons for the Commission's denial of the Fountain Wind Project (Use Permit 16-007). Commissioners Kerns and Chapin discussed the adequacy of the meeting minutes.

Chair Wallner called for a five-minute recess, after which the meeting reconvened at 2:44 p.m.

Adam Pressman discussed the procedure for the Planning Commission to make changes to the draft minutes prepared by staff.

By motion made, seconded (Kerns/Chapin) and carried unanimously, the Planning Commission approved the Minutes of June 22, 2021, as amended to include the following language:

The Commission denied Use Permit 16-007 due to a number of significant and unavoidable issues raised both in the Final Environmental Impact Report (FEIR) and in public testimony during the special meeting, as well as comprehensive reviews of the Draft EIR along with public testimony, both written and oral, received over the last 2.5 years. The FEIR stated that the proposed project was for the construction of up to 72 wind turbines and associated infrastructure with the actual number and location to be determined at a future date (FEIR pp. 1-3). The FEIR noted significant and unavoidable issues concerning the impacts of the project to the aesthetics of the area, impacts to selected wildlife species, impacts to forest resources and impacts to native American culture. The Commission found the FEIR erred in not addressing the significant impact of the removal of aerial fire-fighting capability due to the location and height of the proposed structures, thus putting the communities of Round Mountain, Montgomery Creek, Moose Camp, Big Bend, and Burney into a significantly dangerous position. The Commission acknowledged that there would be a significant revenue increase to Shasta County during the buildout phase of the project. However, looking at the long term, the financial return would be minimal and, therefore, did not constitute an overriding circumstance. The Commission noted that those who spoke in favor of the project were from out of the project area, while all of those within the project area were against the project. With these considerations, the Commission found that the establishment, operation and maintenance of the subject use, under the circumstances of the particular case will be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or will be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County (Shasta County Code subsection 17.92.020.F).

By motion made, seconded (Chapin/MacLean) and carried unanimously, the Planning Commission approved the Minutes of August 12, 2021, as submitted.

By motion made, seconded (MacLean/Kerns) and carried unanimously, the Planning Commission approved the Minutes of September 9, 2021, as submitted.

CONFLICT OF INTEREST DECLARATIONS: Vice-Chair MacLean stated that he had a conflict of interest on item R2 since the applicant is a client of the firm he is associated with, Sharrah Dunlap Sawyer, recused himself, and left the meeting.

Ex-parte Communications Disclosures: None.

R2: Use Permit 21-0004 (Scott) - Continued from September 9, 2021: Tery Scott has requested a use permit to establish a residential use in a vacant 1,718-square-foot single-family residence with an attached 1,717-square-foot storage area and for a proposed equine evacuation center for a maximum of 18 horses consisting of a 1,200-square-foot hay barn and 18 partially covered horse corrals to be used on an emergency basis. The residence is attached to a 4,096-square-foot historic schoolhouse/Masonic hall building, which would not be authorized for any occupancy or use under the proposed use permit. No horses are proposed to be cared for outside of emergency evacuation situations, primarily related to wildfires for up to 4-week stays. The project site is within a Design Review (DR) combining zone district which is intended to preserve the historic schoolhouse/Masonic hall building as well as the overall historic character on the site. The 3-acre project site is located in the Millville area at 23673 Whitmore Road, Millville, CA 96062 at the southeast corner of Old 44 Drive and Whitmore Road, approximately 0.75 miles north of the intersection of Old 44 Drive and California State Highway 44 East (Assessor's Parcel Number 060-130-024). Staff Planner: David Schlegel.

Chair Wallner called for a ten-minute recess, after which the meeting reconvened at 3:13 p.m.

David Schlegel presented the staff report and noted that during the public hearing for this item conducted on September 9, 2021 a neighbor inquired about requirements to repair and maintain the unoccupied historic schoolhouse/Masonic hall building on the property. Mr. Schlegel stated that staff recommends a condition requiring that the exterior of the building within view of adjacent public rights-of-way be repaired and maintained in accordance with specific parameters. Mr. Schlegel responded to a question from Commissioner Chapin about the proposed condition. The conduct of the public hearing left open from the September 9, 2021 meeting continued. The applicant agreed to the conditions of approval. There being no further speakers the public hearing was closed.

