



**CITY OF LAKEPORT
PLANNING COMMISSION
REGULAR MEETING
May 8, 2019
MINUTES**

CALL MEETING TO ORDER AND ROLL CALL: Chairman Green called the meeting to order at 5:31 p.m. with Commissioners Froio, Wicks, and Mitchell present. Commissioner Driver was absent. Also, present were Community Development Director, Kevin Ingram, 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 Froio and unanimously carried by voice vote (4-0).

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

CONSENT AGENDA:

A motion was made by Commissioner Wicks, to accept the minutes, seconded by Commissioner Mitchell and unanimously carried by voice vote (4-0). (Minutes from the Special Planning Commission of April 24, 2019).

REGULAR AGENDA:

Wine Country Compressors – UP 19-01 & CE 19-01

Associate Planner Chance briefed the Planning Commission on an application for a Use Permit for outdoor display and leasing of vehicles, trucks and trailers associated with a rental facility. The project is located at 910 Bevins Street (APN: 025-472-03).

Commissioner Wicks asked what the square footage of the project. Associate Planner Chance stated the existing 5000 square footage includes another established business and the CEQA findings are based on the proposed new business area in the existing building.

Commissioner Wicks advised Project Condition #3 appears to be missing a word as it did not make sense as written in the second sentence. It should read: *“The applicant/owner shall prepare and submit a detailed final landscaping plan, including irrigation plan, and install, prior to commencement of use. Said landscaping plan shall **include** a 3’ landscape strip...”*

Public hearing opened at 5:48 p.m. Applicant, Makalyne Leard spoke regarding the project; answering questions regarding landscaping, parking for employees, ADA parking, and U-haul equipment, and signage.

Public hearing closed at 5:55 p.m.
Categorical exemption Approval

Commissioner Mitchell moved that the Planning Commission find that UP 19-01 as applied for by Makalyne Leard is categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines. Seconded by Commissioner Froio and carried by voice vote (4-0).

Use Permit Approval

Commissioner Mitchell moved that the Planning Commission find that the Use permit applied for by Makalyne Leard, on property located at 910 Bevins Street does meet the requirements of Section 17.24.040 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 May 8, 2019 staff report. Seconded by Commissioner Froio and carried by voice vote (4-0).

California High Class – UP 19-02 & CE 19-01

Associate Planner Chance briefed the Planning Commission on an application for a Use Permit associated with a Commercial Cannabis Permit for a cannabis microbusiness that includes, cannabis manufacturing (without volatile solvents), cannabis distribution, and retail delivery. The project is located at 215 Peckham Court, (APN 005-049-13).

Commissioner Wicks asked staff to clarify the wording in the staff report on page 4, the first bullet point. Wicks stated it was a little confusing as written. Associate Planner Chance advised that pertains to on site sales of cannabis which is not allowed in the City.

Commissioner Froio stated there should be a condition for deliveries that no one under the age of 21 be allowed to be in the vehicle. Director Ingram stated it could be added to Project Condition #9 as a new item.

Commissioner Froio advised staff of a clerical error in the Project Condition Agreement #14. It should read: *“All cannabis and cannabis products held, bought, and sold by a cannabis distributor shall be obtained from a legal source and shall have the state issued track and trace information.”*

Chair Green asked staff about the Lake County Air Quality Management District Project Condition Agreement #5, as the requirements seem onerous. Director Ingram stated they were boiler plate comments from the district.

Public hearing opened at 6:23 p.m. applicant Jessica Elliot spoke regarding the project answering questions regarding types of cannabis business, odor control, Air Quality Management requirements, and delivery types and times.

Public hearing closed at 6:41 p.m.

Commissioner Mitchell asked for clarification on accepting deliveries of product via UPS/FED EX/USPS will be received at a different location not located within the City of Lakeport. Director Ingram advised that the Commission can make a recommendation to the City Manager as part of the cannabis permit approval.

Chair Green asked for consensus to add a recommendation to the City Manager that the sentence reading "All shipments via UPS/FED EX/USPS will be received at the billing address of PO Box 672 Lucerne California." be stricken from the site plan portion of the operations plan. Approved by consensus.

Green asked for consensus to change Project Conditions Agreement #5 or to read "Prior to the commencement of operations, **if applicable** the applicant shall provide the City of Lakeport with verification that all requirements and permits required by the Lake County Air Quality Management District have been satisfied and obtained. These requirements include but are not limited to: Authority to Construct permit, AB 2588 air emission inventory submittal, and adequate odor mitigation plan." Approved by consensus.

Chair Green asked for consensus for a minor change to Project Conditions Agreement #8 item "f." Assistant Planner Chance recommended to strike item "f" and add it under condition #9 as a new item "d" so it will address delivery standard hours. Approved by consensus.

