PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for April 8, 2020 will be conducted telephonically through Go to Webinar. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chambers will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chambers.

If you would like to speak on an agenda item, you can access the meeting remotely:
Join from a PC, Mac, iPad, iPhone, or Android device:
Please use this web link: https://attendee.gotowebinar.com/register/8351100182283559184

Or join by phone*:
If you prefer to use your phone, you must select "Use Telephone" after joining the webinar and call in using the numbers below.

United States (Toll-free): 1 (866) 901-6455
United States: +1 (562) 247-8421

Access Code: 205-048-490

Audio PIN: Shown after joining the webinar
*Please note that if you phone in without using the web link, you will be in “listen mode” only, and will not be able to participate or comment.

The City wants you to know that you can also submit your comments by email to virtualhost@cityoflakeport.com.
To give the City Clerk adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 4:30 p.m.

Please indicate in the email Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on.
Comments that you want read to the Council will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting.

The City of Lakeport thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.
AGENDA
CITY OF LAKEPORT
PLANNING COMMISSION

REGULAR MEETING: Wednesday, May 13, 2020 5:30 P.M.
City Hall Council Chambers, 225 Park Street

I. CALL MEETING TO ORDER: 5:30 p.m.

II. ROLL CALL:

III. ACCEPTANCE OF AGENDA: Urgency Items: To add an item, the Commission is required to make a majority decision that an urgency exists (as defined in the Brown Act) and a two-thirds determination that the need to take action arose subsequent to the Agenda being posted.

Move to accept the agenda as posted or move to add or delete items.

IV. COMMUNICATIONS:
A. Public Input: Any person may speak for three minutes about any subject within the authority of the Planning Commission, provided that the subject is not already on tonight’s agenda. Persons wishing to address the Planning Commission are required to complete a Citizen’s Input form and submit it to the Community Development Director prior to the meeting being called to order. While not required, please state your name and address for the record.

V. CONSENT CALENDAR: The following Consent Agenda items are expected to be routine and non-controversial. They will be acted upon by the Commission at one time without any discussion. Any Planning Commissioner may request that any item be removed from the Consent Agenda for discussion under the Regular Agenda.

VI. REGULAR CALENDAR:
A. City of Lakeport – GPC 20-02 & CE 20-07 General Plan of Conformity Report for the proposed purchase of 800 North Main Street (APN 025-601-27) and 810 North Main Street (APN 025-601-04) by the City of Lakeport.

VII. Correspondence Review of the Pending Projects list.

VIII Comments from Staff or Commissioners:

IX. SCHEDULE NEXT MEETING: Discuss and set the next meeting date (June 10, 2020).

X. ADJOURNMENT:
**APPEALS:**
The applicant or affected persons not satisfied with the decision of the Planning Commission may file an appeal. Affected persons include individuals who received notice of a land use application, or who attended the Planning Commission meeting and made verbal comments or submitted written comments in response to the notice. An appeal of a decision made by the Planning Commission shall be filed with the Community Development Director within five business days of the decision. Said appeal shall be filed on the prescribed form and accompanied by the fee in the amount set by Resolution of the City Council.

**ACCESSIBILITY:**
The City of Lakeport, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact City Clerk’s Office, (707) 23-5615, 72 hours prior to the scheduled meeting to ensure reasonable accommodations are provided.
REQUESTED ACTION: The Planning Commission is being asked to review and approve a General Plan of Conformity Report for the proposed purchase of 800 North Main Street (APN 025-601-27) and 810 North Main Street (APN 025-601-04) by the City of Lakeport.

GENERAL PLAN AND ZONING DISTRICT: The subject properties are designated Resort Residential according to the City of Lakeport General Plan Land Use Map and is within the OS, Open Space zoning district according to the City Zoning Map.

The approximately 5.3 acre 800 North Main Street site is owned by the Lakeport Unified School District and is the former location of the Natural High Alternative School. This site is currently unused except for occasional community special events and passive recreation by the public. The approximately 1.5 acre 810 North Main Street site is privately owned. This property is vacant and not include direct access to any City roadways. A majority of the property is located within Clear Lake.
GENERAL PLAN OF CONFORMITY ANALYSIS: The City of Lakeport is seeking a determination that the purchase of the properties located at 800 and 810 North Main Street, for the purpose of the development of a public park, is consistent with the City of Lakeport General Plan. As a local public agency the City of Lakeport is subject to the requirements of Government Code Section 65402(c) which states:

“**A local agency shall not acquire real property... nor dispose of any real property,** nor construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof.”

