



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Final Planning Commission

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Thursday, August 25, 2022

9:00 AM

Board Chambers

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**Please see agenda for public participation information and eComment submission on any agenda item.**

### 1. 9:00 AM - Call To Order

*The meeting was called to order at 9:00 a.m. by Chair Price. Interim Community Development Director, Mireya Turner, Deputy County Counsel Nicole Smith, Associate Planner Eric Porter, and Office Assistant Jim Feenan were present along with following Commissioners:*

*Present: Commissioner John Hess, Commissioner Everardo Chavez Perez, Commissioner Batsulwin Brown (via Zoom).and Chair Christina Price.*

*Absent: Commissioner Maile Field*

### 2. Pledge of Allegiance

### 3. Verification of Legal Notice

*Clerk deems all timed items on the agenda as properly noticed*

### 4. Approval of the Consent Agenda

- 4a. Approve Continuation of Resolution Authorizing Teleconferenced Meetings during a State of Emergency Continue to Exist
- 4b. Approval of Minutes from the August 11, 2022 Planning Commission Meetings..

**On motion of Commissioner Hess, and by vote of the Commission, approved Consent Agenda Items 4a & 4b.**

**The motion carried by the following vote:**

**Ayes- Commissioners: 4 - Hess, Chavez, Brown and Chair Price**

**Absent- Commissioner 1 - Field**

### 5. Citizen Input

*No individuals stepped forward or raised their hand in the Zoom Room.*

### 6. Timed Items - Public Hearings

- 6a.** 9:05 a.m. – (Continued from July 15, 2022). PUBLIC HEARING -Consideration of proposed twenty-year extension for a mine (UPX 19-04) for Use Permit (UPM 10-01) and Categorical Exemption (CE 19-98); Applicant: CLEARLAKE REDI-MIX ; Project location: 12572 White Rock Canyon Road; Upper Lake (APN: 022-009-06)

*Associate Planner Eric Porter presented the staff report. Commissioner Hess, Interim Director Mireya Turner, Deputy County Counsel Nicole Johnson, Commissioner Brown spoke.*

*Chair Price opened the public hearing and no one wished to speak and the public hearing was closed.*

**On motion of Commissioner Chavez, and by vote of the Commission, find that the Use Permit Extension UPX19-04 applied by Clearlake Redi-Mix shall be approved with the findings listed in the staff report dated August 25, 2022. The motion carried by the following vote:**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

**On motion of Commissioner Chavez, and by vote of the Commission, finds that the project meets the requirements of Section 51.4(a) of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Categorical Exemption (CE19-98) which was adopted for this project, and Use Permit Extension UPX19-04 be granted for a period of 20 years expiring on August 25, 203 shall be approved with the findings listed in the staff report dated August 25, 2022. The motion carried by the following vote:**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

- 6b.** 9:10 a.m. – (Continued from July 15, 2022) PUBLIC HEARING - Consideration of proposed one-year subdivision extension (SDX 22-01)for Valley Oaks subdivision; and consider its inclusion under the original FEIR and Addendum; Applicant: VALLEY OAKS PARTNERS, LLC / KEITH GAPUSAN; located at 18196 and 18426 S. State Highway 29, Middletown (APNs 014-260-51, 36 & 24)

*Associate Planner Eric Porter presented the staff report. Commissioner Hess, Deputy County Counsel Nicole Johnson, Commissioner Brown spoke.*

*Chair Price Opened the public hearing and the following people spoke: Rick Tooker*

*No one else wished to speak and the public hearing was closed.*

**On motion of Commissioner Hess, and by vote of the Commission recommends that the Board of Supervisors approve a one-year extension of time for subdivision SD 06-01, with the findings listed in the Staff Report dated August 25, 2022 and as amended in the meeting today. The motion carried by the following vote:**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

