



PLANNING COMMISSION SPECIAL MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA
Wednesday, November 16, 2022
6:00 PM

The Planning Commission meetings are viewable in person in the Council Chambers, via livestreaming on the City’s YouTube Channel (https://www.youtube.com/channel/UCTyifT_nKS-3woxEu1ilBXA) or “Lake County PEG TV Live Stream” at <https://www.youtube.com/user/LakeCountyPegTV/featured> and the public may participate through Zoom at the link listed below. The public can submit comments and questions in writing for Commission consideration by sending them to the Administrative Services Director/City Clerk at mswanson@clearlake.ca.us. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments prior to 4:00 p.m. on the day of the meeting.

AGENDA

MEETING PROCEDURES: *All items on agenda will be open for public comments before final action is taken. Citizens wishing to introduce written material into the record at the public meeting on any item are requested to provide a copy of the written material to the Administrative Services Director/City Clerk prior to the meeting date so that the material may be distributed to the Planning Commission prior to the meeting. Speakers must restrict comments to the item as it appears on the agenda and stay within a three minutes time limit. The Mayor has the discretion of limiting the total discussion time for an item.*

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

If you need disability related modification, including auxiliary aids or services, to participate in this meeting, please contact Melissa Swanson, Administrative Services Director/City Clerk at the Clearlake City Hall, 14050 Olympic Drive, Clearlake, California 95422, phone (707) 994-8201, ext 106, or via email at mswanson@clearlake.ca.us at least 72 hours prior to the meeting, to allow time to provide for special accommodations.

AGENDA REPORTS

Staff reports for each agenda item are available for review at www.clearlake.ca.us. Any writings or documents pertaining to an open session item provided to a majority of the Planning Commission less than 72 hours prior to the meeting, shall be made available for public inspection on the City’s website at www.clearlake.ca.us.

Zoom Link: <https://clearlakeca.zoom.us/j/86096258086>

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE**C. ADOPTION OF THE AGENDA** *(This is the time for agenda modifications.)*

D. PUBLIC COMMENT: *This is the time for any member of the public to address the Planning Commission on any matter not on the agenda that is within the subject matter jurisdiction of the City. **The Brown Act, with limited exceptions, does not allow the Commission or staff to discuss issues brought forth under Public Comment.** The Commission cannot take action on non-agenda items. Concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on each agenda item. Comments shall be limited to three (3) minutes per person.*

E. CONSENT AGENDA: *All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items unless a member of the Commission requests otherwise, or if staff has requested a change under Adoption of the Agenda, in which case the item will be removed for separate consideration. Any item so removed will be taken up following the motion to approve the Consent Agenda.*

1. Minutes of the August 23rd, 2022 Planning Commission Meeting

Recommended Action: Receive and File

2. Minutes of the September 27th, 2022 Planning Commission Meeting

Recommended Action: Receive and File

F. PUBLIC HEARING

3. Consideration of the Environmental Analysis (CEQA-IS 2022-05) and Conditional Use Permit (CUP 2022-16) for the Burns Valley Development Project
Recommended Action: Reschedule to a future Planning Commission meeting to allow for additional staff time to prepare the Project for review

G. BUSINESS

4. Consideration of determination of General Plan Consistency (GPCD 2022-06) and corresponding environmental determination, Categorical Exemption (CE 2022-23) prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 038-292-150-000, and is commonly known as 3332 6th Street, Clearlake, CA 95422.

5. Consideration of determination of General Plan Consistency (GPCD 2022-07) and corresponding environmental determination, Categorical Exemption (CE 2022-24) prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 042-362-100-000, and is commonly known as 16331 6th Avenue, Clearlake, CA 95422.

H. CITY MANAGER AND COMMISSIONER REPORTS

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

POSTED: November 15 , 2022

BY:

A handwritten signature in blue ink, appearing to read "Justin Sturgill". The signature is written in a cursive style with a large initial "J".

