

**LAKE COUNTY PLANNING COMMISSION  
REGULARLY SCHEDULED MEETING**

**MINUTES  
February 24, 2022**

**Commission Members Present:**

**P-John Hess, District I  
P- Everardo Chavez, District II  
A-Batsulwin Brown, District III  
P-Christine Price District IV  
P-Maile Field, District V**

**Staff Members Present:**

**Michael McGinnis, Principal Planner  
Nicole Johnson, Deputy County Counsel  
Trish Turner, CDD Tech  
Eric Porter, Associate Planner  
Sateur Ham, Assistant Planner**

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**9:00 a.m. CALL TO ORDER**

**9:00 a.m. Pledge of Allegiance – All**

**9:00 a.m. Resolution AB-361 for Teleconference.**

**Commissioner Hess** would like to amend the Item number 4, page 2, which requires them to attend teleconference remotely. The amendment would state that they can socially distance instead of remotely attend.

Nicole Johnson, is stating that this body doesn't have to adopt the resolution or can do a hybrid of attendance.

Planning Commission finds that social distancing remains necessary and that remote attendance by members through teleconferencing is allowed.

On motion by Commissioner Hess, and by vote of the Planning Commission, approve the resolution with the amendment provided by County Counsel, seconded by Commissioner Fields.

**4 Ayes/ 0 Noes**

**9:08 a.m. Approval of Minutes from the December 16, 2021 and January 13, 2022 Planning Commission Hearings.**

Commissioner Fields made the motion to approve the minutes, seconded by Commissioner Hess.

**4 Ayes/ 0 Noes**

**9:09 a.m. Citizens Input**

**9:11 a.m. Closed Citizen Input**

**9:11 a.m. Item # 1 - 9:00 A.M. - Continued from January 13, 2022. Public Hearing on Consideration of a Major Use Permit (UP20-75) and a Mitigated Negative Declaration (IS 20-88). The project applicant North Coast Select, Inc., is proposing a co-location/clustering of permits for cannabis cultivation operation to allow 70,560 square feet mixed-light canopy area within greenhouses equipped with air filtration systems in a total of 168,680 square feet cultivation area. The project includes additional greenhouses for immature plants, a processing facility, a drying building, thirty-two 2,500 gallon water tanks, security, and a perimeter fence. The project is located at 1496 Bell Hill Road, Kelseyville, CA; and further described as A.P.N. (s): 017-002-02, 007-010-24, and 017-002-01.**

**9:18 a.m.** took a break until 9:30 a.m. for technical difficulties.

**9:30 a.m. Sateur Ham** presented the information via Power Point which included the scope, site description, project analysis and recommendations.

**The applicant is present.**

**Commissioner Field** – asked a question regarding the green houses and other structure being placed on concrete pads.

**Sufyan Hamouda** –answered that they will be on concrete pads.

**Nicole Johnson** - stated that they will not be able to use generators.

**Commissioner Hess** asked in the event of an emergency use.

**Nicole Johnson** - confirmed that in the event that there has been an emergency declared such as a PSPS. Any events that could be planned for are not covered under the Article.

**9:49 a.m. Open for public comment**

**Bart Levenson (Zoom Room)** – stated that the meeting is not accessible via you tube and the Zoom volume via the phone is very low.

**Bill Wilson (Chambers)** – stated the he would like to thank the neighboring vineyard. It was a producing vineyard when they tore it out. We were told that there was an EIR on file for when the vineyard was in production. We were told that there would be enough water via Adobe Creek. Next is security going to be someone there so we do not have an alarm going off, all hours of the night? The house is so old and has not been lived in, in 17 years, it should be red tagged. They have not determined the depth of the well. We would like to know what aquafer the water would be coming out of.

**Commissioner Hess** - asked if the applicant or the planner to address the questions from Mr. Wilson.

**Sufyan Houmada** – stated that the restrooms will not be in the existing residence. A portion of the vineyard was cultivated up through 2020 and they have removed the portion of the vineyard that will be used for the greenhouses. We have contacted two of the neighbors. 6 foot fence, security lighting that will be face down and shielded at all times, the alarm will be by entry only, also we will have night vision, 24/7 recording and retained for six months. The well depth is 680 gallon per minute at 30' feet, and the draw down is over an eight hour time period. It started at 92 feet and drew down to 138 feet and fully recharged within minutes. It start at 8:30 a.m. and finished at 4:00 p.m.

