



**CITY OF LAKEPORT
PLANNING COMMISSION
November 18, 2015**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Gayner called the meeting to order at 5:02 p.m., with Commissioners Wicks, Russell, Kauper, and Taylor were present. Also present were Community Development Director, Kevin Ingram; Associate Planner, Dan Chance; and Administrative Specialist, Linda Sobieraj.

ACCEPTANCE OF AGENDA: Community Development Director, Ingram advised that although the Planning Commissioners received the September 9, 2015, draft minutes, that item was inadvertently left off the agenda and given there is no urgency to getting those approved they will be put on the December 9, 2015, agenda.

CITIZEN INPUT: Community Development Director Ingram indicated that there was no citizen input submitted.

COMMENTS FROM STAFF AND COMMISSIONERS: Ingram advised the Planning Commissioners of items that will be coming before the Commission in the next couple months. Those included the Lakeport AutoZone project on the December agenda, a Parcel Map, General Plan and Zone Change Amendment at the property behind Victorian Village, on the January 2016 agenda. In February staff may be bringing a revised environmental study for the Downtown Improvement Project addressing potential noise impact related to nighttime construction activities.

Ingram advised staff provided a status update to the City Council regarding the Downtown Improvement Plan.

CONSENT CALENDAR: Commissioner Taylor made a motion to accept the consent calendar as posted, seconded by Commissioner Wicks and unanimously carried by voice vote (5-0) to accept.

REGULAR AGENDA:

Proposed Revisions to the Planning Commission's Rules of Conduct & Operations

Consideration of amendments to Planning Commission rules of conduct and operations resolution to correspond to recent actions by the City Clerk to

standardize the appointment schedule of applicants to the City's various commissions and advisory group.

Ingram stated the primary purpose of the proposed revision is to bring the Planning Commission calendar for the election of the Chair and Vice-chair into conformance with the City Council's calendar for appointments to City wide commissions and advisory groups at one time – December of each year. The Planning Commissions current resolution prescribes that officer elections be held the first meeting of the fiscal year.

Ingram advised in order to achieve this, revisions to the Planning Commission Rules of Conduct and Operations would need to be made.

Ingram stated in reading the Rules of Conduct he found he was not supposed to move the agenda items around, as he had done so recently. He advised he believed it would make more sense to move the "Comments from Staff or Commissioners" items should be moved to the end of the agenda. Ingram stated having it after the Consent Agenda and Regular Calendar will still keep it open to the public, but an applicant attending a regular calendar item wouldn't have to sit through staff discussions, if they wouldn't like to.

Ingram advised, after reading the rules of conduct, staff does not have the authority to cancel meetings at an administrative level. He stated he added language giving staff the authority to cancel meetings, however it would be up to the Planning Commission. Ingram stated the motion reflected the changes in sections 2, 7, & 9 of the current Planning Commission Resolution No. 73 (2004).

Commissioner Wicks advised he would like to leave the language as is regarding cancelation of meetings because it gives the Commissioners a chance to bring items forward staff may not know about.

Commissioner Wicks moved to adopt revisions to Planning Commission Resolution No. 73 (2004) amending Sections 2 and 9 of the rules of conduct and operation of the Planning Commission permitted per Section 2.16.030 of the Lakeport Municipal Code. Motion was seconded by Commissioner Russell.

The vote was called and was as follows:

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

NOES: None

Minute Order Request to proceed with Minor Revisions to Zoning Ordinance

Review of proposed minor revision to the Lakeport Zoning Ordinance to increase transparency and streamline permitting processes.

Community Development Director Kevin Ingram requested review of minor revisions to the Lakeport Zoning Ordinance as a means of increasing transparency within the issuance of Administratively Approved discretionary land use permits. Ingram advised, consistent with Section 17.32.010.A.3, staff is requesting a text amendment and direction to prepare a formal zone change text amendment and send out a legal notice for a public hearing for the Commission's next regular meeting in December.

