

# SHASTA COUNTY PLANNING COMMISSION MEETING

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## MINUTES

### Regular Meeting

Date: February 8, 2024  
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
Gabe Ross	District 5
Donn Walgamuth	District 4

#### Staff Present:

Paul Hellman, Director of Resource Management  
Gretchen Stuhr, Senior Deputy County Counsel  
Adam Fieseler, Assistant Director of Resource Management  
Lio Salazar, Planning Division Manager  
Sean Ewing, Building Division Manager/Building Official  
Venton Trotter, Supervising Engineer  
Tracie Huff, Recording Secretary

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

## ELECTION OF 2024 CHAIR AND VICE-CHAIR

**ACTION:** By motion made and seconded (MacLean/Walgamuth), and carried unanimously, the Planning Commission elected Commissioner Kerns to serve as Chair for 2024.

**ACTION:** By motion made and seconded (Kerns/MacLean), and carried unanimously, the Planning Commission elected Commissioner Walgamuth to serve as Vice-Chair for 2024.

**PUBLIC COMMENT PERIOD - OPEN TIME:** None.

**PLANNING DIRECTOR'S REPORT:** Paul Hellman wished the commissioners a happy new year and stated that he did not have anything further to report.

## R1: APPROVAL OF MINUTES:

By motion made and seconded (Walgamuth/Chapin), and carried unanimously, the Planning Commission approved the minutes of the December 14, 2023, meeting, as submitted.

**CONFLICT OF INTEREST DECLARATIONS:** None.



**R2: Zone Amendment 23-0005 (Scott):** David and Andrea Scott have requested to change the Unclassified (U) zone district to the Exclusive Agricultural combined with Agricultural Preserve (EA-AP) zone district for a 0.68-acre portion of a 240.00-acre assessor's parcel and to change the EA-AP zone district to the U zone district for a 0.68-acre portion of a 67.48-acre assessor's parcel for the purpose of facilitating a property line adjustment involving parcels subject to Williamson Act contracts and to be consistent with property lines and contract boundaries proposed under Property Line Adjustment 23-0012 and Williamson Act Contract 23-0001. The project site is located in the Igo area, approximately 0.6 miles northwest of the intersection of South Fork Road and Bender Road (Portions of Assessor's Parcel Numbers (APN's) 041-380-027 and 041-330-053 as those APN's are assigned for purposes of the 2024 Regular Assessment Roll). Staff Planner: Lio Salazar.

**Ex-parte Communications Disclosures:** None.

Lio Salazar presented the staff report. Commissioner Walgamuth asked if there is a separate board which addresses Williamson Act items. Mr. Salazar stated that the Resource Lands Committee previously provided guidance to the Planning Commission and Board of Supervisors regarding Williamson Act items, but has not met in approximately twenty years. Mr. Hellman stated that the Planning Commission's role is to make a recommendation regarding the proposed zone amendment but that the Commission does not have jurisdiction with respect to the proposed Williamson Act contract amendment which will be considered by the Board of Supervisors. Commissioner Chapin asked if the proposed zone amendment is necessary due to the proposed lot line adjustment which Mr. Salazar responded to. Commissioner Chapin asked if the properties in question are under separate Williamson Act contracts and if they meet the minimum requirements of the Williamson Act which Mr. Salazar responded to. The public hearing was opened, and Keith Hamblin representing the owners of the subject properties spoke about the purpose of the proposal. There being no other speakers, the public hearing was closed.

By motion made and seconded (Walgamuth/Chapin), and carried unanimously, the Planning Commission adopted a resolution recommending that the Shasta County Board of Supervisors: a) find that Zone Amendment 23-0005 is not subject to, and is exempt from, the California Environmental Quality Act for the reasons stated in Resolution 2024-001; b) adopt the recommended findings listed in Resolution 2024-001; 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 23-0005.

**R3: Zone Amendment 23-0007 (Shasta County):** Shasta County proposes amendments to chapters 17.02 and 17.88 of Shasta County Code Title 17 - Zoning to define intermodal shipping containers and to regulate their use for permanent storage in all zone districts subject to specific development standards. The proposed regulations would be applicable within the unincorporated area of Shasta County. Staff Planner: Adam Fieseler.

**Ex-parte Communications Disclosures:** None.

Adam Fieseler presented the staff report. Commissioner Chapin asked if the Board of Supervisors generally mandated all the proposed amendments to the zoning ordinance. Mr. Fieseler explained that the Board provided general guidance through the adoption of a resolution of intention and that the proposed development standards were formulated by staff to address impacts. The public hearing was opened and there being no speakers, the public hearing was closed.