In February of 2020, the City of Lakeport was awarded a $5.9 million grant through the Proposition 68, Statewide Park Program for the development of a lakefront park upon the subject properties located at 800 and 810 North Main Street. The awarded grant includes monies for the acquisition of these properties in addition to monies to construct several park related facilities at this site. Park facilities include, but are not necessarily limited to: Skate Park, Splash Pad, Basketball Court, Playground Structure, Amphitheater, Exercise Circuit, Picnic Areas, Walking Trails, Concessions/Restroom Building and other various park related features.
The City of Lakeport has recently entered into escrow with the property owners of each of these respective properties and is currently issued a Request for Proposals to hire a Design Firm to develop engineered plans for the construction of the proposed park facility consistent with the approved grant. Community Development Department staff is also in the process of completing a CEQA compliant Environmental Review/Initial Study for the project. A public hearing for the Environmental Review/Initial Study and associated CEQA Mitigated Negative Declaration will likely be coming before the Planning Commission this summer. It was originally the intent of staff to bring this General Plan of Conformity before the Planning Commission at the same time as the environmental review; however, given the constraints of the current escrow period a finding on the proposed property acquisition is necessary before the completion of the transactions.

The acquisition and development of these proposed lands for a public park is consistent with several objectives, policies and programs outlined in the Lakeport General Plan, most notably within the Open Space, Parks & Recreation Element, but also within the Economic Development and Land Use Elements as well—

- **Objective PR 1 of the Open Space, Parks & Recreation Element** specifically encourages the provision of “...park and recreational facilities, programs and access to all members of the community which allow the opportunity for play, relaxation and enrichment of mind and body.” (General Plan, p. VIII-3). Policies PR 1.5 and 1.6 concerning Park Land Acquisition and Parks Ratio Standard
further note the need for the City to acquire additional park in order to meet a stated standard of 5 acres of parkland for per 1,000 residents. The City of Lakeport currently maintains approximately 20.5 acres of parklands between Library and Westside Parks. As of January 2020 the California Department of Finance projects the current population of Lakeport to be 4,677. Accordingly, the City has a current park ratio of 4.38 acres per 1,000 residents. The addition of 6.9 acres of new park lands would improve the City’s park ratio to 5.85 acres per 1,000 residents, allowing it to meet its stated goal within the General Plan.

- **Objective ED 10 of the Economic Development Element encourages activities and development that “…promote and enhance Lakeport as a year round visitor/recreation destination area.”** (General Plan, p. VI-6). Policy ED 10.1 specifically promotes activities that expand and enhance the City’s existing Recreational Assets, including downtown and the lakefront should be a priority. Policy ED 10.3 further notes that the City should “Continue to support City-wide events and festivals…” The Natural High property is uniquely situated in the heart of downtown Lakeport and directly on the waterfront. In fact this property is the only location where Clear Lake can be viewed directly from Main Street. This site has also been historically utilized in support of several events and festivals including the Seaplane Splash-in, Memorial Day Craft Faire and Fourth of July celebration. The proposed park design developed as part of the Prop 68 grant application includes the maintenance of ample area for the continued use of this site in support of City events and festivals. Proposed park improvements and amenities will only serve to enhance this property’s ability to support such events. The acquisition of this 6.9 acres of property for use as park lands will greatly aid in enhancing the City of Lakeport’s ability to attract visitors to downtown and its lakefront.

- **Proposed project is consistent with the General Plan Land Use Element.** As stated the properties at 800 and 810 North Main Street have a general plan land use designation of Resort Residential and a zoning designation of OS, Open Space. Both of these designations allow for the development public parks, playgrounds and recreational facilities.

It should be further stated, that the development of the City’s Lakefront Park Proposition 68 grant application included several public outreach and participation meetings as part of the development of the proposed grant application. These included the following:

- **February 2018**—Identity and Challenges Mobile Survey completed.
- **March 18, 2019**—Park Features & Programs Brainstorm: Participants identified priorities and challenges identified in the ‘Identity and Challenges Survey’, and collaborated in the brainstorming of potential park features and programs to address those priorities and challenges. End product was a broad list of potential features and programs to be included in the proposed park.
- **April 18, 2019**—Budget Prioritization: Participants were asked to create a prioritized list of park features to include in the design of the park. End product was the development of a prioritized listing of proposed park amenities.
May 13, 2019—Site Mapping: Participants developed four potential concept plans to be voted on by the general public.