Justin Sturgill, Building Inspector/Permit Technician



PLANNING COMMISSION MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA

Tuesday, August 23, 2022

6:00 PM

MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/81421134822>

A. ROLL CALL

PRESENT

Vice Chair Robert Coker

Commissioner Erin McCarrick

Commissioner Fawn Williams

Commissioner Terry Stewart

ABSENT

Chair Lisa Wilson

B. PLEDGE OF ALLEGIANCE

C. ADOPTION OF THE AGENDA

D. PUBLIC COMMENT:

There were no public comments.

E. CONSENT AGENDA:

1. Minutes of the August 9, 2022 Planning Commission Meeting

Recommended Action: Receive and file

No action on consent item.

Commissioner Williams made a motion to adopt the consent agenda. Commissioner McCarrick requested to pull the item from the consent agenda. Commissioner McCarrick's reasoning was to have the minutes reflect what conditions were waived in regards to cultural resources.

City Manager Alan Flora clarified that the City of Clearlake takes action minutes. However the City can take them back for consideration/acceptance.

Commissioner Stewart clarified that the cultural resource conditions of approval were not waived. Further clarified that if any earth disturbance occurs, the archaeological professionals will be involved in the process. Commissioner Stewart also clarified there will be no ground disturbance.

City Manager Flora clarified staff will add more detail and recommends the Planning Commission to take no action.

Motion made by Commissioner McCarrick, Seconded by Commissioner Stewart.

Voting Yea: Vice Chair Coker, Commissioner McCarrick, Commissioner Williams, Commissioner Stewart.

F. PUBLIC HEARING

2. The Burns Valley Development Project was noticed and scheduled to go before the Planning Commission on Tuesday, August 23rd, 2022 at 6:00PM. However, Staff has continued this item to the Planning Commission Hearing on Tuesday, September 13th, 2022 at 6:00PM.

Motion to move this item to the September 13, 2022 Planning Commission Meeting.

Motion made by Commissioner Williams, Seconded by Stewart.

Voting Yea: Vice Chair Coker, Commissioner McCarrick, Commissioner Williams, Commissioner Stewart

3. Gary Shimotsu, a representative of *Be April Importante (property owners)*, is applying for a Conditional Use Permit (CUP 2022-11) and associated environmental filing, Categorical Exemption (CE 2022-10) in accordance with Section 18-18.020 to allow the development and operation of a Residential Care Facility in the "MDR" Medium Density Residential Land Use District.

Senior Planner Mark Roberts read the Staff Report.

Be April Importante (applicant) spoke in favor of the project.

Gary Shimotsu (applicant's architect) requested on behalf of the applicant to be exempt from the curb, gutter, sidewalk policy.

Alice Reece spoke with concerns regarding for clarification on the actual type of facility.

Applicant gave clarification regarding the type of adult facility.

Motion made by Commissioner Williams, Seconded by Stewart.

Voting Yea: Vice Chair Coker, Commissioner McCarrick, Commissioner Williams, Commissioner

Stewart

G. BUSINESS

H. CITY MANAGER AND COMMISSIONER REPORTS

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

The meeting was adjourned at 6:47pm .

BY:



Justin Sturgill, Building Inspector I/Permit Technician



PLANNING COMMISSION MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA

Tuesday, September 27, 2022

6:00 PM

MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/82694988020>

A. ROLL CALL

Present:

Chair Wilson

Vice Chair Coker

Commissioner McCarrick

Commissioner Williams

Commissioner Stewart

B. PLEDGE OF ALLEGIANCE

C. ADOPTION OF THE AGENDA

D. PUBLIC COMMENT

E. CONSENT AGENDA

F. PUBLIC HEARING

1. The Planning Commission is being asked to consider Resolution No. 2022-17 adopting a Mitigated Negative Declaration (MND) based on Environmental Analysis, IS 2022-05 [in accordance with California Environmental Quality Act (CEQA)] and Conditional Use Permit, CUP 2022-16 to allow the Burns Valley Development located at 14885 Burns Valley Road; Clearlake, CA 95422 further described as Assessor Parcel Number 010-026-40-000. The development includes but is not limited to a Recreation Center; Public works yard/building facility; Sport Fields (*i.e. Baseball, T-Ball, Soccer*); Police department storage facilities; Vehicle/equipment storage area and public access/facilities.

