



**CITY OF LAKEPORT
PLANNING COMMISSION
SPECIAL MEETING
February 27, 2019**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Green called the meeting to order at 5:30 p.m. with Commissioners Wicks, Driver, and Froio present. Also, present were Community Development Director, Kevin Ingram, Administrative Services Director, Kelly Buendia, Associate Planner Daniel Chance, and Administrative Specialist, Linda Sobieraj.

ACCEPTANCE OF AGENDA: Commissioner Wicks made a motion to accept the agenda as posted. Seconded by Commissioner Driver and unanimously carried by voice vote (4-0).

COMMUNICATIONS: Community Development Director Ingram advised there was no public input.

CONSENT AGENDA: Commissioner Wicks motioned was made to accept the minutes, seconded by Commissioner Froio, and unanimously carried by voice vote (4-0). (Minutes from the Special Planning Commission meeting December 11, 2018, and Regular Planning Commission meeting of January 9, 2019).

REGULAR AGENDA:

Newly Appointed Planning Commissioner

Director Buendia swore in new Planning Commissioner, Mark Mitchell and re-appointed Commissioner Michael Froio.

Award Presentation – Suzanne Russell

Staff advised that Suzanne Russell was ill and unable to attend the Planning Commission meeting.

Brown Act

Administrative Services Director Buendia provided a slide show outlining the Brown Act.

Planning Commission Overview

Ingram provided a Power Point presentation and overview of the roles and responsibilities for Planning Commissioners.

AMG & Associates – AR 18-05 / ER 17-01

Associate Planner Chance briefed the Commission on the Planning Commission is being asked to review and approve an Architectural and Design Review (AR 17-03) for the construction of a 48-unit affordable multi-family apartment complex on an approximately 4.15 acre portion of property (Parcel 2 of the subdivision (PM 17-01) of a 10.5 acre property located at 1255 Martin Street). This Planning Commission recently approved a tentative parcel map dividing this property into (3) three parcels. This project will be located entirely on proposed Parcel 2. At this time the final map is currently being reviewed by the City and City's contract Surveyor, but has yet to be recorded. The proposed project will not result in any new environmental impacts beyond those already considered as part of the previously approved Environmental Review/Initial Study (ER 17-01) prepared for PM 17-01. Staff requests the Planning Commission review and consider an Addendum to ER 17-01 and re-adopt the previously prepared Mitigated Negative Declaration consistent with CEQA Guidelines Sections 15162 and 15164 (Previous Environmental Review and associated studies available upon request from Community Development Department)

Commissioner Wicks advised staff of a typo on Vicinity Map, attachment A of the staff report and the first map, page 8 of the addendum, which should read Phase II on the area indicated in item.

Wicks advised on page 14 of the addendum, Response III c in the table it was marked as "Less Than Significant" but marked below in the text as "No Impact". Director Ingram stated the table should be marked as "No Impact" to match the text.

Wicks stated in the addendum, page 36, it lists the different agencies in the table are listed with roman numerals, they should be marked the same in the text below the table.

Chair Green called for a break at 6:56 p.m. and resumed at 7:07 p.m.

Public hearing opened at 7:08 p.m. Nancy Ware Lakeport resident asked if the project would have Smith Street access. Mark Brown spoke regarding concerns about right-of-way improvements on Martin Street. Applicant Cameron Johnson with AMG and Associates and answered questions regarding access to phase II, traffic increases, signs and safe intersection policies.

Public hearing closed at 7:33 p.m.

Chair Green asked for clarification as to why a traffic study was not required. Staff reviewed the City Engineer's comments with the Commission stating how anticipated volumes although much greater than current volumes did not rise to a level that would require intersection improvements to Bevins and Martin Streets. Chair Green asked if there was any way that the general safety related impacts to the Bevins and Martin Street intersection resulting from changed conditions could be further analyzed by Staff. Director Ingram advised the Commission could make a recommendation to the Planning Commission Secretary in the minutes and it would be referred to the Traffic Safety and Advisory Board to put it on a future agenda to look at the traffic safety issues on Martin Street near this project.

The Planning Commission agreed by consensus to refer this item to the Traffic Safety Advisory Commission for review.

Reconsideration of Previously Adopted Mitigated Negative Declaration

Commissioner Wicks moved that the Planning Commission reconsider the previously adopted Mitigated Negative Declaration and re-approve the prepared Addendum to said Mitigated Negative Declaration ER 17-01 finding that the proposed modifications to the previously approved project as applied for by AMG & Associates, LLC is consistent with the CEQA Guidelines as described in Section 15162 and 15164. As amended to include the amended map. Seconded by Commissioner Driver and carried by voice vote (5-0).