Green asked for consensus to add item e to Project Condition Agreement #9 that reads: "No one under 21 or non-employees shall be in the vehicle during deliveries, consistent with state law." Approved by consensus.

Green asked for consensus to fix Project Condition Agreement #14 to read: "All cannabis and cannabis products held, bought, and sold by a cannabis distributor shall be obtained from a legal source and shall have the state issued track and trace information." Approved by consensus.

Commissioner Froio asked about the annual performance review date and wanted to confirm when that would happen. Director Ingram advised it would be done in conjunction with the fiscal year with the same time as business license renewals.

Green asked for consensus to change the date in Project Condition Agreement #15 to July 1st of each year. Approved by consensus.

Categorical Exemption Approval

Commissioner Wicks moved that the Planning Commission find that UP 19-02 as applied for by California High Class, is categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines. Seconded by Commissioner Froio and carried by voice vote (4-0)

Use Permit Approval

Commissioner Wicks moved that the Planning Commission find that the Use Permit applied for by California High Class, on property located at 215 Peckham Court 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), and with the findings listed in the May 8, 2019 staff report and as amended. Seconded by Commissioner Froio and carried by voice vote (4-0).

Chair Green called for a break at 6:57 p.m. Meeting resumed at 7:04 p.m.

City of Lakeport – ZC 19-02 & CE 19-06

Director Ingram briefed the Commission on the background of the Lakeport Urgency Ordinance and public workshop to consider any proposed changes to the City of Lakeport Urgency Ordinance 921 (2019) adding chapter 17.41 of title 17 of the Lakeport Municipal Code establishing regulations for wireless communication facilities.

Public hearing open at 7:14 p.m. Rosemary Cordova, Middletown resident spoke regarding the need for a strong ordinance.

Commissioners discussed the following:

- Need to clarify difference between *substantial* and *minor modification*
- Consider amending appeals section to be consistent with other Zoning Ordinance provisions
- What are the RF standards for towers that are 30' or less
- CEQA Cumulative Impact analysis (impact of multiple towers throughout town)
- Add General Plan Environmentally Sensitive Areas (Figure 16) View corridors to simulation requirements section.
- Does 17.41.090 require adequate design criteria for small wireless facilities
- Can we require a mandatory pre-application meeting prior to the submittal of a permit?
- Not clear whether small wireless facilities discussed in 17.41.090 must conform with standards outlined in 17.41.040, 050, 060 and 070
- Consider requiring visual simulations on 8 compass points rather than just 4.
- Ordinance needs to clearly state that small wireless facilities adhere to stealth design criteria
- Definitions section is clear but maybe some additional verbiage should be considered within the body of the ordinance.
- Consider noting facility types and level of review within each zoning district
- Identify review timing for each facility development type
- Resolve whether or not a 500' or a 300' notification should be required.
- Consider changing terminology of wireless facility permit to use permit.
- Add language to Section 17.41.040 Application procedures in general to include the mention of small wireless facilities
- Review applicability of existing Zoning Ordinance regulations outlined in 17.28.010 H & L.
- Review 17.41.130 regarding removal of abandoned facilities so as to be more implementable
- Clarify procedures for co-location. It is not clear as to what the level of review is for the Co-location of wireless facilities throughout the ordinance.
- Clarify review authority for renewal of facility after 10 years, 17.41.080.H.
- Consider modifications to the ordinance structure to be consistent with other performance standard related ordinances (very repetitive currently—a lot of the standards can be combined into one section).

Public hearing closed at 8:45 p.m.

Commissioner Wicks made a motion to directed staff to prepare discussed changes to Ordinance 921 (2019) and set a public hearing for a future Planning Commission agenda. Seconded by Commissioner Froio and carried by voice vote (4-0).

CORRESPONDENCE:

Commissioner Wicks asked if there was a limit to the number of cannabis businesses in Lakeport. Director Ingram advised it was discussed if allowing store front businesses, however since no store fronts were allowed it was not discussed further.

COMMENTS FROM STAFF AND COMMISSIONERS:

Director Ingram advised of the upcoming public meetings, on May 13, 2019 at 5:30 p.m. for the Proposition 68 parks grant, on May 14, 2019 at 6:00 p.m. for the kick off meeting of the Eleventh Street corridor project, and on May 16, 2019 the county is holding a meeting at the Soper Reese regarding a vision forum for Lakeport.

Director Ingram updated the Commission on the progress of the South Lakeport Annexation progress.

Chair Wicks congratulated the Lakeport Fire Department on the passing of Measure M.

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, June 12, 2019, meeting adjourned closed 8:53 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.