



**CITY OF LAKEPORT
PLANNING COMMISSION
SPECIAL MEETING
August 15, 2018**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Wicks called the meeting to order at 5:05 p.m. with Commissioners Green, Froio, and Knorr present. Commissioner Russell was absent. Also present were Community Development Director, Kevin Ingram, Associate Planner, Dan Chance, Lt. Jason Ferguson, and Administrative Specialist, Linda Sobieraj.

ACCEPTANCE OF AGENDA: A motion was made by Commissioner Green, to accept the agenda as posted; seconded by Commissioner Knorr and unanimously carried by voice vote (4-0).

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

REGULAR AGENDA:

Hummingbird Lane All Natural – UP 18-03 & CE 18-08

Director Ingram briefed the Commission on an application for a Use Permit and a Categorical Exemption to permit a cannabis manufacturing operation, without the use of volatile solvents, within an existing building located at 215 Peckham Court, APN 005-049-13.

Commissioner Green stated the security plan was not included in the staff report and he felt the security plan should have been in order for the Planning Commission to approve the application. Director Ingram advised per Lakeport Municipal Code section 5.34.04D that staff determined the information in the security plan to be confidential and not made part of the public record. However, the security plan security plan has been reviewed by the Lakeport Police Department and determined to be adequate.

Green asked in regards to, water use, whether the state required any further information and whether the property owner had granted the applicant permission for this use. Ingram advised there was an owner signed application with permission on file and the applicant will have to meet all state requirements as a condition of the application.

Green asked if the police department objected to sharing the security plan. Lt. Ferguson stated the security system was discussed with the applicant and the final walk-through of the business, which is required, would be done once the security was completed but did not advise the security plan be made part of the public hearing.

Chair Wicks asked the building was ADA compliant. Ingram advised that it is an existing building and would be subject to ADA improvements depending on value of the upgrades. Public hearing opened a 5:21 p.m. Applicant Kimberly Chilcutt spoke in favor the project and answered questions regarding security and licensing. Public hearing closed at 5:39 p.m. Commissioner Green asked Ms. Chilcutt if she had any objections to the security plans being made available for review by the Planning Commission. Ms. Chilcutt stated she had no

objections. Green noted that he found it difficult to adequately evaluate the project without being able to review the entire application which should include the security plan.

Commissioner Green stated in the Project Conditions Agreement #4 it mentioned the California Department of Health, Bureau of Cannabis Control and it should actually be changed to the Manufactured Cannabis Safety Branch. Director Ingram stated it would be changed to the applicable California Cannabis licensing authority.

Categorical Exemption Approval

Commissioner Green moved that the Planning Commission find that UP 18-03 as applied for by Hummingbird Lane All Natural, is categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines. Seconded by Commissioner Froio. Carried by voice vote 3-1.

Use Permit Approval

Commissioner Green moved that the Planning Commission find that the Use Permit applied for by Hummingbird Lane All Natural, 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) as amended, and with the findings listed in the August 15, 2018 staff report. Seconded by Commissioner Froio. Carried by voice vote 3-1.

General Plan Conformity Report – GPC 18-01

Director Ingram briefed the Commission on a General Plan Conformity Report for the proposed purchase, by the City of Lakeport, of an approximately 2,210 square foot portion of property located at 2033 South Main Street, APN 005-045-43. Ingram stated the intent of the City of Lakeport to transfer the land to the adjacent property located at 2025 South Main Street which was utilized as the Lakeport Police Department.

Ingram advised the portion purchased would allow the City to construct security fencing around the current parking area for added security to the overall police station.

Commissioners asked questions about design, landscaping and security.

Public hearing opened at 6:00 p.m. Closed with no comments 6:01 p.m.

General Plan of Conformity

Commissioner Knorr moved that the Planning Commission report that the land acquisition of a portion of a portion of the property located 2033 South Main Street, to the City of Lakeport for the purpose of constructing security fencing around the Police Department parking area is in conformity with the Lakeport General Plan. Seconded by Commissioner Froio and carried by voice vote 4-0.

City of Lakeport – Zoning Inconsistencies GPA 16-01, ZC 16-01, ER 16-01

Director Ingram presented a slide show overview of the proposed changes to the various General Plan and Zoning Inconsistencies throughout the City as recommended by the Planning Commission at their public meeting May 9, 2018, Planning Commission meeting.

Director Ingram noted that the staff report provided to the Planning Commission on this item served to provide clarification on those specific properties in which the Planning Commission had requested additional information during their May 8, 2018 public hearing.

In regards to Area #3 involving the properties of 1920 and 1940 Hartley Street, the Planning Commission considered a request by the property owner of 1920 Hartley Street to maintain

the commercial land use designation at this site instead of staff's recommendation to change the general plan land use designation to reflect the existing R-2, Medium Density Residential designation at this site. The Planning Commission, after discussion reached a consensus that the properties which are currently utilized for residential purposes should be designated residential per staff's recommendation. A future General Plan and Zone Change to commercial could be considered so long as it was accompanied by a specific plan to utilize the site as commercial.

In regards to Area #8 involving a number of residential properties located to the west of the Courthouse along N. Tunis, N. Brush, Third, Second and First Streets the Planning Commission reached a consensus and made the recommendation to change the existing Office Space general plan land use designation to Residential to match the current residential zoning classification and general land use pattern in the area.

