

# TRINITY COUNTY PLANNING COMMISSION

**Special Meeting**  
**June 4, 2020 at 7:00 p.m.**  
**Trinity County Library Conference Room**  
**351 Main St, Weaverville, CA**

**Chairman Dan Frasier**  
**Vice-Chairman Diana Stewart**  
**Commissioner Graham Matthews**  
**Commissioner Richard Hoard**  
**Commissioner Mike McHugh**

## MEETING MINUTES

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**\*NOTE:** The public was invited to attend the public hearing via Zoom Link and limited public access for specific agenda items was made available by request and during the public meeting.

### CALL TO ORDER:

Chair Dan Frasier called the meeting to order at 7:00 p.m.

**Commissioners present:** Richard Hoard, Dan Frasier, Graham Matthews, Mike McHugh

**\*Commissioners Present via Zoom Link:** Diana Stewart

**Staff Present:** Planning Director Kim Hunter, Planning Deputy Director Lisa Lozier, Associate Planner Bella Hedtke, Administrative Coordinator Mary Beth Brinkley, and Administrative Coordinator Tina Duong, County Counsel Margaret Long present via Zoom Link.

**PUBLIC COMMENT:** During the Public Comment period members of the public may address the Planning Commission on any matter not listed on the agenda that is within the subject matter jurisdiction of the Planning Commission.

Unknown Speaker requested to know the subject matter and jurisdiction of which the Planning Commission has oversight. Director Hunter stated that the Authority of the Planning Commission to conduct business was established by the General Plan and implemented through the Zoning Ordinance for land use matters.

Public comment closed at 7:02p.m.

### REGULAR CALENDAR:

**MINUTES:** Approve meeting minutes of the meetings held on April 23, 2020. Commissioner Hoard: Motion to approve minutes as presented for April 23, 2020, Commissioner Matthews: Seconded. Chair Frasier noted the need to verify Commissioner Stewart was in attendance via zoom. Roll Call vote: Commissioner McHugh – Aye, Commissioner Matthews – Aye, Commissioner Stewart – Aye, Commissioner Hoard – Aye, Chair Frasier – Aye, Motion Carried

Request to reopen public comment to accommodate Zoom attendees who were not originally recognized during the initial public comment time. Chair Frasier reopened Public Comment

Veronica – recommended that the Chair Frasier clarify to the public attending on Zoom how they would be recognized to speak.

Liz McIntosh – Thank Commissioner Hoard for representing the 4<sup>th</sup> district. Update on the Smith Pit Mine Operation issues: expressed concern that the residents of Junction City did not know when the issues raised regarding violations of the operating conditions for the mine would be heard at a public meeting and if the issues were being documented as residents had not received any information. Ms. McIntosh also expressed an interest in persons being able to log complaints that were not anonymous in order to receive follow-up information.

Chair Frasier stated for the public that someone would be watching for commenters that they should “raise their Hand” to be recognized to speak.

7:10pm.

**Item 2: Conditional Use Permit (P-19-19)/(P-19-32)** A request for a Conditional Use Permit to develop an approximately 2.2-acre site along the north side of the SR-299 commercial corridor in Weaverville with a new 20,000 square-foot Grocery Outlet grocery store. The project site is designated by the General Plan as Commercial (C) and is zoned as General Commercial (C-2). The project includes the development of two driveway entrances, sidewalks, drive aisles, 67 on-site parking spaces, a loading dock, storm water improvements, landscaping, outdoor lighting, and monument signage. The proposed project site is located at 1155 Main Street, Weaverville. APNs: 002-100-61, -62, -63 and 002-100-42. Applicant: Best Development Group. Proposed CEQA Determination: Mitigated Negative Declaration. Planner: L. Lozier. (Item continued from April 23, 2020.)

Deputy Director Lozier presented the staff report.

Commissioner McHugh ask staff to clarify the Resolution 2020-05 text strikeout version is correct and asked if the lot line adjustment associated with the project would also come before the commission for approval. Lozier stated that the Lot Line Adjustment would not be brought to the Commission and would be included as a condition of approval.

