

**City of Blue Lake
Planning Commission Minutes
December 11, 2017**

The Blue Lake Planning Commission was called to order at 7:00 p.m. at Skinner Store

Commissioners Present: Earl Eddy, Dennis Whitcomb, Bob Chapman, and Elaine Hogan

Commissioners Absent: Richard Platz

Staff Present: City Manager Amanda Mager, City Planner Garrison Rees, and Planning Commission Secretary Cheryl Gunderson.

Staff Absent: None

Public Present: Kash Boodjeh, Ted Jones, Adelene Jones, Peter Daggett.

1. Approval of Minutes: October 23, 2017

- a. Motion (Whitcomb, Chapman) to approve the minutes as amended.
- b. Motion passed unanimously.

2. Public Input on Non-Agenda Items

- a. None.

3. Approval of the Agenda

- a. Motion (Chapman, Whitcomb) to approve agenda as written.
- b. Motion passed unanimously.

Discussion/ Action:

4. Public Hearing/Planning Commission Action: Variance for Kash and Melissa Boodjeh to allow a reduced front yard setback on parcel 025-065-013 (No address assigned). The project is Categorically Exempt from CEQA per §15305 (Class 5) of the CEQA Guidelines which exempts minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

- a. Items 4 and 5 were discussed simultaneously since they are Variance applications for the same applicant on adjoining properties. The discussion on these applications is contained under Item 5 below.

5. Public Hearing/Planning Commission Action: Variance for Kash and Melissa Boodjeh to allow a reduced front yard setback on parcel 025-065-014 (341 Broad Street). The project is Categorically Exempt from CEQA per §15305 (Class 5) of the CEQA Guidelines which exempts minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

- a. Commissioner Chapman recused himself because he resides within 500 feet of the project. As such, he will not be voting on the Variance applications.
- b. Planner Rees described the proposed Variances, which are on adjacent parcels and owned by the same owner. He explained that the property owner is planning to remove the existing structures on the site and replace them with new residences that would have the same front yard setback as the removed structures. This would result in a front yard setback of 4 feet 5 inches on parcel 025-065-013 and 4 feet 7 inches on parcel 025-065-014. The applicant is requesting two Variances to allow these reduced front yard setbacks. He further explained that the project is categorically exempt per CEQA Guidelines Section 15305 (Class 5) allowing minor alterations not resulting in the creation of any new parcel. The project has been determined to meet the requirements of the City's Zoning Ordinance and the goals and policies of the General Plan, with the exception of the 15-foot front yard setback required in the R-1 Zone.
- c. Planner Rees has received comments from the City Staff as follows: 1) The City Manager/Public Works Department has expressed support for the proposed Variance applications; 2) The Building Inspector stated that the variances are consistent with building code regulations, separate demolition permits will be required for removal of the residence and garage, separate building permits will be required for the residences, fire suppression sprinkler systems will be required for the residences, and site drainage shall not be allowed to impact adjoining properties; and 3) the City Engineer and the Blue Lake Fire Department had no comments.
- d. The recommendation of City Staff is to approve the Variance applications based on Finding A of Section 720 of the Blue Lake Zoning Ordinance. This recommendation is based on the fact that many of the properties in the neighborhood have reduced front-yard setbacks similar to what is proposed in the Variance applications, and thus approval of the Variances would not constitute a grant of special privilege, inconsistent with the limitations placed upon other properties in the vicinity. City Staff also recommends the conditions of approval as found in the Staff Report.
- e. Vice-chair Eddy opened the Public Hearing.
- f. Peter Dagget (441 Broad St., Blue Lake) expressed concerns about the Variance applications to the Planning Commission. Mr. Dagget explained that he owns three parcels near the applicant. He requested that if the variances are approved, that the same standard should be applied to his properties. He also stated that the City's proposal is confusing in that the side yard will become the front yard and vice-versa. He said that some of the existing buildings were constructed without permits. He encourages the City not to take a piece-by-piece approach to approving Variances, and make changes to the Zoning Ordinance so Variances are not necessary. He also inquired about whether the building qualified as a significant historical structure.
- g. Planner Rees explained that it is not a significant historical structure that is listed on the City Historical Register.
- h. Adelene Jones (320 B St., Blue Lake) provided comments to the Commission on the project. Ms. Jones is concerned about the demolition of the structures and wants to see the footprint of the plans for the new structures. She requested information regarding the size of the lot, the regulations which define the developable portions of properties, height restriction, and whether 2-stories are allowed. Planner Rees

answered each of her questions. She had no objection to the project or the proposed Variances.

