

LAKE COUNTY PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 28, 2018

Commission Members

A John Hess, District I
A Bob Malley, District II
P Eddie Crandall, District III
P Matt Levesque, District IV
P Daniel Suenram, District V

Staff Members

P Michalyn DelValle, Director
P Shanda Harry, Deputy County Counsel
P Danae Bowen, Office Assistant III

9:08 a.m. CALL TO ORDER

Pledge of Allegiance was led by Eddie Crandell.

CITIZENS INPUT – None

9:09 a.m. CALL TO ORDER

9:09 a.m. Public Hearing on consideration of a Mitigated Negative Declaration based on Initial Study (IS 17-36) for Use Permit (UP 17-15) and Design Review (DR 17-09). The project applicant is VICTORIA CHRISTIE proposing construction of a new 14,100 square foot building for the headquarters of Roto Rooter. The project is located at 3497 Stone Drive, Finley and further described as 008-021-64 and 66. (Eric Porter)

Eric Porter, Associate Planner, provided background information and a power point presentation of the project application.

Comm. Crandell asked staff if the applicant would be washing any vehicles onsite.

Mr. Porter said that they have revised the site plan to remove the onsite truck washing facility. He said because of how the site was engineered, future truck washing will not be allowed, unless they reevaluate the septic system and the capacity is not engineered to accommodate the truck washing and the building itself. He said a condition has been added: *“No onsite vehicle washing is authorized by this decision.”*

9:14 a.m. Opened Public Hearing

Beverly Westphal, Clearlake Gleaners President, shared concerns with the notice, which was for an office building. She said upon inquiry she found that it was much more and they were concerned, because her organization is a food distribution service. She said they have nine bins of produce that they distribute to twelve sites. She said they were concerned about truck storage, which will be inside and appreciates the fact that there will not be a washing faculty at the site and that they will be dumping in another location. She asked about the location of the trash enclosure and asked if portable toilets would be stored onsite. She referred to the classroom for 47 people and referred to the initial project just being an office building, however the project appears to be much more than that. She said they want to work with Ms. Christie as best they can, keeping their activities under control and in compliance with the laws.

Victoria Christie, Roto Rooter owner for Lake and Mendocino Counties, said she purchased Lake County Roto Rooter in January 2018. She said she is a licensed Plumber and has a C36/C42 license. She said she will have two septic trucks that will be located in Lake County and they will be stored on the property and they do not discharge any sewage on the property. She said the only truck parked on the property will be a construction Ford pickup truck and two pump trucks. She addressed the trash containers and said they are kept inside the building and the classroom is there to inform her employees on how to handle biological waste and also hoped to develop a program for the local high schools, where young people could be taught a trade. She addressed truck washing and said they were going to have a contained vault that all the water would go into and they would pump it out and dispose of it properly and they will go to the car wash to wash the trucks.

Comm. Levesque commented on the truck washing facility as Ms. Christie described, and asked staff if this contained vault could potentially be added later.

Mr. Porter said they could modify the use permit at a later date, but it would involve reengineering that system. He said a trash container is required by the code and it is not an option to not have a dumpster onsite. He said condition E7 states: *“Prior to occupancy, a Trash Enclosure area shall be provided, consistent with Ordinance 2650 of the Lake County Code.”*

David Groezenger said that the trash enclosure is noted on the existing site plan.

9:35 a.m. Closed Public Hearing

Comm. Levesque moved, 2nd by Comm. Suenram that the Planning Commission find on the basis of the Initial Study No. 17-36 prepared by the Planning Division and the mitigation measures which have been added to the project, that the Use Permit and Design Review as applied for by Victoria Christie will not have a significant effect on the environment and therefore a mitigated negative declaration shall be approved with the findings listed in the staff report dated May 3, 2018.

Mitigated Negative Declaration 3 Ayes 0 Noes 2 Absent (Comm. Hess, Comm. Malley)

Comm. Levesque moved, 2nd by Comm. Suenram that the Planning Commission find that the Use Permit (UP 17-15) applied for by Victoria Christie on property located at 3497 Stone Drive, Finley does meet the requirements of Section 51.4 of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Negative Declaration which was adopted for this project and the Use Permit be granted subject to the conditions and with the findings listed in the staff report dated May 3, 2018.

Use Permit 3 Ayes 0 Noes 2 Absent (Comm. Hess, Comm. Malley)

Comm. Levesque moved, 2nd by Comm. Suenram that the Planning Commission find that the Design Review applied for by Victoria Christie on property located at 3497 Stone Drive, Finley does meet the requirements of Section 54.5 of the Lake County Zoning Ordinance and that the Planning Commission has reviewed and considered the Mitigated Negative Declaration which was adopted for this project and the Design Review be granted subject to the conditions and with the findings listed in the staff report dated May 3, 2018.

Design Review 3 Ayes 0 Noes 2 Absent (Comm. Hess, Comm. Malley)

Comm. Crandell noted that there is a seven (7) calendar day appeal period provided by the Lake County Zoning Ordinance.

9:20 a.m. Public Hearing on consideration of a Mitigated Negative Declaration based on Initial Study (IS 18-01) for Minor Modification (MMM 17-01) to Parcel Map (PM 18-01) previously known as Subdivision (SD 05-13). The project applicant is JOHN VAN ECK proposing a modification to the original project 16 lot subdivision to reduce the total number of lots from 16 to 4. The project is located at 3640 Lakeview Estates Drive, Kelseyville and further described as 009-008-10. (Eric Porter)

Eric Porter, Associate Planner, provided background information and a power point presentation of the project application.