**Phillip Moy (Zoom Room)** – stated that he submitted a written comment to Sateur Ham, I am concerned about the hitch. The water and draw down of the well and the previous vineyard. The tank fill is concerning of when they will fill these tanks, during the spring time when the hitch are spawning. Also he is questioning of the filling of the 32 gallon tank.

**Sufyan Houmada** - stated that we will be well beyond the required setback from the creek, we will be drawing water from the well not the creek.

**Commissioner Field** - stated she did not receive the hydrology report in the agenda packet. She is concerned about where the effect of the water usage on the aquafer downstream, she feels there quite a few users downstream worry about this.

**Sufyan Houmada** stated the hydrology report was submitted and has been viewed through the initial study. He read some information into the record regarding water usage.

**Philip Moy (Zoom Room)** - stated his concerns regarding the Adobe creek surface water, I am not talking about setbacks or storm water. I am talking about the use of aquafer water.

**Sufyan Houmada** –addressed it as a 200 foot radius, which is well outside of the parameters. The first stage of the project would include the 4 tanks not the 32.

**Philip Moy (Zoom Room)** – stated that they were using a short term equation. There is no indication of how long they are going to pump.

**Sufyan Houmada** – addressed the questions from Mr. Moy. There will no draw down at one time.

**Nicole Johnson** – reminded the Commission regarding the use of phase and how it applies to CEQA projects.

**Commissioner Fields** asked about the difference between phases and stages.

**Sateur Ham** – explained the difference between phases and stages.

**Nicole Johnson** – explained the how a phased project is handled in CEQA.

**Commissioner Chavez** - stated that the staff report uses the word “stages”.

**Bill Wilson (Chambers)** – stated information about the use of water during the summer time vs. during the frost time. He also would like to know how the well is monitored.

**Sufyan Houmada** – responded to the monitoring of the wells and it is listed as one of the conditions of approval. There will be two monitors for the well depth which is recorded 24 hours a day and how many gallons are being used. There is an existing monitor from when there was a vineyard present.

**Bart Levenson** – stated that in most recent BOS meeting, Mary Darby made a statement, she came and stated to this department that this department has not have a legal hydrology report.

#### **10:16 a.m. Closed Public Comment**

**Commissioner Field** stated a couple of concerns she would like to be addressed, the proximity to adobe creek, there is a berm that is between the project and the creek. I do have a few other concerns that it is in the flood zone. If we put this much concrete that is not preserving the farming lands. I am concerned about the smell, the road impacts, culture conflict, proximity of the hitch spawning, and the lack of a full EIR.

**Commissioner Hess** stated that he has heard no comments that this applicant has been rude or culture insensitive.

#### **Mitigated Negative Declaration (IS 20-88):**

On motion from Commissioner Chavez, that the Planning Commission finds that the Mitigated Negative Declaration (IS 20-88) applied for by North Coast Select, Inc. on property located at 1496 Bell Hill Road, Kelseyville, CA, further described as APNs: 017-002-02 (associated parcels: 007-010-24, & 017-002-01) will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated **January 13, 2022**. The motion seconded by Commissioner Hess. The motion carried by the following vote:

**3 Ayes 1 Noes – Motion Carried**

#### **Major Use Permit (UP 20-75):**

On motion from Commissioner Chavez, that the Planning Commission find that the Major Use Permit (UP 20-75) applied for by North Coast Select, Inc. on property located at 1496 Bell Hill Road, Kelseyville, CA, further described as APNs: 017-002-02 (associated parcels: 007-010-24, & 017-002-01) does meet the requirements of Section 51.4 and Article 27, Section 13(at) [i, ii(g), ii (i)] of the Lake County Zoning Ordinance and the Major Use Permit be granted subject to the conditions and with the findings listed in the staff

report dated **January 13, 2022**. The motion seconded by Commissioner Hess. The motion carried with the following vote:

### **3 Ayes 1 Noes – Motion Carried**

*NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fees must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission's final determination*

### **10:22 a.m. – Break**

**10:28 a.m. Item # 2 - 9:10 A.M. - Public Hearing on Consideration of a Major Use Permit (UP 20-68) and a Mitigated Negative Declaration (IS 20-83).** The project applicant, **Cristhian Hernandez** is applying for a two-acre outdoor canopy area within 170,730 square feet cultivation area to include twelve shipping containers with a total of 4,000 square feet solar panels and eight outdoor drying tents on existing agricultural land located at 2000 Clover Valley Road in Upper Lake, Lake County also known as Assessor's Parcel Number (A.P.N.): 004-007-25.

