

SHASTA COUNTY PLANNING COMMISSION MEETING

MINUTES

Regular Meeting

Date: May 12, 2022
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors Chambers

ROLL CALL

Commissioners

Present:

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

Staff Present:

Paul Hellman, Director of Resource Management
Lio Salazar, Planning Division Manager
Adam Pressman, Senior Deputy County Counsel
Luis Topete, Associate Planner
Elisabeth Towers, Assistant Planner
Jonny Muller, Assistant Planner
Rob Stahl, Senior Air Pollution Inspector
Pedro Chacon, GIS Analyst
Jimmy Zanolli, Shasta County Fire Marshal
Dan Dennett, CAL FIRE Assistant Chief
Chris Wilson, CAL FIRE Division Chief
Ken Henderson, Senior Environmental Health Specialist
Tracie Huff, Recording Secretary

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

PUBLIC COMMENT PERIOD - OPEN TIME: None.

PLANNING DIRECTOR'S REPORT: Director Paul Hellman stated that a special meeting of the Board of Supervisors to consider the Tierra Robles Planned Development Project will be conducted on Thursday, July 21, 2022, at 3:00 p.m. in the Board Chambers.

REGULAR CALENDAR:

R1: APPROVAL OF MINUTES:

By motion made, seconded (Walgamuth/Wallner) and carried by a 3-0 vote with Commissioner Kerns and Commissioner MacLean abstaining, the Planning Commission approved the Minutes of April 6, 2022, as submitted.

By motion made, seconded (Chapin/Kerns) and carried unanimously, the Planning Commission approved the Minutes of April 14, 2022, as submitted.

CONFLICT OF INTEREST DECLARATIONS: Commissioner Kerns stated he had a conflict of interest on item R3 and Commissioner Walgamuth stated he had a conflict of interest on item R6.

Ex-parte Communications Disclosures: None.

R2: Use Permit 22-0003 (Dickinson): Kevin and Danielle Dickinson have requested a use permit to legalize an existing Recreational Vehicle (RV) repair shop, installation services, RV sales, outdoor RV and trailer storage, and to construct a 2,560-sqaure-foot RV repair structure, landscaping, and other ancillary onsite improvements. The 0.77-acre project site is located at 18691 Old Oasis Road, Redding, CA 96003 (Assessor's Parcel Number 074-100-030), on the east side of Old Oasis Road, approximately 0.18 miles south of the intersection of Oasis Road and Old Oasis Road. Staff Planner: Elisabeth Towers.

Elisabeth Towers recommended that the item be continued to the next regularly scheduled meeting on June 9, 2022 to allow time for the applicant to complete the revised site plan and that the public hearing not be opened unless members of the public wish to speak on this item. Chair MacLean asked if any members of the public wished to speak on this item; there being none, Chair MacLean invited a motion from the commissioners.

By motion made and seconded (Chapin/Wallner), and carried unanimously, the Planning Commission continued this item to the June 9, 2022 Planning Commission meeting.

Commissioner Kerns left the chambers.

R3 Use Permit 20-0008 (Compton): Sonny Compton has requested a use permit to use an existing 720-square-foot commercial building and fenced outdoor area as a garden supply retail store that would be served by nonconforming off-street parking. The request includes exceptions from the landscaping requirements of the Shasta County Code. The project is located on a 0.36-acre property on the north side of State Hwy 299 E, at the northwest corner of State Highway 299 E and Round Mountain Road at 29430 State Hwy 299 E, Round Mountain, CA 96084 (Assessor's Parcel Number 029-430-004). Staff Planner: Luis Topete.

Luis Topete presented the staff report and the commissioners asked questions. The public hearing was opened. There being no speakers, the public hearing was closed.

By motion made and seconded (Chapin/Wallner), and carried by a 4-0 vote, the Planning Commission adopted a resolution to: a) find that Use Permit 20-0008 is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15061(b)(3) and 15301; b) adopt the recommended findings listed in Resolution 2022-012; and c) approve Use Permit 20-0008, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2022-012.

Commissioner Kerns returned to the chambers.

- R4** **Amendment 21-0003 (Lehigh Cement West, Inc):** Lehigh Cement West, Inc. has requested approval of Amendment 21-0003 to amend Use Permit 297-78 for the construction of a Fortera™ ReCarb™ Plant. The Fortera™ ReCarb™ process is a proprietary process that will utilize a portion of the carbon dioxide (CO₂) emissions from the existing Lehigh cement kiln stack as feedstock to produce a Fortera proprietary patented product called Reactive Calcium Carbonate (RCC). The facility would produce approximately 15,000 tons of RCC over a time span of approximately 1.5 years and would then be decommissioned. This facility would not increase the production of the existing cement plant but would operate as a separate, temporary facility. The facility would be constructed within the existing facility boundary of Assessor's Parcel Number 307-030-002 located along the southwest border of the parcel. Consistent with the existing site, the facility would operate 24 hours per day, 7 days per week. Access to the facility site would be through the existing main gate of the Lehigh site located along Wonderland Boulevard. The plant includes structures that exceed the Mineral Resource (MR) zone district's 45-foot structural height limit. The project is located approximately 2 miles north of the intersection of Interstate 5 and Old Oregon Trail on the west side of Wonderland Boulevard in the Mountain Gate area at 15390 Wonderland Boulevard, Redding, CA 96003 (Assessor's Parcel Numbers 307-020-002 and 307-030-002). Staff Planner: Luis A. Topete.