There was further discussion on CSA 20 moratorium and reasonable distances from a public water source and prohibiting wells when there is the ability to connect to a public water system.

Michalyn read a provision from the Subdivision Ordinance: *“When any part of the proposed subdivision lies within a reasonable distance as determined by the Planning Commission of any municipal Special District or County system providing domestic water to which they may legally be connected or when otherwise required by this chapter water main shall be installed to serve each lot in said subdivision and connected to such system.”* As determined by the Planning Commission.

Comm. Suenram said if the moratorium makes it such that they may not legally connect to it, then that provision doesn't exist to this lot, because they cannot legally attach to it.

Shanda Harry, Deputy County Counsel, said that it is something within the Planning Commission purview to determine whether it is a reasonable distance. She said if they were leaning towards the idea that it is not a reasonable distance, then it needs to be stated on the record that it is the determination that has been made by the Commission. She said the discussion is possible and recommended by the staff report.

Mr. Porter said there are several mitigation measures that were taken from the most recent Initial Study:

- Mitigation Measure MM-Geo1: Retention of the Baccharis hedge located on the southern and eastern boarder of the property to retain earth and reduce erosion.
- Mitigation Measure MM-HWQ1: Require connection to the public water system and prohibits the use of well(s) for domestic water use unless the Planning Commission finds that the water line is not located a 'reasonable distance' from the subject site or a similar finding that allows use of the on-site well.
- Mitigation Measure MM-PS1: The entire site must either be connected to the Soda Bay CSA #20 water system at such time when the moratorium is lifted; or, the Planning Commission must find that connecting to the on-site well is not inconsistent with Chapter 17, "Subdivisions", of the County Code.
- Mitigation Measure MM-USS1: Require connection to the Soda Bay water system once the moratorium is lifted; or, the Planning Commission must make a finding that connecting to the Soda Bay Water District CSA #20 is unfeasible and that connecting to the on-site well is the only alternative.

Mr. Porter said with that, staff is making a recommendation to adopt the Mitigated Negative Declaration (IS 18-01), approval of the modification (MMM 17 -01) and approval of the Parcel Map (PM 18-01), including approval of the revised conditions, which he reviewed with the Commission.

9:55 a.m. Opened Public Hearing

No one present wished to speak.

9:55 a.m. Closed Public Hearing

Comm. Levesque stated that CSA 20 is an infinite distance from these properties for all intense and purposes and therefore it is an unreasonable distance.

Mr. Porter noted for the record, that if the Commission does allow connection to a well, it would require a rewording of new condition E2 to read: *“Connection to the on-site well is permitted and an easement shall be recorded allowing shared usage of the well for each of the four lots, in conjunction with recording the final map.”*

Comm. Suenram moved, 2nd by Comm. Levesque, that the Planning Commission find that on the basis of the Initial Study (IS 18-01) and the mitigation measures which have been added to the project that a subdivision modification applied for by John Van Eck represented the Van Eck Estates land division for the property located at 3640 Lakeview Estates Drive, Kelseyville, CA will not have a significant effect on the environment and therefore, a mitigated negative declaration shall be issued with the findings listed, and the conditions contained with the staff report dated May 3, 2018 and as modified here today.

MITIGATED NEGATIVE DECLARATION 3 Ayes 0 Noes 2 Absent (Comm. Hess, Comm. Malley)

Comm. Suenram moved, 2nd by Comm. Levesque, that the Planning Commission approve the modification (MMM 17-01) to original subdivision (SD 05-13) to allow the reduction in lots from 16 to 4 for property located at 3640 Lakeview Estates Drive, Kelseyville, CA, with the findings listed in the staff report dated May 3, 2018 and as modified here today.

MINOR MODIFICATION TO AN APPROVED SUBDIVISION MAP 3 Ayes 0 Noes 2 Absent (Comm. Hess, Comm. Malley)

Comm. Suenram moved, 2nd by Comm. Levesque, that the Planning Commission find that the Parcel Map applied for by John Van Eck on property located at 3640 Lakeview Estates Drive, Kelseyville, CA, is in conformity with the provisions of the California Subdivision Map Act and Chapter 17 of the County of Lake Code and upon that basis, approve said map subject to the conditions provided and with the findings listed in the staff report dated May 3, 2018 and as modified today.

PARCEL MAP 3 Ayes 0 Noes 2 Absent (Comm. Hess, Comm. Malley)

Comm. Crandell noted that there is a fifteen (15) calendar day appeal period provided by the Lake County Subdivision Ordinance.

UNTIMED STAFF UPDATE

Michalyn Delvalle, announced that the Board of Supervisors granted her the position of Community Development Director on Tuesday, June 26, 2018. She added that there are interviews being conducted for several Assistant Planner positions, Plans Examiner and Office Assistant positions.

Comm. Crandell announced that the July 12, 2018 has been adjourned and the next scheduled hearing will be July 26, 2018.

ADJOURNED 10:00a.m.

Eddie Crandell, Chair
Lake County Planning Commission

Respectfully Submitted

By: _____
Danae Bowen
Office Assistant III