

**PLANNING COMMISSION MINUTES: JULY 5, 2018**

**VOTING ELIGIBILITY (present at meeting):**

Commissioners Solomon, Herman and Purdy.

Commissioner Meyer absent.

Dist. Seat 1 vacant.



UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
July 5, 2018

The Commission convened in regular session at 1:10 p.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Chairman Mark Solomon presided with Commission members Paul Herman and Tim Purdy present. Commissioner Meyer absent. District 1 seat vacant. Also present were Maurice Anderson (Director and Planning Commission Secretary), Planning and Building Services Department staff; and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.).

**GENERAL UPDATE OF PLANNING ACTIVITIES:**

Director Maurice Anderson announced the resignation of District 4 Commissioner Don Meyer.

**MATTERS INITIATED BY COMMISSIONERS:**

None

**CORRESPONDENCE:**

None

**PRESENTATION BY STAFF:**

None

**APPROVAL OF MINUTES:**

*June 6, 2018*

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Herman, and carried to approve the June 6, 2018, minutes. Commissioners Purdy, Solomon and Herman voted "Aye". District 1 and 4 seat vacant.

**MATTERS INITIATED BY THE GENERAL PUBLIC:**

None

Recess: from 1:17 p.m. to 1:20 p.m.

**PUBLIC HEARING:** Mitigated Negative Declaration #2017-004, Use Permit #2017-002, HL Solar LLC. Proposal to add a 2.75-megawatt (alternating current), ballasted, single-axis tracker photovoltaic solar array to a permitted (but unconstructed) 5-megawatt AC photovoltaic solar array and to relocate an unconstructed substation permitted at APN 119-350-77 to APN 119-350-85 (all construction work related to this project to be done on APN 119-350-85). The total project area comprises 59 acres and is proposed to be surrounded by a security fence (the original use permit [Use Permit #2014-014] proposed a 28-acre project area; this project adds a further 31 acres). The project site is zoned E-A-G (Exclusive Agricultural District, Geothermal Combining District). The project site is located approximately 2.5 miles east of the intersection of Wendel Road and U.S. Highway 395. The Lassen County Surveyor has assigned the address 472-600 Viewland Road to APN 119-350-85. APN 119-350-77 is located at 732-025 Wendel Road, Wendel CA, 96136. Stefano Richichi, Associate Planner presented staff report, power point presentation and correspondence Exhibits A, B and C.

**Exhibit A:** July 2, 2018, email from Regulatory Assistance Office about the Voluntary Cleanup Agreement with DTSC to oversee the proper disposal of the facility waste and cleanup.

**Exhibit B:** July 3, 2018, email from Sara Chandler recommending conditions from the Environmental Health Department for the Use Permit.

**Exhibit C:** Staff presented two additional conditions of approval, condition numbers 28 and 29, concerning a cost estimate to decommission the project.

The public hearing was opened at 1:38 p.m.

John Hichborn, project manager for Next Era Energy Resources of Juno Florida, stated his company has a lease to build on the project site. He presented a power point presentation and spoke in favor of the project. He also spoke about Next Era Energy Resources and how they operate.

Doug Smith, General Manager of Lassen Municipal Utilities District, spoke in favor of the project.

Melanie Johnson, representative for Susanville Rancheria Tribal Historical Preservation Office spoke in favor of the project.

Benjamin Gates, Plant Manager of HL Power Biomass Plant located south of the project spoke in favor of the project.

Peggy Butler, area resident spoke against the project and read a letter into the record.

**Exhibit D:** Opposition Letter July 5, 2018, to UP#2017-002 and IS#2017-004 from William and Peggy Butler, area residents.

William Butler, area resident spoke against the project.

Pat Holly, Assistant General Manager for Lassen Municipal Utilities District, spoke in favor of the project.

Chairman Solomon asked if the project could be carried over until the next Planning Commission in August for further review. Director Anderson responded yes. Commissioners Herman and Purdy stated they saw no reason to carry over the project.

The public hearing was closed at 3:05 p.m.

