

**City of Blue Lake
Draft Planning Commission Minutes
April 20, 2020**

The Blue Lake Planning Commission Meeting was called to order at 7:09 p.m. at Skinner Store

Commissioners Present: Earl Eddy, Cort Pryor, Matthew Schang, Richard Platz, and Robert Chapman

Commissioners Absent: None

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

Staff Absent: None

Public Present: Kash Boodjeh, Kat Napier, and Alicia Rousseau.

1. Approval of Minutes: February 24, 2020 Special Meeting

- a. Minutes will be available at the next meeting.

2. Public Input on Non-Agenda Items

- a. None

3. Approval of the Agenda

- b. Motion (Chapman, Platz) to approve agenda as written.
- c. Motion passed unanimously (5-0).

Discussion/ Action:

4. Planning Commission Action: #025-061-021/2020 Exception to the Fence Regulations in Section 17.24.190 (Vision Clearance and Fence Regulations) of the City's Municipal Code for Kat Napier to allow a 6-foot fence along Greenwood Road within the front yard setback area. Located on parcel 025-061-021 (110 Greenwood Road). The project is categorically exempt from CEQA per Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities or structures.

- a. Planner Rees provided the Planning Commission with a summary of the Staff Report. He explained that the Applicant is seeking an exception to the fence regulations in order to allow them to build a 6-foot fence along Greenwood Road within the front yard setback area.
- b. He explained that the fence would not obstruct vision clearance and result in safety issues for vehicles and other modes of transportation at the intersection of Greenwood Road/Railroad Road/E Street. He also stated that all design purposes have been satisfied or waived.

- c. Planner Rees stated that the proposed project is determined to be categorically exempt per CEQA Guidelines Section 15303 (Class 3), exempting the construction and location of limited numbers of new, small facilities, or structures.
- d. The recommendation of City Staff is to approve the request for the exception to the fence regulations.
- e. Commissioner Eddy opened the Public Hearing.
- f. Kat Napier (Applicant) explained the reasoning for the request for the fence exception, which included the desire for privacy in their back-yard area.
- g. Commissioner Eddy closed the Public Hearing.
- h. The Commissioners gave consideration to the fact that when Greenwood Road became an industrial truck route, a portion of the Applicant's property was forfeited in order to widen the road, leaving them with an irregularly-shaped lot and with minimal setback from the roadway.
- i. Planner Rees added that the irregular configuration of the lot will be added as a finding in the Resolution.
- j. Motion (Chapman, Schang) to approve Resolution No. 3-2020 Resolution of The Planning Commission of The City of Blue Lake Approving A Request for An Exception to The Fence Regulations For Kat Napier with the addition of the finding for the irregular configuration of the lot.
- o. Motion passed (5-0).

5. Public Hearing/Planning Commission Action: #025-201-018/2020 Conditional Use Permit and Site Plan Approval for Rousseau Investments LLC for the remodel of an existing 1,792 s.f. structure on the property with a 1,280 s.f. addition that will result in a 3,072 s.f. commercial structure. The project also includes related site improvements including access, parking, and landscaping improvements. A Conditional Use Permit is required for the project to allow a reduction of the required setback in the Light Industry (ML) zone from the Monda Way public right-of-way. Located on parcel 025-101-023 (No address assigned) at the end of the Monda Way cul-de-sac in the Powers Creek District. This project is categorically exempt from CEQA per §15303 (Class 3) and §15332 (Class 32) of the CEQA Guidelines exempting new construction or the conversion of small structures (Class 3) and projects characterized as in-fill development.

- a. Planner Rees provided the Planning Commission with a summary of the Staff Report.
- b. He explained that the Applicant is seeking a Conditional Use Permit and Site Plan Approval for a remodel of the existing structure on the property at APN 025-201-018 in the Light Industry (ML) Zone. He further explained that the project also includes six gravel vehicle parking spaces, one ADA compliant vehicle parking space, bicycle parking spaces, walkways, and landscaping.
- c. Planner Rees stated that the applicant has applied for a Conditional Use Permit to allow for a reduction of the required setback in the Light Industry (ML) zone from the Monda Way right-of-way.
- d. Planner Rees stated that the proposed project is determined to be categorically exempt per CEQA Guidelines Section 15303 (Class 3), exempting the construction and location of limited numbers of new, small facilities, or structures. The proposed project is also determined to be categorically exempt per CEQA Guidelines Section 15332 (Class 32), exempting projects characterized as in-fill development. The applicant's