June 28, 2019—Final Concept Plan Voting: Over 150 community members voted on the locations of features and proposed design to create a final park concept design. Voting took place at the June 28th Concert in the Park event, City Hall the week of July 1st, and an online survey through the City’s Website.

The public outreach efforts provided for in the development of the Lakefront Prop 68 grant application were consistent with and an outgrowth of the Lakeport Lakefront Revitalization Plan adopted in 2017. This plan involved a larger stretch of the lakefront stretching from Clear Lake Avenue to C Street. Central to this plan was the eventual improvement of the Natural High and Dutch Harbor properties along North Main Street. The overwhelming public desire for this area was to maintain views of the Clear Lake from Main Street as well as to see this area remain available for public use including opportunities for mixed open space uses such as special events and passive recreational opportunities when events are not occurring. The area and identified opportunities outlined in the Lakeport Lakefront Revitalization Plan are depicted below:

<table>
<thead>
<tr>
<th>Identified Opportunities:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Promenade</strong></td>
</tr>
<tr>
<td><strong>Event Space</strong> (Farmer’s Market/Festival Area)</td>
</tr>
<tr>
<td><strong>Boat House/Rentals</strong></td>
</tr>
<tr>
<td><strong>Amphitheater</strong></td>
</tr>
<tr>
<td><strong>Sea Planes</strong> (Event &amp; General Use)</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
Both the development of the Lakefront Park Prop 68 grant application and Lakeport Lakefront Revitalization Plan (2017) included extensive public participation as a central tenant to their development. These efforts are consistent with Policy PR 1.3 of the Open Space, Parks and Recreation Element which states: “Actively solicit public participation in the selection, design and facilities planning for future park sites.” General Plan, p. VIII-3).

Based on the above analysis it is staff’s recommendation that the Lakeport Planning Commission make the determination that the acquisition of 800 and 810 North Main Street for the purpose of the development of a public park is consistent with the General Plan.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS:** Section 15316 of the CEQA Guidelines categorically exempts the transfer of ownership of land in order to create parks. However, as stated in this staff report, the proposed development of this site as a public park consistent with the Lakefront Park Prop 68 project will require the completion of an Environmental Review/Initial Study consistent with CEQA.

**CONCLUSION AND RECOMMENDATION:** Staff recommends that the Planning Commission report that the acquisition of the 6.9 acres of property located at 800 and 810 North Main Street for the purpose of the development of a public park, is in conformity with the Lakeport General Plan.

The proposed project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act according to Section 15316 of the 2020 CEQA guidelines. This section categorically exempts the transfer of ownership of land in order to create parks.

**SAMPLE MOTIONS**

**CEQA Exemption**

I move that the Planning Commission find that GPC 20-02 as reported by City of Lakeport exempt from the CEQA Guidelines pursuant to Section 15316 of the California Public Resource Code.

**General Plan of Conformity**

I move that the Planning Commission report that the acquisition of property located at 800 North Main Street and 810 North Main Street for the purpose of developing a public park is in conformity with the Lakeport General Plan as noted in the staff report dated May 13, 2020.

Attachment A: Vicinity Map
Attachment B: Lakefront Park Conceptual Plan
Attachment C: Lakefront Revitalization Plan—Multi Use/Event Space Revitalization Zone
Attachment A: Vicinity Map
Lakeport Lakefront Park Highway & Street Access Map
Attachment B:
Lakefront Park Conceptual Plan
Attachment C:
Lakefront Revitalization Plan—Multi Use/
Event Space Revitalization Zone
(Excerpt from Lakeport Lakefront Revitalization Plan, 2017)
AREA DESCRIPTION:
This zone includes the land owned by the City (Dutch Harbor site) and the Lakeport Unified School District (LUSD) (Natural High site) and fronts Main Street to the west and the lake to the east. There is one privately-owned parcel to the east surrounded by the lake on three sides and access to this private parcel is landlocked. This area is approximately 7.4 acres in size.

SUMMARY OF EXISTING USES:
This area is primarily undeveloped yet has existing parking and the former high school on the Natural High Site and a small retail shop on the Dutch Harbor site. The land is used informally as a dog area, for fishing, storage of sculling vessels and by the homeless.

CONSTRAINTS:
The primary constraint is with the LUSD retaining ownership the City does not have a stronger position on how this area will be used in the future is the ownership and uses of the LUSD property. While there is a good relationship with the City and LUSD, concerns have been expressed by the LUSD regarding private business operations on their property. The privately-owned parcel to the east of the LUSD will need to be addressed.

