BLUE LAKE PLANNING COMMISSION
MEETING MINUTES
Monday, January 20, 2014
7:00 P.M.
Community Center - 111 Greenwood Road
(Skinner Store Building behind City Hall)

The Blue Lake Planning Commission Meeting was called to order at 7:05 p.m. at Skinner Store.

Commissioners Present: Jon Fechner, John Amirkhan and Karen Nessler.

Commissioners Absent: Rick Platz and Joe Krienke

Staff Present: City Planners Garrison Rees and Bob Brown, Planning Commission Secretary Kara Newman.

Staff Absent: City Manager John Berchtold absent for items #4 and #5.

1. **Approval of Minutes: October 21, 2013**
   a. Continue to next meeting. No quorum.

2. **Public Input on Non-Agenda Items**
   a. None

3. **Approval of Agenda**
   a. Motion (Nessler/Amirkhan) to approve agenda as is.
   b. Motion passed unanimously.

Discussion / Action:

4. **Planning Commission Action: 025-201-006 & 025-201-002/2014 Site Plan Approval for Paradise Cay Publications for construction of a 5,520 s.f. steel building to be used as an office/warehouse facility for their publishing and book distribution business and rental space. Located in the City's Business Park off of Monda Way directly north of the City owned parcel (025-201-007) containing Sjaak's Chocolates (No address assigned). The project is Categorically Exempt from CEQA per §15332 (Class 32) of the CEQA Guidelines exempting projects characterized as in-fill development.**
   a. City Planner Rees presented the Staff Report and site plans for the Paradise Cay Publications (Morehouse) proposed building. Planner Rees stated that staff recommends approval of the project with the conditions of approval contained at the end of the staff report.
   b. Commissioners discussed the site plan.
   c. Commissioner Fechner inquired about the building color.
   d. Commissioner Fechner opened the item up for public comment. No public comment was received.
   e. Planner Rees presented Resolution 1-2014 to the Commission.

f. Motion (Fechner/Amirkhan) to adopt Resolution 1-2014 approving the Site Plan Approval application with the staff recommended conditions of approval.
g. Motion passed unanimously.

5. **Public Hearing/Planning Commission Action: 312-161-020 & 313-231-001/2013 Site Plan Approval for Blue Lake Roundstock, LLC to allow a dowel mill operation that will produce three to seven inch diameter doweled wood products (e.g. fence posts, tree stakes, etc.) Located in the City's Business Park at 791 Taylor Way on parcels 312-161-020 & 313-231-001. A Mitigated Negative Declaration (SCH#: 2013122005) has been prepared and is proposed for adoption pursuant to the CEQA Guidelines.**

a. City Planner Rees noted receiving two additional pieces of public comment which were presented to the Planning Commission.
b. The Commissioners explained that they did not feel comfortable making a decision without Commissioners Krienke and Platz present and requested to have the item continued to the next Planning Commission meeting.
c. Planner Rees noted that with numerous residents in attendance to comment on the project the Commission should receive public comment at this meeting.
d. Planner Rees presented the Staff Report to the Commission. Planner Rees explained the contents of the Staff Report packet to the Commissioners. Planner Rees stated that staff recommends adoption of the Mitigated Negative Declaration and approval of the project with the conditions of approval contained at the end of the staff report.
e. Commissioner Amirkhan inquired about hours of operation, additional traffic and lighting at night.
f. Commissioner Fechner opened the item up for public comment.
g. Kitt Mann expressed concern about noise that will be generated by the proposed operation and inquired how the City will address cumulative noise impacts from all the uses in the Business Park. Kit stated that Blue Lake Power is already making a lot of noise under a different noise standard and doesn't feel this issue was adequately addressed in the CEQA document prepared for the project. Kit expressed concern about the adequacy of the mitigation measures and conditions of approval addressing noise. Kit questioned whether City Staff has the necessary noise measuring equipment to log noise data over long periods of time to determine Ldn. Kit requested that the Commissioners limit the hours of operation from 7 a.m. to 6 p.m. for a probationary period of several months until the applicant has shown consistent compliance with the City's standard and project conditions.
h. Jacob Pounds expressed concern about the City's ability to monitor the proposed operation and ensure compliance with the mitigation measures and conditions of approval. Jacob wants to make sure that surrounding residents will not be burdened with filing complaints with the City when the operation is out of compliance with the City's standards. Jacob stated that the cost of monitoring should be paid for by the applicant. Jacob expressed concern with noise and water and air quality impacts from the project. Jacob noted appreciation for the proposal and thinks it makes good use of resources already available and wants to see it done well and with integrity.
i. Jana Ganion of the Blue Lake Rancheria commented that they submitted a letter listing their concerns about the project in response to the CEQA document prepared for the project. Jana echoed Kit and Jacob's comments and commented that in addition to what was outlined in the letter, the City stands to incur a lot of