Chair Frasier opened the public hearing.

Terry Johnson: Discussed history of Grocery Outlet, store locations and business model, employees, and types of products typically availability. Mr. Johnson stated that they will accept the conditions as proposed, and that his team is available to answer questions.

Commissioner Hoard asked about pre-selected contractors

Terry Johnson specified that contractors are not selected prior to approval.

Becky Diel: with law firm McKinley, Conger, Jolley, Galarneau LLP and represents local business owners. Ms. Diel requested to slow down the approval process and listed 3 items of specific concern in regard to the project: 1. Public Review Period on the Mitigated Negative Declaration was not proper under the law due to the COVID-119 shut down. 2. Conditional Use Permit: The Trinity County General Plan is not available on-line in order to confirm that the project is consistent with the General Plan. 3. CEQA Document: Ms. Diel opines that the CEQA document is incomplete because an Urban decay analysis was not prepared for the project.

John Brower: Additional public comment time is needed to review the CEQA document. Aesthetics are not addressed in a meaningful way and should be reconsidered. Three parcels being combined for this project takes way opportunity for smaller “Mom and Pop” businesses. There could be economic impacts for promoting large business and may change the character of the Weaverville community.

No other speakers were present in the meeting room. Chair Frasier asked if there were commenter on Zoom.

Director from sales and merchandising for Grocery Outlet spoke about working with and supporting the community and supports special programs for local agencies to feed hungry persons in the community. Grocery Outlet provides high quality items in their stores.

Public hearing closed at 7:43pm.

Commissioner Matthews asked to hear from County Counsel regarding the concerns raised in letters received about opposition including time frames and office closure.

County Counsel stated that the issues raised were investigated prior to the previous meeting specifically related to the closure of the office. There were issues related to COVID, the office was closed but staff was available. Counsel verified with Director Hunter

Commissioner Mike McHugh asked County Counsel about access to the General Plan. Would a member of the public been able to contact staff. County Counsel stated the intent for the office closure was to limit entry to the office. Staff would have been available to provide access to the General Plan by email or at the office.

Director Hunter confirmed that staff was available in the office by phone, email and by appointment. Staff would have been able to provide elements of the General Plan. Director Hunter also confirmed that the General Plan was, at the time of the meeting, available online.

Commissioner Stewart asked County Counsel about the on-line posting stating the office was closed. County Counsel responded that the online and office posting recommended calling the office. Counsel stated that the law requires staff to be available and they were available.

Commissioner Stewart expressed that there is no reason to hurry the project and due to the difficult time with COVID and not pushing ahead with the project would give the public more of a chance.

Commissioner Hoard commented on the Conditions of Approval for the project. Commissioner Hoard reads condition number 3: "Levee Road is not a publicly maintained road. The applicant shall create to the satisfaction of the Trinity County Counsel and the Trinity County Department of Transportation an organization or association for the maintenance of Levee Road from Highway 299 to the truck access or show evidence of the existence of such an agreement or organization", and asked staff for clarification if adjacent property owners would be required to be part of the agreement required for road improvements in condition 3. Deputy Director Lozier stated that the condition was from Department of Transportation (DOT) and would not be able to explain the intent. Commissioner Hoard felt that condition 3 would place a burden on adjacent property owners to form an association for maintenance of the Levee Road when most of the road usage will be for the project and ask for comment from other Commissioners.

Commissioner McHugh stated that truck traffic related to the store would only go as far as the loading dock. Levee Road is in terrible shape and an ongoing issue for the County. There are two other conditions the applicant had agreed to make off-site improvements in conditions 1 and 2, but agreed that condition 3 would be burdensome to adjacent land owners. Commissioner McHugh suggested

Commissioner McHugh ask County Counsel to verify involvement in condition 3. County Counsel stated that her involvement with condition 3 would be review of the agreement only.