Planning Commission agreed with staff's proposal to add the "P", Professional Use overlay district as a means to resolve the General Plan and Zoning land use inconsistencies for Area #10, involving properties located to the east of the Fairgrounds on Forbes Street between Martin and D Streets.

At the May 9, 2018, Commissioner Green asked staff to provide some additional information on the impacts of maintaining a commercial designation upon lands that are currently being utilized for government services, specifically as it pertains to Area #20 which includes multiple properties along Lakeport Boulevard near the Vista Point overlook. Upon review of the new information provided by staff and after discussion by the Planning Commission a consensus was reached to maintain the existing Public and Civic Use general plan land use designation and change the existing C-2, Major Retail zoning classification to PCU, Public and Civic Use.

In regards to Area #22 involving vacant property owned the Lakeport Fire Protection District at 901 Larrecou, Director Ingram updated the Planning Commission regarding a conversation he had with the Fire Chief in which it was stated that the District had no plans to build a new fire station at this location. Based on this information the Planning Commission made the recommendation that the general plan designation at this site be changed to Major Retail rather than Public and Civic Use to match the existing commercial zoning classification at the site.

The property owner of 1305 Eleventh Street, Area #23 submitted a letter for the May 9, 2018 public meeting asking the Planning Commission to reconsider staff's recommendation designate this site as residential consistent with its current use and requested the zoning instead be changed to be consistent with the existing General Plan land used designation of Light Retail. Upon a thorough discussion of the request, the Planning Commission ultimately came to a consensus to designate this site residential consistent with its current use citing topographical and the small size of the lot as limitations to its use as a viable commercial property.

The Planning Commission also considered a request by the property owner of 105 Lupoyama Circle, Area #24 to consider designated the property as R-1, Low Density Residential consistent with its existing use instead of R-3, High Density Residential as staff recommended consistent with its existing general plan land use designation. Planning Commission decision to recommend the zoning classification be changed to R-3 consistent with staff's recommendation was based largely on the fact that this site is listed in within the inventory of sites viable for high density housing within the Housing Element of the General Plan.

On May 9, 2018 the property owner of 305 Chester Lane provided the Planning Commission with a letter to consider re-designating the rear half of her split zoned property to match the

land use designation of the front half. The Planning Commission did not recommend the change be made citing that the consideration of the change was beyond the scope of the project as there currently was inconsistency between the general plan and zoning land use designations.

The Planning Commission also took up the discussion of re-designating property at 1411 Alden Avenue from Residential to High Density Residential at the request of the property owner. The Planning Commission did not recommend the change be made citing that the consideration of the change was beyond the scope of the project as there currently was inconsistency between the general plan and zoning land use designations.

All other recommendations by the Planning Commission made at the May 9, 2018 public meeting concerning stated inconsistencies between the general plan and zoning land use designations remain unchanged.

Public hearing opened at 07:30 p.m. and closed with no comments at 7:31 p.m.

Negative Declaration Approval

Commissioner Green moved that the Planning Commission find that on the basis of the Initial Study ER 16-01 prepared by the Community Development Department that the Zone Changes and General Plan Changes addressing inconsistencies as applied for by City of Lakeport will not have a significant effect on the environment and, therefore, the Planning Commission adopt the Negative Declaration for this project as provided for in the California Environmental Quality Act. Seconded by Commissioner Knorr and carried by voice vote (4-0).

General Plan Change Approval

Commissioner Froio moved that the Planning Commission recommend that the City Council amend the Lakeport General Plan Amendments as applied for by City of Lakeport for the various properties through-out City (GPA 16-01) on attached maps, subject to the findings listed in the staff report dated May 9, 2018, and as amended on May 9, 2018 and August 15, 2018. Seconded by Commissioner Green and carried by voice vote (4-0).

Zone Change Approval

Commissioner Green moved that the Planning Commission recommend that the City Council amend the Lakeport Zoning Ordinances, including the Zoning Text Change to Section 17.15 (Eleventh Street Professional Use or "P" Combining District) applied for by City of Lakeport for the various properties through-out City (ZC 16-01) on attached maps, subject to the findings listed in the staff reports dated May 9, 2018, and August 15, 2018. Seconded by Commissioner Knorr and carried by voice vote (4-0).

General Plan Urban Boundary Review – Continue as a discussion item to a June 13, 2018 meeting

Reviewed and discussed the implementation of policies and program in the Urban Boundary Element of the 2025 Lakeport General Plan is continued to the June 13, 2018, regular meeting of Planning Commission. Director Ingram presented staff's analysis of the implementation of the Urban Boundary Element of the General Plan. A majority of the policies in this element were completed with the adoption of the land use designation map of the General Plan in 2009. Other policies are irrelevant as some lands were removed from the City's Sphere of Influence in 2014.

Director Ingram also provided an over view of the City's on-going efforts to annex the South Lakeport area. No changes to the Urban Boundary Element were recommended by the Planning Commission.

CORRESPONDENCE:

Director Ingram updated the Commission on the withdrawal of Verizon Wireless application for cell tower at 818 Lakeport Blvd.

Ingram briefed the Commission on upcoming and current Public Works projects.

COMMENTS FROM STAFF AND COMMISSIONERS:

Commissioner Green spoke regarding public records act as it pertained to Staff's decision not to provide the security plans for commercial cannabis to the Planning Commission for review as part of Use Permit applications.

Chair Wicks proposed the idea of changing the Planning Commission meeting time

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, September 10, 2018, meeting adjourned closed 8:25 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.