City Manager Alan Flora presented the staff report.

Dr. Greg White gave his presentation.

City Manager Flora highlighted on key dates of the project.

Dino Beltran spoke against the project.

John Parker spoke as an expert giving information about the site.

Holly Roberson spoke against the project.

Robert Gary spoke against the project.

Quirina Geary spoke against the project.

William Chisum spoke against the project.

Brian Hanson sent a written comment in favor of the project.

Makela Templeton sent a written comment in favor of the project.

Dave Hughes spoke in favor of the project.

City Attorney Ryan Jones provided clarity on images in the packet.

Holly Roberson answered Commissioner Stewart's questions regarding the project.

City Manager Flora agrees to do Government to Government Consultation with the Koi Nation.

Motion made by Commissioner McCarrick, Seconded by Vice Chair Coker.

Voting Yea: Vice Chair Coker, Commissioner McCarrick, Commissioner Williams, Chair Wilson, Commissioner Stewart.

Public Hearing will remain open until Oct 25, 2022.

G. BUSINESS

H. CITY MANAGER AND COMMISSIONER REPORTS

I. FUTURE AGENDA ITEMS

J. ADJOURNMENT

The meeting was adjourned at 8:03 pm.

BY:

A handwritten signature in blue ink, appearing to read "Justin Sturgill". The signature is fluid and cursive, written over a horizontal line.

Justin Sturgill, Building Inspector/Permit Technician

CITY OF CLEARLAKE

Planning Commission



Memorandum	
SUBJECT: Burns Valley Development <ul style="list-style-type: none"> • Environmental Analysis (CEQA-IS 2022-05) • Conditional Use Permit (CUP 2022-16) 	MEETING DATE: November 16, 2022
SUBMITTED BY: Mark Roberts, Senior Planner	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

Burns Valley Development Project Update:

The Burns Valley Development Project was scheduled to go before the Planning Commission on Wednesday, November 16, 2022, at 6:00 PM. However, staff has made the determination that additional time is necessary to prepare the project. Therefore, the Burns Valley Development will be pulled from the agenda and will be re-scheduled at a future date.



CITY OF CLEARLAKE
Planning Commission

STAFF REPORT	
SUBJECT: General Plan Consistency Determination, GPCD 2022-06 Categorical Exemption, CE 2022-23	MEETING DATE (Regular): 11/14/2022
SUBMITTED BY: Michael Taylor, Planning Department	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	
LOCATION: 3332 6th Street APN: 038-292-150-000	APPLICANT/OWNER: City of Clearlake
ZONING: Low Density Residential (LDR)	GENERAL PLAN: Medium Density Residential