**10:28 a.m. Sateur Ham** presented the information via Power Point which included the scope, site description, project analysis and recommendations.

### **The applicant is present**

**Commissioner Price** asked if there were any questions from the Commissioners.

**Commissioner Chavez** asked a question regarding the drying tents materials, will they be temporary or permanent structures.

**Jean Luc Shaw (Chambers)** – The applicant is responding to the questions. They are permanent structures, they are 8' – 10'. The diagram we have has a comparative analyst, which can be barely seen from the street, we will plant trees so that it can be protected from the view.

**Commission Field** - stated she did visit the site and is a very nice project. She also asked why cannabis is not considered as Ag. She was impressed with the cumulative review in the hydrology review. She would like to know how they will handle the "cheese weed"?

**Christian Hernandez (Chambers)** - stated that it would be cleared thru physical labor.

**Nicole Johnson** - gave a brief summary of the Ag description of cannabis not being an Ag product.

### **10:52 a.m. Opened Public Comment**

**Erin McCarrick (Zoom Room)** - Cannabis Alliance, stated that she would like to show my support for this project. This is a project that is doing it correct and getting the permits issued.

**Shawna Steen (Zoom Room)** - stated she lived in Lake County near the farm. I have seen all of the illegal farms, with that being said, getting a license is a long and drawn out process. I believe they should be rewarded for their process of doing it legally.

**Kieran Riley (Zoom Room)** – stated she supported this project. The cannabis price has dropped dramatically in this. If we do not get these legal projects approved the black market will take over. 70% of the cannabis market California is black market cannabis.

**Kali Perkins (Chambers)** – stated she was an attorney that over sees, any cannabis projects. This particular one is our favorite. This applicant has go through all of the hoops and request of him. Both economically and environmental aspects.

**Sharon Diemer (Zoom Chat Room)** – stated she had land near this address and she support this project.

**11:00 a.m. Public Comment Closed**

**Mitigated Negative Declaration (IS 20-83)**

On motion from Commissioner Field, that the Planning Commission find on the basis of the Initial Study No. 20-83, prepared by the Planning Division, and the mitigation measures which have been added to the project, that the use permit as applied for by Cristian Hernandez Rodriguez will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated **February 24, 2022**. The motion seconded by Commissioner Hess. The motion carried with the following vote:

**4 Ayes 0 Noes – Motion Carried**

**Major Use Permit (UP 20-68)**

On motion from Commissioner Field, that the Planning Commission find that the Major Use Permit (UP 20-68), applied for by Christian Hernandez Rodriguez project on property located at 2000 Clover Valley Road, Upper Lake, CA, does meet the requirements of Section 51.4 and Article 27, Section 13(at) [i, ii(g), ii(i)] of the Lake County Zoning Ordinance, that the Planning Commission has reviewed and considered the Mitigated Negative Declaration which was adopted for this project, and that a Major Use Permit be granted subject to the conditions and with the findings listed in the staff report dated **February 24, 2022**. The motion seconded by Commissioner Hess. The motion carried with the following vote:

**4 Ayes 0 Noes – Motion Carried**

*NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fees must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission's final determination*

**11:03 a.m. Item # 3 -11:04 A.M. - Public Hearing on Consideration on a Major Use Permit (UP 21-42) and a Mitigated Negative Declaration (IS 21-44).** The applicant **Linodhi Inc.** is proposing three (3) A-Type 3 medium outdoor commercial cannabis cultivation licenses and one A-Type 13 Self Distribution license to allow legal transport of cannabis to and from the site. The project location is 6680 Wilkinson Rd. (cultivation site) and 6690 Wilkinson Rd., Kelseyville, CA. and further described as A.P.N. 007-018-14 and 007-018-15.