Architectural and Design Review & Density Bonus/Incentive Approval

Commissioner Wicks moved that the Planning Commission approve the Architectural and Design Review, AR 18-05 and associated Density Bonus/Incentive request. The Planning Commission's approval is based on the information and documentation submitted by the project proponent; the information and documentation contained in the City's Staff Report and Initial Study on the project; the information and facts received at the public hearing conducted on February 27, 2019; and the finding that the project is in conformance with the criteria and standards specified in the Lakeport Municipal Code – Zoning ordinance. Seconded by Commissioner Froio and carried by voice vote (5-0).

Planning Department & Planning Commission 2019 Goals & Work Program

Director Ingram continued the discussion started at the January 9, 2019, regular meeting on the Planning Department's and Planning Commission's Goals and Work Program for the 2019 calendar year.

Chair Green would like to see the sign ordinance moved up on the priority list.

Director Ingram briefed the Planning Commission on the Telecommunication FCC ruling changes and an ordinance that will be coming before the Planning Commission.

CORRESPONDENCE:

Associate Planner Chance advised the Commission of the name change from J and J Pharm to California High Class, Inc.

Director Ingram advised the Commission on the current flood and rain issues the City was experiencing.

COMMENTS FROM STAFF AND COMMISSIONERS:

Associate Planner Chance advised of a meeting scheduled for March 18th regarding developing plans for Prop 68 funds to help with the Lakeport Lakefront Revitalization Plan and development of a possible Lakefront Park.

Commissioner Froio asked about the possibility of implementing a designated time where a break would be warranted for future meetings. Director Ingram advised the general rule

would be after an hour and a half however with flexibility depending on how much business was remaining.

Commissioner Wicks stated he was happy with the AMG & Associates project and hoped it would spark growth on the Highway 29 corridor. Wicks stated he still would like to see the Eleventh Street corridor upgraded per the General Plan policies.

Commissioner Mitchell stated it was fun looking at a project from a different side and trying to do better for the community. Mitchell advised he would like to see discussions on unique ways of making affordable housing a reality.

Director Ingram stated the General Plan Housing Element will be coming forward which will be a good opportunity to discuss those items.

Chair Green mentioned the County is moving forward with cannabis regulations and the Planning Commission will have several cannabis applications on their upcoming meetings.

Chair Green also mentioned the Fire Resiliency meeting that Congressman Thompson hosted in the Board of Supervisors chambers. Green stated Lake County hasn't talked about climate change and the fire risk and where in Planning we could change the approach to help with this. Ingram stated the City was in the process of developing a Hazardous Mitigation Plan and there was a public meeting held to develop this plan with further public outreach planned.

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, March 13, 2019, meeting adjourned closed 8:38 p.m.

Respectfully submitted,

KEVIN M. INGRAM
Community Development Director

These are the summary Minutes of the Planning Commission meeting. A recorded tape of the meeting is available at the Community Development Department at Lakeport City Hall, 225 Park Street, Lakeport, California for a period of 30 days after the approval of these Minutes.



**CITY OF LAKEPORT
PLANNING COMMISSION
March 13, 2019**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Green called the meeting to order at 5:01 p.m. with Commissioners Froio, Wicks, Driver, and Mitchell present. Also, present were Community Development Director, Kevin Ingram, Associate Planner Daniel Chance, and Administrative Specialist, Linda Sobieraj. Lakeport Police Lt. Jason Ferguson was also present.

ACCEPTANCE OF AGENDA: Commissioner Driver made a motion to accept the agenda as posted. Seconded by Commissioner Mitchell and unanimously carried by voice vote (5-0).

COMMUNICATIONS: Community Development Director Ingram advised there was no public input.

CONSENT AGENDA: None

REGULAR AGENDA:

Director Ingram asked to address year-end report item first to give the use permit applicant time to arrive.

Laura Birch – eCannabis UP 18-07 & CE 18-02

Associate Planner Chance briefed the Planning Commission on an application for a Use Permit to permit a cannabis retail delivery business, within an existing building on property located at 1775 South Main Street, (APN: 005-036-35).

Commissioner Froio asked why an ADA parking space was required for a delivery business. Associate Planner Chance advised it was a requirement of the Americans with Disabilities Act.