- i. Kash Boodjeh (Applicant, 882 I Street, Arcata) presented on his proposal to the Commission. Mr. Boodjeh described the plans for the new residence he proposes to build on the property and explained his reasoning for applying for the Variances.
- j. City Manager Mager commented that the Zoning Ordinance needs to be revisited in order to include setback requirements that align with the historic pattern of development in Blue Lake.
- k. Planner Rees added that the current Zoning Ordinance was written in the 1960s and that a full-time City Planner wasn't hired until the late 1980s. He concurred with Manager Mager's comments about needed revisions to the Zoning Ordinance.
- l. Vice-chair Eddy closed the Public Hearing.
- m. Vice-chair Eddy discussed changing the orientation of the house and its impact on the neighborhood. Planner Rees explained that there is not a specific requirement in the Zoning Ordinance as to how structures must be oriented on a corner lot. Planner Rees stated that the Zoning Ordinance gives the City Planner discretion as to how to apply setbacks.
- n. Vice-Chair Eddy asked about the timing of the project. The applicant explained that he plans to demolish the existing garage and replace it with a new residence first. Then he may demolish the existing house and replace it with a new residence.
- o. Motion (Whitcomb, Hogan) to approve Resolution No. 2-2017, Resolution of the Planning commission of the City of Blue Lake approving a variance application for Kash & Melissa Boodjeh to allow a reduced front yard setback on parcel 025-065-013. Motion passed (3-0) with Commissioner Chapman having recused himself.
- p. Motion (Hogan, Whitcomb) to approve Resolution No. 3-2017, Resolution of the Planning commission of the City of Blue Lake approving a variance application for Kash & Melissa Boodjeh to allow a reduced front yard setback on parcel 025-065-014. Motion passed (3-0) with Commissioner Chapman having recused himself.

6. Public Hearing/Planning Commission Action (Continued): Amendment of the General Plan and Zoning Ordinance to add an Opportunity Zone that would allow commercial, manufacturing, and residential uses.

- a. Planner Rees explained that this item was discussed at the July, August, September, and October Planning Commission meetings, and the Public Hearing was continued to the December 11, 2017 special meeting. All Commissioner and public comments and suggested revisions have been made to the documents and are presented to the Planning Commission for their review.
- b. Planner Rees presented the revised draft Amendment of the General Plan and Zoning Ordinance to add an Opportunity Zone. He provided an overview of the changes which were detailed in the memo provided to the Commission. He explained that the changes to the General Plan are necessary to ensure there is consistency between the General Plan and the Zoning Ordinance. The Land Use Element also has to be updated to include the new zone. The Commission last worked on updating the Land Use Element in November 2015 as part of the SGC Grant.
- c. The Commissioners discussed the changes that had been made to the proposed O Zone since their last review. The Planning Commissioners agreed to strike "dry

cleaning” from principally permitted uses. Manager Mager also suggested that public and private recreational facilities should be included as principally permitted use in the O Zone.

- d. The Commissioners also recommended that the term “heavy” should be removed from allowable commercial uses.
- e. The Commissioners final comment regarding the O Zone was related to the requirements for open space. The Commissioners recommended that a requirement be included that open space shall have a minimum of 50% of landscaping. The Commissioners also recommended that the language should be revised to state that open space can be shared among several properties.
- f. At this point, the topic switched to the proposed amendments to the Land Use Element (LU) of the General Plan.
- g. Planner Rees explained that further changes to the Ordinance were made pursuant to the Commissioner’s comments at the last meeting. He highlighted the significant revisions.
- h. Discussion occurred over the approval timeline for the General Plan and Zoning Ordinance amendments for the O Zone.
- i. Planner Rees explained that the next step would be to analyze what type and density of development the O Zone would allow and whether that aligns with the intent of encouraging a beneficial mixture of commercial, manufacturing, and residential uses in the Powers Creek District.
- j. Once this analysis occurs, the O Zone will be brought back to the Planning Commission for further review or recommendation to the City Council.

7. Miscellaneous Planner Items.

- a. Planner Rees provided the Planning Commission with a summary of the development applications currently being reviewed by City Staff.

8. Upcoming Planning Commission Meetings for the next 3 months will be on January 15, February 19, and March 19, 2018.

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

- a. Motion (Chapman, Hogan) to adjourn.
- b. Motion passed unanimously.
- c. Meeting adjourned at 9:25 p.m.