**MOTION:** It was moved by Commissioner Herman, seconded by Commissioner Purdy and carried to adopt Resolution No. 7-01-18, approving Mitigated Negative Declaration #2017-004, including the Mitigation Monitoring and Reporting Program, Use Permit #2017-002, HL Solar LLC, Subject to conditions of approval including the addition of condition numbers 28 and 29 (Exhibit C). Commissioners Herman, Purdy and Solomon voted "Aye". District 1 and 4 seat vacant.

There being no further business, the meeting adjourned at 3:09 p.m.



**PLANNING COMMISSION MINUTES: AUGUST 1, 2018**

**VOTING ELIGIBILITY (present at meeting):**

Commissioners Solomon, Herman and Purdy.

Dist. Seat 1 and 4 vacant.





UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
August 1, 2018

The Commission convened in regular session at 1:10 p.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Chairman Mark Solomon presided with Commission members Paul Herman and Tim Purdy present. District seat 1 and 4 vacant. Also present were Maurice Anderson (Director and Planning Commission Secretary), Planning and Building Services Department staff, and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.).

**GENERAL UPDATE OF PLANNING ACTIVITIES:**

Director Maurice Anderson reported on the County Budget being short and all departments were given direction to find 10% savings. Public safety is light handed and Code Enforcement works together with the Sheriffs department.

**MATTERS INITIATED BY COMMISSIONERS:**

Commissioner Herman asked if there was a time limit on how long people can talk during the meeting, Director Maurice Anderson explained the process. Commissioner Solomon asked how long a plan check takes on a single family residence. Mr. Anderson explained it is usually 2 to 3 weeks.

**CORRESPONDENCE:**

None

**PRESENTATION BY STAFF:**

None

**APPROVAL OF MINUTES:**

None

**Recess:** from 1:18 p.m. to 1:20 p.m.

**PUBLIC HEARING: USE PERMIT #2018-010, Turner.** The applicant is proposing up to a 1,400 square foot single family residence to be used as a second residence. The parcel is zoned A-1 (General Agriculture District) and has a land use designation of "Intensive Agriculture" in the *Lassen County General Plan, 2000*. The project is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the (CEQA) Guidelines. The parcel is located approximately ¾ of a mile southwest of Highway 395, in Milford, CA. APN: 135-160-16. Kelly Mumper, Assistant Planner, presented staff report and power point presentation.

Public hearing was opened at 1:24 p.m.

Joseph Turner, applicant was present and spoke in favor of the project.

Public hearing was closed at 1:25 p.m.

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Herman and carried to adopt Resolution 8-01-18, approving Use Permit #2018-010, Joseph Turner, subject to conditions of approval. Commissioners Purdy, Solomon and Herman voted "Aye". District seat 1 and 4 vacant.

**PUBLIC HEARING: USE PERMIT #2018-006, Norm Clover.** The applicant is proposing the placement of 12 temporary storage buildings to be displayed for offsite sale. The parcel zoned C-2-D (General Commercial, Design Combining District) and has a land use designation of "Commercial" in the *Janesville Planning Area Amendments of 1993*, and the *Lassen County General Plan, 2000*. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(b) (3) of the Guidelines. The parcel is located on the frontage of U.S. Highway 395 South and Janesville Main Street in Janesville CA, 96114. APN: 129-660-21. Kelly Mumper, Assistant Planner presented staff report and power point presentation.

The public hearing was opened at 1:36 p.m.

Mike Stremmer, owner of Out West Buildings, spoke in favor of the project.

The public hearing was closed at 1:41 p.m.

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Herman and carried to adopt Resolution 8-02-18, approving Use Permit #2018-006, Norm Clover, subject to conditions of approval. Commissioners Purdy, Solomon and Herman voted "Aye". District seat 1 and 4 vacant.

**PUBLIC HEARING: PARCEL MAP #2018-003, Patrick, Beverly, and Keith Wood.** Proposal to divide a 161.14 acre parcel into two parcels: Resultant Parcel A is 80 acres and Resultant Parcel B is 81.14 acres in size. The subject parcel is zoned U-C-2 (Upland Conservation/Resource Management District), and has an "Extensive Agriculture" land use designation in the *Lassen County General Plan, 2000*. The proposed project is not subject to further CEQA review pursuant to Section 15183 of the Guidelines. The project site is bisected by Hayden Hill Road approximately 2 miles west of U.S. Highway 139 in Bieber CA 96009. APN(S): 017-090-11, and 029-010-10. Kelly Mumper, Assistant Planner presented staff report and power point presentation.

