

**AMADOR COUNTY PLANNING COMMISSION MINUTES  
SUMMARY MINUTES OF RECORDED MEETING  
September 10, 2024 – 7:00 P.M.**

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The Planning Commission of the County of Amador met on September 10, 2024 in the Board Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Vice-Chair Munnerlyn.

COMMISSIONERS PRESENT WERE: Dave Wardall, District 2  
Earl Curtis, District 3  
Stacey Munnerlyn, District 4  
Mark Bennett, District 5

COMMISSIONERS ABSENT WERE: John Gonsalves, Chair, District 1

STAFF: Glenn Spitzer, Deputy County Counsel  
Chuck Beatty, Planning Director  
Krista Ruesel, Planner II  
Nicole Sheppard, Planner II  
Mary Ann Manges, Recording Secretary

**NOTE:** The Staff Report packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions or recommendations which are referred to by Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

**A. Call to Order.** The meeting was called to order by Vice-Chair Munnerlyn at 7:00 p.m.

**B. Pledge of Allegiance:**

**C. Approval of Agenda:**

**MOTION:** It was moved by Commissioner Bennett, seconded by Commissioner Curtis, and carried to approve the agenda.

**AYES:** Wardall, Munnerlyn, Bennett, Curtis

**NOES:** None

**ABSENT:** Gonsalves

**D. Minutes:** August 13, 2024

Commissioner Bennett questioned why Cindy does not have a last name on page 5 of the minutes.

Recording Secretary Ms. Manges explained that only a first name was provided.

**MOTION:** It was moved by Commissioner Curtis, seconded by Commissioner Munnerlyn, and unanimously carried to approve the August 13, 2024 minutes.

**AYES:** Wardall, Bennett, Curtis, Munnerlyn

**NOES:** None

**ABSENT:** Gonsalves

**E. Correspondence:** Letters for Item 1 from Casey and the Oneto Group, Inc.; Letters for Item 2 from May, Caltrans, and West-Moore along with presentations for Item 2 from SGI and Benchmark Resources.

F. **Public Matters not on the Agenda:** None.

G. **Recent Board Actions:** Mr. Beatty shared that the Board of Supervisors approved the first round of X to R1A zone changes for Districts 3 & 4.

H. **Agenda Items:**

**Public Hearings**

**Item 1 - Request for a Zone Change (ZC-24;6-3). The zone change affects parcels that have a zoning district classification which is inconsistent with the land use designation adopted with the 2016 General Plan Land Use Element update.**

**Applicant:** County of Amador

**Supervisory District:** 2

**Location:** Affected property owners with land zoned X with an incompatible General Plan land use designation within Supervisory District 2

Vice Chair Munnerlyn introduced the item.

Ms. Sheppard shared the staff report which is hereby incorporated by reference into these minutes as though set forth in full, and added that letters have been received asking to be excluded from the zone change. She added that staff does not have any objections to those requests or that recommendation being made by the Commission.

Vice-Chair Munnerlyn opened the public hearing and asked if there is any public comment.

Ed Gonzales shared that he is on the Jackson Valley Irrigation District (JVID) Board and a resident of the area and understands what they are doing and has no objection. He asked if the County is going to grandfather in two of his constituents if they get use permits and if they apply for them if they will be rejected. He explained that one constituent has a cabinet shop and the other has an auto restoration business.

Mr. Beatty responded that those uses would be grandfathered without the need to get a use permit and that the changing of the zoning will not affect existing nonconforming uses. He added that all of the homes in the X zone are not technically compliant with County code, but the zone change will make them compliant.

Commissioner Bennett stated that he does not understand how a residence would be out of compliance.

Mr. Beatty responded that the X zone only allows agriculture as a by right use and that everything else requires a conditional use permit, including homes. He shared that it has been the practice of the County to issue building permits for houses in the X district, but the practice is inconsistent with the code. He stated that the zone change would make all the nonconforming houses consistent with the code.

Rux Oneto, representing the Oneto Group, Inc., said that they sent a letter requesting that their four parcels near the old co-gen plant remain X. He said that he found it strange that they were included.