- 6c.** 9:15 a.m. – (Continued from July 15, 2022) - PUBLIC HEARING - Consideration of proposed Parcel Map (PM 21-31), to create three commercially-zoned lots, and an inclusion under the original FEIR and Addendum; Applicant: VALLEY OAKS PARTNERS, LLC /KEITH GAPUSAN; located at 18196 and 18426 S. State Highway 29, Middletown (APNs 014-260-51, 36 & 24)

*Associate Planner Eric Porter requested a continuance on this matter.*

*Interim Community Development Director Mireya Turner and Chair Price spoke.*

**On motion of Commissioner Hess, and by vote of the Commission, that the matter be continued to a date uncertain.**

**Ayes- Commissioners: 4 - Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioner: 1 - Field**

**6d.** 9:20 a.m. - (Continued from August 11, 2022) - – PUBLIC HEARING – Consideration of proposed Major Use Permit (UP 22-20) for a 170’ tall lattice cell tower with a 20’ tall whip antenna mounted on top, and support equipment within a 100’ x 100’ enclosed lease area and Mitigated Negative Declaration based on Initial Study (IS 22-21); Applicant: COMSITES WEST; Project location: 20226 E. Highway 20, Clearlake Oaks (APNs: 010-009-39, 40 & 42

*Associate Planner Eric Porter presented the staff report.*

*Chair Price opened the public hearing and no one wished to speak and the public hearing was closed.*

*Commissioner Hess, Commissioner Brown and Deputy County Counsel Nicole Johnson spoke.*

**On motion of Commissioner Chavez, and by vote of the Commission finds on the basis of the Initial Study (IS 22-21) prepared by the Planning Division and the mitigation measures which have been added to the project, that the Use Permit (UP 22-20), as applied for by Comsite West will not have a significant effect on the environment and therefore a mitigated negative declaration shall be issued with the findings listed in the staff report dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

**On motion of Commissioner Chavez, and by vote of the Commission finds that the Use Permit, UP (22-20) applied by Comsite West on property located at on property located at 20114, 20226 and 20662 E. State Highway 20, Clearlake Oaks (APNs: 010-009-42 and 010-009-39 & 010-009-40 does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and grant the Major Use Permit based on the findings and conditions of approval listed in the Staff Report dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

**On motion of Commissioner Chavez, and by vote of the Commission finds that the Wireless Communication facility applied for by Comsite West on property located at 20114, 20226 and 20662 E. State Highway 20, Clearlake Oaks (APN: 010-009-42) and 010-009-39 & 010-009-40 does meet the requirements of Section 71.13 of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Mitigated Negative Declaration which was adopted for this project and the Wireless Communication Facility be granted based on the findings and conditions of approval listed in the staff report dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

- 6e.** 9:25 a.m. – PUBLIC HEARING - Consideration of proposed Use Permit Extension (UPX 22-02) for a five year extension for an existing billboard; Categorical Exemption (CE 19-98); Applicant: LAMONICA OUTDOOR ADERTISING; Project location: 131 Soda Bay Road, Lakeport (APN 008-019-69)

*Associate Planner Eric Porter presented the staff report. Deputy County Counsel Nicole Johnson spoke.*

*Chair Price opened the public hearing and no one wished to speak and the public hearing was closed.*

*Chair Price spoke.*

**On motion of Commissioner Chavez, and by vote of the Commission finds that the Use Permit Extension (UPX 22-02) applied by LaMonica Signs on property located at 131 Soda Bay Road, Lakeport (APN: 008-019-69) is exempt from CEQA because it falls within Categorical Exemption Class 1 (CE 22-38), based on the findings and subject to the conditions set forth in the Staff Report dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

**On motion of Commissioner Chavez, and by vote of the Commission finds the Use Permit Extension (UPX 22-02) applied by LaMonica Signs on property located at 131 Soda Bay Road, Lakeport A(PN: 008-019-69) does meet the requirements of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Categorical Exemption (CE 22-38) which was adopted for this project and the Use Permit Extension (UPX 22-02), be granted and shall extend this use for a period of five years expiring on August 25, 2027, subject to the conditions and based on the findings listed in the Staff Report, dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