Commissioner McHugh suggested that condition 3 might be deleted entirely. Commissioner McHugh asked if DOT was available for comment. County Counsel stated that she did not believe DOT was available.

Chair Frasier commented that he was not familiar with Levee Road, but felt that condition 1, requiring Levee Road to be paved and condition 3 requiring maintenance were redundant.

Commissioner McHugh briefly discussed conditions 1 and 3 regarding improvements and maintenance with condition 3 requiring an agreement with the project applicant to repair damages to the road.

Commissioner Matthews suggested to reopen the public hearing to discuss the conditions with the applicant.

Commissioner McHugh then recommended the Commissioners go through the conditions as a whole and consider reopening the public hearing at that time.

Commissioner Hoard questioned condition 8a, asking if the mass grading ordinance would be referenced in the condition. That mass grading does not define a time frame for grading.

Chair Frasier stated that the definition of mass grading was the same as the mass grading ordinance.

Director Hunter confirmed for the commissioners that Condition 17, addressed the lot line adjustment requirement for the project.

Commissioner McHugh asked staff if Condition 14 was to be removed. Staff confirmed the recommended removal of Condition 14.

County Counsel addressed the mass grading definition question by Commissioner Hoard stating that the conditions of approval could be more restrictive than the definition in the ordinance which is consistent with State law.

Chair Frasier reopened the public hearing to receive information from the applicant concerning only Condition 3.

Terry Johnson stated that there was no interest in creating an assessment district or having any one pay for the maintenance of Levee Road that the project would be required to improve. Customers would be using the main access from SR299 as improved by Caltrans standards. The Applicant understood the condition to be an agreement with DOT and County Counsel which they would be willing to commit. They will not be doing an assessment district or expecting neighbors to pay for their improvements.

Commissioner Matthews asking if the condition could be changed to state Grocery Outlet will maintain the road.

County Counsel recommended that if Grocery Outlet is willing to commit to funding that as part of the condition that would satisfy County Counsel review, or can meet with the applicant and establish a proposal.

Chair Frasier would like to recommend changing the wording of the condition to read that the Applicant shall maintain Levee Road from Highway 299 to the truck access to the satisfaction of the Trinity County Department of Transportation. Terry Johnson (Applicant) agreed with the condition as recommended. County Counsel also agreed that the condition would be acceptable.

Commissioner Matthews discussed comments received in support of the project and concerns identified by local businesses and recommended the Commissioners discuss if there are issues particularly in regard to the current situation (COVID-19) and the limitation on public involvement and asked for additional discussion on the impact of online posting that the County offices were listed as closed to the public.

Commissioner McHugh stated that the applicant has been working on the project for over 18 months and the applicant would like to move on with the project.

Chair Frasier agreed that a lack of public input is concerning and would be inclined to wait if an open public hearing could be provided at the next regularly scheduled meeting, however it could be months before an open meeting could be held. Chair Frasier recommended moving forward to conduct the business of the county even though the Commissioner may not be receiving all of the public comment as they normally would.

Commissioner Stewart stated that the Grocery Outlet would have the potential to impact the entire town and she expressed serious concerns about moving forward with the project without additional public comment.

Commissioner Hoard recommending moving forward with the project given that it is unknown when regular public meetings will be possible.

Chair Frasier called for a motion on the item.

Commissioner McHugh: Motion to adopt a resolution to adopt the (CEQA) determination of a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, and; adopt the recommended findings listed in Resolution 2020-05 as listed in the April 22 memorandum to Planning Commission and; Approve Conditional Use Permit 19-19 based on the recommended findings that are compliant with CEQA and subject to the conditions of approval as amended in the strikeout version with condition 3 as modified by verbiage as follows: The applicant shall improve Levee Road from 299 to the truck access to the satisfaction of Trinity County Department of Transportation.

Second by Commissioner Hoard

Roll Call Vote: Commissioner McHugh – Aye, Commissioner Matthews – No, Commissioner Stewart – No, Commissioner Hoard – Aye, Chair Frasier – Aye, Motion Carried by 3/2 vote.

