Meeting was called to order at 6:00pm by Chairman (Chair) Wes Davies who explained the protocol of the meeting, safety exits and appeal procedures.

Item #1:  **APPROVAL OF MINUTES:**  
Meeting minutes for January 21, 2020. Com Villagran made a motion to approve the Meeting minutes dated January 21, 2020. The motion was seconded by Chair Parks-Rudolf and approved 5-0.

Item #2:  **CONDITIONAL USE PERMIT APPLICATION NO. 20-001-CUP:**  
Public Hearing concerning an application by Donald and Connie Ramage to establish a Non-Farm Dwelling on a 122.73-acre parcel, described as T28S R1E TL2004, 0.5 miles west of Silver Lake on Hwy 31 on the northeast corner side of the road; in an A-1 Exclusive Farm Use Zone. A decision will be based on Articles 2 and 24 of the amended Lake County Zoning Ordinance of 1980.

Planning Director (Dir) Johnson was asked to give an overview of the staff report for this application, which he gave with his recommendation for approval. Chair Davies asked why the Planning Commission was even looking at this since the acreage was 122-acres. Johnson stated 160-acres was the minimum for a farm dwelling, so this is under the acreage for a farm dwelling itself and this is why they were reviewing this application.

Donald Ramage stated they currently have a ranch on Old Lake Road, which is for sale and were going to be using this acreage to build a retirement home. Ramage continued to say the Iverson Ranch uses the acreage for pasture for their cattle.

Chair Davies closed the public portion of the hearing to continue with the decision-making process along with discussion amongst the Commission members.

Com Parks-Rudolf made a motion to approve Conditional Use Permit #20-001-CUP. The motion was seconded by Com Walls and was approved 5-0.

Item #3:  **CONDITIONAL USE PERMIT APPLICATION NO. 20-002-CUP:**  
Public Hearing concerning an application by Heather & Sam Tacchini and Ernie & Keven Anne Tacchini to establish a 2nd Non-Farm Dwelling on a 19.2-acre parcel, described as T39S R1E TL1803, at 19836 Cottonwood Road, Lakeview, Oregon; in an A-2 Agriculture Use Zone. A decision will be based on Articles 3 and 24 of the amended Lake County Zoning Ordinance of 1980.

Dir Johnson gave a brief overview of the Staff Report and his recommendation for approval.

Ernie Tacchini stated they have made a verbal offer for the property and are still in negotiations, but before they settled on the property, they wanted to make sure this option was approved.
As there were no public comments in the application, Chair Davies closed the public portion of the hearing to continue with the decision-making process along with discussion amongst the Commission members. Com Crawford asked Dir Johnson since the purchase for the property has not gone through, would this CUP go away or stay with the property. Johnson answered it would stay with the property and would be transferrable. Further discussion continued on this issue.

Com Villagran made a motion to approve Conditional Use Permit #20-002-CUP. The motion was seconded by Com Parks-Rudolf and was approved 5-0.

Item #4: OTHER BUSINESS:
- Copies of the Planning Commission Meeting Schedule were distributed to the members.
  - There will not be a July Meeting held, as Dir Johnson will be out of the area.

Item #5: CONDITIONAL USE PERMIT APPLICATION NO. #19-058-CUP:
(OLD BUSINESS)

Review of approved application by Webster Road Solar Farm LLC. Planning Commission’s motion included an agreement to be made by ODFW and the Applicant on a Mitigation Agreement and a Conditional of Approval regarding said agreement to be made. This has not been accomplished and the Planning Commission may want to review all materials to-date and determine “what mitigation is to be required of the applicant.”

Dir Johnson stated there have been various correspondence going back and forth between the applicant and ODFW (Oregon Department of Fish & Wildlife). Originally at the initial hearing there was a First draft agreement Mitigation Plan which ODFW at that time had some issues with. Johnson handed out copies of the letter received at 5:15pm today from Jon Muir, ODFW. Discussion continued on some of the other information received, prior to the meeting, and copies were handed out.

Jake Stephens, of NewSun representing Webster Road Solar, summarized the Second draft agreement on February 11th presented to ODFW, stating on February 14th they have been inserting the comments ODFW made and this is the version of that plan. Chair Davies stated he would like to go through the revisions which they had made to the Staff Report Findings. First of all, ODFW had agreed with Webster Road Solar that the acceptable broader location for Mitigation Projects would be the Wildlife Management areas surrounding the project site and the applicant would be doing the Juniper project as an uplift. They are asking for 2 things: 1) protect an equal amount of ground for a no net loss; and 2) the Juniper Project as a no net loss benefit. ODFW also wanted durability provisions added – protection of the ground – conservation easement – retreatment or maintenance. Discussion continued on the landowners and how this would affect the future of their land. Mr. Stephens continued to say they and ODFW have not agreed upon a Mitigation Plan and it would therefore fall to the County to make a decision on what would be necessary. Stephens stated he would like to go through their letter item by item. Dir Johnson asked if they let the record stand for right now, waiting for your negotiations to go through between the two parties, would they be able to get to an agreement. Discussion continued on this issue and the problems with an agreement on a Mitigation Plan. Discussion continued on the State Rule for Solar Projects. Johnson read the comments from Jon Muir and Sara Reif. Discussion continued on durability and ODFW’s wanting a definite area for the Mitigation. Narration continued on the items which had been met by the applicant in regards to the letter ODFW submitted. Stephens continued by saying the next item on ODFW list of issues was that the final plan would be updated with additional details, specific mitigation, and would be updated with specific site implementations consistent with the larger plan that is being negotiated. He then continued with the narration of the submitted letter and making comments on what had been addressed.

Mr. Stephens continued to read some of their proposed findings. Discussion continued on durability.
Discussion continued between the Planning Commission Members on the Mitigation Plan. Chair Davies indicated he was only going to reference the Mitigation Plan in his motion. Discussion continued on the revision plans and the red lines and on how the motion should be worded so as to not leave the County exposed.

Chair Davies stated his “motion made on January 21, 2020 included a condition of approval #18 which was left open, to be between the Applicant and ODFW to come to an agreement on Mitigation, and since this did not happen; therefore, I make a new motion to amend the Staff Report on Conditional Use Permit #19-058-CUP to adopt the Staff Findings of G etc. as proposed in this meeting – Planning Director Darwin Johnson has a copy. Making revisions suggested, which are: Bottom of 1st paragraph of G; 20 years of ownership – changed to read 15 years and removal of materiality threshold of 10 acres, which is on the last page – which reads Option A - Mitigation before Construction. Page 2 – Pathway 1, Strike; Title of Pathway 2 also Strike – Start with the Planning Commission Finds. Page 3 – After the top paragraph Condition of Approval will ensure compliance – Insert: Furthermore, reasonable evidence and the rest of the paragraph Dir Johnson has.” Motion was seconded by Com Villagrana and approved 5-0.

Chair Davies made a second motion to Condition of Approval #18 “While the County disapproves of language included in the Staff Report we are OK with it being used in this case because this is what the Applicant is comfortable with. Durability is not in the Law and is not required by Law, and we do not want this case to be used as an example in future cases or applications; however, Condition of Approval #18 should be read as proposed by the Applicant. The Condition of Approval does approve of the Webster Road Mitigation Plan of Version 4, a clean copy of the ‘red’ line as submitted.” Motion was seconded by Com Crawford and was approved 5-0.

As there was no other business to conduct, the meeting adjourned at 8:44pm.

Respectfully Submitted,

Darwin Johnson Jr.
Planning Director