- 6f. 9:30 a.m. – PUBLIC HEARING - Consideration of proposed Use Permit (UP 22-06) for four (4) 197-foot tall temporary meteorological towers intended to measure wind speed; and Categorical Exemption (CE 22-12); Applicant: MORGAN VALLEY WIND TOWER LLC; Project location: 25650 Morgan Valley Road, Lower Lake (APNs: 012-014-02 & 08)

*Associate Planner Eric Porter presented the staff report. Commissioner Hess and Chair Price spoke. Applicant representative Calista Campbell spoke.*

*Chair Price Opened the public hearing and the following people spoke: Wayne Daugherty*

*No one else wished to speak and the public hearing was closed.*

**On motion of Commissioner Hess, and by vote of the Commission find that the project is eligible for a Categorical Exemption (CE 22-12), under CEQA section 15303(e) as applied for by Morgan Valley Wind Farm LLC on property located at on property located at 25650 Morgan Valley Road, Lower Lake further described as APN: 012-014-02 and 08 will not have a significant effect on the environment and therefore a Categorical Exemption shall be issued with the findings listed in the staff report dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

**On motion of Commissioner Hess, and by vote of the Commission find that the Use Permit, UP 22-06 applied for by Morgan Valley Wind Farm LLC on property located at 25650 Morgan Valley Road, Lower Lake (APN: 012-014-02 and 08) does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and grant the Major Use Permit subject to the conditions and based on the findings listed in the Staff Report, dated August 25, 2022.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

- 6g.** 9:35 a.m. – PUBLIC HEARING - Consideration of proposed Use Permit (UP 18-34) to allow a 12-acre corn maze and 3.8-acre pumpkin patch seasonal event; Applicant: MICHAEL AND TANYA HAT; Project location: 4405 & 4410 Thomas Drive, Kelseyville (APNs 008-033-36 & 008-035-58)

*Associate Planner Eric Porter presented the staff report. Commissioner Hess, Chair Price and Interim Director Mireya Turner.*

*Chair Price opened the public hearing and the following people spoke: Michael Adams.*

*No one else wished to speak and the public hearing was closed.*

*Applicant Michael Hat, Community Development Interim Director Mireya Turner, Commissioner Hess and Chair Price spoke.*

**On motion of Commissioner Hess, and by vote of the Commission finds that the Use Permit (UP 18-34) applied by Michael Hat on property located at 4405 and 4410 Thomas Drive, Kelseyville (APNs: 008-033-36 and 008-035-58) is exempt from CEQA because it falls within Categorical Exemption Class 4 under CEQA section 15304, as listed in the Staff Report dated August 25, 2022, and as amended.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

**On motion of Commissioner Hess, and by vote of the Commission finds that the Use Permit (UP 18-34) applied by Michael Hat on property located at 4405 and 4410 Thomas Drive, Kelseyville (APN: 008-033-36 and 008-035-58) does meet the requirements of §27.3(o) and §51.4 of the Lake County Zoning Ordinance and grants the Major Use Permit subject to the conditions and based on the findings listed in the Staff Report dated August 25, 2022,as amended in the meeting today.**

**Ayes- Commissioners: 4 -Hess, Chavez, Brown and Chair Price**

**Noes - Commissioners: 0**

**Absent- Commissioners: 1 -Field**

## **7. Department Update**

*Interim Director Mireya Turner gave a verbal report to the Commission.*

*A discussion occurred regarding moving the September 22nd meeting to an alternate location.*

## 8. Adjournment

*There being no further business, the Lake County Planning Commission adjourned at 10:48 a.m.*

MIREYA TURNER

*Interim Director of Community Development*

By: *Jim Feenan*

*Jim Feenan*

*Assistant to the Planning Commission*

*Christina Price*

*Chair - Lake County Planning Commission*