The public hearing was opened at 1:50 p.m.

Patrick Wood, applicant was present and spoke in favor of the project.

The public hearing was closed at 1:54 p.m.

**MOTION:**

It was moved by Commissioner Herman, seconded by Commissioner Purdy and carried to adopt Resolution 8-03-18, approving Parcel Map #2018-003, Patrick, Beverly and Keith Wood, subject to conditions of approval. Commissioners Purdy, Solomon and Herman voted "Aye". District seat 1 and 4 vacant.

There being no further business, the meeting adjourned at 1:54 p.m.

**PLANNING COMMISSION MINUTES: August Special Session, 2018**

**VOTING ELIGIBILITY (present at meeting):**

Commissioners Shaw, Solomon, Herman and Purdy.

Commissioner Buckman absent.





UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
\*SPECIAL SESSION\*  
August 15, 2018

The Commission convened in special session at 10:00 a.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Chairman Mark Solomon presided with Commission members Paul Herman, Tim Purdy and John Shaw present. Commissioner Buckman was absent. Also present were Gaylon Norwood (Assistant Director and Planning Commission Secretary), Planning and Building Services Department staff, and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.).

**Matters Initiated by the General Public**

None

**GENERAL PLAN CONFORMITY: (702) #2018-001, Lassen County Municipal Utilities District.** Notice of Emergency Electric Distribution Line Rebuild and Reroute. Consideration of a finding of consistency with the General Plan pursuant to Lassen County Code section 18.102.020, subsection (b)(1) for the Lassen Municipal Utility District's proposal to construct an underground power line adjacent Eagle Lake Road (Co. Rd. A-1), starting just north of the Christie Campground and proceeding north for 9.4 miles, to Spalding Road.

Pat Holly, Assistant General Manager, Lassen Municipal Utility District, explained today's request was based on Emergency conditions that exist at the North end of Eagle Lake with regard to power supply. Due to the fires on the West side and the terrain around Eagle Lake significant damage was done to the distribution line that supplies power to the North end of the Lake. They are currently running a temporary generator to supply power to the community. LMUD is seeking a resolution of conformity with the General Plan for 755 feet of underground power line that will be connected which will connect with the existing power line. The old line will be removed. The construction of the new line will be more robust and durable to withstand any future fire. The County has granted an encroachment permit for the underground line.

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Herman, and carried to adopt Resolution No. 8-04-18, approving General Plan Conformity: (02) #2018-001, Lassen Municipal Utility District; Proposed underground power line along Eagle Lake Rd. Commissioners Purdy, Solomon, Herman and Shaw voted "Aye". Commissioner Buckman was absent.

There being no further business, the meeting adjourned at 10:10 a.m.





UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
\*SPECIAL SESSION\*  
August 15, 2018

The Commission convened in special session at 10:00 a.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Chairman Mark Solomon presided with Commission members Paul Herman, Tim Purdy and John Shaw present. Commissioner Buckman was absent. Also present were Gaylon Norwood (Assistant Director and Planning Commission Secretary), Planning and Building Services Department staff, and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.).

**Matters Initiated by the General Public**

None

**GENERAL PLAN CONFORMITY: (702) #2018-001, Lassen County Municipal Utilities District.** Notice of Emergency Electric Distribution Line Rebuild and Reroute. Consideration of a finding of consistency with the General Plan pursuant to Lassen County Code section 18.102.020, subsection (b)(1) for the Lassen Municipal Utility District's proposal to construct an underground power line adjacent Eagle Lake Road (Co. Rd. A-1), starting just north of the Christie Campground and proceeding north for 9.4 miles, to Spalding Road.