**Item 3: Appeal Of Planning Director's Decision (P-20-12):** An appeal of Planning Director's Decision to deny a Commercial Cannabis Cultivation License 2019-618 for 3120 Bear Creek Rd., Weaverville. APN 010-690-02-00; Applicant/Appellant: Dina Obrenovic. (Item continued from April 23, 2020.)

Commissioner Hoard requested to recuse from Agenda Item 3.

Director Kim Hunter presented the Staff report.

Chair Frasier opened the public hearing.

Appellant Dina Obrenovic stated that she had been working since 2019 to complete all of the requirements worked hard to meet all of the conditions of the license in order to start her small business. All necessary inspections have been completed. She applied for the smallest cannabis license. She believes that her landlord is the reason she is being denied her license. She felt that she is being held responsible for the actions of her landlord who cultivated illegally on the property without her knowledge while she was out the county. In September 2018 she left the County to give birth to her child. Her intent was to come back to the property to continue her business.

Mitch Ivanoff, consultant for the Appellant: Mitch stated that Ms. Obrenovic has complied with all of the required conditions and would not create any environmental impact on the property. In February a search warrant was filed on the property and a man named Gabriel was found on the property was supposed to stay on the property and take care of it while Ms. Obrenovic was out of the Country. Gabriel cultivated more than six plants without Dina's knowledge. As a result of the raid, the Sheriff's Office and Planning Department decided to deny the license. Dina's applied for the smallest license and uses well water not surface water and will not impact the watershed. Mr. Ivanoff states that because of Dina did not have knowledge of the illegal cultivation and she has work hard to be compliant with all of the County and State laws requests the Commission overturn the appeal for Dina's license.

Chair Frasier opened the public comment time.

Sally Barrow: Leon Draper owns three properties in her neighborhood and has a history of illegal cultivation and has been cited civilly. In 2019 applications for a commercial grow were applied on two of the properties under the names of his tenants. Ms. Barrow filed appeals against both properties of February 5, 2020. Ms. Barrow showed the commission members a map and pointed out the location of her home and the properties of Leon Draper including the property Ms. Obrenovic is leasing. On February 12, 2020 a search warrant was served on Leon Draper's property next door to Ms. Barrow. As a result of the search warrant, warrants were obtained for the other two properties. The officer on-site confirmed 8,000 plants for all three properties, 400 of which were on the property leased by Ms. Obrenovic. Dina stated that she had no knowledge of the illegal activity, however Gabriel the tenant on Ms. Obrenovic's property while she was out of the country, and the occupant on the property when the property was searched has identify Ms. Obrenovic as his wife in a letter given to Ms. Barrow last November and stated to her that Ms. Obrenovic is his wife. Ms. Barrow ask the Commission to consider the investment of her family and all of the neighbors living on Bear Creek Road and the neighbors have signed a petition for opt-out of the cannabis program on Bear Creek Road. Ms. Barrow requested the Planning Commission uphold the denial of Ms. Obrenovic's license.

Chris: States he lives on Bear Creek Road and that he would not have purchased the property on Bear Creek Road if he had known of the cannabis project on the three parcels. He also has money invested in his property and is concern at the loss in value if he chose to sell his property he would be required to disclose the cultivation project. He is also concern with criminal activity associated with Leon Drapers properties which may impact the neighbors unintentionally as the houses are not well marked. He asked that the Commission uphold the denial of Ms. Obrenovic's license and that a petition is circulating to designate the area on Bear Creek Road as an opt-out area.

Speaker: He has been cultivating for several years now is a friend of Dina Obrenovic, she deserves to get her license back.

