



**CITY OF LAKEPORT
PLANNING COMMISSION
October 8, 2014**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Gayner called the meeting to order at 5:03 p.m., with Commissioners Wicks, Russell, Taylor and Kauper present. Also present were Planning Services Manager, Andrew Britton; and Department Secretary, Linda Sobieraj.

ACCEPTANCE OF AGENDA: A motion was made by Commissioner Taylor, seconded by Commissioner Kauper, and unanimously carried by voice vote (5-0) to approve the agenda as posted.

CITIZEN INPUT: Planning Services Manager Britton indicated that there was no citizen input submitted.

COMMENTS FROM STAFF AND COMMISSIONERS: Planning Services Manager Britton advised he would defer comments to the end of the meeting.

CONSENT AGENDA: A motion was made by Commissioner Wicks to accept the minutes as posted, seconded by Commissioner Russell, and unanimously carried by voice vote (5-0) to accept consent agenda item A (Minutes of the September 10, 2014, Planning Commission meeting).

REGULAR AGENDA:

City of Lakeport Planning Commission Award Program

Award presentation to the owners of 10 previously discussed projects eligible for Planning Commission Certificates of Appreciation

The following owners were present to accept their award certificates:
Dr. Mark Buehnerkemper; Travis Nieto for Tom Nieto; Pete Dodson for Savings Bank of Mendocino; Pam Sun for Sun Dental; Dennis A. Fordham; Cheryl Baker for Bella Vista Apartments; Hospice Services of Lake County; Janice Stokes and Matthew Stromberg.

Owners who were unable to attend were Bob and Toni Funderberg and Jason Soderquist. Their award certificates were mailed to them.

LL 14-02 / CE 14-09 Kelli Jo Brown – Lot Line Adjustment

Application for a lot line adjustment to reconfigure a common property line separating two contiguous parcels. The subject properties are located at 215 Armstrong Street and further described as APNs 025-323-08 and 025-323-09.

Planning Services Manager Britton began by referring to the Memorandum to the Planning Commission regarding the revision of condition of approval #4. Britton advised, as explained in the memorandum, that the City Attorney recommended modifying the condition of approval.

Britton read from the staff report including a description of the proposed lot line adjustment. Britton continued to the conclusion and recommendation in the staff report, which stated based on the information that has been prepared by the applicant and the responses from City staff, it is concluded that the proposed lot line adjustment is generally in conformance with the lot line adjustment criteria outlined in the City's Subdivision Ordinance. This proposal is considered exempt from the provisions of the California Environmental Quality Act under Section 15305 Class 5 (a) of the CEQA Guidelines.

Britton recommended that the Planning Commission approve the lot line adjustment application subject to the six (6) conditions outlined in the staff report.

Commissioner Wicks questioned the zoning of parcel 025-323-09. He advised that in the original staff report it declares that the parcel is "Major Retail" as shown on the zone map in orange, Figure 1 in the General Plan. However, later in the staff report it's listed as "Light Retail". Commissioner Wicks asked which one is the correct designation? Planning Services Manager Britton answered by advising that Wicks may be thinking of the General Plan designation of "Light Retail" versus the General Plan designation of "Major Retail". The General Plan designation of the parcel in question is "Major Retail" and the zoning that corresponds to that can either be C-1 or C-2. Commissioner Wicks asked which zoning designation this property is classified as. Britton indicated "Light Retail" (C-1) is the current zoning designation.

Public hearing was opened at 5:24 p.m.; input was given by Mark Mitchell. Public hearing was closed at 5:30 p.m.

Commissioner Russell moved that the application for a lot line adjustment for the properties located at 215 Armstrong Street be approved. The Planning Commission's approval is based on the following: a) the information and documentation submitted by the project proponent; b) the information and documentation contained in the City's Staff Report on the project; c) the information and facts received at the public meeting on October 8, 2014; and d) the finding that there is general conformance with the applicable criteria and standards specified in the Lakeport Municipal Code (Subdivision and Zoning Ordinances) and California law.

The Planning Commission's approval of the lot line adjustment shall be subject to the conditions of approval set forth in the Staff Report dated October 8, 2014 and as amended by the Planning Commission at the public meeting (revision to condition #4). Commissioner Kauper seconded the motion.

The vote was called and was as follows:

AYES: Commissioners Taylor, Kauper, Wicks, Russell and Chair Gayner.
(5-0)

NOES: None

F 14-02 / CE 14-16 Richard Rath - Fence Variance

Request for a Fence Variance to install 84' of 6' tall x 8' long redwood fence panels to enclose the rear of the property and 4' tall x 348' long of black vinyl chain link fencing around the remaining perimeter. The property is located at 520 Hillcrest Dr., APN 026-053-03.

Planning Services Manager Britton advised the Planning Commission that the report to them would be brief partly because Mr. Rath did such a fine job of putting together the application packet. Britton advised he didn't have a lot of contact with Mr. Rath at the counter and it was primarily Department Secretary Sobieraj who assisted with the application submittal. Britton thanked both Sobieraj and Mr. Rath for doing such a good job.

Britton read portions of the staff report detailing the applicant's proposal. He also advised the neighboring property owner provided a written, signed statement indicating approval of the proposed fencing.

Britton concluded by advising the proposal to construct fencing in excess of the 3' fence height limitation in the yard setback areas of the property located at 520 Hillcrest Drive does not have the potential to create a substantial hazard to the public by way of reduced visibility. The proposed fencing will be comprised of standard fencing materials, will provide several benefits to the property owner and will enhance the site's appearance.

The proposal is considered categorically exempt from the provisions of the California Environmental Quality Act according to Section 15303, Class 3(e) of the CEQA guidelines. Staff recommends approval of the proposed fence/gates subject the two (2) conditions outlined in the staff report.

Commissioner Wicks had a question regarding the staff report which indicates "Interim Engineer noted that the fencing is subject to the City's setback requirements, which are being addressed with this application." Planning Services Manager Britton advised that this application addresses the fence setback requirements.

Public hearing was opened at 5:39 p.m.; input was given by project applicant, Mr. Rath. Commissioner Russell asked the applicant if he intended to install privacy slats in the chain link fence. He advised he did not. Commissioner Wicks verified which direction the gate opened. Public hearing was closed at 5:43 p.m.

Commissioner Wicks made a motion to approve the request to construct fencing in excess of the 3' fence height limitation in the yard setback areas of the property located at 520 Hillcrest Drive based on the finding that there is conformance with Section 17.28.010 O. 2. of the Lakeport Municipal Code.

The Planning Commission's approval of the request shall be subject to the conditions of approval specified in the staff report and/or as amended by the Planning Commission at the public meeting. Commissioner Taylor seconded the motion.

The vote was called and was as follows:

AYES: Commissioners Taylor, Kauper, Wicks, Russell and Chair Gayner.
(5-0)

NOES: None

Chair Gayner asked Planning Services Manager Britton if he would like to provide the comments he deferred earlier. Planning Services Manager Britton briefed the Planning Commissioners on the projects that the Planning Department is currently processing.

DISCUSS AND SET THE NEXT MEETING DATE: It was agreed by consensus that the next meeting be held on November 12, 2014.

There being no further business, the meeting adjourned at 5:56 p.m.

Respectfully submitted,

ANDREW BRITTON
Planning Services Manager
Community Development Department

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.