Pat Holly, Assistant General Manager, Lassen Municipal Utility District, explained today's request was based on Emergency conditions that exist at the North end of Eagle Lake with regard to power supply. Due to the fires on the West side and the terrain around Eagle Lake significant damage was done to the distribution line that supplies power to the North end of the Lake. They are currently running a temporary generator to supply power to the community. LMUD is seeking a resolution of conformity with the General Plan for 755 feet of underground power line that will be connected which will connect with the existing power line. The old line will be removed. The construction of the new line will be more robust and durable to withstand any future fire. The County has granted an encroachment permit for the underground line.

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Herman, and carried to adopt Resolution No. 8-04-18, approving General Plan Conformity: (02) #2018-001, Lassen Municipal Utility District; Proposed underground power line along Eagle Lake Rd. Commissioners Purdy, Solomon, Herman and Shaw voted "Aye". Commissioner Buckman was absent.

There being no further business, the meeting adjourned at 10:10 a.m.



**PLANNING COMMISSION MINUTES: SEPTEMBER 5,  
2018**

**VOTING ELIGIBILITY (present at meeting):**

Commissioners Shaw, Solomon, Herman, Buckman and Purdy.



UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
September 5, 2018

The Commission convened in regular session at 1:10 p.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Chairman Mark Solomon presided with Commission members Paul Herman, John Shaw, Bill Buckman and Tim Purdy present. Also present were Gaylon Norwood (Assistant Director and Planning Commission Secretary), Planning and Building Services Department staff; and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.)

Gaylon Norwood, Assistant Director reported that Director Maurice Anderson is unavailable because he is executing Marijuana abatement warrants.

**GENERAL UPDATE OF PLANNING ACTIVITIES:**

None

**MATTERS INITIATED BY COMMISSIONERS:**

Commissioner Herman asked if the Board of Supervisors approved the Honey Lake Solar appeal. Gaylon Norwood responded it was disapproved and the commission's decision was upheld.

**CORRESPONDENCE:**

None

**PRESENTATION BY STAFF:**

- Correcting Resolution No. 8-03-18, Parcel Map #2018-003, Wood, to divide a 161.14 acre parcel into two parcels: Resultant Parcel A is 80 acres and Resultant Parcel B is 81.14 acres in size.

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Herman and carried to adopt Corrected Resolution No. 8-03-18, Parcel Map, Wood. Commissioners Herman, Solomon and Purdy voted "Aye".

Assistant Director Gaylon Norwood gave a powerpoint presentation on CEQA and provided the following handouts.

**Exhibit A:** The Planning Commissioner's Book

**Exhibit B:** Power point presentation handout, the Basics of the California Environmental Quality Act (CEQA)

**APPROVAL OF MINUTES:**

None

**MATTERS INITIATED BY THE GENERAL PUBLIC:**

None

**PUBLIC HEARING: PARCEL MAP #2018-004, Daniel and Mary Egan Revocable Trust**, proposal to divide a single 112.5 acre parcel into one parcel and a remainder pursuant to Lassen County Code Section 18.108.250 (Segregation of Homesites in Agricultural Zones); Resultant Parcel A ("homesite" parcel) is 10.12 acres (as shown on the tentative parcel map) and the remainder is 102.38 acres. The parcels are zoned U-C-2-A-P (Upland Conservation/Resource Management District, Agricultural Preserve Combining District) and have a land use designation of "Intensive Agriculture" pursuant to the *Lassen County General Plan, 2000* and the *Janesville Planning Area Amendments, 1993*. The project is exempt from the California Environmental Quality Act (CEQA) under Section 15300.4 of the Guidelines under a local categorical exemption. The parcel is located at 465-575 Elysian Creek Way in Janesville CA, approximately 1.5 miles



northwest of Wingfield Road North. APN(S): 129-020-59, 129-020-78, 129-020-79. Kelly Mumper, Associate Planner presented staff report and power point presentation.

The public hearing was opened at 1:29 p.m.

Steve Hawkes, area resident, had questions about the zoning and segregation of homesite process.

Gaylon Norwood, Assistant Director, explained the zoning is not changing and the uses on the parcel will remain the same. The 10 year restriction is on the segregation of homesite and applies to the remaining 102.38 acres that is in the Williamson Act. The 10.12 acre parcel is not in the Williamson Act.