Ingram stated revisions pertaining to improving transparency within the Administrative Approval process provides the community development director the authority to approve certain discretionary land use development permits. These allowances permit the administrative approval of: shoreline development permits, zoning permits, minor exceptions to development and design standards, and minor architectural and design review. Ingram advised standard appeal processes to administrative approvals apply, however other than zoning permit approvals the zoning ordinance does not provide for any mechanism notifying interested members of the public of any decision on the granting of a land use development permit. To remedy this, CDD staff is recommending, that adjoining property owners be notified a minimum of ten (10) days prior to the decision by the community development director for all administrative discretionary permits. Ingram advised notification of adjoining property owners, in staff's opinion strikes a balance between the current 'no' notification system of most administratively approved projects and a full notification of all property owners within 300' of a subject property and formal legal notification in the newspaper of record.

Ingram advised a chief complaint from the business community in regards to the City's land use development process is the length in application processing time and a perceived last minute change to approved project plans. Ingram stated the California Permit Streaming Act (Government Code §65920 et. seq.) requires that within thirty (30) days of the receipt of a land use development application, a local agency make a determination as to the completeness of the application. If an application is determined to not be complete, an incomplete notification and a request for additional information is required to be provided to the applicant in writing. Ingram advised, although consistent with the letter of the Permit Streaming Act, the City of Lakeport's current land use application procedures (Section 17.29.030) contains an extra step in the permitting process that is not present within the development procedures of other local jurisdictions. Ingram advised currently, project application packets are submitted to the CDD for review of the completeness of the application for a thirty day period. Once an application package is determined to be complete it is then circulated for review to other Federal, State and local agencies with regulatory or permitting issuance jurisdiction over projects.

Commissioner Taylor advised anything that can streamline things would make the process better. Taylor advised he works with contactors on a regular basis and he used to hear complaints about the City all the time; now with our new staff he's heard good things. He believed staff was on the right track.

Commissioner Wicks liked the idea; anything we can do to make it easier is best.

Commissioner Russell stated she agrees with the comments from Commissioner Taylor and she is pleased to hear that streamlining is in the works.

Associate Planner Chance stated he has worked with several different jurisdictions and he's never seen land use development permits done this way. Most cities, CDD reviews the project first before the submittal of the application which gives the opportunity of setting up pre-application meetings, if it is a large project, getting the different agencies involved early on. Chance advised when done this way, by the time the 30 day review period comes the problems have pretty much been worked out. Chance stated it then doesn't put the burden on the City where we have several files sitting around for a long time.

Commissioner Wicks advised of a change to Attachment 1 section 17.18.090 Review by the planning commission, the hyperlink needed to be corrected to read 17.18.090. Wicks advised that in Attachment 1 Section 17.27.030.C it states "*The Community Development Director shall send copies of staff reports to the Planning Commission for all administrative and minor architectural and design review approvals, etc.*" He stated the Commission has not received these staff reports in the past and asked if they were ever supposed to get them. Ingram advised that, staff has been providing the conditions of approval on anything approved at a staff level and not just for minor architectural and design review project.

Ingram stated staff still plans to provide the commission with the project list and any project that is approved administratively that has project conditions of approval he still wants forwarded to the commission.

Wicks advised that on Attachment B Section 17.29.030 Land Use application procedures stated "*A prospective project proponent **is encouraged to request** a pre-application conference with the community development staff before completing and filing a land use application/development.*" He proposed that it should read "*A prospective project proponent **shall be required to attend** a pre-application conference, etc.*" Wicks stated it would be beneficial to all parties to have a face to face contact with staff. Ingram stated he agreed with his suggestion however he would have to check with the City Attorney because we may not be able to require them to go to a pre-application conference.

Commissioner Wicks moved to initiate through a minute order of the Planning Commission the preparation of minor amendments to the text of the zoning ordinance to increase transparency in the City's administrative approval process and streamline the City's land use development application review process consistent with Section 17.32.010.A.3 of the Zoning Ordinance with changes as suggested. Motion was seconded by Commissioner Kauper.

The vote was called and was as follows:

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

NOES: None

ABSENT: None

DISCUSS AND SET THE NEXT MEETING DATE: It was agreed by consensus that the next meeting be held on December 9, 2015.

There being no further business, the meeting adjourned at 6:13 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.