

# SHASTA COUNTY PLANNING COMMISSION MEETING

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## MINUTES

### Regular Meeting

Date: November 9, 2023  
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  
Alan Cox, Senior Deputy County Counsel  
Lio Salazar, Planning Division Manager  
Tara Petti, Senior Planner  
Ken Henderson, Senior Environmental Health Specialist  
Jeff Powell, Shasta County Fire Marshal  
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 the Hawes Farms proposal, which was previously tabled by Board of Supervisors due to the lack of a quorum, has been scheduled for the December 5, 2023 Board of Supervisors meeting. Mr. Hellman provided an update regarding the Fountain Wind Project, informing the Commission that the California Energy Commission (CEC) deemed Fountain Wind LLC's application complete on October 30<sup>th</sup> and issued the Notice of Preparation of the Draft EIR (NOP) on November 2<sup>nd</sup>, which was filed with the State Clearinghouse on November 4<sup>th</sup>, so the 30-day NOP comment period ends on December 4<sup>th</sup>. Mr. Hellman stated that pursuant to AB 205 the CEC will have to conduct a public informational meeting, which will be combined with the NOP scoping meeting, within 30 days of the application being deemed complete which means sometime in the month of November. Mr. Hellman stated that this meeting must occur as close as practicable to the project area so it will definitely be somewhere in Shasta County. Mr. Hellman stated that the CEC hasn't announced the date or location of this meeting yet. Mr. Hellman stated that if the public would like to submit a written comment on the NOP to the CEC, comments are due by December 4, 2023, or the public may provide oral comments during the meeting.

**R1: APPROVAL OF MINUTES:**

By motion made and seconded (Kerns/MacLean), and carried by a 4-0 vote with Commissioner Walgamuth recusing as he was not present at the September 28, 2023 meeting, the Planning Commission approved the minutes of the September 28, 2023 meeting, as submitted.

By motion made and seconded (Ross/Kerns), and carried by a 3-0 vote with Commissioner MacLean and Commissioner Walgamuth recusing as they were not present at the October 12, 2023 meeting, the Planning Commission approved the minutes of the October 12, 2023 meeting, as submitted.

**CONFLICT OF INTEREST DECLARATIONS:** None.

**R2: Variance 23-0002 (Mac-Co Metal Buildings):** Mac-Co Metal Buildings has requested approval of a variance from the 30-foot yard (setback) standard applicable to lots that are two acres or larger and an exception from the 30-foot fire-safety setback standard applicable to lots that are one-acre or larger for a 2,016-square-foot detached shop to be located adjacent to the right-of-way, and 30 feet from the centerline, of Trinity Mountain Road and 5 feet from the south property line. The project site is located at 16227 Trinity Mountain Road, French Gulch, CA 96033, approximately 0.4 miles north of the intersection of East Fork Road and Trinity Mountain Road (Assessor's Parcel Number (APN) 024-330-028 as that APN is assigned for purposes of the 2023 Regular Assessment Roll). Staff Planner: Tara Petti.

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

Tara Petti presented the staff report. Commissioner Chapin asked about the aerial photo showing the structure right next to the highway right-of-way and inquired if it is also next to the road. Lio Salazar explained that there is about 15 feet between the building and the road. Commissioner Walgamuth stated that the proposed building is about twice the size of the former unpermitted building being replaced and asked if a smaller building was considered in order to meet the required setbacks. Ms. Petti stated that a smaller building would not have met the applicant's needs and that they did not indicate that they had considered a smaller building. Mr. Salazar stated that similar to the former building a smaller building than the proposed building would not meet the required setbacks. The public hearing was opened. In response to a question from Commissioner Chapin, the property owner stated that she is in agreement with the conditions. There being no other speakers, the public hearing was closed.

By motion made and seconded (Walgamuth/Maclean), and carried unanimously, the Planning Commission adopted a resolution to: a) find that Variance 23-0002 is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3) and is exempt from CEQA pursuant to State CEQA Guidelines sections 15303 and 15305; b) adopt the recommended findings listed in the Resolution 2023-025; c) approve Variance 23-0002 based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2023-025; d) in accordance with Sections 6.91 through 6.93 of the Shasta County Fire Safety Standards make the findings for an exception to Section 6.51 of the Shasta County Fire Safety Standards for building setbacks; and e) approve Shasta County Fire Safety Standards Exception Request #22-47, subject to the conditions set forth in the exception.

**R3: Amendment 22-0007 (Stimpel-Wiebelhaus Inc.):** Stimpel-Wiebelhaus Inc. has requested approval of an amendment to Use Permit 85-73A to extend the estimated mining termination date of an existing limestone quarry and processing facility (Mountain Gate Quarry) for an additional 30 years, to reconfigure the final finished quarry slope from 1.5:1 to 1:1, and to increase the total allowable volume to be produced at the quarry from 7.5 million cubic yards to 10.34 million cubic yards. The 170-acre project site is located in the Mountain

Gate area adjacent to the southeast end of Radcliff Road, approximately one mile southeast of the intersection of Radcliff Road and Fawndale Road (Assessor's Parcel Numbers (APNs) 307-350-018, 307-350-020, 307-340-004, and 307-340-017 as those APNs are assigned for purposes of the 2023 Regular Assessment Roll). Staff Planner: Tara Petti.

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

Tara Petti presented the staff report. Commissioner Kerns asked about the reclamation plan requirements for revegetating the slopes. Ms. Petti stated that her recollection of the reclamation plan is that it requires topsoil application and revegetation with conifers on the quarry benches.

The public hearing was opened. Applicant Corkey Harmon stated that he agreed to the conditions. Mr. Harmon stated that topsoil is stockpiled on the site which will be used to re-establish vegetation on the benches at the time of reclamation. Ms. Petti stated that in the case there is not enough topsoil for revegetation the operator would be permitted to import topsoil to meet the requirements of the reclamation plan. Ms. Petti stated that she found the list of tree species to be planted on the benches which consist of black oak, blue oak, interior live oak, ponderosa pine, and gray pine. Lio Salazar clarified that under SMARA the mine operator has to identify an end use for the property and if that use is consistent with the zoning, the mine site does not necessarily have to be returned to the exact same state it was in prior to the mine's existence. Mr. Salazar stated that in order for the mine site to be deemed reclaimed that the revegetation plans would have to be implemented and have survived two years without human intervention during which time the mine operator would be subject to inspections and financial cost estimates. Garrett Miller of Stimpel-Wiebelhaus stated that the overall bench area would be reduced by the steepening of the slopes and that there will be more than enough topsoil available for revegetation. There being no other speakers, the public hearing was closed.

By motion made and seconded (MacLean/Walgamuth), and carried unanimously, the Planning Commission adopted a resolution to: a) find that the Mitigated Negative Declaration previously adopted for Use Permit 85-73A is adequate for Amendment 22-0007 and that no further documentation is required pursuant to the California Environmental Quality Act; b) adopt the recommended findings listed in Resolution 2023-026; and c) approve Amendment 22-0007, based on the recommended findings and subject to the conditions of approval set forth in Exhibit A to Resolution 2023-026.

**ADJOURNMENT:** The Planning Commission adjourned at 2:41 p.m.

**Submitted by:**



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