Commissioner Wardall asked Mr. Beatty if Mr. Oneto requests to stay X that he can stay X.

Mr. Beatty responded that the parcels next to the co-gen plant are not likely to be developed for residential purposes and staff has no objection to leaving them out.

Commissioner Wardall suggested that for Mr. Oneto to be clear and send a letter to the Planning Department with the parcel numbers.

Mr. Oneto asked if there is a specific time to do it.

Commissioner Wardall said to talk to the Planning Department and have it acknowledged.

Mr. Beatty shared that staff has the 4 parcel numbers.

Mr. Oneto clarified that they want all parcels that they own there to remain X.

Commissioner Curtis reminded that the letter from the Oneto Group is also in the record.

Reed Hammond lives on Curran Rd. and is concerned about the Cottage Foods permit that they recently requested and asked if it will be affected by the zone change.

Mr. Beatty said it would be allowed in the X or R1A zones and will not be affected.

Mr. Hammond asked if they will be able to build a barndominium as a second dwelling.

Mr. Beatty responded that technically residential uses are not allowed in the X zone so the zone change to R1A would make both units permissible.

James Gillette lives off of Reservation and Camanche and wants to make sure he is not giving up too much and if he wants to remain X if he needs to submit a letter to do that.

Mr. Beatty responded that he would have to write a letter of request and cite the reasons to remain zoned X. He asked if Mr. Gillette has a house on the parcel.

Mr. Gillette responded yes.

Mr. Beatty responded that the house is nonconforming at the moment and going to R1A would make it a legal conforming use.

Mr. Gillette said it is hard to tell when all we have is a list of permitted uses and currently do not have a list at all.

Mr. Beatty said because the X zone only allows agriculture as a permitted use, so the list is short.

Mr. Gillette asked if there is going to be a limited number of residences that can be put on a property zoned R1A.

Mr. Beatty responded the allowed density is dictated by the General Plan which is not proposed to be changed. Most of the parcels to be rezoned have 5- or 40-acre minimum parcel sizes.

Cathy Casey said that she submitted a letter and is curious why she and her neighbor were separated out to be rezoned to R1 with several hundred other people in the village being changed to R1A. She stated that R1 seems to have far more limited choices and she would rather remain X. She explained that their parcels are unlike the smaller parcels of the village and border EBMUD and the Camanche Hills Hunt Club. She bought the property because it was zoned X and is considering selling it in a year or two and would like to market it as a Bed and Breakfast, wine tasting room, or a restaurant. She understands that they will have to apply for permits for those uses. She said that she is concerned about how the zone change will affect her taxes and water and if she will subsequently have to join the Camanche HOA and does not want to.

Mr. Beatty said that staff suggested that they be zoned R1 because they were adjacent to R1 parcels. He said that either R1 or R1A would be appropriate for those parcels.

Commissioner Curtis said that it seems that R1A would be an advantage over the X.

Mr. Beatty said that it would be easier to accommodate the potential uses that Ms. Casey listed with R1A than any of the others, but was not advertised as R1A. He added that it can be considered in the future.

Commissioner Curtis asked if those two parcels along with the Oneto parcels can remain X.

Mr. Beatty responded yes.

Vice-Chair Munnerlyn asked if Ms. Casey's neighbor with the letter with the redacted parcel number would also be excluded for a total of 6 parcels to be excluded.

Mr. Beatty replied yes.

Katie Greathouse, 3420 Lake View Dr., said that she is present to support her neighbors Cathy and Greg who are asking to remain X.

Commissioner Bennett asked if changing zoning from X for these parcels is considered inverse condemnation.

Deputy County Counsel Spitzer responded that an action that burdens the property to where there is virtually no use is when, generally, it is considered crossing the line. He said with rezoning to R1 or R1A it is extremely unlikely that the line has been crossed.

Vice-Chair Munnerlyn asked if there is further public comment. There was none.

**MOTION:** It was moved by Commissioner Curtis, seconded by Commissioner Wardall, and unanimously carried to close the public hearing.