OPPORTUNITIES:
There is an overwhelming public desire to maintain views of the lake from Main Street as well as to see this area remain available for public use including opportunities for mixed open space use, formal special event spaces and passive recreational opportunities when events are not occurring. Because of the current Resort Residential land use in the general plan, this area can accommodate a wide variety of community and tourist uses. The alternatives described previously in this document illustrates the range of uses that may be accommodated in this zone. Because market conditions will inform the use in the future, the following summarizes scenarios that may occur.
DUTCH HARBOR SITE SCENARIOS:  
PRIVATE DEVELOPMENT ON DUTCH HARBOR SITE
The City can help facilitate private development on the Dutch Harbor site. This could include a hotel facility as shown on Alternative 2 or commercial as shown on Alternative 3. The City could help write down the cost of such a project by contributing the land, or possibly selling the property to a private developer. This is logical, as the City has limited other tools that it can use to try to encourage private development and, specifically, a hotel.

The City could also use the Dutch Harbor site for other uses such as waterfront residential or a relocation-site for businesses that might be displaced from the core downtown commercial area because of private redevelopment activities. This alternate use may generate sales proceeds or ground lease revenues that will allow the City to direct proceeds to assisting a desired hotel project located in the core area.

PUBLIC FACILITIES ON DUTCH HARBOR SITE
If there is a strong desire for a community center, the City could use this site to shoulder the cost of providing a different site for a community center as shown in Alternative 3 and 3a. This could provide a facility to house many of the community water-related activities and if the LUSD site is developed as a public park, it can leverage the relationship. While it could be designed to be flexible for use as a conference center, its location is less advantageous for this use.

NATURAL HIGH SITE SCENARIOS:  
LUSD RETAINS OWNERSHIP OF NATURAL HIGH
If the LUSD desires to retain ownership yet is willing and interested to work with the City to improve the two combined properties, then this site is large enough to accommodate a wide variety of public uses. Alternatives 2, 3 and 3a illustrate various ways to accommodate additional parking, creating a larger flexible multi-use space and opportunities for other specific uses such as play areas, dog areas, skateboarding, boathouse and improvements to the waterfront. Alternative 1 shows a community facility on the property yet for this to occur it will most likely require a joint effort with the City.
MULTI USE/EVENT SPACE REVITALIZATION ZONE

CITY PURCHASES LUSD NATURAL HIGH SITE
If the City purchases the site from the LUSD, this will provide greater flexibility on how the City proceeds with the revitalization of the lakefront area. With the Resort Residential land use designation, this could encourage commercial development closer to the downtown area while maintaining a large park space that is important to the community. None of the alternatives have shown a City-owned scenario yet Alternative 3a shows a conference center next to a new hotel downtown on private property and that facility can be located on Natural High and still be near the downtown hotel site.

With the previous scenarios in mind, the following are short-term and long-term recommendations for this zone.

SHORT-TERM RECOMMENDATIONS:
• City to prepare a property value assessment for the privately-owned parcel to the East of the LUSD site with the goal of acquiring for public use.
• City should evaluate the value of the Dutch Harbor site for purposes of sale or land swap to fulfill other options described in this study.
• City and LUSD to develop a memorandum of understanding (MOU) about short-term and long-term use of the property that should consider:
  » Removal of existing structure and general cleanup of the site.
  » Selectively clear overgrown vegetation to open up views and access to the lake and develop beach areas.
  » Improve connections between the two properties and the parking area to the south to promote public use on a limited basis.
  » Address issues with illegal camping, trash and public safety in this area.
  » Consider removal of fence and vegetation at northern and southern property boundaries
  » Establish options for the combined sites to include joint venture opportunities, City purchase of the property and opportunities for public/private development.
  » Develop potential beach areas.
  » Evaluate the feasibility of small start-up commercial sales and food vendors.
  » Consider the development of through access from Fifth Street boat ramp parking area to Seventh Street area.
  » Evaluate option for the locating of non-permanent visitor serving commercial uses and food vendors.

• City to prepare a site master plan for the Multi Use/Special Events Open Space Zone to:
  » Include uses expressed by the community and summarized in the preferred alternative in the Lakeport Lakefront Revitalization Plan
  » Address connectivity to the Resort Zone to the north and the public parking and boat launch zone to the south.
  » Include additional public engagement as a greater level of design evolves.
  » Identify community groups and clubs (such as the Lakeport Sculling Club) to identify facility needs and financing opportunities to develop a boathouse for storage of non-motorized water vessels.
  » Develop a business strategy to include opportunities for retail and commercial property that support the types of uses included in the master plan.
  » Work with Lake County Chamber of Commerce, Lakeport Main Street Association, seaplane and boating groups to identify current and potential uses appropriate for the site and the type of facilities needed to support these events including temporary food and beverage.
  » Include a phasing plan that identifies funding needs for implementation.