WHAT IS BEING ASKED OF THE PLANNING COMMISSION

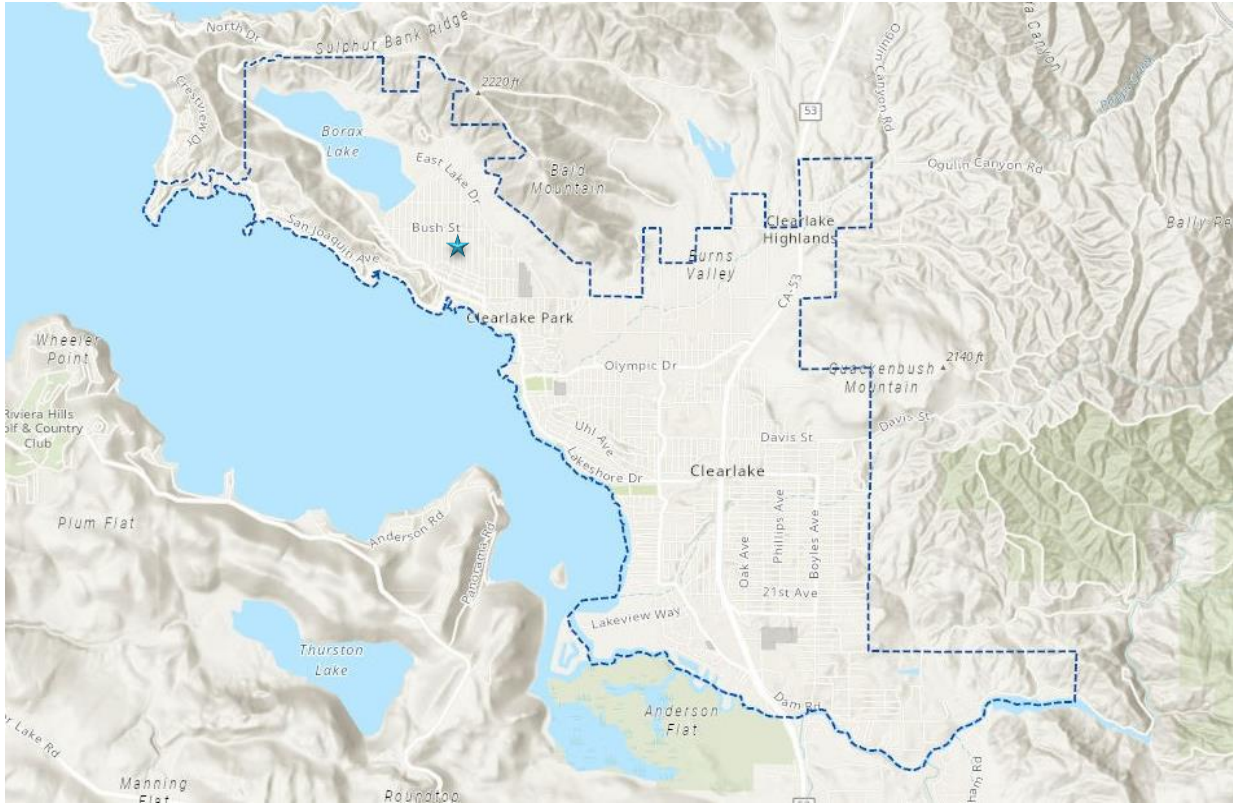
The Planning Commission is being asked to make a determination of General Plan Consistency (GPCD 2022-06) and corresponding environmental determination, Categorical Exemption (CE 2022-23) prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 038-292-150-000, and is commonly known as 3332 6th Street, Clearlake, CA 95422.

BACKGROUND/DISCUSSION:

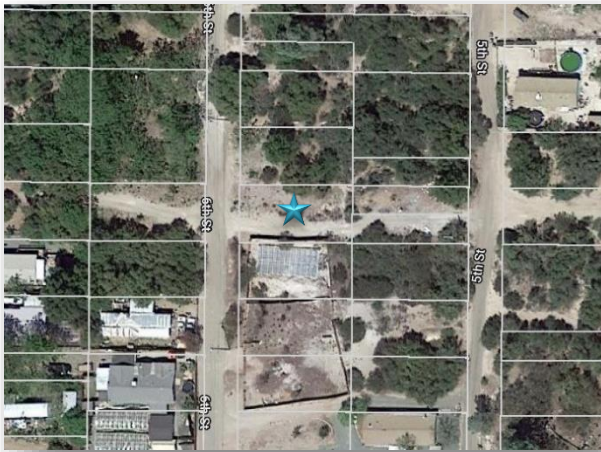
The parcel is vacant and located in the “Golf Course Subdivision, a Clearlake Park “midblock between Bush Street to the north and Sonoma Avenue to the south. The surrounding area is characterized as a mixture of developed and undeveloped lots, also zoned LDR. Beyond the subdivision, are areas zoned “RR” - Rural Residential to the north, “MUX” Mixed Use, and “MDR” Medium Density Residential to the south, and “LDR” Low Density Residential to the west. The subject parcel is rectangular in shape and approximately 0.11 acres in size (4,791 square feet). The property could be developed with residential dwelling per Section 18-18 - Use Regulations of the municipal code.