Commissioner Chapin expressed various concerns with the proposed amendments, particularly his disagreement with the permanent use of shipping containers on smaller parcels where they are visible from public streets



and stated that there is not much in the draft ordinance that he cares for. Commissioner Kerns asked if Commissioner Chapin would support allowing shipping containers on parcels of a certain size, such as those larger than 5 or 10 acres. Commissioner Chapin stated that he could support the permanent use of shipping containers provided they would be sufficiently set back and not be visible from public streets such as parcels larger than 20 acres, although he stated that he could support permanent use of shipping containers on smaller agricultural and industrial parcels. In response to Commissioner Kerns' question about aesthetic concerns, Commissioner Chapin stated that aesthetic impacts are his primary concern and that he is also concerned about their current proliferation on smaller parcels all over the County and that nothing is done about them. Mr. Fieseler pointed out proposed development standards addressing the color and maintenance of shipping containers as well as the maximum permissible number of containers depending upon parcel size. Commissioner Chapin repeated his concerns about the aesthetic impacts of shipping containers on smaller parcels and his opinion that allowing their permanent use as proposed would not be appropriate and would not do anything good for the County. Paul Hellman explained that the Commission has the ability to recommend revisions to the proposed ordinance which are not necessarily in line with the direction provided by the Board to staff.

Commissioner MacLean stated that he agrees with much of Commissioner Chapin's comments and asked questions about certain proposed development standards, which Mr. Fieseler responded to, and stated that the setback requirements for shipping containers should be greater than the setback requirements for accessory structures. Mr. Fieseler explained the setback requirements for accessory structures and stated that greater setback requirements could be established for shipping containers. Commissioner Kerns asked if multiple smaller containers which are equal to or less than the maximum permissible size would be permissible. Mr. Hellman explained that the maximum number of containers permissible on a specific parcel could not be exceeded regardless of the size of the containers and that containers could not exceed the maximum permissible dimensions. Mr. Hellman stated that the building code requirements applicable to the repurposing of shipping containers as permanent structures are very stringent and requested that Building Official Sean Ewing describe those requirements.

Commissioner Walgamuth stated that he tends to agree with the aesthetic concerns expressed but does not want to restrict or penalize people who are unable to afford a nicer building, stated that he has seen a lot of pretty crummy mobiles and houses that he would not want to look at or live next to but that is their right as landowners as long as they are complying with the applicable codes. Commissioner Walgamuth stated that prohibiting the permanent use of shipping container based upon property size or because a shipping container would be visible to neighbors would be stepping on private property rights, that from a fire hazard perspective shipping containers are safer than wood structures, and that he is in favor of moving the proposed ordinance forward since it would not penalize persons with smaller properties. Commissioner Ross stated that the use of shipping containers is being very popular and that it is therefore necessary to regulate them properly, including their visual quality in residential areas, and that it is necessary for the regulations to provide flexibility to allow businesses to utilize them as necessary to prevent theft. Commissioner Chapin asked if shipping containers have to be placed on a foundation. Mr. Ewing responded that they must meet the requirements of the building code and are generally required to be placed on level ground and have some sort of foundation or anchor system to support them. Mr. Hellman reminded the commissioners that the proposed ordinance only addresses the permanent use of shipping containers for storage and that repurposing shipping containers for other uses is currently permissible subject to compliance with all applicable building codes.

Commissioner MacLean requested clarification regarding the proposed maximum permissible dimensions of 40 feet in length and 8 feet in width and floor area of 400 square feet and whether or not additions to the containers would be permissible to achieve a floor area of greater than 320 square feet. Following discussion, it was concluded that the maximum floor area should be 320 square feet rather than 400 square feet based



upon the industry standard dimensions for intermodal shipping containers of 40 feet in length and 8 feet in width. Commissioner Kerns stated that he agrees with the need to be sensitive to aesthetic impacts to neighbors, the importance of not infringing upon property rights, and the need to provide a lower cost storage option for homeowners but is concerned about permitting too many containers on smaller properties. Commissioner Kerns, therefore, suggested that perhaps the proposed ordinance could be amended to allow one container on properties up to 10 acres and to allow for property owners to apply for and substantiate the need for more than one. Mr. Hellman described the administrative permit process which requires notification to the owners of all properties within 300 feet of the subject property prior to a decision being made, which affords neighbors the ability to express concerns and opposition to a proposal and the ability to appeal the decision of the Director of Resource Management to the Planning Commission and ultimately to the Board of Supervisors. Commissioner Chapin suggested modifying Commissioner Kerns' suggestion to allow one container on properties between one and 5 acres, two containers on properties between 5 and 10 acres, and that any additional containers would require the approval of an administrative permit. Mr. Fieseler suggested that the item be continued to allow for staff to revise the proposed ordinance in accordance with the Commission's direction. Mr. Hellman pointed out a provision of the zoning ordinance which prohibits accessory dwelling units from being placed between the street and the primary dwelling unless an administrative permit is approved and suggested that a similar provision could be applied to shipping containers. Lio Salazar recommended that this item be continued to a date certain to the Commission's next regular meeting in March.

By motion made and seconded (Walgamuth/Chapin), and carried unanimously, the Planning Commission voted to continue the item to the March 14, 2024, meeting and to direct staff to revise the proposed ordinance to permit a maximum of one container on properties up to 5 acres and a maximum of two containers on properties over 5 acres unless an administrative permit is approved and to require that containers be placed behind the main building on a property unless an administrative permit is approved.

**ADJOURNMENT:** The Planning Commission adjourned at 3:15p.m.

**Submitted by:**



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