**AYES:** Munnerlyn, Bennett, Curtis, Wardall

**NOES:** None

**ABSENT:** Gonsalves

Vice-Chair Munnerlyn asked if parcels remain in X and have nonconforming uses if any potential action will be taken against the property owner.

Mr. Beatty responded no.

Recording Secretary Manges stated Mr. Gillette submitted a chat comment asking for his parcel to be excluded from the zone change.

Vice-Chair Munnerlyn stated that would bring the total to 7 parcels excluded parcels.

Commissioner Curtis said that he does not see the advantage of remaining in the X zone.

Mr. Beatty said that there are significantly more permitted uses in R1A, that those that remain X will have to be revisited, and that there are very few General Plan designations that allow X. He explained that X is not compatible in any of the agricultural or residential general plan designations and it was the intent with the 2016 General Plan update to eliminate the X because has only one permitted use.

Commissioner Curtis said that he hopes that people understand that it is not going to be left alone.

Mr. Beatty responded not without a General Plan amendment.

Commissioner Wardall referred to the comment letter that was redacted.

Mr. Beatty replied that it is one of the 7 that was discussed that requested to be excluded.

Vice-Chair Munnerlyn asked for confirmation that the two parcels that were recommended for R1 zoning are included with those 7.

Mr. Beatty responded correct and clarified that if any of the parcels that remain X apply for a use permit or some other discretionary permit, that they will also have to apply for a zone change so they are compatible with the general plan.

Commissioner Bennett said that the goal of planning is to prevent problems and that the process has gotten a little too precise. He said that his belief is that anyone who wants their zoning to remain X should be able to and is concerned about people who are not aware of what is going on and regret that they have not responded.

Vice-Chair Munnerlyn stated that they have been notified.

**MOTION:** It was moved by Commissioner Curtis, seconded by Commissioner Wardall, and unanimously carried to recommend approval to the Board of Supervisors to approve ZC-24;6-3 excluding parcels identified by APNs 003-430-001, 003-662-018, 003-662-019, 012-070-051, 012-070-067, 012-070-069, and 012-100-021.

**AYES:** Bennett, Munnerlyn, Curtis, Wardall

**NOES:** None

**ABSENT:** Gonsalves

**MOTION:** It was moved by Vice-Chair Munnerlyn, seconded by Commissioner Curtis, and unanimously carried to recommend approval to the Board of Supervisors that the Categorical Exemption is the adequate environmental document.

**AYES:** Bennett, Wardall, Munnerlyn, Curtis

**NOES:** None

**ABSENT:** Gonsalves

*Ms. Sheppard stated that the Planning Commission has recommended approval of ZC-24;6-3 excluding 7 parcels in District 2 to the Board of Supervisors and that a hearing will be held at a later date.*

Mr. Beatty pointed out that this is the second group of zone changes that the Planning Commission has considered. He said that the first group included Districts 3 and 4. He added that District 2 included the most parcels, and at the next meetings District 1 and District 5 will be reviewed with each having fewer parcels.

**Item 2 - Public review and comment on the Draft Environmental Impact Report (DEIR) prepared for the lone Quarry (SGI) Expansion Project. This project proposes to expand the existing footprint and depth of lone Quarry to access additional rock reserves. This expansion requires an amended Conditional Use Permit and an amended Reclamation Plan. The project involves the following major components:**

**1) Extending the Use Permit expiration date from December 31, 2075 to**

- December 31, 2175 at current annual production rates;
- 2) Enlarging the quarry's total surface disturbance from ±56 acres to ±136 acres;
  - 3) Increasing the quarry's floor depth from ±325 feet above sea to ±280 feet below sea level; and
  - 4) Expanding overburden storage stockpiles on-site from ±34 acres to ±86 acres and increase elevation from ±350 feet above sea level to ±560 feet above sea level.