Roads

Roads in the subdivision are predominantly public. Roads on the west side are improved with asphalt while roads on the east side are a mixture of asphalt, gravel, and dirt. Sixth street is a public road and appears to be a mixture of gravel and dirt.



Location Map



Aerial of Parcel



APN: 038-292-150-000

Water
Eight (8) inch water main on sixth avenue.

Sewer
There is no known public sewer facilities located at this site. According to the County of Lake Environmental Health, a septic permit was approved for a two (2) bedroom, one (1) bath dwelling in 1982. Also, a soil study was conducted in 2006 by the property owner (*on file at the county*). All future Onsite Waste Management Systems (septic) shall adhere to all current Federal, State, and local agency requirements.

Power

The nearest power pole(s) is approximately one hundred (100) feet to the north and south.

Topography

According to the available GIS Mapping databases, the parcel has an average cross slope of less than ten percent.

Vegetation

Mostly disturbed. Dirt with low ground cover and brush. Oak tree at north property boundary.

Code Enforcement

Currently, there are no known active code enforcement cases.

GENERAL PLAN AND ZONING ORDINANCE CONSISTENCYGeneral Plan

The parcel and surrounding properties have a General Plan Designation of Medium Density Residential which allows for residential densities of up to 15 units per acre. The primary use would be single-family detached and attached residential developments with a garage or permanent carport large enough of two vehicles.

Zoning Ordinance

The subject parcel has a land use designation of “LDR” Low Density Residential. This zone is intended primarily to provide housing opportunities for people who would like a private open space associated with individual dwellings.

Per Section 18-04.010 (LDR) of the Clearlake Zoning Ordinance, “the LRD Zone is intended primarily to provide housing opportunities for people who want private open space associated with individual dwellings. It is intended to preserve existing single-family neighborhoods, provide for compatible infill development in such areas and prescribe the overall character of newly subdivided low-density areas. This zone shall be applied to areas designated as “low density residential” on the Clearlake General Plan Zoning Map”

The maximum density is eight (8) units per acre, minimum lot area is five thousand (5,000) square feet, and maximum lot coverage of forty (40) percent. All development shall adhere to all applicable Federal, State, and local agency requirements.

ENVIRONMENTAL REVIEW (CEQA)Categorical Exemption CE 2022-23

This General Plan Consistency Report is exempt from the California Environmental Quality Act (CEQA) under Section 15061 (b)(3) (Common Sense Exemption) and therefore does not require an environmental determination process. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review.

ENABLING PROVISIONS OF THE PLANNING COMMISSION

Government Code Section 65402 states that prior to the conveyance of real property by a government agency, the planning agency must first make the finding that the location, extent, and purpose of such conveyance is in conformance with the General Plan. The city is requesting a determination of General Plan consistency for the proposed transfer of 6540 Old Highway 53, Clearlake, CA 95422.

RECOMMENDATION

Staff recommends option 1 below – that the Planning Commission move to Adopt Resolution PC 2022-19, a Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.

MOTION/OPTIONS

- 1. Move to Adopt Resolution PC 2022-19, A Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.
- 2. Move to Deny Resolution PC 2022-19 and direct staff to prepare appropriate findings.
- 3. Move to continue the item and provide alternate direction to staff.