**11:04 a.m. Eric Porter** presented the information via Power Point which included the scope, site description, project analysis and recommendations with corrections as stated on the record.

**Commissioner Field** - asked about the water usage and what the spacing will be on these plants.

**Linda Bryant (Chambers)** – stated that they plan to plant about 1,000 plants.

**Commissioner Field** - asked about the plants spacing being erroneous in the water analysis. It seems this is enough water to deal with a 1,000 plants.

**Nicole Johnson** – clarified that the analysis is performed for the project you will be approving, if you are being asked to approve a larger quantity of plants, the fact that an applicant may voluntarily choose to limit that themselves later is somewhat irrelevant to the analysis and your analysis is for what is being approved because that is what be allowed under the permit, so whatever maximum use would be necessary for the

proposed project would be the amount that you would need to determine is available on site for the project.

**11:19 a.m. Open Public Comment**

**11:20 a.m. Closed Public Comment**

**Commissioner Field** - responded to the Kelseyville Community Coalition. She would like to share the email. She read the email during the meeting to the entire Commission. She stated that she does not have any concerns and everything was addressed really well. Her only concern is the incompatibility with the neighborhood. She feels that an outdoor grown will be very offense to some people.

**Nichole Johnson** - stated that any communications shared with the Commission is determined to be public record.

**Linda Bryant (Chambers)** – Thanked everyone for their concerns. She thanked Eric and the CDD staff. She has no nefarious sources of income. Neither does my partner. I am working with someone that is helping me and guiding me to use materials that impact the environment the least. My project and property is very remote and isolated. I have done extensive wind analysis that determines the wind direction, and it is least likely that it will impact these neighbors and I will respect the community.

**Commissioner Field** - asked about the elevation of property.

**Linda Bryant (Chambers)** stated that the property was at the lower part of the lower slope of the mountain range.

**Mitigated Negative Declaration:**

On motion from Commissioner Hess, that the Planning Commission find that the Initial Study (IS 21-44) applied for by Linhodhi Inc. / Linda Bryant on property located at 6680 and 6690 Wilkinson Road, Kelseyville, and further described as APNs: 007-018-15 and 007-018-14 will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated **February 24, 2022** and amended here today. The motion seconded by Commissioner Chavez. The motion carried with the following vote:

**4 Ayes 0 Noes – Motion Carried**

**Major Use Permit (UP 21-42):**

On motion from Commissioner Hess, that the Planning Commission find that the Use Permit (UP 21-42) applied for by Linhodhi Inc. / Linda Bryant on property located at 6680 and 6690 Wilkinson Road, Kelseyville, and further described as APNs: 007-018-15 and 007-018-14 does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and the Major Use Permit be granted subject to the conditions and with the findings listed in the staff report dated **February 24, 2022** and as amended her today. The motion seconded by Commissioner Chavez. The motion carried with the following vote:

**4 Ayes 0 Noes – Motion Carried**

*NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fees must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission's final determination.*

**11:31 Break**

**11:35 a.m. Item # 4 - 9:20 A.M. - Public Hearing on Consideration of Major Use Permit (UP 20-22) and a Mitigated Negative Declaration (IS 20-25). The applicant**

**Zarina Otchkova/ We Grow, LLC.** Proposes fifteen (15) A-Type 3B mixed light commercial cannabis cultivation licenses and one A-Type 13 'Self Distribution' license. Proposed are thirty two (32) 90' x 125' greenhouses; two (2) 90' x 125' greenhouses for immature plant starts; four (4) 50' x 100' drying buildings; one (1) 200 sq. ft. shed; twenty (20) 5,000 gallon water tanks; one (1) 6-foot tall galvanized woven wire fence covered with privacy mesh to screen the greenhouses from public view. Total proposed cultivation area is 387,600 sq. ft. (roughly 9 acres); total proposed canopy area is 330,000 sq. ft. The applicant is also proposing the removal of 130 blue oak trees. The project is located at 16750 Herrington Road, Middletown, CA. (cultivation site), and 17610 Sandy Road, Middletown, CA. and 19678 Stinson Road, Middletown, CA. and Further Describes as A.P.N. 013-060-40 (cultivation site) and A.P.N.s 013-014-03 and 013-014-11 (clustering sites).