By motion made and seconded (Chapin/Kerns), and carried unanimously, the Planning Commission adopted a resolution to: a) adopt the California Environmental Quality Act (CEQA) determination of a Negative Declaration; b) adopt the recommended findings listed in Resolution 2021-016; and c) approve Use Permit 21-0004, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Planning Commission Resolution 2021-016.

Commissioner MacLean returned to the meeting.

R3: Zone Amendment 20-0002 & Administrative Permit 20-0002 (Chicoine & Lewallen): Chicoine & Lewallen Enterprises, Inc. has requested to change the zoning of the 4.21-acre project site from the Commercial Highway combined with Design Review (C-H-DR) zone district to the Commercial Recreation combined with Design Review (C-R-DR) zone district and an administrative permit to establish a recreational vehicle and equipment (RVs, boats, OHVs, and other recreational vehicles and equipment) storage facility consisting of 52,218 square feet of storage space, conversion/remodel of an office building for use as a 580-square-foot facility office, 800-square-foot one-family residence for the facility manager or caretaker, off-street parking, driveways, drainage improvements, fencing, landscaping, abandonment of an onsite sewage disposal system, and installation of an onsite wastewater treatment system. Development of the site would include grading, trenching, paving and other general construction activities. The project site is located in the Mountain Gate area at 14250 Holiday Road, Redding, CA 96003 (Assessor's Parcel Number 307-240-020), on the west side of Holiday Road, approximately 0.2 miles south of the intersection of Old Oregon Trail and Holiday Road. Staff Planner: Lio Salazar.

Lio Salazar presented the staff report and summarized the October 14, 2021 memo from Adam Fieseler to the Commission recommending revisions to Biological Resources Mitigation Measure IV.1. and to condition 46. Mr. Salazar responded to a question from Commissioner Kerns asked regarding a seasonal swale on the project site. The public hearing was opened. The owner, Mr. Chicoine, agreed to the conditions of approval. Commissioner Kerns discussed the wetlands permitting process and suggested to Mr. Chicoine that impacts to the swale be avoided, if feasible. There being no further speakers the public hearing was closed.

By motion made and seconded (Kerns/Chapin), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in Resolution 2021-017 including modifications, if any, as determined by the Planning Commission; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 20-0002 including modifications, if any, as determined by the Planning Commission and adopted a resolution recommending that the Shasta County Board of Supervisors: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in Resolution 2021-018 including modifications, if any, as determined by the Planning Commission; and c) approve Administrative Permit Commercial 20-0002, based on the

recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2021-018 including modifications, if any, as determined by the Planning Commission.

R4: Zone Amendment 21-0003 (Shasta County) - Continued from September 9, 2021: The Planning Commission will consider recommending that the Board of Supervisors adopt an ordinance amending the Shasta County Zoning Plan to regulate the advertising of commercial cannabis activity in the unincorporated area of Shasta County. The proposed text amendments would add Section 17.88.327, Advertising Commercial Cannabis Activity, to the Shasta County Zoning Plan, prohibiting advertising on outdoor advertising signs, which are visible and legible from any public street, public road, or public highway, any aspect of commercial cannabis activity. Staff Planner: Paul Hellman.

Adam Fieseler presented the staff report. Mr. Fieseler responded to a question from Commissioner Chapin regarding advertising. The conduct of the public hearing left open from the September 9, 2021 meeting continued. There being no speakers the public hearing was closed.

By motion made and seconded (Walgamuth/MacLean), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 21-0003 is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in Resolution 2021-019; b) adopt the recommended findings listed in Resolution 2021-019; and c) introduce, waive the reading of, and enact an ordinance to amend the Zoning Plan of the County of Shasta identified as Zone Amendment 21-0003.

ADJOURNMENT: The Planning Commission adjourned at 4:05 p.m.

Submitted by:



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