Ilya Makarov: He is a commercial cannabis license holder. He has known Dina for quite some time and knew that she was applying for a license in Trinity County. After reviewing the Planning Commission report he feels that information received from the neighbors, Sally and Brian Barrow regarding Leon Draper's association with Dina's license and the property her license is granted for is incorrect. Mr. Draper owns the property and was required to sign the application for the license but has no further interest in Ms. Obrenovic's license. Mr. Makarov also stated that the letter submitted by the Barrow's attorney is incorrect in regarding the allegations of environmental impacts and disclosure of previous cultivation on the property. Mr. Makarov states Ms. Obrenovic has worked very hard to meet all of the licensing requirements and requests the Planning Commission to reverse the decision on denial of the license.

John Brower: One issue in the staff report is in a letter from the opponent's attorney which suggests the project could have significant environmental impacts on the watershed. The water board has already reviewed this project and indoor cultivation is not allowed to have any discharge and must be completely contained. Mr. Brower stated that if it is the County's intent to bring illegal grows into licensure that denying license because of a previous grow does not make sense.

Veronica Albeniz: Expressed sympathy for Ms. Dina being a new mother, however Ms. Dina's claim to be unaware of the illegal cultivation on the property after all of the environmental work was completed and that the cultivation was conducted by someone who she has an intimate relationship with is hard to believe. Ms. Albeniz recommends that the denial of the license be upheld.

Chair Frasier closed the public hearing.

Commissioner Stewart stated her concern that Ms. Obrenovic is the type of small family grower that the County was hoping to encourage however, hearing that the person that had the illegal grow is possibly her husband and the father of her child is very concerning.

Commissioner Matthews also stated that the group petitioning for the opt-out should also be taken into account. The County has been encouraging those requesting the opt-out if enough people in the area requested to be involved. It should also be taken into account that the intent to move illegal grows into the licensing process, but the history for this property is very concerning.

Chair Frasier expressed his concern that the license was applied for a 500 square-foot indoor grow and before the license was issued to have enforcement on the property and the eradication of 400 plants. Ms. Obrenovic is the responsible party and that would be a violation of the license she is applying for. The enforcement during the application process seems like a legitimate reason for the denial.

Commissioner Stewart on the topic of transitioning illegal grows to legal grows, the illegal grow happened after the licensing process had begun is concerning. If you want to be legal then it is important to be legal from the time the licensing process starts to when the license is granted.

Commissioner McHugh: Motion to uphold the Director's decision to deny the appeal finding that there is no compelling reason to appeal. Second to the motion by Commissioner Matthews. Roll call vote: Commissioner McHugh – Aye, Commissioner Matthews – Aye, Commissioner Stewart – Aye, Chair Frasier – Aye, and Commissioner Hoard has recused. The Motion to uphold the Denial passes unanimously.

**Item 4: Annual Initial Variance (CCV-19-63):** A request for a variance from the required 350' Cannabis cultivation setback from a neighboring residential dwelling (TCC 17.43.050.A.8). Project site is located at 27 Log Cabin Ln., Douglas City, Assessor Parcel Number: 025-140-32-00; Applicant: S. Xiong. Planner: B. Hedtke. (Item continued from April 23, 2020.)

Associate Planner, Bella Hedtke presented the staff report and attached memorandums. Based on the whole of the information provided to the Commission, staff recommended denial of the variance.

Chair Frasier opened the public hearing.

Chia, interpreter for applicant Sor Xiong, read Ms. Xiong's statement that she initially started the process two years ago. It had been used to cultivate illegally in the past. It is against her morals to operate her business illegally and intended to meet all of the legal requirements even after receiving threats from illegal neighboring

cultivators. Ms. Xiong is aware that she is required to obtain a Directors Use Permit (DUP) for the Recreation Vehicle (RV) currently on the property without a residence. She did not obtain the DUP because she had intended to have a mobile home set on the property prior to completing the DUP. The mobile home was not installed as anticipated, but will be install this August (2020).