Luis Topete presented the staff report. The public hearing was opened. Ryan Gilliam, cofounder and CEO of Fortera™, made a presentation and answered questions from the commissioners. The following persons spoke in favor and in opposition to the proposal: Todd Jones, Steve Owens, Steve Fitch, Steve Johnson, Eric Schnitzler, and Christine Bragge. Mr. Gilliam addressed the public comments and Mr. Topete addressed visual and noise impacts. Jessie Rouse, Steve Owens, and Tony Yiampkis spoke in opposition to the proposal. Paul Hellman asked Rob Stahl to describe the Shasta County Air Quality Management District permitting process for the proposal. Mr. Stahl described the permitting and inspection processes that would be applicable to the proposal and answered questions from the Commission. Gary Cadd questioned the timing of the air quality impact analysis for the proposal. There being no additional speakers, the public hearing was closed. Staff addressed questions from the commissioners.

By motion made and seconded (Walgamuth/Chapin), and carried unanimously, the Planning Commission adopted a resolution to: a) adopt the California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration; b) adopt the recommended findings listed in Resolution 2022-013; and c) approve Amendment 21-0003, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2022-013.

A recess was called at 3:24 and the meeting reconvened at 3:35.

- R5** **Zone Amendment 22-0001 Regulation of Wind Energy Systems County-Wide Text Amendment (Shasta County) – Continued from April 14, 2022:** The Planning Commission will hold a public hearing to consider recommending that the Board of Supervisors adopt an ordinance amending Title 17, Zoning Plan, of the Shasta County Code (SCC) by adding SCC Section 17.88.335 to define and prohibit large wind energy systems within the unincorporated area of Shasta County, amending SCC Section 17.88.035 to modify the definition of, and development regulations for, small wind energy systems, and amending SCC Section 17.88.100 to exclude large wind energy systems from being a permissible public utility with the approval of a use permit. Staff Planner: Paul Hellman.

Paul Hellman presented the staff report. The public hearing was opened and the following persons spoke in favor and in opposition to the proposal: Cedric Twight, Steve Johnson, Radley Davis, Steve Fitch, Joseph Osa,

Maggie Osa, John Vona, Bill Walker, Kelly Tanner, Jessie Rouse, Brandy McDaniels, Tony Yiampkis, and Gary Cadd. There being no additional speakers, the public hearing was closed. Each of the commissioners provided their thoughts regarding the proposal.

By motion made and seconded (Kerns/Chapin), and carried by a 4-1 vote with Commissioner MacLean voting against the motion, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 22-0001 is not subject to the California Environmental Quality Act (CEQA) for the reasons stated in Resolution 2022-014; b) adopt the recommended findings listed in Resolution 2022-014; 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 22-0001.

Commissioner Walgamuth left the meeting.

A recess was called at 4:55 p.m. and the meeting reconvened at 5:02 p.m.

R6 Appeal of Administrative Permit 21-0055 (Kelley): William Kelley has requested approval of Administrative Permit 21-0055 to exceed the total combined residential accessory structure floor area limit of 2,500 square feet and the 20-foot height limit for accessory buildings within 50 feet of a property line for a proposed 2,080-square-foot, 25-foot-7-inch-tall RV garage located 31 feet from the north property line. The Director of Resource Management, after considering public comments and finding that the proposal meets all applicable criteria, approved Administrative Permit 21-0055 on April 19, 2022. Timely appeals of the Director's decision were filed by Mario Callegari and Jonathan Mulieri. The 2-acre project site is located at 20570 Chipeta Way, Redding, CA 96003 (Assessor's Parcel Number 306-640-001), on the east side of Bear Mountain Road, approximately 0.13 miles east of the intersection of Chipeta Way and Bear Mountain Road. Staff Planner: Jonathan Muller.

Lio Salazar presented the staff report.

A recess was called at 5:24 p.m. and the meeting reconvened at 5:40 p.m.

Mr. Salazar responded to a question from Commissioner Kerns regarding the requirement for the applicant to prepare a landscape plan.

The public hearing was opened. The appellants, Mario Callegari and Jonathan Mulieri, the applicant, William Kelley, and Kenny Nachman addressed the Commission. There being no additional speakers, the public hearing was closed. Commissioner Chapin asked why the proposal does not require a variance. Paul Hellman explained that the Zoning Plan allows for certain deviations with the approval of an administrative permit, such as those proposed by the applicant, and that other types of deviations require either a use permit or a variance. Mr. Hellman explained that administrative permits allowing for deviations from the standards of the Zoning Plan are very common and that appeals are very rare. Commissioner Wallner inquired about the code violation complaint form provided to the commissioners. Assistant Planner Jonathan Muller addressed the complaint regarding work commencing prior to issuance of a building permit. The commissioners discussed the item further and agreed that they did not have a sufficient amount of time to review the materials presented by the applicant and the appellants during the meeting. Commissioners Kerns and Chapin encouraged the parties to work together and attempt to reach a compromise.

By motion made and seconded (Wallner/Chapin), and carried by a 4-0 vote, the Planning Commission continued this item to the June 9, 2022 Planning Commission meeting.

ADJOURNMENT: The Planning Commission adjourned at 7:10 p.m.

Submitted by:



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