Claudia Dunlavy, area resident, asked if more than one dwelling could be put on the 10.12 acre parcel.

Mr. Norwood responded that the parcel is already developed and the zoning allows additional farm related dwellings by right and that an additional residence could be developed with a Use Permit application.

The public hearing was closed at 1:41 p.m.

**MOTION:**

It was moved by Commissioner Purdy, seconded by Commissioner Shaw and carried to adopt Resolution No. 9-01-18, approving Parcel Map #2018-004, Daniel and Mary Egan Revocable Trust. Commissioners Shaw, Herman, Solomon, Buckman and Purdy voted "Aye".

**This project has been withdrawn by the applicant. PUBLIC HEARING: USE PERMIT #2018-011, TLT Enterprises/Hat Creek Construction, and intent to require preparation of an Initial Study.** Proposal to allow for "limited term" nighttime operations/use (7:00 pm to 6:00am) of existing Asphalt and Concrete Batch plants, and of existing stockpiled aggregate materials, all located at the Ward Lake Aggregate Mine, between September 18, 2018, and December 18, 2018. Approximately 40 trucks/trips of asphalt per night for 25 nights are proposed. Approximately 7 trucks/trips of concrete per night for 50 nights are proposed. Approximately 8 trucks/trips of aggregate base per night for 50 nights are proposed. Trucks would backhaul material from offsite. The project site is located at 476-250 Ward Lake Rd at the existing Ward Lake Aggregate Mine. The project parcel is zoned Upland Conservation, Resource Management District and Upland Conservation, Agricultural Preserve Combining District, and is designated Extensive Agriculture by the *Lassen County General Plan 2000*. APN: 109-100-59. Staff Contact: Matt May, Senior Planner.

There being no further business, the meeting adjourned at 1:46 p.m.





**PLANNING COMMISSION MINUTES: OCTOBER 3,2018**

**VOTING ELIGIBILITY (present at meeting):**

Commissioners Solomon, Herman, Shaw, Buckman and Purdy.

UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
October 3, 2018

The Commission convened in regular session at 1:10 p.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Chairman Mark Solomon presided with Commission members Paul Herman, John Shaw, Bill Buckman and Tim Purdy present. Also present were Maurice Anderson (Director and Planning Commission Secretary), Planning and Building Services Department staff; and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.)

**GENERAL UPDATE OF PLANNING ACTIVITIES:**

Director Maurice Anderson announced the Planning Commission meetings will move to the first Tuesday of the month at 1:10 p.m. starting Tuesday, November 6, 2018.

**MATTERS INITIATED BY COMMISSIONERS:**

None

**CORRESPONDENCE:**

**Exhibit A:** 2018 Ethics Training flyer to be held at Susanville City Hall Council Chambers Friday, November 9<sup>th</sup>, 2018: 10:00 a.m. until 12:00 a.m.

**Exhibit B:** Revised monthly schedule of meetings and application deadlines 2018 thru 2019.

**PRESENTATION BY STAFF:**

Don Willis, County Surveyor gave a power point presentation on the California Subdivision Map Act.

**Exhibit C:** Packet on the California Subdivision Map Act for the Planning Commissioners.

**APPROVAL OF MINUTES:**

None

**MATTERS INITIATED BY THE GENERAL PUBLIC:**

None

**PUBLIC HEARING: USE PERMIT #96056 (associated permits: 79-80-44, 11-2-85, 94032), TLT Enterprises LLC (Perry Thompson).** As required by Section 18.112.060 of Lassen County Code, the Lassen County Planning Commission will consider adopting a Resolution for revocation of Use Permit #96056 for non-compliance with the conditions of approval of said use permit, all associated amendments and Board of Supervisors Resolution 97-067. The use permit was conditionally approved on September 23, 1997,

to allow surface mining and material processing, with concrete and asphalt plants. The mine site is located in Litchfield, CA at 476-250 Ward Lake Road, off Center Road (A-27) in Lassen County, approximately 13 miles east of Susanville, CA. The subject parcel is zoned Upland Conservation, Resource Management District and Upland Conservation, Agricultural Preserve Combining District, and is designated Extensive Agriculture by the *Lassen County General Plan, 2000*. APN: 109-100-59 (Old 109-100-40, 42, 44). Matt May, Senior Planner presented staff report.