**Eric Porter** - presented the information via Power Point which included the scope, site description, project analysis and recommendations with corrections as stated on the record.

**Commissioner Hess** - read the message received from the planner into the record.

**12:02 p.m.** Any questions from staff or Commissioners.

**Nicole Johnson** – advised the Commission regarding CEQA. She stated that a Mitigated Negative Declaration requires that the entire Commission makes a finding that all identified impacts be mitigated to less than significant, if that finding can be made than you adopt the Mitigated Negative Declaration. By definition than, if there are any impacts that cannot be mitigated to less than significant, than Mitigated Negative Declaration is not the appropriate vehicle under CEQA in which to evaluate the project and an EIR must be performed. It is not the applicant's responsibility to determine whether an EIR is required. EIR as defined or described by CEQA is the heart of CEQA, it is where the lead agency begins and as they go through their analysis they can eventually determine that maybe all of the impacts that they have identified could be mitigated and therefore a Negative Declaration is appropriate, but in theory the agency determines whether not an EIR is appropriate in a particular case for a particular project. If you agree with staff, and staff assessment that any of the impacts, including the impacts of the removal of the oak trees are unable to mitigated to less than significant, than the Mitigated Negative Declaration cannot be adopted here.

**12:07 p.m. Open Public Comment**

**Sufyan Hamouda (Chambers)** - Lake County Consultant for the applicant

**Andrew Azarmi (Zoom Room)** - apologized for not being there in person, he was on vacation, he is a counselor for the applicant, and would like to provide a brief overview. The application was filed over two years ago. At that time it was determined to be approved for EA and unanimously approved by this board. This project has not changed at all since that original approval. It was then appealed. The appeal was denied. The applicant has jumped through so many hoops everything that the board has asked, the applicant has done. Two weeks ago the department is now recommending denial even though nothing has changed since this board unanimously approved. He stated it is unfair. These key studies have been prepared, power analysis, and the applicant has complied. This new position for denial, came two weeks ago and has not given us time to deal with the issue. There has to be substantial evidence for the requirement. He stated that he has never seen a project that has ever needed an EIR.

**Sufyan Hamouda (Chambers)** – stated that we have worked very closely the department. Just 177 days ago that we were notified that we would have a denial recommendation. I would like to read the staff report of the prior planning commission hearing that was recommending approval. We do not know how this position has changed 17 days ago. We have had CDD, Code Enforcement, and CDFW all at the site.

**Nicole Johnson** – stated information regarding EIR's and CEQA. Even if staff has given you recommendations. You are not required to go with that recommendation. You can

vote by the information that is given to you, even if it is not in with what the planner or department recommends.

**Dan Levine (Chambers)** – stated he lives in close proximity to the We Grow, he stated that he would urge the Commission to deny this project. He states he has seen many changes to this project. From the tree removal to the power usage. The further this application goes the more errors have surfaced. He stated numerous concerns. This project should have never made it out of plan check. The MND should not be a green ticket to a project. The end goal for an MND seems to be to reduce the significant negative impacts down to near unbearable levels. Collectively it is still a huge impact on this community.

**Monica Rosenthal (Chambers)** – stated he was the chair for math group although I am not hear speaking in their capacity. He was here to speak for herself. She opposes the project. It seems like there is a number of changes. It seems like there were supposed to be 30 trees of removal and now it is 130. I am asking to have the project denied. Also the 72 hour public notification.

**Scott Negelson (Chambers)** – stated he owns property near this project. It is victory for the process for staff to go back and look at the previous comments and find that they needed to change their recommendation.

**Jesse Goud (Chambers)** – stated the power usage is the main concern. The power for the odor control filtration was not in that engineered or the security lighting. It also doesn't give power for the air conditioning. Storm water runoff, you do have a report from the engineer that we have hired, it is huge and he has the statistics. Soil removal was also one of his concerns.

**Jason Hager (Chambers)** –stated that there 120,000 yards of dirt, all of the runoff will go down into Putah Creek and all of the ecosystems will be effected. It will take 80 years to get the replacement trees back to the current tree population. There will be a yardage of dirt for each tree, and that goes and runs off into the drainage system. He stated if this project goes forward an EIR is required.