cost to ensure the proposed operation complies with the mitigation measures and conditions of approval. Jana stated that it had been apparent while partnering with the City on projects that the City has limited resources and staffing, and questioned whether the City will be able to adequately monitor the proposed operation. Jana stated that the applicant should be required to pay for the monitoring that will be done by the City and that the City should enter into a Memorandum of Understanding (MOU) with Blue Lake Roundstock, LLC. Jana asked the Commissioner's if they are familiar with the lease termination agreement between the City and Blue Lake Roundstock, LLC and the amount of money that is owed to the City. Jana commented that the City needs to be very careful about incurring expenses for compliance monitoring for the proposed operation without ensuring some enforceable mechanism exists to recoup the costs.

j. Bruce Ryan of the Blue Lake Rancheria expressed concern about the site location and noted it appears part of the project site is in the 100 year flood plain. Bruce noted that the site is not connected to the City's stormwater system and expressed concern about stormwater management at the site. Bruce stated that no infiltration testing was done for the project to determine if the soils would be adequate to handle stormwater runoff from the project. Bruce questioned whether the project site is in the boundaries of the Blue Lake Business Park as stated in the project documents prepared by the City. Bruce stated that due to the flooding and stormwater issues, and EIR should be prepared for the project.
k. Heather Equinoss noted that she submitted a letter about the project and expressed her primary concern for project is noise and the late hours of operation. Heather expressed concern about the burden of the noise monitoring being put on nearby residents. Heather stated that the conditions of approval for noise were general and requested greater detail on how frequently the noise will be monitored.
l. Gary Johnston, the owner of the property where the proposed operation will occur, emphasized that the noise from the operation will be minimal compared to the adjacent power plant. Gary explained that the loader will run during the day and once the logs are placed in the ready deck area in the evening the only noise will be from the dowel mill. Gary emphasized the small scale of the proposed operation. Gary offered to the audience to come checkout the property to see where the operation will occur. Gary explained that the site is flat and graveled and stated that stormwater management will not be a concern.
m. Jana Ganion of the Blue Lake Rancheria stated that Blue Lake Roundstock, LLC still owes the City money which shows that they will not be able to afford to stay in compliance with the City's standards.
n. Bruce Ryan of the Blue Lake Rancheria expressed that he is not opposed to the project but wants to see it held to same standards of environmental compliance that have been required of the tribe for their projects. Bruce explained that the stormwater management plan should be designed to plan for a peak event and not a regular winter. Bruce stated that he wants to see more science applied to the permit process and environmental review for the project. Bruce emphasized his concerns about runoff from the site during a major storm event.
o. Planner Rees stated that the applicant was required to obtain an Industrial General Permit from the North Coast Regional Water Quality Control Board. Planner Rees explained as part of the permit the applicant was required to prepare a Stormwater Pollution Prevention Plan (SWPPP) which addresses stormwate runoff at the site.

p. Walter Nystrom of Blue Lake Power commented that he supports the project. Walter stated that the project will bring good jobs to the community. Walter commented that runoff is not a major issue at the project site. Walter explained that milling logs into dowels is a good use of what's wasted in the forest.
q. Michelle Fuller of the Blue Lake Rancheria stated that more specificity and science is needed in the environmental document prepared for the project.
r. Bob Hutcheson of Blue Lake Roundstock, LLC explained that the drainage at the site will not be changed by the project since no hardscape is proposed to be installed.
s. Applicant Glenn Zane commented that he is in a very difficult position because the planning approval process has taken longer than expected and they have a crew that is ready to go to work and machinery they have invested in. He also commented that this will make up to 35 jobs in the area. Glen requested that a special meeting be scheduled as soon as possible to hear the project.
t. Commissioner Fechner closed the public comment period.
u. Planner Rees explained that the date of a special meeting will be dependent on when absent Commissioners Platz and Krienke are available to attend.
v. The Commissioners instructed staff to contact absent Commissioners Platz and Krienke to find out their availability for a special meeting.
w. Motion (Amirkhan/Nessler) to continue the item to a future special meeting.
x. Motion passed unanimously.