ATTACHMENT(S)

- 1. Attachment 1-Resolution
- 2. Attachment 2-Quit Claim Deed
- 3. Attachment 3-Preliminary Title Report

RESOLUTION NO. PC 2022-19

**A Resolution of the Planning Commission of the City of Clearlake
General Plan Consistency Determination GPCD 2022-06 and
Categorical Exemption, CE 2022-23 for the property located
at 3332 6th Street, Clearlake CA 95422
Assessor Parcel Number (APN) 038-292-150-00.**

WHEREAS, State Government Code Section 65402 stipulates that prior to the acquisition of real property by a government agency, the planning agency of the jurisdiction in which said property is located must first make the finding that the transfer of said real property is in conformity with the adopted General Plan of the local jurisdiction; and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as 3332 6th Street, Clearlake CA 95422, APN 038-292-150-000; and

WHEREAS, the project is Exempt from the California Environmental Quality Act under Section 15061 (b)(3); and

WHEREAS, the Planning Commission of the City of Clearlake has reviewed and considered the staff report, testimony, and evidence at a regular meeting on October 25, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Clearlake makes the following findings:

- 1) The acquisition of this property is consistent with the adopted goals, objectives, and polices of the General Plan.

PASSED AND ADOPTED on this 16th day of November 2022 by the following

vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairman, Planning Commission

ATTEST: _____
City Clerk, Planning Commission



CITY OF CLEARLAKE

Planning Commission

STAFF REPORT	
SUBJECT: General Plan Consistency Determination, GPCD 2022-07 Categorical Exemption, CE 2022-24	MEETING DATE (Regular): 11/14/2022
SUBMITTED BY: Michael Taylor, Planning Department	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	
LOCATION: 16331 6th Avenue APN: 042-362-100-000	APPLICANT/OWNER: City of Clearlake/ Marlene Panacci
ZONING: Rural Residential (RR)	GENERAL PLAN: Medium Density Residential

WHAT IS BEING ASKED OF THE PLANNING COMMISSION

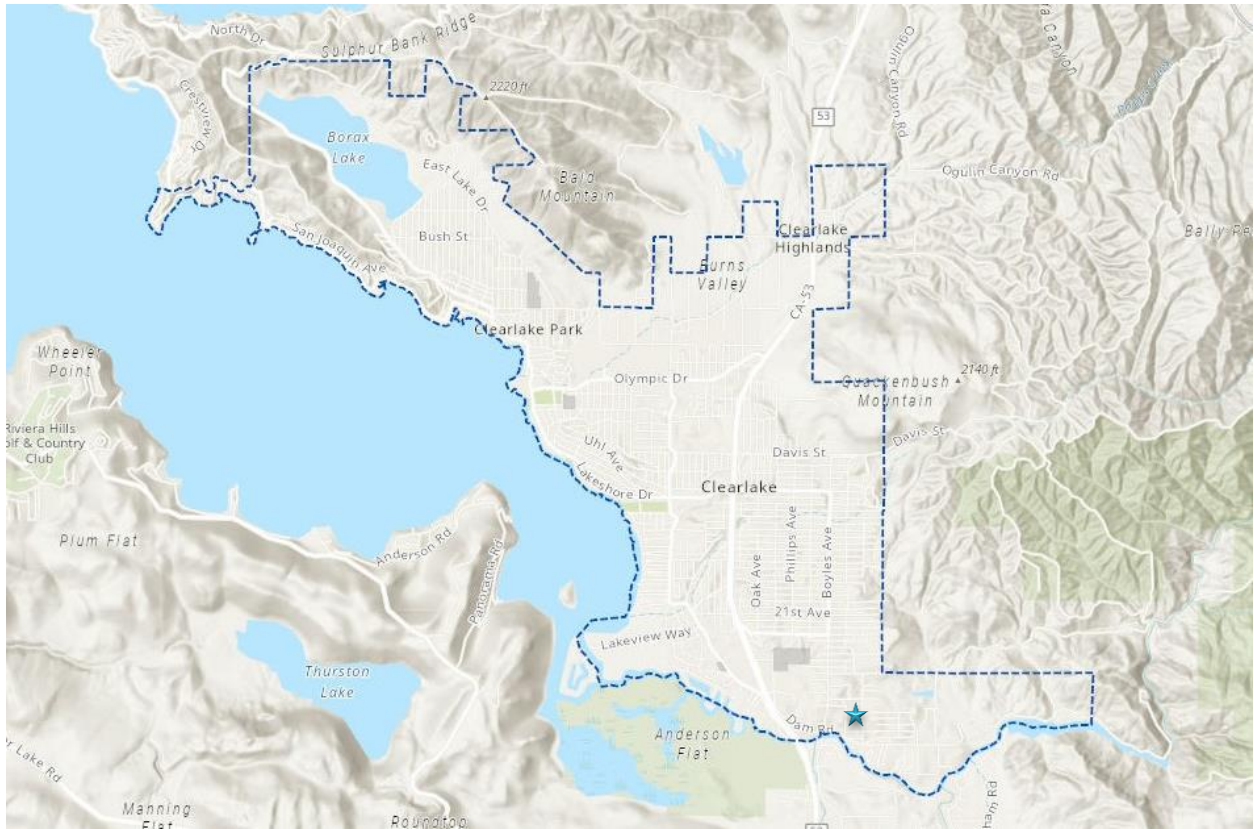
The Planning Commission is being asked to make a determination of General Plan Consistency (GPCD 2022-07) and corresponding environmental determination, Categorical Exemption (CE 2022-24) prior to the conveyance of real property by a government agency, pursuant to Government Code 65402. The assessor parcel number of the property is 042-362-100-000, and is commonly known as 16331 6th Avenue, Clearlake, CA 95422.