**Note: The purpose of the hearing is to solicit comments on the Draft EIR. A response to comments will be included, along with any adjustments, in the Final EIR. A decision on certification of the Final EIR, the amended Use Permit, and amended Reclamation Plan will occur at a later date. The Specific Plan, Draft EIR, and Appendices can be found here: <https://www.amadorgov.org/departments/planning/current-projects>.**

**Applicant: Specialty Granules lone, LLC  
Supervisory District: 2  
Location: 1900 State Highway 104 lone, CA 95640, 500 feet east of the intersection of Hwy 104 and Michigan Bar Road, and approximately two miles west of the City of lone; Mine ID 91-03-0011; APN 005-080--020.  
General Plan designation: MRZ (Mineral Resource Zone)  
Zoning district: R1A (Single-family Residential and Agricultural)**

Vice-Chair Munnerylyn introduced the project.

Ms. Ruesel introduced the item and shared the staff report which is hereby incorporated by reference into these minutes as though set forth in full, and added that tonight's meeting is to review and provide public comment on the Draft EIR and not on the project itself.

Kevin Moore, Director of Mine Planning and Capital at Specialty Granules, Inc. (SGI), stated that George Dias, site manager of the lone Plant, is also present. He shared a short presentation, available on the County website under Current Projects, where he introduced SGI stating that their primary product is the small rock that goes into asphalt roof shingles. He informed that they have won numerous awards, and discussed their goals of safety, preventing effects to the environment, producing a quality product, providing excellent customer service, and controlling costs. He shared that their goal is to expand the reserves associated with their existing mine and continue to utilize the adjacent property's roofing granule production facility.

Commissioner Bennett asked if due to demand that granules are imported.

Mr. Moore responded that he does not know about that.

Commissioner Bennett asked why the number of employees varies throughout the documents.

Mr. responded because it is a snapshot in time and based on fluctuations in the market.

Commissioner Bennett asked how much the Draft EIR cost and said that he wonders how much this costs the consumer.

Mr. replied that the cost was significant and that he would prefer not to disclose the amount.

Andrew White, Principal at Benchmark Resources, shared a presentation which is on the County website under Current Projects. He began by introducing his team including Monika Krupa who is the Project Manager. He provided an overview of the existing conditions on the site and project, environmental review, summary of the Draft EIR, and next steps. He shared that this project is an expansion of area with no change to processing levels or production methods or how the site is mined. He stated that the only

significant changes that may occur is some modification to their existing stormwater facilities as they move into some of the expansion area, as well as the termination date. He reviewed the Reclamation Plan and shared a timeline of the project since submission sharing that the current project comment period goes through October 6, 2024. He provided a high-level summary of the conclusions in the Draft EIR and some details about potential significant impacts after mitigation in the Biology, Cultural and Tribal Cultural, Geology and Soils, and Hydrology and Water Quality sections. He shared that the next steps include receiving public comment and responding to comments as part of the Final EIR. He stated that later they will work with the County to prepare the staff report, mitigation monitoring and reporting program, findings, and come before the Planning Commission again for a decision on the project.

Commissioner Bennett said that he assumes that left from the quarry will be a body of water and new hillsides.

Mr. White replied yes.

Vice-Chair Munnerlyn asked for public comment.

Susan Port said that she is a close resident and has three main concerns. The requested permit length is too long which would extend 150 years. She added that her family has been in the area about 150 years and much has changed since then and will continue to change. She continued that there is an incredible amount of dust even in the winter. The air monitoring stations are not near and are based in Jackson and San Andreas and requested closer monitors and regular monitoring to make sure people do not end up with lung damage, and added that dust from trucks needs to be considered. The depth of the proposed pit could drain the lone Valley of water if a fissure or crack is hit, and requested regular water table monitoring. She added that she cannot open windows on the quarry side of the house at night due to noise and that if the quarry did not have operations at night, there might not be noise complaints. She requested additional noise monitoring. She also noted that the remaining stockpile would not be pleasant to see.