6. **Planning Commission Action: 025-073-001/2014 Site Plan Approval for the City of Blue Lake to allow construction of a 40 s.f. bus shelter. Located in the City's Downtown at 411 Railroad Ave in the northern corner of parcel 025-073-001. The project is Categorically Exempt per CEQA Guidelines §15303 (Class 3) allowing the construction and location of limited numbers of new, small facilities or structures.**
   a. Planner Rees presented the staff report to the Commission. Planner Rees stated that staff recommends approval of the project with no conditions.
   b. Commissioner Nessler commented that she is concerned about upkeep of the bus shelter and explained that the City removed a bus shelter from this location in the past due to complaints about kids congregating and causing problems.
   c. Planner Rees explained that the General Plan contains policies promoting the location of alternative transportation facilities in centralized high traffic areas such as the City's downtown.
   d. City Manager Berchtold noted that the shelter is funded by a grant from the Humboldt County Association of Governments (HCAOG).
   e. Motion (Nessler/Fechner) to approve the Site Plan Approval application.
   f. Motion Passed unanimously.

7. **Planning Commission Discussion: Review of Draft Ordinance 509 prohibiting the establishment and operation of medical marijuana dispensaries.**
   a. Planner Rees noted that the City was approached by individuals interested in opening a dispensary in the City. Planner Rees explained that recent case law has set precedent that Cities and Counties can ban dispensaries without violating state law. Planner Rees stated that the City Council instructed staff to draft this ordinance prohibiting dispensaries.
   b. Commissioner Amirkhan and Nessler commented that they support a ban on dispensaries.
   c. Commissioner Fechner requested that the item be moved to the next regularly

scheduled meeting.

d. Motion (Fechner/Amirkhan) to move the item to the February meeting for a Public Hearing.
e. Motion passed unanimously.

8. **Planning Commission Discussion: City of Blue Lake Strategic Growth Council (SGC) Sustainable Communities Planning Grant No. 3012-552. Presentation of the draft Climate Action Plan.**
   a. Planner Rees presented an overview of the SGC Grant and explained that Task 1 is focused on reducing greenhouse gas emissions. Planner Rees noted that the Greenhouse Gas Inventory has already been completed and the next step is to develop a Climate Action Plan (CAP).
   b. Planner Rees presented the draft Climate Action Plan and explained that it contains a range of emissions reduction targets and implementation measures to meet those targets.
   c. Planner Rees explained that once it is determined which implementation measures to prioritize, that will determine the emission reduction target.
   d. City Manager Berchtold explained that as part of this process a 'Citizen's Guide' will be developed explaining what the public can do in their daily lives to reduce greenhouse gas emissions.
   e. Commissioner Fechner commented that it might be useful to break down the implementation measures into categories such as which are cheapest to accomplish or which have the quickest pay back periods.
   f. Planner Rees noted that staff is waiting for comments from the City Council on the draft CAP and would like the Commissioners to review the document and provide comments at the February meeting.

9. **Miscellaneous Planner Items.**
   a. Planner Rees briefed the Commissioner's on upcoming applications.
   b. Commissioner Fechner inquired about when the compliance review of the Blue Lake Power Lighting Plan will be presented to the Commission.
   c. Planner Rees stated the 6-Month Compliance Review report will be presented at the February meeting. Planner Rees explained that staff has visited the site to ensure the improvements were installed and taken light measurements to ensure compliance with the Lighting Plan conditions of approval.
   d. City Manager Berchtold updated the Commissioners on marketing of the 4 acre City property that was previously leased to Custom Stump Grinders. City Manager Berchtold explained that the City has recently received an offer on the property.
   e. Planner Brown reminded the Commissioners that the Mad River Steelhead Derby is this weekend.

10. **Upcoming Planning Commission Meetings for the next 3 months will be on February 17th, March 17th, & April 21st.**
   a. The Commissioners stated that they will be available for the next several meetings.

11. **Adjournment by 9:00 pm unless extended by the Planning Commission.**
   a. Motion (Fechner/Nessler) to adjourn at 8:58 p.m.
   b. Motion passed unanimously.