Public hearing opened at 6:03 p.m. Applicant Laura Birch spoke regarding the project. She answered questions regarding transporting product, employees, sales tax, delivery vehicle security, experience history and GPS locator for track and trace of delivery vehicle.

Public hearing closed at 6:26 p.m.

Chair Green proposed adding wording to Project Condition Agreement #7 to say "The owner shall provide information regarding GPS tracking to and cooperate with the Lakeport Police Department to monitor the delivery vehicle." Green also proposed to add to Project Condition #7 requesting the applicant to provide sales tax reports at the time of the annual performance review.

Commissioner Mitchell asked if in the delivery aspect of the state code, did it require that delivery vehicles have to be GPS tracked? Associate Planner Chance stated no. Mitchell

advised if the state does not require it, the City of Lakeport didn't need to. Lt Ferguson stated the police department would entertain the idea to try and assist with the GPS tracking, however the department may not have the capabilities to do so.

Chair Green stated adding a condition regarding sharing GPS with local law enforcement could add another layer of safety.

Commissioner Wicks stated that if we add that condition to delivery applicants it would also need to be the same for other cannabis delivery from outside the city.

Commissioner Wicks stated the condition is not necessary with the safeguards already in place.

Commissioner Froio stated he did not believe the Commission needed to condition the item if the applicant has volunteered the information.

Commissioner Driver advised any delivery person would be in the same amount of danger as the applicant and it didn't need to be listed as a condition.

Chair Green asked the Commission on adding a condition to require sales tax information with the annual performance review for tax capture in the City. Director Ingram noted that individual sales tax information is confidential but the City does receive quarterly updates on sales tax collection city wide.

Commissioner Froio asked when the annual performance evaluations be conducted. Was it a year from the date of approval? Director Ingram stated staff would probably incorporate them in with the annual business license renewals and the business license would not be issued until an annual report is received. Chance stated staff hasn't defined when it would be due, however a procedure will be developed.

Chair Green asked for consensus to change Project Conditions Agreement #6b to read "No cannabis or cannabis products shall be **used** or smoked on the premises, that include the actual building, accessory structures, parking areas or other immediate surroundings." Approved by consensus.

Categorical Exemption Approval

Commissioner Froio moved that the Planning Commission find that UP 18-07 as applied for by eCannabis, is categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines. Seconded by Commissioner Mitchell and carried by voice vote (5-0).

Use Permit Approval

Commissioner Froio moved that the Planning Commission find that the Use Permit applied for by eCannabis, on property located at 1775 South Main Street meets the requirements of Section 17.11.050.K of the Lakeport Zoning Ordinance; consistent with the objectives and policies of the Lakeport General Plan; and subject to the project conditions of approval (Attachment B) as amended, and with the findings listed in the March 13, 2019 staff report. Seconded by Commissioner Driver and carried by voice vote (5-0).

Planning Department 2018 Year-end Report

Director Ingram provided a summary of the various Land Use Applications, and other Planning Division activities for the 2018 calendar year.

Commissioner Froio moved that the Planning Commission direct staff to forward the Community Development Department's 2018 annual report to the City Council as an information item. Seconded by Commissioner Driver and carried by voice vote (5-0).

CORRESPONDENCE:

Chair Green asked about item #4 on the Planning Projects Pending list and if it was also proposed as a cannabis delivery business. Associate Planner Chance advised it was labeled incorrectly, it is actually a micro business that would include manufacturing, distribution and delivery.

Commissioner Mitchell asked about the Villanueva project. Associate Planner Chance advised they would check on the progress and update the Commission at the next meeting.

COMMENTS FROM STAFF AND COMMISSIONERS:

Director Ingram reminded the Commissioners of a public meeting on Monday, March 18th in relation to a parks grant application to help with funding the Lakeport Lakefront Revitalization project and developing new parklands along the lakefront.

Commissioner Froio stated the Dollar General sign being very bright and if staff had an update. Director Ingram advised staff would check into it and talk to the business.

Chair Green asked regarding the street light at the corner of South Main Street and Kimberly Lane. Director Ingram advised the item is on the list of things to get their permanent occupancy.

Chair Green advised he is happy to see the cannabis applications being submitted to the City. Green stated he would also like to see the GPS tracking information as part of future conditions for these types of applications.

Chair Green complimented staff on all the hard work they are doing to get these types of application to the Planning Commission.

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, April 10, 2019 meeting adjourned closed 7:02 p.m.

Respectfully submitted,

KEVIN M. INGRAM

Community Development Director

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