BACKGROUND/DISCUSSION

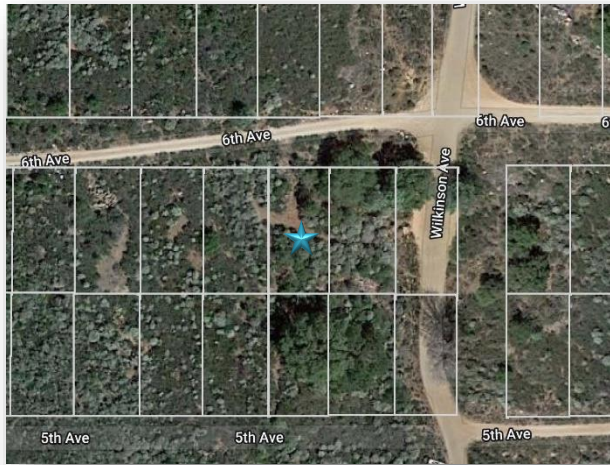
The subject parcel is vacant and located in the “Tract No. 5 Clear Lake Highlands” Subdivision Midblock between Konocti Avenue to the west and Wilkinson Avenue to the east. The surrounding lots are predominantly undeveloped, with a zoning designation of RR. This lot is generally rectangular in shape and approximately 0.11 acres in size (4,791 square feet).

Roads

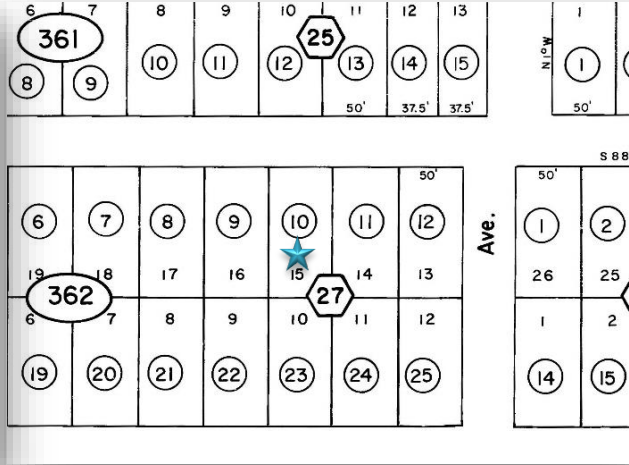
According to the City of Clearlake “Public and Private Streets” map roads in the subdivision are predominantly public. A study of Google maps (image dated April of 2021) shows an incomplete network of unimproved dirt roads.



Location Map



Aerial of Parcel



APN: 038-292-150-000

Water

Konocti County Water District. The nearest water line is a 6-inch pipe along Konocti Avenue.