Craig Baracco, Foothill Conservancy, shared that they echo Mrs. Port's concerns. He stated that at the Scoping Session they first voiced their concern about the length of the permit which renders most of the analysis and planning mute. He reminded that technology, population, and climate changes. He stated that lone has gone from a population of 600 to 6,000 in last 150 years and urges the County to have a review period set on a much more reasonable schedule such as 25 or 30 years so that conditions on the site can be analyzed, incorporated, and updated in the permit. He added that it does not make sense to lay out all the rules now and let them sit for 150 years. He requested similar air and water quality monitoring, reiterating that current air quality monitors are in Jackson and San Andreas, and a monitor near lone would be appropriate for the immediate microclimate. He added that the aesthetic impact from the growth of the quarry pit and the stockpile of waste rock would continue to worsen with no need to reclaim the site for 150 years. He added that they will submit a formal letter with their comments.

Commissioner Bennett said the Foothill Conservancy's letter from the Scoping Session asked that the quarry not be expanded which would mean less production of roofing granules. He asked Mr. Baracco how the granules for roofing will be replaced for much needed housing.

Mr. Baracco responded that he is not aware that they asked that the quarry not be expanded and does not believe they asked for that. He explained that he would need to go back and review the letter since he was not with the Conservancy then. He said that what they are seeking is to fully account for and address the impacts from the expansion.

Commissioner Bennett responded that if the expansion does not occur that there will be a reduced supply of material for housing which costs all of us.

Mr. Baracco responded that there is always a tradeoff between economic activity and the environmental

impacts that result from it. He stated that they want to minimize impacts concentrated to immediate neighbors and the town that is right next door to the operation. He added that the economics benefits are widespread.

Commissioner Bennett said that regarding the 150-year request that the proposed life of the project has to do with the amortization of the original investment or the ongoing investment.

Mr. Baracco commented that if in 30, 40 or 50 years if the conditions at the site remain the same or there are not further impacts and the water level has not dropped dramatically that this review will not take that long. He expounded that due to the rapid rate of climate change and technology that we could be living in a completely different world.

Commissioner Bennett said that he understands what Mr. Baracco is saying.

Arlene Dutschke stated that her father's family came in 1862 and that they have a family property nearby. She voiced concern about the length of time for the permit and stressed that a lot has changed since the family's first arrival to the area and that the mine has had a great effect on her family. She said that she is concerned about property, people, and environment and would like to see more about particulate matter. She added that she is a member of the Miwok Indians and is also concerned about cultural resources and asked if the tribes in this county have been consulted.

Mr. Beatty responded that there was consultation, as required, done after the Scoping Session.

Ms. Dutschke asked the name of who the County spoke with.

Mr. Beatty said multiple tribes were contacted.

Ms. Dutschke commented that she made a couple phone calls and that Mr. Beatty has a very good reputation and that she would like to hear back about who was talked to. She stressed that both her and the Ports' families have lived in the area 160 years, that the City of Lone is 3 miles away, and that she would like to see the term of the permit much shorter.

Dan Port shared that he has a cattle ranch about 2,000 feet away from the SGI facility and the main issue is the length and scale of the proposal. He said they are wondering what opportunities there will be to address problems that may happen down the road with most of the impacts considered to be insignificant or insignificant with mitigation. He stressed that they are limited in their ability to challenge negative impacts if there is not a county ordinance or something in the General Plan. He stated that there was no consideration for local impacts for air quality and is primarily concerned about dust, not so much the tailpipe emissions from equipment and transportation. He suggested that there be some kind of local monitoring or assessment included as part of a mitigation. He stressed that the cumulative impacts are hard to separate out because there is one owner and two different use permits and EIRs. He said that current noise is above the threshold, but the noise is coming from the tile plant and the rail loading at night. He said that he will submit comments in writing.

Vice-Chair Munnerlyn asked if there is further comment. There was none.

**MOTION:** It was moved by Commissioner Wardall, seconded by Commissioner Bennett, and unanimously carried to close the public hearing.

**AYES:** Curtis, Munnerlyn, Wardall, Bennett

**NOES:** None

**ABSENT:** Gonsalves

Vice-Chair Munnerlyn stated that the meeting is adjourned to the next scheduled Planning Commission meeting, September 26, 2024 at 7:00 p.m.

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Stacey Munnerlyn, Vice-Chair  
Amador County Planning Commission

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Mary Ann Manges, Recording Secretary  
Amador County Planning Department

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Chuck Beatty, Planning Director  
Amador County Planning Department