

**City of Blue Lake  
Planning Commission Minutes  
October 19, 2015**

**The Blue Lake Planning Commission was called to order at 7:01 p.m. at Skinner Store**

**Commissioners Present:** Richard Platz, Earl Eddy, Karen Nessler and David Glen

**Commissioners Absent:** None

**Staff Present:** City Planner Garrison Rees, Planning Commission Secretary Cheryl Gunderson, and City Clerk April Sousa.

**Staff Absent:** None

**Public Present:** Kit Mann

**1. Approval of Minutes: September 17, 2015 Special Meeting and September 21, 2015**

- a. Motion (Nessler, Eddy) to approve the September 17, 2015 Special Meeting minutes as written.
- b. Motion passed unanimously, with Commissioner Platz disqualifying himself due to his absence at the September 17, 2015 Special Meeting.
- c. Motion (Platz, Eddy) to approve September 21, 2015 minutes with the following changes:
  - i. Replace the comment "There was no discussion" with "The Planning Commission discussed the proposed amendments" in Item 5f.
  - ii. Replace the comment "There was no discussion" with "The Planning Commission discussed the proposed ordinance" in Item 6f.
  - iii. Remove the last sentence in Item 7e, place it in item 7g, and revise it to state "The Commissioners directed Staff to review State law and determine whether proposed revisions are in compliance."
  - iv. Revise the first sentence in Item 7g to state "The Planning Commissioners discussed the proposed amendments and the information presented by Mr. Mann and decided to continue the public Hearing to the October meeting in order to do further research on the issue."
  - v. Revise Item 8g to state "The Commissioners discussed the proposed amendments and decided to continue the Public Hearing and recommended that the Staff use the remaining budget to revise the Housing Element and bring it back at the October meeting."
- d. Motion passed unanimously.

**2. Public Input on Non-Agenda Items**

- a. None

**3. Approval of the Agenda**

- a. Motion (Glen, Eddy) to approve agenda with the following changes:

- i. Switch Item 5 (Public Hearing for the Housing Element) with Item 7 (Planning Commission Discussion of the Ordinance Update).
- b. Motion passed unanimously.

**Discussion/ Action:**

**4. Public Hearing/Planning Commission Action (Continued): Amendment of Zoning Ordinance Section 610 (Off-Street Parking Facilities), Section 618 (Accessory Buildings), Section 624 (Landscaping), and Section 627 (Residential Second Units). Addition of new Zoning Ordinance Section 628 (River, Creek, and Wetland Setbacks) and Section 629 (Major Vegetation Removal).**

- a. Planner Rees presented the current draft of Zoning Ordinance. He explained that there have been no changes since this was last seen by the Planning Commission.
- b. Planner Rees explained that staff had researched State law as requested by the Planning Commission and confirmed that Section 627 (Residential Second Units) of the Zoning Ordinance is in compliance.
- c. Chair Platz opened the Public Hearing.
- d. Kit Mann of 139 Applewood Lane, Blue Lake, California, presented the Planning Commission with a memo he had drafted in 2008 on residential second units and two emails from September and October 2015. He questioned whether a special permit would be required, to which Planner Rees confirmed that it would.
- e. Planner Rees further explained that a special permit must be administratively approved by the Planner for residential second units as required by State law.
- f. Chair Platz closed the Public Hearing.
- g. The Planning Commissioners discussed increasing the percentage for the maximum size of attached second units. The Commission directed Staff to revise Section 627 to allow attached second units to be 30% of the living area of the primary unit.
- a. Planner Rees presented Resolution No. 3-2015 to the Planning Commission which contains the findings for a recommendation to the City Council for the amendment of Sections 610, 618, 624, and 627 and the addition of Sections 628 and 629.
- h. Motion (Nessler, Glen) to adopt Resolution No. 3-2015, Resolution of the Planning Commission of the City of Blue Lake Recommending Amendment of Sections 610, 618, 624, and 627 and addition of Sections 628 and 629, with a modification to Section 627 (Exhibit “D”) increasing the size of attached second units from 25% to 30% of the living area of the primary unit.
- i. Motion passed unanimously.