Ana Wright (Flowra) consultant for the Applicant: Ms. Wright discussed a letter she submitted to staff on behalf of her client to address concerns brought forth by Mr. Phillip Hennis who is opposed to the variance being granted. Concerns included: potential illegal water source, legal access to the project site being blocked by the applicant. The last concern is in regard to illegal activity alleged to be conducted on APN 25-14-11. Ms. Wright stated water is provided by a permitted well; a copy of a title report which indicates a single easement to the Mr. Hennis's house not to the garden behind Mr. Hennis's house. The fencing Ms. Xiong has placed is on her property to block illegal dumping. Ms. Wright stated that APN 25-14-11 is not owned by Ms. Xiong. Ms. Wright asked the Commission to consider approving the variance to minimize the additional development and additional environmental impact. Ms. Xiong would be required complete if she would have to move her cultivation site. Ms. Xiong has been granted the licenses she needs to cultivate legally, she is only waiting on approval of the variance.

Commissioner McHugh requested information on the part of the parcel to be fenced to verify that the fence does not encroach on the easement. Ms. Wright explained that the area of the property being fenced is by a road, but not in the easement and is located on Ms. Xiong's property.

Chair Frasier opened the public comment time.

Phillip Hennis expressed that he main objection was the use of the water. He stated that he has a legal licensed grow for medical marijuana. He feels that the applicant's well is drilled adjacent to his septic tank and is not legal.

John Brower: Believes the applicant is exactly the type of person to transition into licensure. The applicant has a significant investment and he would encourage the Commission to continue the item for the applicant and neighbor to reach an agreement.

Kenneth Riddle: He lives on the same road and states there are no illegal grows in the area of the applicant's property. The issues he has is that there are two roads that cross the "L" portion of the property that have been in use for a long time. The applicant's associate, living on the property has threatened to block the access roads to build greenhouses.

Tom Bollanco: Looked at the property and reviewed the deed. He states there is one deeded easement and three roads: one to Mr. Hennis's house, one to a cultivation site Mr. Hennis uses, and one to another cultivation site. The roads cross Ms. Xiong's property. It is reasonable to fence your own property and reasonable to block access for things which could cause trouble to your own license. As to the septic and well issues, both are permitted.

Chair Frasier closed the public comment.

Director Hunter requested to comment. The DUP required for the RV prior to the manufactured home being installed, this issue could easily be resolved with a Letter of intent from the applicant for the Manufactured home. The discussion is for the setback variance, not for the license. It is difficult for staff to determine what is actually injurious to the property owner. The recommendation of denial was difficult for staff based on the



issues presented. The well and septic were both permitted by the County and are located to close, which is not the fault of the property owner. The well and septic location is not an item of consideration for the variance.

Commissioner McHugh noted that the other issues of easements, fencing, and encroachment add interest however the neighbor's objection is with the water.

Commissioner Stewart stated that felt Flowra addressed all of the issues brought up with this project and it seems reasonable that if there is one easement and it is not being fenced, then the variance should be approved.

Commissioner Hoard stated that he is sympathetic to Mr. Hennis's concerns however, the other issues; water, trash, and pollution concerns cannot be directly attributed to the applicant as discussed before. Commissioner Hoard spoke in favor of the variance but reminded the applicant that good neighbor relations are important as the Variance would be required to be renewed next year.

Commissioner Matthews, is concerned with a commercial operation in an area that probably has low water. The Commissions track record is that when there are neighbor complains and concerns those concerns have been used as a finding for deigning the variance.

Chair Frasier also expressed concern that typically if the neighbor complaints, and if the neighbor is within 350 feet of the cultivation site, that was the finding to deny the variance. The variance is to protect the neighbor. In this case the concerns of the neighbor is related to the licensing. Chair Frasier suggested to deny the variance and letting the neighbors work out the issues.

Commissioner Matthews suggested continuing the project for the neighbors to work out their issues.

Chair Frasier suggested it would be appropriate to deny the variance. The applicant could reapply or she could move the cultivation site. Grading could be done properly and then she would not have to go through the variance every year not know if it would be approved. Chair Frasier stated that he believed it is good project, but the variance should be denied.

Chair Frasier called for a motion.

Commissioner Stewart: would make the motion but not sure what the conditions or findings would be.