**Shannon Williams (Zoom Room)** – stated she sent a letter to everyone already as Eric pointed out the number one requirement is that the project will not have a significant impact to the environment, surrounding neighbors, etc. She has spoken with the Sheriff's Department and they have said this will have a negative impact on the neighborhoods. The CHP who is on this zoom, will speak to the open case on this property.

**Glen Goodman (Zoom Room)** – stated that he supports the staff recommendation for the denial. How much are we willing to sacrifice as a County for added revenue? The tendency of the county to permit huge grows. The roll out of Prop 64 is alarming. He stated that we need to rethink this as a county. It is no longer farms it is now an industry.

**Bart Levenson (Zoom Room)** – stated he was a property owner in the area and went through the Valley fire. This road is one of few evacuation roads for the area. The degradation of the road from 80 trucks a day has not been mitigated. The evacuation route for an entire community has not been acknowledged at all. There may not be regulations in place, we have to look at what our situation is now.

**Sufyan Hamouda-** stated any changes that started from this project, the changes came up for example the power. The applicant chose to mitigate and change things. The traffic studies, 20 would be the least and 40 would be the most. Since the energy has changed it will be more like a seasonal grow even though it will not be more like an outdoor grow. The odor is being mitigated with indoor growing. The traffic study has been done and I he read a portion of the report. He also quoted a portion of the biology study.

**Jason Hager (Chambers)** –stated Spruce Grove Road has no fog line it cannot handle a 1000 extra cars or vehicle. My road is residential and cannot handle 1000 extra cars.

**Monica Rosenthal (Chambers)** stated there was a vineyard in the area that actually volunteered to do an EIR.



**Dan Levine (Chambers)** – stated he was glad that there was agreement that there were changes made. The greenhouses are the size of 13 football Fields. 200 amps is for one house. This huge commercial project is only going to use the same amperage as a house is ludicrous.

**Bart Levenson (Zoom Room)** – stated that this is near Putah Creek which is a watershed for Lake Berryessa that provides most of the water supply for the Bay Area. Can everyone remember when they were evacuated? These roads are not able to handle any type of evacuations.

**Jason Crouse (Zoom Room)** – stated he was a retired firefighter. Spruce Grove Road is heavily brush fuel loaded. Spruce Grove Road shoulders are disappearing. Heavy powerlines along the road. Also there have been several fires and evacuations for this road. He stated that every time there were fires they were hard to fight due to the heavy vegetation.

#### **12:55 pm Closed Public Comment**

**Commissioner Field** stated she would like to thank the applicant for his patience and the staff of CDD. She states that the Commission staff has changed. She feels that the issue for the oak trees is not mitigatable. Feels that it is incomparable with the neighborhood.

**Commissioner Hess** – stated he appreciated Sufiyan’s work. He did not agree with the applicant’s attorney that nothing has changed. He felt that there had been changes. I think the oak tree removal cannot be mitigated.

**Commissioner Chavez** - commented that he was a new commissioner at the time that this project was in front of the Commission, and his views has changed regarding this project. It has never felt comfortable regarding this decision. He state if he knew then what he know now, he would of voted differently.

#### **Mitigated Negative Declaration (IS 20-25):**

On motion from Commissioner Field, based on the information in the Staff Report and the information received during today’s public hearing, the Planning Commission deny the adoption of the Initial Study, IS 20-25 for many reasons. The motion seconded by Commissioner Hess. The motion carried with the following vote:

**4 Ayes/ 0 Noes**

#### **Resubmitted Major Use Permit (UP 20-22):**

On motion from Commissioner Hess, that the Planning Commission deny file no. UP 20-22 due to insufficient review of the project according to the California Environmental Quality Act as it relates to oak tree removal of 130 oak trees and as it relates to treatment of soil erosion and drainage. The motion seconded by Commissioner Chavez. The motion carried with the following vote:

**4 Ayes/ 0 Noes**

*NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fees must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Commission’s final determination.*

#### **UNTIMED STAFF UPDATE**

**Office News** - None

**1:04 p.m. Adjournment**

Respectfully Submitted

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Christina Price, Chair  
Lake County Planning Commission

By: \_\_\_\_\_

Trish Turner,  
Planning Commission Assistant