Senior Planner Matt May explained the hearing was a quasi-judicial hearing and that anyone who intends to speak will be sworn in.

Recording Secretary Anetia Elliott administered the Oath en masse.

Mr. May reported that the principal facts that bring us here are that Hat Creek applied for a Use Permit to allow night operations and other changes to their Use Permit but the permit is not yet approved. In August of this year staff received a complaint that Hat Creek was conducting night operations for several nights. Mr. May conducted an inspection the same night of the complaint and confirmed that there were night operations. Hat Creek Construction was contacted by staff and ceased operations. Staff became aware through due diligence that Hat Creek Construction had been awarded a construction job resurfacing Highway 36 and the job required Hat Creek operate at night. On twenty three occasions staff observed that Hat Creek was still operating at night and that operations were outside of the scope of their current Use Permit.

Director Maurice Anderson explained that there was a series of violations consistent with the job bid that was awarded to Hat Creek. The operations at night have ceased, Hat Creek was fined for those violations. Mr. Anderson also explained Hat Creek must be in compliance with their Use Permit in order avoid Revocation for non-compliance.

The public hearing was opened at 1:39 p.m.

Perry Thompson, President of Hat Creek Construction, TLT Enterprises LLC, spoke in favor of the project. The Caltrans resurfacing Highway 36 required they work at night to minimize traffic impact. Had they done the job in the day it would have backup traffic to stand still. Mr. Thompson explained the reasoning why they moved forward with the job before the EIR was in place.

Commissioner Solomon responded he would like to review the EIR document.

Commissioner Herman asked Mr. Thompson if he is assuring us that he will operate within the proper time limits from this point and until he get his document approved.

Mr. Thompson responded he was absolutely sure they have no other projects that require night work and he has no intention of violating the Use Permit.



Jim Mackey, Tribal Leader for the Susanville Rancheria, spoke in favor of the project and the advantages of working at night.

Christina Darlington, General Counsel for Hat Creek Construction, asked if Commissioners received her letter in their packet and that if revocation of the Use Permit were to happen there is a high level of scrutiny by a County to revoke a Use Permit.

Glenda Quarisa, area resident, spoke against the project.

Craig Claver, area resident, spoke against the project.

Lucia Patterson, Geologist for the State of Nevada and daughter of Tim Patterson, area resident, gave a power point presentation on the effects of Silicosis in the air and a video of the noise from the trucks and the crusher.

**Exhibit D:** CD of power point presentation and video of plant activities.

The public hearing was closed at 2:35 p.m.

Commissioner Shaw asked Mr. Anderson about the conditions for revocation of the Use Permit.

Mr. Anderson responded by reading the conditions on the Resolution.

Discussion was held on the trucks that are still running at night and if they would still be monitored. Mr. Anderson stated that the County will still be monitoring the night activities and that if night time violations continue at the Ward Lake site, any future hearings for revocation of the Use Permit will include staff's recommendation that the permit be revoked.

Christina Darlington, Environmental and Natural Resources Attorney for Placer County, spoke on the air quality.

Mr. Thompson explained there is permit compliance and the need to run a business, so often trucks are moved from one operation to another and need to access their property outside the hours of operation according to the permit. Mr. Thompson stated he met with Mr. Claver and Mr. Patterson, area resident, to talk about the trucks and noise to work on some reasonable expectations, but area residents concerns were about the business following the hours of operation on the permit, not coming and going before and after hours.

Mr. Thompson also stated that a condition of their Use Permit requires them to wet suppress at all times, but they can't control the wind. They are running dust suppression efforts full time on the crushers with their water trucks. They are also monitored by MSHA (Mine Safety and Health Administration) to check for Silicosis and there are no known Silicosis at their pit.



Mr. Anderson stated that the Environmental Impact Report preparation is a component of the entitlement process. The entitlement of the Use Permit amendment is a separate matter. One requirement of a Use Permit is a finding that the approval is not going to upset the morals and peace of the neighborhood. You could have a certified Environmental Impact Report, but still don't approve the project because the findings can't be made. The certification of the EIR and the ability to complete the EIR process doesn't necessarily guarantee approval of the Use Permit. Approval of the Use Permit is a discretionary process that this body or the Board will make.