- project has met all the criteria and conditions for the exemptions.
- e. Planner Rees explained that the project was sent out for referral to the City Manager, Public Works Department, Building Inspector, City Engineer, Volunteer Fire District, Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of Rohnerville Rancheria. Planner Rees explained that the comments from the departments and agencies are either addressed in the Staff Report or included as conditions of approval for the project.
 - f. Planner Rees described the proposed project as being consistent with the General Plan and the purposes of the Industrial (I) designation, and with the Zoning Code and the purposes of the Light Industry (ML) zone.
 - g. The recommendation of City Staff is to approve the project application with the recommended conditions of approval and make the findings that the project is consistent with the City's General Plan and Zoning Ordinance.
 - h. Commissioner Eddy opened the Public Hearing.
 - i. Alicia Rousseau (Applicant) explained that the building will be used for their plumbing business and provide a space for an additional business in the Power Creek District.
 - j. Kash Boodjeh (Architect) answered the Commissioner's questions about the orientation of the building and the driveway.
 - k. Commissioner Eddy closed the Public Hearing.
 - l. The Commissioners discussed the setback, temporary gravel driveway, trash, and the trail that is adjacent to the property.
 - m. Planner Rees and Manager Mager stated that the City will work on modifying the existing trail so that there is still adequate pedestrian access to the new bridge from Monda Way after the project is constructed.
 - n. Motion (Eddy, Pryor) to approve Resolution No. 4-2020, Resolution Of The Planning Commission Of The City Of Blue Lake Approving A Conditional Use Permit And Site Plan Approval Application For Rousseau Investments LLC For An Addition To An Existing Building And A Reduction Of The Required Setback In The Light Industry (ML) Zone From The Monda Way Public Right-Of-Way.
 - o. Motion passed (5-0).

6. Planning Commission Discussion: Amendment of the Municipal Code to incorporate City-wide noise regulations.

- a. Planner Rees provided the Planning Commission with a summary of the Staff Report and explained that the City Council has directed City Staff to work with the Planning Commission on development of City-wide noise regulations. .
- b. Planner Rees presented the need for the City to have City-wide noise regulations. He explained that the current General Plan includes a Noise Element that was adopted in 1975 and the Municipal Code has noise performance standards in specific zones. He further stated that City-wide noise regulations would provide the City Staff with a greater ability to enforce noise complaints.
- c. He requested that the Planning Commission discuss what type of noise regulations should be developed and which activities should be exempt.
- d. Planner Rees recommended that the Planning Commission receive the Staff Report, open the item for public comment, and continue the item to the May 18 Planning

Commission meeting.

- e. The Commissioners discussed enforcement of noise regulations. Planner Rees added that noise impacts are subjective and difficult to enforce.
- f. Manager Mager added that 99% of noise complaints involve barking dogs and weekend noise. She stated that City-wide noise regulations would be helpful to City Staff.
- g. Planner Rees stated that a main focus is on quiet hours, specifically for residential areas in the City. He stated that the standards need to be City-wide, consistent, and enforceable.
- h. Commissioner Chapman requested that generator noise be regulated.
- i. Planner Rees responded that sound attenuation can be incorporated into generator design to ensure it meets an average noise level standard of 60 decibels at the property line.
- j. Manager Mager added that an exception for a medical reason to run a generator be included.
- k. The Commissioners discussed quiet hours in relation to its effect on business with late night music.
- l. Planner Rees added that the 10 p.m. noise limit on the Mad River Festival is a condition of their use permit.
- m. Planner Rees stated that the Logger Bar pre-dates any City noise standards, such as those in the RC zone, and is considered grandfathered in. Planner Rees clarified that even if a business pre-dates the adoption of noise standards, excessive noise at nighttime could still be defined as a public nuisance and subject to the City's Nuisance Abatement requirements.
- n. The Commissioners discussed barking dogs. Manager Mager explained that noise impacts from animals is difficult to enforce.
- o. Planner Rees explained that there is a section in the Municipal Code that addresses nuisance impacts from animals and that adding quiet hours will be helpful to City Staff to have an additional tool to enforce noise complaints.
- p. Motion (Eddy, Pryor) to extend the meeting past 9:00.
- q. Motion passed unanimously (5-0).
- r. Planner Rees summarized the Commissioners comments for quiet hours between 11 p.m. and 8 a.m. on Sunday through Thursday and 12 a.m. and 9 a.m. on Friday and Saturday.
- s. He then recommended a 60-decibel exterior noise level standard and 45-decibel interior noise level standard be considered for the noise regulations. He agreed to provide a draft section on noise standards incorporating the Commissioners comments.
- t. The Commissioners continued the discussion on this item to the next meeting.

7. Miscellaneous Planner Items: None

8. Upcoming Planning Commission Meetings for the next 3 months will be on May 18, June 15, and July 20, 2020.

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

- a. Motion (Chapman, Pryor) to adjourn.
- b. Motion passed unanimously (5-0).

c. Meeting adjourned at 9:11 p.m.