Sewer

Nearest public sewer line at Dam Road at Wilkinson Avenue per County of Lake Special Districts.

Power

Nearest power pole approximately five hundred feet to the west at Konocti Avenue.

Topography

According to the available GIS Mapping databases, the parcel has an average cross slope of less than ten percent.

Vegetation

Some disturbance at the north half of the property. Dirt, mostly ground cover, and tall brush (source Google maps).

Code Enforcement

No active cases.

The property could be developed with a residential use per Section 18-18 Use Regulations of the municipal code.

GENERAL PLAN AND ZONING ORDINANCE CONSISTENCY

General Plan

The parcel and immediate surrounding area are designated as Medium Density Residential which allows for residential densities of up to 15 units per acre. The primary use would be single-family detached and attached residential.

Zoning Ordinance

The RR Zone is intended primarily to provide housing opportunities for lower density residential development, such as single-family homes on larger sized lots with a density not to exceed one (1) unit to the acre. Minimum lot size is one and one-quarter acre (1.25); (Section 18-3 Rural Residential (RR) Zone). Based on the RR zoning and development standards the subject lot would be a nonconforming lot.

According to the zoning ordinance, section 18-24 Nonconforming Lots, a lot having less area, width, depth or frontage than required by the Zoning Code and Subdivision Regulations, for the zone in which it is located, but which was lawfully created prior to the effective date of regulations requiring such greater area or dimension, shall be considered a nonconforming lot.

ENVIRONMENTAL REVIEW (CEQA)

Categorical Exemption CE 2022-24

This General Plan Consistency Report is exempt from the California Environmental Quality Act (CEQA) under Section 15061 (b)(3) (Common Sense Exemption) and therefore does not require an environmental determination process. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review.

ENABLING PROVISIONS OF THE PLANNING COMMISSION

Government Code Section 65402 states that prior to the conveyance of real property by a government agency, the planning agency must first make the finding that the location, extent, and purpose of such conveyance is in conformance with the General Plan. The city is requesting a determination of General Plan consistency for the proposed transfer of 16331 6th Avenue, Clearlake, CA 95422.

RECOMMENDATION

Staff recommends option 1 below – that the Planning Commission move to Adopt Resolution PC 2022-20, a Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.

MOTION/OPTIONS

1. Move to Adopt Resolution PC 2022-20, A Resolution of the Planning Commission of the City of Clearlake finding that the location, extent, and purpose of such conveyance is in conformance with the City of Clearlake General Plan.
2. Move to Deny Resolution PC 2022-20 and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

ATTACHMENT(S)

1. Attachment 1-Resolution
2. Attachment 2-Grant Deed
3. Attachment 2-Correction Deed
4. Attachment 4-Preliminary Title Report

RESOLUTION NO. PC 2022-20

**A Resolution of the Planning Commission of the City of Clearlake
General Plan Consistency Determination GPCD 2022-07
and Categorical Exemption, CE 2022-24 for the property
located at 16331 6th Avenue, Clearlake CA 95422
Assessor Parcel Number (APN) 042-362-100-00.**

WHEREAS, State Government Code Section 65402 stipulates that prior to the acquisition of real property by a government agency, the planning agency of the jurisdiction in which said property is located must first make the finding that the transfer of said real property is in conformity with the adopted General Plan of the local jurisdiction; and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City more particularly described as 16331 6th Avenue, Clearlake CA 95422, APN 042-362-100-000; and

WHEREAS, the project is Exempt from the California Environmental Quality Act under Section 15061 (b)(3); and

WHEREAS, the Planning Commission of the City of Clearlake has reviewed and considered the staff report, testimony, and evidence at a regular meeting on October 25, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Clearlake makes the following findings:

- 1) The acquisition of this property is consistent with the adopted goals, objectives, and polices of the General Plan.

PASSED AND ADOPTED on this 16th day of November 2022 by the following

vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairman, Planning Commission

ATTEST: _____
City Clerk, Planning Commission