Commissioners Solomon and Shaw replied that the pit should be monitored closely so there is compliance with the Use Permit, given the history.

**MOTION:**

It was moved by Commissioner Shaw, seconded by Commissioner Purdy and carried to adopt Resolution 10-01-18, subject to conditions to avoid revocation of said Use Permit #96056, TLT Enterprises LLC (Perry Thompson), by ensuring that operations conducted in violation do not continue. Commissioners Shaw, Herman, Solomon, Buckman and Purdy voted "Aye".

There being no further business, the meeting adjourned at 2:50 p.m.

**PLANNING COMMISSION MINUTES: NOVEMBER 6,  
2018**

**VOTING ELIGIBILITY (present at meeting):**

Commissioners Purdy, Herman and Buckman.

Commissioners Solomon and Shaw absent.

UNAPPROVED MINUTES  
LASSEN COUNTY PLANNING COMMISSION  
November 6, 2018

The Commission convened in regular session at 1:10 p.m. in the Board of Supervisors' Chambers, 707 Nevada Street, Susanville, CA. Vice Chairman Tim Purdy presided with Commission members Paul Herman and Bill Buckman present. Also present were Maurice Anderson (Director and Planning Commission Secretary), Planning and Building Services Department staff; and Recording Secretary Anetia Elliott. Commissioners John Shaw and Mark Solomon were absent.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.)

**GENERAL UPDATE OF PLANNING ACTIVITIES:**

Director Anderson reported on the Hayden Hill power line article in the Lassen County Times November 6, 2018. He also reported on the progress of the Valenta hybrid wolfdog rescue. Several Teams of rescuers are working together to place dogs at different shelter locations.

**MATTERS INITIATED BY COMMISSIONERS:**

None

**CORRESPONDENCE:**

None

**PRESENTATION BY STAFF:**

Assistant Director, Gaylon Norwood discussed several different projects he is working on the Noise element, Housing element and Big Valley Ground Water.

**APPROVAL OF MINUTES:**

None

**MATTERS INITIATED BY THE GENERAL PUBLIC:**

None

**PUBLIC HEARING: Use Permit #2018-012, Elsie Taylor.** The applicant is proposing to operate a non-profit medical clinic in an existing building (the applicant states that the building is 4,277 square feet in size, while according to the Assessor's Office, the building is approximately 3,500 square feet in size). Said clinic would operate from 8 a.m. to 6 p.m. seven days a week. The applicant anticipates approximately 12 visitors per day and approximately five employees. The subject parcels are zoned is R-1 (Single Family Residential District). The project site is located at 742-450 Herlong Access Road, Herlong, CA 96113 (approximately 5 miles northeast of the intersection of Herlong Access Road and U.S. Highway 395. APNs: 139-120-02, 139-120-01. Stefano Richichi, Associate Planner presented staff report and power point presentation.

Commissioner Purdy asked about the state requirements and funding required to run a health Clinic in Doyle. Also who are the physicians overseeing the Clinic.

Mr. Anderson responded there initially was an application for a Rezone to allow for the Clinic. The Rezone would have been a recommendation by the Planning Commission to the Board of Supervisors, but it was determined they could do this process with a Use Permit and skip the Rezone which would have made staff analyze every impact that's in the proposed zoning district.

Ms. Taylor, applicant, gave a presentation and covered extensively the significant process she will go through to make the Clinic operate accordingly. This meeting is just concerning the land use permit.

The public hearing was opened at 1:43 p.m.

The public hearing was closed at 1:43 p.m.

**MOTION:**

It was moved by Commissioner Herman, seconded by Commissioner Buckman and carried to adopt Resolution 11-01-18, approving Use Permit #2018-012, Elsie Taylor subject to conditions. Commissioners Herman, Buckman and Purdy voted "Aye". Commissioners Solomon and Shaw were absent.

There being no further business, the meeting adjourned at 1:46 p.m.