Director Hunter recommended a continuance.

Chair Frasier and Commissioner McHugh discussed the precedent of granting variances based on neighbor complaints which typically involve odor, aesthetics, or other things. The complaint is about the water which would not be resolved by denying the variance. Commissioner Stewart agreed, stating that it may not even be the applicant impacting Mr. Hennis's water. It may be a bigger issue than may be able to be resolved between the neighbors.

Commissioner Stewart recommended a motion to approve the variance request but was not comfortable creating the findings and suggested a continuation may be the best option.

Commissioner Stewart made a motion to continue to the July 9, 2020 Planning Commission meeting. Second by Commissioner Hoard. A competing motion was enter by Commissioner Matthews to deny the variance request and seconded by Chair Frasier. Roll Call Vote for the competing motion: Commissioner McHugh-no,

Commissioner Matthews – Aye, Commissioner Stewart – No, Commissioner Hoard – No, Chair Frasier – Aye. The motion does not pass on a 3/2 vote. Roll Call Vote for the initial motion to continue to the July 9, 2020 Planning Commission meeting: Commissioner McHugh- Yes, Commissioner Matthews – No, Commissioner Stewart – Aye, Commissioner Hoard – Aye, Chair Frasier – No. The motion passes on a 3/2 vote.

County Counsel asked to clarify motion is to continue to the July 9 meeting. Is the direction to staff to come back with conditions of approval?

Chair Frasier recommended continuing the July 9, 2020 Planning Commission meeting and recommended directed staff to return to the Commission with Conditions of Approval and Findings for granting the variance.

Commissioner McHugh suggested staff return with a second option for granting the variance and provide findings that are generic or allow the Planning Commissioners to craft the appropriate findings based on the information provided to the Commission at the July 9, 2020 Planning Commission meeting.

Chair Frasier recommended it would be beneficial to the Commission for the neighbors talk together to determine what variance issue in regard to the setback from the grow site.

### **PLANNING COMMISSIONERS REPORT:**

Commissioner Hoard requested staff provide a status update for the Smith Pitt Mine to provide information to Junction City residents.

Director Hunter stated that she had received a number of emails with concerns regarding the mine operating outside of the approved Use Permit. Hunter also stated she had spoken to the Mine operator as well. The issues with the Mine had been on hold because of the current difficulties conducting public hearings. Director Hunter requested the Commission provide direction as to whether they would like to have the item agenda for consideration. The Director has the authority to place a modification or revocation of a Directors Use Permit on the agenda for the Commission to review.

Commissioner McHugh asked Director Hunter for clarification as if the item was a modification to the Use Permit?

Director Hunter stated that revocation and modification of a use permit is an action the Director could take, but Hunter stated that she is hesitant to move forward with a modification without asking from direction from the Commission to place the item on the agenda for discussion.

Commissioner Hoard stated that the evenings meeting would be his last as he had been requested to step down from the Planning Commission by Supervisor Jeremy Brown for perceived conflict of interest. Commissioner Hoard expressed his disappointment with the decision but would comply with the request. He also stated he is grateful for his time on the Planning Commission and fully appreciates the time and dedication for the other commissioners and staff.

Commissioner Matthews ask staff for an update on the clinic, asking specifically if the clinic was operational and had been finalized. He also stated that the architectural work to improve the appearance has not been completed. He had also received complaints from the neighbors about noise. A noise study was required.

Director Hunter stated that a noise study was completed and no mitigations were recommended for attenuation.

The clinic has a certificate of occupancy but has not been finalized.

Commissioner McHugh asked about upcoming meetings, and Director Hunter stated there would be a meeting next week (June 11, 2020) no meeting late in June and a meeting scheduled for July 9, 2020.

**ADJOURNMENT:**

The Planning Commission adjourned at 9:47pm.

Submitted by: Lisa Lozier, Deputy Director of Planning



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**Kim Hunter, Planning Director**  
**Secretary of the Planning Commission**