



Lassen County

DRAFT

Meeting Minutes

Board of Supervisors Special Meeting

LASSEN COUNTY SUPERVISORS:

DISTRICT 1 - CHRIS GALLAGHER - VICE CHAIR ; DISTRICT 2 - GARY BRIDGES; DISTRICT 3 - JEFF HEMPHILL ; DISTRICT 4 - AARON ALBAUGH - CHAIRMAN; DISTRICT 5 - TOM HAMMOND

Thursday, January 28, 2021

9:00 AM

Lassen County Fairground
Jensen Hall
195 Russell Ave
Susanville, CA 96130

9:13 A.M. CALL TO ORDER

Present: Supervisors Gallagher, Bridges, Hemphill and Albaugh. Also Present: County Administrative Officer (CAO) Richard Egan, County Counsel Amanda Uhrhammer and Deputy Clerk of the Board Michele Yderraga.

Supervisor Hammond was absent by recusal.

Present: 4 - Chris Gallagher, Gary Bridges, Jeff Hemphill and Aaron Albaugh

Absent: 1 - Tom Hammond

Excuse: 0

PUBLIC COMMENT

Anthony Archer: Counsel on behalf of Woodcrest Ventures, requested a continuance of the Public Hearing.

Supervisor Albaugh declined the request.

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

CAO Egan announced the following closed session item:

- 1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9.

CLOSED SESSION

Closed session was held from 9:14 a.m. - 9:29 a.m.

Present: Supervisors Gallagher, Bridges, Hemphill and Albaugh. Also Present: CAO Egan, County Counsel Uhrhammer, Counsel Bill Abbott from Abbott and Kinderman via teleconference, Deputy Clerk of the Board Yderraga, Director of Planning and Building Services Maury Anderson, Assistant Director of Planning and Building Services Gaylon Norwood, and Senior Planner Stefano Richichi.

Supervisor Hammond was absent by recusal.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

County Counsel Uhrhammer stated the Board of Supervisors would be going back into closed session.

CLOSED SESSION

Closed session was reconvened from 9:33 a.m. - 9:36 a.m.

Present: Supervisors Gallagher, Bridges, Hemphill and Albaugh. Also Present: CAO Egan, County Counsel Uhrhammer, Counsel Bill Abbott from Abbott and Kinderman via teleconference, Deputy Clerk of the Board Yderraga, Director of Planning and Building Services Maury Anderson, Assistant Director of Planning and Building Services Gaylon Norwood, and Senior Planner Stefano Richichi.

Supervisor Hammond was absent by prearrangement.

RECESS: 9:36 a.m. - 9:38 a.m.

9:38 A.M. OPENING CEREMONIES

Pledge of Allegiance and Invocation

After the flag salute invocation was offered by Supervisor Albaugh.

ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

County Counsel Uhrhammer stated closed session was recessed.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

A motion was made by Supervisor Gallagher, seconded by Supervisor Hemphill, that this Agenda be approved. The motion carried by the following vote:

Aye: 4 - Gallagher, Bridges, Hemphill and Albaugh

Absent: 1 - Hammond

PUBLIC COMMENTS

None.

PUBLIC HEARINGS

9:30 a.m.: PLANNING AND BUILDING SERVICES

SUBJECT: Rehear the appeal filed by Jagpreet Singh of the Planning Commission's approval of use permit #2019-011, as directed by the Board of Supervisors on November 5, 2020. Said approval conditionally permitted construction of a 9,100-square-foot retail store off Old Highway Road near

Doyle. The project site is located approximately one mile north of the Town of Doyle at 436-400 and 436-410 Old Highway Road (also known as Carol Drive) APNs 141-060-12, and 141-060-13.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Conduct a public hearing to consider the appeal; and 2) Receive Planning Commission Resolution Number 6-01-20, which conditionally approved Use Permit #2020-011; and 3) Adopt Negative Declaration Number 2019-007; or 4) Determine that the project is not subject to the California Environmental Quality Act pursuant to section 15270 of the CEQA Guidelines because it will be disapproved; and 5) Adopt a resolution approving the appeal; or 6) Adopt a resolution disapproving the appeal.

Attachments: [BOS 1-28-21 Packet e2](#)

County Counsel Uhrhammer announced Supervisor Hammond had recused himself and was not present at the meeting.

Senior Planner Stefano Richichi informed the Board the purpose of the hearing today was to hear the appeal of Mr. Singh as directed by the Board on November 5, 2020. Mr. Richichi gave a brief background of the item which included consideration of zoning issues, use permits, and a Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) for the project. He also presented the Planning commission's recommendation. Assistant Director of Planning and building Services Gaylon Norwood reminded the Board that, on November 5, 2020, they had directed staff to set another public hearing for the appeal and make a determination as to whether to approve or deny it...Assistant Director Norwood gave a brief overview of the staff report and discussed the first CEQA summary, and consideration of adoption of the Negative Declaration number 2019-007. Specifically, he highlighted additional considerations addressed by the CEQA report, including, travel-related impacts, a traffic study, and the potential impact on local businesses. There were no significant impacts identified so as to require additional environmental review or denial of the project. Assistant director Norwood stated that, in his opinion, the environmental review was adequate and met the requirements of CEQA.

Supervisor Gallagher asked about whether further design review was necessary before permits could be approved. Director of Planning and Building Services, Maury Anderson, explained that they typically do a wrap design in a use permit so they wouldn't have to process it again. director Anderson also stated there were findings in the resolution that addressed this information.

The Public Hearing was open from 9:52 a.m. - 11:00 a.m.

SPEAKERS IN FAVOR OF GRANTING THE APPEAL (i.e. IN FAVOR OF DENYING THE PROJECT): Counsel Brett Cook, Josh McKernon.

SPEAKERS OPPOSED TO GRANTING THE APPEAL (i.e. IN FAVOR OF DENYING THE PROJECT): Counsel Anthony Archer, Brian McGrath, Quinton Johnson, Jessica Brazier, Joann Sterling, Barbara Fritch, Brenden Moss, Steven Moss, Neil Weeks.

RECESS: 11:00 a.m. - 11:08 a.m.

The Public Hearing was continued from 11:08 a.m. - 11:35 a.m.

SPEAKERS NEITHER IN FAVOR NOR OPPOSED: None.

Counsel Cook referenced the letter dated November 2, 2020, previously submitted by Counsel Abbott and discussed the Board's action.

Counsel Arger discussed the prior Board decision pertaining to the Doyle Dollar General and legalities of the decision to proceed today with this public hearing.

CAO Egan informed the Board that today's meeting and hearing were properly noticed and the impending winter storm was well-publicized. All parties necessary to the hearing were present. The public was able to, and did, submit comments by email or mail well prior to the hearing if they were unable to attend in person. CAO Egan briefly discussed the demographics of the location.

SPEAKERS: Quinton Johnson.

A motion was made by Supervisor Bridges, seconded by Supervisor Gallagher, to adopt Resolution No. 21-007, to include affirming the Planning Commission's decision set forth in Planning Commission Resolution No. 6-01-20 conditionally approving Use Permit #2020-011, adopting the Negative Declaration No. 2019-007 and denying the appeal. The motion carried by the following vote:

Aye: 4 - Gallagher, Bridges, Hemphill and Albaugh

Absent: 1 - Hammond

ADJOURNMENT

There being no further business, the meeting is adjourned at 11:46 a.m.

Chairman of the Board of Supervisors

Date: _____

ATTEST:

Michele Yderraga, Deputy Clerk of the Board