**5. Planning Commission Discussion: City of Blue Lake Strategic Growth Council (SGC) Sustainable Communities Planning Grant No. 3012-552. Task 2(F) Ordinance Update. (Formerly Agenda Item 7)**

- a. Planner Rees presented the additional revisions proposed for the Zoning Ordinance. The revisions addressed back-up alarms in the M and ML zones, modular homes, and the noise standards in the RC and MU zones.
- b. Kit Mann of 139 Applewood Lane, commented that back-up alarms are not required by CalOSHA and that the City should revise the noise performance standard to prohibit standard (high pitch) back-up alarms in the Business Park. Kit further commented that the

City's noise standard should not measure noise at the nearest residence but at the most impacted residence.

- c. Planner Rees explained that noise measurements are taken at the closest residence by many jurisdictions as the closest residence is typically the most impacted and an expensive noise study would be needed to determine if another residence is more impacted than the closest residence.
- d. The Commissioners discussed potential standards for back-up alarms on vehicles and equipment used outdoors in the Business Park. The Commissioners requested that Planner Rees research CalOSHA rules and come back to the Commissioners with a revised version based on his findings. The Commission expressed the desire to minimize the use of high-pitched back-up alarms in the Business Park that negatively impact surrounding residents.

**6. Public Hearing/Planning Commission Action: Amendment of Zoning Ordinance Section 625 (Site Plan Approval).**

- a. Planner Rees presented the current draft of Section 625 of the Zoning Ordinance. He explained that there have been no changes since this was last seen by the Planning Commission.
- b. Chair Platz opened the Public Hearing.
- c. There were no comments from the public.
- d. Chair Platz closed the Public Hearing.
- e. The Planning Commission discussed the proposed amendments.
- f. Planner Rees presented Resolution No. 4-2015 to the Planning Commission which contains the findings for a recommendation to the City Council for the amendment of Section 625 (Site Plan Approval).
- g. Motion (Eddy, Platz) to adopt Resolution No. 4-2015, Resolution of the Planning Commission of the City of Blue Lake Recommending Amendment of Section 625 of the Blue Lake Zoning Ordinance No. 382, as amended.
- h. Motion passed unanimously.
- i. Planner Rees explained that Chair Platz will have to sign the Resolution later in the week as there were some typos in the draft that need correction.

**7. Public Hearing/Planning Commission Action (Continued): Amendment of the General Plan Housing Element. (Formerly Agenda Item 5)**

- a. Planner Rees presented the draft Housing Element and explained that new data and discussion had been added since it was last reviewed by the Planning Commission.
- b. He gave an overview of the Housing Element through Section II(D)(4).
- c. Planner Rees explained that additional work is needed on the Element before the Planning Commission recommends it to the City Council.
- d. Chair Platz opened the Public Hearing.
- e. There were no comments from the public.
- f. Chair Platz closed the Public Hearing.
- g. Since additional work is needed on the Housing Element prior to recommendation to the City Council, the Planning Commission decided to renotice for a Public Hearing when the entire document is ready.
- h. The Commissioners requested that Planner Rees research State law to determine if the City is currently required to have a process for "reasonable accommodation."

- i. Planner Rees explained that the City proposed to create the process for “reasonable accommodation” in the 2004 and 2009 Housing Element updates but has yet to develop the process.
- j. Planner Rees will bring the Housing Element to the Planning Commission for discussion once the entire document has been updated.

**8. Miscellaneous Planner Items.**

- a. Planner Rees recounted the discussion from the City Council meeting regarding the first two recommendations of the Planning Commission from the work done under the SGC Grant. The Council chose to expedite the revisions to the Amendments section of the Zoning Ordinance as recommended by Staff to prevent any of the Planning Commission recommendations from expiring.
- b. Planner Rees explained that the City Council requested for the City Attorney to review the proposed Grading Ordinance and extensively discussed the need to form a Board of Appeals. Planner Rees added that the City Council expressed concern that the Building Official holding the position of Secretary to the Board of Appeals could potentially be a conflict of interest and allow him to have undue influence.

**9. Upcoming Planning Commission Meetings for the next 3 months will be on November 16<sup>th</sup>, December 21<sup>st</sup> and January 18<sup>th</sup>.**

- a. All Commissioners in attendance will be available to attend upcoming meetings, with the exception of Chair Platz, who may be unavailable for the next three meetings.

**10. Adjournment by 9:00 pm unless extended by the Planning Commission.**

- a. Motion (Nessler, Eddy) to adjourn.
- b. Motion passed unanimously.
- c. Meeting adjourned at 8:46 p.m.