• The City should amend the General Plan land use map for the Natural High property from ‘Resort/High Density Residential’ to ‘Open Space.’ The City should also consider adding a specific General Plan policy to the Land Use Element allowing for a possible Lot Line Adjustment between the Dutch Harbor property and Natural High property to make the Dutch Harbor site are more developable parcel for a Hotel or similar resort commercial use. Proceeds from sale of Dutch Harbor could assist in funding open space improvements to Natural High.

LONG-TERM RECOMMENDATIONS:
• City to identify and secure funding opportunities for implementation of recreational uses along with a short-term and long-term operations and maintenance plan. This may also include the LUSD if it has retained ownership.
• City to work with seaplane and boating groups for implementing facilities in locations identified in the site master plan.
• Continue to promote the use of this area for community special events. Consider fee increases for permitted events and possible ordinance revision to allow vending. Collected fees should be utilized to assist in the funding of open space improvements outlined in this plan.
MULTI USE/ EVENT SPACE REVITALIZATION ZONE DESIGN ALTERNATIVES

Multi Use/ Event Space Revitalization Zone Alternative 2

Multi Use/ Event Space Revitalization Zone Alternative 3

Multi Use/ Event Space Revitalization Zone Alternative 3A
MULTI USE/EVENT SPACE REVITALIZATION ZONE

EXAMPLE IMAGES
# PLANNING PROJECTS PENDING
## as of
### May 07, 2020

<table>
<thead>
<tr>
<th>No.</th>
<th>Staff Assigned</th>
<th>File No./Name</th>
<th>Date Received</th>
<th>Progress</th>
<th>Next Action</th>
<th>PC / Staff Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Dan</td>
<td>GPA &amp; Zoning Inconsistencies</td>
<td>6/2/2016</td>
<td>Staff currently preparing required exhibit maps and ordinance language for recommended General Plan and Zone changes.</td>
<td>C.C. review (July / August)</td>
<td>P.C. Approved 8/15/2018</td>
</tr>
<tr>
<td>4.</td>
<td>Kevin / Dan</td>
<td>Element 7 Lakeport LLC – CAN 19-02 1775 S. Main St.</td>
<td>4/24/2019</td>
<td>Application for a cannabis micro-business.</td>
<td>Waiting on further items from Applicant.</td>
<td>City Mgr. Review Staff</td>
</tr>
<tr>
<td>5.</td>
<td>Kevin / Dan</td>
<td>North Coast Dining – ZP 19-02 &amp; CE 19-10 350 N. Main St.</td>
<td>7/2/2019</td>
<td>Application for a Zoning Permit for outdoor seating area in front of restaurant.</td>
<td>Waiting on further items from Applicant.</td>
<td>City Mgr. Review Staff</td>
</tr>
<tr>
<td>7.</td>
<td>Kevin / Dan</td>
<td>City of Lakeport Safety Element Update</td>
<td></td>
<td>Update General Plan Safety Element to include Local Hazard Mitigation Plan.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Kevin / Dan</td>
<td>City of Lakeport Eleventh Street Corridor Study – OA 19-01</td>
<td></td>
<td>Proposed expansion of bicycle, pedestrian, and transit improvements along the Eleventh Street Corridor and nearby roadways.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Applicant</td>
<td>Project Details</td>
<td>Date</td>
<td>Description</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>-----------</td>
<td>-----------------</td>
<td>------</td>
<td>-------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Kevin / Dan</td>
<td>New Vista Development - AR 19-08, S 19-01, UP 19-04, ZP 19-05, and ER 19-03</td>
<td>10/7/2019</td>
<td>Application for a Combined Development Permit for the property at 1842 Todd Road in Lakeport California. The project would include the following: A Tentative Subdivision Map to subdivide a 14.89-acre parcel into eight (8) separate commercial properties. An Architectural and Design Review for the construction of ten (10) structures that include one (1) service station with bays, four (4) restaurants with drive thru facilities, two (2) restaurants, one (1) three story 70-unit hotel and three (3) commercial retail buildings. The total square footage of all the structures on the property would be approximately 94,850 square feet.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>